AGENDA

REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, February 21, 2018
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 January 17, 2018 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 – 937 Liberty Street
   Application: PL17-0179
   Applicant: Nancy Kalter-Dills
   Location: 937 Liberty Street
   APN: 503-243-004
   Zoning: RM (Multi Family Residential)
   General Plan: High Density Residential
   Request: Planning Commission consideration of a Conditional Use Permit to allow a second story addition for a four bedroom house with non-conforming parking of a one-car attached garage (19.27.050C.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.

5. Public Hearing – 10810 San Pablo Avenue
   Application: PL16-0119
   Applicant: Mauricio De la Pena, Trachtenberg Architects

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.

10890 San Pablo Avenue, El Cerrito, CA  94530    Tel: (510) 215-4330
E-mail: smoss@ci.el-cerrito.ca.us
Planning Commission Meeting Agenda

Location: 10810 San Pablo Avenue
APN: 503-182-001
Zoning: Transit Oriented Mixed Use Medium Intensity (TOMIMU)
General Plan: Transit Oriented Mixed Use Medium Intensity (TOMIMU)
Request: Planning Commission consideration of a Tier IV Design Review Approval of a four story residential building containing a total of 40 units, and 32 new garaged parking spaces. Rooftop open space is proposed on the Kearney Street elevation.
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.

6. General Plan Annual Progress Report
   As required by Government Code Section 65400 (b), every city must submit an annual progress report to their legislative body, the Governor’s Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) on the implementation status of their General Plan. The annual report must also include discussion on the City's progress in providing its required share of affordable housing pursuant to Government Code Section 65584 and its efforts to remove governmental constraints for the maintenance, improvement and development of affordable housing per Section 65583.c(3) of the California Government Code. The purpose of this item is to review the report for calendar year 2017.

7. Staff Communications

8. 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 the applicable appeal fee 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, January 17, 2018
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, Andrea Lucas, and Leslie Mendez. Michael Iswalt was absent.

1. Comments from the Public
   No comments were received.

2. Approval of Minutes
   Motion to approve the December 20, 2017 meeting minutes: Colin, 2nd: Hansen.
   Vote:
   Ayes: Bloom, Colin, Hansen, Lucas, Motoyama
   Noes: None
   Abstain: Mendez
   Absent: None

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

   This item was continued from the December 20, 2017 meeting.
   Application: PL17-0077
   Applicant: Dean and Janella Jones
   Location: 6410 Conlon Ave
   APN: 501-290-007
   Zoning: RS-5 (Single Family Residential)
   General Plan: Low Density Residential
   Request: Planning Commission consideration of a Conditional Use Permit to allow an exception to the main building envelope (19.06.030.D.3).
   CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

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10890 San Pablo Avenue, El Cerrito, CA  94530    Tel: (510) 215-4330
E-mail: smoss@ci.el-cerrito.ca.us
Senior Planner, Sean Moss, presented the staff report and answered questions from the Commission.

The project architect, Ed Street, presented project and answered questions from the Commission.

The public hearing was reopened.

The public hearing was closed.

Motion to approve a Conditional Use Permit to allow an exception to the main building envelope at 6410 Conlon Avenue with the following change to finding #4:

The finding #4 shall read:

*The property to the rear of the subject site, located on Junction Avenue is substantially higher in elevation than the subject site. Due to the topography, the proposed project will have minimal impact on the adjacent property to the rear. The property to the east has an existing detached garage near the shared property line, adjacent to the proposed addition, limiting any impacts to this property. The Planning Commission finds that the proposed design is a superior design solution with regard to interior circulation and layout.*

Motion: Colin, 2nd: Lucas.
Vote:
Ayes: Bloom, Colin, Hansen, Lucas, Motoyama, Mendez
Noes: None
Abstain: None
Absent: Iswalt

5. **Public Hearing - 11 Pomona Avenue**

Application: PL17-0151  
Applicant: Lori and Thomas Breunig  
Location: 11 Pomona Avenue  
APN: 504-226-016  
Zoning: RS-5 (Single Family Residential)  
General Plan: Low Density Residential  
Request: Planning Commission consideration of a Conditional Use Permits to allow an addition to a structure with nonconforming parking along an existing nonconforming side setback.

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

Senior Planner, Sean Moss, presented the staff report.

The applicant, Thomas Breunig, Senior Planner, presented the project.

Motion to approve Conditional Use Permits to allow an addition to a structure with nonconforming parking along an existing nonconforming side setback at 11 Pomona Avenue: Mendez, 2nd: Bloom.

Vote:
City of El Cerrito
Planning Commission Meeting Minutes

Ayes: Bloom, Colin, Hansen, Lucas, Motoyama, Mendez
Noes: None
Abstain: None
Absent: Iswalt

6. **Staff Communications**  
Staff updated the Commission regarding upcoming meetings and agenda items.

7. **Adjournment**  
8:13 p.m.
DETAILS

Application Number: PL17-0179

Applicant: Nancy Kalter-Dills

Location: 937 Liberty Street

APN: 503-243-004

Zoning: RM (Multi-family Residential)

General Plan: High Density Residential

Request: Planning Commission consideration of a Conditional Use Permit to allow for the addition of three new bedrooms, and a new second story addition to a single-family residence that will be over 2,000 square feet with a one-car garage that is non-conforming to parking (El Cerrito Municipal Code Section 19.27.050 C.2.a.1.A.).

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

EXECUTIVE SUMMARY

The proposal is to enlarge an existing single-family residence with a new two-story addition that would establish a four-bedroom house with a one-car attached garage. Two of the new bedrooms would be in the second story addition.

The existing parking is non-conforming to the current parking standards of two off-street covered spaces and requires a Conditional Use Permit pursuant to Section 19.27.050 C.2.a.1.A of the El Cerrito Municipal Code (ECMC).

The applicant has submitted a parking survey which shows that there is on-street parking available on Liberty Street at peak times. Staff has verified the submitted information. Based on the evidence submitted, staff is recommending approval of the Conditional Use Permit to allow an addition to a structure with nonconforming parking.
Background

Site Location

The site is located along the west side of Liberty Street, between Moeser Lane and Waldo Avenue. The lot is developed with a single-family residential structure that was built in 1947, and is 1,641 square feet in size, excluding the garage space, and porch area. In 1980, the City approved a Use Permit and Administrative Design Review to allow the addition of a studio study and bath at the rear of the residence.

The property is relatively flat in terms of topography and is 5,350 square feet in size. The site has the RM, Multi-family Residential, zoning designation which is consistent with the High Density General Plan land use designation. Section 19.27.050C.2.a.1.A applies to single family residential units regardless of the zoning designation. Additionally, the Residential Architectural Design (RAD) process for a second story addition and the accompanying daylight plane requirement is not applicable to properties with the RM zoning designation.

Vicinity Map
Project Description

The proposal is to enlarge an existing single-family residence with a new two-story addition that would establish a four-bedroom house with a one-car attached garage. The existing parking is non-conforming to the current parking standards of two off-street covered spaces pursuant to Section 19.27.050 C.2.a.1.A of the El Cerrito Municipal Code (ECMC). The 1940 zoning ordinance, in effect when the residence was constructed, required one parking space for single family dwellings. The residence on the property may be altered or expanded without increasing the number of covered parking spaces, without a Conditional Use Permit, 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.

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 which require that: 1) the proposal’s location, size and design will 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 single family residences with the RM (Multi-family Residential) zoning designation, staff believes there are sufficient on-street parking spaces in the neighborhood to accommodate the second parking space. Staff asked the applicant to take pictures of the street after 7pm in order to determine the availability of on-street parking spaces. Attachment 2 shows there is available on-street parking on the west and east sides of Liberty Street. The photos were taken on October 10, 2017, at approximately 7pm, when most families are home and using their on-site or on-street parking.

Staff notes that that the plan set shows a future fifth bedroom may be created by converting the existing first floor den area. If this action does take place, it would be reviewed as a building permit. No additional review by the Planning Commission would be required.

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 requirement of a two covered parking spaces (either a carport or garage).

Table 1: Development Standards Comparison

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>Zoning Ord. Standard</th>
<th>Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Coverage</td>
<td>60%</td>
<td>35%</td>
</tr>
<tr>
<td>Setbacks: Front</td>
<td>10 ft. / 20 ft. garage setback</td>
<td>10 ft. / 20 ft. garage setback</td>
</tr>
<tr>
<td>Sides</td>
<td>5ft.</td>
<td>5ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>15ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Height</td>
<td>35 ft.</td>
<td>23 ft., 6 inches</td>
</tr>
<tr>
<td>Open Space</td>
<td>100 sq. ft.</td>
<td>100 sq. ft.</td>
</tr>
<tr>
<td>Parking</td>
<td>2 covered spaces (garage or carport)</td>
<td>1 covered space (garage)</td>
</tr>
</tbody>
</table>

Discussion

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 second story 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 combination of hip and gable roofs; the proposed roof for the addition is a gable roof that is the same pitch as the existing roof. The gable roof will be composition shingles, and new siding will match the existing horizontal wood siding. The color and windows of the addition will match the color and materials 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:

LU1.2 Multifamily Neighborhoods. Ensure that new development in multi-family neighborhoods supports, rather than detracts, from the existing residential character of the area.

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.

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.

CD1.3 High-Quality Design. Encourage higher-quality design through the use of well-crafted and maintained buildings and landscaping, use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects.

As designed, this addition will create two bedrooms with a second story addition. The addition is 23 feet, 6 inches in height, and does not exceed the height limit of 35 feet for the RM zoning district. The design of the addition is in keeping with the architecture of the existing single family home as the color and materials of the addition will match the color and materials of the existing single family residence. This block of Liberty Street has a mix of single family residences and small four or six unit apartment buildings and at least one two-story single family residence. Therefore, the proposed residential addition supports the existing character of this neighborhood. Lastly, the residential addition allows the property owners to expand their residence to accommodate the needs of their family.

Public Notice and Comment

The required public notice for the project was published in the East Bay Times and mailed to owners of property within 300 feet of the project site on or before January 31, 2018. Staff has not received any comments about this proposal.

Environmental Review

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

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 multi-family residential zoning district (RM).

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 RM multi-family residential 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: LU1.2 Multifamily Neighborhoods, LU1.5: Suitable Housing; CD1.1: Neighborhood Character; and CD1.3 High-Quality Design.

**STAFF RECOMMENDATION**

Staff recommends approving Conditional Use Permit Application PL17-0179 to add a new two story addition to an existing single story single family residence, for the addition of two new bedrooms, on a property with non-conforming parking (consisting of a one-car attached garage).

**Proposed Motion**

1. Move approval of Conditional Use Permit Application PL17-0179.

**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) Parking Study Photographs dated October 10, 2017
3) Project Site Photographs, dated December 13, 2017
4) Plans dated December 13, 2017
Planning Commission Resolution PC18-03

APPLICATION NO. PL17-0179

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A SECOND STORY ADDITION FOR TWO NEW BEDROOMS FOR A FOUR BEDROOM RESIDENCE ON A SINGLE FAMILY RESIDENTIAL PROPERTY WITH NON-CONFORMING PARKING OF A ONE-CAR ATTACHED GARAGE (EL CERRITO MUNICIPAL CODE SECTION 19.27.050C.2.A.1.A.), 937 LIBERTY STREET, APN 503-243-004

WHEREAS, the subject property is located at 937 Liberty Street;

WHEREAS, the site is currently developed with a single family residence that was built in 1947;

WHEREAS, the project consists of a second story addition for two new bedrooms and a stairway totaling 413 square feet;

WHEREAS, upon completion, the residence will total 2,054 square feet of living area with an attached one car garage;

WHEREAS, the Assessor’s Parcel Number of the subject property is 503-243-004;

WHEREAS, the zoning district of the site is RM (Multi Family Residential);

WHEREAS, the General Plan land use designation of the site is High 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 December 14, 2017, the applicant submitted an application for the Conditional Use Permit; and

WHEREAS, on February 21, 2018, 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 Multi-family residential zoning district (RM).

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 RM Multi-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: LU1.2 Multifamily Neighborhoods, LU1.5: Suitable Housing; CD1.1: Neighborhood Character; and CD1.3 High-Quality Design.

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. PL17-0179, subject to the following conditions:

Planning:

1. The project will be constructed substantially in conformance with the plans dated December 14, 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. A construction staging plan shall be submitted to the Zoning Administrator for review and approval prior to the issuance of a building permit. The construction staging plan shall illustrate where the construction equipment will be staged and the location of parking for the construction employees. This construction and staging plan will also require the submission of a Temporary Use Permit.

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

Fire Department:

6. Building Construction
   A. Building construction shall meet current California Building, Fire, and Residential Codes and the El Cerrito Fire Code.
   B. All electrical breakers shall be labeled.

7. Carbon Monoxide Detectors – NEW CONSTRUCTION AREAS ONLY
   A. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed; and in dwelling units that have attached garages.
   B. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
   C. Carbon Monoxide alarms shall be 120 v Powered with battery backup and be interconnected with the smoke detectors.
8. Smoke Detection – NEW CONSTRUCTION AREAS ONLY
   A. Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
   B. Smoke detectors shall be 120v powered with battery backup.
   C. Smoke detectors shall be interconnected.

9. Emergency Egress
   A. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue.
   B. Escape or rescue windows shall be installed in accordance with California Residential Code R310.2.1 & R310.2.2.

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

Public Works:

11. 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.

12. 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.

13. 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 February 21, 2018 upon motion of Commissioner , second by Commissioner :  

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Elizabeth Dunn, AICP
Consulting Planner
1- WEST SIDE LIBERTY STREET (NORTHWARD)
2- WEST SIDE LIBERTY STREET (DUE WEST)
Images taken at +/- 7 p.m. on October 10, 2017

3- WEST SIDE LIBERTY STREET (SOUTHWARD)
4- EAST SIDE OF LIBERTY STREET (NORTHWARD)
Images taken at +/- 7 p.m. on October 10, 2017

5- EAST SIDE LIBERTY STREET (DUE EAST)
6- EAST SIDE LIBERTY STREET (SOUTHWARD)
1- 937 LIBERTY EAST (from north)

2- 937 LIBERTY – EAST (from south)
3- 937 LIBERTY – NORTH (from east)

4- 937 LIBERTY – NORTH (from west)
5- 937 LIBERTY – WEST (from north)

6- 937 LIBERTY – WEST (from south)
7. 937 LIBERTY – SOUTH-YARD (from west)

8. 937 LIBERTY – SOUTH (from west)
### ASSESSOR MAP

**N.T.S.**

### PROJECT INFORMATION TABLE

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted/required</th>
<th>Notes/Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>single family residence with 2 bedrooms and attached 1-car garage</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>no change</td>
</tr>
<tr>
<td>single family residence with 5 bedrooms and attached 1-car garage</td>
<td>1</td>
<td>1</td>
<td>Conditional Use Permit Required</td>
<td>Site is &lt; 30% slope</td>
</tr>
</tbody>
</table>

| # Dwelling Units | 1        | 1        | -                  | no change |
| Lot Area        | 5350     | 5350     | -                  | CONTRA COSTA COUNTY |
| Building Footprint (incl porch) | 1878     | 1878     | -                  | 0% increase to foot print |
| Gross Floor Area | 1644     | 2054     | -                  | add 413 SF |
| # Stories       | 1        | 2        | -                  | 20% increase over 3rd floor |
| Max Height     | 16'-0" from front | 21'-9" from front | 15' | CONDITIONAL USE PERMIT |
| # Parking Spaces | 1        | 1        | 2 required for over 3 bedrooms | CONDITIONAL USE PERMIT |
| Lot Coverage     | 35.0%    | 35.0%    | 60%                | no change |
| Usable Open Space | 2500 SF  | 2500 SF  | 300 SF             | no change |
| Front Setback (addition) | 13'-4"   | 13'-4"   | 10'-0" FOR PARKING | no change |
| Side Setback (addition) | 5'-0"    | 5'-0"    | 5'-0" FOR PORTIONS OVER 25' | to match existing |
| Side Setback LEFT | 3'-0"   | no change | 15'-0" FOR PORTIONS OVER 25' | no change: existing non-conforming |
| Rear Setback (addition) | 10'-1"  | 10'-1"   | 15'-0"             | no change |

#### SCOPE OF WORK:

A SMALL, TWO STORY ADDITION TO ADD 2 BEDROOMS.

- FUTURE WORK: RECONFIGURATION OF ROOMS AT MAIN LEVEL TO ADD BEDROOM #5 WITH/ESCAPE WINDOW
- NEW +/- 25" HIGH DECK ON BACK
- EXTERIOR FINISHES - SIDING, WINDOW TRIM, ROOFING GUTTERS, WILL ALL MATCH EXISTING.

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A2.0 EXISTING FLOOR PLAN
A2.1 PROPOSED FLOOR PLANS
A3.0 EXISTING EXTERIOR ELEVATIONS
A3.1 PROPOSED EXTERIOR ELEVATIONS
A4.0 EXISTING & PROPOSED SECTIONS

#### CONDITIONAL USE PERMIT

APN: 503-243004-2

937 Liberty St.

El Cerrito

Zoning: RM

9/3/2017
PROPOSED SITE PLAN

Scale: 3/32" = 1'-0"

1. PROPOSED SITE PLAN

Scale: 3/32" = 1'-0"
EXISTING FLOOR PLAN
Scale: 3/16" = 1'-0"
PROPOSED (PARTIAL) FIRST FLOOR PLAN
Scale: 3/16" = 1'-0"

PROPOSED NEW SECOND FLOOR PLAN
Scale: 3/16" = 1'-0"

KEY
- AREA OF PROPOSED SECOND FLOOR ABOVE
- NEW WALLS
- DEMO WALLS/DOORS

NORRIS - CAPPELLO RESIDENCE
937 LIBERTY ST
EL CERRITO, CA 94530
PROPOSED (PARTIAL) NORTH ELEVATION
Scale: 1/8" = 1'-0"

TYP. FINISHES NOTES:
MATERIALS & COLORS TO MATCH (E)
- COMP SHINGLE ROOF
- 2X8 FASCIA W/GUTTERS
- VERTICAL 4" SHIPLAP SIDING
  AT GABLE ENDS-PAINTED
- HORIZONTAL 1X8 SIDING, ON MAIN BODY-PAINTED
- WHITE VINYL WINDOWS W/ PAINTED 1X4 TRIM
- CLEAR SEALED REDWOOD DECK
  AND STEPS

PROPOSED WEST (REAR) ELEVATION
Scale: 1/8" = 1'-0"

DIMENSIONS FROM FRONT

PROPOSED SOUTH ELEVATION
Scale: 1/8" = 1'-0"

DIMENSIONS FROM REAR

PROPOSED EAST (ENTRY) ELEVATION
Scale: 1/8" = 1'-0"
NORRIS - CAPPELLO RESIDENCE
937 LIBERTY ST
EL CERRITO CA, 94530

EXISTING N/S SECTION AT LOOKING EAST
Scale: 1/8" = 1'-0"

PROPOSED N/S SECTION AT LOOKING EAST
Scale: 1/8" = 1'-0"

EXISTING (PARTIAL) E/W SECTION
Scale: 1/8" = 1'-0"

PROPOSED (PARTIAL) E/W SECTION
Scale: 1/8" = 1'-0"
10810 San Pablo Avenue

DETAILS

Application Number: PL16-0119

Applicant: Mauricio de la Pena, Trachtenberg Architects

Location: 10810 San Pablo Avenue

APN: 503-010-015

Zoning: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)

General Plan: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)

Request: Planning Commission consideration of Tier IV Site Plan and Design Review, pursuant to the San Pablo Avenue Specific Plan, for a new 4-story building containing 40 residential units.

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 and 15182.

EXECUTIVE SUMMARY

The requested entitlement for Planning Commission review consists of a Tier IV Site Plan and Design Review, pursuant to the San Pablo Avenue Specific Plan. The Planning Commission and Design Review Board both have authority under Tier IV. The Planning Commission is authorized to act upon the site plan and the aspects of the project that do not meet the development standards of the Form Based Code, and to act upon a determination that the project achieves an over-arching public benefit, subject to the findings.

The project was originally considered by the Planning Commission on December 20, 2017. The Commission provided specific comments on the project regarding: 1) creating habitable space along the Kearney Street elevation; 2) providing a more specific public benefit provided by the project; and 3) establishing a pedestrian access to San Pablo Avenue from the proposed building with additional landscaping. The project was not continued to a specific date; the project has been noticed for the February 21, 2018 Planning Commission meeting. The proposed plans have been revised to reflect the comments of the Commission.

The following aspects of the project do not comply fully with the Tier II Design Review standards:

- Shadows cast to the east
- Allowed frontage type along Neighborhood Street
- Ground floor ceiling height and frontage type
- Front encroachment above ground floor on Neighborhood Street

The project also proposes a vehicle parking ratio of 0.96, which triggers an enhanced Transportation Demand Management effort on behalf of the applicant.

Based on the information in this report which supports the required findings, staff recommend approval of the project.
Background

Site Location and Layout

The project site is located within the San Pablo Avenue corridor that is predominantly developed with commercial, retail uses and multi-family residential uses. The project is a part of the existing 160 unit Village at Town Center (“Village”) residential development located on three separate parcels on Schmidt Lane. The project specific location extends through the entire block from San Pablo Avenue to Kearney Street, along Schmidt Lane. The site slopes up gently from San Pablo Avenue.

The approximately 1.38-acre (60,060-square-foot) site of the Village at Town Center campus setting (consisting of Buildings A – D) has four addresses. The address for the project site is 10810 San Pablo Avenue, and is comprised of one parcel (APN 503-392-028) that is north of Schmidt Lane and fronts on Kearney Street. The site is 24,958 square feet (0.57 acres), and developed with covered and uncovered parking spaces for existing residential Building A at the Village residential development. Vegetation within the project site consists of planted islands within the parking area and streetscape landscaping including trees and shrubs around the perimeter of the project site. The proposed building would be Building E of the Village project.

The project site is designated Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) in the City’s General Plan, and is zoned as TOMIMU in the San Pablo Avenue Specific Plan as well. The TOMIMU designation allows for mixed use development with a 55-foot height limit.

Existing Public Right-of-Way

The overall site is bounded by three streets: San Pablo Avenue, Schmidt Lane, and Kearney Street. The project site is accessed from Kearney Street, the street frontage that applies to the discussion about this project, and is 293 feet in length. San Pablo Avenue features an existing AC Transit bus stop (Lines 72 and 72M).

Existing/Previous Land Use

The site had historically been used as the El Cerrito Mill and Lumber site. A newly constructed Italianate style building, The Vitale Building, had been on the site until the Village at Town Center was about to start construction; this building was relocated across the street. In 2001, the current campus was approved for the site.
Vicinity Map

Site Photo
Adjacent Land Uses

**North:** Senior multi-family housing (under construction), and City of El Cerrito City Hall.

**East:** El Cerrito office of the Department of Motor Vehicles building; residential uses.

**South:** Schmidt Lane. Residential uses along Schmidt, and commercial immediately to the south.

**West:** San Pablo Avenue with commercial uses that are in the cities of El Cerrito and Richmond.

Analysis

**Project Description**
The proposed project would be Building E, and part of the Village at Town Center residential development. The project sponsor proposes to demolish the existing surface parking lot, and develop the site with a new three and four-story residential building which includes 40 dwelling units, 32 covered parking spaces, and a large private-common open space area on the roof level. The proposed Building E would be comprised of an H-shaped building that is linked by elevated walkways over the on-site drive aisle. The project would result in the construction of a three and four story residential building with 40 market-rate apartment units and ground-level parking located on the northern portion of the project site. The proposed project would include 30 one-bedroom apartments and 10 two-bedroom apartments for a total of 40 residential units. The ground level would include 32 garaged parking spaces. A community Amenity Room is proposed on the ground floor level along the Kearney Street elevation for the tenants of Building A and proposed Building E of the Village at Town Center.

**Planning Commission Comments and Revised Site Plan**
At its December 20, 2017 hearing, the Planning Commission reviewed the proposed project and provided the following comments to: 1) create habitable space along the Kearney Street elevation; 2) provide a more specific public benefit provided by the project; and 3) establish a pedestrian access to San Pablo Avenue from the proposed building and additional landscaping.

The revised site plans illustrate that an Amenity Room has been located along the Kearney Street elevation. Access to this space will come from the entry lobby to the building with a secondary door added for exiting onto Kearney Street in the case of an emergency. A new pedestrian access from the building has been established with a new door way on the western elevation of the proposed building. This allows residents to gain access to the building from either San Pablo Avenue or Schmidt Lane without having to use the main lobby on the Kearney Street elevation. A gate has been created at the end of the walkway from the building which allows residents to follow a new pathway to gain access to San Pablo Avenue. Residents who have mobility issues can use the ADA walkway to the north of the courtyard area to gain access to Schmidt Lane or San Pablo Avenue.

Other changes to the site plan for the proposed Building E include relocating all of the electrical, boiler, mechanical uses, meters, and trash room to the Kearney Street elevation. The long-term bike parking and the mail room have been relocated to this street frontage as well. The necessary utility features for the new building, and mail room and bicycle parking are all to the north of the entry lobby of this proposed residential building.
The developer has revised the use of the renovated courtyard area to private, common open space. To meet the public open space development standard, the applicant has agreed to pay an in-lieu fee.

Unique Considerations

This project is unique in that it is contained within an existing mixed-use, multi-family campus. To that end, it presented several challenges and opportunities. As new multi-family housing is being added to the existing site plan, it is required to apply the San Pablo Avenue Specific Plan standards to the building envelope of the new building. However, the new building shares its other development parameters with the rest of the campus. While staff notes the opportunity to implement a key goal of the San Pablo Avenue Specific Plan and replace surface parking for high quality multi-family housing, the project’s analysis had to ensure the site plan-level impacts, such as vehicle parking and open space ratios, did not go below the development standards for the Plan area. Finally, it was essential to safeguard parking needs of the existing commercial uses along San Pablo Avenue and the five below market rate dwelling units located in Building A.

Off-Street Parking

The Village at Town Center project was originally approved by the City Council in 2001, and received approval from the City’s Design Review Board in 2003 for the Building A site (the site of the proposed project). The approved number of parking spaces for the whole project (Buildings A – D) was 227 spaces over four parcels to serve a total of 160 dwelling units. Therefore, the approved parking ratio was 1.42 parking spaces per unit.

If the proposed Building E is approved, 40 additional dwelling units will be added to the project. Some surface parking will be removed and new garage parking spaces are being added. The net new number of parking spaces for the campus will decrease to a total of 200, however 8 of these spaces are for the retail uses that are along San Pablo Avenue. Therefore, the parking ratio is .96. The Transit Oriented Medium Intensity Mixed Use (TOMIMU) district requires additional Transportation Demand Management (TDM) measures when the proposed parking ratio is between 0-1. Additional TDM measures, consisting of $50,000 for AC Transit Easy Passes for residents of the Village campus, are included as a component of the project. The project developer will be coordinating with Green Trip Connect, a program operated by TransFormCA, a local advocacy group, that seeks to implement automobile trip reduction strategies, like transit passes, and carsharing for residents of multi-family, mixed use projects with densities of at least 20 units per acre.

Looking specifically at the Building A portion of the campus, there are 86 covered and uncovered parking spaces, five of which are accessible. With the proposed project, a total of 59 garaged and uncovered parking spaces for the residential and commercial uses will be available for use at this location, and 27 parking spaces are eliminated with the construction of a new residential building. The table below shows the breakdown of the existing and proposed parking spaces for the project site and campus.

<table>
<thead>
<tr>
<th>Table of Existing and Proposed Parking for the Project Site</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing</strong></td>
</tr>
<tr>
<td>86</td>
</tr>
</tbody>
</table>
### Table of Existing and Proposed for the Campus

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>227</td>
<td>200</td>
</tr>
</tbody>
</table>

Off street parking at this site also has two other factors that are being considered in the project: 1) there are eight (8) dedicated off-site parking spaces for the commercial uses along San Pablo Avenue with the reconfigured on-site parking adjacent to this corridor; and 2) there are five (5) lower income units that have an existing contractual arrangement to use five garaged spaces.

In keeping with the regulations of the San Pablo Avenue Specific Plan, the balance of the covered and surface parking spaces, including the accessible spaces, are unbundled from the lease of the residential dwelling units.

### Open Space

The Village at Town Center project was approved with the private and common open space regulations that were in effect at the time. Areas for public open space uses were not required. The San Pablo Avenue Specific Plan requires a ratio of private/common open space per unit for the residents of the development and a ratio of public open space for the benefit of the general public.

Staff analyzed the previously approved plans and applicable regulations from the previous Zoning Code to understand the amount of private and common open space that was created for the Village at Town Center project.

### Existing Condition

A total of 22,386 square feet of open space was established for the Village at Town Center campus project (15,040 square feet of shared open space, and 7,346 square feet of private open space).

Applying the current private/common open space ratio of the Specific Plan to the existing campus and proposed project, 16,000 square feet of private/common open space would be required for the 160 existing dwelling units. Therefore, there is currently a surplus of 6,386 square feet of private/common open space area for existing campus project.

### New Project

New private common rooftop open space is provided as part of this project. This space is located above the third floor on the building, and consists of a variety of new landscaping (trees and shrubs that are drought tolerant), eight (8) seating areas with outdoor furniture (that is modular), barbeques, storage trunks, an outdoor television and a dog play area. This area is 3,600 square feet in size, and exceeds the requirement of 80 square feet of private/common open space per unit by 400 square feet.

In addition, the applicant proposes to enhance an existing 5,400 square foot turf area with a bocce court, fire pits, and new landscaping. As noted above, this space was previously designated as public open space in the application. The project developer now proposes that the courtyard area will remain private, common open space. To meet the development standard of public open space, an in-lieu fee, of $119,694.00, will be paid for the 1,173.47 square feet of public open space that is required of the project for the proposed new Building E.
### Table of Existing and Proposed Open Space

<table>
<thead>
<tr>
<th></th>
<th>Existing Campus</th>
<th>Required/Proposed</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private/Common</td>
<td>22,386 sq ft</td>
<td>3,200 sq ft/3,600 sq ft</td>
<td>16,000 sq ft is required for the existing campus. 3,200 sq ft is required for the new dwelling units. 25,986 sq ft is provided. Surplus of 6,786 sq ft.</td>
</tr>
<tr>
<td>Public</td>
<td>0</td>
<td>1,173 sq ft./0</td>
<td>An in-lieu fee of $119,646.00 will be paid</td>
</tr>
</tbody>
</table>

### Compliance with the San Pablo Avenue Specific Plan

Chapter Two of the San Pablo Avenue Specific Plan establishes the land use regulations and development standards of the Specific Plan Area.

Some development standards apply throughout the Plan area. These include:
- Regulation by Street Type – which includes building placement, building form, and shadow analysis.
- Open Space Requirements – which includes private, common and public open spaces.

Other development standards vary by transect zone. The development standards that are related to the transect zone include:
- Use - Types of land use permitted, conditionally permitted or prohibited.
- Building Height - the minimums and maximums heights allowed.
- Parking of vehicles – the minimum and maximum number of spaces allowed.
- Parking of bicycles - the minimum number of spaces allowed.

The tables below show the relevant Specific Plan standards. Standards below that are shaded **yellow** and text in **bold** show components of the project that do not comply with the Specific Plan standards. Standards that are shaded **green** and **underlined** text illustrates where the project greatly exceeds the minimum expectations set by the Specific Plan.

Although the campus is located on many public rights of way, the project is located on Kearney Street, north of Schmidt Lane, which is a Neighborhood Street. The project is located in the Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zone.

#### Neighborhood Street

<table>
<thead>
<tr>
<th>Building Placement</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>5 ft. min</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>6 ft. min adjacent to commercial uses, 5 ft. min adjacent to residential uses</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>0 ft. min</td>
<td>1 ft., 1”</td>
</tr>
<tr>
<td>Ground Floor Front Setback</td>
<td>Min: distance needed to</td>
<td>1’, 1” for a residential use</td>
</tr>
</tbody>
</table>
accommodate required zones
Max: 10 ft. for non-residential
uses, 15 ft. for residential uses

<table>
<thead>
<tr>
<th>Pedestrian Access</th>
<th>Entries on front or side streets</th>
<th>One (1) new building entry on Kearney Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicular Access</td>
<td>Max 20 ft. 2-way driveways. Side access on corner lots</td>
<td>One new curb cut that is 20 ft. wide.</td>
</tr>
</tbody>
</table>

**Building Form**

<table>
<thead>
<tr>
<th>Upper Floor Setbacks</th>
<th>See Shadows</th>
<th>Proposed project cast shadows beyond the curb line on the opposite side of Kearney Street on December 21 at 1:30pm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>14 ft. min clear</td>
<td>12 ft. min</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft. min</td>
</tr>
<tr>
<td>Building Length</td>
<td>200 ft. max</td>
<td>133’, 10” ft. along Kearney</td>
</tr>
<tr>
<td>Ground Floor Transparency</td>
<td>Non-residential 50% min, Residential 30% min.</td>
<td>30%</td>
</tr>
<tr>
<td>Upper Floor Transparency</td>
<td>25% min</td>
<td>29%</td>
</tr>
<tr>
<td>Front Encroachments</td>
<td>2 ft. max</td>
<td>2 ft. 6 in.</td>
</tr>
<tr>
<td>Rear Encroachments</td>
<td>4 ft. max</td>
<td>NA</td>
</tr>
<tr>
<td>Allowed Frontage Types</td>
<td>Front Yard, Forecourt (NE side), Flex (commercial), Shop Front (commercial)</td>
<td>Flex Front</td>
</tr>
</tbody>
</table>

Note: For the purposes of administering the development standards detailed above, the Zoning Administrator has determined that Kearney Street is the front of the project site, and in the event of a conflict, the Neighborhood Street standards prevail.

**Open Space Requirements**

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private/Common Open Space</strong></td>
<td>80 sq. ft./unit min</td>
</tr>
<tr>
<td><strong>Public Open Space</strong></td>
<td>25 sq. ft./1,000 sq. ft. of building for buildings &gt;25,000 sq. ft. (Total of 1,173 sq. ft. required)</td>
</tr>
</tbody>
</table>

Note: Open space for this project is calculated based on the proposal and the entire campus. See discussion.
Transit-Oriented Mixed-Intensity Mixed Use Zone

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auto Parking</td>
<td>Up to 1.5 spaces/unit (Reductions and increases allowed with Zoning Administrator approval)</td>
<td>0.96 space per unit (total of 32 new garage spaces). Twelve (12) uncovered spaces, including four (4) accessible spaces, and seven (7) garaged spaces are existing. Eight existing spaces are for the commercial area (2 garaged, 5 uncovered, and one ADA accessible).</td>
</tr>
</tbody>
</table>

| Bicycle Parking | Min 1 short-term space/20 units Min 1.5 long-term spaces/unit | 2 short-term spaces 60 long-term spaces |

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum Height</th>
<th>Minimum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>55 ft. max</td>
<td>3 stories residential, 2 stories commercial</td>
</tr>
<tr>
<td></td>
<td>44 ft. 9 in.</td>
<td>4 residential stories</td>
</tr>
</tbody>
</table>

Planning Commission Purview Under the Tier IV Process

The Planning Commission is authorized to act upon the site plan and the aspects of the project that do not meet the development standards of the Form Based Code, and to act upon a determination that the project achieves an over-arching public benefit, subject to the findings, below.

Aspects of the project that do not meet the Form Based Code Development Standards:

- Project cast shadows beyond the curb line on the opposite side of Kearney Street on December 21 at 1:30pm.
- Allowed frontage type along Neighborhood Street not met.
- Ground floor ceiling height and frontage type.
- Front encroachment above ground floor on Neighborhood Street.
- Off street vehicle parking ration is below 1 space per unit. This is allowable with an enhanced Transportation Demand Management (TDM) plan.

SHADOWS TO THE EAST OF THE PROJECT SITE

The proposed new building is three stories along Kearney Street (with rooftop private common open space above the third floor) and the four-story component is located on the interior of the site. A shadow study was performed, and shadows are created that flow across Kearney Street and into the Department of Motor Vehicles parking lot area.

FRONTAGE TYPE AND GROUND FLOOR CEILING HEIGHT

The project fronts onto Kearney Street which is described as a Neighborhood Street in the San Pablo Avenue Specific Plan. As discussed in Section 2.04.02.02.01, Intent, the Neighborhood Street is, “to
support and maintain the character of existing neighborhoods, new development along low traffic volume residential and commercial streets respect existing building types by stepping down the building’s height, breaking up the building’s mass and incorporating design elements”.

This block of Kearney between Schmidt Lane and Manila Avenue has two distinct land uses: public/ civic uses (El Cerrito City Hall to the north, and the California State Department of Motor Vehicles (DMV) to the east), and residential (existing Building B of the Village at Town Center to the east, and Hana Gardens, a senior low income apartment building that is under construction, to the north).

There are no commercial uses on either side of the block. Further, there is no expectation that the DMV site will transition to a different use anytime in the foreseeable future. With this context, staff concurs that requiring the project to add a Flex or Shop Front Frontage Type along the west side of Kearney is not appropriate. Instead, the applicant has opted to create a frontage type is strictly residential in nature, in terms of both frontage type and ceiling height. It still provides an active street frontage with an identifiable entry to the building, a relocated Amenity Room where residents of Building A and proposed Building E of the Village campus can assemble, and an access point onto Kearney Street for bicyclists entering or leaving the bike storage area. Staff supports the applicant’s approach to this issue.

FRONT ENCROACHMENT ABOVE THE GROUND FLOOR ON THE KEARNEY STREET ELEVATION

The San Pablo Avenue Specific Plan allows a front encroachment for all street types and building forms for projects in the Specific Plan area. The allowed encroachment for a Neighborhood Street for a front encroachment is two feet, with a commercial ground floor. The proposed building intrudes into the allowed front encroachment, above the ground floor, by six inches. As this is the window popout feature that exists along all elevations, which creates visual interest along all of the building elevations, staff supports the intrusion into the above ground front elevation.

PUBLIC BENEFITS PROPOSED BY THE PROJECT

The project proposes to contribute $75,000 towards the preparation of a Transportation Demand Plan for the City of El Cerrito as referenced in the San Pablo Avenue Specific Plan’s Parking Standards.

Architectural Design

The building’s architecture incorporates a strong contemporary aesthetic. It is in the shape of an “H”, with a common hallway on the second, third, and fourth floors between the two areas of this building. Stairways will exist within both portions of the building and an elevator is located in the four story portion of the building. A new exterior door at the ground floor on the west elevation has been added which allows residents to gain access to the building from either San Pablo Avenue or Schmidt Lane without having to use the main lobby on the Kearney Street elevation. A gate has been created at the end of the walkway from the building which allows residents to follow a new pathway to gain access to San Pablo Avenue. Residents who may have mobility issues can use the ADA walkway to the north of the courtyard area to gain access to Schmidt Lane or San Pablo Avenue. Bicycle parking for the proposed Building E, and an Amenity Room for all of the residents at the Village campus exists on the ground floor on the Kearny Street elevation.

The building features upper floors with pop-outs and recesses, which are visible above the ground floor. Corrugated galvanized steel is the material used for the popouts; stucco is to be used on the elevations between the window popouts and will be a deep gray with a brownish taupe hue. Aluminum windows are proposed on the building. Wood cladding is to be installed adjacent to the building entrance along Kearney Street on the east elevation, and as an accent feature on the west elevation for the height of
the building, and in front of the stairwell. These elements create a strong vertical theme which provides visual interest along all frontages of this building. This vertical theme is reinforced with taller windows in the pop-out areas. The façade facing Kearney Street features a more traditional residential-type ground floor appearance with pedestrian and vehicular access to the street, and entrances points with doors for residents and bicyclists, and the various mechanical and utility uses for the building. There are no balconies, as all of the private open space has been placed on the rooftop area along the Kearney Street elevation.

A new rolling gate is proposed across the new driveway for the site. The gate will be six feet tall, constructed of perforated aluminum, and will have an interesting graphic design that is 50% transparent. Although the name is “Westcott Navy” the color is a deep gray. The end panel frames for the gate will painted solid steel over a steel frame, and the motor for the gate will be concealed behind the solid panel. The garage door for the existing driveway is to be a roll up door with aluminum framing and translucent glass. A new six foot tall perimeter wood fence is proposed for the northern elevation of the project site. The existing curb cut at the north end of the site will be removed, and new curb and gutter will be installed.

While the appearance of this building differs from the existing, more suburban architecture found on the on the balance of the residential buildings of the Village at Town Center development, the color palette is intentionally reminiscent of the surrounding campus. Specifically, the dark color of the stucco element matches the dark color of the existing color scheme found on the horizontal base band. Further, the parklex cladding matches the color of the traditional roof found on the existing campus.

Project Rendering

Landscape Design

New street trees and accent landscaping is proposed. Three (3) new street trees, 24” box Brisbane Box trees, are proposed along Kearney Street. Two new 24” Brisbane Box trees are to be installed in the reconfigured parking area at the northwest corner of the site, north of the building that houses the commercial spaces. New landscaping, consisting of Agave Blue Glow, Senecio Serpens, and Dymondia Margaretae, will be installed in this area.
The accent landscaping is proposed along the perimeter of the H-shaped building, and along the northern property line. The existing common open space adjacent to Building A has been refreshed, and consists of two fire pit areas, with new landscaping, and a bocce court. The rooftop area of the proposed new Building E is to have fire pits, dedicated bench seating, multiple modular seating areas, and an artificial turf area for dogs to use. New landscaping is proposed near the gate that provides access to San Pablo Avenue from the western elevation of the proposed new building.

Additionally, the project utilizes the existing public pathways, as the project enhances the mid-block connection by adding high quality pedestrian gates, and replaces the existing automobile gate on San Pablo Avenue to match the design of the new proposed rolling gate for Kearney Street. (These gates will be open to the public during daylight hours or dawn to dusk.)

Monetary Contributions to the Community

To understand the direct and indirect contributions to the community, staff has created a list illustrating the financial contributions that will be made by the applicant related to this project. Some are directly submitted to the City of El Cerrito. Others are submitted to community agencies such as the West Contra Costa Unified School District and West County Transportation Advisory Committee. These contributions are over and above what is required for their fair share of impacts to the Complete Streets component of the Specific Plan referenced below, any fees paid to the Stege Sanitary District and any building and planning user fees needed for processing the entitlement, plan review and inspection of the project during the construction phase.

1. The project proposes to contribute $75,000 towards the preparation of a Transportation Development Plan for the City of El Cerrito, as referenced in the San Pablo Avenue Specific Plan’s Parking Standards.

2. An in-lieu fee of $119,646 to meet the required public open space for the project. While this is a development standard, since it is being paid as an in-lieu fee, the money will be given to the Public Works Department to further enhance existing and proposed public open space.

3. Art in Public Places in-lieu fee of $150,000. This money will be forwarded the City’s Arts and Culture Commission. They make recommendations to the City Council regarding the creation and location of public art in the City of El Cerrito.

4. Estimated* West Contra Costa Unified School District fee of $5.02 per square foot are assessed on gross square footage of the project. (46,939 sq ft x 5.02= $235,634) This money is collected by the School District to help fund both modernization and new construction of school facilities.

5. Estimated* West County Sub Regional Transportation Mitigation Program (STMP Fee) of $1,648 per multi-family dwelling unit. (40 du x $1,648=$65,920). This is collected by the City and transferred to West County Transportation Advisory Committee to assure that new development in West County pays its fair-share toward regional circulation and transit improvements that are proportional to the traffic impact the new development will generate. The local fees collected in West County provide congestion relief to mitigate traffic on regional routes and through improved transit service.

Total community contribution of this project is estimated to be $646,200.

*Denotes that these fees change on a periodic basis and are due at building permit. As construction plans typically take 12 to 18 months to complete, these fees may have changed by the time payment is due.
Complete Streets Plan

The project will be required to make a fair-share contribution toward the improvements contained in the Complete Streets chapter of the San Pablo Avenue Specific Plan. These improvements will be made as funds become available. For a commercial Neighborhood Street, such as Kearney Street, the improvements include pedestrian bulb-outs that decrease crossing distances for pedestrians, adding buffers from automobile traffic, and provide outdoor retail opportunities.

Public Notice and Comment

The required public notice for the project was published in the East Bay Times, mailed to owners of property within 300 feet of the project site and posted on the site on January 31, 2018. Staff has not received any comments.

Environmental Review

A Program Environmental Impact Report (program EIR) was certified for the San Pablo Avenue Specific Plan in 2014. This type of environmental documentation is authorized by section 15168 of the California Environmental Quality Act (CEQA) Guidelines for use in documenting the environmental impacts of specific plans, and other planning "programs." As explained in the CEQA Guidelines, a program EIR is useful in evaluating the potential environmental impacts of a project that involves a series of interrelated actions that can reasonably be characterized as a single project. Subsequent activities that fall within the scope of the program may not be subject to further environmental review if the environmental effects of the subsequent activity have been adequately addressed in the program EIR. CEQA Guidelines Section 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR.

An Initial Study Checklist has been prepared for this project (Attachment 3). The responses contained in the checklist confirm that the project is considered within the scope of the evaluation completed for the program EIR. No new impacts were identified and no new mitigation measures are required.

Several conditions of approval have been included in the draft resolution to ensure that key mitigation measures of the San Pablo Avenue Specific Plan Program EIR are implemented with regard to this project. The inclusion of these conditions ensures that the project will not have environmental effects which have not previously been addressed in the San Pablo Avenue Specific Plan EIR.

Intent of the Specific Plan

In addition, the project will implement the following strategies of the San Pablo Avenue Specific Plan:

**Strategy A.3:** Optimize Placemaking in all developments.

The project addresses Kearney Street with entries onto the street and landscaping improvements within the public-right-of-way. The project will continue to enhance the San Pablo Avenue corridor, as a place, by bringing more residential units to this location of El Cerrito. Maintaining the pathway through this development during daylight hours allows pedestrians to enjoy a pleasant atmosphere when using an alternate walking route in El Cerrito. A new pathway from the proposed building has been created which provides residents with another way to gain access to San Pablo Avenue.

**Strategy A.4:** Attract pedestrian activity to key nodes to foster community and identify places of interest.
The project site fronts onto Kearney Street, a Neighborhood Street. The project creates a relationship to the existing Village at Town Center residential use on the east side of the street, and will be immediately to the south of the senior housing that is under construction. With a smaller commercial shopping area available to the south of the site, which includes a restaurant, retail stores and a pharmacy) the proposed project will enhance the existing commercial environment along Kearney Street and attract pedestrian activity to this area of San Pablo Avenue.

Strategy B.1: Maximize TOD potential (BART and AC Transit).

The project will provide 40 new residential units in close proximity to existing AC Transit lines and the two El Cerrito BART stations. The project includes bike parking as required by the San Pablo Avenue Specific Plan and will face Kearney Street, providing a pleasant pedestrian environment along the adjacent streets.

Strategy B.2: Stimulate investment in vacant/underutilized sites at key focus areas.

The project utilizes a large portion of a surface parking lot within an existing residential apartment complex. The balance of the project site contains three residential buildings (Building A site) at the Village at Town Center development. The proposed project will provide 40 new residential units in close proximity to public transit in the San Pablo Avenue, and the mid-town zone.

Strategy B.3: Build on recent and planned private and public investments.

The applicant proposes to add 40 new residential units to an existing private development, by converting surface parking into housing. Additionally, they are enhancing the existing turf area adjacent to Building A and converting it to a private common outdoor area for all residents of Building A and proposed Building E of the Village campus to use. The renovation of the turf area is to create two fire pits, outdoor seating, new landscape and hardscape materials and a bocce court.

Strategy E.1: Promote infill development through increased land use intensity close to existing transit infrastructure.

The project will provide 40 new residential units by converting an existing surface parking lot into a new building in close proximity to existing public transit infrastructure.

General Plan Compliance

The project is consistent with and will implement the following policies of the El Cerrito General Plan:

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.

The project will provide 40 new housing units on Kearney Street with close proximity to public transportation and commercial uses.
LU2.1: San Pablo Avenue Specific Plan Area. Promote retail, office, and mixed uses within the San Pablo Avenue Specific Plan Area to provide more tax revenues to the city.

In accordance with the goals of the San Pablo Avenue Specific Plan, the proposed project will add housing units to San Pablo Avenue which will promote a balanced mixture of land uses in the corridor. The new residents of the project will support new and existing businesses along San Pablo Avenue.

LU4.1: Mixture of Uses. Encourage a mix of uses that promotes such community values as convenience, economic vitality, fiscal stability, public safety, a healthy environment, and a pleasant quality of life.

The proposed project will enhance the mixture of uses along San Pablo Avenue. The location of the project will provide the residents with convenient access to businesses, parks, schools, public transit and the Ohlone Greenway. The design of the project will allow for surveillance of the street, enhancing public safety.

LU6.2: Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others. On San Pablo Avenue, in many constrained right-of-ways, it is not possible to provide optimum facilities for all user groups and in the event that trade-offs are necessary, transit users and pedestrians are the highest priority.

The location of the project provides convenient access to frequent public transit along San Pablo Avenue as well as the two El Cerrito BART stations. The location also provides convenient walking access to local businesses.

CD1.9: Building Design. A variety of attractive images will be achieved by encouraging a variety of building styles and designs, within a unifying context of consistent “pedestrian” scale along streets and compatibility among neighboring land uses.

The proposed project is designed at a pedestrian scale and is compatible with the existing and future residential uses to the east and north of the site.

CD2.1: Street Frontages. Encourage street frontages that are safe, by allowing for surveillance of the street by people inside buildings and elsewhere, and are interesting for pedestrians. Require buildings in the San Pablo Avenue Specific Plan area to be directly abutting sidewalks, with window openings, entries and high levels of transparency along the pedestrian frontage.

The building will abut the sidewalk on Kearney Street and features pedestrian and bicycle access onto this street with a main door for stairway and lobby access. A relocated Amenity Room is proposed along Kearney Street which allows residents of the Village campus to assemble at this location. Additionally, residential units are above the ground floor and allow surveillance of the street from the units within the project.

CD2.3: Streetscape Improvements. Maintain an active program of street tree planting and improved roadway landscaping through both public and private means. Design guidelines shall describe appropriate types of trees for commercial areas – to enhance the shopping experience rather than detract from it.

The San Pablo Avenue Specific Plan implemented standards and requirements for public right-of-way improvements. The project is consistent with the standards and will enhance the adjacent public rights of way in compliance with the San Pablo Avenue Specific Plan.
CD3.2: Usable Open Space. Require the provision of usable open space in the form of ground-floor patios, upper-floor decks, and balconies, as well as common recreational facilities and amenities.

*The project features an open rooftop deck for common/private open space above a portion of the fourth floor for residents of this structure. Enhanced private common open space, for the residents of Building A and proposed Building E of the Village campus, is being created with the renovation of existing turf area into a more active courtyard that is adjacent to Building A.*

CD3.3: Site Landscaping. Improve the appearance of the community by requiring aesthetically designed screening and landscaping on public and private sites. Ensure that public landscaping includes entry areas, street medians, parks, and schools. Require landscaping for all private sites, yard spaces, parking lots, plazas, courtyards, and recreational areas.

*The project has provided landscaping in conformance with the standards in the San Pablo Avenue Specific Plan. New street trees will be installed along Kearney Street, at the perimeter of proposed Building E, along the northern property line, and as a buffer between the surface parking area and adjacent commercial uses.*

CD3.12: Landscape Species. Indigenous and drought-tolerant species that reduce water usage and are compatible with El Cerrito’s climate are encouraged.

*The proposed plant palette includes native, drought-tolerance plants such as Crepe Myrtle, Brisbane Box, and various succulents.*

CD4.2: Building Articulation. Ensure that buildings are well articulated. Avoid large unarticulated shapes in building design. Ensure that building designs include varied building facades, rooflines, and building heights to create more interesting and differentiated building forms and shapes. Encourage human scale detail in architectural design. Do not allow unarticulated blank walls or unbroken series of garage doors on the facades of buildings facing the street or the Ohlone Greenway.

*The proposed building is articulated in compliance with the San Pablo Avenue Specific Plan. The building includes a varied roofline and interesting building form. The building is designed at a human scale with building entries along Kearney Street.*

CD5.1: Design Review Process. Continue design review and approval process for all new development, changes, additions, and modifications of existing buildings (except for single-family homes on existing lots).

*The proposed project requires Tier IV Design Review approval from the Design Review Board in compliance with the San Pablo Avenue Specific Plan.*

T2.1: Land Use Patterns. Recognize the link between land use and transportation. Promote land use and development patterns that encourage walking, bicycling, and transit use. Emphasize high-density and mixed land use patterns that promote transit and pedestrian travel. Where feasible, emphasize the following land use measures:

1. Promote conveniently located neighborhood complexes that provide housing and commercial services near employment centers and within transit corridors.

2. Promote land use patterns that maximize trip-linking opportunities by assembling uses that allow people to take care of a variety of daily needs.
3. Encourage pedestrian-oriented land use and urban design that can have a demonstrable effect on transportation choices.

4. Direct growth to occur along transit corridors.

5. Encourage retail, commercial, and office uses in ground floor space in combination with upper-floor housing along San Pablo Avenue.

The project will provide 40 new residences in close proximity to public transportation and local businesses. In accordance with the goals of the San Pablo Avenue Specific Plan, the project will add housing units along San Pablo Avenue, a major transit corridor.

**T2.2: Project Design.** Projects should be designed to include features that encourage walking, bicycling, and transit use.

**H2.2:** Encourage the construction of transit-oriented developments (TODs) that seek to maximize opportunities for the use of public transit and transportation corridors through high-density residential and mixed-use projects along those corridors in accordance with the San Pablo Avenue Specific Plan and the City’s Incentives Program (Chapter 19.23 of the El Cerrito Zoning Ordinance.)

The project provides high-density housing along a transit corridor consistent with the Transit-Oriented Mid-Intensity Mixed Use Transect Zone in the San Pablo Avenue Specific Plan.

**H2.3:** Continue to enforce the sections of the Zoning Ordinance that increase density, reduce parking requirements, and establish design and development standards to create inviting, mixed-use neighborhoods around transit, and enforce the San Pablo Avenue Specific Plan.

The San Pablo Avenue Specific Plan reduced parking requirements and eliminated maximum density in the plan area. This project will enhance the mix of uses in the corridor adjacent to public transit. The project complies fully with the standards of the San Pablo Avenue Specific Plan.

**Required Findings**

Pursuant to Section 2.03.08.01.02.D.3 of the San Pablo Avenue Specific Plan, in acting to approve or conditionally approve an application for a Tier IV application, the Planning Commission shall make the following findings:

a. That the project furthers the goals of this Specific Plan by encouraging practical and market-friendly development, ensuring return on investment, strengthening a sense of place, enhancing and humanizing the public realm, and catalyzing mode shift;

The project will strengthen the sense of place in the midtown section of El Cerrito by adding a new architecturally interesting building in the place of a surface parking lot in an existing residential development. The proposed street frontage addresses the street at a human scale. The location of the project (adjacent to San Pablo Avenue and the Ohlone Greenway) along with its decreased vehicle off-street parking ratio help achieves mode shift from private automobile use.
b. That the project provides a public benefit which is consistent with the goals of the Specific Plan and furthers an important goal(s) as stated in adopted city policy documents as identified by the Community Development Director. These documents include but are not limited to:

- El Cerrito Climate Action Plan
- El Cerrito Strategic Plan
- El Cerrito General Plan, especially the Housing Element
- El Cerrito Economic Development Action Plan
- El Cerrito Urban Greening Plan
- El Cerrito Active Transportation Plan

The public benefit shall be beyond that which is required by Tier II of this Specific Plan and other adopted regulations. The public benefit proposed by the project is to contribute $75,000 towards the preparation of a Transportation Development Plan for the City of El Cerrito, as referenced in the San Pablo Avenue Specific Plan’s Parking Standards.

c. That the development will not have an undue adverse effect upon the Transect Zone in which it is located, and will be compatible with the design features and land uses permitted in the Transect Zone in which the project is located;

With the exceptions of shadow standards, frontage type, ground floor ceiling height, and front encroachment, the project is consistent with the standards of the San Pablo Avenue Specific Plan, including the standards of the Transit Oriented Medium-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Medium-Intensity Mixed Use Transect Zone and the project is consistent with the land uses permitted throughout the San Pablo Avenue Specific Plan.

The project has been determined not to have environmental impacts which were not addressed in the San Pablo Avenue Specific Plan Program EIR. The project is consistent with the vision for an active and vibrant mixed-use environment adjacent to San Pablo Avenue.

d. That the proposed development complies with the intent of the Specific Plan; and,

The intent of the Transit Oriented Medium-Intensity Mixed Use Transect Zone is to:

Provide a vibrant, walkable, transit oriented medium intensity area within a 3/4 mile BART walkshed that allows a wide variety of uses including retail, commercial, residential and public uses in the distinctive Midtown areas. Encourage multifamily residential uses to provide a variety of housing types, including units with 3 or more bedrooms, to meet the diverse needs of residents.

e. That the project implements applicable goals and policies of the El Cerrito General Plan

The proposed project will implement the following goals of the El Cerrito General Plan: LU1.5: Suitable Housing, LU2.1: San Pablo Avenue Specific Plan Area, LU4.1: Mixture of Uses, LU6.2: Circulation Alternatives, CD1.9: Building Design, CD2.1: Street Frontages, CD2.3: Streetscape Improvements, CD3.2: Usable Open Space, CD3.3: Site Landscaping, CD3.12, Landscape species; CD4.2 Building Articulation; CD5.1, Design Review Process; T2.1: Land Use Patterns, T2.2: Project Design, Policies H2.2, and H2.3.
Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL16-0119, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

Move adoption of Planning Commission Resolution PC 17-15 granting Tier IV Planning Commission approval to Planning Application No. PL16-0119, a project that includes a 4-story residential building containing 40 dwelling units located at 10810 San Pablo Avenue.

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. Project Description
3. Initial Study Checklist
4. Project Plans, dated February 13, 2018
5. CEQA Appendices found here (see website: http://www.el-cerrito.org/DocumentCenter/View/9064)
Planning Commission Resolution PC17-15

APPLICATION NO. PL16-0119

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION GRANTING TIER IV SITE PLAN AND DESIGN REVIEW APPROVAL AND PROPOSED PUBLIC BENEFITS FOR THE CONSTRUCTION OF A NEW BUILDING CONTAINING 40 RESIDENTIAL UNITS AT 10810 SAN PABLO AVENUE.

WHEREAS, the site is located within the San Pablo Avenue Specific Plan Area;

WHEREAS, the General Plan land use classification of the site is Transit-Oriented Medium-Intensity Mixed Use;

WHEREAS, the zoning district of the site is Transit-Oriented Medium-Intensity Mixed Use and the project is located on a Neighborhood Street;

WHEREAS, the site is located at 10810 San Pablo Avenue;

WHEREAS, the existing Assessor’s Parcel Number of the site is 503-010-015;

WHEREAS, on September 12, 2016, the applicant submitted an application for Tier IV Design Review;

WHEREAS, on August 1, 2017, the applicant was determined to be complete; and

WHEREAS, on February 21, 2018, the Planning Commission, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The project is consistent with the Program Environmental Impact Report certified for the San Pablo Avenue Specific Plan, pursuant to CEQA Guidelines Sections 15168(c) and 15182 and is subject to the Program Environmental Impact Report mitigation measures listed below.

2. The project will implement the following goals and strategies of the San Pablo Avenue Specific Plan:

   a. Goal A: Strengthen Sense of Place
      Strategy 3: Optimize placemaking in all projects; Strategy 4: Attract pedestrian activity to key nodes to foster community and identify places of interest

   b. Goal B: Ensure Return on Investment
      Strategy 1: Maximize TOD potential; Strategy 2: Stimulate investment in vacant/underutilized sites at key focus areas; Strategy 3: Leverage all investments to catalyze new investments

   c. Goal C: Encourage Practical and Market Friendly Development
      Strategy 3: Allow ground floor residential development to provide flexibility and expand the Specific Plan’s residential base

   d. Goal E: Catalyze Mode Shift
      Strategy 1: Promote infill development through increased land use intensity close to existing transit infrastructure.

3. The project will strengthen the sense of place in the midtown section of El Cerrito by adding a new architecturally interesting building in the place of a surface parking lot, within an existing residential
development. The proposed street frontage addresses the street at a human scale. The location of the project (adjacent to San Pablo Avenue and the Ohlone Greenway) along with its decreased vehicle off-street parking ratio helps achieve mode shift from private automobile use.

4. The project will contribute $75,000 towards the preparation of a Transportation Development Plan for the City of El Cerrito, as referenced in the San Pablo Avenue Specific Plan’s Parking Standards. Access through the site is maintained, as the new gates that are proposed for the San Pablo Avenue and Kearney Street elevations, will be open from dawn to dusk, and can be locked from dusk to dawn.

5. With the exceptions of shadow standards, frontage type, ground floor ceiling height, and front encroachment, the project is consistent with the standards of the San Pablo Avenue Specific Plan, including the standards of the Transit Oriented Medium-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Medium-Intensity Mixed Use Transect Zone and the project is consistent with the land uses permitted throughout the San Pablo Avenue Specific Plan.

The project has been determined not to have environmental impacts which were not addressed in the San Pablo Avenue Specific Plan Program EIR. The project is consistent with the vision for an active and vibrant mixed-use environment adjacent to San Pablo Avenue.

6. That the proposed development complies with the intent of the Specific Plan, and the intent of the Transit Oriented Medium-Intensity Mixed Use Transect Zone is to:

Provide a vibrant, walkable, transit oriented medium intensity area within a 3/4 mile BART walkshed that allows a wide variety of uses including retail, commercial, residential and public uses in the distinctive Midtown area. Encourage multifamily residential uses to provide a variety of housing types, including units with 3 or more bedrooms, to meet the diverse needs of residents.

7. That the project implements applicable goals and policies of the El Cerrito General Plan:


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. PL16-0119, subject to the following conditions:

Planning Division:

Standard conditions- All projects:

1. The project will be constructed substantially in conformance with the plans dated February 13, 2018. 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 Applicant constructs the building 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 nonissuance 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 the Design Review Board does not act to approve this project within two years of this action, the Planning Commission approval shall become null and void.

5. The applicant shall share the conditions of approval with their general contractor for the project. The general contractor shall sign a copy of the conditions of approval to acknowledge that he/she is aware of all these conditions of approval and will comply as directed.
   a. Prior to the issuance of a building permit, this signed copy shall be returned to the planning and building division and kept as part of the project file. The conditions of approval shall be reviewed at the mandatory pre-construction meeting held between the City and the General Contractor. A copy of the conditions of approval shall be maintained on the project site at all times during construction.

6. Prior to issuance of building permit, the applicant shall demonstrate compliance with Chapter 13.50: Art in Public Places of the El Cerrito Municipal Code to the satisfaction of the Zoning Administrator. The project shall be fully compliant with Chapter 13.50 prior to issuance of Certificate of Occupancy.

7. In compliance with Chapter 16.34 of the El Cerrito Municipal Code, the applicant shall submit plans for undergrounding of utilities adjacent to the project to the satisfaction of the Building Official prior to issuance of building permit.

8. The cost of all automobile parking shall be separate from the sale or rental price of all residential units. All renters and/or buyers of market rate residential units shall be free to not rent and/or purchase parking.

9. A construction staging plan shall be submitted to the Zoning Administrator for review and approval prior to the issuance of a building permit. The construction staging plan shall illustrate where the construction equipment will be staged and the location of parking for the construction employees. This construction and staging plan will also require the submission of a Temporary Use Permit to allow this use.

Conditions based on applicable mitigation measures from the San Pablo Avenue Specific Plan Program EIR:

1. Aesthetics and Visual Resources. (Mitigation 4.2): The project shall install landscaping and incorporate other measures into and around parking structure(s) (light source shielding, etc.) as necessary to ensure that potential light and glare from vehicles would be avoided toward the Ohlone Greenway, residential uses, and other sensitive uses, consistent with El Cerrito City Resolution 82-9 and the El Cerrito design review process.

   Regarding reflective building materials, for all future development in the Specific Plan area, facades shall be of non-reflective materials, and windows shall incorporate non-reflective coating.
2. **Air Quality (Mitigation Measure 5.1):** Implement the following BAAQMD-recommended measures to control particulate matter emissions during construction. City staff will spot check that these measures are being implemented throughout the construction phase of the project. These measures reduce diesel particulate matter PM2.5 and PM10 created from construction to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced:

**Dust (PM2.5 and PM10) Control Measures:**

b. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.

c. Cover all hauling trucks or maintain at least two feet of freeboard.

d. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.

e. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).

f. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.

g. Limit traffic speeds on any unpaved roads to 15 mph.

h. Replant vegetation in disturbed areas as quickly as possible.

i. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.

j. Post a publically visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

**Additional Measures to Reduce Diesel Particulate Matter and PM2.5 and other construction emissions:**

k. The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011.

l. Clear signage at all construction sites shall be posted indicating that diesel and gasoline equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site.

m. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).

n. Properly tune and maintain equipment for low emissions.

3. **Prior to the issuance of a building permit,** the applicant shall implement a program, for review and approval of the Zoning Administrator, that includes the following elements:

a. Archeological resource identification training procedures for construction personnel

b. Procedures for reporting archeological discoveries
4. Historic and Cultural Resources (Mitigation Measure 7.2): If subsurface archeological or cultural resources are encountered during ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified archaeologist shall be retained to evaluate the finds following the procedures described in Mitigation Measure 7-3 of the San Pablo Avenue Specific Plan Environmental Impact Report. Project personnel shall not collect cultural resources. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply, and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Contra Costa County Coroner has been notified of the remains and has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

5. Paleontological Resources (Mitigation Measure 7.3): The applicant shall implement a program that includes the following elements:
   c. Paleontological resource identification training procedures for construction personnel
   d. Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface
   e. Procedures for reporting paleontological discoveries and their geologic context

If subsurface paleontological resources are encountered, excavation shall halt in the vicinity of the resources, and the project paleontologist shall evaluate the resource and its stratigraphic context. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. During monitoring, if potentially significant paleontological resources are found, “standard” samples shall be collected and processed by a qualified paleontologist to recover micro vertebrate fossils. If significant fossils are found and collected, they shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of material collected and identified shall be provided to a local museum repository with the specimens. Significant fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a local museum repository for permanent curatorship and storage. A report documenting the results of the monitoring and salvage activities, and the significance of the fossils, if any, shall be prepared and submitted to the Zoning Administrator.

6. Geology and Soils (Mitigation Measure 8.1): As required by the Building Official, subject to City review and approval, the applicant shall complete and implement the geotechnical mitigation recommendations identified in the required site-specific geotechnical investigations and engineering studies, in coordination with City grading permit and building permit performance standards.

7. Noise and Land Use Compatibility/Construction Noise (Mitigation Measure 13.3): Construction equipment shall be well-maintained and used judiciously to be as quiet as practical. The following measures shall be implemented to reduce noise from construction activities:
   a. Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment.
   b. Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
   c. Locate stationary noise-generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area.
   d. Prohibit unnecessary idling of internal combustion engines.
e. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

f. Construct solid plywood fences around construction sites adjacent to operational business, residences, or noise-sensitive land uses.

g. If noise conflicts occur which are not irresolvable by proper scheduling, a temporary noise control blanket barrier shall be erected, as determined to be necessary by the Zoning Administrator, along building facades facing construction sites.

h. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.

i. Construction activities (including the loading and unloading of materials and truck movements) and excavating, grading, and filling activities (including warming of equipment motors) shall be limited to the hours of 7:00 AM to 6:00 PM on weekdays and to the hours of 9:00 AM and 5:00 PM on Saturdays. Work shall be prohibited on Sundays and Holidays.

j. Businesses, residences, or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing.

k. Designate a “construction liaison” who would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.

8. Noise and Land Use Compatibility/Construction Noise (Mitigation 13-4): The following measures are recommended to reduce vibration from construction activities:
   a. Avoid impact pile driving where possible. Drilled piles causes lower vibration levels where geological conditions permit their use.
   b. Avoid using vibratory rollers and tampers near sensitive areas.
   c. In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:
      1. Identify sites that would include vibration compaction activities (such as pile driving) and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task.
      2. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
      3. Design construction contingencies that would be implemented when vibration levels approached the limits.
      4. At a minimum, conduct vibration monitoring during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.
      5. When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
      6. Conduct post-survey on structures under either of these circumstances: (a) when construction monitoring has indicated high vibration levels or (b) when complaints of damage have been made due to construction
activities. Make appropriate repairs or compensation when damage has resulted from construction activities.

Project Specific Conditions of Approval:

9. The project applicant shall complete a truck turning analysis for the proposed driveway for the final site plan. This shall be illustrated on plans that are submitted for building permit issuance.

10. The project applicant shall install stop controls at all project driveways to allow for pedestrians to cross the driveway. These stop controls shall be illustrated on plans submitted for building permit issuance.

11. The project applicant shall add 15 feet of red curb north and south of the driveway on Kearney Street to allow for added visibility from parked vehicles. Additional red curbing shall be installed adjacent to the new curb cut from the trash room, and fire hydrant at the northeast corner of the property. This red curb and any associated signage must be reviewed and approved by the Engineering Manager. Installation of such kind will require the applicant to obtain a Public Works Encroachment Permit. This shall be completed prior to the issuance of a Certificate of Occupancy for the proposed Building E.

12. The renovation of the existing 5,400 square feet of turf area for private/common open space, for the residents of Building A and proposed Building E of the Village campus that is adjacent to Building A, shall be in substantial conformance with the proposed size, layout, and site amenities as illustrated on the plans dated February 13, 2018. The existing pathway through the site, connecting San Pablo Avenue, Kearney Street, and Schmidt Lane will be open during daylight hours, and can be closed and locked from dusk to dawn. The Zoning Administrator shall review and approve the language for the signs discussing access and hours as these three locations (San Pablo Avenue, Kearney Street and Schmidt Lane).

13. The style of the new pedestrian gates, new rolling automobile gate along Kearney Street, and existing automobile gate along San Pablo Avenue shall all have the style that is proposed for the new rolling automobile gate along Kearney Street. This shall be reflected on plans submitted for building permit issuance.

14. Prior to issuance of Certificate of Occupancy, the applicant shall demonstrate compliance of purchase of AC Transit Easy Passes to the satisfaction of the Zoning Administrator.

Public Works Department:

15. 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.

16. Storm water control plan and all C.3 measures shall be re-submitted with the Building Plan set to confirm that the plans dated February 13, 2018 comply with most recently adopted Municipal Regional Permit. Applicant shall use the updated version of the storm water control report as the last submittal was using the old template. See the following links for reference: http://www.cccleanwater.org/new-development-c-3/.

17. Applicant shall provide drainage plan for new roof and any rain leaders. 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.
18. The project applicant shall be required to make a fair share contribution towards the implementation of the multi-modal improvements identified by the SPASP.

19. Bike racks to be installed shall meet the current standards and details used on other City of El Cerrito projects.

20. Provide a detailed Erosion and Sediment Control Plan prior to building permit issuance.

21. Provide a detailed off-site improvements plan prior to building permit issuance.

22. All sidewalk, curb and gutter along the development’s public right-of-way frontages shall be replaced to meet current City and ADA standards and provide continuous, gradual sidewalk width transition from abutting properties to the satisfaction of the Public Works Director.

23. All improvements on the property frontage shall comply with the standards of the San Pablo Avenue Specific Plan, including the Complete Streets chapter to the satisfaction of the Public Works Director.

24. Prior to issuance of a building permit and before any work commences related to any street tree, sidewalk and driveway, applicant shall obtain a Public Works Encroachment Permit and pay all associated fees.

25. New street trees must be from the City Master Tree List and approved by the City Arborist before issuance of the building permit. Any new street trees are required to have irrigation and an establishment period of 3 years prior to acceptance by the City.

Building Division:

26. Compliance with the 2016 Building and related Codes is required.

Fire Department:

29. Building Construction
   A. Building construction shall meet current Building, California Fire Codes, and the El Cerrito Fire Code.
   B. Minimum of two exits required per building.

30. Emergency Vehicle Access
   A. Provide code analysis and show on plans how “Emergency Vehicle Access” requirements are met to get within 150’ of all portions of exterior walls of the first story.

31. Fire Flow Requirements
   A. Provide code analysis of required total firefighting water.
   B. Based on required fire flow, show on plans the number of fire hydrants required and locations based on maximum spacing requirements.
   C. If required, plans for fire service underground shall be submitted for review, approval and permit under separate cover.

32. Fire Riser Locations
   A. Fire FDC’s shall be in locations acceptable to the fire department for emergency operations.
   B. Fire FDC’s shall be interconnected between the two buildings.
33. Gates
   A. All gates shall be operable by the use of a Knox Key.
   B. A “KNOX BOX” shall be installed with keys for all common areas at all gates and doors.

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

35. Automatic Fire Sprinklers
   A. Automatic Fire Sprinklers shall be installed throughout the Complex.
   B. Fire sprinkler plans shall be submitted for review, approval and permit.

36. Emergency Egress
   A. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue in accordance with CBC 310.4.
   B. Escape or rescue windows shall be installed in accordance with CBC 310.4.

37. Fire Sprinkler / Underground
   A. Fire riser and FDC locations shall be submitted for review and approval.
   B. Fire FDC’s shall be in locations acceptable for fire department for emergency operations.
   C. Fire FDC’s shall be interconnected with fire sprinklers and standpipes.
   D. Fire Sprinkler Plans shall be submitted for review and approval.
   E. Fire system underground pipe plans shall be submitted for review and approval.

38. Standpipes
   A. Standpipes shall be wet.
   B. Standpipes shall extend to the roof where required.
   C. Fire Department valve connections shall be in the intermediate landings of stairwells.

39. Smoke & Heat Vents
   A. Smoke & heat vents shall be installed on roof above each stairwell.
   B. Smoke & heat vents shall be equipped with fusible link.
   C. Smoke & heat vents shall be equipped with manual release for emergency operations.

40. Fire alarm System
   A. Fire alarm plans shall be submitted for review and approval.

41. Smoke Detection
   A. Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
   B. Smoke detectors shall be 120v powered with battery backup.
   C. Smoke detectors shall be interconnected.

42. Carbon Monoxide Detectors
   A. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed; and in dwelling units that have attached garages.
   B. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
   C. Carbon Monoxide alarms shall be 120v powered with battery backup and be interconnected with the smoke detectors.
43. Electrical
   A. All electrical breakers shall be labeled.

**Stege Sanitary District:**
44. This applicant shall pay all applicable sewer connection fees pursuant to Section 7.3 of the Stege Sanitary District Ordinance Code.

**East Bay Sanitary:**
45. Construction of the new trash room as illustrated on the plans.

**CERTIFICATION**

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on February 21, 2018, upon motion of Commissioner ____, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

________________________
Elizabeth Dunn, AICP
Consulting Planner
VILLAGE AT TOWN CENTER – NEW BUILDING E

PROJECT DESCRIPTION AND STATEMENT OF COMPLIANCE WITH APPROVAL CRITERIA

PROJECT DESCRIPTION:

The proposed project consists of a new 4-story residential building, it will be part of the existing "Village at Town Center" development which consists of 4 existing buildings located on 4 separate, adjacent parcels.

The new building will include 40 dwelling units, 32 covered parking spaces, interior common areas and amenities and a large open space on the roof level.

The proposed building is approximately 34'-3" above the existing grade elevation.

The exterior existing garden area located at the center of site is proposed to be renovated.

Type of units: market rate rentals.

Architectural concept: the proposed project is blends itself with the rest of the development and surrounding buildings built in 2013 by adopting the same massing and scale whilst presenting a more contemporary while modest form and materials.

“TIER IV” ELEMENTS:

The following elements vary from the "San Pablo Specific Plan" (SPASP) and qualify this project for a “Tier IV” site plan and design review:

A. Ground floor articulation.
B. Shadows.
C. Ground floor ceiling clear elevation.
D. Project encroachment.

A description of this items can be found in the “tier IV findings for approval” section in this document.
GENERAL PROJECT FINDINGS FOR APPROVAL:

The project adheres in many ways to the City of El Cerrito General plan goals as well as those set forth in the San Pablo Avenue Form Base Code. Below are a series of points that describe how the project intents to align with both guidelines:

EL CERRITO GENERAL PLAN GOALS:

- The project helps conserve and improve the existing housing in the area while proposing an additional 40 units against the housing shortage in our area.
- Additional housing is inserted in an area with Mixed and commercial uses which will help local businesses.
- The site is located within proximity and walking distance of many public transit stops including BART and 7 bus lines.
- The project increases the housing density while reducing existing surface parking area while providing parking inside the building.
- All the proposed units will have the capability of serving handicapped individuals by having elevator access and adaptable capabilities.

SAN PABLO AVENUE FORM BASED CODE GOALS:

- Due to its location, the project helps maximize the use of BART and promotes the use of public transportation. The project is suitable for individuals and families that not necessarily need to own a vehicle.
- The development rentals will be consistent and competitive with the market rates in the area.
- The project presents a long term sustainable financial investment, adds funds to the local tax revenue and provides an economic injection to the area by introducing working individuals and young families in the area.
- The project improves the current private open space areas within the Village at Town Center development and includes a new outdoor roof-top gathering space for the Village at Town Center residents and their guests to use.

KEARNEY ST. FRONTAGE:

Kearney Street extends for only two blocks; from Schmidt Ln. to the Existing “Civil Plaza Apartments”. The street is fronted largely by the parking lot of the local DMV office, the City Offices as well as the police Station parking lots.

Other than those individuals specifically visiting the above locales, there is minimal vehicular and pedestrian traffic throughout this two-block span.

Based on the above, it is our belief that a commercial or retail use would prove unsuccessful at this location. It also does not properly lend itself for spaces such as front yards and porches due to the fronting use being a parking lot for a state agency. We have thus, proposed to relocate the open spaces to the roof, where much more privacy and better views are allowed.
TIER IV FINDINGS FOR APPROVAL:

A. GROUND FLOOR ARTICULATION:

The proposed project’s front is on Kearney Street, a street designated in the San Pablo Avenue Specific Plan (SPASP) as a “Neighborhood street”. This particular street however, is only two blocks in length and mostly faces mainly parking lots and backs of buildings. Kearney Street’s configuration, includes a mid-block dead end, and continuous vehicular turn-around activated by the DMV office across the street from the project, this would seem inadequate and somewhat precarious for pedestrians who will mostly and more easily utilize San Pablo Avenue, located approximately 200’ to the West of Kearney St. and which is much more used and suitable for and by pedestrians.

Per in the SPASP, there are 3 allowable frontage types:

1. **Shop Frontage Type**: This frontage type requires that retail and commercial spaces are provided along the sidewalk.

2. **Flex Frontage Type**: Flex Frontages are designed so that ground floor retail and commercial uses may be used for temporary residential uses, and uses may be interchanged. The design flexibility allows for ground floor facades to transition between shop front requirements and residential uses.

   As mentioned above, this particular location is less than ideal for types 1 and 2.

3. **Front Yard/Porch Frontage Type**: For this frontage configuration, the facade must be set back from the right of way with a front yard. Our project would suffer a significant reduction on the number of dwelling units and would only be able to provide a front yard to a very small percentage of residential units. Moreover, the DMV parking lot across Kearney Street as well as the BART trains beyond are existing conflicting elements to the suggested front-yard configuration. The theoretical benefit of employing the Front Yard/Porch frontage type must be weighed against the loss of much needed dwelling units.

The proposed Community Room is intended to serve as a common amenity for all six Village at Town Center buildings.

B. SHADOWS:

The SPASP requires that in order for a project to be categorized as Tier II, buildings shall not cast shadows beyond the curb line on the opposite side of the street to the east at 1:30 pm on Winter Solstice (December 21).

In order to meet this requirement, the proposed project would either have to:

   - Be placed at least 5’ further from the Kearney St. property line. Which would result in a loss of multiple dwelling units.
   - Be a story Shorter (2 stories) at least along the front portion of the building. This would eliminate at least eight dwelling units from the project.
C. GROUND FLOOR CEILING ELEVATION:

The code requires a minimum ground floor elevation ceiling of 14’ to accommodate a “flex” space. This project proposes to set ground floor ceilings at 12’ rather than 14’ for two reasons:
1. The proposed ground floor uses, parking and support areas do not benefit from 14’ high ceilings.
2. 12’ rather than 14’ ceilings help to reduce the shadow impacts and overall massing.

D. PROJECTION ENCROACHMENT:

The code requires a maximum projection/encroachment of 2’ on Neighborhood streets. We believe that an additional 6” benefit the interior space and help create better interior environments.

All the above Tier IV review elements allow for a project that while fitting the context and code intent, provides an important number of much needed dwelling units in the area.

ARCHITECTURAL STYLE:

Though at the start of the project we went through the exercise of designing and modeling a scheme which mimicked the architectural language present in the existing Village at Town Center buildings, neither the Owner nor the Architect saw any benefit to further extending the existing language. Our architectural scheme seeks to interject an urbane, contemporary architectural expression on this site as a counterpoint to the existing building fabric. It was our sense that by differentiating the proposed from the existing, the whole ensemble of buildings is richer, and the contrast allows the passerby to more clearly read the accretive nature of city building. Just as a university campus typically includes buildings of many periods and styles so too a city can benefit from a heterogeneous juxtaposition of architectural form.

Just as, El Cerrito City Hall, a building of real architectural quality and one which helps to establish a sense of place and orientation because its architectural language is distinct from everything around it. The proposed building’s uniqueness within the context will help enrich and identify the area.

The buildings which we’ve proposed are architecturally clear, with a pronounced sense of verticality, harmonious proportions, and a simple palette of earthy and durable materials.
MEMORANDUM

DATE: February 13, 2018

TO: Elizabeth Dunn, Community Development Department, City of El Cerrito

FROM: Kyle Simpson, Associate/Project Manager
       Theresa Wallace, AICP, Principal

SUBJECT: California Environmental Quality Act (CEQA) Exemption Memo for the 10810 San Pablo Avenue, Building E at the Village at Town Center Development, El Cerrito, California

This memorandum and attachments provide a description of the proposed 10810 San Pablo Avenue, Building E at the Village at Town Center Development Project (project) and substantial evidence to confirm that the potential project is exempt from further environmental analysis per Section 15168(c) of the California Environmental Quality Act (CEQA). The approximately 1.38-acre project site is located at 10810 San Pablo Avenue in the City of El Cerrito, Contra Costa County. The proposed project would involve demolition of an existing parking area, and construction of a new four-story residential building to include 40 dwelling units, 32 covered parking spaces, interior common areas and amenities and a large open space on the roof level.

Attachment A provides a description of the proposed project. This attachment includes a description of the location, existing site characteristics, the proposed project and required approvals and entitlements. The City of El Cerrito (City) is the CEQA lead agency for the project.

The responses in an environmental checklist (included in Attachment B to this memorandum) prepared for the project demonstrate for each CEQA topic that because the proposed project was evaluated and impacts were mitigated to the degree possible as part of the San Pablo Avenue Specific Plan (SPASP) Project and Final Environmental Impact Report (FEIR), no additional CEQA review is required. CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. The responses contained in the checklist confirm that the project was considered within the scope of the evaluation within the SPASP FEIR and no new impacts were identified and no new mitigation measures are required.

The City can approve the proposed project as being within the scope of the SPASP covered by its FEIR and no new environmental document for the purposes of CEQA clearance is required. Pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15168, the 10810 San Pablo Avenue, Building E at the Village at Town Center Development Project is exempt from further review under CEQA. This analysis finds that a Notice of Exemption may be prepared for the project and filed with the Contra Costa County Clerk.

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ATTACHMENT B

ENVIRONMENTAL CHECKLIST
1.0 PROJECT DESCRIPTION

The following describes the proposed 10810 San Pablo Avenue, Building E at the Village at Town Center Development Project (project), which is located within the planning area for the San Pablo Avenue Specific Plan (SPASP). This section includes a summary description of the project’s location and existing site characteristics, required approvals, and entitlements. The City of El Cerrito (City) is the lead agency for review of the project under the California Environmental Quality Act (CEQA).

1.1 PROJECT SITE

The following section describes the location and characteristics of the project site and provides a brief overview of the existing land uses within and in the vicinity of the site.

1.1.1 Location

The approximately 1.38-acre (60,060-square-foot) project site is located at 10810 San Pablo Avenue in the City of El Cerrito, Contra Costa County. Figure 1-1 shows the regional and local context. The site is bounded by Kearney Street to the east, Schmidt Lane to the south, San Pablo Avenue to the west, and the site of a five-story senior housing project to the north currently under construction. The project site is located within a campus setting of four existing residential buildings, identified as Buildings A through D. The existing residential buildings are located along Schmidt Lane and contain a total of 160 residential units. Figure 1-2 depicts an aerial photograph of the project site showing the existing buildings and surrounding land uses. As described below, the project consists of constructing a new building adjacent to Building A along Kearney Street.

Regional vehicular access to the project site is provided by San Pablo Avenue which is State Route 123. In addition, Interstate 80 (I-80) is located to the west of the site. The El Cerrito del Norte Bay Area Rapid Transit (BART) Station is located approximately 0.75 miles north of the site.

1.1.2 Site Characteristics and Current Site Conditions

The project site is generally level and consists of one parcel with Assessor’s Parcel Number (APN) 503-010-015. The project site is currently developed with covered and uncovered parking spaces for existing residential Building A of The Village at Town Center residential development. Vegetation within the project site consists of planted islands within the parking area and streetscape landscaping including trees and shrubs around the perimeter of the project site. Existing site conditions are depicted in Figure 1-3.

1.1.3 Existing General Plan and Zoning

The project site is designated Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) in the City’s General Plan, and is zoned as TOMIMU as well. The TOMIMU designation allows for mixed use development with a 55-foot height limit.
10810 San Pablo Avenue Development Project
Aerial Photograph of Project Site and Surrounding Land Uses

FIGURE 1-2


I:\CEC1702 10810 San Pablo Ave\figures\Fig_1-2-C.ai (9/22/17)
1.1.4 San Pablo Avenue Specific Plan

In 2014, the City of El Cerrito adopted the SPASP to provide a guide for the future of San Pablo Avenue, identify improvements, and adopt context-sensitive regulations that can be applied along its length and to adjacent areas. The SPASP creates a framework for transforming San Pablo Avenue into a multimodal corridor that functions as a place that can provide a multitude of opportunities for living, working, and community life. SPASP key principles are to deepen a sense of place and community identity, attract private investment, strengthen partnerships, enhance the public realm, promote the everyday use of transit, walking, and biking, and foster environmental sustainability.

Environmental impacts associated with implementation of the SPASP were evaluated in the Final Environmental Impact Report\(^1\) (SPASP FEIR). The SPASP FEIR, certified in 2014, evaluates the environmental impacts of approximately:

- 1,706 units of residential development;
- 3,840 new residents; and
- 243,112 square feet of commercial floor area.

The SPASP includes form-based code that regulates development along the corridor, a plan for complete streets, and infrastructure analysis. The Complete Streets Plan addresses circulation and public investment needs along San Pablo Avenue and adjoining streets to attract new users to the area while proactively mitigating the impacts of future population growth on mobility in the SPASP area. The infrastructure analysis identifies the utility providers for San Pablo Avenue, provides a general review of capacity limitations, and recommends feasible improvements and associated costs to avoid significant impacts on the level of service.

1.1.5 Surrounding Land Uses

The project site is located within the San Pablo Avenue corridor that is predominantly developed with commercial, retail uses and multi-family residential uses. The project is a part of the existing Village at Town Center residential development located on three separate parcels on Schmidt Lane. A senior housing development that is under construction and El Cerrito City Hall are located immediately north of the project site. The office of the El Cerrito Department of Motor Vehicles is located to the east of the project site. Across San Pablo Avenue to the west and across Schmidt Lane to the south of the project site are commercial uses.

1.2 PROPOSED PROJECT

This section provides a description of the proposed project as identified in the materials provided by Trachtenberg Architects (the project applicant) dated February 13, 2018. The project applicant proposes to develop the site with a new four-story residential building to include 40 dwelling units, 32 covered parking spaces, interior common areas and amenities and a large open space on the roof level.

1.2.1 Building Program

The project would result in the construction of a four-story residential building with 40 market-rate apartment units and ground-level parking located on the northern portion of the project site. Figure 1-4 and Figure 1-5 depict the overall conceptual site plan and ground floor site plan for the proposed project. The proposed project would be a part of the Village at Town Center residential development which would be comprised of six separate buildings on five different parcels along Schmidt Lane.

As shown in Figure 1-4, the proposed Building E would be comprised of two buildings that would be linked by elevated walkways over the on-site driveway. The proposed project would include 30 one-bedroom apartments and 10 two-bedroom apartments for a total of 40 residential units. The ground level would include 32 one-car parking garages, entry lobby, mail area, bicycle parking, a private Amenity Room for Building A and E residents, and the trash and mechanical and electrical and other utility rooms.

1.2.2 Open Space and Landscaping

The proposed project would include 3,600 square feet of private/common open space that would be provided in the form of an outdoor roof deck on Building E. In addition, the project would enhance an area of 5,400 square feet as private open space within a renovated interior courtyard that currently exists within the project site, as shown on Figure 1-3. Access, Circulation, and Parking

As shown in Figure 1-4, primary automobile access to the site would occur from Kearney Street through a new curb-cut, and would allow access to the single car parking garages and non-commercial surface parking areas.

As shown in Table 1.A, the project would include a total of 59 parking spaces. The proposed Building E would have a total of 32 dedicated parking spaces, one of which is ADA compliant. The existing Building A would have a total of 19 parking spaces, divided between 7 one-car garage spaces, 4 ADA-compliant uncovered parking lot spaces and 8 uncovered parking spaces.

In addition, the existing commercial area located in the existing Building A would have eight parking spaces, consisting of two employee-only garage spaces, five uncovered parking spaces and one ADA-compliant parking space. One covered parking space has been converted to storage.

A total of 60 long-term secured bicycle parking spaces would be located within Building E, and 2 short-term bicycle racks would be located along Kearney Street.
KEARNEY ST.
10 EXISTING GARAGE SPACES
8 COMMERCIAL SPACES (INCLUDING 3 EMPLOYEE GARAGE SPACES)
(N) PEDESTRIAN GATE
(N) ACCESS GATE TO REMAIN OPEN DURING DAYLIGHT HOURS
(N) ACCESS GATE TO REMAIN OPEN DURING DAYLIGHT HOURS
(N) ACCESS GATE TO REMAIN OPEN DURING DAYLIGHT HOURS
STAMPED CONCRETE PARKING AND DRIVE IS TO MATCH EXISTING, TYP. SCHMIDT LANE

FIGURE 1-4

10810 San Pablo Avenue Development Project
Proposed Site Plan

I:\CEC1702 10810 San Pablo Ave\figures\Fig_1-4.ai (12/8/17)
FIGURE 1-6

10810 San Pablo Avenue Development Project
Proposed Second and Third Level Floor Plans

I:\CEC1702 San Pablo Ave\figures\Fig_1-6.ai (9/22/17)
FIGURE 1-7

10810 San Pablo Avenue Development Project
Proposed Fourth Level Floor Plan

I:\CEC1702 San Pablo Ave\figures\Fig_1-7-C.ai (9/22/17)
FIGURE 1-9

10810 San Pablo Avenue Development Project
Conceptual Strip Elevations – San Pablo Avenue and Kearney Street
10810 San Pablo Avenue Development Project
Conceptual Elevations – South and East

10810 San Pablo Avenue Development Project
Conceptual Elevations – North and West

I:\CEC1702 San Pablo Ave\figures\Fig_1-11-C.ai (9/22/17)
### Table 1.A: Automobile Parking

<table>
<thead>
<tr>
<th>Use</th>
<th>Existing</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>Building A (Existing)</td>
<td>83</td>
<td>19</td>
</tr>
<tr>
<td>Building A Retail Parking (Existing)</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Building E</td>
<td>0</td>
<td>32</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>86</strong></td>
<td><strong>59</strong></td>
</tr>
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</table>


#### 1.2.4 Utilities and Infrastructure

The project site is located in an urban area and is currently served by existing utilities, including: water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. Existing and proposed utility connections are discussed below.

##### 1.2.4.1 Water

Water service in the City of El Cerrito is provided by the East Bay Municipal Utility District (EBMUD). The Pardee Reservoir (supplied by the Mokelumne River Basin system) is the main source of water for EBMUD. A 12-inch water line is located along San Pablo Avenue and would serve the project site via a connection.

##### 1.2.4.2 Wastewater

The Stege Sanitary District (SSD) provides wastewater service to businesses along San Pablo Avenue, including the proposed project site. Wastewater generated at the project site would be collected via an 18-inch collector main along Potrero Avenue that collects flows along San Pablo Avenue between Potrero Avenue and Schmidt Lane. Per Section 7.3 of the SSD Ordinance Code, SSD requires payment of a sewer connection charge to the District.

##### 1.2.4.3 Stormwater

The existing asphalt paving and impervious surfaces on the project site account for approximately 55,060 square feet of the 60,060-square-foot project site. Development of the proposed project would reduce the impervious area to approximately 52,560 square feet with the remaining approximately 7,500 square feet dedicated to pervious landscaping surfaces.

The project would incorporate a variety of low impact development measures and media filters, including planted areas, to ensure that stormwater is treated on site.

##### 1.2.4.4 Electricity and Natural Gas

Electricity and natural gas services to the site are provided by Pacific Gas and Electric (PG&E). An existing underground gas line is located along San Pablo Avenue and would serve the project site via a new connection. In addition, an underground electric line is located on San Pablo Avenue and can serve the project.
1.3 APPROVALS/PERMITS

The following approvals and permits would be required for the project:

- City of El Cerrito, grading and building permit approval
- City of El Cerrito, Conditional Use Permit to allow for the new curb cut on Kearney Street
- EBMUD water connection approval
- Stege Sanitary District, per fixture sewer connection charge
- PG&E electricity and gas connection approvals
- San Francisco Bay Regional Water Quality Control Board (RWQCB), Stormwater Control Plan
- California Department of Transportation (Caltrans), encroachment permit for service connections
2.0 ENVIRONMENTAL CHECKLIST

CEQA Guidelines Section 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program Environmental Impact Report (EIR). This checklist confirms that the proposed 10810 San Pablo Avenue Development Project (project) is within the planning area for the San Pablo Avenue Specific Plan Final EIR (SPASP FEIR)\(^1\) and will have no new significant environmental effects nor substantially increase the severity of previously identified significant effects, and no new mitigation measures are required beyond those identified in the SPASP FEIR and, as such, the City of El Cerrito (City) can approve the 10810 San Pablo Avenue Development Project as being within the scope of the SPASP covered by its FEIR and no new environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the 10810 San Pablo Avenue Development Project does not require any further review under CEQA.

2.1 AESTHETICS

<table>
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<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c. Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

2.1.1 Discussion

As described in more detail in the project description (Attachment A – Project Description), the 1.38-acre project site is located within a campus setting that includes four existing residential buildings. The project site is currently developed with existing residential buildings and associated parking spaces as a part of the Village at Town Center development. The proposed project would demolish and remove the existing surface parking spaces and construct a four-story residential building as well as associated parking, open space, and infrastructure connections. The proposed project would include two buildings that would be linked by elevated walkaways over the on-site driveway.

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As noted in the SPASP FEIR, implementation of the SPASP would enhance the visual and aesthetic character of the planning area by incorporating Form-Based Code (FBC) and Complete Streets design and development standards into new projects to support and maintain a strong sense of place and visual identity on San Pablo Avenue. These design and development standards are included in Chapter 2, Form Based Code and Chapter 3, Complete Streets of the SPASP.

The primary potentially significant impact to scenic resources identified in the SPASP FEIR was the potential for implementation of the SPASP to obstruct scenic views of Mt. Tamalpais, the Golden Gate Bridge, San Francisco skyline, East Bay Hills, and Albany Hill from public rights-of-way including roadways and sidewalks, BART station platforms, and areas of lower elevation hillside homes in El Cerrito and Richmond (Impact 4-1). This impact was determined to be significant and unavoidable; however, it was determined that the individual development projects would be subject to further evaluation to determine if they meet the standards and guidelines set forth in the SPASP related to visual resources (Mitigation Measure 4-1).

In accordance with Mitigation Measure 4-1 of the SPASP FEIR, it should be noted that the proposed project would include two buildings connected by elevated walkways that would be approximately 45 feet in height which could alter some views of East Bay Hills from the areas west of the project site. The proposed project is located within the SPASP’s Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) zone, which allows building heights of up to 55 feet (65 feet for affordable housing projects). The proposed project would be within the allowable height limit established within the SPASP and would therefore be consistent with the conclusions of the SPASP FEIR. Furthermore, the SPASP FEIR states that Mitigation Measure 4-1 shall be implemented through subsequent permits, conditions, agreements, or other measures consistent with Specific Plan Section 2.02.

The mitigation measure requires preparation of a viewshed analysis to determine if the proposed building meets the standards set forth in the SPASP. However, the El Cerrito Zoning Administrator determined that a visual analysis was not required for the proposed project for the following reasons:

- Due to the orientation of the project site, any potential view impacts would be limited to Kearney Street.
- Due to the relatively low elevation of Kearney Street, the Golden Gate Bridge, Mt. Tamalpais and the San Francisco skyline are not generally visible adjacent to the project site.
- Albany Hill is visible from Kearney Street. However, from the public street, existing buildings block much of the view and only intermittent views of Albany Hill are present along Kearney Street.
- Kearney Street and the properties that face it are at a similar or slightly higher elevation than properties on San Pablo Avenue, including the project site. The grade difference will limit any visual impact of the project from adjacent properties and from Kearney Street.
- The San Pablo Avenue Specific Plan limited building lengths to 200 feet in order to preserve intermittent views. The proposed project would be less than 200 feet in length.
The project is located along Kearney Street, which is identified as a Neighborhood Street in the SPASP. New development on Neighborhood Streets is intended support and maintain the character of existing neighborhoods by respecting existing building types by stepping down the building height, breaking up the building mass and incorporating pedestrian design elements. In accordance with the SPASP, the project would be subject to Tier IV discretionary approval by the Planning Commission and Design Review Board as the project generally complies with the intent of the SPASP, but does not conform to all of the SPASP regulations. The proposed four-story building would cast shadows beyond the curb line of the opposite side of Kearney Street during the winter solstice. However, these new shadows would be minimal and would cover small portions for the DMV parking lot and sidewalks but would not impact any open space or existing residential uses. The ground floor ceiling elevation is 12 feet in height and does not meet the minimum 14-foot requirement. The project frontage does not concisely meet one of the standard permitted types allowed under the SPASP. In addition, the proposed project would result in a projection encroachment above the ground floor of 6 inches over the right-of-way along Kearney Street where 2 feet of encroachment is allowed. These items would be further evaluated as part of Design Review and would not contribute to new environmental impacts not already identified and evaluated in the SPASP FEIR.

The SPASP FEIR also found that potentially significant impacts could result from the introduction of new light and glare in the plan area (Impact 4-2), but concluded that implementation of Mitigation Measure 4-2, which requires the installation of non-reflective building materials and windows, would reduce potential glare impacts of individual development projects to a less-than-significant level. The proposed project would not cause any new light and glare impacts.

2.1.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measures 4-2, are required.

2.1.3 Conclusion

The proposed project is generally consistent with the type and intensity of development analyzed in the SPASP FEIR; it is within the allowable height limits, would be consistent with policies related to visual character and design, and would not result in a substantial increase in light and glare. As such, the SPASP FEIR adequately evaluated the potential aesthetic impacts related to the proposed project and there is no new impact on visual and aesthetic resources.

2.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled
by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>X</td>
</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>X</td>
</tr>
<tr>
<td>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>X</td>
</tr>
<tr>
<td>d. Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>X</td>
</tr>
<tr>
<td>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td>□</td>
<td>□</td>
<td>□</td>
<td>X</td>
</tr>
</tbody>
</table>

There are no agricultural or forestry resources located within or near the project site. The SPASP area is predominantly urbanized and is classified as “Urban and Built-Up Land” by the State Department of Conservation. The City of El Cerrito, and the SPASP area, does not contain any land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project is also not located on land that is currently under a Williamson Act contract. In addition, the City does not contain woodland or forestland cover, nor land zoned for timberland production. Therefore, the proposed project would not result in a significant impact to agriculture or forestry resources.

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2.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d. Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>e. Create objectionable odors affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

2.3.1 Discussion

2.3.1.1 Clean Air Plan Consistency

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards.

The Bay Area Air Quality Management District (BAAQMD) guidelines were referenced to determine if the project would conflict with or obstruct implementation of an applicable air quality plan, which for the SPASP FEIR was the 2010 Bay Area Clean Air Plan. The SPASP FEIR found that vehicle miles traveled (VMT) would increase at a lower rate under the SPASP than population or service population growth, thus resulting in a less-than-significant impact related to consistency with the applicable clean air plan.

The BAAQMD’s current clean air plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017. The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve greenhouse gas (GHG) reduction targets.

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The 2017 Clean Air Plan (CAP) includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants, to reduce emissions of methane and other “super-GHGs” that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

The proposed project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. The proposed project would develop medium-intensity, transit-oriented residential uses on the site, similar to what the SPASP envisioned. In addition, the population and housing units included in the proposed project would fall within the total development anticipated by the SPASP FEIR, as mentioned in Section XIII, Population and Housing. The proposed project would not result in new or more significant population growth impacts than were analyzed and described in the SPASP FEIR. Therefore, the population growth associated with the proposed project is consistent with the SPASP.

Consistency with the CAP is determined by whether or not the proposed project would result in significant and unavoidable air quality impacts or hinder implementation of control measures (e.g., excessive parking or preclude extension of transit lane or bicycle path). As discussed above, implementation of the proposed project would not substantially increase population, vehicle trips, or vehicle miles traveled. Additionally, the project would not result in significant and unavoidable air quality impacts. Therefore the project would support the goals of the CAP and would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment. This impact would remain less than significant as identified in the SPASP FEIR.

2.3.1.2 Construction-Related Impacts

The SPASP FEIR identified that construction activities associated with implementation of the SPASP would result in short-term emissions from construction activities including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. During construction fugitive dust is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. The SPASP FEIR identified Mitigation Measure 5-1 to reduce construction impacts to a less-than-significant level.

Development of the proposed project would result in similar construction-related, short-term air quality impacts as those impacts identified in the SPASP FEIR. Therefore, the proposed project would not result in any new or more significant construction-related air quality impacts than were evaluated in the SPASP FEIR. This impact would remain less than significant with mitigation as identified in the SPASP FEIR.
2.3.1.3 Ambient Air Quality Impacts

The SPASP FEIR identified that monitoring data from all ambient air quality monitoring stations in the Bay Area indicate that existing carbon monoxide levels are currently below national and California ambient air quality standards. Monitored carbon monoxide (CO) levels have decreased substantially since 1990 as newer vehicles with greatly improved exhaust emission control systems have replaced older vehicles. The Bay Area has been designated as an attainment area for the CO standards. At the time that the SPASP FEIR was certified, the highest measured levels in San Pablo (the closest monitoring station to the plan area) during the past three years were 1.3 ppm (parts per million) for 8-hour averaging periods, compared with the State and federal criteria of 9.0 ppm.

Even though CO levels in the Bay Area are well below ambient air quality standards, and there have been no exceedances of CO standards in the Bay Area since 1991, elevated levels of CO still warrant analysis. CO hotspots (occurrences of localized high CO concentrations) could still occur near busy congested intersections. Recognizing the relatively low CO concentrations experienced in the Bay Area, the BAAQMD’s CEQA Air Quality Guidelines state that a project would have a less-than-significant impact if it would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. As identified in the SPASP, peak hour traffic volumes attributed to implementation of the SPASP would be far below this threshold. Since intersections affected by the project would have volumes less than the threshold of 44,000 vehicles per hour, the impact of the project related to localized CO concentrations would therefore be less than significant.

Development of the proposed project would result in similar construction-related, short-term air quality impacts as those impacts identified in the SPASP FEIR. Therefore, the proposed project would not result in any new or more significant construction-related air quality impacts than were evaluated in the SPASP FEIR. This impact would remain less than significant with mitigation as identified in the SPASP FEIR.

As identified in Section XVI, Transportation/Traffic, the proposed project would result in a similar vehicle trip generation as identified in the SPASP FEIR. Therefore, impacts related to CO hotspots would remain less-than-significant.

2.3.1.4 Short-Term Exposure of Sensitive Receptors to Toxic Air Contaminants

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to toxic air contaminants (TACs) resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient PM$_{2.5}$ increase greater than 0.3 micrograms per cubic meter (µg/m$^3$). A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project site would expose sensitive receptors
to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient PM$_{2.5}$ increase greater than 0.8 µg/m$^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

The SPASP FEIR determined that construction activities could result in short-term emissions of diesel particulate matter (DPM), a known TAC. Construction could result in the generation of DPM emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The calculation of cancer risk associated with exposure to TACs is typically based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. The SPASP FEIR determined that implementation of Mitigation Measure 5-2 would be required to reduce potential impacts associated with TAC exposure. Mitigation Measure 5-2 requires individual projects to undergo individual assessment for construction health risks, either through screening or refined modeling.

The closest sensitive receptors include the existing onsite residences, located approximately 30 feet from the proposed multi-family residential buildings. Construction of the proposed project may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement the best management practices during construction, as required by Mitigation Measure 5-1. With implementation of Mitigation Measure 5-1, project construction emissions would be below the BAAQMD’s significance thresholds as described above. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during project construction. The proposed project would result in no new or more severe impacts related to short term exposure to TACs than analyzed in the SPASP FEIR and further analysis is not required.

2.3.1.5 Long-Term Exposure of Sensitive Receptors to Toxic Air Contaminants

Implementation of the SPASP would allow new residential land uses that would include sensitive receptors. The roadway screening analysis tables from the SPASP FEIR indicate that health risk from high volume surface streets such as San Pablo Avenue, Central Avenue, Carlson Boulevard, and Potrero Avenue would be less-than-significant at average daily traffic volumes (ADT) of 40,000 vehicles or less at a distance of 10 feet. The SPASP FEIR determined that if projects under the SPASP are located within close proximity to surface streets with daily traffic volumes higher than 40,000 ADT, this would represent a potentially significant impact. The project site is located approximately 130 feet from the centerline of San Pablo Avenue. Based on the BAAQMD’s Highway Screening Analysis Tool, the proposed project would be exposed to an inhalation cancer risk of 5.169 in 1 million, which is below the threshold of 10 in 1 million. The maximum chronic Hazard Index would be 0.006 and the maximum acute Hazard Index would be 0.013, which would both be below the
BAAQMD significance threshold of 1.0. The tool also indicates that the maximum PM$_{2.5}$ concentration would be 0.064 µg/m$^3$, which is also below the BAAQMD significance threshold of 0.3 µg/m$^3$. Therefore, the proposed project would result in no new or more severe impacts related to long term exposure to TACs than analyzed in the SPASP FEIR and further analysis is not required.

2.3.1.6 Odors

The SPASP FEIR identified that the SPASP area would include potential odor sources that could affect new sensitive receptors. Most of these major existing sources are however already buffered by existing uses. Responses to odors are subjective, and vary by individual and type of use. Sensitive land uses that include outdoor uses, such as residences and possibly daycare facilities, are likely to be affected most by odors. Consistent with SPASP policies and SPASP FEIR Mitigation Measure 5-4, the proposed project would be located in an area surrounded by residential and commercial uses and would not be a source of odors or located in an area where substantial odors (such as those associated with industrial, manufacturing, processing, or treatment uses) are generated.

2.3.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measure 5-1, are required.

2.3.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and construction activities would be required to comply with SPASP Mitigation Measure 5-1. As such, the SPASP FEIR adequately evaluated the potential air quality impacts of the proposed project there would be no new impact associated with air quality.
### 2.4 BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

#### 2.4.1 Discussion

The SPASP FEIR found that implementation of the SPASP would largely result in minimal impacts to biological resources because the SPASP area is a highly developed urban area with approximately 90 percent of the land developed, recently disturbed, or ruderal. The SPASP FEIR concluded that the plan area does not contain any plant or animal species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (USFWS), nor does the plan area contain any federally protected wetlands. The only identified riparian habitat or other sensitive natural community in the plan area is riparian habitat adjacent to Cerrito Creek (near the El Cerrito Plaza Shopping Center parking lot and Ohlone Greenway) and Baxter Creek. However, the project is not located within the vicinity of either of these resources and therefore would not result in any impacts to these habitats.
The SPASP FEIR identified potential impacts associated with the removal of existing trees with implementation of the SPASP. Removal of existing trees containing nests or eggs of migratory birds, raptors, or bird species during the nesting season could be considered an "unlawful take" under the Federal Migratory Bird Treaty Act and USFW provisions protecting migratory and nesting birds. However, the proposed project is located on a developed site and no trees would be removed. Therefore, the proposed project would not result in any impacts to migratory or nesting birds.

2.4.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

2.4.3 Conclusion

The proposed project would be consistent with the type of development analyzed within the SPASP FEIR. As such, the SPASP FEIR adequately evaluated the potential biological impacts of the proposed project there would be no new impact on biological resources.

2.5 CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.5.1 Discussion

The SPASP FEIR identified properties or features within the SPASP area that may be eligible for listing in a local, State, or federal register of historic resources (Impact 7-1). However, the project site is currently vacant and was not identified as one of the properties potentially eligible for listing as a historic resource; therefore, Mitigation Measure 7-1 does not apply.

The SPASP FEIR concluded that the potential impact of development within the plan area on cultural resources, including historic, archaeological and paleontological resources and human remains would be less than significant with implementation of recommended mitigation measures. Specifically, disturbance of previously unknown archaeological or paleontological resources, including human remains, could occur during grading and development of individual project sites.
within the SPASP area, and there is a reasonable possibility that archaeological and paleontological resources could be uncovered during these activities (Impacts 7-2 and 7-3). The SPASP FEIR identifies Mitigation Measures 7-2 and 7-3 that would reduce the potential impacts on known or undisclosed cultural resources to less-than-significant levels.

LSA conducted a records search at the Northwest Information Center (NWIC) for the proposed project in October 2017 to identify any previously-recorded cultural resources within a 0.25-mile radius of the project site and to identify any previous-completed cultural resource studies of the project site. The records search, summarized in a memorandum included as Appendix A, identified no recorded cultural resources at the project site and one cultural resource within the 0.25-mile search radius. One previously-recorded cultural resource, P-07-004476, is located approximately two blocks east of the project site and consists of a possible pre-contact Native American archaeological site characterized by midden soil and shell fragments. The cultural resource is not directly adjacent to the project site, and it would not be directly affected by construction or operation of the proposed project.

In addition, there are two previous cultural resource investigations of the project site on file at the NWIC. The previous cultural resource investigations include a portion of the project site and were completed in 2007 for the proposed seismic retrofit of Bay Area Rapid Transit aerial structures\(^5\) and in 2012 for the proposed Ohlone Gardens Housing Project.\(^6\) Neither of the investigations identified cultural resources within the project site.

### 2.5.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures, beyond implementation of SPASP Mitigation Measures 7-2 and 7-3, are required.

### 2.5.3 Conclusion

The proposed project would be consistent with the type of development analyzed within the SPASP FEIR. Ground disturbing activities would be conducted in conformance with SPASP Mitigation Measures 7-2 and 7-3. As such, the SPASP FEIR adequately evaluated the potential cultural resource impacts of the proposed project there would be no new impact on cultural resources.

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### 2.6 GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>ii. Strong seismic ground shaking?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>iii. Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>iv. Landslides?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

#### 2.6.1 Discussion

The SPASP FEIR concluded that the geologic and soil impacts in the plan area are primarily related to potential ground shaking and associated impacts related to ground failure. Since the SPASP is not located within an Earthquake Fault Hazard Zone, the likelihood of surface fault rupture is minimal. In addition, the SPASP FEIR found that the slope instability hazards are also minimal due to the absence of appreciable slopes in the SPASP area. Furthermore, the SPASP area is served by a comprehensive, integrated wastewater collection, treatment, and disposal system. Neither septic tank systems nor alternative wastewater disposal systems are proposed as part of the SPASP, including the proposed project.

The Hayward Fault is the nearest active fault to the plan area and is approximately 1.0 mile to the east. The SPASP area is susceptible to ground shaking from the Hayward Fault or one of the other active faults in the region. However, the SPASP FEIR determined that impacts related to ground shaking would be less than significant with compliance with the latest California Building Standards Code. The proposed project would be designed and constructed in accordance with these requirements.
The SPASP FEIR concluded that grading and construction activities within the SPASP area may result in minor erosion or the minor loss of some topsoil. However, implementation of City-required grading and construction-period erosion control techniques would mitigate potential geological impacts to a less-than-significant level.

The SPASP FEIR determined that implementation of the SPASP would have potentially significant impacts related to earthquake-induced on-site liquefaction, differential settlement, lateral spreading, and subsidence, and associated damage to project buildings and other improvements within the SPASP area. However, potential impacts would be reduced to less-than-significant levels with implementation of Mitigation Measure 8-1, which requires preparation and implementation of the recommended measures of a site-specific design-level geotechnical study for individual development projects. A Geotechnical Investigation\(^7\) was prepared for the proposed project, included as Appendix B, and determined that development of the proposed project is suitable on the site and that implementation of recommendations in the report would ensure that impact remain at less-than-significant levels.

### 2.6.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

### 2.6.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the California Building Code, City-required erosion control techniques, and recommendations from the Geotechnical Investigation. As such, the SPASP FEIR adequately evaluated the potential geology and soil impacts of the proposed project there would be no new impact associated with geology and soils.

### 2.7 GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.7.1 Discussion

As identified in the SPASP FEIR, the BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating GHG emissions. The BAAQMD suggests applying a specific plan-level GHG efficiency threshold of 4.6 MT per year per capita. Specific plans with emissions above the threshold would be considered to have an impact that, cumulatively, would be significant.

For the SPASP, GHG emissions were computed for two traffic scenarios, Without Mode Shift and With Mode Shift, with operational emissions in 2040 using the California Emissions Estimator Model (CalEEMod) Version 2013.2.2. SPASP land use types and size, plus trip generation rates, were input to CalEEMod. CalEEMod predicts emissions of GHGs in the form of equivalent carbon dioxide emissions (CO₂e).

For construction-related GHG emissions, the BAAQMD does not have an adopted threshold of significance. The BAAQMD encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable, including, but not limited to: using local building materials of at least 10 percent, and recycling or reusing at least 50 percent of construction waste or demolition materials. The 2016 California Green Building Standards Code (CALGreen) requires a diversion rate of at least 65 percent of construction waste or demolition materials.

The SPASP FEIR found that 2040 full development capacity associated with development under the SPASP would have per capita emissions of 3.9 and 3.7 metric tons (MT) of CO₂e per year under Without Mode Shift and With Mode Shift cases, respectively, which would not exceed the BAAQMD specific plan-level threshold of 4.6 MT CO₂e/year. Therefore, this impact is considered less than significant.

In addition, the SPASP FEIR found that the SPASP would be subject to new requirements under rule making developed at the State and local level regarding GHG emissions. The SPASP would also be subject to local and General Plan policies, including the El Cerrito Climate Action Plan, that are expected to reduce GHG emissions. Therefore, this impact is considered less than significant.

The proposed project adheres to the building guidelines of the SPASP, is consistent with the El Cerrito Climate Action Plan, and promotes reductions in GHG emissions through the development of medium-intensity, transit-oriented residential uses on the site, similar to what the SPASP envisioned. The proposed project would result in no new or more severe impacts related to GHG emissions than analyzed in the SPASP FEIR and further analysis is not required.

2.7.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.
2.7.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the 2016 California Green Building Standards Code and El Cerrito Climate Action Plan. As such, the SPASP FEIR adequately evaluated the potential GHG emissions impacts of the proposed project there would be no new impact associated with GHG emissions.

2.8 HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially Significant Impact</td>
</tr>
<tr>
<td>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
</tr>
<tr>
<td>b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
</tr>
<tr>
<td>c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
</tr>
<tr>
<td>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
</tr>
<tr>
<td>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
</tr>
<tr>
<td>f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
</tr>
<tr>
<td>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
</tr>
<tr>
<td>h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
</tr>
</tbody>
</table>

2.8.1 Discussion

The SPASP FEIR concluded that there are no significant impacts associated with hazards and hazardous materials within the SPASP plan area. The SPASP did identify the potential to expose construction workers to existing spilled, leaked, or otherwise discharged hazardous materials or wastes during project construction due to the large number of auto-related businesses in the SPASP area. However, the SPASP FEIR determined that compliance with all applicable, existing jurisdictional
City-, regional-, and State-mandated site assessment, remediation, removal, and disposal requirements for soil, surface water, and/or groundwater contamination would ensure potential impacts are less than significant. Specifically, compliance with City, the Regional Water Quality Control Board (Water Board), and the California Department of Toxic Substances Control (DTSC) requirements would ensure that health and safety impacts associated with implementation of individual development projects are less than significant.

According to these requirements, the proposed project would be required to investigate any potential soil or groundwater contamination at the site and comply with existing regulations. A Phase I Environmental Site Assessment (ESA) was prepared for the project site on December 11, 2013, and included as Appendix C. The Phase I ESA did not identify any recognized environmental conditions (RECs) at the site but recommended remediating the observed suspect mold or mildew growth at the property with a 10 percent bleach water solution as part of routine maintenance to ensure less-than-significant impacts.

The SPASP FEIR determined that the residential, commercial, and open space uses proposed as part of the SPASP would not involve the routine transport, use, storage, or disposal of hazardous materials to the extent that a significant public or environmental hazard would occur. Operations in the SPASP area may involve the occasional transport, use, storage, or disposal of common hazardous substance such as fuel, pain, and solvents but would be subject to local, State, and Federal regulations. The SPASP determined that implementation of these standard regulations would ensure potential impacts would be less than significant.

The nearest school to the project site is Fred Korematsu Middle school located 0.7 miles northeast of the project site and Fairmont Elementary School located 0.8 miles southeast of the project site. Since there are no schools within 0.25 miles from the project site, no impacts related to handling hazardous materials near a school would occur. The project site is located approximately 30 miles northwest of the nearest public airport, Oakland International Airport. As the project is not located within the Oakland International Airport Influence Area, no safety hazards would be anticipated. No private airstrips are located in the project vicinity. In addition, the SPASP area, including the project site, is not within or adjacent to wildland area and would not be subject to wildland fire risks.

2.8.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

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9 Alameda County Airport Land Use Commission, 2010. Oakland International Airport, Airport Land Use Compatibility Plan, Figure 3-2. September.

2.8.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with existing regulations related to hazardous soil or groundwater conditions at the site during ground disturbing activities. As such, the SPASP FEIR adequately evaluated potential impacts related to hazards and hazardous materials at or affecting the proposed project site and there would be no new impact associated with hazards and hazardous materials.

2.9 HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Violate any water quality standards or waste discharge requirements?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>f. Otherwise substantially degrade water quality?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>j. Inundation by seiche, tsunami, or mudflow?</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✓</td>
</tr>
</tbody>
</table>
2.9.1 Discussion

The SPASP FEIR determined that long-term water quality impacts associated with implementation of the SPASP could result in contamination of plan area stormwater runoff with petroleum and other contaminants from motor vehicles; however, the compliance with Water Board and jurisdictional City-required post-construction, non-point source pollution control measures would ensure that such impacts would be reduced to a less-than-significant level. In addition, the SPASP FEIR determined that compliance with applicable Water Board, City of El Cerrito, and City of Richmond water quality protection requirements and conditions would ensure any potential construction period and post-construction water quality impacts are reduced to a less-than-significant level.

In addition, construction projects are required to prepare a Stormwater Control Plan, which requires implementation of Best Management Practices (BMPs) to control stormwater peak flows and pollutant levels. This requirement is stipulated in Provision C.3 of the Contra Costa County National Pollutant Discharge Elimination System (NPDES). All projects within the SPASP area must comply with NPDES requirements, including the proposed project. The applicant submitted a Stormwater Control Plan as part of the project application materials. The City will confirm that this plan conforms to all applicable local and State requirements as part of the development review process.

The proposed increase in population and traffic associated with the project could increase discharge of pollutants in stormwater runoff beyond current levels after partial or full build-out of the SPASP. However, the proposed project would increase the amount of pervious surface on the site from 5,000 square feet to 7,500 square feet. In addition, full compliance with the Contra Costa County NPDES permit guidelines for stormwater discharge would ensure impacts would be less than significant.

The SPASP FEIR identified that portions of the plan area in Richmond along Central Avenue are located within a 100-year flood zone. However, the proposed project site is not located within this zone and would therefore not result in any impacts related to flooding. Furthermore, the SPASP area is also not subject to inundation by seiche or mudflow. The southwest portion of the SPASP along Central Avenue in the City of Richmond is located near a Tsunami Inundation Zone; however, the proposed project is not located near this area.

2.9.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

2.9.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with existing regulations related to stormwater discharge. As such, the SPASP FEIR adequately evaluated the hydrology and water quality impacts of the proposed project and here would be no new impact associated with hydrology and water quality.
2.10 LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c. Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

2.10.1 Discussion

The SPASP FEIR concluded that implementation of the SPASP would provide for the expansion of housing choices by encouraging compact, transit-accessible, pedestrian-oriented housing and mixed-use (commercial/housing) development in the plan area at densities and heights greater than currently permitted. Implementation of the SPASP would not result in the division of an established community because the area was primarily developed prior to completion of the SPASP. The SPASP FEIR determined that implementation of the SPASP would result in beneficial effects related to land use and planning by revitalizing the San Pablo Avenue corridor; facilitating development where services and infrastructure can be most efficiently provided by promoting higher residential densities near or within an existing shopping, service, employment, and public transportation centers; and promoting compact, transit-accessible, pedestrian-oriented, mixed-use development patterns and land uses.

The project site is designated TOMIMU in the City’s General Plan and SPASP. In addition, the site is also zoned as TOMIMU. The intent of the TOMIMU designation is to provide walkable and bikeable, transit-friendly medium intensity area that allows a wide variety of uses including residential, civic and public uses along with commercial and retails uses around Stockton and Moeser nodes in the plan area. The TOMIMU designation allows for a 55-foot high limit (65 feet is permissible for affordable housing projects). The proposed project is generally consistent with the mix, intensity, and scale of development contemplated by the SPASP in this location.

As previously discussed, the proposed project is subject to Tier IV application review by the Planning Commission. This level of review applies to “innovative, high-quality new projects” that comply with the intent of the SPASP but do not conform to all SPASP regulations. The proposed project would deviate from SPASP development standards related to new shadows, ground floor ceiling elevation, frontage type, and project encroachment above ground floor along Kearney Street. The City’s Planning Commission will consider the proposed project site plan and make findings related to any project design elements that do not specifically conform to SPASP development standards, as contemplated by the form based code guidelines articulated in the SPASP. The proposed project would generally comply with the standards of the TOMIMU designation and would develop the site.
with a mix of high density residential uses in close proximity to transit as envisioned in the SPASP FEIR.

2.10.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

2.10.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR; therefore, the SPASP FEIR adequately evaluated the land use impacts of the proposed project and no new impacts related to land use and planning would result.

2.11 MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

The City of El Cerrito General Plan does not identify mineral resources within the Specific Plan area. Therefore, the proposed project would have no new impacts on mineral resources.
2.12 NOISE

<table>
<thead>
<tr>
<th>Would the project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.12.1 Discussion

This section compares noise impacts from the proposed project with impacts identified in the SPASP FEIR. The proposed project would include residential and commercial uses in a developed area in the City of El Cerrito. Operational noise can be categorized as mobile source noise and stationary source noise. Mobile source noise would be attributable to the additional trips that would be a result of the proposed project. Stationary source noise includes noise generated by the residential and commercial land uses.

A Noise Impact Analysis Memorandum (Noise Memorandum) was conducted for the proposed project and is referenced in this section, and is included in Appendix D. The Noise Memorandum is intended to satisfy the City’s requirement for a project-specific noise impact analysis, per SPASP Mitigation Measure 13-1, and examines the impacts of the proposed noise-sensitive uses on the project site together with the project design features and standard conditions. Future noise level impacts are based on the noise measurement data gathered at the project site to account for the impacts associated with the train activity to the east, as well as surrounding traffic and commercial uses.

The primary existing noise sources in the project area are transportation facilities. Traffic on San Pablo Avenue contributes to the ambient noise environment. In addition, train-related activities

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associated with the BART tracks, located east of the project site, also contributes to the existing noise environment in the project vicinity. In addition, operational noise from adjacent uses (e.g., nearby construction activities to the north, parking lot noise, and pedestrians) is audible on the project site.

As identified in the Noise Memorandum, to assess existing noise levels, LSA conducted one long-term noise measurement onsite and two BART train pass-by noise measurements offsite, approximately 60 feet west of the BART tracks. The long-term noise measurement recorded a 24-hour measurement from October 3, 2017 to October 4, 2017. The long-term noise measurement indicates that noise levels on the project site are approximately 62.6 dBA L_{dn}. The BART pass-by measurements ranged from approximately 73.2 dBA to 81.9 dBA L_{eq}.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The project site is located within the San Pablo Avenue corridor that is predominantly developed with commercial, retail uses, and multi-family residential uses. The project is a part of the existing Villages at Town Center residential development located on three separate parcels on Schmidt Lane. The closest sensitive receptors include the existing onsite residences, located approximately 30 feet from the proposed multi-family residential buildings.

2.12.1.1 Noise and Land Use Compatibility

The SPASP FEIR found that residential land uses facilitated by the SPASP would be exposed to exterior noise levels exceeding 70 dBA L_{dn} from traffic and BART noise. Future noise levels would exceed both El Cerrito’s and Richmond’s noise and land use compatibility standards. This was identified as a potentially significant impact. The SPASP FEIR identified Mitigation Measure 13-1, which requires project-specific acoustical analyses, to reduce potential noise and land use compatibility impacts to a less-than-significant level.

The Noise Memorandum identified the dominant sources of noise in the project vicinity include the nearby construction to the north, traffic on San Pablo Avenue, nearby parking lot noise, and pedestrians. Noise levels on the project site measured approximately 62.6 dBA L_{dn}, approximately 190 feet east of the centerline of San Pablo Avenue. The proposed residences would be located within 130 feet of the centerline of San Pablo Avenue; therefore, adjusted for distance, the proposed residences would be exposed to a noise level of approximately 65.6 dBA L_{dn}.

The City sets forth normally acceptable noise level standards for land use compatibility and interior noise exposure of new development. The normally acceptable exterior noise level for residential units near BART is 70 dBA L_{dn}. The normally acceptable interior noise level for residential units is 45 dBA L_{dn}, and the maximum instantaneous noise level should not exceed 50 dBA in bedrooms and 55 dBA in other rooms. The nearest proposed residential units to the BART rail line are located approximately 270 feet from the BART rail line.
**Interior Noise Analysis.** Based on the EPA’s Protective Noise Levels, with a combination of walls, doors, and windows, standard construction for Northern California residential buildings (STC-24 to STC-28) would provide more than 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA or more residential interior noise with windows open. With windows open, residents would not meet the City’s normally acceptable standard of 45 dBA Ldn (i.e., 65.6 dBA – 15 dBA = 50.6 dBA). Therefore, an alternate form of ventilation, such as an air-conditioning system, would be required to ensure that alternate form of windows can remain closed for a prolonged period of time for all units at the proposed project. A ventilation system would reduce noise levels for residents with windows closed and would meet the City’s normally acceptable interior noise level criterion of 45 dBA (i.e., 65.6 dBA – 25 dBA = 40.6 dBA).

**Instantaneous Noise Analysis.** The long-term noise measurement indicates a maximum instantaneous noise level of 70.5 dBA Lmax. With windows and doors closed, maximum instantaneous noise levels would be approximately 45.5 dBA Lmax (i.e., 70.5 – 25 = 45.5). This maximum instantaneous noise level would not exceed the City’s instantaneous noise level standards of 50 dBA in bedrooms and 55 dBA in other rooms.

**Exterior Noise Analysis.** In addition, as identified above, exterior noise levels on the project site are approximately 65.6 dBA Ldn. This noise level would be within the City’s acceptable noise level of up to 70 dBA Ldn for residential land uses near BART. Therefore, the project would meet the City’s land use compatibility standards.

2.12.1.2 Stationary Source Noise Impacts

Implementation of the proposed project would generate minimal onsite stationary noise sources, from HVAC equipment.

The nearest sensitive receptors in the vicinity of the project are the existing onsite residences, which are located approximately 30 feet from the proposed multi-family residential buildings.

HVAC equipment is typically the primary noise source associated with residential uses. HVAC equipment is often mounted on rooftops, located on the ground, or located within mechanical rooms. The noise sources could take the form of fans, pumps, air compressors, chillers, or cooling towers. HVAC operations would be required to meet all noise standards.

Precise details of HVAC equipment, including future location and sizing, are unknown at this time; therefore, for purposes of this analysis, 75 dBA at 3 feet was assumed to represent HVAC-related noise. The nearest sensitive receptors in the vicinity of the project are the existing onsite residences, which are located approximately 30 feet from the proposed multi-family residential buildings. Adjusted for distance to the nearest off-site sensitive receptors, the off-site residences would be exposed to a noise level of 55 dBA Lmax generated by HVAC equipment. This noise level is lower than the City’s maximum allowable noise level standards of 70 Lmax during the day and 60 dBA.

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\( L_{\text{max}} \) during the night. Therefore, operations associated with the HVAC equipment would be in compliance with the City’s exterior daytime and nighttime noise standards for residential uses.

In addition, as discussed in many technical noise publications, including the Caltrans Technical Noise Supplement,\(^{14}\) the reflection of noise from a barrier or, in this case, a new solid structure such as the proposed project buildings, can be a concern for nearby residences in the project area when a substantial noise source such as the elevated BART tracks exists. As discussed in the Noise Memorandum, at close distances, 1,500 feet and less, the increase in noise due to reflection would be less than 2 dBA. At distances beyond 1,500 feet the calculated level of increase due to reflection would be between 2 and 2.2 dBA. It should be noted that at distances beyond 1,500 to 2,000 feet, noise impacts are much more heavily influenced by atmospheric and other conditions, therefore, calculations associated with those impacts should be seen as theoretical, and often conservative in nature. With noise increases of less than 3 dBA, widely considered to be the threshold of perceptibility, the proposed project would not cause significant noise increases to receivers east of the existing train operations.

### 2.12.1.3 Mobile Source Noise Impacts

Motor vehicles with their distinctive noise characteristics are the dominant noise source in the project vicinity. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks), average traffic speed, and distance from the observer. Implementation of the proposed project would result in new daily trips on local roadways in the project site vicinity. A characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level.

The SPASP FEIR found that cumulative traffic noise levels, with or without implementation of the SPASP, are not anticipated to increase substantially along the roadways serving the Specific Plan area, and the project’s contribution to cumulative traffic noise level increases is calculated to be less than 1 dBA \( L_{\text{dn}} \). Cumulative traffic noise increases would not be considered substantial, and the project would not make a cumulatively considerable contribution to increased noise levels. Therefore, this impact is considered less than significant.

Implementation of the proposed project would result in new daily trips on local roadways in the project site vicinity. The project would generate an estimated 266 daily vehicle trips, with 20 trips occurring during the AM peak hour and 25 trips occurring during the PM peak hour.\(^{15}\) The adjacent San Pablo Avenue carries approximately 17,640 average daily trips.\(^{16}\) Project trips would represent a small fraction of the overall roadway traffic volumes. Therefore, project daily trips would not result in a doubling of traffic volumes along any roadway segment in the project vicinity, and therefore would not result in a perceptible increase in traffic noise levels at receptors in the project vicinity. This impact would remain less than significant.

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\(^{16}\) Ibid.
2.12.1.4 Construction Noise

The highest construction noise levels would be generated during grading and excavation, with lower noise levels occurring during building construction. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 85 to 90 dBA at a distance of 50 feet. Typical hourly average construction-generated noise levels are about 80 to 85 dBA measured at a distance of 50 feet from the site during busy construction periods. In addition, pile driving may occur at some of the project sites. This type of construction activity can produce very high noise levels of approximately 105 dBA at 50 feet, which are difficult to control. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. Intervening structures or terrain would result in lower noise levels.

The SPASP identified that although construction noise would be localized to the individual site location, businesses and residences would be intermittently exposed to high levels of noise throughout the plan horizon. Construction would elevate noise levels at adjacent businesses and residences by 15 to 20 dBA or higher. Such a large increase in noise levels, although short-term in duration, would be a potentially significant impact. The SPASP identified Mitigation Measure 13-3, but identified that construction noise impacts would remain significant and unavoidable.

The noise analysis presented in the Noise Memorandum assumed a typical maximum noise level of 86 dBA $L_{\text{max}}$ at 50 feet during the noisiest construction phases. The Noise Memorandum identified that the nearest sensitive receptors to the project site are the existing onsite residences, which are located approximately 30 feet from the proposed multi-family residential buildings. Project construction would result in short-term noise impacts on these adjacent uses. At 30 feet, there would be an increase of approximately 4 dBA from the increased distance from the active construction area. Therefore, the closest off-site sensitive receptors may be subject to short-term construction noise reaching 90 dBA $L_{\text{max}}$ when construction is occurring at the project site boundary. Construction is permitted by the City when activities occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturday. No construction activity is allowed on Sundays and holidays.

The proposed project would not result in any new or more significant construction-period noise impacts than were described in the SPASP FEIR. The proposed project would require the implementation of the Municipal Code, the City of El Cerrito General Plan, and Mitigation Measure 13-3, as included in the SPASP FEIR.

2.12.1.5 Construction-Related Vibration

The SPASP FEIR identified that construction projects within the SPASP area may, in some cases, be located directly adjacent to existing structures, including weakened structures. Construction activities may include demolition of existing structures, site preparation work, excavation of below-grade levels, foundation work, pile driving, and new building erection. Demolition for an individual site may last several weeks and at times may produce substantial vibration. Excavation for underground levels would also occur on some project sites and vibratory pile driving could be used to stabilize the walls of the excavated area. Piles or drilled caissons may also be used to support building foundations.
Depending on the proximity of existing structures to each construction site, the structural soundness of the existing buildings, and the methods of construction used, vibration levels may be high enough to damage existing structures. Given the scope of the SPASP and the close proximity of many existing structures, ground-borne vibration impacts would be potentially significant.

As with any type of construction, vibration levels may at times be perceptible. However, construction phases that have the highest potential of producing vibration (pile driving and use of jackhammers and other high power tools) would be intermittent and would only occur for short periods of time for any individual project site. By use of administrative controls such as notifying neighbors of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby businesses, perceptible vibration can be kept to a minimum and would not result in a physical or perceived significant impact.

The SPASP FEIR found construction-related vibration impacts to be potentially significant. The SPASP FEIR identified Mitigation Measure 13-4. However, it may not be possible to avoid using pile drivers, vibratory rollers, and tampers entirely during construction associated with the SPASP. Due to the density of development in the area, some of these activities may take place near sensitive areas. In these cases, Mitigation Measure 13-4 may not be sufficient to reduce ground-borne vibrations below a level of significance. Therefore, this impact was considered to be significant and unavoidable.

Common sources of ground-borne vibration and noise include trains and construction activities such as blasting, pile driving and operating heavy earthmoving equipment. Construction of the proposed project would involve grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration or ground-borne noise on properties near to the project site. No pile driving, blasting, or significant grading activities are proposed.

Therefore, the proposed project would not result in any new or more significant construction-period vibration impacts than were described in the SPASP FEIR. The proposed project would require the implementation of the Mitigation Measure 13-4, as included in the SPASP FEIR.

2.12.1.6 Ground Vibration from BART Operations

The SPASP FEIR identified that future development under the SPASP would not expose persons to excessive vibration from BART operations. This impact is considered less than significant.

Along the entire SPASP area, BART operates on an elevated platform. According to data in the FTA Transit Noise and Vibration Impact Assessment, vibration levels resulting from BART would be well below the 72 VdB guidelines for Category 2 land uses near the footprint of the elevated structure. Therefore, this impact is considered less than significant.

Therefore, the proposed project would not result in any new or more significant groundborne vibration impacts than were described in the SPASP FEIR. In addition, implementation of SPASP
policies would reduce potential groundborne vibration impacts on future or existing sensitive receptors to less-than-significant levels.

2.12.1.7 Aircraft Noise

The SPASP FEIR did not address potential aircraft noise impacts for the proposed project. The proposed project is not located within 2 miles of a public or public use airport. Oakland International Airport is the closest airport and is located approximately 19 miles south of the project site. Aircraft noise is occasionally audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of any public airport nor does any portion of the project site lie within 2 miles of any private airfield or heliport. Therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources.

2.12.2 Applicable Mitigation

The proposed project would result in an increase in people living close to the BART rail line which could expose sensitive receptors to higher noise levels from BART activity. However, the project would not expose sensitive receptors to noise levels above normally acceptable levels if an alternative method of supplying fresh air (e.g., mechanical ventilation) is required to ensure that windows can remain closed for a prolonged period of time, which would reduce potential operational noise impacts on future sensitive receptors to less-than-significant levels. With implementation of this measure, SPASP Mitigation Measure 13-1 is satisfied, and no further analysis is required. Implementation of SPASP Mitigation Measures 13-3, and 13-4 are also applicable to the proposed project.

2.12.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of SPASP Mitigation Measures 13-3, and 13-4, the proposed project would not result in a significant increase in noise levels. Therefore, the SPASP FEIR adequately evaluated the noise impacts of the proposed project and no new impacts related to noise would result.
2.13 POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.13.1 Discussion

The SPASP FEIR evaluated potential environmental impacts that could be associated with approximately 243,112 net new square feet of commercial space, 1,706 units of residential development, and 3,840 new residents. The SPASP FEIR concluded that the population growth associated with the SPASP would not directly or indirectly induce substantial population growth beyond the SPASP boundaries. SPASP implementation would facilitate the projected residential and commercial growth within a transit-rich, mixed-use plan area identified for such growth in both local and regional plans and forecasts.

Table 2.A below shows the housing and population assumptions evaluated within the SPASP FEIR and also shows existing and proposed housing development within the SPASP area. As the population and housing units proposed by the project would fall within the total development anticipated by the SPASP FEIR, the project would result in no new impacts associated with population and housing.

### Table 2.A: Existing and Proposed Housing Units and Population Within the SPASP Area

<table>
<thead>
<tr>
<th>Evaluated Within the SPASP FEIR</th>
<th>Approved</th>
<th>Proposed Project</th>
<th>Remaining Development Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Units</td>
<td>1,706a</td>
<td>40</td>
<td>433</td>
</tr>
<tr>
<td>Population</td>
<td>3,840b</td>
<td>90</td>
<td>975</td>
</tr>
</tbody>
</table>

Source: City of El Cerrito, Revised Growth Projections November 14, 2017.

a El Cerrito, City of, 2014. Final San Pablo Avenue Specific Plan EIR.

b Estimated population associated with approved units, under construction units, and the proposed project was determined by using an average of 2.25 persons per household (3,840 residents / 1,706 units = 2.25 residents per unit).

2.13.2 Applicable Mitigations

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was...
certified leading to new or more severe significant impacts, and no new mitigation measures are required.

### 2.13.3 Conclusion

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be within the growth projections evaluated in the SPASP; therefore, the SPASP FEIR adequately evaluated the population and housing impacts of the proposed project and no new impacts would result.

### 2.14 PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Fire protection?</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>ii. Police protection?</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>iii. Schools?</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>iv. Parks?</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>v. Other public facilities?</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
</tr>
</tbody>
</table>

### 2.14.1 Discussion

The SPASP area is located within the West Contra Costa Unified School District (WCCUSD). The SPASP FEIR evaluated the impact that the SPASP’s anticipated 1,706 new residences, and associated increase in expected student population, would have on the services provided and facilities operated by the WCCUSD. The SPASP FEIR concluded that the new residences would generate approximately 1,147 new students in the District schools over the approximately 25-year horizon of the SPASP implementation. The SPASP FEIR concluded that new students would be accommodated in existing schools, and plan implementation would not result in the need for new or expanded school facilities. As the population and housing units proposed by the project would fall within the total development anticipated by the SPASP FEIR (refer to Section XIII, above), the project would also generate students allowed for and analyzed within the SPASP FEIR. As such, existing school facilities could accommodate the proposed project.

The SPASP FEIR concluded that the El Cerrito Fire Department and Richmond Fire Department would not need to expand fire protection facilities and personnel to accommodate additional demand associated with implementation of the SPASP. Specifically, the SPASP FEIR identified that any demand for additional fire protection personnel or equipment resulting from SPASP implementation
would be funded by currently adopted public facility fees levied on the new development (in Richmond) and by the annual budget review and allocation (in El Cerrito). Given this, impacts to fire protection services are anticipated to be less than significant. As the population and housing units would fall within the total development anticipated by the SPASP FEIR, the project would result in no new impacts associated with fire services.

As noted in the SPASP FEIR, the increased demand associated with implementation of the SPASP would not require new or physically altered police protection facilities. The SPASP FEIR also determined that implementation of the SPASP would result in more “eyes-on-the-street” by facilitating a more pedestrian-friendly plan area which would provide a safer public environment. The SPASP identified police department approvals that would be required on a project-by-project basis that would ensure the department is equipped and has the ability to maintain acceptable levels of service. The City will coordinate with the police department for these approvals. In addition, the proposed project would fall within the total development anticipated by the SPASP FEIR and would not result in new impacts associated with police services.

The SPASP FEIR concluded that the combination of parks and recreation facilities meets the expected park requirements for the SPASP area given the anticipated population associated with implementation of the SPASP. As discussed in further detail in Section XV, Recreation of this checklist, the SPASP FEIR concludes that the impacts to parks and recreation would be less than significant with compliance with plan provisions for new open spaces. In addition, the proposed project includes a total of 9,000 square feet of private open space on the project site including 3,600 square feet of private/common open space in the form of an outdoor roof deck and 5,400 square feet of private open space in the form of a renovated interior courtyard for the residents of Building A and proposed Building E of the Village campus. In addition, the SPASP FEIR determined that implementation of the SPASP would not facilitate the need for new or physically altered government facilities.

2.14.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

2.14.3 Conclusion

The SPASP FEIR adequately evaluates public service impacts and the proposed project’s impacts are included in and analyzed by the SPASP FEIR. Development of the proposed project would fall within the development assumptions evaluated within the SPASP FEIR. Therefore, the proposed project has no new impacts on public services.
### 2.15 RECREATION

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

#### 2.15.1 Discussion

The SPASP FEIR concluded that the combination of parks and greenways within the SPASP area would meet the expected park requirements for the SPASP area given the anticipated population at full implementation of the SPASP. Specifically, implementation of the SPASP would generate 1,706 new residences and increase the local population by 3,840 people. The increase in residents in the area would increase the demand for parks and recreational facilities, reducing the City’s level of service to 5.85 acres per 1,000 residents (below the 2010 level of 6.67 acres per 1,000 residents) with no increase in acreage of parks or open spaces; however this ratio is above the level of service standard adopted under the City’s General Plan.

As previously noted, the proposed project would include 3,600 square feet of private/common open space in the form of an outdoor roof deck and the enhancement of an 5,400 square feet area of private open space for the residents of Building A and proposed Building E of the Village campus in the form of a renovated interior courtyard. As the population and housing units would fall within the total development anticipated by the SPASP FEIR, and the project would conform to SPASP open space standards, the project would result in no new impacts associated with parks and recreational facilities.

#### 2.15.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

#### 2.15.3 Conclusion

The SPASP FEIR adequately evaluated the environmental impacts associated with implementation of the SPASP, including parks and recreations impacts. Development of the proposed project would fall within the development assumptions evaluated within the SPASP FEIR. Therefore, the proposed project has no new impacts on parks and recreation.
2.16 TRANSPORTATION/TRAFFIC

<table>
<thead>
<tr>
<th>Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
</tr>
<tr>
<td>b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
</tr>
<tr>
<td>c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location which results in substantial safety risks?</td>
</tr>
<tr>
<td>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
</tr>
<tr>
<td>e. Result in inadequate emergency access?</td>
</tr>
<tr>
<td>f. Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
</tr>
</tbody>
</table>

2.16.1 Discussion

This section compares traffic impacts from the proposed project with impacts identified in the SPASP FEIR. A Traffic Impact Study (TIS) was conducted for the proposed project and is referenced in this section. The report includes an analysis to ensure that sufficient traffic operations are maintained with the construction of the proposed project.17

2.16.1.1 Trip Generation

The Traffic Impact Study identified estimated project trip generation for the proposed project based on published trip generation rates from the Institute of Transportation Engineers’ (ITE) Publication Trip Generation (9th Edition). Published trip rates for the “Apartment” (ITE Land Use 223) and “Retail” (ITE Land use 820) were used for this project. Table 2.B shows the estimated trip generation for the proposed project, illustrating the existing uses and adding the proposed project to produce the net trips resulting from the expansion. The project is expected to generate approximately 11 weekday AM peak hour trips (9 inbound, 2 outbound) and 16 weekday PM peak hour trips (10 inbound, 6 outbound).

### Table 2.B: Project Trip Generation

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Size</th>
<th>Unit</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rate</td>
<td>Rate</td>
<td>In</td>
</tr>
<tr>
<td>Existing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartment (223)</td>
<td>46</td>
<td>Dwelling Unit</td>
<td>6.65</td>
<td>306</td>
<td>0.30</td>
</tr>
<tr>
<td>Retail (820)</td>
<td>8.05</td>
<td>Square Feet (SF)</td>
<td>42.7</td>
<td>344</td>
<td>0.96</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>650</td>
<td>5</td>
<td>18</td>
</tr>
<tr>
<td>Proposed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartment (223)</td>
<td>46</td>
<td>Dwelling Unit</td>
<td>6.65</td>
<td>306</td>
<td>0.30</td>
</tr>
<tr>
<td>Proposed (223)</td>
<td>40</td>
<td>Dwelling Unit</td>
<td>6.65</td>
<td>266</td>
<td>0.30</td>
</tr>
<tr>
<td>Retail (820)</td>
<td>8.05</td>
<td>Square Feet (SF)</td>
<td>42.7</td>
<td>344</td>
<td>0.96</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>916</td>
<td>7</td>
<td>27</td>
</tr>
</tbody>
</table>


* Proposed Project

#### 2.16.1.2 Site Access and Circulation

Primary automobile access to the site would occur from Kearney Street through a new curb-cut that would allow access to the single car parking garages and non-commercial surface parking areas. An existing curb cut at the northeast corner of the site will be removed. Automobile access would also occur from an existing driveway on San Pablo Avenue to an eight-space parking area dedicated to existing commercial uses located in Building A. The proposed project site plan was reviewed as part of the Traffic Impact Study to evaluate on-site access to the project. Primary automobile access to the site would occur from Kearney Street through a new curb-cut, and would allow access to the single car parking garages and non-commercial covered and uncovered off-street parking spaces. Kearney Street, between Manila Street and Schmidt Lane, is an approximately 650-foot long block. The project site is located on the southern portion of the street, where the existing two-way access is located. The northern half of the street is one way only in the southbound direction from Manila Street to the project site. The southernmost driveway provides access to the residential units for both the existing residential and proposed buildings. The commercial access would be located on the San Pablo Avenue frontage.

The Traffic Impact Study also examined the project site plan in order to evaluate the adequacy of on-site circulation related to queueing, turning radii, and safety and circulation aisles. The proposed circulation aisle would accommodate two-way travel and the turning radii appears to be adequate for passenger vehicles and emergency vehicles. Emergency vehicles would be able to access the project via driveways on Kearney Street and along San Pablo Avenue.

The proposed garbage pickup area would be located near the northeast corner of the site on Kearney Street. Garbage trucks would be able to access the project via Kearney Street, as the trash
bins will be rolled onto the street for pick up. Overall, the proposed on-site vehicle circulation is adequate and would not result in any significant impacts on City streets. Per the below project-specific condition of approval, the project applicant would be required to confirm that trucks can circulate on-site by completing a truck turning analysis for the final site plan.

**Project-Specific Condition of Approval:**

The project applicant shall complete a truck turning analysis for the proposed driveway for the plans submitted for building permit issuance.

Vehicles exiting the project site through the two driveways have the potential to conflict with pedestrian safety on adjoining sidewalks. Per the below project-specific condition of approval, to ensure safe pedestrian crossings of project driveways, the project applicant would be required to install stop controls at all driveway exits.

**Project-Specific Condition of Approval:**

The project applicant shall install stop controls at all project driveways to allow for pedestrians to cross the driveway.

With implementation of the above recommended project-specific conditions of approval, impacts associated with site access and circulation would be less than significant.

**2.16.1.3 Sight Distance Analysis**

Sight distance is evaluated to determine if a driver will have adequate visibility to enter a roadway safely without resulting in a conflict with traffic already on the roadway. According to American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highway and Streets, 2014, the required minimum stopping sight distance for design speed of 30 mph should be 200 feet on San Pablo Avenue, and for a design speed of 25 mph should be 150 feet on Schmidt Lane and Kearney Street.

The existing driveway on San Pablo Avenue would remain with development of the proposed project, but access to the new residential building would be restricted as part of the project. From this driveway, the visibility looking southbound for northbound traffic would be approximately 250 feet, which is to approximately the San Pablo Avenue/Schmidt Lane intersection. Therefore, the findings included in the TIS indicate that the proposed sight distance and visibility from the San Pablo Avenue driveway would be adequate.

On Kearney Street, the existing driveway on the northern portion of the project site would be removed, and a new southern driveway would be added closer to the existing Building A. Kearney Street is a two way street coming from Schmidt Lane. At the northeast corner of the site, Kearney is a one way roadway, with only southbound movement allowed. The remaining half of the roadway has a posted “Do not Enter”/“Wrong Way” sign with angled parking. There is a red curb with a fire hydrant at the northeast corner of the site. From the new driveway, the visibility looking northbound for southbound traffic is approximately 200 feet, near the northern entrance of the
DMV. The visibility looking southbound is to the end of the street at the Schmidt Lane/Kearney Street intersection. Based on the review and findings of the TIS, the sight distance at the southern driveway would be adequate. However, per the below project-specific condition of approval, the addition of 15 feet of red curb on both ends of the new southern driveway would allow for added visibility from parked vehicles.

**Project-Specific Condition of Approval:**

The project applicant shall add 15 feet of red curb north and south of the southern driveway on Kearney Street to allow for added visibility from parked vehicles.

The addition of stop controls at all project driveways, as identified above in the project-specific condition of approval, is recommended to allow for enhanced traffic safety and operations at all project driveways. With the incorporation of the project-specific condition of approval, the project would not result in any new impacts related to sight distance.

### 2.16.1.4 Pedestrian Access

Pedestrian access to the proposed Building E would be facilitated by existing sidewalks on San Pablo Avenue and by maintaining the existing mid-block paseo that allows for pedestrian access through the existing Building A between Kearney Street, San Pablo Avenue and Schmidt Lane. A new door has been illustrated at the west elevation on the ground floor of proposed Building E to allow residents to gain access to this building from either San Pablo Avenue or Schmidt Lane without having to use the main lobby on the Kearney Street elevation. A gate has been created at the end of the walkway from the proposed Building E which allows residents to follow a new pathway to gain access to San Pablo Avenue. Crosswalks exist along local roadways in the study area, and existing sidewalks are located along all roadways within the vicinity of the project site where land uses have been developed adjacent to roadways.

A significant impact related to pedestrian access would occur if the proposed project would conflict with applicable or adopted policies, plans or programs related to pedestrian facilities or if it would otherwise decrease the performance or safety of pedestrian facilities. Along Kearney Street, a new curb cut and driveway would replace a portion of the existing sidewalk in order to provide vehicular access to the project site. The removal of an existing curb cut and driveway and addition of the new driveway and the continued maintenance of the streetscape and sidewalk along the San Pablo Avenue, Schmidt Lane, and Kearney Street would not result in any significant impacts to existing or planned pedestrian facilities in the immediate vicinity of the project because pedestrian access would continue to be provided along the project frontage.
As part of the SPASP, San Pablo Avenue is identified as a Community Street and Kearney Street and Schmidt Lane are identified as Neighborhood Streets in the Midtown Area of El Cerrito. The SPASP identifies the possible addition of bulb-outs at all intersections and mid-block crossings and curb ramps at each intersection. The existing streetscape consists of wide sidewalks, landscaping, curb ramps and street amenities that already provide a safe, attractive and walkable environment within the project area.

Also identified in the SPASP is a midblock connection/crosswalk across San Pablo Avenue between Schmidt Lane and Manila Avenue. A midblock connection would provide access for residents and tenants to access the southbound bus stop or any other businesses as San Pablo Avenue develops. A location has not been identified at this time. As mentioned above, the project would maintain the existing mid-block paseo that allows for pedestrian access through the existing Building A between Kearney Street, San Pablo Avenue and Schmidt Lane.

Chapter 2 of the SPASP details the Form-Based Code (FBC) that identifies development standards within the specific plan area. Section 2.01.03 in the FBC summarizes the development standards by street type. Table 2.C details the required FBC standards and the proposed standards as identified in Section 2.01.03 of the SPASP, FBC Summary: Regulation by Street Type.

Table 2.C: SPASP Sidewalk Development Standards

<table>
<thead>
<tr>
<th>Building Placement</th>
<th>San Pablo Avenue</th>
<th>Schmidt Lane</th>
<th>Kearney Street</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Community Street FBC Standard</td>
<td>Project Detail</td>
<td>Neighborhood Street FBC Standard</td>
</tr>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>6’0” min</td>
<td>4’6”</td>
<td>5’0” min</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>8’0” min clear pathway</td>
<td>10’10”</td>
<td>5’0” min clear pathway (residential uses)</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>0’0” min.</td>
<td>0</td>
<td>0’0” min.</td>
</tr>
</tbody>
</table>

Source: El Cerrito San Pablo Avenue Specific Plan, Section 2.01.03, December 2014.

The project does not include sidewalk improvements as this is an existing feature. However, the existing project site provides approximately 10 feet of clear pathway for pedestrians and almost 5 feet of sidewalk amenities with street trees on San Pablo Avenue. Along Schmidt Lane and Kearney Street, there are 5 feet of sidewalk amenities with landscaping and 5 feet of clear pathway for pedestrians. Currently, the condition of the sidewalk and amenities are in good condition and provide a safe and attractive walking environment adjacent to the proposed project area. As a result, the project would not result in any new impacts related to pedestrian access.

2.16.1.5 Transit

A proposed project is considered to have a significant impact on transit if it conflicts with existing or planned transit facilities, or is expected to generate additional transit trips and does not provide adequate facilities for pedestrians and bicyclist to access transit routes and stops. As per the City of El Cerrito Active Transportation Plan (ATP) Existing Conditions Section, Table 3-3: Project Increase in
Walking and Biking, the baseline mode split shows 10 percent of City residents use transit as their primary commute mode. The table also details the SPASP Build Out (2040), and identifies an estimate that 13 percent of El Cerrito residents will use transit. Based on these details and referring to the net trips generated in Table 2.B, the proposed project would generate approximately two transit trips in the AM peak hour and three transit trips in the PM peak hour. Assuming the 2040 buildout, it can be determined that the project would generate three transit trips each in the AM and PM peak hour. The excerpt from the ATP detailing the mode share is included in Appendix E of the Transportation Impact Study.

The nearest transit stop to the project site is located just south of Schmidt Lane. The location of this existing transit stop is not directly in front of the project site and would not require relocation during construction. As a result, construction of the proposed project would not affect current transit service. Transportation Demand Management (TDM) measures are discussed in more detail in Section 2.16.1.7 and support an increase of transit use for the project.

The SPASP identifies enhancing the existing bus stop adjacent to the project area on San Pablo Avenue, just south of Schmidt Lane with a new bus platform. The City of El Cerrito is currently in the process of refining the multimodal improvements identified in the SPASP and developing a Transportation Impact Fee (TIF) program to determine fair share payment by the development projects facilitated by the Specific Plan for these improvements. Per the below project-specific condition of approval, the project applicant is required to contribute the fair share towards the TIF.

Project-Specific Condition of Approval:

The project applicant shall be required to make a fair share contribution towards the implementation of the multi-modal improvements identified by the SPASP.

With implementation of the above recommended project-specific condition of approval, impacts associated with transit would be less than significant.

2.16.1.6 Parking Requirements

The City of El Cerrito San Pablo Avenue Specific Plan Form Based Code (FBC) summarizes parking and development standards based on district and transect zones. The project location is located in the Midtown District, El Cerrito Transit-Oriented Mid-Intensity Mixed Use (TOMIMU). The applicable vehicle parking required is shown in Table 2.D.
Table 2.D: El Cerrito TOMIMU Parking Requirements

<table>
<thead>
<tr>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Buildings &gt; 3,000 sf</td>
<td>Up to 1 auto space/ 500 sf (^a)</td>
</tr>
<tr>
<td>Residential Buildings</td>
<td>Up to 1.5 auto space/unit (^b)</td>
</tr>
<tr>
<td>Residential Buildings</td>
<td>Min. 1 short-term bicycle space/10 units (min. 2 short-term spaces)</td>
</tr>
<tr>
<td></td>
<td>Min 1 long term bicycle spaces/unit</td>
</tr>
</tbody>
</table>

Source: *El Cerrito San Pablo Avenue Specific Plan*, Section 2.01.03, December 2014.

\(^a\) All projects include basic Transportation Demand Management (TDM) Projects proposing 0-0.5 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures

\(^b\) All projects include basic TDM. Projects proposing 0-1 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM Measures

The project would result in a total of 59 parking spaces, which consists of 46 residential parking spaces, 7 retail commercial spaces, and 6 ADA-compliant parking spaces. In total, there would be 27 fewer parking spaces available with the proposed project compared to the existing parking spaces currently available. Access to residential parking is through the new driveway on Kearney Street, and vehicular access to the commercial spaces would be through the existing driveway on San Pablo Avenue. The City’s FBC parking requirements listed above display a maximum number of required parking spaces. The proposed project assumes 0.96 spaces per residential unit which is within the range of up to 1.5 spaces per unit requirement. Based on the SPASP, the project satisfies the number of parking spaces required and does not exceed the maximum number of spaces. As a result, the project would not result in any new impacts related to vehicle parking.

The project would include a total of 60 long-term bicycle parking and provide short-term outdoor parking on the frontage of Kearney Street, meeting the required bicycle parking spaces for the new Building E. As a result, the project would not result in any new impacts related to bicycle parking.

2.16.1.7 TDM Requirements

This section discusses TDM measures that are applicable to the proposed development. TDM measures encourage walking, bicycling, and public transit use and would reduce automobile trips and parking demand generated by the project. The TDM Plan includes measures that are focused on residential tenants of the Village at Town Center Project and estimated Vehicle Trip Reduction (VTR). A summary of the TDM measures are listed in Table 2.E.
Table 2.E: Summary of TDM Measures

<table>
<thead>
<tr>
<th>Program Elements</th>
<th>Implementation</th>
<th>Estimated VTR Range</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>On-Site Amenities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distribution of TDM Information</td>
<td>The Village at Town Center will compile and distribute information regarding all TDM measures to residents through provision of a TDM Contact Person and Tenant Welcome Packet</td>
<td>3-5%</td>
</tr>
<tr>
<td>Pedestrian Facilities</td>
<td>Continue to support the existing pedestrian network facilities.</td>
<td>–</td>
</tr>
<tr>
<td>Bicycle Storage</td>
<td>The development includes long-term and short-term bicycle parking on-site</td>
<td>–</td>
</tr>
<tr>
<td>High-Bandwidth Internet Connection</td>
<td>The development will provide access to high-bandwidth internet connections for residents to encourage telecommuting</td>
<td>–</td>
</tr>
<tr>
<td><strong>Transit Elements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AC Transit EasyPass</td>
<td>The Village at Town Center budgeted $50,000 to provide AC Transit EasyPass to residents</td>
<td>10-20%</td>
</tr>
<tr>
<td>BART Commuter Tax Benefits</td>
<td>The Village at Town Center will advertise and promote the program to residents</td>
<td>5-10%</td>
</tr>
<tr>
<td><strong>Carpool and Vanpool Programs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>511 Ride Matching Assistance</td>
<td>The Village at Town Center will advertise and promote the program to residents</td>
<td>5-10%</td>
</tr>
<tr>
<td>Carpool/Vanpool Incentives for New Users</td>
<td>The Village at Town Center will advertise and promote the program to residents</td>
<td>5-10%</td>
</tr>
<tr>
<td>Car Sharing</td>
<td>The Village at Town Center will coordinate with a Car Share vendor to provide a car share space on-site for residents, commercial building tenants, and the public to utilize.</td>
<td>5-10%</td>
</tr>
<tr>
<td><strong>Bicycle Programs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bike Sharing</td>
<td>The Village at Town Center will coordinate with a Bike Share vendor to provide bike share facilities on-site for residents, commercial building tenants, and the public to utilize.</td>
<td>5-10%</td>
</tr>
</tbody>
</table>


Future residents of the project would have opportunities to use alternative transportation modes. These opportunities align with the goals of the SPASP and ATP, and would aid in reducing the total number of single occupant vehicle trips to and from the project site. As a result, the proposed TDM measures fulfill the requirements for the proposed project.

2.16.2 Applicable Mitigation

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of the project-specific conditions of approval, the proposed project would not result in new impacts related to transportation. Therefore, the SPASP FEIR adequately evaluated the transportation impacts of the proposed project and no new impacts related to transportation would result.
2.16.3 Conclusion

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and with implementation of the project-specific conditions of approval, no new impacts related to transportation would result.

2.17 TRIBAL CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.17.1 Discussion

As previously discussed in Section V, Cultural Resources of this checklist, Mitigation Measure 7-2 applies to the proposed project; this mitigation will protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

In addition, subsequent to certification of the SPASP FEIR, the California Legislature passed Assembly Bill (AB) 52, which provides for consultation between lead agencies and Native American tribal organizations during the CEQA process. Effective July 1, 2015, AB 52 states that prior to the release of an Environmental Impact Report or Negative Declaration/Mitigated Negative Declaration for public review, a lead agency must provide the opportunity to consult with local tribes. However, the SPASP FEIR was certified prior to July 1, 2015, and because (a) this Program EIR Checklist supports the findings that, pursuant to CEQA Guidelines Section 15162, (b) no new or substantially more severe significant effects could occur under the proposed project, (c) no new mitigation measures would be required, (d) the project is within the scope of the environmental review of the SPASP FEIR, and (e) no further review under CEQA is required, then the City is not required to conduct
formal consultation under AB 52 for this project. However, as stated above, SPASP FEIR Mitigation Measure 7-2 applies to the project, and will protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

2.17.2 Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

2.17.3 Conclusion

The SPASP FEIR adequately evaluated the potential cultural resources impacts (and by extension, impacts to tribal cultural resources) of the proposed project and no new impacts would result.

2.18 UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g. Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

2.18.1 Discussion

The SPASP FEIR determined that there would be an increase in water demand as a result of build-out of the SPASP – average daily demand would be 882,720 gallons per day (gpd) which represents approximately 0.38 percent of the planning level water demand forecasted in the Urban Water
Management Plan (UWMP). The SPASP FEIR concluded that this represents a small increase and is considered a less-than-significant impact on water supply. The SPASP FEIR also noted that development within the SPASP would incorporate the City’s requirements for providing adequate water supply, including compliance with adopted performance standards, application of these standards in each jurisdictional City’s development review process, coordination of development review with EBMUD (including consistency with the UWMP), and the requirement that new development pay its share of the costs associated with provision of water facilities through project-specific mitigations required as conditions of approval. The SPASP FEIR concluded that since future development facilitated by the SPASP, including the proposed project, would require about 0.38 percent of EBMUD’s forecasted planning level water demand for its service area by the year 2040, and would be subject to EBMUD and jurisdictional City plans, regulations, and ordinances regarding water supply, the impact on water supply is considered less than significant.

The SPASP FEIR concluded that development associated with the SPASP would result in less-than-significant impacts on utilities and service systems, including wastewater treatment, stormwater drainage, and solid waste disposal. However, the SPASP FEIR determined that the wastewater, and storm drainage infrastructure systems would require improvements, including the upgrading of existing deficiencies, in order to accommodate new development facilitated by the SPASP. The SPASP FEIR provided recommendations and design considerations for proposed infrastructure improvements. The construction of the project-related utility infrastructure would be temporary and would occur within existing public rights-of-way, City property, a project development site, or private property subject to a municipal easement.

The Stege Sanitary District (SSD) provides wastewater service to businesses along San Pablo Avenue, including the proposed project site. Wastewater generated at the project site would be collected via an 18-inch collector main along Potrero Avenue that collects flows along San Pablo Avenue between Potrero Avenue and Schmidt Lane. Per Section 7.3 of the SSD Ordinance Code, a District-wide per fixture sewer connection/capacity charge and a SPASP-specific sewer connection/capacity charge is required to be paid by new development to the District. The connection/capacity charges funds sewer capacity improvements needed to serve projected growth within the SPASP.

The increase in commercial and residential density under the SPASP would result in an increase in the amount of solid waste generated within the SPASP area. The SPASP FEIR concluded that the increase in solid waste generation would be incremental but would not exceed acceptable rates established by plans, policies, and regulation. Moreover, the projected solid waste would be served by solid waste and recycling facilities with sufficient capacities to accommodate development included as part of the SPASP, including the proposed project. As such, solid waste impacts would remain less than significant.

### 2.18.2 Applicable Mitigation

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be generally consistent with the development standards envisioned in the SPASP FEIR. With implementation of the project-specific condition of approval, the proposed project would not result in new impacts related to utilities and service systems. Therefore, the SPASP FEIR adequately
evaluated the utilities and service systems impacts of the proposed project and no new impacts related to transportation would result.

2.18.3 Conclusion

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the SPASP FEIR was certified leading to new or more severe significant impacts, and with implementation of the project-specific condition of approval, no new impacts related to utilities and service systems would result.
3.0 LIST OF PREPARERS

3.1 LSA ASSOCIATES, INC.

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   Judith H. Malamut, AICP, Principal
   Kyle Simpson, Associate, Project Manager
   Patty Linder, Graphics/Document Production
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   Amy Fischer, Principal, Air Quality and Noise Specialist
   Cara Carlucci, Planner
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4.0 REFERENCES

4.1 REFERENCES

Alameda County Airport Land Use Commission, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan*, Figure3-2. September.


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APPENDIX B

GEOTECHNICAL REPORT
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APPENDIX C

PHASE I ENVIRONMENTAL SITE ASSESSMENT
APPENDIX D

NOISE STUDY
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APPENDIX E

TRAFFIC IMPACT STUDY REPORT
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APPENDICES

http://www.el-cerrito.org/DocumentCenter/View/9064
Government Code Section 65400 requires that a city must provide an annual General Plan Progress Report to the local legislative body, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). The purpose of the report is to discuss the City's progress in implementing the General Plan, meeting its share of regional housing needs, and removing governmental constraints to the maintenance, improvement and development of housing. The attached report covers calendar year 2017.

Staff recommends that the Planning Commission recommend that the City Council receive the Report and direct staff to file it with the required agencies.
Annual Progress Report on the General Plan 2017

April 2018

City of El Cerrito
Community Development Department
10890 San Pablo Avenue
El Cerrito, CA 94530
INTRODUCTION

As required by Government Code Section 65400 (b), every city must submit an annual progress report to their legislative body, the Governor’s Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) on the implementation status of their General Plan. The annual report must also include discussion on the City's progress in providing its required share of affordable housing pursuant to Government Code Section 65584 and its efforts to remove governmental constraints for the maintenance, improvement and development of affordable housing per Section 65583.c(3) of the California Government Code.

This General Plan Annual Progress Report covers the period from January 1, 2017 to December 31, 2017.

The purpose for the Annual Progress Report is to assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and, to provide information regarding local agency progress in meeting its share of regional housing needs.

BACKGROUND

On August 30, 1999, the El Cerrito City Council adopted the City's current General Plan for implementation. The General Plan has nine elements contained within four separate chapters: Community Development and Design, Transportation and Circulation, Public Facilities and Services, Resources and Hazards. The General Plan contains the seven state-required elements which are land use, circulation, housing, conservation, open space, safety and noise. The State allows the combining of elements or the addition of new elements as long as the required seven elements are present in some fashion.

The General Plan is the City’s vision for achieving more balanced residential, commercial, and civic uses within the city. The process of preparing the General Plan took place in 1998 and 1999 as the City embarked on a program to bring its 1975 General Plan up to date so that it could better meet future challenges. The process resulted in the following ten key principles designed to improve the quality of development and the long-term fiscal health of the City so that it can remain an attractive place to live and work:

1. No major changes in land-use patterns are expected to occur.
2. Emphasis will be on quality of development.
3. Incentives, if used, will have clear criteria and limits.
4. Emphasis will be on impacts of development, not on the type of development itself.
5. Increased residential development, where allowed, must be done with care in order to enhance neighborhoods.
6. New development in the San Pablo Avenue Corridor will be encouraged to take place in mixed-use activity centers that may extend up selected perpendicular streets in order to allow a more pedestrian friendly environment.
7. The preservation and enhancement of natural features – trees, creeks, natural open space areas – and historical features will be a high priority for the City.

8. The City should have distinct destination areas, including commercial areas, a civic center and community meeting places.

9. Development should contribute to the fiscal health of the City while minimizing adverse impacts.

10. Access should be improved by balancing automobile use with improved transit, bicycle, and pedestrian opportunities.

The General Plan sets forth the City’s policies regarding the types and locations of future land uses and activities. It describes the desired character and quality of development as well as the process for how development should proceed.

While this General Plan can address many City issues, factors beyond El Cerrito’s control have significant influence over its future land use and development patterns:

- Market forces play an important role in determining what types of uses are economically feasible and, therefore, built.

- Land use and transportation decisions in other cities and counties, and by state and regional agencies, affect El Cerrito.

- Our system of property rights places certain limitations on what cities can do in prescribing future land uses.

- California environmental law requires that we designate land uses in accordance with available infrastructure capacity (streets, sewer, water, natural resources, etc.).

Thus, in creating the current General Plan, El Cerrito went through a process that ascertained the community’s values for future land uses and activities, and balanced these values with market factors, city revenues, environmental constraints, and private property rights.

The El Cerrito General Plan reflects the aspirations and values of El Cerrito's residents and their elected representatives. The City Council and Planning Commission use the Plan in considering land use and planning-related decisions. City staff uses the Plan on a day-to-day basis to administer and regulate land use and development activity. Citizens can use the Plan to understand the City’s approach to regulating development, protecting resources, and upholding community values.

GENERAL PLAN ADOPTION AND AMENDMENTS

1. Adoption Dates of Mandatory General Plan Elements

<table>
<thead>
<tr>
<th>General Plan Element</th>
<th>Latest Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>1999</td>
</tr>
<tr>
<td>Circulation</td>
<td>1999</td>
</tr>
<tr>
<td>Housing</td>
<td>2015</td>
</tr>
<tr>
<td>Open Space</td>
<td>1999</td>
</tr>
<tr>
<td>Conservation</td>
<td>1999</td>
</tr>
</tbody>
</table>
2. List of General Plan Amendments

- The 2013 Growth Management Element Update.
- 2014 amendments to enable adoption of the San Pablo Avenue Specific Plan, including amendments to Chapter 2: Strategic Approach, Chapter 4: Community Development and Design, and Chapter 5: Transportation and Circulation and amendments to the General Plan land use map.
- The 2015-2023 Housing Element.

GENERAL PLAN UPDATES

Overall General Plan Update

Staff is generating a scope for a General Plan update to commence as soon as funding can be identified.

GENERAL PLAN IMPLEMENTATION

Chapter 4: Community Development and Design

Land Use

Goal LU1: A high-quality residential character within El Cerrito.

The City continued to implement the 2008 Zoning Ordinance which maintains residentially zoned areas in El Cerrito and promotes a high-quality of development. In 2017, the City issued 1,406 building permits and conducted 9,296 inspections. It also reviewed 183 planning entitlements.

Goal LU2: A land use pattern and mix of uses that contribute to the financial health and stability of the community.

The City continued to implement the San Pablo Avenue Specific Plan and processed several land use applications in the Specific Plan area that represented a range of land uses. This included fifteen Tier I applications that improved the façades, added signs and generally improved storefronts of many new and existing businesses. In addition, six new multifamily development projects were submitted to the City for a total of 604 new dwelling units. Under the San Pablo Avenue Specific Plan, these are called Tier II and Tier IV Design Review Projects. Three of these projects are proposed to be located on what are now vacant lots and/or closed businesses.

Goal LU3: A development pattern that enhances a strong sense of community.

Implementation of the San Pablo Avenue Specific plan continued to move forward. The Planning Commission and Design Review Board approved the Mayfair project near the El Cerrito del Norte BART Station. Development of this property is expected to add activity near this important transit hub, creating a vibrant urban fabric and fostering a
sense of community. Three other condominium projects were also approved along San Pablo Avenue, which will enhance the sense of place along San Pablo Avenue and add activity to the City’s major corridor. These projects will add publicly accessible open space along San Pablo Avenue or pay a fee to allow for the development of new open space and enhancement of existing open spaces. These open spaces will serve as important amenities for the community.

**Goal LU4: A safe, attractive, and interesting community**

The City continued to implement community policing to promote public safety.

The City’s building projects, both large and small were subject to a vigorous review and inspection process.

The City’s Arts and Culture Commission continued to promote efforts to support public art in the community.

**Goal LU5: A land use pattern and types of development that support alternatives for the movement of people, goods, and ideas.**

The City continued implementation of San Pablo Avenue Specific Plan including identifying sources of funding for the Complete Streets component of the Plan which addresses the safety and usability of streets in the plan area.

**Goal LU6: Development patterns that promote energy efficiency, conservation of natural resources, and use of renewable rather than nonrenewable resources.**

The City continued to implement the Zoning Ordinance, updated in 2008 and the San Pablo Avenue Specific Plan, adopted in 2014. The Specific Plan puts a focus on more intense development within the Plan area and specifically near the City’s two BART stations. By focusing development near existing public transportation infrastructure, the San Pablo Avenue Specific Plan aims to achieve mode shift, reduce dependence on automobile trips and increasing public transportation, bicycle and pedestrian trips.

The City continued to implement the Climate Action Plan which identifies energy efficiency and efficient development patterns as methods to achieve the City’s greenhouse gas reduction targets.

The City continued to implement the California Green Building Standards Code, which encourages energy efficiency and use of renewable resources. The City also began implementation of the new energy standards in the 2016 Code beginning January 1, 2017.

**Community Design**

**Goal CD1: A city organized and designed with an overall attractive, positive image and “sense of place.”**

The City continued to implement the San Pablo Avenue Specific Plan which promotes high-quality development along San Pablo Avenue in order to promote vibrant public
spaces and enhance the sense of place. The Specific Plan also requires the provision of (or a fee, in lieu) publicly accessible open space in larger projects. Development of new open spaces along San Pablo Avenue will further enhance the attractiveness and sense of place along the City’s primary mixed use corridor.

**Goal CD2: A city with attractive, safe, and functional streets, parking areas, and pedestrian walkways.**

In 2017, the City continued to implement the El Cerrito Active Transportation Plan. The plan provides a blueprint for continuing the City’s investment in improving safety and providing facilities and infrastructure for bicyclists and pedestrians, based on the changing demands and standards as well as the current goals of the City.

The City continued to implement the Urban Greening Plan in 2017. The Plan aims to identify needs, opportunities and strategies for creating a greener, more environmentally sustainable and livable City by enhancing El Cerrito’s public places and open spaces.

**Goal CD3: A city with attractive landscaping of public and private properties, open space, and public gathering spaces.**

The Design Review Board continued to review new landscaping plans on private properties.

The City continued to implement the Urban Greening Plan in 2017. The Plan aims to identify needs, opportunities and strategies for creating a greener, more environmentally sustainable and livable City by enhancing El Cerrito's public places and open spaces.

**Goal CD4: Well designed buildings that are compatible with their surroundings.**

The City continued to implement the Design Review process pursuant to the Zoning Ordinance and the San Pablo Avenue Specific Plan to ensure that new development is well-designed.

**Goal CD5: A design process that achieves design objectives while being efficient and allowing for flexibility.**

The City continued to utilize the design review process to achieve the General Plan goals above. Design review in the City of El Cerrito is intended to encourage high-quality design, well-crafted and maintained buildings and landscaping, the use of higher-quality building materials, and attention to the design and execution of building details and amenities in both public and private projects.

**Goal CD6: An urban form that sustains a vital commercial community to meet the diverse needs of the local and regional population.**

The City continued to implement the San Pablo Avenue Specific Plan. It encourages mixed use development including commercial uses in addition to intensified residential uses along San Pablo Avenue. The plan strives to create a range of residential unit types which will provide diverse housing types along the Avenue. The new residents of
these units will help support successful commercial businesses along San Pablo Avenue.

**Housing** – see attachment for Housing Element annual report

**Growth Management**

*Goal GM1: A coordinated regional and sub-regional planning system that provides better service and less congestion for residents of El Cerrito*

The City continued to participate in the I-80 Integrated Corridor Mobility Project, a multi-agency effort to ease congestion on Interstate 80 and also improve traffic flow on San Pablo Avenue. This project is an effort of CalTrans in cooperation with ten municipalities, two transit agencies and four regional agencies. City staff also serves on the WCCTAC Technical Advisory Committee and CCTA Technical Coordinating Committee to address subregional and regional transportation issues.

The City also continued to actively participate in various regional efforts to study and identify transit enhancements in the region including the AC Transit Major Corridors Study and West Contra Costa Transportation Advisory Committee (WCCTAC) High-Capacity Transit Study.

The City also participated in the San Pablo Avenue Corridor Study, a regional effort among agencies in Alameda and Contra Costa Counties to identify multi-modal improvements to facilitate movement of people and goods in the San Pablo Avenue corridor.

*Goal GM2: Compliance with applicable level of service standards.*

The City, through the CEQA review process, continued to ensure that new development meets the level of service standards in the General Plan and San Pablo Avenue Specific Plan.

The City continued to implement the San Pablo Avenue Specific Plan. The Plan adopted new service standards for streets within the plan area. These service standards are in greater compliance with the City’s complete streets goals.

*Goal GM3: Timely review of projects that are heavy traffic generators.*

All development projects processed by the City are evaluated against and comply with applicable service standards. All applications regardless of traffic generation are processed in a timely fashion.

*Goal GM4: Effective community-wide programs to reduce traffic impacts of new projects.*

The City continued to implement the San Pablo Avenue Specific Plan that moved towards Multi-Modal Level of Service (MMLOS). This allows the quantification and analysis of all modes of transportation and creates opportunities to maximize mode shift for transit, bicycles and pedestrians.
Goal GM5: An effective system of providing urban services.

The City continued to offer a high-level of services to residents and the City continued to work with other agencies (such as the Stege Sanitary District) to ensure that services are provided effectively.

Chapter 5: Transportation and Circulation

Goal T1: A transportation system that allows safe and efficient travel by a variety of modes and promotes the use of alternatives to the single-occupant vehicle.

In 2017, the City continued implementation of the El Cerrito Active Transportation Plan. The Plan provides a blueprint for continuing the City’s investment in improving safety and providing facilities and infrastructure for bicyclists and pedestrians, based on the changing demands and standards as well as the current goals of the City.

The City continued work on a project to implement safe routes to school improvements for near Korematsu Middle School. The City also applied for Transportation Development Act, Article 3 funding to implement crosswalk improvements at Carlson Boulevard and San Diego Street.

The City installed trial traffic calming devices on Richmond Street, Seaview Drive, and Navellier Street.

Construction was completed on pedestrian and bicycle safety improvements and signal improvements at the intersection of Elm Street, Key Boulevard, and Hill street.

Construction began on the Ohlone Greenway/Richmond Greenway Gap Closure Project in coordination with the City of Richmond. The project will connect two important multi-use trails.

Design began for the Ohlone Greenway Wayfinding Pedestrian & Bicycle Wayfinding & Amenities Project which will add wayfinding signage and amenities such as benches along the Ohlone Greenway, enhancing the corridor’s function a multi-use trail which runs the length of El Cerrito.

The City awarded a contract for the Ohlone Greenway BART Station Area Access, Safety and Placemaking Improvements project, which will improve bicycle and pedestrian routes leading to transit, commercial nodes and housing, and increase safety and accessibility for BART riders and Greenway users.

In May 2017, the City sponsored an “Energizer Station” as part of Bike to Work Day, a regional effort to increase bicycling.

Goal T2: A land use pattern that encourages walking, bicycling, and public transit use.

The City continued to implement the San Pablo Avenue Specific Plan which includes a Complete Streets Plan. It serves to implement contemporary land use planning
strategies along transit-corridors. Those strategies include increased heights, lower parking minimums, a flexible approach to mixed-use development, and complete streets guidelines to accommodate all modes of transportation on San Pablo Avenue specifically prioritizing pedestrians and public transit along this corridor.

**Goal T3:** A transportation system that maintains and improves the livability of the City.

The City continued to implement the Urban Greening Plan, which identifies strategies for creating a greener, more environmentally sustainable and livable city. Key objectives and strategies include Greener Gateways to reinforce community identity and sense of place that improve and highlight natural elements and Green Streets to continue to invest in making the public right-of-way more sustainable by reducing impervious surfaces, accommodating additional modes of transportation, adding landscaping and creating streets that are safe, comfortable and attractive for everyone.

**Goal T4:** A minimum amount of land used for parking and minimal parking intrusion in neighborhoods.

The City continued to implement the San Pablo Avenue Specific Plan. The Plan adopted new parking standards for both commercial and residential development. It generally reduced parking requirements within the plan area, while ensuring that adequate parking is provided. Further reductions of parking require preparation of a parking study and may require enhanced transportation demand management. The City continues to require parking studies for projects that seek additional parking reductions.

**Chapter 6: Public Facilities and Services**

**Parks, Recreations and Open Space**

**Goal PR1:** Adequate, diverse, and accessible recreational opportunities for all residents – including children, youth, seniors, and others with special needs – in parks, school yards, and open space.

The City raised funds for the City’s David Hunter Memorial Scholarship Fund which helps families pay for classes and services for their children through the Recreation Department which they would otherwise not be able to afford.

The City continued to sponsor the popular worldOne 4th of July Festival at Cerrito Vista Park. The event features programs and activities for diverse audiences.

The City also continued to sponsor various community film events at the Rialto Cinemas Cerrito Theatre and City Hall over the course of 2017.

The City continues to offer a range of programs for seniors at the Senior Center as well as a range of programs for youth at various City facilities. A new initiative at the Senior Center involves training high school student volunteers to work one-on-one with seniors to help them learn to use their smart phones, computers, and other technology devices.
The Senior Center also held the first Senior Information Day event to bring together several organizations who offer services to older adults.

**Goal PR2:** High quality open space protected for the benefit of present and future generations, reflecting a variety of important values: ecological, educational, aesthetic, economic and recreational. These values are interwoven throughout the community in numerous ways so that the preservation of open space is very important to the well being of the City.

The City continued design efforts and public outreach for the rehabilitation of Centennial Park (formerly Fairmont Park), which will make much need improvements to the park, improving the park’s usability for both active and passive recreation.

The City continued to implement the Urban Greening Plan. The Hillside Natural Area Pilot Project was identified in the Urban Greening Plan and included acquiring the 8-acre Madera property that became part of the HNA open space in 2015, as well as, improving vegetation management and trail rehabilitation & development throughout.

As described in the Urban Greening Plan, the project provides multiple opportunities to increase service levels including “Connectivity” to improve trail connections between natural areas, schools and other community assets using best practice trail building techniques; “Park Expansion Integration” by integrating the recently-purchased Madera property, investigating opportunities to acquire additional property, and exploring other opportunities for access, recreation and/or conservation easements on adjacent properties; “Natural Amenities” by celebrating and preserving creek corridors, diverse plant and animal communities, forests, and grasslands; “Green Gateways/Trailheads” by creating more welcoming park gateways and trailheads; and “Active Recreation” by enhancing opportunities for active recreation through construction of bicycle trails, parks and other amenities.

**Goal PR3:** Public access to open space areas while protecting important habitats.

The City completed a project which improved access to the Hillside Natural Area by adding trail entry stairs at one location. The City continued design on wayfinding signage for trails with in the Hillside Natural Area. The overall goal of the project is to continue to enhance the City’s largest open space, which is 102.5 acres in size and a home to small creeks, grasslands and forests. The Hillside Natural Area provides a very large active recreation space for hikers, bikers, and dog walkers who have easy access through several neighborhood entry points and enjoy the quiet oak groves, open fields, and expansive views of the San Francisco Bay. The project will increase visibility, access, and use of the city’s existing network of trails, pathways, and stairs within the open space and improve connectivity between identified citywide bicycle and pedestrian routes, key community destinations, and existing trails.

**Non-Recreational Facilities**

**Goal CF1:** Safe and adequate community facilities that allow the City to offer better services and inspire a sense of community pride.
The City continued to enhance operations at the new Recycling and Environmental Resources Center which was completed in 2012.

The City continued to serve the community from the City Hall facility which was completed in 2009.

**Public Services and Infrastructure**

*Goal PS1: An adequate, comprehensive, coordinated law enforcement system consistent with the needs of the community.*

The City continued its deployment of both patrol and specialty police units to address crime trends. These units coordinated their efforts internally, by sharing and collaborating on projects and investigations, and externally, with residents and community groups, to continue to meet the safety needs of the community.

*Goal PS2: A community that has minimized the risks to lives and property due to fire hazards.*

The City minimized fire hazards by continuing to implement its comprehensive fire hazard reduction program that focuses upon reducing fire hazards in four areas: (1) on City property, (2) on property owned by other agencies (3) large landowners, and (4) on residential property.

The fire hazard abatement program is designed to reduce fire hazards on a large number of private properties during the spring and early summer months. A process of advance notice and hearings for property owners is coupled with a public education program involving the promulgation of standards for vegetation management in residents' yards and vacant lots.

This program seeks to remove weeds, rubbish, litter or other flammable material from private properties where such flammable material endangers the public safety by creating a public nuisance and a fire hazard. Most property owners voluntarily abate these hazards without Fire Department involvement. Ideally, 100% of the property owners would do so. We anticipate that a small number of owners are content to have the City do the work and place the costs on their tax bill.

Over the past twenty years, the City’s annual fire hazard abatement program has been very successful in reducing fire hazards throughout the hill neighborhoods.

*Goal PS3: Safe and adequate public infrastructure to serve El Cerrito’s residents, now and in the future.*

The City continued implementation of the Street Paving Project funded by Measure A. Additionally, implementation of the Complete Streets component of the San Pablo Avenue Specific Plan and implementation of the Active Transportation Plan will enhance pedestrian and bicycle safety throughout the City and provide infrastructure which accommodate all modes of transportation. Implementation of these plans will occur as new development occurs and as funds are available.
Goal PS4: An adequate storm drainage system to serve existing and future planned development

In March 1993, the voters of the City of El Cerrito approved the issuance of $6.3 million in revenue bonds for the reconstruction of the City’s storm drain system. In June 1993, the City Council adopted Ordinance 93-4, providing for the imposition and collection of Storm Drain Fees to pay the debt service on the revenue bonds. Ordinance 93-4 set the Storm Drain Fee and provided that the fees are collected through the property tax based on amounts specified in an annual Engineer’s report. This Engineer’s report contains the description of each parcel of real property receiving storm drain services and the amount of the annual fee for each parcel.

The City continued its collaboration with the SF Estuary Partnership to complete design of the San Pablo Avenue Green Stormwater Spine Project. The demonstration Project will retrofit portions of the public right-of-way to install green infrastructure at select sites along San Pablo Avenue within El Cerrito, as well as, Oakland, Emeryville, Berkeley, Albany, Richmond, and San Pablo. Green infrastructure is a landscape-based stormwater treatment approach that uses natural processes to infiltrate, retain, re-use, and filter stormwater runoff to reduce the amount of pollutants that reach local waterways and ultimately the San Francisco Bay.

The City actively participated in the Contra Costa Clean Water Program to begin implementing the new National Pollution Discharge Elimination System (NPDES), Municipal Regional Permit Order No. R2-2015-0049 (MRP 2.0) which became effective January 1, 2016. This included taking specific stormwater management actions to control trash litter, 303(d) listed pollutants, other pollutants of concern (POCs), and Total Maximum Daily Load (TMDL) limits. In compliance with the MRP, the City developed a framework for a Green Infrastructure Plan. The Green Infrastructure Plan is anticipated to be adopted in 2018.

The City awarded a contract for and began development of an update to the City’s Storm Drain Master Plan, which was last updated in 1999. The scope considers the green infrastructure requirements.

Goal PS5: A system that minimizes the City’s generation and disposal of solid waste materials by providing an adequate and integrated waste management program and related facilities to serve existing and future planned development.

In 2012, the City completed construction of the Recycling and Environmental Resource Center. In addition to the City’s continued curb-side pickup program, the Recycling and Environmental Resource Center provides convenient drop-off facilities. The Center allows the City to expand the range of items accepted for disposal, improving collection options for all constituents. The Center has expanded the items that the City is able to accept, including compact fluorescent light bulbs, Styrofoam, sharps, expired medications, and scrap textiles. The Center has been designed as a facility that will provide maximum flexibility to meet future, changing waste disposal needs. In 2017, the City began collect household hazardous waste at the Recycling and Environmental Resources Center.
Chapter 7: Resources and Hazards

Natural and Historic Resources

Goal R1: Protected natural resources (important habitat, ecological resources, key visual resources, ridges and ridgelines, creeks and streambanks, steeper slopes, vista points, and major features), and clean air and water.

The City continued to implement the Zoning Ordinance, which contains specific standards aimed at protecting creeks and hillside areas.

Goal R2: Protected and rehabilitated architectural, historical, cultural, and archaeological resources that are of local, state, or federal significance.

In 2013, the Planning Commission approved the Eden Housing San Pablo Avenue Mixed Use Apartments project which will rehabilitate the former Contra Costa Florist building and feature interpretive materials which teach about the period of significance of the structure. This project began construction in 2017.

Hazards

Goal H1: Minimal potential for loss of life, injury, damage to property, economic and social dislocation and unusual public expense due to natural and man-made hazards, including protection from the risk of flood damage, hazards of soil erosion, fire hazards, weak and expansive soils, potentially hazardous soils materials, other hazardous materials, geologic instability, seismic activity, and release of hazardous materials from refineries and chemical plants in West County.

The City continued to oversee the residential rental inspection program.

The City also continued implementation of the Unreinforced Masonry (URM) building hazard mitigation ordinance. The City continues to work with property owners to permit retrofit work for URM buildings.

Goal H2: Government agencies, citizens and businesses are prepared for an effective response and recovery in the event of emergencies or disasters.

The City continued the very popular Community Emergency Response Team (CERT) program. The program teaches neighbors to help themselves and help each other. Through CERT, citizens receive hands-on training in Disaster First Aid, Disaster Preparedness, Basic Firefighting, Light Search and Rescue, Damage Assessment, and How to Turn Off Utilities.

The City has also continued internal National Incident Management System (NIMS) and the Incident Command System (ICS) training for City staff. Through the training, staff members directly involved in managing an emergency will understand command reporting structures, common terminology, and roles and responsibilities inherent in a response operation.
Goal H3: New development complies with the noise standards established in the General Plan, all new noise sources are within acceptable standards, and existing objectionable noise sources are reduced or eliminated.

All new development is evaluated under CEQA using the noise standards currently in the General Plan. These noise standards were incorporated into updated Zoning Ordinance in 2008 as performance standards required of all development.

CONCLUSION

To date, staff believes the City has continued to faithfully implement the City's 1999 General Plan as the actions, plans, programs and projects documented in this report represent the City's commitment to achieve the goals and objectives set forth in the elements of the El Cerrito General Plan.

ATTACHMENTS:

1. HCD - Housing Element Annual Report
**Table A**

**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>City of El Cerrito</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Period</td>
<td>1/1/2016 - 12/31/2016</td>
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</tbody>
</table>

<table>
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<tr>
<th>Housing Development Information</th>
<th>Housing with Financial Assistance and/or Deed Restrictions</th>
<th>Housing without Financial Assistance or Deed Restrictions</th>
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<tr>
<td>Project Identifier (may be APN No., project name or address)</td>
<td>Unit Category</td>
<td>Tenure</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------</td>
<td>--------</td>
</tr>
<tr>
<td>Hana Gardens</td>
<td>5+</td>
<td>R</td>
</tr>
</tbody>
</table>

(9) Total of Moderate and Above Moderate from Table A3  
(10) Total by income Table A/A3  
(11) Total Extremely Low-Income Units*  

* Note: These fields are voluntary
# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202)

**Jurisdiction**
City of El Cerrito

**Reporting Period**
1/1/2016 - 12/31/2016

---

### Table A2

**Annual Building Activity Report Summary for Above Moderate-Income Units**

(Not including those units reported on Table A)

**Affordability by Household Incomes**

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Extremely Low-Income</th>
<th>Very Low-Income</th>
<th>Low-Income</th>
<th>TOTAL UNITS</th>
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</thead>
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<tr>
<td>(1) Rehabilitation Activity</td>
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<td>0</td>
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<tr>
<td>(2) Preservation of Units At-Risk</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(3) Acquisition of Units</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(5) Total Units by Income</td>
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<td>0</td>
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</tbody>
</table>

*Note: This field is voluntary.*

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### Table A3

**Annual Building Activity Report Summary for Above Moderate-Income Units**

(Not including those units reported on Table A)

<table>
<thead>
<tr>
<th>No. of Units Permitted for Moderate</th>
<th>1. Single Family</th>
<th>2. 2 - 4 Units</th>
<th>3. 5+ Units</th>
<th>4. Second Unit</th>
<th>5. Mobile Homes</th>
<th>6. Total</th>
<th>7. Number of infill units*</th>
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<tbody>
<tr>
<td>No. of Units Permitted for Moderate</td>
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<td>7</td>
<td>7</td>
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*Note: This field is voluntary.*
## Table B

### Regional Housing Needs Allocation Progress

**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.

<table>
<thead>
<tr>
<th>Income Level</th>
<th>RHNA Allocation by Income Level</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
<th>Year 6</th>
<th>Year 7</th>
<th>Year 8</th>
<th>Year 9</th>
<th>Total Units to Date (all years)</th>
<th>Total Remaining RHNA by Income Level</th>
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<tbody>
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<td>38</td>
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<tr>
<td></td>
<td>Non-deed restricted</td>
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<td></td>
<td></td>
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<tr>
<td>Low</td>
<td>Deed Restricted</td>
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<td>6</td>
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<tr>
<td>Above Moderate</td>
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<td>166</td>
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<td>32</td>
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<tr>
<td>Total RHNA by COG.</td>
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<td>69</td>
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<tr>
<td>Enter allocation number:</td>
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<td>Remaining Need for RHNA Period</td>
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<tr>
<td>Program 1.1 - Continue to implement the Residential Rental Inspection Program</td>
<td>Ongoing</td>
<td>The Residential Rental Inspection Program (RRIP) continued in 2017. 177 RRIP inspections were conducted in 2017.</td>
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<td>Program 1.2 - Continue to investigate complaints and take action about rental housing code violations</td>
<td>Ongoing</td>
<td>The City continued investigations in 2017.</td>
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<td>Program 1.3 - Continue to encourage the rehabilitation of existing housing units by providing program information</td>
<td>Ongoing</td>
<td>Information available to the public at the front counter</td>
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<tr>
<td>Program 1.4 - Evaluate displacement, as appropriate in studies of regional housing needs and displacement</td>
<td>2016, then Annual</td>
<td>The City Council adopted an Affordable Housing Strategy which identified tactics to address displacement and ranked the priority for such actions.</td>
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<tr>
<td>Program 1.5 - Continue to regularly monitor assisted housing units to help preserve existing stock of affordable housing</td>
<td>Annual</td>
<td>The City continues to work with other regulatory agencies to monitor assisted housing units.</td>
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<tr>
<td>Program 1.6 - Vet and consider adopting a Good Cause for Eviction Ordinance</td>
<td>2016</td>
<td>The City Council adopted an Affordable Housing Strategy which evaluated and ranked the priority for such an ordinance.</td>
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<td>Program 1.7 - Annual review of the City Capital Improvements Program (CIP)</td>
<td>Annual</td>
<td>The CIP Program was reviewed in 2017.</td>
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<tr>
<td>Program 1.8 - Consider enacting additional incentive programs and requirements to encourage retrofitting of seismically unsafe buildings, such as soft-story buildings.</td>
<td>2017</td>
<td>The City began preparing for a Bolt and Brace workshop, to be held in 2018, to provide information to residents about seismic retrofits. The Affordable Housing Strategy, adopted in 2017, also identified strategies for encouraging seismic retrofit of soft-story multi-family units. In 2018, the City will explore funding opportunities available through the CA Governor's Office of Emergency Management Hazard Mitigation Grant Program.</td>
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<tr>
<td>Program 2.1 - Conduct an annual evaluation of the City's inventory of available sites</td>
<td>Ongoing</td>
<td>The City prepared an Opportunity Sites Analysis as part of the CCTA Grant funded San Pablo Avenue PDA Implementation Plan.</td>
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<tr>
<td>Program 2.2 - Promote development of mixed-use and high-density residential housing in development nodes of the city</td>
<td>Ongoing</td>
<td>Allowed for by San Pablo Ave Specific Plan</td>
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<td>Program 2.3 - Continue to fast track processing for second units meeting established City standards</td>
<td>Ongoing</td>
<td>The City Council adopted new standards for Accessory Dwelling Units to further streamline this process.</td>
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<td>Program 2.4 - During the annual Master Fee Schedule revision, evaluate development fees.</td>
<td>Annual</td>
<td>Fees were updated with Master Fee Schedule as part of 2017 budget. The City began a fee study to evaluate all development fees.</td>
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<td>Program 2.5 - Streamline the application process by continuing to offer interdepartmental team meetings for applicants</td>
<td>Ongoing</td>
<td>The City conducted several such meetings in the reporting period.</td>
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<tr>
<td>Program 2.6 - Assist developers in obtaining state and federal funding available to develop affordable housing</td>
<td>Ongoing</td>
<td>Assisted Eden Housing in securing available financing for 62 affordable units</td>
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<tr>
<td>Program 2.7 - Look for opportunities with non-profits and other agencies to expand supply of affordable housing</td>
<td>Ongoing</td>
<td>Assisted Eden Housing in securing available financing for 62 affordable units</td>
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<td>Program 2.8 - Study the feasibility of an inclusionary housing ordinance</td>
<td>2016</td>
<td>The City is beginning the preparation of an Affordable Housing Strategy which will analyze this topic.</td>
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<td>Program 2.9 - Investigate potential local financing sources that could be used to develop affordable housing</td>
<td>2016</td>
<td>The City is beginning the preparation of an Affordable Housing Strategy which will analyze this topic.</td>
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<td>Program 2.10 - Use existing zoning regulations to allow innovative approaches to increasing affordable housing</td>
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<td>Program 2.11 - Pursue funding for infrastructure improvements to accommodate future transit-oriented development</td>
<td>Ongoing</td>
<td>The City coordinated with the Stege Sanitary District to develop a fee program to fund sewer improvements necessary to support future development.</td>
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<td>Program 3.1 - Pursue funding for special needs housing</td>
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<td>Program 3.2 - Continue to fast track inspection processes for large family and special needs housing</td>
<td>Ongoing</td>
<td>The City contracted with additional inspectors to provide needed inspections in a timely manner.</td>
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<td>Program 3.3 - Continue to encourage and support development of senior housing</td>
<td>Ongoing</td>
<td>The City issued building permits and conducted inspections for the Hana Gardens project including 62 units of affordable senior housing.</td>
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<td>Program 3.4 - Participate in the biannual homeless census count</td>
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<td>Program 3.5 - Continue to coordinate with the County and cities to develop the Five-Year Consolidated Plan to address housing and social services</td>
<td>2015, 2020</td>
<td>The continues to participate in the Five-Year Consolidated Plan.</td>
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<td>Program 3.6 - Implement reasonable accommodation procedures to accommodate persons with disabilities, including developmental disabilities</td>
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<td>Program 3.7 - Develop new options for providing adequate and affordable housing</td>
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<td>Program 3.8 - Implement an outreach program informing residents of the housing and services available for persons with developmental disabilities</td>
<td>Annual</td>
<td>The City assisted with outreach and hosted workshops for the availability of affordable units at Metro 510 and at Hana Gardens.</td>
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<td>Program 4.1 - Continue to provide non-discrimination clauses in rental agreements and deed restrictions</td>
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<td>Program 4.2 - Continue the City's participation in the Contra Costa Urban County CDBG Consortium</td>
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<tr>
<td>Program 5.1 - Consider ways to incentivize energy efficiency, clean energy, and water conservation improvements through building permit fees</td>
<td>2016-17</td>
<td>The City implemented a streamlined permitting process for solar installations. The City began a fee study to evaluate all development fees.</td>
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<td>Program 5.2 - Continue to develop partnerships for energy and water efficiency technical assistance and incentives</td>
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<td>Program 5.3 - Continue to encourage resident participation in energy and water efficiency programs</td>
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<td>Program 5.4 - Apply for appropriate grants for marketing, outreach, and incentive programs dedicated to energy and water efficiency</td>
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<td>Program 5.5 - Adopt residential PACE financing if it becomes available in California</td>
<td>2016</td>
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<td>Program 5.6 - Encourage home energy performance reports at time of sale</td>
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