AGENDA

REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, September 20, 2017
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call - Chair: Lisa Motoyama; Commissioners: Brendan Bloom, Kevin Colin, Carla Hansen, Michael Iswalt, Andrea Lucas, and Leslie Mendez.

1. Comments from the Public
   *(Each speaker is limited to a maximum of 3 minutes.)*

2. Approval of Minutes
   Approval of the August 16, 2017 meeting minutes.

3. Commissioner Communication/Conflict of Interest Disclosure
   This time on the agenda is reserved for Commissioners to disclose communications from individuals regarding specific agenda items or to state a potential conflict of interest in relation to a specific agenda item.

4. Public Hearing – 7471 Seaview Place
   Application: PL17-0098
   Applicant: Judy Nutting Massler
   Location: 7471 Seaview Place
   APN: 503-182-001
   Zoning: RS-5 (Single Family Residential)
   General Plan: Low Density Residential
   Request: Planning Commission consideration of a Conditional Use Permit to legalize an existing elevated backyard deck that is 6 feet from the rear property line.
   CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

5. Public Hearing – 622 Clayton Avenue
   Application: PL17-0104
   Applicant: Leverett Smith and Gretchen Peterson
   Location: 622 Clayton Avenue

COMMUNICATION ACCESS INFORMATION

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Sean Moss, Staff Liaison at (510) 215-4330 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.
Planning Commission Meeting Agenda

APN: 503-440-023
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit to allow for an addition of a library (which meets the size requirements of a bedroom pursuant to Section 19.47.020, Bedroom, of the El Cerrito Municipal Code) and bathroom to a single family dwelling unit over 2,000 square feet with a one-car attached garage (El Cerrito Municipal Code Section 19.27.050 C.2.a.1.A.).

CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

6. Staff Communications

7. Adjournment

Appeals:
A decision of the Planning Commission may be appealed to the City Council, by the applicant or any El Cerrito resident or property owner, through the filing of a written statement and the payment of an appeal fee of $363 with the City Clerk within ten calendar days after the decision date. (The applicant may file an appeal for the cost of half the original permit fee.)

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division office located at 10890 San Pablo Avenue during normal business hours.
MINUTES
REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, August 16, 2017
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call - Commissioners: Brendan Bloom, Carla Hansen, Michael Iswalt, Andrea Lucas, and Leslie Mendez. Lisa Motoyama arrived at 8:05 p.m. Kevin Colin had an excused absence.

1. Comments from the Public
   No comments were received.

2. Approval of Minutes
   Motion to approve the June 14, 2017 meeting minutes: Bloom; 2nd: Iswalt.
   Vote:
   Ayes: Bloom, Hansen, Iswalt, Mendez
   Noes: None
   Abstain: Lucas
   Absent: Colin, Motoyama

   Motion to approve the July 12, 2017 meeting minutes: Bloom; 2nd: Lucas.
   Vote:
   Ayes: Bloom, Hansen, Iswalt, Lucas, Mendez
   Noes: None
   Abstain: None
   Absent: Colin, Motoyama

   Motion to approve the July 19, 2017 meeting minutes: Bloom; 2nd: Lucas.
   Vote:
   Ayes: Bloom, Hansen, Iswalt, Lucas, Mendez
   Noes: None
   Abstain: None
   Absent: Colin, Motoyama

3. Commissioner Communication/Conflict of Interest Disclosure
   Nothing was reported.

4. Public Hearing – 10300 San Pablo Avenue (Continued from the July 19, 2017 meeting)
   Application: PL16-0139
Applicant: Mike Branagh, Winfield Development, LLC
Location: 10300 San Pablo Avenue
APN: 503-392-028
Zoning: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)
General Plan: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)
Request: Planning Commission consideration of Tier IV Design Review for a residential building containing a total of 30 residential units and 2 live-work units and containing a total of 33 parking spaces in a combination of surface parking and garages.

CEQA: This project has been found to be consistent with the Program Environmental Impact Report prepared for the San Pablo Avenue Specific Plan, pursuant to CEQA Guidelines Sections 15168(c) and 15182.

Senior Planner Sean Moss presented the staff report and answered questions from the Commission.

The applicant, Lisa Vilhauer, and the project architect, Scott Thomsen, presented the project and answered questions from the Commission.

The public hearing was opened.

The following speakers addressed the Commission:
Howdy Goudey, 635 Elm St
Robin Mitchell, 635 Elm St

The public hearing was closed.

Motion to grant Tier IV Design Review approval to a residential building containing a total of 30 residential units and 2 live-work units: Bloom; 2nd: Lucas.
Vote:
Ayes: Bloom, Iswalt, Lucas, Mendez, Motoyama
Noes: Hansen
Abstain: None
Absent: Colin

5. Staff Communications
Staff updated the Commission regarding the Affordable Housing Strategy, the upcoming Subdivision Review Committee meeting and upcoming agenda items.

6. Adjournment
9:40 p.m.
III. SUBJECT
Application: PL17-0098
Applicant: Judy Nutting Massler
Location: 7471 Seaview Place
APN: 503-182-001
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit to legalize an existing elevated backyard deck that is 6 feet from the rear property line.
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

II. BACKGROUND
The property is located on Seaview Place, and is the last property on the north side of this street. This parcel backs up to the Hillside Nature Area to the north of this property; no other residential properties exist to the north of this parcel although residential properties are to the west and south. The house is oriented west to east and on a lot that slopes downward along the northern elevation. Records show that the house was moved from 7834 Burns Court in El Cerrito and an attached two car garage was constructed in 1955. A permit was issued in 1981 for a new roof. In 1985, a previous property owner considered acquiring land to the north from PG&E to create a larger parcel, and then subdivide the land. Those property owners withdrew their application, and this land purchase and subdivision did not occur.

III. DISCUSSION
The project consists of legalizing an existing rear yard deck that was built too close to the rear property line. The property owner engaged a contractor to obtain the setback requirements in order to build a deck and install a hot tub. When the inspection occurred for the electrical permit for the hot tub, the property owner was told the deck was too close to the rear property line; the deck had been constructed when the electrical inspection occurred. Additionally, the property owner was under the impression that building permits were not required for the deck. The approximately 561 square foot deck is slightly offset from the residence, and is approximately three (3) feet tall.

Analysis
Section 19.06.030, Development Standards, of the El Cerrito Municipal Code (ECMC) establishes setbacks for the various residential zoning districts. Table 19.06-B provides the setbacks for an interior lot as 20 feet for the front setback, 5 feet for the side setback, and 15 feet for the rear setback. Section 19.06.030(F)(2), Projections Into Yards — Stairs, Decks and Balconies, allows an intrusion of six (6) feet into the rear yard setback in any residential area. An intrusion of six (6) feet
into the rear yard setback would leave 9 feet to the property line; however, the intrusion on this property is nine (9) feet into the rear yard setback, leaving the distance to the rear property line at six (6) feet at the narrowest point along this property line. Exceptions are allowed with a Conditional Use Permit. Therefore, to allow the further intrusion into the rear yard setback, the Planning Commission must approve a Conditional Use Permit pursuant to 19.06.030(F)(2) of the ECMC. Table 1 illustrates how the proposed projects differs from the RS-5 development standards.

**Table 1: Required and Proposed Rear Yard Setbacks:**

<table>
<thead>
<tr>
<th>RS – 5 Zone Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required rear yard setback</td>
</tr>
<tr>
<td>Intrusion allowed</td>
</tr>
<tr>
<td>Proposed rear yard setback</td>
</tr>
</tbody>
</table>

In order to approve a Conditional Use Permit, the Planning Commission is required to make three findings. These findings require that: 1) the proposal’s location, size and design be harmonious and compatible with abutting properties and the surrounding neighborhood; 2) it creates a convenient living environment and that it is consistent with the purposes of its zoning district; and 3) it conforms in all significant respects with the General Plan. With this application, the issue for analysis is proximity and the potential impacts to adjacent neighbors.

**Potential Impacts to Adjacent Neighbors**
Setbacks are established to create a sense of privacy and buffer space between adjacent residential properties. Additionally, setbacks create a physical separation between structures for regular maintenance and to allow fire fighters to obtain access to a property should fire suppression be needed.

The immediate adjacent neighbor is to the west, at 7463 Seaview Place. The property to the north and east is owned by the City of El Cerrito and is the Hillside Nature Area. PG&E transmission towers and lines are within the Hillside Nature Area. There is no residential structure to the north or east. For this reason, staff does not that there’s an impact to the adjacent property with the further intrusion of three (3) feet, for a total of nine feet, into the rear yard setback.

Staff believes that the Planning Commission can make the necessary findings to approve the Conditional Use Permit and offers the proposed findings below.

**Consistency with the Zoning District:**
As previously stated, Section 19.06.030 of the ECMC prescribes the development regulations for residential districts, including lot dimensions, building form and location, pedestrian orientation, vehicle accommodation and other standards. The only reduction for this parcel is to the rear yard setback: reducing a required 15 foot setback to 6 feet (where an intrusion of six (6) feet is allowed pursuant to Section 19.06.030(F)(2)). All other setbacks meet the RS-5 development standards.

**Consistency with the General Plan**
The proposed project is generally consistent with the El Cerrito General Plan and will implement the following General Plan Policies:
LU1.5- Suitable Housing. Promote suitably located housing and services for all age groups within the city. Within the San Pablo Avenue Specific Plan area, allow ground floor residential development and increased land use intensity close to existing transit infrastructure to promote residential infill development and catalyze mode shift.

As designed, this rear yard deck allows this household to enjoy a usable flat surface for eating, entertaining and supervised recreational activity for their children. Additionally, views of the Hillside Nature Area can be enjoyed by this and future residents of the property from the deck.

CD1.1-Neighborhood Character. Preserve and enhance the character of existing residential neighborhoods by limiting encroachment of new buildings and activities that are out of scale and character with the surrounding uses.

As designed, the deck, of approximately three feet in height, is of an appropriate size and scale for the house at approximately 561 square feet. Its location is at the rear of the house and does not impact the neighbors to the west; there are no neighbors to the north and east as this property is immediately adjacent to the Hillside Nature Area. The deck enhances the outdoor space and complements the design of the residence. For this reason, the project is found to be compatible and in scale with the surrounding uses.

Environmental Review
The project is Categorically Exempt under the Section 15301 – Class 1, Existing Facilities, of the California Environmental Quality Act.

IV. FINDINGS
In order to approve the project, the Planning Commission must make the following findings, as outlined 19.34.040 of the El Cerrito Zoning Ordinance:

1. The location, size, design, and operating characteristics of the proposed development will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

The project consists of the legalization of an existing deck, of approximately three feet in height, and 561 square feet. Constructing an outdoor deck is an anticipated use for a single family dwelling in the RS-5 zoning district, and is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect the surrounding neighborhood as there are no neighbors to the north and east, as this is the Hillside Nature Area. The deck is approximately 25 west of the property line that separates this parcel from 7463 Seaview Place.

2. The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City.

The project will create a usable outdoor space for eating, entertaining and supervised recreational activity for their children. Additionally, views of the Hillside Nature Area can be enjoyed by this and future residents of the property.

3. The proposal is consistent with the purpose of the district where it is located and conforms in all significant respects with the El Cerrito General Plan and with any other applicable plan adopted by the City Council.
With the exception of the intrusion into the rear yard setback, the project complies with all
development requirements of the RS-5 single family zoning district including height, setbacks from
property line, and architectural compatibility. The project is also consistent with the following
policies of the El Cerrito General plan: LU1.5: Suitable Housing; and CD1.1: Neighborhood
Character.

V. RECOMMENDATION

Staff recommends approval of Planning Application No. PL17-0098, as conditioned by the draft
resolution in Attachment 1, approving a Conditional Use Permit to allow a rear yard setback of six
(6) feet and to legalize an existing rear yard deck that was constructed too close to the rear yard
property line (pursuant to Section 19.06.030 ECMC).

Proposed Motion: Move adoption of Planning Commission Resolution PC17-11 approving a
Conditional Use Permit to allow for rear yard setback of six (6) feet in order to legalize a rear yard
deck that was constructed too close to the rear yard property line (pursuant to Section
19.06.030(F)(2) of the ECMC).

Appeal Period: Within ten (10) working days after the date of the decision, the Planning
Commission action may be appealed to the City Council.

Attachments:

1) Draft Resolution
2) Plans dated February 16, 2017
3) Photos of the rear yard deck
A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A SIX (6) FOOT REAR YARD SETBACK TO LEGALIZE AN EXISTING THREE FOOT TALL REAR YARD DECK, PURSUANT TO SECTION 19.06.030(F)(2) OF THE EL CERRITO MUNICIPAL CODE, 7471 SEAVIEW PLACE, APN 503-182-001

WHEREAS, the subject property is located at 7471 Seaview Place;

WHEREAS, the site is currently developed with a single family residence that was relocated from another property in El Cerrito to this property and an attached two car garage was constructed to the single family residence in 1955;

WHEREAS, the project consists of legalizing an existing rear yard deck, of approximately 561 square feet, and three feet in height;

WHEREAS, the Assessor’s Parcel Number of the subject property is 503-182-001;

WHEREAS, the zoning district of the site is RS-5 (Single Family Residential);

WHEREAS, the General Plan land use designation of the site is Low Density Residential;

WHEREAS, this project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301: Class1 – Existing Facilities

WHEREAS, on July 19, 2017, the applicant submitted an application for the Conditional Use Permit; and

WHEREAS, on September 20, 2017, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

Conditional Use Permit

1. The project consists of an expansion of a single family dwelling which is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect the surrounding neighborhood as there is sufficient on-street parking available and the project is consistent with development standards established for the single family residential zoning district (RS-5).

2. The project will create an additional habitable and a functional living environment that compiles with all zoning standards, including architectural compatibility with the existing single family dwelling.

3. The project complies with all development requirements of the RS-5 single family zoning district including height, setbacks from property line, and architectural compatibility. The project is also consistent with the following policies of the El Cerrito General Plan: LU1.5:
NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL17-0098, subject to the following conditions:

Planning:

1. The project will be in conformance with the plans dated July 19, 2017. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If the applicant makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

3. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.

Building Division:

4. Submit a soils report based on the square footage of the deck, and a peer review by a structural engineer for the structural aspects of the deck. This is required at the time of submission of a building permit to legalize the deck.

Fire Department:


6. All electrical breakers shall be labeled.
CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at its regular meeting held on September 20, 2017 upon motion of Commissioner XXX, second by Commissioner XXX:

AYES:
NOES:
ABSTAIN:
ABSENT:

________________________________________
Elizabeth Dunn, AICP
Consulting Planner
7471 Seaview Place Height of Deck

Scale
\( \frac{1}{2}'' = 1 \text{ ft} \)

A

B

C

D

E
III. SUBJECT
Application: PL17-0104
Applicant: Leverett Smith and Gretchen Peterson
Location: 622 Clayton Avenue
APN: 503-440-023
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit to allow for an addition of a library (which meets the size requirements of a bedroom pursuant to Section 19.47.020, Bedroom, of the El Cerrito Municipal Code) and bathroom to a single family dwelling unit over 2,000 square feet with a one-car attached garage (El Cerrito Municipal Code Section 19.27.050 C.2.a.1.A.).
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

II. BACKGROUND
The property is located one block west of El Cerrito High School on the east side of Clayton Avenue, between Eureka and Lincoln Avenues. The subject lot is surrounded by single family residences. It is oriented west to east and on a lot that slopes downward along the northern elevation. Records show that the original house and attached one-car garage was built in 1940. A permit for a rear yard hobby and storage building was issued in 1972. Miscellaneous permits have been issued since 1972 for a new roof and a kitchen remodel, and the second story was added in 1998.

III. DISCUSSION
The project consists of a ground floor addition, for a library and bathroom addition, including new rear stairs to the backyard, of 338 square feet. With the proposed addition, the existing residence, of 1,908 square feet, will be 2,246 square feet. The addition is at the rear of the house, and maintains the appearance of the single family home.
Analysis

The current parking requirement for single family homes in this zoning district is two per dwelling unit. Pursuant to Section 19.27.050.C.2.a.1.A. of the El Cerrito Municipal Code (ECMC), a single-family dwelling, with one covered parking space, is considered legally nonconforming in terms of parking if the zoning ordinance in place at the time of construction only required one parking space. The zoning ordinance in effect in 1940 required one parking space for single family dwellings. Further, the residence on the property may be altered or expanded without increasing the number of covered parking spaces, subject to the following limitations:

A. After alteration or expansion, the residence may not contain more than three bedrooms or more than 2,000 square feet of habitable floor area.
B. The alteration or expansion must comply with all other applicable requirements of this Code.

Therefore, to allow the expansion of the property beyond the limitations listed above requires a Conditional Use Permit pursuant to 19.27.050 of the ECMC.

In order to approve a Conditional Use Permit, the Planning Commission is required to make three findings. These findings require that: 1) the proposal’s location, size and design be harmonious and compatible with abutting properties and the surrounding neighborhood; 2) it creates a convenient living environment and that it is consistent with the purposes of its zoning district; and 3) it conforms in all significant respects with the General Plan. With this application, the issue for analysis is on-site parking and the availability of on street parking.

Parking

While the property does not meet the current minimum parking requirement of two covered on-site parking spaces for houses in the single family residential (RS-5) zoning district, staff believes there are sufficient on–street parking spaces in the neighborhood to accommodate the second parking space. Staff asked the applicant and property owner to take pictures of the street after 7pm in order to determine the availability of on-street parking spaces. Attachment 3 shows there is available on-street parking on the west and east sides of Clayton Avenue. The photos were taken two weeks after school resumed at El Cerrito High, at approximately 730pm at night, when most families are home and using their on-site or on-street parking.

Staff believes that the Planning Commission can make the necessary findings to approve the Conditional Use Permit and offers the proposed findings below.

Consistency with the Zoning District:

Section 19.06.030 of the ECMC prescribes the development regulations for residential districts, including lot dimensions, building form and location, pedestrian orientation, vehicle accommodation and other standards. As noted in Table 1, the proposed addition is in compliance with the development standards except for the requirements of a two car garage and front setbacks.

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>Zoning Ord. Requirement</th>
<th>Proposed/Existing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>5,000 sq. ft.</td>
<td>5,550 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50%</td>
<td>34.3% w/o addition; 40.4% with addition</td>
</tr>
<tr>
<td>Setbacks: Front</td>
<td>20 ft./20 ft. for the garage</td>
<td>13 ft. to house; 17.5 ft. to garage</td>
</tr>
<tr>
<td>Sides</td>
<td>5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>15 ft.</td>
<td>75’, 9”</td>
</tr>
<tr>
<td>Height</td>
<td>25 ft.</td>
<td>25’ for the two-story portion of the residence; 15’ 6” for the addition</td>
</tr>
<tr>
<td>Parking</td>
<td>2 covered spaces</td>
<td><strong>one attached covered garage space</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- greater than 2,000 sq. ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- more than three bedrooms</td>
</tr>
</tbody>
</table>

_BOLD_ – not in compliance with the Zoning Ordinance

In addition, Section 19.06.030 K. of the ECMC notes the design parameters of building additions within the residential zoning districts. Design elements used in additions to existing buildings,
including but not limited to exterior materials, colors, windows and roofs, shall be designed in a manner that is substantially compatible with the design elements of the existing building.

The ground floor addition is in keeping with the design character of the original home in terms of architectural style, color and materials used. The existing house has a blend of a hipped and cross gabled roofs. The proposed roof for the addition is a hip roof will not project above the main roof. The entire roof will be replaced with composition shingles. The new siding will match the existing horizontal wood siding and the color will match the light beige color of the residence.

Consistency with the General Plan
The proposed project is generally consistent with the El Cerrito General Plan and will implement the following General Plan Policies:

*LU1.5- Suitable Housing.* Promote suitably located housing and services for all age groups within the city. Within the San Pablo Avenue Specific Plan area, allow ground floor residential development and increased land use intensity close to existing transit infrastructure to promote residential infill development and catalyze mode shift.

As designed, this addition will add a library and bathroom to an existing single family dwelling. This provides the property owners to use the space for reading and housing their book collection now, and creates a new bathroom on the first floor of the residence.

*CD1.1-Neighborhood Character.* Preserve and enhance the character of existing residential neighborhoods by limiting encroachment of new buildings and activities that are out of scale and character with the surrounding uses.

As designed, this addition will be constructed within the parameters of the RS-5 zone and will complement the design elements of the existing main building. The project is found to be in scale and compatible with the character with surrounding uses.

Environmental Review
The project is Categorically Exempt under the Section 15301 – Class 1, Existing Facilities, of the California Environmental Quality Act.

IV. FINDINGS
In order to approve the project, the Planning Commission must make the following findings, as outlined 19.34.040 of the El Cerrito Zoning Ordinance:

1. *The location, size, design, and operating characteristics of the proposed development will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.*

The project consists of an expansion of a single family dwelling which is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect the surrounding neighborhood as there is a sufficient amount of on-street parking available and the project is consistent with development standards established for the single family residential zoning district (RS-5).
2. *The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City.*

The project will create an additional habitable and a functional living environment that compiles with all zoning standards, including architectural compatibility with the existing single family dwelling.

3. *The proposal is consistent with the purpose of the district where it is located and conforms in all significant respects with the El Cerrito General Plan and with any other applicable plan adopted by the City Council.*

The project complies with all development requirements of the RS-5 single family zoning district including height, setbacks from property line, and architectural compatibility. The project is also consistent with the following policies of the El Cerrito General plan: LU1.5: Suitable Housing; and CD1.1: Neighborhood Character.

V. **RECOMMENDATION**

Staff recommends approval of Planning Application No. PL17-0104, as conditioned by the draft resolution in Attachment 1, approving a Conditional Use Permit to allow for the addition of a library (which meets the definition of a bedroom pursuant to the El Cerrito Municipal Code for a fourth bedroom) and bathroom to a single family residence over 2,000 square feet with an attached one-car garage (Section 19.27.050 ECMC).

**Proposed Motion:** Move adoption of Planning Commission Resolution PC17-10 approving a Conditional Use Permit to allow for a library addition (which meets the definition of a bedroom pursuant to the El Cerrito Municipal Code for a fourth bedroom) and bathroom to a single family residence over 2,000 square feet with an attached one-car garage (Section 19.27.050).

**Appeal Period:** Within ten (10) working days after the date of the decision, the Planning Commission action may be appealed to the City Council.

**Attachments:**

1) Draft Resolution
2) Plans dated June 13, 2017
3) Photos of the 600 Block of Clayton taken by the Applicant
Planning Commission Resolution PC17-10

APPLICATION NO. PL17-0104

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A LIBRARY (WHICH MEETS THE SIZE REQUIREMENTS AND DEFINITION OF A BEDROOM PURSUANT TO SECTION 19.47.020, BEDROOM, OF THE EL CERRITO MUNICIPAL CODE) AND BATHROOM ADDITION RESULTING IN A SINGLE FAMILY RESIDENCE OF MORE THAN 2,000 SQUARE FEET WITH A ONE-CAR ATTACHED GARAGE (EL CERRITO MUNICIPAL CODE SECTION 19.27.050 C. 2, A. 1. A.), 622 CLAYTON AVENUE, APN 503-440-023

WHEREAS, the subject property is located at 622 Clayton Avenue;

WHEREAS, the site is currently developed with a single family residence that was built in 1940;

WHEREAS, project consists of a ground floor addition for a library, bathroom, and stairs to the backyard totaling 338 square feet;

WHEREAS, upon completion, the residence will total 2,246 square feet of living area with an attached one car garage;

WHEREAS, the Assessor’s Parcel Number of the subject property is 503-440-023;

WHEREAS, the zoning district of the site is RS-5 (Single Family Residential);

WHEREAS, the General Plan land use designation of the site is Low Density Residential;

WHEREAS, this project is Categorically Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301: Class1 – Existing Facilities

WHEREAS, on July 27, 2017, the applicant submitted an application for the Conditional Use Permit; and

WHEREAS, on September 20, 2017, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

Conditional Use Permit

1. The project consists of an expansion of a single family dwelling which is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect the surrounding neighborhood as there is sufficient on-street parking available and the project is consistent with development standards established for the single family residential zoning district (RS-5).

2. The project will create an additional habitable and a functional living environment that compiles with all zoning standards, including architectural compatibility with the existing single family dwelling.
3. The project complies with all development requirements of the RS-5 single family zoning district including height, setbacks from property line, and architectural compatibility. The project is also consistent with the following policies of the El Cerrito General Plan: LU1.5: Suitable Housing; and CD1.1: Neighborhood Character.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL17-0104, subject to the following conditions:

Planning:

1. The project will be constructed substantially in conformance with the plans dated July 27, 2017. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If the applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

3. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.

4. If not used, this Conditional Use Permit shall expire two years from the date of this action.

Building Division:

5. Eliminate the existing door and frame at the bottom of the stair run from the upper area to the mid landing; does not meet code requirements for landing depth in front of the door from the bottom step.

6. Even though not being represented as sleeping rooms, the library and study will be required to have smoke detectors installed and a carbon monoxide detector must be installed in the study and at the upstairs area outside the library.

7. At least one library window must meet emergency egress requirements as though for a sleeping room.

8. Provide handrails at existing stairs if not already present.

9. If not already equipped, the door from the garage to the study must be 1&3/8th inch solid core or 20 minute rated door with self-closing hinges or device and with weather-stripping and bottom threshold seal.
Fire Department:


11. All electrical breakers shall be labeled.

12. Approved numbers or address shall be provided in such a position to be plainly visible and legible from the street fronting the property. Address shall be either internally or externally illuminated.

Public Works

13. Prior to the issuance of the building permit, the applicant will supply an estimate of the proposed amount of cubic yards that will be moved as part of the project to the City Engineer. Any earthwork and grading operations in excess of 50 cubic yards will require the applicant to submit a detailed grading plan, obtain a Grading & Transportation Permit and pay all associated fees to the satisfaction of the City Engineer.

14. As part of the building permit submittal, the applicant shall provide drainage plan for new roof and any rain leaders to the satisfaction of the City Engineer. All drainage is encouraged to stay on-site, draining away from the foundations, 10’ from property lines, and shall not cause a nuisance to neighboring properties.

15. As part of the building permit submittal, the drainage plan shall show drainage to flow away from the existing curb ramp to the satisfaction of the City Engineer.

16. As part of the building permit submittal, the applicant shall provide a detailed Erosion and Sediment Control Plan to the satisfaction of the City Engineer.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at its regular meeting held on September 20, 2017 upon motion of Commissioner XXX, second by Commissioner XXX:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Elizabeth Dunn, AICP
Consulting Planner
Corner of Clayton and Lincoln, looking east, 7:19 pm.

East side, 7:19 pm.
East side, 7:19 pm

East side, 7:20 pm.
East side, 7:20 pm.

East side, 7:21 pm.
East side, 7:22 pm.

East side, 7:22 pm.
East side, 7:23 pm.

Corner of Clayton and Eureka, looking east, 7:23 pm.
Corner of Clayton and Eureka, looking west, 7:23 pm.

West side, 7:24 pm.
West side, 7:24 pm.

West side, 7:24 pm.
West side, 7:26 pm.

West side, 7:26 pm.
West side, 7:26 pm.

West side, 7:27 pm.
Corner of Clayton and Lincoln, looking west, 7:27 pm.

Back at corner of Clayton and Lincoln, 7:27 pm.