

CITY OF ALAMEDA
PLANNING, BUILDING AND TRANSPORTATION DEPARTMENT
ADMINISTRATIVE VARIANCE & DESIGN REVIEW

ITEM NO: 3-A

PROJECT DESCRIPTION: **PLN20-0541 – 910 Centennial Avenue – Applicant: Amornrit Pudkeepamrongrit.** A public hearing to consider an Administrative Variance and Design Review to allow the construction of a new 1,907 square foot, two-story single-family home with a new attached garage to be constructed within the footprint of the existing garage. Due to the narrow 22-foot-wide lot the variance is requested to allow a 3-foot side yard setback on the east side and a 1-foot setback on the west side where 5-foot setbacks are required, and the 14-foot 6-inch front yard setback will remain the same - at the existing garage footprint. This application is associated with a Certificate of Approval for the demolition of an existing 363-square-foot freestanding garage built prior to 1942. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 – New Construction of Small Structures and 15305 – Minor Alterations in Land Use Limitations.

GENERAL PLAN: Medium-Density Residential

ZONING: R-2, Two-Family Residence District

ENVIRONMENTAL DETERMINATION: Categorically Exempt per CEQA Guidelines Section 15303 – New Construction of Small Structures and 15305 – Minor Alterations in Land Use Limitations.

PROJECT PLANNER: Deirdre McCartney, Planning Technician

PUBLIC NOTICE: A notice for this hearing was mailed to property owners and residents within 300 feet of the site, published in local newspapers and posted in public areas near the subject property. Staff received 3 public comments on this proposed project at the time this report was written.

EXHIBITS:

1. Project Plans
2. Public Correspondence
3. Vicinity Map

RECOMMENDATION: Approve the Variance and Design Review with conditions.

PROPOSAL SUMMARY: The applicant has requested an administrative variance to allow for side yard setbacks of 1 foot and 3 feet where 5-foot side yard setbacks are required pursuant to AMC Section 30-4.2, and to rebuild the garage with tandem parking and a side entry for the house within the footprint of the existing garage using a variance for a 14-foot 6-inch front yard setback instead of the required 20-foot front yard setback. The proposed setbacks are similar to those existing for other homes in the neighborhood. For example, lots in the vicinity along Centennial Avenue and 9th Street are typified by 25-foot wide lots that are over 100 feet deep. The applicant has also requested Design Review approval to build a new 2-story single family home on a substandard 22 foot wide lot in the R-2, Two Family Residence district. The proposed design rebuilds the existing garage with a new entry and a 2-story design that is recessed from the street and incorporates hipped, gabled and flat roof types to reduce the overall scale of the building. The proposed building design incorporates stepped back vertical planes to reduce the horizontal mass of the long side walls and is compatible with the neighboring structures of the building. The use of horizontal siding, trim and stucco exterior materials adds visual patterns at the larger walls and is compatible in scale and character with the neighborhood. The proposed design for the single family home with its reduced side and front yard setbacks is consistent with the existing homes in this neighborhood.

The subject property is 22 feet wide which is substantially narrower than the 50-foot standard lot width in the city. The substandard lot creates a problem with compliance with the following development standards for the new residence:

1. Side yard setbacks: AMC Section 30-4.2 requires side yards to be 20% of the lot width and no less than 5 feet wide. The subject property is 22-foot wide and its substandard lot width prevents the ability to construct a new building that is feasible as a residence. The applicant is requesting a 3-foot setback on the east side which aligns with the foot print of the existing garage and a 1-foot setback on the west side which is 4 inches greater than the 8-inch setback of the existing garage.
2. Front yard setback: AMC Section 30-4.2 requires a 20-foot front yard setback. The applicant proposes to rebuild the garage with a side entry within the existing garage footprint which has an existing 14-foot 6-inch front yard setback. The front setback also aligns with the buildings on the neighboring properties to the east. The variance for the setbacks would allow the applicant to provide a practical and compatible design for a new home that is appropriate for the site and is compatible with neighboring buildings. The adjacent home at 912/914 Centennial Avenue as well as several other homes on Centennial

Avenue have existing front yard setbacks of less than 20-feet.

Pursuant to AMC Section 30-21.2, an Administrative Variance may be approved for variances to yard requirements on residential properties if the findings in AMC Section 30-21.1 can be made.

Pursuant to AMC 30-37 Design Review approval is required for the construction of a new residential building. The proposed two-story single family home is in a contemporary style that reflects similar building forms in the neighborhood. The proposed house has a hipped one-story garage with a 2-story gable and flat roof beyond. The exterior materials consist of horizontal siding, stucco and composite roofing shingles. Due to the long narrow configuration of the lot, the house is long and narrow but the building design incorporates varying articulation to reduce wall massing to provide visual relief to neighbors. For example, the proposed design is consistent with the smaller neighboring building on the west by locating a new one-story garage and entryway that is the same height and within the same footprint as the existing structure and increasing the side yard setback from 8 inches to one foot and the two-story portion of the design steps up past the line of the neighboring house. To mitigate the impact of the proximity to neighboring properties the applicant has proposed a design that incorporates varied roof heights and roof types such as hipped, gable and flat roofs, and uses exterior wall material variations and offsets break the vertical plane to reduce bulkiness and add visual interest. Lastly, the overall size of the home is below 2,000 square feet, which is consistent with other homes in the neighborhood.

ADMINISTRATIVE VARIANCE FINDINGS:

- 1. There are exceptional or extraordinary circumstances applying to the property involved or to the proposed use of this property.** The 22-foot width of the subject property is narrower than a standard 50-wide lot by 27 feet. The minimum side yard set back is 5 feet which would restrict the building to only 12 feet in width on the substandard lot, which would make the appearance of a single-family home extraordinarily narrow and incompatible with the existing homes in the surrounding neighborhood.
- 2. Because of such exceptional or extraordinary circumstances, the literal enforcement of specified provisions of this section would result in practical difficulty or unnecessary hardship such as to deprive the applicant of substantial property right possessed by other owners of property in the same class of district.** Due to the extraordinary circumstances of the substandard lot, the literal enforcement of the Zoning Ordinance would deprive the applicant of substantial property rights possessed by other owners of property in the same class district. AMC 30-4.2 requires 20-foot front yard and 5-foot side yard setbacks. The literal enforcement of the setback requirements in combination with the narrow lot size prohibits the property owner from building a single-family home that is more than just 12-feet wide with an attached garage. The applicant is proposing an 18-foot-wide home which without the variance would be allowed to be only 12 feet wide. The proposed

front yard setback of 14 feet six inches is the same as the existing front yard where the existing 2 car garage is located. Other homes on Centennial Avenue and in the immediate neighborhood similarly do not meet the setback requirements of the Zoning Ordinance. For instance the neighboring apartment building on the east has an approximately 14-foot 6-inch front yard and a 1 foot 4-inch side yard setback. The home to the west has one foot 8 inches rear yard setback and a zero street side yard setback. Directly behind the property is a similar 22-foot-wide lot at 909 San Antonio Avenue where the side yard setbacks are minimal and the building is similarly close to the property line. With the use of minimal side yard setbacks and by rebuilding the garage in the same footprint with the existing non-conforming front yard the proposed design is realistic for a new home and the proposed design is compatible with other existing homes in the neighborhood. Therefore, a variance is required for the side and front yard setback requirements.

3. **The granting of the variance will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to persons or property in the vicinity.** The intent of the setback requirement is to provide a buffer between adjacent properties and buildings. The proposed distance between neighboring buildings is approximately 2 feet 6 inches on the west and 4 feet 6 inches on the east side. The shadow study provided on the plans shows that the proposed building will generate no significant shading on the neighboring properties when compared to a home that is built with five-foot setbacks. The project also does not obstruct any designated scenic views. Overall, no major adverse effects such as significant shading or significant view blockage, except as noted above, will occur on adjoining properties. All other components of the project, except the side yard and front yard setbacks covered under the variance, comply with development standards in the Zoning Ordinance. Therefore, granting this variance will not be detrimental to the public welfare or injurious to persons or property within the vicinity.

DESIGN REVIEW FINDINGS:

1. **The proposed design is consistent with the General Plan, Zoning Ordinance, and the Citywide Design Review Manual.** With the approval of the variance the proposed new single-family home is consistent with the General Plan, Zoning Ordinance, and the Citywide Design Review Manual because the new construction is compatible in design and use of materials with the existing neighboring buildings and the surrounding neighborhood. The proposed single-family house utilizes articulation techniques in design to reduce perceived massing along the western wall that is visible to the neighbors. Furthermore, the overall building form and use of materials is consistent with the existing homes in the neighborhood. The conditions of approval further require architectural details as part of building permit plan review to ensure architectural consistency and compatibility with the 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.** The project

consists of a new 2-story home with a one-story entry and attached garage. The design of the new one-story structure at the front of the home re-uses the existing garage footprint and form and keeps the same hipped roof and height of 13 feet 6 inches with changes for a tandem parking space layout in lieu of 2 side by side spaces which reduces the mass of the front facade. Although the proposed garage projects forward from the home, the one car garage configuration at the front is common to other homes in the neighborhood. The 2-story portion of the design is recessed from the street and incorporates hipped, gabled and flat roof types to reduce the overall scale of the building. The proposed building design incorporates stepped back vertical planes to reduce the horizontal mass of the long side walls and is compatible with the neighboring structures of the building. The use of horizontal siding, trim and stucco exterior materials adds visual patterns at the larger walls and is compatible in scale and character with the neighborhood. The conditions of approval for the project reflect changes to the design that address neighborhood concerns, including revisions to window type and placement as well as increased landscape screening.

- 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 design will utilize compatible materials including horizontal siding, stucco, wood trim and composite roof shingles which are materials that are found on residential buildings in the neighborhood. The concrete paving at the front yard will be reduced to provide plantings and a walkway which is compatible with surrounding properties. Despite being a narrower home, the visual appearance of the design is clearly residential in character and is compatible with the overall building form, roof style, and materials used in other homes in the neighborhood. The conditions of approval for the project reflect changes to the design that address neighborhood concerns, including revisions to window type and placement as well as increased landscape screening.

CONDITIONS:

1. Compliance with Approved Plans: The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Amornrit Pudkeepamrongrit, Tegan Lee Studio, received March 25, 2021 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.
2. A copy of this Approval shall be printed on the cover of the final Building Permit plans, and final Building Permit plans shall reflect the following revisions to the satisfaction of the Planning Director prior to issuance of Building Permits:
 - a. The three windows shown on the west elevation on Sheet A3.4 shall be revised to transom/clerestory windows.
 - b. To reduce the prominence of the garage:
 - i. Replace the concrete driveway with “paved tire tracks.”

- ii. Provide design details showing a garage door with a wood-like appearance including a mix of solid panels and divided lights.
 - c. Provide additional information about the type, trim and other relevant details for the proposed Hardie Board siding.
 - d. Revised architectural detailing for corner trim and window and door casings that are consistent with neighboring buildings.
 - e. Privacy Screening: The applicant shall coordinate with the property owner and tenant of 1218 9th Street to provide landscaping of sufficient height in the west side yard deemed sufficient to provide adequate screening, to mitigate potential privacy impacts. Screen trees shall also be planted along the rear property line. Screen trees shall be fast-growing native species selected in consultation with the neighbors with final approval by the Planning Director. The applicant shall submit a final landscaping plan documenting said landscape improvements, for review and approval by the Planning Director prior to issuance of building permits.
3. Vesting: This approval is valid for two years and will expire on April 19, 2023 unless substantial construction has commenced under valid permits. Please note: The approval may be extended to April 19, 2025 upon submittal of an extension request and the associated fee.
4. Changes to Approved Plans: 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. **Indemnification**. To the maximum extent permitted by law, the applicant (or its successor in interest) 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 and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

DECISION:

Environmental Determination

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 – New Construction of Small Structures and 15305 – Minor Alterations in Land Use Limitations.

Variance

The Zoning Administrator hereby approves the Variance and Design Review with conditions.

The decision of the Zoning Administrator shall be final unless appealed to the Planning Board, in writing and within ten (10) days of the decision.

Approved by: Allen Tai Date: April 19, 2021
Zoning Administrator