



DESIGN REVIEW APPROVAL NOTICE

This notice is provided pursuant to Alameda Municipal Code (AMC) Section 30-36.3 to declare that on April 15th, 2024, the City of Alameda approved Design Review Application No. **PLN24-0052** at 471 Haight 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 raising the existing single-family residential building to increase the height by 2-feet, 6-inches from 23-feet, 2-inches to 25-feet, 8 inches high, with no change proposed to the footprint, and a new exterior front stair modifications to accommodate the new height of the porch, as well as interior renovations, and a window replacement at a 2,247-square foot, existing single-family building.

General Plan: Low Density Residential.

Zoning District: R-1, Residential 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 three years and will expire on April 15th, 2027 unless substantial construction has commenced under valid permits pursuant to AMC Section 30-37.6. *Please note: The approval may be extended to April 15th, 2029 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 Benjamin Louie, received on March 21st, 2024, 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 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) The final plans submitted for Building Permit plans shall include the existing porch column at the top of the stairs on the right side, which must be retained.
- (7) The final plans submitted for Building Permit plans shall revise the solid railing at the front porch to either:
 - a. An open railing with vertical posts with a maximum height of 36 inches, leveraging the California Historical Building Code.
 - i. If 42-inch height is desired to meet current Building Code standards, it must be done in the form of a metal booster rail attenuated as possible to minimize visibility.
 - b. A solid railing with a maximum height of 36 inches. This should be provided with a slightly projecting 2x cap with the porch columns resting on top of the rail, rather than the rail butting against the porch columns.
- (8) The final plans submitted for Building Permit plans shall include a design detail of the proposed front stair handrail. The design of the proposed stair handrail should include newel posts and balusters with a minimum 4-inch clearance from the landing tread.
- (9) The final plans submitted for Building Permit plans shall revise the lower level front elevation paired windows to be separated by an approximately 6 inch wide vertical casing, not a mulled sash.
- (10) The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
- (11) New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
- (12) 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 Planning Building and Transportation Department at least four days prior to the requested Planning Inspection dates.
- (13) 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.

Environmental Determination:

This project qualifies for 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.

As a separate and independent basis, no further environmental review is necessary pursuant to *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80, which found that design review for by right projects is a ministerial decision under Public Resources Code section 21080.

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 proposed project will increase the height of the existing structure by an additional 2-feet, 6-inches, replace the existing front staircase, replace six windows and add new windows in the existing building. The proposed height is within the maximum height permitted of 30 feet and complies with all other development standards of the R-1 Residential District. The raise will maintain the historic relationship with the street by increasing the grade of the front yard to minimize the appearance of verticality. The proposed replacement staircase has been designed to match the existing and is consistent with all applicable setback requirements. All alterations will be architecturally consistent with the existing building materials and style, and will be compatible with the surrounding neighborhood, pursuant to the City's Guide to Residential Design.
- (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 proposed project will raise the structure to increase the livable space in the existing single-family dwelling in such a way that is compatible with all adjacent buildings and does not change the relationship between the existing building and the street. The proposed design has incorporated strategies to minimize the visual impact from the street, and will not change the relationship between adjacent or neighboring buildings. The proposed design is suitable in scale and character for the site.
- (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, specifically for the window replacement, has incorporated trim exterior details to match the existing. Likewise the front staircase and front yard landscaping has been designed to ensure that the replacement will be visually compatible with the character

and uses of adjacent development. In addition, the applicant has included a note ensuring that all existing architectural features and finishes are to remain unless otherwise noted.

Approved: Steven Buckley, Planning Services Manager

Per: Tristan Suire
Tristan Suire, Project Planner

Date: 4/15/24