

RESOLUTION NO. P- 39 -03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY APPROVING A USE PERMIT MODIFICATION REQUEST TO AMEND THE APPROVED MATERIALS/COLORS FOR RE-ROOFING OF RESIDENTIAL UNITS IN THE HARBORSIDE PLANNED DEVELOPMENT IN NEIGHBORHOOD 6 – HARBORSIDE HOMEOWNERS' ASSOCIATION – UP-74-017EE

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the Harborside Homeowners' Association has requested approval to add the CertainTeed Landmark shingle material (50-year warranty) in the Burnt Sienna color to the list of approved re-roofing materials for the residential units containing tile roofs in the development; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from California Environmental Quality Act of 1970; and

WHEREAS, a Notice of Public Hearing was duly posted for consideration of the Use Permit Modification request at the Planning Commission meeting of December 4, 2003, and on said date the Public Hearing was opened, held, and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on facts and analysis in the Staff Report, written and oral testimony, and exhibits presented, finds:

1. That the proposal to add CertainTeed Landmark shingles (50 year warranty) in the Burnt Sienna color to the list of approved materials for the re-roofing of townhomes with tile roofs in the Harborside Planned Development, as conditioned in Exhibit A, is consistent with the Foster City General Plan, Chapter 17.16 (RT Townhouse Residence District) and Chapter 17.36 (Planned Development District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of the Foster City Municipal Code, because the proposal: 1) will be sympathetic to the character and style of the townhomes in the development and will therefore promote "proper site planning, architectural design and property maintenance" and will "preserve the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-38 and LUC-39) contained in the Land Use and Circulation Element of the Foster City General Plan; 2) will be appropriate for townhomes in the development and will be consistent in design and character to other townhouses in the vicinity, consistent with Section 2.28.110 of the Foster City Municipal Code; and 3) will enhance the appearance of the development and the neighborhood by providing a compatible material and color for the re-roofing of townhomes with tile roofs within the planned development.
2. That the design of the proposal is appropriate to the City and the neighborhood in which it is proposed because the proposed material and colors, as conditioned, will complement the existing architecture of the development and the resulting relationship will be similar to colors used in other residential developments and in other residential neighborhoods in the City.
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 proposed material and colors, as conditioned, will complement and enhance the architectural elements of the residential units in the planned development, consistent with Policy P-89-004.

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, property values in the area, or the general welfare of the City because the proposal, as conditioned, will not adversely affect the existing appearance of the 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.

BE IT FURTHER RESOLVED that the Planning Commission approves UP-74-017EE, subject to the Conditions in Exhibit A attached hereto and incorporated herein.

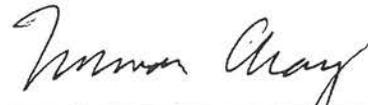
PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof on December 4, 2003 by the following vote:

AYES, COMMISSIONERS: WERDEN, PATTUM, AVRAM, PORT AND CHAIRMAN CHANG

NOES, COMMISSIONERS: NONE

ABSTAIN, COMMISSIONERS: NONE

ABSENT, COMMISSIONERS: NONE



NORMAN CHANG, CHAIRMAN

ATTEST:



RICHARD B. MARKS, SECRETARY

EXHIBIT A

(Conditions attached to approval of UP-74-017EE by
Planning Commission on December 4, 2003)

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.
 3. All vents, gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of adjacent surfaces.
 4. Prior to installation, a building permit shall be obtained from the Building Division. Four (4) sets of final drawings shall be submitted with the building permit application.
 - * 5. The Certainteed Landmark asphalt composition shingle (50-year warranty) in the *Burnt Sienna* color is added to the list of approved re-roofing materials and colors appropriate for installation on the townhouses in the Harborside Planned Development. By this action, the complete list of approved re-roofing materials and colors for the development is as follows:
 - Wood Shake; and
 - Certainteed Landmark in the *Burnt Sienna* color (50 year warranty)
- * Site-specific condition