

Application for Waiver or Reduction of Conditions of Project Approval
California Government Code Section 65915 – Density Bonus Law

BACKGROUND:

The California Density Bonus Law (California Government Code Section 65915 to 65918) allows for a reduction and or waiver of development standards applicable to projects that provide housing for senior citizens. The City of Albany has adopted an ordinance to comply with the California Density Bonus Law. Section 20.40.040 (E) of the Albany Planning Code provides for a waiver or reduction of development standards that are otherwise mandatory. Pursuant to Section 20.40.040 (E), an applicant may submit to the City a proposal for a waiver or reduction of any development standard that will have the effect of precluding the construction of a senior citizen housing development.

To request a waiver or reduction of a development standard, an applicant must submit evidence to demonstrate that the waiver or reduction is necessary to make the development economically feasible. The City Council may approve such waiver or reduction upon finding that without such waiver or reduction, the development standard will preclude the construction of affordable housing units or the construction of senior housing units.

REQUEST FOR WAIVER OR CONCESSION OF DEVELOPMENT STANDARD:

The applicant requests a reduction in the off-street parking standard for its proposed 175 unit senior independent and assisted living project. The proposed project will be a fully licensed by California as a Residential Care Facility for the Elderly (RCFE) and will provided housing exclusively for senior citizens on a rental basis.

Current Parking Standard: Section 20.28 of the Albany Planning Code, as amended by Measure D in 1978, requires two off-street parking spaces per residential dwelling unit in the City. The ordinance contains a provision which would allow a reduction in the parking standard to 1.5 parking spaces per residential unit (263 spaces for the proposed project).

Concession Request: A concession is requested to reduce the parking standard for the proposed project 0.6 spaces per unit (105 spaces). The reasons for the request are as follows:

- The proposed project qualifies for a concession or incentive under the Density Bonus Law since it provides housing for senior citizens.
- A reduction or modification of zoning codes for vehicular parking standards is an allowable incentive or concession available to a qualifying project under the California Density Bonus Law.
- Imposition of the Measure D off street parking requirements would cause the development to be financially infeasible. The project would require a multi-level subterranean parking structure to accommodate the extra parking. The additional cost associated with constructing a subterranean parking structure would increase development costs by \$5.2 to \$9.0 million (depending on parking configuration) and cause the development to be economically infeasible. The applicant has included a financial analysis and construction estimates by a licensed general contractor as supporting documentation.

Other Considerations:

- The City currently does not have an appropriate parking standard for an RCFE facility because there has never been an RCFE facility built in Albany.
- Measure D defines parking standards primarily for traditional residential uses such as single family or multifamily housing and did not consider an appropriate ratio for an RCFE. Parking standards for RCFE developments in other California municipalities are significantly lower than for residential homes or multifamily apartments.
- Belmont's own experience for RCFE facilities recently developed through-out California is an average parking ratio of 0.48 space per unit. A parking analysis has been included as supporting documentation for this request.
- The project will provide transportation for its residents seven days per week. Very few residents will own or drive cars. The requested parking standard of 0.6 per unit is sufficient to provide ample parking for staff, visitors and the few residents who still own cars.

**Belmont Village Senior Living - West Region Communities
Parking Ratios**

Community/Location	Unit Mix	Building Size	# of Units	BV Parking Spaces	Parking Ratio per Unit
BV - Berkeley CA (Proposed)	IL/AL/ALZ	140,000	175	105	0.60
Facilities with Independent Living, Assisted Living and Alzheimer's Care Units:					
BV - Westwood CA	IL/AL/ALZ	169,150	176	82	0.47
BV - Sabre Springs, San Deigo CA	IL/AL/ALZ	129,000	164	74	0.45
BV - Cardiff-by-the-Sea, CA	IL/AL/ALZ	137,500	147	74	0.50
Facilities with Assisted Living and Alzheimer's Care Units:					
BV - Sunnyvale, CA	AL/ALZ	100,000	142	65	0.46
BV - San Jose, CA	AL/ALZ	97,000	135	55	0.41
BV - Thousand Oaks, CA	AL/ALZ	103,143	139	62	0.45
BV - Encino, CA	AL/ALZ	93,604	137	62	0.45
BV - Rancho Palos Verdes, CA	AL/ALZ	93,349	136	70	0.51
BV - Hollywood, CA	AL/ALZ	97,500	128	64	0.50
BV - Burbank, CA	AL/ALZ	108,000	147	74	0.50
BV - Scottsdale, AZ	AL/ALZ	100,844	138	76	0.55

Average Parking Ratio	0.48
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Belmont Village at University Village
 Parking Ordinance - Impact Analysis
 February 2012

Parking garage size (spaces)	108 spaces	175 spaces	263 spaces
Parking ratio/unit	0.6 parking spaces per residential unit	1 parking space per residential unit	1.5 parking space per residential unit
	Concession requested under state density bonus laws	On-site parking per original project (plus 0.5 spaces/unit shared on WF parcel)	Minimum parking required under local parking ordinance
Cost of parking garage (Per W-E-O'NEIL construction estimate)	\$ 2,328,750	\$ 7,546,875	\$ 11,341,875
Assumed annual rent for Whole Foods shared parking (88 parking spaces @ \$75/space/month)	n/a	\$ 78,750	n/a
Total project cost	\$ 54,400,000	\$ 59,618,125	\$ 63,413,125
Project cost per unit	\$ 310,857	\$ 340,675	\$ 362,361
Overall increase in construction costs	-	9.6%	16.6%
Rent increase required to offset cost of extra parking:			
Rent increase/unit - monthly	-	\$ 416	\$ 662
Rent increase/unit - annualized	-	\$ 4,992	\$ 7,944