

**CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-14-16**

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW FILE NO. PLN12-0230 AT 1928 HIGH STREET

WHEREAS, the Planning Board conditionally approved Use Permit PLN12-0230 to add a smog test facility to an existing auto repair business at 1928 High Street on January 15, 2013; and

WHEREAS, the Use Permit required the applicant to submit revised landscaping, signage and circulation plans for Design Review approval by the Planning Board;

WHEREAS, the applicant submitted revised plans for Design Review on October 7, 2014;

WHEREAS, the project site is located within a C-1, Neighborhood Business District; and

WHEREAS, the project site is designated Neighborhood Business on the General Plan; and

WHEREAS, the Planning Board held a public hearing on the Design Review plans on October 27, 2014; and

WHEREAS, the Planning Board found the project to be Categorically Exempt from additional environmental review pursuant to CEQA Guidelines Section 15301 – Existing Facilities; and

NOW THEREFORE BE IT RESOLVED THAT, the Planning Board has made the following findings concerning the design review:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The project has been reviewed for consistency with City development regulations, policies, and design guidelines. The project will replace a window with a high quality roll-up door to convert a portion of the building used for storage into a service bay for smog test use. The project faces a major public street and will not block views, cause a substantial increase in traffic, noise, light, or shading or otherwise adversely affect neighboring properties.

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.

Based on review of project plans and visits to the site, this project has been deemed compatible and harmonious with the design and use of surrounding properties. The anodized aluminum roll-up door is visually compatible with the building, which is designed for automotive uses (formerly a gasoline service station). No new driveway curb cuts are proposed and no changes to existing curb cuts are required. The project will upgrade the existing landscaping planters and add new plant troughs to increase landscaping around the property. New signage will replace existing non-conforming signage, which will enhance the overall appearance of this property. The proposed exterior modification will not otherwise adversely affect neighboring properties.

3. **The proposed design of the structure and exterior materials 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 subject property is located in a neighborhood commercial zoning district. The site has a long-standing automotive use within a building designed for this use. The building has three existing roll-up doors. Design changes to the building consist of replacing one window with an additional roll-up door and replacing existing non-conforming signs with new signs that will enhance the overall appearance of this property. The existing landscaping areas will be replaced with new landscaping, providing adequate screening between adjacent properties.

BE IT FURTHER RESOLVED THAT, the project is Categorically Exempt from additional environmental review pursuant to CEQA Guidelines Section 15301 – Existing Facilities.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves design review, PLN12-0230 for the addition of a smog test facility to the existing business and replacement of one window (facing Fernside Boulevard) with a garage door, landscaping improvements, and new signage, subject to compliance with the following conditions:

1. This Design Review approval is valid for two years and will expire on October 27 2016, unless construction has commenced under valid permits. The approval may be extended by the Community Development Director for up to two years upon submittal of an extension request and the associated fee. This Design Review approval does not modify the approved Use Permit and its conditions of approval.

2. The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Levesque Design, received on October 7, 2014 and on file in the office of the City of Alameda Community Development Department.
3. Building permit plans shall incorporate the conditions of approval from both the Use Permit and in this Design Review approval. The conditions shall be adequately identified on the plans under a heading titled "CITY OF ALAMEDA, CONDITIONS OF APPROVAL."
4. Final building permit plans shall include revised signage details meeting the requirements of AMC Section 30-6 (Sign Regulations), subject to approval by the Community Development Department Director. All abandoned sign poles shall be removed.
5. Final building permit plans shall omit the planter adjacent to the smog station door, and the proposed landscape screen shall be modified to maintain clear visibility for vehicles exiting the driveway on the adjacent property, to the satisfaction of the Community Development Director.
6. Functioning irrigation systems shall be provided to all landscaping on the site, including the existing planter areas and the proposed galvanized planters.
7. No vehicles waiting to be repaired or retrieved by customers shall be parked or stored on any public street at any time.
8. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
9. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.

HOLD HARMLESS. 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.

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.

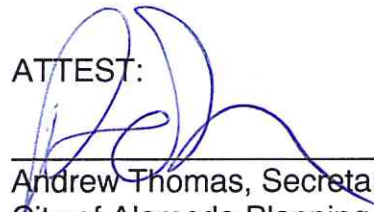
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 27th day of October, 2014, by the following vote to wit:

AYES: (5) Burton, Henneberry, Alvarez-Morrone, Knox White, and Zuppan

NOES: (0)

ABSENT: (2) Tang and Köster

ATTEST:



Andrew Thomas, Secretary
City of Alameda Planning Board

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