AGENDA
SPECIAL MEETING OF THE
PLANNING COMMISSION
February 6, 2020 at 7:30 p.m.
City Council Chambers, El Cerrito City Hall
10890 San Pablo Avenue
El Cerrito, CA 94530
This Meeting Place is Wheelchair Accessible

7:30 p.m. CONVENE SPECIAL MEETING

1. **ROLL CALL** – Chair Leslie Mendez; Vice-Chair Andrea Lucas; Members Brendan Bloom, Greg Crump, Erin Gillett, Carla Hansen and Joy Navarrete

2. **COUNCIL/STAFF LIAISON ANNOUNCEMENTS AND REPORTS**
The City Council Liaison or City staff may report on matters of general interest to the Planning Commission, Council policies, priorities and significant actions taken by the City Council.

3. **ORAL COMMUNICATIONS FROM THE PUBLIC**
**Remarks are typically limited to three minutes per person, and may be on anything within the subject matter jurisdiction of the body. Remarks on non-agenda items will be heard first, remarks on agenda items will be heard at the time the item is discussed.**

4. **ADOPTION OF MINUTES**
Approval of the January 15, 2020 meeting minutes.

5. **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

6. **PUBLIC HEARING: REVISIONS TO ‘GRIFFIN ON SAN PABLO AVENUE’**
**Application:** PL20-0010
**Applicant:** Bavak El Cerrito LLC
**Location:** 11048/11060 San Pablo Avenue
**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 an extension and amendments to a Tier IV Design Review approval. Modifications include: an increase in the number of units, a decrease in the number of parking spaces, building height, and modifications to the elevations and floorplans.
**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.
7. **PUBLIC HEARING: 10290 SAN PABLO AVENUE TIER IV DESIGN REVIEW**
   Application: PL19-0007
   Applicant: Toby Long Design
   Location: 10290 San Pablo Avenue
   APN: 503-394-024 and -026
   Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
   General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)
   Request: Planning Commission consideration of Tier IV Design Review, pursuant to the San Pablo Avenue Specific Plan, for a new 5-story building containing 55 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.

8. **STAFF COMMUNICATIONS**
   Informational reports on matters of general interest, presented by City staff.

9. **ADJOURNMENT**

   In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Sean Moss at (510) 215-4330. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).

   Any writings or documents provided to a majority of the members regarding any item on this agenda will be made available for public inspection at City Hall during normal business hours.
8:42 p.m. CONVENE REGULAR MEETING

1. ROLL CALL – Chair Leslie Mendez; Members Brendan Bloom, Greg Crump, and Carla Hansen. Andrea Lucas, Erin Gillett, and Joy Navarrete had excused absences.

2. COUNCIL/STAFF LIAISON ANNOUNCEMENTS AND REPORTS
   Nothing was reported.

3. ORAL COMMUNICATIONS FROM THE PUBLIC
   Ann Hotta addressed the Commission regarding the project at 10290 San Pablo Avenue and traffic on Eureka.

   Thad Smith addressed the Commission regarding construction at 10300 San Pablo Avenue.

   Alton Chinn addressed the Commission regarding improvements at intersections affected by development.

4. ADOPTION OF MINUTES
   Moved/Second: Commissioner Mendez/Hansen. Action: Passed a motion to adopt the December 18, 2019 meeting minutes. Ayes: Commissioners Bloon, Crump, Hansen, Mendez. Noes: None

5. COMMISSIONER COMMUNICATION/CONFLICT OF INTEREST DISCLOSURE
   Commissioner Bloom noted that he has a conversation with the applicant of the project at 921 Kearney street which was not related to the project.

6. PUBLIC HEARING: 921 KEARNEY STREET TIER IV DESIGN REVIEW
   Application: PL17-0107
   Applicant: Charles Oewel, 921 Kearney LLC
   Location: 921 Kearney St
   APN: 503-233-032 and 503-233-007
   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, pursuant to the San Pablo Avenue Specific Plan, for a new 5-story building containing 59 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.

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

The applicant, Charles Oewel, presented the project and answered questions from the Commission.

The public hearing was opened.

The following speakers addressed the Commission: Howdy Goudey

The public hearing was closed.

Moved/Second: Commissioner Mendez/Bloom. Action: Passed a motion to approve Tier IV Design Review for a project containing 59 residential units located at 921 Kearney Street. Ayes: Commissioners Bloom, Crump, Hansen, Mendez. Noes: None

7. STUDY SESSION: ACCESSORY DWELLING UNIT ORDINANCE
Applicant: City of El Cerrito
Location: City-wide
Request: Planning Commission study session regarding Zoning Text Amendments for Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) regulations.
CEQA: Pursuant to CEQA Guidelines Section 15282(h), the adoption of an ordinance regarding accessory dwelling units in a single-family or multifamily residential zone by a city to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code is statutorily exempt from the requirements of CEQA.

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

The public hearing was opened.

The following speakers addressed the Commission: Joe DeCredico Howdy Goudey Robin Mitchell

The public hearing was closed.

8. STAFF COMMUNICATIONS
Planning Manager Sean Moss updated the Commission regarding upcoming agenda items and the hiring process for a Assistant or Associate Planner.

9. ADJOURNMENT
9:39 p.m.
**Planning Commission Tier IV Staff Report**  
**February 6, 2020**  

**Revisions to ‘Griffin On San Pablo Avenue’**

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**DETAILS**

**Application Number:** PL20-0010  

**Applicant:** Bavak El Cerrito LLC  

**Location:** 11048/11060 San Pablo Avenue  

**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 an extension and amendments to a Tier IV Design Review approval. Modifications include: an increase in the number of units, a decrease in the number of parking spaces, building height, and modifications to the elevations and floorplans.  

**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.

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**EXECUTIVE SUMMARY**

On November 21, 2018, the Planning Commission approved Tier IV Design Review for the Griffin project.

Due to rapidly escalating construction costs, the applicant is now proposing modifications to the project aimed at maintaining the financial feasibility of the project. These modifications include:

1. Eliminating the subterranean parking level and using additional parking lifts to keep the parking ratio at 1 space/unit.  
2. Increasing the height of the building to accommodate the parking lifts.  
3. Increasing the unit count by 10 units.

Due to the small scale of the modifications which are within the Planning Commission’s Tier IV Design Review purview, (an additional 3 feet of height to one building and a negligible amount of additional shadow on the Ohlone Greenway), City staff is not recommending a change to the public benefit for the project.

As a public benefit, the project will provide a publicly accessible bike station, a contribution of $1,000,000 to the City’s Low-Income Housing Asset Trust Fund, and a $700,000 contribution toward projects contained in the City’s Capital Improvement Program that support implementation of the Complete Streets component of the San Pablo Avenue Specific Plan.

In addition, the applicant is seeking a two-year extension of the entitlements.  

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

Site Location and Layout

The project site is located on San Pablo Avenue between Manila Avenue and Madison Avenue. The site has frontages on both San Pablo Avenue and the Ohlone Greenway. The site is 64,446 square feet (1.48 acres) in size. The site currently houses a Big 5 Sporting Goods store and parking lot.

Vicinity Map

Existing Public Right-of-Way

The site has 174 feet of street frontage along San Pablo Avenue. The street frontage on San Pablo Avenue features existing rain gardens which were installed by the City of El Cerrito as part of the San Pablo Avenue Streetscape project.

Existing/Previous Land Use

The site currently houses a sporting goods store and associated parking lot. The existing building and site improvements were constructed in 1980.
Adjacent Land Uses

North: Veterinary business and industrial use.

East: Ohlone Greenway. (An assisted living community and apartment complex are located across the Ohlone Greenway).

South: Apartment complex

West: San Pablo Avenue. (A senior apartment complex is located across San Pablo Avenue.)

Analysis

Previous Entitlement Process

On November 21, 2018, the Planning Commission approved the Tier IV Design Review for a project containing 173 residential units in two buildings containing a total of 174,330 square feet at the project site. The approved project contained two parking levels (one at grade and one below grade, providing a total of 185 parking spaces.

The project required Tier IV Design Review due to the shadow which it would cast across the Ohlone Greenway, the building height, and the ground floor setback along the Ohlone Greenway. As part of the Tier IV Design Review, the applicant agreed to provide a public benefit consisting of $1,000,000 to the City’s Affordable Housing Trust Fund; $700,000 toward complete streets improvements on San Pablo Avenue, consistent with Chapter 3 of the San Pablo Avenue Specific Plan; and a publicly-accessible bike stop along the Ohlone Greenway.

Proposed Modifications

Due to greatly escalating construction costs, several previously entitled projects in El Cerrito have struggled to remain financially feasible. In order to remain feasible, some applicants have evaluated
modifications to approved projects that reduce construction costs, or increase the number of units, or both. For example, the project at 10192 San Pablo Avenue was re-entitled to add 5 additional units.

The Griffin project is proposing modifications to the existing entitlements. The intent of these modifications is both to reduce construction costs and increase the number of units. The modifications are shown on the provided plans (Attachment 2) on the revised sheets that are noted with an ‘R’ (e.g. A.3R). The sheets that are not noted with an ‘R’ (e.g. A.16) are the original sheets from the approved set of plans. The proposed modifications include:

1. Eliminating the subterranean parking level. The parking ratio would remain at 1 space/unit, which is within the range permitted by the San Pablo Avenue Specific Plan. The project would employ additional parking lifts on the at-grade parking level.

2. Increasing the height of the building to accommodate the parking lifts. The maximum height of the building facing San Pablo Avenue would be increased from 69 feet to 72 feet. The maximum height of the building facing the Ohlone Greenway would be increased from 65 feet to 65 feet, 9 inches.

3. Modifying the floorplans to eliminate the ten 3-bedroom units. The floorplans would be reconfigured to add additional 1- and 2-bedroom units. Ten units would be added in total.

4. Minor changes to the exterior elevations as a result of the other modifications.

The unit mix of the original project was (4) studios, (110) 1-bedroom units, (49) 2-bedroom units, and (10) 3-bedroom units. The proposed modifications to the floor plans would result in the unit mix changing to (4) studios, (132) 1-bedroom units, and (47) 2-bedroom units. With the modifications, the average unit size would be 771 square feet, which is nearly exactly the average unit size throughout the San Pablo Avenue Specific Plan.

For reference, an analysis of 14 of the approved major projects in the San Pablo Avenue Specific Plan area indicates a range in average unit size from 494 sq. ft. (11795 San Pablo) to 1,094 sq. ft. (10300 San Pablo). The average of the average unit size for all of these projects is approximately 775 square feet and the median of the average unit size of these projects is 770 square feet.

The increased building height that is proposed is mainly focused on the building that fronts on San Pablo Avenue. This increased height was necessary to allow sufficient height for the parking lifts now proposed in the parking garage. Due to the gradual slope of the site, more additional height is needed for the San Pablo Avenue Facing building (3 feet). Only 9 inches of additional height is needed for the building facing the Ohlone Greenway.

The additional 9 inches of height will provide a negligible amount of additional shadow on the Ohlone Greenway. Although difficult to notice due to the small scale, this change can be seen by flipping between sheets A.21R and A.21.

Entitlement Extension

The applicant is also requesting an extension of the entitlements. The Planning Commission and Design Review Board approvals will expire on November 21, 2020 and January 24, 2021, respectively.

The applicant is requesting extensions of the Planning Commission and Design Review approvals. For simplicity, staff is recommending that the entitlements are extended so that they expire on the same date, January 24, 2023.

Pursuant to Section 2.02.08.04 of the San Pablo avenue Specific Plan, the Zoning Administrator may grant a single two-year extension of entitlements. The Planning Commission may grant additional extensions.
Planning Commission Purview

The Planning Commission’s purview for this amendment to a Tier IV Design Review approval is the aspects of the project that would modify aspects of the project which were within the Planning Commission’s purview for Tier IV Design Review.

Pursuant to Section 2.02.07.01.02.D of the San Pablo Avenue Specific Plan, Tier IV Design Review is the entitlement process for high-quality new projects that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but nevertheless comply with the intent of the Plan. Projects that do not comply fully with the standards of the Plan in one or more respects may seek flexibility to the standard of the Specific Plan through the Tier IV Design Review process. Under the Tier IV Design Review process, the Planning Commission and Design Review Board must both act to approve a project. Each body is assigned a separate series of findings that must be made in order to approve the project. The Planning Commission is given authority over the site plan, the aspects of the project that do not meet the development standards of the Form-Based Code of the San Pablo Avenue Specific Plan, and making a determination whether the project achieves an over-arching public benefit. The Design Review Board is given authority over the design components of the project.

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 include private, common and public types of open space.

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.

The project is located between San Pablo Avenue and the Ohlone Greenway. This section of San Pablo Avenue is designated a Community Street. The project is located in the Transit-Oriented Mid-Intensity Mixed-Use (TOMIMU) Transect Zone.

### Regulation by Street Type:

**SPA Community Street**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Placement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>6 ft. min</td>
<td>6 ft. 6 in.</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>8 ft. min</td>
<td>8 ft.</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>4 ft. min</td>
<td>9 ft. 11 in. min</td>
</tr>
<tr>
<td>Ground Floor Front Setback</td>
<td>Min: distance needed to</td>
<td>12 ft. max at non-residential</td>
</tr>
<tr>
<td></td>
<td>accommodate required zones</td>
<td>11 ft. 4 in. max at residential</td>
</tr>
<tr>
<td></td>
<td>Max: 10 ft. for non-residential uses, 15 ft. for residential uses</td>
<td></td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 ft.</td>
<td>5 ft. min</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>See Shadows</td>
<td>Building will cast a shadow onto the Ohlone Greenway and adjacent parcels at 1:30 p.m. on December 21. Project requires exception to shadow standards via Tier IV Design Review process.</td>
</tr>
<tr>
<td>Pedestrian Access</td>
<td>Entries on front or side streets</td>
<td>Building and unit entries on San Pablo Avenue</td>
</tr>
<tr>
<td>Vehicular Access</td>
<td>Max 20 ft. 2-way driveways. Side access on corner lots</td>
<td>(1) 20 ft. driveway and (1) 26 ft. driveway. El Cerrito Fire Department has requested a 26 ft. wide access to meet code requirements.</td>
</tr>
</tbody>
</table>

**Building Form**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Floor Setbacks</td>
<td>See Shadows</td>
<td>Building requires exception to shadow standards via Tier IV Design Review process</td>
</tr>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>14 ft. min clear</td>
<td>17 ft. clear</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft. clear</td>
</tr>
<tr>
<td>Building Length</td>
<td>200 ft. max</td>
<td>135 ft. 7 in. max</td>
</tr>
<tr>
<td>Ground Floor Transparency</td>
<td>Non-residential 75% min, Residential 40% min.</td>
<td>75% for business center 40% for residential units</td>
</tr>
<tr>
<td>Upper Floor Transparency</td>
<td>30% min</td>
<td>34% min</td>
</tr>
<tr>
<td>Front Encroachments</td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Rear Encroachments</td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
</tbody>
</table>
### Regulation by Street Type: Ohlone Greenway

<table>
<thead>
<tr>
<th>Building Placement</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Ground Floor Front Setback</td>
<td>10 ft. max for non-residential uses. 15 ft. max for residential uses</td>
<td>11 ft. 6 in. max at Yoga Room</td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 ft.</td>
<td>5 ft. min</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>See Shadows</td>
<td>Building will cast a shadow onto the Ohlone Greenway and adjacent parcels at 1:30 p.m. on December 21. Project requires exception to shadow standards via Tier IV Design Review process.</td>
</tr>
<tr>
<td>Pedestrian Access</td>
<td>Entries on front or side streets</td>
<td>Building entries on Ohlone Greenway</td>
</tr>
<tr>
<td>Vehicular Access</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

### Building Form

<table>
<thead>
<tr>
<th></th>
<th>See Shadows</th>
<th>Building requires exception to shadow standards via Tier IV Design Review process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper Floor Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft. clear</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft. clear</td>
</tr>
<tr>
<td>Building Length</td>
<td>200 ft. max</td>
<td>117 ft. 3 in. max</td>
</tr>
<tr>
<td>Ground Floor Transparency</td>
<td>Non-residential 50% min, Residential 30% min.</td>
<td>54% for non-residential</td>
</tr>
<tr>
<td>Upper Floor Transparency</td>
<td>30% min</td>
<td>30%</td>
</tr>
<tr>
<td>Front Encroachments</td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Rear Encroachments</td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Allowed Frontage Types</td>
<td>Forecourt (NE Side), Flex, Front Yard or Eco-front. Max 50% shop front.</td>
<td>Flex Front (100%)</td>
</tr>
</tbody>
</table>
### Open Space Requirements

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private/Common Open Space</strong></td>
<td>80 sq. ft./unit min (14,640 sq. ft. total)</td>
<td>15,373 sq. ft.</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 5,343 sq. ft. required)</td>
<td>6,573 sq. ft. (total of mid-block connection and two plazas)</td>
</tr>
<tr>
<td></td>
<td>May pay fee in-lieu of providing full amount of required public open space on site.</td>
<td></td>
</tr>
</tbody>
</table>

### Transit-Oriented Mid-Intensity Mixed Use Zone

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parking</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Auto Parking</strong></td>
<td>Up to 1.5 space/unit (Reductions and increases allowed with Zoning Administrator approval)</td>
<td>1 space per unit (total of 183 spaces)</td>
</tr>
<tr>
<td><strong>Bicycle Parking</strong></td>
<td>Min 1 short-term space/10 units (18 min)</td>
<td>20 short-term spaces</td>
</tr>
<tr>
<td></td>
<td>Min 1.5 long-term spaces/unit (275 min)</td>
<td>275 long-term spaces</td>
</tr>
<tr>
<td><strong>Building Height</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Height</strong></td>
<td>55 ft. max</td>
<td>72 ft. (Requires exception through Tier IV Design Review Process)</td>
</tr>
<tr>
<td><strong>Minimum Height</strong></td>
<td>3 stories residential, 2 stories commercial</td>
<td>6 residential stories</td>
</tr>
</tbody>
</table>

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 San Pablo Avenue and the Ohlone Greenway with entries onto the street. The project will add public open space along San Pablo Avenue and the Ohlone Greenway and will provide a mid-block pathway connecting San Pablo Avenue to the Ohlone Greenway.

**Strategy A.4:** Attract pedestrian activity to key nodes to foster community and identify places of interest.
The project focuses active non-residential uses along San Pablo Avenue and the Ohlone Greenway and will provide public spaces along these two frontages and a publicly accessible bike stop on the Ohlone Greenway.

Strategy B.1: Maximize TOD potential (BART and AC Transit).
The project will provide 183 new residential units in close proximity to existing AC Transit lines and the El Cerrito del Norte BART station. The project includes bike parking as required by the San Pablo Avenue Specific Plan and will face San Pablo Avenue and the Ohlone Greenway, providing a pleasant pedestrian environment along the adjacent streets.

Strategy B.2: Stimulate investment in vacant/underutilized sites at key focus areas.
The project includes substantial investment in an underutilized site. The site currently contains one-story commercial building and a surface parking lot.

Strategy B.3: Build on recent and planned private and public investments.
Consistent with the findings for Tier IV Design Review, as a public benefit, the project will provide a publicly accessible bike station, and the applicant will contribute $1,000,000 to the City’s Low-Income Housing Asset Trust Fund and $700,000 toward capital improvement projects related to implementation of the complete streets program. See discussion below for more information. The project will also contribute its fair share requirement to implement the San Pablo Avenue Complete Streets plan.

Strategy C.3: Allow ground floor residential development to provide flexibility and expand the Specific Plan Area’s residential base.
The project proposes ground floor residential units as well as other ground-floor uses and will expand the residential base within the San Pablo Avenue Specific Plan Area.

Strategy D.3: Create new gathering places to serve the needs of existing and new users.
The project will create two public plaza areas and a mid-block connection between San Pablo Avenue and the Ohlone Greenway.

Strategy E.1: Promote infill development through increased land use intensity close to existing transit infrastructure.
The project will provide 173 new housing units in close proximity to existing public transit infrastructure.

Public Benefit
The original project required Tier IV Design Review due to the building height and the shadow cast across the Ohlone Greenway. The proposed modifications would add an additional 3 feet of height to one building and an additional amount of shadow that is almost undetectable. Given the small scale of these changes, City staff is not proposing any changes to the Public Benefit for the project.

The proposed public benefit is:

1. $1,000,000 contribution to the City’s Low-Income Housing Asset Trust Fund
2. $700,000 contribution toward projects contained in the City’s Capital Improvement Program for projects related to implementation of San Pablo Avenue Complete Streets
3. A publicly accessible bike station located adjacent to the Ohlone Greenway

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 16, 2020.

One comment from Blair Akey was received. This comment is included as Attachment 4. The comment raises concerns regarding availability of on-street parking.

In response to this comment, staff notes that the project complies with the parking ratio required by the San Pablo Avenue Specific Plan, and therefore, the parking ratio is not part of the Planning Commission’s review.

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.

As part of this application for an amendment to the previous entitlements, a revised traffic study was prepared. The revised traffic study did not identify any new or increased impacts. No other topic areas from the original Initial Study demonstrated a need for further analysis or the proposed modifications.

Compliance with the General Plan

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 183 new housing units on San Pablo Avenue, with close proximity to public transportation and commercial uses. The infill project contains ground-floor residential units in a location in close proximity to existing transit lines on San Pablo Avenue and the El Cerrito del Norte BART station.*

**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 San Pablo Avenue and the Ohlone Greenway, enhancing public safety. The project will also provide public open space.

**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 El Cerrito del Norte BART station. The location also provides convenient access to the Ohlone Greenway and local businesses. The project also provides 275 long-term and 20 short-term bicycle parking spaces and contributes its fair share to the San Pablo Avenue Complete Streets program.

**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 addresses San Pablo Avenue and the Ohlone Greenway with building entries and windows along the street.

**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 or public plazas on San Pablo Avenue and features ample window openings, decks, and doors along the street. These windows and decks will allow surveillance of streets from the units within the project. The project meets or exceeds the transparency standards of the San Pablo Avenue Specific Plan. The building also addresses the Ohlone Greenway with building entrances and windows at active uses, allowing for surveillance.

**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 patios and decks on both ground floor and upper floor units. The project also provides common open spaces in the form of courtyards and roof decks and provides public open space in tow public plazas and a mid-block connection.

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-tolerant plants such as Manzanita, Eastern Redbud, California Lilac, Berkeley Sedge, Mat Rush, and Yarrow.

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 façade and interesting building form. The building is designed at a human scale with building entries along San Pablo Avenue and the Ohlone Greenway.

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. Pursuant to the San Pablo Avenue Specific Plan, both the Planning Commission and the Design Review Board have authority over elements of the Tier IV Design Review Process.

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 183 new residential units 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.

The project will provide 275 long-term bicycle parking spaces and 20 short-term bicycle parking spaces. The project’s proximity to the Ohlone Greenway and the inclusion of a publicly-accessible bike-stop will encourage bicycling.

**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 will provide 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 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 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.

As detailed in this report, the project will implement the following goals and strategies of the San Pablo Avenue Specific Plan:

**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

**Goal B: Ensure Return on Investment**

Strategy 1: Maximize TOD potential; Strategy 3: Leverage all investments to catalyze new investments

**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

**Goal D: Enhance and Humanize Public Realm**

Strategy 3: Create new gathering places to serve the needs of existing and new users
Goal E: Catalyze Mode Shift

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

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 project will contribute $1,000,000 to the City’s Low-Income Housing Asset Trust Fund. This contribution will allow the City to support the production of affordable housing, consistent with Policy H2.13 of the El Cerrito Housing Element and Pillar D of the El Cerrito Affordable Housing Strategy.

Additionally, the project will provide a $700,000 contribution to capital improvement projects that support the implementation of Chapter 3: Complete Streets of the San Pablo Avenue Specific Plan.

The project also includes a bike station with public amenities which will be open to the public and will promote alternative modes of transportation, consistent with the El Cerrito Climate Action Plan and the El Cerrito Active Transportation Plan.

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.

Except for the building height, shadow on the Ohlone Greenway, and maximum setback on the Ohlone Greenway, the project is consistent with the standards of the San Pablo Avenue Specific Plan and the standards of the Transit Oriented Mid-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Mid-Intensity Mixed Use Transect Zone and the project is compatible with the land uses permitted throughout the San Pablo Avenue Specific Plan.

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

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

Provide a 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 retail uses around
Stockton and Moeser node. 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.

The proposed project will add 183 new residential units to San Pablo Avenue, enhancing the mix of uses. The project will provide 4 studio units, 132 one-bedroom units, and 47 two-bedroom units to meet the needs of residents.

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


Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL20-0010, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

Move adoption of Planning Commission Resolution PC20-01 granting amendments to a Tier IV Design Review approval to allow in increase in the number of units to 183, and an increase in the maximum building height to 72 feet, and granting extensions of the Planning Commission and Design Review Board approvals of Tier IV Design Review until January 24, 2023.

Appeal Period

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

Attachments

1. Draft resolution
2. Project Plans, dated January 13, 2020
3. Initial Study Checklist and appendices
4. Letter from Blair Akey dated January 27, 2020
Planning Commission Resolution PC 2020-01

APPLICATION NO. PL20-0010

A RESOLUTION OF THE CITY OF EL CERRITO GRANTING AMENDMENTS TO A TIER IV DESIGN REVIEW APPROVAL TO ALLOW IN INCREASE IN THE NUMBER OF UNITS TO 183, AND AN INCREASE IN THE MAXIMUM BUILDING HEIGHT TO 72 FEET, AND GRANTING EXTENSIONS OF THE PLANNING COMMISSION AND DESIGN REVIEW BOARD APPROVALS OF TIER IV DESIGN REVIEW UNTIL JANUARY 24, 2023.

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 Mid-Intensity Mixed Use;

WHEREAS, the zoning district of the site is Transit-Oriented Mid-Intensity Mixed Use and the project is located on a Community Street and the Ohlone Greenway;

WHEREAS, the site is located at 11060/11048 San Pablo Avenue;

WHEREAS, the existing Assessor’s Parcel Number of the site is 502-411-021;

WHEREAS, on October 2, 2017, the applicant submitted an application for Tier IV Design Review;

WHEREAS, on June 8, 2018, the applicant was determined to be complete; and

WHEREAS, on November 21, 2018, the Planning Commission adopted Resolution PC18-13, approving Tier IV Design Review for the project;

WHEREAS, on January 24, 2019, the Design Review Board adopted Resolution DRB19-02, approving Tier IV Design Review for the project;

WHEREAS, on February 6, 2020, 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:

   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

   Goal B: Ensure Return on Investment
   Strategy 1: Maximize TOD potential; Strategy 3: Leverage all investments to catalyze new investments

   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
Goal D: Enhance and Humanize Public Realm
Strategy 3: Create new gathering places to serve the needs of existing and new users

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

3. The project will contribute $1,000,000 to the City’s Low-Income Housing Asset Trust Fund. This contribution will allow the City to support the production of affordable housing, consistent with Policy H2.13 of the El Cerrito Housing Element and Pillar D of the El Cerrito Affordable Housing Strategy.

Additionally, the project will provide a $700,000 contribution to capital improvement projects that support the implementation of Chapter 3: Complete Streets of the San Pablo Avenue Specific Plan.

The project also includes a bike station with public amenities which will be open to the public and will promote alternative modes of transportation, consistent with the El Cerrito Climate Action Plan and the El Cerrito Active Transportation Plan.

4. Except for the building height, shadow on the Ohlone Greenway, and maximum setback on the Ohlone Greenway, the project is consistent with the standards of the San Pablo Avenue Specific Plan and the standards of the Transit Oriented Mid-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Mid-Intensity Mixed Use Transect Zone and the project is compatible with the land uses permitted throughout the San Pablo Avenue Specific Plan.

5. The proposed project will add 183 new residential units to San Pablo Avenue, enhancing the mix of uses. The project will provide 4 studio units, 132 one-bedroom units, and 47 two-bedroom to meet the needs of residents.


NOW, THEREFORE, BE IT RESOLVED that after careful consideration of all maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Design Review Board hereby approves Application No. PL20-0010, subject to the following conditions:

Planning Division:

1. All conditions of approval of Resolutions PC18-13 and DRB19-02 remain in effect.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on November 21, 2018, upon motion of Commissioner ____ , second by Commissioner ____ :

AYES:
GROUND FLOOR PLAN

SCALE: 1/16"=1'-0"

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

TOTAL POOL AREA = 443.95 SF
SECOND FLOOR PLAN

11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

SCALE: 1/16"=1'-0"
SECOND FLOOR PLAN

SCALE: 1/16"=1'-0"

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

BDLG. EXIT ANALYSIS LEGEND

- 3 BEDROOM
- 2 BEDROOM
- 1 BEDROOM
- CIRCULATION
- UTILITY
UNIT 1S | STUDIO
Unit Area: 427 SF
Deck Area: 48 SF

UNIT 1A | 1 Bedroom
Unit Area: 718 SF
Deck Area: 111 SF

UNIT 1B | 1 Bedroom
Unit Area: 617 SF
Deck Area: 30 SF

UNIT 1C | 1 Bedroom
Unit Area: 629 SF
Deck Area: 28 SF

SCALE: 1/4"=1'-0"
UNIT 1D | 1 Bedroom
Unit Area: 621 SF
Deck Area: 91 SF

UNIT 1F | 1 Bedroom
Unit Area: 768 SF
Deck Area: 30 SF

UNIT 1E | 1 Bedroom
Unit Area: 619 SF
Deck Area: 126 SF

UNIT 1J | 1 Bedroom
Unit Area: 634 SF
Deck Area: 126 SF
UNIT 2A | 2 Bedroom
Unit Area: 2157 SF
Deck Area: 160 SF

UNIT 2A UP (Unit 2B UP SIM)
UNIT 2A DN (Unit 2B DN SIM)

UNIT 1H | 1 Bedroom
Unit Area: 727 SF
Deck Area: 124 SF

SCALE: 1/4"=1'-0"
UNIT 2D | 2 Bedroom

Unit Area: 1169 SF
Deck Area: 109 SF
UNIT 2E | 2 Bedroom
Unit Area: 1075 SF
Deck Area: 98 SF

UNIT 2F | 2 Bedroom
Unit Area: 1067 SF
Deck Area: 112 SF
UNIT 3A | 3 Bedroom
Unit Area: 1319 SF
Deck Area: 173 SF
GRiffin
11060 San Pablo Avenue
El Cerrito, California

OHHlone Trail (EasT) Elevation

San Pablo Avenue (West) Elevation

Scale: 1/16"=1'-0"
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UPPER FLOOR RESIDENTIAL
GROUND FLOOR RESIDENTIAL
GROUND FLOOR NON-RESIDENTIAL

UPPER LEVEL FACADE: 1,084 SF
GROUND LEVEL FACADE: 1,184 SF
GROUND LEVEL NON-RES. FACADE: 1,184 SF
GRiffin
11060 San Pablo Avenue
El Cerrito, California

Scale: 1/16"=1'-0"
NORTH ELEVATION TRANSPARENCY STUDY

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<th>Level</th>
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<th>Upper Floor Residential</th>
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UPPER LEVEL FACADE: 18,428 SF
GROUND LEVEL NON-RES. FACADE: 5,564 SF
GROUND LEVEL RES. FACADE: 821 SF
GROUND LEVEL NON-RES. GLAZING: 1,037 SF
UPPER LEVEL GLAZING: 6,245 SF
GRiffin
11060 San Pablo Avenue
El Cerrito, California

NORTH ELEVATION TRANSPARENCY STUDY

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<tr>
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Upper Level Facade: 65.3 SF
Upper Level Glazing: 15.0 SF
Ground Level Non-Res. Facade: 56.8 SF
Ground Level Non-Res. Glazing: 18.8 SF
Ground Level Res. Facade: 64.5 SF
Ground Level Res. Glazing: 10.5 SF

UPPER FLOOR RESIDENTIAL
GROUND FLOOR RESIDENTIAL
GROUND FLOOR NON-RESIDENTIAL

Upper Level: 19,116 SF
Ground Level Non-Res.: 4,047 SF
Ground Level Res.: 645 SF

SCALE: 1/16" = 1'-0"
1417.001
07-18-18

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

GROUND LEVEL NON-RES. FACADE: 3,887 SF
GROUND LEVEL NON-RES. GLAZING: 1,103 SF
GROUND LEVEL RES. FACADE: 671 SF
GROUND LEVEL RES. GLAZING: 196 SF

UPPER LEVEL FACADE: 11,013 SF
UPPER LEVEL GLAZING: 2,437 SF

TRANSPARENCY - SOUTH ELEVATION

SOUTH ELEVATION TRANSPARENCY STUDY

LEVEL
GROUND FLOOR (RES.) 29%
GROUND FLOOR (NON-RES.) 28%
UPPER 17%

UPPER LEVEL FACADE: 14,013 SF
UPPER LEVEL GLAZING: 2,437 SF

GROUND LEVEL NON-RES. FACADE: 3,887 SF
GROUND LEVEL NON-RES. GLAZING: 1,103 SF
GROUND LEVEL RES. FACADE: 671 SF
GROUND LEVEL RES. GLAZING: 196 SF
COURTYARD EAST ELEVATION

COURTYARD WEST ELEVATION

NATURAL WOOD RAINSCREEN
NATURAL STONE VENEER
STUCCO
ROCK TERRACE
COMPOSITE SCREEN
METAL GUARDRAIL
DEPARTMENT'S COMPOSITE RAIN SCREEN + GATE
GRiffin
11060 San Pablo Avenue
El Cerrito, California

Shadow Study - Dec 1:30 PM

Scale: 1" = 40' - 0"
1. Mt. Tamalpais
2. Golden Gate Bridge
3. San Francisco Skyline
BUSINESS CENTER ON SAN PABLO AVENUE
SAN PABLO PLAZA

EXERCISE ROOM & BIKE STOP ON OHLONE TRAIL
OHLONE TRAIL PLAZA

GRiffin
11060 San Pablo Avenue
El Cerrito, California

PERSPECTIVES
PROPOSED CONDITION VIEW 1 - DONAL AVE. AND LAWRENCE ST.

PROPOSED CONDITION VIEW 2 - POTRERO AVE. AND DOUGLAS DR.

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA
MATERIAL IMAGERY

1. STUCCO (TEXTURED-SMOOTH)
2. NATURAL STONE VENEER
3. WOOD VENEER PANELS RAIN SCREEN
4. COMPOSITE WOOD SLATS SCREEN
5. METAL SCREEN (MT GARAGE OPENING)
6. METAL GUARDRAIL
7. ALUMINUM WINDOW (FIXED & CASEMENT)
8. CYLINDRICAL WALL SCONCE

PAINT COLORS

A. INDIAN RIVER (BM_985)
B. MANCHESTER TAN (BM_HC 81)
C. CYPRESS GREEN (BM_509)
D. BITTERSWEET (BM_2114-10)
E. NAVAJO WHITE (BM_947)

MATERIAL SAMPLES

1. STUCCO (TEXTURED)
1.1 STUCCO (SMOOTH)
2. NATURAL STONE VENEER (TOP LEDGE COTTON WOOD, BOTTOM LEDGE COTTON WOOD)
3. TRESPA METEON - LIGHT MAHOGANY

MATERIALS LIST

1. STUCCO (TEXTURED-SMOOTH)
2. NATURAL STONE VENEER
3. WOOD VENEER PANELS RAIN SCREEN
4. COMPOSITE WOOD SLATS SCREEN
5. METAL SCREEN
6. METAL GUARDRAIL
7. ALUMINUM STOREFRONT
8. ALUMINUM WINDOW (FIXED & CASEMENT)
9. CYLINDRICAL WALL SCONCE
10. METAL GATE
COLOR AND MATERIALS BOARD

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

MATERIAL IMAGERY

1. STUCCO (TEXTURED-SMOOTH)
2. NATURAL STONE VENEER
3. WOOD VENEER PANELS RAIN SCREEN
4. COMPOSITE WOOD SLATS SCREEN
5. METAL SCREEN (AT GARAGE OPENING)
6. METAL GUARDRAIL
7. ALUMINUM WINDOW (FIXED & CASEMENT)
8. CYLINDRICAL WALL SCONE

PAINT COLORS

A. INDIAN RIVER (BM_985)
B. MANCHESTER TAN (BM_2114-10)
C. CYPRESS GREEN (BM_509)
D. BITTERSWEET (BM_2114-10)
E. NAVAJO WHITE (BM_947)

MATERIALS LIST

1. STUCCO (TEXTURED-SMOOTH)
2. NATURAL STONE VENEER
3. WOOD VENEER PANELS RAIN SCREEN
4. COMPOSITE WOOD SLATS SCREEN
5. METAL SCREEN
6. METAL GUARDRAIL
7. ALUMINUM STOREFRONT
8. ALUMINUM WINDOW
9. CYLINDRICAL WALL SCONE
10. METAL GATE

MATERIAL SAMPLES

1. STUCCO (TEXTURED)
1.1 STUCCO (SMOOTH)
2. NATURAL STONE VENEER (TOP LEDGE COTTON WOOD, BOTTOM LEDGE COTTON WOOD)
3. TRESPA METEON - LIGHT MAHOGANY

SOUTH ELEVATION
GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

GROUND FLOOR
LANDSCAPE PLAN

DECORATIVE CONCRETE PAVING
PRECAST PLANTERS IN DECORATIVE GRAVEL
6' HT. WOOD SLAT FENCE AND 4' HT GATE
6' HT. CMU WALL WITH VINES
WALL LIGHT
OVERHEAD ART INSTALLATION
PLANTER WITH SEAT WALL
ROLL UP DOOR TO BIKE LOUNGE
SEAT WALL WITH BIKE PARKING
BIKE LOUNGE AMENITIES
SHORT-TERM BICYCLE PARKING
DETECTABLE WARNING TILES
CROSSWALK LIGHTING
WIRE TRELLIS SYSTEM
GRANITECRETE PATH
PEDESTRIAN SCALE POLE LIGHT

SEE ARCHITECT'S DRAWINGS FOR BUILDING LIGHTING
SECURITY GATE

1417.001
07-10-18

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

GRIFFIN
11060 SAN PABLO AVENUE
EL CERRITO, CALIFORNIA

JETT DAHLIN

Ground Architecture x Design

JOB NO. 1417.001
DATE 07-10-18
11060 Civic Center Drive
Pleasanton, CA 94566
925-251-7200
1 SPECIMEN TREE IN RAISED PLANTER
2 BUILT-IN COUCH
3 FIREPLACE & LOUNGE FURNITURE
4 FIRE PIT & LOUNGE FURNITURE
5 PLANTER WALLS WITH MOUNDS
6 WALL LIGHT
1. Synthetic Turf Open Play
2. Ping Pong & Cornhole Games
3. Viewing Scope
4. Outdoor Kitchen
5. Bar Seating
6. Shade Structure
7. TV or Projection Screen
8. Festoon Lighting
9. Double-Sided Fireplace & Lounge Furniture
10. Precast Planter with Shade Tree
11. Gravel
12. Emergency Egress Bollard Lights

Griffin
11060 San Pablo Avenue
El Cerrito, California

Roof Deck Landscape Plan

Jett Dahlin
1417.001
07-10-18

GRIFFIN
11060 San Pablo Avenue
El Cerrito, California
1. **Hydrozone Table**

2. **Maximum Applied Water Use**

3. **Estimated Total Water Use**

### Hydrozone Calculation Table

<table>
<thead>
<tr>
<th>HYDROZONE</th>
<th>IRRIGATION TYPE</th>
<th>IRRIGATION EFFICIENCY (IE)</th>
<th>PLANT FACTOR (PF)</th>
<th>AREA (HA)</th>
<th>SQ. FT</th>
<th>PF x HA ETWU</th>
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<td>0.3</td>
<td>6983</td>
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<td>TREES-MOD BUBBLER</td>
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<td>SLA</td>
<td>0.81</td>
<td>1</td>
<td>0</td>
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</table>

**Total sq. ft:** 7536  
**Total ETWU:** 75,908

### Maximum Applied Water Allowance (MAWA)=

**Maximum Applied Water Allowance (MAWA) Gallons Per Year**

**MAWA = (ETo)(0.62)[(0.55xLA) + (1.0-0.55) x SLA)**

- **ETo = Reference evapotranspiration**
- **0.7 = ET adjustment factor**
- **LA = Landscaped Area (square feet)**
- **0.62 = Conversion factor (gallons per square foot per year)**
- **SLA = Sprinkler/maintenance (as a fraction)**

### Estimated Total Water Use (ETWU) (gallons)=

**Estimated Total Water Use (ETWU) Gallons Per Year**

**ETWU= ((ETo)(.62)(PF(HA/IE) + SLA)**

- **ETo = Reference evapotranspiration**
- **PF = Plant factor for hydrozones**
- **HA = Hydrozone area (square feet)**
- **0.62 = Conversion factor (gallons per square foot per year)**
- **IE = Irrigation efficiency (0.81) bubbler/drip**
- **IE = Irrigation efficiency (0.71) spray**
Memorandum

Date: February 6, 2020

To: Interested Parties

From: Sean Moss, Zoning Administrator

Subject: Revised Modifications to ‘Griffin on San Pablo Avenue’ Project Have No Effect On Environmental Review Documents

Staff notes that the project has been modified since the November 2018 environmental documentation was been completed. The modifications include an increase of 10 units; revisions to floor plans, and an additional 3 feet of building height, and a reduction of the parking ratio. The change in the parking remains in compliance with the parking standards in the San Pablo Avenue Specific Plan. While the changes are notable, they are minor in terms of the CEQA review and have no impacts on the conclusion of the environmental documentation. The proposed modifications do not meet any of the conditions in Section 15162, Section 15163, or Section 15164 of the CEQA Guidelines, which would require a Subsequent or Supplemental environmental document or an Addendum to an environmental document.
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1.0 INTRODUCTION
1.0 INTRODUCTION

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This document is an Initial Study to examine the environmental effects of the proposed 11060 San Pablo Avenue project (project). This document has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines as implemented by the City of El Cerrito (City). According to Section 15168(c)(2) of the State CEQA Guidelines, a program environmental impact report (EIR) can be used in compliance with CEQA to address the effects of a subsequent activity so long as the activity is within the scope of the project covered by the program EIR and no new effects are found and no new mitigation measures would be required.

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. This Initial Study provides a description of the proposed project and substantial evidence to confirm that the environmental effects of the project are covered by the analysis contained in the San Pablo Avenue Specific Plan Environmental Impact Report (SPASP EIR) and would 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 EIR. As such, the City of El Cerrito can approve the project as being within the scope of the San Pablo Avenue Specific Plan covered by its Environmental Impact Report; no new environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the proposed project does not require any further review under CEQA. The analysis finds that a Notice of Determination may be prepared for the project and filed with the Contra Costa County Clerk.

1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), “the lead agency will normally be the agency with general governmental powers.” The project will require approvals from the City, including Tier IV Design Review and grading and building permit approvals. Therefore, based on the criteria described above, the City of El Cerrito is the lead agency for the proposed project.

1.3 PURPOSE AND DOCUMENT ORGANIZATION

This document is divided into the following chapters:

1.0 INTRODUCTION

This chapter provides an introduction and describes the purpose and organization of this document.

2.0 PROJECT DESCRIPTION

This chapter includes a detailed description of the proposed project. It also includes background information on the SPASP EIR, the project site location, existing site characteristics, and required approvals and entitlements.
3.0 ENVIRONMENTAL CHECKLIST

This chapter includes an environmental checklist for the project, consistent with Appendix G of the CEQA Guidelines.

4.0 REFERENCES

This chapter identifies resources used in the preparation of this document.
2.0 PROJECT DESCRIPTION
This chapter describes the proposed 11060 San Pablo Avenue Project, which would be located in the planning area for the San Pablo Avenue Specific Plan. This chapter includes a summary description of the project location and existing site characteristics, required approvals, and entitlements. The City of El Cerrito is the lead agency for review of the project under the California Environmental Quality Act.

2.1 PROJECT SITE

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

LOCATION

The project site is approximately 1.479 acres (64,446 square feet) and is located at 11048/11060 San Pablo Avenue in El Cerrito, Contra Costa County. The site is on the east side of San Pablo Avenue, midblock between Madison Avenue and Jefferson Avenue, abutting the Ohlone Greenway and the elevated Bay Area Rapid Transit (BART) line. The west side of San Pablo Avenue marks the El Cerrito city limit boundary with the City of Richmond. The project site is approximately 1 mile east of the Richmond Inner Harbor of San Francisco Bay. Regional vehicular access to the project site is via Interstate 80 (I-80), approximately 1,350 to the west, and I-580, approximately 3,900 feet to the west. The El Cerrito del Norte BART station is approximately 0.5 mile to the north. Alameda-Contra Costa (AC) Transit bus service is available along San Pablo Avenue, adjacent to the site.

The project site is generally surrounded by commercial and residential uses. A multifamily residential development called Civic Plaza Apartments is directly south of the site, and commercial uses are directly north of the site, including a veterinary clinic, an office building, and a retail center called Bank of the West Plaza. Figure 2.0-1, Project Regional Vicinity, shows the site’s regional and local context. Figure 2.0-2, Project Location, depicts the project site and surrounding land uses.

SITE CHARACTERISTICS AND CURRENT SITE CONDITIONS

The project site is generally level and consists of one parcel (Assessor’s Parcel Number [APN] 502-411-021-47). The site is developed with a single-story, 16,516-square-foot commercial building constructed in 1980 that is occupied by Big 5 Sporting Goods, along with a parking lot in the rear of the property.

The site is in an urban area, adjacent to residential and commercial properties. Utilities, including water, electricity, natural gas, and sewer service, are readily available.

2.2 EXISTING GENERAL PLAN AND ZONING

The project site is designated Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) in the City’s General Plan, as shown on Figure 2.0-3, General Plan Land Use. The site is zoned TOMIMU, as shown on Figure 2.0-4, Zoning Districts.

SAN PABLO AVENUE SPECIFIC PLAN

In 2014, the City of El Cerrito adopted the San Pablo Avenue Specific Plan to provide a guide for the future of San Pablo Avenue, identify improvements, and adopt context-sensitive regulations
that can be applied along the roadway’s 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 offer a multitude of opportunities for living, working, and community life. The key principles in the Specific Plan 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. The SPASP EIR, 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 a Form-Based Code that regulates development along the corridor, a plan for complete streets, and an infrastructure analysis. The complete streets plan addresses circulation and public investment needs along San Pablo Avenue and adjoining streets to improve the user experience in 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, includes a general review of capacity limitations, and recommends feasible improvements and associated costs to avoid significant impacts on the level of service.

2.3 PROPOSED PROJECT

The proposed project would result in the construction of a 162,504-square-foot, five-story, 69-foot-tall development with two residential buildings over the street and basement levels, which would include a parking garage and building amenities. The project would include 173 residential units, 185 parking spaces, bicycle parking, a bike stop with storage, public open space including plaza areas, private open space, and various amenities for residents. See Figure 2.0-5, Ground Floor Plan, Figure 2.0-6, South Elevation, and Figure 2.0-7, East and West Elevations.

The proposed residential units include a combination of studios and 1-, 2-, and 3-bedroom units, as summarized in Table 2.0-1. Project amenities would include a bike stop, courtyards, lobbies, business center, leasing office, pet/bike wash, exercise room, yoga room, bike repair, rooftop terraces, and basement storage. Detailed project plans are included in Appendix A.

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<tr>
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<th>RESIDENTIAL UNIT SUMMARY</th>
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<td><strong>Type</strong></td>
<td><strong>Area</strong></td>
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<td>Studio</td>
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<td>1 Bedroom</td>
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<td>1,016–1,208 SF</td>
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<tr>
<td>3 Bedroom</td>
<td>1,319 SF</td>
</tr>
<tr>
<td><strong>Total Residential Area</strong></td>
<td><strong>139,553 SF</strong></td>
</tr>
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Notes: SF = square feet
OPEN SPACE AND LANDSCAPING

The proposed project would include a total of 16,524 square feet of private open space, in the form of a patio area for each unit. Residents would also have access to 15,373 square feet of common open space, including the 1,891-square-foot east courtyard, 3,731-square-foot west courtyard, 5,062-square-foot east roof terrace, and 4,689-square-foot west roof terrace.

The project would also provide a total of 6,427 square feet of public open space, composed of four areas:

- San Pablo Avenue Plaza, at the front of the development facing San Pablo Avenue, would be 1,646 square feet.
- Ohlone Plaza, at the rear of the development facing Ohlone Parkway, would be 954 square feet.
- A Midblock East Courtyard (2,104 square feet) and a Midblock West Courtyard (1,723 square feet) would be provided along the southern boundary of the development, forming an east-west connection through the site from San Pablo Avenue Plaza to Ohlone Plaza.

Consistent with City requirements, landscaping would be located throughout the site and would include trees, planters, and seating along the edges of the site and in the public plaza areas.

ACCESS, CIRCULATION, AND PARKING

Vehicular access to the project would be via the existing right-in/right-out curb cut on San Pablo Avenue, with an L-shaped driveway extending through the site, with access to another entrance at the terminus of a portion of Kearney Street (see Figure 2.0-5). From the driveway, the project would incorporate access to a ground-level parking area containing 52 spaces and a subgrade parking area containing 133 parking spaces. Of the 185 total parking spaces, 18 would be electric vehicle (EV) charging spaces and 4 would be accessible spaces. Parking would be unbundled, meaning the parking spaces would be leased separately from the residential apartments.

The project would have 262 long-term spaces for bicycle storage in the basement of the development. There would also be bike racks with a total of 19 spaces, located along the building frontage on San Pablo Avenue and in front of the proposed bike stop facing the Ohlone Greenway.

Pedestrian access to the development would be through a main lobby, accessible from San Pablo Avenue and from the parking garage, and a secondary lobby on the east side of the site.

PROJECT CONSTRUCTION

The duration of construction would be approximately 18 months. Construction activities would be performed in accordance with the City’s Municipal Code, which permits construction 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.

Project construction would involve approximately 20,850 cubic yards of soil export from the site.
2.0 PROJECT DESCRIPTION

UTILITIES AND INFRASTRUCTURE

The project site is in an urban area and is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity and natural gas, and telecommunications infrastructure. Most of the existing utilities on the project site would be removed and replaced, as required, by excavation.

Water

Water service in El Cerrito is provided by the East Bay Municipal Utility District (EBMUD). The project would connect to an existing water main located along San Pablo Avenue adjacent to the project site.

Wastewater

The Stege Sanitary District (SSD) provides wastewater service to businesses and residences along and near San Pablo Avenue, including the proposed project site. An existing sewer main runs along San Pablo Avenue adjacent to the project site.

Stormwater

The project would include 59,223 square feet of impervious surfaces (roof and paving) and 5,223 square feet of pervious surfaces (landscaping and pavers), as shown on Figure 2.0-8, Stormwater Control Plan. The project would include a stormwater filter treatment unit, which would connect to the City’s stormwater conveyance system.

2.4 APPROVALS/PERMITS

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

- City of El Cerrito CEQA review and various entitlements, including Tier IV Design Review and grading and building permit approvals
- East Bay Municipal Utility District approval of water connections
- Stege Sanitary District approval of sewer capacity and connections (per SSD Ordinance 7.2 and California Government Code Section 66013(a))
- Pacific Gas and Electric Company (PG&E) approval of electricity and natural gas connections
- San Francisco Bay Regional Water Quality Control Board (RWQCB) approval per stormwater discharge orders R2-2009-0074 and R2-2011-0083
FIGURE 2.0-1
Project Regional Vicinity

Source: Google Earth, 2018

Not To Scale
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2.0 PROJECT DESCRIPTION

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FIGURE 2.0-3
General Plan Land Use

Not To Scale
2.0 PROJECT DESCRIPTION

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FIGURE 2.0-5
Ground Floor Plan

Source: Dahlin, 2018
FIGURE 2.0-6
South Elevation

Source: Dahlin, 2018
FIGURE 2.0-7
East and West Elevations
3.0 ENVIRONMENTAL CHECKLIST
### 3.0 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 an EIR. This checklist confirms that the proposed 11060 San Pablo Avenue Project is within the planning area for the San Pablo Avenue Specific Plan Environmental Impact Report (SPASP EIR) 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 EIR. As such, the City of El Cerrito can approve the project as being within the scope of the San Pablo Avenue Specific Plan covered by its EIR, and no new environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the project does not require any further review under CEQA.

### Environmental Checklist

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<th>Less Than Significant Impact</th>
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<td><strong>I. Aesthetics</strong>. Would the project:</td>
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<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
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<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
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<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
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<td>d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?</td>
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**Discussion**

As noted in Chapter 2.0, Project Description, the approximately 1.48-acre project site is currently developed with a single-story, 16,516-square-foot commercial building constructed in 1980 that is occupied by Big 5 Sporting Goods, along with a parking lot in the rear of the property. The general area surrounding the property is developed with commercial and residential uses. The site is approximately 1 mile east of the Richmond Inner Harbor of San Francisco Bay and 0.5 miles south of the El Cerrito del Norte BART station. While San Pablo Avenue is a State highway, there are no designated scenic highways or scenic vistas within 1 mile of the project site (Caltrans 2018; El Cerrito 2014a). Therefore, the project would not adversely affect scenic resources or scenic highways.

The site is developed with a single-story, 16,516-square-foot commercial building constructed in 1980 that is occupied by Big 5 Sporting Goods, along with a parking lot in the rear of the property. The proposed project would result in the construction of a 162,504-square-foot, five-story, 65-foot-tall development with 173 residential units. Compared to the existing developed parcel, the project would improve the visual and aesthetic character of the site by incorporating Form-Based Code and complete streets design and development standards. These design and development standards were assessed in the SPASP EIR and can be found in Chapter 2, Form Based Code, and Chapter 3, Complete Streets, of the Specific Plan (El Cerrito 2014a, 2014b).
3.0 Environmental Checklist

The TOMIMU designation includes a 55-foot height limit. The project applicant is seeking Tier IV Design Review, which allows exceptions to the Tier II Design Review Standards, requires the provision of a public benefit as part of the project, and requires approval from the Planning Commission. The applicant is seeking a height exception through this process to allow for a 65-foot-tall building. The project would include a public bike stop along the Ohlone Greenway and contributions to affordable housing and public street improvements as public benefits. The project design also incorporates elements of visual interest, including:

- Variable Wall Pane and Height: the walls offset a minimum of 1 foot for every 50 feet of length
- Articulation: 50 percent of the façade surface area would change in plane, color, and materials to break up the building mass
- Transparency: 32 percent ground-floor transparency, with upper-floor transparency ranging from 43 to 61 percent

In addition, the project would include public art and publicly-accessible open space. See Appendix A for detailed project plans. Compared to existing conditions, these features would improve the visual quality of the site.

The city’s location between I-80 and the East Bay Hills affords views of the Golden Gate Bridge, the San Francisco skyline, and Mount Tamalpais. The primary potentially significant impact to scenic resources identified in the SPASP EIR was the potential for Specific Plan development to obstruct scenic views of Mount Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way, the two BART station platforms (El Cerrito Plaza and El Cerrito del Norte), and areas of lower elevation such as hillside homes in El Cerrito and Richmond (Impact 4-1). This impact was determined to be significant and unavoidable; however, the SPASP EIR requires individual development projects to complete further evaluation to determine whether they meet the standards and guidelines set forth in the Specific Plan.

Figure 3.1-1, Project Photo Simulation, shows views from vantage points in El Cerrito with the proposed project. Both views are from locations east of the project, facing west toward San Francisco Bay: View 1 is from Donal Avenue and Lawrence Street; and View 2 is from Potrero Avenue and Douglas Drive. As shown in the photo simulation, the project would change these views by adding a new building in the existing developed context of El Cerrito but would not obstruct views of the key elements identified in the San Pablo Avenue Specific Plan. In View 1, the roof of the proposed building would be of the same approximate height as other buildings in the vicinity and would blend in with utility poles, trees, the elevated BART tracks, and other surrounding buildings. In View 2, the proposed building would be viewed within the context of surrounding development and would similarly blend in with other buildings and structures. Views of San Francisco Bay, the San Francisco skyline, Mount Tamalpais, and the Golden Gate Bridge would not be obstructed from either vantage point. In addition, the proposed project would be less than 200 feet in length, which would help to preserve intermittent views, consistent with SPASP regulations. Therefore, the project’s impact on views would be less than significant.

The SPASP EIR also found that potentially significant impacts could result from the introduction of new light and glare in the plan area (Impact 4-2), but it concluded that implementation of Mitigation Measure 4-2, which requires the installation of nonreflective building materials and windows, would reduce potential glare impacts of individual development projects to a less than significant level. The project would implement Mitigation Measure 4-2 and would not cause any new light and glare impacts.
PROPOSED CONDITION VIEW 1 - DONAL AVE. AND LAWRENCE ST.

PROPOSED CONDITION VIEW 2 - POTRERO AVE. AND DOUGLAS DR.

Source: Dahlin, 2018
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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures, beyond implementation of SPASP EIR Mitigation Measure 4-2, are required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The applicant is seeking Tier IV Design Review to allow a height exception for a 65-foot tall building. The project would incorporate SPASP design standards and elements of visual interest and would be consistent with policies related to visual character and design. The project would not obstruct views of San Francisco Bay, the San Francisco skyline, Mount Tamalpais, and the Golden Gate Bridge from locations east of the project site. The project’s impact on views would be less than significant. In addition, the project would not result in a substantial increase in light and glare. As such, the SPASP EIR adequately evaluated the potential aesthetic impacts related to the project, and there would be no new impact on visual and aesthetic resources.
3.0 ENVIRONMENTAL CHECKLIST

| AGRICULTURE 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. Would the project: |
|---|---|---|---|---|
| | Potentially Significant Impact | Less Than Significant Impact with Mitigation | Less Than Significant Impact | No New Impact |
| II | | | | |
| 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 nonagricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use? | ☐ | ☐ | ☐ | ☒ |
| d) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code Section 51104(g))? | ☐ | ☐ | ☐ | ☒ |
| e) Result in the loss of forestland or conversion of forestland to non-forest use? | ☐ | ☐ | ☐ | ☒ |

DISCUSSION

The project site is a developed, urban parcel without any agricultural or forestry resources. The SPASP area is predominantly urbanized and is classified as Urban and Built-Up Land by the California Department of Conservation (2016). El Cerrito and the SPASP area do not contain any land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project would not be located on land that is currently under a Williamson Act contract (California Department of Conservation 2013). The project site is not currently used for any type of agricultural or forestry use and is not zoned for agricultural or forestry use. The project site does not meet the definition of forestland in Public Resources Code Section 12220(g) due to its location in an intensely developed area, which would preclude the management of any forestry resources. Therefore, the project would not result in a significant impact on agriculture or forestry resources.
III 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. Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that 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>

DISCUSSION

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment 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 SPASP EIR stated that the San Francisco Bay Area Air Basin (SFBAAB) was nonattainment for ozone, fine particulate matter (PM$_{2.5}$), and coarse particulate matter (PM$_{10}$). Air quality and compliance with federal and state standards for the SFBAAB fall under the regulatory authority of the Bay Area Air Quality Management District (BAAQMD). There have been no changes in attainment status for the air basin since certification of the SPASP EIR.

The BAAQMD guidelines were used for the analysis in the SPASP EIR to determine whether the Specific Plan would conflict with or obstruct implementation of an applicable air quality plan. When the SPASP EIR was prepared, the 2010 Bay Area Clean Air Plan was the applicable plan. The plan laid out a comprehensive strategy to reduce emissions of ozone precursors, particulate matter (PM), greenhouse gases, and toxic air contaminants (TAC). The plan included 18 Stationary Source Measures (SSMs), 10 Mobile Source Measures (MSMs), 17 Transportation Control Measures (TCMs), 6 Land Use and Local Impact Measures (LUMs), and 4 Energy and Climate Measures (ECMs). The SPASP EIR concluded that vehicle miles traveled (VMT) would increase at a lower rate under the SPASP than population or service population growth, resulting in a less than significant impact related to consistency with the then-applicable clean air plan.

The BAAQMD’s current clean air plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017 (BAAQMD 2017a). As described in the 2017 plan, all of the 2010 TCMs were carried forward into the 2017 Clean Air Plan, although the measure descriptions and numbering were updated. In addition, 8 of the 10 MSMs, all 6 LUMs, and all 4 ECMS were carried forward into the 2017 plan. The MSMs primarily address vehicles and their components as they relate to emissions and are not directly applicable to the project. The SSMs are not applicable to the project.
The project’s population and housing units are within the scope of development anticipated by the SPASP EIR, as described in Section XIII, Population and Housing. The project would not result in new or more significant population growth impacts (and the associated VMT growth) than were analyzed and described in the SPASP EIR. In addition, the project site is designated Transit-Oriented Mid-Intensity Mixed Use (TOMIMU) in the City’s General Plan. Residential and mixed-use residential/commercial developments in transit-oriented areas typically have reduced VMT per capita compared to other areas of the region.

Consistency with the Clean Air Plan is determined by examining whether the project would result in significant and unavoidable air quality impacts or hinder implementation of control measures (e.g., preclude the extension of a transit lane or bicycle path). As discussed above, project implementation would not increase population, vehicle trips, or VMT beyond that analyzed and described in the SPASP EIR. Therefore, the project would support the goals of the 2017 Clean Air Plan and would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment. The project’s impact related to conflict with an air quality plan would remain less than significant, as identified in the SPASP EIR.

Short-Term Construction Emissions

The SPASP EIR identified that construction activities associated with implementation of the Specific Plan would result in short-term emissions from construction activities such as 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 EIR identified Mitigation Measure 5-1 to reduce construction impacts to a less than significant level. Mitigation Measure 5-1 requires that the BAAQMD-recommended basic mitigation measures be implemented to control PM emissions during construction and BAAQMD-recommended additional measures to reduce diesel particulate matter (DPM), PM$_{2.5}$, and other construction emissions to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced. Table 3-1 in the BAAQMD (2017b) CEQA Air Quality Guidelines lists project screening sizes for different land uses. A mid-rise apartment project of fewer than 240 dwelling units would have construction-related emissions of reactive organic gases (ROG) that would be less than significant, providing that project construction does not involve demolition or extensive soil import or export.

The project size of 173 dwelling units would be below the BAAQMD screening criteria. However, project construction would require demolition of existing buildings, as well as substantial removal of material from the project during excavation for subgrade parking. Therefore, project construction emissions were estimated using California Emissions Estimator Model (CalEEMod) version 2016.3.2. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions and/or user-defined inputs. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User’s Guide, Appendices A, D, and E (CAPCOA 2017). See Appendix AQ for the project model output files and site/project-specific assumptions used in the model.

Estimated maximum daily construction-related emissions for the project are summarized in Table 3.3-1. Construction details were not available at the time of this analysis. Therefore, the CalEEMod default construction schedule was used with an extra 23 working days added to account for removal of existing concrete and asphalt and for excavation of the subgrade parking area.
Construction is estimated to commence in the summer of 2020 and be complete in approximately 18 months. Architectural coating activities are assumed to occur throughout the last half of the building construction period, as components are completed. Construction would require the export of approximately 20,850 cubic yards of material. Implementation of SPASP EIR Mitigation Measure 5-1 is assumed in the emissions estimates presented in Table 3.3-1. In addition, as discussed below in the analysis of toxic air contaminants, a project-specific condition of approval would require the use of Tier 4 engines or diesel particulate filters on all off-road diesel construction equipment with more than 50 horsepower. This condition of approval would reduce emissions of criteria air pollutants, and the emissions estimated presented in Table 3.3-1 account for these reductions.

### Table 3.3-1
**CONSTRUCTION-RELATED EMISSIONS**

<table>
<thead>
<tr>
<th>Construction Activities</th>
<th>Criteria Pollutant and Precursor Emissions (pounds per day)</th>
<th>ROG</th>
<th>NOx</th>
<th>Exhaust PM&lt;sub&gt;10&lt;/sub&gt;</th>
<th>Exhaust PM&lt;sub&gt;2.5&lt;/sub&gt;</th>
<th>Fugitive Dust PM&lt;sub&gt;10&lt;/sub&gt;</th>
<th>Fugitive Dust PM&lt;sub&gt;2.5&lt;/sub&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019 maximum daily emissions</td>
<td></td>
<td>1.3</td>
<td>39.6</td>
<td>0.2</td>
<td>0.2</td>
<td>2.8</td>
<td>1.4</td>
</tr>
<tr>
<td>2020 maximum daily emissions</td>
<td></td>
<td>21.6</td>
<td>4.3</td>
<td>&lt;0.1</td>
<td>&lt;0.1</td>
<td>1.6</td>
<td>0.4</td>
</tr>
<tr>
<td>Maximum Daily Emissions of All Years of Construction</td>
<td></td>
<td>21.6</td>
<td>39.6</td>
<td>0.2</td>
<td>0.2</td>
<td>2.8</td>
<td>1.4</td>
</tr>
<tr>
<td>BAAQMD Potentially Significant Impact Threshold</td>
<td></td>
<td>54</td>
<td>54</td>
<td>82</td>
<td>54</td>
<td>Basic Construction Mitigation Measures</td>
<td>Basic Construction Mitigation Measures</td>
</tr>
<tr>
<td>Exceed BAAQMD Threshold?</td>
<td></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Source: CalEEMod version 2016.3.2. See Appendix AQ for emission model outputs.

Notes:

a. Project construction activities are assumed to occur over an 18-month period.

b. Emissions estimates account for the quantifiable components of the SPASP EIR Mitigation Measure 5-1, specifically watering unpaved portions of the construction site twice daily, limiting off-road equipment to speeds of 15 mph, and removing dirt track-out on adjacent public roads with a wet power vacuum once daily.

c. Emissions account for the project-specific condition of approval requiring Tier 4 engines or diesel particulate filters.

As shown in Table 3.3-1, with implementation of SPASP EIR Mitigation Measure 5-1 and the project-specific condition of approval contained below, the proposed project would not exceed the BAAQMD thresholds for construction emissions. Therefore, the project would not result in any new or more significant construction-related air quality impacts due to criteria air pollutants than were evaluated in the SPASP EIR. The impact on short-term construction emissions would remain less than significant with mitigation, as identified in the SPASP EIR.

**Long-Term Operational Emissions**

The SPASP EIR evaluated operational emissions and concluded that the SPASP would not cause significant increases in VMT compared to service population growth and would not interfere with Clean Air Plan control measures. Therefore, impacts would be less than significant in accordance with the BAAQMD significance criteria for plan-level analysis of criteria pollutants and precursors. The proposed project would result in long-term operational emissions of criteria air pollutants and ozone precursors (i.e., ROG and NOx). Project-generated increases in emissions would be
3.0 ENVIRONMENTAL CHECKLIST

predominantly associated with motor vehicle use, energy required for residential building operations, energy used due to water consumption, energy used in solid waste collection and disposal, and area sources such as hearths and use of landscaping equipment. Per Table 3-1 in the BAAQMD CEQA Air Quality Guidelines, a mid-rise apartment project of fewer than 494 dwelling units would have operational-related emissions of criteria air pollutants and ozone precursors that would be less than significant. Therefore, the project (with 173 dwelling units) would contribute to, but would not exceed, operational emissions impacts identified in the SPASP EIR. The impact on long-term operational emissions would remain less than significant, as identified in the SPASP EIR.

Carbon Monoxide Hot Spots

Recognizing the relatively low carbon monoxide (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 does not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. As identified in the SPASP EIR, peak-hour traffic volumes attributed to implementation of the Specific Plan would be far below this threshold. Since intersections affected by the project would have volumes lower than the threshold of 44,000 vehicles per hour, the impact of the proposed project related to localized CO concentrations would therefore be less than significant.

Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others because of the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Recreational land uses are considered moderately sensitive to air pollution.

The closest existing sensitive receptors are multifamily residences adjacent to the project site to the south and across the BART tracks to the east, and a senior assisted living facility across San Pablo Avenue to the west. The closest school is St. John the Baptist School, approximately 650 feet to the north. For project specific sensitive receptor impacts related to short-term construction air quality, long-term operational air quality and odor, please refer to the sections below. Short-Term Construction Toxic Air Contaminants and PM2.5

The SPASP EIR concluded that construction activities could result in short-term emissions of DPM, which is a toxic air contaminant. DPM emissions would be generated with the use of off-road diesel equipment required for demolition, excavation, paving, and other construction activities. Although the use of diesel-powered construction equipment would be temporary and episodic, the SPASP EIR concluded this would be a potentially significant impact. The SPASP EIR identified Mitigation Measure 5-2 to reduce potential impacts associated with TAC exposure. Mitigation Measure 5-2 requires individual projects to undergo an individual assessment for construction health risks, either through screening or refined modeling. A health risk screening was completed for the project to analyze the potential impacts on the closest sensitive receptors to the project site from the project’s estimated construction emissions using the CARB Hotspots Analysis and Reporting Program, Air Dispersion Modeling and Risk Tool (ADMRT) version 18159, following the Office of Environmental Health Hazard Assessment (2015) Air Toxics Hot Spots Program – Risk Assessment Guidelines. The ADMRT incorporates air dispersion modeling from specified pollutant sources using the US Environmental Protection Agency’s (EPA) AERMOD Gaussian model,
calculation of local concentrations, and evaluation of the resulting health risks for specified sensitive receptors. The ADMRT output files, model inputs, and assumptions are included in Appendix AQ. Inputs to the screening model included CARB meteorological data from the Oakland International Airport station, terrain data from the CARB Richmond 30-meter digital elevation model file, and the project’s estimated construction maximum daily and total emissions of exhaust PM$_{10}$ from CalEEMod. DPM comprises a complex mixture of particles, 90 percent of which are less than 1 micron in size. The health risk screening conservatively assumes that 100 percent of the construction exhaust PM$_{10}$ generated on the project site is DPM. The heaviest use of diesel construction equipment would occur during the demolition, site preparation, and grading phases of construction, lasting a total of approximately 2 months. The use of diesel equipment during building construction would be highest while the building foundations and shells are constructed, then would diminish during interior and exterior finish work. To be conservative, an exposure duration of 1 year was used in the health risk screening.

The BAAQMD CEQA Air Quality Guidelines recommend thresholds for assessing community health risks for individual projects of a maximum increased excess cancer risk of 10 in one million, and a maximum chronic health risk index of 1.0. For the closest sensitive receptors to the project site (multifamily residences adjacent to the project to the south and across the BART tracks to the east, and a senior assisted living facility across San Pablo Avenue to the west), the health risk screening estimated the maximum increased excess cancer risk from project-generated construction DPM would be 70 in 1 million and the maximum chronic health index would be 0.079. To reduce the impact on community health risks resulting from project construction TAC emissions, the project applicant would be required to implement the following project-specific condition of approval:

**Project-specific condition of approval:** During construction activities, the project applicant and/or its contractor shall ensure that all diesel-powered off-road construction equipment with more than 50 horsepower is EPA Tier 4 certified or retrofitted with a CARB-verified level 3 diesel particulate filter. Prior to issuance of a grading permit, the City shall ensure that grading plan notes include this requirement. The City shall monitor compliance by requiring the applicant’s contractor to provide written verification during construction.

Diesel particulate filters required for EPA-certified Tier 4 engines reduce DPM emissions by a minimum of 85 percent compared to non-certified engines. Diesel particulate filters can also be retrofitted to older engines. CARB-verified level 3 diesel particulate filters would also reduce DPM emissions by a minimum of 85 percent. With implementation of this condition of approval, the maximum increased excess cancer risk for nearby sensitive receptors from project-generated construction DPM would be 1.9 in 1 million and the maximum chronic health index would be 0.022. Therefore, the impact on community health risks from localized concentrations of construction-generated DPM would be less than significant.

The BAAQMD has also determined that localized concentrations of PM$_{2.5}$ could pose a health risk. CARB has not designated PM$_{2.5}$ as a toxic air contaminant, and cancer or health risk exposure levels have not been established. The BAAQMD has recommended thresholds for a maximum increase in PM$_{2.5}$ concentration resulting from a project of 0.3 micrograms per cubic meter annual average. Using the maximum daily and total on-site project construction PM$_{2.5}$ emissions (including both exhaust and fugitive dust sources), the health risk screening estimated that the maximum increased annual average concentrations of PM$_{2.5}$ at the closest sensitive receptors would be 0.032 micrograms per cubic meter. Therefore, the impact on community health risks from localized concentration of PM$_{2.5}$ would be less than significant.
3.0 ENVIRONMENTAL CHECKLIST

Long-Term Operational Toxic Air Contaminants

The project would not site any new stationary TAC sources. However, it would result in sensitive receptors (residential uses) within 75 feet of San Pablo Avenue. Vehicle traffic on San Pablo Avenue is an existing source of TAC emissions. In the decision for the case of California Building Industry Association (CBIA) v. BAAQMD, December 17, 2015, the California Supreme Court unanimously concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Therefore, the impact of existing sources of toxic air contaminants on future residents of the project is not a CEQA consideration. Moreover, CBIA established that CEQA cannot be used to require mitigation for the impact of existing TAC conditions on future project residents. However, this does not preclude the City from requiring, as a condition of approval for the project, a site-specific TAC analysis for potential impacts on future project residents, as well as the implementation of any mitigation identified in such an analysis.

Nonetheless, for long-term operations, the SPASP EIR, which was certified prior to the CBIA decision, concluded that if projects with sensitive receptors under the Specific Plan are located within the overlay distances listed in Table 5-7 in the EIR, this would represent a potentially significant impact. Under the SPASP EIR, because residential areas of the project would be located with 75 feet of San Pablo Avenue, Mitigation Measure 5-3 requires a site-specific analysis to determine the level of TAC and PM$_{2.5}$ exposure.

Peak-hour traffic volume on San Pablo Avenue (State Route 123) in the project vicinity is in excess of 3,400 vehicles per hour, and average annual daily traffic is in excess of 44,000 vehicles per day (Caltrans 2016). According to the transportation impact analysis prepared for the project (Fehr & Peers 2018), the project would add a net 38 peak-hour trips to the project area, consisting primarily of cars and light trucks, which would be a negligible contribution to traffic-generated TACs. Moreover, the project would not involve activities that would include a substantial number of heavy diesel trucks, which are the primary existing source of DPM in the project vicinity. Therefore, the project would not substantially contribute to or exacerbate traffic-generated TAC emissions on San Pablo Avenue compared to existing conditions.

Odors

The SPASP EIR identified that the Specific Plan 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. The SPASP EIR identified Mitigation Measure 5-4 to ensure potential land use compatibility impacts due to odors would be appropriately identified and mitigated. Consistent with SPASP policies and Mitigation Measure 5-4, the project would be in an area surrounded by commercial uses and would not be in an area where substantial odors (such as those associated with industrial, manufacturing, processing, or treatment uses) are generated. The project would result in a less than significant impact.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures, beyond implementation of SPASP EIR Mitigation Measure 5-1, are required.
CONCLUSION

The project is within the scope of development analyzed in the SPASP EIR. The project would be required to implement SPASP EIR Mitigation Measure 5-1. A construction health risk screening analysis was prepared in conformance with SPASP EIR Mitigation Measure 5-2, and with implementation of the project-specific condition of approval described above, no significant impact was identified. As such, the SPASP EIR adequately evaluated the potential air quality impacts of the project, and there would be no new or more severe impacts associated with air quality than previously identified in the SPASP EIR.
3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>IV BIOLOGICAL RESOURCES. Would the project:</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 Wildlife or US Fish and Wildlife Service?</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, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</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 wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?</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>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</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>
</tr>
</tbody>
</table>

DISCUSSION

The project site is in a highly urbanized area in El Cerrito. The site is currently developed with a commercial building and parking lot. The project would result in the removal of ten existing trees and other vegetation on the project site. An arborist report for the project was prepared (O’Dell Engineering 2017) and is included as Appendix BIO. According to the arborist report, the existing trees are between 10 and 20 feet tall and are located in the parking lot, along the property line, or adjacent to the existing retail building.

The SPASP EIR found that implementation of the Specific Plan would largely result in minimal impacts to biological resources because the Specific Plan area is a highly developed urban area with approximately 90 percent of the land developed, recently disturbed, or ruderal (El Cerrito 2014b). The SPASP EIR 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 the US Fish and Wildlife Service, the plan area does not contain any federally protected wetlands, and no habitat conservation
plan or natural community conservation plan is applicable to the Specific Plan area (El Cerrito 2014b). No creeks, wetlands, or riparian habitats are near or adjacent to the project site; therefore, the project would not result in any significant impacts on these habitats.

With regard to potential interference with the movement of native resident or migratory fish or wildlife species, there are no fish habitats in the vicinity of the site. However, 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 US Fish and Wildlife Service provisions protecting migratory and nesting birds. The SPASP EIR identified Mitigation Measure 6-1 to minimize potentially significant impacts associated with tree removal on nesting birds to less than significant levels. Tree removal would comply with all City requirements and SPASP Mitigation Measure 6-1 to minimize impacts on biological resources during removal.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures, beyond implementation of SPASP EIR Mitigation Measure 6-1, are required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. Tree removal activities would be conducted in conformance with SPASP EIR Mitigation Measure 6-1. As such, the SPASP EIR adequately evaluated the potential biological impacts of the project, and there would be no new impact on biological resources.
### 3.0 ENVIRONMENTAL CHECKLIST

#### V CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 Section 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 Section 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 geological 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>

### DISCUSSION

#### Historic Resources

The SPASP EIR identified properties or features in the Specific Plan area that may be eligible for listing in a local, state, or federal register of historic resources. The EIR identified Mitigation Measure 7-1 to be applied to any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 45 years or older). Mitigation Measure 7-1 requires the resource to be evaluated by City staff and, if warranted, assessed by a qualified professional on the California Historical Resources Information System list of consultants who meet the Secretary of the Interior’s Professional Qualifications Standards to determine whether the property is a significant historical resource and whether the project may have a potentially significant adverse effect on the historical resource.

In compliance with SPASP EIR Mitigation Measure 7-1, the project site was evaluated for cultural resources in a preliminary review memorandum (LSA 2017; Appendix CUL). The preliminary review consisted of background research (including a records search, a literature and map/photograph review, and a focused archival review) and a field survey by an architectural historian. As noted in the review, the site is developed with a sporting goods retail store that is less than 50 years old, was developed by an architect and a builder who were identified as unimportant creative individuals and is not considered a historic resource or of importance. For these reasons, further research was not recommended. The project would have no new impact on historic resources (LSA 2017).

#### Archaeological and Paleontological Resources

The SPASP EIR concluded that the potential impact of development in the Specific Plan area on cultural resources, including archaeological and paleontological resources and human remains, would be less than significant with implementation of appropriate mitigation measures (El Cerrito 2014b). 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. The EIR identified Mitigation Measures 7-2 and 7-3, which would
reduce the potential impacts on known or undisclosed cultural resources to less than significant levels.

The SPASP area of El Cerrito has been identified as sensitive for buried prehistoric cultural resources (Koenig 2013). Since there is elevated prehistoric archaeological sensitivity and the potential exists for previously unknown archaeological resources, paleontological resources, and human remains to be encountered during ground-disturbing activities at the project site, SPASP EIR Mitigation Measures 7-2 and 7-3 are required. These measures specify compliance with existing codes and regulations applicable to the accidental discovery of archaeological and paleontological resources and human remains during construction activities. As such, with implementation of previously identified mitigation measures, the project would have no new impact on cultural resources.

**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 EIR was certified leading to new or more severe significant impacts. The project has fulfilled SPASP Mitigation Measure 7-1 through preparation of a cultural resources report, which determined the project would not have a significant adverse impact on a historic resource (LSA 2017). No new mitigation measures, beyond implementation of SPASP EIR Mitigation Measures 7-2 and 7-3, would be required.

**CONCLUSION**

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. Ground-disturbing activities would be conducted in conformance with SPASP EIR Mitigation Measures 7-2 and 7-3. As such, the SPASP EIR adequately evaluated the potential cultural resource impacts of the project, and there would be no new impact on cultural resources.
VI GEOLGY AND SOILS. Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving:
  - 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. ☒
  - Strong seismic ground shaking? ☐
  - Seismic-related ground failure, including liquefaction? ☐
  - Landslides? ☒

- Result in substantial soil erosion or the loss of topsoil? ☒

- 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? ☒

- 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? ☒

- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ☒

DISCUSSION

The discussion of potential geology and soils impacts associated with the project is based on the geotechnical investigation prepared for the project (Friar Associates 2018), included as Appendix GEO. The report examines potential impacts resulting from site clearing, constructing an underground parking garage, grading, tree removal, installing stormwater drainage facilities, landscaping, and associated project improvements. Key information from the report is summarized below.

Seismic Conditions

The closest active earthquake faults are the Hayward (total length), Concord-Green Valley, and Calaveras (north of Calaveras Reservoir) faults. The Hayward fault is approximately 0.62 miles northeast of the project site, and of the three, is the closest. Based on US Geological Survey (2014) research, the San Francisco Bay Area will likely experience an earthquake magnitude of 6.74 or greater by 2045. As a result, the project site would be subjected to severe ground shaking from earthquakes generated by the Calaveras and Hayward faults, as well as any other active Bay
Area faults. Risk of damage to the project site from fault rupturing, landsliding, compaction, liquefaction, and lateral spreading is relatively low (Friar Associates 2018).

The SPASP EIR 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 Specific Plan area is not in an Earthquake Fault Hazard Zone, the likelihood of surface fault rupture is minimal (El Cerrito 2014b). In addition, the SPASP EIR found that slope instability hazards are minimal due to the absence of appreciable slopes in the SPASP area.

The Specific Plan area is susceptible to ground shaking from the Hayward fault or one of the other active faults in the region. However, the SPASP EIR determined that impacts related to ground shaking would be less than significant with compliance with the latest California Building Standards Code. The project would be designed and constructed in accordance with these requirements. In compliance with SPASP EIR Mitigation Measure 8–1, the project applicant has prepared a geotechnical report for the project site (Friar Associates 2018; Appendix GEO). The project would implement project design features and actions discussed in the geotechnical report to reduce these impacts to a less than significant level.

**Geology and Soils**

The project site is developed and gently slopes toward the west, with vegetation along the southwest property line. The subsurface soil consists of man-made fill, clay, silt, sand, and gravel. The man-made fill consists of asphalt concrete and aggregate base material with a cap that is underlain by alluvial deposits. The near-surface soil below the fill consists of dark brown silty clay of moderate to high plasticity and is underlain by light yellowish-brown to tan lean sandy clay. Groundwater was encountered at depths between 7 and 14 feet below the ground surface.

The principal geotechnical conditions that would impact the proposed development are the shallow groundwater and the near-surface clayey soil. The proposed development would involve excavations to make room for the planned below-grade parking and basement. Near-surface clayey soils are moderately to highly expansive. The cycle of contraction and expansion in the soil tends to have detrimental effects on foundation elements, particularly on concrete slabs-on-grade.

Foundation design and flatwork at or near the existing ground surface require special design consideration; however, this consideration generally does not apply to the foundations of larger structures such as the proposed project because of the relatively deep foundation. Surficial clays can be managed if sitework is properly designed and constructed. Damage to surface improvements from expansive soils may be mitigated by engineering foundations and flatwork with the installation and continued maintenance of landscaping and proper drainage. The foundation system for the project recommended in the geotechnical report is a deep stiffened raft, which would not be affected by expansive soil.

The SPASP EIR concluded that grading and construction activities in 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 outlined in the geotechnical report would reduce the potential impact to a less than significant level.

As discussed above, near-surface soils are weak and expansive. However, the project would incorporate appropriate building design and engineering standards, as provided in Appendix GEO. The project would also comply with California Building Standards Code construction and
3.0 ENVIRONMENTAL CHECKLIST

design standards for seismic safety, demolition, excavation, foundations, erosion control, and associated activities.

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 project or in the Specific Plan area.

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 EIR was certified leading to new or more severe significant impacts. In compliance with SPASP EIR Mitigation Measure 8-1, the project applicant has prepared a geotechnical report (see Appendix GEO). No new mitigation measures would be required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The project would be required to comply with the California Building Standards Code and City-required erosion control techniques. As such, the SPASP EIR adequately evaluated the potential geology and soil impacts of the project, and there would be no new impact associated with geology and soils.
VI.

GREENHOUSE GASES. Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>

The project site is in the San Francisco Bay Area Air Basin. Air quality and compliance with state greenhouse gas (GHG) and climate change goals and policies for the SFBAAB fall under the regulatory authority of the Bay Area Air Quality Management District. GHG science, standards, and regulatory framework were described in Section 9, Greenhouse Gas Emissions and Global Climate Change, of the SPASP EIR.

GHG emissions in this discussion are presented in carbon dioxide equivalents (CO$_2$e), which weigh each gas by its global warming potential. Expressing GHG emissions in CO$_2$e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO$_2$ were being emitted.

DISCUSSION

GHG Emissions

The BAAQMD CEQA Air Quality Guidelines contain a methodology and thresholds of significance for evaluating GHG emissions. BAAQMD thresholds were developed based on substantial evidence that such thresholds represent quantitative levels of GHG emissions, compliance with which means that the environmental impact of the GHG emissions would normally not be cumulatively considerable under CEQA (BAAQMD 2017b).

The BAAQMD recommends that lead agencies determine appropriate air quality thresholds to use for each project they review based on substantial evidence that the agencies should include in the administrative record for the project. The BAAQMD provides the CEQA Thresholds Options and Justification Report developed by staff in 2009 as a reference for lead agencies when determining appropriate thresholds.

Construction GHG Emissions

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. The lead agency is encouraged to incorporate best management practices to reduce GHG emissions during construction, as applicable. Best management practices may include, but are not limited to, using alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet, using local building materials of at least 10 percent, and recycling or reusing at least 50 percent of construction waste or demolition materials (BAAQMD 2017b).

The project construction emissions were estimated using California Emissions Estimator Model version 2016.3.2. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths,
3.0 ENVIRONMENTAL CHECKLIST

meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions and/or user-defined inputs. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User’s Guide, Appendices A, D, and E (CAPCOA 2017). See Appendix AQ for the project model output files and site/project-specific assumptions used in the model.

Estimated maximum daily construction-related emissions for the project are summarized in Table 3.7-1. Construction details were not available at the time of this analysis. Therefore, the CalEEMod default construction schedule was used with an extra 23 working days added to account for removal of existing concrete and asphalt and for excavation of the subgrade parking structure. Construction is estimated to commence in the summer of 2019 and be complete in approximately 18 months. Architectural coating activities are assumed to occur throughout the last half of the building construction period, as components are completed. Construction would require the export of approximately 20,850 cubic yards of material. Implementation of SPASP EIR Mitigation Measure 5-1 and the project-specific condition of approval requiring the use of Tier 4 engines or diesel particulate filters on all off-road diesel construction equipment with more than 50 horsepower (see Section III, Air Quality, of this document) is assumed in the emissions estimates presented in Table 3.7-1.

### TABLE 3.7-1

CONSTRUCTION-RELATED GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Construction Year</th>
<th>CO₂e (Metric Tons per Year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>309.7</td>
</tr>
<tr>
<td>2020</td>
<td>162.4</td>
</tr>
<tr>
<td>Total</td>
<td>472.1</td>
</tr>
</tbody>
</table>

| 472.1 metric tons/30 years | 15.7 |

Source: CalEEMod version 2016.3.2. See Appendix AQ for emission model outputs.

Notes: Project construction activities are assumed to occur over an 18-month period. Emissions account for the implementation of the SPASP EIR Mitigation Measure 5-1, and the project-specific condition of approval described in Section III, Air Quality.

Operational GHG Emissions

For plan-level operational emissions, the BAAQMD recommends applying a specific plan-level GHG efficiency threshold of 6.6 metric tons (MT) CO₂e per year per service population. The SPASP EIR compared plan-level GHG emissions to the more conservative BAAQMD project-level efficiency threshold of 4.6 MTCO₂e per year per service population.

In the SPASP EIR, operational GHG emissions in 2040 were estimated for both traffic scenarios—Without Mode Shift and With Mode Shift—using CalEEMod version 2013.2.2. The SPASP EIR found that 2040 full development capacity associated with development under the Specific Plan would have emissions of 3.9 and 3.7 MTCO₂e per year per service population under the Without Mode Shift and With Mode Shift cases, respectively, neither of which would exceed the BAAQMD threshold of 4.6 MTCO₂e per year per service population. Therefore, the SPASP EIR concluded this impact would be less than significant.

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Initial Study
November 2018
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The current BAAQMD service population efficiency GHG threshold of 4.6 MTCO₂e per year per service population was developed to achieve the requirements of Assembly Bill (AB) 32 to reduce GHG emissions to 1990 levels by the year 2020. Senate Bill (SB) 32 requires that California, by the year 2030, reduce its statewide GHG emissions such that they are 40 percent below those that occurred in 1990. Accordingly, a service population efficiency threshold of 2.8 MTCO₂e per service population per year that is 40 percent lower than the current BAAQMD threshold would achieve the state GHG emission targets for 2030. This estimated threshold is a surrogate threshold while the BAAQMD develops thresholds to achieve the GHG reduction targets of SB 32. Service population is defined as project residents plus project employees. Using the CalEEMod default population factor of 2.86 people per dwelling unit for mid-rise apartments in Contra Costa County (CAPCOA 2017), the project’s residential population is estimated to be 495, and assuming 3 employees for the apartments, the total service population would be 498.

The project’s GHG emissions and the GHG emissions from the existing use of the project site were estimated using CalEEMod version 2016.3.2. The project’s GHG emissions estimates assume emissions reductions per BAAQMD Regulation 6, Rule 3 (no wood-burning devices shall be installed in new building construction). Daily trip rates for the project’s operational-related vehicle trips used in the model were based on the estimate of 43 PM peak-hour trips for the existing land use and 81 PM peak-hour trips for the project from the transportation impact analysis (Fehr & Peers 2018). The PM peak-hour trips were converted to average annual daily trips (AADT) using a K factor (percentage of AADT which are peak hour) of 6.77 from Caltrans (2016) data for state routes in western Contra Costa County. The estimated net annual increase in regional GHG emissions resulting from project operation would be the sum of project’s operation emissions plus the amortized construction emissions, minus the emissions from the existing land use. The project’s net increase in GHG emissions is summarized in Table 3.7-2.

<table>
<thead>
<tr>
<th>Emissions Source</th>
<th>Metric Tons CO₂e per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Commercial Land Use</td>
<td>(479.6)</td>
</tr>
<tr>
<td>Project Land Use</td>
<td>1,621.3</td>
</tr>
<tr>
<td>Construction (amortized over 30 years)</td>
<td>15.7</td>
</tr>
<tr>
<td>Net Project Emissions</td>
<td>1,157.4</td>
</tr>
<tr>
<td>Efficiency (GHG 1,157.4/Service Population 498)</td>
<td>2.32</td>
</tr>
</tbody>
</table>

**Annual Threshold Comparison**

<table>
<thead>
<tr>
<th>Exceed Threshold?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

Source: CalEEMod version 2016.3.2 See Appendix AQ for emission model outputs.

Notes: Emissions estimates account for BAAQMD Regulation 6, Rule 3. Emissions account for the implementation of the SPASP EIR Mitigation Measure 5-1, and the project-specific condition of approval described in Section III, Air Quality.

The project’s population and housing units are within the scope of development anticipated by the SPASP EIR, as stated in Section XIII, Population and Housing. The project would not result in new or more significant population growth than that analyzed and described in the SPASP EIR. In addition, the project size is below the threshold of significance for GHG emissions. Therefore, the
project would contribute to, but would not exceed, GHG emissions impacts identified in the SPASP EIR. This impact would be less than significant, as identified in the SPASP EIR.

Consistency with Adopted Plans to Reduce GHG Emissions

The SPASP EIR analyzed this impact and concluded that the Specific Plan would be subject to new requirements under rulemaking developed at the state and local levels regarding GHG emissions. The plan would also be subject to local and General Plan policies, including the El Cerrito Climate Action Plan, that are expected to reduce emissions of GHGs. Therefore, this impact was determined to be less than significant.

As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) developed a Sustainable Community Strategy (SCS) plan as a component of Plan Bay Area 2040 (MTC and ABAG 2017). This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce vehicle miles traveled. The SPASP furthers these goals locally by supporting higher-density, transit-oriented development that results in a mix of housing types, greater employment density, and community-support services to create a vibrant, walkable Priority Development Area supportive of transportation mode shift and economic development.

The El Cerrito Climate Action Plan outlines the most effective actions to reduce locally produced GHG emissions and to create a safer and more sustainable city (El Cerrito 2013). The plan outlines a series of sustainable community strategies, which include encouraging more compact, higher-density infill development to reduce VMT. The Specific Plan supports the goal to create a walkable, bicycle-friendly San Pablo Avenue supported by strong public transportation use, vital commercial activity, a mix of housing types, pedestrian design elements, green infrastructure, and urban green open spaces.

The project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. The project would develop higher-density residential uses on the site, similar to what the SPASP envisioned and in support of land use planning strategies identified in Plan Bay Area 2040 and the El Cerrito Climate Action Plan. Therefore, the project would not conflict with adopted plans to reduce GHG emissions. This impact would remain less than significant, as identified in the SPASP EIR.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

Conclusion

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The project would be required to comply with the 2016 California Green Building Standards Code and the El Cerrito Climate Action Plan. As such, the SPASP EIR adequately evaluated the potential GHG emissions impacts of the project, and there would be no new impact associated with GHG emissions.
VIII HAZARDS AND HAZARDOUS MATERIALS. Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☐</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>
<td>☐</td>
<td>☐</td>
<td>☐</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>
<td>☐</td>
<td>☐</td>
<td>☐</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☐</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION

The SPASP EIR concluded that there were no significant impacts associated with hazards and hazardous materials within the Specific Plan area. The SPASP EIR identified the potential to expose construction workers to existing spilled, leaked, or otherwise discharged hazardous materials or wastes during development project construction, due to the large number of auto-related businesses in the plan area. However, the SPASP EIR determined that compliance with all applicable requirements for site assessment, remediation, removal, and disposal for soil, surface water, and/or groundwater contamination would ensure potential impacts are less than significant. Specifically, compliance with City standards and with Regional Water Quality Control Board (RWQCB) and 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 (El Cerrito 2014b).
3.0 ENVIRONMENTAL CHECKLIST

Site Conditions

A Phase I Environmental Site Assessment (ESA) was prepared for the project. Information in this section summarizes the ESA, prepared by AEI Consultants (2017), which is included as Appendix HAZ.

As described in Chapter 2.0, Project Description, the project site is developed with a single-story, 16,516-square-foot commercial building on an approximately 1.48-acre parcel. The site has street frontage on San Pablo Avenue to the east and is surrounded by commercial and residential development, the BART line, and the Ohlone Greenway. The project site was formerly vacant for 4 years and was later used as part lumber storage yard/part boat storage yard and sales with a commercial building for approximately 30 years. Sanborn maps from 1926 to 1930 depicted unimproved land with part of a fruit stand present in the northwest corner of the property. Aerial photographs from 1950 showed one large and one small lumber storage warehouse, and a small storage shed. Aerial photographs from 1966 to 1968 depicted a single-story store with a trailer sales office and a single-story furniture storage structure. The aerial photos are consistent with the City’s directories and also included a change in tenants to a company that sold paint from 1985 to 1990.

AEI Consultants conducted a site reconnaissance at the project site and vicinity on December 1, 2017. At the time of the reconnaissance, the site was observed with an interior showroom floor, staff area, bathroom, mezzanine storage, and meeting areas on the eastern side of the property. The exterior asphalt parking lot and dumpster enclosure were also observed. Evidence of stressed vegetation or dumping of hazardous materials was not observed. Adjacent properties were occupied by single-family homes, apartment buildings, and various small businesses.

A prior Phase I ESA was prepared by EMG on August 6, 2003, for the existing commercial building currently operating as Big 5 Sporting Goods. During EMG’s site visit, random samples of accessible suspect asbestos-containing materials (ACMs) were collected. All samples were in good condition, but the floor tile was tested positive for 5 percent chrysotile. Based on these findings, the following project-specific condition of approval is required:

**Project-Specific Condition of Approval:** Prior to demolition or renovation activities that may disturb ACMs, the project applicant shall submit a thorough asbestos survey to be prepared in accordance with the EPA NESHAP 40 CFR Part 61.

The SPASP EIR determined that the residential, commercial, and open space uses planned for the Specific Plan area 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, paint, and solvents, but would be subject to local, state, and federal regulations. The SPASP EIR determined that compliance with these standard regulations would ensure that potential impacts would be less than significant.

As described above, the project applicant has investigated recognized environmental concerns (see Appendix HAZ) and identified measures that the project would include to address the potential presence of asbestos. All remediation and construction activities would comply with applicable regulations to ensure potential health and safety impacts are less than significant.

Schools

There are several private and public schools within 1 mile of the project site, including Fairmont Elementary School, Cameron Special Education School, St. John the Baptist School, Balboa...
School, and Korematsu Middle School. The closest school is St. John the Baptist School, approximately 650 feet to the north. Project construction and operation would not result in hazardous emissions or handling of hazardous waste. The project would comply with applicable regulations to ensure that potential health and safety impacts are less than significant and would not result in impacts related to handling hazardous materials near a school.

**Airports and Airstrips**

The project site is approximately 19 miles northwest of the nearest public airport, Oakland International Airport. There are no private airstrips in the vicinity of the plan area. Because the project is not located within the Oakland International Airport Influence Area, no safety hazards would be anticipated (El Cerrito 2014b).

**Emergency Response**

The El Cerrito Fire Department (ECFD) is responsible for the City’s Emergency Operations Center and development of the Emergency Operations Plan in the event of a major disaster affecting El Cerrito and the community of Kensington. The Cities of El Cerrito and Richmond share reciprocal duties for emergency response services. The Richmond Fire Department (RFD) Office of Emergency Services leads the City of Richmond’s comprehensive emergency management, including planning and preparedness for, response and recovery from, and mitigation of natural, man-made, and accidental incidents of high consequence. In addition, both the ECFD and the RFD participate in the Community Emergency Response Team program, which provides training for fire safety, hazardous material and terrorist incidents, disaster medical operations, and search and rescue to enable its citizens to be self-sufficient for up to 72 hours and beyond in the event of a major disaster. The SPASP EIR states that all roadways must be engineered and maintained to support emergency response vehicles and equipment. The project would be developed on an infill site that is currently developed and would not change the street network. It would include emergency access, including through a restricted entrance for emergency vehicles. In addition, traffic generated by the project would be consistent with the SPASP EIR and combined with other currently proposed and planned projects would generate fewer AM and PM peak hour vehicle trips than the total trip generation assumed for the high priority opportunity sites in the EIR (see Section XVI, Transportation/Traffic). As a result, project-generated traffic would not substantially increase response to the site. Therefore, the proposed project would not result in significant impacts to an emergency response plan or emergency evacuation plan.

**Wildfire Hazards**

Areas of Very High Fire Hazard Severity are designated in the El Cerrito General Plan, and a Special Study Map is prepared and maintained by the City’s Building Official (El Cerrito 2014b). Such areas are located near East Bay Regional Park District open space and certain City parks, but the Specific Plan area and the project site are not in the vicinity of a wildfire hazard area. Since the project site is not within or adjacent to a wildland area, the project would not be subject to significant wildland fire risks.

The SPASP EIR concluded that there are no significant impacts associated with hazards and hazardous materials within the Specific Plan area. The EIR identified 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 Specific Plan area. However, the SPASP EIR determined that compliance with all applicable existing city, regional, and state-mandated site assessment, remediation, removal, and disposal
requirements for soil, surface water, and/or groundwater contamination would ensure that potential impacts are less than significant. Specifically, compliance with City of El Cerrito, RWQCB, and DTSC requirements would ensure that health and safety impacts associated with implementation of individual development projects are less than significant.

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 EIR was certified leading to new or more severe significant impacts. With implementation of the project-specific condition of approval described above, no new mitigation measures are required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The project would be required to comply with existing regulations related to hazardous soil or groundwater conditions at the site during ground-disturbing activities. As noted above, the project would include a project-specific condition of approval to address the potential for existing on-site asbestos containing materials. As such, the SPASP EIR adequately evaluated potential impacts related to hazards and hazardous materials, and there would be no new impacts associated with hazards and hazardous materials.
### 3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>IX HYDROLOGY AND WATER QUALITY. Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 sitation 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 that 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 that 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 a 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>

**DISCUSSION**

The applicant has prepared a Stormwater Control Plan, consistent with requirements for all projects in the SPASP area (see Figure 2.0-8 in Chapter 2.0 and the detailed Stormwater Control Plan in Appendix HYD). The city would confirm that this plan conforms to all applicable local and state requirements as part of the development review process.

The project site is currently developed with a single-story, 16,516-square-foot commercial building, with a paved parking lot and some ornamental landscaping. The site’s topography is relatively flat. Sitework for the project would include ramps for the underground parking, minor grading,
3.0 ENVIRONMENTAL CHECKLIST

drainage, pavement, and landscaping. Currently, the majority of the site contains paved concrete and flat slopes.

The SPASP EIR determined that long-term water quality impacts associated with implementation of the Specific Plan could result in contamination of plan area stormwater runoff with petroleum and other contaminants from motor vehicles. However, compliance with State Water Resources Control Board (SWRCB) and jurisdictional City-required post-construction, non-point-source pollution control measures would ensure that such impacts would be less than significant level. In addition, the SPASP EIR determined that compliance with applicable SWRCB and City of El Cerrito water quality protection requirements and conditions would ensure any potential construction period and post-construction water quality impacts would be less than significant.

The project would include 59,223 square feet of impervious surfaces (roof and paving) and 5,223 square feet of pervious surfaces (landscaping and pavers), as shown on Figure 2.0-8, Stormwater Control Plan. The project would result in a net increase of 1,010 square feet of impervious surface compared to the existing development (58,213 square feet) on the site and would be subject to compliance under Provision C.3 of the RWQCB stormwater National Pollutant Discharge Elimination System (NPDES) permit. According to the project’s Stormwater Control Plan, typical low impact development (LID) treatments would not be practical for the site. The project meets Category B Special Project requirements for 100 percent non-LID treatment (Bellecci & Associates 2018) Because typical LID treatments will not be practical in the site area, to adequately treat all run-off, including the net-increase of impervious areas, a new storm drainage system around and inside the building would be installed to collect various roof leaders, site area drains and subdrains. All stormwater runoff collected would run through a vault-based stormfilter unit before being discharged to the city storm drainage system after treatment. A new manhole would be installed to connect the stormfilter unit to the 15-inch storm drainage pipe along the San Pablo Avenue.

The East Bay Municipal Utility District (EBMUD) provides water to El Cerrito. The City does not use local groundwater resources. Therefore, the project would have a less than significant impact on groundwater supplies or recharge rates.

The SPASP EIR identified that portions of the Specific Plan area in Richmond along Central Avenue are in a 100-year flood zone. However, the project site is not in this zone and would therefore not result in any impacts related to flooding. The project site is not located near a dam or levee. There are no rivers or streams near the project area. Furthermore, the SPASP area is not subject to inundation by seiche or mudflow. The southwest portion of the plan area along Central Avenue in Richmond is near a tsunami inundation zone; however, the project site is not near this area.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The project would be required to comply with existing regulations related to stormwater discharge. As such, the SPASP EIR adequately evaluated the hydrology and water quality impacts of the project, and there would be no new impacts associated with hydrology and water quality.
### 3.0 Environmental Checklist

<table>
<thead>
<tr>
<th>X</th>
<th>LAND USE AND PLANNING. Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a) Physically divide an established community?</td>
<td>◯</td>
<td>◯</td>
<td>◯</td>
<td>☒</td>
</tr>
<tr>
<td></td>
<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></td>
<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>

### DISCUSSION

The SPASP EIR concluded that implementation of the Specific Plan would provide for the expansion of housing choices by encouraging compact, transit-accessible, pedestrian-oriented housing and mixed-use (commercial/residential) development in the Specific Plan area, at densities and heights within the limits that were already permitted. Plan implementation was determined not to result in the division of an established community because the area was primarily developed prior to future buildout under the Specific Plan. The SPASP EIR determined that implementation of the Specific Plan 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 existing shopping, service, employment, and public transportation centers; and promoting compact, transit-accessible, pedestrian-oriented, mixed-use development patterns and land uses (El Cerrito 2014b).

The project site is designated TOMIMU (Transit-Oriented Mid-Intensity Mixed Use) in the City’s General Plan and SPASP, and the site is also zoned TOMIMU. The intent of the TOMIMU designation is to provide for a vibrant, walkable, transit-oriented higher-density area within 1 mile of BART that allows a variety of uses, including retail, commercial, residential, and public uses in the downtown and uptown areas. The TOMIMU designation allows for a 55-foot height limit and requires a minimum height of three stories for residential uses. The project applicant is seeking Tier IV Design Review. This process allows exceptions to the Tier II Design Review Standards, requires provision of a public benefit as part of the project, and requires approval from the Planning Commission. The applicant is seeking a height exception through this process to allow for a 69-foot-tall building. The project is otherwise consistent with the type, intensity, and scale of development contemplated by the SPASP in this location.

The project would comply with the development and design standards of the Specific Plan and would be reviewed by the City’s Design Review Board. The project would not deviate from SPASP development standards related to the length of building façades, new shadows, and transparency of ground-floor uses (see detailed project plans in Appendix A). The project would comply with the standards of the TOMIMU designation and would develop the site with residential uses in close proximity to transit as envisioned in the Specific Plan and analyzed in the SPASP EIR.
3.0 ENVIRONMENTAL CHECKLIST

No existing habitat conservation plan or natural community conservation plan applies to the project vicinity, and there would be no impact.

APPLICABLE MITIGATION

No substantial land use 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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The applicant is seeking Tier IV Design Review for a height exception and an exception to the shadow standards for the Ohlone Greenway, but the project would otherwise be generally consistent with the development standards envisioned in the SPASP EIR and required by the El Cerrito General Plan. As such, the SPASP EIR adequately evaluated the potential land use impacts related to the project, and there would be no new impact related to land use and planning.
### XI MINERAL RESOURCES.

Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>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>
</tr>
<tr>
<td>b)</td>
<td>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>
</tr>
</tbody>
</table>

**DISCUSSION**

The project does not involve the loss of an available known resource that would be of value to the region. The El Cerrito General Plan does not identify mineral deposits within the Specific Plan area or in the vicinity (El Cerrito 1999). Therefore, the project would have no new impacts on mineral resources.
3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>XII NOISE. Would the project result in:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 of 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 area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, exposure of 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, exposure of people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

DISCUSSION

The impact analysis in this section is based, in part, on the project’s environmental noise analysis, prepared by J. C. Brennan and Associates (2017), included as Appendix NOI. All noise levels reported in this section are in terms of A-weighted decibel levels (dBA) but may be expressed as dB, unless otherwise noted.

This section compares noise and vibration impacts from the project with impacts identified in the SPASP EIR. The project would include residential uses in a developed area in 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 result from the project. Stationary source noise includes noise generated on-site by the project’s residential uses.

Traffic on San Pablo Avenue, approximately 60 feet west of the project (measured to the roadway centerline), is the primary contributor to the existing ambient background noise. Other components of the existing noise environment include noise from the BART tracks approximately 50 feet to the east of the project site, traffic on I-80 approximately 0.25 miles to the west, and operational noise from the adjacent commercial and residential uses (e.g., parking lot activities, building mechanical equipment, people talking).

The existing ambient noise level in the project vicinity was measured and documented in the project’s environmental noise analysis (J. C. Brennan and Associates 2017; see Appendix NOI). Two continuous 24-hour measurements form the SPASP EIR and one short-term measurement taken by J. C. Brennan and Associates are summarized in Table 3.12-1.
TABLE 3.12-1
EXISTING NOISE MEASUREMENTS

<table>
<thead>
<tr>
<th>Site #</th>
<th>Location</th>
<th>Date</th>
<th>Average Measured Noise Levels, dBA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>L&lt;sub&gt;dn&lt;/sub&gt; (24 hours)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>L&lt;sub&gt;eq&lt;/sub&gt; - Low</td>
</tr>
<tr>
<td>A</td>
<td>60 feet from San Pablo Avenue centerline</td>
<td>March 2014</td>
<td>72</td>
</tr>
<tr>
<td>B</td>
<td>60 feet from the center of the BART tracks</td>
<td>March 2014</td>
<td>74</td>
</tr>
<tr>
<td>1</td>
<td>60 feet from San Pablo Avenue centerline</td>
<td>November 22, 2017, 10:30 am</td>
<td>N/A</td>
</tr>
</tbody>
</table>

|       |                                   |                  | 69.1 | 81.1 |


Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest existing sensitive receptors are multifamily residences adjacent to the project to the south and across the BART tracks to the east, and a senior assisted living facility across San Pablo Avenue to the west. The closest school is Balboa School, approximately 710 feet to the west.

Noise and Land Use Compatibility

The SPASP EIR found that residential land uses facilitated by the Specific Plan would be exposed to exterior noise levels exceeding 60 dB L<sub>dn</sub> from traffic noise and 70 dB L<sub>dn</sub> from BART noise. Future noise levels would exceed El Cerrito’s land use compatibility standards. This impact was identified as potentially significant. City General Plan Policy H3.9 and SPASP EIR Mitigation Measure 13-1 require a project-specific noise impact analysis if proposed residential development would be in an area exceeding an exterior noise level of 60 dBA L<sub>dn</sub>.

In the decision for the case of California Building Industry Association (CBIA) v. BAAQMD, December 17, 2015, the California Supreme Court unanimously concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Therefore, the impact of existing sources of noise on future residents of the project is not a CEQA consideration. Moreover, CBIA established that CEQA cannot be used to require mitigation for the impact of existing noise conditions on future project residents. However, this does not preclude the City from requiring, as a condition of approval for the project, a noise analysis for potential impacts on future project residents and the implementation of any mitigation identified in such an analysis. The levels of long-term noise and

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1 L<sub>dn</sub> (day-night average sound level) is a time of day weighted measure of average community noise.
3.0 ENVIRONMENTAL CHECKLIST

vibration to which the project’s residents would be exposed was analyzed in the environmental noise analysis (J. C. Brennan and Associates 2017) and is summarized below.

BART Noise Levels

Noise level measurements conducted for the BART operations in the SPASP EIR indicated that the L_{dn} due to BART operations was 74 dBA L_{dn} at a distance of 60 feet. Based on the location of the project site, the predicted noise level due to BART operations at the project site is 75 dB L_{dn}.

The project includes common outdoor activity areas on the roof (referred to as roof terraces). Based on the project design, there would be a 6-foot-tall parapet around the outdoor areas, which would reduce overall noise levels by a minimum of 6 dBA. Therefore, the common areas would comply with the exterior noise level standard of 70 dB L_{dn}, as contained in the SPASP EIR mitigation measures.

BART Vibration Levels

Based on the SPASP EIR, vibration levels due to BART operations are below the 72 VdB Federal Transit Administration (FTA) guidelines and are not considered to be a significant source of vibration.

San Pablo Avenue Noise Levels

Based on the proposed setback distance to the project buildings, traffic noise levels are summarized in Table 3.12-2.

<table>
<thead>
<tr>
<th>Location</th>
<th>Distance to San Pablo Ave Centerline</th>
<th>Predicted Traffic Noise Level, L_{dn}</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Building Façade</td>
<td>75 feet</td>
<td>65.6 dBA</td>
</tr>
<tr>
<td>East Building Façade</td>
<td>265 feet</td>
<td>57.4 dBA</td>
</tr>
</tbody>
</table>

Source: J. C. Brennan & Associates 2017

The project includes common outdoor activity areas on the roof (referred to as roof terraces). Based on the project design, there would be a 6-foot-tall parapet around the outdoor areas, which would reduce overall noise levels by a minimum of 6 dBA. Therefore, the common areas would comply with the exterior noise level standard of 65 dBA L_{dn}, as contained in SPASP EIR the mitigation measures.

Therefore, exterior noise levels for the project’s residents would not exceed City standards. For interior noise levels, the environmental noise analysis (J. C. Brennan and Associates 2017) recommended the following: the project applicant would be required to implement the following project-specific condition of approval:

Project-specific condition of approval: For the West Building residential façades facing and perpendicular to San Pablo Avenue, living room and bedroom windows shall have a sound transmission class (STC) rating of 34.
Exposure of Persons to or Generation of Noise Levels in Excess of Standards

Construction

The SPASP EIR concluded that although construction noise would be localized to the individual site, 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 EIR identified Mitigation Measure 13-3 but concluded that construction noise impacts would remain significant and unavoidable.

Typical noise levels from construction equipment are shown in Table 3.12-3.

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Maximum Level, dBA at 50 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auger Drill Rig</td>
<td>84</td>
</tr>
<tr>
<td>Backhoe</td>
<td>78</td>
</tr>
<tr>
<td>Compactor</td>
<td>83</td>
</tr>
<tr>
<td>Compressor (air)</td>
<td>78</td>
</tr>
<tr>
<td>Concrete Saw</td>
<td>90</td>
</tr>
<tr>
<td>Dozer</td>
<td>82</td>
</tr>
<tr>
<td>Dump Truck</td>
<td>76</td>
</tr>
<tr>
<td>Excavator</td>
<td>81</td>
</tr>
<tr>
<td>Generator</td>
<td>81</td>
</tr>
<tr>
<td>Jackhammer</td>
<td>89</td>
</tr>
<tr>
<td>Pneumatic Tools</td>
<td>85</td>
</tr>
</tbody>
</table>

Source: J. C. Brennan & Associates 2017

Activities involved in project construction would typically generate maximum noise levels ranging from 76 to 90 dBA at a distance of 50 feet. There is an apartment complex immediately adjacent to the project site, approximately 8 to 20 feet from the property line. The nearest sensitive receptors would be located 50 feet, or farther, from construction activities generating the highest noise levels. The project would be required to implement SPASP EIR Mitigation Measure 13-3 and would not be expected to generate construction noise greater than that anticipated under the SPASP EIR. However, the impact would remain significant and unavoidable as identified in the SPASP EIR.

Operation

Per the project applicant, each residential unit would have a water-source heat pump (WSHP) system located in a closet. These systems result in STC ratings of approximately 35, and exterior noise levels are not perceptible with background noise levels above 50 dBA. Therefore, the buildings’ mechanical equipment is not expected to be a significant noise source on surrounding uses.
Based on project’s trip generation analysis (Fehr & Peers 2018), the project would result in a total of 48 peak-hour trips. As a means of determining the noise levels due to parking lot activities, J. C. Brennan & Associates utilized noise level data collected for previous parking lot studies, as well as operations data supplied by the project developer. A typical SEL due to automobile arrivals/departures, including car doors slamming and people conversing, is approximately 71 dB at a distance of 50 feet. The proposed parking lot would result in noise levels of approximately 52 dB peak-hour Leq at a distance of 50 feet. The neighboring apartment building would be more than 50 feet from the proposed parking lot. The peak-hour Leq is less than the measured background noise levels and would be consistent with the City’s noise level standards.

Therefore, the project would not result in exposure of persons to or generation of noise levels in excess of standards established in the City’s General Plan or noise ordinance or of applicable standards of other agencies. The impact would be less than significant, as identified in the SPASP EIR.

Groundborne Vibration

The primary vibration-generating activities associated with the proposed project would occur during construction when activities such as grading, utilities placement, and parking lot construction occur. Table 3.12-4 shows the typical vibration levels produced by construction equipment.

<table>
<thead>
<tr>
<th>Equipment</th>
<th>PPV at 25 Feet (inches per second)</th>
<th>PPV at 50 Feet (inches per second)</th>
<th>PPV at 100 Feet (inches per second)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Bulldozer</td>
<td>0.089</td>
<td>0.031</td>
<td>0.011</td>
</tr>
<tr>
<td>Loaded Truck</td>
<td>0.076</td>
<td>0.027</td>
<td>0.010</td>
</tr>
<tr>
<td>Small Bulldozer</td>
<td>0.003</td>
<td>0.001</td>
<td>0.000</td>
</tr>
<tr>
<td>Auger/Drill Rig</td>
<td>0.089</td>
<td>0.031</td>
<td>0.011</td>
</tr>
<tr>
<td>Jackhammer</td>
<td>0.035</td>
<td>0.012</td>
<td>0.004</td>
</tr>
<tr>
<td>Vibratory Hammer</td>
<td>0.070</td>
<td>0.025</td>
<td>0.009</td>
</tr>
<tr>
<td>Vibratory Roller</td>
<td>0.210</td>
<td>0.074</td>
<td>0.026</td>
</tr>
</tbody>
</table>

Source: J. C. Brennan & Associates 2018
Note: PPV = peak particle velocity

The SPASP EIR found construction-related vibration impacts to be potentially significant and identified Mitigation Measure 13-4 to reduce those impacts to the extent feasible. However, it may not be possible to avoid using pile drivers, jackhammers, and related construction equipment entirely during construction associated with the Specific Plan. Because of the proximity 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 groundborne vibrations below a level of significance. Therefore, this impact was determined to be significant and unavoidable in the SPASP EIR.

There is an apartment complex immediately adjacent to the project site, approximately 8 to 20 feet from the property line. The threshold for architectural damage to structures is 0.20 inches per
3.0 ENVIRONMENTAL CHECKLIST

second peak particle velocity (PPV). Continuous vibrations of 0.10 inches per second PPV, or greater, would likely cause annoyance to sensitive receptors (Caltrans 2013). Sensitive receptors that could be impacted by construction-related vibrations, especially vibratory compactors/rollers, are located approximately 50 feet or farther from construction activities which could produce significant vibrations. At 50 feet, construction vibrations are not anticipated to exceed acceptable levels. Additionally, construction activities would be temporary in nature and would occur during normal daytime working hours. Therefore, the project would not result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. The impact would be less than significant and would not be more significant than identified in the SPASP EIR.

Ambient Noise Levels in the Project Vicinity

Motor vehicles 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. The SPASP EIR found that cumulative traffic noise levels, with or without implementation of the Specific Plan, are not anticipated to increase substantially along the roadways serving the plan area, and the Specific Plan’s contribution to cumulative traffic noise level increases would be less than 1 dB L_{dn}. Cumulative traffic noise increases would not be considered substantial. The proposed project would not make a cumulatively considerable contribution to increased noise levels, and the impact would be less than significant.

As detailed in Appendix NOI, the predicted traffic noise levels at the nearest existing sensitive receptors in the project vicinity were modeled and are summarized with and without the project in Table 3.12-5.

<table>
<thead>
<tr>
<th>Roadway/Segment</th>
<th>Predicted Exterior Noise Level (dBA L_{dn}) at Closest Sensitive Receptors – First Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing</td>
</tr>
<tr>
<td>San Pablo Avenue/Stockton Avenue to Potrero Avenue</td>
<td>62.6</td>
</tr>
</tbody>
</table>

Source: J. C. Brennan & Associates 2017

Except in carefully controlled laboratory experiments, a change of 1 dB cannot be perceived by humans and, outside of the laboratory, a 3 dB change is considered a just-perceivable difference. A change in level of at least 5 dB is required before any noticeable change in community response would be expected. An increase of 5 dB is typically considered substantial. As shown in Table 3.12-5, the project would result in a 0.3 dBA increase in the traffic noise level. Therefore, the project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The impact would be less than significant, as identified in the SPASP EIR.
3.0 ENVIRONMENTAL CHECKLIST

Aircraft Noise

The project is not located within 2 miles of a public or private use airport. Aircraft noise is occasionally audible at the project site. However, no portion of the project site lies within the 65 dB CNEL noise contours of any public airport, nor is any portion of the project site within 2 miles of any private airfield or heliport.\(^2\) Therefore, the project would not result in the exposure of sensitive receptors to excessive noise levels from aircraft noise sources, and there would be no impact.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures, beyond implementation of SPASP EIR Mitigation Measures 13-1, 13-3, and 13-4, would be required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. In compliance with Mitigation measure 13-1, a site-specific noise impact analysis was completed for the project (J. C. Brennan and Associates 2017; Appendix NOI) and mitigation for reducing interior noise levels for future project residents was identified. The project would also be required to implement SPASP EIR Mitigation Measures 13-3, and 13-4. As such, the SPASP EIR adequately evaluated the potential noise and vibration impacts of the project, and there would be no new or more severe impacts associated with noise.

\(^2\) CNEL is a weighted average of community noise level over time.
### 3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>XIII</th>
<th>POPULATION AND HOUSING. Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Potentially Significant Impact</td>
</tr>
<tr>
<td>a)</td>
<td>Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?</td>
</tr>
<tr>
<td>b)</td>
<td>Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
</tr>
<tr>
<td>c)</td>
<td>Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
</tr>
</tbody>
</table>

### DISCUSSION

The SPASP EIR evaluated potential environmental impacts that could occur with approximately 243,112 net new square feet of commercial space, 1,706 residential units, and 3,840 new residents. The project would include 173 residential units, 185 parking spaces, bicycle parking, a bike stop with storage, 6,427 square feet of public open space including plaza areas, 16,524 square feet of private open space, and various amenities for residents. The 2017 population in El Cerrito was estimated to be 25,515, and there are approximately 10,554 housing units in the city (US Census Bureau 2018). ABAG expects the number of housing units in El Cerrito to increase by about 11.9 percent between 2010 and 2040, to a projected total of 12,000 housing units (MTC and ABAG 2017).

The SPASP EIR concluded that the increase in population associated with the Specific Plan would not directly or indirectly induce substantial population growth beyond the Specific Plan area boundaries. As noted in the EIR, Specific Plan implementation would not extend roads or infrastructure through undeveloped or low-density areas and, therefore, would not indirectly induce substantial population growth beyond the Specific Plan area boundaries. Rather, Specific Plan implementation would facilitate the projected residential and commercial growth within a transit-rich, mixed use area identified for such growth in both local and regional plans and forecasts (El Cerrito 2014b). In addition, the EIR concluded that the impact of the Specific Plan related to displacement would be less than significant as the Specific Plan provides for the addition of approximately 1,706 net new residential units.

Table 3.13-1 shows the housing and population assumptions evaluated in the SPASP EIR for projections from 2013 to 2040 as well as existing and proposed housing development within the SPASP area. Because the population and housing units proposed by the project fall within the total development anticipated by the SPASP EIR, the project would result in no new impacts associated with population and housing.
3.0 ENVIRONMENTAL CHECKLIST

### Table 3.13-1
**Existing and Proposed Housing Units and Population in the Project Area**

<table>
<thead>
<tr>
<th></th>
<th>Evaluated in the SPASP EIR</th>
<th>Approved</th>
<th>Proposed Project</th>
<th>Remaining Development Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Units</td>
<td>1,706&lt;sup&gt;a&lt;/sup&gt;</td>
<td>518</td>
<td>173</td>
<td>1,015</td>
</tr>
<tr>
<td>Population</td>
<td>3,840&lt;sup&gt;a&lt;/sup&gt;</td>
<td>1,055&lt;sup&gt;b&lt;/sup&gt;</td>
<td>408&lt;sup&gt;b&lt;/sup&gt;</td>
<td>2,017</td>
</tr>
</tbody>
</table>

<sup>a</sup> El Cerrito 2014b, 2015
<sup>b</sup> Estimated population was calculated using El Cerrito’s 2014 average household size of 2.36 (El Cerrito 2015).

**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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

**Conclusion**

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. The project would be within the growth projections evaluated in the EIR and would not in and of itself substantially contribute to significant population growth in El Cerrito. As such, the SPASP EIR adequately evaluated the potential population and housing impacts related to the project, and there would be no new impact on population and housing.
### 3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>XIV PUBLIC SERVICES. Would the project 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 following public services:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire protection?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Police protection?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Schools?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Parks?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>Other public facilities?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

### DISCUSSION

**Fire Protection and Emergency Medical Services**

The closest fire station is at 10900 San Pablo Avenue, approximately 700 feet from the project site.

The El Cerrito Fire Department has automatic aid response agreements with the Richmond Fire Department, the Contra Costa County Fire Protection District, and the Albany Fire Department. For the 2013–2014 fiscal year, the ECFD had 37 personnel; two paramedic assignments were authorized for each responding engine to provide advanced life support services during emergency medical responses. The El Cerrito General Plan includes a goal to maintain an average emergency response time for the first fire engine of less than 6 minutes for 95 percent of all emergency calls for service, provided adequate financial resources are available. The RFD has a total of 97 positions: 93 sworn personnel plus 3 administrative staff and an emergency services manager. The RFD has seven fire stations, seven engine companies, one truck company, two rescue units, one HazMat unit, and one breathing support unit. All RFD personnel are trained to the level of EMT-D and HazMat First Responder Operational.

The ECFD is responsible for the City’s Emergency Operations Center and development of the Emergency Operations Plan in the event of a major disaster affecting El Cerrito and the community of Kensington. In addition, the ECFD participates in the Community Emergency Response Team program, which provides training for fire safety, hazardous material and terrorist incidents, disaster medical operations, and search and rescue to enable its citizens to be self-sufficient for up to 72 hours and beyond in the event of a major disaster.

The SPASP EIR identified that any demand for additional fire protection personnel would be funded by annual budget review and allocation. Given these factors, impacts on fire protection services were determined to be less than significant (El Cerrito 2014b). The project is consistent with the density regulations applicable to the site and the project’s population and housing units would fall within the total development anticipated by the SPASP EIR. Therefore, the project would not require the ECFD to expand fire protection facilities and personnel to accommodate additional demand and this impact would be less than significant.
3.0 Environmental Checklist

Police Protection

The El Cerrito Police Department (ECPD) provides community police services through three divisions: Field Operations, Administrative and Support, and Special Operations. The ECPD operates out of the Public Safety Building at 10900 San Pablo Avenue, which is approximately 700 feet from the project site. The City contracts with state and other local agencies to provide and support police services. Police dispatching is contracted with the Richmond Police Department (RPD); criminalist services and animal control services are contracted with Contra Costa County.

ECPD staffing for 2012 included 46 sworn officers and 10.55 equivalent professional staff. Four teams patrol the city 24 hours a day year-round.

The SPASP EIR identified police department-required approvals that would ensure the department is equipped and has the ability to maintain acceptable levels of service. The EIR also noted that any demand for additional police protection personnel or equipment resulting from Specific Plan implementation would be funded by the annual municipal budget review and allocation process. The project is consistent with the density regulations applicable to the site and the project’s population and housing units would fall within the total development anticipated by the SPASP EIR. Therefore, the project would not require new or physically altered police protection facilities and this impact would be less than significant.

Public Schools

The project site is located in the West Contra Costa Unified School District (WCCUSD). The following public schools serve students in the SPASP area: Fairmont Elementary School (K–5), Harding Elementary School (K–5), Madera Elementary School (K–5), Fred T. Korematsu Middle School (6–8), and El Cerrito Senior High School (9–12). None of these schools are in the SPASP area. Table 3.14-1 shows school district student yield factors for 2013.

<table>
<thead>
<tr>
<th>Residential Unit Type</th>
<th>Grades K–6 Students</th>
<th>Grades 7–8 Students</th>
<th>Grades 9–12 Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached Units</td>
<td>0.210</td>
<td>0.056</td>
<td>0.147</td>
</tr>
<tr>
<td>Single-Family Attached Units</td>
<td>0.047</td>
<td>0.015</td>
<td>0.014</td>
</tr>
<tr>
<td>Multifamily Attached Units</td>
<td>0.333</td>
<td>0.154</td>
<td>0.185</td>
</tr>
</tbody>
</table>

Source: El Cerrito 2014b
Note: Yield factors represent students generated per household across the school district.

The SPASP EIR evaluated the impact that the Specific Plan’s anticipated 1,706 new residences and the associated increase in expected student population would have on the services provided and facilities operated by the WCCUSD. The SPASP EIR concluded that the new residences would generate approximately 1,147 new students in district schools over the 25-year horizon of Specific Plan implementation. The EIR concluded that new students would be accommodated in existing schools and that plan implementation would not result in the need for new or expanded school facilities. The proposed project would add 173 new housing units and increase the population of El Cerrito by approximately 408 residents. These numbers would fall within the total development anticipated by the SPASP EIR (refer to Section XIII, Population and Housing); the project would also
generate students within the assumptions of the SPASP EIR. As such, existing school facilities would accommodate students from the project.

In addition, the project applicant would be required to pay state-authorized school impact fees to the extent approved by the school district. Pursuant to Section 65995(3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees is considered full and complete CEQA mitigation for impacts on schools due to increased utilization.

**Parks and Recreational Facilities**

The City of El Cerrito Recreation Department offers a variety of family activities and programs, including visual arts, sports, tutoring, performing arts, swimming, child care, martial arts, and special events. The department also schedules activities and rentals of buildings, picnic areas, sports fields, and tennis courts. Public parks in the project vicinity include Fairmont Park, Cerrito Vista Park, and the Hillside Natural Area.

The City of El Cerrito established a standard of 5 acres of open space per 1,000 residents. The SPASP EIR concluded that the City’s parks and recreation facilities would satisfy the expected park requirements for the Specific Plan area. Even with the anticipated population associated with implementation of the SPASP, the City’s level of service would be above the level adopted in the City’s General Plan (El Cerrito 2014b). Additionally, the SPASP EIR determined that implementation of the Specific Plan would not create the need for new or physically altered government facilities. Because the project’s population and housing units would fall within the total development anticipated by the SPASP EIR, the project would result in no new impacts on parks and recreational facilities and the service levels of 5.85 acres per 1,000 residents in the Specific Plan area would not be substantially diminished. Therefore, the project would have a less than significant impact. In addition, the proposed project would include a total of 6,427 square feet of public open space and 16,524 square feet of private open space in the form of a patio area for each unit and common open space that includes courtyards and terraces.

**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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

**Conclusion**

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. Development of the project would fall within the development assumptions evaluated in the SPASP EIR. As such, the SPASP EIR adequately evaluated the potential public services impacts related to the project, and there would be no new impact on public services.
3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>XV  RECREATION</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>
<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>
<td>☒</td>
</tr>
</tbody>
</table>

DISCUSSION

The project would increase the local population by approximately 408 residents, which would be negligible compared to the total city population.

Because the population and housing units fall within the total development anticipated by the SPASP EIR, the project would conform to Specific Plan and General Plan open space standards for El Cerrito. Therefore, the project’s impact on parks and recreational facilities would be less than significant. Additionally, the proposed project would include a total of 16,524 square feet of private open space area, in the form of a patio area for each unit. Residents would also have access to 15,373 square feet of common open space, including the 1,891-square-foot east courtyard, 3,731-square-foot west courtyard, 5,602-square-foot east roof terrace, and 4,689-square-foot west roof terrace. The project would also provide a total of 6,427 square feet of public open space.

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. Development of the project would fall within the development assumptions evaluated in the SPASP EIR and General Plan policies. As such, the SPASP EIR adequately evaluated the potential recreation impacts related to the project, and there would be no new impact on recreation.
XVI TRANSPORTATION/TRAFFIC. Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</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 that results in substantial safety risks?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</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>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

DISCUSSION

This section compares traffic impacts from the project with impacts identified in the SPASP EIR. Fehr & Peers (2018) prepared a transportation impact analysis for the project, which is provided as Appendix TRA.

Trip Generation and Impacts

The SPASP EIR estimated net trip generation for the Specific Plan at 740 AM peak hour trips and 1,590 PM peak hour trips for the potential new development capacity, plus 100 AM peak hour trips and 370 PM peak hour trips for development that is already entitled or planned. This trip generation estimate was the basis for the traffic analysis, including the cumulative analysis.

The proposed project’s trip generation estimate is shown in Table 3.16-1. Consistent with the SPASP EIR trip generation methodology, a reduction of 12 percent was applied to the trip generation rates. This reduction is used to account for the project’s setting in a dense urban environment as well as multimodal functionality (i.e., pedestrian, bicycle, transit). To account for trip generation of the existing site, Fehr & Peers collected AM and PM peak hour counts at the existing site driveway. Accounting for the rate adjustments used in the SPASP and existing land uses, it is estimated that the project would generate about 50 AM and 38 PM net-new peak-hour trips. This would represent less than one percent of the trip generation estimate for the Specific Plan area in the EIR, as described above.
### Table 3.16-1

**PROJECT TRIP GENERATION**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>ITE Code</th>
<th>Size</th>
<th>ADT</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>Project Trip Generation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartments</td>
<td>Mid-Rise Apartments (#223)</td>
<td>173 DU</td>
<td>126</td>
<td>15</td>
<td>34</td>
</tr>
<tr>
<td>Business Center</td>
<td>General Office (710)</td>
<td>2.54 KSF</td>
<td>8</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Project Trip Generation</td>
<td></td>
<td>134</td>
<td>19</td>
<td>34</td>
<td>53</td>
</tr>
</tbody>
</table>

**Existing Trip Generation**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>ADT</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Big Five Sporting Goods</td>
<td>N/A</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td><strong>Net New Project Trip Generation</strong></td>
<td>N/A</td>
<td>16</td>
<td>34</td>
<td>50</td>
</tr>
</tbody>
</table>

Source: Fehr & Peers 2018

a. DU = dwelling units; KSF = 1,000 square feet  
b. ADT = average daily traffic  
c. ITE Trip Generation (9th Edition) land use category 223 (mid-rise apartments), adjusted based on the SPASP EIR trip generation methodology.  
d. ITE Trip Generation (9th Edition) land use category 710 (general office), adjusted based on the SPASP EIR trip generation methodology.  
e. Existing trip generation based on counts collected on Wednesday, November 29, 2017.

The SPASP EIR assumed developments at planned/entitled and high priority opportunity sites as part of the traffic analysis for the EIR. Although the project site is within the SPASP area, it was not included as a planned/entitled project or high priority opportunity site as part of the EIR traffic analysis. However, this analysis compares the project to the high priority opportunity sites analyzed in the EIR to ensure the project does not exceed the total assumptions for the SPASP area. Since the certification of the SPASP EIR, 14 developments in the high priority opportunity sites, including this project, have been proposed and are in some stage of the city’s approval process. As shown in detail in Appendix TRA, the 14 developments combined would generate about 259 AM and 352 PM net-new peak hour trips. The combined trip generation is less than the total trip generation estimated for all the opportunity sites in the SPASP EIR (Fehr & Peers 2018).

Since the uses proposed by the project are consistent with the assumptions in the SPASP EIR and the proposed project would generate fewer automobile trips than assumed in SPASP EIR, the project would not result in additional impacts on traffic operations at the intersections analyzed in the SPASP EIR (Fehr & Peers 2018). Therefore, the project’s impact related to traffic and congestion would be less than significant.
3.0 ENVIRONMENTAL CHECKLIST

Air Traffic Patterns

The project site is not located within an airport influence area and would not affect the physical operations of an airport. The project does not have an aviation component and is not sufficiently large to noticeably affect the demand for air traffic. Therefore, there would be no impact.

Site Plan Review

As part of the transportation impact analysis, Fehr & Peers (2018) evaluated the project’s site plan for consistency with the SPASP form based code.

Vehicle Access and On-Site Circulation

Residents would access the site through a right-in/right-out driveway on San Pablo Avenue at the southwest corner of the project site. The driveway would provide access to a gated two-level parking garage. A second driveway would be located at the end of the Kearney Street cul-de-sac at the north side of the project site and would provide emergency vehicle and service vehicle access only. An internal ramp adjacent to the Kearney Street driveway would connect the two parking levels. As part of the city’s approval process, the fire department has reviewed the project site plan to ensure adequate emergency access.

Project Driveway Sight Distance

Vehicles would exit the project driveway on San Pablo Avenue from the drive aisle on the ground level of the garage. The driveway would provide adequate sight distance between vehicles exiting the project driveway and pedestrians in both directions on the adjacent sidewalk (Fehr & Peers 2018).

Vehicles parked on the south side of the San Pablo Avenue driveway may block the sight distance between vehicles exiting the driveway and vehicles traveling northbound on San Pablo Avenue. Trees planted on south side of the driveways may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground. Therefore, based on the traffic impact analysis findings, the project applicant would be required to implement the following project-specific condition of approval:

Project-specific condition of approval: The following should be provided on the south side of the project driveway on San Pablo Avenue: Provide at least 20 feet of red curb and ensure that tree canopies are higher than six feet from the ground as to not restrict sight distance for exiting vehicles (Fehr & Peers 2018).

Alternative Transportation

Bicycles

Section 2.05.07.04 of the SPASP Form-Based Code requires bicycle parking for residential uses at a rate of 1.5 spaces per unit for long-term bike parking and 1 space per 20 units for short-term bike parking. As shown in Table 3.16-2, the project would meet or exceed these requirements. The long-term spaces would be available for residents in secured rooms located on the basement level of the garage. The short-term spaces would be provided along the building frontage on San Pablo Avenue and in front of the project’s proposed bike stop on the east side of the building adjacent to the Ohlone Greenway. The project would not impede bicycle access in the area.
3.0 ENVIRONMENTAL CHECKLIST

### TABLE 3.16-2
**BICYCLE PARKING**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size ²</th>
<th>Long Term</th>
<th></th>
<th>Short Term</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Spaces per Unit</td>
<td>Spaces</td>
<td>Spaces per Unit</td>
<td>Spaces</td>
</tr>
<tr>
<td>Apartments</td>
<td>173 DU</td>
<td>1.5 DU</td>
<td>260</td>
<td>1:20 DU</td>
<td>9</td>
</tr>
<tr>
<td>Office</td>
<td>2.54 KSF</td>
<td>N/S</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Total Required Bicycle Spaces</td>
<td></td>
<td>260</td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>Total Bicycle Parking Provided</td>
<td></td>
<td>262</td>
<td></td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>Bicycle Parking Surplus</td>
<td></td>
<td>+2</td>
<td></td>
<td>+10</td>
<td></td>
</tr>
</tbody>
</table>

*Source: Fehr & Peers 2018*

a. DU = dwelling units; KSF = 1,000 square feet

b. Based on SPASP Form-Based Code Table 29: Number of Parking Spaces Required

### Pedestrians

The SPASP Form-Based Code requires a minimum of 14 feet of sidewalk space along community streets, including 8 feet of clear pedestrian right-of-way and 6 feet of amenity space, which includes landscaping. As shown in Figure 2.0-5, the project does not propose any changes to the existing sidewalk. The project would provide new pedestrian connections, as described in Chapter 2.0, Project Description. The project would not impede pedestrian access in the area.

### Transit

Alameda-Contra Costa (AC) Transit provides bus service near the project site, with multiple bus routes running along San Pablo Avenue. The nearest northbound bus stop is on northbound San Pablo Avenue, at the far side of the San Pablo Avenue/Madison Avenue intersection, approximately 0.05 miles from the project site. In addition, the El Cerrito Plaza BART station is approximately 1.5 miles to the south, and the El Cerrito del Norte BART station is approximately 0.5 miles to the north. The project would not remove or interfere with transit access.

### Transportation Demand Management

The SPASP Form-Based Code requirements for the TOMIMU zoning district apply to the project site, requiring a maximum of 1.5 vehicle parking spaces per dwelling unit and a basic Transportation Demand Management (TDM) plan (El Cerrito 2014a). The project would provide 185 parking spaces in a two-level garage, or approximately 1.07 spaces per unit, in compliance with City regulations.

Fehr & Peers (2018) reviewed the TDM plan proposed for the project, which would be implemented by the project applicant, and has verified that the strategies are sufficient to reduce automobile trips and parking demand generated by the project. As described in greater detail in Appendix TRA, the project proposes the following TDM strategies that would reduce automobile trips and parking demand generated by the project:

- Unbundled parking, meaning that parking is rented or sold separately from the residential unit, rather than automatically included in the rent or cost.
• Long- and short-term bicycle parking, slightly exceeding code requirements.

• Direct bicycle and pedestrian access to the Ohlone Greenway, including a new pedestrian path along the northern side of the building and a bike stop with bicycle repair equipment.

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 EIR was certified leading to new or more severe significant impacts. With implementation of the project-specific condition of approval included above, no new impacts related to transportation would result.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. Traffic generated by the project would be within what was analyzed in the EIR. The project would be consistent with the development standards envisioned in the EIR, including the SPASP form-based code. As such, the SPASP EIR adequately evaluated the potential transportation impacts related to the project, and there would be no new impact on transportation.
### 3.0 Environmental Checklist

<table>
<thead>
<tr>
<th>XVII</th>
<th>TRIBAL CULTURAL RESOURCES. Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, features, 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>
</tr>
<tr>
<td></td>
<td>□</td>
</tr>
<tr>
<td>i)</td>
<td>A 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 cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5(k)?</td>
</tr>
<tr>
<td></td>
<td>□</td>
</tr>
<tr>
<td>ii)</td>
<td>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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</td>
</tr>
<tr>
<td></td>
<td>□</td>
</tr>
</tbody>
</table>

### Discussion

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

In addition, subsequent to certification of the SPASP EIR, the California legislature passed AB 52, which provides for consultation between lead agencies and Native American tribal organizations during the CEQA process. At the time the SPASP EIR was certified, AB 52 had not been enacted. AB 52 was enacted on July 1, 2015 and requires agencies to consult with Native American tribes for projects (as defined by CEQA) that submit a Notice of Preparation or Intent to Adopt a Negative or Mitigated Negative Declaration on or after July 1, 2015. AB 52 consultation was not required at the time of EIR preparation; therefore, tribal cultural resource identification efforts are not required for this project. In addition, AB 52 does not apply to exemptions from CEQA, as it is assumed that such projects would not result in significant impacts. Similarly, consistency analyses are only used when there is no new or substantially more severe impact and are therefore not subject to AB 52.

While the City is not required to conduct formal consultation under AB 52 for the project, as stated above, SPASP EIR Mitigation Measure 7-2 applies to the project and would protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.
3.0 ENVIRONMENTAL CHECKLIST

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 EIR was certified leading to new or more severe significant impacts. No new mitigation measures would be required.

CONCLUSION

The SPASP EIR adequately evaluated the project’s potential cultural resources impacts (and by extension, impacts on tribal cultural resources), and no new impact would result.
### 3.0 ENVIRONMENTAL CHECKLIST

<table>
<thead>
<tr>
<th>XVIII UTILITIES AND SERVICE SYSTEMS. Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 stormwater 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 that 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>

### DISCUSSION

The project is consistent with the density regulations applicable to the site and the project’s population and housing units would fall within the total development anticipated by the SPASP EIR. Therefore, the project would be consistent with the demand for utilities including water, wastewater, and solid waste, that was estimated in the SPASP EIR. Further discussion of these utilities is provided below.

### Water Supply

The SPASP EIR determined that there would be an increase in water demand as a result of buildout of the Specific Plan; average daily demand was estimated to be 882,720 gallons per day (gpd), which represents less than 1 percent of the planning-level water demand forecast in the EBMUD Urban Water Management Plan (El Cerrito 2014b). The SPASP EIR concluded that this demand represents a small increase and would be a less than significant impact on water supply. The SPASP EIR also noted that development within the Specific Plan area would incorporate the City’s requirements for 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 Urban Water Management Plan); and the requirement that new development pay its share of the costs associated with provision of water facilities through project-specific mitigation required as
conditions of approval. The SPASP EIR concluded that since future development facilitated by the Specific Plan, including the project, would require less than 1 percent of EBMUD’s forecast 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 would be less than significant. The project would be consistent with SPASP requirements and would not therefore not result in a significant impact related to water supply.

**Utility Infrastructure**

The project site is in a developed urban setting, and existing water utility infrastructure is present on the project site. Since the site is developed, domestic water consumption and wastewater generation are currently associated with the site.

The SPASP EIR concluded that development associated with the Specific Plan would result in less than significant impacts on utilities and service systems, including wastewater treatment, stormwater drainage, and solid waste disposal. However, the SPASP EIR determined that the wastewater and storm drainage infrastructure systems would require improvements, including the upgrading of existing deficiencies, to accommodate new development facilitated by the plan. The SPASP EIR included recommendations and design considerations for proposed infrastructure improvements. As noted in the SPASP EIR, construction of the Specific Plan–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 project would rely on potable and nonpotable water for both domestic use and fire protection from existing major facilities, including reservoirs and pumping plants that are serviced by EBMUD. Service would be granted subject to EBMUD regulations governing water services, which may include water main extensions and/or off-site pipeline improvements. With adherence to these requirements, the project would not result in any impacts.

**Wastewater**

The Stege Sanitary District (SSD) provides wastewater service in the project area. 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 charge funds sewer capacity improvements needed to serve projected growth within the Specific Plan area.

Currently, the SSD imposes a sewer connection charge on all development projects within its service territory. The purpose of the charge is to have new development buy into a fair share of the district’s existing sanitary sewer system. The SSD uses these funds to acquire, construct, install, and replace existing capital facilities and other assets.

**Project-Specific Condition of Approval:** The project applicant shall participate in the Stege Sanitary District’s San Pablo Avenue Sewer Capacity Improvement Fee Program.

**Solid Waste**

The increase in commercial and residential density under the SPASP would result in an increase in the amount of solid waste generated in the Specific Plan area. The SPASP EIR concluded that the increase in solid waste generation would be incremental but would not exceed acceptable rates established by plans, policies, and regulations. Moreover, the projected amount of solid waste
3.0 ENVIRONMENTAL CHECKLIST

would be served by solid waste and recycling facilities with sufficient capacities to accommodate development included as part of the SPASP, including the project. The project would be consistent with SPASP requirements and other applicable regulations. As such, solid waste impacts would remain less than significant.

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 EIR was certified leading to new or more severe significant impacts. With implementation of the project-specific condition of approval included above, no new impacts related to utilities and service systems would result.

CONCLUSION

The project is generally consistent with the type and intensity of development analyzed in the SPASP EIR. With implementation of the project-specific condition of approval included above, the project would not result in new impacts related to utilities and service systems. As such, the SPASP EIR adequately evaluated the potential utilities impacts related to the project, and there would be no new impact on utilities.
4.0 REFERENCES
4.1 DOCUMENTS REFERENCED AND/OR INCORPORATED BY REFERENCE


MTC and ABAG (Metropolitan Transportation Commission and Association of Bay Area Governments). 2017. Plan Bay Area 2040, Regional Transportation Plan and Sustainable Communities Strategy for the San Francisco Bay Area 2017–2040.


To view the appendices, please visit:
http://www.el-cerrito.org/1270/Griffin-on-San-Pablo-Avenue-1104811060-S
January 27, 2020

Blair Akey
P. O. Box 11
Alamo, CA 94507

Planning Commission
C/o Planning Division
City of El Cerrito
10890 San Pablo Ave.
El Cerrito, CA 94530

Reference: Revisions to ‘Griffin on San Pablo Ave’

Dear Planning Commission:

I am the owner of the El Cerrito Village Apts., 23 units, located at 10945 – 10955 San Pablo Ave.

With the new construction of The San Pablo Ave. Apts., 50 units, The Alameda Apts., 85 units, and the Griffin Apts., 173 units, street parking within the adjacent 4 blocks will be almost non-existent.

Please take a ride down Alameda & Jefferson streets on weekends and after 6 PM during the week to determine the number of vacant parking spots available now.

Upon completion of the three new apartments I would like to know where you think apartment residents, guests, vendors and commercial customers are going to park.

Realistically within the near future apartment dwellers are not about to give up their cars even if they only use them on occasions. Renters with two or more bedrooms will more than likely have more than one car per unit.

I would request that the Commission take a step back and rethink of what the impact of the limited parking facilities now provided by new apartment construction will have on the future viability of the City of El Cerrito.

We need more not less off street parking in areas of high density development now.

Yours truly,

Blair Akey
VITAL APARTMENTS, 10290 SAN PABLO AVENUE

DETAILS

Application Number: PL19-0007

Applicant: Toby Long Design

Location: 10290 & 10296 San Pablo Avenue

APN: 503-394-026 & 503-394-024

Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)

General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)

Request: Planning Commission consideration of Tier IV Design Review, pursuant to the San Pablo Avenue Specific Plan, for a new 5-story building containing 50 residential units and 4 live-work 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 Section 15168 and Government Code Section 65457(a).

EXECUTIVE SUMMARY

The proposed project includes a new 5-story building containing 50 residential units and 4 live-work units. Live-work units, parking, a lobby, and a bike storage room are located on the ground floor. Roof decks are proposed on the fifth level and on the rooftop.

The project seeks flexibility to the shadow standards of the San Pablo Avenue Specific Plan pursuant to the Tier IV Design Review process. Tier IV Design Review is intended to allow high quality new development projects that would not otherwise be allowed under a strict interpretation of the Specific Plan (Tier II) regulations. Tier IV Site Plan and Design Review can grant flexibility to the standards of the San Pablo Avenue Specific Plan to projects which provide a public benefit beyond what is required by the Specific Plan. The Tier IV Design Review process requires approval from both the Planning Commission and the Design Review Board. 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.

As a public benefit, the project proposes to provide $250,000 contribution toward Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan.

On May 29, 2019, the Planning Commission and Design Review Board held a study session to provide preliminary comments on this project.

In response to Planning Commission direction on December 18, 2019, the applicant: (1) Increased the size of numerous live-work and residential units; (2) Increased the ratio of one-bedroom and two-bedroom units; and (3) Increased the public benefit amount to $250,000.

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

Site Location and Layout

The project site is located on the southeast corner of San Pablo Avenue and Eureka Avenue and currently consists of two lots (APNs: 503-394-026 & 503-394-024). The combined site is a total of 12,500 square feet (0.29 acres). The site currently houses two two-story office buildings, a one-story garage, and a parking lot. The site is 100 feet deep, extending halfway through the block that extends back to Kearney Street. The site slopes up gently from San Pablo Avenue.

Vicinity Map

Existing Public Right-of-Way

The site has approximately 125 feet of street frontage along San Pablo Avenue and 100 feet along Eureka Avenue. The existing sidewalk on San Pablo Avenue is approximately 8 feet wide. There are currently three street trees and two rain gardens along the San Pablo Avenue frontage of the project site. The existing sidewalk on Eureka Avenue is approximately 14 feet wide.
Adjacent Land Uses

North: 10300 San Pablo Avenue (former Guitar Center), includes 32 residential units currently under construction (TOMIMU)

East: Single family residential and a duplex (TOHIMU)

South: Parking lots, a restaurant, and vacant retail spaces (TOHIMU)

West: Grocery market (New India) and automobile sales (European Auto Center) (CM3 Commercial Mixed-Use, City of Richmond)

Previous Application

On August 2, 2018, the City’s Design Review Board approved Resolution DRB17-02 (for Application PL16-0136) granting Tier II Design Review approval for a new building containing 14 residential units at the project site. On October 18, 2017, the Planning Commission approved Resolution PC17-12 approving a tentative parcel map (for condominium purposes) for the approved 14-unit residential building. Since this time, the original applicant (Branagh Development) has decided not to build approved project and has entered into an agreement to sell the site to the current applicant. The current applicant does not plan to utilize the approved entitlements and has submitted an application for a new project at the site.

Analysis

Project Description

The proposed project consists of a five-story building with 50 residential units and 4 live-work units totaling approximately 47,140 square feet. The parking will be located on the ground floor in the eastern half of the building. Four live-work units along with a lobby are proposed along the ground floor facing San Pablo Avenue. A bike storage room, a trash room, and a mechanical room would also be located on the ground floor. The mixture of unit types includes: 23 studios, 11 “metro one-bedroom” units, 8 one-bedroom units, 8 two-bedroom units, and 4 live-work units. Vehicular access to the parking area would be provided from Eureka Avenue. The parking area would be secured with a gate. Two-level and three-
level parking stackers along with two accessible spaces are proposed to provide a total of 28 off-street parking spaces.

The building footprint is rectangular and the building form terraces down towards the east to reduce shadow and overall impacts to residences located east of the project site. The roof decks on the fifth floor and the rooftop would feature three fire pits with surrounding furniture as well as additional seating areas and landscaping.

Planning Commission Direction

On May 29, 2019, the Planning Commission and Design Review Board held a study session to provide preliminary comments on this new proposed project. Comments relevant to the purview of the Planning Commission addressed the following: providing additional shadow impact analysis; minimizing privacy impacts to adjacent residences; increasing the ratio of two-bedroom and one-bedroom units; providing motorcycle parking; and providing an area for pets. In response, the applicant: provided additional shadow studies; provided an area for pet relief; and identified a potential area to provide motorcycle/scooter parking.

On December 18, 2019, the Planning Commission reviewed the application and continued the item. As part of the motion, the Planning Commission directed the applicant to: (1) Increase the size of three of the live-work units; (2) Increase the number of 1-bedroom and 2-bedroom units in relation to the number of studios and “metro 1-bedroom” units; (3) Increase the size of a number of the studios; (4) Consider increasing the public benefit amount; (5) Provide more detailed shadow analysis demonstrating the massing and square footage of a Tier II compliant building. In response, the applicant provided revised plans and proposes the following:

1. Eliminate one of the live-work units and increase the size of three of the live-work units as a result.
2. Increase the ratio of one-bedroom and two-bedroom units with 8 two-bedroom, 8 one-bedroom, 11 “metro one-bedroom”, 23 studios, and 4 live-work units. Previously the ratio was 7 two-bedroom, 3 one-bedroom, 12 “metro one-bedroom”, 28 studios, and 5 live-work units. Specifically, unit #4-3 was converted from a one-bedroom to a two-bedroom unit and the following unit numbers were enlarged and converted to one-bedroom units: 2-16, 3-1, 3-16, 4-1, 4-7, and 4-10.
3. Increase the size of studios (units 3-5 and 3-7).
4. Increase the public benefit amount from $200,000 to $250,000.
5. Increase the width of the roof deck on the fifth floor to almost 18 feet from 15 feet.

The average unit size of all 54 units is now approximately 581.7 sq. ft. Previously, the average unit size was approximately 552.7 sq. ft. For reference, an analysis of 14 of the approved major projects in the San Pablo Avenue Specific Plan area indicates a range in average unit size from 494 sq. ft. (11795 San Pablo) to 1,094 sq. ft. (10300 San Pablo). The average of the average unit size for all of these projects is approximately 775 square feet and the median of the average unit size of these projects is 770 square feet. Two of these major projects, 11795 San Pablo and 10919 San Pablo, include average unit sizes that are less than the average unit size of the proposed project with 494 sq. ft. and 523 sq. ft., respectively.

In addition, the applicant confirmed the graphic previously provided for the May 29, 2019 Study Session that shows the massing of a building that complies with the shadow standards is accurate (see Attachment 4). This attachment also includes revised calculations demonstrating the square footage difference between the proposed project and this theoretical building that complies with the shadow standards.
Project Rendering

Planning Commission Purview

Pursuant to Section 2.02.07.01.02.D of the San Pablo Avenue Specific Plan, Tier IV Design Review is the entitlement process for high-quality new projects that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but nevertheless comply with the intent of the Plan. Projects that do not comply fully with the standards of the Plan in one or more respects may seek flexibility to the standard of the Specific Plan through the Tier IV Design Review process. Under the Tier IV Design Review process, the Planning Commission and Design Review Board must both act to approve a project. Each body is assigned a separate series of findings that must be made in order to approve the project. The Planning Commission is given authority over the site plan, the aspects of the project that do not meet the development standards of the Form-Based Code of the San Pablo Avenue Specific Plan, and making a determination whether the project achieves an over-arching public benefit. The Design Review Board is given authority over the design components of the project.

This project requires approval from the Planning Commission for the reasons detailed below. The analysis also includes discussion of the scope of the Commission’s authority and the findings required for approval. If the Planning Commission approves the project, the project will advance to the Design Review Board for consideration of the project’s design elements.

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 include private, common and public types of open space.
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 with text in bold show components of the project that do not comply with the Specific Plan standards.

The project is located at the southeast corner of San Pablo Avenue and Eureka Avenue. This section of San Pablo Avenue is designated a Community Street and Eureka Avenue is designated a Neighborhood Street. The project is located in the Transit-Oriented Higher-Intensity Mixed-Use (TOHIMU) Transect Zone.

### Regulation by Street Type:

**SPA Community Street**

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Placement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>6 ft. min</td>
<td>8 ft. 10.9 in.</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>8 ft. min</td>
<td>8 ft.</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>0 ft. min</td>
<td>3 ft. 1.4 in.</td>
</tr>
<tr>
<td>Ground Floor Front Setback</td>
<td>Min: distance needed to accommodate required zones Max: 10 ft. for non-residential uses, 15 ft. for residential uses</td>
<td>Varies: 0 ft. to 6 ft.</td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 ft.</td>
<td></td>
</tr>
<tr>
<td><strong>Rear Setback</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings shall not cast shadows onto adjacent existing residential uses to the east greater than 14 ft. deep at 1:30 p.m. on December 21.</td>
<td>Building will cast a shadow onto residences to the east of more than 51 ft. at 1:30 p.m. on December 21. Project requires exception to shadow standards via Tier IV Design Review process.</td>
<td></td>
</tr>
<tr>
<td><strong>Pedestrian Access</strong></td>
<td>Entries on front or side streets</td>
<td>Building and unit entries on San Pablo Avenue and Eureka Avenue</td>
</tr>
<tr>
<td>Vehicular Access</td>
<td>Max 20 ft. 2-way driveways. Side access on corner lots</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Building Form</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Floor Setbacks</td>
<td>Buildings shall not cast shadows onto adjacent existing residential uses to the east greater than 14 ft. deep at 1:30 p.m. on December 21.</td>
<td>Building requires exception to shadow standards via Tier IV Design Review process</td>
</tr>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>14 ft. min clear</td>
<td>14 ft. min clear</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft. min clear</td>
</tr>
<tr>
<td><strong>Building Length</strong></td>
<td>200 ft. max</td>
<td>120 ft.</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td><strong>Ground Floor Transparency</strong></td>
<td>Non-residential 75% min, Residential 40% min.</td>
<td>75% for live-work units 67% for rest of building facade</td>
</tr>
<tr>
<td><strong>Upper Floor Transparency</strong></td>
<td>30% min</td>
<td>34% min</td>
</tr>
<tr>
<td><strong>Front Encroachments</strong></td>
<td>4 ft. max</td>
<td>3 ft.</td>
</tr>
<tr>
<td><strong>Rear Encroachments</strong></td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
<tr>
<td><strong>Allowed Frontage Types</strong></td>
<td>Min: 50% Flex Front Max: 100% Shop Front, Arcade (NE side SPA), or Eco-front Max: 50% Forecourt (NE side)</td>
<td>Flex Front (33%) Shop Front (67%)</td>
</tr>
</tbody>
</table>

### Regulation by Street Type: Neighborhood Street

<table>
<thead>
<tr>
<th><strong>Building Placement</strong></th>
<th><strong>Required</strong></th>
<th><strong>Provided</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sidewalk Amenity Zone</strong></td>
<td>5 ft.</td>
<td>6 ft. 3.25 in.</td>
</tr>
<tr>
<td><strong>Sidewalk Pedestrian Zone</strong></td>
<td>6 ft.</td>
<td>6 ft.</td>
</tr>
<tr>
<td><strong>Sidewalk Activity Zone</strong></td>
<td>0 ft.</td>
<td>2 ft. 10.1 in.</td>
</tr>
<tr>
<td><strong>Ground Floor Front Setback</strong></td>
<td>10 ft. max for non-residential uses. 15 ft. max for residential uses</td>
<td>0 ft.</td>
</tr>
<tr>
<td><strong>Side Setback</strong></td>
<td>0 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td><strong>Rear Setback</strong></td>
<td>0 ft.</td>
<td>5 ft./10 ft.</td>
</tr>
<tr>
<td><strong>Pedestrian Access</strong></td>
<td>Entries on front or side streets</td>
<td>Building and unit entries on San Pablo Avenue and Eureka Avenue</td>
</tr>
<tr>
<td><strong>Vehicular Access</strong></td>
<td>Max 20 ft. 2-way driveways</td>
<td>(1) 20 ft. 2-way driveway</td>
</tr>
</tbody>
</table>

### Building Form

<table>
<thead>
<tr>
<th><strong>Upper Floor Setbacks</strong></th>
<th>Buildings shall not cast shadows onto adjacent existing residential uses to the east greater than 14 ft. deep at 1:30 p.m. on December 21.</th>
<th>Building requires exception to shadow standards via Tier IV Design Review process</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ground Floor Ceiling Height</strong></td>
<td>9 ft. min clear</td>
<td>14 ft. min</td>
</tr>
<tr>
<td><strong>Upper Floor Ceiling Height</strong></td>
<td>9 ft. min clear</td>
<td>9 ft. min</td>
</tr>
<tr>
<td><strong>Building Length</strong></td>
<td>200 ft. max</td>
<td>94 ft. 9.75 in.</td>
</tr>
<tr>
<td><strong>Ground Floor Transparency</strong></td>
<td>Non-residential 50% min, Residential 30% min.</td>
<td>31%</td>
</tr>
<tr>
<td><strong>Upper Floor Transparency</strong></td>
<td>25% min</td>
<td>27%</td>
</tr>
<tr>
<td><strong>Front Encroachments</strong></td>
<td>2 ft. max</td>
<td>1 ft. 8 in.</td>
</tr>
<tr>
<td><strong>Rear Encroachments</strong></td>
<td>4 ft. max</td>
<td>0 ft.</td>
</tr>
<tr>
<td><strong>Allowed Frontage Types</strong></td>
<td>Forecourt (NE Side), Flex, Front Yard, Shop Front.</td>
<td>Flex Front (100%)</td>
</tr>
</tbody>
</table>
### Open Space Requirements

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private/Common Open Space</td>
<td>80 sq. ft./unit min (4,320 sq. ft. total)</td>
<td>4,334 sq. ft.</td>
</tr>
<tr>
<td>Public Open Space</td>
<td>25 sq. ft./1,000 sq. ft. of building for buildings &gt;25,000 sq. ft. (Total of 1,151 sq. ft. required) May pay fee in-lieu of providing full amount of required public open space on site.</td>
<td>No public open space provided. In-lieu fee will be provided for 1,151 sq. ft. of required public open space.</td>
</tr>
</tbody>
</table>

### Transit-Oriented Higher-Intensity Mixed Use Zone

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auto Parking</td>
<td>Up to 1.0 space/unit (Reductions and increases allowed with Zoning Administrator approval)</td>
<td>0.52 spaces per unit (total of 28 spaces)</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>Min 1 short-term space/10 units (6 min)</td>
<td>6 new and 2 existing results in 8 short-term spaces</td>
</tr>
<tr>
<td></td>
<td>Min 1.5 long-term spaces/unit (81 min)</td>
<td>82 long-term spaces (28 in bike room and 54 in units)</td>
</tr>
<tr>
<td>Building Height</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Height</td>
<td>65 ft. max</td>
<td>57 ft. 6 in.</td>
</tr>
<tr>
<td>Minimum Height</td>
<td>3 stories residential, 2 stories commercial</td>
<td>5 residential stories</td>
</tr>
</tbody>
</table>

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 San Pablo Avenue and Eureka Avenue with building entries onto the street and improvements within the public-right-of-way. The project will enhance San Pablo Avenue, as a place, by addressing the public right of way, making public improvements consistent with the right-of-way standards of the San Pablo Avenue Specific Plan.*

**Strategy A.4:** Attract pedestrian activity to key nodes to foster community and identify places of interest.

*The project contains 4 new ground-level live-work units with entries along San Pablo Avenue.*

**Strategy B.1:** Maximize TOD potential (BART and AC Transit).
The project will provide 50 new residential units and 4 new live-work units in close proximity to existing AC Transit lines and the El Cerrito Plaza BART station. The project includes bike parking as required by the San Pablo Avenue Specific Plan and will face San Pablo Avenue and Eureka Avenue, 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 an underutilized site. The site currently contains two vacant office buildings. The proposed project will provide 50 new residential units and 4 new live-work units in close proximity to public transit.

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

Consistent with the findings for Tier IV Design Review, as a public benefit, the applicant will contribute $250,000 for Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan.

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

The project will provide 50 new residential units and 4 new live-work units in close proximity to existing public transit infrastructure.

**Tier IV Design Review**

As shown on the table above, the project does not fully comply with the shadow standards for projects with adjacent existing residential uses. Section 2.05.02.02.03 of the San Pablo Avenue Specific Plan provides that buildings shall not cast shadows onto adjacent existing residential uses to the east greater than 14 feet deep at 1:30 p.m. on Winter Solstice (December 21st). The project would cast a shadow of more than 51 feet onto adjacent residential uses to the east at 1:30 p.m. on Winter Solstice.

The image below depicts the shadow of the proposed building at 1:30 p.m. on Winter Solstice.
In addition, Attachment 5 shows the massing of a hypothetical building that complies with the Specific Plan shadow standards. This attachment also includes calculations demonstrating the square footage difference between the proposed project and this theoretical building that complies with the shadow standards. The proposed project is 47,140 square feet and the hypothetical shadow compliant building is 29,242 square feet. The difference in area between the proposed project and this theoretical building equals 17,898 square feet, or approximately 38% of the floor area of the proposed project.

Public Benefit

The SPASP Tier IV design review was intended to allow projects flexibility, and responds to Goal C of the Specific Plan “to encourage practical and market friendly development” through incorporating flexible development codes that respond to constrained parcels, surrounding context and the market (Goal C, Strategy 2). Through the Tier IV Design Review process, applicants can seek flexibility to the standards of the San Pablo Avenue Specific Plan. In order to grant flexibility, the Planning Commission must find “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...” The provided public benefit must be beyond what is otherwise required by the San Pablo Avenue Specific Plan.

As discussed above, the project is seeking flexibility to shadow standards. The applicant is proposing a public benefit of a $250,000 contribution toward Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan. These Phase II improvements include a drinking fountain, a restroom, a picnic area, a permanent community garden and related amenities.

The table below provides a comparison of previously approved Tier IV projects to better understand the relationship between the public benefits provided and the flexibility to the development standards which was granted. None of these previously approved projects include an exception to shadow standards in relation to adjacent residential uses.

<table>
<thead>
<tr>
<th>Project Details</th>
<th>Tier IV Exception</th>
<th>Public Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>10300 San Pablo Ave</td>
<td>• Project encroaches into required daylight plane along Eureka Avenue.</td>
<td>$50,000 toward improvements at Centennial Park. In addition, 312 sq. ft. of public open space beyond what is required.</td>
</tr>
<tr>
<td>30 residential units; 2 live work units.</td>
<td>• Shop Frontage along San Pablo Avenue does not comply with the minimum 50% (47%).</td>
<td></td>
</tr>
<tr>
<td>10135 San Pablo Ave</td>
<td>• Building is not in conformance with all daylight plane standards.</td>
<td>$50,000 towards capital improvements in Central Park</td>
</tr>
<tr>
<td>72 residential units; 4,426 sq. ft. of commercial space.</td>
<td>• Ground floor ceiling height does not meet minimum 14 ft clearance (12 ft.).</td>
<td></td>
</tr>
<tr>
<td>10810 San Pablo Ave (Village at Town Center)</td>
<td>Building cast shadows beyond the curb line on the opposite side of Kearney Street on December 21 at 1:30pm.</td>
<td>$75,000 towards the purchase and installation of 5 bike racks along San Pablo Avenue, and for the renovation of Centennial Park. The project also exceeded public open space requirement by 4,227 sq. ft.</td>
</tr>
<tr>
<td>Address</td>
<td>Details</td>
<td>Contributions</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>11600/11690 San Pablo Ave</td>
<td>223 residential units; 8,893 sq. ft. of commercial space.</td>
<td>67 affordable housing units, and open space and bike parking in excess of requirements.</td>
</tr>
<tr>
<td>(Mayfair)</td>
<td>• Buildings cast shadows onto north and east Neighborhood Streets but not residential districts.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Building length (for the south building) exceeds 200 ft maximum.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Ground floor transparency is less than 30% minimum (22%).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Vehicular access exceeds 20-ft maximum width.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• A portion of the frontage type is the exterior of the garage.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Maximum building height for the south building exceeds 65 ft maximum (74 ft, 3 in)</td>
<td></td>
</tr>
<tr>
<td>11048/11060 San Pablo Ave</td>
<td>173 residential units, a business center along San Pablo Avenue and a publicly accessible bike stop along the Ohlone Greenway.</td>
<td>$1,000,000 contribution to the City’s Low-Income Housing Asset Trust Fund. $700,000 contribution to capital improvement projects that support the implementation of Chapter 3: Complete Streets of the San Pablo Avenue Specific Plan. The project includes a bike station with public amenities which will be open to the public during typical commute hours.</td>
</tr>
<tr>
<td>(Griffin on San Pablo Avenue)</td>
<td>• Building will cast a shadow onto the Ohlone Greenway and adjacent parcels at 1:30 p.m. on December 21.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Ground floor front setbacks for non-residential uses along the Ohlone Greenway exceed the 10-ft maximum (11 ft, 6 in).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Building height exceeds 55 ft maximum (69 ft).</td>
<td></td>
</tr>
<tr>
<td>10919 San Pablo Ave (Playland II)</td>
<td>90 residential units; 2,998 sq. ft. of commercial space</td>
<td>$50,000 contribution for Ohlone Greenway enhancements.</td>
</tr>
<tr>
<td></td>
<td>• Building height exceeds 55 ft maximum (58.1 ft)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Building will cast a shadow beyond the curb line on the opposite side of the street of Alameda Ave. at 10:00 a.m. on December 21</td>
<td></td>
</tr>
</tbody>
</table>

**Art in Public Places**

The project is required to comply with Chapter 13.50: Art in Public Places of the El Cerrito Municipal Code. The applicant is proposing to provide onsite public art on the ground floor at San Pablo Avenue.

**Required 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 such as the Transportation Impact Fee. 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. Estimated* West Contra Costa Unified School District fee of $3.79 per square foot is assessed on gross residential square footage (41,353 sq. ft. x $3.79 = $156,727.87). This money is collected by the School District to help fund both modernization and new construction of school facilities.

2. Estimated* West County Sub Regional Transportation Mitigation Program (STMP Fee) of $2,679 per multi-family dwelling unit. (54 du x $2,679 = $144,666). 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.

3. Estimated* Transportation Impact Fee of $2,325 per multi-family dwelling unit. (54 du x $2,325 = $125,550). The project will be required to pay a Transportation Impact Fee (TIF) to fund improvements contained in the Complete Streets chapter of the San Pablo Avenue Specific Plan. These improvements will be made as funds become available.

4. Estimated* Inclusionary Housing Fee of $18 per square foot is assessed on the total square footage of the interior of all dwelling units (31,414 sq. ft. x $18 = $565,452). This fee will be deposited into the City’s Affordable Housing Trust Fund and used to construct, acquire and/or preserve affordable housing.

5. Estimated* Public Open Space In-Lieu Fee of $102 per square foot of required public open space (1,033.83 sq. ft. x $102 = $105,450.66). This fee will be deposited into the City’s Public Open Space Fund and used towards improvements to public parks, as identified in the City’s Parks and Recreation Master Plan.

Total community contribution of this project is estimated to be $1,097,846.53.

*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.

Public Notice and Comment

The required public notice for the project was published in the East Bay Times, posted on the project site, and mailed to owners of property and tenants within 300 feet of the project site and all interested parties on January 16, 2020. City Staff have not received comments on this application since the December 18, 2019 Planning Commission meeting.

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. 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 Section 15168 and Government Code Section 65457(a).

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 ensure that the project will not have environmental effects which have not previously been addressed in the San Pablo Avenue Specific Plan EIR. In addition, a number of project-specific conditions of approval have been identified in the Initial Study and included in the draft resolution. These conditions are the result of project-level analysis that has been completed as part of the project review. The conditions do not identify new environmental impacts, and the project remains consistent with the analysis in the Program EIR.

Compliance with the General Plan

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 50 new housing units and 4 live-work units on San Pablo Avenue, with close proximity to public transportation and commercial uses. The infill project contains ground-floor residential units in a location adjacent to an existing bus stop.*

**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 four live-work units will provide spaces for locally-owned small businesses. The design of the project will allow for surveillance of the street, enhancing public safety. The project will also contribute public open space as well as funds towards Centennial Park.*

**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 El Cerrito Plaza BART station. The location also provides convenient walking access to local businesses. The project also provides 82 long-term and 6 new short-term bicycle parking spaces and contributes its fair share to the San Pablo Avenue Complete Streets program.

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 addresses San Pablo Avenue and Eureka Avenue with building entries and windows along the street.

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 San Pablo Avenue and Eureka Avenue and features ample window openings and doors along the street. These windows will allow surveillance of streets from the units within the project. The project meets or exceeds the transparency standards of the San Pablo Avenue Specific Plan.

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 roof decks on the fifth level and on the rooftop, along with balconies for many of the units.

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. Landscaping will be provided to soften the building edge along San Pablo Avenue and Eureka Avenue, and landscaping is provided as a buffer between the proposed building and adjacent properties.

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-tolerant plants such as Hair Grass and Gray Rush.

**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 façade and interesting building form. The building is designed at a human scale with building entries along San Pablo Avenue and Eureka Avenue.

**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. Pursuant to the San Pablo Avenue Specific Plan, both the Planning Commission and the Design Review Board have authority over elements of the Tier IV Design Review Process.

**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 50 new residential units and 4 live-work units 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 and businesses (live-work 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.

The project will have building entries directly onto San Pablo Avenue and Eureka Avenue that provide convenient access to the adjacent bus stop.

**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 Higher-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 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.

As detailed in this report, the project will implement the following goals and strategies of the San Pablo Avenue Specific Plan:

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

Goal B: Ensure Return on Investment

Strategy 1: Maximize TOD potential; Strategy 3: Leverage all investments to catalyze new investments

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

Goal D: Enhance and Humanize Public Realm

Strategy 3: Create new gathering places to serve the needs of existing and new users

Goal E: Catalyze Mode Shift

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

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 project will provide a $250,000 contribution for Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan.

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.

Except for the shadow standards, the project is consistent with the standards of the San Pablo Avenue Specific Plan and the standards of the Transit Oriented Higher-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Higher-Intensity Mixed Use Transect Zone and the project is compatible with the land uses permitted throughout the San Pablo Avenue Specific Plan.

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

The intent of the Transit Oriented Higher-Intensity Mixed Use Transect Zone is to:
Provide a vibrant, walkable, transit oriented higher intensity area within a 1/2 mile BART walkshed that allows a wide variety of uses including retail, commercial, residential and public uses in the distinctive Downtown and Uptown 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.

The proposed project will add 50 new residential units and 4 live-work units to San Pablo Avenue, enhancing the mix of uses. The project represents the higher-intensity vision of the Specific Plan for development near the El Cerrito Plaza BART station.

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


Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL19-0007, as conditioned by the draft resolution in Attachment 1.
Proposed Motion

Move adoption of Planning Commission Resolution PC2019-18 granting Tier IV Design Review approval to Planning Application No. PL19-0007: a project that includes a new 5-story building containing 50 residential units and 4 live-work units located at 10290 & 10296 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 Plans, dated January 28, 2020
3. Initial Study Checklist and Appendices
4. Tier II Compliance Building Massing
Planning Commission Resolution PC 2019-18

APPLICATION NO. PL19-0007

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION GRANTING TIER IV DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A NEW BUILDING CONTAINING 50 RESIDENTIAL UNITS AND 4 LIVE-WORK UNITS AT 10290 & 10296 SAN PABLO AVENUE

WHEREAS, the site is located at 10290 & 10296 San Pablo Avenue;

WHEREAS, the existing Assessor’s Parcel Numbers of the site are 503-394-026 & 503-394-024;

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 Higher-Intensity Mixed Use;

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

WHEREAS, on January 18, 2019, the applicant submitted an application for Tier IV Design Review;

WHEREAS, on May 29, 2019, the Planning Commission and Design Review Board held a joint study session and provided preliminary comments on the project;

WHEREAS, on December 18, 2019, the Planning Commission conducted a public hearing and continued the application to January 15, 2020;

WHEREAS, revised application materials were not available for the January 15, 2020 Planning Commission meeting, and public noticing was distributed for a public hearing at a special Planning Commission meeting on February 6, 2020;

WHEREAS, on February 6, 2020, 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 Section 15168(c) and Government Code Section 65457(a) 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:

   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

   Goal B: Ensure Return on Investment
   Strategy 1: Maximize TOD potential; Strategy 3: Leverage all investments to catalyze new investments

   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
Goal D: Enhance and Humanize Public Realm
Strategy 3: Create new gathering places to serve the needs of existing and new users

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

3. The project will provide a public benefit of $250,000 contribution for Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan.

4. Except for the shadow standard, the project is consistent with the standards of the San Pablo Avenue Specific Plan and the standards of the Transit Oriented Higher-Intensity Mixed Use Transect Zone. The proposed land uses are permitted in the Transit Oriented Higher-Intensity Mixed Use Transect Zone and the project is compatible with the land uses permitted throughout the San Pablo Avenue Specific Plan.

5. The proposed project will add 50 new residential units and 4 new live-work units to San Pablo Avenue, enhancing the mix of uses. The project will provide 23 studio units, 11 metro one-bedroom units, 8 one-bedroom units, 8 two-bedroom units, and 4 live-work units to meet the needs of residents.


NOW, THEREFORE, BE IT RESOLVED that after careful consideration of all 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. PL19-0007, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans dated January 28, 2020. 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 not used, this design review shall expire two years from the date of Design Review Board approval of this Tier IV Design Review application (PL19-0007).
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. 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 may 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:**

10. 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.

11. Air Quality (Mitigation Measure 5-1): Implement the following Bay Area Air Quality Management District (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:**

    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. 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.
d. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
e. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
f. Limit traffic speeds on any unpaved roads to 15 mph.
g. Replant vegetation in disturbed areas as quickly as possible.
h. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
i. 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:
j. 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.
k. 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.
l. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
m. Properly tune and maintain equipment for low emissions.

12. Air Quality (Mitigation Measure 5-2): Prior to issuance of building permit the applicant shall require project-level construction health risk assessment shall be completed to the satisfaction of the Zoning Administrator. This assessment shall be completed either through screening or refined modeling to identify impacts and, if necessary, include performance standards and industry-recognized measures to be accomplished through, though is not limited to, the following measures:

a. Construction equipment selection.
b. Use of alternative fuels and engine retrofits temporary line power or electric equipment.
c. Modified construction schedule; and
d. Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

13. Biological Impacts (Mitigation Measure 6-1): Removal of trees, shrubs, or weedy vegetation between February 1 and August 31 shall require a survey for nesting birds by a qualified wildlife biologist to the satisfaction of the Zoning Administrator. The survey shall be conducted no sooner than 14 days prior to the start of removal of trees, shrubs, or weedy vegetation. Survey results shall be valid for 21 days following the survey. Any removal of trees, shrubs, or weedy vegetation more than 21 days after a survey shall require a new survey. The area surveyed shall include all construction sites, 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.

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.

A qualified biologist shall conduct preconstruction 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 the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring.

The survey for nesting birds, bats and suitable bat roosting habitat may be conducted simultaneously.

14. 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.

15. Paleontological Resources (Mitigation Measure 7-3): The applicant shall implement a program that includes the following elements:

   a. Paleontological resource identification training procedures for construction personnel
   b. Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface
   c. 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.
16. 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.

17. Noise (Mitigation Measure 13-1): Future development would be exposed to outdoor noise levels exceeding acceptable levels as defined in the El Cerrito and Richmond General Plans. Noise levels inside residential structures proposed in such noise environments would exceed 45 dBA Ldn, the local established land use compatibility threshold. In areas where residential developments would be exposed to an Ldn of greater than 60 dBA, El Cerrito General Plan Policy H3.9 requires the evaluation of mitigation measures for specific projects. In Richmond General Plan Action SN4.A, new noise-sensitive uses that are located in an area with day-night average sound levels (Ldn) of 55 or greater require a noise study report; the report shall identify noise mitigation measures that limit noise to an acceptable level compared to existing conditions.

a. Utilize site planning to minimize noise in residential outdoor activity areas (shared outdoor space in multi-family developments) by locating the areas behind noise barriers, the buildings, in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. The goal is a maximum noise level of 60 dBA Ldn from roadway traffic and 70 dBA Ldn from BART noise.

b. The City of El Cerrito requires project-specific acoustical analyses to achieve interior noise levels of 45 dBA Ldn or lower, and the adopted instantaneous noise levels in residential units exposed to exterior noise levels greater than 60 dBA Ldn should not exceed 50 dBA Lmax in bedrooms and 55 dBA Lmax in other rooms. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation in noise environments exceeding 60 dBA Ldn so that windows could be kept closed at the occupant’s discretion to control noise. Special building construction techniques (e.g., sound rated windows and building facade treatments) may be required where exterior noise levels exceed 65 dBA Ldn. These treatments include, but are not limited to, sound rated windows and doors, sound rated exterior wall assemblies, acoustical caulking, etc. The specific determination of what treatments are necessary will be conducted on a unit-by-unit basis during project design. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City, along with the building plans, which shall be revised as necessary or approved prior to issuance of a building permit. Feasible construction techniques such as these would adequately reduce interior noise levels to 45 dBA Ldn or lower and meet instantaneous noise limits.

c. Similar to above, noise insulation features shall be considered on a case-by-case basis for noise-sensitive offices and commercial uses proposed where noise levels exceed 65 dBA Ldn, in order to meet adopted noise standards.

d. Implementation of these measures would reduce potential noise and land use compatibility impacts to a less-than-significant level.

18. Noise (Mitigation 13-2): New commercial development proposed in the same building as or adjacent to residential development could result in noise levels exceeding City standards.

a. Noise levels at residential property lines from commercial development shall be maintained not in excess of the General Plan and municipal code limits for the Cities of El Cerrito and Richmond. The approval of the commercial development shall require a noise study demonstrating how the business—including loading docks, refuse areas, and ventilation systems—would meet these requirements and would be consistent with the respective City’s noise standards.

b. Ensure that noise-generating activities, such as maintenance and loading and unloading, are limited to the hours of 7:00 AM to 9:00 PM.
19. 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.

20. 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:

21. Prior to issuance of a building permit, building plans shall incorporate recommendations included in the December 2016 Geotechnical Investigation for 10290/10296 San Pablo Avenue prepared by Friar Associates, Incorporated, and the August 1, 2019 update to this report.

22. Prior to issuance of a building permit, building plans shall incorporate irrigation plans with the landscape plans.

23. Prior to issuance of a building permit, a lot merger application shall be reviewed and approved by the Zoning Administrator and recorded with the Contra Costa County Clerk-Recorder.

24. The project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project meet the California Air Resources Board (CARB) Tier 4 emissions standards or equivalent.

25. Prior to issuance of a building permit, the following noise reduction features shall be included for all units facing San Pablo Avenue:

   a. Windows shall have a sound transmission class (STC) rating of 31 for living rooms and 36 for bedrooms.
   b. Interior gypsum at exterior walls shall be 5/8” Type X or Type C hung on resilient channel (RC).
   c. Ceiling gypsum shall be 5/8” type X or Type C.
   d. Exterior finish shall be stucco or system with equivalent weight per square foot.
   e. Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation.

As an alternative to the above-listed interior noise control measures, the applicant may provide a detailed analysis of interior noise control measures once building plans become available. The analysis should be prepared by a qualified noise control engineer and shall outline the specific measures required to meet the City’s 45 dB Ldn and 50-55 dBA Lmax, interior noise level standards.

26. The project applicant shall participate in the Stege Sanitary District’s San Pablo Avenue Sewer Capacity Improvement Fee Program.

27. Prior to issuance of a building permit, the applicant shall provide a payment of $250,000.00 to the City of El Cerrito to be used toward Phase II improvements to Centennial Park consistent with the Parks & Recreation Facilities Master Plan. If it becomes infeasible to utilize these funds for the Phase II improvements or the funds are no longer needed for these improvements, these funds may be reallocated for other capital improvement projects, at the discretion of the Zoning Administrator.
28. The applicant shall comply with inclusionary housing requirements contained in Chapter 19.30 of the El Cerrito Municipal Code and shall pay all applicable fees to the City’s Affordable Housing Trust Fund prior to issuance of a building permit.

29. Prior to issuance of a building permit, the applicant shall pay the required fee ($105,450.66) in-lieu of providing public open space on the project site.

30. Commercial land uses shall be maintained in each of the four live-work units at all times. These commercial uses shall maintain active business licenses.

Public Works Department:

31. Prior to certificate of occupancy, the applicant shall provide at least 20 feet of red curb on both sides of the project driveway to ensure that on-street parking does not restrict sight distance for exiting vehicles.

32. Existing and proposed street trees on both sides of the project driveway shall be trimmed to provide at least six feet of clearance between the lowest branch and the ground at all times.

33. Prior to issuance of a building permit, building plans shall indicate that adequate sight distance can be provided between vehicles exiting garage and pedestrians on the adjacent sidewalk. If adequate sight distance cannot be provided, applicant shall install mirrors on both sides of the project driveways to aid drivers’ and pedestrians’ visibility and install flashing lights to alert pedestrians when a vehicle is exiting the garage.

34. Applicant shall provide a detailed civil plan for off-site work for the Public Works Department to review and approve prior to the issuance of a building permit. Improvements on the property frontage shall comply with the adopted San Pablo Avenue Specific Plan Complete Streets Design Standards and Guidelines section, including but not limited to signage, striping and curb painting. Applicant shall incorporate into these plans all roadway improvements that are part of the San Pablo Avenue Specific Plan and as identified in the Preliminary Transportation Analysis prepared for the project by Fehr & Peers, dated January 17, 2019.

35. Prior to the issuance of a building permit, applicant shall submit an estimate of grading and earthwork to be completed for the project. Any earthwork and/or 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.

36. Before the start of ANY work in the public right-of-way, including any street tree, sidewalk and driveway work, applicant must obtain a Public Works Encroachment Permit and pay all associated fees.

37. Prior to the issuance of a building permit, the applicant shall submit a landscaping plan, showing all planting in the right-of-way. All new street trees to be installed must be selected from the City Master Tree List and approved by the City Arborist before installation. Tree species, location, spacing, tree well size, and planting details, are to be approved by the City Arborist before installation. Any new street trees are required to have irrigation and an establishment period of 3 years prior to acceptance by the City.

38. Applicant shall provide detailed drainage plan including rain leaders, roof slopes, downspouts, etc. for the Public Works Department to review and approve prior to issuance of building permit. All drainage
shall stay on-site, draining away from the foundations, 10’ from property lines, and shall not cause a nuisance to neighboring properties

39. Applicant shall submit an Erosion and Sediment Control Plan for construction for review and approval by the Public Works Department prior to issuance of a building permit.

40. Applicant shall submit a Stormwater Operations & Maintenance Agreement to the Public Works Department to review and approve prior to issuance of a building permit.

Building Division:

41. Compliance with the Building Code and associated codes in effect whenever the building plans are submitted is required. This includes, but is not limited to, the following requirements:

   a. Stacked parking must allow independent access to all vehicles.
   b. Floor plans for Studios A and B contain an inner room without natural light or ventilation from a window directly to the outside. Light and ventilation will come from the adjoining space. The Building Code requires the wall between the two spaces be 50% open from floor to ceiling without obstruction. A door may not be installed to close off the opening. The window in the adjoining space must be sized to provide light and ventilation for the square footage of both spaces combined.
   c. For elevator buildings, all units are considered "covered" per CBC 1106A.1(2) and must be designed to be either accessible or adaptable per CBC Chapter 11A, Division IV.
   d. Operable windows must be equipped with opening restrictor hardware to prevent accidental falls of small children.
   e. Metering or sub-metering of both hot and cold water is required for each unit.

Fire Department:

42. Building Construction
   b. Pre-Fabricated modular units shall meet State requirements prior to transport.

43. Access
   a. Emergency Vehicle Access (EVA) roads for aerial apparatus shall be a minimum of 26 feet in width and 13 feet 6 inches of unobstructed vertical clearance with an all-weather driving surface that can support a minimum of 75,000 pounds.
   b. Where a fire hydrant is required and located on an EVA the minimum width shall be 26 feet, exclusive of shoulders.
   c. Where the vertical distance between grade plane and the highest roof surface exceeds 30 feet an approved aerial fire apparatus access road shall be provided.
   d. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building of portion thereof.
   e. At least one required access route meeting the aerial access roads requirements shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
   f. Emergency Vehicle Access (EVA) with a minimum of 20 feet in width and 13 feet 6 inches of unobstructed vertical clearance with an all-weather driving surface that can support a minimum of 75,000 pounds shall be provided so that hose pulls from apparatus do not exceed 150 feet to all portions of the 1st floor exterior that do not have a permanent water supply provided by an exterior standpipe.
g. If gates are installed across EVA roads, gates shall be operable by the use of a Knox Key.

h. A “KNOX BOX” shall be installed with keys for all common areas to be installed at all primary access point utilized by the Fire Department.

44. 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.

45. 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.

46. Standpipes
   a. Standpipes shall be wet.
   b. Standpipes shall extend to the roof in Stair #1
   c. Fire Department valve connections shall be in the intermediate landings of stairwells.
   d. Install standpipe in Stair #1
   e. Recommend: Install standpipe in Stair #2.

47. 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.

48. Fire Alarm System
   a. Fire alarm plans shall be submitted for review and approval.

49. Smoke Detection
   a. Approved by State Inspector during fabrication.

50. Carbon Monoxide Detectors
   a. Approved by State Inspector during fabrication.

51. Electrical
   a. All electrical breakers shall be labeled.
   b. Electrical equipment rooms shall be identified on door leading to room.

52. 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.

53. Emergency Egress
   a. Exit signs shall be internally or externally illuminated.
   b. Emergency electrical system to automatically illuminate means of egress.
c. Emergency egress signs shall be posted indicating exit path.
d. Braille or tactile exit route and exit signs shall be posted for ADA compliance.
e. Emergency egress plans shall be developed.

54. Radio Communications
   a. Radio frequency signal strength analysis shall be conducted throughout the building.
   b. If radio signal strength deficiencies are identified, signal boosters shall be installed to achieve adequate signal strength and boosters shall be maintained

Stege Sanitary District:
55. The contractor shall first procure a permit from Stege Sanitary District (SSD) and pay all fees prior to any work. Plumbing Contractor guidelines can be found here: https://www.stegesan.org/publications/registered-plumbing-contractors

56. If the existing connection to the sanitary sewer main line is NOT to be reused, then this existing connection must be abandoned by capping at the MAIN, not at the property line.

57. PVC pipe is not allowed. Multifamily and commercial properties shall use 6” diameter pipe. If the existing lateral is 4” it must be upsized to 6”. Our general (construction) guidelines can be found here: https://www.stegesan.org/documents/general_guidelines.pdf

58. The applicant shall pay all applicable sewer connection fees pursuant to Section 7.3 of the Stege Sanitary District Ordinance Code.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on February 6, 2020, upon motion of Commissioner __________, second by Commissioner __________:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Sean Moss, AICP
Planning Manager
RENDERINGS AND MATERIALS

VIEW FROM NORTH ON SAN PABLO AT EUREKA

VIEW FROM SOUTH ON SAN PABLO

EXTERIOR
MATERIALS

WEATHER MABRO
COMPOSITE PANEL, INTERIOR/EXTERIOR, SMOOTH FINISHED
LUXURY VINYL
METAL SUB. FLOOR INTERIOR

BLANK
COMPOSITE PANEL, INTERIOR/EXTERIOR, SMOOTH FINISHED
LUXURY VINYL
METAL SUB. FLOOR INTERIOR

COMPOSITE PANEL, INTERIOR/EXTERIOR, SMOOTH FINISHED
LUXURY VINYL
METAL SUB. FLOOR INTERIOR

METAL SUB. FLOOR INTERIOR

CLEVERHOMES  BY  TOBYLONGDESIGN
6114 LASALLE AVENUE #552, OAKLAND CA 94611
TOBY LONG, AIA  -  415.905.9030  -  TOBY@CHXTLD.COM
The Extensive Garden Roof Assembly is ideally suited for locations that will receive little maintenance or where structural capabilities are a concern.

Features of the Extensive Garden Roof Assembly:
- Depth 12" of growing media
- Reduce infrastructural stress
- Help to mitigate the urban heat island effect
- Requires minimal maintenance
- Can be used on flat or sloping roofs

Refer to Sheet L3 for Fifth Floor and Roof Plans.
GENERAL NOTES:

1. ALL PLANTING SHALL BE WATERED BY FULLY AUTOMATIC, WATER-CONSERVING IRRIGATION SYSTEM.

2. ALL PLANTING AREAS SHALL RECEIVE A 3" LAYER OF FIBERBARK MULCH DRESSING.

REFER TO SHEET L1 FOR GROUND LEVEL PLAN AND PLANT LIST
<table>
<thead>
<tr>
<th><strong>Project Title:</strong></th>
<th>Vital Apartments, 10290 San Pablo Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lead agency name and address:</strong></td>
<td>City of El Cerrito Planning Division 10890 San Pablo Avenue El Cerrito, CA 94530</td>
</tr>
<tr>
<td><strong>Contact person and phone number:</strong></td>
<td>Jeff Ballantine (510) 215-4358</td>
</tr>
</tbody>
</table>
| **Project Location:** | 10290 San Pablo Ave.  
City of El Cerrito – San Pablo Avenue Specific Plan Area  
Contra Costa County, CA |
| **File Number:** | PL19-0007 |
| **Project sponsor’s name and address:** | Toby Long Design  
6114 La Salle Ave. #552  
Oakland, CA 94611 |
| **Property Owner:** | Vital Building & Enterprises, Inc. Vital Properties, Inc.  
10835 San Pablo Ave., Suite 200  
El Cerrito, CA 94530 |
| **General Plan Designation:** | Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) |
| **Zoning:** | Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) |
| **Description of project:** | The project site is located in the southern portion of the City of El Cerrito, Contra Costa County, California at the southeast corner of the San Pablo Avenue and Eureka Avenue intersection on a 12,500 square-foot site. Two buildings occupy the site: a 6,300 square-foot building at 10290 San Pablo Avenue and a 2,700 square-foot building at 10296 San Pablo Avenue. 10290 San Pablo Avenue was originally constructed as office space in 1965; and most recently was used by a church. The proposed project would demolish the existing buildings and parking lot and construct a new 45,273 square-foot, five story 57.5-foot tall multi-family residential building with a total of 55 dwelling units including 5 live-work units. Access is proposed at one entrance along San Pablo Avenue into the lobby, and two entrances from Eureka Avenue, including a parking garage accessible from a driveway ramp off Eureka Avenue. The proposed residential units include a combination of studios, 1-bedroom, 2-bedroom, and live-work units. |
| **Surrounding land uses and setting; briefly describe the project’s surroundings:** | North of the project site and across Eureka Avenue is a commercial building which is the site of the proposed residential development at 10300 San Pablo Avenue. East of the project site are single-family residences. South of the project site is a commercial property, and west of the project site across San Pablo Avenue are commercial properties within the City of Richmond. |
| **Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):** | None |
| **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.17? If so, has consultation begun?** | No Native American Tribes have requested consultation. |
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1. INTRODUCTION

This checklist and attached supporting documentation have been prepared to analyze the potential environmental impacts of the 10290 San Pablo Avenue development (project or proposed project) in relationship to the prior environmental review conducted for the site in the City of El Cerrito San Pablo Avenue Specific Plan (SPASP) Environmental Impact Report (EIR). The analysis considers whether the environmental impacts of the project have already been analyzed under the California Environmental Quality Act (CEQA) (Pub. Resources Code (PRC), Section 21000, et seq.).

This document is an Environmental Compliance Checklist to examine the environmental effects of the proposed 10290 San Pablo Avenue Project (“project”). This document has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines as implemented by the City of El Cerrito. According to Section 15168(c)(2) of the State CEQA Guidelines, a program Environmental Impact Report (EIR) can be used in compliance with CEQA to address the effects of a subsequent activity so long as the activity is within the scope of the project covered by the program EIR and no new effects are found, and no new mitigation measures would be required. As supported by the analysis in this document, the 10290 San Pablo Avenue Project would not result in new or substantially more severe significant environmental effects than what was analyzed in the San Pablo Avenue Specific Plan EIR.

In addition, the project is eligible for a CEQA exemption under Government Code 65457(a). Pursuant to Government Code 65457(a), the project is a residential development undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980.

1.1. PROJECT BACKGROUND AND PRIOR CEQA DOCUMENTATION

In 2014, the City of El Cerrito adopted the San Pablo Avenue Specific Plan (“SPASP FEIR”) and certified the accompanying EIR (State Clearinghouse #2014042025). The Specific Plan represents a planning effort to identify a vision for the future of San Pablo Avenue, improvement needs, and adopt implementing regulations that can be applied consistently in the planning area. A major goal of the planning effort is to achieve a coordinated, cohesive environment and character in the Specific Plan area through (1) a Form-Based Code (FBC); (2) multimodal transportation goals and policies, recommended streetscape design improvements, and design standards as part of the Complete Streets Plan; and (3) infrastructure improvements.

The former El Cerrito Redevelopment Agency undertook development of the Specific Plan beginning in 2007 to develop a vision for the future of San Pablo Avenue. On April 2, 2013, City Council received an update on the Specific Plan, including a staff recommendation to add a Complete Streets Element and Programmatic Environmental Impact Report (EIR). Community Development and Public Works Staff worked with consultants to update and complete the draft Specific Plan in response to Council comments and to develop a more implementation-focused, market-driven Specific Plan that incorporates contemporary land use planning and transportation strategies. Additionally, the Specific Plan incorporated Council adopted policies, including the 2013-2017 Strategic Plan (adopted April 2, 2013), the Climate Action Plan (adopted May 21, 2013) and Plan Bay Area (adopted by MTC and ABAG on July 18, 2013). The San Pablo Avenue Specific Plan was adopted, and the Final Environmental Impact Report was certified by the City in December 2014.

1.2. CEQA REQUIREMENTS

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 10290 San Pablo Avenue Project is within the planning area for the San Pablo Avenue Specific Plan Final EIR 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 10290 San Pablo Avenue Project as being within the scope of the SPASP EIR and no new, subsequent or supplemental environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the 10290 San Pablo Avenue Project does not require any further review under CEQA.
2. PROJECT DESCRIPTION

2.1. PROJECT LOCATION AND SETTING

The project site (APN 503-394-026-2 & 503-394-024-7) is located in the southern portion of the City of El Cerrito, Contra Costa County, California (Figure 1: Regional Map) at the southeast corner of the San Pablo Avenue and Eureka Avenue intersection (Figure 2: Site Vicinity Map) on a 12,500 square-foot site. Although the general topography around the site gently slopes upwards towards the east, the site is largely flat. Two buildings occupy the site: a 6,300 square foot building at 10290 San Pablo Avenue and a 2,700 square foot building at 10296 San Pablo Avenue. 10290 San Pablo Avenue was originally constructed as office space in 1965; the latest use was a church. 10296 San Pablo Avenue was originally constructed as a real estate office with residential above; the last use was the office of the El Cerrito Chamber of Commerce and as space for a private law office and a hair salon (Figure 3: Project Site Map).

The project site has General Plan Land Use designation of Transit-Oriented Higher-Intensity Mixed Use through the San Pablo Avenue Specific Plan (Figure 4: General Plan Land Use Designation Map) – and is located within the San Pablo Avenue Specific Plan area (Figure 5: San Pablo Avenue Specific Plan Map). The San Pablo Specific Plan zoning designates this property as within the Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) zoning district. San Pablo Avenue, south of Eureka Avenue, is designated as a San Pablo Avenue (SPA) Community Street and Eureka Avenue is designated as a Neighborhood Street. The proposed project would be generally compliant with all zoning requirements for the TOHIMU district, SPA Community Street classification and Neighborhood Street. North of the project site and across Eureka Avenue is the residential development approved for 10300 San Pablo Avenue. East of the project site are single-family residences. South of the project site is a commercial property, and west of the project site across San Pablo Avenue are commercial properties within the City of Richmond.

2.2. PROJECT CHARACTERISTICS

The proposed project would demolish the existing buildings and parking lot and construct a new 45,273 square-foot, five-story, 57.5-foot tall multi-family residential building with a total of 55 dwelling units, five (5) of which will be ground-level live/work units facing San Pablo Avenue (Figure 6: Project Site Plan). Access to the proposed residential units is provided at one entrance along San Pablo Avenue into the lobby and two entrances from Eureka Avenue, including a proposed parking garage with access from Eureka Avenue. Live-work units at ground-level would be directly accessed through street-fronting entrances. A trash room, a bike storage room, and a mechanical room would be located on the ground floor with access from the parking garage area. The proposed residential units include a combination of one-story studios, metro 1-bedroom, 1-bedroom, 2-bedroom, and live-work units as summarized in Table 1.

<table>
<thead>
<tr>
<th>Level</th>
<th>Studios</th>
<th>Metro 1 Bed</th>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>Live / Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>2nd</td>
<td>4</td>
<td>9</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>3rd</td>
<td>13</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>4th</td>
<td>7</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>5th</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Total Type</td>
<td>28</td>
<td>12</td>
<td>3</td>
<td>7</td>
<td>5</td>
</tr>
</tbody>
</table>

Table 1: Project Unit Type

The project is designed to front onto San Pablo Avenue with a driveway entrance to the parking garage on Eureka Avenue. The front of the building along San Pablo Avenue has front doors for the first-floor units; these units are designed with large glazing areas. The upper floor units are accessed from two common staircases and one elevator within the building that can be accessed from the San Pablo Avenue entrance, the entrance located along Eureka Avenue, and the entrance accessed through the parking garage (Figure 6: Project Western Elevation).
The project is accessible by auto, public transit bicycle and walking. A bus stop is located at the corner of San Pablo Avenue and Eureka Avenue. The El Cerrito Plaza Bart station is located approximately 0.5 miles away from the project. Long term bicycle storage for 83 bicycles will be provided within a proposed bike room (28 spaces), accessed from the parking garage, and within the residential units (55 spaces). Eight (8) short-term bicycle parking spaces will be provided for the project along San Pablo Avenue. The SPASP form-based code parking requirement in the TOHIMU zoning district allows up to 1.0 parking space per residential unit and provision of a basic Transportation Demand Management (TDM) plan. For projects proposing 0.50 parking spaces or less per residential unit, a parking study and additional TDM measures may be required. The project proposes at least 28 garage parking spaces at a rate of 0.51 spaces per unit and is not subject to TDM. Parking would be secured by gate access and includes two- and three-level stackers. The project would provide twenty-six stacked garage parking spaces, and two ADA accessible space for a total of 28 parking spaces. Vehicles would access the site through a gated access driveway on Eureka Avenue into the enclosed garage. Electric Vehicle (EV) Charging stations would be provided in the garage including six on-lift chargers and one ADA charging station.

Landscaping will be provided along San Pablo Avenue, Eureka Avenue, along the southern and eastern edges of the ground level, on the eastern edge of the third, fourth, and fifth level, and on all edges of the common roof deck. The building form terraces to the east to reduce shadow impacts on residences east of the project site. San Pablo Avenue will have an 8-foot & 10.9-inch wide “sidewalk amenity zone” which will include landscaping and street trees. There will be an 8-foot wide pedestrian walkway space and a 3-foot & 1.4-inch wide “sidewalk activity zone.”

The project has been designed to meet all required stormwater quality standards and best management practices for low impact development standard. As proposed, the project will reduce impervious surfaces relative to the existing condition by 4.1%. As such, the project would result in an overall decrease in stormwater runoff from what currently exists on the project site today. As well as integrating stormwater runoff treatment into the overall landscape design, landscaping for the proposed project has been designed with low and moderate water-use plants to reduce the water demand. As proposed, water demand levels for landscaping are below the maximum allowed water allowance.

The project is subject to the San Pablo Area Specific Plan (SPASP) Tier IV design review, which permits flexibility to SPASP standards and implements Goal C of the Specific Plan which “encourage[es] practical and market friendly development.” Eligibility for Tier IV design review may be granted by the Planning Commission and the Design Review Board by finding that the project “provides a public benefit” that is beyond SPASP requirements “which is consistent with the goals of the Specific Plan, and furthers important goal(s) as stated in adopted City policy documents.” As such, the applicant will be required to provide public benefit funds towards project(s) outlined by the City's Capital Improvement Program (CIP) in order to grant flexibility to shadow standards contained in the SPASP. A total of five (5) projects have previously been granted flexibility or exceptions to SPASP standards through Tier IV design review by incorporating a public benefit.
FIGURE 1: REGIONAL LOCATION MAP
FIGURE 2: SITE VICINITY MAP
FIGURE 3: PROJECT SITE MAP
FIGURE 4: GENERAL PLAN LAND USE DESIGNATION MAP
FIGURE 5: SAN PABLO AVENUE SPECIFIC PLAN ZONING MAP
FIGURE 6: SITE PLAN
FIGURE 7: WESTERN ELEVATION
3. EVALUATION OF ENVIRONMENTAL IMPACTS

The following discussion addresses the potential level of impact relating to each aspect of the environment.

3.1. AESTHETICS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</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>

Sources: San Pablo Avenue Specific Plan EIR; HortScience Bartlett Consulting, Tree Assessment 10290 San Pablo Ave., El Cerrito CA, January 14, 2019.

DISCUSSION

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 that 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). The mitigation measure requires preparation of a viewshed analysis to determine if the proposed building meets the standards set forth in the SPASP. Pursuant to Section 2.05.02.03 of the FBC, a visual analysis was prepared for the proposed project. The view analysis demonstrates that the proposed project will not impact key views 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 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 proposed project would not be visible from the nearest BART platform, as views are obfuscated by existing development.
• 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 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.

A shadow study conducted for the project concluded that on the winter solstice, December 21, at the hour of peak sunlight, 1:30 p.m., shadows of more than 51 feet would be cast onto residences to the east. The SPASP Form Based Code directs that buildings not cast shadows onto adjacent residential uses to the east greater than 14 feet deep at 1:30 p.m. on December 21. However, the Specific Plan includes provisions to allow exceptions to the shadow standard pursuant to the Tier IV design review process. This project is consistent with that process by providing a public benefit. Furthermore, the SPASP provides intent to develop more high-density development along the San Pablo Avenue Corridor and in proximity to the BART station; this is balanced on the project site by creating 55 housing units in a five-story building. As seen in the North Elevation, the Project design introduces a tiered building where each story is set back from the story below on the east façade in an effort to minimize massing.

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 4-2, are required.

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 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 introduced by the project.
3.2. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</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>☒</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>☒</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>☒</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>☒</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>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

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.
3.3. AIR QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>c) Exposure of sensitive receptors to substantial pollutant concentrations?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Sean Moss, City of El Cerrito Planning Division, Email Communication, May 4, 2017; Bay Area Air Quality Management District, 2017. Final 2017 Bay Area Clean Air Plan.

DISCUSSION

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 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.

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 high-intensity 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. 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 and associated air quality impacts resulting from 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). Implementation of the proposed project would not substantially increase population, vehicle trips, or vehicle miles traveled. The project supports 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.

**Construction-Related Impacts**
The SPASP FEIR identified that construction activities associated with implementation of the SPASP would result in short-term emissions including site grading, asphalt paving, building construction, and architectural coating. Emissions commonly associated with construction activities include fugitive dust from soil disturbance/demolition, fuel combustion from mobile heavy-duty diesel- and gasoline-powered equipment, portable auxiliary equipment, and worker commute trips. 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.

**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 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 eight-hour averaging periods, compared with 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.

The SPASP permits a variety of uses in the TOHIMU zoning district, including multiple family residential, full-service restaurants, retail sales, and other uses. The proposed project would generate fewer vehicle trips and associated vehicle exhaust emissions than other uses permitted by right on the project site in the SPASP FEIR. As such, air quality impacts assessed in the SPASP FEIR adequately analyzed impacts resulting from the project. Therefore, impacts related to CO hotspots would remain less-than-significant.

**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 PM2.5 increase greater than 0.3 micrograms per cubic meter (µg/m3). 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 PM2.5 increase greater than 0.8 µg/m3 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 demolition, 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, limited to initial stages of construction. 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.

Sensitive receptors are located adjacent to the project site. 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 expected to 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.

Long-Term Exposure of Sensitive Receptors to Toxic Air Contaminants
Implementation of the SPASP would allow new residential land uses that could include sensitive receptors, as well as new non-residential land uses that would be potential new emissions sources. The roadway screening analysis tables from the SPASP FEIR indicate that health risk from high volume surface streets such as Central Avenue, Carlson Boulevard, and Potrero Avenue would 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; however, the project site is not located within close proximity to any of these roadways (Carlson Boulevard is the closest to the project site, at a distance of approximately 500 feet). 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.

Odors & Other Emissions
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. Consistent with SPASP policies and SPASP FEIR Mitigation Measure 5-4, the proposed project would be located in an area surrounded by commercial uses and would not be located in an area where substantial odors (such as those associated with industrial, manufacturing, processing, or treatment uses) are generated.

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.

**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.
3.4. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>
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</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 US Fish and Wildlife Service?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on state or 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>

Sources: San Pablo Avenue Specific Plan EIR; HortScience Bartlett Consulting, Tree Assessment 10290 San Pablo Ave., El Cerrito CA, January 14, 2019.

DISCUSSION

Due to the highly developed urban environment of the SPASP area, with approximately 90 percent of the land developed, recently disturbed, or ruderal, the SPASP FEIR found that implementation of the Specific Plan would result in minimal impacts to biological resources. 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. The FEIR identified Mitigation Measure 6-1 to minimize potentially significant impacts associated with tree removal on nesting birds to less-than-significant levels. The project would not result in tree removal as there are no trees on the project site.

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 6-1, are required.

CONCLUSION
The proposed project would be consistent with the type of development analyzed within the SPASP FEIR. Tree removal activities would be conducted in conformance with SPASP Mitigation Measure 6-1. As such, the SPASP FEIR adequately evaluated the potential biological impacts of the proposed project there would be no new impact on biological resources.
3.5. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 pursuant to § 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) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; LSA, Historical Resource Evaluation of 10290 and 10296 San Pablo Avenue/State Route 123, El Cerrito, Contra Costa County, California, February 8, 2017.

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). The SPASP FEIR identified Mitigation Measure 7-1 to be applied to any individual discretionary project within the Specific Plan area that the City determines may involve a property that contains a potentially significant historic resource (e.g., a recorded historic resource or an unrecorded building or structure 45 years or older), the resource shall be evaluated by City staff, and if warranted, shall be assessed by a qualified professional on the California Historical Resources Information System (CHRIS) list of consultants who meet the Secretary of the Interior's Professional Qualifications Standards to determine whether the property is a significant historical resource and whether or not the project may have a potentially significant adverse effect on the historical resource.

The two-story office building at 10290 San Pablo Avenue was constructed in 1965 and the two-story mixed-use building at 10296 San Pablo Avenue was constructed in 1944. The Historic Resource Evaluation (HRE) conducted for the proposed project concluded that the building does not appear eligible for inclusion in the California Registry of Historic Resources under any significance criteria. The building is not a notable example of Vernacular architecture, and background research did not identify any persons associated with the building important to the past. For these reasons, this building does not appear to qualify as a “historical resource” for the purposes of CEQA (Public Resources Code Section 21084.1).

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.

In compliance with SPASP FEIR Mitigation Measure 7-2, a records search was undertaken at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at Sonoma State University in Rohnert Park for the project site and vicinity. Based on the records search, there are no known historic or archeological resources located within the immediate project site or vicinity. Nevertheless, the potential exists for previously unknown cultural resources to be encountered during ground disturbing activities at the site. Implementation of Mitigation Measures 7-2 and 7-3, which specify compliance with existing codes and regulations applicable to the accidental discovery of archaeological and paleontological resources and human remains during construction activities, would be required to be implemented.
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.

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.
3.6. ENERGY

<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 Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

DISCUSSION
The SPASP FEIR discusses that implementation of the Specific Plan would result in the plan area changing from an auto-oriented corridor to a multi-modal oriented community, including auto, transit, bicycle, and pedestrian modes of transportation. As a result, energy consumption associated with transportation, circulation, and infrastructure would be more efficient under the Specific Plan.

Additionally, the form-based code Section 2.05.05.01 details requirements to reduce El Cerrito’s carbon footprint, increase energy efficiency, and support the Climate Action Plan goals. This is accomplished by addressing passive heating and cooling techniques, zero-net energy buildings, solar power, wind power, and other energy efficient efforts. Section 2.05.05.03 of the form-based code encourages urban farming, which reduces energy by reducing food miles traveled and mitigating the urban heat island effect. As such, the SPASP FEIR concluded that impacts related to energy would not cause inefficient, wasteful, and unnecessary consumption of energy and would not conflict with any local renewable energy plan. As a transit oriented residential development, subject to the latest applicable California Building Code, the project would not result in wasteful, inefficient or unnecessary consumption of energy beyond what was analyzed in the SPASP FEIR.

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.

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 energy efficiency requirements. As such, the SPASP FEIR adequately evaluated the energy impacts of the proposed project and there would be no new impact associated with energy consumption.
3.7. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Directly or indirectly cause 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 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>
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</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect 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>
<tr>
<td>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>


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 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 the potential impact 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.

The Friar and Associated Geotechnical Investigation report conducted in December 2016 outlined recommendations to address geological conditions of the project site and will be incorporated into project implementation as conditions of approval.

Project-Specific Condition of Approval: All recommendations outlined in the Friar and Associates Geotechnical Investigation report, shall be incorporated into the project design and construction techniques at the discretion of the City Engineer to ensure compliance with the SPASP FEIR:

The proposed project’s incorporation of the recommendations outlined in the Friar and Associates Geotechnical Investigation report would ensure that potential impacts related geological conditions are reduced to less-than-significant levels. Therefore, the project would not result in significant impacts related to geology and soils that were not identified in the SPASP FEIR.

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 8-1, are required.

CONCLUSION
The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the most recent California Building Code at the time that building permits are issued, City-required erosion control techniques, and SPASP Mitigation Measure 8-1. As such, the SPASP FEIR adequately evaluated the potential geology and soil impacts of the proposed project and there would be no new impact associated with geology and soils.
### 3.8. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>

Sources: San Pablo Avenue Specific Plan EIR; El Cerrito Climate Action Plan May 21, 2013.

**DISCUSSION**

As identified in the SPASP FEIR, the BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating greenhouse gas (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 GHG efficiency threshold would be considered to have an impact that, cumulatively, would be significant. For the SPASP, GHG emissions were computed for both 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.

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 mixed-use development in close proximity to transit. 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.

**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.

**CONCLUSION**

The proposed project is consistent with the type of development analyzed within the SPASP FEIR and would be required to comply with the latest 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.
### 3.9. HAZARDS/ HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</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>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?</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 two miles of a public airport of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; AEI Consultants, Phase I Environmental Site Assessment of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue, El Cerrito, California 94530, July 21, 2016; AEI Consultants, Phase I Environmental Site Assessment Update of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue El Cerrito, Contra Costa County, California 94530, May 15, 2017.

**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.

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, paint, 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.

AEI performed a Phase I ESA in conformance with the scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue, El Cerrito, Contra Costa County, California, the subject property. AEI did not identify evidence of RECs or CRECs in connection with the subject property during the course of this assessment.

Due to the age of the existing buildings to be demolished, asbestos-containing materials (ACM) may be present. The EPA’s National Emission Standards for Hazardous Air Pollutants (NESHAP) requires that an asbestos survey be completed prior to demolition or renovation activities that may disturb ACMs. Similarly, OSHA regulations specify work practices for handling materials and debris containing asbestos or lead-containing materials. Lead-based paint (LBP) may also be present due to the existing buildings’ construction prior to 1978. While stringent local and state regulations apply to LBP in association with building demolition and renovation, AEI recommends that the property owner consult with a certified Lead Risk Assessor to determine options for control of possible LBP hazards. AEI recommended no further investigation for the subject property at this time.

Consistent with recommendations from the AEI report, the project shall undertake an asbestos-containing materials (ACM) survey and a lead-based paint (LBP) survey prior to demolition and shall secure a J Permit from BAAQMD as warranted.

**Project-Specific Condition of Approval:** Prior to demolition screening shall be conducted by a qualified specialist to assess the presence of asbestos-containing material and lead based paint consistent with the required procedure identified in the SPASP EIR. Should such materials be identified then a J Permit shall be secured from the BAAQMD and all OSHA regulation shall be adhered to.

The nearest school to the project site is Fairmont Elementary School located 0.1 miles east of the project site. Although the school is within 0.25 miles of the project site, the project is a residential use and 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,\(^1\)\(^2\) 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.

**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.

**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, groundwater conditions, ACM and LBP, if present or encountered during demolition and construction 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.

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\(^1\) Alameda County Airport Land Use Commission, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan, Figure*3-2. September.

### 3.10. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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 or otherwise substantially degrade surface or ground water quality?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. result in substantial erosion or siltation on- or off site;</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>iii. 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; or</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>iv. impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Sources:** San Pablo Avenue Specific Plan EIR; Vit Hanacek, PE, Stormwater Control Plan for Vital Apartments, September 30, 2019.

**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, compliance with Water Board and 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 remain at less-than-significant levels.
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.

Currently, the project site contains approximately 16,913 square feet of impervious surfaces including buildings, parking and other hardscape. The proposed project would remove existing impervious surfaces onsite and introduce approximately 16,136 square feet of new impervious surfaces. As such under the proposed project approximately 777 square feet of pervious surfaces would be created onsite. In addition, the project would be required to achieve full compliance with the Contra Costa County NPDES permit guidelines for stormwater discharge. Therefore, the project would not result in any new or more severe impacts due to impervious surfaces relate to the SPASP FEIR.

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 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 in this area.

**APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the SPASP, 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.

**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 and water quality. As such, the SPASP FEIR adequately evaluated the hydrology and water quality impacts of the proposed project and there would be no new impacts associated with hydrology and water quality from implementation of the proposed project.
3.11. **LAND USE AND PLANNING**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

**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/residential) 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 nor would it cause an environmental impact to land use conflicts. 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 TOHIMU in the City's General Plan and SPASP. In addition, the site is also zoned as TOHIMU. The intent of the TOHIMU designation is to provide for a vibrant, walkable, transit-oriented higher density area within ½ mile of BART that allows a variety of uses including retail, commercial, residential, and public uses in the Downtown and Uptown areas. The TOHIMU designation allows for a 65-foot height limit (85 feet is permissible for affordable housing projects) and requires a minimum height limit of three stories for residential uses. The proposed project is consistent with the mix, intensity, and scale of development contemplated by the SPASP in this location.

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 streetscape along San Pablo Avenue and Eureka Avenue will comply with the San Pablo Avenue Specific Plan streetscape designs for a SPA Community Street and a Neighborhood Street. The proposed project would comply with the standards of the TOHIMU designation, including shadow standard exemptions subject to Tier IV design review, and would develop the site with high density residential uses in close proximity to transit as envisioned in the SPASP FEIR.

**APPLICABLE MITIGATION**

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the SPASP, 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.

**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 from its development.
### 3.12. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>

Sources: San Pablo Avenue Specific Plan EIR.

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

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generation of a substantial temporary or permanent increase in ambient noise</td>
<td></td>
<td></td>
<td></td>
<td>☑</td>
</tr>
<tr>
<td>levels in the vicinity of the project in excess of standards established in the</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) For a project located within the vicinity of an airport or an airport land</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>use plan or, where such a plan has not been adopted, within two miles of a public</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>airport or public use airport, would the project expose people residing or working</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Saxelby Acoustics, LLC, Environmental Noise Assessment 10290 San Pablo Residential City of El Cerrito, California, August 1, 2019.

DISCUSSION

This section compares noise impacts from the proposed project with impacts identified in the SPASP FEIR. The proposed project would include residential 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 result from the proposed project. Stationary source noise includes noise generated by new residents onsite.

An Environmental Noise Assessment was conducted for the proposed project and 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 surrounding traffic and commercial uses.

The primary existing noise sources in the project area are transportation facilities. Traffic on surrounding roadways including San Pablo Avenue contribute to the ambient noise environment. Train related activities associated with BART, including the El Cerrito Plaza BART Station, located 0.4 mile southeast of the project site, also contributes to the existing noise environment in the project vicinity. In addition, operational noise from the adjacent commercials uses (e.g., parking lot activities and people talking) is audible on the project site.

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 closest sensitive receptors include residential uses located east of the project site. Residential uses are also located north and west of the project site.

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 Ldn from traffic and BART noise. Future exterior 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.
In the project-specific Environmental Noise Assessment, prepared by Saxelby Acoustics, traffic from San Pablo Avenue is predicted to be 70 dBA Ldn at the exterior of Floors 2, 3, and 4, and 69 dBA Ldn at the exterior of Floors 1 and 5 of the proposed project. Based upon a typical 25 dB exterior-to-interior noise level reduction achieved by modern building construction, a maximum interior noise level of 45 dBA Ldn would be expected. This would meet the City’s 45 dBA Ldn interior noise level standard. Additionally, the City applies an interior maximum noise level standard of 50 dBA Lmax to bedrooms and 55 dBA Lmax to other occupied rooms. Based upon a typical 25 dB noise level reduction and the predicted exterior noise level range of 78-79 dBA Lmax, maximum interior noise levels are predicted to range between 53-54 dBA Lmax. Therefore, interior noise control measures would be required to achieve compliance with the City’s interior noise level standards.

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 with windows open. With windows open, residents would not meet the City’s normally acceptable residential interior noise standard of 45 dBA Ldn (i.e., 70 dBA – 15 dBA = 55 dBA). Therefore, an alternate form of ventilation, such as an air-conditioning system, and Sound Transmission Class (STC) rated windows, doors and wall would be required. With windows closed, interior noise levels would consistent with the City’s normally acceptable interior noise level criterion of 45 dBA (i.e., 70 dBA – 25 dBA = 45 dBA). Implementation of the following noise reduction measure, consistent with the recommendations of SPASP FEIR Mitigation Measure 13-1, would ensure that the project would not result in a noise compatibility conflict with the SPASP.

**Project-Specific Condition of Approval:** Consistent with SPASP Mitigation Measures 13-1, the project design shall implement the following measures for all west facing (facing San Pablo Avenue) units to reduce interior noise impacts in compliance with City noise standards:

- **Interior Noise Control Measures:**
  - Windows shall have a sound transmission class (STC) rating of 31 for living rooms and 36 for bedrooms;
  - Interior gypsum at exterior walls shall be 5/8” Type X or Type C hung on resilient channel (RC);
  - Ceiling gypsum shall be 5/8” type X or Type C;
  - Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation.

- As an alternative to the above-listed interior noise control measures, the applicant may provide a detailed analysis of interior noise control measures once building plans become available. The analysis should be prepared by a qualified noise control engineer and shall outline the specific attenuation measures required to meet the City’s 45 dB Ldn and 50-55 dBA Lmax, interior noise level standards.

**Stationary Source Noise Impacts (Mechanical Equipment and Loading)**

The SPASP EIR identified that implementation of the SPASP would introduce commercial uses adjacent to residential land uses. New commercial development proposed adjacent to residential development could result in noise levels exceeding City standards. Typical noise levels generated by loading and unloading would be similar to noise levels generated by truck movements on local roadways. Mechanical equipment would also have the potential to generate noise and would be a potential noise impact. The SPASP FEIR identified this as a potentially significant impact and identified Mitigation Measure 13-2, which requires site-specific analysis for proposed commercial uses to reduce long-term noise impacts to a less-than-significant level.

Implementation of the proposed project would generate various on-site stationary noise sources, including heating, ventilation, and air conditioning (HVAC) equipment, and parking lot activities. HVAC equipment would be the primary new stationary noise source associated with the proposed project. 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 equipment would be required to meet all noise standards.

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Rooftop HVAC equipment was predicted to be 30 dBA Leq or less at the nearest sensitive receptors, at 80 feet distance from rooftop equipment, with inclusion of a 9-foot-tall mechanical screen. This noise level is lower than the City's noise level standards of 55 dBA Leq during daytime hours and 45 dBA Leq during nighttime hours. HVAC equipment would be in compliance with the City's exterior daytime and nighttime noise standards for residential uses. Therefore, noise levels in the vicinity of the project site would not be substantially increased by mechanical equipment introduced by the project.

Mechanical equipment would also be contained within mechanical equipment rooms at the building's interior. Indoor equipment typically does not result in noise impacts as it is screened and enclosed thereby containing noise level. The proposed parking stacking equipment within onsite garages will result in mechanical noise during operation and stacking/lowering of vehicles. As the proposed garage is fully enclosed noise levels from stacking equipment will be result in a notable change to the ambient noise environment.

At operation, vehicle loading would contribute to noise environment from residential and live/work deliveries. These deliveries typically are made via passenger car, van, or single-unit truck. These activities are potential noise sources that could affect noise-sensitive receptors in the project site vicinity. However, being located in an urban area subject to ambient noise levels from various sources, including periodic deliveries to existing surrounding residents, loading from delivery vehicles would not significantly alter ambient noise levels onsite or in the project vicinity. In addition, noise-generating activities, such as maintenance activities and loading and unloading activities, are limited to the hours of 7:00 a.m. to 9:00 p.m.

**Mobile Source Noise Impacts**
Motor vehicle noise emanating from nearby roadways is 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 add trips to existing roadways in the project site vicinity and contribute to noise levels on roadways.

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 Ldn. 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.

Using the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA RD-77-108) hourly Leq values for free-flowing traffic conditions were predicted for existing, and existing plus project conditions. The project 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. Traffic from the project is not predicted to generate exterior noise levels exceeding the City of El Cerrito’s exterior noise standard of 60 dBA Ldn at any existing residential areas where existing conditions are less than 60 dBA Ldn. Although the project would increase existing and future noise exterior noise levels due to traffic volume increases by 0.1 dBA Ldn, existing noise conditions of 63.7 dBA Ldn exceeds the 60 dBA Ldn threshold. Therefore, the project would not result in any new or more severe impact to the ambient noise environment relative to what was evaluated in the SPASP EIR.

**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 82 to 96 dBA Lmax at a distance of 25 feet. The nearest existing residences would be located at least 30 feet from normal construction activities. Project construction would result in elevated short-term noise levels on a temporary basis consistent with noise levels anticipated by the SPASP EIR. 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 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 to reduce impacts of intermittent construction noise and identified that construction noise impacts would remain significant and unavoidable.

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.

Construction-Related Vibration
The SPASP FEIR identified Mitigation Measure 13-4 to reduce impacts of construction-related vibration on surrounding uses. 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 in the SPASP EIR.

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. Construction vibration generated by the proposed project would be well below 0.2 inches per second peak particle velocity, which is the threshold at which there is risk of architectural damage to typical homes. The proposed project would require the implementation of the Mitigation Measure 13-4, as included in the SPASP FEIR. Therefore, the proposed project would not result in any new or more significant construction-period vibration impacts than were described in the SPASP FEIR.

Aircraft Noise
The proposed project is not located within 2 miles of a public or private use airport. Oakland International Airport is the closest airport and is located approximately 20 miles southeast 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 form aircraft noise sources.

APPLICABLE MITIGATION
Implementation of measures detailed in project-specific condition of approval, 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 13-2, 13-3, and 13-4 are also applicable to the proposed project.

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 the project-specific conditions of approval and SPASP Mitigation Measures 13-2, 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.
**3.14. POPULATION AND HOUSING:**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

**DISCUSSION**

The SPASP FEIR evaluated potential environmental impacts that could 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.

The proposed project would introduce 55 dwelling units and have a population size of approximately 140 people assuming full capacity, which is consistent with what was anticipated by the Specific Plan and analyzed in the Specific Plan EIR. For these reasons, implementation of the proposed project would not result in significant impacts related to population and housing that were not identified in the San Pablo Avenue Specific Plan EIR.

**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.

**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.

---

3.15. PUBLIC SERVICES

Would the Project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
</table>

Would the project 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:

a) Fire protection? □ □ □ ☒
b) Police protection? □ □ □ ☒
c) Schools? □ □ □ ☒
d) Parks? □ □ □ ☒
e) Other public facilities? □ □ □ ☒

Sources: San Pablo Avenue Specific Plan EIR.

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, the project would also generate students within the assumptions of the SPASP FEIR. As such, existing school facilities are adequate to accommodate new students introduced by the proposed project.

The SPASP FEIR concluded that the El Cerrito Fire Department and Richmond Fire Department would not need to substantially 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). 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 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 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. The SPASP FEIR concludes that impacts to parks and recreation would be less than significant with compliance with plan provisions for new open spaces. In addition, the SPASP FEIR determined that implementation of the SPASP would not facilitate the need for new or physically altered government facilities. The proposed project is within the total development anticipated by the SPASP FEIR and would not result in new impacts associated with parks and recreational facilities.

**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.

**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.
### 3.16. RECREATION

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact 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>
<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>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

**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 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.

**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.

**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.
3.17. TRANSPORTATION

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d) Result in inadequate emergency access?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Fehr and Peers, El Cerrito 10290 San Pablo Avenue Project – Preliminary Transportation Analysis, January 17, 2019.

DISCUSSION
This section compares traffic impacts from the proposed project with impacts identified in the SPASP FEIR. A Preliminary Transportation Analysis (TIA) was conducted for the proposed project. The report includes an analysis to ensure that sufficient traffic operations are maintained with the construction of the proposed project.

SPASP Roadway Improvements
Several roadway improvements were delineated in the SPASP project area. Modifications along San Pablo Avenue include, but are not limited to, landscaped bulb-outs at intersections, improved crosswalks, and widening of the median to provide a five-foot pedestrian refuge. A Transportation Impact Fee (TIF) program was approved by the City of El Cerrito in December 2018 to fund the multi-modal improvements identified in the SPASP and to determine fair share payment by development projects facilitated by the SPASP for the identified improvements. Therefore, the TIA recommended making fair share contributions towards implementation of the multi-modal improvements identified by the SPASP.

Project Specific Condition of Approval: Make fair share contribution towards the implementation of the multi-modal improvements identified by the SPASP, through payment of the recently approved City of El Cerrito TIF.

Trip Generation
Using the same trip generation methodology used in the SPASP FEIR, the transportation analysis conducted for the proposed project estimated that the proposed project would generate about 16 AM peak-hour and 25 PM peak-hour trips. While residents of the five proposed live/work units would likely have little to no outside employment, the live/work units were conservatively modeled to generate trips at the same rate as residential units. Thus, the proposed project would not result in significant impacts related to project trip generation beyond those identified in the SPASP EIR.

Vehicle Access
The Project would provide a parking garage containing two standard ADA accessible parking spaces and 26 mechanically stacked spaces, for a total of 28 parking spaces. Parking spaces would be leased separately from the residential units. Vehicles would access the project garage through a two-way driveway on Eureka Avenue leading to a two-way drive aisle within the parking garage.

Project Driveway Site Distance
The project-specific transportation analysis conducted for the proposed project included recommendations to improve project site access and circulation. The driveway accessing the parking garage on Eureka Avenue would not provide adequate sight distance between vehicles exiting the driveway and pedestrians on the adjacent sidewalk to the east. Vehicles parked on both sides of the Eureka Avenue driveway may block sight distance between vehicles exiting the garage and vehicles on Eureka Avenue. Trees planted on both sides of the driveway may also affect visibility of exiting vehicles if the tree canopy is lower than six feet from the ground. Therefore, the transportation analysis recommendation would be applied to the project as a condition of approval to ensure adequate sight distance for vehicles to avoid impacts with pedestrians on the adjacent sidewalk.

**Project Specific Condition of Approval:** Redesign the project driveway to ensure adequate sight distance between vehicles exiting the parking garage and pedestrians on the adjacent sidewalk. If adequate sight distance cannot be provided, install mirrors on both sides of the driveway to aid drivers' and pedestrians' visibility and install flashing lights to alert pedestrians when a vehicle is exiting the garage.

**Project Specific Condition of Approval:** Ensure that on-street parking and trees on both sides of the project driveway on Eureka Avenue would not restrict sight distance for exiting vehicles by providing at least 20 feet of red curb and ensuring that the tree canopies are higher than six feet from the ground on both sides of the project driveway.

**Bicycle Parking, Access and On-Site Circulation**
Section 2.05.07.04 of the SPASP Form-Based Code requires bicycle parking for residential and commercial uses. The Project would consist of 55 residential units, requiring 83 long-term bicycle parking spaces and six short-term bicycle parking spaces. The Project would provide 83 covered long-term bicycle parking spaces inside the parking garage and six short-term bicycle parking spaces along the project frontage along San Pablo Avenue, meeting City requirements.

**Pedestrian Access and On-Site Circulation**
Pedestrians would access the building via the lobby entrance along San Pablo Avenue. Pedestrians would access the live/work units through a ground floor entrance provided for each of the five units. The lobby entrance would provide direct access to the staircase and elevator. Pedestrian access between the parking garage and the building would be provided by one lobby entrance in the parking garage and a separate entrance for the elevator.

The SPASP Form-Based Code (2.04.02) requires a minimum pedestrian zone of eight feet and a minimum amenity zone of 6 feet on all sidewalks along San Pablo Avenue. Along Eureka Avenue, the Code requires a minimum pedestrian zone of eight feet and a minimum amenity zone of four feet. The Project would provide eight feet of pedestrian zone with six to ten feet of amenity zone along San Pablo Avenue in addition to eight feet of pedestrian zone along Eureka Avenue, meeting or exceeding City requirements. Contribution to a midblock crosswalk on San Pablo Avenue at Van Fleek Avenue approximately 200 feet south of the project site would be made through fair share contribution to these improvements, such as payment of the TIF.

**Transit Access**
AC Transit (as well as WestCAT, Soltrans, and FAST Transit) provides bus service to the project site with bus stops at the El Cerrito del Norte BART Station and northbound and southbound service on San Pablo Avenue via two stops. The northbound stop is approximately 200 feet north of the project site across Eureka Avenue on San Pablo Avenue and the southbound stop is west of the project site across San Pablo Avenue. The bus stops at the BART station provide bus shelters and benches, as well as BART station amenities such as bicycle parking. The northbound bus stop on San Pablo Avenue provides a bench and neither the northbound nor the southbound bus stop include a bus shelter. The project site is well served by transit and there would be no conflicts from the proposed project to existing or planned transit facilities.

**Parking and TDM Requirements**
The San Pablo Avenue Specific Plan Form-Based Code requirements for the TOHIMU zoning district apply to the project site. TOHIMU zoning requires a maximum of 1.0 automobile parking spaces per dwelling unit. For projects proposing a parking ratio between zero and 0.5 spaces per unit, a parking study and additional TDM measures may be required.
Based on a project site plan, the project would provide 28 parking spaces for a parking ratio of 0.51 parking spaces per residential dwelling unit. Pursuant to the Table 32 of the San Pablo Avenue Specific Plan Form Based Code, parking provided at the proposed ratio of 0.51 parking spaces per residential dwelling unit would be compliant with the Specific Plan parking standards.

For multi-family residential projects in the SPASP area, the Form Based Code Section 2.05.08.07 requires 10 percent of the total be parking to be pre-wired for future EV charging systems, including at least one ADA accessible parking space. Project site plans propose one ADA accessible parking space with an EV charging station, and 6 available on-lift EV charging stations. As proposed, the EV charging requirements are met by the project. As a measure of caution, the transportation analysis includes a recommendation to provide Code-required EV charging systems.

**Project Specific Condition of Approval:** Provide at least three parking spaces that are pre-wired for future electric vehicle charging systems, including at least one accessible space, per Code requirements.

**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 approvals, 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.

**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 approvals, no new impacts related to transportation would result.
### 3.18. TRIBAL CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the project 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>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>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 Resources 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>

Sources: San Pablo Avenue Specific Plan EIR.

**DISCUSSION**

As discussed in the Cultural Resources section 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.

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 EIR or negative declaration/mitigated negative declaration for public review, a lead agency must provide the opportunity to consult with local tribes. The SPASP FEIR was certified prior to July 1, 2015, and thus is not subject to AB 52, as it was not in effect at the time the SPASP EIR was certified. In addition, AB 52 does not apply to exemptions from CEQA, as it is assumed that such projects would not result in significant impacts. Similarly, consistency analyses are only used when there is no new or substantially more severe impact and are therefore not subject to AB 52. Additionally, this Program EIR Checklist supports findings pursuant to CEQA Guidelines Section 15162, no new or substantially more severe significant effects would occur, no new mitigation measures would be required, the project is within the scope of the environmental review of the SPASP FEIR, and no further review under CEQA is required.

**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. 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, tribal cultural resources, and human remains.

**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.
3.19. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No New Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) 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>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

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 users along San Pablo Avenue, including the project site. This project has agreed to participate in the San Pablo Avenue Sewer Capacity Improvement Fee Program. This fee is intended to satisfy the requirement for a Sewer Capacity Study.

**Project-Specific Condition of Approval:** Participate in the implementation of San Pablo Avenue Sewer Capacity Improvement Fee Program.

The increase in commercial intensity 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.

**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.

**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 mitigation measure, no new impacts related to utilities and service systems would result.
### 3.20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

<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 Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✗</td>
</tr>
<tr>
<td>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✗</td>
</tr>
<tr>
<td>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✗</td>
</tr>
<tr>
<td>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✗</td>
</tr>
</tbody>
</table>

Sources: Town of Windsor 2040 General Plan and EIR.

The SPASP FEIR determined that the Specific Plan Area is not located within the vicinity of a wildfire hazard area. The plan area is not within or adjacent to wildlands, however, portions of El Cerrito contain woodland hills and are adjacent to Wildcat Canyon Regional Park, identified in the El Cerrito General Plan as a Very High Fire Hazard Severity Zone (VHFSZ). The SPASP area is not located within the VHFSZ and the closest VHFSZ is located over 0.5 miles to the northeast. Additionally, the project site is not located in a zone classified by CALFIRE as a Wildland-Urban Interface (WUI). Therefore, the proposed project would have no new impacts on wildfires.

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4. REFERENCE DOCUMENTS

Technical Appendices

The following resources were prepared in order to further identify project specific parameters. Copies of these technical documents are incorporated herein by reference and are available for review during normal business hours at the City of El Cerrito.

1) AEI Consultants, Phase I Environmental Site Assessment of a Commercial Property at 10300 San Pablo Avenue El Cerrito, California 94530, July 21, 2016.

2) AEI Consultants, Phase I Environmental Site Assessment Update of 10290 & 10296 San Pablo Avenue and 6306 & 6308 Eureka Avenue El Cerrito, Contra Costa County, California 94530, May 15, 2017.


7) LSA, Historical Resource Evaluation of 10290 and 10296 San Pablo Avenue/State Route 123, El Cerrito, Contra Costa County, California, February 8, 2017.

8) Saxelby Acoustics, LLC, Environmental Noise Assessment 10290 San Pablo Residential City of El Cerrito, California, August 1, 2019.

10290 San Pablo Avenue

SAN PABLO AVENUE SPECIFIC PLAN
ENVIRONMENTAL COMPLIANCE CHECKLIST

Visit
http://www.el-cerrito.org/1368/10290-San-Pablo-Avenue-Vital-Apartments
to view checklist and appendices.

PREPARED BY:

METROPOLITAN PLANNING GROUP
1330 JEFFERSON ST SUITE 100B
NAPA, CALIFORNIA, 94559
707.259.1790

December 10, 2019
10290 San Pablo
Area Comparison - Proposed vs. Neighbor shadow compliance

<table>
<thead>
<tr>
<th>Level</th>
<th>Proposed</th>
<th>Massing Reduction</th>
<th>Difference</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>11,192 sqft</td>
<td>10,623 sqft</td>
<td>569 sqft</td>
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<tr>
<td></td>
<td>11,292 sqft</td>
<td>8,249 sqft</td>
<td>3,043 sqft</td>
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<td>10,054 sqft</td>
<td>5,873 sqft</td>
<td>4,181 sqft</td>
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<td>8,499 sqft</td>
<td>3,436 sqft</td>
<td>5,063 sqft</td>
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<td></td>
<td>5,792 sqft</td>
<td>1,061 sqft</td>
<td>4,731 sqft</td>
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<tr>
<td>(elev/stair penthouse) 6</td>
<td>311 sqft</td>
<td>0 sqft</td>
<td>311 sqft</td>
</tr>
<tr>
<td>TOTAL</td>
<td>47,140 sqft</td>
<td>29,242 sqft</td>
<td>17,898 sqft</td>
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