City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

JUL 31 2013

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

APPLICATION RECEIVED: April 29, 2013

APPLICATION COMPLETE: June 14, 2013

ACTION DATE: July 2, 2013

CASE NO.: UP-84-010H

OWNER: Antigua Homeowners' Association, c/o Joel Martins

OWNER ADDRESS: 353 Main Street, Redwood City, CA 94063

APPLICATION FOR: Prototype for Replacement of Windows, Patio Doors and Greenhouse Windows

LOCATION: Antigua Planned Development

ZONING: R-1/PD (Single 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 establish a prototype design for the replacement of windows and sliding doors and the installation of greenhouse windows in the Antigua Planned Development, as conditioned in Exhibit A and illustrated in Exhibit B and Exhibit C 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, will allow for necessary maintenance and repair of houses, 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 design, colors, and materials of the prototypical

window and patio door replacement 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 neighborhood.

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 will provide guidelines to ensure that window replacements 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 as the existing windows; 3) the frame color of the replacement window will match on each elevation; and 4) the greenhouse window will be located in the kitchen and is common with other kitchen windows found in 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 prototypical design will ensure that all residential units maintain similar architectural characteristics, 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 planned development, or the property values in the area.

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.

JUL 31 2013

JUL 31 2013

EXHIBIT A

ANTIGUA HOMEOWNERS' ASSOCIATION

Prototypical Design Guidelines for Window/Patio Door Replacements and Greenhouse Windows

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The following guidelines shall govern the installation and replacement of windows, patio doors and the installation of greenhouse windows in the Antigua 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 recommending 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 windows shall be the same type of window (i.e. slider, operable, non-operable or casement) as the existing window, except as approved by the Antigua Board of Directors and the Foster City Community Development Department.**

7. **Replacement windows shall have white vinyl frames.**

8. **All windows on the elevation facing the front of the house and facing any public or private street shall have grids.**

9. **Any windows on the side elevation between two properties can be replaced with or without grids as long as all the windows on that elevation (1st and 2nd level) match.**

10. **Replacement windows along the rear elevation (except those facing a public or private street) may be a mix of grids/no grids as long as all the windows on the 1st level match with respect to grids/no grids and all the windows on the 2nd level match with respect to grids/no grids but the 1st and 2nd level do not need to match.**

11. **The kitchen window may be replaced with a greenhouse window with white vinyl frames equivalent to the Tru-Frame Greenhouse Windows shown on Exhibit B (without grids).**

APPROVAL PROCESS

1. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit the following:

   - Window Schedule with 3 sets of photos
   - Building Permit application and all applicable fees

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 window/patio door replacements.

Joel Martins, Managing Agent
The Manor Association, for
Antigua Homeowners' Association

7/30/2013
Date

Curtis Banks, Community Development Director
City of Foster City

8-5-13
Date

JUL 31 2013

EXHIBIT B

RECEIVED
T 13 2004

ANNING VISION

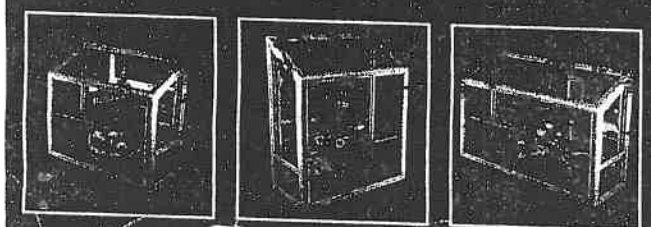
Architecturally superior and beautifully simple. Now you can enjoy all the sunlight and shinning beauty of the most architecturally and functionally superior window on the block. The new Tru-frame® vinyl Greenhouse window. Because we've taken the best of everything you could want and put it all right here for the world to see.

It's Nicer to Have Around.

Each greenhouse window features a tough, durable vinyl frame in white or almond color that never needs painting, and is maintenance free. With rounded corners they're stronger and safer to have around your house because the edges don't protrude. They're prettier too.

Inside, we've got fully adjustable, tempered-glass shelves. So you can have plants of different sizes, instead of half-dozen look-alikes.

The side vents have sash balances, so you can let in fresh air at the touch of a fingertip. They even have self latching security locks.



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THE DIFFERENCE IS AROUND THE CORNER

Modern style matches all types of architecture.

Fully welded vinyl sash and frame with extruded aluminum interior supports for added strength.

Reduces heat transmission and ultraviolet rays.

Installs like an aluminum window, yet performs like vinyl.

Single hung vents with sash balances for fingertip control. Self-locking latch keeps vents securely closed.

For a variety of plant sizes.

Sturdy, specially formulated rigid vinyl. 16" deep for wider plant bases.

No bars or obstructions, minimal sightlines.

White and Almond are stock. Additional colors are available as specials.

Model # 5040

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www.greenhouse

TF

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A name you can build b

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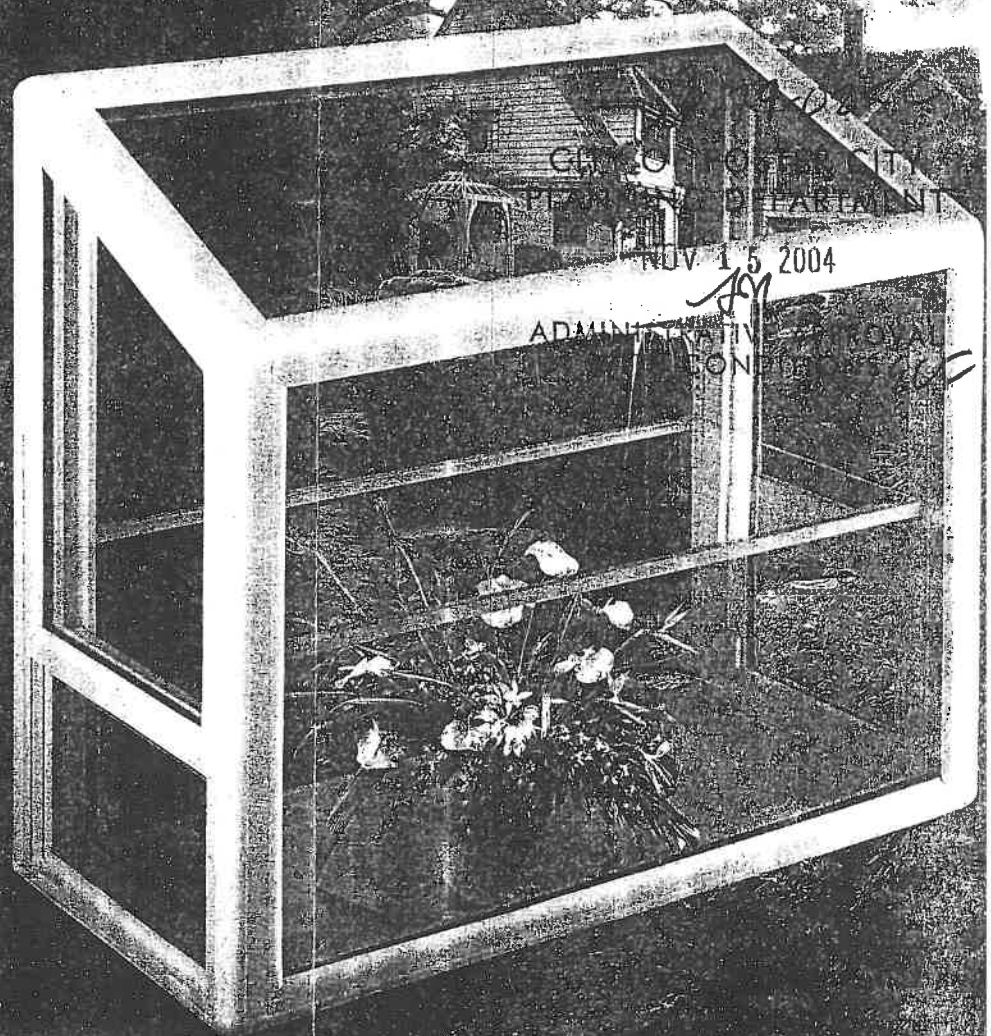

OUR GREENHOUSE WINDOWS
THE DIFFERENCE IS
AROUND THE

Per email dated April 09, 2012, the Antigua HOA has been advised to apply for a prototype amendment next year to allow homeowners to install new aluminum windows painted white. Mix of aluminum & vinyl shall not be allowed.

See File # AR-12-001
1406 Melbourne

Antigua
Homeowners' Association

April 11, 2012

Marlene Subhashini, LEED AP
City of Foster City

RE: 1406 Melbourne Windows Install on Proposed Addition

Dear Marlene,

I am writing you on behalf on the Antigua Homeowners Association Board of Directors and Architectural Control Committee. ("ACC") The Board of Directors/ACC would like to request an amendment to its window proto-type policy for the purpose of the 1406 Melbourne project and for Antigua Homeowners Association in general, which sates:

Homeowners in the Antigua development, may only install new aluminum windows as long as they are painted white and match the remainder aluminum windows on one elevation and that a mix of aluminum and vinyl windows will not be permitted on any elevation.

This applies only for new windows & not replacement windows MS 4/18/12

If you have any further questions or concerns please feel free to contact me at 650-637-1616 Ext: 363.

Best Regards,

Joel Martins

Joel S. Martins, CPM
Senior Community Association Manager
The Manor Association Inc.

Marlene Subhashini

From: Joel Martins <Joel@themanorassn.com>
Sent: Wednesday, April 11, 2012 2:01 PM
To: Marlene Subhashini
Cc: Hana Ohkawa
Subject: RE: 1406 Melbourne
Attachments: 2012 04 AN widnow proto-type amendment.pdf

Hi Marlene –

Attached is the letter you requested.

Best regards,

Joel Martins, CPM
The Manor Association Inc.
353 Main Street
Redwood City, CA 94063
Direct: 650-716-1363
Office: 650-637-1616
Fax: 650-637-1670
www.themanorassn.com

From: Marlene Subhashini [mailto:msubhashini@fostercity.org]
Sent: Monday, April 09, 2012 3:18 PM
To: Joel Martins
Cc: Hana Ohkawa
Subject: RE: 1406 Melbourne

Hi Joel,

I discussed the proposed windows with Curtis and here is what we need – a letter from the Antigua board that states that for homes in the Antigua development, new windows only can be aluminum windows as long as they are painted white and match the remainder aluminum windows on one elevation and that a mix of aluminum and vinyl windows will not be permitted on any elevation. As soon as you send this letter, I will print a copy for our files and will proceed with the application for 1406 Melbourne. Also, please be advised that next year when the window opens (January) for processing Use Permit Modifications for prototype amendments without a fee, the Antigua HOA would need to apply for a prototype amendment that includes language for new windows to allow aluminum frame as long as all windows on one side of the elevation match in terms of window frame, colors and grids.

Please let me know if you have any further questions.

Sincerely,
Marlene Subhashini, LEED AP
Planner
CDD | Planning and Code Enforcement Division
City of Foster City

T 650.286.3244

Kohar Kojayan

FILE COPY

From: Joel Martins [Joel@themanorassn.com]
Sent: Wednesday, September 08, 2010 2:57 PM
To: Kohar Kojayan
Subject: Antigua HOA
Importance: High

To Whom it may concern:

Please remove the archtitcural review permit requirement from Antigua HOA prototypical design approval process.

Thanks,

Joel S. Martins, CPM
Antigua Community Manager

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

June 14, 2007

Antigua Homeowners Association
c/o Joy Wade
The Manor Association
353 Main Street
Redwood City, CA 94063

Subject: Building Permit Requirement for Window Replacements

Dear Ms. Wade:

Your homeowners' association has an approved prototype on file for window replacements. Your prototype requires an Architectural Review permit but not a building permit. The City has historically not required building permits for same size window replacements that are not opening up stucco. However, we have become aware that some contractors are installing windows within the same opening that do not comply with bedroom egress requirements – for example, a 3-piece sliding window to replace a 2-piece sliding window – the resulting opening may not meet egress requirements.

Section 106 of the 2001 California Building Code requires permits for basically any alteration except painting and carpeting. The Building Inspection Division has therefore changed its policy and will now require building permits for same size window replacements. A minimum fee will be charged for same size window replacement building permits ($32 in 2007-08).

At this point, we would like to offer you two options:

3. Retain the existing requirement for Architectural Review and in addition, owners will also have to get a building permit. We will make a modification to your prototype approval to so indicate. This would require fees of $19.35 for Architectural Review and $33.80 for the building permit (2007-08 fees).
4. Modify the prototype to remove the requirement for Architectural Review and substitute a requirement for the applicant to 1) produce a letter from the homeowners' association indicating their action on the proposal, and 2) obtain a building permit. This would result in the lowest fees for your residents.

Please indicate which of these options you prefer. We will make the selected modification to your prototype with no fee required. Please contact me at 650 286-3236 or lcarmichael@fostercity.org if you need any additional information.

Sincerely,

Leslie J. Carmichael
Planning Manager

Attachment:
Existing prototype approval

Q:\CDD\DOCS\PDLTR\window replacement prototypes-ljc.doc

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2
1420

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
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FOSTER CITY
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NOV 18 2004

PLANNING
DIVISION

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

APPLICATION RECEIVED: October 14, 2004

APPLICATION COMPLETE: November 15, 2004

ACTION DATE: November 15, 2004

CASE NO.: UP-79-025C

OWNER: Antigua Homeowners' Association

OWNER ADDRESS: 353 Main Street, Redwood City, CA 94063

APPLICATION FOR: Prototype for Window and Sliding Door Replacements

LOCATION: Antigua Planned Development

ZONING: R-1/PD (Single 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 establish a prototype design for the replacement of windows and sliding doors and the installation of greenhouse windows in the Antigua Planned Development, as conditioned in Exhibit A and illustrated in Exhibit B and Exhibit C 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, will allow for necessary maintenance and repair of houses, 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 design, colors, and materials of the prototypical

window replacement 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 neighborhood.

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 will provide guidelines to ensure that window replacements 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 as the existing windows; 3) the frame color of the replacement window will match the frame color of the existing windows; and 4) the greenhouse window will be located in the kitchen and is common with other kitchen windows found in 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 prototypical design will ensure that all residential units maintain similar architectural characteristics, 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 planned development, or the property values in the area.

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,

Richard B. Marks
Community Development Director

(Applicant's Name) (Please Print)

Joy Wade

(Applicant's Signature)

Planners Initials:

EXHIBIT A

ANTIGUA HOMEOWNERS' ASSOCIATION

Prototypical Design Guidelines for Window Replacements and Greenhouse Windows

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The following guidelines shall govern the installation and replacement of windows and the installation of greenhouse windows in the Antigua 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 recommending 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 windows shall be the same type of window (i.e. slider, operable, non-operable or casement) as the existing window, except as approved by the Antigua Board of Directors and the Foster City Community Development Department.

7. When any window on a house's front, side, or rear elevation is replaced with one that has a different design (with respect to frame color and grids), the other windows on that elevation shall be replaced such that all windows on a single elevation share one consistent design and frame color.

8. Replacement windows shall have white vinyl frames and shall have grids to match the existing windows as shown on Exhibit B..

9. The kitchen window may be replaced with a greenhouse window with white vinyl frames equivalent to the Tru-Frame Greenhouse Windows shown on Exhibit C (without grids).

APPROVAL PROCESS

1. The homeowner or contractor shall apply for an Architectural Review from the Planning/Code Enforcement Division and shall submit the following:

   - A letter from the Antigua Homeowners Association (HOA), indicating their action on the proposal.
   - An Architectural Review application and filing fee.
   - Three copies of a photos or elevations showing all the windows to be replaced.
   - Brochure or information demonstrating the type of windows that will be installed.

Joy Wade

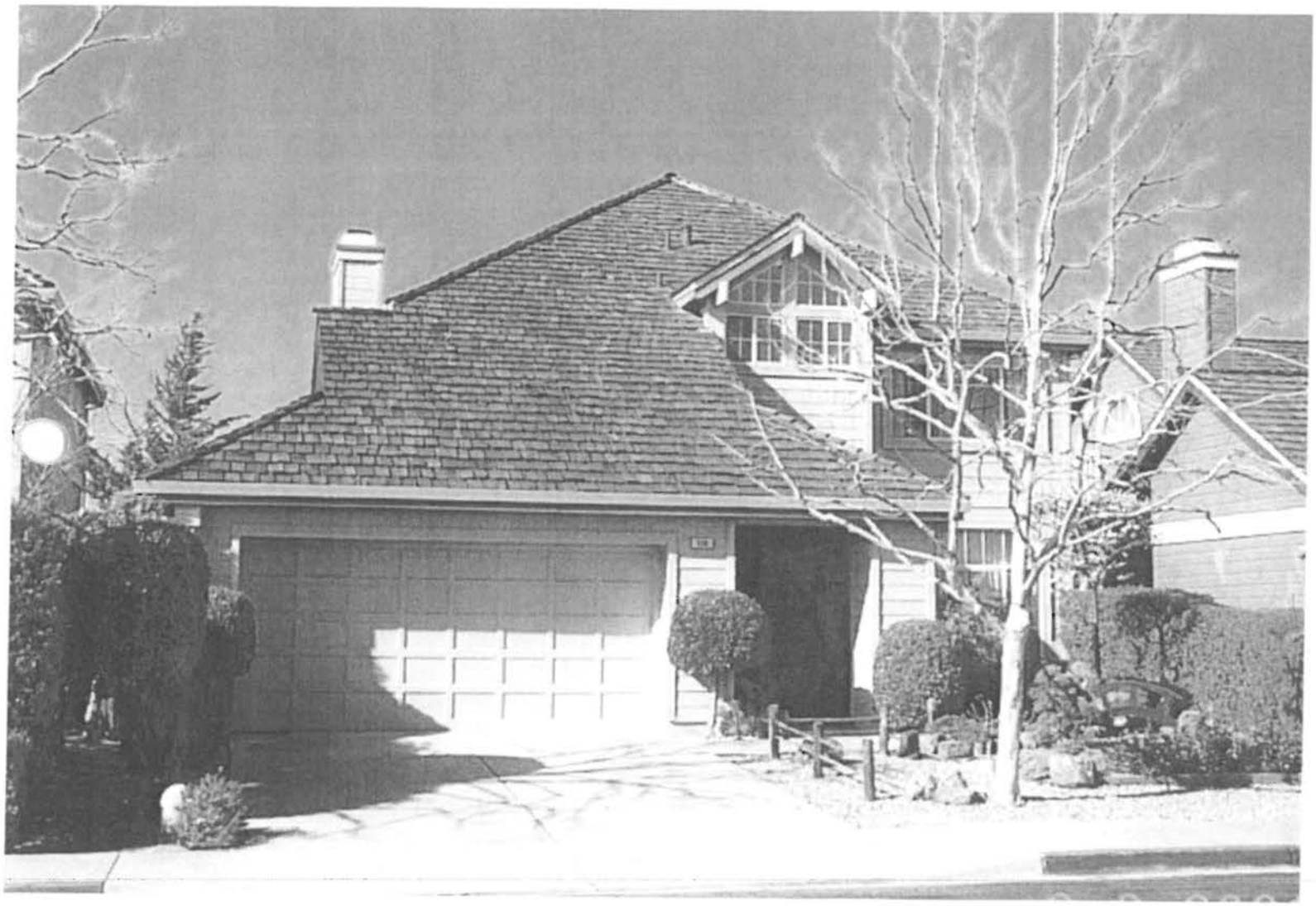
Joy Wade, Managing Agent
The Manor Association, for
Antigua Homeowners' Association

Nov. 17, 2004
Date

Richard B. Marks, Community Development Director
City of Foster City

11/22/04
Date

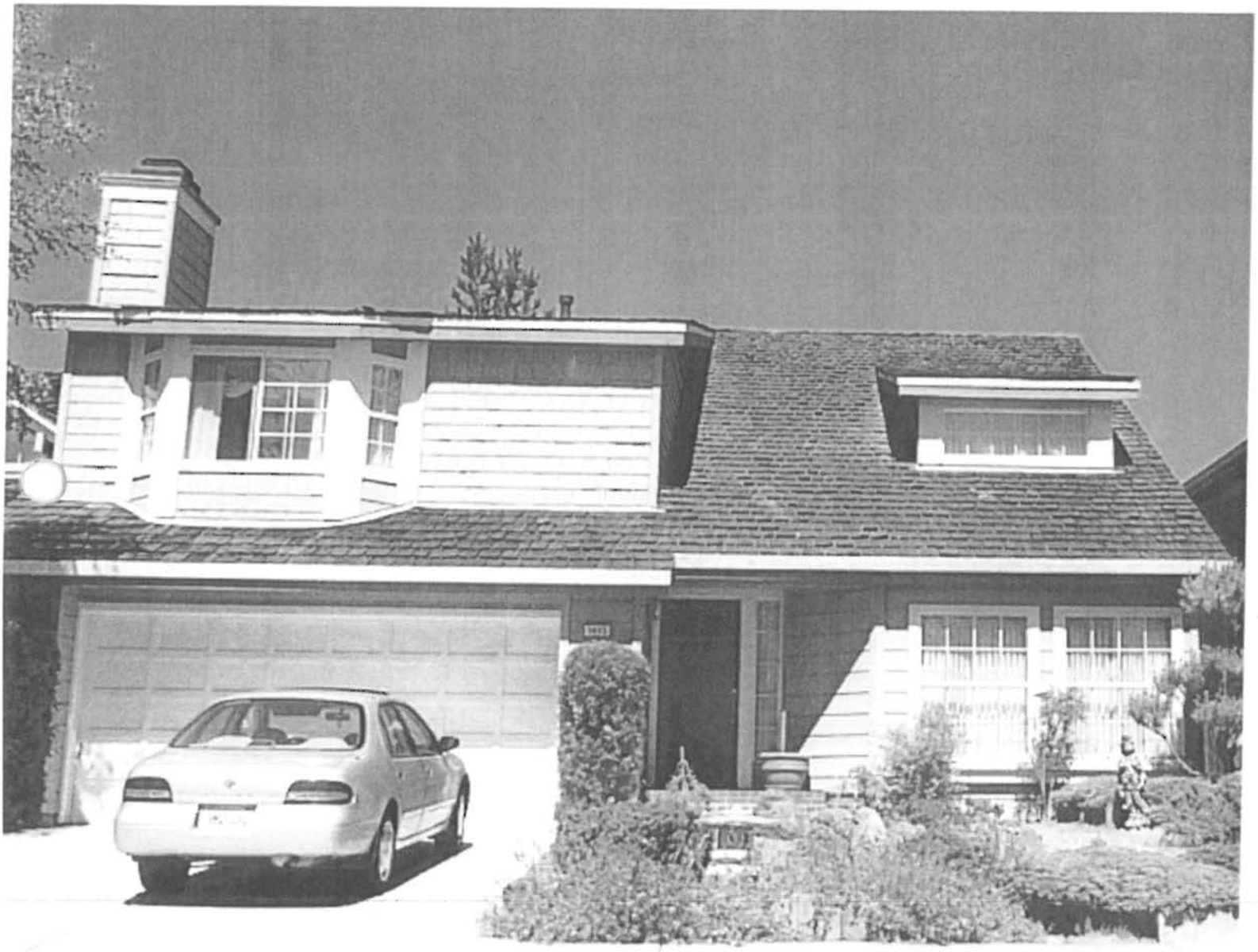
EXHIBIT B



UP-79-025C
CITY OF FOSTER CITY
PLANNING DEPARTMENT

NOV 15 2004

ADMINISTRATIVE APPROVAL
WITH CONDITIONS



UP-79-025C
CITY OF FOSTER CITY
PLANNING DEPARTMENT

NOV 15 2004

ADMINISTRATIVE APPROVAL
WITH CONDITIONS ECR

UP-79-025C
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PLANNING DEPARTMENT
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WITH CONDITIONS ECR

EXHIBIT C

FOSTER CITY
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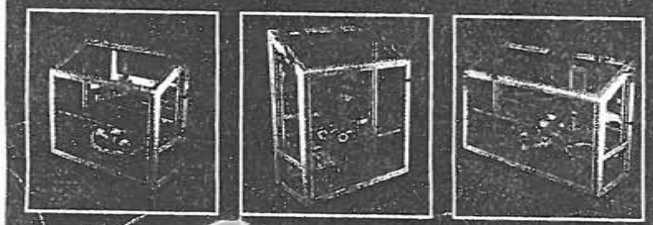
Architecturally superior and beautifully simple. Now you can enjoy all the sunlight and shinning beauty of the most architecturally and functionally superior window on the block. The new Tru-frame® vinyl Greenhouse window. Because we've taken the best of everything you could want and put it all right here for the world to see.

It's Nicer to Have Around.

Each greenhouse window features a tough, durable vinyl frame in white or almond color that never needs painting, and is maintenance free. With rounded corners they're stronger and safer to have around your house because the edges don't protrude. They're prettier too.

Inside, we've got fully adjustable, tempered-glass shelves. So you can have plants of different sizes, instead of half-dozen look-alikes.

The side vents have sash balances, so you can let in fresh air at the touch of a fingertip. They even have self latching security locks.



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Modern style matches all types of architecture.

Fully welded vinyl sash and frame with extruded aluminum interior supports for added strength.

Reduces heat transmission and ultraviolet rays.

Installs like an aluminum window, yet performs like vinyl.

Single hung vents with sash balances for fingertip control. Self-locking latch keeps vents securely closed.

For a variety of plant sizes.

Sturdy, specially formulated rigid vinyl 16" deep for wider plant bases.

No bars or obstructions, minimal sightlines.

White and Almond are stock. Additional colors are available as specials.

Model # 5040

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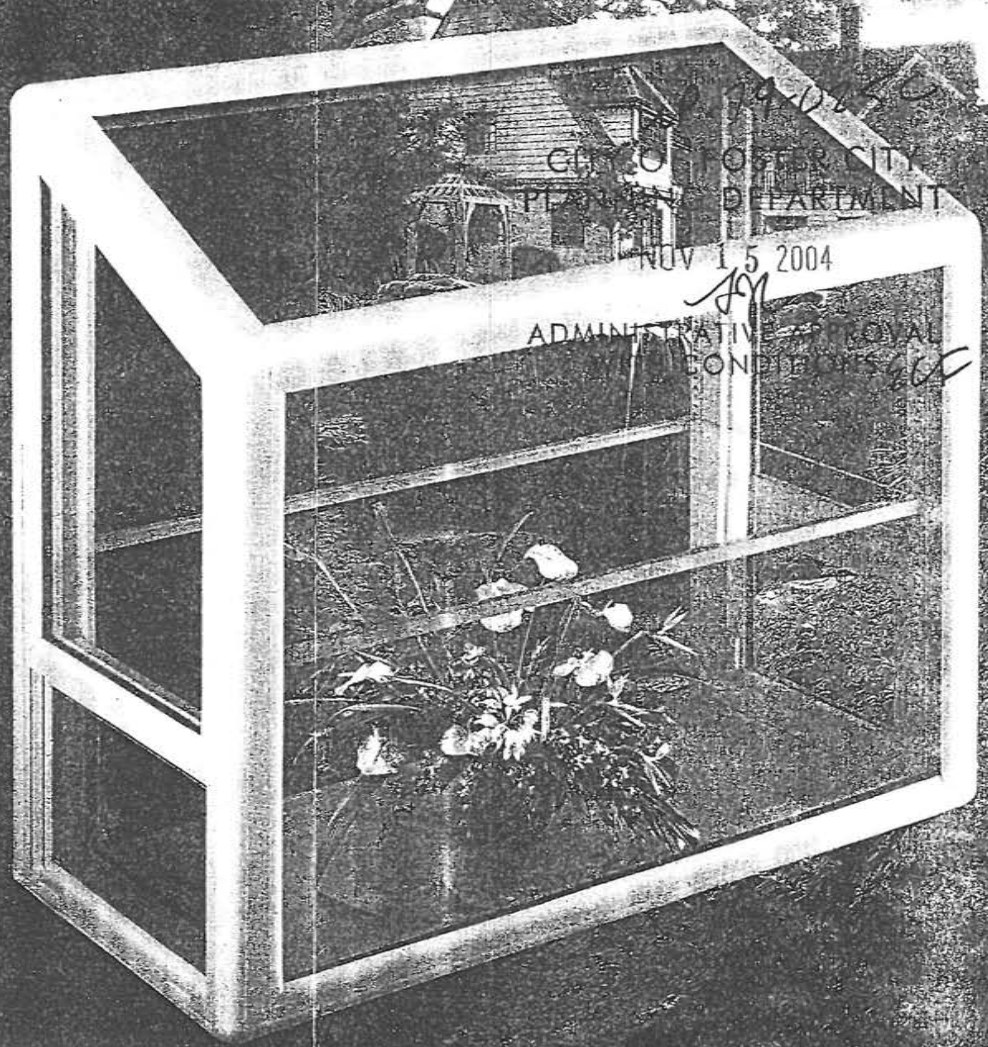
TRU-FRAME®
A name you can build on.



CITY OF FOSTER CITY
PLANNING DEPARTMENT
NOV 15 2004
ADMINISTRATIVE APPROVAL
WITH CONDITIONS

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