

ITEM 7-A

CITY OF ALAMEDA

Memorandum

To: Honorable President and
Members of the Planning Board

From: Linda Barrera
Planner I

Date: April 25, 2016

Re: **Appeal of PLN16-0039 – 3244 Sterling Avenue – Applicants: Catrina and Jarred Fobian – Appellants: Anne and Ted Rogers.** An appeal of Design Review approval to allow a second-story addition of 954 square feet to an existing one-story residence. The resultant overall height of the residence will be twenty-four feet (24'), where the maximum height limit in the R-1 zoning district is thirty feet (30'). Pursuant to AMC 30-5.7 (k) and (l), the addition will continue an existing legal nonconforming three-foot and three-inch (3'-3") setback in order to achieve a uniform design and compatibility with the existing structure. The project is located within a R-1 (One-Family Residential) zoning district.

BACKGROUND

On March 14, 2016, the Community Development Department approved Design Review application PLN16-0039 to allow a 954 square foot second-story addition to an existing one-story, 1,079 square foot single-family residence at 3244 Sterling Avenue (Exhibit 1).

On March 24, 2016, the neighbors at 3240 Sterling Avenue appealed the decision over concerns related to shading impacts on their property as well as the size and scope of the proposed addition in general (Exhibit 2). The petition for appeal outlines five reasons that the Planning Board should reconsider the approval, which are addressed in this report.

ANALYSIS

The 3200 block of Sterling Avenue is a block of 40 bungalows listed on the City's Historical Buildings Study List. The houses were constructed between 1916 and 1921, and were all built on small, shallow lots approximately 58' x 57', or 3,300-square-feet in size. Most of the houses on the block are single-story craftsman bungalows, but some houses were built in a 1 ½ story, split-level configuration. There are three two-story homes on the block, one of which is an original two-story construction while the other two were large additions built over time. The original two-story craftsman house at 3220 Sterling Avenue was identified as a contributor to the historic character of the block in a 1988 City historical survey of Sterling Avenue.

The 3200 block of Sterling is zoned R-1 Single Family Residential. The R-1 zoning on Sterling Avenue has a maximum height limit of 30 feet.

Appellant Concern #1: “The impact to the architectural history of Sterling Avenue.”

The proposed addition at 3244 Sterling Avenue is models the original two-story house at 3220 Sterling Avenue. The addition follows the established style of the neighborhood, borrowing techniques used in the original two-story home, and preserves the character-defining features of the existing home. For instance, the addition is set back from the front elevation to expose the original roofline that gives the existing home its character-defining horizontal appearance. An important feature of the second-story addition is that it maintains the horizontal emphasis of the overall building form by incorporating a low-pitched side-facing gable to complement the existing first-story roofline. The second story also includes several subordinate gables which relate to the gables of the existing residence. These features are borrowed from the original two-story home on the block.

In approving the application, staff found that the design of the addition is sensitive to the historic integrity of the existing homes on the block, and the design reflects the original two-story construction as described in the Guide to Residential Design. In approving the design for a second-story addition, staff also took into consideration the short depth of the lot, which effectively eliminates the opportunity for homes on this block to design rear yard additions instead of second-story additions.

Appellant Concern #2: “The size and scope of the proposed addition.”

Second-story additions are permitted by right in the R-1 zoning district, and the proposed addition complies with all development regulations in the R-1, One-Family Residential Zoning District, as follows:

| Table 1: Zoning Compliance R-1 Zoning District | | | |
|---|---|---------------------------|--|
| | Standard Regulations: | Proposed: | Compliance: |
| Maximum Building Height | 30 ft. | 24 ft. | Complies |
| Maximum Main Building Coverage | 40% | 31% No Change | Complies |
| Minimum Front Yard Setback | Average front yard setback of adjacent properties | 9 ft. 3 in. No Change | Complies |
| Minimum Rear Yard Setback | 12 ft. | 13 ft. 3 in. No Change | Complies |
| Minimum Side Yard Setback (East) | 5 ft. | 15 ft. 3 in. No Change | Complies |
| Minimum Side Yard Setback (West) | 5 ft. | 3 ft. 3in. No Change | Complies with reduced setback per AMC 30-5.7 (k) & (l) |

The staff's decision to approve the project was based on a finding that the project meets all of the zoning requirements for the property.

Appellant Concern #3: "The proposed design goes against multiple recommendations in the City's Guide to Residential Design."

The Guide to Residential Design (Guide) provides the guidelines for residential alterations and additions in Alameda (Exhibit 3). The proposed addition complies with those guidelines, as follows:

1. *New addition should appear to be part of the original design.* – The exterior features and materials of the existing home, including siding, window trim, roof form and decorative brackets, are carried throughout the second-story addition as if it were part of the original construction.
2. *Form, mass and style of the addition should relate to the existing building and the surrounding neighborhood.* – Using a gently sloped roof form, the design of the addition preserves the horizontal character of homes on Sterling Avenue. Architectural details on the addition, such as the wide eave overhangs with exposed rafter tails and brackets mimic features on the original homes in the neighborhood.
3. *New building mass must not "loom" over the street, and the verticality of the second story should be minimized.* – The addition has a smaller footprint than the first story and it is stepped back on the front and left side to reduce the visual impact as seen from the street. By keeping the ceiling height at eight feet per the Guide, the overall building height with the addition is 24-feet tall, which under the 30-foot height limit in the R-1 district.
4. *New windows should be located to minimize privacy concerns.* – The second-story windows use small clerestory windows where possible, and are offset relative to the windows on the appellant's house. The one standard-size window facing the appellant, which is required under the building code for egress, is placed toward the front elevation away from the majority of the appellant's windows.
5. *For bungalows, try a 1½ story addition or a rear two-story addition.* – The guidelines for bungalows assume construction on standard 100 foot deep lots that are common in Alameda. However, due to the small, square-shaped lots on Sterling Avenue, neither a 1½ story or rear addition is possible. Therefore, the only option for expansion of any home on Sterling Avenue is a second story addition that utilizes design techniques to minimize vertical extension above the first floor.
6. *Limit ceiling heights to keep a lower overall building height.* – The addition uses a plate height of 7'4" on the front wall to keep a low-profile on the front elevation. The remainder of the addition has standard eight-foot ceilings.
7. *Utilize side-facing gables instead of large front-facing gables.* – The second story is defined by the large low-pitched side-facing gables. Smaller gables are incorporated into the design, which relate to the style of the existing building.

8. *Provide adequate fenestration on the front and avoid blank walls.* – There are no blank walls throughout the home. A combination of double hung and fixed windows with matching trim are incorporated throughout the second story.

The staff's decision to approve the project was based on a finding that the project design is compatible with the character of the existing home and the surrounding neighborhood, and it is in substantial compliance with the Citywide Guide to Residential Design manual.

Appellant Concern #4: “The documented opposition of multiple neighbors.”

Public correspondence on this project includes six letters from surrounding neighbors opposing the original design and one letter in support (Exhibit 4). Once public correspondences were received on the original design, the applicant made revisions to the project to address the neighbor's concerns. The final design submitted by the applicant and approved by staff, included:

- A reduction to the size of the addition with less floor area,
- A greater setback on the front elevation,
- Changes to the gables on the roof to minimize shading effects on adjacent property.
- Replacement of windows on the side elevation with small clerestory windows and shifting of other windows to avoid lining up with the neighbor's windows to address privacy concerns.

In approving the design, staff believed that the applicant's design had adequately addressed most of the neighbor's concerns within the constraints of the property configuration and site zoning.

Appellant Concern #5: “The significant shading impact to the neighboring property.”

The proposed second-story addition has a nonconforming 3'-3" side yard setback facing the appellants where a 5' setback is the standard. AMC Sections 30-5.7(k) & (l) provides that additions along non-conforming setbacks may occur if a finding can be made that no adverse effects such as shading or view blockage would occur on adjoining properties.

Given the small lot configuration of Sterling Avenue, and the relatively small lots throughout Alameda, any second story addition is likely going to result in some increase in shading on adjacent parcels at some time of the day. City practice, which was recently confirmed by the Planning Board, is to determine whether the increase in shading is significant as compared to the shade impact that would occur if the addition was set back to the required setback of five-feet. In this application, the question is whether setting the second story back an additional one-foot and nine-inches (or 21 inches), would make a significant difference in shading.

To address the shading concerns, both the applicant and appellant prepared separate shadow studies (Exhibit 5). Both studies confirm that:

- The existing home casts a shadow on the appellant's home in the morning hours during the winter months.
- The addition extends the period of shadow in the winter morning for approximately two hours during the shortest day of the year.
- Setting the addition back an additional 21 inches would make little noticeable difference on the shadow.
- During the summer months, the addition would project a shadow on a small corner of the neighbor's house, partially shading one out of six windows. A code-compliant alternative would still project the same shadow with a negligible difference.

Based upon these findings, staff approved the design. If the Planning Board disagrees with the staff findings, the Planning Board could revise the proposed design to reduce shading by either:

- 1) Revising the side gable roof to a hip roof, and/or
- 2) Stepping back the addition 21 inches to provide a five-foot setback.

Staff did not require a 21 inch setback or the change to the gable for the following reasons:

- There would be no significant change in the shadow.
- There would be a significant impact to the interior floor plan and room layout.
- A five-foot setback on this side would compromise the overall appearance of the addition, unless a corresponding off-set was also required on the other side of the addition to maintain a balanced appearance.
- Revising the side gable roof would similarly not make a significant difference in shade, and the gable provides visual interest the design that is consistent with the historic character of the neighborhood.

CONCLUSION

The proposed addition is in keeping with the historical character of Sterling Avenue, complies with the Guide to Residential Design manual, and complies with development standards in the R-1 district. Architectural treatment and details have been carefully incorporated into the design so that the project is compatible with the surrounding neighborhood. Moreover, the proposed design is sensitive to the concerns of the neighbors in a manner that is reasonable and practical. In approving the project, staff has made all the findings for Design Review approval set forth in AMC Section 30-37.5.

PUBLIC NOTICE

In addition to the public noticing conducted during the design review process, property owners and residents within 300 feet of the project's boundaries were notified of this

public hearing and given the opportunity to review and comment. Project materials are also posted on the City website.

ENVIRONMENTAL REVIEW

This project has been determined to be Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, which allows minor alterations of existing private structures involving negligible or no expansion of use beyond that which exists. The proposed 954-square-foot addition does not involve an expansion of the building footprint and will not generate any environmental impacts. This CEQA exemption allows additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive.

RECOMMENDATION

Uphold approval of Design Review PLN15-0030 with conditions in the draft resolution (Exhibit 6).

Respectfully submitted,



Linda Barrera
Planner I

Exhibits:

1. PLN16-0039 Design Review Approval, Project Plans and Shade Study
2. Appeal from Anne and Ted Rogers
3. Excerpt from Guide to Residential Design
4. Public Correspondence
5. Shadow Studies
6. Draft Resolution