

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

Agenda date: 3/24/09

Prepared by: AC

Reviewed by: JB

Item/ 4b
SUBJECT: **Planning Application 09-006. Design Review. Parking Exception.** Request for Design Review approval to allow a 134sq.ft., two-story addition to the rear of an existing single-family home, and the conversion of 255 sq. ft. of crawlspace into habitable space.

SITE: 804 Curtis

**APPLICANT/
OWNER:** Gordon Push and Kathy Rogers with Sogno Design Group for Eva Varga Hanger

ZONING: R-1 (Single-Family Residential)

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission approve the request for Design Review and Parking Exception, subject to the attached findings and conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The Public Hearing on this project was continued from the March 10, 2009 to allow a revision to the project description and to clarify the scope of the proposed project.

The subject property is a 3,050 sq. ft., interior lot with a 1,540 sq. ft., single-family home. The applicant is proposing to construct a 134sq.ft., two-story addition to the rear of the home and to convert 255 sq. ft. of existing crawl space into habitable space. The maximum height of the addition is 19'-6", which continues the existing flat roofline and the finish will also match the existing. The applicant is also proposing to change the placement of some of the windows, on the side elevations, towards the rear of the home. There is an existing one-car garage, which will remain. A second required off-street parking space is not provided. Therefore, an exception is requested to allow one off street parking space where two are required. The parking exception was not included in the public notice for the March 10, 2009.

See "attachment 1" for full staff report and discussion.

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.

Attachments:

1. Staff report dated 3/10/09
2. Reduced sized plans
3. Draft findings
4. Draft conditions of approval

City of Albany
Planning and Zoning Commission
Staff Report

Meeting Date: March 10, 2009

Prepared by: AZ

Agenda Item: 6C

Reviewed by: JB

Subject: **804 Curtis. Planning Application 09-006. Design Review. Parking Exception.** Request for Design Review approval to allow a 134sq.ft., two-story addition to the rear of an existing single-family home, and the conversion of 255 sq. ft. of crawlspace into habitable space.

Applicant/
Owner:

Gordon Push and Kathy Rogers with Sogno Design Group for Eva Varga Hanger.

Recommendation

Staff recommends that the Planning and Zoning Commission provide direction to staff on design review and the parking exception, and continue the application to the next public hearing on March 24, 2009 for approval.

Previous Action

No recent major improvements have been made to the property.

Project Description

The subject property is a 3,050 sq. ft., interior lot with a 1,540 sq. ft., split-level, single-family home. The home has an existing non-conforming front yard setback of 13'-3", where 15' is required. The side yard setbacks are also existing nonconforming, with a northern setback of 1'-6" and a southern setback of 2'-11", where 3'-6" is required. The home has an attached, single-car garage at the front of the home, which is accessed by a driveway on the north side of the property.

The applicant is requesting Design Review approval to allow construction of a 134 sq. ft., two-story addition to the rear of the home. The proposal will add 82 sq. ft. to the upper level to expand the master bedroom and create room for a new master bath. The lower level will be expanded by 52 sq. ft.

The proposal will also involve the remodeling of the lower level to convert approximately 255 sq. ft. of existing crawl space into habitable space in order to create a garden room and a new full bath and storage closet. All together, the application will bring the total area of the home to 1,879.5 sq. ft. (The applicant did not include the newly habitable space in the proposed square footage, so the numbers on the application are incorrect.)

ATTACHMENT # 1

The walls of the addition will meet the required side-yard setbacks, with a northern setback of 3'-6", and a southern setback of 10'-6". The proposed addition will create a rear yard setback of 20'-9", with a roof overhang and small balcony railing that will encroach into the rear setback by 1', as permitted by code. The height of the addition is 19'-6", which will not increase the maximum height of the home at 21'-3". The applicant is also proposing to change the placement of some of the windows on the side elevations, towards the rear of the home. All development requirements are met and only Design Review approval is requested.

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.

Identification of Key Issues

Design Review

The existing stucco home has a clay tile gabled roof. The front elevation has a large arched window, and a vertical rectangular window opening onto a small balcony with a wooden railing. The addition is at the rear of the home, and will be minimally visible from the front façade. The proposal is consistent with the existing architectural style of the home. The roof over the addition will be flat, and the roof overhang above the proposed 1'-deep "Juliette" balcony will be angled with clay tile roofing to match the front façade. The wood corbel above this small balcony will match design over the front balcony. The applicant is proposing a metal railing around this rear balcony. The stucco siding will match the existing home.

The proposed rear façade involves the addition of several glass doors and large windows. One set of French doors will lead out to the rear balcony on the upper level, and one set will open from the lower level garden room onto the backyard. Next to both of these sets of doors are equally sized vertical glass panels. The lower level will have an additional glass door of the same size slightly to the south of the other doors. A smaller tri-paneled vertical window is also proposed on the upper level. The windows are all recessed, wood-clad, and will be consistent with the existing design, but Staff believes that there is an excessive amount of glass surface and an unnecessary number of doors on this side of the home.

The applicant is also proposing to change the position of some of the existing windows on the northern elevation. Towards the rear of the home, three double-hung windows will be removed. On the upper level, one will be replaced by a single-paneled horizontally elongated window, and the other will be replaced by a tri-paneled horizontally elongated window. On the lower level, the existing double-hung window will be changed to a one-paneled, wood-clad window, moved slightly towards the rear of the home. Two additional one-paneled windows are proposed on the lower level as well. On the southern elevation, only one new tri-paneled vertically-elongated window is proposed. The windows are attractive, with wood-clad to match the existing. The slightly varying styles create visual interest along the northern side of the home.

Overall, Staff believes that the applicant has proposed an attractive addition, and the details of the tiled-roof and rear balcony unify the design of the home. The small size of the balcony will not be intrusive to neighboring properties.

The proposed addition will increase the home's FAR to 52.8%, and Staff believes that the addition is appropriate in size and scale with the neighborhood. There will be no increase in the height of the home, and the footprint will only increase by about 5 feet. The conversion of crawlspace is an efficient way to increase the living area of the home without an excessive increase in the mass of the structure.

Green Building Requirements

The applicant has provided the green points checklist (see attachment 5) and exceeded the required number of 50 green points. Items such as recycled-content, fiberglass insulation, energy-efficient windows, and low-flush toilets are just a few of the measures the applicant will implement to meet the City's green building requirements.

Parking Exception

The existing garage has dimensions of 19.5' length and 10.5' in width, which provides an adequate parking space for a vehicle and meets the minimum dimensions as required for existing garages, by the municipal code. The existing driveway is 8 in width, and 15' in length, which does not meet the minimum length requirement for driveway parking. The location of the home and existing layout of the lot prohibits access to the side and rear yard, and it is not feasible to expand the garage to create an additional parking space. The applicant, therefore, is requesting a parking exception to allow for one off-street parking space, where two are required. The parking exception was not listed in the Public Notice, and staff recommends that the Commission provide direction to Staff for draft findings and conditions for a parking exception, which will then be listed on the consent calendar for the March 24, 2009 public hearing.

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.

Attachments:

1. Analysis of Zoning Requirements
2. Findings
3. Conditions of Approval
4. Application, Project Plans, Details
5. Green Points Checklist

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20.12 Zoning Districts And Permitted Uses

General Plan: Single-family Residential
 Zoning: R-1 Single-Family Residential

20.16 Land Use Classifications

Single family residential

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

20.20.080 Secondary Residential Units.

Not applicable.

20.24.020 Table Of Site Regulations By District.

	Existing (approx.)	Proposed (approx.)	Requirement
Setbacks			
Front (east)	13'-3"	No change	15'
Side (north)	1'-6"	No change	3'-6"
Side (south)	2'-11"	No change	3'-6'
Rear (west)	25'-9"	20'-9"	20'
Area			
Lot Size	3050	No change	--
Lot Coverage	42%	45%	50%
Maximum Height	20'-2"	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.)	Proposed	Requirement
Lot Size	3050	No change	--
Floor Area and Garage			
Lower-Level	72.5	327.5	
Upper-Level	1250	1332	
Garage	220	No change	
Total	1542.5	1879.5	--
Total Counted	1274.5* **	1611.5* **	--
Floor Area Ratio	41.8%	52.8%	55%

* 220sq. ft. exempted from "total counted" as permitted by MC 20.24.050 for enclosed parking spaces.

** 48 square feet exempted from "total counted" as permitted by MC 20.24.050 for enclosed staircases.

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 project description.

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.

Public notice of this application was provided on February 27, 2009 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)

Required Finding	Explanation
<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 proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The project will not remove any significant vegetation and will not require significant grading. The project will not create a visual detriment at the site or the neighborhood.</p> <p>The architectural style of the addition is consistent with the existing home, and the design details of the Spanish tile roofing and the Juliette balcony unify the design of the home. The proposed addition is an improvement from the existing rear façade, and creates visual interest.</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 project meets all development requirements and the addition does not increase the height of the home at all. By converting crawlspace into habitable space, the applicant has proposed an efficient way to increase the living space of the home with minimal increase in mass or footprint of the structure.</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 access, architecture, natural features, coordination of design details, and privacy</p>

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

Required Finding	Explanation
1. <i>Required spaces cannot be located in front or side yards. .</i>	The existing home has a driveway that is 15' in length, which does not meet minimum length requirements for driveway parking. The existing home has side yard setbacks of 1'-6" and 2'-11", which prohibits access to the rear yard to provide a second required off-street parking space.
2. <i>Space is not available to provide required parking facilities without undue hardship.</i>	The applicant would have to demolish one of the sidewalls and completely reconstruct one side wall of the home to allow access to the rear yard for parking. This is exceeding difficult and an "undue hardship" considering the project will not require demolition or replacement of sidewalls. The existing home is split level, which does not allow the garage to be deepened to provide a tandem parking space in the garage.
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>	No landmark trees would be disturbed by granting the parking exception nor will it restrict outdoor living space on the site.
4. <i>Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.</i>	Not applicable.
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 will remain open and functional for cars to utilize for parking. The applicant has proposed a modest addition and existing parking is appropriate for the proposed addition.

ATTACHMENT 3 - CONDITIONS OF APPROVAL

A. GENERAL

- A-1. This Design Review is for approval to allow construction of a 134 sq. ft. first and second-floor addition, as well as the conversion of 255 sq. ft. of crawlspace into habitable space except as may be modified by conditions herein. Plans include a site plan/floor plans/elevations designed by Gordon Push and Kathy Rogers of the Sogno Design Group, dated received by the Community Development Department on February 2, 2009, and presented to the Planning and Zoning Commission at its meeting of March 10, 2009.
- 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. Before the issuance of grading or building permits, the applicants shall submit written documentation that all requirements of the Albany Fire Department have or will be met to the satisfaction of the AFD. Requirements shall be determined during the building permit process and all measures must be shown on building permit plans.
- A-4. Before the issuance of grading or building permits, the applicants shall submit written documentation that all requirements of the Public Works Department have or will be met 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 pre-construction 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 applicant shall apply for one street tree prior to the issuance of the building permit. The City's Environmental Resource Associate 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 before 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. Final window details shall be submitted for review and approval at the time of building permit application.

E. PARKING

No Conditions

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 applicant shall verify that the existing sewer system for the subject building is in compliance with Chapter 15 of the Albany City Code 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. Prior to the issuance of any Building Permits, the applicants shall provide a drainage plan showing existing and proposed drainage for the project, including areas drained and the flow patterns (e.g., sheet flow off roof, downspouts). Show the area draining to each downspout and details of both existing and proposed downspouts, including construction at and near grade (e.g., bends in downspouts, splash blocks). Demonstrate that drainage quantity, concentration, and direction will remain unchanged. If not unchanged, 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 expire at the close of business on May 6, 2009, (one year from the date on which this approval becomes effective) unless, before expiration of one year, a Building Permit is issued and construction commenced or completed. The Community Development Director may renew the design review approval for a period up to an additional two (2) years, if, at least ten (10) days prior to May 6, 2009 an application for renewal of the approval is filed with the Community Development Department.

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 #: 09-006

Date Received: 2/2/09

Fee Paid: 560.00

Receipt #: 424491



City of Albany



PLANNING APPLICATION FORM FOR DESIGN REVIEW AND CONDITIONAL USE PERMITS FOR RESIDENTIAL PROJECTS

For PLANNING & ZONING COMMISSION action:	
<input checked="" type="checkbox"/> Design Review - residential additions or exterior modifications.	\$560* / Admin. \$400*
<input type="checkbox"/> Parking Exceptions/Reductions - see separate handout	\$620*
<input type="checkbox"/> Conditional Use Permit - Non-Conforming Wall(s)	\$1110

* When obtaining more than one planning approval, the full amount for the highest fee will apply and $\frac{1}{2}$ 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: <u>804 Curtis Street</u>		Zone: <u>(R1)</u> R2 R3 R4 Other overlays:
Property Owner(s) Name: <u>Eva Varga Hanger</u>	Phone: <u>292-6642</u> Fax:	Email:
Mailing Address: <u>804 Curtis Street</u>	City: <u>Albany</u>	State/Zip: <u>CA 94706</u>
Applicant(s) Name (contact person): <u>Gordon Pugh & Kathy Rogers</u> <u>3mpo Design Group</u>	Phone: <u>510 526 2720</u> Fax: <u>510 524 7036</u>	Email: <u>gordon@3mpodesignprop.com</u>
Mailing Address: <u>1496 C Solano Ave</u>	City: <u>Albany</u>	State/Zip: <u>CA 94706</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	<u>3,050</u>	<u>no change</u>
What is the floor area of: your existing residence (see additional handout on how to measure this)		<u>1540 sf</u>	<u>1674 sf</u>
any detached buildings—garage, sheds, etc.		<u>none</u>	<u>none</u>
How many square feet is your addition?	N/A	N/A	<u>134</u>
What is the Floor Area Ratio (FAR) ¹ (see additional handout on how to measure this)	55% maximum allowed	<u>.50</u>	<u>.55</u>
What is your lot coverage? ²	N/A	<u>1540</u>	<u>1674</u>
What is the amount of impervious surface on the lot?	N/A	<u>2328</u>	<u>2328</u>
What is the maximum height of your residence?	28 ft. maximum	<u>21'3"</u>	<u>21'3"</u>
How many dwelling units are on your site?	1 (2 with special permit)	<u>1</u>	<u>1</u>
How many parking spaces do you have in a garage? ³	see note 3 below	<u>1</u>	<u>1</u>
What are the interior dimensions of your garage?	7'6" by 16'	<u>10'6" x 16'</u>	<u>10'6" x 16'</u>
What is the narrowest width of your driveway?	6.5' is the narrowest allowed	<u>8'</u>	<u>8'</u>

PROJECT ADDRESS: 804 Curtis Street.

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	13'-3"	13'-3"
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	1'-6"	1'-6"
Rear Yards: What is the minimum distance between the rear wall of your house and the rear property line?	20 feet minimum	25'-9"	20'-9"
Hillside District only: What is the slope of your lot?		NA	NA

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?
yes
If yes, please describe how: matching existing style, finish & color
3. Is the proposed addition sensitive to the size or mass of the surrounding properties? yes
If yes, please describe how: minimal addition in keeping existing residence height.
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.

Eva Rose Hoy 2-2-09
Signature of Property Owner Date

[Signature] 1/29/09
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, 2nd 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: 804 Curtis Street

Checklist Prepared By: Gordon Pugh

Date Prepared: 1-22-09

	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

2. Salvage Reusable Building Materials

3. Remodel for Mixed Use, Adaptive Reuse, and Historic Preservation

4. Protect Native Soil

5. Minimize Disruption of Existing Plants & Trees

6. Implement Construction Site Stormwater Practices

7. Protect Water Quality with Landscape Design

8. Design Resource-Efficient Landscapes and Gardens

9. Reuse Materials/Use Recycled Content Materials for Landscape Areas

10. Install High-Efficiency Irrigation Systems

11. Provide for On-Site Water Catchment / Retention

up to 4 Resource pts	4	4		
4 Resource pts y=yes				
4 Resource pts y=yes				
2 Resource pts y=yes				
1 Resource pt y=yes				
2 Resource pts y=yes				
2 Resource pts y=yes				
4 Resource pts y=yes				
2 Resource pts y=yes				
2 Resource pts y=yes				
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

2. Use Recycled Content Aggregate

3. Insulate Foundation/Slab before backfill

up to 5 Resource pts	2	2		
2 Resource pts y=yes				
3 Energy pts y=yes				

C. Structural Frame

1. Substitute Solid Sawn Lumber with Engineered Lumber

2. Use FSC Certified Wood for framing

(For every 10% of FSC lumber used = 2 points, up to 10)

3. Use Wood I-Joists for Floors and Ceilings

4. Use Web Floor Trusses

5. Design Energy Heels on Trusses 6" or more

6. Use Finger-Jointed Studs for Vertical Applications

7. Use Engineered Studs for Vertical Applications

8. Use Recycled Content Steel Studs for Interior Framing

9. Use Structural Insulated Panels (SIPs)

a. Floors

b. Wall

c. Roof

3 Resource pts y=yes	3	3		
up to 10 Resource pts.				
2 Resource pts y=yes				
2 Resource pts y=yes				
2 Energy pts y=yes				
2 Resource pts y=yes				
2 Resource pts y=yes				
2 Resource pts y=yes				
3 Energy pts y=yes				
3 Energy pts y=yes				
3 Energy pts y=yes				

2004 Checklist Modified by City of Albany Incentives - Approved July 2007 CITY OF ALBANY

ATTACHMENT #5

FEB 02 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

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

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	1			1
3. Install House Wrap under Siding	1 IAQ/Health pt	y=yes				
4. Use Fiber-Cement Siding Materials	1 Resource pt	y=yes				

E. Plumbing

1. Install Water Heater Jacket	1 Energy pt	y=yes				
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.		2	2		
b. Showerheads (1 point each, up to 2 points)	Up to 2 Resource pts.		2	2		
4. Replace Toilets with Ultra-Low Flush Toilets (1 point each, up to 3 points)	Up to 3 Resource pts.		2	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				

F. Electrical

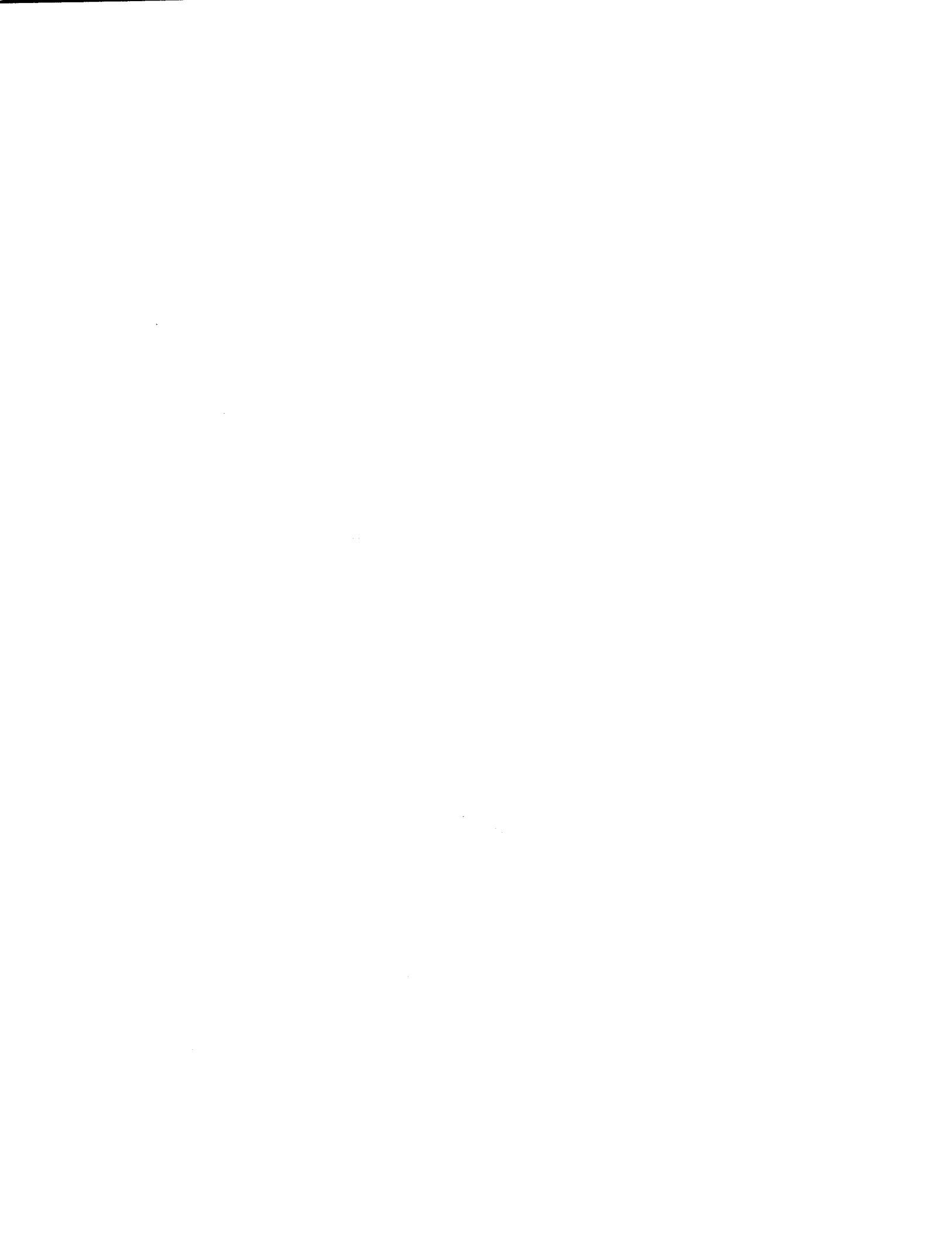
1. Install Compact Fluorescent Light Bulbs (CFLs) (6 bulbs=2 points, 10 bulbs =3 points, 12 bulbs = 4 points)	Up to 4 Energy pts.				2	
2. Install IC-AT Recessed Fixtures with CFLs (1 point each, up to 5 points)	Up to 5 Energy pts.					
3. Install Lighting Controls (1 point per fixture, up to 4 points)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



			INPUT	Resources	Energy	IAQ/Health
2. Install Floor Insulation over Crawl Space	4 Energy pts	y=yes				
3. Install Recycled-Content, Fiberglass Insulation with No Added Formaldehyde	3 IAQ/Health pts	y=yes	3			3
4. Use Advanced Infiltration Reduction Practices	2 Energy pts	y=yes				
5. Use Cellulose Insulation						
a. Walls	4 Resource pts	y=yes				
b. Ceilings	4 Resource pts	y=yes				
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		1	
b. Low-Emissivity (Low-E)	2 Energy pts	y=yes	2		2	
c. Low Conductivity Frames	2 Energy pts	y=yes				
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		3	
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				
b. Water Heaters	3 IAQ/Health pts	y=yes				
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				
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				
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. 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
6. Select Safe and Durable Roofing Materials					
7. Install Radiant Barrier	1 Resource pt	y=yes			
	3 Energy pts	y=yes			
L. Natural Heating and Cooling					
1. Incorporate Passive Solar Heating	5 Energy pts	y=yes			
2. Install Overhangs or Awnings over South Facing Windows	3 Energy pts	y=yes			
3. Plant Deciduous Trees on the West and South Sides	3 Energy pts	y=yes			
M. Indoor Air Quality and Finishes					
1. Use Low/No-VOC Paint	1 IAQ/Health pts	y=yes	1		1
2. Use Low VOC, Water-Based Wood Finishes	2 IAQ/Health pts	y=yes	2		2
3. Use Low/No VOC Adhesives	3 IAQ/Health pts	y=yes	3		3
4. Use Salvaged Materials for Interior Finishes	3 Resource pts	y=yes			
5. Use Engineered Sheet Goods with no added Urea Formaldehyde	6 IAQ/Health pts	y=yes	6		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			
10. Install Whole House Vacuum System	3 IAQ/Health pts	y=yes			
N. Flooring					
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			
O. City of Albany Incentives					
1. Additions less than 50% increase in floor area	20 Resource pts	y=yes	20	20	
2. Additions less than 200sq.ft. or resulting in less than 1,500sq.ft.	10 Resource pts	y=yes	10	10	
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			

TOTAL POINTS ACCUMULATED:

(50 Points REQUIRED from all 3 columns)

50 points total Req'd

75



ATTACHMENT 3 - FINDINGS

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

Required Finding	Explanation
<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 proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The project will not remove any significant vegetation and will not require significant grading. The project will not create a visual detriment at the site or the neighborhood.</p> <p>The architectural style of the addition is consistent with the existing home, and the design details of the Spanish tile roofing and the Juliette balcony unify the design of the home. The proposed addition is an improvement from the existing rear façade, and creates visual interest.</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 project meets all development requirements and the addition does not increase the height of the home at all. By converting crawlspace into habitable space, the applicant has proposed an efficient way to increase the living space of the home with minimal increase in mass or footprint of the structure.</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 access, architecture, natural features, coordination of design details, and privacy</p>

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

Required Finding	Explanation
<p>1. <i>Required spaces cannot be located in front or side yards. .</i></p>	<p>The existing home has a driveway that is 15' in length, which does not meet minimum length requirements for driveway parking. The existing home has side yard setbacks of 1'-6" and 2'-11", which prohibits access to the rear yard to provide a second required off-street parking space.</p>
<p>2. <i>Space is not available to provide required parking facilities without undue hardship.</i></p>	<p>The applicant would have to demolish one side of the home to allow access to the rear yard for parking. This is an "undue hardship" considering the project will not require demolition or replacement of home. The existing home is split level, which does not allow the garage to be deepened to provide a tandem parking space in the garage.</p>
<p>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></p>	<p>No landmark trees would be disturbed by granting the parking exception nor will it restrict outdoor living space on the site.</p>
<p>4. <i>Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.</i></p>	<p>Not applicable.</p>
<p>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></p>	<p>The home will remain a single-family home and the existing garage will remain open and functional for cars to utilize for parking. The applicant has proposed a modest addition and existing parking is appropriate for the proposed addition.</p>

ATTACHMENT 4 - CONDITIONS OF APPROVAL

GENERAL PROJECT CONDITIONS

- Gen-1 Project Approval. This Design Review approval is for Eva Varga Hanger, as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans prepared by Gordon Push and Kathy Rogers of the Sogno Design Group date received February 2, 2009, as presented to the Planning and Zoning Commission on March 24, 2009. 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 will expire on April 7, 2010 (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. The Community Development Director may renew the approval 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 CONDITIONS

- 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 or the addition may be constructed to match the existing materials on the home.
- 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. Before the issuance of 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 Tree Preservation. 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 Community Development Department.
- LNDS-2 Street Tree Requirement. The applicant shall apply for one street tree before the issuance of the building permit. The City's Urban Forester 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 meet Fire Department requirements for gallons per minute flow with a minimum residual main pressure of 20 psi for a two-hour duration. 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.

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. Wash water 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.

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:
- e) 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.
 - f) 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.
 - g) Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
 - h) Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

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 approved 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 before:
- 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.

SPECIAL CONDITIONS

N/A

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.

