



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: January 10, 2019

APPLICATION COMPLETE: July 22, 2019

ACTION DATE: July 26, 2019

CASE NO.: UP2019-0002

OWNER: Shell Cove Homeowners' Association

OWNER ADDRESS: Community Management Services, Inc., C/O Mike Brasil, 1935
Dry Creek Road, Suite 203, Campbell, CA 95008

APPLICATION FOR: Prototype amendment to add Fibrex material for replacement
windows and sliding glass doors

LOCATION: Shell Cove Planned Development

ZONING: R-T/PD (Townhouse 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 Use Permit Modification application based on the following findings:

1. That the proposal to amend the prototype design for the replacement of windows and sliding doors in the Shell Cove Planned Development, as conditioned in Exhibit A are 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 allowing Fibrex material in addition to the previously approved Vinyl material. 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 Fibrex material 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 Shell Cove development.
3. That the design of the proposal is compatible with its environment with respect to use, forms, materials, colors, setbacks, 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: 1) the prototypical design for replacement windows and sliding glass doors will provide guidelines to ensure that window replacements with white vinyl or Fibrex are orderly and consistent for all residential units in the development, and therefore, the overall architectural style and characteristics throughout the planned development will be preserved; 2) the size of the replacement windows will be the same size and style as the existing windows; and 3) the frame color of the replacement window will match the frame color of the existing windows.
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 for replacement windows and sliding glass doors will be compatible with the design of the houses in the neighborhood and will ensure that all residential units maintain similar architectural characteristics, and 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 will not have detrimental visual impacts on the neighborhood, the Shell Cove planned development, or the property values in the area.

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.

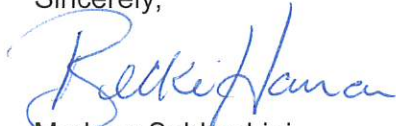
Acknowledgment by Applicant

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 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,

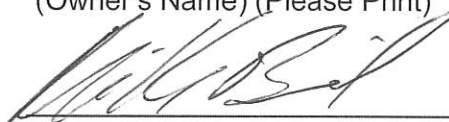


Marlene Subhashini
Community Development Director

Planners Initials: BH



(Owner's Name) (Please Print)



(Owner's Signature)

EXHIBIT A

SHELL COVE HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Window and/or Sliding Glass Door Replacements Amended on July 29, 2019

The following guidelines shall govern the installation and replacement of windows and sliding glass doors in the Shell Cove Planned Development:

CONDITIONS OF APPROVAL

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. 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 recommencing work, and the possibility of penalty fees being assessed for unauthorized work.
3. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
4. Prior to any final building inspection approval, imposed conditions and all improvements shall be completed to the satisfaction of the City.
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. **Replacement window and sliding glass doors shall match the existing windows and patio doors in location, material, size, style and trim. Retrofit or new construction installations are allowed as illustrated in Exhibit B.**
7. **Replacement windows and sliding doors shall be the same material and style as existing windows and sliding doors:**
 - **White vinyl or white Fibrex with a frame width up to 3";**
 - **Without grids**
8. **Replacement windows and sliding glass doors wood trim shall be consistent in design, size and color of existing wood trim.**

Bold indicates site specific conditions

APPROVAL PROCESS FOR REPLACEMENT WINDOWS AND/OR SLIDING GLASS DOORS

1. The homeowner or contractor shall apply for a building permit from the Building Inspection Division and shall submit the following per the building permit submittal requirements for window and door modifications listed on the City of Foster City website:
 - o A letter from the Shell Cove Homeowners' Association indicating their action on the proposal;
 - o Building permit application and applicable fee;
 - o Four copies of fully dimensioned plans/drawings and photographs;
 - o A completed window schedule; and
 - o Manufacturer's brochure/Specifications for the windows/doors
2. The Planning and Code Enforcement Division staff will review the building permit application to confirm that the proposal is consistent with the prototypical design guidelines for replacement windows and sliding glass doors for Shell Cove prior to signing off on the building permit.
3. Construction may proceed when the plans are approved, the necessary fees are paid and the building permit is issued.



Mike Brasil, Association Manager
Community Management Services, Inc., for
Shell Cove Homeowners' Association

8/13/19
Date



Marlene Subhashini, Community Development Director
City of Foster City

8/1/19
Date

EXHIBIT B

SHELL COVE HOMEOWNERS' ASSOCIATION



Old Bronze



New White



Old Bronze



New White



Old Bronze



New White