

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

APPROVING DESIGN REVIEW APPLICATION PLN17-0484 FOR A TWO-STORY REAR ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE AT 1123 VERSAILLES AVENUE.

WHEREAS, on September 20, 2017 Shirley Xie submitted an application for design review (application no. PLN17-0484) for a two-story rear addition to an existing split-level single family residence; and

WHEREAS, on March 19, 2018, staff approved the design review application with conditions of approval; and

WHEREAS, on March 26, 2018 the decision was called for review by the Planning Board; and

WHEREAS, the project site is designated as Low Density Residential in the General Plan; and

WHEREAS, the project site is located within the R-1, One-Family Residence Zoning District; and

WHEREAS, the project site is listed on the City's Historic Building Study List with a "B" designation; and

WHEREAS, the Planning Board held a public hearing on April 23, 2018 and reviewed the application for design review PLN17-0484 and all applicable material including public comments; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval:

- 1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding neighborhood.**

The project meets all objective development standards within the R-1 Zoning District, and does not require the issuance of special exceptions or waivers. The project, as conditioned, incorporates direct guidelines from the City's Guide to Residential Design in order to minimize the impact a two-story addition may have on the streetscape and adjacent neighbors. These include utilization of a slab-on-grade foundation, clerestory windows on second floor windows on side elevations, and a low roof pitch.

- 2. The proposed design is appropriate for the site, is compatible with adjacent or**

neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.

The project is consistent with the Guide to Residential Design by minimizing the verticality of the addition and, as conditioned, minimizes potential loss of the neighbor's privacy. The proposed addition has been set at the rear of the structure to preserve the single story character of the residence at the street level. The overall height has been reduced to minimize impacts on the front elevation by utilizing slab on grade foundation and incorporating a low roof pitch. The addition is only approximately four feet three inches taller than the existing two-story structure. A condition of approval requires all side facing second floor windows be clerestory windows, which are windows positioned above the eye-level that let in air and light but do not allow direct views to adjacent property, new single hung windows on the rear elevation will satisfy emergency egress as required by the Building Code. Locating the addition at the rear of the house and utilizing guidelines from the Guide to Residential Design to reduce height will preserve the single story appearance of the residence as viewed along the street. The design has been modified and conditioned to have as minimal shade and privacy impacts on neighboring properties as possible for a two story addition, which is permitted by right within the R-1 Zoning District.

3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

The proposed addition is designed to match the existing building and it will utilize the same materials of the building which are also compatible with the design elements found on residential building in the neighborhood. The existing cedar shingles, waterline and stucco siding will continue, uninterrupted, through the addition.

4. The project complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties in that all rehabilitation and exterior modifications are consistent and compatible with the historic building's architectural style.

BE IT FURTHER RESOLVED, this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) - Existing Facilities, which involves the expansion of existing structures involving negligible or no expansion of use. This exemption applies to this project because the addition is less than 10,000 square feet, 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 it is located is not environmentally sensitive.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review **PLN17-0484**, subject to the following conditions:

1. The plans submitted for Building Permits shall be in substantial compliance with the

Exhibit 3

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plans prepared by Scott Cibotti, dated received February 21, 2018, on file in the office of the City of Alameda Community Development Department.

2. This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
3. This approval is valid for two years and will expire on April 23, 2020 unless construction has commenced under valid permits.
4. The final plans submitted for Building Permit plans shall demonstrate that the lower floor of the addition has been reduced to a maximum height of eight feet and one inch (8'1") as measured from finished floor to top of plate.
5. The final plans submitted for Building Permit plans shall incorporate the approved window schedule, with the following correction:
 - Proposed windows labeled #10, #11, and #13 on Sheet A.3 shall be modified to be clerestory windows located to maximize privacy between neighboring properties and still provide for light and ventilation.
6. New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
7. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
8. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.
9. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Community Development Department a written notice of appeal stating the basis of appeal and paying the required fees.

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