AGENDA

REGULAR MEETING OF THE
DESIGN REVIEW BOARD

December 1, 2021 at 7:30 p.m.

VIA TELECONFERENCE

https://us06web.zoom.us/j/84369592809?pwd=OUNvV3Jqa1V
UChlvQjk2QTR0Y0dMQT09
Event ID: 843 6959 2809  Passcode: 499780
Or Dial in: 408-638-0968

7:30 p.m. CONVENE REGULAR MEETING

1. ROLL CALL – Chair Wenlin Li; Vice-Chair John Thompson; Members Ben Chuaqui, Andrea Lucas, and Gyan Singh.

2. COUNCIL/STAFF LIAISON ANNOUNCEMENTS AND REPORTS
   The City Council Liaison or City staff may report on matters of general interest to the Design Review Board, 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
   Adoption of the November 3, 2021 meeting minutes

5. ADOPTION OF THE 2022 REGULAR DESIGN REVIEW BOARD MEETING SCHEDULE
   Adoption of the regular meeting schedule for the 2022 calendar year.

6. COMMUNICATION/CONFLICT OF INTEREST DISCLOSURE
   This time on the agenda is reserved for Design Review Board members to disclose communications from individuals regarding specific agenda items or to state a potential conflict of interest in relation to a specific agenda item.

7. PUBLIC HEARING: TIER II DESIGN REVIEW OF 6501 FAIRMOUNT AVENUE
   Application:  PL21-0006
   Applicant:  El Cerrito 36 LP
   Location:  6501 Fairmount Avenue
   APN:  504-140-015
   Zoning:  TOHIMU
   General Plan:  TOHIMU
   Request: Design Review Board consideration of a Tier II Design Review application, pursuant to the San Pablo Avenue Specific Plan, for a new approximate 54,462 square-foot, six-story multi-family residential
building with a total of 45 dwelling units and approximately 1,841 square feet of ground floor commercial space. Construction will be preceded by demolition of an existing commercial building.

**CEQA:** The project is, pursuant to Government Code Section 65457, exempt from the California Environmental Quality Act (CEQA) as a residential project implementing the San Pablo Avenue Specific Plan (SPASP) and, for which, a Program Environmental Impact Report (EIR) was prepared. The project is also statutorily exempt from CEQA under CEQA Guidelines 15182 (Projects Proximate to Transit).

8. **PUBLIC HEARING: DESIGN REVIEW OF 1550 REGENCY COURT**
   
   **Application:** PL21-0162  
   **Applicant:** Eric Shephard  
   **Location:** 1550 Regency Court  
   **APN:** 503-130-015  
   **Zoning:** RS-10  
   **General Plan:** Very Low Density Residential  
   **Request:** Design Review Board consideration of Design Review for a new 3,380 square foot single family house.  
   **CEQA:** This project is categorically exempt from the provisions of CEQA pursuant to Section 15303 of the CEQA Guidelines, Class 3: New Construction or Conversion of Small Structures.

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

10. **ADJOURNMENT**

    In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Staff Liaison, Jeff Ballantine 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.
MINUTES
REGULAR MEETING OF THE DESIGN REVIEW BOARD
November 3, 2021 at 7:30 p.m.
The meeting was held via teleconference.

7:30 p.m. CONVENE REGULAR MEETING

1. ROLL CALL – Chair Wenlin Li; Vice-Chair John Thompson; Members Ben Chuaqui and Andrea Lucas. Member Gyan Singh had an excused absence.

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

3. ORAL COMMUNICATIONS FROM THE PUBLIC
No comments were received.

4. ADOPTION OF MINUTES
Moved/Second: Boardmember Chuaqui/Thompson. Action: Passed a motion to adopt the May 5, 2021 meeting minutes.
Ayes: Chuaqui, Li, Lucas, Thompson.
Noes: None.
Abstain: None.
Absent: Singh.

5. COMMUNICATION/CONFLICT OF INTEREST DISCLOSURE
Nothing was reported.

6. PUBLIC HEARING: TIER II DESIGN REVIEW FOR LITTLE LAMB DAYCARE CENTER
Application: PL21-0048
Applicant: Gunkel Architecture
Location: 729 Kearny Street
APN: 503-392-026
Zoning: TOMIMU
General Plan: TOMIMU
Request: Design Review Board consideration of Tier II Design Review for a new Day Care Center proposed at an approximate 10,000 square foot vacant site to be developed with a new approximately 7,500 square foot two-story building and adjacent play yard.
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15332 of the CEQA Guidelines, Class 32: Infill Development Projects.
Consulting Planner Kevin Colin presented the staff report and answered questions from the Board.

The applicant, Brad Gunkel, presented the project and answered questions from the Board.

The public hearing was opened.

The public hearing was closed.

**Moved/Second:** Boardmember Li/Thompson. **Action:** Passed a motion to approve the Tier II Design Review of a new Day Care Center proposed on an approximately 10,000 square foot vacant site to be developed with a new approximately 7,500 square foot two-story building and adjacent play yard.

**Ayes:** Chuaqui, Li, Lucas, Thompson.

**Noes:** None.

**Abstain:** None.

**Absent:** Singh.

7. **STAFF COMMUNICATIONS**
Planning Manager Sean Moss updated the Board on upcoming agenda items, upcoming meetings, major projects, and recent and upcoming City Council actions.

8. **ADJOURNMENT**
9:22 p.m.
# 2022 Regular Meeting Schedule

### Design Review Board

**Location:** Via Zoom or in-person at Council Chambers (10890 San Pablo Ave)

**Meeting Time:** 7:30 p.m.

**January 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
</tr>
<tr>
<td>28</td>
<td>29</td>
<td>30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**February 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**March 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**April 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**May 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**June 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**July 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**August 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**September 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**October 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**November 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**December 2022**

<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Adopted by the Advisory body on MM/DD/YYYY*
**DETAILS**

**Application Number:** PL21-0006  
**Applicant:** El Cerrito 36 LP  
**Location:** 6501 Fairmount Avenue  
**APN:** 504-140-015  

**Zoning:** Transit-Oriented High-Intensity Mixed Use (TOHIMU)  
**General Plan:** Transit-Oriented High-Intensity Mixed Use (TOHIMU)  
**Request:** Design Review Board consideration of a Tier II Design Review application, pursuant to the San Pablo Avenue Specific Plan.  
**CEQA:** The project is, pursuant to Government Code Section 65457, exempt from the California Environmental Quality Act (CEQA) as a residential project implementing the San Pablo Avenue Specific Plan (SPASP) and, for which, a Program Environmental Impact Report (EIR) was prepared. The project is also statutorily exempt from CEQA under CEQA Guidelines 15182 (Projects Proximate to Transit).

**EXECUTIVE SUMMARY**

The proposed project is development of a new approximately 54,462 square-foot, six-story multi-family residential building with a total of 45 dwelling units and approximately 1,841 square feet of ground floor commercial space. Construction will be preceded by demolition of an existing commercial building.

The Design Review Board’s purview for this Tier II request is:

- Exterior building colors, materials, and textures  
- Landscaping  
- Site Plan  
- Building facades and articulation  
- Relationship to adjacent public rights-of-way  
- Signs  
- Locations and footprints of bioretention facilities as required for stormwater management

The project features a contemporary architectural aesthetic, including exterior materials primarily of brick, metal, and cement plaster. A uniform building mass fronts both public streets (Fairmount Avenue and Lexington Street) at this corner lot with regular geometric patterns articulating design features such as building levels, dwellings, and storefronts. An earth tone palette of colors is proposed. Building mass is reduced in the northeast parcel corner in response to shadow standards. A new public open space or ‘parklet’ is proposed along the project frontage at Fairmount Avenue.

The project includes affordable housing in compliance with El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning) and a density bonus request pursuant to Government Code Section 65915 et. seq., including a concession for partial compliance with underground utility standards and a waiver for partial compliance with shadow standards.

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 a corner lot located at 6501 Fairmount Avenue, one block west of the El Cerrito Plaza BART station and across the street (north) from the El Cerrito Plaza shopping center. The site has a one-story commercial building with a canopy extending toward Fairmount Avenue and was formerly utilized for automotive service uses. The building and site are presently occupied by a small-scale gymnasium. A wide variety of commercial uses are located along Fairmount Avenue and two blocks west along San Pablo Avenue. To the north are a variety of single and multi-family residential uses. The site is level with a gentle downslope trending southerly along Lexington Avenue.

Vicinity Map

Adjacent Land Uses

North: Single and multi-family residences (TOHIMU Zone)

East: Commercial and residential uses; El Cerrito Plaza BART station (TOHIMU Zone)

South: Commercial uses (TOHIMU Zone)

West: Commercial uses (TOMIMU Zone and Theater District)

For additional information about the project site and context see Attachment B (Sheets G010, G011A, G011B), including existing conditions (Sheet A050).
Project Description

Site Plan

The project includes an approximately 54,462 square-foot, six-story building that substantially covers (i.e., 87%) of the site with very shallow setbacks from each property line. The building’s ground floor facing Fairmount Avenue is for commercial uses, includes an 8-foot activity zone (e.g., outdoor seating, dining), and adjoins a sidewalk (widened to 8-feet), and new public ‘parklet’. Entry to a lobby for residential uses faces Lexington Avenue as does vehicular access to off-street parking (automobile and bicycle). Two existing London Plane trees on Fairmount Avenue are retained. Three on-street parking spaces are provided at Lexington Avenue; one is designated for ride-share pick-up and trash day receptacle staging.

For detailed site plan information see Attachment B (Sheets A051, A100, A101, G023, A210).

Common and Private Open Space

The project includes two shared on-site common open space areas for use by the occupants of the building, as follows:

- **First Floor:** This open space area occurs on top of the building podium (at the second level) and is exclusive to three units at the northeast building corner. A landscape planter spans the perimeter and private patios adjoining each unit.

- **Roof:** This open space area occurs on the roof (at the southwest building corner) and is shared by all residents. Multiple seating areas are interspersed with landscape planter and an outdoor kitchen. Access is provided by the building’s elevator and a stairwell.

Additional private open space is provided in the form of balconies for three units on floor levels three through six at the northeast building corner (above the second-floor open space). A single common balcony is provided above Lexington Street at the second, fourth and sixth floor.

For detailed open space plan information see Attachment B (Sheet G030).
Transportation

The project includes parking for the following:

- **Bicycles**: 10 short-term (along street frontages) and 68 long-term (within garage); and
- **Automobiles**: 33 spaces total.

Building Elevations

The building mass is composed in a simple square form clad primarily in a base of brick veneer with accents of cement plaster, metal, and glass. The organizational pattern of materials and fenestration are of regular, consistent geometric patterns. Colors are earth tone with an intentional differentiation between the ground floor and upper building levels. A steel trellis adjoins the sliding glass windows at the residential units along each façade, and between each level at the street corner there is an aluminum fin element above windows. Subtle variations in building plane are provided vertically with cement plaster pop-outs spanning the second to sixth floors. Unique materials are provided at the residential lobby entrance only in the form of a green wall, vertical slats, corten steel and letters cut out from steel. No signage other than the building name is proposed at this time.

The building mass is reduced at the northeast building corner in response to the shadow standards at San Pablo Avenue Specific Plan Section 2.05.02.02. Additional discussion on this topic is provided in the density bonus discussion below.

For detailed building elevation information see Attachment B (Sheets A200a, A200B, A201A, A201B, A202, A210, A211, A212, G031, G032, G040, G041).
Landscaped areas visible to the public are located along the project’s frontage, as follows:

- **Lexington Avenue:** Three new street trees (*Ginkgo Biloba* ‘Magyar’) are located along this frontage behind the street curb and within planters. Underneath, *Festuca Glauca* ‘Blue Fescue’ and *Stipa Occidentalis* ‘Elmer’s Needlegrass’ are proposed. The same ground plantings are located on either side of the garage entrance. Pavers are placed at the lobby entrance and leading to/from a ride-share loading space. Poured concrete (including sidewalk) spans the remainder of this frontage.

- **Fairmount Avenue:** Two existing ‘London Plane Tree’ street trees in planter islands are retained and the outermost curb line is extended southerly to create a new public ‘parklet.’ In concert with the moving the existing curb line, new stormwater treatment or ‘green infrastructure’ is provided in a series of depressed ‘flow-through’ planters that capture water flowing westerly in the street. A variety of groundcover plantings are used for stormwater treatment and within adjoining planter areas. Core-ten planters with integrated benches are located along the building frontage and seating occurs in the ‘parklet’ along a metal railing.

Private open space areas are provided landscaping within raised planters, generally along the perimeter of each space. Decorative paving is also provided.

For detailed landscape plan information see **Attachment B** (Sheets L101, L102, L106, L200, L201, L202, L206).
Analysis

Design Review Process

Pursuant to Section 2.02.07.01.02.B of the San Pablo Avenue Specific Plan, the Design Review Board is authorized to review and act upon the design components of Tier II applications. As provided at that section, this includes review authority over the following:

- Exterior building colors, materials, and textures
- Landscaping
- Site Plan
- Building facades and articulation
- Relationship to adjacent public rights-of-way
- Signs
- Locations and footprints of bioretention facilities as required for stormwater management

Density Bonus

The project provides affordable housing as required by El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning). As proposed, the project provides for sale units. Under Municipal Code Section 19.30.040 this results in a 12% on-site inclusionary requirement (i.e., five units affordable to moderate income households). The project fulfills this requirement and concurrently requests a Density Bonus pursuant to Government Code Section 65915 et al. The bonus request includes three (3) additional dwelling units and requests for one concession, pursuant to Government Code Section 65915(d)(2), and one waiver, pursuant to Government Code Section 65915(e), described in detail as follows:

- **Concession**: Pursuant to Government Code Section 65915(d)(2), the project may include a request for one (1) concession based on the number of affordable housing units provided on-site. A concession, as defined by Government Code Section 65915(k) and in relevant part, consists of a reduction of a development standard. In addition to meeting the requirement for on-site affordable housing, a concession must result in an identifiable and actual cost reductions, to provide for affordable housing costs.

  The project includes a concession request concerning partial compliance with the utility undergrounding requirements of Zoning Code Section 19.21.080 and Chapter 16.34. Underground requirements specify a 100-foot radius which the project shall underground all existing utilities. Presently, there are overhead electrical lines (and poles) along the site’s Lexington Street frontage. The project would underground three existing poles (next to the new building) and install two new poles (within the 100-foot radius) on Lexington Street.

  The project application includes adequate documentation to substantiate the eligibility of the concession request (i.e., request concerns a development standard and results in actual cost reductions) (see Attachment D, Concession Justification). An estimate prepared by a qualified professional shows a cost reduction of $337,813. Staff observes no grounds for rejecting the concession (e.g., adverse impact to public health/safety or historic resource, contrary to federal or state law per Government Code Section 65915(d)(1)).

- **Waiver**: Pursuant to Government Code Section 65915(e), the project includes one partial waiver from the San Pablo Avenue Specific Plan Shadow Standards (Section 2.05.02.02.03) which states, “Buildings shall not cast shadows onto adjacent existing residential uses on Winter Solstice
(December 21): (a) Greater than 14’-0” deep at 1:30 p.m. on adjacent parcels to the east. Due to solar angle, there is no shadow requirement for adjacent parcels to the west.” In this case, the ‘adjacent’ parcels to the east where the shadow standards are not met include 409, 411 and 419 Liberty Street; see Attachment B, Sheets G031 and G032.

State law sets no limit on the number of waivers that may be requested but requires that they relate to a development standard that, in relevant part, “will have the effect of physically precluding the construction of affordable housing.”

The project proposes five affordable housing units. A shadow study demonstrates the difference between full and the proposed partial compliance with shadow standards. Staff peer reviewed the study for accuracy. It shows that full compliance would result in a building with one less floor (i.e., sixth level) and less building mass at the fourth and fifth levels. The floor area attributable to full compliance exceeds that attributable to the affordable housing units by five housing units at the fifth and sixth floors. Therefore, given these facts, state law requires granting of the requested waiver.

Pursuant to San Pablo Avenue Specific Plan Section 2.02.02 and Zoning Code Section 19.30.070, the requested concession and waivers do not alter the permit requirement (e.g., require Tier IV Design Review or Variance). Therefore, when reviewing the project, the Design Review Board should be mindful of the limitations imposed on its discretion by Government Code Section 65915 (i.e., Density Bonus law) as described above.

San Pablo Avenue Specific Plan Compliance

The San Pablo Avenue Specific Plan applies standards according to Transect Zones and Street Types. The project is located within the Transit-Oriented High-Intensity Mixed Use (TOHIMU) Zone and fronts both a Major Commercial Street and Neighborhood Street. The tables below describe the project’s compliance with the TOHIMU zone and each street type.

<table>
<thead>
<tr>
<th>Street Type Standards</th>
<th>Major Commercial Street</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Placement</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sidewalk Amenity Zone</strong></td>
<td></td>
<td>6 ft. min</td>
<td>8 ft. 8 in.</td>
</tr>
<tr>
<td><strong>Sidewalk Pedestrian Zone</strong></td>
<td></td>
<td>8 ft. min</td>
<td>8 ft.</td>
</tr>
<tr>
<td><strong>Sidewalk Activity Zone</strong></td>
<td></td>
<td>4 ft. min</td>
<td>7 to 8 ft.</td>
</tr>
<tr>
<td><strong>Ground Floor Front Setback</strong></td>
<td>Min: Accommodate required zones; up to 10 ft. (non-residential)</td>
<td>10 ft. and all zones accommodated</td>
<td></td>
</tr>
<tr>
<td><strong>Side Setback</strong></td>
<td>0 ft. min</td>
<td>0 ft.; 5 ft</td>
<td></td>
</tr>
<tr>
<td><strong>Rear Setback</strong></td>
<td>See Section 2.01.05 (Shadows)</td>
<td>See Density Bonus discussion above</td>
<td></td>
</tr>
<tr>
<td><strong>Pedestrian Access</strong></td>
<td>Entries on front and side streets</td>
<td>Main entrances face street</td>
<td></td>
</tr>
<tr>
<td><strong>Vehicular Access</strong></td>
<td>Max. 24’ 2-way driveways</td>
<td>24’ 2-way driveway</td>
<td></td>
</tr>
</tbody>
</table>

1 See Attachment B (Sheet G031, G032, G033).
## Building Form

<table>
<thead>
<tr>
<th>Upper Floor Setbacks</th>
<th>See Section 2.01.05 (Shadows)</th>
<th>See Density Bonus discussion above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>14 ft. min clear</td>
<td>14 ft.</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft.</td>
</tr>
<tr>
<td>Building Length</td>
<td>200 ft. max</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Ground Floor Transparency</td>
<td>Non-residential 75% min</td>
<td>75%</td>
</tr>
<tr>
<td>Upper Floor Transparency</td>
<td>30% min</td>
<td>50%</td>
</tr>
<tr>
<td>Front Encroachments</td>
<td>4 ft. max / ground floor commercial</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Rear Encroachments</td>
<td>4 ft. max</td>
<td>N/A</td>
</tr>
<tr>
<td>Allowed Frontage Types</td>
<td>Front Yard, Forecourt Flex, Shop Front</td>
<td>Shop Front (100%)</td>
</tr>
</tbody>
</table>

## Street Type Standards

### Building Placement

<table>
<thead>
<tr>
<th>Neighborhood Street</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Amenity Zone</td>
<td>5 ft. min</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Sidewalk Pedestrian Zone</td>
<td>5 ft. min adjacent to residential</td>
<td>6 ft.</td>
</tr>
<tr>
<td>Sidewalk Activity Zone</td>
<td>0 ft. min</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Ground Floor Front Setback</td>
<td>Min: Accommodate required zones</td>
<td>0 feet and all zones accommodated</td>
</tr>
<tr>
<td>Side Setback</td>
<td>0 ft. min</td>
<td>3 ft. 7 in.</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>See Section 2.01.05 (Shadows)</td>
<td>See Density Bonus discussion above</td>
</tr>
<tr>
<td>Pedestrian Access</td>
<td>Entries on front and side streets</td>
<td>Main entrance faces street</td>
</tr>
</tbody>
</table>

## Building Form

<table>
<thead>
<tr>
<th>Upper Floor Setbacks</th>
<th>See Section 2.01.05 (Shadows)</th>
<th>See Density Bonus discussion above</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Floor Ceiling Height</td>
<td>14 ft. min clear</td>
<td>14 ft.</td>
</tr>
<tr>
<td>Upper Floor Ceiling Height</td>
<td>9 ft. min clear</td>
<td>9 ft.</td>
</tr>
<tr>
<td>Building Length</td>
<td>200 ft. max</td>
<td>116 ft.</td>
</tr>
<tr>
<td>Ground Floor Transparency</td>
<td>Non-residential 50% min, Residential 30% min.</td>
<td>54%</td>
</tr>
<tr>
<td>Upper Floor Transparency</td>
<td>25% min</td>
<td>52%</td>
</tr>
<tr>
<td>Front Encroachments</td>
<td>2 ft. max / ground floor commercial</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Rear Encroachments</td>
<td>4 ft. max</td>
<td>N/A</td>
</tr>
<tr>
<td>Allowed Frontage Types</td>
<td>Front Yard, Forecourt Flex, Shop Front</td>
<td>Shop Front (100%)</td>
</tr>
</tbody>
</table>
### Transect Zone Standards

<table>
<thead>
<tr>
<th>TOMIMU Zone</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Standards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Building Height Minimum</strong></td>
<td>2 stories min</td>
<td>2 stories</td>
</tr>
<tr>
<td><strong>Building Height Maximum</strong></td>
<td>85 ft. max</td>
<td>82 ft. 6 in.</td>
</tr>
<tr>
<td><strong>Vehicle Parking Requirement</strong></td>
<td>Up to 1 auto space/unit; 45 spaces (max) for project 0 spaces for commercial&lt;sup&gt;2&lt;/sup&gt;</td>
<td>33 auto spaces; 0.73 spaces per unit</td>
</tr>
<tr>
<td><strong>Bicycle Parking Requirement</strong></td>
<td>9 short-term; 68 long-term</td>
<td>10 short-term; 68 long-term</td>
</tr>
</tbody>
</table>

### Open Space Standards

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private/Common Open Space</strong></td>
<td>80 sq. ft./unit min (3,600 sq. ft. required)</td>
<td>3,840 sq. ft.</td>
</tr>
<tr>
<td><strong>Public Open Space (Residential Uses) &amp; (Non-residential)</strong></td>
<td>25 sq. ft./1,000 sq. ft. (1,362 sq. ft. required)</td>
<td>In-lieu fee proposed&lt;sup&gt;3&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

### Building Articulation

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wall Plane Offset</strong></td>
<td>1 ft. for every 50 ft. length</td>
<td>7 to 8 offsets per elevation</td>
</tr>
<tr>
<td><strong>Distance between entries (Non-residential)</strong></td>
<td>100 max.</td>
<td>Less than 20 ft.</td>
</tr>
<tr>
<td><strong>Distance between entries (Residential)</strong></td>
<td>50 ft. max</td>
<td>1 entrance</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 provides compliant frontage improvements along Fairmount Avenue, a prominent thoroughfare for pedestrian traffic to/from the El Cerrito Plaza BART station. A widened sidewalk will be complimented by a ground level of non-residential uses and a new adjoining public parklet. When_

<sup>2</sup> No parking required for commercial uses less than 3,000 square feet. The project includes two commercial spaces that individually or combined at less than this area.

<sup>3</sup> Condition of Approval No. 11 provides the applicant may request and obtain credit for costs attributable to the proposed parklet.
combined, these design features fulfill, for the project site, the placemaking objectives of the plan.

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

The project’s ground level along Fairmount Avenue contains two new spaces conducive to multiple non-residential land uses (e.g., restaurant, retail, personal service). This commercial street connects San Pablo Avenue to El Cerrito Plaza BART station. In concert with the frontage improvements and new public parklet, the project fulfills the objective to foster pedestrian activity at a location presently designed to prioritize automobile movements and parking.

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

The project is located one block east of the El Cerrito Plaza BART station. San Pablo Avenue and its accompanying AC Transit service is located two blocks to the west. At 45 units (and with the requested Density Bonus waiver), the project maximizes the TOD potential for this site. The project’s ability to capitalize on existing public transit is enhanced by bike parking compliant with the San Pablo Avenue Specific Plan.

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

The project site is vastly underutilized and includes a one-story building that is 1,968 sq. ft. in size. The project will facilitate investment in a site through a new six-story building of approximately 54,462 sq. ft. in size.

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

The project will significant increase land use intensity in close proximity to existing public transit infrastructure through the construction of 45 new residential dwellings and new ground-level non-residential land uses.

Art in Public Places

The project’s development costs are sufficient to compel compliance with Municipal Code Chapter 13.50 (Art in Public Places). The applicant has not yet determined a proposed means of compliance. Unless the Zoning Administrator approves the installation of on-site art, the applicant will make an in-lieu contribution equal to one percent of development costs (up to $150,000), pursuant to Municipal Code Section 13.50.030(A). Payment occurs at the time of building permit application.

Environmental Review

Government Code Section 65457 addresses California Environmental Quality Act (CEQA) requirements for residential developments subject to a Specific Plan for which an EIR was prepared. For these development situations, it directs no further CEQA review shall occur unless an event prescribed at CEQA Section 21166 occurs. The implementing regulations for CEQA Section 21166 are located at CEQA Guidelines Section 15162.

CEQA Guidelines Section 15168(c) addresses the use of Program EIRs for subsequent activities (e.g., the proposed project subject to the San Pablo Avenue Specific Plan and for which a Program EIR was prepared). The CEQA Guidelines direct the application of CEQA Guidelines Section 15162 to determine whether additional CEQA review is required.
CEQA Guidelines Section 15162 provides that no subsequent EIR shall be prepared unless the lead agency (i.e., City of El Cerrito) determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

A checklist was prepared for the proposed project (see Attachment C) under these criteria and concludes that no subsequent environmental review is required.

The project is also exempt from CEQA pursuant to CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), under subsection (b) (Projects Proximate to Transit). The project is a mixed-use project exceeding 0.75 floor-area-ratio, is located within a transit priority area, is consistent with the SPASP, and is consistent with the use, density, building intensity and applicable policies of a sustainable communities strategy relating to greenhouse gas reduction targets (i.e., Plan Bay Area 2040).

**Compliance with the General Plan**

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

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

The proposed project includes high-quality building materials consisting primarily of brick veneer with accents of metal and glass. Although simple in its building mass and number of materials, the project integrates subtle but important details such as a clearly delineated building base and facades with
ample fenestration and articulation. The project also transforms an existing auto-oriented site to one that frames the public realm through building placement and mass in a way that frames each public street. Additional visual interest is provided through complementary landscape plantings of varying heights and textures.

Policy 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 project will result in establishing a new, pedestrian oriented building for this corner lot. Presently, the site and existing building are set far back from the street frontage with asphalt providing for vehicle circulation and parking. The project will place a new urban building at or very near to each frontage and, along Fairmount Avenue, place storefronts to facilitate commercial and pedestrian circulation. The surrounding area includes an eclectic mix of building styles and materials. The project contributes to the existing mix and in a manner consistent with the building development standards and guidelines of the San Pablo Avenue Specific Plan.

Policy 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.

The project implements this policy through compliance with San Pablo Avenue Specific Plan standards for frontage type (i.e., proposed Storefront), minimum transparency, clear glazing, and entrance orientation directly to and facing the street. Additionally, the building locates five floors of residential dwellings facing both public streets; thereby providing substantial natural surveillance.

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, as depicted on plan sheet L4.0.

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 façade is less than maximum building length of 200 feet and includes wall plane offsets less than every 50-foot length of building. The building also includes subtle design features providing articulation and visual interest, including a building base that is clearly delineated and upper-level building materials which are composed in a regular pattern that results in legible floor levels and a unified composition. Building materials and wall planes also add texture and modest shadow lines.

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 II Design Review. Pursuant to the San Pablo Avenue Specific Plan, the Design Review Board has authority the Tier II Design Review Process. Completion of the review process fulfills this policy objective.
Public Notice

Pursuant to San Pablo Avenue Specific Plan Section 2.02.07.02.02, public notice for the project was published in the East Bay Times, posted on the project site, and mailed to owners of property within 300 feet of the project site and all interested parties on November 10, 2021. As of the writing of this staff report, no comments had been received.

Required Findings

Pursuant to San Pablo Avenue Specific Plan Section 2.03.08.01.02.D.4, in acting to approve or conditionally approve an application for a Tier II application, the Design Review Board shall make the following findings:

A. That the project complies with all applicable Specific Plan design standards.

   The project’s physical design features are compliant with applicable San Pablo Avenue Specific Plan development standards (i.e., Regulation by Street Type, Regulation by Transect Zone), as noted in the tables above. Additionally, the project is consistent with the following Specific Plan design guidelines:

   Building Configuration

   • All buildings located along a public street should be oriented toward and have their primary entrances toward, the public street. (Section 2.05.02.01.02.A; Page 2-72)

   • Ground floor building entrances on the interior of the site should be accessible from the public sidewalk. (Section 2.05.02.01.02.A; Page 02-72)

   Building Articulation

   • At least 50% of the planes of the exterior walls along public streets shall vary in depth and/or direction through the use of cornices, recesses, ecological elements and overhangs (Section 2.05.03.02.A; Page 2-78).

   Colors, Materials and Textures

   • 50% of building facades shall be articulated by use of a change in plane, color, arrangement façade elements, or a change in materials (including glazing) to break the building mass (Section 2.05.03.03.A; Page 2-79).

   • A flat building facade shall incorporate details such as window trim, window recesses, cornices, changes in material, color or other design elements in an integrated composition. Some of the architectural features of the main facade shall be incorporated into the rear and side elevations (Section 2.05.03.03.B; Page 2-79).

   • Building materials used on the ground floor shall be high quality durable materials (Section 2.05.03.03.C; Page 2-79).

   • There shall be a same or greater level of detail and articulation on the ground floor as on the upper floors of a building (Section 2.05.03.03.D; Page 2-79).
Frontage Types

- Shop Front (Section 2.05.04.03; Page 2-83 to 84):
  - A minimum of 12 feet clear to a maximum of 18 feet tall, as measured from the adjacent sidewalk.
  - Shop Fronts can be recessed from the frontage line by up to 10 feet from ROW to accommodate outdoor retail such as café seating, or allow for Amenity, Activity and Pedestrian Zone requirements for different street types.
  - Entryways can be recessed a maximum of 5 feet from the remainder of the ground floor facade.
  - The corresponding shop front glazing along the primary frontage shall comprise at least 75% of the 1st floor wall area facing the street and shall not have opaque or reflective glazing.
  - Awnings, signs and overhangs shall allow at least 8 feet clear above the adjacent sidewalk or grade.

Plant Selection

- Utilize locally appropriate plant species in all landscaped areas. Edible species or species required for specialized installations, like green walls, may be excepted at the discretion of the Zoning Administrator. (Section 2.05.05.02.01; Page 2-94).

Open Space Access

- Provide inhabitants and/or tenants with visual and pedestrian access to open space areas. Open spaces may be public or private. Private open space is only available to tenants (Section 2.05.05.02.02; Page 2-94).

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

As discussed in this report, the project will implement the following El Cerrito General Plan policies: Policy SC1.3 (High-Quality Design), Policy CD1.9 (Building Design), Policy CD2.1 (Street Frontages), Policy CD2.3 (Streetscape Improvements), CD3.12 (Landscape Species), CD4.2 (Building Articulation), and CD5.1 (Design Review Process).

Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL21-0006, as conditioned by the draft resolution in Attachment A.

Proposed Motion

Move adoption of Design Review Board Resolution DRB2021-03 granting Tier II Design Review approval to Planning Application No. PL21-0006: a new mixed-use building with multi-family residential units (including affordable housing) and ground-level non-residential uses to be located at 6501 Fairmount Avenue.
Appeal Period

Within ten (10) working days after the date of the decision, the Design Review Board’s action may be appealed to the Planning Commission.

Attachments

A. Draft Resolution
B. Project Plans dated November 11, 2021 & Application Statements
C. CEQA Checklist
D. Concession Justification
A RESOLUTION OF THE CITY OF EL CERRITO DESIGN REVIEW BOARD GRANTING TIER II DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A NEW MIXED-USE BUILDING WITH 45 MULTI-FAMILY RESIDENTIAL UNITS (INCLUDING AFFORDABLE HOUSING) AND GROUND-LEVEL NON-RESIDENTIAL USES TO BE LOCATED AT 6501 FAIRMOUNT AVENUE

WHEREAS, the site is located at 6501 Fairmount Avenue;

WHEREAS, the existing Assessor’s Parcel Number of the site is 504-140-015;

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 Major Commercial Street (Fairmount Avenue) and Neighborhood Street (Lexington Avenue);

WHEREAS, on January 4, 2021, property owner El Cerrito 36 LP submitted a Tier II Design Review application for development of the subject site;

WHEREAS, the subject application proposes forty-five (45) residential dwelling units intended for sale; however, no proposed subdivision map has been submitted to the City of El Cerrito for consideration;

WHEREAS, of the forty-five (45) residential dwelling units intended for sale, five (5) are provided for purposes of affordable housing to moderate income households;

WHEREAS, the project applicant voluntary proposes to construct and maintain certain improvements within the public right-of-way for purposes of public open space in the form of a ‘parklet’ along the project site frontage with Fairmount Avenue;

WHEREAS, on December 1, 2021, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. Government Code Section 65457 addresses California Environmental Quality Act (CEQA) requirements for residential developments subject to a Specific Plan for which an EIR was prepared. For these development situations, it directs no further CEQA review shall occur unless an event prescribed at CEQA Section 21166 occurs. The implementing regulations for CEQA Section 21166 are located at CEQA Guidelines Section 15162.

CEQA Guidelines Section 15168(c) addresses the use of Program EIRs for subsequent activities (e.g., the proposed project subject to the San Pablo Avenue Specific Plan and for which a Program EIR was prepared). The CEQA Guidelines direct the application of CEQA Guidelines Section 15162 to determine whether additional CEQA review is required.

CEQA Guidelines Section 15162 provides that no subsequent EIR shall be prepared unless the lead
agency (i.e., City of El Cerrito) determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

a) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

A checklist prepared for the proposed project, incorporated herein by reference, provides substantial evidence for the Design Review Board to determine that, pursuant to CEQA Section 21166 and CEQA Guidelines 15162, no subsequent environmental review is required.

The project is also exempt from CEQA pursuant to CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), under subsection (b) (Projects Proximate to Transit). The project is a mixed-use project exceeding 0.75 floor-area-ratio, is located within a transit priority area, is consistent with the SPASP, and is consistent with the use, density, building intensity and applicable policies of a sustainable communities strategy relating to greenhouse gas reduction targets (i.e., Plan Bay Area 2040).

2. The project provides affordable housing as required by El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning). As proposed, the project provides for sale units. Under Municipal Code Section 19.30.040 this results in a 12% on-site inclusionary requirement (i.e., five units affordable to moderate income households). The project fulfills this requirement and concurrently requests a Density Bonus pursuant to Government Code Section 65915 et al. The bonus request includes three (3) additional dwelling units and requests for one concession, pursuant to Government Code Section 65915(d)(2), and one waiver, pursuant to Government Code Section 65915(e), described in detail as follows:

a) Pursuant to Government Code Section 65915(d)(2), the project may include a request for one (1) concession based on the number of affordable housing units provided on-site. A concession, as
defined by Government Code Section 65915(k) and in relevant part, consists of a reduction of a development standard. In addition to meeting the requirement for on-site affordable housing, a concession must result in an identifiable and actual cost reductions, to provide for affordable housing costs.

The project includes a concession request concerning partial compliance with the utility undergrounding requirements of Zoning Code Section 19.21.080 and Chapter 16.34. Underground requirements specify a 100-foot radius which the project shall underground all existing utilities. Presently, there are overhead electrical lines (and poles) along the site’s Lexington Street frontage. The project would underground three existing poles (next to the new building) and install two new poles (within the 100-foot radius) on Lexington Street. The project application includes adequate documentation to substantiate the eligibility of the concession request (i.e., actual cost reductions). Therefore, this approval grants the requested concession in accordance with Government Code Section 65915(d)(2).

b) Pursuant to Government Code Section 65915(e), the project includes one partial waiver from the San Pablo Avenue Specific Plan Shadow Standards (Section 2.05.02.02.03) which states, "Buildings shall not cast shadows onto adjacent existing residential uses on Winter Solstice (December 21): (a) Greater than 14'-0" deep at 1:30p.m. on adjacent parcels to the east. Due to solar angle, there is no shadow requirement for adjacent parcels to the west." In this case, the 'adjacent' parcels to the east where the shadow standards are not met include 409, 411 and 419 Liberty Street.

State law sets no limit on the number of waivers that may be requested but requires that they relate to a development standard that, in relevant part, "will have the effect of physically precluding the construction of affordable housing."

The project proposes five affordable housing units. A shadow study demonstrates the difference between full and the proposed partial compliance with shadow standards. Staff peer reviewed the study for accuracy. It shows that full compliance would result in a building with one less floor (i.e., sixth level) and less building mass at the fourth and fifth levels. The floor area attributable to full compliance exceeds that attributable to the affordable housing units by five housing units at the fifth and sixth floors. Therefore, given these facts, this approval grants the requested waiver in accordance with Government Code Section 65915(e).

3. The project will implement the following policies of the El Cerrito General Plan: Policy SC1.3 (High-Quality Design), Policy CD1.9 (Building Design), Policy CD2.1 (Street Frontages), Policy CD2.3 (Streetscape Improvements), CD3.12 (Landscape Species), CD4.2 (Building Articulation), and CD5.1 (Design Review Process).

4. The project’s physical design features are compliant with the San Pablo Avenue Specific Plan development standards (i.e., Regulation by Street Type, Regulation by Transect Zone), as noted in the staff report. Additionally, the project is consistent with the following Specific Plan design guidelines:

**Building Configuration**

- All buildings located along a public street should be oriented toward and have their primary entrances toward, the public street. (Section 2.05.02.01.01.02.A; Page 2-72)

- Ground floor building entrances on the interior of the site should be accessible from the public sidewalk. (Section 2.05.02.01.01.02.A; Page 02-72)
Building Articulation

- At least 50% of the planes of the exterior walls along public streets shall vary in depth and/or direction through the use of cornices, recesses, ecological elements and overhangs (Section 2.05.03.02.A; Page 2-78).

Colors, Materials and Textures

- 50% of building facades shall be articulated by use of a change in plane, color, arrangement of facade elements, or a change in materials (including glazing) to break the building mass (Section 2.05.03.03.A; Page 2-79).

- A flat building facade shall incorporate details such as window trim, window recesses, cornices, changes in material, color or other design elements in an integrated composition. Some of the architectural features of the main facade shall be incorporated into the rear and side elevations (Section 2.05.03.03.B; Page 2-79).

- Building materials used on the ground floor shall be high quality durable materials (Section 2.05.03.03.C; Page 2-79).

- There shall be a same or greater level of detail and articulation on the ground floor as on the upper floors of a building (Section 2.05.03.03.D; Page 2-79).

Frontage Types

Shop Front (Section 2.05.04.03; Page 2-83 to 84):

- A minimum of 12 feet clear to a maximum of 18 feet tall, as measured from the adjacent sidewalk.

- Shop Fronts can be recessed from the frontage line by up to 10 feet from ROW to accommodate outdoor retail such as café seating, or allow for Amenity, Activity and Pedestrian Zone requirements for different street types.

- Entryways can be recessed a maximum of 5 feet from the remainder of the ground floor facade.

- The corresponding shop front glazing along the primary frontage shall comprise at least 75% of the 1st floor wall area facing the street and shall not have opaque or reflective glazing.

- Awnings, signs and overhangs shall allow at least 8 feet clear above the adjacent sidewalk or grade.

Plant Selection

- Utilize locally appropriate plant species in all landscaped areas. Edible species or species required for specialized installations, like green walls, may be excepted at the discretion of the Zoning Administrator. (Section 2.05.05.02.01; Page 2-94).

Open Space Access

- Provide inhabitants and/or tenants with visual and pedestrian access to open space areas. Open
spaces may be public or private. Private open space is only available to tenants (Section 2.05.02.02; Page 2-94).

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. PL21-0006, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans dated November 11, 2021, except as noted herein. 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 this approval but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

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

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 Municipal Code Chapter 13.50 (Art in Public Places) 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. 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.

Project Specific Conditions of Approval:

8. Plans submitted for purposes of construction shall show, subject to Zoning Administrator approval, short-term parking for ten (10) bicycles.

9. Prior to occupancy, the applicant shall submit and obtain approval of a subdivision map providing for the sale of residential dwellings. The granting of a Density Bonus is based upon a project description
including residential dwellings which are for-sale. Failure to obtain subdivision map approval will, except as provided below, necessitate additional approvals to address the Density Bonus concession and waiver which, without the on-site provision of affordable housing, require other discretionary approvals that may or may not be granted.

As an alternative to obtaining subdivision map approval, the applicant may, pursuant to El Cerrito Municipal Code Section 19.30.050, replace in whole or part the inclusionary for-sale units with inclusionary rental units except that no-lieu fee payment shall be allowed.

10) Prior to Certificate of Occupancy, the applicant shall comply with El Cerrito Municipal Code Section 19.30.060 (Continuing Affordability and Occupancy).

11) Prior to Certificate of Occupancy, the applicant shall pay the required in-lieu fee for public open space required by the San Pablo Avenue Specific Plan. However, the City Engineer may credit the in-lieu fee payment for both design and construction costs related to the public, off-site open space (i.e., ‘parklet’ at Fairmount Avenue frontage) depicted in the project plans. A fee credit request shall be in writing and include a cost estimate prepared by qualified professional utilizing industry best practices for cost estimating. In no case shall the credit issued exceed the design and construction costs of the public, off-site open space and, if an estimate acceptable to the City Engineer indicates the opposite, the difference shall be paid prior to a certificate of occupancy being issued.

12) Prior to Certificate of Occupancy, the applicant shall submit, subject to City Engineer approval, a maintenance agreement for the proposed public open space area along the project site’s frontage at Fairmount Avenue. Said agreement shall also specify responsibilities for liability for damages relating to personal injury and property.

13) Prior to building permit issuance for the new building authorized by this approval, all hazardous materials related to former underground storage tanks and identified in the Phase II Environmental Site Investigation Report by GEOCON Consultants, Inc. dated November 2019 shall be remediated to the satisfaction of all regulatory agencies with jurisdiction.

14) This approval documents and affirms the Zoning Administrator’s approval of a Transportation Demand Management Plan (TDM) Plan, pursuant to San Pablo Avenue Specific Plan Section 2.05.08.05(B). The TDM measures identified in the Plan prepared by Abrams Associates and dated March 22, 2021 shall be carried out for the duration of the project. TDM measures may be modified by the Zoning Administrator as needed to improve effectiveness.

15) The applicant shall maintain the subject property in a manner free from public nuisances, in accordance with Municipal Code Chapter 8.34 (Nuisance Abatement).

16) Except for when the subject building and/or site are occupied by an operating commercial business and after demolition has occurred, the applicant shall post a sign on the site which:

a. Is visible to pedestrians
b. Is a minimum size of 24 inches by 36 inches
c. Includes an illustration of the approved project and contact information for the applicant

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

17) Aesthetics and Visual Resources. (Mitigation 4.2): 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.

18) **Air Quality (Mitigation Measure 5.1):** Implement the following BAAQMD-recommended measures to control particulate matter emissions during construction. City staff will spot check that these measures are being implemented throughout the construction phase of the project. These measures reduce diesel particulate matter PM2.5 and PM10 created from construction to ensure that short-term health impacts to nearby sensitive receptors are avoided or reduced:

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

- d. 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.
- e. Cover all hauling trucks or maintain at least two feet of freeboard.
- f. 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.
- g. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
- h. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
- i. Limit traffic speeds on any unpaved roads to 15 mph.
- j. Replant vegetation in disturbed areas as quickly as possible.
- k. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
- l. Post a publicly 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:**

- m. 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.
- n. 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.
- o. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- p. Properly tune and maintain equipment for low emissions

19) **Air Quality (Mitigation Measure 5.2):** Prior to issuance of building permit the applicant shall complete a project-level construction health risk assessment 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.

20) **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.

21) Prior to the issuance of a building permit, the applicant shall implement a program that includes the following elements:

a. Archeological resource identification training procedures for construction personnel
b. Procedures for reporting archeological discoveries

22) **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.

23) **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.

24) 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.

25) 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.
   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.

26) 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.

27) **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:

   i. 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.

   ii. 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.

   iii. Design construction contingencies that would be implemented when vibration levels approached the limits.

iv. 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.

v. When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

vi. 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.

Prior to the issuance of a permit for grading or demolition, the project plans shall incorporate the following provisions due to construction vibration activities that could exceed 0.3 in/sec PPV at nearby buildings:

- Prohibit the use of heavy vibration-generating construction equipment within 20 feet of adjacent
residential buildings.

• Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 20 feet of adjacent commercial buildings. Only use the static compaction mode when compacting materials within 15 feet of residential buildings.

• Avoid dropping heavy equipment or materials and use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects, within 20 feet of adjacent residential buildings.

• Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

Public Works Department:

28) Prior to building permit issuance, the applicant shall make a fair share contribution towards the implementation of the multi-modal improvements identified by the San Pablo Avenue Specific Plan. Subject to approval by the City, this could be done through payment of the City of El Cerrito Transportation Impact Fee (TIF).

29) Prior to building permit issuance, plans shall provide adequate sight distance between vehicles exiting the parking garage and pedestrians on the adjacent sidewalk. If adequate sight distance cannot be provided, the City Engineer may consider measures including, but not limited to, the installation of 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.

30) Prior to building permit issuance, plans shall ensure that on-street parking and trees on both sides of the project driveway on Lexington 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.

31) Prior to building permit issuance, plans shall demonstrate compliance with the electrical vehicle charging requirements of El Cerrito Municipal Code Chapter 16.24 (California Green Building Code) and San Pablo Avenue Specific Plan Section 2.05.08.07(O). If the standards conflict in either document, the higher standard shall apply.

32) The applicant shall provide a detailed civil plan for offsite work (i.e., improvements in the public right-of-way).

33) For work in the public right-of-way, street cuts, street tree, sidewalk, curb/gutter, and driveway work, applicant must obtain a Public Works Encroachment Permit and pay all associated fees. Any sidewalk, curb ramp and driveway work shall meet current ADA and City of El Cerrito Standards.

34) Prior to building permit issuance, Applicant shall provide a detailed drainage plan including rain leaders, roof slopes, down spouts, etc.

35) Prior to building permit issuance, 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) Prior to building permit issuance, Applicant shall submit a landscaping plan, showing all planting in the right-of-way. All new street trees are to be installed, they 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.

37) Demolition permits that involve the complete demolition of a building must conduct an assessment to screen for PCBs in the building materials. Applicant will be required to fill in the city's PCBs Screening Assessment Form, to summarize and certify the information needed by the City to issue a demolition permit.

38) Approval from East Bay Municipal Utilities District and Stege Sanitary District is required prior to issuance of building permit.

39) Prior to building permit issuance, Applicant shall submit an Erosion and Sediment Control Plan for construction.

40) Prior to Certificate of Occupancy, Applicant shall submit a complete Stormwater O&M Agreement for the Public Works Department to review and approve.

Fire Department:

41) Building construction shall meet current Building, California Fire Codes, and the El Cerrito Fire Code.

42) Gates
   a) If gates are installed across EVA roads, they shall be operable by the use of a Knox Box key.
   b) Any building entrances with roll up doors or gates including parking garages, storage areas or loading docks shall be operable by the use of a Knox Box key.
   c) A Knox Box rapid entry system shall be installed at all entrances to the building with keys for all common areas or retail spaces. Retails spaces shall have individual Knox Boxes.

43) 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.
   d) If required, plans for a fire pump to augment the fire flow shall be submitted for review, approval and permit under a separate cover.

44) 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) A fire hydrant shall be located within 50’ of the FDC.
   e) Fire Sprinkler Plans shall be submitted for review and approval.
   f) Enclosed parking area will require extra hazard sprinkler design with appropriate density and include side wall sprinklers between car levels.
g) Fire system underground pipe plans shall be submitted for review and approval.

45) Standpipes
   a) Standpipes shall be wet.
   b) Standpipes shall be located in the stairwells.
   c) Standpipes shall extend to the roof.
   d) Fire Department valve connections shall be in the intermediate landings of stairwells and at the standpipe termination on the roof.

46) 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.

47) Fire Alarm System
   a) Fire alarm plans shall be submitted for review and approval.
   b) Smoke Detection
   c) Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
   d) Smoke detectors shall be 120v powered with battery backup.
   e) Smoke detectors shall be interconnected when more than one is required per sleeping area.
   f) Single Station or Multiple-Station Smoke alarm(s) not required to activate fire alarm system outside of sleeping area.

48) Carbon Monoxide Detectors
   a) Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed.
   b) Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
   c) Carbon Monoxide alarms shall be 120 v powered with battery backup and be interconnected with the smoke detectors.

49) Electrical
   a) All electrical breakers shall be labeled.
   b) Premises Identification
   c) Approved numbers or address shall be provided in such a position to be plainly visible and legible from the street fronting the property from both directions.
   d) Numbers shall be a minimum of 6" in height.
   e) Address shall be either internally or externally illuminated.

50) Emergency Egress
   a) Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue in accordance with CFC 1030.
   b) Escape or rescue windows shall be installed in accordance with CFC 1030.
c) Exit signs shall be internally or externally illuminated.

d) Emergency electrical system to automatically illuminate means of egress.

51) Radio Communications

a) Radio frequency (800 MHz) 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.
c) If required, plans shall be submitted for approval and separate permit process.

52) Prior to building permit issuance, the applicant shall submit and obtain Fire Marshall approval of a site security plan addressing fire prevention practices (e.g., 24-hour site surveillance through cameras, security guards, waste dumpsters with metal lids) during construction and up to the point which sprinkler systems are operational.

City Arborist:

53) All ROW plants, soils and mulches shall be inspected prior to installation

54) All ROW trees shall conform to the Guideline Specifications for Nursery Tree Quality

55) Understory plantings should be spaced at least 24" O.C. from ROW trees

56) Irrigation designer / landscape architect shall complete, sign and submit a WELO Review Package with the final design.

57) All irrigation within the public right-of-way shall be dedicated, labeled and accessible to City staff. RCVs shall include a ball valve on the supply side

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on December 1, 2021, upon motion of Boardmember [insert], second by Boardmember [insert]:

AYES:
NOES:
ABSTAIN:
ABSENT:

________________________________________
Sean Moss, AICP
Planning Manager
This resubmittal narrative is submitted along with an attached plan set as part of the application by El Cerrito 36, LP, for a proposed mixed-use development project at 6501 Fairmount Avenue in the City of El Cerrito (“City”). The project originally submitted for planning approval on January 5, 2021 and received an incomplete letter on February 4, 2021. The project then resubmitted with an updated application on March 26, 2021 and the City provided an incomplete letter on April 29, 2021. The project provided a third resubmittal on September 8, 2021 and received an incomplete letter on October 8, 2021.

The applicant team thanks the City for its efforts during a particularly stressful time. This submittal includes additional information requested by staff and minor changes in the plan set to resolve inconsistencies. This document and its attachments provide the relevant information needed to find the application complete and is organized around the incomplete determination’s items.

1. **Density Bonus – Percentage Allowed.** “… The application must be revised to clarify the proposed means of authorizing the three additional units.”

*Response:* The updated project plans correct a mistake in the earlier resubmittal that reduced the base unit count. The updated plan set shows a base building with 42 units that is compliant with the underlying development standards in the San Pablo Avenue Specific Plan. This entitles the project to a 7% density bonus under State Density Bonus Law which equates to an additional three units. The base project units average 1,219 square feet which is slightly larger than the proposed project’s units (1,210 square feet) in compliance with Density Bonus law.

Please see Plan Set pages G033 for the updated Density Bonus study.

2. **Eligibility – Incentives and Concessions**

*Response:* This section lays out the requested density bonus concession and waivers. The project is eligible for one concession and unlimited waivers.
### Table 1: Density Bonus Waiver Requests

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Proposed</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.05.02.02.03 – Rear and Upper Floor Setback Adjacent to Existing Residential Uses</td>
<td>No shadows greater than 14’ deep.</td>
<td>Shadows exceed 14’ into adjacent residential district to the east. See Plan Set page G031 and G032 for the shadow study.</td>
<td>In order to meet this standard, the building would need to be pulled back along the upper floor which will reduce the residential unit count and physically preclude the provision of the affordable housing units.</td>
</tr>
</tbody>
</table>

### Density Bonus Concession/Incentive

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Proposed</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECMC § 16.34 and ECMC § 19.21.080</td>
<td>All utilities serving the development site will be undergrounded with 100’.</td>
<td>Alternative utility compliance detailed in separate document.</td>
<td>The alternative compliance option saves the project several hundred thousand dollars which are real and identifiable cost savings to provide for the affordable housing units. A more detailed rationale is provided in the separate document requesting the density bonus concession.</td>
</tr>
</tbody>
</table>

The applicant has worked for the past year to find a way to meet the spirit and intent of the Utility Undergrounding requirement found in Chapter 16.34 of the El Cerrito Municipal Code (ECMC). The project has submitted a separate document detailing the density bonus concession request.

3. **Public Open Space - In-Lieu Proposal**

The project sits on an extremely constrained site and the applicant requests that the City accept a proposal to provide a public amenity that is privately constructed and privately maintained in the right-of-way in-lieu of the on-site public open space requirement or in-lieu fee. The project is required to provide 1,361 sf of public open space located on the project site. Instead of providing this on-site, which is infeasible given space constraints, the project proposes to replace one existing on-street parking space and two existing curb cuts along Fairmount Avenue with 1,075 sf of a public plaza with additional green infrastructure and landscaping.

The project agrees to the proposed condition of approval listed in the inconsistency determination and will provide design, construction and maintenance cost estimates prepared by qualified...
professionals. If the estimates do not exceed the in-lieu costs, then the project will pay the difference prior to issuance of a certificate of occupancy.

This extended public plaza allows for the preservation of the existing street trees, new in-ground and raised planters, a new rain garden and a new seating area to be integrated into a green public open space. The intention is to create a more welcoming and comfortable experience on this major pedestrian connection between the San Pablo Avenue corridor and the nearby BART station in line with the City’s urban design goals. The graphic below shows a draft version of the proposed streetscape improvements:

This proposal represents a strong improvement from the current condition. Today, pedestrians encounter two street trees in the right-of-way, on-street parking, curb cuts and impervious surfaces. The improvements will not result in a loss of parking because a new on-street parking space is created by the project by removing
unnecessary curb cuts on Lexington. The existing street trees will be given more room to expand and remain healthy. The public gains an important amenity in this central location with the availability of a new seating area. The project will also be providing more green infrastructure than before which will help the City meet its stormwater treatment obligations.

Finally, the project proposes to assume responsibility for the maintenance and upkeep of this public amenity for the life of the building. In-line with the intention of the public open space requirement, this will mean that the City’s residents gain a public amenity financed exclusively by the private development.

The proposed value to the public far-exceeds the otherwise required in-lieu fee of approximately $130,000. The installation of the pervious pavers, bioswale, new street trees, new landscaping and associated design and infrastructure costs will easily exceed the $130,000 figure on its own. The project’s landscape architect estimated the total cost to be at least $200,000. Additionally, the project commits to maintaining the project for the life of the building. The cost of weekly pruning and occasional larger maintenance projects will exceed $8,000 a year which, for 25 years, commits the project to paying $200,000 to maintain this public amenity. That is a total open space benefit to the City of El Cerrito of over $400,000 for 25 years. The project will provide more detailed cost estimates prior to issuance of the certificate of occupancy as required by the condition of approval.

4. Public Works Improvements

Response: The project team appreciates the work of the Public Works department in helping advance the project. There are (2) proposed mechanical filtration devices, one that serves the
stormwater diverted from the proposed building and on-site ground surfaces and is located on-site. The other mechanical filtration device (MECH-2) that services the proposed rain garden and green infrastructure constructed in the public right of way. Since the latter is serving elements in the public right of way and connecting to the nearby city stormwater system connection it has been located in the public right of way. The updated plan set includes an updated stormwater control plan.

5. Public Works Improvements

*Response: Noted.* The team appreciates the support of the Public Works department and understands the future requirements for utility access and a permanent maintenance agreement.
THE PROPOSED PROJECT INCLUDES DEMOLITION OF AN EXISTING GAS AND AUTOMOBILE SERVICE STATION IN ORDER TO BUILD A 54,462 SQUARE FOOT TRANSIT-ORIENTED MIXED USE BUILDING WITH 45 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT THE CORNER OF FAIRMOUNT AVENUE AND LEXINGTON AVENUE, APPROXIMATELY ONE BLOCK AWAY FROM THE EL CERRITO PLAZA BART STATION. THE PROJECT INCLUDES FREEFUL OF RESIDENTIAL OVER A GROUND FLOOR WITH 1,841 SQUARE FEET OF COMMERCIAL SPACE, AND ALSO INCLUDES RESIDENTIAL AMENITIES, BUILDING SYSTEMS, AND STRUCTURED PARKING. MANY RESIDENTIAL UNITS INCLUDE PRIVATE OUTDOOR SPACE THROUGH BALCONIES AND THERE IS A ROOFTOP DECK RESERVED FOR RESIDENTS AS SHARED, COMMON OUTDOOR SPACE. THE PROJECT PROVIDES 3 BELOW-MARKET-RATE UNITS ON-SITE WHICH WILL BE AFFORDABLE TO MODERATE-INCOME FAMILIES EARNING LESS THAN 120% AREA MEDIAN INCOME.
1. Views of Albany Hill & G.G.B. from BART Platform - Proposed

2. View from Fairmount


Key Map
Proposed Restaurant/Retail Space 1
1070 SQ. FT.

Proposed Restaurant/Retail Space 2
771 SQ. FT.

Residential Lobby
Egress from Stair Above
Package Storage
Elevator
Trash Stair
Fire Electrical
Mechanical
Garage Storage
Garage

68-Bike Garage
35-Car Triple-Stacked Lift Garage
5633 SQ. FT.

68-Bike Garage
35-Car Triple-Stacked Lift Garage
5633 SQ. FT.

3 Yard Dumpster 48"x60" Typ.
Recycling Chute
Trash Chute
(1) Refuse, (1) Recycling, & (1) Compost Bin per Retail Unit

SOLID WASTE COLLECTION PLAN STATEMENT:
Retail Spaces Are Provided with a Dedicated Trash Room with (4) 64-Gallon Bins per Unit to Be Used Between Refuse, Recycling, and Compost. Retail Units Are Responsible for Taking Bins Out to the Shared Bin Staging Area on Lexington on Trash Days.
PICTURED IS A BY-RIGHT ALLOWED BUILDING THAT COMPLIES WITH ALL EL CERRITO FORM BASED CODE SHADOW/FORM RESTRICTIONS AND IS THE BASE FOR OUR DENSITY BONUS STUDY - SEE G033 ADDITIONAL ANGLES OF THE BASE BUILDING, PROPOSED CONDITION, AND A COMPARISON OF THE TWO ARE SHOWN ON THE FOLLOWING SHEET FOR CLARITY.

THE ZIGGURAT SHAPED "BASE BUILDING" CASTS A SHADOW NO DEEPER THAN 14'-0" ON TO RESIDENTIAL PROPERTIES TO THE EAST AT 1:30 PM ON DECEMBER 21 - WINTER SOLSTICE. FURTHERMORE, THAT SAME BASE BUILDING AT THE SAME TIME/DATE DOES NOT CAST A SHADOW BEYOND THE CURB LINE ON THE OPPOSITE SIDE OF THE NEIGHBORHOOD STREET TO THE EAST (LIBERTY STREET).

THERE ARE NO COMMERCIAL STREETS TO THE EAST OR NORTH OF THE PROPERTY. THERE ARE NO NEIGHBORHOOD STREETS TO THE NORTH (NEXT STREET IS CENTRAL AV, APPROXIMATELY 450 FEET AWAY), AND THE PROPERTY DOES NOT ABUT ANY RESIDENTIAL DISTRICTS (TOHNU / DOWNTOWN DISTRICT ADJACENCIES ON ALL SIDES).

DECEMBER 21, 1:30 PM DECEMBER 21, 1:30 PM DECEMBER 21, 1:30 PM
SHADOW STUDIES

PROJECT ISSUE RECORD:

CITY PERMIT RECORD:

SHEET:

TITLE:

PROJECT:

6501 FAIRMOUNT AVENUE
EL CERRITO, CALIFORNIA 94530

14' ENCROACHMENT LINE

DECEMBER 21, 1:30 PM

COMPARISON SHADOW STUDY

PROPOSED CONDITION SHADOW STUDY

BASE CONDITION SHADOW STUDY

COMPARISON SHADOW STUDY

PROPOSED CONDITION SHADOW STUDY

BASE CONDITION SHADOW STUDY

14' ENCROACHMENT LINE

DECEMBER 21, 1:30 PM
TRANSPARENCY REQUIRED: 30%
TOTAL AREA: 494 SF
OPEN AREA: 151 SF
TRANSPARENCY PROVIDED: 31%

TRANSPARENCY REQUIRED: 30%
TOTAL AREA: 339 SF
OPEN AREA: 104 SF
TRANSPARENCY PROVIDED: 31%

TRANSPARENCY REQUIRED: 30%
TOTAL AREA: 339 SF
OPEN AREA: 104 SF
TRANSPARENCY PROVIDED: 31%

TRANSPARENCY REQUIRED: 50%
TOTAL AREA: 109 SF
OPEN AREA: 54 SF
TRANSPARENCY PROVIDED: 54%
Proposed Restaurant/Retail Space 1
1070 SQ. FT.

Proposed Restaurant/Retail Space 2
771 SQ. FT.

35-Car Triple-Stacked Lift Garage
5633 SQ. FT.

Residential Lobby
Egress from Stair Above

Package Storage

Elevator

Mechanical Room

Trash

ADA
ADA VAN

 Cassidy

68-Bike Garage
18 Bikes
16 Bikes
16 Bikes

ADA EV SPACE

 Proposed Restaurant/Retail
1070 SQ. FT.

 Proposed Restaurant/Retail
771 SQ. FT.

FAIRMOUNT AVENUE

LEXINGTON AVENUE

PROPOSED PUBLIC PLAZA - SEE SHEET G023

≈ 45'-0" SIGHT DISTANCE TO SOUTHBOUND TRAFFIC ON A 25 MPH RESIDENTIAL STREET

≈ 49'-0" SIGHT DISTANCE TO NORTHBOUND TRAFFIC ON A 25 MPH RESIDENTIAL STREET

20'-0" CLEAR FROM EXIT LANE FOR SIGHT LINES - PROVIDE RED CURB

6'-0" CLEAR MINIMUM TREE LIMB HEIGHT AT TREES ADJACENT TO GARAGE EXITING TO PROVIDE SIGHT LINES

PEDESTRIAN ALERT: PROVIDE FISH-EYE LENS AND VISUAL STROBE ALARM AT EXITING SIDE OF GARAGE

(6) EV PARKING SPACES IN TRIPLE STACK LIFTS

ADA EV SPACE
**Material Key**

1. **Thick Brick**
   - Glen Gery
   - Aberdeen

2. **Thin Brick**
   - Glen Gery
   - Coal Brindle Smooth Thin Brick

3. **Steel Trellis**
   - Benjamin Moore Paint Exterior Black

4. **Steel Column**
   - Benjamin Moore Paint Exterior Black

5. **Cement Plaster**
   - Benjamin Moore
   - CSP-20 - Wall Street

6. **Painted Gypsum Roof Cap**
   - Benjamin Moore Paint Exterior Black

7. **Steel Column**
   - Benjamin Moore Paint Exterior Black

8. **Anodized Aluminum**
   - Break Metal
   - Black

9. **Steel Railing**
   - Powder Coated Black

10. **Roll-Up Grate**
    - Wayne Dalton
    - 64 HC

11. **Raised Brick Soldier Course**
    - Glen Gery
    - Aberdeen

12. **Expansion Joint**
    - Metal Channel
    - Charcoal

13. **VWEL Windows**
    - Veal-Velcro Windows
    - Edward Black

14. **Roll-Up Gate**
    - Wayne Dalton
    - 600 HC

15. **Expansion Joint**
    - Metal Channel
    - Charcoal

16. **Painted Gypsum Roof Cap**
    - Benjamin Moore Paint Exterior Charcoal

17. **Vinyl Windows**
    - VPI-Quality Windows
    - Endurance Series
    - Black
### Plant Schedule

<table>
<thead>
<tr>
<th>Code</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Size</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Carex comans 'Frosted Curls'</td>
<td>Frosty Sedge</td>
<td>1 gal.</td>
<td>120</td>
</tr>
<tr>
<td>2</td>
<td>Helichrysum petiolare 'Silver Star'</td>
<td>Silver Star Licorice</td>
<td>1 gal.</td>
<td>42</td>
</tr>
<tr>
<td>3</td>
<td>Salvia clevelandii</td>
<td>Cleveland Sage</td>
<td>5 gal.</td>
<td>57</td>
</tr>
<tr>
<td>4</td>
<td>Teucrium chamaedrys 'Prostratum'</td>
<td>Prostrate Germander</td>
<td>1 gal.</td>
<td>23</td>
</tr>
</tbody>
</table>

### Materials:
- Planters on Pedestals
- Pavers on Pedestals
- Planting:
  - Fairmount Ave.
  - Lexington Ave.

### Landscape Architect
- Groundworks Office Inc.
- 1792 Fifth Street
- Berkeley, California 94710
- 510-833-2111
- GWOSITE.COM

### Entitlements
- Sixth Floor - Planting and Materials Plan

### Site Overview
- The site includes a layout of planters and seating areas, with materials and planting schedules detailed in the document.

**Note:** The site plan includes shaded areas for planting and specified plant species along with their quantities.
Irrigation System Notes

1. Irrigation system is designed for a maximum of 15 g.p.m. at 60 P.S.I. Static pressure. Verify pressure of 60 P.S.I. at the points of connection prior to installation. Reference irrigation system additions. Notify owners' representative of any discrepancies in pressure.

2. Notify owners' representative six (6) days prior to installation for a preinstallation conference and field review coordination for trench depth, assembly review, pressure tests, operational tests, premaintenance, and final review. A continuity test will be required for control wire stubouts. No substitutions will be allowed without written approval from the owners' representative.

3. Connect to irrigation mainline and control wire stubouts provided by others.

4. Install equipment as detailed. Install box ID tags manufactured by T. Christy Ent. Standard size: 1 1/8" hot stamped black letters on yellow background on colored wire. Letters to conform to controller/station number.

5. Irrigation to street trees shall be from a dedicated and accessible return (rotary control value with ball valve shut off).

6. Valve control wire shall be minimum No. 14 AWG Copper UL approved for direct burial in ground. Connect wires with 3M DBY connectors per manufacturer's specifications. Run one (1) extra control wire of different color through all valve locations from stubout locations. Each wire at valves shall have 24" excess coiled loop. Tape wires in bundles every ten feet for equipment areas.

7. Prior to installation of subsurface drip systems, review drip components, equipment and installation techniques with manufacturer's representative. Special attention shall be paid when coordinating installation of plant materials and drip system. Avoid conflicts between installation of subsurface drip system and plant locations. If conflicts occur, then plant installation locations shall be adjusted. Layout shown is diagrammatic only. Install irrigation drip design guide for information regarding subsurface drip system installation, operation, and suggested maintenance. Street tree irrigation shall be tree busters on flexible PVC pipe with two (2) Tee's per tee.

8. Provide literature of drip system components including any preventative maintenance and troubleshooting guides for operators and required maintenance procedures including repairing breaks in pipes and risers.

9. Maintenance considerations:
   a. Filter cleaning and flushing should start out as a monthly procedure. (more frequent for dirt water conditions)adjust times to suit digging as appropriate. Visually check for indications of clogged emitters or clogging grates on a regular basis.
   b. Filter cleaning and flushing should start out as a monthly procedure.
6501 Fairmount Avenue

SAN PABLO AVENUE SPECIFIC PLAN
ENVIRONMENTAL COMPLIANCE CHECKLIST

PREPARED BY:

METROPOLITAN PLANNING GROUP
1475 SOUTH BASCOM AVENUE, SUITE 210
CAMPBELL, CALIFORNIA 95008

November 2021
<table>
<thead>
<tr>
<th><strong>Project Title:</strong></th>
<th>The Lexington, 6501 Fairmount Avenue</th>
</tr>
</thead>
</table>
| **Lead agency name and address:** | City of El Cerrito Planning Division  
10890 San Pablo Avenue  
El Cerrito, CA 94530 |
| **Contact person and phone number:** | Jeff Ballantine  
(510) 215-4358 |
| **Project Location:** | 6501 Fairmount Avenue (APN 504-140-015)  
City of El Cerrito – San Pablo Avenue Specific Plan Area  
Contra Costa County, CA |
| **File Number:** | PL21-0006 |
| **Project sponsor’s name and address:** | El Cerrito 36 LP  
3202 West March Lane  
Stockton, CA 95219 |
| **Property Owner:** | El Cerrito 36 LP  
3202 West March Lane  
Stockton, CA 95219 |
| **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 at the northeast corner of the Fairmount and Lexington Avenue. The proposed project would demolish the commercial building and construct a new 54,462 square-foot, six-story multi-family residential building with a total of 45 dwelling units and 1,841 square feet of retail or restaurant space. Access to the parking garage and residential lobby will be from Lexington Avenue. Access to the retail/restaurant space will be from Fairmount Avenue. The proposed residential units include a combination of 1-bedroom and 2-bedroom units. |
| **Surrounding land uses and setting; briefly describe the project’s surroundings:** | North  Single Family Residential  
East  Automotive Service Commercial  
South  Commercial (El Cerrito Plaza)  
West  Office |
| **Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):** | San Francisco Bay Regional Water Quality Control Board  
California Department of Toxic Substances Control |
TABLE OF CONTENTS

1. INTRODUCTION .........................................................................................................................1
   1.1. Project Background and Prior CEQA Documentation .................................................................1
   1.2. CEQA Requirements ..................................................................................................................2
2. PROJECT SETTING AND DESCRIPTION .....................................................................................3
   2.1. Project Location and Setting ......................................................................................................3
   2.2. Project Characteristics – development and land use .................................................................3
       2.1. project characteristics - affordable housing .........................................................................4
       2.2. project characteristics – local approvals requested ...............................................................5
3. EVALUATION OF ENVIRONMENTAL IMPACTS ........................................................................12
   3.1. AESTHETICS ...........................................................................................................................12
   3.2. AGRICULTURAL AND FORESTRY RESOURCES .................................................................14
   3.3. AIR QUALITY ..........................................................................................................................15
   3.4. BIOLOGICAL RESOURCES .....................................................................................................19
   3.5. CULTURAL RESOURCES .........................................................................................................21
   3.6. ENERGY ...................................................................................................................................23
   3.7. GEOLOGY AND SOILS ............................................................................................................24
   3.8. GREENHOUSE GAS EMISSIONS ...............................................................................................26
   3.9. HAZARDS/HAZARDOUS MATERIALS .....................................................................................28
   3.10. HYDROLOGY AND WATER QUALITY ...................................................................................32
   3.11. LAND USE AND PLANNING ..................................................................................................34
   3.12. MINERAL RESOURCES ..........................................................................................................35
   3.13. NOISE ....................................................................................................................................36
   3.14. POPULATION AND HOUSING: ...............................................................................................41
   3.15. PUBLIC SERVICES .................................................................................................................42
   3.16. RECREATION ..........................................................................................................................44
   3.17. TRANSPORTATION .................................................................................................................45
   3.18. UTILITIES AND SERVICE SYSTEMS ...................................................................................48
   3.19. WILDFIRE ..............................................................................................................................50
4. REFERENCE DOCUMENTS ...........................................................................................................51

LIST OF FIGURES

FIGURE 1: REGIONAL LOCATION MAP ..............................................................................................4
FIGURE 2: SITE VICINITY ....................................................................................................................6
FIGURE 3: GENERAL PLAN LAND USE DESIGNATION / ZONING MAP .............................................6
FIGURE 4: SITE PLAN AND GROUND FLOOR PLAN .........................................................................7
FIGURE 5: SECOND FLOOR PLAN .....................................................................................................8
FIGURE 6: TYPICAL BUILDING ELEVATIONS ....................................................................................9

LIST OF TABLES

Table 1: Project Unit Type ..................................................................................................................4
1. INTRODUCTION

This checklist and attached supporting documentation have been prepared pursuant to Government Code Section 65457 and which pertains to residential developments subject to a Specific Plan and for which an Environmental Impact Report (EIR) was prepared. Government Code Section 65457 provides, in relevant part, that such developments are exempt from the California Environmental Quality Act (CEQA) unless an event prescribed at CEQA Section 21166 occurs, including:

a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The residential development evaluated under these criteria (and this checklist) is a proposed development (project or proposed project) located at 6501 Fairmount Avenue and consisting of a new 54,462 square-foot mixed use building includes 45 dwelling units and 1,841 square feet of ground floor commercial space. The proposed development is located within the boundary of the San Pablo Avenue Specific Plan (SPASP), for which a Program EIR was certified.

An additional purpose of this checklist is to also demonstrate, under CEQA Guidelines Section 15168(c)(2), that the proposed project is within the scope of the SPASP Program EIR and, therefore, that no subsequent environmental document is required. Lastly, this document also provides substantial evidence the proposed development is statutorily exempt from CEQA under CEQA Guidelines 15182 (Projects Proximate to Transit).

1.1. PROJECT BACKGROUND AND PRIOR CEQA DOCUMENTATION

On September 22, 2014, the City of El Cerrito adopted the San Pablo Avenue Specific Plan ("SPASP") and certified an accompanying Program EIR (State Clearinghouse #2014042025). The SPASP represents a planning effort to identify a vision for the future of San Pablo Avenue, including its improvement needs, and the adoption of 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. 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 SPASP Program EIR evaluated the potential environmental effects related to implementation and identified significant and potentially significant environmental effects under the following topics:

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural and Historic Resources
- Geology and Soils
- Noise
Transportation and Circulation

For each of these effects, the SPASP Program EIR identifies mitigation measures to reduce each effect below the threshold of significance. A copy of the SPASP Program EIR is available for viewing here:

http://www.el-cerrito.org/396/San-Pablo-Avenue-Specific-Plan

1.2. CEQA REQUIREMENTS

Government Code Section 65457 addresses CEQA requirements for residential developments subject to a Specific Plan for which an EIR was prepared. For these development situations, it directs no further CEQA review shall occur unless an event prescribed at CEQA Section 21166 occurs. The implementing regulations for CEQA Section 21166 are located at CEQA Guidelines Section 15162.

CEQA Guidelines Section 15168(c) addresses the use of Program EIRs for subsequent activities (e.g., the proposed project subject to the SPASP and for which a Program EIR was prepared). Again, the CEQA Guidelines direct the application of CEQA Guidelines Section 15162 to determine whether additional CEQA review is required.

CEQA Guidelines Section 15162 provides that no subsequent EIR shall be prepared unless the lead agency (i.e., City of El Cerrito) determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
This checklist evaluates the proposed project under the criteria of CEQA Guidelines Section 15162 to determine whether subsequent environmental review is required.

An additional purpose of this document is to demonstrate the proposed project is also exempt from CEQA pursuant to CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan), under subsection (b) (Projects Proximate to Transit). The project is a mixed-use project exceeding 0.75 floor-area-ratio, is located within a transit priority area, is consistent with the SPASP, and is consistent with the use, density, building intensity and applicable policies of a sustainable communities strategy relating to greenhouse gas reduction targets (i.e., Plan Bay Area 2040).

2. PROJECT SETTING AND DESCRIPTION

2.1. PROJECT LOCATION AND SETTING

The project site (APN 504-14-015) is located in the southern portion of the City of El Cerrito at the corner of Fairmount and Lexington Avenues (Figure 1: Regional Map). The project is across the street from El Cerrito Plaza shopping center and approximately 528 feet from the El Cerrito Plaza BART station (Figure 2: Site Vicinity). The project site has General Plan Land Use Designation of Transit-Oriented Higher-Intensity Mixed Use and is within the area of the San Pablo Avenue Specific Plan (Figure 3: General Plan Land Use Designation/Zoning Map). The San Pablo Specific Plan also designates this site as Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) zoning district.

The project site is 11,611 square-foot (0.27 acres) in size and is currently occupied by a 1,032 square foot commercial structure and is almost entirely covered with impervious surfaces. The project site was originally developed with two single-family residences in the early 1900’s. The site was redeveloped in the late 1950’s into an automobile service station. More recently the site transitioned into the existing automotive use.

2.2. PROJECT CHARACTERISTICS – DEVELOPMENT AND LAND USE

The proposed project would demolish the existing building and parking lot and construct an “L” shaped six story mixed use structure at the edge of the public street along both Fairmount and Lexington Avenues. The new 54,462 square-foot mixed use building includes 45 dwelling units and 1,841 square feet of ground floor commercial space. No specific commercial land use or tenant is identified at this time. Project plans show an open floor plan for speculative commercial retail or restaurant uses. However, many potential non-residential land uses are permitted by-right or through discretionary permit(s).¹ The building includes a 2,828 square feet rooftop deck equipped with a shared outdoor kitchen, lounging areas, and ADA accessible bathroom. The rooftop deck will be usable by all building residents. A smaller 900 square foot semi-private outdoor space on the second floor will be shared by the three adjacent residential units.

The residential floors are accessed from two common staircases and one elevator within the building that can be accessed from the residential lobby accessed via the Lexington Avenue entrance and the parking garage. The Fairmount Avenue frontage has ground floor entrances to the retail/restaurant spaces. The parking garage includes a triple stacked lift system capable of parking 33 vehicles and two at-grade level ADA parking spaces, along with a 76-bike storage room. Seven of the vehicle parking spaces will enable electric vehicle charging. (Figure 4: Site Plan and Ground Floor Plan). Each residential floor contains 6 one-bedroom and 3 two-bedroom units. (Figure 5: Second Floor Plan). A summary of the project is provided below.

¹ See FBC Table 02, San Pablo Avenue Specific Plan.
Table 1: Project Unit Type

<table>
<thead>
<tr>
<th>Floor</th>
<th>1 Bedroom (units)</th>
<th>2 Bedroom (units)</th>
<th>Retail / Restaurant (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>0</td>
<td>0</td>
<td>1,841</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>4&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>5&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>6&lt;sup&gt;th&lt;/sup&gt;</td>
<td>6</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Totals</td>
<td>30</td>
<td>15</td>
<td>1,841</td>
</tr>
</tbody>
</table>

The proposed building incorporates a modern architectural design. The color scheme for the ground floor is dark grey with large ground floor windows for the commercial spaces. The upper floors incorporate a combination of red brick and a variety of light and medium greys. The exterior materials include cement plaster, metal window frames, and brick veneers. The odd and even numbered floors have alternating window locations which provide visual variety. The parking garage is secured with a roll-up gate. (Figure 6: Typical Building Elevations)

The project provides landscaping along Fairmount and Lexington Avenues, including on the common roof deck. Five additional trees will be planted along Lexington and Fairmount Avenues. These include two London Plane trees (*Platanus X Acerifolia*) along Fairmount Avenue and three Magyar Maiden Hair trees (Ginkgo Biloba ‘Magyar’) along Lexington Avenue. The two existing London Plane trees on Fairmount Avenue will be protected in place during construction. The second floor and rooftop gardens also incorporate a variety of landscape materials in planters and pots.

The project has been designed to meet all required stormwater quality standards and best management practices for low impact development standard. 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.

Off-site construction related to the project consists of utility connections (e.g., water, sewer, stormwater, electricity) to existing facilities within adjacent public streets (i.e., Fairmount Avenue, Lexington Avenue). The project will retain two existing street trees at Fairmount Avenue, along the site frontage. The project will modify existing overhead electricity lines along Lexington Avenue through relocation, removal, and new pole installation.

### 2.1. PROJECT CHARACTERISTICS - AFFORDABLE HOUSING

The project provides affordable housing as required by El Cerrito Municipal Code Chapter 19.30 (Inclusionary Zoning). As proposed, the project provides for sale units. Under Municipal Code Section 19.30.040 this results in a 12% inclusionary requirement (i.e., five units affordable to moderate income households). The project fulfills this requirement and concurrently requests a Density Bonus pursuant to Government Code Section 65915 et al. The bonus request excludes additional dwelling units but does include requests for one concession, pursuant to Government Code Section 65915(d)(2), and one waiver, pursuant to Government Code Section 65915(e).

The concession concerns partial compliance with the utility undergrounding requirements of Zoning Code Section 19.21.080 and Chapter 16.34. The waiver concerns the Specific Plan’s Shadow Standards (Section 2.05.02.02).
2.2. PROJECT CHARACTERISTICS – LOCAL APPROVALS REQUESTED

The project includes a request for Tier II Design Review with the Design Review Board serving as the review authority. Tier II Design Review is required for all new construction in full compliance with the development and design standards of the Specific Plan. The project conforms to all Specific Plan standards except, as mentioned above, the affordable housing concession and waiver. Pursuant to Specific Plan Section 2.02.02 and Zoning Code Section 19.30.070, the requested concession and waivers do not alter the permit requirement (e.g., require Tier IV Design Review or Variance).

FIGURE 1: REGIONAL LOCATION MAP
FIGURE 2: SITE VICINITY
FIGURE 3: GENERAL PLAN LAND USE/ZONING MAP
FIGURE 4: SITE PLAN AND GROUND FLOOR PLAN

- Residential Lobby
- Retail & restaurant Spaces
- Parking Garage
- Bicycle Storage

Key Features:
- Existing Street Light
- Existing Water Valve
- Existing Electrical Vault
- Bicycle Storage
- Parking Garage
- Residential Lobby
- Retail & restaurant Spaces
- Lexington Ave.
- Fairmount Ave.

Legend:
- Residential Lobby
- Retail & restaurant Spaces
- Parking Garage
- Bicycle Storage
- Existing Street Light
- Existing Water Valve
- Existing Electrical Vault
- Bicycle Storage
- Parking Garage
- Residential Lobby
- Retail & restaurant Spaces
NOTE: The unit configuration and layout are the same for each floor above the second floor. The two-bedroom units are types “A”, “B”, and “C”.
FIGURE 6: TYPICAL BUILDING ELEVATIONS

SOUTH ELEVATION

WEST ELEVATION
3. EVALUATION OF ENVIRONMENTAL IMPACTS

The following discussion addresses the potential level of impact relative to the SPASP EIR 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.

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 potential impacts to scenic resources identified in the SPASP FEIR was the potential to obstruct scenic views of Mt. Tamalpais, the Golden Gate Bridge, the San Francisco skyline, the East Bay Hills, and Albany Hill from public rights-of-way, 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 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 (see Mitigation Measure 4-1).

To assess the view impacts of the project, two viewpoints were selected. The first is a ground level view from Fairmount Avenue. The second is from the platform of the El Cerrito BART station. From these locations, three...
of view-targets are visible. These include, Mt. Tamalpais in Marin County, the East Bay Hills, and Albany Hill. Albany Hill blocks the view of San Francisco’s skyline; however, the Golden Gate Bridge is visible.

The existing 1-, 2-, and 3-story buildings, the elevated BART track, and street trees already affect the potential views of many of the identified viewpoints. From Fairmount Avenue near the El Cerrito BART station, only Albany Hill is visible from this location. The project does not affect this view. From the platform of the El Cerrito BART station, the proposed building would conceal some of the existing development on the lower slopes of Albany Hill; but would leave the upper half of the forested Hill fully visible. From this location, the Golden Gate Bridge and Mt. Tamalpais continue to be visible. Ground level views of the East Bay Hills are already limited to views up Fairmount Avenue. In contrast, the East Bay Hills are fully visible from the El Cerrito BART station platform.

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 that were not considered in the FEIR.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 4-1 (Scenic Vistas) and 4-2 (Light and Glare) are relevant to this environmental topic and apply to the project. The submitted plans and analysis herein satisfy the requirements of both mitigation measures. A standard condition of approval is imposed on all projects and will ensure the building material requirements of Mitigation Measure 4-2 are carried out through construction.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.2. AGRICULTURAL AND FORESTRY 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) 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.

### DISCUSSION

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 new or significant impacts 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; 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 high-intensity residential uses within walking distance of public transportation, jobs, restaurants, and services as envisioned by the SPASP. The increase in population and housing units included in the proposed project would fall within the total development anticipated by the SPASP FEIR. Since projected population growth and resulting air quality impacts are consistent with the SPASP, no new air quality impacts are anticipated. 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. The SPASP envisions 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.
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.

Sensitive receptors (residents) are located adjacent to the north boundary of the project site and to the west across Lexington Avenue. 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 project includes sensitive receptors (e.g., residences that may include children or elderly) but excludes new emission sources to toxic air contaminants (e.g., stationary diesel engines, facilities attracting heavy and constant diesel vehicle traffic (truck stop, distribution center)), and is not located within 100 feet of an existing stationary TAC source (e.g., gasoline station, dry cleaner, emergency back-up generator).

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 (i.e., mobile TAC source), this would represent a potentially significant impact. However, the project site is not located within close proximity to any of these roadways.

The proposed 1,841 square feet of ground floor commercial space excludes a TAC emission source (truck dock, loading area for diesel vehicles). The overall project is not located within the screening distance of existing TAC sources. It is not reasonably foreseeable the commercial portion of the project would, in the future, include a source of TACs. Likely sources identified by the SPASP Program EIR (e.g., loading dock, diesel generator) are not present in the project. Therefore, pursuant to CEQA Section 15145, it is too speculative to determine whether the commercial aspect of the project would result in a direct or indirect impact due to TACs. Once specific commercial uses are identified and plans for their occupancy are drawn, future review under the SPASP would determine the applicability or inapplicability of SPASP Program EIR Measure 5-2. No further analysis is required at this time.

---

2 Distances specified at Table 5-7 (Approximate Setback Distances for Highway TAC Sources).
3 Table 5-6 (Approximate Screening Setback Distances for Stationary Sources), SPASP EIR, Bay Area Air Quality Management District Toxic Inventory 2018.
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

SPASP Mitigation Measures 5-1 (Construction Period Emissions) and 5-2 (Impacts of Toxic Air Contaminants (TACs) on Sensitive Receptors) are relevant to this environmental topic and apply to the project. Both mitigation measures will be imposed on the project through conditions of approval.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.4. BIOLOGICAL RESOURCES

Would the project:

<table>
<thead>
<tr>
<th>Potential 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>
</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>
</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>
</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>
</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>
</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>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR.

### 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. The removal of existing trees that could contain 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 and roosting bats to less-than-significant levels. There are two existing street trees along Fairmount Avenue that will be protected in place during construction. The project would not result in the removal of any other trees. However, birds and bats may nest or roost in vacant buildings and structures. Since the project involves demolition of existing structures onsite, the project is subject to measure 6-1, which requires pre-construction surveys prior to demolition.

**APPLICABLE MITIGATION**

SPASP Mitigation Measure 6-1 (Potential Impacts on Nesting Birds and Roosting Bats) is relevant to this environmental topic and applicable to the project. Mitigation measure 6-1 from the SPASP FEIR will be imposed on the project as a condition of approval.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.5. CULTURAL RESOURCES

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) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</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>
</tr>
<tr>
<td>c) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Left Coast Architectural History, 6510 Fairmount Avenue Historical Resource Evaluation, El Cerrito, California, September 30, 2020.

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. 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 50 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 existing one-story commercial building at 6501 Fairmount Avenue was constructed about 1958. 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 qualify as a “historical resource” for the purposes of CEQA (Public Resources Code Section 21084.1). This analysis fulfills the requirements of Mitigation Measure 7-1 (Destruction/Degradation of Historic Resources).

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. 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.
APPLICABLE MITIGATION

SPASP Mitigation Measures 7-2 (Potential for Disturbance of Buried Archaeological Resources, Including Human Remains) and 7-3 (Potential for Disturbance of Paleontological Resources) are relevant to this environmental topic and apply to the project. Both mitigation measures will be imposed on the project through conditions of approval.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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, SPASP Section 2.05.01 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. SPASP Section 2.05.03 encourages urban farming, which could reduce energy by reducing food miles traveled and mitigating the urban heat island effect. As a transit-oriented 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. Compliance with adopted energy efficiency standards for new development also supports the implementation of State energy plans. 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.

APPLICABLE MITIGATION

There are no SPASP FEIR mitigation measures for this environmental topic.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 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>
<td>☒</td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?</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>

Sources: San Pablo Avenue Specific Plan EIR; Geocon Consultants, Inc. Phase II Environmental Site Investigation Report, 6501 Fairmount Avenue, El Cerrito, CA, November 2019
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 specific plan 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 proposed project's incorporation of the recommendations from the design-level geotechnical study will 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

SPASP Mitigation Measure 8-1 (Potential Ground Instability Impacts) is relevant to this environmental topic and applies to the project. This mitigation measure will be imposed on the project through a condition of approval.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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. 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, the impact was considered less-than-significant.

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 City of El Cerrito adopted, at Municipal Code Chapter 16.24, the 2019 California Green Building Standards Code (CALGreen) which requires a diversion rate of at least 65 percent of construction waste or demolition materials.

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 designed to reduce GHG emissions. The SPASP and proposed project are consistent with the Climate Action Plan Sustainable Community goal SC-1 to encourage higher density TOD and infill development on transportation corridors.

The proposed project is consistent with the development intensity and density anticipated by for the subject site by 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

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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>


DISCUSSION

The SPASP FEIR concluded that there are no significant impacts associated with implementation of the plan related to the topic of hazards and hazardous materials.
Hazardous Materials - Routine Transport, Use, or Disposal

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. These operations are consistent with the project's land uses. The SPASP determined that implementation of these standard regulations would ensure potential impacts would be less than significant.

Hazardous Materials - Upset and Accident Conditions

Volatile Organic Compound - MTBE

The SPASP FEIR 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 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, along with evaluations for asbestos-containing materials (ACM) and lead-based paint (LBP) would ensure potential impacts are less than significant.

A Phase II Environmental Site Investigation conducted in 2019 revealed the presence of volatile organic compounds (VOCs) in the soil and groundwater only in the vicinity of the former underground storage tanks. These tanks were removed in 1976. The site has also been affected by MTBE from an off-site source(s). MTBE is a gasoline fuel additive that wasn't in use until after the onsite underground tanks had been removed. The Phase II Study recommended that the residual petroleum hydrocarbons in soil be removed prior to construction and that additional soil vapor sampling be performed after the removal of impacted soil to confirm the expected decrease in associated soil vapor concentrations. The removal of residual petroleum hydrocarbon impacted soil and subsequent soil vapor sampling would be performed under the regulatory oversight of Contra Costa Health Services Hazardous Materials Program, the San Francisco Regional Water Quality Control Board, or the State Department of Toxic Substances Control.

The SPASP FEIR describes the following standard procedures, all of which are applicable to the project, and which would result in mediation of MTBE discussed above:

(a) Soil Contamination. In order to avoid or substantially reduce potential health hazards related to construction personnel or future occupant exposure to soil contamination, project applicants would complete the following steps for each site proposed for disturbance as part of construction activity in the plan area:

Step 1. Investigate the site to determine whether it has a record of hazardous material discharge into soils, and if so, characterize the site according to the nature and extent of soil contamination that is present before development activities proceed at that site.

Step 2. Based on the proposed activities associated with the future project proposed, determine the need for further investigation and/or remediation of the soils conditions on the contaminated site. For example, if the area is slated for commercial land use, such as a retail center, the majority of the site will be paved and there will be little or no contact with contaminated soil. Industrial clean-up levels would likely be applicable. If the slated development activity could involve human contact with soils, such as may be the
case with residential use, then Step 3 should be completed. If no human contact is anticipated, then no further mitigation is necessary.

**Step 3.** If it is determined that extensive soil contact would accompany the intended use of the site, undertake a Phase II Environmental Assessment investigation, involving soil sampling at a minimum, at the expense of the project applicant, property owner, or responsible party. Should further investigation reveal high levels of hazardous materials in the site soils, mitigate health and safety risks according to City of El Cerrito/City of Richmond (depending on jurisdiction), Contra Costa County Health Services Department, and Regional Water Quality Control Board (RWQCB) regulations. This would include site-specific health and safety plans prepared prior to undertaking any building or utility construction. Also, if buildings are situated over soils that are significantly contaminated, undertake measures to either remove the chemicals or prevent contaminants from entering and collecting within the building. If remediation of contaminated soil is infeasible, a deed restriction would be necessary to limit site use and eliminate unacceptable risks to health or the environment.

(b) **Surface or Groundwater Contamination.** In order to reduce potential health hazards due to construction personnel or future occupant exposure to surface water or groundwater contamination, project applicants would complete the following steps for each site proposed for disturbance as part of construction activity in the Specific Plan area:

**Step 1.** Investigate the site to determine whether it has a record of hazardous material discharge into surface or groundwater, and if so, characterize the site according to the nature and extent of contamination that is present before development activities proceed at that site.

**Step 2.** Install drainage improvements in order to prevent transport and spreading of hazardous materials that may spill or accumulate on-site.

**Step 3.** If investigations indicate evidence of chemical/environmental hazards in site surface water and/or groundwater, then mitigation measures acceptable to the RWQCB would be required to remediate the site prior to development activity.

**Step 4.** Inform construction personnel of the proximity to recognized contaminated sites and advise them of health and safety procedures to prevent exposure to hazardous chemicals in surface water/groundwater.

**Asbestos & Lead-Based Paint**

The SPASP FEIR also addressed the potential discovery of asbestos containing materials and lead-based paint. Due to the age of the existing buildings to be demolished, ACMs 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. LBP may also be present due to the existing buildings' construction prior to 1978.

The SPASP FEIR describes the following standard procedures, all of which are applicable to the project, and which would result in mediation of asbestos and lead-based paint materials discussed above:

**Step 1.** Thoroughly survey the project site and existing structures for the presence of ACM and PCBs. The survey shall be performed by a person who is properly certified by the Occupational Safety and Health
Administration (OSHA) and has taken and passed an Environmental Protection Agency (EPA) approved building inspector course.

Step 2. If building elements containing any amount of asbestos and/or PCBs are present, prepare a written Asbestos/PCB Abatement Plan describing activities and procedures for removal, handling, and disposal of these building elements using the most appropriate procedures, work practices, and engineering controls.

Step 3. Provide the asbestos and PCB survey findings, the written Asbestos/PCB Abatement Plan (if necessary), and notification of intent to demolish to the jurisdictional City and Contra Costa County Health Services Department at least ten days prior to commencement of demolition.

Step 4. Remove any on-site transformers prior to demolition of non-residential buildings.

Hazardous Emissions or Materials – Proximity to Schools, Airports

The nearest schools to the project site are Harding Elementary School and Albany Middle School. Both are located approximately 0.3 miles from the project site. Harding Elementary School is located at the corner of Fairmount and Ashbury Avenues. Albany Middle School is located south of the site on Brighton Avenue. The schools are located just outside the quarter mile potential concern distance under CEQA. In addition, 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, no safety hazards would be anticipated. No private airstrips are located in the project vicinity.

APPLICABLE MITIGATION

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.

---

4 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

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>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>b)</td>
<td>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>c)</td>
<td>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>i.</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>ii.</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>iii.</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>iv.</td>
<td>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>d)</td>
<td>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>e)</td>
<td>□</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; NorthStar Engineering Group, Inc, Stormwater Control Plan for 6501 Fairmount Avenue Apartments, March 16, 2021

### 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 11,611 square feet, approximately 94% are impervious surfaces such as buildings, parking, and other hardscape surfaces. The proposed project would replace the existing impervious surfaces with new impervious surfaces covering the entire site. As such, under the proposed project approximately 700 square feet of existing pervious surfaces would become impervious. However, due to the size of the building and retail spaces on the parcel, the imperviousness of the development cannot be minimized. However, pervious pavement and landscape areas are proposed on the frontage to offset some of the additional impervious areas and will comply with the requirements of 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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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 Final Environmental Impact Report for the SPASP 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 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. 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 proposed project is consistent with the mix, intensity, and scale of development contemplated by the SPASP in this location.

APPLICABLE MITIGATION

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 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.

**DISCUSSION**

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 levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>b) 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 use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>

Sources: San Pablo Avenue Specific Plan EIR; Illingworth and Rodkin, The Lexington, 6501 Fairmount Avenue - Construction Noise & Vibration Assessment, El Cerrito, California, November 1, 2021.

This section compares the noise impacts from the project with impacts identified in the SPASP FEIR. The proposed project would add additional residential uses in a developed area of the City of El Cerrito. A construction noise and vibration assessment was prepared for the project to address the requirement for a project-specific impact analysis, per SPASP Mitigation Measure 13-1.

The existing noise sources in the project area are from transportation facilities. Vehicular traffic on surrounding roadways, primarily Fairmount Avenue, contributes to the ambient noise environment. Train related activities associated with BART (which is located 700 feet east of the project site), also contributes to the existing noise environment in the project vicinity. In addition, operational noise from adjacent commercial uses (e.g., parking lot activities and people talking) is audible on the project site. The potential sources of noise from the project include construction activities, and operational noise sources from stationary and mobile sources.

**Noise and Land Use Compatibility**

The SPASP FEIR found that some residential land uses facilitated by the SPASP could be exposed to exterior noise levels exceeding 70 dBA Ldn from traffic and BART noise. This was identified as a potentially significant impact in the FEIR. However, noise measurements taken as part of the evaluation of the Specific Plan indicated that exterior noise levels in the project vicinity would be between 60 dBA and 64 dBA. To ensure that interior noise levels comply with the City’s interior noise level standards, the City of El Cerrito applies the following standard condition of approval:
Prior to the issuance of a building permit the applicant shall provide a detailed analysis of interior noise for all residential uses. The analysis shall be prepared by a qualified noise control engineer and shall outline the specific attenuation measures (such as sound-rated windows and doors or other methods appropriate to the design of the building) required to meet the City's interior noise level standards (from exterior sources) of 45 dBA Ldn.

The SPASP FEIR identified a significant noise impact due to the introduction of commercial development proposed along with or next to residential development. Potential noise sources that would exceed City standards and identified by the SPASP FEIR include loading docks, refuse areas, and ventilation systems. The project excludes a loading dock and locates, for both residential and commercial uses, refuse containers within fully enclosed spaces (i.e., room near Fairmount Avenue, within parking garage). Although not illustrated on project plans, the project proponent indicates ventilation system(s) would be located on the rooftop (approximately 60 feet above ground elevation) and behind a parapet wall. Given this information, the project would result in a less than significant effects related to the referenced noise sources and Impact 13-2 (Commercial Development Noise) identified by the SPASP FEIR. However, the long-term operational parameters of Mitigation Measure 13-2 are distinct from physical aspects of the project and will, as referenced in the summary below, be applied through conditions of approval.

**Construction Noise**

The highest construction noise levels would be generated during demolition, and grading and excavation, with lower noise levels occurring during building construction. Larger pieces of earth-moving equipment, such as backhoes and bulldozers, generate maximum noise levels of 80 to 85 dBA Lmax at a distance of 50 feet. The nearest existing residence is approximately twenty feet north of the site. As a result, project construction would result in elevated short-term noise levels on a temporary basis consistent with noise levels anticipated by the SPASP EIR. The noise assessment indicated that maximum noise levels generated by project construction would typically range from about 75 to 87 dBA Lmax, with hourly average noise levels about 75 to 85 dBA Leq. At the closest commercial use, an automotive use located 60 feet east, maximum noise levels generated by project construction would typically range from about 76 to 88 dBA Lmax, and hourly average noise levels would typically range from about 76 to 86 dBA Leq.

The SPASP identified that although construction noise would be localized to the project vicinity. Project construction could intermittently expose adjacent properties to high levels of noise. The SPASP identified Mitigation Measure 13-3 to reduce impacts of intermittent construction noise but identified that construction noise impacts would remain significant and unavoidable. The proposed project would not result in any new or more significant construction-noise impacts than were described in the SPASP FEIR. The proposed project would be required to comply with the Municipal Code which limits the hours of construction to 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. The applicant would also be required to incorporate best management construction practices to minimize noise impacts to adjacent residential and office uses.

Prior to the issuance of a permit for grading or demolition, the project plans shall incorporate provisions to implement construction best management practices to reduce noise impacts including the following:

- Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment.

- Utilize “quiet” models of air compressors and other stationary noise sources where technology exists.

---

6 November 5, 2021, phone conversation with project architect (D. Amrit).
• Locate stationary noise-generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area.

• Prohibit unnecessary idling of internal combustion engines.

• Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

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

• A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

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

• Ensure that construction activities (including the loading and unloading of materials and truck movements) are limited to the hours of 7:00 AM to 6:00 PM on weekdays and between the hours of 9:00 AM and 5:00 PM on weekends and holidays.

• Ensure that excavating, grading, and filling activities (including warming of equipment motors) are limited to between the hours of 7:00 AM to 6:00 PM on weekdays and between the hours of 9:00 AM and 5:00 PM on weekends and holidays.

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

**Construction-Related Vibration**

Construction of the proposed project would involve demolition, grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration near to the project site. Construction vibration generated by the proposed project, based upon the proposed construction equipment, would be below the 0.3 inches per second peak particle velocity threshold, the level at which there is risk of architectural damage to typical homes. Therefore, the proposed project would not result in any new or more significant construction-period vibration impacts than were described in the SPASP FEIR. However, in the event that construction equipment such as a clam shovel or vibratory roller is used within 12 feet of nearby residences, vibration levels that exceed 0.3 in/sec may occur and would be considered a potentially significant impact. The SPASP EIR concludes that construction related vibration impacts would be significant and unavoidable and identified mitigation measure 13-4 to reduce vibration from construction. The applicant would also be required to incorporate identified construction related vibration best practices to minimize vibration impacts to nearby buildings.
Prior to the issuance of a permit for grading or demolition, the project plans shall incorporate the following provisions due to construction vibration activities that could exceed 0.3 in/sec PPV at nearby buildings:

- Prohibit the use of heavy vibration-generating construction equipment within 20 feet of adjacent residential buildings.

- Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 20 feet of adjacent commercial buildings. Only use the static compaction mode when compacting materials within 15 feet of residential buildings.

- Avoid dropping heavy equipment or materials and use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects, within 20 feet of adjacent residential buildings.

- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

### Stationary Source Noise Impacts (Mechanical Equipment)

Implementation of the proposed project would add new on-site stationary noise sources such as rooftop-mounted heating, ventilation, and air conditioning (HVAC) equipment, and enclosed ground-floor car stacker parking. In general, rooftop HVAC equipment was predicted to be 30 dBA Leq or less at the nearest sensitive receptors, at 80 feet distance from rooftop equipment. 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. As a result, the HVAC equipment would be in compliance with the City's exterior daytime and nighttime noise standards for residential uses. The proposed parking stacking equipment is located in an enclosed ground-floor garage will also result in some additional mechanical noise during the stacking and lowering of vehicles. The project is located in an urban area subject to ambient noise levels from a variety of mobile and stationary sources. Therefore, the proposed project would not result in any new or more significant noise impacts than were described in the SPASP FEIR.

### 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.

### 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 from aircraft noise sources.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 13-2 (Commercial Development Noise) (excluding requirement for further noise study), 13-3 (Construction Noise) and 13-4 (Construction Related Vibration) are relevant to this environmental topic and apply to the project. The mitigation measures will be imposed on the project through conditions of approval.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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 45 dwelling units and have a population size of approximately 115 people assuming full capacity and approximately 1,841 square feet of retail/restaurant space, which are 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 addressed in the San Pablo Avenue Specific Plan EIR.

APPLICABLE MITIGATIONS

There are no mitigation measures for this topic in the SPASP FEIR.

CONCLUSION

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.

### 3.15. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Potential Significantly 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 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 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 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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.16. RECREATION

<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) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
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) 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>


DISCUSSION

This section compares proposed project against transportation 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.

Several roadway improvements were delineated in the SPASP project area. Modifications can 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. The project is subject to the mandatory fair share contribution codified at El Cerrito Municipal Code Chapter 4.54 and which facilitates implementation of the multi-modal improvements identified by the SPASP.

**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 23 AM peak-hour and 29 PM peak-hour trips. Thus, the proposed project would not result in significant impacts related to project trip generation beyond those identified in the SPASP EIR.

**Vehicle Miles Traveled (VMT)**

The project does not generate sufficient peak hour trips to require an analysis of VMT. In addition, residential and mixed-use projects within ½ mile of an existing major transit stop (such as the El Cerrito BART Station) or
with stops along a high-quality transit corridor (such as the AC Transit lines on San Pablo Avenue) will have a less-than-significant impact on VMT.

**Vehicle Access**

The Project would provide vehicle access to the two-way driveway on Lexington Avenue leading to a two-way drive aisle within the parking garage.

The project-specific transportation analysis evaluates site access and circulation. The driveway accessing the parking garage on Lexington Avenue would provide adequate sight distance between vehicles entering and exiting the driveway, and pedestrians on the adjacent sidewalk. Vehicles parked on both sides of the Lexington Avenue driveway entrance 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 recommends the following to ensure adequate sight distance for vehicles to avoid impacts with pedestrians on the adjacent sidewalk.

- 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.

- Ensure that on-street parking and trees on both sides of the project driveway on Lexington 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.

The City and applicant have agreed to the incorporation of these recommendations into the project through the imposition of conditions of approval. Therefore, with implementation of those recommendations, the project will not substantially increase hazards due to a geometric design feature.

**Bicycle Parking, Access, and On-Site Circulation**

Section 2.05.08.04 of the SPASP Form-Based Code requires bicycle parking for residential and commercial uses. The Project would consist of 45 residential units, requiring 77 long-term bicycle parking spaces and four short-term bicycle parking spaces. The Project would provide 68 enclosed long-term bicycle resident parking spaces inside the parking garage and nine short-term bicycle parking spaces (five for residential and four for the retail/restaurant) along the project frontage on Fairmount and/or Lexington Avenues. The short-term residential bike parking may be located in the residential lobby. The project meets the City requirements.

**Pedestrian Access and On-Site Circulation**

Pedestrians would access the building via the lobby entrance along Lexington Avenue. 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. The SPASP Form-Based Code (2.04.02) requires a minimum pedestrian zone of eight feet and a minimum amenity zone of 4 feet on all sidewalks along Fairmount Avenue. Along Lexington Avenue, the Code requires a minimum pedestrian zone of six feet and a minimum amenity zone of five feet. The project conforms to these development standards.

**Transit Access**
AC Transit provides bus service near the project site with bus stops at the El Cerrito BART Station, approximately one tenth of a mile from the project site. The bus stops at the BART station provide bus shelters and benches, as well as BART station amenities such as bicycle parking. The project site is well served by transit and there would be no conflicts from the proposed project to existing or planned transit facilities.

**APPLICABLE MITIGATION**

SPASP Mitigation Measures 16-1 (Cumulative Traffic Impacts) is relevant to this environmental topic. However, based on the vehicle trips generated by the proposed project, the mitigation measure is not applicable.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
3.18. 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 is subject to the San Pablo Avenue Sewer Capacity Improvement Fee Program imposed and administered by the SSD. This fee is used by SSD to fund capacity improvements brought about by new development such as the proposed project.

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**

There are no mitigation measures for this topic in the SPASP FEIR.

**CONCLUSION**

Pursuant to CEQA Guidelines Section 15168, the proposed project is consistent with the type and intensity of development analyzed in the SPASP FEIR. As such, the proposed project is within the scope of the SPASP FEIR. Moreover, pursuant to CEQA Guidelines Section 15162 and for this environmental topic, the project does not result in any new to new or more severe significant impacts, there has been no substantial change to the circumstances related to a significant environmental effect, and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SPASP Program EIR was certified, that has become available.
### 3.19. WILDFIRE

<table>
<thead>
<tr>
<th>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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>


### DISCUSSION

The SPASP area is not located within an area of State (Calfire) Responsibility and is not with located in or adjacent to a very high or high fire hazard areas. The SPASP FEIR also identifies that the Specific Plan Area is not located within the vicinity of a wildfire hazard or within a Wildland-Urban Interface (WUI) Area. The closest VHFSZ is located approximately 0.5 miles to the east.

### CONCLUSION

The area of the SPASP (and the proposed project) are not located within the VHFSZ or in an area of State responsibility.

---

4. REFERENCE DOCUMENTS

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) Studio KDA, The Lexington – 6501 Fairmount Avenue, El Cerrito, CA 95430, project plan set.

2) Rhoades Planning Group, Resubmittal Statement, March 26, 2021.


7) Illingworth and Rodkin, The Lexington, 6501 Fairmount Avenue - Construction Noise & Vibration Assessment, El Cerrito, California, November 1, 2021

This document serves as the request for a density bonus concession for utility undergrounding as part of the application by El Cerrito 36, LP, for a proposed mixed-use development project at 6501 Fairmount Avenue in the City of El Cerrito (“City”). As described in the full application, the project is eligible for one density bonus concession as it is proposing 12% of its base units as below-market-rate condominiums.

The request is structured as follows:

1. Summary of concession request
2. Method for full compliance
3. Proposed utility undergrounding
4. Demonstration of cost savings
5. Appropriateness of a concession for a building code requirement

1. **Summary of concession request**

The project is required under El Cerrito Municipal Code (ECMC) § 16.34 and ECMC § 19.21.080 to underground all utilities within 100’ of the property. This requires the undergrounding of four poles in total, three in front of the project along Lexington Avenue and one just to the north in between 412 and 414 Lexington. The project requests a concession to avoid the 100’ undergrounding requirement and instead proposes to (1) underground the three poles in front of the project (the red poles in the diagram to the right), (2) leave the existing pole in between 412 and 414 Lexington Ave and
add additional supports and (3) install two new poles, one in between 414 and 418 Lexington Ave and the second in between 418 and 420 Lexington Ave.

The applicant has worked for the past year to find a way to meet the spirit and intent of the Utility Undergrounding requirement found in Chapter 16.34 of the El Cerrito Municipal Code (ECMC). The intention with the proposed method is to underground as many utilities as financially feasible while reducing the aesthetic impact on neighboring properties. The City has been enormously helpful in providing feedback on draft proposals during the process and encouraging the project to continue to refine its proposal.

2. Method for full compliance

In order to underground all the poles within 100’, the project would be required to remove the three existing power poles in front of the project and the existing pole in between 412 and 414 Lexington.

The site plan on the next page was developed by the project’s joint trench consultant, Giacolone, and illustrates the work included in fully complying with the proposed ordinance. The work included is summarized as:

- Combined total of approximately 900 feet of joint trench excavation for electrical distribution lines
- Installation of approximately 1080 feet of 6” feeder conduit
- Installation of approximately 360 feet of 4” local loop conduit
- Installation of approximately 600 feet of secondary/service conduits
- Underground overhead lines for 5 existing single family homes (i.e., 409, 412, 413-415, 417 and 418 Lexington Avenue).
- Installation of two 24x36 secondary boxes
- Installation of two 7-vault pull boxes
- Installation of 6-vault pull box
- PGE must remove 4 poles, associated overhead lines, and install two new poles (w/anchors), & three new primary risers.

The diagram can also be found attached to this document along with a diagram of the existing condition.
3. Proposed utility undergrounding

The proposal attempts to reduce visual clutter to adhere to the spirit of the 100’ undergrounding regulation. This is accomplished by ensuring that no neighboring property has more than one power pole in front of it. The project will still bear significant cost relocating new power poles but agrees with staff that it is important to avoid burdening any neighbors with more than one utility pole in front of their property. The following table and site plan lay out the placement of the existing and proposed power poles:

<table>
<thead>
<tr>
<th>Location</th>
<th>Power Pole</th>
</tr>
</thead>
<tbody>
<tr>
<td>In front of 6501 Fairmount</td>
<td>Three poles to be undergrounded</td>
</tr>
<tr>
<td>In between 412 and 414 Lexington</td>
<td>Existing pole to remain, new guy stub installed at applicant’s expense</td>
</tr>
<tr>
<td>On the north side of 414 Lexington</td>
<td>New pole to be added</td>
</tr>
<tr>
<td>In between 418 and 420 Lexington</td>
<td>New pole to be added with guy stub</td>
</tr>
</tbody>
</table>

The project’s joint trench consultant developed this method and prepared a site plan for this proposed method which is attached. The work involved includes:

- Combined total of approximately 400 feet of joint trench excavation for electrical distribution lines
- Installation of approximately 800 feet of 6” feeder conduit
- Installation of approximately 150 feet of service conduit
- Installation of two 7-vault pull boxes
- PGE must remove 3 poles, associated with overhead lines, and install two new poles (w/anchors), & three new primary risers.
4. Demonstration of cost savings

City staff have requested that the project demonstrate that, consistent with Government Code Section 65915 (State Density Bonus Law), the concession/incentive will result “in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs.”

Cost Reductions Related to Proposed Utility Undergrounding

The proposed concession will help provide for these affordable housing costs by reducing the project costs compared to complying with the 100' undergrounding requirement.

The following table compares the scopes of work estimated by the project’s joint trench consultant.

<table>
<thead>
<tr>
<th>Item</th>
<th>Full Compliance</th>
<th>Proposed Method</th>
<th>Difference (Full compliance minus proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trenching (JT)</td>
<td>900 feet</td>
<td>400 feet</td>
<td>+ 500 feet</td>
</tr>
<tr>
<td>6” feeder conduit</td>
<td>1080 feet</td>
<td>800 feet</td>
<td>+ 280 feet</td>
</tr>
<tr>
<td>4” local loop conduit</td>
<td>360 feet</td>
<td>None</td>
<td>+ 360 feet</td>
</tr>
<tr>
<td>Service conduit</td>
<td>600 feet</td>
<td>150 feet</td>
<td>+ 450 feet</td>
</tr>
<tr>
<td>Overhead to underground line conversions</td>
<td>5 single family homes</td>
<td>None</td>
<td>+ 5 single family homes</td>
</tr>
<tr>
<td>24x36 sex boxes</td>
<td>2</td>
<td>None</td>
<td>+ 2</td>
</tr>
<tr>
<td>7-vault pull boxes</td>
<td>2</td>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>6-vault pull boxes</td>
<td>1</td>
<td>None</td>
<td>+ 1</td>
</tr>
</tbody>
</table>

Note: All distances are approximate and rounded to whole number.

The joint trench consultant provided cost estimates for both scenarios which are attached to this document. The full compliance method is estimated at $916,531 while the proposed method is estimated to cost $578,718.

The proposed method requested with the concession will save the project an estimated $337,813. If the City chooses to deny this concession, it bears the burden of providing a written finding, based on substantial evidence, that this concession would not produce any savings to provide for the cost of the affordable housing requirement, is a violation of state or federal law or would create a demonstrated health or safety impact.
5. Appropriateness of Concession

State Density Bonus Law states that any concession needs to create ‘identifiable and actual cost reductions’ (65915(d)(A)). Subsection (k)(3) of 65915 references “Other regulatory incentives or concessions” which may extend beyond a jurisdiction’s zoning code.

The subject regulatory requirement (i.e., utility undergrounding) is imposed at El Cerrito Municipal Code Title 16 (Buildings and Construction), Chapter 16.34 (Undergrounding of Utilities) and, by reference, at Title 19 (Zoning), Section 19.21.080 (Underground Utilities).

The utility undergrounding requirement concerns a ‘site development standard’ codified within the El Cerrito Municipal Code and, therefore, is a permissible concession under State Density Bonus Law.
Re: Full Compliance Dry Utility Budget

6501 Fairmount Ave., El Cerrito Undergrounding

Scope:
1. Underground 450' of overhead utilities along Lexington Way
2. This budget assumes that the fiber lines are local lines and are not a critical facility. If it is a "critical" facility the contact price may be significantly higher.

Contractor Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trenching 900 LF</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Vaults and Splice Boxes (Supply, Install &amp; Excavation UON)</td>
<td>$82,000.00</td>
</tr>
<tr>
<td>a. PG&amp;E</td>
<td>$60,000.00</td>
</tr>
<tr>
<td>b. Telephone</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>c. CATV</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Conduits - Supply and Install</td>
<td>$21,600.00</td>
</tr>
<tr>
<td>a. PG&amp;E</td>
<td>$8,800.00</td>
</tr>
<tr>
<td>b. Telephone</td>
<td>$7,200.00</td>
</tr>
<tr>
<td>c. CATV- Installed by CATV</td>
<td>$5,600.00</td>
</tr>
</tbody>
</table>

Total Construction Costs: $493,600.00

Utility Contract Costs and Consulting Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>PG&amp;E Contract Costs - 10 Year Option</td>
<td>$222,931.00</td>
</tr>
<tr>
<td>AT&amp;T Contract Costs</td>
<td>$175,000.00</td>
</tr>
<tr>
<td>CATV Contract Costs</td>
<td>$25,000.00</td>
</tr>
</tbody>
</table>

Total Utility Contract Costs and Consulting Fees: $422,931.00

Total Construction and Utility Contract Costs/Fees: $916,531.00
Re: Proposed Dry Utility Budget

6501 Fairmount Ave., El Cerrito Undergrounding

Scope

1. Underground 200' of overhead utilities along Lexington Way
2. This budget assumes that the fiber lines are local lines and are not a critical facility. If it is a "critical" facility the contact price may be significantly higher.

Contractor Costs

1. Trenching - 400 LF
2. Vaults and Splice Boxes (Supply, Install & Excavation UON)
   a. PG&E
   b. Telephone
   c. CATV
3. Conduits - Supply and Install
   a. PG&E
   b. Telephone
   c. CATV- Installed by CATV
4. PG&E Electrical System

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trenching</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>Vaults and Splice Boxes</td>
<td>$62,000.00</td>
</tr>
<tr>
<td>Conduits - Supply and Install</td>
<td>$8,100.00</td>
</tr>
<tr>
<td>PG&amp;E Electrical System</td>
<td></td>
</tr>
<tr>
<td>Total Construction Costs:</td>
<td>$207,600.00</td>
</tr>
</tbody>
</table>

Utility Contract Costs and Consulting Fees

1. PG&E Contract Costs - 10 Year Option
2. AT&T Contract Costs
3. CATV Contract Costs

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>PG&amp;E Contract Costs</td>
<td>$171,118.00</td>
</tr>
<tr>
<td>AT&amp;T Contract Costs</td>
<td>$175,000.00</td>
</tr>
<tr>
<td>CATV Contract Costs</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>Total Utility Contract Costs and Consulting Fees:</td>
<td>$371,118.00</td>
</tr>
<tr>
<td>Total Construction and Utility Contract Costs/Fees:</td>
<td>$578,718.00</td>
</tr>
</tbody>
</table>
**Application Number:** PL21-0162  
**Applicant:** Eric Shephard  
**Location:** 1550 Regency Court  
**APN:** 503-130-015  
**Zoning:** RS-10  
**General Plan:** Very Low Density Residential  
**Request:** Design Review Board consideration of Design Review for a new 3,380 square foot single family house.

**CEQA:** This project is categorically exempt from the provisions of CEQA pursuant to Section 15303 of the CEQA Guidelines, Class 3: New Construction or Conversion of Small Structures.

---

**EXECUTIVE SUMMARY**

The proposed project is development of an approximate 10,003-square foot vacant site with an approximate 3,380 square foot three-level single family house.

The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989. Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision and developed specific criteria for the design review in the development of each lot.

The project features a contemporary architectural aesthetic, including exterior materials primarily in stucco, wood siding, stone veneer, and glass. Each floor of the house is set back from the floor below and there are many articulations in the walls which give interest to the front elevation of the house.

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 at 1550 Regency Court. The site is presently vacant, consists of one parcel (APN 503-130-015), and is approximately 10,003 square feet in size. It has a street frontage of approximately 95 feet and an average depth of approximately 117 feet. The lot is on the east side of Regency Court and slopes up from the street at about a 40% grade, as measured through the center of the lot.

Vicinity Map

Adjacent Land Uses

**North:** Single Family Residential (RS-10) Zoning and Very Low Density Residential General Plan designation. Single family house

**East:** Single Family Residential (RS-10) Zoning and Very Low Density Residential General Plan designation. Single family house

**South:** Single Family Residential (RS-10) Zoning and Very Low Density Residential General Plan designation. Single family house

**West:** Single Family Residential (RS-10) Zoning and Very Low Density Residential General Plan designation. Single family house
Site Photo

Analysis

Project Description

Site Plan

The proposed project is a new 3,380 square foot single family house which is located on a 10,003 square foot lot. The site plan locates a new approximately 3,380 square foot, three-level building along the center of the property. The proposed project at 1550 Regency Court would share part of its driveway with the neighboring property to the south at 1540 Regency Court.
Front Elevation

The building mass is composed in a simple rectangular form clad primarily in stucco, wood siding, stone veneer, glass, and has a flat roof. The proposed project includes high-quality building materials consisting primarily of cedar siding with oak brown stain and light gray (DANGEROUS ROBOT DE6387) stucco with accents of natural stone veneer (MAYVILLE) and charcoal trim (IRON FIXTURE DE6384). Each floor of the house is set back from the floor below and there are many articulations in the walls, such as vertical stucco columns and recessed doors and windows, which give interest to the front elevation of the house.

Landscape Plan

The project is proposing drought-tolerant low water use landscaping which is compatible with El Cerrito’s climate. Sloped landscape planters are proposed along the street frontage which contain low spreading planting and a large accent row of agave. The project will also have similar low spreading planting and large agave accent row planting on the north side of the property to match the front sloped planters. The project will also contain succulents in the planter near the front entrance of the property. The project is also proposing sago palms on the south side of the property behind the shared driveway entrance.

Design Review

The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989. Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision, required Design Review for new homes in the subdivision and set the following criteria for design review of the development of each lot:

a. All plans shall be prepared by a California licensed architect.
   
   *The plans have been prepared by a California licensed architect.*

b. Foundation and supporting structural elements, as well as the underside of all portions of the subject house shall be enclosed in a manner which is architecturally compatible with the subject house. Such enclosures where they are essentially vertical, shall not exceed fifteen feet in height.
All foundation and supporting structural elements are enclosed in a manner that is architecturally similar with the house, as all of these elements look as though they are part of the proposed house. The tallest foundational element is 12 feet tall with much of the wall being located below grade. The tallest retaining walls on the site are 6 feet tall and are integrated with the building and site design.

c. Building massing should generally follow the slope of the land to reduce skirt heights on the downhill sides of houses and provide a natural scale for building elements.

The house follows the uphill slope of the land, with each floor of the house being setback from the floor below it.

d. All trash receptacles and other such utility elements shall be screened or concealed within enclosures or with landscape elements.

The plans do not show a separate trash enclosure, but the garage is large, 22'8" wide by 22’ deep. Trash receptacles can easily be stored in the garage. Information on the location of the gas and electric meters has not been provided. A proposed condition requires screening of utilities by landscaping or an enclosure.

e. There shall be no fencing within the front yard area of any dwelling.

No fencing is shown or proposed.

f. Significant attention to the quality of detailing and its appropriateness to the choice of materials throughout the exterior of each home is strongly encouraged.

The building mass is composed in a simple rectangular form clad primarily in stucco, wood siding, stone veneer, glass, and has a flat roof. The proposed project includes high-quality building materials consisting primarily of cedar siding with oak brown stain and light gray stucco with accents of natural stone veneer and charcoal trim. There are many articulations in the walls, such as vertical stucco columns and recessed doors and windows, which give interest to the front elevation of the house.

g. To the extent practicable, given the topographical constraints and the characteristics of individual lots, all B-2 (residential combining district) setbacks (20' front, 6' side and 20' rear) shall be respected, as well as any additional restrictions placed on the location of dwellings by City approval process.

The project complies with all zoning requirements including the required daylight planes.

h. Landscape plans shall be submitted for Design Review Board consideration along with house plans, and shall be compatible with the siting of the subject dwelling, as well as existing or probable locations of adjacent dwellings.

A Landscaping plan has been submitted which propose sloped landscape planters along the street frontage which contain low spreading planting and a large accent row of agave. The project will also have similar low spreading planting and large agave accent row planting on the north side of the property to match the front sloped planters. The project will also contain succulents in the planter near the front entrance of the property. The project is also proposing sago palms on the south side of the property behind the shared driveway.
The landscaping plan proposes a mixture of plants that will improve the attractiveness of the site and provide additional variation to the building and to the site in an integrated manner.

i. These guidelines for Design Review Board review of new home construction applications shall be developed as CC&R’s or considered for placement in deed restrictions for each parcel within the subject subdivision, whichever is least restrictive.

These guidelines are included in the CC&R’s for the Regency Court subdivision.

Zoning Ordinance

Section 19.06.030 of the El Cerrito Municipal Code prescribes the development regulations for residential districts, including lot dimensions, building form and location, pedestrian orientation, vehicle accommodation and other standards. As noted in Table 1, the proposed addition is in compliance with the development standards except for the requirement for two covered parking spaces (either a carport or garage) and the non-conforming side setback.

Table 1: Comparative Development Standards – RS-10 Zone and Proposed Project

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Zoning Ord. Requirement</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height (maximum)</td>
<td>35’ maximum</td>
<td>16’-5”</td>
<td>Yes</td>
</tr>
<tr>
<td>Height (at setback lines)</td>
<td>25’ maximum</td>
<td>24’-6”</td>
<td>Yes</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20’</td>
<td>22’</td>
<td>Yes</td>
</tr>
<tr>
<td>Front (Covered Parking)</td>
<td>25’</td>
<td>25’</td>
<td>Yes</td>
</tr>
<tr>
<td>Side (north)</td>
<td>6’</td>
<td>6’</td>
<td>Yes</td>
</tr>
<tr>
<td>Side (south)</td>
<td>6’</td>
<td>6’</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear</td>
<td>20’</td>
<td>60’</td>
<td>Yes</td>
</tr>
<tr>
<td>Parking spaces (covered)</td>
<td>2 spaces</td>
<td>2 Spaces</td>
<td>Yes</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>40% maximum</td>
<td>21%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Environmental Review

This project is categorically exempt from the provisions of CEQA pursuant to Section 15303 of the CEQA Guidelines, Class 3: New Construction or Conversion of Small Structures.

Compliance with the General Plan

The proposed project is consistent with and will implement the following El Cerrito General Plan policies:
**LU1.5: Suitable Housing.** Promote suitably located housing and services for all age groups within the City.

The proposed project would create a new single-family home which could provide suitable housing for a large family or multi-generational household.

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

The proposed project includes high-quality building materials consisting primarily of stained cedar siding and light gray stucco with accents of natural stone veneer and charcoal trim. Each floor of the house is set back from the floor below and there are many articulations in the walls which give interest to the front elevation of the house. The project provides visual interest through complementary landscape plantings of varying heights and textures.

**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 drought-tolerant plants as depicted on plan sheet L1.

**CD4.1: Compatibility in Building Scale.** Avoid big differences in building scale and character between developments on adjoining lots.

The proposed building at 1550 Regency Court would comply with the height limit and lot coverage regulations of the RS-10 zone that control building scale and character. The proposed project’s overall height and roof line would be consistent with many of the other single-family buildings on the 1500 block of Regency Court.

**Public Notice**

The required public notice for the project was published in the East Bay Times and mailed to owners of property within 300 feet of the project site on or before November 10, 2021. No public comments have been received to date.

**Required Findings**

In order to approve the project, the following findings are made pursuant to Chapter 19.38.060, Final Design Review Findings and Criteria, of the El Cerrito Municipal Code (ECMC):

1. The applicable standards and requirements of this Zoning Ordinance.

   *The proposed single-family house is a permitted land use in the RS-10 zoning district pursuant to Table 19.06-A, ECMC. The proposed project would see the creation of a new three level single-family house on what is currently a vacant lot. All aspects of the project comply with requirements of the Zoning Ordinance including setback and daylight plane requirements for the RS-10 zoning district in ECMC Section 19.06.030. The project is, therefore, consistent with applicable zoning standards.*

2. The design policies of the General Plan and specific plans adopted by City Council.
The Design Review application will allow the creation of a new single-family home, which is a permitted land use in the RS-10 district and consistent with the district’s intent. The proposed project will implement the following policies of the El Cerrito General Plan: LU1.5: Suitable Housing, CD1.3: High-Quality Design, CD3.12: Landscape Species, and CD4.1: Compatibility in Building Scale.

3. Any applicable design guidelines adopted by the City Council.

The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989. Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision.

4. Any planning or zoning approvals by the Planning Commission or Zoning Administrator.

The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989, and Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision.

5. Any other relevant policies or regulations of the City.

The proposed project complies with all relevant policies and regulations in the City’s General Plan, Zoning Ordinance and City Council Resolution 89-47, there are no other relevant regulations that are applicable to this site.

Design Review Criteria

1. The aesthetic design, including its exterior design and landscaping, is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.

The project features a contemporary architectural aesthetic, including exterior materials primarily in stucco, wood siding, stone veneer, and glass. Each floor of the house is set back from the floor below and there are many articulations in the walls which give interest to the front elevation of the house. These materials will provide additional variation and interest to the site and the building will improve the attractiveness of the site for the visitors to the site as well as the general neighborhood.

2. Project details, colors, materials, and landscaping, are fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

The proposed building colors and landscaping complement the proposed building and provide additional variation to the building and to the site in an integrated manner.

3. The project has been designed with consideration of neighboring development.

The proposed project would see the development of a single-family house on a vacant lot and the aesthetics and form of the proposed home are consistent with the surrounding neighborhood.
The project contributes to the creation of an attractive and visually interesting built environment that includes well-articulated structures that present varied building facades, rooflines, and building heights and encourages increased pedestrian activity and transit use.

The proposed project would see the development of an attractive new single-family house. The proposed project will provide improved variation and interest to the site and will improve the attractiveness of the site and surrounding neighborhood.

Street frontages are attractive and interesting for pedestrians, address the street and provide for greater safety by allowing for surveillance of the street by people inside buildings and elsewhere.

As described above, the proposed project will improve the attractiveness of the site by allowing the creation of a new single-family house, which would also improve the street-facing façade of the site. The project features landscaping adjacent to the street, and no front yard fencing as required by City Council Resolution 89-47.

The proposed design is compatible with the historical or visual character of any area recognized by the City as having such character.

The City has not designated the area in which the project is located as having historic or visual character.

The aesthetic design preserves significant public views and vistas from public streets and open spaces and enhances them by providing areas for pedestrian activity.

The project is proposing a three-level single-family house which will not exceed the max building height of the RS-10 zoning district and it will comply with the main building envelope requirements (otherwise known as the daylight plane), therefore, it is not expected to have any significant impact on public views or vistas. Additionally, the predominant vistas from the public right-of-way of Regency Court are in the downhill direction, away from the house.

The proposed landscaping plan is suitable for the type of project and will improve the appearance of the community by enhancing the building, minimizing hardscape and softening walls; and the landscape plan incorporates plant materials that are drought-tolerant, will minimize water usage, and are compatible with El Cerrito’s climate.

The project proposes new landscaping throughout the property. The landscaping features a mixture of native and drought tolerant plants compatible with El Cerrito’s climate including Clumping Bamboo, Sago Palms, Queen Palms, and large Agave plants. The landscaping plan proposes a mixture of plants that will improve the attractiveness of the site.

The project has been designed to be energy efficient including, but not limited to, landscape design and green or eco-friendly design and materials.

As described above, the landscaping features a mixture of native and drought tolerant plants compatible with El Cerrito’s climate. The project will comply with Title 24 of the California Building Code.

The project design protects and integrates natural features including creeks, open space, significant vegetation, and geologic features. Projects along the Ohlone Greenway shall enhance
the usability and aesthetic appeal of the Greenway by integrating it into the fabric of the city through building designs that include entries, yards, patios, and windows that open onto and face the Ohlone Greenway.

*The proposed project is not located adjacent to the Ohlone Greenway.*

**Staff Recommendation**

Based on the information contained in this report, staff recommends approval of Planning Application No. PL21-0162, as conditioned by the draft resolution in Attachment 1.

**Proposed Motion**


**Appeal Period**

Within ten (10) working days after the date of the decision, the Design Review Board’s action may be appealed to the Planning Commission.

**Attachments**

1. Draft Resolution
2. Project Plans
A RESOLUTION OF THE CITY OF EL CERRITO DESIGN REVIEW BOARD GRANTING DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A NEW 3,380 SQUARE FOOT SINGLE FAMILY HOUSE TO BE LOCATED AT 1550 REGENCY COURT

WHEREAS, the site is located at 1550 Regency Court;

WHEREAS, the existing Assessor’s Parcel Number of the site is 503-130-015;

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

WHEREAS, the zoning district of the site is RS-10 (Single Family Residential); and

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines, Class 3: New Construction or Conversion of Small Structures; and

WHEREAS, on March 9, 2021, Eric Shephard Architecture submitted, on behalf of property owner Charanjot Kaur, an application for Design Review for development of a new house on a vacant site;

WHEREAS, on December 1, 2021, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The proposed single-family house is a permitted land use in the RS-10 zoning district pursuant to Table 19.06-A, ECMC. The proposed project would see the creation of a new three level single-family house on what is currently a vacant lot. All aspects of the project comply with requirements of the Zoning Ordinance including setback and daylight plane requirements for the RS-10 zoning district in ECMC Section 19.06.030. The project is, therefore, consistent with applicable zoning standards.

2. The Design Review application will allow the creation of a new single-family home, which is a permitted land use in the RS-10 district and consistent with the district’s intent. The proposed project will implement the following policies of the El Cerrito General Plan: LU1.5: Suitable Housing, CD1.3: High-Quality Design, CD3.12: Landscape Species, and CD4.1: Compatibility in Building Scale.

3. The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989. Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision.

4. The proposal is consistent with the Development Plan approved by the Planning Commission, Design Review Board and City Council in 1989, and Condition No. 9 of City Council Resolution 89-47, which approved the development plan and tentative map for the subdivision.
5. The proposed project complies with all relevant policies and regulations in the City’s General Plan, Zoning Ordinance and City Council Resolution 89-47, there are no other relevant regulations that are applicable to this site.

6. The project features a contemporary architectural aesthetic, including exterior materials primarily in stucco, wood siding, stone veneer, and glass. Each floor of the house is set back from the floor below and there are many articulations in the walls which give interest to the front elevation of the house. These materials will provide additional variation and interest to the site and the building will improve the attractiveness of the site for the visitors to the site as well as the general neighborhood.

7. The proposed building colors and landscaping complement the proposed building and provide additional variation to the building and to the site in an integrated manner.

8. The proposed project would see the development of a single-family house on a vacant lot and the aesthetics and form of the proposed home are consistent with the surrounding neighborhood.

9. The proposed project would see the development of an attractive new single-family house. The proposed project will provide improved variation and interest to the site and will improve the attractiveness of the site and surrounding neighborhood.

10. As described in the staff report, the proposed project will improve the attractiveness of the site by allowing the creation of a new single-family house, which would also improve the street-facing façade of the site. The project features landscaping adjacent to the street, and no front yard fencing as required by City Council Resolution 89-47.

11. The City has not designated the area in which the project is located as having historic or visual character.

12. The project is proposing a three-level single-family house which will not exceed the max building height of the RS-10 zoning district and it will comply with the main building envelope requirements (otherwise known as the daylight plane), therefore, it is not expected to have any significant impact on public views or vistas. Additionally, the predominant vistas from the public right-of-way of Regency Court are in the downhill direction, away from the house.

13. The project proposes new landscaping throughout the property. The landscaping features a mixture of native and drought tolerant plants compatible with El Cerrito’s climate including Clumping Bamboo, Sago Palms, Queen Palms, and large Agave plants. The landscaping plan proposes a mixture of plants that will improve the attractiveness of the site.

14. As described in the staff report, the landscaping features a mixture of native and drought tolerant plants compatible with El Cerrito’s climate. The project will comply with Title 24 of the California Building Code.

15. The proposed project is not located adjacent to the Ohlone Greenway.
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. PL21-0162, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans dated October 14, 2021. 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 this approval but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

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

5. 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.

6. Any required building permit plans shall be consistent with the requirements of the Building Division.

7. All of the conditions of City Council Resolution 89-47 shall remain in effect.

Public Works Department:

8. The Applicant shall provide a copy of the geotechnical report for Public Works review prior to issuance of building permit.

9. Approval from EBMUD and Stege Sanitary District is required prior to issuance of building permit.

10. Prior to issuance of building permit, the 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. The grading permit will require the geotechnical engineer to be the engineer of record and perform special inspections during the grading work.
11. 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. Any sidewalk, curb ramp and driveway work shall meet current ADA and City of El Cerrito Standards.

12. Prior to issuance of building permit, the Applicant shall provide an Erosion and Sediment Control Plan for construction.

13. Prior to issuance of building permit, the Applicant shall provide a detailed drainage plan including details on how roof drainage will be captured and dispersed. Discharge of waters from roof leaders shall be above grade and directed to landscaping areas per the approved Stormwater Control Plan. The Applicant shall clearly indicate how drainage is proposed to be accommodated adjacent to neighboring properties. Discharge points shall be at least 10-FT away from a property line.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on December 1, 2021, upon motion of Boardmember [insert], second by Boardmember [insert]:

AYES: 
NOES: 
ABSTAIN: 
ABSENT: 

Sean Moss, AICP
Planning Manager
Charan & Tanveer Residence - Single Family House

GENERAL PROJECT NOTES

1. Structure comprised specifically of a layout on the drawings.
2. Structure comprised specifically of a layout on the drawings.
4. Structure comprised specifically of a layout on the drawings.
5. Structure comprised specifically of a layout on the drawings.
7. Structure comprised specifically of a layout on the drawings.
8. Structure comprised specifically of a layout on the drawings.
10. Structure comprised specifically of a layout on the drawings.
11. Structure comprised specifically of a layout on the drawings.
12. Structure comprised specifically of a layout on the drawings.
15. Structure comprised specifically of a layout on the drawings.
17. Structure comprised specifically of a layout on the drawings.
20. Structure comprised specifically of a layout on the drawings.

VICINITY MAP

PROJECT DATA

PROJECT NUMBER: 0001
PROJECT NAME: Charan & Tanveer Residence
OWNER: Charan & Tanveer
ARCHITECT: Charan & Tanveer
ENGINEER: Charan & Tanveer
CONTRACTOR: Charan & Tanveer

DRAWING INDEX

1. Site Plan
2. Foundation Plan
3. Floor Plans
4. Roof Plan
5. Elevations
6. Details
7. Sections
8. Elevations
9. Details
10. Sections
11. Details
12. Sections
13. Details
14. Sections
15. Details
16. Sections
17. Details
18. Sections
19. Details
20. Sections

PROJECT ROSTER

Charan & Tanveer
Architect
Charan & Tanveer
Engineer
Charan & Tanveer
Contractor
Charan & Tanveer

A0
New Residence for:
CHARAN & TANVEER
1550 Regency Court
El Cerrito CA 94530

Sheet No.: A4

Sheet Title:
320 Sycamore Valley Road West
Danville, CA 94526

www.shephardarch.com
(925) 803 - 1000

Scale: 1/4" = 1'-0"

FLOOR AREA TOTALS:
GROUND LEVEL: 887 S.F.
MAIN LEVEL: 1,488 S.F.
UPPER LEVEL: 1,005 S.F.
TOTAL LIVING AREA: 3,380 S.F.
GARAGE: 582 S.F.

MAIN LEVEL PLAN AREA: 1,488 S.F.

REGENCY COURT

CONCEPTUAL MAIN LEVEL PLAN
FRONT ELEVATION - DAYLITE PLANE STUDY AT FRONT SETBACK LINE

1550 Regency Court
El Cerrito CA 94530

Sheet No. A10

PRELIMINARY
NOT FOR CONSTRUCTION
New Residence for:
CHARAN & TANVEER
1550 Regency Court
El Cerrito CA 94530

Sheet Title:
320 Sycamore Valley Road West
Danville, CA 94526
www.shephardarch.com
(925) 803 - 1000

Sheet No.:
Revisions:
Date: Designer:
Drafter:
Proj. Mgr.:
Scale:
Proj. No.:

NORTH ELEVATION - DAYLITE PLANE STUDY AT BUILDING EDGE
GENERAL NOTES:
1. ALL PLANTING AREAS SHALL RECEIVE A 3" DEEP LAYER OF BARK MULCH DRESSING
2. ALL PLANTING SHALL BE WATERED BY A FULLY AUTOMATIC, WATER CONSERVING IRRIGATION SYSTEM, OPERATING ON A WEATHER-BASED IRRIGATION CONTROLLER.