## CITY OF ALBANY PLANNING AND ZONING AGENDA STAFF REPORT

Agenda date: 3/24/09 Prepared by: AC Reviewed by: JB

Item/
SUBJECT:

6a

Planning Application 08-045. Conditional Use Permit. Parking Exception.

**Design Review.** Request for Design Review approval to allow an existing home to be raised up to create habitable space from existing crawl space and to construct a 372sq.ft., two-story addition to the eastern side of the home. A Conditional Use Permit is requested to allow the extension of a nonconforming front yard setback and a Parking Exception is requested to allow one off-street parking space where

two are required.

SITE:

1051 Ventura

APPLICANT/

OWNER:

Luis Porras and Alice Okamoto

**ZONING:** 

R-1 (Single-Family Residential)

### **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission open the public hearing, receive public comment, provide direction to the applicant, and continue the meeting to a future date for action.

#### **BACKGROUND/PROJECT DESCRIPTION**

The subject property is a unique lot in that it has a triangular shape with Posen running on the east side and Ventura running along the west side. It also has a varying topography with a downslope from west to east. There is, for example an 8' grade change from the northwest corner to the southwest corner of the lot.

The lot is approximately 3,273 sq. ft. in size and the home is approximately 1,042 sq. ft., with a large crawl space, which is not included in the calculation. There's a one-car garage, which is accessed by a driveway at the southeast corner of the lot, off Posen.

The applicant is requesting Design Review approval to allow the home to be raised up to create habitable space from existing crawl space and to construct a 372 sq. ft., two-story addition to the Ventura side of the home and a 252 sq. ft., two-story addition to the northeast side of the home, expanding the garage and area above.

The home would increase from a maximum of 18'-5" in height to 20'-5" in height. A Conditional Use Permit is requested to allow the extension of a nonconforming front yard setback and a Parking

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Exception is requested to allow one off-street parking space where two are required. The architectural style of the home will remain essentially the same, but be larger in size and mass.

### **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**

### Conditional Use Permit

The Planning and Zoning code states that when the location of the front property line is in question it is the shorter of the two property lines abutting the public right-of-way be designated as the front of the property. The current code does not take into consideration the actual layout of the existing home or the mailing address.

In this case, the front property line runs along Posen (e.g., the "south elevation as drawn on the plans). The two other property lines, along Ventura (e.g. west and north elevations), and the east elevation of parcel are considered "sides" and there is no rear property line.

Applying the standard Code definition of front yard, the result is that the project has a front yard setback of 1'-1" at the closest point, which is at the mid point of the home. It is 2'-4" at the furthest point, at the south end of the home. The 252sq.ft., two-story addition on the Posen side of the home would extend horizontally and vertically the nonconforming front yard setback by approximately 5'.

Planning and Zoning code section 20.24.02, Table 2.A(b) states that extension of nonconforming front walls is discouraged; however with approval of a conditional use permit, such an extension can be approved if it does not result in any additional nonconformities. Staff believes that the request for a conditional use permit will not result in a detrimental situation, aesthetically, or for neighbors and the surrounding neighborhood.

## Parking Exception

The existing garage has dimensions of 9'-6'' in width and 19' in length, which provides an one off-street parking space for a vehicle and meets the minimum dimensions as required for existing garages. The applicant would like to expand the garage so it is 14'-6'' in width and 19' in length. The proposed expansion, however, is not large enough to create a two-car garage.

An alternative could be to widen the driveway all the way to the eastern side property line, and create an open parking space next to the home. This option, however, would require a front yard parking exception, and would eliminate the possibility of the proposed expansion to the northeast. Staff believes that considering the physical characteristics of the lot that a parking exception is appropriate and would not result in any undesirable outcomes.

With respect to parking, it should be noted that due to the unique configuration of the lot, the property has an unusual amount of street parking. In addition, the property is located across the street from St. Mary's College High School, and the neighborhood is particularly sensitive to parking considerations.

### Floor Area Ratio

The applicant would like to raise the home two feet to create habitable space on two floors. The average height of the four exterior corners of the first-floor equal 5'-10"; therefore, is not counted in the floor-area-ratio calculations. (For reference, if the lower level would be counted in the FAR calculations, the total FAR would be approximately 71%.) The Commission has reviewed and approved applications in the recent past where the lower flower was slightly below the 6' average height of the four corners, although the lot characteristics were much different.

## Design Review

Staff believes that the proposed design is generally appropriate. The applicant has chosen to increase the amount of habitable space by converting existing space, and not constructing above, which has less of a visual and physical impact on the site. Due to the sloping topography of the lot, the home will continue to appear as a two-story on the south and west elevations but a one-story on the north and east elevations. The home has some attractive features such as a parapet roof, an arch-shaped covered porch, stucco overhangs and true divided light windows with wood frames and sills. The architectural style and elements of the home will remain the same; however, the applicant would like to add new windows on the south and east elevations.

#### Other Considerations

There was an approval for an approximately 750 sq. ft., second-story addition for the home in 2005 (see attached). A building permit was never issued and that approval has lapsed. The home has a new owner and a new concept for an addition thus is being reviewed as a new project, independent of any previous action.

### **Green Building Requirements**

The applicant has provided a green points checklist and has attained a very high level of green points, 138 points thus meeting the minimum required threshold of 50 points. The applicant has provided some generous site and landscaping improvements that are often not used by applicants. Other items such as recycled fly ash, SIPs, and energy efficient windows are just a few of the measures the applicant will implement to meet the City's green building requirements.

#### **Attachments:**

- 1. Analysis of Zoning Requirements
- 2. Application, Project plans, photos, details
- 3. Green points checklist

## 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 - PF

West - SFR

## 20.20.080 Secondary Residential Units.

Not applicable.

## 20.24.020 Table Of Site Regulations By District.

	Existing (approx.)	Proposed (approx.)	Requirement
Setbacks			
Front (south)	1'-1"	5' expansion to the east	15′
Side (east)	10'-5" (at nearest pt)	No change	5′
Side (west)	7'-6" (at nearest pt)	No change	5′
Area			
Lot Size	3273	No change	
Lot Coverage	31.8%	37.6%	50%
Maximum Height	21′	No change	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.)	<u>Proposed</u>	Requirement
Lot Size	3273	No change	 
Floor Area			
Garage	183	270	
Lower Floor	592	874	
Main Floor	1045	1231	
Total	1820	2375	
Total Counted	985*	1221*	
Floor Area Ratio	30%	37%	55%

<sup>\*</sup>Garage square footage exempted from "total counted" as permitted by MC 20.24.050 for enclosed parking spaces; 60 sq. ft. exempted from "total counted" as permitted by MC 20.24.050 for enclosed staircases; Lower- floor square exempted from "total counted" as permitted by MC 20.24.050 for areas where the average of the four corners of the home is less than 6'.

<u>20.24.060</u> Setback Areas, Encroachments. See Project Description

<u>20.24.100</u> Distances Between Structures. Not applicable.

<u>20.24.110</u> Fences, Landscaping, Screening. Not applicable.

<u>20.24.130 Accessory Buildings.</u> Not applicable.

<u>20.28 Off-Street Parking Requirement.</u> See Summary of Key Issues.

20.40 Housing Provisions Not applicable.

<u>20.44 Non-conforming Uses, Structures and Lot</u> See Summary of Key Issues.

20.48 Removal of Trees Not applicable.

<u>20.52</u> Flood Damage Prevention Regulations Not applicable.

<u>20.100.030</u> <u>Use Permits.</u> See Summary of Key Issues.

20.100.040 Variances. Not applicable.

## 20.100.010 Common Permit Procedures.

Public notice of this application was provided on March 13, 2009 in the form of mailed notice to property owners and occupants within a 300-foot radius, and posted in three locations.

20.100.050 Design Review. See Summary of Key Issues. Planning Application #: 08-045

Date Received: \_6/27/08

Fee Paid: \_1700.00

Receipt #: 5/589



## City of Albany



## PLANNING APPLICATION FORM FOR DESIGN REVIEW AND CONDITIONAL USE PERMITS FOR SINGLE FAMILY RESIDENTEAL ADDITIONS

For PLANNING &	ZONING COMMISSION action:
	residential additions or exterior modifications. \$560* / Admin. \$400*
M Parking Except	ns/Reductions - see separate handout \$620*
<b>Sonditional</b> Use	Permit - Non-Conforming Wall(s) \$1110

<sup>&</sup>quot; When obtaining more then one planning approval, the full amount for the highest fee will apply and } fee will be charged for any other ones.

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: 1051 VENTURA AVE.		Zone: R1 R2 R3 R4 Other overlays:
Property Owner(s) Name: ALICE OKAMOTO LUIS PORRAS	Phone: (510)526-8129 Fax:	Email: porras64@Sbcglobal.ne
Mailing Address: 1051 VENTURA AVE:	City:	State/Zipi
Applicant(s) Name (contact person):  LUIS PORRAS  ALICE OKAMOTO	Phone: (510) 836-8139 Fax:	Email:
Mailing Address: 1051 UENTURA AVE	CITY:	State/Zip:

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

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How big is your lot? Express in square feet.	3273	7128
What is the floor area of: your existing residence (see additional handout on how to measure this)	1042	1231
any detached buildings—garage, sheds, etc.	NO	
How many square feet is your addition?	N/A	186
What is the Floor Area Ratio (FAR) 1 (see additional		
handout on have to measure this)	31.8%	37.6
What is your lot coverage? 2	31.2	37.6
What is the amount of impervious surface on the lot?		
What is the maximum height of your residence?	18'5"	20-5"
How many dwelling units are on your site?		
How many parking spaces do you have in a garage? 3		7
What are the interior dimensions of your garage?	8111815	1444185
What is the narrowest width of your discussion?		
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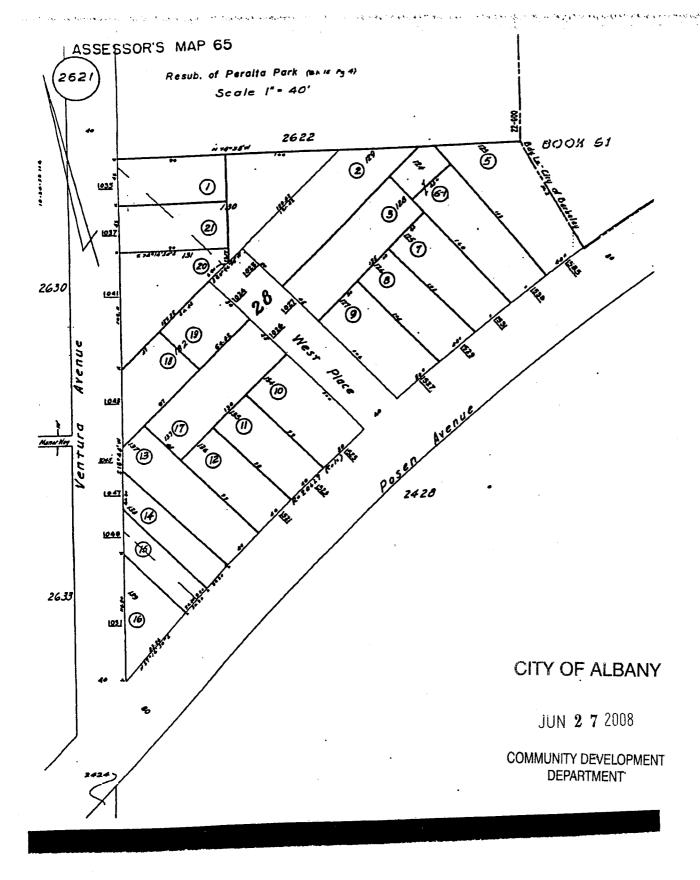
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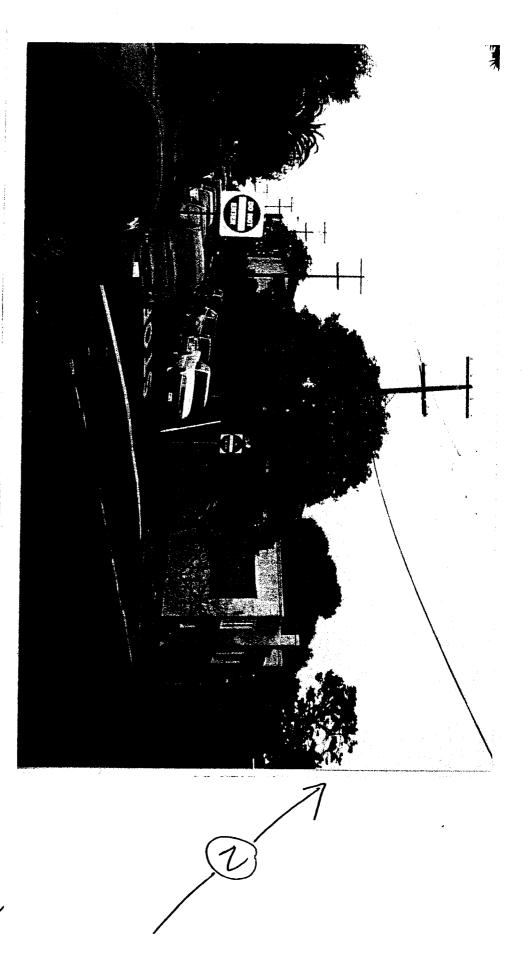
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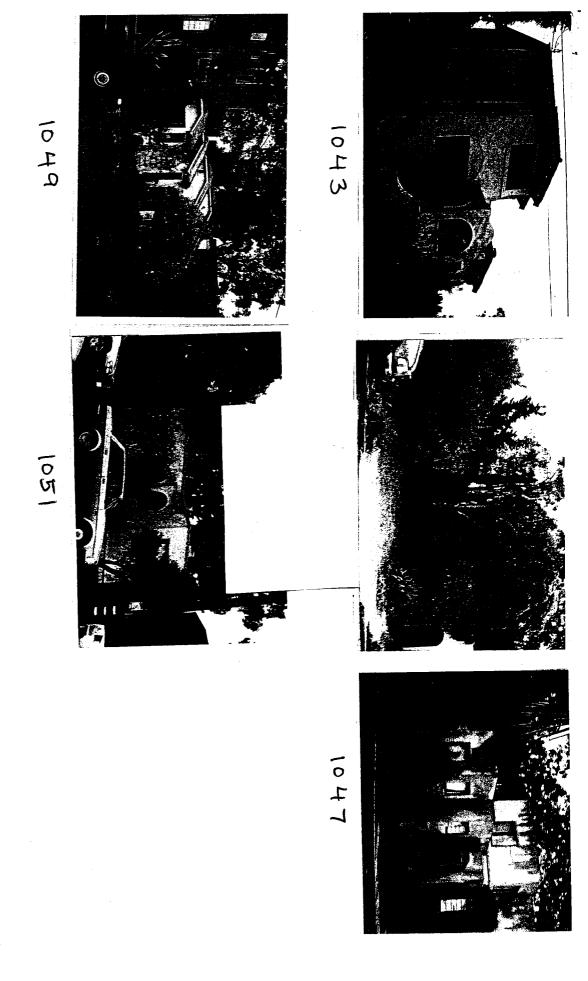
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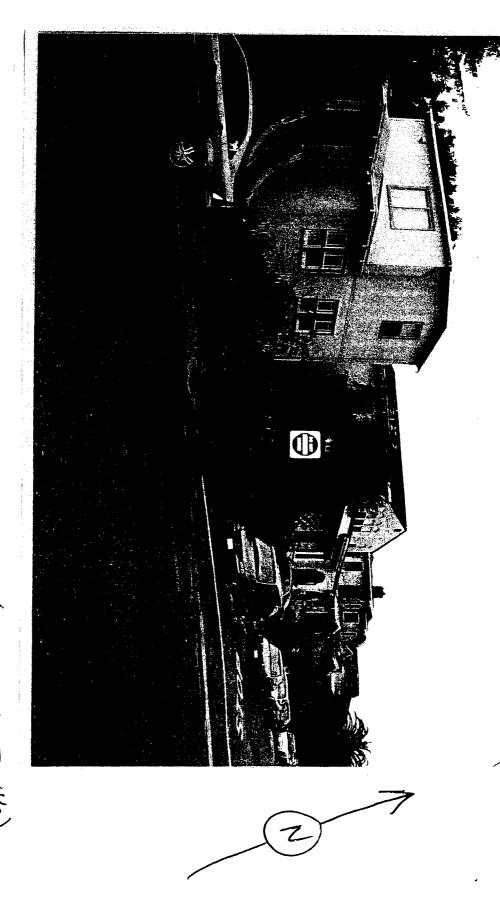
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WEST COBRTA SIDE OF VENTURA AVE HOUSE 1511 POSEN) (EVEN HOUSE #'S) (1038-1050) NORTH

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## City of Albany

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

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5. Design Energy Heels on Trusses 6" or more 2 Energy pla y=yes 5. Use Finger-Jointed Studs for Vertical Applications 2 Resource of y=yes 7. Use Engineered Studs for Vertical Applications 2 Resource pla y=yes 9. 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 3		2 Resource pts y=yes	7 2		
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3. Use Recycled Content Steel Studs for Interior Framing 2 Resource pts y=yes 7 2. Use Structural Insulated Panels (SIPs) a. Floors 3 Energy pts y=yes 7 b. Wall 3 Energy pts y=yes 7 c. Roof 3 Energy pts y=yes 7		2 Resource pag. 17-yes			
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b. Wall 3 Energy pts y=yes 3 c. Roof 3 Energy pts y=yes 3 0. Apply Advanced Framing Techniques 4 Description by		L.		1,1	4
c. Roof 3 Energy pts years 7 3 0. Apply Advanced Framing Techniques 4 Description 15	그 사람들 있는 사람들이 살아 있다면 하는 사람들이 되었다면 하는 사람들이 되었다면 하는데 살아 없었다면 없다.			131	
0. Apply Advanced Framing Techniques ( People Property Pr	그 사람들은 그는 그들은 그는 그들이 그리고 있다. 그는 그 사람이 아버지는 아니라 하면 얼마나 바다 가장 바람이 되었다. 작가 없다.			1 2 1	
	10. Apply Advanced Framing Techniques	4 Resource pts v=ves	- <b>U</b>	3	

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12 Use 038 a. Subfices b. Sheating	3 Resource pt y=yes 1 Resource pt y=yes 1 Resource pt y=yes	
D. Extender Finish  1. Use Sustainable Decking Materials a. Recycled content b. FSC Curtified Wood  2. Use Trained Wood Shat Sees (Ad Content Streethern/Arsenic S. michtist Lang Maga Lenger Billing  A. Elizabeth Content Stony Materials	3 Resource pts y=yes 3 Resource pts y=yes 1 IAQ/Health pt y=yes 1 IAQ/Health pt y=yes 1 Resource pt y=yes	
E. Primitrig  1. Install Monethicler Jacks  2. Install Monethicler Jacks  3. Produce Hot and Cold West Pipes  3. Produce to print expl. sp-to 2 (girls)  5. Shipsorteasts (1 point expl. sp-to 2 (girls)  4. Replace Totals with character Pises Totals  (1 point expl. sp-to 3 points)  5. track Character to sp-to 3 points  5. track Character to sp-to 4 points  6. Convert Gas of Taxables Witter Heater  7. Install Water Pittylicht Diffs at Faucats  (2 points expl. aprito 4 points)  8. track Co-Convent 4 points)	1 Energy pt y=yes   2 Energy pts y=yes   Up to 2 Resource pts.   Up to 2 Resource pts.   Y  Up to 3 Resource pts.   1 IAQ/Health pt y=yes   Up to 4 IAQ/Health pts.   4 Resource pts   Y	
F. Editorical  1. Install Communic Represented Light Batter (CRLs) (6 texture 2 paints; 10 texture 43 points; 12 texture 4 points) 2. Install ICAY Represent Represe with CRLs (1 point each, up to 5 points) 3. Install Eighting Controls (1 point per fetture up to 4 points) 4. Second Representation of Colling Facts With CRLs (1 point event by 674 points)	Up to 4 Energy pts.  Up to 5 Energy pts.  Up to 4 Energy pts.  Varto 4 Energy pts.	
Q. Applicances  1. Install Educity Star Dishwasher  2. Install Educity Starting with Water and Educity Conservation Educates  3. Install Education Star Refrigerator  4. Install Start In Pacycling Center  1. Upgrate Installation to Exceed Title 24 Position tents	1 Energy pt y=yes Y 1 Energy pt y=yes Y 1 Energy pt y=yes Y 3 Resource pts y=yes	
Wellings     S. Cellings     Proof Institution over Crawl Source     Negati Recepted Contract Throughout New Burch With No Added Formal dainy is	2 Energy pis y=yes Y 2 Energy pis y=yes Y 4 Energy pis y=yes 3 IAQ/Health pis y=yes Y	

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47 Use Advanced Imilitration Recuesion President		As Section 1
5. Use Cellulose Insulation		
a Walis	4 Resource pas y=yes	
b. Ceilings	4 Removed plan yrydd	
6. Atternative Insulation Products (Cetton, spray-foam)		
a. Walls	A Planting plan   Pryon	
t. Cellings	Charles Bullion	
Liffidovs		
1. Install Energy-Efficient Windows		
a. Double-Paned	1 Shingspit Y-yes Y	
b. Low-Emissivity (Low-E)	1 SHANGE AT 17 YEAR Y	3
c. Low. Conductivity Frames	2 Energy pla y=yes	
2. Install Low Heat Transmission Glazing	1 Grange of Proper	
* Marithia Vantileston and Al- O- altitude		
J. Meeting Ventilation and Air Conditioning		
1. Use Duct Mastic on All Duct Joints	2 Energy ph Y-yes Y	2
2. Install Ductwork within Conditioned Space	3 Edwidy obs y=yes Y	3
3. Vent Range Hood to the Outside	LIACHMAID, pr. yeyen	
Clean all Ducts Before Occupancy     Install Solar Attic Fan	21/00/Sealt on your Y	7 1 2 1
6. Install Attic Ventilation Systems	Z Emergy pls y year Y	
7. Install Whole House Fan	1 Storog of 1990 Y	
8. Install Sealed Combustion Units	4 Energy dis y-yes	
a. Furnaces	<u> </u>	
b. Water Heaters	8 ACCheath pts y=yest Y	31
	3 (ACOMANIA), po y-yes	
Replace Wall-Mounted Electric and Gas Heaters with Through the Wall Heat Pumps		
10. Install 13 SEER/11 EER or higher AC with a TXV-	S Baltay da y-yee	
11. Install AC with Non-HCFC Refrigerants	3 Energy pris y-yes	
11 install AC with NOT-FICE Congerans	2 Resource da y=yee	
12: Install 90% Annual Fuel Utilization Efficiency (AFUE) Furna	co 2 Energy pts /-yee	
13: Retrofit Wood Burning Fireplaces		
a. Install EPA certified wood stovilletingerts	1 IACV/Health pt y=yes 7	
b Install/Replace Dampers	f Energy pt y-yes	
c. Install Airtight Doors	I Energy pt yayee	
14. Install Zoned, Hydronic Radiant Heating	3 Energy jala y-yes	
15. Install High Efficiency Filter	4 th Cartingth, glo. y-year	
16. Install Heat Recovery Ventilation Unit (HRV)	THERETON PINE	
17. Matail Separate Garage Exhaust Fan	140 ch p. pu V	3
K. Senewable Energy and Roofing		
Pre-Plumb for Solar Water Heating	4 Energy plat y-yea	
2. Install Solar Water Heating System		
3. Pre-Wire for Future Photovoltaic (PV) Installation		
4. Install Photovoltaic (PV) System	4 Emergy pus y-yest	
(1.2 kw = 6 points, 2.4 kw = 12 points, 3.6 kw = 18 points)	Up to 18 Energy pts	
6. Select Safe and Durable Roofing Materials	1 Resource pt. y=yes	
7. Install Radiant Barrier	3 Energy pts. Versille	

Land Control of Contro		5 Energy pts 3 Energy pts 3 Energy pts	y=yes y=yes y=yes		
NE INC. A STATE OF THE STATE OF	ssect (Nobel Phistos Nate	FIAQ/Health pts 2 IAQ/Health pts 3 IAQ/Health pts 3 Resource pts	y=yes		
5. Use a proposable threat from the proposable and	Control of Con- control of Con- control of Control Control of Control of Control Control of Control of Control	6 IAQ/Health pts 1 IAQ/Health pts 4 Resource pts 1 Resource pts	y=yes /=yes /=yes /=yes		
10: Install Whole Nove V N. Pharmag 1: Substitute of We 2: Substitute of We 2: Substitute of Content C	sod Flooring Februag Newsylle Decemic Tiles	3 (AQA-lealth pla 8 Resource pla 4 Resource pts 4 Resource pts	y=yes V y=yes p=yes	•	
A transal Reguest Linchtum  5. Unio Expressi Concrete  G. putter Parametric Contact  O. City of Atlanta Investigation	ge Finished Floor Properside Low VOCs	STACH heelth pts 4 Résource pts 4 Résource pts	yryes yryes		
1 Addition is extended to 2 Addition of the last of th	gd, ge eigebing in have have 1,400 opt. dag busing gitt senissions Vallide g	20 Resource pts 10 Resource pts 25 Resource pts 2 (AQ/Health pts 5 Resource pts 2 (AQ/Health pts 2 (AQ/Health pts 2 (AQ/Health pts	y=yes		

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