

PROTOTYPE



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

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

FOSTER CITY
RECEIVED

AUG 10 2006

PLANNING
DIVISION

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

APPLICATION RECEIVED: August 7, 2006

APPLICATION COMPLETE: August 9, 2006

ACTION DATE: August 10, 2006

CASE NO: UP-85-055J

OWNER: Bayfront Court Homeowners' Association

OWNER ADDRESS: c/o The Manor Association, 353 Main Street, Redwood City, CA
94063

APPLICATION FOR: Change building colors, revise garden window prototype design,
replace planter boxes with trellises, remove Front Entry Wall
Trellises and repair and replace Front Entry and Garage Trellises.

LOCATION: Bayfront Court Planned Development

ZONING: RT/PD

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 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 color change and other changes, as conditioned, will improve the appearance of the townhouses and will be consistent with the residential use of the subject property.
2. That the design of the proposal is appropriate to the City, the neighborhood and the lot in which it is proposed because the color, materials and design of the proposed color change and other changes, as conditioned, will be compatible with the architectural style, character and proportions of the existing townhouses 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 the color, materials and design of the changes, as conditioned, will complement the architectural style of the existing townhouses.
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 proposed changes, as conditioned, will be compatible with the design of the house and the neighborhood, 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 any detrimental visual impacts on the adjacent properties and/or the streetscape and/or the waterfront.

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

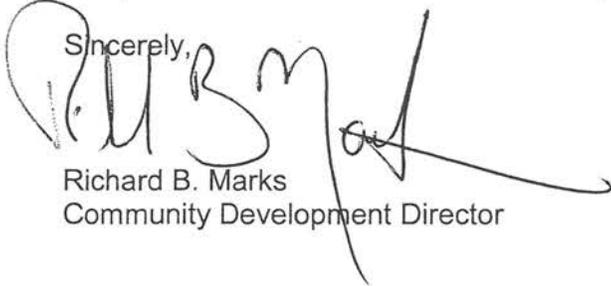
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed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

Joanne M. Bohigian
on behalf of Bayfront Court HOA

(Applicant's Name) (Please Print)



(Applicant's Signature)

Planners Initials: LJC

cc: Joanne Bohigian, 1034 Rudder Lane, Foster City, CA 94404

8/10/06

EXHIBIT A

(Conditions attached to Architectural Review approval
by the Community Development Director on August 10, 2006)

1. **Prior to commencement of work for other than the color change, a building permit shall be obtained from the Building Inspection Division. Four (4) sets of final construction drawings shall be submitted with the building permit application.**
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. All construction shall be designed, constructed, installed and maintained in a professional manner and appearance.
4. 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.
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. All posts for the arbor/trellis shall be a minimum of 5' from the property line. The roof of the arbor/trellis may extend to within 24" of the property line.
7. Exterior lighting of the building and site shall not be directed onto adjacent properties, and the light source shall be shielded from off-site view.
8. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
9. Once a building permit is issued, it is the permit holder's responsibility to ensure that the project receives a final inspection before the building permit expires (180 days after the last inspection). Failure to receive and/or pass a final inspection will result in the expiration of the building permit which will require additional fees to reactivate.
10. Building colors 1, 2, and 3 labeled in Schemes 1, 2, 3 and 4 dated received August 8, 2006 in the project application shall be used for the areas of the building noted in the photographs

included in the application materials. The door colors shall be used on front entry doors only.

- * 11. Color Schemes 1, 2, 3 and 4 shall be used as indicated in the project application for the buildings on Outrigger Lane. Prior to painting any other buildings, a site map showing the Schemes to be used on the remaining buildings in the development shall be submitted and approved by the Community Development Director.
 - * 12. The proposed garden window prototype design shall replace the garden window previously approved as part of UP-85-055I.
 - * 13. Removal of the front entry wall trellises that consist of a grid mounted on the side walls adjacent to the entries is hereby approved.
 - * 14. The front entry and garage trellises may be repaired and replaced on as-needed basis, but not removed, in such a way that will not significantly change their appearance, subject to the review and approval of the Community Development Director. Four (4) sets of final construction drawings with installation details shall be submitted with the building permit application and routed to the Community Development Director for review and approval.
 - * 15. The planter boxes may be removed; however, those five feet or longer shall be replaced with a trellis as shown in Exhibit B subject to the review and approval of the Community Development Director. Four (4) sets of final construction drawings with installation details shall be submitted with the building permit application and routed to the Community Development Director for review and approval.
- * Site specific condition

EXHIBIT B

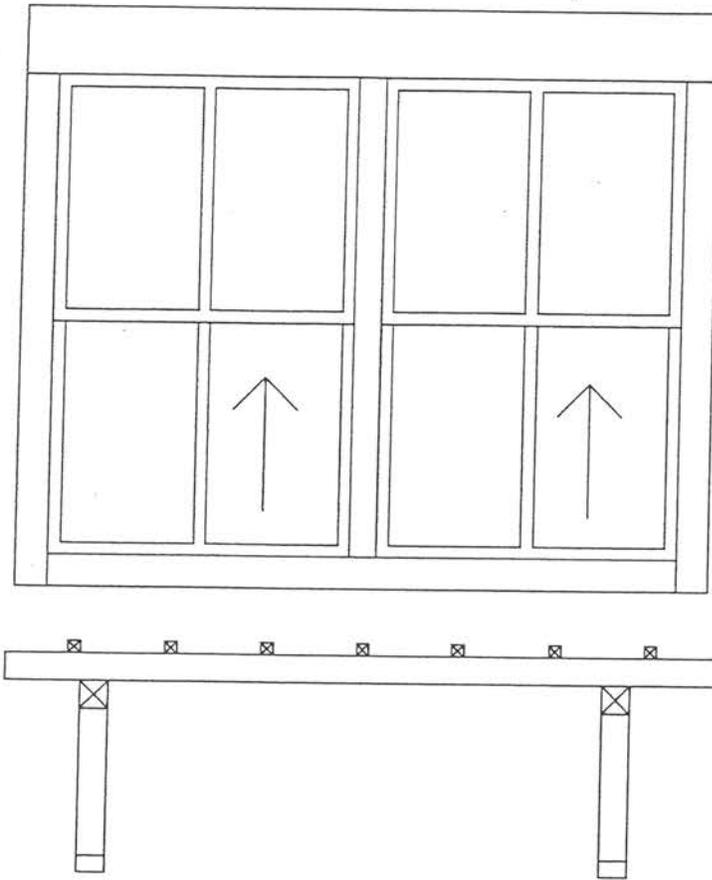
BSJ

UP-85-055J

CITY OF FOSTER CITY
PLANNING DEPARTMENT

AUG 10 2006

ADMINISTRATIVE APPROVAL
WITH CONDITIONS



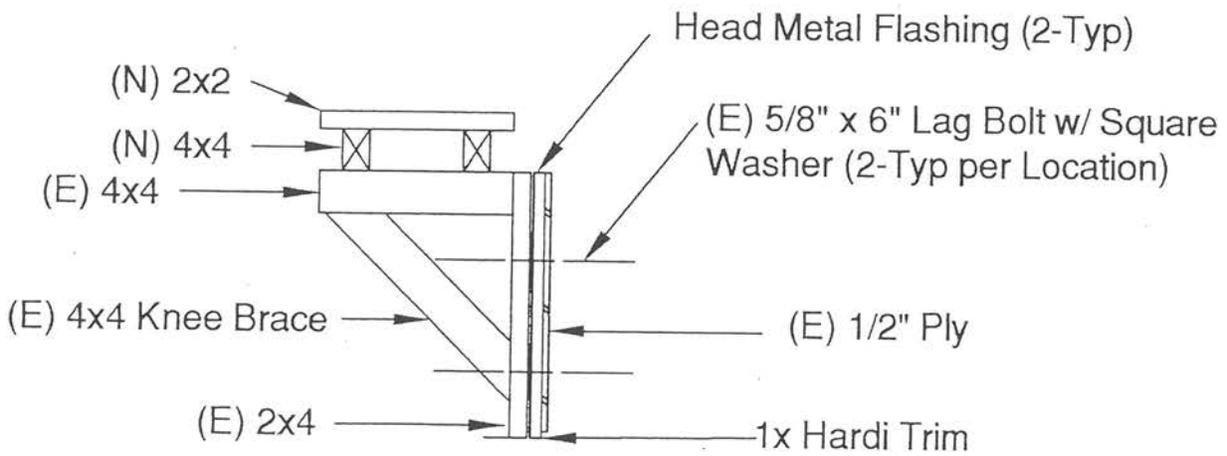
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Front View

Scale: 1/2" = 1' - 0"

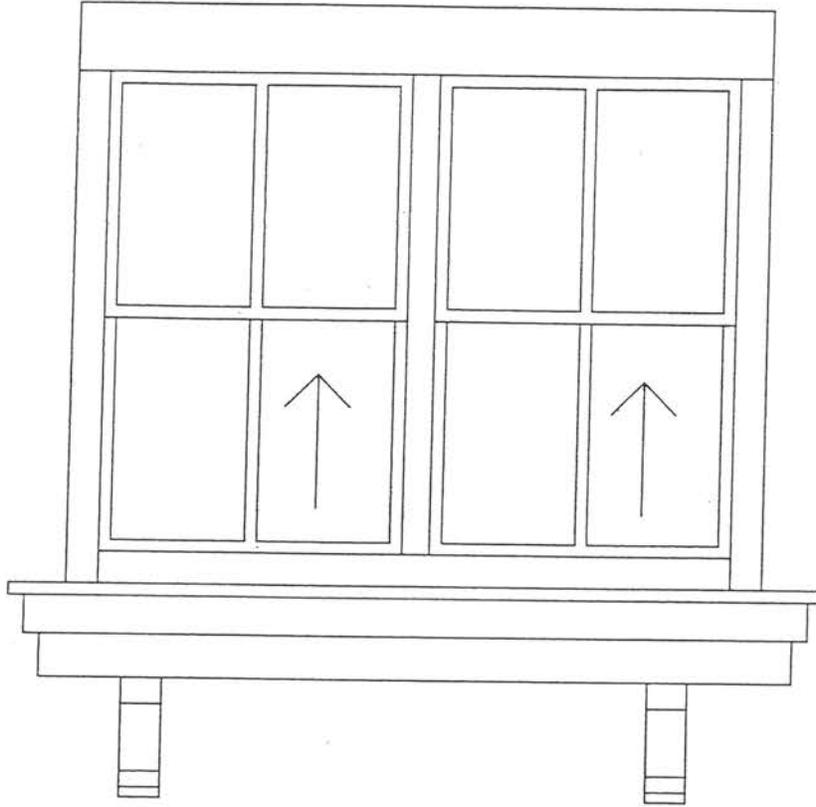


Side View

Scale: 3/4" = 1' - 0"

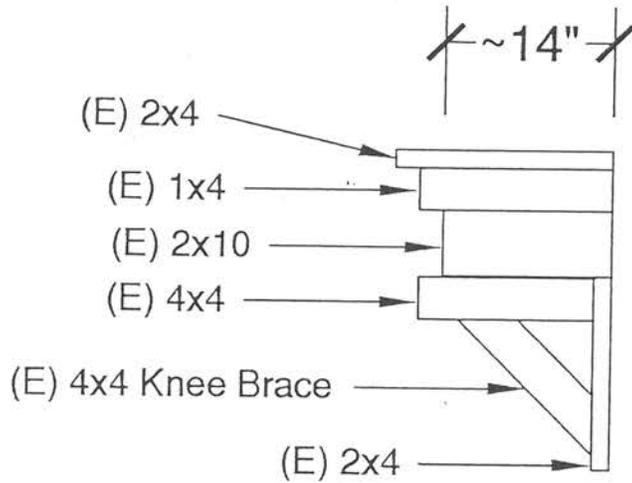
Job Number: 05023.1	Scale NOTED	 VHS ASSOCIATES, INC. CONSTRUCTION MANAGEMENT ENGINEERING	CORBEL @ DOUBLE WINDOW
Date: 09 AUG 06	By HMW		
	Chk'd		

UP-85-055J
 CITY OF FOSTER CITY
 PLANNING DEPARTMENT
 AUG 10 2006
 ADMINISTRATIVE APPROVAL
 WITH CONDITIONS



Front View

Scale: 1/2" = 1' - 0"



Side View

Scale: 3/4" = 1' - 0"

Job Number:
05023.1

Scale NOTED

Date:
09 AUG 06

By HMW

Chk'd



VHS ASSOCIATES, INC.
 CONSTRUCTION MANAGEMENT ENGINEERING

PLANTER @ DOUBLE WINDOW

UP-85-055J

CITY OF FOSTER CITY
PLANNING DEPARTMENT

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ADMINISTRATIVE APPROVAL
WITH CONDITIONS



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Bay Front Court HOA
Foster City, CA

Color Selection

BM2141-40 Creekside Green	
DEC750 Bison Beige - Siding	
DEC797 Battleship Gray - Siding	
DE6206 Desert Suede - Trim	
DEA175 Black Forest - Doors	
DEA149 Spiced Berry - Doors	
DEC756 Weathered Brown - Doors	
DE6335 Novelty Navy - Doors	

**Richard Marks**

From: Bayfront Court Homeowners Association [BayfrontCourt@comcast.net]
Sent: Monday, January 09, 2006 8:45 PM
To: Karen Tremain
Cc: acarrubba@comcast.net; Lad Burgin (ladb@hrmginc.com); nanceakanc@yahoo.com; nchau@legacypartners.com; Anne Marie Callan; Ed McCusker; Rich Gaillard; Richard Marks; Leslie Carmichael
Subject: (((((SPAM)))))) Re: Window/door approvals

Hi Karen,

Thanks for your email. I apologize for the phone number being out of order. In the future, please use the phone numbers and email addresses listed below to contact either me or the Board.

In a recent special assessment ballot, the membership at Bayfront Court overwhelmingly voted to **replace all of the siding, trim, windows and sliding glass doors as a group** pursuant to the Use Permit Modification (UP-85-0551) for siding, trellis/flower boxes, garage doors, patio fences, windows and sliding glass doors. Accordingly, the board will not be approving any individual replacements at this time. It is clearly in the best interests of the HOA and the City for this project to be done in a professional and organized manner that will result in a consistent look, feel and quality of workmanship that is in keeping with the standards of our Association and the requirements of the City of Foster City. Rick Marks and I have worked for the better part of the past year to that end. We would appreciate your adding a memo to the file to that effect. As in any HOA, there are always a few members who would prefer to proceed outside of the the democratic process (and the wishes of the majority) in a manner that would result in a lower quality, lower cost and in the end, lower property values. We are making every effort to work with these few individuals and encourage them to cooperate with the Board and the majority of the HOA Membership to rebuild a better Bayfront Court in a manner that will enhance the long term values of this property and that was agreed upon by the City.

Going forward, it is our intention to file prototypical designs with your office to ensure that the replacement standards that have been established and agreed upon by the HOA and the City are complied with and maintained into the future. Accordingly, we agree with your "preferred approach" for any replacements or modifications that may be required in the future after this major project is completed and any replacements or modifications are needed (i.e., a combined requirement of a Building Permit for same size replacements of windows from the City along with a letter of authorization from the HOA). However, it is not our intention (nor is it the intention of the Membership based on their recent vote) to approve any individual replacements of any kind at this time.

If you should have any questions or comments on the above, please do not hesitate to contact me or the Board of Directors. We appreciate your continued support in our efforts to partner with the City of Foster City in a joint effort to resolve our construction defects and to contribute to the high standards of this community.

Regards,

Jim Turner

Bayfront Court Homeowners Association
Website: <http://www.BayfrontCourt.org>

1/10/2006

On-Site Management Contact:

Phone: (650) 574-8091

Email: BayfrontCourt@comcast.net

Association Manager Contact:

Geri Kennedy, Community Financial Services

1017 El Camino Real, #312

Redwood City, CA 94063

Phone/Fax: (650) 474-0800

Email: CommFinan@aol.com

Security Patrol Contact:

Northwest Protective Services

Phone: (650) 345-8500

Karen Tremain wrote:

Mr. Turner:

I called the number on your letterhead, (650) 520-7533, and got a recording that this number was not valid, hence this email message.

Recently, the City issued a Use Permit Modification (UP-85-0551) for siding, trellis/flower boxes, garage doors, patio fences, windows and sliding glass doors for Bayfront Court. In doing this approval, the City thought that the HOA intended to do all of the replacement work at one time. A Building Permit has been issued for the replacement of the siding and garage doors.

A homeowner came into City Hall this afternoon to inquire about the process to replace the windows and sliding glass doors at her unit. Since we didn't specify a process for individual homeowners to do these replacements, I wanted to get your input regarding the approval process. We will then write a memo to the file clarifying the process.

We have prototypes for various planned developments in the City that have different approval processes, depending on the needs of the HOA. Some examples are:

1. Architectural Review (planning permit) only, with a letter from the HOA, photographs of the windows/doors to be replaced and a brochure of what's to be installed.
2. Building Permit only (with or without a letter from the HOA). Planning reviews the Building Permit application to make sure the windows/doors to be installed meet the prototypical guidelines.
3. Both an Architectural Review permit and a Building Permit.

Our preferred approach is a Building Permit for same size replacements with a letter from the HOA. Some HOA's prefer requiring a letter so that they are aware of homeowner proposals. Other HOA's don't want to be bothered with the letter and leave it to the City to ensure that the proposal conforms to the prototype.

Please let me know how you'd like to proceed. Thanks.

Karen

Karen Tremain
Assistant Planner
City of Foster City
(650) 286-3237



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

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

October 19, 1998

Mr. James A Turner
Bayfront Court Homeowners' Association
1020 Helm Lane
Foster City, CA 94404

Subject: Bayfront Court Prototypical Design Guidelines

Dear Mr. Turner:

The Foster City Planning/Code Enforcement Division has received your letter regarding prototypical design guidelines in the Bayfront Court planned development. Pursuant to your request, the prototypes for spas (soft-tubs) and air conditioners have been removed from the development's approved "prototype" file and they will no longer be permitted unless expressly authorized by the Homeowners' Association.

If you have any questions, please telephone me at 650/286-3242.

Sincerely,

Vance E. Jones
Assistant Planner

Cc: Mr. Richard B. Marks, Community Development Director
Prototype Binder for Bayfront Court Planned Development

Bayfront Court Homeowners' Association

1020 Helm Lane • Foster City, CA 94404 • (415) 974-5545

October 15, 1998

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VIA FACSIMILE (650) 574-3483

OCT 15 1998

Vance Jones
City of Foster City Planning Department

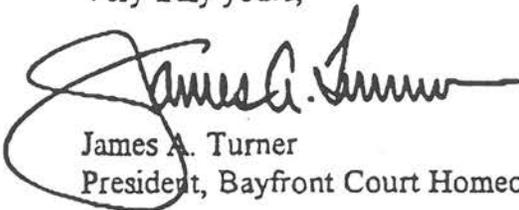
**PLANNING
DIVISION**

Re: Bayfront Court Prototypical Guidelines

Dear Vance:

As we discussed, please remove the prototypical guidelines on file for Bayfront Court that pertain to Spas (Soft Tubs) and Air Conditioners. Both of these items are prohibited under our current CC&R's. The prototypical guidelines on file for Patio Decks should remain in place. Thank you.

Very truly yours,



James A. Turner
President, Bayfront Court Homeowners' Association

cc: Board of Directors