

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW **APPLICATION PLN13-0380**, APPLICATION TO CONSTRUCT 52 SINGLE-FAMILY HOMES AND 37 CONDOMINIUMS, INTERNAL ROADWAYS, ALLEYS AND EMERGENCY ACCESS, AND APPLY FOR TWO STREET NAMES, ON 7.14 ACRES AT 1551 BUENA VISTA AVENUE, COMMONLY KNOW AS MARINA COVE II

WHEREAS, an application was made on December 11, 2013, by Lennar Homes for Design Review approval to construct 52 single-family and 37 row house condominiums, internal roadways, alleys and emergency access and apply for two street names on 7.14 acres at 1551 Buena Vista Avenue, commonly known as Marina Cove II; and

WHEREAS, the subject property is designated Medium Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located within the R-4/PD-MF (Neighborhood Residential with a Planned Development and Multi-Family Combining overlay); and

WHEREAS, pursuant to the California Environmental Quality Act, the City Council certified the Initial Study and Mitigated Negative Declaration for the Tentative Map on January 2, 2013; and

WHEREAS, the Design Review plan is consistent with the Tentative Map; and

WHEREAS, the Planning Board held a public hearings on this Design Review application on May 27, 2014, and July 28, 2014 and has examined pertinent maps, drawings and documents; and

WHEREAS, pursuant to AMC Section 30- 4.20(g)), the Board has made the following findings relative to the proposed Design Review Application (PLN13-0380):

1. **The project will have no significant adverse effects on the persons or property in the vicinity.** The project design is consistent with the site's Medium Density Residential General Plan designation and the underlying R-4/PD-MF zoning district. The architectural design and landscape provide for three distinctly different architectural styles where each housing type is unique yet complementary to the new development as well as adjacent neighborhoods. The visually interesting and varied facades

that are accented with multiple changes in materials and colors to differentiate buildings, provide for a pleasant pedestrian experience, and create a dynamic and appealing neighborhood. Visually appealing vertical elements and materials are used to accent the buildings and provide for compatibility between the buildings in the vicinity of the project. The landscape plan provides a unifying design element and landscape materials to enhance the relationship between the buildings and the pedestrian experience. The landscape plan will provide low-maintenance, Bay Friendly landscape palette. As conditioned, the project is consistent with the City of Alameda's Design Review Guidelines because the building and landscape design is compatible with the surroundings and will provide for a distinctive new neighborhood for the City of Alameda.

2. **The project will be compatible and harmonious with the design and use of the surrounding area.** The project design is appropriate for the site because it incorporates various building styles in the vicinity, including the Del Monte building to the northwest, the marina to the northeast, the Marina Cove I development to the southeast, and the existing Alameda neighborhood fabric to the southwest. Spanish Styles in the two-story homes, Harbor Styles in the three-story homes and waterfront industrial in the multi-family homes are featured. Each style complements rather than copies the architectural styles of the adjacent neighborhoods. There are multiple variations for each home or building type and high quality building design is featured throughout.
3. **The project is consistent with the City of Alameda's Residential Design Review Guidelines.** The project will be compatible and harmonious with the design and use of surrounding areas because the architectural design and exterior materials and colors provide for visually interesting and varied facades that are accented with multiple changes in materials and colors to differentiate the various product types.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board finds that the proposed project is consistent with the Initial Study and Mitigated Negative Declaration prepared for the Tentative Map certified by the City Council on January 2, 2013 and that no further environmental review is required for this action.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board hereby approves Design Review Application PLN13-0380 subject to the following conditions:

1. Building Permit Plans: The plans submitted for the Building Permit shall include printed copies of these conditions and the conditions of PLN12-0226 and shall be in substantial compliance with:

- a. Exhibit 1: Marina Cove II Residential Design Review Package prepared by KTG Y Group, Inc. and dated **April 23, 2014**, consisting of 59 sheets, which are on file in the office of the City of Alameda Planning Division.
 - b. These conditions and the conditions of City of Alameda Resolution No. 14760 approving tentative map PLN12-0226 for a Fifty-Three Lot Subdivision at 1551 Buena Vista Avenue, shall be printed on the first page of all building plans and improvement plans.
 - c. Lighting: The building permit plans shall include project lighting designed to minimize the amount and visual impact of perimeter lighting, through measures such as downward-pointing lights, side shields, visors, and motion-sensor lighting. Utilize minimum wattage fixtures to achieve required lighting levels. The project will need to provide a lighting design using new technology type lamps to meet equivalent HPS lighting levels and RP-08.
 - d. All windows shall be recessed at least 2 inches. The “non-recessed” window detail shall be removed from the plans. All final window and door details shall be subject to review and approval of the City Planner.
 - e. The Covenants, Code and Restrictions (CC&R’s) shall include a disclosure for homes fronting onto Clement Avenue that Clement Avenue is a designated Truck Route and that all properties in the project shall be subject to the Transportation Demand Management Program.
2. Public Art: Prior to issuance of the first building permit, the applicant is required to comply with the terms of the City of Alameda Public Art requirement as specified in Alameda Municipal Code section 30-65.
 3. Colors and Materials: Prior to issuance of the building permits, the applicant shall prepare a colors and materials board for Planning Board review and approval.
 4. Amendments: Minor project design details requested by the applicant may be established, modified, and approved by the Community Development Director or their designee provided that the findings can be made that the proposed changes to the building are consistent in character and quality to the design review plans approved by the Planning Board and attached as Attachment A to this resolution.
 5. Accessible Units: The Plan 1 single-family homes shall be maintained and occupied as single family homes. In the event that the occupant wishes to establish a second residential for a disabled person or household, the

occupant shall apply for a reasonable accommodation permit per section 30-5.17 of the Municipal Code, for review and approval of the City Planner.

6. Utilities and Infrastructure: If the project is developed in phases, each phase of development shall provide the necessary street, utility, and other infrastructure to support that phase, meet the needs for public access, multimodal traffic circulation and the City's design standards as determined by an approved phasing plan.
7. Street Tree Maintenance: The Homeowners Association shall trim all trees such that they do not block light from the post-top fixtures nor do they cast a shadow on any part of the public street.
8. Environmental Mitigations: Prior to issuance of a building permit, the applicant shall submit for Community Development Director and Public Works Director approval a Mitigation Measure Compliance Checklist documenting compliance with the Mitigation Monitoring Program adopted by the City Council on January 2, 2013.
9. New Street Names: The two new street names of Balsa Street and Sakas Street were approved to the *Official Naming List for City Facilities and Streets* by the Historical Advisory Board on June 5, 2014.
10. Expiration: The Design Review approval shall terminate two years from July 28, 2014, unless actual grading, or construction under valid permit has commenced, or the developer applies for and is granted a onetime twenty-four month extension prior to the expiration of the Design Review.
11. Hold Harmless and Indemnification: The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda 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 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 Planning Board or City Council relating to this project. The City shall 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 protect these fees and other exactions, pursuant to Government Code section 66-2-(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.
