

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

APPROVING DESIGN REVIEW APPLICATION PLN17-0274 FOR A TWO-STORY REAR ADDITION AND VARIOUS EXTERIOR RESTORATION AND REHABILITATION WORK TO AN EXISTING FOUR-UNIT RESIDENTIAL BUILDING AT 1822 BAY STREET.

WHEREAS, on May 24, 2017 Clarence Chu submitted an application for design review (application no. PLN17-0274) for a two-story rear addition, exterior restoration of architectural features, and establishment of a one-car attached garage to an existing four-unit residential building; and

WHEREAS, on September 18, 2017, staff approved the design review application with conditions of approval; and

WHEREAS, on September 25, 2017, the decision was called for review by the Planning Board after one neighbor spoke against the project at the Planning Board meeting; and

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

WHEREAS, the project site is located within the R-2, Two-family Residence Zoning District; and

WHEREAS, the Planning Board held a public hearing on October 23, 2017 and reviewed the application for design review PLN17-0274 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:

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 proposes to remove a previously constructed rear addition and construct a new rear addition, which meets all setback, height and lot coverage requirements in the Zoning Ordinance. The proposed rear addition increases the existing footprint by approximately 86 feet, but it would remove a previous incompatible addition and replace it with an addition that would give the rear of the building a cohesive shape consistent with other homes in the neighborhood. The proposed restoration of the architectural features of the building is consistent with methods suggested by the

Design Review Manual. Specifically, the proposed project is consistent with the Design Review guiding parameter to preserve and enhance the community's architectural quality and historic identity. The proposed project would also involve interior reconfiguration of the living spaces as part of bringing the existing dwelling units to comply with current building codes.

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 proposes to restore a Queen Anne Cottage that is in disrepair. The restoration includes restoring character defining architectural features such as the fish scale shingles at the front gable, original decorative corner brackets, original redwood siding, original frieze, window trim, stairs and guardrail. The design of the proposed addition at the rear is compatible because it features a gable roof similar to the original roof on the front of the structure and will use siding and trim details to match the rest of the building. Homes of similar architectural styles are found in surrounding buildings. This project is also compatible with the neighborhood because of the eclectic mix of designs that are found in the throughout the neighborhood.

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 restoration will return the structure close to its original architectural style which integrates well with the architecture found in the neighborhood. 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 project also proposes to improve the landscaping in the front yard and add stairs with decorative balusters and railing that are appropriate for the style of the structure.

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 repair and minor alteration of existing structures involving negligible or no expansion of use. This exemption applies to additions no greater 2,500 square feet. The proposed addition results in a net increase of only 468 square feet.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review **PLN17-0274**, subject to the following conditions:

1. The plans submitted for Building Permits shall be in substantial compliance with the plans prepared by Tim Chu, dated August 12, 2017, includes Sheets A-0 through A-9 and 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. The final plans submitted for Building Permit plans shall incorporate the approved window schedule.
4. The final plans submitted for Building Permits shall incorporate the approved one-car attached garage.
5. The project shall restore the original horizontal redwood siding, fish scale shingles at the front gable, original decorative corner brackets, original frieze, window trim, stairs and guardrail.
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. Prior to issuance of building permit(s) for this project, the applicant shall provide evidence that all required approvals, permits, or waivers from regulatory agencies, including but not limited to, the Bay Area Air Quality Management District, have been obtained for asbestos siding removal.
9. 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.
10. 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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