

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: July 8, 2020

APPLICATION COMPLETE: July 13, 2020

ACTION DATE: July 14, 2020

CASE NO.: UP2020-0023 (Superseding UP-72-002G)

OWNER/ADDRESS: Sand Harbour HOA, C/O Manor Inc. Attn: Mark Borson, 1800 Gateway Drive, #100, Foster City, CA 94404

APPLICANT/ADDRESS: Urban Painting, Attn: Elizabeth Stairs, 40 Lisbon Street, San Rafael, CA 94901

APPLICATION FOR: Modification to an existing color palette to include a new body color DET600 Dolphin Tales

LOCATION: 1065 Shell Blvd, Sand Harbour Development

ZONING: R-3/PD (Medium Density Multiple-Family/Planned Development) District

CEQA DETERMINATION: Exempt pursuant to CEQA Section 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. 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 addition of Dunn Edwards color DET600 Dolphin Tales for the body color, will complement the existing Dunn Edwards colors of DET648 White Picket Fence and DET578 Yankee Doodle and Enduracoat Black which will improve the appearance of the buildings at Sand Harbour Development, and will be harmonious with color palette used in the adjacent and neighboring buildings by using similar earth tone and/or neutral colors, and 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-A-1.

2. That the proposed exterior color changes are appropriate to the City, the neighborhood and the Sand Harbour Development in which it is proposed because the proposed colors are complementary to one another and they will blend well with the existing streetscape and the houses in the neighborhood.
3. That the proposed exterior color changes 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 Sand Harbour 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.
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 proposal will not adversely affect the existing appearance of the Sand Harbour 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

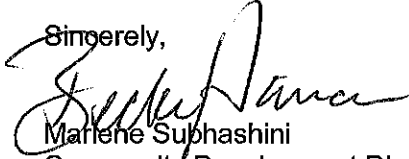
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed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


Mariene Subhashini
Community Development Director

Planners Initials BH

Erick Gadala Aug 17, 2020
(Owner's Name) (Please Print)

Erick Gadala
Erick Gadala (Aug 17, 2020 10:55 PDT)
(Owner's Signature)

EXHIBIT A

(Conditions attached to Use Permit Modification approval
by the Community Development Director on July 14, 2020)

1. All materials and colors shall be as approved. Once painted, all improvements shall be maintained in accordance with the approved colors as represented in the submitted color palette (Dunn Edwards DET600 Dolphin Tales, DET648 White Picket Fence, DET578 Yankee Doodle and Enduracoat Black) dated received July 8, 2020. 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.
2. All construction shall be located, designed, constructed, installed, and maintained in a professional manner and appearance.
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. The approved Dunn Edwards paint color have been added to the existing Sand Harbour Development exterior building color schemes. Added and existing colors are as listed below:

Body color	DET600 Dolphin Tales @175%
Balcony color	DET648 White Picket Fence
Supports color	DET578 Yankee Doodle
Chimney Caps color	Enduracoat Black
Parking color	DET648 White Picket Fence

6. Within seven (7) days of completion, the applicant shall contact the Planning/Code Enforcement Division (286-3225) and request a final inspection.

Bold: Indicates Site specific condition

1 Dolphin Tales
@ 175%



FOSTER CITY
RECEIVED
JUL 08 2020
PLANNING/
CODE ENFORCEMENT

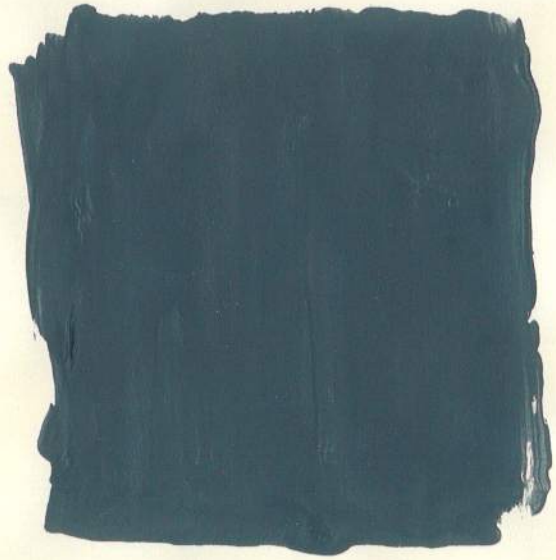
Sand Harbour HOA

2 5 White Picket Fence
(Pop-outs/Balconies)



Sand Harbour HOA

3 Sim to Yankee Doodle
(Sand Harbour Blue)
Supports/Balcony Rails



CITY OF FOSTER CITY
PLANNING DEPARTMENT

JUL 14 2020
UP2020-0023
ADMINISTRATIVE APPROVAL
WITH CONDITIONS

Sand Harbour HOA