

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

Agenda date: June 8, 2010

Prepared by: JB

**ITEM/**        6b

**SUBJECT:**    **Planning Application 10-028. Design Review, Conditional Use Permit and Front Yard Parking Exception.**

The subject property is a 4,400 square foot lot with a 1,548 square foot single-family home. The applicant is requesting approval to allow a 632 square foot second story addition to the rear of the home. One parking space will be provided in the existing garage and a front yard parking exception is required to accommodate the required second off-street parking space.

**SITE:**        913 Carmel

**APPLICANT/**

**OWNER:**     Nadia Khan , Arkin Tilt Architects for Heidi & Manny Lopez

**ZONING:**     R-1 (Single-Family Residential)

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**STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission approve the request for design review, parking exception, and conditional use permit, subject to the attached findings and conditions of approval.

**BACKGROUND/PROJECT DESCRIPTION**

The subject property is a 4,400 square foot lot with a 1,548 square foot single-family home. The applicant is requesting approval to allow a 632 square foot second story addition to the rear of the home. The addition will feature a contemporary architectural style with shed roof. The maximum height of the home will increase from approximately 17 feet in height to approximately 23 feet. One parking space will be provided in the existing garage and a front yard parking exception is required to accommodate the required second off-street parking space.

**ENVIRONMENTAL ANALYSIS**

Staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15303, "New Construction or Conversion of Small Structures" of the CEQA Guidelines, which exempts small additions.

## DISCUSSION OF KEY ISSUES

The existing home is a single story home over a garage. The home features a front gabled red tile roof and stucco finish. The entrance to the home is on the south side of the residence, and is not proposed to be changed. A trellis, however, is proposed to be added to strengthen the entrance and provide visual separation from the neighboring property.

The proposal is to add a second story addition to the rear of the home in a contemporary architectural style with a low-slope alternating slope shed roof. Horizontal siding and vertical windows with integrated trellises are proposed for the south side of the addition, wrapping around to the front and to the rear. The rear of the addition is a mix of the horizontal siding and metal cladding. The north side would be finished primarily in stucco, with one vertical window. The front elevation, which due to the slope of the side and the setback, will be difficult to see from the street, will feature a mix of stucco and horizontal wood siding with one vertical window.

The Residential Design Guidelines call for trim and details to improve the character of the home. In this case, the trellises and mix of materials provide architectural interest. The Guidelines also allow for a mix of architectural styles in a home as long as the addition is well designed, well proportioned and complimentary to the existing home.

One of the important considerations in expanding a residence are the implications for privacy between neighboring homes. The resident at 915 Carmel contacted staff to express concern about the impacts of the proposal. Specific concerns include maintaining the side entrance that faces neighboring windows, loss of sunlight, and windows in the proposed addition are higher than the neighboring home, resulting in loss of privacy.

A conditional use permit is required because the proposal is to extend vertically a wall that is non-conforming by 2 inches. On the south side of the home, the proposed addition would cantilever approximately three feet over the existing first floor, supported by three thin columns. The cantilever, however, remains within the setback area and does not require a CUP. The Commission may wish to explore the tradeoffs associated with reorienting the floor plan of the second story and elimination of the cantilever. On one hand, it could address some of the concerns of the neighboring resident, but also could result in an addition that shifts towards the front of the home, resulting in an addition that has greater height.

### Parking

The existing garage is adequate for one vehicle. Due to the width of the lot and width of the existing home, the side yards are not adequate for vehicle access. In addition, although there is enough room in the driveway to park a second vehicle in tandem behind the garage, the distance from the garage to the property line is less than 16 feet required by code. Thus, per the Planning and Zoning Code, the application is seeking approval for a parking exception to waive the second required parking space.

### **Attachments:**

1. Analysis of Zoning Requirements
2. Project Application & Plans

**ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS**

20.12 Zoning Districts and Permitted Uses

General Plan: Low Density Residential  
 Zoning: R-1 - Single-Family Residential

20.16 Land Use Classifications

Single family residential

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

20.20.080 Secondary Residential Units.

Not applicable.

20.24.020 Table of Site Regulations by District.

	Existing (approx.)	Proposed Construction (approx.)	Requirement
Setbacks			
Front (west)	15' 8"	No change	15'
Side (north)	3' 10"	3' 10"	4'
Side (south)	7' 6"	4' 7"	4'
Rear (east)	36' 10"	34' 10"	20"
Area			
Lot Size	4,400	No change	--
Lot Coverage	35%	37%	50%
Maximum Height	18' 4"	24' 4"	28' max.

20.24.030 Overlay District Regulations.

Not applicable.

20.24.040 Hillside Residential Regulations.

Not applicable.

20.24.050 Floor-Area-Ratio.

	Existing (approx.)	Proposed	Requirement
Lot Size	4,400	No change	--
Floor Area			
Garage/Storage	308	308	
Main Level	1,548	1,568	--
Second-floor		612	
Total	1,856	2,488	--
Total Counted*	1,576	2,208	--
Floor Area Ratio*	36%	50%	55%

\* 280 sq. ft. exempted from "total counted" as permitted by MC 20.24.050 for garage and stairs.

20.24.060 Setback Areas, Encroachments.

Not applicable.

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 Summary of Key Issues.

20.40 Housing Provisions

Not applicable.

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.

20.100.030 Use Permits.

Not applicable.

20.100.040 Variances.

Not applicable.

20.100.010 Common Permit Procedures.

The public hearing of for this application was originally scheduled for May 25, 2010. It was continued to June 8, 2010 due to a lack of a quorum of Commissioners. Public notice of this application was mailed on April 30, 2010, in the form of mailed notice, to property owners and occupants within a 100-foot radius, and posted in three locations.

20.100.050 Design Review.

See Summary of Key Issues.

## ATTACHMENT 2 - FINDINGS

### Findings for Design Review approval (Per section 20.100.050.E of the AMC)

<i>Required Finding</i>	<i>Explanation</i>
<p>1. <i>The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.</i></p>	<p>The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.</p>
<p>2. <i>Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered, and that site access and vehicular parking are sufficient."</i></p>	<p>The proposal is in scale and harmony with existing development in the vicinity of the site. The architectural style, design and building materials are consistent with the City's Residential Design Guidelines. The project will not require significant grading or excavation. The project will not create a visual detriment at the site or the neighborhood.</p> <p>The proposed addition is attractive in appearance, and is in scale with the surrounding neighbors. The design is complementary with the existing home.</p>
<p>3. <i>Approval of the project is in the interest of public health, safety and general welfare.</i></p>	<p>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area. The proposed addition will result in a home less than 25 in height and with an FAR . The addition will create an attractive home with an FAR of 50%, which is modest in scale, and fitting for the neighborhood.</p>
<p>4. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i></p>	<p>The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well proportioned massing .</p>

**Findings for Parking Exceptions (Per section 20.28.040.A.2 of the AMC)**

<i>Required Finding</i>	<i>Explanation</i>
1. <i>Required spaces cannot be located in front or side yards.</i>	The lot has a sloping topography and narrow side yard setbacks.
2. <i>Space is not available to provide required parking facilities without undue hardship.</i>	The applicant would have to reduce the footprint of the house and complete an extensive amount of grading to allow access to the rear yard for parking. This is exceeding difficult and an "undue hardship."
3. <i>Provision of required parking spaces would be disruptive to landmark trees or would severely restrict private outdoor living space on the site.</i>	Not applicable.
4. <i>Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.</i>	Creation of a second front yard parking space would require a curb-cut, which would reduce on-street parking by an equivalent amount.
5. <i>The proposed reduction in parking requirements is appropriate to the total size of the dwelling unit upon completion of the proposed addition.</i>	The home will remain a single-family home and the existing garage and driveway will remain open and functional for cars to utilize for parking.

**Findings for Conditional Use Permit approval (Per section 20.100.030.D of the AMC)**

<i>Required Finding</i>	<i>Explanation</i>
1. <b><i>Necessity, Desirability, Compatibility.</i></b> <i>The project's size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.</i>	The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.
2. <b><i>Adverse Impacts.</i></b> <i>The project's use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:</i> <ul style="list-style-type: none"> <li>a. <i>The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;</i></li> <li>b. <i>The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking</i></li> </ul>	The proposal is in scale and harmony with existing development in the vicinity of the site. The architectural style, design and building materials are complementary to the existing dwelling and with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The project will not create a visual detriment at the site or the neighborhood. The project will maintain the majority of trees on site, and will only remove those in direct proximity with the proposed addition. The use of the site remains the same and will not produce any noxious or offensive emissions, noise, glare, dust or odor.

<p><i>and loading;</i></p> <p>c. <i>The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;</i></p> <p>d. <i>Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;</i></p>	
<p>3. <b><i>Consistency with Zoning Ordinance, General Plan and Specific Plan.</i></b> <i>That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan and any applicable specific plan.</i></p>	<p>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.</p>



**ATTACHMENT 3**  
**COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL**

**GENERAL PROJECT CONDITIONS**

- Gen-1      **Project Approval.** This Design Review approval is for Heidi & Manny Lopez, as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans include preliminary master site plan prepared by Nadia Khan , Arkin Tilt Architects, date received April 27, 2010, architectural plans (project perspectives, building sections, and floor plans, all as presented to the Planning and Zoning Commission on June 8, 2010. For any condition herein that requires preparation of a Final Plan where the project developer has submitted a conceptual plan, the project developer shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.
- GEN-2      **Project Approval Expiration.** This Design Review approval expire on June 22, 2011 (one year from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless [a building permit has been issued and construction diligently pursued; a certificate of occupancy has been issued; the use is established; the use permit, variance or design review approval is renewed]. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval.
- Gen-3      **FEES.** The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and developer.
- GEN-4      **Appeals.** The Albany Municipal Code provides that any action of the Planning staff may be appealed to the Planning and Zoning Commission, and any action of the Planning and Zoning Commission may be appealed to the City Council as per the procedures described in Section 20.100.080. The City Clerk will then schedule the matter for the next available City Council meeting.
- GEN-5      **Requirement for Building Permit.** Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit

issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

- GEN-6 **Fire Department Approval.** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.
- GEN-7 **Engineering Approval.** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer.
- GEN-8 **Construction Hours.** 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. Failure to comply with construction hours may result in stop work orders or other administrative actions.
- GEN-9 **Archeological Remains.** 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.
- GEN-10 **Modifications to Approved Plans.** The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the permitted land use (per MC 20.12). A change in an item requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process.
- GEN-11 **Hold Harmless Agreement.** Pursuant to Government Code Section 66474.9, the applicant (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 applicant of any such claim action or proceeding and cooperate fully in the defense.
- GEN-12 **Public Improvements Standards.** Public improvements shall be designed and constructed in accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer.

- GEN-13      **Title 24 Standards.** All construction shall be designed and built in accordance with California Title 24 handicap accessibility standards. Appropriate details and specifications shall be incorporated into the plans and submitted at time of building permit application.
- GEN-14      **Energy Conservation Standards.** All buildings shall be designed in accordance with the State of California energy conservation standards for non-residential buildings. The necessary plans and documentation shall be submitted at time of building permit application.

**ARCHITECTURE CONDITION**

- ARCH-1      **Material Samples.** Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Community Development Department as part of building permit application.
- ARCH-2      **Final Architectural Drawings.** The applicant shall submit final architectural elevations, details and revisions for the review and approval of the Community Development Department as part of building permit application.
- ARCH-3      **Window Recess.** All new windows shall be recessed two inches from face of building to provide adequate shade and shadow and to promote visual relief. Final window details shall be submitted for review and approval at the time of building permit application.
- ARCH-4      **Non-Reflective Glazing.** Any glazing material shall be non-reflective.

**LIGHTING CONDITIONS**

- LGHT-1      **Exterior Lighting.** All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way. If required, exterior light fixtures shall be equipped with "cut off" lenses to minimize light and glare spill over onto adjacent properties.
- LGHT-2      **Shielding of Lighting.** Prior to the certificate of occupancy, all accent lighting shall be directed downward and, if necessary, fixed with cut-off lenses to ensure that no glare spills onto neighboring properties.

**LANDSCAPING CONDITIONS**

- LNDS-1      **Street Tree Requirement.** The applicant shall apply for one street tree before 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.

**PUBLIC WORKS DEPARTMENT CONDITIONS**

#### GENERAL ENGINEERING CONDITIONS

- ENGR-1      **Title Report.** A recent preliminary title report for the property, prepared within six months of the date of application, shall be submitted to the City Engineer for review. If any interior lot line(s) exist, the applicant must obtain approval of a minor lot line adjustment from the City to remove the interior lot line(s), and cause that lot line adjustment to be recorded before any building permits will be issued.
- ENGR-2      **Geo-Technical Report.** The applicant shall submit, as part of a building permit application, a geotechnical investigation report prepared by a California certified engineering geologist and geotechnical engineer, if determined necessary by the City Engineer. The investigation shall specifically address any hazards of surface fault rupture in accordance with the Alquist-Priolo Special Study Zones Act. Any mitigation measures or conditions requiring further review noted during the Planning process shall be fully addressed prior to plan check.
- ENGR-3      **Backflow Device.** Any required water service for fire protection purposes shall be equipped with a City approved backflow device. Services for irrigation purposes also require a separate City approved backflow prevention device.

#### GRADING CONDITIONS

- GRAD-1      **Grading Permit.** Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicant shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved. A grading permit is subject to 2001 California Building, Appendix 33.
- GRAD-2      **Demolition Permit.** Site demolition shall not occur until construction permits are issued for the development project. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD).
- GRAD-3      **Water on Site.** The site shall be graded so as to prevent rainfall runoff originating from improved areas on the project site from crossing onto adjoining private property. Building floor elevations shall be above the FEMA-mapped 100-year flood plain as established by a licensed civil engineer. Provide the elevation and compaction certificates during and upon the completion of grading required by the Uniform Building Code and in conformance with the recommendations of the geotechnical engineer's report. Shore and dewater all excavations in accordance with the requirements of the geotechnical engineer's report.
- GRAD-4      **Flooding Damages.** The project developer shall execute an assumption of risk, indemnification and hold harmless agreement as required by the City. The agreement, in substance, shall state that the project developer, and any successor in interest, shall assume all risk for damages to the project and to project

improvements, flooding caused by surface water intrusion, stormwater runoff, or water under the ground surface pressing on or flowing or seeping through foundations, walls, floors, or paved surfaces, basements, whether paved or not, or windows, doors or other openings, and shall indemnify and hold the City harmless from any claims of such damages, including third-party claims, of such damage or of such damages or of damages arising from rainfall runoff which is not prevented from leaving the project site in violation of Condition GRAD-3.

GRAD-5 **Dust Control Program.** A dust control program shall be prepared by the project developer and approved by the Community Development Department and City Engineer before issuance of a grading permit. The dust control plan shall address such items as covering stockpiled material, frequent watering of graded areas, revegetating graded areas, speed limits for grading equipment and similar items.

GRAD-6 **Stormwater Pollution Prevention Plan.** The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City before the issuance of a building or grading and/or building permit. The SWPPP shall be consistent with standards adopted by the Regional Water Quality Control Board and the City of Albany Clean Water Program and implemented by the project general contractor, all subcontractors and suppliers of material and equipment. Construction site cleanup and control of construction shall also be addressed in the SWPPP. The project developer shall be responsible for SWPPP compliance. A copy of the SWPPP shall be kept at the construction site at all times.

#### INFRASTRUCTURE CONDITIONS

INFR-1 **Sewer System Requirements.** The sewer system for the subject building shall comply with Chapter 15 of the Albany Municipal Code and to the satisfaction of the City Engineer before Final Inspection approval of the construction permit.

INFR-2 **Two-Way Cleanout.** Installation of a two-way curbside cleanout shall be required per Chapter 15 of the Albany City Code. This applies to all properties, including properties with a valid upper sewer lateral certificate of compliance. All 2-way curbside clean outs shall be fitted with a loose cap in accordance with the City's standard detail SS6.

INFR-3 **Property Run-off Requirements.** 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.

INFR-4 **Roof Drainage.** Roof drainage from the structure shall be collected via a closed pipe and conveyed to an approved storm drain system off the street curb. No concentrated drainage of surface flow across sidewalks shall be permitted.

Alternative natural treatment measures are subject review and approval by the City Engineer.

INFR-5      **Hydraulic Calculations.** The applicant shall submit hydraulic calculations, prepared by a California licensed civil engineer, necessary to determine if the existing water and sewer mains that serve this lot have available capacity for the addition of the proposed development. If capacity is not available, sewer and water mains of adequate size shall be designed and secured prior to issuance of building permits and constructed in a manner acceptable to the City Engineer prior to occupancy release, unless determined otherwise by the City Engineer.

INFR-6      **Completion of Off-Site Improvements.** Off-site improvements, as required by the City Engineer, shall be complete before issuance of a Certificate of Occupancy unless alternatives are approved in writing by the Albany City Engineer.

#### PUBLIC IMPROVEMENTS CONDITIONS

PUBIM-1      **Encroachment Permit.** The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.

PUBIM-2      **Debris Removal.** 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.

PUBIM-3      **Damage to Street Improvements.** 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 applicant. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.

PUBIM-4      **Right-of-Way Construction Standards.** 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.

#### FIRE DEPARTMENT CONDITIONS

FIRE-1      **Construction of 1,500 Square Feet or Greater.** 1500 sq. ft. or more or any addition, remodel, rehabilitation, etc. is 50% of the existing sq. ft.:

- a) This dwelling will be required install an Automatic Fire Extinguishing System throughout the entire dwelling. Ordinance No. 94-010, Albany Municipal Code, Chapter 11, Section 11-2.3a(3)(a).
- b) Plans, information sheets on all sprinkler components and hydraulic calculations are required.
- c) A 110-volt interconnected smoke alarm system with a 10-year lithium batter back-up is acceptable with a fire suppression system.

- FIRE-2 **Fire Rated Construction.** Any portion of a building five (5) feet or less from the property line shall comply with fire-rating requirements of the CBC.
- FIRE-3 **Gallons-per-Minute Requirement.** The water system for fire protection shall comply with City of Albany Fire Department standards. Fire flow test data and water system plans must be provided at time of building plan check. The plans must include all equipment, components and layout of the system. Private fire protection water systems shall be supplied through an approved backflow device per City Engineering Division standards.
- FIRE-5 **Distance From Fire Hydrant.** Before building permit issuance the distance from existing fire hydrants to the building shall be verified and if necessary a new hydrant shall be shown on the plans and installed prior to combustible construction.

#### STRUCTURAL CONTROL MEASURES

- STRUC-1 **Illegal Dumping to Storm Drain Inlets and Waterways.** On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City of Albany.
- STRUC-2 **Pesticide/Fertilizer Application** Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:
- a) Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
  - b) Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
  - c) Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
  - d) Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

#### OPERATIONAL BEST MANAGEMENT PRACTICES (BMPs)

- BMP-GEN1 **Stormwater Pollution Prevention Control Measures.** The project plans shall include stormwater pollution prevention and control measures for the operation and maintenance of the project during and after construction for the review and approval of the City or County Engineer. The project plan shall identify Best

Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit to the maximum extent practicable the entry of pollutants into stormwater runoff.

- BMP-GEN2 **Erosion Control Measures.** The project plan shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the practices outlined in the *ABAG Erosion and Sediment Control Handbook*, *California Storm Water Best Management Practice Handbooks*, and *Regional Water Quality Control Board's Erosion and Sediment Control Field Manual*
- BMP-GEN3 **Responsibility of Contractors.** The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop order.
- BMP-1 **Paved Sidewalks and Parking Lots.** Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Washwater containing any soap, cleaning agent or degreaser shall be collected and discharged to the sanitary sewer and shall not be discharged to a storm drain. The applicant shall contact the City Engineer for specific connection and discharge requirements.
- BMP-2A **Private Streets, Utilities and Common Areas.** The owner of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.

#### GENERAL CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

- BMP-CNST1 **Construction Access Routes.** Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approval grading plan.
- BMP-CNST2 **Collection of Construction Debris.** Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- BMP-CNST3 **Removal of Waste.** Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
- BMP-CNST4 **Sweeping of Public Right-of-Way.** Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.



- BMP-CNST5 **Filter Materials at Storm Drain Inlet.** Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:
- a) start of the rainy season (October 1);
  - b) site dewatering activities;
  - c) street washing activities;
  - d) saw cutting asphalt or concrete; and
  - e) order to retain any debris or dirt flowing into the City storm drain system.
- Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash.
- BMP-CNST6 **Containment of Materials.** Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind or in the event of a material spill.
- BMP-CNST7 **Cleaning of Equipment.** Never clean machinery, tools, brushes, etc. or rinse containers into a street, gutter, storm drain or stream. See the *Building Maintenance/ Remodeling* flyer for more information.
- BMP-CNST8 **Minimize Removal of Natural Vegetation.** Minimize removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. Replant the area as soon as possible. All cut and fill slopes shall be stabilized as soon as possible after grading is completed. No site grading shall occur between October 1 and April 15 unless approved erosion and sedimentation control measures are in place.

**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 the 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.

Planning Application #: 10-028

Date Received: 4/27/10

Fee Paid: 1784.00

Receipt #: 63508



# City of Albany



## PLANNING APPLICATION FORM FOR DESIGN REVIEW AND CONDITIONAL USE PERMITS FOR SINGLE-FAMILY RESIDENTIAL PROJECTS

For PLANNING & ZONING COMMISSION action:	
<input checked="" type="checkbox"/> Design Review** - residential additions or exterior modifications.	\$1784*/ Admin. \$639*
<input type="checkbox"/> Parking Exceptions/Reductions** - see separate handout	\$Actual Cost/Min \$1784*
<input checked="" type="checkbox"/> Conditional Use Permit** - Non-Conforming Wall(s)	\$1784*

\* When obtaining more than one planning approval, the full amount for the highest fee will apply and 1/2 fee will be charged for any other ones.  
 \*\* General Plan Update Fee \$45 included in the fees above. This fee only need to be paid once for each separately submitted application

The City of Albany Municipal Code has certain requirements for approving Design Review of additions to Single Family Residences. Please complete the following application to initiate the process. Please be aware that staff may have additional questions for you based on your responses. You should anticipate that planning staff and/or Planning and Zoning Commissioners will visit your site prior to your Planning and Zoning Commission meeting.

Job Site Address: <u>913 Carmel Ave.</u>		Zone: <u>R1</u> R2 R3 R4 Other overlays:
Property Owner(s) Name: <u>Heidi and Manny Lopez</u>	Phone: <u>510.524.2231</u> Fax:	Email: <u>lopezheidi@sbcglobal.net</u>
Mailing Address: <u>913 Carmel Ave.</u>	City: <u>Albany</u>	State/Zip: <u>CA 94706</u>
Applicant(s) Name (contact person): <u>Nadia Khan</u> <u>Arkin Tilt Architects</u>	Phone: <u>510.528.9830</u> Fax: <u>510.528.0206</u>	Email: <u>nadia@arkintilt.com</u>
Mailing Address: <u>1101 8th St # 180</u>	City: <u>Berkeley</u>	State/Zip: <u>CA 94710</u>

### GENERAL INFORMATION (Please fill out this Chart - existing & proposed; )

Item	Required	Existing	Proposed
How big is your lot? Express in square feet.	N/A	4400	
What is the floor area of: your existing residence (see additional handout on how to measure this)		1548	2180
any detached buildings—garage, sheds, etc.		-	-
How many square feet is your addition? <u>Gross SF</u>	N/A	N/A	692
What is the Floor Area Ratio (FAR) <sup>1</sup> (see additional handout on how to measure this)	55% maximum allowed	.35	.495
What is your lot coverage? <sup>2</sup>	N/A	35%	37%
What is the amount of impervious surface on the lot?	N/A	-	-
What is the maximum height of your residence?	28'6" maximum	18'-4"	24'-4"
How many dwelling units are on your site?	1 (2 with special permits)	1	1
How many parking spaces do you have in a garage? <sup>3</sup>	see note 3 below	1	1
What are the interior dimensions of your garage?	7'6" by 16'	12x17'6"	12x17'6"
What is the narrowest width of your driveway?	6.5 is the narrowest allowed	± 8'-4"	8'-4"

PROJECT ADDRESS: 913 Carmel

Item	Required	Existing	Proposed
Setbacks:			
Front yard: What is the minimum distance between the front wall of your house and the front property line?	15 feet minimum	15'-8"	15'-8"
Side yards: What is the shortest distance between a side wall of your house and a side property line?	10% of lot width, min. 3 ft. max. 5 ft. Corner lot 7 ft. 6 in.	3'-10"	3'-10"
Rear Yards: What is the minimum distance between the rear wall of your house and the rear property line?	20 feet minimum	36'-10"	34'-10"
Hillside District only: What is the slope of your lot?		-	-

Notes:

- 1 Floor Area Ratio (FAR) applies to single family residential development in all zones. It is defined as the ratio between the gross floor area of a building(s) on a lot compared to gross square feet of lot (see FAR Handout).
- 2 Lot Coverage is defined as the land area covered by all structures except uncovered decks, porches, landings, balconies or stairways that are less than 6 feet above grade as well as eaves, trellises and similar structures that do not have solid roofs.
- 3 The Albany Municipal Code requires that every residential unit must have 2 off-street parking spaces. Some exceptions may apply in your situation. See the parking section of the Zoning Ordinance for a complete list of possible exceptions.

(Please use additional sheets to explain any of your responses to the following).

1. Will the construction of the addition require the removal of any mature trees? No  
If yes, please describe: \_\_\_\_\_
2. Are the architecture, materials and colors of the proposed addition consistent with the existing dwelling?  
No  
If yes, please describe how: \_\_\_\_\_
3. Is the proposed addition sensitive to the size or mass of the surrounding properties? Yes  
If yes, please describe how: Second story is limited in size and pulled to back of lot where there are 2 story residences on uphill side.
4. If you have no garage, where do you park vehicles? N/A

**Story Poles** - For new residential construction and exterior alterations that increase the height, an applicant is required to erect at least two "story poles", a temporary construction for the purpose of visually displaying the outer limits, including the height, of the proposed structural alterations. These poles shall be erected at least ten (10) days prior to the design review meeting, and shall be maintained in place through the date of the meeting.

The signature of the property owner is required for all projects. By executing this form you are affirming that you are the property owner.

[Signature] 4/27/10  
Signature of Property Owner Date

[Signature] 4/27/10  
Signature of Applicant (if different) Date

Community Development Department staff is available Monday, 8:30 AM to 7:00 PM, Tuesday through Thursday 8:30 AM to 5:00 PM, and Friday 8:30 AM to 12:30 PM at 979 San Pablo Avenue, 2<sup>nd</sup> Floor, Albany, CA 94706 (510) 528-5760.



# City of Albany

## Green Building Program Rating System for Remodeling Projects\* Supplemental Application Form

\*Please obtain other appropriate Green Point Checklist for projects other than Single Family Residential Remodeling Projects

Project Address: 913 Carmel Ave.

Checklist Prepared By: Arkin Tilt Architects

Date Prepared: 4.27.10

	INPUT	Resources	Energy	IAQ/Health
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### A. Site

1. Recycle Job Site Construction & Demolition Waste 65% = 1 point; 75% = 2 points; 80% = 4 points	up to 4 Resource pts			
2. Salvage Reusable Building Materials	4 Resource pts y=yes			
3. Remodel for Mixed Use, Adaptive Reuse, and Historic Preservation	4 Resource pts y=yes			
4. Protect Native Soil	2 Resource pts y=yes			
5. Minimize Disruption of Existing Plants & Trees	1 Resource pt y=yes	Y1		
6. Implement Construction Site Stormwater Practices	2 Resource pts y=yes	Y2		
7. Protect Water Quality with Landscape Design	2 Resource pts y=yes			
8. Design Resource-Efficient Landscapes and Gardens	4 Resource pts y=yes			
9. Reuse Materials/Use Recycled Content Materials for Landscape Areas	2 Resource pts y=yes			
10. Install High-Efficiency Irrigation Systems	2 Resource pts y=yes			
11. Provide for On-Site Water Catchment / Retention	2 Resource pts y=yes			

### B. Foundation

1. Incorporate Recycled Flyash in Concrete 25% Recycled Flyash = 2 points; Add 1 point for every 10% increase of flyash, up to 5 points	up to 5 Resource pts	4		
2. Use Recycled Content Aggregate	2 Resource pts y=yes			
3. Insulate Foundation/Slab before backfill	3 Energy pts y=yes	3		

### C. Structural Frame

1. Substitute Solid Sawn Lumber with Engineered Lumber	3 Resource pts y=yes	3		
2. Use FSC Certified Wood for framing (For every 10% of FSC lumber used = 2 points, up to 10)	up to 10 Resource pts.	2		
3. Use Wood I-Joists for Floors and Ceilings	2 Resource pts y=yes	2		
4. Use Web Floor Trusses	2 Resource pts y=yes			
5. Design Energy Heels on Trusses 6" or more	2 Energy pts y=yes			
6. Use Finger-Jointed Studs for Vertical Applications	2 Resource pts y=yes			
7. Use Engineered Studs for Vertical Applications	2 Resource pts y=yes			
8. Use Recycled Content Steel Studs for Interior Framing	2 Resource pts y=yes			
9. Use Structural Insulated Panels (SIPs)				
a. Floors	3 Energy pts y=yes			
b. Wall	3 Energy pts y=yes			
c. Roof	3 Energy pts y=yes			

			INPUT	Resources	Energy	IAQ Health
10. Apply Advanced Framing Techniques	4 Resource pts	y=yes	4			
11. Use Reclaimed Lumber for Non Structural Applications	3 Resource pts	y=yes	3			
12. Use OSB						
a. Subfloors	1 Resource pt	y=yes				
b. Sheathing	1 Resource pt	y=yes	1			

**D. Exterior Finish**

1. Use Sustainable Decking Materials						
a. Recycled content	3 Resource pts	y=yes				
b. FSC Certified Wood	3 Resource pts	y=yes				
2. Use Treated Wood That Does Not Contain Chromium/Arsenic	1 IAQ/Health pt	y=yes				
3. Install House Wrap under Siding	1 IAQ/Health pt	y=yes	1			
4. Use Fiber-Cement Siding Materials	1 Resource pt	y=yes	1			

**E. Plumbing**

1. Install Water Heater Jacket	1 Energy pt	y=yes	1			
2. Insulate Hot and Cold Water Pipes	2 Energy pts	y=yes				
3. Retrofit all Faucets and Showerheads with Flow Reducers						
a. Faucets (1 point each, up to 2 points)	Up to 2 Resource pts.		1			
b. Showerheads (1 point each, up to 2 points)	Up to 2 Resource pts.		1			
4. Replace Toilets with Ultra-Low Flush Toilets (1 point each, up to 3 points)	Up to 3 Resource pts.		2			
5. Install Chlorine Filter on Showerhead	1 IAQ/Health pt	y=yes				
6. Convert Gas to Tankless Water Heater	4 Energy pts	y=yes				
7. Install Water Filtration Units at Faucets (2 points each, up to 4 points)	Up to 4 IAQ/Health pts.					
8. Install On-Demand Hot Water Circulation Pump	4 Resource pts	y=yes	4			

**F. Electrical**

1. Install Compact Fluorescent Light Bulbs (CFLs) (6 bulbs=2 points, 10 bulbs =3 points, 12 bulbs = 4 points)	Up to 4 Energy pts.		3			
2. Install IC-AT Recessed Fixtures with CFLs (1 point each, up to 5 points)	Up to 5 Energy pts.					
3. Install Lighting Controls (1 point per fixture, up to 4 points)	Up to 4 Energy pts.		2			
4. Install High Efficiency Ceiling Fans with CFLs (1 point each, up to 4 points)	Up to 4 Energy pts.					

**G. Appliances**

1. Install Energy Star Dishwasher	1 Energy pt	y=yes	1			
2. Install Washing Machine with Water and Energy Conservation Features	1 Energy pt	y=yes				
3. Install Energy Star Refrigerator	1 Energy pt	y=yes				
4. Install Built-In Recycling Center	3 Resource pts	y=yes				

**H. Insulation**

1. Upgrade Insulation to Exceed Title 24 Requirements						
a. Walls	2 Energy pts	y=yes	2			
b. Ceilings	2 Energy pts	y=yes	2			

			INPUT	Resources	Energy	IAQ/Health
2. Install Floor Insulation over Crawl Space	4 Energy pts	y=yes	4			
3. Install Recycled-Content, Fiberglass Insulation with No Added Formaldehyde	3 IAQ/Health pts	y=yes	3			
4. Use Advanced Infiltration Reduction Practices	2 Energy pts	y=yes				
5. Use Cellulose Insulation						
a. Walls	4 Resource pts	y=yes	4			
b. Ceilings	4 Resource pts	y=yes	4			
6. Alternative Insulation Products (Cotton, spray-foam)						
a. Walls	4 Resource pts	y=yes				
b. Ceilings	4 Resource pts	y=yes				

**I. Windows**

1. Install Energy-Efficient Windows						
a. Double-Paneled	1 Energy pt	y=yes	1			
b. Low-Emissivity (Low-E)	2 Energy pts	y=yes	2			
c. Low Conductivity Frames	2 Energy pts	y=yes	2			
2. Install Low Heat Transmission Glazing	1 Energy pt	y=yes				

**J. Heating Ventilation and Air Conditioning**

1. Use Duct Mastic on All Duct Joints	2 Energy pts	y=yes	2			
2. Install Ductwork within Conditioned Space	3 Energy pts	y=yes				
3. Vent Range Hood to the Outside	1 IAQ/Health pt	y=yes				
4. Clean all Ducts Before Occupancy	2 IAQ/Health pts	y=yes				
5. Install Solar Attic Fan	2 Energy pts	y=yes				
6. Install Attic Ventilation Systems	1 Energy pt	y=yes				
7. Install Whole House Fan	4 Energy pts	y=yes				
8. Install Sealed Combustion Units						
a. Furnaces	3 IAQ/Health pts	y=yes	3			
b. Water Heaters	3 IAQ/Health pts	y=yes	3			
9. Replace Wall-Mounted Electric and Gas Heaters with Through-the-Wall Heat Pumps	3 Energy pts	y=yes				
10. Install 13 SEER/11 EER or higher AC with a TXV	3 Energy pts	y=yes				
11. Install AC with Non-HCFC Refrigerants	2 Resource pts	y=yes				
12. Install 90% Annual Fuel Utilization Efficiency (AFUE) Furnace	2 Energy pts	y=yes	2			
13. Retrofit Wood Burning Fireplaces						
a. Install EPA certified wood stoves/inserts	1 IAQ/Health pt	y=yes				
b. Install/Replace Dampers	1 Energy pt	y=yes				
c. Install Airtight Doors	1 Energy pt	y=yes				
14. Install Zoned, Hydronic Radiant Heating	3 Energy pts	y=yes				
15. Install High Efficiency Filter	4 IAQ/Health pts	y=yes				
16. Install Heat Recovery Ventilation Unit (HRV)	5 IAQ/Health pts	y=yes				
17. Install Separate Garage Exhaust Fan	3 IAQ/Health pts	y=yes				

**K. Renewable Energy and Roofing**

1. Pre-Plumb for Solar Water Heating	4 Energy pts	y=yes	4			
2. Install Solar Water Heating System	10 Energy pts	y=yes				
3. Pre-Wire for Future Photovoltaic (PV) Installation	4 Energy pts	y=yes	4			
4. Install Photovoltaic (PV) System (1.2 kw = 6 points, 2.4 kw = 12 points, 3.6 kw = 18 points)	Up to 18 Energy pts					

		INPUT	Resources	Energy	IAQ Health
<b>6. Select Safe and Durable Roofing Materials</b>	1 Resource pt	y=yes			
<b>7. Install Radiant Barrier</b>	3 Energy pts	y=yes			
<b>L. Natural Heating and Cooling</b>					
1. Incorporate Passive Solar Heating	5 Energy pts	y=yes	5		
2. Install Overhangs or Awnings over South Facing Windows	3 Energy pts	y=yes	3		
3. Plant Deciduous Trees on the West and South Sides	3 Energy pts	y=yes			
<b>M. Indoor Air Quality and Finishes</b>					
1. Use Low/No-VOC Paint	1 IAQ/Health pts	y=yes	1		
2. Use Low VOC, Water-Based Wood Finishes	2 IAQ/Health pts	y=yes	2		
3. Use Low/No VOC Adhesives	3 IAQ/Health pts	y=yes	3		
4. Use Salvaged Materials for Interior Finishes	3 Resource pts	y=yes	1		
5. Use Engineered Sheet Goods with no added Urea Formaldehyde	6 IAQ/Health pts	y=yes	6		
6. Use Exterior Grade Plywood for Interior Uses	1 IAQ/Health pts	y=yes			
7. Seal all Exposed Particleboard or MDF	4 IAQ/Health pts	y=yes			
8. Use FSC Certified Materials for Interior Finish	4 Resource pts	y=yes			
9. Use Finger-Jointed or Recycled-Content Trim	1 Resource pts	y=yes	1		
10. Install Whole House Vacuum System	3 IAQ/Health pts	y=yes			
<b>N. Flooring</b>					
1. Select FSC Certified Wood Flooring	8 Resource pts	y=yes			
2. Use Rapidly Renewable Flooring Materials	4 Resource pts	y=yes			
3. Use Recycled Content Ceramic Tiles	4 Resource pts	y=yes			
4. Install Natural Linoleum in Place of Vinyl	5 IAQ/Health pts	y=yes			
5. Use Exposed Concrete as Finished Floor	4 Resource pts	y=yes			
6. Install Recycled Content Carpet with Low VOCs	4 Resource pts	y=yes			
<b>O. City of Albany Incentives</b>					
1. Additions less than 50% increase in floor area	20 Resource pts	y=yes	20		
2. Additions less than 200sq.ft. or resulting in less than 1,500sq.ft.	10 Resource pts	y=yes			
3. Seismic upgrade of existing building	25 Resource pts	y=yes			
4. For having a hybrid or zero emissions vehicle	2 IAQ/Health pts	y=yes			
5. For having no automobile	5 Resource pts	y=yes			
6. Plant more than one street tree when feasible	2 IAQ/Health pts	y=yes			
7. Earthquake kit	2 IAQ/Health pts	y=yes			
<b>TOTAL POINTS ACCUMULATED:</b>	50 points total Req'd		126		
(50 Points REQUIRED from all 3 columns)					