

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

Agenda date: 4/28/09
Prepared by: AC
Reviewed by: JB

ITEM/ 6b
SUBJECT: **Planning Application 09-021. Design Review.** Request for Design Review approval to allow improvements to an existing public facilities building.

SITE: 1249 Marin (Albany Community Center)

**APPLICANT/
OWNER:** City of Albany

ZONING: R-1 (Single-Family Residential)

Recommendation

Provide design direction to staff and continue public hearing to an administrative design review hearing.

Background

Albany's Community Center was originally built in 1992. In 2002-03, the City performed extensive rehabilitation work on the exterior of the Community Center due to water intrusion damage, particularly on the tower and south (Marin) and west (Evelyn) exterior walls. Ultimately the City prevailed in litigation against the contractor and the architect associated with the construction of the project.

In January 2006, about a week after the severe rains and windstorm that occurred on December 30-31, 2005, City staff observed water bubbles behind the paint of the interior tower wall. Further exploration revealed significant water damage within approximately half the stair tower wall areas. The source of the water intrusion was from the small vertical windows in the tower, which in turn condensed behind the stucco. The resulting condensation had caused significant dry rot damage to wood framing in the tower. (The City is currently engaged in litigation against the repair contractor, and thus discussion on responsibilities for recent damage is a confidential legal matter.)

Discussion

Process for Design Review

On April 20, 2009, the City Council referred discussion of repair options for the Community Center/Library to the Planning and Zoning Commission. Normally City staff would propose a comprehensive community engagement process on the design of modifications to the building. In this particular case, however, a modified approach is proposed because of delays in reaching a settlement with the contractor responsible for the previous repairs, and a desire to make repairs before the start of the Fall 2009 rainy season. Therefore, staff proposes a modified design process, taking input from the Commission, preparing design documents, and utilizing an administrative design review hearing for final approval. To some degree, the plan check and construction bidding processes would run concurrent to the completion of design review.

Design Alternatives

The primary purpose of the tower is aesthetic, serving as a vertical element to break up the horizontal base of the community center and library. The height of the tower, reaching 55 feet, is well proportioned to the base of the building, and serves as a visual landmark for passers-by on Marin, Masonic, and on BART. The functional purpose of the tower is to enclose the fire exit from the basement. Above the main building roof level, the tower provides roof access, but that access could be provided more conventionally from a ladder and hatch, as it is elsewhere on the building.

Given the repeated failure of the tower, there is a strong desire by staff to reduce the likelihood of further issues in the future. Wiss, Janney, Elstner (WJE), a firm with expertise in water damage, has been hired by the City to assist in diagnosing the water intrusion problem in the tower, and work with staff to develop a remedy. The alternatives available include:

1. Repair the existing problems with no design change - WJE has proposed a "drainage & ventilation" fabric into the wall section, between the stucco and the structural plywood underneath it. This material creates a ventilation cavity between the vapor barrier (the building paper that is part of the stucco system) and the stucco exterior. A second change will be to eliminate the existing insulation from the exterior walls of the stair tower (the interior of the stair tower is not conditioned space).
2. Eliminate Flying beams at the Top of the Tower - There may be benefit in addressing construction details at the top of the tower. In particular, the connection between the "flying beams," their supporting steel posts on each corner, the roof, and the stucco walls are intrinsically vulnerable to future water intrusion issues. Visually, this would involve at least cutting the beams off. The variation of this alternative could be to remove the pyramid skylight and cut the tower at a lower level, and install a conventional flat roof.
3. Enclose Flying Beams - Another modification could be to retain the flying beams and posts, but enclose them, protecting the existing roof and skylight with conventional windows, and roof (flat, or pitched like the skylights). This alternative would preserve

the general appearance and scale of the tower, however, there would be discernable change in the transparency of the tower.

Attached are photographs of the tower before the scaffolding went up, as well as photo renderings of the tower if the flying beams are eliminated. Also attached are the original construction documents showing floor plan and elevation drawings.

Art in Public Places Program

The City's Art in Public Places program requires public improvements to incorporate public art or to pay into the Art in Public Places fund. Projects subject to Design Review that exceed a construction cost of \$300,000 are subject to the program. In this particular case, staff proposes to propose to the Arts Committee that the project is eligible for a hardship exemption. The City Council is the ultimate decision-making authority for the project, and thus is responsible for granting the exemption.

California Environmental Quality Act

Staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301(d), "Existing Facilities" of the CEQA Guidelines, which exempts repair of damaged structures.

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

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20.12 Zoning Districts And Permitted Uses

General Plan: City Property
 Zoning: R-1 (Single Family Residential)

20.16 Land Use Classifications

Public Facility

Surrounding Property Use: North - SFR East - Unclassified (BART tracks)
 South - SFR West - SFR

20.20.080 Secondary Residential Units.

Not applicable.

20.24.020 Table Of Site Regulations By District.

	Existing (approx.)	Requirement
Setbacks		
Front (south)	0'	N/A
Side (west)	2'	N/A
Side (east)	2'	N/A
Rear (north)	68'	
Area		
Lot Size	40,000	10,000
Lot Coverage	Approx 55%	N/A
Height	Existing (approx.)	Requirement
Top of Roof (at center of tower)	19'	35'
Parapet Wall (at center of tower)	27'	35'
Tower	55'-6"	35'
Skylights	35'	35'

20.24.030 Overlay District Regulations.

Not applicable.

20.24.040 Hillside Residential Regulations.

Not applicable.