

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

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JAN 03 2013

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

APPLICATION RECEIVED: December 19, 2012

APPLICATION COMPLETE: December 19, 2012

ACTION DATE: December 28, 2012

CASE NO: UP-76-013Z

OWNER: Longwater Homeowners' Association c/o Dan James, Mulqueeny & Associates

ADDRESS: PO Box 4726, Foster City, CA 94404

APPLICATION FOR: Solarium/Patio Room Prototype

LOCATION: Longwater Planned Development

ZONING: R-1/PD

CEQA DETERMINATION: Categorically Exempt, 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 Architectural Review application based on the following findings:

1. The proposal to establish prototype for solariums/patio rooms for the Longwater Planned Development, as conditioned in Exhibit A, would be consistent with the Foster City General Plan, Chapter 17.12 (R-1 Single-Family Residence District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code, because the prototype design: 1) will be sympathetic to the character and style of the existing house and will be designed to be harmonious with the existing neighborhood and therefore, will 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 integrated into the existing building and designed such that the architectural character of the house is maintained and such that solar and privacy impacts will not be created on adjacent properties, consistent with Section 2.28.010 of the Foster City Municipal Code; and 3) will improve a typical residential use consistent with the Land Use Plan designation of Single-Family Residential.

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2. That the design of the proposal would be consistent with and appropriate to the City, the neighborhood, and the lot on which they are proposed because the location, size, and design of the solarium/patio room improvements will be compatible with the location, size, and design of the houses in the planned development in which it is located.
3. That the design of the proposal would be compatible with the site's environment with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision) because the prototype design: 1) will be compatible with the existing house and planned development, and therefore, will preserve the architectural scale and character of the planned development and community consistent with Section 17.58.010.B.1; 2) will be well designed in relation to surrounding properties, and therefore, will be compatible with the architectural style and details of buildings in the immediate vicinity consistent with Section 17.58.010.B.2; and 3) will be sympathetic to the proportions and character of the existing house and neighborhood, and therefore, will enhance their site and will be harmonious with the highest standards of improvement in the surrounding area consistent with Section 17.58.010.B.4.
4. That the proposal would 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 location, massing, and design of the prototype design for solariums/patio rooms will not: 1) significantly impact the privacy of adjacent properties; 2) significantly reduce the amount of direct sunlight to the interior of an adjacent building or exterior of an adjacent property; or 3) significantly block or limit existing views from the interior or exterior of adjacent properties, consistent with Section 17.58.010.B.3 of the Foster City Municipal Code.

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.

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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,



for Curtis Banks
Community Development Director

Planners Initials: kak

LONGWATER HOA

MICHAEL TERNON PRESIDENT

(Owner's Name) (Please Print)



(Owner's Signature)

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EXHIBIT A

LONGWATER HOMEOWNERS' ASSOCIATION
Prototypical Design Guidelines for Solariums/Patio Rooms

The following guidelines shall govern the replacement and construction of new solariums/patio rooms in the Longwater Planned Development:

CONDITIONS OF APPROVAL

1. All construction shall be located, 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, etc. shall be painted to match the color of the 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. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
5. Prior to any final inspection approval, these conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
- * 6. The solarium/patio room additions shall comply with the following setbacks:
 - * Rear Yard (non-waterfront): 10 feet
 - * Rear Yard (waterfront): 10 feet from inside edge of bulkhead
 - * Side Yard: 5 feet
- * 7. The property, including the solarium/patio room additions, shall have a maximum lot coverage of 50% including all land area covered by buildings/accessory structures on a lot, including all projections except eaves).
- * 8. The design and shape all complement the architectural style and character of the existing home and homes in the Longwater development.
- * 9. The colors and materials of the solariums/patio rooms including the glazing, frame color and exterior finishes shall match the colors and materials of the house and/or trim.
- * 10. The solarium/patio rooms shall be a transparent appendage to the house.
- * 11. Landscaping shall be added to soften the appearance of the solarium/patio room from the waterfront.

*Site Specific Conditions

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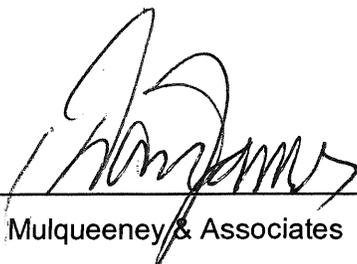
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APPROVAL PROCESS

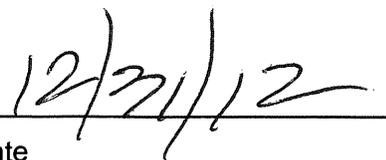
1. The homeowner/applicant shall obtain an approval letter from the Longwater Homeowners' Association for the proposed solarium/greenhouse. The letter shall indicate that the proposed changes conform with the established design criteria of the prototype.
2. The Homeowner or contractor shall apply for an Architectural Review Permit for the proposed solarium from the Planning/Code Enforcement Division and shall submit any required drawings and fees.

The Homeowner or applicant shall submit the following:

- A letter from the Longwater Homeowner's Association (HOA), indicating their action on the proposal.
 - An Architectural Review application and filing fee.
 - Photographs of the type of solarium that is to be used and the existing location.
 - 3 copies of plans including a site plan and elevations showing where the proposed solarium will be located and what it will look like (including colors, materials, etc...).
3. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees.
 4. 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 bay windows.



Dan James, Mulqueoney & Associates
Longwater Homeowners Association



Date

Curtis Banks, Community Development Director
City of Foster City

Date