AGENDA

REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, August 15, 2018
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call – Chair: Carla Hansen; Commissioners: Brendan Bloom, Greg Crump, Andrea Lucas, Leslie Mendez, and Joy Navarrete.

1. Election of Vice Chair

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

3. Approval of Minutes
   Approval of the July 18, 2018 meeting minutes.

4. 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.

5. Adoption of the Consent Calendar (Item 4A)
   A. Final Subdivision Map – El Dorado Townhomes
      Application: PL18-0104
      Applicant: Greg Garcher, Lafferty Communities
      Location: 5800, 5802, 5808, and 5828 El Dorado Street
      APN: 510-037-001, -002, -027, and -028
      Zoning: RM (Multi-Family Residential)
      General Plan: High Density Residential
      Request: Planning Commission consideration of a Final Subdivision Map for a six-lot Subdivision for condominium purposes of a 29-unit multi-family residential project located at 5800, 5808, and 5828 El Dorado Street.
      CEQA: Categorically Exempt, Section 15332, Class 32: In-Fill Development Projects

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
6. **Staff Communications**

7. **Adjournment**

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**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, July 18, 2018
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call – Vice Chair: Carla Hansen; Commissioners: Brendan Bloom, Greg Crump, Andrea Lucas, and Joy Navarrete. Commissioner Mendez had an excused absence.

1. Election of Chair
   Motion to elect Andrea Lucas as Chair: Bloom. No second.

   Motion to Elect Carla Hansen as Chair: Lucas; 2nd: Crump.

   Vote:
   Ayes: Bloom, Crump, Hansen, Lucas, Navarrete
   Noes: None
   Abstain: None
   Absent: Mendez

2. Comments from the Public
   Howdy Goudey addressed the Commission regarding the process for Zoning Administrator interpretations.

3. Approval of Minutes
   Motion to approve the May 16, 2018 meeting minutes: Bloom; 2nd: Lucas.

   Vote:
   Ayes: Bloom, Crump, Hansen, Lucas, Navarrete
   Noes: None
   Abstain: None
   Absent: Mendez

   Motion to approve the June 20, 2018 meeting minutes: Lucas; 2nd: Navarrete.

   Vote:

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4. **Commissioner Communication/Conflict of Interest Disclosure**

Commissioner Bloom disclosed that he walked the site. Commissioner Hansen disclosed that she lives two streets away from the project, but more than 500 feet.

5. **Public Hearing – 10135 San Pablo Avenue**

- **Application:** PL16-0005
- **Applicant:** Tom Zhang
- **Location:** 10135 San Pablo Avenue
- **APN:** 510-034-001, and 510-034-002
- **Zoning:** Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
- **General Plan:** Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
- **Request:** Planning Commission consideration of Tier IV Development Project, pursuant to the San Pablo Avenue Specific Plan, for a new 6-story building containing 72 residential units, 4,435 square feet of ground floor commercial space, and new public open space.

**CEQA:**

The project is within the San Pablo Avenue Specific Plan area, for which a Programmatic Environmental Impact Report was certified. The project is exempt from environmental review pursuant to Government Code Section 65457(a), CEQA Guidelines Section 15182, and Public Resources Code Section 21155.4.

Development Services Manager, Margaret Kavanaugh-Lynch presented the staff report and answered questions from the Commission.

The applicant, Tom Zhang, presented the project and answered questions from the Commission.

The public hearing was opened.

The following members of the public addressed the Commission:
- Howdy Goudey
- Robin Mitchell

The public hearing was closed.

Motion to approve Tier IV Design Review pursuant to the San Pablo Avenue Specific Plan for a new 6-story building containing 72 residential units, 4,435 square feet of ground floor commercial space and new public open space, with the additional condition of approval:

The Planning Commission recommended that the Design Review Board consider the following in their final review of the application:

a. Improve the quality of the public open space to make it more than a place to sit passively.

b. Add a loading zone along San Pablo Avenue.

c. Encourage applicant to add three-bedroom dwelling units.
d. Ensure that the doors to be used by residential tenants to transport bicycles to and from the garage utilize some type of automatic opening device.

e. Focus on adding safety elements to ensure safety of all persons near the driveway along San Pablo Avenue. There was concern regarding the entering and exiting of vehicles in close proximity to the sidewalk and the bike lane.

Motion: Lucas; 2nd: Bloom.

Vote:
Ayes: Bloom, Crump, Hansen, Lucas, Navarrete
Noes: None
Abstain: None
Absent: Mendez

6. Staff Communications
Development Services Manager, Margaret Kavanaugh-Lynch updated the commission regarding upcoming agenda items and the process for Zoning Administrator interpretations.

Howdy Goudey addressed the Commission further regarding Zoning Administrator interpretations.

7. Adjournment
9:31 p.m.
Planning Commission Staff Report  
August 15, 2018  

El Dorado Townhomes Final Subdivision Map

**Details**

**Application Number:** PL18-0104  
**Applicant:** Greg Garcher, Lafferty Communities  
**Location:** 5800, 5802, 5808, and 5828 El Dorado Street  
**APN:** 510-037-001, -002, -027 and -028  
**Zoning:** RM (Multi-Family Residential)  
**General Plan:** High Density Residential  

**Request:** Planning Commission consideration of a Final Map consisting of 6 lots (3 residential lots, 2 private streets, and one lot for bio-retention/open space.) (ECMC Chapter 18.12 Subdivision Ordinance)

**CEQA:** Categorically Exempt, Section 15332, Class 32: In-Fill Development Projects

**Executive Summary**

The requested action before Planning Commission is to verify conformance of a Final Map for a six-lot subdivision for condominium purposes of a 29-unit multi-family residential project with the approved Tentative Map.

The Tentative Map was approved by the City Council on September 20, 2016.

Based on the information in this report, staff recommends approval of the project.
Background

Site Location and Layout
The project site consists of four parcels (APNs 510-037-001, -002, -027 and -028). Two parcels share the address of 5828 El Dorado Street. The remaining two parcels are located at 5800/5802 and 5808 El Dorado Street. The project site has frontage on both El Dorado Street and Avila Street.

Vicinity Map

Previous Entitlement Process
On December 17, 2014, the applicant, Urban Community Partners, submitted an application for a Tentative Subdivision Map and Design Review to allow 27 townhome condominiums to be developed on the site.

The Planning Commission considered the project on May 18, 2016. The Commission conducted a public hearing and received public testimony. After closing the public hearing, the Commission voted to adopt a resolution recommending that the City Council approve the Tentative Subdivision Map.

The City Council considered the Tentative Subdivision Map on July 19, 2016. The Council expressed some concerns about the project and continued the item to the September 20, 2016 meeting.

On September 20, 2016, the City Council approved the Tentative Subdivision Map for a revised project that included 29 townhomes and 3 accessory living units. This resolution is included as Attachment 2.
Adjacent Land Uses

North: Multi-family residential across El Dorado Street

East: Multi-family residential/single-family residential

South: Multi-family residential across Avila Street

West: Central Park

Analysis

Project Description

Final Map

The California Government Code and the El Cerrito Municipal Code include relevant sections regarding the requirement of Tentative and Final Maps for the creation of a six-lot subdivision for condominium purposes and the role of the Planning Commission regarding purview of the Final Map.

The California Government Code Section 66426 states the following:

*A tentative and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units.*

Section 18.16.140 of the El Cerrito Municipal Code requires the Planning Commission to verify conformance of the Final Map with the Tentative Map along with all changes permitted and all requirements imposed as a condition to its acceptance. If the Planning Commission can find the Final Map is in compliance with the Tentative Map and all changes and conditions have been met, it shall certify its approval thereon and shall transmit said map to the City Clerk, together with any documents which may have been filed therewith for presentation to the City Council. If it cannot, it shall advise the subdivider of the changes or additions that must be made for such purposes and shall allow the applicant to time to make the necessary changes.

City staff have reviewed the proposed Final Map (Attachment 3) and have found that the Final Map is in conformance with the Tentative Map.

General Plan Consistency

The proposed Final Map is consistent with the goals and policies outlined in the General Plan. As identified in the General Plan, the classification for the subject property is Transit-Oriented Higher-Intensity Mixed Use. The following General Plan policies apply with regards to the proposed Final Map:

*LU1.2 Multifamily Neighborhoods. Ensure that new development in multifamily neighborhoods supports, rather than detracts from the existing residential character of the area.*
The proposed project is consistent with the multifamily character of the surrounding neighborhood. The Final Map, in conjunction with the other approvals, will allow townhomes that will face the adjacent streets, add to surveillance of the street and integrate well into the surrounding community.

LU1.5 Suitable Housing. Promote suitably located housing and services for all age groups within the city. Variety of Housing Types. Encourage diverse housing types, such as live-work units, studio spaces, townhouses, co-housing, congregate care, and garden apartments.

The Final Map will allow the construction of 29 new townhome units and three accessory dwelling units. These housing types will provide new multifamily ownership housing opportunities to an area with few condominium units, in addition, two one-bedroom units and three accessory units will offer additional diverse housing types in the new development.

LU1.7 Maximum Density. Maintain the maximum multifamily density at 35 dwelling units per acre, except as otherwise provided in this Plan.

The density of the project is 35 units per acre.

LU1.8 Neighborhood Maintenance. Maintain the appearance of existing residential areas by discouraging paving of front yards and parkway strips, excessively wide curb cuts and driveways, and inappropriate fence materials in front yards.

The Final Map, in conjunction with the other approvals, will create units which contain appropriately fenced and landscaped front yards. Two curb cuts will serve all of the units.

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 development centers and neighborhood commercial centers along San Pablo Avenue to be directly abutting sidewalks, with window openings and entries along the pedestrian frontage.

The Final Map, in conjunction with the other approvals, will create units which face Avila Street and El Dorado Street and will contain front yards along those street frontages as well as upper level balconies and street-facing windows which will allow for surveillance of the street.

CD3.2 Usable Open Spaces. 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.

The units feature a combination of ground-floor yards/patios and upper level balconies. The project also features landscaped common open space.

H1.6 Retain existing residential zoning and discourage non-residential uses in these zones. The City will strictly enforce the Zoning Code which states that non-residential uses in residential areas are limited to churches, daycares, and schools.

The project is within the RM (Multifamily Residential) zoning district. The project includes a residential use in the district.

H2.1 Provide adequate residential sites for the production of new for-sale and rental residential units for existing and future residents.
The Final Map will allow 29 new for-sale housing units and three accessory dwelling units.

**H2.8 Encourage diversity of unit size and number of bedrooms within multifamily housing developments and strive to provide family housing of 3 to 4 bedroom units within projects.**

Twenty-seven units within the project will contain 3 or 4 bedrooms which will improve the diversity of the City’s housing stock by providing multi-family units which can accommodate families.

**H5.5 Continue to enforce the State Energy Conservation Standards for new residential construction and additions to existing structures.**

The units will exceed the energy requirements of Title 24 of the 2016 CalGreen building code.

**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 on July 25, 2018. No public comment was received as of the date of this report.

**Environmental Review**

The project is exempt from review under the California Environmental Quality Act pursuant to Section 15332: Class 32, Infill Development Projects.

**Required Findings**

Section 18.16.140 of the El Cerrito Municipal Code requires the Planning Commission to verify conformance of the Final Map with the Tentative Map along with any requirements imposed as a condition to its acceptance. Staff proposes the following language:

The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan.

As discussed above, the project will implement the following standards of the General Plan Policies: LU1.2, LU1.5, LU1.7, LU1.8, CD2.1, CD3.2, H1.6, H2.1, H2.8, and H5.5.

Approval of the Final Map provides a multi-family residential project to be mapped as condominiums for the purposes of sale. The proposal is consistent with the purpose of the RM district where it is located and conforms in all significant respects with the El Cerrito General Plan.

**Staff Recommendation**

Based on the information contained in this report, staff recommends that the Planning Commission find that the Final Subdivision Map for a six-lot subdivision for condominium purposes of a 29-unit multi-family residential project located at 5800, 5802, 5808 and 5828 El Dorado Street conforms with the approved Tentative Map as conditioned; and therefore, recommend approval of the Final Map to City Council.
Proposed Motion
Move adoption of Planning Commission Resolution PC18-09 that finds the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code, in that it conforms with the Tentative Map including any requirements imposed as a condition to its acceptance and hereby recommends approval of the Final Map to the City Council.

Attachments
1. Draft Resolution
2. City Council Resolution 2016-75
3. Final Subdivision Map
Planning Commission Resolution PC18-09

APPLICATION NO. PL18-0104

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION VERIFYING COMPLIANCE OF AND RECOMMENDING APPROVAL FOR A FINAL MAP FOR A SIX-LOT SUBDIVISION TO CREATED 29 CONDOMINIUM UNITS AS PART OF A MULTI-FAMILY RESIDENTIAL PROJECT (ECMC CHAPTER 18.16 SUBDIVISION ORDINANCE) ON A SITE LOCATED AT 5800, 5802, 5808 AND 5828 EL DORADO STREET.

WHEREAS, the current addresses of the site are 5800, 5802, 5808 and 5828 El Dorado Street; and

WHEREAS, the current Assessor’s Parcel Numbers of the site are 510-037-001, 510-037-002, 510-037-027, and 510-037-028; and

WHEREAS, the title of the Final Subdivision Map is “El Dorado Townhomes”; and

WHEREAS, the General Plan land use classification of the site is High Density Residential; and

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

WHEREAS, the project is Categorically Exempt from review under the California Environmental Quality Act pursuant to Section 15332: Class 32, Infill Development Projects; and

WHEREAS, the Tentative Subdivision Map for the project was approved by the El Cerrito City Council on September 20, 2016;

WHEREAS, approval of the Final Map is governed by Section 66426 of the State of California Government Code (Subdivision Map Act), Chapter 18 Division of Land of the El Cerrito Municipal Code and the San Pablo Avenue Specific Plan;

WHEREAS, the staff report includes facts that determine that the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code, further it conforms with the requirements of Tentative Map including all changes permitted and all requirements imposed as a condition to its acceptance;

WHEREAS, the Final Map is consistent with the Zoning Ordinance and General Plan of the City of El Cerrito; and

WHEREAS, on August 15, 2018, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The Final Map and its attachments are found to be in conformance with the Tentative Map along with all requirements imposed as conditions of acceptance listed in Resolution 2016-75.
2. The project will implement the following policies of the General Plan: LU1.2, LU1.5, LU1.7, LU1.8, CD2.1, CD3.2, H1.6, H2.1, H2.8, and H5.5.

3. Approval of the Final Map provides a multi-family residential project to be mapped as condominiums for the purposes of sale. The proposal is consistent with the purpose of the RM district where it is located and conforms in all significant respects with 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 finds the Final Map is in conformity with the requirements of Chapter 18 of the El Cerrito Municipal Code in that it conforms with the Tentative Map including all changes permitted and all requirements imposed as a condition to its acceptance and hereby recommends approval of the Final Map to the City Council.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on August 15, 2018 upon motion of Commissioner ______ second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Sean Moss, AICP
Senior Planner
RESOLUTION NO. 2016–75

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING A TENTATIVE SUBDIVISION MAP CONSISTING OF 6 LOTS (3 RESIDENTIAL LOTS, 2 PRIVATE STREETS, AND ONE LOT FOR BIO-RETENTION/OPEN SPACE) FOR A PROJECT THAT INCLUDES 29 TOWNHOME CONDOMINIUM UNITS.

WHEREAS, the current addresses of the site are 5802, 5808 and 5828 El Dorado Street; and

WHEREAS, the current Assessor’s Parcel Numbers of the site are 510-037-001, 510-037-002, 510-037-027, and 510-037-028; and

WHEREAS, the application number of the of the project is PL14-0171; and

WHEREAS, the title of the Tentative Subdivision Map is “El Dorado Townhomes”; and

WHEREAS, the General Plan land use classification of the site is High Density Residential; and

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

WHEREAS, the project is Categorically Exempt from review under the California Environmental Quality Act pursuant to Section 15332: Class 32, Infill Development Projects; and

WHEREAS, on December 17, 2014, the applicant submitted an application for a Tentative Subdivision Map and Design Review; and

WHEREAS, on October 7, 2015, the Design Review Board conducted Preliminary Conceptual Design Review for the project; and

WHEREAS, on May 18, 2016, the Planning Commission passed a resolution recommending that the City Council approve the Tentative Subdivision Map for the project; and

WHEREAS, on July 19, 2016, the City Council conducted a public hearing for the project, and continued the item to the September 20, 2016 City Council meeting; and

WHEREAS, on September 20, 2016, the City Council, after due consideration of all evidence and reports offered for review does find and determine the following:

1. The project will implement the following standards of the General Plan: LU1.2 Multifamily Neighborhoods, LU1.3 Quality of Development, LU1.5: Suitable Housing, LU1.7 Maximum Density, LU1.8 Neighborhood Maintenance, CD1.3 High-Quality Design, CD2.1: Street Frontages, CD3.2 Usable Open Spaces, CD3.3: Site Landscaping, CD3.4 Fencing, CD4.2: Building Articulation, CD4.3 Front Yards, CD4.5 Energy and Resources, CD5.1: Design Review Process, and H1.6, H2.1, H2.8, H5.2, and H5.5. The project is not within the area of any adopted specific plan.
2. This application was deemed complete on March 23, 2016, contingent upon the applicant providing a report on the impacts of closure of the RV park on the existing residents, discussed further below. Based on the analysis in the staff report, staff recommends that the project has been designed in accordance of the Zoning Ordinance and General Plan of the City of El Cerrito.

3. The applicant has exceeded the requirements for open space for the project. In addition, the applicant shall pay fees to the West Contra Costa Unified School District in accordance with District's Master Fee Schedule.

4. The proposed use of the site is 29 residential dwelling units that shall be constructed in compliance with the building code in place at the time of the submittal of the building plans. The use and condition of the property when the project is complete shall comply with the municipal code.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of El Cerrito that it hereby approves the Tentative Subdivision Map of Planning Application PL14-0171 subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans presented to the City Council on September 20, 2016. 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 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 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 not vested, this Tentative Subdivision Map approval shall expire 24 months from the date of this action, unless extended by subsequent action of the City.

5. The applicant shall share the following conditions of approval with their general contractor for the project. The general contractor shall sign at the bottom of this list to acknowledge that he/she is aware of all these conditions of approval and will comply as directed.
Prior to the issuance of a building permit, this signed list shall be returned to the planning and building division and kept as part of the project file:

a. 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.

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

c. 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.

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

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

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

g. Clear signage at all construction sites shall be posted indicating that diesel 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.

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

i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

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.

k. All project construction activities shall be limited to the following hours: 7:00 a.m. to 6:00 p.m., Monday through Friday; and 8:00 a.m. to 5:00 p.m. on Saturdays. Construction activities shall be prohibited on Sundays and holidays.

l. The applicant or contractor shall designate a Construction Noise Coordinator who is responsible for posting required signs, explaining the construction timeline, responding to noise complaints and managing noise through appropriate work practices and other appropriate measures. If complaints are received, the Coordinator shall determine the cause of the
noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem.

m. Signs shall be posted at the construction site, which provide the permitted construction hours, a day and evening contact number for Construction Noise Coordinator and a contact number for the City of El Cerrito.

n. Notification shall be sent to the City and businesses, residences, or noise-sensitive land uses in proximity to the subject site, containing the construction schedule prior to the start of construction. Notice shall also be sent in advance of each expected loud activity or impulsive noise activity.

o. Noisy stationary equipment (e.g. generators and compressors) and materials unloading and staging areas shall be located away from adjacent sensitive uses including adjacent residences.

p. All construction equipment shall be in good working order with properly installed mufflers. Diesel engines shall not be idled unnecessarily.

q. The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period and roosting bats to the extent possible. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall retain a qualified wildlife biologist to conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required. The area surveyed shall include access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.

r. In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

s. A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed or otherwise disturbed prior to initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring.

t. In the event that subsurface cultural or paleontological resources are encountered during grading, digging or trenching construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist and/or paleontologist shall be retained to evaluate the finds
following the procedures described in the San Pablo Avenue Programmatic Environmental Impact Report for this resource.

u. Project personnel shall not collect cultural resources.

v. 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.

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. The applicant shall submit a Stormwater Control Plan to the City for review and approval prior to issuance of building permit. The Stormwater Control Plan shall include a site plan, showing runoff reduction measures included in the project, along with project data form and completed checklists for each of the runoff measures.

8. All required fees of the West Contra Costa Unified School District and the Stege Sanitary District shall be paid prior to issuance of building permit. The applicant shall submit proof of payment to the satisfaction of the Building Official.

9. The applicant shall pay all outstanding City costs associated with the project, including but not limited to legal fees, to the satisfaction of the Community Development Director, prior to the issuance of a building permit.

10. The applicant shall request a parking waiver and the Planning Commission shall consider the parking waiver prior to consideration of the project by the Design Review Board.

Public Works Department:

11. The applicant shall re-pave the section of Santa Clara Street between El Dorado Street and the Central Park entrance prior to issuance of Certificate of Occupancy.

12. The applicant shall construct an ADA compliant sidewalk and driveway (a path of travel including truncated domes) on El Dorado Street at Santa Clara Street prior to issuance of Certificate of Occupancy.

13. The applicant shall construct an ADA path of travel, including truncated domes, with a striped crosswalk, from the newly constructed sidewalk on Santa Clara Street to the park entrance prior to issuance of Certificate of Occupancy.

14. The applicant shall provide pedestrian safety measures for pedestrians crossing from the sidewalk to the park to the satisfaction of the Public Works Director. This may include but is not limited to a convex mirror, sensors, or similar device to alert drivers or pedestrians if there is a conflict.

15. The applicant shall construct ADA compliant curb ramps at the entrance on Avila Street prior to issuance of Certificate of Occupancy.
16. The applicant shall replace sidewalk flags along the property frontage to meet City and ADA standards prior to issuance of Certificate of Occupancy. Sidewalk replacement locations will be at the discretion of the Public Works Director.

17. Any new street trees to be installed shall be from the City Master Tree List and be approved by the City Arborist before installation.

18. For any street tree, sidewalk and driveway work, applicant shall obtain a Public Works Encroachment Permit and pay all associated fees.

19. The applicant shall submit a detailed grading plan, obtain a Grading & Transportation Permit and pay all associated fees for all earthwork and grading operations in excess of 50 cubic yards.

20. The 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 feet from property lines, and shall not cause a nuisance to neighboring properties.

Fire Department:


22. Prior to the issuance of the building permit, the applicant is responsible to meet the following requirements to the satisfaction of the Fire Marshall:

a) Provide code analysis of required total firefighting water.

b) If required, plans for fire service underground shall be submitted for review, approval and permit under separate cover.

c) Fire Department Connections (FDCs) shall be in locations acceptable to the fire department for emergency operations.

d) Fire Department Connections (FDCs) shall be interconnected between all three buildings and shall be located on El Dorado and Avila.

e) All pathways required for Fire Department access shall remain open, clear and ungated.

f) “KNOX BOX” shall be installed with keys for all common areas.

g) Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).

h) Smoke detectors shall be 120v powered with battery backup.

i) Smoke detectors shall be interconnected.

j) 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.
k) Carbon Monoxide detectors shall be installed in accordance with NFPA 720.

l) Carbon Monoxide alarms shall be 120 v Powered with battery backup and be interconnected with the smoke detectors.

m) All electrical breakers shall be labeled.

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

o) Automatic Fire Sprinklers shall be installed throughout the Complex.

p) Fire sprinkler plans shall be submitted for review, approval and permit under separate cover.

q) Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue in accordance with CBC 310.4.

r) Escape or rescue windows shall be installed in accordance with CBC 310.4.

Stege Sanitary District:

23. The applicant shall submit a sewer capacity study to Stege Sanitary District for review and approval prior to issuance of building permit.

City Council:

24. The three properties containing Accessory Living Units (B Units) may be rented pursuant to the recorded declaration or agreement of restriction referring to the deed for each property, as required by El Cerrito Municipal Code section 19.20.190(l). No more than five of the remaining 26 units (A, C, and D Units) may be rented at any one time, which limitation the applicant shall include in the recorded covenants, restrictions, and conditions ("CC&R’s") for the project properties. The CC&R’s shall additionally state that the City of El Cerrito may but is not required to enforce the rental restrictions.

I CERTIFY that at a regular meeting on September 20, 2016 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES: Councilmembers Abelson, Bridges, Quinto and Mayor Lyman
NOES: Councilmember Friedman
ABSTAIN: None
ABSENT: None
IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 22, 2016.

Cheryl Morse, City Clerk

APPROVED:

Gregory B. Lyman, Mayor
OWNER'S STATEMENT


STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

IN CONSIDERATION OF the sum of $1.00, the receipt and sufficiency of which is acknowledged, the Owners hereby acknowledge the validity of the Plat and the Survey performed by Carlson, Barbee & Gibson, Inc., Civil Engineers, Surveyors, Planners.

OWNERS' ACKNOWLEDGMENT

A know all persons concerned that the undersigned, in the County of CONTRA COSTA, State of CALIFORNIA, have been duly and regularly elected and qualified as Owners under the provisions of the CONDOMINIUM LAW.

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

IN CONSIDERATION OF the sum of $1.00, the receipt and sufficiency of which is acknowledged, the Owners hereby acknowledge the validity of the Plat and the Survey performed.

SURVEYOR'S STATEMENT

The plat was prepared by me, and is true and correct and is based upon a field survey in accordance with the requirements of the Subdivision Map Act and local ordinance as the request of the Owners, and I hereby agree to be bound by the Plat so prepared.

Date: JULY 2018

RECORDE'S STATEMENT

This map, entitled "EL DORADO TOWNHOMES," is herein accepted for recording, showing a clear title as per the terms written in the Plat record the company.

At the request of the Owners, the Plat has been accepted for recording.

Date: JULY 2018

The Owners' Statement, Surveyor's Statement, and Recorder's Statement are all included in the recorded documents for the property.
SUBDIVISION 9468
EL DORADO TOWNHOMES
CITY OF EL CERRITO, CONTRA COSTA COUNTY, CALIFORNIA
FOR CONDOMINIUM PURPOSES
CONSISTING OF 4 SHEETS
BEING A SUBDIVISION OF LOTS 1 THROUGH 9 (INCLUSIVE) AND LOTS 34 THROUGH 39 (INCLUSIVE), BLOCK 98 AS SAID LOTS ARE SHOWN AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "RICHMOND ANNEX" FILED IN BOOK 4 OF MAPS AT PAGE 14 IN THE OFFICE OF THE COUNTY RECORDER
OF CONTRA COSTA COUNTY.
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS       SURVEYORS       PLANNERS
SAN RAMON        WEST SACRAMENTO
JULY 2018

CITY SURVEYOR'S STATEMENT

I, PATRICK A. W., ACTING CITY SURVEYOR OF THE CITY OF EL CERRITO, HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED "SUBDIVISION MAP, EL DORADO TOWNHOMES," I AM SATISFIED THAT THE WORK PERFORMED IS TECHNICALLY CORRECT.


CITY ENGINEER'S STATEMENT

I, PATRICK A. W., ACTING CITY ENGINEER OF THE CITY OF EL CERRITO, HEREBY STATE THAT I HAVE EXAMINED THE HIDDEN DESIGN SUBDIVISION MAP ENTITLED "SUBDIVISION MAP, EL DORADO TOWNHOMES," I AM SATISFIED THAT THE WORK PERFORMED IS TECHNICALLY CORRECT.


CITY CLERK'S STATEMENT

I, PATRICK A. W., ACTING CITY CLERK OF THE CITY OF EL CERRITO, HEREBY STATE THAT I HAVE EXAMINED THE MAP ENTITLED "SUBDIVISION MAP, EL DORADO TOWNHOMES," I AM SATISFIED THAT THE WORK PERFORMED IS TECHNICALLY CORRECT.


SUBDIVISION COMMITTEE STATEMENT

I, PATRICK A. W., ACTING CITY CLERK OF THE CITY OF EL CERRITO, HEREBY STATE THAT THE MAP ENTITLED "SUBDIVISION MAP, EL DORADO TOWNHOMES," I AM SATISFIED THAT THE WORK PERFORMED IS TECHNICALLY CORRECT.


SOILS REPORT

A SOILS REPORT ON THIS PROPERTY WAS PREPARED BY BRITZ, DATED NOVEMBER 17, 2017, PROJECT NO. 1009983, DESIGNED BY NICI TERRY AND JEFF FRAZIER AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.
SUBDIVISION 9468
EL DORADO TOWNHOMES
CITY OF EL CERRITO, CONTRA COSTA COUNTY CALIFORNIA
CONSTITUTE OF 4 SHEETS
HELD A SUBDIVISION OF LOTS 1 THROUGH 9 (INCLUSIVE) AND LOTS 34 THROUGH 39 (INCLUSIVE), BLOCK 98, AS SAID LOTS ARE SHOWN AND SO DESIGNATED ON THE CERTAIN MAP ENTITLED "RICHMOND ANNEX" FILED IN BOOK 4 OF MAPS AT PAGE 144 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS       SURVEYORS       PLANNERS
SAN RAMON        WEST SACRAMENTO

SCALE: 1" = 60'  JULY 2018

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THE SURVEY IS THE CENTERLINE OF STREET.

REFERENCES:

LEGEND

SURVEY NOTE:
EXTREME MEASUREMENTS FAVE MADE OF THE ORIGINAL PLASES OF CURB AND STREET EENTH WITH STREET LINES AND CURB LINES OR CURB AND STREET LINES IN THE CENTERLINES OF THESE LINES.

NOTE: ALL DISTANCES SHOWN IN PARENTHESES REFER TO METER READINGS ON "RICHMOND ANNEX" 56 1/2" X 88" MAP.

PRELIMINARY

SHEET 3 OF 4
SUBDIVISION 9468
EL DORADO TOWNHOMES
CITY OF EL CERRITO, CONTRA COSTA COUNTY CALIFORNIA
FOR CONDOMINIUM PURPOSES
CONSISTING OF 4 SHEETS
BING A SUBDIVISION OF LOTS 1 THROUGH 9 (INCLUSIVE) AND LOTS 34 THROUGH 39 (INCLUSIVE), BLOCK 98, AS SAID LOTS ARE SHOWN AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "RICHMOND ANNEX" FILED IN BOOK 4 OF MAPS AT PAGE 144 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON WEST SACRAMENTO
JULY 2018

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE OUTER LIMITS OF WAY OF EL DORADO STREET TAKEN AS A PLPH 6, AS SHOWN ON THE MAP OF "RICHMOND ANNEX" (4 M 14).

REFERENCES:
[1] "RICHMOND ANNEX" (4 M 14)
[2] 6401 OR 39
[3] 4068 OR 537 (YIELD ELEVATION)
[4] 4270 OR 40A

LEGEND
--- SUBDIVISION BOUNDARY LINE
----- EXTENT OF ANY LINE
LOT LINE
EXHISTENT LINE
CENTERLINE
TOTAL
RACIAL
(24/36) CENTERLINE CONTINUOUS TO CENTERLINE
SET 5 FT HEAVY AND CAP OR NAIL AND TUCK END 1995
RN CENTERLINE
PUBLIC UTILITY ELEVATED
EVE ELEVATED UTILITY ACCESS ELEVATION
OCR OFFICIAL RECORDS
DN DOCUMENT NUMBER
PRELIMINARY