

RESOLUTION NO. P- 44 -05

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY APPROVING A USE PERMIT MODIFICATION REQUEST INCLUDING A PROTOTYPE DESIGN FOR RETRACTABLE FABRIC AWNINGS ON SINGLE-FAMILY DETACHED RESIDENTIAL PROPERTIES WITHIN THE LONGWATER PLANNED DEVELOPMENT – LONGWATER HOMEOWNERS' ASSOCIATION – UP-76-013T

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the City Council in Resolution 2001-113 adopted revised design guidelines and standard conditions of approval for awnings on single-family detached residential properties; and

WHEREAS, the adopted Design Guidelines require that awnings placed on units in R-1/PD (single Family Residence/Planned Development) zoning districts require approval of a prototype design by the Planning Commission prior to installation; and

WHEREAS, the Longwater Homeowners' Association has requested Planning Commission review of a prototype design for retractable awnings; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from the California Quality Act of 1970; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration of the Use Permit Modification request at the Planning Commission meeting of November 17, 2005, and on said date the Public Hearing was opened, held and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on facts and analysis in the Staff Report, written and oral testimony, and exhibits presented, finds:

- A. The proposed Use Permit Modification request including a prototype design for retractable fabric awnings, would be consistent with the Foster City General Plan, Chapter 17.12 (R-1 Single-Family Residence District), Chapter 17.36 (Planned Development Combining District) of Title 17, (Zoning), and Chapter 2.28, (Planning), of Title 2, (Administration and Personnel), of the Foster City Municipal Code, because the proposal: (1) will be sympathetic to the character and style of the existing houses and will be designed to be harmonious with the existing neighborhood and therefore, will promote "proper site planning, architectural design and property maintenance" and will preserve "the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-38 and LUC-39) contained in the Land Use and Circulation Element of the Foster City General Plan; and 2) will improve a typical residential use consistent with the Land Use Plan designation of Single Family Residential.
- B. That the proposal would be consistent with and appropriate to the City, the neighborhood, and the lot on which it is proposed because the location, size, and design of the awnings are required by the prototype to be compatible with the houses in the Longwater Planned Development.

- C. That the proposal would be compatible with the site's environment with respect to forms, height or similar qualities as specified in Chapter 2.28, (Planning), and Section 17.58.010 of Chapter 17.58, (Architectural Control and Supervision), because the retractable awnings will be compatible with the existing houses as required by the prototype, and therefore will preserve the architectural scale and character of the neighborhood and community consistent with Section 17.58.010.B.1; and 2) will be sympathetic to the proportions and character of the existing house, and therefore, will enhance the site and will be harmonious with the highest standards of improvement in the surrounding area consistent with Section 17.58.010.B.4.
- D. That the proposal would 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, property values in the area, or the general welfare of the City because the location, size, and design of the awnings will not: 1) significantly impact the privacy of adjacent properties; 2) significantly reduce the amount of direct sunlight to the interior of an adjacent building or exterior of an adjacent property; and 3) significantly block or limit existing views from the interior or exterior of adjacent properties, consistent with Section 17.58.010.B.3 of the Foster City Municipal Code.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Foster City hereby approves UP-76-013T as indicated in Exhibits A and B attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on November 17, 2005, by the following vote:

AYES, COMMISSIONERS: **PATTUM, WERDEN, CHAI, KIESEL AND CHAIRMAN AVRAM**

NOES, COMMISSIONERS: **NONE**

ABSTAIN, COMMISSIONERS: **NONE**

ABSENT, COMMISSIONERS: **NONE**



NOEMI AVRAM, CHAIRMAN

ATTEST:



RICHARD B. MARKS, SECRETARY

EXHIBIT A

Longwater Planned Development Prototypical Design Guidelines for Retractable Awnings

(Conditions attached to the approval of UP-76-013T
By the Planning Commission on November 17, 2005)

The following guidelines shall govern the size, design and color of retractable awnings in the Longwater Planned Development.

CONDITIONS OF APPROVAL

1. Approved awning materials, colors and support structures shall not be replaced without the prior written approval of the City however, no additional permits shall be required if the awning is replaced with a new awning constructed with the same materials and color as originally approved.
2. All awnings shall be kept in good repair and shall be cleaned and maintained on a regular basis. Awnings with holes, tears, rips or which are significantly faded or stained shall be replaced.
3. If the property owner receives a letter or notice from the City regarding the maintenance or condition of an awning, its support structure or housing, the item shall be brought into compliance with the conditions of this permit and all applicable City codes within 60 days of the date printed on the letter or notice. Failure to comply with in this time frame or to the satisfaction of the City shall constitute grounds for the revocation of the permit.
4. Prior to construction, the applicant shall provide the Community Development Director with a manufacturer's warranty demonstrating that the proposed awning material is fade resistant, mildew resistant, abrasion resistant, crack and peel resistant and can be cleaned using common household products.
5. Prior to construction, the Foster City Fire Marshal shall review proposed awning locations as well as the materials proposed for awnings and awning support structures.

APPROVAL PROCESS

1. Retractable awnings for Longwater will be processed in accordance with the approval process outlined below:
 - a. An Architectural Review permit approved by staff for ground or first-story awnings on all lots
 - b. An Architectural Review permit approved by the Planning Commission for second-story awnings on interior lots
 - c. A Use Permit issued by the Planning Commission for second-story awnings on waterfront lots

2. The homeowners shall submit the following:

General Submittal Requirements/All Applications

- a. Completed Architectural Review/Use Permit Application
- b. Filing fee (per most recently adopted City fee schedule)
- c. Three 5" x 7" photographs, taken from several sides of the subject house, demonstrating all of the colors in which it is painted or stained (including wall, trim and door colors and the colors of any yard structures)
- d. A manufacturer's brochure demonstrating the design of each proposed awning and specification sheets, including information regarding the durability, fire retardancy, and maintenance characteristics of the proposed fabric. If a manufacturer's brochure is not available, architectural elevations may be required
- e. Letter from the Longwater Homeowners' Association indicating their action on the proposal

Depending upon the type of awning proposed, the following information must also be submitted.

Retractable Window and Door Awnings

- a. Two 5" x 7" photographs of each building elevation on which awnings are proposed to be placed (one photograph taken from approximately ten feet away from the proposed location of each awning; one photograph demonstrating that entire side of the house)
- b. On the back of the photograph taken from approximately 10 feet away from the proposed location of each awning, write the exterior dimensions of each window or door over which an awning is proposed

Retractable Patio Awnings/Covers

- a. The dimensions when fully extended of any retractable awnings proposed for use as a patio or area shade cover
- b. One 5" x 7" photograph demonstrating the area of the yard proposed to be covered by the awning

3. Following the approval of the Architectural Review or Use Permit application, the homeowner or applicant shall submit the following:
- a. Building Permit application, including four copies of drawings indicating where the new awnings(s) will be located, including the proposed size, material(s), color(s), and a framing detail (typical framing details are available from the Building Inspection Division).

EXHIBIT B

Longwater Planned Development Prototype for Permanent Retractable Awnings

(Approved by the Planning Commission on November 17, 2005)

Description:

Retractable fabric awnings with high-tech structural design and durable fire resistant, fade resistant, mildew resistant solid color fabric.

Construction:

Aircraft quality extruded aluminum framing. Color to blend in with house and trim.

Mechanism:

Automatic timer for retraction - optional
Wind/rain sensor for retraction - optional
Manual override

Material:

Fire resistant, fade resistant, mildew resistant, abrasion resistant, crack and peel resistant and can be cleaned using common household products.

Color:

Solid color awnings shall match or be compatible with the color of the house – no stripes, lettering, symbols, graphics, logos or multicolor patterns or reflective material. Color will be subject to Architectural Review. Awning housing units shall be painted to complement the color of the adjacent wall or roof material on which it is mounted such that they have an unobtrusive appearance.

Size:

Subject to review & approval on a case-by-case basis based on the location, shape, size/proportions, architectural style of the subject house and all other adopted design criteria

Location:

Awnings to be limited to ground floor windows/doors and second floor windows/doors where it is installed over a deck. Awnings will be permitted in rear and side yards only; not permitted in front yards.

Awning housing or support structure:

Flush mounted on a wall and painted to match or compliment the wall color or flush-mounted low on a first-floor roof, near the roof edge, or along a first-floor roof eave and painted to match the roof color.

Conduits:

No exterior conduits or cords will be permitted. The electrical connection will be provided via a junction box and hard-wired to the operator.

Maintenance:

All awnings shall be kept in good repair and shall be cleaned and maintained on a regular basis. Awnings with holes, tears, rips or which are significantly faded or stained shall be replaced.

MEMO TO FILE – LONGWATER HOA ROOFING MATERIALS

August 8, 2006

On August 8, 2006, Community Development Director Rick Marks approved the use of **Monier Villa tile, Terra Cotta Flashed**, as a replacement tile for those homes in the Longwater Planned Development that have tile roofs. A sample of the roofing material is in the high density filing room.

Karen Tremain *KT*
Assistant Planner

Longwater Homeowners Association

c/o Mulqueeney & Associates
PO Box 4726
Foster City CA 94404
Telephone 650-574-3835
Facsimile 650-341-1140
E-mail Mulqueeney@juno.com

July 24, 2001


Planning Department
City of Foster City
610 Foster City Blvd.
Foster City CA 94404

Re: 715 San Miguel Lane, Foster City

Dear Sir or Madam:

The roof tile, body and trim stain color and utility shed surface treatment requested in the attached documents have been reviewed by the Architectural Committee and were approved by the Board of Directors at their regular meeting on July 23, 2001.

Sincerely,


Dan James,
Property Manager

cc File

*pls. leave here
we decided this
tile was equiv.
to original
3/17/05*

8/2/01
"MISSION CORDOVA"
TILE EVALUATED AND
APPROVED BY LJC FOR
715 SAN MIGUEL .
DP.

FOSTER CITY
RECEIVED
JUL 26 2001
PLANNING
DIVISION

LONGWATER HOMEOWNERS ASSOCIATION

Architectural Committee

July 21, 2001

Jeffery Benson:

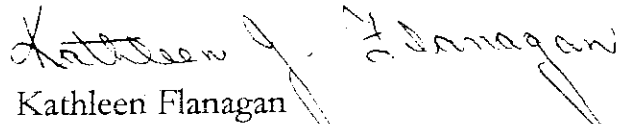
John Lee:

Subject: Modifications to 715 San Miguel Lane

Attached is a request from Michael Turner and Janet Black of 715 San Miguel Lane for roof tile, stain for main and trim color, and utility shed surface.

I approve the request for the above changes.

Sincerely,



Kathleen Flanagan

Enclosures;

Michael Turner and Janet Black letter 7/21/2001

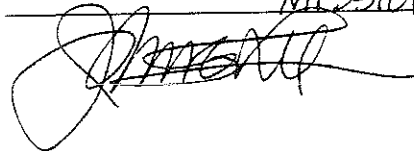
Tile and color samples.

Jeffery Benson, comments

~~Approve Request for roof tiles, stain & trim colors~~ 

John Lee, comments I APPROVE THE REQUEST PLUS THE FOLLOWING:

~~TRIM COLOR - MISSION BROWN STAIN FOR WOOD~~
~~MISSION BROWN COLOR PAINT FOR METAL~~

 7-22-01

Michael Turner & Janet Black
715 San Miguel Lane
Foster City, CA 94404
(650) 341-0970

July 21, 2001

The Board of Directors of the Longwater Homeowners Association

Charlie Yandow, President
Judy Siragusa, Vice President
Rob Gentry, Secretary / Treasurer

c/o Mulqueeney & Associates
P.O. Box 4726
Foster City, CA 94404

Re: Request for approval for exterior color scheme clarification for 715 San Miguel Lane.

Dear Sirs and Madam,

Please find enclosed samples of roofing, stain, shed improvement proposed for our previously approved modifications and additions to our home at 715 San Miguel Lane.

Please approve the following:

a) *Mission Cordova* roof tile. This tile is similar in style and color to the previously existing tile and similar in style and color to others in the neighborhood. Consistent with the approved plan notes the entire roof will be replaced with this tile.

b) *Sequoia* stain for the main color. The stain is similar to others in the neighborhood. It will be used on the cedar shingles and to refresh the trellis structure.

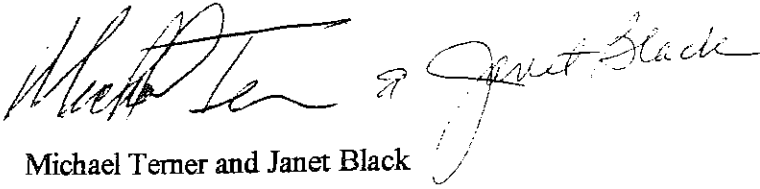
c) *Mission Brown* stain for trim color. This color is similar to the prior trim colors and will be used on the window frames, roof trim, gutters and downspouts.

d) Utility Shed Surface. The existing shed has a flat plywood surface painted brown. We request approval to resurface this shed with cedar shingles to match the rest of the house. The new surface will be stained per the above proposal to match the rest of the house.

We trust this proposal will meet your approval. If any questions arise or if any additional information is required please contact us by telephone, (650) 341-0970, or email, michael.turner@mkg.com.

July 21, 2001

Sincerely,

Handwritten signature of Michael Turner and Janet Black in cursive script.

Michael Turner and Janet Black

CC: Longwater Architectural Committee (approval required)

Enclosures: *Mission Cordova* Roof Tile
Cedar shingle with *Sequoia Stain*
Cedar shingle with *Mission Brown* stain

Please Forward to Leslie Carmichael.



December 9, 2000

Richard Flanagan
Longwater Board of Directors
Longwater Home Owners Association

FOSTER CITY
RECEIVED

DEC 27 2000

PLANNING
DIVISION

Subject: Tile Roof Replacement
Remodeling/Addition ref: Foster City Case # 99-023
THE BENSON RESIDENCE
721 San Miguel Lane
Foster City, CA. 94404

Dear Board of Directors:

In accordance with the CC& R's of the Longwater Homeowners Association we are submitting our request for approval of the proposed tile roof replacement.

PROPOSED SCOPE OF CHANGE:

A. Replace existing tile roof.

- The existing tile roof is no longer manufactured in color or shape. We have selected an alternate tile, which closely matches the original contour and color scheme. This selection will maintain the tile roof scheme of the Longwater development. As the original tile is not available we feel that replacement of the tile to the roof affected by the addition would be a miss match, therefore our plan is to replace the entire roof with the proposed tile.
- Tile manufacture is Monier (mfg. of the original roof) Tile # is 1VACS6470 (21750) color Villa Country Blend Tan CT.
- Sample of both original and proposed new tiles are attached.

Notes:

- Have met with Foster City Planning Department, Leslie Carmichael. She has reviewed the proposed tile sample with her department head and accepted the change based on the approval of LWHA.
- The city will require a letter from LWHA Architectural Committee and LWHA Board of Directors stating acceptance for their files.
- As we are presently under construction we would hope for expediency with this matter. Our schedule for the roofer is December 18, which hopefully will beat the rain and complete our construction project.

We trust this change will meet with your approval. After review if questions arise and/or additional information is required please feel free to contact us. Home (650) 3493343 or Office (510) 259-7728.

Sincerely,

[Handwritten signature of Jeffrey & Denise Benson]
Jeffrey & Denise Benson

Encl.: Tile samples.

• Approvals signature: LWHA Architectural Committee: 1. *[Signature]* 2. *[Signature]* 3. *[Signature]*

LWHA Board of Directors:

[Handwritten signatures of board members]
1. *[Signature]* 2. *[Signature]* 3. *[Signature]*

*cc: Peter Withrington Builders
Foster City Planning office (Leslie Carmichael)*