

CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT

Agenda date: 12/8/09
Prepared by: JB

ITEM/ 6a
SUBJECT: **Planning Application 09-037. Design Review and Parking Exception.**
Construction of a new three story building including ground floor retail, and a total of four residential units on the second and third floor. The project would require approval of a parking exception allowing six spaces where nine spaces would otherwise be required. The hearing is being scheduled as a study session to discuss the proposal. No final action will be taken on the project.

SITE: 1137-1139 Solano

APPLICANT/
OWNER: Richard Janzen for Abraham Shem

ZONING: Solano Commercial

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission receive testimony from the applicant and members of the public, and provide direction to the applicant and staff on issues of interest. No action is to be taken at this time.

BACKGROUND/PROJECT DESCRIPTION

The property is a 5,859 sq. ft. parcel on Solano Avenue with an existing two-story mixed-use building that includes ground floor retail and three second-floor residential units. The proposed project involves the construction of a new three story building including ground floor retail, and a total of four residential units on the second and third floor. The height of the building would increase from 24 feet 6 inches to 39 feet 6 inches. As proposed, the project would require approval of a parking exception allowing six spaces where nine spaces would otherwise be required.

ENVIRONMENTAL ANALYSIS

Staff anticipates that the proposed project can be determined as categorically exempt from the requirements of California Environmental Quality Act per Section 15332, "In-Fill Development Projects" because the project meets the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.

- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

DISCUSSION OF KEY ISSUES

Parking Standards

Pursuant to Measure D provisions approved by Albany voters, new residential units require two off-street parking spaces each. Thus, with four proposed units, eight residential parking spaces would be required. Planning and Zoning Code Section 20.28.040.A allows the Planning and Zoning Commission to reduce the parking requirement to one and one-half spaces per dwelling unit upon making the finding that existing on-street parking is sufficient to justify a reduction. With Commission direction on this proposal, staff can undertake a survey of on-street public parking within 500 feet of the property to evaluate whether the findings for this reduction can be supported.

The proposed project also includes 1,768 square feet of ground floor retail space. Pursuant to Planning and Zoning Code 20.28.040.B, 1,500 square feet of ground floor retail space does not require off street parking. Thus, the remaining balance of 268 square feet would require one commercial parking space. Planning and Zoning Code Section 20.28.040.C allows the Commission to further adjust the amount of off street parking required for mixed-use projects through a shared parking arrangement. Thus it appears that an arrangement where one parking space would be reserved exclusively for each residential unit, and two additional space (including an ADA space), would be available to commercial and residential users on a shared basis, could be allowed with Commission approval.

Design Review

The proposed project would feature a contemporary design with stucco finish, flat roof and bay windows facing Solano on the second and third floor. The proposed massing is generally in scale with Solano Avenue. On this particular block there is a mix of buildings ranging from one story to three stories. The proposed building would be a noticeable design improvement compared with the existing building.

On the ground floor, there would be a driveway on the west side of the building, leading to the parking area. Next to the driveway would be two separate retail spaces separated by the entry to the residential units. On the east side of the building, a corridor for access to trash/recycling and utility meters would be provided at the ground level. The second and third floor would be built to the property line.

The residential units would be relatively large, and can be expected to serve family-oriented housing needs in the City. The kitchen and dining areas of each of the residential units would face onto Solano. In addition to small private balconies, there is a common area in the rear corner of the property that would be landscaped.

At this stage, staff does not have any particular design comments. At the next phase of design, before Commission action, staff would suggest greater detail be provided on materials, finishes, entry treatments, and architectural details.

Attachments:

1. Analysis of Zoning Requirements
2. Project application, plans

20.24.050 Floor-Area-Ratio.

	Existing (approx.)	Proposed	Requirement
Lot Size	5,000	No change	--
Floor Area			
First-floor	2,350	2,124	--
Second-floor	2,400	2,525	
Third Floor		2,525	
Total	4,750	7,174	--
Floor Area Ratio	81%	122%	125%

* 158 sq. ft. exempted from "total counted" as permitted by MC 20.24.050 for enclosed parking spaces.

20.24.060 Setback Areas, Encroachments.

Not applicable.

20.24.090 Usable Open Space.

See discussion.

20.24.100 Distances between Structures.

Not applicable.

20.24.110 Fences, Landscaping, Screening.

Not applicable.

20.24.130 Accessory Buildings.

Not applicable.

20.28 Off-Street Parking Requirement.

See discussion.

20.40 Housing Provisions

Pursuant to P&Z Code Section 20.40, affordable housing requirements do not apply to projects of four or less units.

20.44 Non-conforming Uses, Structures and Lot

Not applicable.

20.48 Removal of Trees

Not applicable.

20.52 Flood Damage Prevention Regulations

Not applicable.

20.58 Art in Public Places

Project will be subject to public art requirements.

20.100.030 Use Permits.

Not applicable.

20.100.040 Variances.

See discussion.

20.100.010 Common Permit Procedures.

Public notice of this application was mailed on November 25, 2009, in the form of mailed notice, to property owners and occupants within a 300-foot radius, and posted in three locations.

20.100.050 Design Review.

See Summary of Key Issues.

Date Received: 10/30/09

Planning Application No.: _____

Fee Paid: N/A



City of Albany



PLANNING APPLICATION FORM (GENERAL PROJECTS)

<p>For PLANNING & ZONING COMMISSION action:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Conditional Use Permit* <input checked="" type="checkbox"/> Design Review (residential, residential additions, commercial, office and multi-family*,) <input type="checkbox"/> General Plan Amendment from _____ to _____ <input type="checkbox"/> Parcel Map/ Tentative Map/ Vesting Tentative Map, Lot Line Relocation <input checked="" type="checkbox"/> Parking Exceptions/Reductions <input type="checkbox"/> Precise Development Plan <input type="checkbox"/> Second Unit Use Permit * <input type="checkbox"/> Variance * <input type="checkbox"/> Zone Change from _____ to _____ <input type="checkbox"/> Other: 	<p>For ADMINISTRATIVE action:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Admin. Lot Line Relocation <input type="checkbox"/> Home Occupations <input type="checkbox"/> Sign Review <input type="checkbox"/> Other:
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* Please complete the appropriate Supplemental Questionnaire.

The City of Albany Municipal Code has certain requirements for Planning Applications. Your answering the following questions will help staff assess how to process your application. Thus, we may have additional questions based on your responses below. Additionally, after your application is accepted for processing, staff and Planning and Zoning Commissioners will likely make at least one field visit to your house and neighborhood.

Job Site Address: <u>1137-1139 SOLANO AVB</u>		Zone: <u>SC</u>
Property Owner(s) Name: <u>Abraham Stern</u>	Phone: Fax: <u>(510) 381-9963</u>	Email: <u>www.Antoney W@ AOL.</u>
Mailing Address: <u>65 Diablo Dr.</u>	City: <u>Dakland.</u>	State/Zip: <u>94611</u>
Applicant(s) Name (contact person): <u>RICHARD JANZEN ARCHITECT</u>	Phone: <u>510 339-7360</u> Fax: <u>SAME</u>	Email: <u>RICH JANZEN @ SBCGLOBAL.NET</u>
Mailing Address: <u>6812 PASO ROBLES DR. DUBLIN</u>	City: <u>DAKLAND</u>	State/Zip: <u>CA 94611</u>

PROJECT DESCRIPTION (Please use back of sheet or attach extra sheets, if necessary): **RENOVATION AND 3RD STORY ADDITION TO MIXED USE BLDG. CONVERT GROUND FLOOR RETAIL & 3 UNITS 2ND FLOOR TO NEW GROUND FLOOR RETAIL, 2 UNITS 2ND FLOOR, 2 UNITS 3RD FLOOR 6 NEW PARKING IN REAR**

GENERAL INFORMATION (Please fill out this section if you are asking for approval of a project that will require construction):

Item	Existing	Proposed
Lot size (square feet)	5859 SF	same
Size of structure(s) or commercial space (square feet)	4750 SF	7179 SF
Height and No. of stories	24'-6"	34'-6"
Lot coverage ¹	2814 SF	2124 SF
Floor Area Ratio (FAR) ²	1.81	1.22
Impervious Area ³	944 SF	3170 SF
Slope Density ⁴	13%	3%
No. of dwelling units	3	4
Parking ⁵ Number of off-street spaces	0	6
Number of spaces in garage	/	/
Size of spaces	/	/

¹ Lot Coverage applies to all zoning districts. It is defined as the land area covered by all the structures on a site, including all projections, except portions of uncovered decks, porches or landings, balconies, or stairways that are less than six feet above grade and are not enclosed by walls on more than two sides; eaves, trellises and similar structures that do not have solid roofs.

² Floor Area Ratio (FAR) is defined as the proportion of building floor area per area of the parcel of land upon which the building rests. See the informational handout "How to Calculate Floor Area Ratio" for details on what is included and excluded.

³ Impervious Area includes the total square footage of building footprint(s), driveway(s), patio(s), parking lots, walkway(s), and any other impervious surfaces.

⁴ Slope Density requirements apply in the HD Zoning District pursuant to Measure K. See handout on how to measure slope density in this area.

⁵ Minimum parking requirements were enacted under Measure D. This Measure requires that all residential development must have a minimum of two off-street parking spaces. Some exceptions may apply to your project, see residential development handout.

Restrictions: Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? In some instances, you may be required to provide a title report.

Det. 20.09
 Signature of Property Owner
 Date

Signature of Applicant
 10/30/09
 Date

Community Development Department staff is available between 8:30 a.m. and 7:00 p.m. on Mondays, 8:30 a.m. through 5:00 p.m. on Tuesdays through Thursdays, and 8:30 a.m. to 12:30 p.m. on Fridays at 979 San Pablo Avenue, 2nd Floor, Albany, CA 94706; TEL: (510) 528-5760.