



# PLANNING & ZONING COMMISSION

## Staff Report

November 13, 2024

### PA24-031 – 830 Pomona Avenue

Use Permit and Design Review request to construct a new 844 sq. ft. second-story addition. The project requires a Use Permit to vertically extend the existing, non-conforming 2'-5 1/2" right (north) side yard setback for the second-story addition, where a 4' setback is required, and Design Review for the second-story addition. This will result in a 3-bedroom, 2-bath, 2,130 sq. ft. home with a maximum height of 28'.



### Project Details

General Plan:	LDR – Low Density Residential	Applicant:	Leila Ghazavi on behalf of Chiungchi and Phillip Chen
Zoning/Overlay:	R-1 – Single Family Residential	Staff Planner:	Mira Hahn

#### Permits Required:

- Design Review for a 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	September 6, 2024
Application deemed complete	October 15, 2024
Public Hearing Notices Mailed	November 1, 2024
Planning & Zoning Commission Hearing	November 13, 2024

## Project Description, Background, & Setting

The subject lot is located on the west side of Pomona Avenue between Solano Street to the south and Washington Avenue to the north. The 4,400 sq. ft. lot is developed with an approximately 1,096 sq. ft. three-bedroom one-bathroom single-story home constructed in the Bungalow style in 1926. The existing home has a non-conforming right (north) side yard setback measuring approximately 2'-5 ½" where a minimum of 4' is required. There is a shed in the rear yard built in 1958 and an Accessory Dwelling Unit, constructed in 2016.



The proposed scope of work entails constructing a 904 sq. ft. second-story addition set back approximately 12'-5" from the existing first-story front façade. The project includes redesigning the columns at the existing front porch, demolishing and replacing the existing exterior stairs and landing at the rear and other interior and exterior changes.

The project would convert the existing bedrooms on the main level to an office and music room, and reserve the upper story for sleeping quarters, resulting in a 3-bedroom, 2-bath residence. Other changes include a redesigned front porch, new open porch and stairs at the rear replacing the existing ones, new windows and doors throughout, and new plantings in the front and back yards.

The proposed addition would match and complement the existing architectural style of the home with new asphalt shingle gabled roofs, cementitious horizontal lap siding at the addition, fiberglass windows, cement plaster at the new front porch, and redwood guardrails at the rear porch.

The project requires a Use Permit to vertically extend the existing right (north) side wall for the second-story addition, which has an existing non-conforming 2'-5 ½" side yard setback where a minimum of 4' is required. AMC §20.24.020 requires a Conditional Use Permit to extend an existing non-conforming wall to create a second-story addition.

The proposed upper-level wall at the non-conforming right (north) side yard setback, less than three feet away from the lot line, would have no windows to comply with Building Code regulations regarding fire and safety. The proposed wall on the right (left) side yard is further recessed by 3'-4" from the existing wall at the lower level, and has windows

located at 11'-3" from the property line, with enough distance to safeguard the privacy of residents and neighbors.

Because this addition would allow a better distribution of the interior space and the creation of a bathroom, office and music room, staff is supportive of granting this use permit as it would greatly enhance the livability of the residence and its inhabitants to enjoy conditions like those offered by neighboring homes.

### Site Regulations - **AMC §20.24.020**

	Existing	Proposed	Required
<b>Setbacks</b>			
Front (East)	16'-5"	21'-6" at addition	15' min.
Left Side (South)	8'-7"	11'-3" at addition	4' min.
Right Side (North)	2'-5 ½"	No change	4' min.
Rear (West)	52'-4 ¾" at rear wall	No change	20' min.
<b>Area</b>			
Lot Size	4,400	No change	3,750 min.
Lot Coverage	28%	No change	50 % max.
Height	20'	28'	28' max.
<b>Floor Area (sq. ft.)</b>			
Total FAR Calculable Floor Area	1,386	2,060	2,420 max.
Floor Area Ratio (FAR)	0.32	0.47	0.55 max

### Residential Design Guidelines Criteria & Analysis

Criteria	Analysis
<b>Landscape Design</b> <ul style="list-style-type: none"> <li>The front yard is the home's contribution to the community.</li> <li>Pedestrian emphasis</li> </ul>	The project includes a landscape plan that proposes to retain the front lawn and new plantings at the front and the rear, enhancing the exterior of the residence.
<b>Outdoor Space</b> <ul style="list-style-type: none"> <li>Rear Yard Decks, Roof Decks, Balconies</li> <li>Indoor/Outdoor Flow</li> </ul>	The project proposes to retain the existing hardscape and to replace the landing and stairs at the rear providing access from the residence to the newly landscaped back yard.
<b>Architectural Design</b> <ul style="list-style-type: none"> <li>Front porches and covered entries</li> <li>Architectural relief, Trim and details provide warmth and character.</li> </ul>	The proposed additions at the residence are proposed to match the existing bungalow architectural style.

Criteria	Analysis
<ul style="list-style-type: none"><li>• Paint Color, Building materials, &amp; Window details</li></ul>	
<b>Livability</b> <ul style="list-style-type: none"><li>• Modernizing interior space for better function and long-term occupancy</li><li>• Interior Ceiling Heights</li><li>• Universal Design</li></ul>	The scope of work includes a new bathroom, office, music room, allowing for enhanced livability and flexibility of household configurations.
<b>Context</b> <ul style="list-style-type: none"><li>• Compatibility with adjacent homes</li><li>• Privacy considerations</li></ul>	The proposed project will be in scale with nearby residences in that the surrounding neighborhood features a mix of one-story and two-story homes, and that the new windows are placed with considerable distance to provide privacy for neighbors and residents.

## 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 October 7, 2024