

CITY OF ALAMEDA PLANNING BOARD  
**DRAFT RESOLUTION**

APPROVING DESIGN REVIEW PLN15-0030 FOR A TWO-STORY ADDITION AT THE REAR OF A SINGLE FAMILY HOME AT 615 HAIGHT AVENUE

WHEREAS, an application was made on January 22, 2015, by Stefan Menzi for Design Review to permit the raising of the existing single family residence three feet in height and converting 1,135 square feet of the basement into habitable space; and

WHEREAS, the proposal was accepted as complete on February 19, 2015; and

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

WHEREAS, the subject property is located in a R-4, Neighborhood Residential Zoning District; and

WHEREAS, the subject property is listed on Alameda's Historical Building Study List; and

WHEREAS, the Community Development Department approved this application on June 29, 2015, to allow raising the subject residence three feet; and

WHEREAS, an appeal to the approval of Design Review Application PLN15-0030 was received on July 9, 2015; and

WHEREAS, the Planning Board held a public hearing on September 14, 2015, to consider the appeal, and directed the project applicant, appellant, and staff to consider design options to reduce the amount of shadow added to the appellant's property; and

WHEREAS, after conferring with the appellant, the applicant revised the scope of the project to build a two-story addition at the rear of the existing structure; and

WHEREAS, the Planning Board held a de novo public hearing on November 23, 2015, on the revised design review application at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered.

NOW THEREFORE BE IT RESOVLED, the Planning Board considered the application, the public testimony, and all pertinent maps and reports and made the following findings concerning the project:

Design Review Findings:

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 proposed addition meets all of the applicable development regulations within the Alameda Municipal Code, including the setbacks from property lines and maximum overall building height.
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 existing neighborhood is a mix of one- and two-story buildings and is located within the R-4 zoning district. The location of the two-story addition at the rear of the building will maintain the existing front elevation in design and scale as seen from the public right-of-way.
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 buildings in the neighborhood.
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. The proposed changes do not alter the use, character and profile of the existing structure, and maintain the original style and materials of the building that make it eligible for the City's Historic Building Study List as a background resource. The structure will continue to serve as a background resource for other historic structures in the neighborhood that have National or State designations.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(e), which allows minor alterations of existing private structures involving negligible or no expansion provided that the addition will not result in an increase of more 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 the project is located is not environmentally sensitive.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review application PLN15-0030 subject to the following conditions:

1. This approval is valid for two years and will expire on November 23, 2017, unless construction has commenced under valid permits. The approval may be extended

to November, 2019, upon submittal of an extension request to the Community Development Department and the associated fee.

2. The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Stefan Menzi, received on November 105, 2015, and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this resolution.
3. 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.
4. A copy of the project conditions shall be printed on the cover of the final Building Permit plans.
5. Building Permit plans shall incorporate the approved window schedule.
6. Siding materials shall be made of wood as shown on the approved plans. Any change in materials shall be to the satisfaction of the Community Development Director.
7. New exterior lighting fixtures shall be low intensity, directed downward, and shielded to minimize offsite glare. Second story exterior lighting shall only utilize motion sensor activated lighting with automatic shut-off. The lighting shall be directed away from the adjacent property in order to minimize effects of offsite glare. Lighting details shall be provided on the final building plans.
8. A site inspection to determine compliance with this 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. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
10. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
11. 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.

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.

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