

**CITY OF ALBANY
PLANNING AND ZONING COMMISSION AGENDA
STAFF REPORT**

Agenda date: 1/12/10
Prepared by: Ann Chaney

ITEM: 6a

SUBJECT: Request to Reinstate the Design Review and Front Yard Parking Exception for 947 Jackson Street
Applicant: Alfred Layton for H & S Layton, owners

RECOMMENDATION

Recommendation

That the Planning & Zoning Commission reinstate the Design Review and Parking Exception for 947 Jackson Street, as originally approved by the Commission on July 27, 2004, by reapproving the July 27, 2004 Notice of Action, with the following additional condition:

J-3 Due to code enforcement action involving this project, this Design Review and Parking Exception approval shall lapse and become null and void on July 12, 2010, (six months from the date on which this approval becomes effective) unless, prior to expiration of the six months, a building permit is issued and construction commenced or completed. No further extensions to this Design Review and Parking Exception may be granted with a new application and request before the Planning & Zoning Commission.

Project Description

On July 27, 2004, the Planning & Zoning Commission approved a request for design review and parking exception to increase the overall height of the house by 2 feet to make the first story habitable space. This approval has since lapsed and the Commission is being asked to reinstate the 2004 action. From a design standpoint, there are no changes to the original project. However, the building plans will have to be revised to reflect changes in the Building Code. Attached is a copy of the July 27, 2004 P&Z Commission Staff Report which describes the project. While there appear to be a few errors in the report's project description, the approved design review plans and building plans are consistent and reflect the Commission's 2004 action. Because of size and readability, the Commission is being given the approved building plans.

History

Following months of code enforcement action, the property owner has agreed to cooperate. This includes revising building plans to address code changes, hiring a licensed contractor to oversee the project, and agreeing to a construction schedule. The property owner has also involved an

attorney who is assisting in this process. Because the 2004 design review and parking exception approval has lapsed, the Commission is being asked to reinstate that approval. The following is a brief discussion of the City's code enforcement action, and the property owner's response to complying with that action.

During fall 2009, the City issued a Notice and Order to the property owner which gives the owner the choice of promptly finishing the project or demolishing the structure. This alternative is required by the Uniform Code for the Abatement of Dangerous Buildings, which is the legal foundation for the City's actions. The owner appealed the Notice and Order and a hearing was held before a Board of Appeals. The City Council established this Board by resolution on October 19, 2009, and authorized the City Administrator to appoint the Board members, which was made up of five city building officials and licensed contractors. An appeals hearing was held on November 20. The Board of Appeals Decision upheld the City's Notice and Order action. The property owner has chosen to repair the structure and has submitted a proposed construction schedule for staff review (see attached). The property owner also agreed to have their structural engineer evaluate the stability and condition of the existing cribbing, and submit a letter to the City regarding their findings.

The construction schedule submitted by Michael Lindow, estimates 177 work days for completing the project. Start of construction expected to begin in early to mid March, due to the need to revise the building plans and submit them for plan check review. The structural engineering firm (Hassett Engineering, Inc.) and project designer (Forme), that originally prepared the plans, will continue to be directly involved in the project.

Attachments

- July 27, 2004 P&Z Commission Staff Report for 947 Jackson Street
- July 27, 2004 Notice of Action for 947 Jackson Street
- July 27, 2004 P&Z Commission minutes for 947 Jackson Street
- Building Plans showing site plan and elevations
- Revised Board of Appeals Decision dated December 9, 2009
- Proposed Construction Schedule submitted by Michael Lindow, property owner's contractor

City of Albany
Planning and Zoning Commission
Staff Report

Agenda Item: #7b

Meeting Date: July 27, 2004

Subject: **Planning Application 04-053. Design Review and Parking Exception.**
A request for Design Review approval of a 919 square foot second story addition and other modifications to an existing one-story residence.

Location: 947 Jackson Street

**Applicants/
Owners:** Alfred Layton for
Herbert and Sharon Layton

Zoning: R-2, Residential Medium Density

**Surrounding
Property Use** North - SFR East - SFR
South - SFR West - SFR

Attachments: A. Site Photos
B. Project Application
C. Fire Department project review
D. Project Plans

Recommendation

Staff recommends that the Planning and Zoning Commission approve the request for the second story addition and modifications within the existing house, subject to the attached conditions of approval.

Project Description *947 Jackson*

The existing house at ~~513 San Carlos~~ is a two story, 1,554 square foot residence. However, the existing first story only has a floor-to-ceiling height of 6 feet 4 inches, and therefore is not considered habitable space. The applicants are proposing to raise the existing house 2 feet to make the first story habitable space. The applicants are also proposing to replace the existing flat roof with a new gable roof. One parking space would be provided in the garage at the ground floor, and the second parking space is proposed in the front yard setback, tandem to the garage, for which the applicant is requesting a front yard parking exception.

Site History

City records indicate the house was built in 1926. Permits approved for this site include replacing the rear steps in 1953, reroofing in 1979, and various repairs in 1986. The address files contain numerous complaint letters beginning in 1985 regarding the appearance and upkeep of the property. The property has been vacant since at least 1988 and condemned since 1993.

Site Analysis

The table below indicates existing and proposed site conditions.

	Existing	Proposed	Requirement
Setbacks			
Front (west)	15'-9"	15'-9"	15'
Side (north)	0'	0' (no change)	3'
Side (south)	3'-8"	3'-8"	3'
Rear (east)	37'-2"	37'-2"	20'
Area			
Lot Size	2,500 sq. ft.	--	--
Floor Area			
First Floor	802 sq. ft.*	802 sq. ft.	--
Second Floor	727 sq. ft.	751 sq. ft.	
Total Counted	727 sq. ft.**	1,373 sq. ft.**	--
Floor Area Ratio	29%	54.9%	55%
Lot Coverage	32%	32%	50%
Rear Yard Coverage	0%	0%	30% max.
Maximum Height	19'-6"	20'-4"	28' max.

*Enclosed space with a floor-to-ceiling height less than 7 feet 6 inches is not included in Floor Area Ratio calculations.

**Per the zoning ordinance, 180 square feet of garage space is exempted from Floor Area Ratio calculations.

As indicated, the existing dwelling has a non-conforming north side yard setback. The addition will not result in the extension of this non-conforming setback due to the change in the roof.

Department and Agency ReviewFire Department

The City Fire Marshal has reviewed the project plans. The attached letter of May 13, 2004, (Attachment C) states that the applicants will be required to install an approved local protective signaling system/local fire alarm system. This will include, but not be limited to, 12 or 24 volt hard wired or wireless automatic smoke or heat detectors throughout the dwelling, with a 24-hour battery backup at a panel.

Public Works Division

The City Engineer has not yet completed his review of the project plans. The applicant will need to comply with the Engineer's requirements, including the City's sanitary sewer compliance regulation, repair any damaged sidewalk located in front of their house, and show how the drainage from the new roof will be handled. This information will need to be provided before any permits will be issued.

Design Review Analysis

To approve the Design Review request, the Planning and Zoning Commission must make the findings contained in Section 20-10.6.a and 20-10.6.b of the Albany Municipal Code and determine the proposal otherwise conforms to the requirements of the Zoning Ordinance and intent of the City's Residential Design Guidelines. The staff's analysis of this proposal concludes that the project meets these requirements.

The applicants are proposing to raise the existing house by 2 feet to give the first story a floor-to-ceiling height of 8 feet 4 inches, which would allow the first floor to be recognized as habitable space. The only substantial exterior alterations would be replacing the existing flat roof with a new tile gable roof and building a new entrance porch and enclosed deck on the front elevation. The new roof and front addition, coupled with the refinished exterior walls and windows, will greatly improve the visual appearance of the condemned structure.

Staff believes that the proposed changes will be a welcome improvement to the existing vacant dwelling. Staff further believes the Planning and Zoning Commission can make all of the required Design Review findings in support of the addition, subject to the conditions as stated below.

Parking

Section 20-3.5 of the Albany Municipal Code regulates off-street parking. Specifically, Section 20-3.5.b states that when a single-family residence is expanded by more than 120 square feet, two regulation sized off-street parking spaces be provided or the Commission adopt one or more of the circumstances in Section 20-3.5.d.1.(b)

Analysis:

Currently, there is one covered parking space (10' by 19' garage) located on the site. The existing garage is not large enough to allow two legal parking spaces. Neither side yard is wide enough to provide a driveway that leads to the back yard or to be used for parking. The applicants are proposing to provide the second space in tandem directly in front of the garage. The length of the driveway in front of the garage is 19 feet 6 inches, which is greater than the 16-foot requirement for an open parking space. Staff believes the findings can be made to grant a parking exception to allow one space within the front yard setback

Environmental Analysis

The staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301(e)(2) of the CEQA Guidelines.

Summary

Staff recommends that the Planning and Zoning Commission approve the Design Review request for raising the house and other modifications and the Front Yard Parking Exception, subject to the attached conditions of approval.

FINDINGS

The following findings have been drafted to assist the Planning and Zoning Commission in making a determination to approve or disapprove this application. The findings are for information only and should be revised accordingly based on information presented at the public hearing.

For Design Review approval

a. Section 20-10.6.a, General Findings, applicable to all projects:

1. *The structure, site plan, and landscaping are in scale with and harmonious with existing development which conforms to the current provisions of this Chapter, and future developments adjacent to the site, and with land forms and vegetation in the vicinity of the site. Features such as scale, massing, and consistency of architectural details and exterior colors and materials have been considered to ensure a high level of design quality. The proposal is in scale and harmony with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines.*
2. *The project provides safe and convenient access to the property for pedestrians and vehicles. Handicap access has been considered and Code requirements are reflected in project plans. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians.*
3. *The project will not unnecessarily remove trees and natural vegetation, will preserve natural land forms and ridge lines, will not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the affect the visual character, quality or appearance of the neighborhood or City. The proposed addition and remodel will not remove existing major vegetation or require significant grading. The project will not create a visual detriment at the site or the neighborhood.*
4. *The project will provide adequate buffering between the on-site residential developments and adjacent uses which may have a potential to generate nuisances. The project is surrounded by like residential uses that do not require buffering for nuisances. The project maintains the setback areas of the existing house and otherwise is consistent with City zoning standards.*
5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*

b. Findings for single-family residential additions that involve construction or expansion of space, which is defined as "habitable " by the Uniform Building Code.

1. *With the proposed conditions, the addition has been found to be consistent with the scale, massing, and other architectural features of the existing structure. Factors such as roofline, trim details, window type and placement and other design elements which affect exterior appearance*

will ensure compatibility with the structure to which the addition will be made. In addition the mass of the resulting building has been considered in relation to the visual impact from the street, lot size and the placement on the lot, as well as the compatibility of the project with adjacent structures and integration with the surrounding neighborhood. The proposal includes the addition and the remodel of the existing residence to produce an integrated design. The addition will compliment the existing materials of the dwelling. The proposal is consistent with the scale and massing of adjacent structures, and will constitute an improvement on the existing dwelling.

2. *With the proposed conditions, the bulk of the project is found to be appropriate to the site and its surroundings, in that the ratio of gross square footage to site area is consistent with criteria set forth in subsection 20-10.5.a. The proposed floor area ratio is 55 percent; consistent with criteria referenced above.*
3. *The design, setback, mass and bulk of the addition in proximity to any non-conforming setback have been considered to ensure that impacts to adjacent neighbors are minimized. The project has a non-conforming side yard setback. The addition will not extend this non-conforming setback.*
4. *Off-street parking spaces are provided to the property to account for the increased living area as required by subsection 20-3.5. A Parking Exception has been requested to allow one parking space in the front-yard setback.*

Findings for Approval of a Front Yard Parking Exception

1. *Parking within a structure or in the rear yard is not feasible or will reduce open rear yard space to less than ten percent of the lot area because the access/side yards leading to the rear yard is less than 6 feet 6 inches and it is not possible to enlarge the garage to legally accommodate two cars. Also, the side yards are not wide enough to be used as open parking spaces.*
2. *Parking in a side yard area is not feasible due to inadequate space to accommodate a vehicle. The site configuration and existing building locations preclude vehicle access to the rear or side yards of the lot. The proposed front yard parking provides a reasonable location with minimal impacts on the adjacent property.*
3. *The area proposed for parking in the front yard will not exceed either eight feet six inches in width or 20 feet in length. The proposed front yard parking areas will not exceed 20 feet in length in accordance with City standards.*
4. *The parking space is designed so that no part of any vehicle will extend beyond the property lien into the public right-of-way, nor permit a parking vehicle to constitute a visual obstruction exceeding three feet in height within twenty-five feet of the intersection of two street lines. In order to reduce the potential for visual obstructions where driveways intersect streets, the Planning and Zoning Commission shall not approve a front yard parking space unless a finding*

is made that visual obstructions are not a significant safety hazard. The parking areas are located and sized so that vehicle parking will not result in extensions into the public right-of-way. The site is not within 25 feet of a street intersection and the proposed front yard parking areas will not create visual obstructions at street intersection areas. Consequently, the proposed front yard parking will not introduce a safety hazard to the area.

5. *Any required off-street parking spaces which are permitted in front or side yard areas are so located as to minimize aesthetic and noise intrusion upon any adjacent property.* The existing driveway is located only in the front yard and will not impose an aesthetic or noise intrusion.

Conditions of Approval

A. GENERAL

- A-1. This approval is for raising and other exterior modifications to the existing house at 947 Jackson Street, as substantially shown on the project drawings, except as may be modified by conditions herein. Plans include a site plan/floor plans/building elevations prepared by Forme, Design-Build, dated received May 5, 2004 and presented to the Planning and Zoning Commission at its meeting of July 27, 2004.
- A-2. The applicants shall pay any and all City and other related fees applicable to the property. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit or prior to any City Council final action approval. Notice shall be taken specifically of Plan Check and Inspection Fees
- A-3. Prior to the issuance of grading or building permits, the applicants shall submit written documentation that all requirements of the Albany Fire Department, as stated in the Fire Prevention requirements letter dated May 13, 2004, have, or will be, met to the satisfaction of the AFD.
- A-4. Prior to issuance of a grading or building permit the applicants shall have addressed all of the requirements of the Engineering Department to the satisfaction of the City Engineer.
- A-5. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity.
- A-6. In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within

100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

B. SITE PLANNING

- B-1. All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way.

C. LANDSCAPING

- C-1. All existing trees on the site shall be preserved to the fullest extent practicable. Removal will be allowed only upon prior written approval from the Planning Division.
- C-2. The applicants shall apply for one street tree prior to the issuance of the building permit. The City's Environmental Resource Assistance will determine the type and location of the tree and may waive this requirement if site conditions will not reasonably support establishment of a new tree.

D. ARCHITECTURE

- D-1. Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Planning Division prior to issuance of building permits for the project.
- D-2. The applicants shall submit final architectural elevations, details and revisions for the review and approval of the Planning Division prior to issuance of building permits.
- D-3. All new windows shall be recessed two inches from face of building to provide adequate shade and shadow and to promote visual relief. Alternate architectural treatments may be acceptable in lieu of a two-inch recess. Such alternative treatments are subject to review by the staff. Final window details shall be submitted for review and approval at the time of building permit application.

E. PARKING

- E-1. This approval includes a front yard parking exception.

F. GRADING

- F-1. Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicants shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved.

G. STREETS

- G-1. The applicants shall obtain an encroachment permit from the Engineering Division prior to commencing any construction activities within any public right-of-way or easement.

- G-2. All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.

- G-3. Any damage to street improvements now existing or done during construction on or adjacent to the subject property shall be repaired to the satisfaction of the City Engineer at the full expense of the applicants. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.

- G-4. All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be reconstructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the Community Development Department and Chapter 14 of the City Code.

H. INFRASTRUCTURE

- H-1. The existing sewer system for the subject building shall be brought into compliance with Chapter 15 of the Albany City Code and to the satisfaction of the Maintenance and Engineering Division.

- H-2. All runoff from impervious surfaces shall be intercepted at the project boundary and shall be collected and conducted via an approved drainage system through the project site to an approved storm drain facility, as determined by the City Engineer. Development that contributes additional water to the existing drainage system shall be required to complete a hydraulic study and make improvements to the system as required to accommodate the expected ultimate peak water flow and to stabilize erosive banks that could be impacted by additional storm water flow.

H-3. Roof drainage from the structure shall be collected via a closed minimum 3 inch pipe and conveyed to an approved storm drain system off the street curb unless otherwise approved by the City Engineer. No concentrated drainage of surface flow across sidewalks shall be permitted.

I. MISCELLANEOUS

I-1. The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the use. Any other change shall require further Planning and Zoning Commission approval through the Design Review process.

I-2. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.

J. SPECIAL CONDITIONS

J-1. This Design Review approval shall lapse and become null and void on August 9, 2005, (one year from the date on which this approval becomes effective) unless, prior to expiration of one year, a building permit is issued and construction commenced or completed. No special conditions are required.

Appeals: The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council if such appeal is filed within 14 days of the date of action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.

City of Albany
Planning and Zoning Commission
Notice of Action

Applicant: Alfred Layton for H & S Layton, owners

Project Address: 947 Jackson Street

Application: **Planning Application 04-053. Design Review and Parking Exception.** A request for Design Review approval of a 919 square foot second story addition and other modifications to an existing one-story residence.

Date of Action: July 27, 2004

Appeal Deadline: August 10, 2004

Commission Action: The Commissioners voted 5-0 to approve the application as based on the findings and subject to the conditions of approval below.

FINDINGS

For Design Review approval

a. Section 20-10.6.a, General Findings, applicable to all projects:

1. *The structure, site plan, and landscaping are in scale with and harmonious with existing development which conforms to the current provisions of this Chapter, and future developments adjacent to the site, and with land forms and vegetation in the vicinity of the site. Features such as scale, massing, and consistency of architectural details and exterior colors and materials have been considered to ensure a high level of design quality. The proposal is in scale and harmony with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines.*
2. *The project provides safe and convenient access to the property for pedestrians and vehicles. Handicap access has been considered and Code requirements are reflected in project plans. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians.*
3. *The project will not unnecessarily remove trees and natural vegetation, will preserve natural land forms and ridge lines, will not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the affect the visual character, quality or appearance of the neighborhood or City. The proposed addition and remodel will not remove existing major vegetation or require significant grading. The project will not create a visual detriment at the site or the neighborhood.*

4. *The project will provide adequate buffering between the on-site residential developments and adjacent uses which may have a potential to generate nuisances. The project is surrounded by like residential uses that do not require buffering for nuisances. The project maintains the setback areas of the existing house and otherwise is consistent with City zoning standards.*
 5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
- b. Findings for single-family residential additions that involve construction or expansion of space, which is defined as "habitable " by the Uniform Building Code.**
1. *With the proposed conditions, the addition has been found to be consistent with the scale, massing, and other architectural features of the existing structure. Factors such as roofline, trim details, window type and placement and other design elements which affect exterior appearance will ensure compatibility with the structure to which the addition will be made. In addition the mass of the resulting building has been considered in relation to the visual impact from the street, lot size and the placement on the lot, as well as the compatibility of the project with adjacent structures and integration with the surrounding neighborhood. The proposal includes the addition and the remodel of the existing residence to produce an integrated design. The addition will compliment the existing materials of the dwelling. The proposal is consistent with the scale and massing of adjacent structures, and will constitute an improvement on the existing dwelling.*
 2. *With the proposed conditions, the bulk of the project is found to be appropriate to the site and its surroundings, in that the ratio of gross square footage to site area is consistent with criteria set forth in subsection 20-10.5.a. The proposed floor area ratio is 55 percent; consistent with criteria referenced above.*
 3. *The design, setback, mass and bulk of the addition in proximity to any non-conforming setback have been considered to ensure that impacts to adjacent neighbors are minimized. The project has a non-conforming side yard setback. The addition will not extend this non-conforming setback.*
 4. *Off-street parking spaces are provided to the property to account for the increased living area as required by subsection 20-3.5. A Parking Exception has been requested to allow one parking space in the front-yard setback.*

Findings for Approval of a Front Yard Parking Exception

1. *Parking within a structure or in the rear yard is not feasible or will reduce open rear yard space to less than ten percent of the lot area because the access/side yards leading to the rear yard is less than 6 feet 6 inches and it is not possible to enlarge the garage to legally accommodate two cars. Also, the side yards are not wide enough to be used as open parking spaces.*
2. *Parking in a side yard area is not feasible due to inadequate space to accommodate a vehicle. The site configuration and existing building locations preclude vehicle access to the rear or side yards of the lot. The proposed front yard parking provides a reasonable location with minimal impacts on the adjacent property.*
2. *The area proposed for parking in the front yard will not exceed either eight feet six inches in width or 20 feet in length. The proposed front yard parking areas will not exceed 20 feet in length in accordance with City standards.*
3. *The parking space is designed so that no part of any vehicle will extend beyond the property lien into the public right-of-way, nor permit a parking vehicle to constitute a visual obstruction exceeding three feet in height within twenty-five feet of the intersection of two street lines. In order to reduce the potential for visual obstructions where driveways intersect streets, the Planning and Zoning Commission shall not approve a front yard parking space unless a finding is made that visual obstructions are not a significant safety hazard. The parking areas are located and sized so that vehicle parking will not result in extensions into the public right-of-way. The site is not within 25 feet of a street intersection and the proposed front yard parking areas will not create visual obstructions at street intersection areas. Consequently, the proposed front yard parking will not introduce a safety hazard to the area.*
5. *Any required off-street parking spaces which are permitted in front or side yard areas are so located as to minimize aesthetic and noise intrusion upon any adjacent property. The existing driveway is located only in the front yard and will not impose an aesthetic or noise intrusion.*

Conditions of Approval

A. GENERAL

- A-1. This approval is for raising and other exterior modifications to the existing house at 947 Jackson Street, as substantially shown on the project drawings, except as may be modified by conditions herein. Plans include a site plan/floor plans/building elevations prepared by Forme, Design-Build, dated received May 5, 2004 and presented to the Planning and Zoning Commission at its meeting of July 27, 2004.

- A-2 The applicants shall pay any and all City and other related fees applicable to the property. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit or prior to any City Council final action approval. Notice shall be taken specifically of Plan Check and Inspection Fees
- A-3. Prior to the issuance of grading or building permits, the applicants shall submit written documentation that all requirements of the Albany Fire Department, as stated in the Fire Prevention requirements letter dated May 13, 2004, have, or will be, met to the satisfaction of the AFD.
- A-4. Prior to issuance of a grading or building permit the applicants shall have addressed all of the requirements of the Engineering Department to the satisfaction of the City Engineer.
- A-5. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity.
- A-6. In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.
- B. SITE PLANNING
- B-1. All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way.
- C. LANDSCAPING
- C-1. All existing live trees on the site shall be preserved to the fullest extent practicable. Removal will be allowed only upon prior written approval from the Planning Division.

- C-2. The applicants shall apply for one street tree prior to the issuance of the building permit. The City's Environmental Resource Assistance will determine the type and location of the tree and may waive this requirement if site conditions will not reasonably support establishment of a new tree.

D. ARCHITECTURE

- D-1. Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Planning Division prior to issuance of building permits for the project.

- D-2. The applicants shall submit final architectural elevations, details and revisions for the review and approval of the Planning Division prior to issuance of building permits.

- D-3. All new windows shall be recessed two inches from face of building to provide adequate shade and shadow and to promote visual relief. Alternate architectural treatments may be acceptable in lieu of a two-inch recess. Such alternative treatments are subject to review by the staff. Final window details shall be submitted for review and approval at the time of building permit application.

- D-4. The applicant shall be allowed to raise the house, with the peak/ridge of the roof not to exceed 24 feet and the eaves not to exceed the existing height of the sidewalls (19 feet 6 inches according to the submitted plans).

E. PARKING

- E-1. This approval includes a front yard parking exception.

F. GRADING

- F-1. Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicants shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved.

G. STREETS

- G-1. The applicants shall obtain an encroachment permit from the Engineering Division prior to commencing any construction activities within any public right-of-way or easement.

G-2. All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.

G-3. Any damage to street improvements now existing or done during construction on or adjacent to the subject property shall be repaired to the satisfaction of the City Engineer at the full expense of the applicants. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.

G-4. All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be reconstructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the Community Development Department and Chapter 14 of the City Code.

H. INFRASTRUCTURE

H-1. The existing sewer system for the subject building shall be brought into compliance with Chapter 15 of the Albany City Code and to the satisfaction of the Maintenance and Engineering Division.

H-2. All runoff from impervious surfaces shall be intercepted at the project boundary and shall be collected and conducted via an approved drainage system through the project site to an approved storm drain facility, as determined by the City Engineer. Development that contributes additional water to the existing drainage system shall be required to complete a hydraulic study and make improvements to the system as required to accommodate the expected ultimate peak water flow and to stabilize erosive banks that could be impacted by additional storm water flow.

H-3. Roof drainage from the structure shall be collected via a closed minimum 3 inch pipe and conveyed to an approved storm drain system off the street curb unless otherwise approved by the City Engineer. No concentrated drainage of surface flow across sidewalks shall be permitted.

I. MISCELLANEOUS

I-1. The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the use. Any other change shall require further Planning and Zoning Commission approval through the Design Review process.

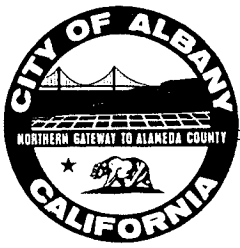
I-2. Pursuant to Government Code Section 66474.9, the applicants (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify the applicants of any such claim action or proceeding and cooperate fully in the defense.

J. SPECIAL CONDITIONS

J-1. This Design Review approval shall lapse and become null and void on August 9, 2005, (one year from the date on which this approval becomes effective) unless, prior to expiration of one year, a building permit is issued and construction commenced or completed. No special conditions are required.

J-2. Prior to the issuance of building permits, the applicant shall submit a survey prepared by a licensed surveyor to determine the location of the north property line and the north sidewall.

Appeals: The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council if such appeal is filed within 14 days of the date of action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

May 6, 2005

Alfred Layton
1247 Brighton Avenue
Albany, CA 94706

CITY ADMINISTRATOR

PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY

PH. (510) 528-5858
FAX (510) 526-9190

CITY CLERK

PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL

PH. (510) 528-5720
FAX (510) 528-5797

**COMMUNITY DEVELOPMENT &
ENVIRONMENTAL RESOURCES**

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FAX (510) 524-9359

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FAX (510) 528-2743

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SERVICES**

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FAX (510) 528-5797

POLICE

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**RECREATION & COMMUNITY
SERVICES**

1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914

- Friendship Club
- Childcare Program
PH. (510) 559-7220
- Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
- Teen Center
PH. (510) 525-0576

Re: Planning Application 04-053 -- 947 Jackson Street, Albany, California

Dear Mr. Layton:

On July 27, 2004, the Planning and Zoning Commission approved plans to add a second story addition and make other modifications to the house at 947 Jackson Street. The Commission approval is due to expire on August 10, 2005. To date, no construction plans have been submitted for plan checking nor have any permits been obtained to renovate, rehabilitate or demolish the house.

Please be advised that if you still intend to proceed with the expansion and remodel, as allowed under Planning Application #04-053, you must submit construction plans, obtain a building permit and commence construction before August 10, 2005. If you do intend to proceed with the expansion and remodel but will be unable to begin construction by August 10, 2005, you may request an extension in writing. The request for the extension must be received at least ten days prior to the application expiring and you need to briefly state why the extension is necessary.

Give me a call at 528-5769 if you have any questions.

Sincerely,

David Dowswell
Planning Manager

Enclosure

cc: Robert Zweben, City Attorney
Billy Gross, Associate Planner

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The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.



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that show: how the project will deal with drainage; materials; dimensions; locations; both accessory structures; and roof slopes in section.

Commissioner Brokken moved continuance of this item to consent, with the modification of condition H-2 such that the final drainage solution be compliant and approved by the City Engineer. Commissioner Flavell seconded.

Vote to continue item 7a:

Ayes: Brokken, Donaldson, Flavell, Ganong, Moss

Nays: None

Motion passed, 5-0.

b 947 Jackson. Planning Application 04-053. Design Review and Parking Exception. A request for Design Review approval of a 919 square foot second story addition and other modifications to an existing one-story residence, as well as a parking exception to allow one required parking space to be located in the front yard.

Staff recommendation: approve.

Associate Planner Gross delivered the staff report. Chair Donaldson noted that a reference to 513 San Carlos should be corrected to 947 Jackson on page one of the staff report. Alfred Layton, representing the applicants, spoke in favor of the project.

There was a discussion about the roof height and proximity of the roof edge to the property line. There was a suggestion that there be a step up to the front door. There was consensus that the plans were attractive and it was good to see that work would be done on this property. Commissioner Flavell indicated his inclination to be flexible on parking due to the narrowness of the lot.

Robert Marshall, 945 Jackson, had concerns about construction hours and duration; he was also concerned about asbestos.

Commissioner Moss moved approval of this item, with the added conditions that: all existing live trees be preserved; the roof peak not exceed 24 feet; and the eaves not to exceed the existing height of the sidewalls (19 feet 6 inches according to the submitted plans). Commissioner Brokken seconded.

Vote to approve item 7b:

Ayes: Brokken, Donaldson, Flavell, Ganong, Moss

Nays: None

Motion passed, 5-0.

Findings. 947 Jackson.

Design Review approval

Section 20-10.6.a, General Findings, applicable to all projects:

1. *The structure, site plan, and landscaping are in scale with and harmonious with existing development which conforms to the current provisions of this Chapter, and future developments adjacent to the site, and with land forms and vegetation in the vicinity of the site. Features such as scale, massing, and consistency of architectural details and exterior colors and materials have been considered to ensure a high level of design quality. The proposal is in scale and harmony with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines.*
2. *The project provides safe and convenient access to the property for pedestrians and vehicles. Handicap access has been considered and Code requirements are reflected in project plans. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians.*
3. *The project will not unnecessarily remove trees and natural vegetation, will preserve natural land forms and ridge lines, will not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the affect the visual character, quality or appearance of the neighborhood or City. The proposed addition and remodel will not remove existing major vegetation or require significant grading. The project will not create a visual detriment at the site or the neighborhood.*
4. *The project will provide adequate buffering between the on-site residential developments and adjacent uses which may have a potential to generate nuisances. The project is surrounded by like residential uses that do not require buffering for nuisances. The project maintains the setback areas of the existing house and otherwise is consistent with City zoning standards.*
5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*

Findings for single-family residential additions that involve construction or expansion of space, which is defined as "habitable " by the Uniform Building Code.

1. *With the proposed conditions, the addition has been found to be consistent with the scale, massing, and other architectural features of the existing structure. Factors such as roofline, trim details, window type and placement and other design elements which affect exterior appearance will ensure compatibility with the structure to which the addition will be made. In addition the mass of the resulting building has been considered in relation to the visual impact from the street, lot size and the placement on the lot, as well as the compatibility of the project with adjacent structures and integration with the surrounding neighborhood. The proposal includes the addition and the remodel of the existing residence to produce an integrated design. The addition will compliment the existing materials of the dwelling. The proposal is consistent with the scale and massing of adjacent structures, and will constitute an improvement on the existing dwelling.*

2. With the proposed conditions, *the bulk of the project is found to be appropriate to the site and its surroundings, in that the ratio of gross square footage to site area is consistent with criteria set forth in subsection 20-10.5.a.* The proposed floor area ratio is 55 percent; consistent with criteria referenced above.
3. *The design, setback, mass and bulk of the addition in proximity to any non-conforming setback have been considered to ensure that impacts to adjacent neighbors are minimized.* The project has a non-conforming side yard setback. The addition will not extend this non-conforming setback.
4. *Off-street parking spaces are provided to the property to account for the increased living area as required by subsection 20-3.5.* A Parking Exception has been requested to allow one parking space in the front-yard setback.

Findings for Approval of a Front Yard Parking Exception

1. *Parking within a structure or in the rear yard is not feasible or will reduce open rear yard space to less than ten percent of the lot area because the access/side yards leading to the rear yard is less than 6 feet 6 inches and it is not possible to enlarge the garage to legally accommodate two cars. Also, the side yards are not wide enough to be used as open parking spaces.*
2. *Parking in a side yard area is not feasible due to inadequate space to accommodate a vehicle. The site configuration and existing building locations preclude vehicle access to the rear or side yards of the lot. The proposed front yard parking provides a reasonable location with minimal impacts on the adjacent property.*
3. *The area proposed for parking in the front yard will not exceed either eight feet six inches in width or 20 feet in length. The proposed front yard parking areas will not exceed 20 feet in length in accordance with City standards.*
4. *The parking space is designed so that no part of any vehicle will extend beyond the property lien into the public right-of-way, nor permit a parking vehicle to constitute a visual obstruction exceeding three feet in height within twenty-five feet of the intersection of two street lines. In order to reduce the potential for visual obstructions where driveways intersect streets, the Planning and Zoning Commission shall not approve a front yard parking space unless a finding is made that visual obstructions are not a significant safety hazard. The parking areas are located and sized so that vehicle parking will not result in extensions into the public right-of-way. The site is not within 25 feet of a street intersection and the proposed front yard parking areas will not create visual obstructions at street intersection areas. Consequently, the proposed front yard parking will not introduce a safety hazard to the area.*
5. *Any required off-street parking spaces which are permitted in front or side yard areas are so located as to minimize aesthetic and noise intrusion upon any adjacent property. The existing driveway is located only in the front yard and will not impose an aesthetic or noise intrusion.*

Revised
BOARD OF APPEALS DECISION
December 9, 2009

In Re the Matter of Appeal by Herb Layton of the Notice and Order Issued on or about October 2, 2009, pertaining to the real property commonly known as 947 Jackson, Albany, Ca.

APPELLANT: Herb Layton, owner of record of 947 Jackson, represented by Alfred Layton and James Martinez

RESPONDENT: CITY OF ALBANY, represented by Ms. Trish A. Aljoe, legal counsel for City of Albany staff.

On November 20, 2009, a duly noticed Board of Appeals Hearing convened at the EOC Room of the Albany Community Center to hear the Appeal of Notice and Order and Order to Vacate and Repair, issued by the Albany Building Official on or about October 2, 2009, and the Appeal of the Notice of Expired Permits: Stop Work Order issued on or about October 5, 2009 to Appellant Herbert F. Layton, as the owner of record for the property located at 947 Jackson Street, Albany, California.

The hearing commenced at 9:30 and continued until approximately 11:30, at which point the Appellant and the City staff had presented all documentary and testimonial evidence, and several witnesses, notably neighbors, addressed the Board. All witnesses were sworn in at the commencement of the hearing. After the presentations were concluded, the Board immediately reconvened to deliberate. The Board's legal advisor was the only person present apart from the Board members. After discussion and deliberation, the Board unanimously denied the appeal and upheld the orders issued by the City in its Notice and Order. The Board requested that its legal advisor, Robert Zweben, prepared a written decision in accordance with its determination and present the written decision to the Chair. After review of the decision prepared by Robert Zweben, the Chair circulated the decision to the full Board for its approval and formal adoption. This document represents the unanimous decision of the Board.

The following persons constituted the Hearing Board, pursuant to the provisions of the Uniform Code of Abatement of Dangerous Buildings:

Chairman Gregory McFann, Building Official City of Alameda
Chris Castancho, City of Richmond Building Inspector Supervisor
Nicholas Crist, local area contractor.
John McGuire, Building Official City of Hercules
Ray Godard, local area contractor

Robert Zweben, the Albany City Attorney, was present and was legal advisor to the Board.

Preliminary Statement

Appellant Herbert Layton did not personally appear. It was represented to the Board that he waived his personal appearance. He was represented by his son, Alfred Layton, an attorney at law, and by James Martinez, an attorney at law. Mr. Alfred Layton also represented to the Board that he was appearing as an appellant with an interest in real property. The exact legal interest was not clear and Mr. Alfred Layton could not identify any deed of record that reflected his legal interest.

Special counsel Trisha Aljoe, an attorney at law, represented and appeared with Building Official Mark Kaytor on behalf of the City.

Witnesses included Mr. Alfred Layton, Mr. Kaylor, Mrs. Ann Chaney (the Community Services and Development Director), Mr. Henderson (a City building inspector), Mr. Jeff Bond (the City's Planning Director), and neighbors living at 924, 946, 945, and 937 Jackson.

Preliminary Summary of Information Presented at the Hearing

The house at 947 Jackson had been occupied until about 1982, at which point the house became vacant and remained so until the present. Over the years the house fell into disrepair and continued to deteriorate. Neighbors complained to the City about its unsightly condition, its lack of yard maintenance, and the increasing deterioration of the structure. Over time the back porch entry and stairs and the front porch entry and stairs fell into such disrepair that they were removed. The 1989 earthquake, according to one neighbor, damaged the structure and had damaged the front porch.

Mr. Alfred Layton, according to his testimony, and that of neighbors who observed the property over the years, was the person who came to the property to maintain it and in the last few years to undertake some repairs. Mr. Alfred Layton stated that he had been assisting his father, Mr. Herbert Layton, do property maintenance for other rental properties and that he undertook the responsibility to take care of 947 Jackson. Mr. Alfred Layton said he was not a contractor or tradesperson by trade, but picked up skills over the years. He said that his recent repair work was for the purpose of renovating the structure as an investment to pay for his daughter's college education. Mr. Alfred Layton stated he had an 'ownership interest' in the property, although no written document confirming this was presented at the hearing. He stated that he did not know whether his father had added his name to the Deed. The City had not seen any deed other than one with Mr. Herbert Layton's name on it.

In 2007, Mr. Alfred Layton undertook building repairs and obtained a permit from the City to commence these repairs. Mr. Alfred Layton contended that he felt a valid permit was issued to him and that he was not required to abide by any time requirements to call for inspections and proceed with the work. The City contends that only a permit could be issued to the owner, and Mr. Alfred Layton has not shown he is an owner or a contractor acting on behalf of the owner. Regardless of the 'status' of the permit, based on the

testimony presented, the permit application contained statements about the necessity for inspections for the permit to remain valid and that it would expire after 180 days. No record of a written extension was presented and the City witnesses testified that no extensions were granted. No inspections were called for from 2007 until the time that the City issued a Stop Work Notice in the fall of 2009.

The house was raised on cribbing sometime in October of 2008 and remains that way today. Mr. Alfred Layton testified that he worked mostly by himself and did so as time permitted between his other responsibilities. Mr. Layton from time to time engaged the services of a licensed contractor to assist in a few specific tasks. By and large Mr. Alfred Layton performed the work on the structure. He testified that the rainy months had hampered his progress. Neighbors testified that Mr. Layton would come to the property sporadically and most often would work for an hour or two and leave. Mr. Alfred Layton testified that he did not have the economic resources to hire a contractor to do major work on the property and that he worked as able. He said he has no budget for the ongoing project. He said if given the opportunity to continue with the repairs he could commit to no timetable and would work on the property by himself and hire help for such tasks as framing and lowering the house, as he could afford. He thought he could get the structure lowered on to a foundation and the house 'buttoned up' in about three months time.

Jeff Bond, City of Albany Planning Director, testified that prior to the issuance of any new permits the project would need to obtain a new design review approval. Mr. Bond testified that the earliest this could be done was several months.

The neighbors who testified had a number of concerns about the appearance and disrepair of the structure. Most important, however, was the concern about the safety hazards of the raised structure. The house was raised over a year ago but does not have any earthquake bracing or protection from wind while the structure remains elevated. Neighbors testified that none of the Laytons have communicated with them about the situation and possible dangers of the elevated house falling and damaging the next-door properties.

Findings and Conclusions

Based on the documentary and testimonial evidence of both parties, as submitted to the Board and presented at the Hearing, the Board makes the following findings of fact and conclusions of law:

The City of Albany properly issued Notice and Orders, as described above, as authorized and under the authority of the Uniform Code for Abatement of Dangerous Buildings, the California Building Code, and the Health and Safety Code (State Housing Code). Appellant Herbert Layton is the owner of the property and is responsible for the violations as determined by the Board herein;

Appellant Herbert Layton was properly noticed of the date, time and location of the hearing of his appeal before this Board and he waived his personal appearance, thereby appearing by and through his attorney son, Alfred Layton and Mr. James Martinez.

The house at 947 Jackson has been vacant since about 1982. Its condition deteriorated of these past twenty plus years. It is dilapidated and in its raised condition is a threat to the health and safety of the adjoining properties and the public.

A building permit was issued on January 23, 2007 to Mr. Alfred Layton. Mr. Alfred Layton presented no written documentation that he is the legal owner as required by the California Building Code (CBC) and the Albany Municipal Code (AMC).

Therefore, the permit is not valid.

Irrespective of whether or not the permit was valid when obtained, neither Herbert Layton nor Alfred Layton scheduled an inspection since the permit was issued in January of 2007. Two and one half years has transpired from the time of the issuance of the permit to the date of the Notice of Expiration was issued.

No extension of the permit has been requested nor granted. As such, under the CBC and AMC, the permit has expired as a matter of law, and no extension can now be granted, even if requested.

The condition of the property have constituted and continue to constitute violations of the AMC, the State Housing Codes, and the Uniform Code for Abatement of Dangerous Buildings (UCADB), as cited in Exhibit A attached to the City's Notice and Order.

The Appellant Herb Layton, or his representatives or agents, were unable to provide the Board with credible assurances and a reasonable timeframe to repair the structure such that it complies with current code standards and abates the substandard and dangerous conditions. The Board notes that it finds that the structure has been in its dangerous and dilapidated condition for years, and is extremely dangerous in its present elevated condition. Based on the testimony of Mr. Alfred Layton, who says he can only work part time on the structure and does not have the economic resources to hire a responsible contractor, the Board believes that demolition of the structure is the most suitable and realistic option.

The Board determines, due to the dangers of the present structure that the requirements to either repair or to demolish should not be modified and should be strictly enforced by the City.

Based on the above evidence and findings, the Board concludes and determines that this structure is so dilapidated that it constitutes a threat to the public safety. It is in the best interests of public health and safety that this structure be demolished as provided for in Health and Safety Code sections 17890 et seq.

The Board would further note that given the deterioration that has occurred over the last five years, especially with an unprotected elevated structure for the past two years being exposed to the elements, it is likely that a repair would not be economically sensible.

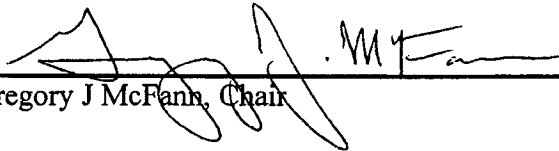
Therefore, IT IS HEREBY DETERMINED AND ORDERED that the appeal is hereby denied in its entirety. The Notice and Orders are upheld as issued. Appellant is further ordered to comply with the October, 2009 Notice and Order to Repair or Demolish and abate all violations as directed. Pursuant to Section 504 of the Uniform Code for the

Abatement of Dangerous Buildings the date of compliance of the City's Notice and Order is stayed for the time period pending appeal and decision.

All violations must be abated by repair or demolition within 60 days of the date of this decision. On or before January 10, 2010, due to threat of health and safety of the neighbors, the existing structure must be removed from the cribbing or secured so as to not pose a danger to the adjacent structures. Any and all work shall be done pursuant to properly issued permits from the city of Albany, and any other public agency permit that may be required

PLEASE TAKE NOTICE OF THE PROVISION OF CHAPTER 7, OF THE UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDING WHEREIN IT PROVIDES, INTER ALIA, THAT ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE BOARD IS GUILTY OF A MISDEMEANOR, SECTION 701 AND CAN BE PROSECUTED UNDER 701.2.

Dated: 12/11/09



Gregory J McFann, Chair

Michael Lindow

General Contractor lic. #B716905

Construction Schedule for
947 Jackson St. Albany, CA

1/6/10

Phase 1

Clean up trenches, straighten steel, set hold downs, bolts, straps,
and strong wall connections 5 work days
Trench for under floor plumbing and stub ups for second story tie
ins and install first floor drain lines 5 work days

Conditions of approval require inspections by Hassett. The inspection would be as follows.

1. Inspection by Hassett 1 work day
2. Letter of compliance from Hassett 1 work day
3. Inspection of foundation and under floor plumbing by city 1 work day
Set up slabs, install and compact gravel, install sand and vapor barrier
and steel 4 work days
Inspect slab by Hassett and city 3 work days
Pour floors and strip 2 work days
Install first floor framing, beams, hold downs, strong walls and sheer wall 15 work days
Inspection could be required at this point allow 2 work days
Set existing building on new first floor walls 2 work days
Total first phase 41 work days

Phase 2 ready for rough inspection

Reframe roof
Tear off 2 work days
Trusses and sleepers 2 work days
Sheeting and barges 2 work days
Felt and metal, roof 5 work days
Remove and replace other damaged areas of house 5 work days

Remove existing partitions, frame new partitions, stairway, reframe
window openings and install windows 10 work days

Frame on front of house and balconies with tie-ins to structural frames 6 work days
New sewer line installation and inspection 5 work days
Rough plumbing 8 work days
Rough electrical 8 work days
Rough heating 6 work days
Outside stucco lath and tie ins 4 work days
Rough inspection 3 work days
Total second phase 60 work days

pg. 1 of 2

Phase 3 finish

Sheetrock tape and texture	15 work days
Interior trim, doors, base, and shelving	5 work days
Prep and paint all interior surfaces including doors jambs and sills	6 work days
Install new kitchen and bath cabinets and countertops	16 work days
Finish plumbing	5 work days
Finish electrical	5 work days
Finish mechanical set furnace, trim and vent	4 work days
Stucco work (3) coats	9 work days
Outside trim and paint	3 work days
Outside flat work	
(driveway and sidewalk set gravel, compact, set steel and pour)	4 work days
Flooring and deck	5 work days
Final inspection and occupancy	3 work days
Total third phase	<u>76 work days</u>
Total projected project work days	177 work days
Including (14) inspection days	

Note: There has been no time allowance for rainy days which could impact this schedule.

pg. 2 of 2

4125 Thornton Avenue, Fremont, California 94536
Phone 510.795.0897 FAX 510.795.0899