

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

APPROVING DESIGN REVIEW APPLICATION PLN17-0484 FOR A 562 SQUARE FOOT ONE-STORY REAR ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE AT 1123 VERSAILLES AVENUE.

WHEREAS, on September 20, 2017 Shirley Xie submitted an application for design review (application no. PLN17-0484) for a two-story rear addition to an existing split-level single family residence; and

WHEREAS, on March 19, 2018, staff approved the design review application with conditions of approval; and

WHEREAS, on March 26, 2018 the decision was called for review by the Planning Board; and

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

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

WHEREAS, the project site is listed on the City's Historic Building Study List with a "B" designation; and

WHEREAS, the applicant submitted a new design for the addition that reduced the size of the addition to 562 square feet and one story; and

WHEREAS, the Planning Board held a public hearing on May 14, 2018 and reviewed the redesigned application for design review PLN17-0484 and all applicable material including public comments.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Design Review approval:

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

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 project is consistent with the Guide to Residential Design. The reduced size of the addition is consistent with the size and massing of other residences within the surrounding neighborhood. The proposed addition has been set at the rear of the structure to preserve the single story character of the residence at the street level.

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. The existing cedar shingles, waterline and stucco siding will continue, uninterrupted, through the addition.

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, this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) - Existing Facilities, which involves the expansion of existing structures involving negligible or no expansion of use. This exemption applies to this project because the addition is less 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 it is located is not environmentally sensitive.

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves Design Review **PLN17-0484**, subject to the following conditions:

1. The plans submitted for Building Permits shall be in substantial compliance with the plans prepared by Scott Cibotti, dated received April 25, 2018, 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. This approval is valid for two years and will expire on May 14, 2020, unless construction has commenced under valid permits.
4. The final plans submitted for Building Permit plans shall incorporate the approved window schedule.
5. New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
6. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
7. 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.
8. 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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