



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

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

APPLICATION RECEIVED: November 30, 2020

APPLICATION COMPLETE: December 3, 2020

ACTION DATE: December 4, 2020

CASE NO.: UP2020-0037 (Superceding-UP-73-001L)

OWNER ADDRESS: Common Interest Management, Attn: Sarah Erring, 1190 Foster City Blvd, Foster City, CA 94404

APPLICATION FOR: Modification of an Approved Exterior Color Palette

LOCATION: Marina Point Development (1170 Foster City Blvd.)

ZONING: R-3/PD (Medium Density Multiple-Family Residence/Planned Development) 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 change the exterior building colors for the Marina Point Development 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 colors will improve the appearance of the apartment buildings, will be harmonious with color palette used in the adjacent and neighboring buildings by using similar earth tone and/or neutral colors, will preserve the architectural character of the community 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 LUC-38.

2. That the proposed exterior color changes are appropriate to the City, the neighborhood and the lot in which it is proposed because the proposed colors are complementary to one another and they will blend well with the existing streetscape and other residential buildings in the neighborhood.
3. 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 proposal will not adversely affect the existing appearance of the Marina Point Development, will meet the requirements of Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision, of the Foster City Municipal Code and therefore will not have any significant visual or property value impacts to the adjacent properties, the streetscape or the neighborhood.

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 Architectural Review conditions of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the /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,

Becki Hanan

Marlene Subhashini
Community Development Director

Planners Initials: BH

Sarah Earring Dec 7, 2020

(Owner's Name) (Please Print)

Sarah Earring

Sarah Earring (Dec 7, 2020 11:56 PST)

(Owner's Signature)





EXHIBIT A

(Conditions attached to Use Permit Modification approval
by the Community Development Director on December 4, 2020)



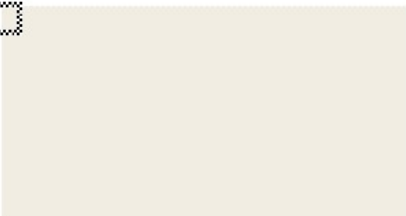

1. All construction shall be designed, constructed, installed, and maintained in a professional manner and appearance.
2. All materials and colors shall be as approved and submitted to the Code Enforcement/Planning Division on December 3, 2020. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval. The construction or placement of unapproved features or unapproved changes to buildings or structures which were a part of approved plans can and will result in the issuance of a "Stop Work Order" by the City, the need to revise plans and obtain City approval for all changes prior to recommending work, and the possibility of penalty fees being assessed for unauthorized work.
3. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of 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. 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.
5. Within seven (7) days of completion, the applicant shall contact the Planning/Code Enforcement Division (286-3225) and request a final inspection.
6. All construction related activities including but not limited to noise, glare, vibration, dust etc., shall be in accordance with Chapter 17.68, General Performance Standards, of Title 17, of the Foster City Municipal Code.
7. **Building surfaces shall be kept free from discoloration and staining at all times. Upon notice by the Community Development Director, building surfaces shall be cleaned and/or repainted within thirty (30) calendar days to maintain the approved colors.**
8. **The new building colors shall match the paint samples and plans submitted on December 3, 2020, on file with the Community Development Department and as conditioned and shown in Exhibit B.**

Bold indicates Site Specific Conditions

EXHIBIT B
MARINA POINT 2020 PAINTING PROJECT
SCHEME 1 BUILDINGS: 1,3,5,7,9

Mfg #	Name	Paint #	Color Sample	Location
DUNN EDWARDS	PIGEON GRAY	6214		BODY 1 - Exterior Wood Siding, Deck Railing Panels
BEHR	LIGHT TRUFFLE	PPUS-06A		BODY 2 - Exterior Stucco (Chimney Stack)
BENJAMIN MOORE	WHITE DOVE	OC-17		TRIM - Window Trim, Corner Trim and Deck Railing Trim
BEHR	INTELLECTURAL	PPUS-19		TRIM - Fascia and Chimney Caps

**MARINA POINT 2020 PAINTING PROJECT
SCHEME 2 BUILDINGS: 2,4,6,8**

Mfg #	Name	Paint #	Color Sample	Location
SHERMAN WILLIAMS	INTELLECTURAL GRAY	7045		BODY 1 - Exterior Wood Siding, Deck Railing Panels
SHERMAN WILLIAMS	ANONYMOUS	7046		BODY 2 - Exterior Stucco (Chimney Stack)
BENJAMIN MOORE	WHITE DOVE	OC-17		TRIM - Window Trim, Corner Trim and Deck Railing Trim
BEHR	INTELLECTURAL	PPUS-19		TRIM - Fascia and Chimney Caps