

**CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING PLN16-0039, A DESIGN REVIEW TO PERMIT A 909-SQUARE-FOOT SECOND STORY ADDITION AT 3244 STERLING AVENUE

WHEREAS, an application was made on January 21, 2016, by Catrina and Jarred Fobian, requesting a Design Review approval to permit a second story addition to an existing single story residence; and

WHEREAS, the application was accepted as complete on February 18, 2016; and

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

WHEREAS, the project site is located within a Low Density Residential District; and

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

WHEREAS, the Community Development Department approved this application on March 14, 2016, to allow adding a second story addition of 954-square-feet; and

WHEREAS, an appeal to the approval of Design Review Application PLN16-0039 was received on March 24, 2016; and

WHEREAS, the Planning Board held public hearing on April 25, 2016, to consider the Design Review appeal and remanded the project back to staff and the applicant for further design changes; and

WHEREAS, the Planning Board held a de novo public hearing on June 13, 2016, on the 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 RESOLVED, on June 13, 2016 the Planning Board considered the appeal, the public testimony, and all pertinent plans and reports and made the following findings concerning the project:

Appeal Findings:

The Appellant has failed to demonstrate that the Community Development Department's actions, findings and conclusions were not supported by substantial

evidence, not consistent with General Plan policy, or inconsistent with the purposes and standards of the Zoning Ordinance.

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 project involves adding a second story addition of 909-square-feet to an existing one story residence of 1,079-square-feet. The proposed project meets all required state and local regulations. The resultant overall building height will be twenty-four feet (24'), which is below the thirty foot (30') building height limit in the R-1 zoning district. The proposed design of the second story addition is well integrated to the original bungalow style of the original one story residence and appears to be part of the original design. Given the constraints of the shallow lot size of 58'X57' and square shape of the existing building footprint, a strict enforcement of the City's Guide to Residential Design is impractical. However, the project is in substantial conformance with many of the provisions in the City's Guide to Residential Design that are viable options for this site. The stated reason for enforcing the 1 ½ story configuration or placing the new second story addition at the rear of the existing bungalow is to avoid having the building mass loom over the street and minimizing the verticality of the second story. The proposed design is stepped back from the first story front elevation and west side elevation and uses roof forms that echo the existing horizontal roof of the first story in an effort to reduce massing impacts as seen from the street.
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. Sterling Avenue is a block of 40 Bungalows that vary from one to one and on-half to two story residences. The second story addition of 3244 Sterling Avenue preserves the character-defining features of the original one story bungalow style architecture and incorporates appropriate building articulation and suitable architectural details which follow the established style of the neighborhood. The second story is subordinate in size to the existing first story, allowing the exposure of much of the original first story character-defining roof. The addition also replicates the horizontality of the original one story roofline by incorporating a low-pitched side-facing gable thereby creating a low profile as seen from the street. The second story includes several subordinate gables which relate to the gables of the existing residence. The only original two-story residence on the block also has second story gables that are subordinate to the first story gables. The new windows on the second story are strategically placed to minimize the loss of the neighbors' privacy, including the placement of windows over the staircase and off-setting new windows relative to the existing neighbors' windows. The overall design is well integrated into the existing residence and upholds the bungalow style architectural design.

3. The proposed design of the structure 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 project incorporates the bungalow style architectural features which are characteristic of the neighborhood, as well as in the existing residence. The low-pitched side facing gable roof, with large eave overhangs and exposed rafter tails of the second story addition, are prevalent in the bungalows on Sterling Avenue. Roof treatment also includes large brackets on the gable ends. Wood shingles are used on the second story addition to match the existing first story and the existing chimney is extended up to the new second story. The proposed addition is designed to match the existing building and is 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, and maintain the original style and materials of the building that make it eligible for the City's Historic Building Study List as a State resource. The structure will continue to serve as a State resource under the proposed design.

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 of use. The proposed 909-square-foot second story addition will not result in an expansion of the building footprint. This 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.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review no. PLN15-0030 subject to the following conditions:

1. This approval is valid for two years and will expire on June 13, 2018, unless construction has commenced under valid permits. The approval may be extended by the Community Development Director for two years to June 13, 2020, upon submittal of an extension request and payment of the associated fee.
2. The plans submitted for building permit and construction shall be in substantial compliance with this project description: The project consists of a second story addition of 909 square feet to an existing one-story residence. The second story has a side setback of five feet and nine inches (5'-9") on the west side, creating a

separation of twenty-seven feet and five inches (27'-5") from the westerly neighbor. The project is also set back from the front elevation to expose the roof of the original first story. The overall height of the residence will be twenty-four feet (24'). The property is listed on the Historical Buildings Study List with an (S) designation. The project is located within an R-1 (One-Family Residential) zoning district.

3. The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Elaine Lee, dated May 11, 2016, and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this resolution.
4. 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.
5. A copy of the project conditions shall be printed on the cover of the final Building Permit plans.
6. Building Permit plans shall incorporate the approved window schedule.
7. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
8. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
9. 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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