

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

CITY OF FOSTER CITY COMMUNITY DEVELOPMENT DIRECTOR'S ACTION NOTICE OF DECISION

ACTION DATE: February 25, 1999

CASE NO. : UP-72-008N

APPLICANT: Isle Cove Planned Development, c/o Franciscan Property Management

APPLICANT ADDRESS: 570 Price Ave., Suite 200, Redwood City, CA 94063

APPLICATION FOR: Prototype Design for Size, Location, and Placement of Spas

LOCATION: Isle Cove Planned Development

ZONING: R-3 (Medium Density Multiple-Family Residence) District

ACTION TAKEN: Approved with Conditions

On the date listed above, the Community Development Director of the City of Foster City, took the action described above on the subject Architectural Review application based on the following findings:

1. That the proposal to establish a prototype for the size, location, and placement of spas for residential units in the Isle Cove Planned Development, with the Conditions of Approval in Exhibit A, is consistent with the Foster City General Plan and Title 17, Zoning, and Chapter 2.28, Planning, of the Foster City Municipal Code because the guidelines set forth in the prototype will ensure that the location and size of all new spas in the development will be consistent with the requirements of the Foster City Municipal Code and will be consistent with the residential use of the planned development.
2. That the design of the proposal is appropriate to the City, the neighborhood and the lot in which it is proposed because the prototype establishes a set of guidelines to ensure the consistent design, location, and placement of spas in the yards of residential units in the development and will be in keeping with similar improvements in residential areas.
3. That the design of the proposal is compatible with its environment with respect to use, forms, materials, colors, setbacks, location, height, design, or similar qualities as specified in Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision, and Chapter 17.66, Swimming Pools, of the Foster City Municipal Code because the prototype will provide guidelines to ensure that the location and placement of spas in the development are consistent with all applicable City regulations and the Uniform Building Code.

4. That the proposal will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City because the guidelines set forth in the prototype will ensure that the location, size and height of all new spas will be such that they will be set back sufficiently from other residential units in the development, will meet the requirements of Chapter 17.66, Swimming Pools, of the Foster City Municipal Code, and will avoid detrimental noise, privacy, and view impacts to adjacent properties.

This action is subject to any conditions contained in Exhibit A, attached.

Expiration

Any Architectural Review approval shall, without further action, become null and void if not used within two (2) years from the date of approval thereof, or within any shorter or longer period of time if so approved by the Community Development Director.

Appeal

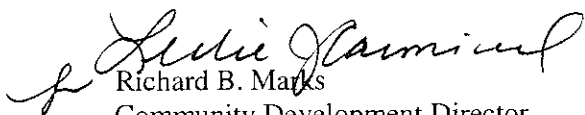
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed using the appeal form available in the Community Development Department or by letter. There is a fee for filing an appeal. All appeals must be filed in accordance with Section 17.06.150.

Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review decision shall not be effective until the permittee acknowledges acceptance of any conditions of approval and any appeal period has lapsed, or if there is an appeal, until a final decision has been made on the appeal.

In order to demonstrate that you are aware of and understand the Architectural Review conditions of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the Planning/Code Enforcement Division. Please keep the duplicate for your records.

Sincerely,


Richard B. Marks
Community Development Director

(Applicant's Name) (Please Print)

Planners Initials: VEJ

(Applicant's Signature)

EXHIBIT A

ISLE COVE HOMEOWNERS' ASSOCIATION
Prototypical Design Guidelines for Replacement of Windows and Sliding Glass Doors

The following guidelines shall govern the design, location, and placement of all new spas installed in the Isle Cove Planned Development:

CONDITIONS OF APPROVAL

1. All construction shall be designed, constructed, installed and maintained in a professional manner and appearance.
 2. All materials and colors shall be as approved. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval.
 3. All spas shall maintain a minimum 5' setback from side and rear yard lot lines.
 4. All decks and patios shall maintain a minimum 24" setback from side and rear fences to allow for landscape screening.
 5. Exterior lighting of the building and site shall not be directed onto adjacent properties, and the light source shall be shielded from direct off-site view.
 6. All mechanical equipment, including electrical and gas meters, shall be architecturally screened from view.
 7. All architectural elements such as soffits, screens, etc., not shown or detailed on the plans shall be finished in a material and color in harmony with the exterior of the building.
 8. All mechanical equipment shall be located a minimum of 5' from any property line and soundproofed to the satisfaction of the City.
 9. Prior to installation, a building permit shall be obtained from the Building Division. Four (4) sets of final drawings shall be submitted with the building permit application.
 10. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
 - * 11. The design, location, and placement of all new spas in the Isle Cove Planned Development shall conform to the guidelines and regulations set forth in the "Spa Prototype Design for Isle Cove Condominiums" package, prepared by Keller and Daseking Architects, dated January 18, 1999.
- * Site Specific Condition

APPROVAL PROCESS

1. The homeowner/applicant shall obtain an approval letter from the Isle Cove Homeowners' Association for the proposed spa. The letter shall indicate that the new spa conforms with the established design criteria of the prototype.
2. The homeowner/applicant shall submit a complete application for an Architectural Review permit which includes the following:
 - Architectural Review application signed by the property owner
 - Letter from the Homeowners' Association indicating their decision on the proposal
 - Filing fee (currently \$25.00, one-half the typical filing fee for spas)
 - Three copies of a site plan showing the proposed location of the spa, indicating its outer dimensions and distances from adjacent fences and house walls
3. The Planning/Code Enforcement Division staff will review the Architectural Review application and plans to confirm that the proposal conforms to the Prototypical Design Guidelines.
4. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees, including the approval letter from the Isle Cove Homeowners' Association.

Julie Leeson, Franciscan Property Management
Isle Cove Homeowners' Association

Date


Richard B. Marks, Community Development Director
City of Foster City

Date

SPA PROTOTYPE DESIGN
for
ISLE COVE CONDOMINIUMS

ISLE COVE HOMEOWNERS ASSOCIATION

*Appeal period
ends at the
end of the day
of Mon. Mar 8, 1999*

UP 72-006N
CITY OF FOSTER CITY
PLANNING DEPARTMENT
FEB 25 1999 
ADMINISTRATIVE APPROVAL
WITH CONDITIONS

Prepared by

KELLER and DASEKING ARCHITECTS
825 OAK GROVE AVENUE
MENLO PARK, CA 94025

January 18, 1999

FOSTER CITY
RECEIVED
JAN 22 1999
PLANNING
DIVISION

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DESIGN CRITERIA FOR SPAS

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SUMMARY OF HOT TUB/SPAS

SITE PLANS

**ISLE COVE HOMEOWNERS ASSOCIATION
DESIGN CRITERIA FOR SPAS**

Based on the requirements of the Swimming Pool Safety Act, the Uniform Building Code, City of Foster City Municipal Code and the City's adopted Architectural and Solar Guidelines, the requirements for installation of hot tubs and spas in Isle Cove are as follows:

1. Setback Requirements

- A. Section 17.66.010 of the Foster City Municipal Code requires that hot tubs and spas be located no closer than 5 feet from any rear or side property lines and that the Planning Commission may reduce these requirements by twenty-five percent (25%) upon securing a Use Permit.
- B. The minimum setback from the front, rear and side property lines for hot tubs and spas shall be 3'- 9", (25% reduction of the minimum 5 feet setback referred to above) except that the minimum setback shall be 5 feet from a common property line shared with an adjoining unit to minimize noise and privacy impacts to adjacent properties.
- C. If mechanical equipment (filters, heating systems, etc.) are not located within the hot tub or spa housing, the equipment shall be located a minimum of 5 feet from any property line.

2. Swimming Pool Safety Act

- A. A locking safety cover, that comply with the American Society for Testing Materials - Emergency Performance Specification (ASTM-ES 13-89), is required on the spa.
- B. In differences between the Swimming Pool Safety Act and the Uniform Building Code, the more stringent shall govern.

3. Uniform Building Code Requirements

All glass window surfaces less than 5 feet above and within 5 feet of a hot tub or spa shall have safety glazing (laminated or tempered glass) in compliance with the City adopted Uniform Building Code (UBC).

4. Architectural Design Considerations

- A. A minimum area of 9 sq. ft. (3' by 3') shall be provided in front of a 3 ft. wide openable panel of a sliding glass door, 12 sq. ft (4' x 3') in front of a 4' wide openable panel, leading to the rear or side yard shall be free of any structures (including a hot tub or spa) to facilitate circulation between the inside and the outside of the residence.
- B. The area shaded on the attached drawings represent the area in which a hot tub or spa can be located, provided all other requirements are met.
- C. In portable spas, the pumps are at the bottom of the spa and have two small doors on the side of the spa to allow for inspection. The UBC requires easy access to pumps for inspection. If the spas are sunk into the deck, the side doors to the pumps must be above grade.
- D. Complying with any or all of the items of this Design Criteria does not waive the requirements of the "ICHA Guideline for Architectural Alteration Application" and provisions of the Uniform Building Code, as adopted by the City of Foster City.

5. Hot Tub Size Requirements

- A. In accordance with information received from a spa company, the following sizes of spas (portable type) are normally used in residential area:

Capacity	Length	Width	Height
160 gallon	6'-0"	4'-11"	29"
250 gallon	6'-8"	5'-2"	30"
350 gallon	7'-1"	6'-7"	34"
550 gallon	8'-3"	7'-9"	38"

- B. As the restrictions limit govern the placement of the spa, the maximum size spa is 6'-0" x 4'-11" x 2'-5" height.

6. Fence Requirements

- A. The hot tub or spa shall not exceed the height of the fence.
- B. The Swimming Pool Safety Act requires all barriers (fences) enclosing hot tub or spa shall be at least 60" above grade measured on the side of the fence which faces away from the hot tub or spa. The UBC requires

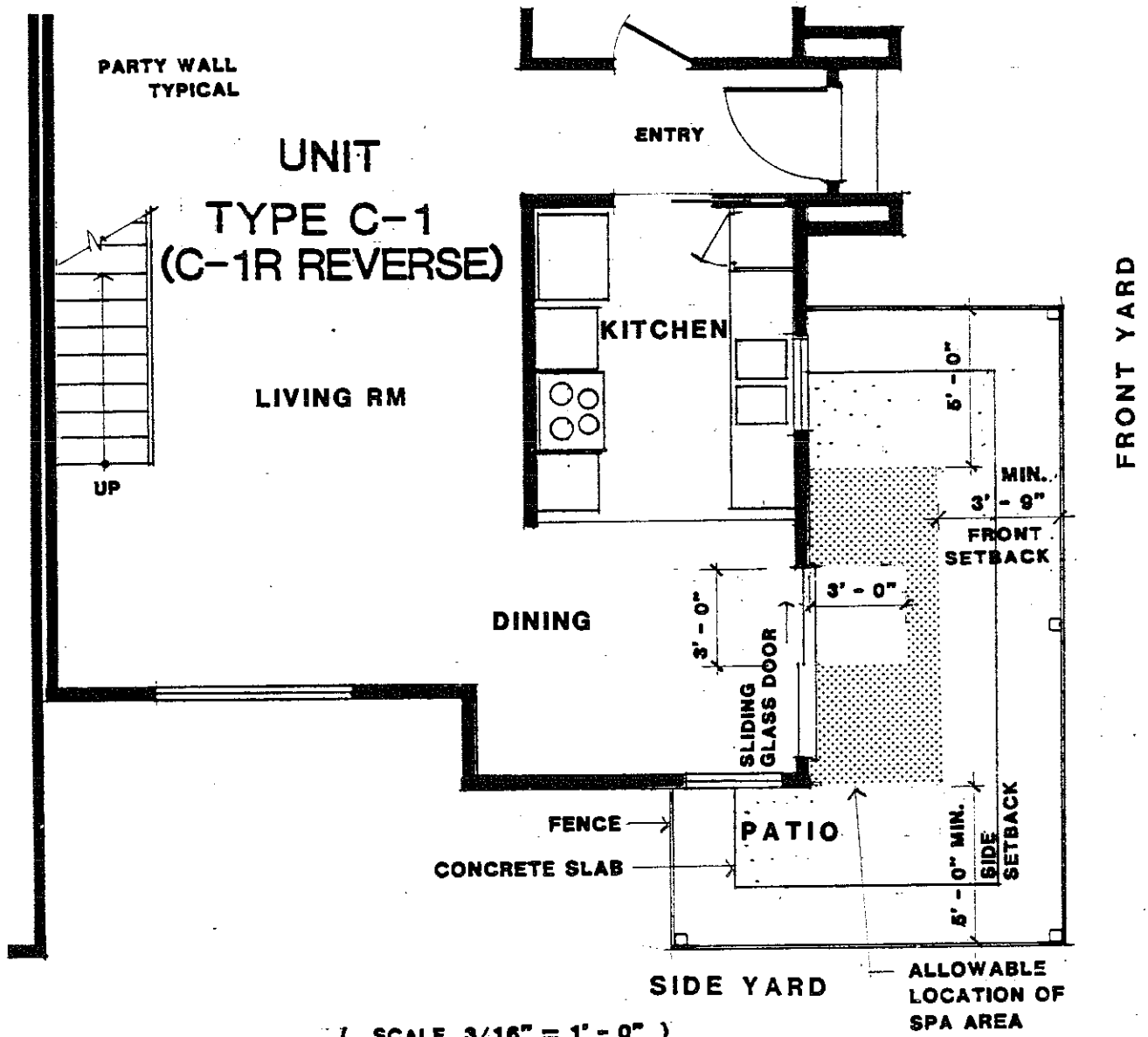
that any opening in the fence shall not allow passage of a sphere 1-3/4 " in diameter.

- C. The Swimming Pool Safety Act requires that where there is an access gate that is part of the fence enclosing the location of the hot tub or spa, the gate shall open outward away from the hot tub or spa and shall be self closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 60 inches from the bottom of the gate, the release mechanism shall be located on the pool side of the fence at least 3" below the top of the gate and the gate and fence shall have no opening greater than 1/2" within 18" of the release mechanism.
- D. At hot tub or spa locations on the waterfront, the fence shall not exceed the height of the adjacent fence, which is approximately 2'-10". Therefore, a hot tub or spa is not permitted because of the 60" high fence requirement.
- E. At buildings other than on the waterfront, where the patio is in the front and the existing enclosing fence is approximately 2'-10" in height, a spa or hot tub is not permitted as the fence height is required to be 60". An increase in height of fence will require approval of the Planning Division Architectural Review, as Isle Cove is a Planned Community and any modification in the existing residential complex requires City approval.

7. City of Foster City Requirements

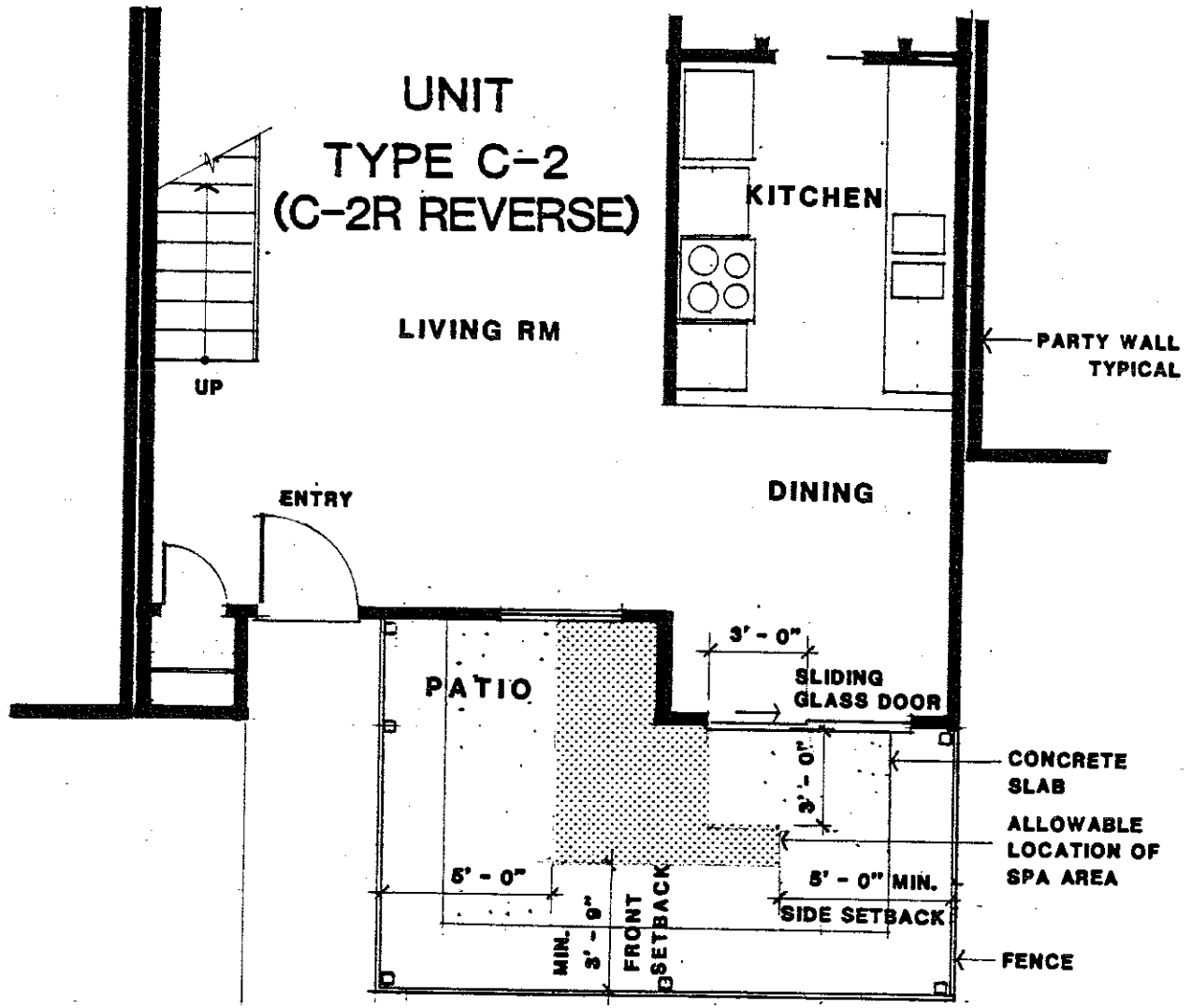
- A. The installation of a hot tub or spa is a modification to the existing residential complex and requires Architectural Review Permit approval from the City prior to installation.
- B. Prior to submittal of this application to the City, the homeowner shall obtain approval from the Isle Cove Homeowners' Association on forms to be provided by the Association.
- C. The Homeowners' Association shall issue a letter to the homeowner indicating their decision on the proposed hot tub or spa installation.
- D. The homeowner shall submit the following to the City's Planning/Code Enforcement Division:

1. A completed and signed application form for Architectural Review. Forms are available at the Planning Division office at City Hall
 2. Required filing fee.
 3. A copy of the letter from the Isle Cove Homeowners Association indicating their action on the proposal.
 4. Three copies of a scaled drawing of the elevation of the hot tub or spa and a site plan of where it is to be located in the rear or side yard of the property, including an indication of dimensions, materials, and colors. Photographs and brochures of the proposed hot tub or spa may also be submitted.
- E. After the Planning Division's Architectural Review approval, the homeowner must obtain a building permit from the Building Division, which requires the submittal of four sets of plans of the hot tub or spa and the appropriate fee.
8. Drawings of Building Types are attached for reference.
 9. Summary of Building Type and Spas permitted for North of Dorado Lane, South of Dorado Lane and Island are attached for reference.
 10. Site Plans for North of Dorado Lane, Island and South of Dorado Lane are attached for reference. These Plans indicate where hot tubs/spas may be installed.



NO SPA PERMITTED

BLDG. TYPE I
NORTH OF DORADO LANE
BLDGS. 4, 5, 13, 17

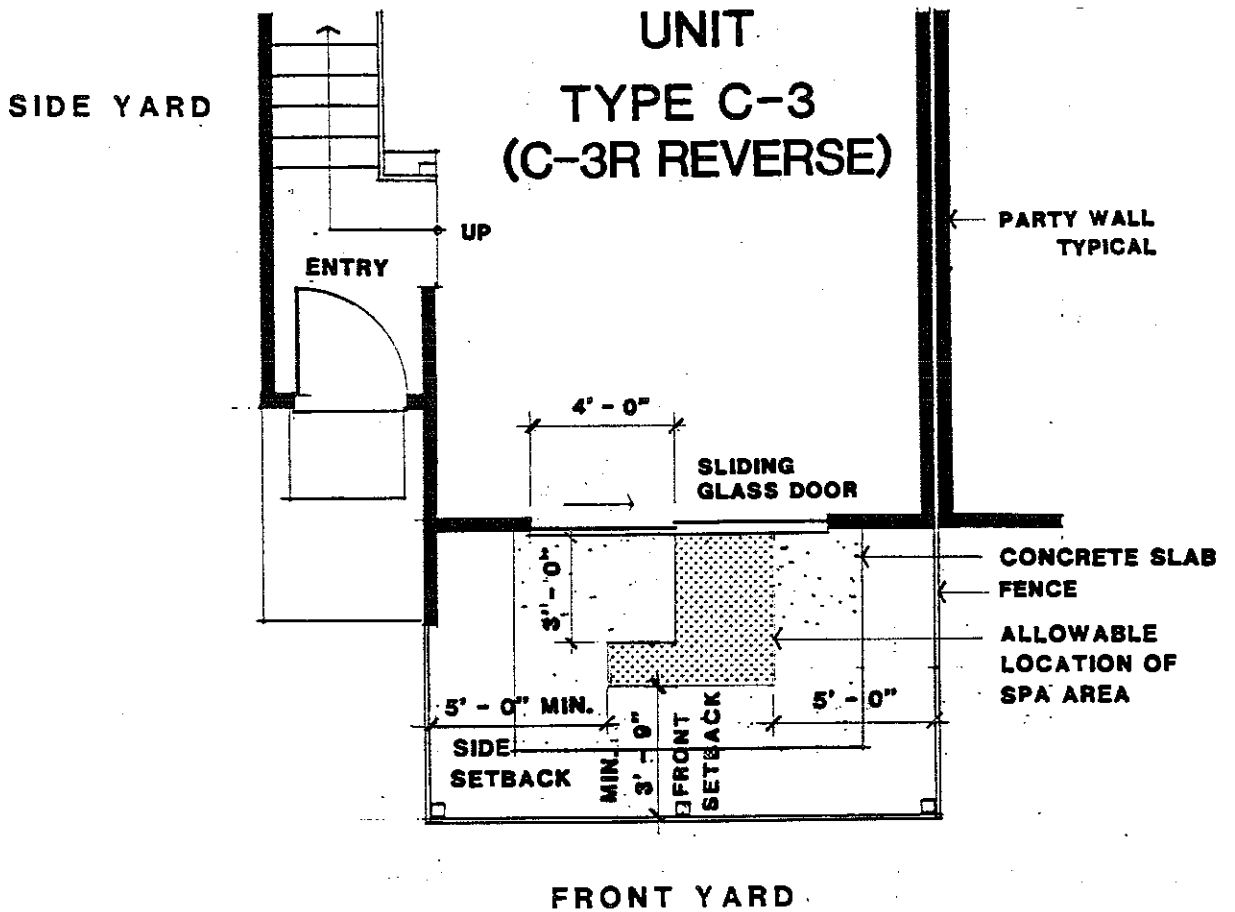


FRONT YARD

(SCALE 3/16" = 1' - 0")

NO SPA PERMITTED

BLDG. TYPE I
 NORTH OF DORADO LANE
 BLDGS. 4, 5, 13, 17



(SCALE 3/16" = 1' - 0")

NO SPA PERMITTED

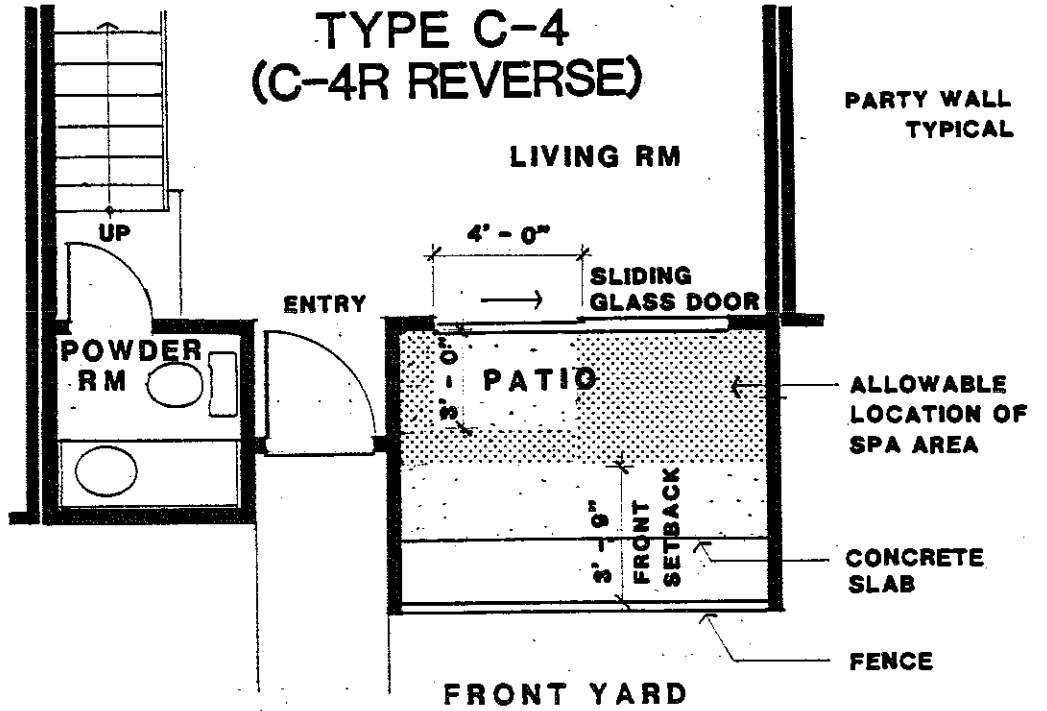
BLDGS. TYPE II, III, IV, V

NORTH OF DORADO LANE

BLDGS. 1, 2, 3, 6, 7, 8, 9, 10, 11, 12,

14, 15, 16, 18, 19, 20, 21

**UNIT
TYPE C-4
(C-4R REVERSE)**



(SCALE 3/16" = 1' - 0")

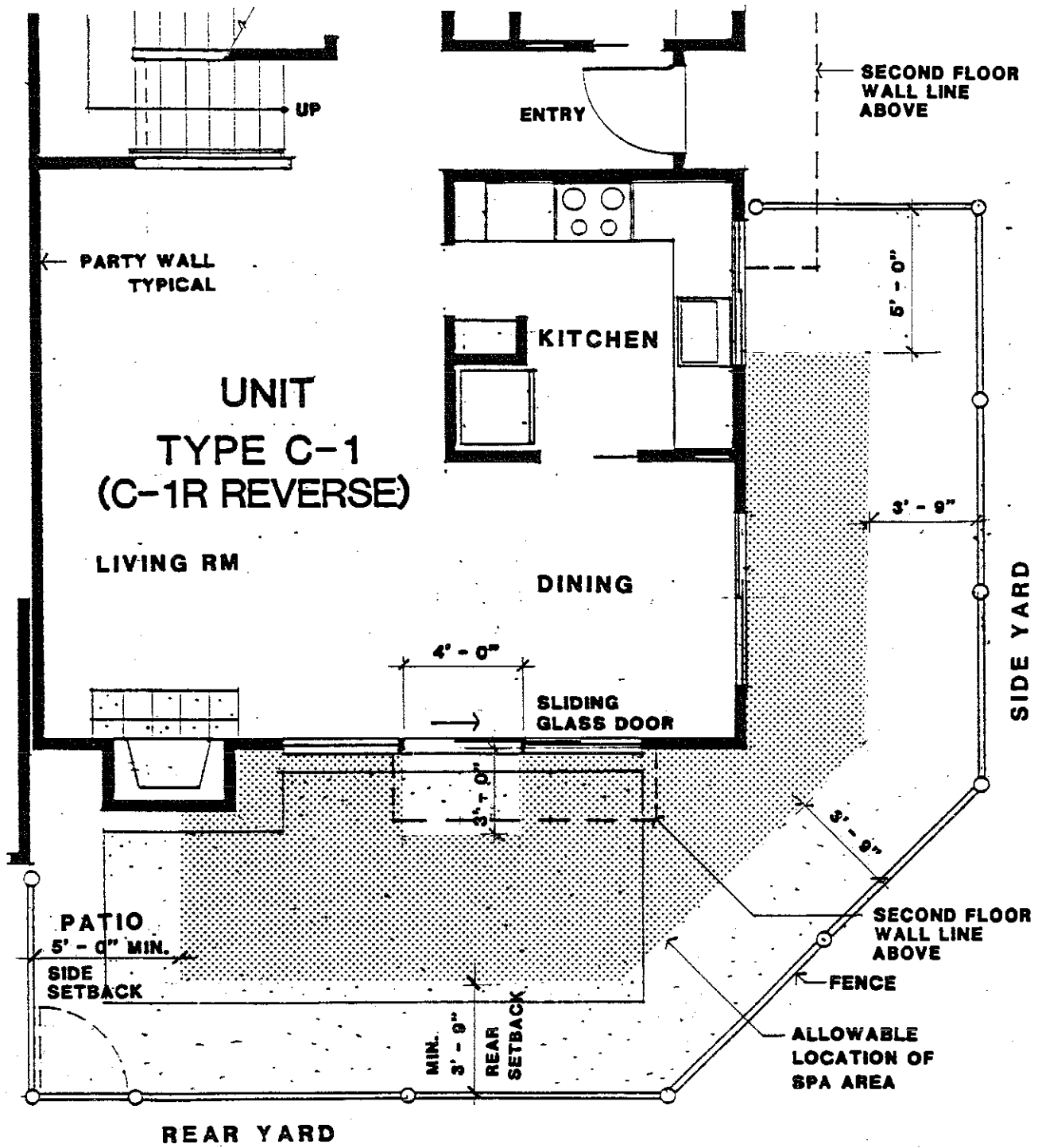
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NORTH OF DORADO LANE

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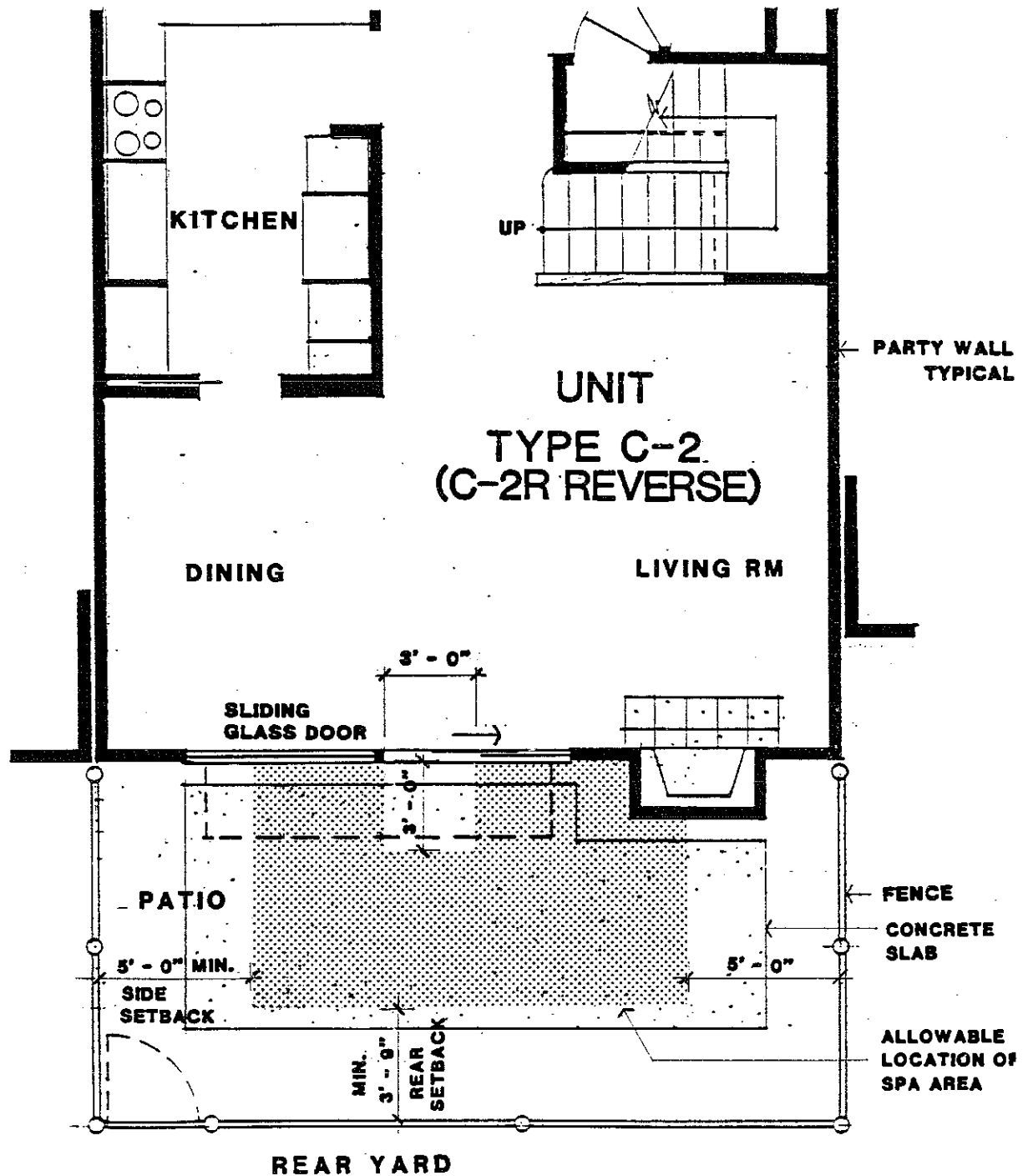
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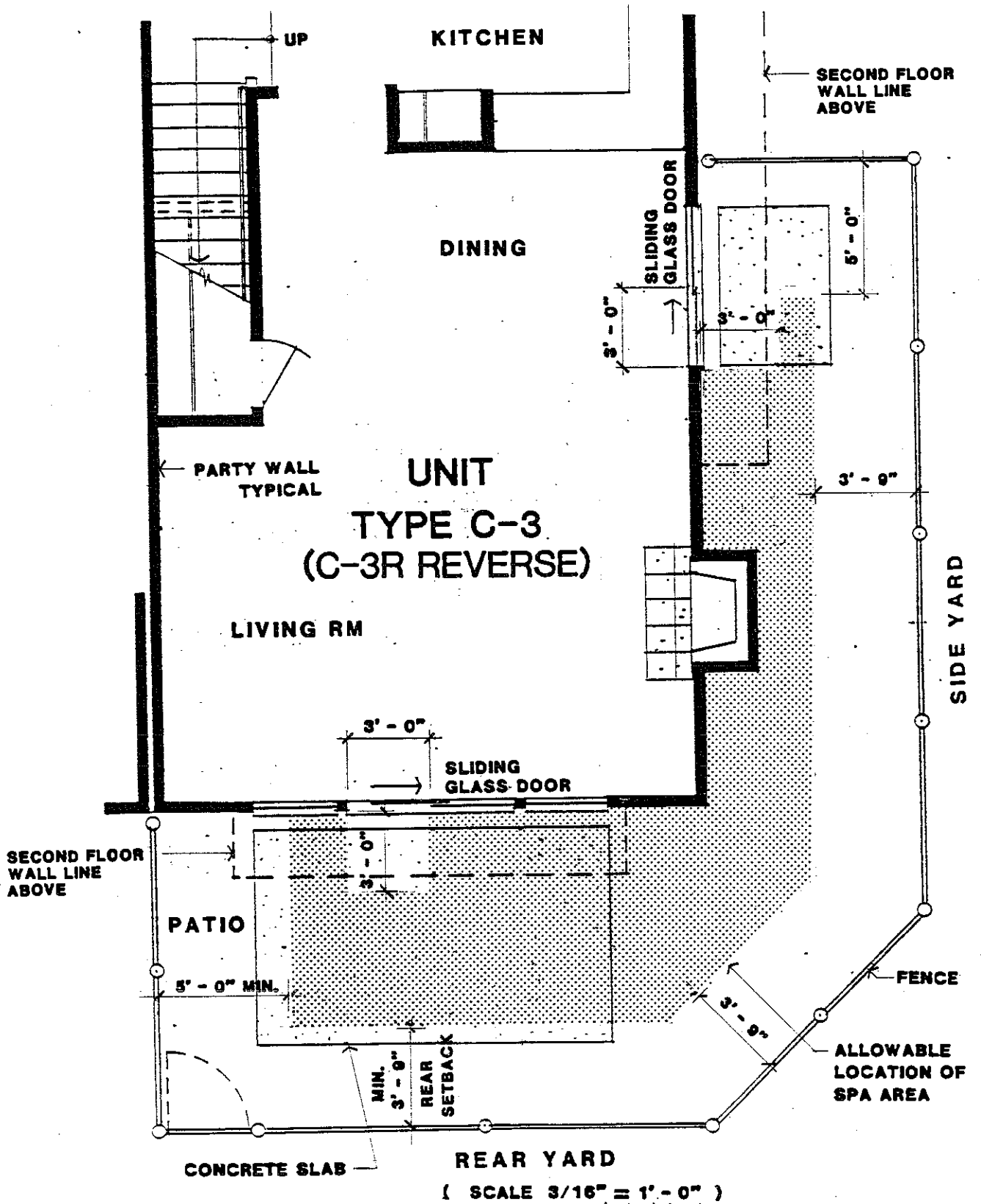
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 BLDGS. 24, 26, 34, 38, 42, 48

BLDG. TYPE I
 SOUTH OF DORADO LANE
 ISLAND
 BLDGS. 43, 50



NO SPA PERMITTED
BLDGS. 24, 26, 34, 38, 42, 48

BLDG. TYPE I
SOUTH OF DORADO LANE
ISLAND
BLDGS. 43, 50



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NO SPA PERMITTED

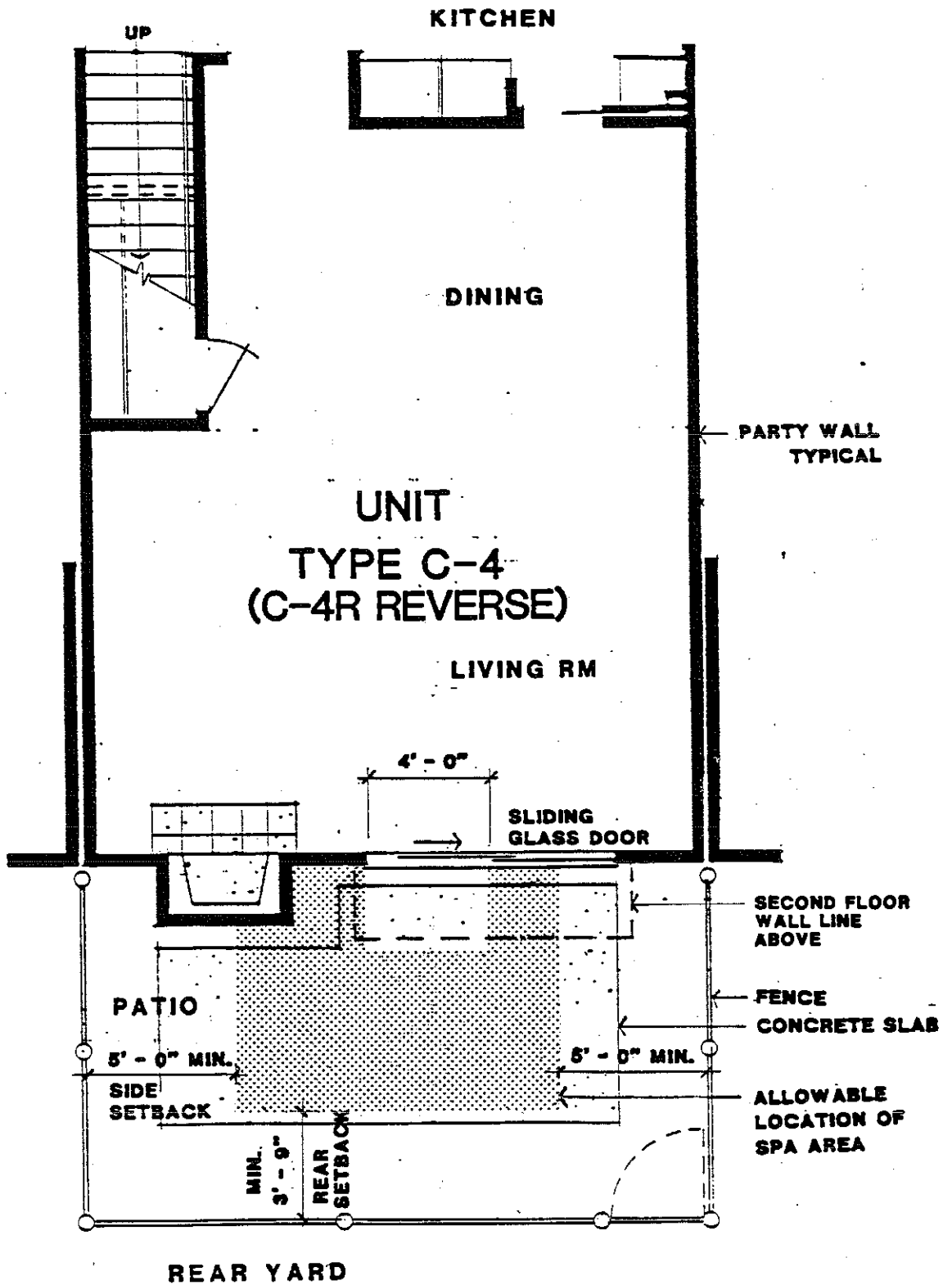
BLDGS. 22, 23, 25, 27, 31,
35, 36, 37, 39, 40,
41, 44, 45, 46, 47

BLDGS. TYPE II, III, IV, V, VI

SOUTH OF DORADO LANE

ISLAND

BLDGS. 28, 29, 30, 32, 33, 49, 51, 52, 53, 54,
55, 56, 57, 58, 59, 60, 61, 62, 63, 64



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NO SPA PERMITTED
 BLDGS. 22, 23, 25, 27, 31,
 35, 36, 37, 39, 40,
 41, 44, 45, 46, 47

BLDGS. TYPE II, III, IV, V
 SOUTH OF DORADO LANE
 ISLAND
 BLDGS. 28, 29, 30, 32, 33, 49, 51,
 52, 53, 54, 55, 56, 57, 64

**ISLE COVE CONDOMINIUMS
SUMMARY OF HOT TUB/SPAS**

NORTH OF DORADO LANE

BUILDING NO.	BUILDING TYPE	UNIT TYPE	HOT TUBS/SPAS PERMITTED
1, 2, 3, 12, 16	IV	C-3, C-4 C-4R	No
4, 5, 13, 17	I	C-1, C-1R, C-2, C-2R	No
6, 7, 8, 15, 18, 21	V	C-3, C-3R, C-4, C-4R	No
9, 10, 19, 20 /	III	C-3, C-3R, C-4, C-4R	No
11, 14	II	C-3, C-3R, C-4	No

SOUTH OF DORADO LANE

41, 46, 51, 55, 64	V	C-3, C-3R, C-4, C-4R	46 No All others yes
42, 43, 48, 50	I	C-1, C-1R, C-2, C-2R	42, 48 No All others yes
44, 45, 52, 53	IV	C-3, C-3R, C-4R	44, 45 No All others yes
47	II	C-3, C-3R, C-4	No
49, 56, 57	III	C-3, C-3R, C-4R	Yes
58, 59, 60, 61, 62, 63	VI	C-3, C-3R	Yes

**ISLE COVE CONDOMINIUMS
SUMMARY OF HOT TUB/SPAS**

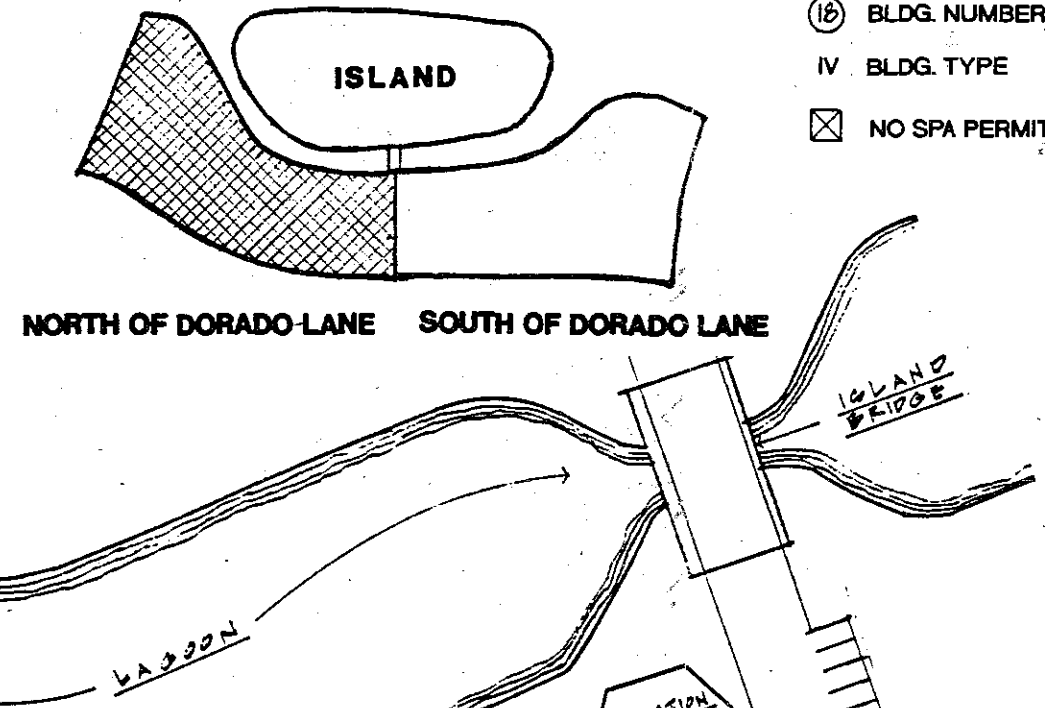
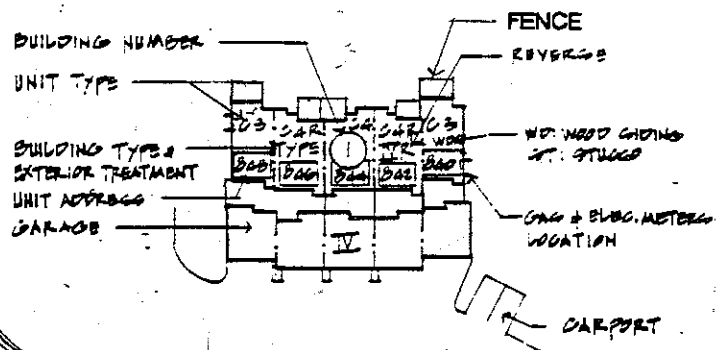
ISLAND

BUILDING NO.	BUILDING TYPE	UNIT TYPE	HOT TUBS/SPAS PERMITTED
22, 23, 27, 29	IV	C-3, C-3R, C-4R	22, 23, 27 No All others yes
24, 26, 34, 38	I	C-1, C-1R, C-2, C-2R	No
25, 31	V	C-3, C-3R, C-4, C-4R	No
30, 32, 33, 36, 37, 39, 40	III	C-3, C-3R, C-4, C-4R	36, 37, 39, 40 No All others yes
28, 35	II	C-3, C-3R, C-4	35 No All others yes

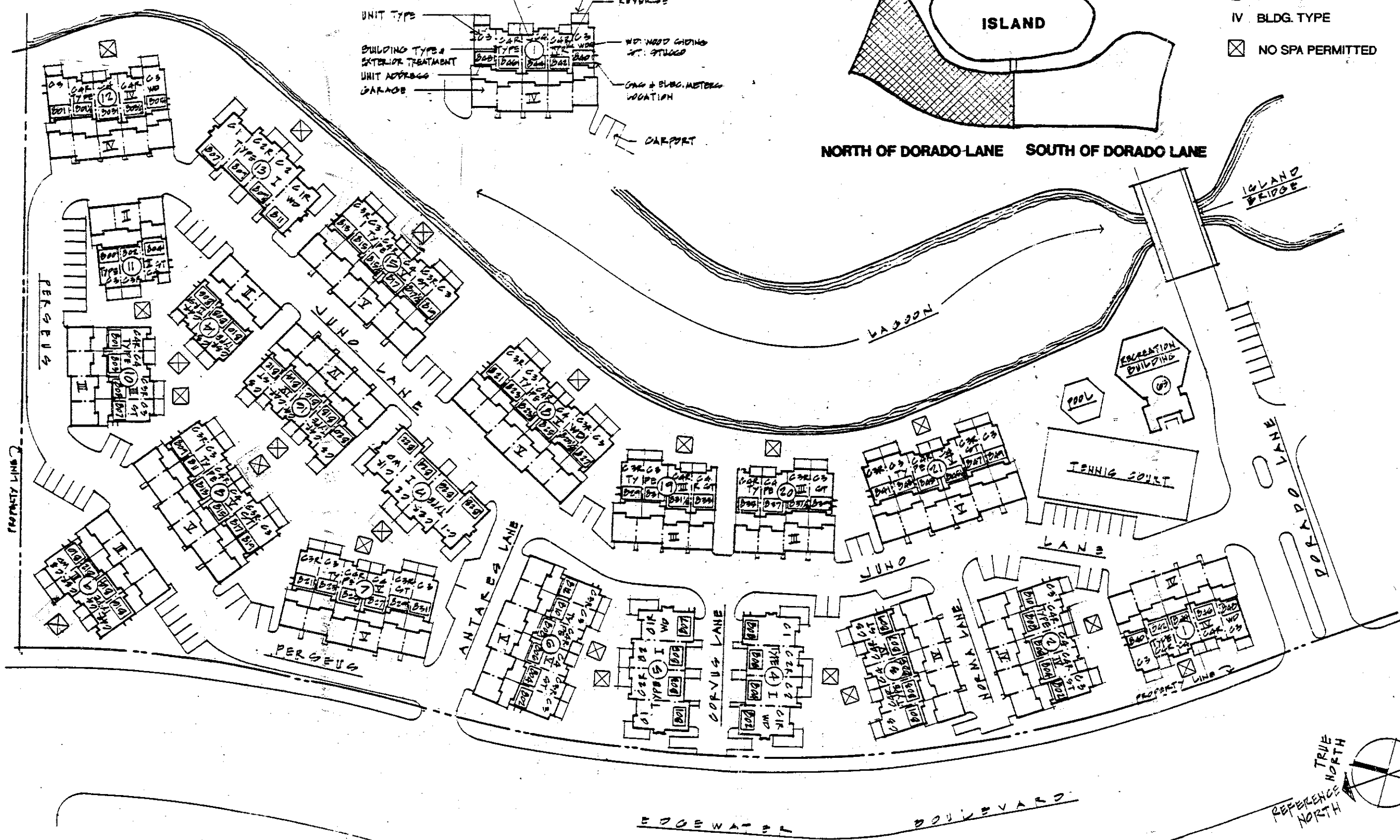
KEY PLAN

KEY SYMBOLS

- Ⓢ BLDG. NUMBER
- IV BLDG. TYPE
- ⊗ NO SPA PERMITTED



NORTH OF DORADO LANE SOUTH OF DORADO LANE



EDGEWATER BOULEVARD

PARTIAL SITE PLAN - NORTH OF DORADO LANE

SCALE 1" = 80' - 0"

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 WILLIAM H. DASEKING A.I.A.
 928 OAK GROVE AVENUE
 MENLO PARK, CA. 94025

ISLE COVE
FOSTER CITY CALIFORNIA

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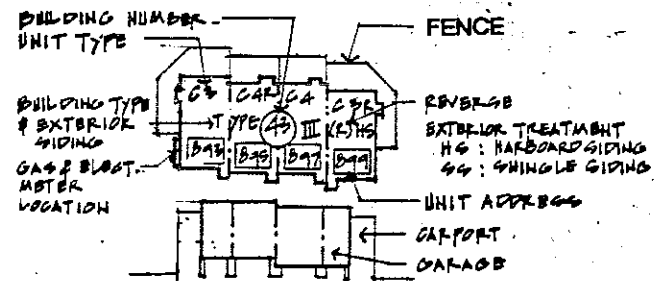
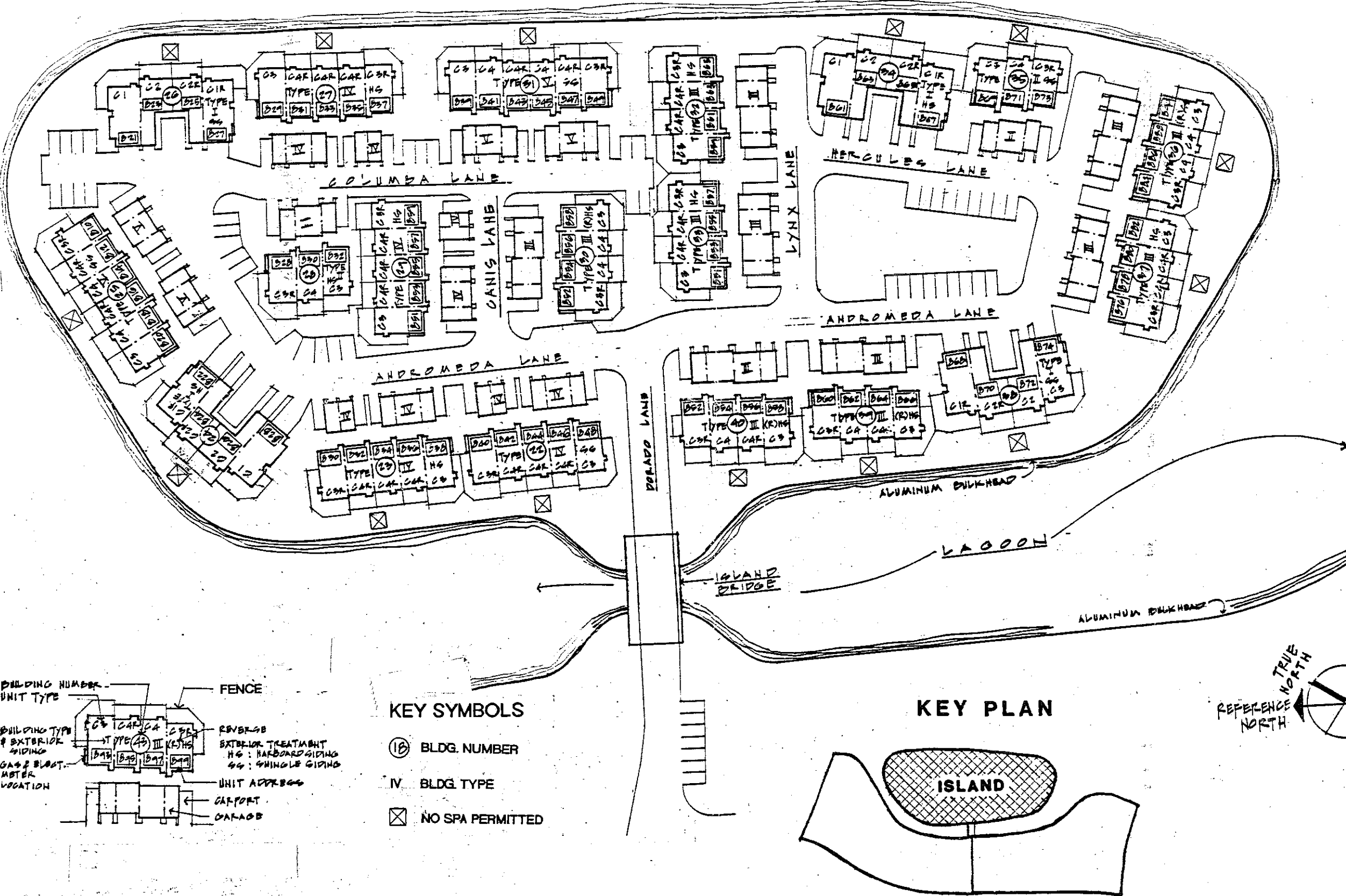
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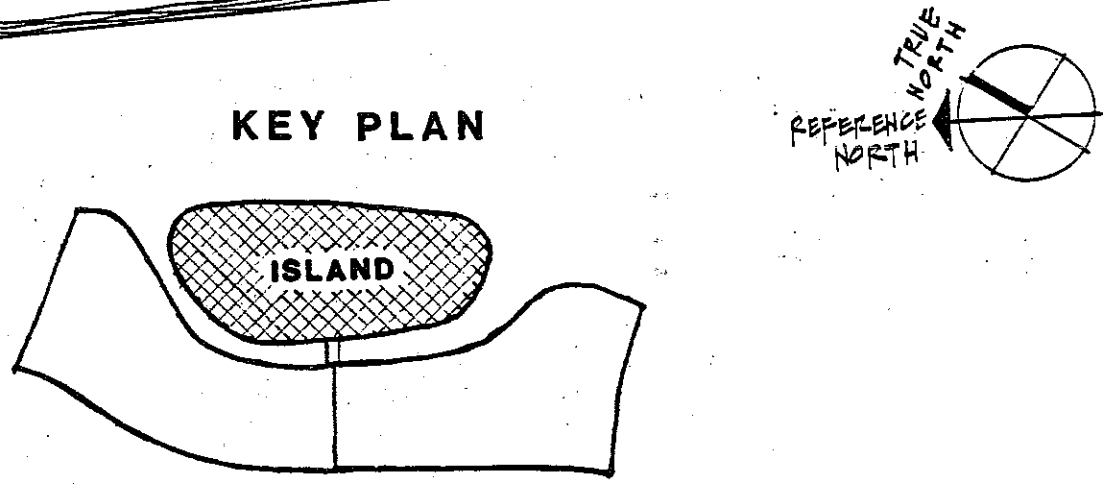
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135167
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- KEY SYMBOLS**
- Ⓟ BLDG. NUMBER
 - IV BLDG. TYPE
 - ⊗ NO SPA PERMITTED



NORTH OF DORADO LANE SOUTH OF DORADO LANE

PARTIAL SITE PLAN - ISLAND

SCALE 1" = 80' - 0"

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 WALTER L. KELLER A.I.A.
 WILLIAM H. DASEKING A.I.A.
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 MENLO PARK, CA. 94025

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 FOSTER CITY CALIFORNIA

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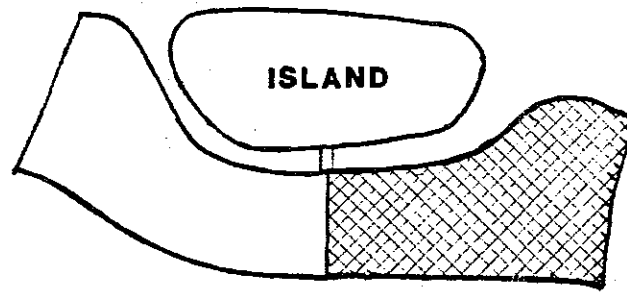
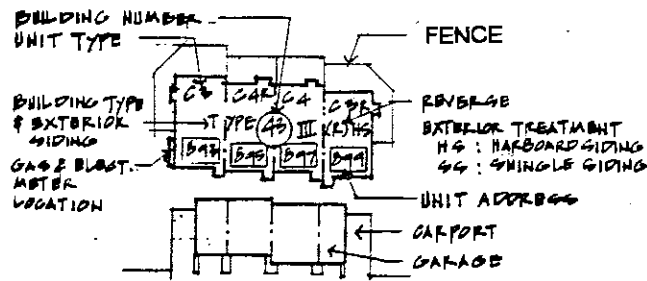
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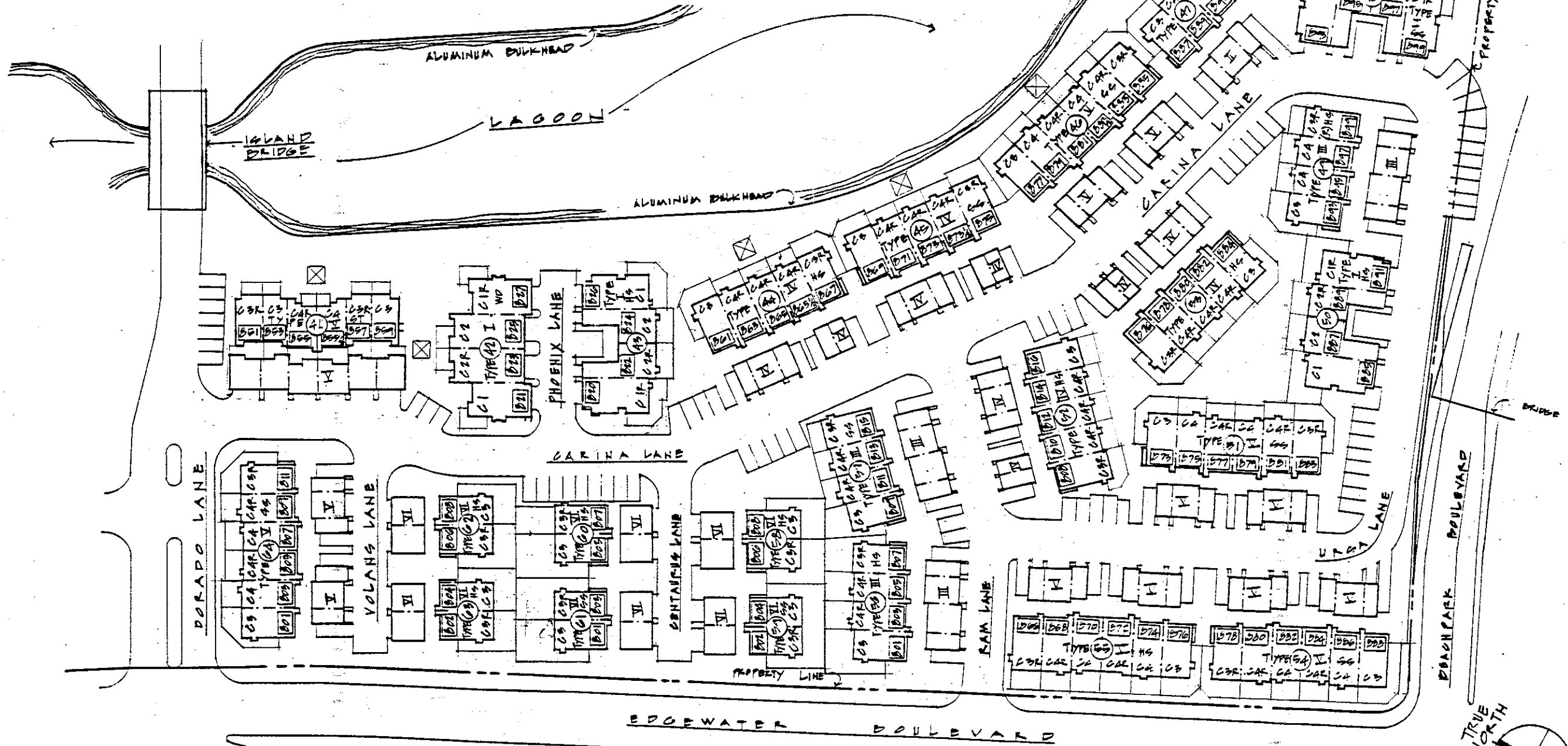
KEY PLAN

KEY SYMBOLS



- Ⓢ BLDG. NUMBER
- IV BLDG. TYPE
- ⊗ NO SPA PERMITTED

NORTH OF DORADO LANE SOUTH OF DORADO LANE



PARTIAL SITE PLAN - SOUTH OF DORADO LANE

SCALE 1" = 80' - 0"

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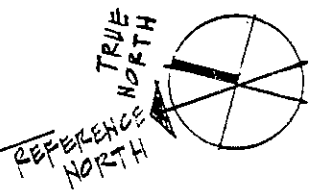
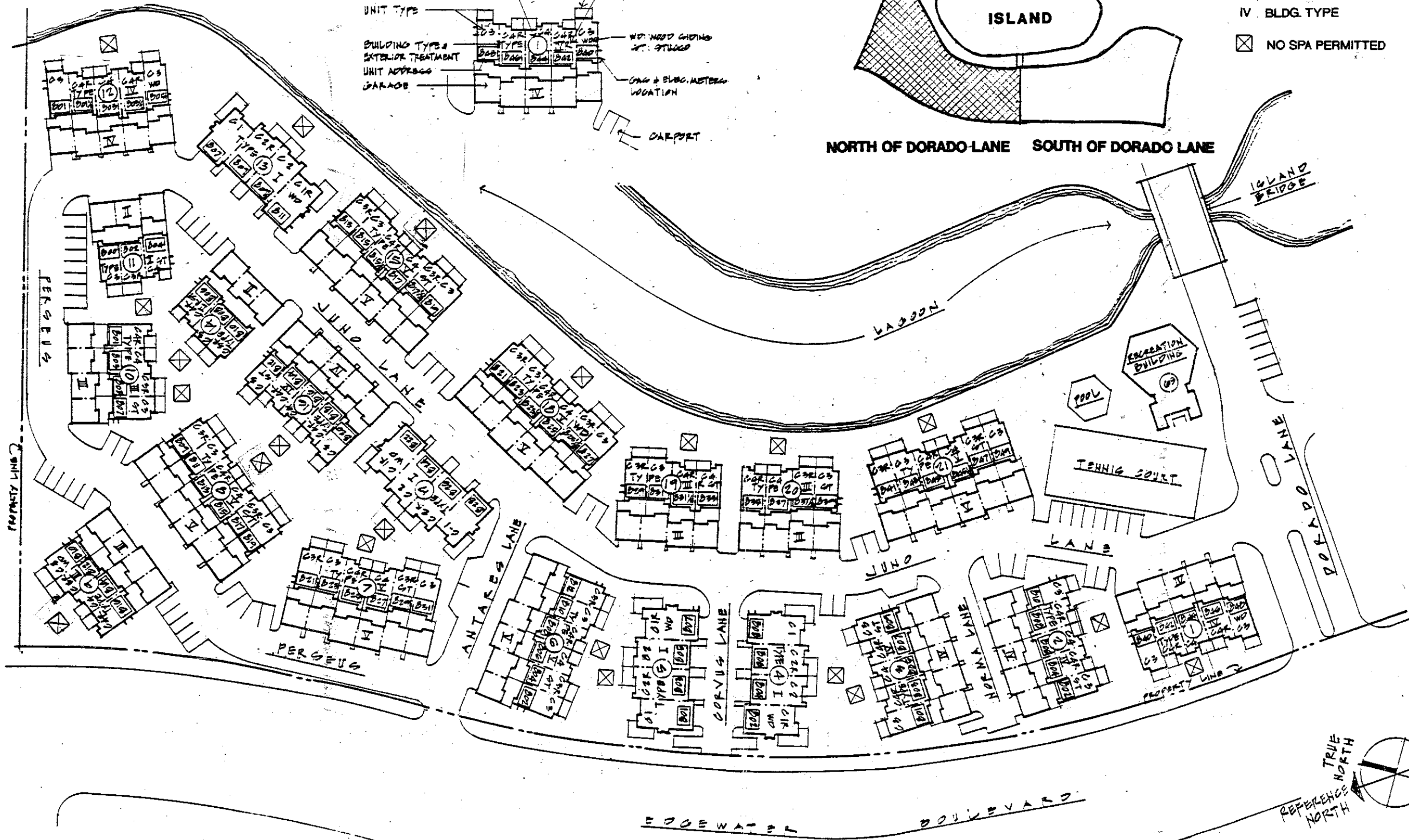
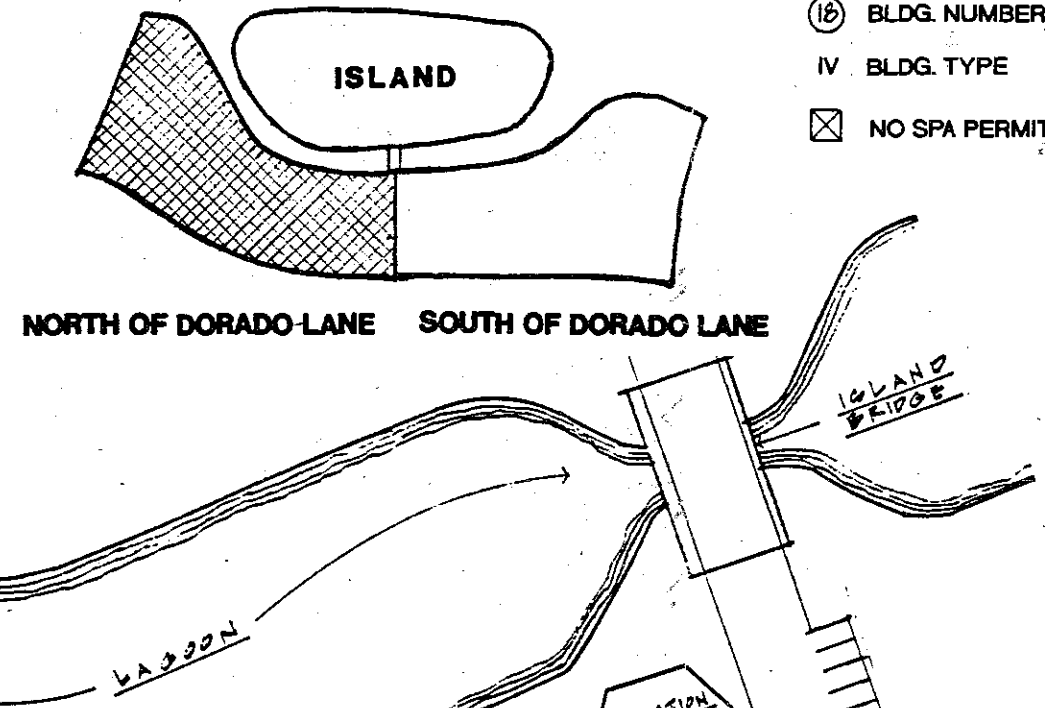
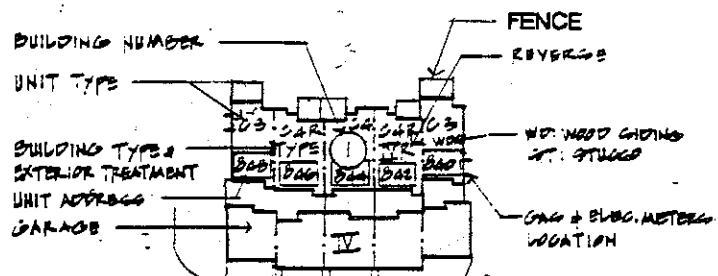
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3 OF 3

KEY PLAN

KEY SYMBOLS

- Ⓢ BLDG. NUMBER
- IV BLDG. TYPE
- ⊗ NO SPA PERMITTED



PARTIAL SITE PLAN - NORTH OF DORADO LANE

SCALE 1" = 80' - 0"

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ISLE COVE
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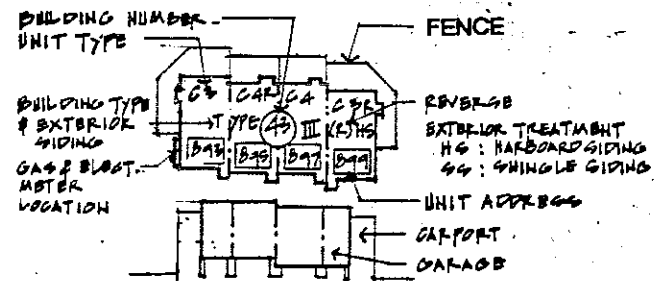
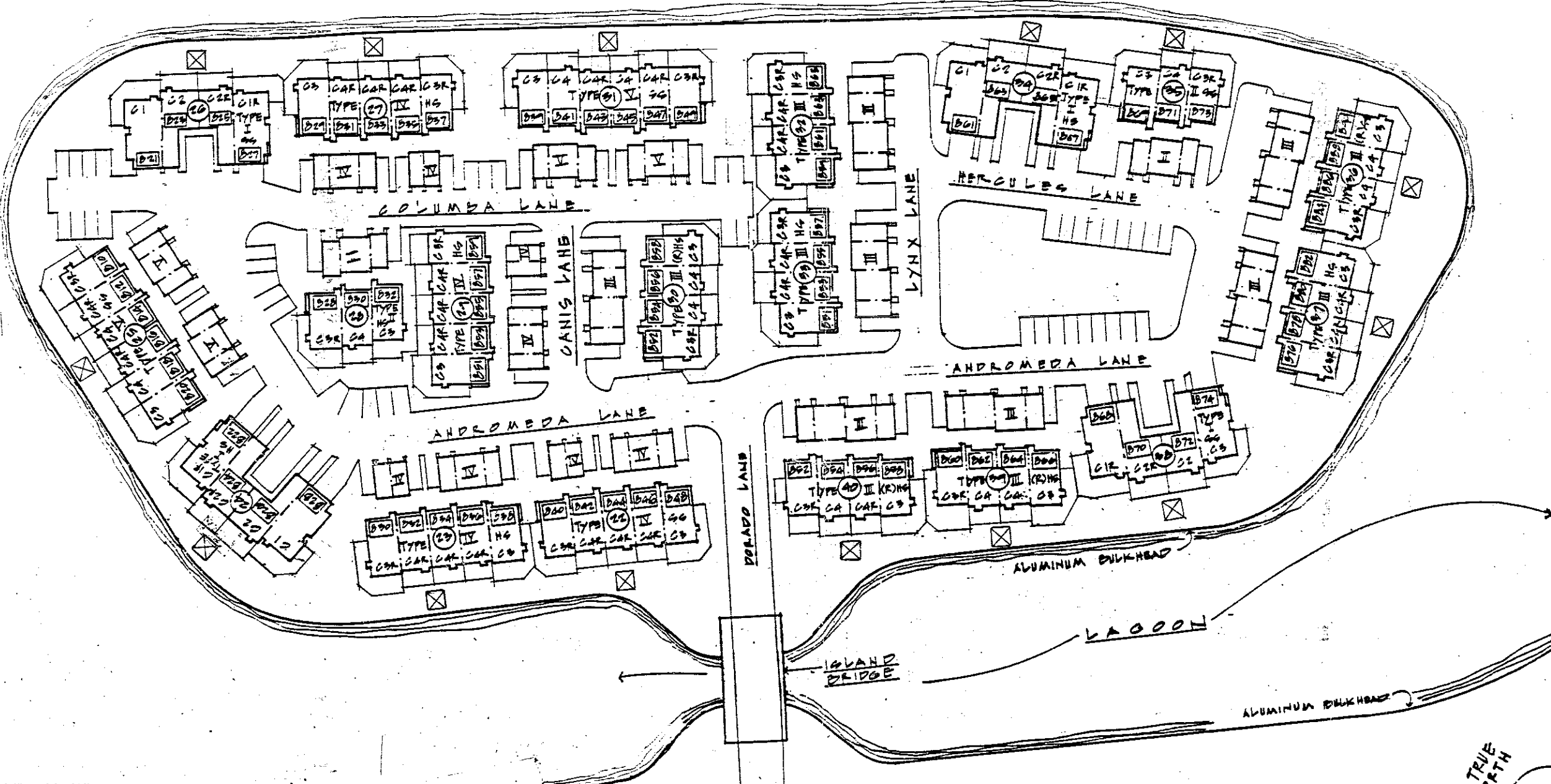
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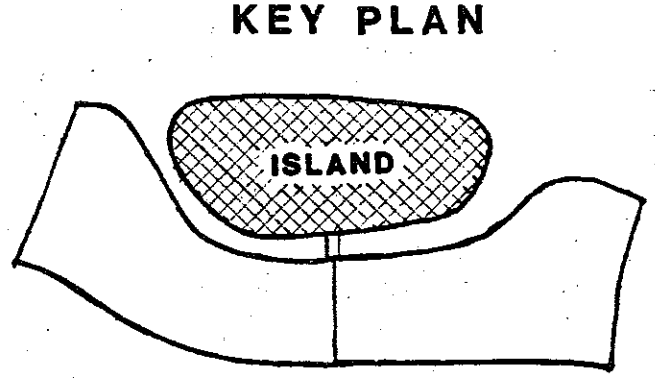
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 BRUNING 40-538

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- KEY SYMBOLS**
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 - IV BLDG. TYPE
 - ⊗ NO SPA PERMITTED



PARTIAL SITE PLAN - ISLAND

SCALE 1" = 80' - 0"

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ISLE COVE
 FOSTER CITY CALIFORNIA

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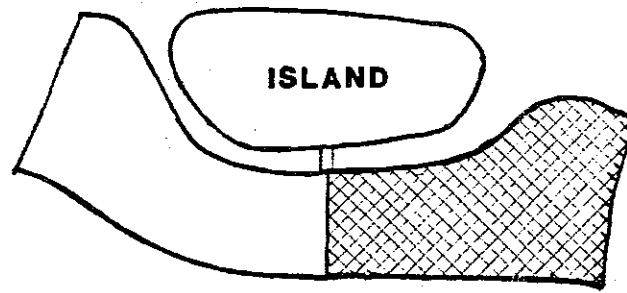
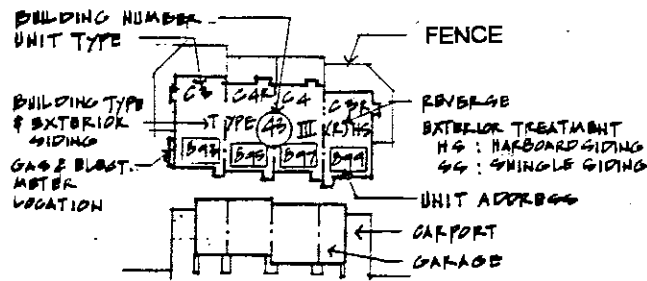
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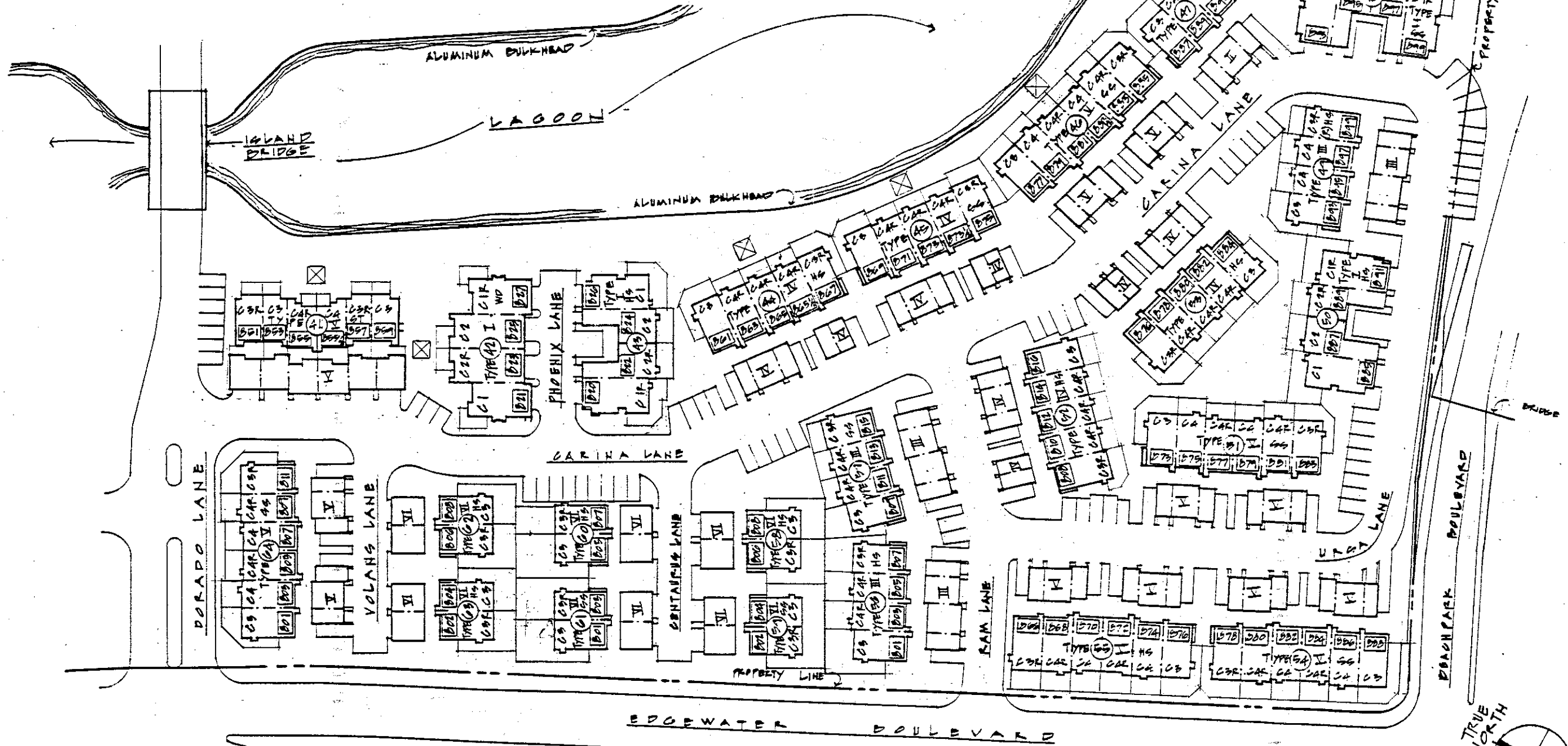
KEY PLAN

KEY SYMBOLS



- Ⓢ BLDG. NUMBER
- IV BLDG. TYPE
- ⊗ NO SPA PERMITTED

NORTH OF DORADO LANE SOUTH OF DORADO LANE



PARTIAL SITE PLAN - SOUTH OF DORADO LANE

SCALE 1" = 80' - 0"

135167

BRUNING 40-536

KD.9018.18

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