



*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: August 21, 2020

APPLICATION COMPLETE: September 28, 2020

ACTION DATE: September 29, 2020

CASE NO: UP2020-0027 (Superseding UP-73-001M)

OWNER: Marina Point Homeowners Association

ADDRESS: c/o Common Interest Management, Attn: Sarah Earring 1720 S. Amphlett Blvd. Suite 130, San Mateo, CA 94402

APPLICATION FOR: Marina Point Window and Sliding Glass Doors Prototype Amendment

LOCATION: Marina Point Development

ZONING: RT/PD (Residential Townhouse/Planned Development)

CEQA DETERMINATION: Exempt § 15301 Existing Facilities

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 Use Permit Modification application based on the following findings:

1. The proposal to establish prototype designs for Windows and Sliding Glass Doors at Marina Point, as conditioned 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 proposed Windows and Sliding Glass Doors prototype, will improve the appearance of the existing buildings, will complement the previously approved windows and sliding glass doors, will be harmonious with the adjacent and neighboring buildings, and will preserve the architectural character of the Marina Point development as stated in Section 17.58.010, Title 17, Zoning, of the Foster City Municipal Code, and therefore, will be consistent with the policy of preserving the character of the neighborhood in which the use is located as stated in the Land Use and Circulation Policy Element Goal LUC-B.
2. That the design of the proposal would be consistent with and appropriate to the City, the neighborhood, and the lot on which they are proposed because the location, size, and design of the windows will be compatible with the location, size, and design of the houses in the planned

development in which it is located.

3. That the design of the windows would be compatible with the site's environment with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision) because the new window designs: 1) will be compatible with the existing windows in the planned development, and therefore, will preserve the architectural scale and character of the planned development and community consistent with Section 17.58.010.B.1; 2) will be well designed in relation to surrounding properties, and therefore, will be compatible with the architectural style and details of buildings in the immediate vicinity consistent with Section 17.58.010.B.2; and 3) will be sympathetic to the proportions and character of the existing neighborhood, 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.
4. 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 design of the prototype designs will meet egress requirements of the California Building Code and 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; or 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.

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

#### Expiration

Any Use Permit Modification 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

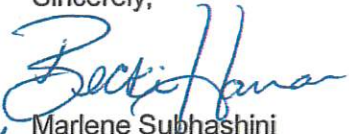
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed 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 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

Sarah Earring

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



\_\_\_\_\_  
Sarah Earring (Dec 8, 2020 16:06 PST)

(Owner's Signature)

## EXHIBIT A

### MARINA POINT HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Windows and Sliding Glass Doors Replacement

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The following guidelines shall govern the installation and replacement of windows and sliding glass doors located in the Marina Point 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. 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.
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. All replacement windows and sliding glass doors shall have brown vinyl frames with a maximum width of 2 7/8" for windows and 3 7/8" for sliding glass doors. Windows and sliding glass doors shall be Milgard Tuscany Series or equivalent.
8. All replacement windows and sliding glass doors shall have a nail on fin, no retro-fit windows will be allowed.
9. All replacement windows shall be unobstructed glass with no grids.
10. All windows and sliding glass doors on the same elevation shall match with respect to frame color and materials.
11. Replacement windows shall have trim with the same material, size and style consistent with the existing trim.
12. All replacement windows and sliding glass doors shall match the existing windows and sliding glass doors in size, style, design, trim and location.

APPROVAL PROCESS

1. The homeowner or contractor shall apply for an Building Permit from the Building Inspection Division and shall submit the following:
  - A Building Permit application and filling fee.
  - Four copies of photographs or elevations indicating the location and size(s) of the windows.
  - Brochure or information on the proposed replacement windows.
  - Title 24 Energy Compliance Form: CFR-1ALT or CF-R1 Performance Certificate.
  
2. 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 of windows and sliding glass doors.

Sarah Earring

Sarah Earring (Dec 8, 2020 16:06 PST)

Sarah Earring  
Common Interest Management Services, for  
Marina Point Homeowners' Association

B. Hanan

for Marlene Subhashini, Community Development Director  
City of Foster City

Dec 8, 2020

Date

Date