

EXHIBIT A

(Conditions attached to approval of Use Permit Modification UP-72-005E by
Planning Commission on February 15, 1996)

- 1. The Cemwood wood-fiber cement shake in the dark brown color Umber is the approved material and color for Shell Cove Planned Development. The shake shall be applied in random widths in approximately 50% of 12", 25% of 7", and 25% of 5" with a standard application.
- 2. Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays unless deviations from this schedule are approved in advance by the City. Nonconstruction activities may take place between the hours of 7 a.m. and 8 a.m. on weekdays and 9 a.m. and 4 p.m. on Saturdays but must be limited to quiet activities and shall not include the use of engine-driven machinery. No actual construction activities may take place between 7 a.m. and 8 a.m. The Planning Commission reserves the right to rescind or revise this condition and further, if necessary, to restrict construction activities in the event that the public health, safety and welfare is not protected due to noise levels emanating from the construction of the project.
- 3. All construction shall be designed, constructed, installed and maintained in a professional manner and appearance.
- 4. 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.
- 5. All vents, gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of adjacent surfaces.
- 6. 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.
- 7. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
- 8. 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.
- 9. The applicant shall apply a second coat of the factory finish coat prior to any final building inspection approval.
- 10. The applicant shall complete the reroofing of the entire Shell Cove Planned Development by end of June 1998, unless otherwise extended by the Planning Commission.
- Site-specific condition

RESOLUTION NO. P- 08 -96

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY APPROVING A MODIFICATION TO AN EXISTING USE PERMIT TO CHANGE THE ROOF MATERIAL AND ROOF COLOR AT THE SHELL COVE PLANNED DEVELOPMENT - SHELL COVE - SHELL COVE HOMEOWNERS' ASSOCIATION - UP-72-005E

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the Shell Cove Homeowners' Association has requested approval to change the roof material and color at Shell Cove Planned 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 published, mailed, and posted for consideration of the Use Permit Modification request at the Planning Commission meeting of February 15, 1996, 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 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 proposal will enhance the appearance of the development and the neighborhood by providing a compatible material and color for the re-roofing of townhouses 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 color will complement the existing architecture of the complex and the resultant relationship will be similar to colors used in other residential complexes 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 color will complement and enhance the architectural elements of the residential buildings of the planned development.
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 proposal 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.

Resolution No. P- 08 -96
UP-72-005E

BE IT FURTHER RESOLVED that the Planning Commission approves UP-72-005E, subject to the Conditions in Exhibit A attached hereto.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof on February 15, 1996, by the following vote:

AYES, COMMISSIONERS: COX, GABBAY, ROGOWAY, AND CHAIRMAN DITTMAR

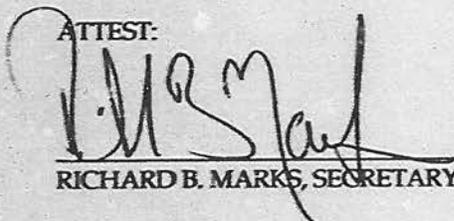
NOES, COMMISSIONERS: NONE

ABSTAIN, COMMISSIONERS: NONE

ABSENT, COMMISSIONERS: MCEWEN


CARL H. DITTMAR, JR., CHAIRMAN

ATTEST:


RICHARD B. MARKS, SECRETARY