



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 August 3, 2020, the City of Alameda approved Design Review Application No. **PLN20-0217** at **980 Island Drive**. 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:

Design Review – Drive-through café: The project consists of site modifications and minor changes to the existing building. Included are reconfiguration of existing drive-through and parking pattern, landscape and screening improvements, removal of drive-through canopy, and installation of a drive-through window. Also included are updates to the building entrance, a new delivery door, and new trash enclosure. General Plan: Community Commercial. Zoning: C-2-PD Central Business District Planned Development Zoning District. Environmental Determination: Exempt, Section 15301 - Existing Facilities.

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 August 3, 2022 unless construction has commenced under valid permits. *Please note: The approval may be extended to August 3, 2024 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.*

Planning, Building, and Transportation Department
2263 Santa Clara Avenue, Room 190
Alameda, California 94501-4477
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Printed on Recycled Paper

Exhibits 2
Item 7-A, September 28, 2020
Planning Board Meeting

- (3) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by TWA Architects, received on July 22, 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.
- (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 permit. Any additional exterior changes shall be submitted to the Planning, Building, and Transportation Department for review and approval prior to construction.
- (5) Business operations shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.
- (6) Loose metal grates in drive lanes shall be secured or removed so they do not generate noise.
- (7) All new screen fencing shall be 4 ft 6 in. in height and match the materials and design on plans.
- (8) Additional screen fencing shall be provided in the gap between the existing stone wall and the ADA ramp, and in the landscaped area along the curve of County Road from the existing screening wall to the palm tree near the drive-thru exit drive.
- (9) Trash/recycling receptacles shall be provided near the building entry and at the drive-thru exit.
- (10) All litter generated on-site shall be picked up throughout the business day and at closing. This includes litter on the property and on adjoining sidewalks and street gutters.
- (11) Any new exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
- (12) The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
- (13) **HOLD HARMLESS.** To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

Environmental Determination:

This project is a Class 1 Categorical Exemption and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301 - Existing Facilities – operation, permitting or leasing of existing private structures involving negligible or no expansion of use beyond that which exists.

Findings:

- (1) The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed tenant improvements will not significantly alter the design and use of materials with the existing building and surrounding neighborhood.
- (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 minor changes to an existing commercial building and reconfiguration of on-site parking spaces and drive aisles. There will be no expansion of the existing building footprint or height, and therefore the existing character of the building will be maintained.
- (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 proposal includes additional edge landscaping and screen fencing to better buffer residential properties from this commercial site.

Approved: Allen Tai, City Planner

Per: Deborah Diamond
Deborah Diamond, Project Planner

Date: August 3, 2020