



City of Alameda • California

DESIGN REVIEW APPROVAL NOTICE

This notice is provided pursuant to Alameda Municipal Code (AMC) Section 30-36.3 to declare that on March 16, 2020, the City of Alameda approved Design Review Application No. **PLN20-0047** at 1245 McKay Avenue. This determination has been made following a review for consistency with the City of Alameda's Zoning Ordinance and Design Review Manual.

This is not a Building Permit: This approval is for Design Review only, which allows the applicant to apply for a building permit. Separate application forms, plans, and fees are required for the building permit application process. Construction on the project shall not commence until issuance of a building permit.

This Decision May Be Appealed or Called for Review: An appeal of this decision may be made to the Planning Board within ten (10) calendar days from the date the notice of decision. AMC Section 30-25 also allows the Planning Board or City Council to call a project for review, in which case the project will be scheduled for hearing at the next available Planning Board meeting. Therefore, this approval does not become final until the ten days after its issuance without an appeal or a call for review.

Project Description: The project consists of rehabilitation of an approximately 50,517-square-foot existing building for adaptive re-use as a senior convalescent home, replacement of the exterior siding with new horizontal tile siding, replacement of the existing windows with new fixed/awning windows, a redesigned exterior entrance on the south elevation, and a new interior walkway connecting two wings on the north elevation. The project also consists of enclosing existing staircases, breezeways, and balconies around the building. The project increases the floor area of the building by an approximately 8,923-square-feet and increases the existing building footprint by 1,141-square feet. General Plan: Office Zoning: A-P (Administrative Professional) Zoning District.

Conditions of Approval:

- (1) A copy of this Design Review Approval Notice shall be printed on the cover of the final Building Permit plans.
- (2) This approval is valid for two years and will expire on March 16, 2022 unless substantial construction has commenced under valid permits. *Please note: The approval may be extended to March 16, 2022 upon submittal of an extension request and the associated fee. Design Review approval may be extended upon application for up to (2) additional years from the date of expiration.*
- (3) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Pyatok, received on March 4, 2020, and on file in the office of the City of Alameda Planning, Building, and Transportation Department, except as modified by the conditions listed in this letter.

Planning, Building, and Transportation Department
2263 Santa Clara Avenue, Room 190
Alameda, California 94501-4477
510.747.6800 • Fax 510.865.4053 • TTY 510.522.7538

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- (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. Any additional exterior changes shall be submitted to the Planning, Building, and Transportation Department for review and approval prior to construction.
- (5) The final plans submitted for Building Permit plans shall incorporate the approved window schedule.
- (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) 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 Planning staff at least four days prior to the requested Planning Inspection dates.
- (9) 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.

Environmental Determination:

No environmental review is necessary pursuant to *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th80, which found that design review for by-right uses in the zoning ordinance is a ministerial decision under Public Resources Code section 21080. As a separate and independent basis, a Mitigated Negative Declaration was adopted by the City Council on December 4, 2018 for the McKay Wellness Center in accordance with the California Environmental Quality Act and no further environmental review is required.

Findings:

- (1) The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the senior convalescent home is a permitted use in the A-P, Administrative Professional Zoning District. Uses that are permitted in the respective zoning district are also consistent with the General Plan. The proposed project consists of rehabilitation and minor alterations to an existing building, and the proposed physical improvements to the building are architecturally compatible with the building's

existing architectural style. Overall, the proposed project is consistent with the design guidelines for alterations to existing buildings set forth in the Design Review Manual.

- (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. This project involves rehabilitation of an existing building for adaptive re-use as a senior convalescent home, replacement of the exterior siding with new horizontal tile siding, replacement of the existing windows with new fixed/awning windows, a redesigned exterior entrance on the south elevation, and a new interior walkway connecting two wings on the north elevation. The project increases the existing building footprint by 1,141-square feet, which is a negligible, approximately 4%, expansion of the existing building footprint. The floor area expansion is primarily achieved by enclosing existing staircases, breezeways, and balconies around the building, which does not affect the overall scale and character of the building. The proposed modifications maintain the defining elements of the existing building such as the long horizontal form, the continuous ribbon style windows, the overhanging flat roof, and the horizontal projecting sunshade feature. Also, the exterior changes do not exceed the existing height of the structure, and therefore the project maintains the existing character of the building. The proposed project does not change the building's relationship with adjacent or neighboring buildings, nor does it affect the transitions in scale and character of existing buildings in the neighborhood.
- (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 proposed modifications are designed to be compatible with the existing building and will utilize the similar fixed/awning windows, horizontal exterior siding, and decorative wood cladding around the building which are also compatible with the design elements found on buildings in the surrounding neighborhood.

Approved: Allen Tai, City Planner

Per: Henry Dong, Project Planner

Date: March 16, 2020