AGENDA

REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, January 16, 2019
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, Erin Gillett, Andrea Lucas, Leslie Mendez, and Joy Navarrete.

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

2. Approval of Minutes
   Approval of the November 21, 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. Adoption of the Consent Calendar (Item 4A)
   A. Final Subdivision Map – 966 Seaview
      Application:  PL17-0184
      Applicant:  I Kuan Choi
      Location:  966 Sea View Drive
      APN:  505-221-041
      Zoning:  RS-5 (Single-Family Residential)
      General Plan:  Low Density Residential
      Request:  Request Planning Commission consideration of a Final Parcel Map consisting of three lots (ECMC Chapter 18.16 Subdivision Ordinance). The Tentative Parcel Map was approved by the Subdivision Committee on May 19, 2018.
      CEQA:  Categorically Exempt, CEQA Guidelines Section 15315, Class 15: Minor Land Divisions.

5. Adjournment

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
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, November 21, 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: Greg Crump, Leslie Mendez, and Joy Navarrete. Commissioners Brendan Bloom and Andrea Lucas had excused absences.

1. Comments from the Public
Howdy Goudey addressed the Commission regarding scheduling meetings one day before Thanksgiving.
Blair Akey addressed the Commission regarding traffic and parking impacts from proposed new developments near the intersection of San Pablo Avenue and Alameda Avenue.
Emily Akey addressed the Commission regarding traffic and parking impacts from proposed new developments near the intersection of San Pablo Avenue and Alameda Avenue.

2. Approval of Minutes
Motion to approve the September 19, 2018 meeting minutes: Crump; Second: Navarrete.
Vote:
Ayes: Crump, Hansen, Navarrete.
Noes: None.
Abstain: Mendez
Absent: Bloom, Lucas

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

4. Public Hearing
A. Conditional Use Permit – 7701 Potrero Avenue
Application: PL18-0139
Applicant: Veronica and Jason Dullack
Location: 7701 Potrero Avenue
APN: 505-401-012

COMMUNICATION ACCESS INFORMATION
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10890 San Pablo Avenue, El Cerrito, CA 94530 Tel: (510) 215-4330 E-mail: smoss@ci.el-cerrito.ca.us
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit to allow a fence taller than 6 feet (19.06.030.U.1, ECMC)
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

Associate Planner Jeff Ballantine presented the staff report and answered questions from the Commission.

Alex Bergtraun, the project architect, and Jason Dullack, the property owner, presented the project and answered questions from the Commission.

The public hearing was opened.

The public hearing was closed.

Motion to approve a Conditional Use Permit to allow a fence taller than 6 feet at 7701 Potrero Avenue: Navarrete; Second: Mendez.
Vote:
Ayes: Crump, Hansen, Mendez, Navarrete.
Noes: None.
Abstain: None
Absent: Bloom, Lucas

B. Tier IV Design Review – Griffin On San Pablo Avenue
Application: PL17-0134
Applicant: Bavak El Cerrito LLC
Location: 11048/11060 San Pablo Ave
APN: 502-411-021
Zoning: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)
General Plan: Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)
Request: Planning Commission consideration of Tier IV Design Review for two 6-story buildings, including a total of 173 residential units.
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.

Acting Planning Manager Sean Moss presented the staff report and answered questions from the Commission.

Paul Van Konynenburg, the project applicant, and Brett Bailey, the project architect, presented the project and answered questions from the Commission.

The public hearing was opened.
The following speakers addressed the Commission:
Jack Freethy, 1432 Kearney Street
Emily Akey, 10945 San Pablo Avenue
John Dalrymple
Tom Hansen, Electric Workers Local 302
Howdy Goudey, 635 Elm Street
Robin Mitchell, 635 Elm Street
Dale Power, 11090 San Pablo Avenue
Patrick Morazco, 11090 San Pablo Avenue

The public hearing was closed.

Motion to approve a Tier IV Design Review for two 6-story buildings, including a total of 173 residential units with the addition and modification of the following Conditions of Approval:
1. Only emergency and service vehicles shall be allowed ingress and egress to the project site from Kearney Street.
2. Fixed tables and seating shall be provided in the proposed Ohlone Plaza to the satisfaction of the Zoning Administrator.
3. Condition of Approval #30 shall be revised to require that the bike station shall be open, at a minimum, between 7:00 a.m. and 7:00 p.m. on weekdays and to the satisfaction of the Zoning Administrator.

Motion: Mendez; Second: Crump
Vote:
Ayes: Crump, Hansen, Mendez, Navarrete.
Noes: None.
Abstain: None
Absent: Bloom, Lucas

5. **Staff Communications**
   Staff updated the Commission on an upcoming Joint Study Session with the Design Review Board to provide input on updating the San Pablo Avenue Specific Plan.

6. **Adjournment**
   10:12 p.m.
PLANNING COMMISSION STAFF REPORT
January 16, 2019

966 SEA VIEW DRIVE FINAL PARCEL MAP

DETAILS

Application Number: PL18-0099

Applicant: Ken Choi

Location: 966 Seaview Drive

APN: 505-221-041

Zoning: RS-5

General Plan: Low Density Residential

Request: Planning Commission consideration of a Final Parcel Map for a three-lot subdivision (ECMC Chapter 18.16 Subdivision Ordinance)

CEQA: This project has been found to be Categorically Exempt, Section 15315 of the California Environmental Quality Act, Class 15, Minor Land Subdivisions.

EXECUTIVE SUMMARY

The requested action before Planning Commission is to verify conformance of a Final Parcel Map for a three-lot subdivision.

The Tentative Parcel Map was approved by the Subdivision Committee on May 19, 2018.

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

Site Location and Layout

The project site is located at the southeast corner of Moeser Lane and Seaview Drive. The parcel is 30,231 square feet with a shape that is mostly rectangular and that slopes upward towards the east. The existing residence has access from Seaview Drive. Access to the proposed new lots would come from Moeser Lane. The site has the Low Density Residential General Plan designation and the RS-5, Single Family Residential zoning designation.

Vicinity Map
Existing/Previous Land Use

The project site is developed with a single family residence. The driveway to this residence will be relocated from the corner of Seaview Drive, and Moeser Lane to the southwest area of the lot. A single-story addition to the residence is under review by the Building Division of the Community Development Department. There is a large cluster of trees at the southwest corner of proposed Parcel 1; trees on proposed Parcels 2 and 3 that would be removed for the construction of new residences on these proposed lots.

Site Photo

Looking northeast from the site
Adjacent Land Uses

North: Hillside Natural area which is owned by the City of El Cerrito (General Plan: Parks and Open Space. Zoning: OS-N).


South: Single family residential uses (General Plan: Low Density Residential. Zoning: RS-5).

West: Open space that is owned by the City of El Cerrito (General Plan: Parks and Open Space. Zoning: OS-N).

Analysis

Final Map

The California Government Code and the El Cerrito Municipal Code include relevant sections regarding the requirements of Tentative and Final Maps and the role of the Planning Commission regarding purview of the Final Map.

California Government Code Sections 66444 – 66450 contain requirements for the preparation and filing of tentative and final parcel maps.

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 time to make the necessary changes.

City staff, including the City surveyor, have reviewed the proposed Final Map (Attachment 2) and have found that the Final Map is in conformance with the Tentative Map.

General Plan Compliance

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

**LU1.1, Predominate Single Family Use.** Ensure that the existing single family neighborhoods remain predominantly single-family use, but including accessory units, by prohibiting incompatible uses.

*The zoning for this lot is RS-5, Single Family Residential, which allows single family homes as a permitted use. Proposed Parcel 1 is developed with a single family residence. It is expected that proposed Parcels 2 and 3 will be developed with single family homes; therefore, the proposed use adheres to the purpose of LU1.1, and will not create a situation where incompatible uses will be created.*

**LU1.5: Suitable Housing.** Promote suitably located housing and services for all age groups within the city.
The project will create two new lots for development as single family residential homes with close proximity to public transportation and commercial uses.

**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.

The proposed three-lot subdivision would allow the creation of single family homes on proposed Parcels 2 and 3. Proposed Parcel 1 is developed with a single family residence. The future single family residences can be two-stories tall, which is in keeping with other existing single family homes in the immediate area of the neighborhood. Any new two-story structure requires review under the Residential Architectural Design (RAD) process.

**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.

Any new residential construction on proposed Parcels 2 and 3 will have new sidewalk installed along the Moeser Lane frontage, and will allow pedestrians in the area to use this feature when walking in this neighborhood. Any proposed residences must adhere to the development standards for the RS-5 zoning district, and must be at least ten (10) feet from the front property line for the residence, and twenty (20) feet from the front property line for the garage parking. Adhering to the development standards allows for a level of privacy to the future residents, and allows the residents to be able to view and monitor activity along this section of Moeser Lane.

**CD4.3, Front Yards.** Provide front yards in residential areas with structures and parking lots stepped back along public streets in keeping with the character and setbacks of surrounding buildings. Ensure that yard spaces are landscaped appropriately to fit the surrounding context.

Any new residential development on proposed Parcels 2 and 3 must adhere to the development setbacks of the RS-5, Single Family Residential zoning district. For the front setback, this is 10 feet to the residence, and 20 feet to the garage area. Adhering to the development setbacks maintains the pattern of development in the RS-5 zoning district as in keeping with the context of the surrounding buildings in the neighborhood.

**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 December 26, 2018. No comments have been received as of the preparation of this staff report.

**Environmental Review**

The project is Categorically Exempt under the Section 15315 – Class 15, Minor Land Divisions, of the California Environmental Quality Act. This section consists of the “the division of property in urbanized areas zoned for residential, commercial or industrial use into four of fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent”.

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 City Engineer determined that the subdivision as shown in the Final Map is substantially the same as it appeared on the Tentative Map, consistent with California Government Code Sections 66444 – 66450 and with Title 18 of the City’s Municipal Code.

Staff Recommendation

Based on the information contained in this report, staff recommends that the Planning Commission find that the Final Parcel Map for a three-lot subdivision for single-family residences at 966 Sea View Drive 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 PC19-01 that finds the Final Map is in conformance with the requirements of Title 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. Final Parcel Map
3. Subdivision Committee Resolution 18-01
Planning Commission Resolution No. 19-01

APPLICATION NO. PL18-0099

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION VERIFYING COMPLIANCE OF AND RECOMMENDING APPROVAL FOR A FINAL PARCEL MAP FOR THREE LOTS ON A SITE LOCATED AT 966 SEA VIEW DRIVE WITH ASSESSOR’S PARCEL NUMBER 505-221-041

WHEREAS, the existing address of the site is 966 Sea View Drive; and

WHEREAS, the existing Assessor’s Parcel Number of the site is 505-221-041; and

WHEREAS, on December 21, 2017, the applicant submitted a Tentative Parcel Map to subdivide a parcel of 30,231 square feet into three parcels: proposed Parcel “1” would be 13,384 square feet, and is developed with a single family home; proposed Parcel “2” would be 6,964 square feet and is vacant, and proposed Parcel 3 would be 9,735 square feet, and is vacant; and

WHEREAS, the Tentative Parcel Map for the project was approved by the El Cerrito Subdivision Committee on May 19, 2018; and

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

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

WHEREAS, the project is Categorically Exempt from review under the California Environmental Quality Act pursuant to Section 15315: Class 15, Minor Land Divisions; and

WHEREAS, approval of the Final Parcel Map is governed by Sections 66444 – 66450 of the State of California Government Code (Subdivision Map Act) and Title 18 Divisions of Land of the El Cerrito Municipal Code; and

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

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

WHEREAS, on January 16, 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 the Subdivision Committee Resolution 18-01.
2. The project is consistent with the El Cerrito General Plan and will implement the following policies of the General Plan: LU1.1, LU1.5, CD1.1, CD2.1, and CD4.3.

3. Approval of the Final Map would allow the creation of single family homes on proposed Parcels 2 and 3. Proposed Parcel 1 is developed with a single family residence. The proposal is consistent with the purpose of the RS-5 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 Title 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 January 16, 2019 upon motion of Commissioner __________, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____________________________________

Sean Moss, AICP
Acting Planning Manager
SURVEYOR'S STATEMENT


THE UNDERSIGNED STATES THAT ALL AREAS DESIGNATED "STORM DRAIN EASEMENTS" ARE NOT HEREBY DEDICATED FOR USE BY THE GENERAL PUBLIC BUT IS FOR THE USE OF PARCELS 2 & 3 FOR DRAINAGE PURPOSES.

THE MAP SHOWS ALL THE EASEMENTS OF THE PREMISES, OR OF RECORD.

BY: I CHENG MAGGIE CHOI

ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIED ON THE IDENTITY OF THE PERSONAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF

ON_______, 2018, BEFORE ME, a Notary Public, personally appeared

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN HER AUTHORIZED CAPACITY, AND THAT BY HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR ENTITY OF BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS BY HAND AND OFFICIAL SEAL.

SIGNATURE:

PRINTED NAME:

COMMISSION NO.

My COMMISSION EXPIRES:

PRINCIPAL PLACE OF BUSINESS: COUNTY

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT THE SUBDIVISION AS SHOWN HEREIN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND APPROVED ALTERNATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISIONS ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE TENTATIVE MAPS APPROVAL, HAVE BEEN COMPLIED WITH.

DATE

BY:

CITY ENGINEER, CITY OF EL CERRITO

CITY CLERK'S STATEMENT

I, CHERYL MORSE, CITY CLERK OF THE CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THIS MAP CONSISTING OF TWO (2) SHEETS AND ENTITLED "PARCEL MAP MS NO. 451-18," WAS PRESENTED TO THE CITY COUNCIL AS PROVIDED BY LAW AT A REGULAR MEETING HELD ON_______, 2018, AND THAT SAID COUNCIL DID THEREAFTER BY RESOLUTION APPROVE SAID MAP.

IN WITNESS WHEREOF, I HAVE HEREBEFORE SET MY HAND THIS_____ DAY OF_______, 2018.

BY:

CHERYL MORSE

CITY CLERK

CITY OF EL CERRITO, CALIFORNIA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISIONS ACT AT THE REQUEST OF I CHENG MAGGIE CHOI IN OCTOBER 2018. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED TENTATIVE MAP.

GREGORY D. ST. JOHN

L.S. No. 8647

LICENSE EXPIRATION DATE 12/31/19

COUNTY RECORDERS STATEMENT

FILED THIS_____ DAY OF_______, 2018, AT_______ M IN

BOOK OF PARCEL MAPS AT PAGE_______, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY.

JOSEPHE CANDIA Paramilla

COUNTY RECORDERS, CONTRA COSTA COUNTY, STATE OF CALIFORNIA

BY:

DEPUTY COUNTY RECORDERS SHEET 1 OF 3

DRAFT
Subdivision Committee Resolution No. 18-01

APPLICATION NO. PL17-0184

A RESOLUTION OF THE CITY OF EL CERRITO SUBDIVISION COMMITTEE GRANTING APPROVAL FOR A TENTATIVE PARCEL MAP FOR A THREE LOT SUBDIVISION LOCATED AT 966 SEAVIEW DRIVE

WHEREAS, on December 21, 2017, the applicant submitted a Tentative Parcel Map to subdivide a parcel of 30,231 square feet into three parcels: proposed Parcel “1” would be 13,384 square feet, and is developed with a single family home; proposed Parcel “2” would be 6,964 square feet and is vacant, and proposed Parcel 3 would be 9,735 square feet, and is vacant; and

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

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

WHEREAS, the address of the site is 966 Seaview Drive, APN 505-221-041; and

WHEREAS, no change to the existing residential dwelling unit for Parcel 1 is proposed, and it is expected that a new single family residence will be constructed on proposed Parcels “2” and “3”; and

WHEREAS, on May 29, 2018, the Subdivision Committee of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

Section 19.06.030 El Cerrito Municipal Code:

1. **All provisions of this Chapter are met.**

   The proposed parcel map is processed under the requirements of Chapter 18.12 Tentative Maps of the Subdivision Ordinance. Proposed Parcel 1 is developed with a single family residence, and is to be 13,384 square feet. Proposed Parcel 2 is to be 6,964 square feet, and proposed Parcel 3 is to be 9,735 square feet. Both of these proposed parcels are undeveloped and it is anticipated that one single family residence would be constructed one each lot. All of the proposed parcels exceed the minimum lot size of 5,000 square feet for an interior lot, and 6,000 square feet for a corner lot, as well as the minimum lot dimensions as specified in the Zoning Ordinance Section 19.06.030 of the El Cerrito Municipal Code.

2. **The proposed project is consistent with the General Plan, and any applicable specific plans.**

   The project is consistent with the General Plan in terms of the following policies: LU 1.1, Predominate Single-Family Use, LU1.5, Suitable Housing, CD1.1 Neighborhood Character, CD2.1 Street Frontages, CD4.3, Front Yards, and CD5.1 Design Review Process.

3. **The proposed project will conform to the El Cerrito Municipal Code in effect at the time of tentative or parcel map approval.**

   At 13,384 square feet, proposed Parcel 1 exceeds the minimum lot size of 6,000 square feet for a corner lot in the RS-5 Single Family Residential zoning district. Proposed Parcels 2 and 3 exceed the
minimum lot size of 5,000 square feet for an interior lot in the RS-5 zoning district parcel. Proposed Parcel 1 will be approximately 100 feet in width along Seaview Drive, and will be approximately 120 feet in length; proposed Parcel 2 is to approximately 58 feet in width, and 120 feet in length; and proposed Parcel 3 is to be 85 feet in width, and approximately 140 feet in length. All of the resulting parcels meet the minimum lot dimensions of 50 feet in width and 100 feet in length for the RS-5 zoning district. The project is consistent with Section 19.06.030 of the El Cerrito Municipal Code.

4. **The site is physically suited for the type of development and the proposed density of the development.**

The General Plan and Zoning Ordinance allows for a density of 9 units to the acre for the RS-5 Single Family Residential zoning district. With the existing lot size of 30,231 square feet, at more than two-thirds of an acre, the lot can accommodate the subdivision of one parcel into three resulting parcels, and the creation of two new residential units.

5. **All parcels created have adequate and safe access from a public street of both vehicles and pedestrians.**

The applicant was required to prepare a report that discussed sight distances, and turning radii for the proposed two new lots that would have access from Moefer Lane. As part of this report, the transportation consultant also reviewed these topics: the existing street network and site access; current traffic volumes and speed in the area at Seaview Drive, and Moefer Lane; site traffic generation analysis from the proposed two new lots; a driveway operation analysis; driveway sight distance evaluation, and traffic collision history.

This report indicates that the proposed driveways will operate at Level of Service (LOS) B or better, and that the striped median in front of the two lots on Moefer Lane will need to be modified as a two-way-left-turn-lane to provide left-turn access into the proposed two lots. This has been included as a condition of approval under the comments from the Public Works Department for the project. Additionally, the report indicates that there is available sight distance from the west, as 146 feet is required, and the available sight distance is 375 feet. For the east direction, the requirement of 202 feet is exceeded by the sight distance of 230 feet. Therefore, there is sufficient sight distance in either direction for the proposed three-lot subdivision.

The applicant requested the installation of this hydrant as there is a gap in the water line along the south side of Moefer Lane from Seaview Drive to Shevlin Drive. The installation of this new fire hydrant will be sited in the area by EBMUD; this language has been included as a condition of approval under the comments from the El Cerrito Fire Department.

Any new residential construction on proposed Parcels 2 and 3 will have new sidewalk installed along the Moefer Lane frontage, and will allow pedestrians in the area to use this feature when walking in this neighborhood. Language has been created as a condition of approval to require this improvement for the proposed Tentative Parcel Map.

6. **The proposed subdivision, together with the provisions for its design and improvement, are not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat, unless an EIR was prepared and a finding was made that specific economic,
social, or other considerations make the mitigation measure or project alternatives infeasible, pursuant to Section 21081 (a) (3) of the Public Resources Code.

The proposed subdivision will not cause environmental damage or substantially and unavoidably injure fish and wildlife or their habitat. The 30,213 square feet parcel is located in an urban setting and has already been developed as a residential lot.

Chapter 18 of the Subdivision Ordinance:

1. The proposed subdivision is in conformance with the law and this title whether the size and shape of the proposed lots are in general conformance to city requirements.

At 13,384 square feet, proposed Parcel 1 exceeds the minimum lot size of 6,000 square feet for a corner lot in the RS-5 Single Family Residential zoning district. Proposed Parcels 2 and 3 exceed the minimum lot size of 5,000 square feet for an interior lot in the RS-5 zoning district parcel. Proposed Parcel 1 will be approximately 100 feet in width along Seaview Drive, and will be approximately 120 feet in length; proposed Parcel 2 is to approximately 58 feet in width, and 120 feet in length; and proposed Parcel 3 is to be 85 feet in width, and approximately 140 feet in length. All of the resulting parcels meet the minimum lot dimensions of 50 feet in width and 100 feet in length for the RS-5 zoning district. The project is consistent with Section 19.06.030 of the El Cerrito Municipal Code.

2. Whether the proposed lots will have a proper and sufficient access to a public street.

As discussed above, new sidewalk will be installed along the Moeser Lane frontage for proposed Parcels 2 and 3. The existing striped median in front of the two lots on Moeser Lane will need to be modified as a two-way-left-turn-lane to provide left-turn access into the proposed two lots. This has been included as a condition of approval under the comments from the Public Works Department for the project.

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 Subdivision Committee hereby approves Application No. PL17-0184, subject to the following conditions:

Planning Division:

1. The project shall be developed and maintained substantially in compliance with the plans dated December 21, 2017 except as amended by subsequent conditions of this Resolution. Minor changes may be approved by the Zoning Administrator.

2. The scope of this Subdivision Committee approval shall be limited to the approval of a Tentative Parcel Map for a three lot minor subdivision.

3. If not recorded, this Subdivision Committee approval of a Tentative Parcel Map shall expire two years from the date of this action.

4. When new residences are constructed, they will be subject to the zoning regulations in place at the time that the building permit is submitted. Currently, dwellings to be constructed that
are two-stories require an application for a Residential Architectural Design (RAD). A new single story residence is not required to go through a RAD process.

5. Prior to the issuance of a building permit, a construction staging plan shall be submitted to the Zoning Administrator. 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 may also require the submission of a Temporary Use Permit.

6. Any fence constructed shall not be any taller than three feet for the first 22 feet of proposed Parcels 2 and 3. This is to allow the residents of these proposed parcels to see each other when backing out.

7. Any landscaping shall not be taller than three (3) feet for the first 22 feet of proposed Parcels 2 and 3. This is to allow the residents of these proposed parcels to see each other when backing out.

8. All of these Conditions of Approval listed in this Resolution are applicable to any future residential development on proposed Parcels 2 or 3.

Building Division:

9. The properties are located in a slide zone as well as a high fire hazard zone. Any development will need geotechnical analysis for the foundation design and will require use of materials for building in a high fire hazard zone.

Public Works:

10. Prior to the recordation of the Final Map, the applicant/developer must submit additional information noting the type of street improvements and utilities which are to be installed, including but not limited to, a new driveway and sidewalk for proposed Parcels 2 and 3 to be ADA compliant, as well as any required street trees to the satisfaction of the Director of Public Works. The issue of the location of the driveway and sidewalk, and ADA compliance are being addressed through a building permit that is still being reviewed by the City of El Cerrito for proposed Parcel 1.

11. For any work in the Public Right-of-Way, street cuts, street tree, sidewalk, curb/gutter, and driveway work, applicant must obtain a Public Works Encroachment Permit and pay all associated fees. Any sidewalk, curb ramp and driveway work shall meet current ADA and City of El Cerrito Standards. Please refer to the Maximum Driveway Profile, LL1031, adopted October 2002 and Standard Driveway Profile, dated April 23, 2010, prepared by the City of El Cerrito Public Works Department.

12. The subdivider must prepare a Final Map per Chapter 18.16 of the El Cerrito Municipal Code (ECMC). Upon approval of the documents, the applicant or an authorized agent shall record all documents with the County of Contra Costa. After recording of the Final Map, the
applicant or authorized agent shall return a copy of all recorded materials to the City Engineer.

13. Prior to the issuance of a building permit:
   a. the Applicant shall provide a detailed drainage plan including rain leaders, roof slopes, downspouts, etc.
   b. the applicant/developer of the specific lot shall clearly show the proposed connections to water and sewer.
   c. all new fences shall be shown on the development plan and will be included as part of the building permit set.
   d. submit a preliminary soils report per Chapter 18.20 of the (ECMC).
   e. submit a preliminary grading plan prepared by a registered civil engineer. All site grading shall be done per Chapters 8 and 13 of the (ECMC) and all other relevant laws, rules and regulations. Prior to commencing any grading in excess of 50 cubic yards, obtain a grading permit and approval from the Public Works Department.
   f. submit a preliminary plan for soil and erosion and sediment control.
   g. Projects that create or replace 2,500 to 10,000 square feet, (which this project may do when considering the new concrete driveway and other site improvement), are required to submit a Stormwater Control Plan for Small Development Projects that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C3 Guidebook. Refer to following links for more information: http://cccleanwater.org/Publications/Guidebook/2013/C3Update_Jan_2013_d2.pdf and http://cccleanwater.org/Publications/Guidebook/2012/StormwaterControlPlanforSmallDevelopmentProjects2012-12-01.pdf.
   h. 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.
   i. plans for removal and replacement of all sidewalk and driveway approaches along project frontage to be ADA-compliant. These improvements along with any new street trees will require a Public Works Encroachment Permit.
   j. compliance with other applicable requirements in Chapters 8.40 Stormwater Management and Discharge Control, 18.24 (General Regulations and Design) and 18.28 Improvements, of the El Cerrito Municipal Code.

The reports and plans shall be submitted and approved, or any necessary agreements executed, to the satisfaction of the Director of Public Works.

14. Prior to the issuance of a Certificate of Occupancy:
   a. the developer/applicant shall be responsible for completing all the traffic recommendations in the report prepared by PHA Transportation Consultants, dated February 16, 2018, along with any associated signage in the public right-of-way as required by the Engineering Manager. A copy of this report is included as Exhibit 1 to this Resolution. This work shall be done as part of a Public Works Encroachment Permit.
   b. the developer/applicant shall install sidewalk, curb and gutter along the property frontages that meet current City and ADA standards, along with a new ADA compliant curb ramp on the southeast corner of Moeser Lane and Seaview Drive.
Fire Department (required for the issuance of a building permit for 15-21):

15. All new dwelling units on the parcels shall be required to comply with the following conditions:
   b. Door from the dwelling to an attached garage shall be self closing, self latching, 1 3/8 inch solid core, 1 3/8 inch steel or 20 minute rated door.
   c. All electrical breakers shall be labeled.

16. 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.

17. 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.

18. Automatic Fire Sprinklers
   a. NFPA 13D Automatic Fire Sprinklers are required throughout.
   b. Plans shall be submitted for review and approval under separate cover.

19. 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.

20. 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.

21. Wildland-Urban Interface
   a. Area is located within designated Very High Fire Hazard Severity Zone (VHFHSZ) and is subject to the requirements of the Wildland-Urban Interface. Building construction shall meet all applicable codes and requirements including those in CRC Section R337.
   b. El Cerrito Vegetation Management Standards shall be strictly enforced.
   c. State Law and City Ordinance require that all roofing within the VHFHSZ be Class B or better in new construction.
   d. Spark arresters with a maximum of ⅜” openings in the mesh are required over the outlet of chimney shall be installed.
22. Fire Hydrant
   a. This project requires one East Bay Municipal Utilities District (EBMUD fire hydrant to be
      installed to meet fire water requirements).
   b. The EBMUD fire hydrant shall be installed in the area adjacent to the project as
      recommended or proposed by EBMUD.
   c. The installation of the new hydrant shall be completed prior to the issuance of a Certificate of
      Occupancy for any new residential construction for proposed Parcels 2 or 3. An
      encroachment permit must be issued by the El Cerrito Public Works Department for the
      installation of the new fire hydrant. Coordination with EBMUD and the Fire Department is
      required for the installation of the new fire hydrant.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Subdivision Committee at a regular
meeting held on May 29, 2018, upon motion of Committee member Colin, second by Committee
member Crump:

AYES: Colin, Crump, Hanin, Ortiz
NOES: None
ABSTAIN: None
ABSENT: None

[Signature]
Elizabeth Dunn
Consulting Planner