



PLANNING & ZONING COMMISSION

Staff Report

July 10, 2024

PA24-024 – 1045 Kains Avenue

Use Permit and Design Review to lift the front portion of the existing split-level residence to convert the existing 863 sq. ft. crawl space into habitable area and to align the existing main (lower) level with the upper level. The project proposes to construct a 206 sq. ft., 2-story addition at the rear and right (southeast) side of the home, a new two-car garage attached to the south side of the house, and to demolish the existing 61 sq. ft. covered front stairs and porch and construct a new 37.5 sq. ft. covered porch at street level. The project requires a Use Permit to vertically extend the existing, non-conforming 6'-9" front yard setback and 3'-9" left (north) side yard setback, where 15' and 5' setbacks are required respectively. This will result in a two-story, 2,952 sq. ft., single-family dwelling with a maximum height of 23'-4".



Project Details

General Plan:	MDR – Medium Density Residential	Applicant:	Hector Orozco on behalf of 2200 8 th Ave, LLC
Zoning/Overlay:	R-2 – Medium Density Residential	Staff Planner:	Mira Hahn

Permits Required:

- Design Review for second-story addition per §20.100.050
- Use Permit to extend vertically non-conforming setbacks at 2nd story per §20.24.020

Recommendation

Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached Findings and Conditions of Approval.

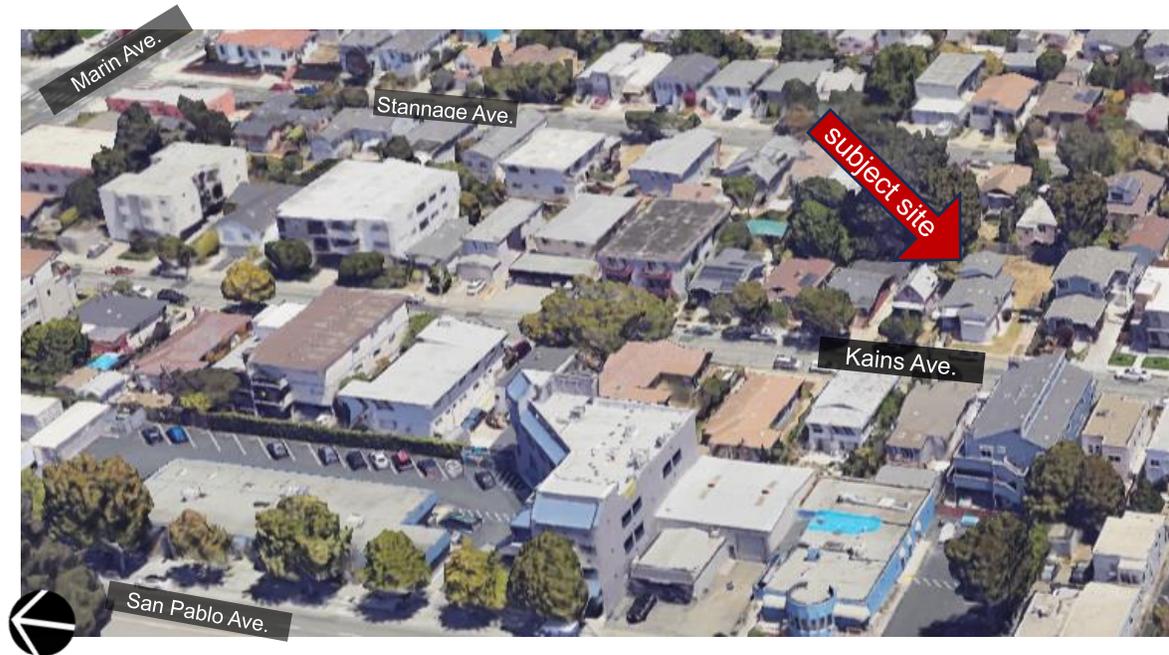
Project Chronology

Action	Date
Application Submitted	June 12, 2024
Application deemed complete	June 14, 2024
Public Hearing Notices Mailed	June 28, 2024
Planning & Zoning Commission Hearing	July 10, 2024

Project Description, Background, & Setting

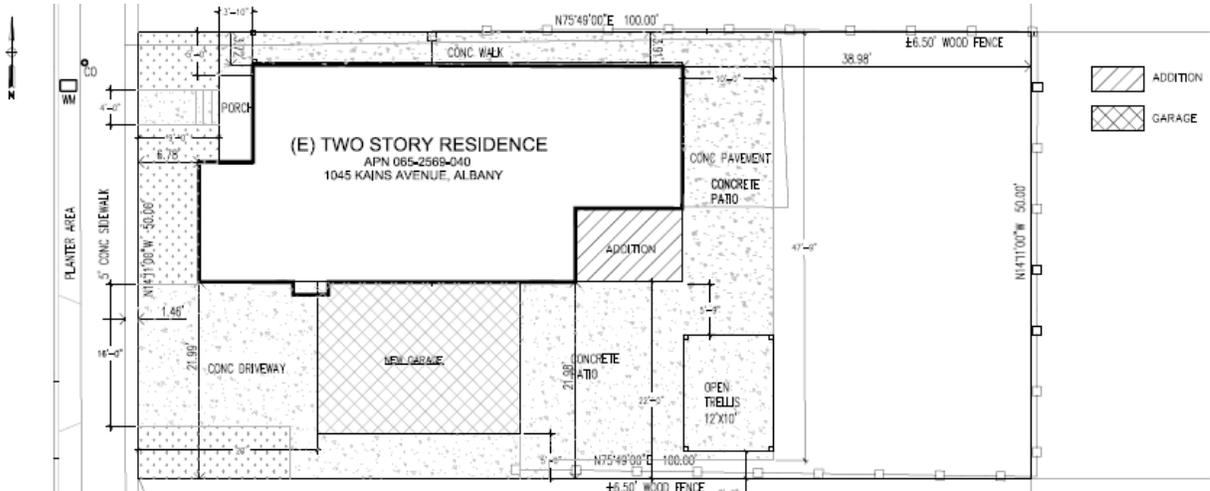
The subject lot is located on the east side of Kains Avenue between Marin Avenue to the north and Dartmouth Street to the south. The 5,000-square-foot lot gently slopes upward toward the rear and is developed with an approximately 1,477 sq. ft. 3-bedroom, 2-bathroom home constructed in the minimal traditional style in 1920. The home, which is split-level, features a 1,161 sq. ft. main (lower) level, a basement consisting of approximately 863 sq. ft. of crawlspace toward the front and 299 sq. ft. habitable space, and a 253 sq. ft. upper-level addition located at the left and rear (northeast) side of the home, which was approved in 1963. The residence has a covered entry porch that connects to the main level and is accessible through exterior stairs from the front yard. The existing home has a non-conforming 6'-9" front yard setback and 3'-9" left (north) side yard setback, where 15' and 5' setbacks are required respectively.

The current project proposes to lift the existing main level, located in the front portion of the house by 4'-6" to make it level with the existing second level at the rear. This will create a



full upper story and facilitate the conversion of the existing basement area into a habitable lower level. The lifting of the front portion of the home requires a vertical extension of the existing non-conforming 6'-9" front yard setback and 3'-9" left (north) side yard setbacks, where 15' and 5' setbacks are required respectively. Pursuant to AMC §20.24.020, vertical extensions of non-conforming setbacks are permissible for second story additions upon approval of a Conditional Use Permit, which is requested as part of this application.

The scope of work also includes the construction of a 206 sq. ft., 2-story addition at the rear and right (southeast) side of the house, a 2-car garage attached to the south side of the house, and the demolition of the existing 61 sq. ft. covered front porch and stairs to replace it with a new, 37.5 sq. ft. front covered porch.



The resulting home would be a x-sq. ft. 5-bedroom, 3-bathroom two-story, single-family dwelling with a maximum height of 23'-4".

The proposed changes would carry over and visually enhance the existing architectural features, reminiscent of the Minimal Traditional style, including new pitched shingle roofs to match, metal or fiberglass-clad windows and wood doors with simulated divided lights, and painted stucco to match. The plans include a decorative roof with shingles over the new front porch and proposed rear bifold patio doors, new landscape in the front yard, and a new 89- sq. ft. concrete rear patio with a 120 sq. ft., 10'-4"-high wood trellis.

Site Regulations - [AMC §20.24.020](#)

	Existing	Proposed	Required
Setbacks			
Front (west)	6'-9"	no change	15' min. for additions
Left Side (north)	3'-9"	no change	5' min.
Right Side (south)	22'	5'	5' min.
Rear (east)	40'	39'	20' min.
Area			
Lot Size	5,000	no change	3,750 min.
Lot Coverage	24.5%	34.5%	50% max.
Height	22'-4"	23'-4"	28' max.
Floor Area (sq. ft.)			
Total FAR Calculable Floor Area	1,433	2,701	2,750 max.
Floor Area Ratio (FAR)	0.29	0.53	0.55 max.

Residential Design Guidelines Criteria & Analysis

Criteria	Analysis
<p>Landscape Design</p> <ul style="list-style-type: none"> • The front yard is the home’s contribution to the community • Pedestrian emphasis 	<p>The project includes a landscape plan (as it is over 45% FAR) which proposes a variety of new plantings in the front yard, which include a Japanese Maple tree and other shrubs and plants, creating a nicely landscaped entry area and enhancing the curb appeal of the residence.</p>
<p>Outdoor Space</p> <ul style="list-style-type: none"> • Rear Yard Decks, Roof Decks, Balconies • Indoor/Outdoor Flow 	<p>The project proposes to construct an approximately 890 sq. ft. concrete patio with an open 120 sq. ft. wood trellis at the rear yard. The proposed construction at the house includes bifold doors to connect the dining room and kitchen area to the open space amenities at the rear.</p>
<p>Architectural Design</p> <ul style="list-style-type: none"> • Front porches and covered entries • Architectural relief, Trim and details provide warmth and character • Paint Color, Building materials, & Window details 	<p>The proposed design features a second-story addition achieved by lifting the existing front portion of the home, which keeps the existing differentiation in the wall-plane depth and roof heights between the left (north) and right (south) sides of the structure. The addition is proposed to match the existing architectural style and further enhances it with aluminum clad windows and wood doors with divided lights, decorative roofs to match at the covered porch and the rear bifold doors, and painted stucco to match.</p>
<p>Livability</p> <ul style="list-style-type: none"> • Modernizing interior space for better function and long-term occupancy • Interior Ceiling Heights • Universal Design 	<p>By lifting the main level and converting the crawl space into livable space, the project maximizes the interior space of the house with better flow and distribution of rooms and functions, and allowing for larger families and household configurations.</p>
<p>Context</p> <ul style="list-style-type: none"> • Compatibility with adjacent homes • Privacy considerations 	<p>The proposed project will be in scale with with nearby residences in that the surrounding neighborhood which features a mix of one-story and two-story single-family and multi-family residences, and that the new windows would be positioned at a distance and/or location that would prevent a downward view to the closest neighboring homes at the rear and sides.</p>

General Plan & Housing Element Consistency

The following General Plan and Housing Element policies are relevant to the proposed project:

- **Policy LU-2.1: Context-Sensitive Design** - Ensure that infill development in residential areas is compatible in density, scale, and character with the established neighborhood context.
- **Policy LU-2.3: Design Guidelines** - Maintain residential design guidelines and design review procedures that promote the compatibility of residential alterations and additions with existing homes and that strive to reduce impacts on neighboring properties. The guidelines should be used to encourage high-quality, visually distinctive architecture, and the use of durable, attractive construction materials.
- **Policy LU-2.6: Second-Story Additions** - Ensure that second story additions to single story homes are designed to minimize increases in height and bulk, and to reduce their perceived mass from the street and surrounding yards.
- **Housing Element Policy 1.1 - Housing Re-Investment.** Support continued maintenance and improvement of Albany’s existing housing stock. City zoning regulations, permitting practices, and code enforcement procedures shall support reinvestment in the housing stock.

Environmental Review

Categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

Attachments

1. Findings
2. Conditions of Approval
3. Project Plan Set, dated June 22, 2024
4. Planning Application