



*City of Foster City*

**ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

**PROTOTYPE**

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

APPLICATION RECEIVED: March 30, 2020

APPLICATION COMPLETE: March 30, 2020

ACTION DATE: March 31, 2020

CASE NO.: UP2020-0014 (Superseding UP-83-021F)

OWNER/HOA ASSOC: Common Interest Management Services, c/o Debbie McGraw, 1720 S. Amphlett Blvd., Suite 130, San Mateo, CA 94402

APPLICANT: Marina Green HOA, Attn: Timothy Zielinski, 290 Bonita Lane, Foster City, CA 94404

APPLICATION FOR: Prototype Amendment for Design Guidelines for Window and Patio Door Replacements

LOCATION: Marina Green Planned Development

ZONING: R-3/PD

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 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 proposed prototypical design will maintain the existing appearance of residential units in the development by removing Aluminum material in addition to specifying the window frame color to be 922 Bronze or espresso and increasing the size of the frame width to 3-3/4<sup>th</sup> inches. The proposal will allow for necessary maintenance and repair of houses and therefore, will preserve "the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goal (LUC-A) and Land Use Policies (LUC-38 and LUC-39) contained in the Land Use and Circulation Element of the Foster City General Plan, will provide additional/modified light and ventilation for the house, and will be consistent with the residential use of the residences in the 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 removal of aluminum material, specified color of 922 bronze or espresso, and maximum frame width of 3-3/4<sup>th</sup> inches for replacement windows and sliding glass doors will be compatible with the architectural style, character, and proportions of

residential units in the development and will be in keeping with similar improvements in the Marina Green Planned Development.

3. That the design of the proposal is compatible with its environment with respect to use, forms, materials, colors, location, height, design, or similar qualities as specified in Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision, of the Foster City Municipal Code because the color, style and materials and frame width for the prototype design for replacement windows and patio doors will be required to match the other windows on the same elevation.
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 prototypical design guidelines for window and patio door replacements will be compatible with the design of the development and neighborhood and will not have any detrimental visual or privacy impacts on the adjacent properties and/or the streetscape as required by Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision, of the Foster City Municipal Code.

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

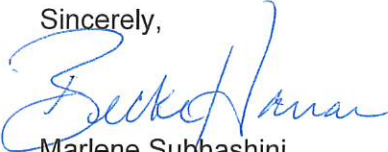
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed 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. *Please be advised that a Building Permit **will not** be issued until the Planning/Code Enforcement Division has received the signed Notice of Decision.*

Sincerely,

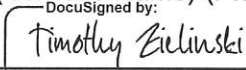
*for* 

Marlene Subhashini  
Community Development Director

Planners Initials: BH

Timothy Zielinski

\_\_\_\_\_  
(Owner's Name) (Please Print)

DocuSigned by:  


\_\_\_\_\_  
(Owner's Signature)

## EXHIBIT A

### **MARINA GREEN HOMEOWNERS' ASSOCIATION** Prototypical Design Guidelines for Window and Patio Door Replacements UP2020-0014 (Supersedes UP-83-021F dated November 8, 2007)

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The following guidelines shall govern the installation and replacement of all windows and patio doors in the Marina Green Planned Development:

#### **CONDITIONS OF APPROVAL**

1. All construction shall be located, 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 vents, gutters, downspouts, flashings, etc. shall be painted to match the color of the adjacent surfaces. No electrical conduits or similar piping shall be allowed on the exterior of the building unless approved prior to installation by the Community Development Director.
4. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
5. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
6. Prior to any final inspection approval, these conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
7. **Replacement windows shall be the same size and operational style (i.e. slider, single hung, casement) as the existing window on that elevation, except as approved by the Marina Green Board of Directors and the Foster City Community Development Department.**
8. **Retrofit replacement required for windows and patio doors, new construction is not allowed.**
9. **Replacement windows and patio doors shall have either 922 bronze or Espresso vinyl frame. Aluminum frames are not allowed.**

#### **The following windows are allowed:**

- Lindsay Cal series
- Simonton Daylight Max
- Milgard Style Line

#### **The following windows are NOT allowed (including any window not listed as approved):**

- Amerimax
- Milgard Tuscany & Trinsic
- Simonton Madeira

- **Anlin Catalina, Coronado, Del Mar & Panoramic**

- 10. The maximum width of the window frame shall be 3-3/4" measuring from the edge of fin to glass.**
- 11. No grids are allowed except for rear yard patio doors of the townhouse units along 120 to 166 Albacore Lane and 220 to 276 Bonita Lane**
- 12. All windows and patio doors must meet Title 24 guidelines for thermal efficiency.**
- 13. Swinging doors are not allowed as a replacement for sliding patio doors.**

**Bold: Indicates Site Specific Conditions**

**APPROVAL PROCESS**

1. The homeowner/applicant shall obtain an approval letter from the Marina Green Homeowners' Association for the proposed window and/or patio door replacement. The letter shall indicate that the proposed changes conform with the established design criteria of the prototype.
2. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit the following:
  - Marina Green Homeowners' Association (HOA) approval letter.
  - Window schedule indicating the location, size, color, material, and dimensions of the window and/or sliding glass door frames and trim detail and use of grids.
  - 4 sets of photos of the windows to be replaced and photos of the entire elevation (entire side of the house or unit containing the windows).
  - Manufactures Brochure/Specifications for the proposed windows and/or sliding glass doors.
  - Building Permit application and all applicable fees.
3. The Planning/Code Enforcement Division staff will review the Building Permit application to confirm that the proposal is consistent with the prototypical design approved for replacement windows.

DocuSigned by:  
*Timothy Zielinski*  
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Timothy Zielinski – HOA President  
Marina Green Homeowners Association

4/20/2020  
\_\_\_\_\_  
Date

DocuSigned by:  
*Mariene Subhashini*  
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\_\_\_\_\_  
Mariene Subhashini  
Community Development Director  
City of Foster City

5/20/2020  
\_\_\_\_\_  
Date