

EXHIBIT A

WHALER'S ISLAND HOMEOWNERS' ASSOCIATION
Prototypical Design Guidelines for Retractable Awnings
(Conditions attached to the approval of UP-75-018L
by the Planning Commission on July 3, 1997)

The following guidelines shall govern the size, design, and color of Retractable awnings in the Whaler's Island Planned Development.

CONDITIONS OF APPROVAL

1. Approved awning materials, colors and support structures shall not be replaced without the prior written approval of the City however, no additional permits shall be required if the awning is replaced with a new awning constructed with the same materials and color as originally approved.
2. All awnings shall be kept in good repair and shall be cleaned and maintained on a regular basis. Awnings with holes, tears, rips or which are significantly faded or stained shall be replaced.
3. If the property owner receives a letter or notice from the City regarding the maintenance or condition of an awning, its support structure or housing, the item shall be brought into compliance with the conditions of this permit and all applicable City codes within 60 days of the date printed on the letter or notice. Failure to comply within this time frame or to the satisfaction of the City shall constitute grounds for the revocation of this permit.
4. Prior to construction, the applicant shall provide the Community Development Director with a manufacturer's warranty demonstrating that the proposed awning material is fade resistant, mildew resistant, abrasion resistant, crack and peel resistant and can be cleaned using common household products.
5. Prior to construction, the Foster City Fire Marshal shall review proposed awning locations as well as the materials proposed for awnings and awning support structures.
- * 6. The retractable awnings shall be consistent with the attached Exhibit B with the following modifications:
 - a. The prototype shall be modified to correspond to the Design Guidelines criteria restriction upon location of awnings to rear and side yards.
 - b. The prototype shall be modified to correspond to the Design Guidelines criteria requiring flush mounting of the awning housing and use the more specific wording in the City's Design Guidelines regarding colors that "match or compliment" the wall color.
 - c. The prototype shall be modified to correspond to the Design Guidelines criteria requiring awning colors that "match or compliment" the house colors.

* Site specific condition

APPROVAL PROCESS

1. Retractable awnings for Whaler's Island will be processed in accordance with the approval process outlined below.
 - a. an Architectural Review permit approved by staff (for ground or first story awnings on all lots)
 - b. an Architectural Review permit approved by the Commission (for second story awnings on interior lots)
 - c. a Use Permit issued by the Planning Commission (for second story awnings on waterfront lots)
2. The homeowner or applicant shall submit the following:

General Submittal Requirements/All Applications

- Completed Architectural Review/Use Permit Application
- \$ 25.00 Application fee
- Three-four 5" X 7" photographs, taken from several sides of the subject house, demonstrating all of the colors in which it is painted or stained (including wall , trim and door colors and the colors of any yard structures)
- A manufacturer's brochure demonstrating the design of each proposed awning and specification sheets, including information regarding the durability, fire retardancy, and maintenance characteristics of the proposed fabric. If a manufacturer's brochure is not available, architectural elevations may be required

Depending upon the type of awning proposed, the following information must also be submitted.

Retractable Window and Door Awnings

- Two 5" X 7" photographs of each building elevation on which awnings are proposed to be placed (one photograph taken from approximately ten feet away from the proposed location of each awning; one photograph demonstrating that entire side of the house)
- On the back of the photograph taken from approximately ten feet away from the proposed location of each awning, write the exterior dimensions of each window or door over which an awning is proposed

Retractable Patio Awnings/Covers

- The dimensions when fully extended of any retractable awnings proposed for use as a patio or area shade cover
 - One 5" X 7" photograph demonstrating the area of the yard proposed to be covered by the awning
3. Following the approval of the Architectural Review or Use Permit application, the homeowner or applicant shall submit the following:
- A Building Permit application, including four copies of drawings indicating where the new awning(s) will be located, including the proposed size, material(s), color(s), and a framing detail (typical framing details are available from the Building Division)

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EXHIBIT B

MAY 30 1997

PLANNING
DIVISION

Whalers Island Homeowners Association Proposed Prototype for Permanent Retractable Awnings (PRA)

Resolution No. P-47-9
UP-75-018

Description:

Retractable fabric awnings with high-tech structural design and durable fire resistant, fade proof, mildew proof fabric, which will not harden, crack or rot.

Construction:

Aircraft quality extruded aluminum framing. Color to blend-in with house and trim.

Mechanism:

- Automatic timer for retraction, with battery back-up (desirable, but not required)
- Wind/rain sensor for retraction.
- Solar sensor for regulating opening of awning. (Desirable, but not required)
- Manual override

Material:

- Cloth.
- Color;
- Consistent with color scheme of home and subject to approval by Architectural Committee. Solid color awnings only-no stripes, multicolor patterns or reflective material

Should the home color change, requirements of consistency to color scheme applies to new house colors.

Size:

Based upon specific utilization plan for individual home; not to exceed 8'-6" beyond the wall it is mounted on when fully extended for ground floor installations and not to exceed 4' from the mounted wall when fully extended for 2nd story installations.

Location:

To be approved by the Homeowners Association according to specific model and plot conditions for each individual home. Awnings to be limited to ground floor windows and doors and 2nd floor where it is installed over a deck-rear elevations only.

Maintenance:

Individual homeowners will be required to maintain awning mechanisms and materials in optimal aesthetic and functional condition. Should the homeowner neglect to keep the awnings in good repair, The Homeowners Association has the authority to repair or remove the defective awning, with all costs of repair or removal to be billed to the homeowner.

May 14, 1997

RESOLUTION NO. P- 47 .97

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY APPROVING A PROTOTYPE DESIGN FOR RETRACTABLE FABRIC AWNINGS ON SINGLE-FAMILY DETACHED RESIDENTIAL PROPERTIES WITHIN WHALER'S ISLAND – WHALERS ISLAND HOMEOWNERS' ASSOCIATION – UP-75-018L

CITY OF FOSTER CITY

WHEREAS, the Planning Commission held a Study Session on July 2, 1996 to review the City's policy regarding the placement of fabric awnings on single-family detached residential properties; and

WHEREAS, at its Regular Meeting on July 18, 1996, the Planning Commission reviewed and recommended for City Council approval a set of design guidelines, standard conditions of approval and permit processing information to facilitate the approval of fabric awnings on single-family detached residential properties; and

WHEREAS, the City Council in Resolution 96-95, adopted at its Regular Meeting on August 5, 1996, approved design guidelines and standard conditions of approval for awnings on single-family detached residential properties; and

WHEREAS, the adopted Design Guidelines require that awnings placed on units in R-1/PD (Single Family Residence/Planned Development) zoning districts require approval of a prototype design by the Planning Commission prior to installation; and

WHEREAS, the Whaler's Island Homeowners' Association has submitted a prototype for retractable awnings to satisfy this requirement; and

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

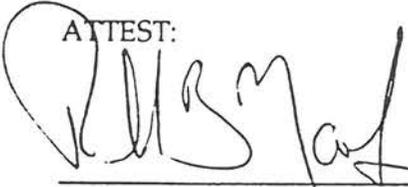
NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Foster City, based on facts, analysis in the staff report, written and oral testimony, and exhibits presented, does hereby find that the Whaler's Island Homeowners' Association Proposed Prototype for Permanent Retractable Awnings, dated May 14, 1997 and received by the City on May 30, 1997, as modified by the Conditions of Approval in Exhibit A, attached hereto and incorporated by reference herein, is consistent with the City's Design Guidelines (Exhibit A of City Resolution No. 96-95).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Foster City hereby approves the Whaler's Island retractable awning prototype as indicated in Exhibits A and B attached hereto and incorporated by reference herein.

PASSED AND ADOPTED as a Resolution of the Planning Commission of the City of Foster City at a Regular meeting held on the third day of July, 1997, by the following vote:

- AYES: CHANG, COX, GABBAY, ROGOWAY AND CHAIRMAN DITTMAR
- NOES: NONE
- ABSTAIN: NONE
- ABSENT: NONE


CARL H. DITTMAR, JR., CHAIRMAN

ATTEST:

RICHARD B. MARKS, SECRETARY