AGENDA

REGULAR MEETING OF THE
PLANNING COMMISSION

October 19, 2022 at 7:30 p.m.

VIA TELECONFERENCE
https://us06web.zoom.us/j/86220525498?pwd=dGZVSCt6RnF
UOWtSLzhMVWs2YTI2UT09
Meeting ID: 862 2052 5498
Passcode: 146987
Or Join by Phone: 408-638-0968

7:30 p.m. CONVENE REGULAR MEETING

1. ROLL CALL – Chair Daniel Hamilton, Vice Chair Leslie Mendez; Members Brendan Bloom, Erin Gillett, and Joy Navarrete

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

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

4. ADOPTION OF MINUTES
Adoption of the August 17, 2022 meeting minutes.

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

6. Conditional Use Permit – 6822 Lincoln Ave
Application: PL22-00104
Applicant: Daniele Panicacci
Location: 6822 Lincoln Ave
APN: 504-062-001
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit to allow an addition to a single-family house that expands an existing nonconforming side setback (Chapter 19.27 and Chapter 19.34, ECMC).
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.
7. **Tentative Subdivision Map – 601 Lexington Ave**  
   Application: PL22-0066  
   Applicant: Erica Meeks  
   Location: 2060 Tapscott Ave  
   APN: 503-402-008  
   Zoning: RM (Multi-Family Residential)  
   General Plan: High Density Residential  
   Request: Planning Commission consideration of a Tentative Subdivision Map for a previously approved project containing a total of 6 residential units (Chapter 18.12, ECMC).  
   CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-Fill Development Projects.

8. **San Pablo Avenue Specific Plan Update**  
   Applicant: City of El Cerrito  
   Location: San Pablo Avenue Specific Plan area  
   Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), Theater District (TD), and Transit Oriented Mixed Use (TOM).  
   General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), Theater District (TD), and Commercial/Mixed-Use.  
   CEQA: Supplemental Environmental Impact Report (SEIR)

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 Sean Moss at (510) 215-4330. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I).

Any writings or documents provided to a majority of the members regarding any item on this agenda will be made available for public inspection.
MINUTES

REGULAR MEETING OF THE
PLANNING COMMISSION

August 17, 2022 at 7:30 p.m.

The meeting was held via teleconference.

7:30 p.m. CONVENE REGULAR MEETING

1. ROLL CALL – Chair Daniel Hamilton, Vice Chair Leslie Mendez; Members Brendan Bloom, Erin Gillett, and Joy Navarrete.

2. COUNCIL/STAFF LIAISON ANNOUNCEMENTS AND REPORTS
   No report was given.

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

4. ADOPTION OF MINUTES
   Moved/Second: Commissioners Bloom/Mendez. Action: Passed a motion to adopt the June 15, 2022 meeting minutes.
   Ayes: Bloom, Hamilton, Gillett, Mendez, Navarrete.
   Noes: None.
   Abstain: None.
   Absent: None.

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

6. STUDY SESSION: SAN PABLO AVENUE SPECIFIC PLAN UPDATE DRAFT SEIR
   Applicant: City of El Cerrito
   Location: San Pablo Avenue Specific Plan area
   Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).
   General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).
   CEQA: A Supplemental Environmental Impact Report has been prepared for this project and is currently within the public review period.

Planning Manager Sean Moss presented the staff report and answered questions from the Commission.
Ray Pendro presented on behalf of MIG, the City’s consultant and answered questions from the Commission.

The public hearing was opened.

The following speakers addressed the Commission:
Howdy Goudey
Nerissa de Jesus

The public hearing was closed.

The Planning Commission provided comments on the Draft Supplemental Environmental Impact Report for the San Pablo Avenue Specific Plan update to City Staff and the consultant team.

7. STAFF COMMUNICATIONS
No report was given.

8. ADJOURNMENT
The meeting adjourned at 8:11 p.m.

Daniel Hamilton, Chair

This is to certify that the foregoing is a true and correct copy of the minutes of the regular Planning Commission meeting of August 17, 2022 as approved by the Planning Commission.

Sean Moss, Staff Liaison
Planning Commission Conditional Use Permit Report
October 19, 2022

6822 Lincoln Ave

DETAILS

Application Number: PL22-0104

Applicant: Daniele Panicacci

Location: 6822 Lincoln Ave

APN: 504-062-001

Zoning: RS-5 (Single Family Residential)

General Plan: Low Density Residential

Request: Planning Commission consideration of a Conditional Use Permit to allow the expansion of a nonconforming side setback for a proposed addition to a single-family house (Chapter 19.27 and Chapter 19.34, ECMC).

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

EXECUTIVE SUMMARY

The proposal is for a 240.5 sq. ft addition to an existing 948 sq. ft single-family house which would result in a 1,188.5 sq. ft. house with three bedrooms, two bathrooms, a living room, and a kitchen.

The existing house has a non-conforming street side setback of 5.5 ft. on the north side of the property along Lincoln Ave. The proposed addition would extend the building along the nonconforming side setback and would not project further into the required 8.5 ft setback than the existing structure. Pursuant to ECMC Section 19.27.050, additions that extend a nonconforming setback require a Conditional Use Permit.

Based on the evidence and analysis contained in this report, staff is recommending approval of the Conditional Use Permit.
Background

Site Location and Layout

The existing house at 6822 Lincoln Ave is an approximately 948-square-foot single-story house. The house sits on a 3,400-square-foot lot in the RS-5 (Single Family Residential) zoning district. The existing lot coverage of the property is 26 percent.

The existing house has a kitchen, a living area, two bedrooms, and one bathroom. The house has a non-conforming street side setbacks of 5.5 feet on the northern side.

The surrounding neighborhood contains mostly single-family houses. The surrounding houses are a mixture of one-story and two-story houses. On the block of the project site, houses range in size from 722 square feet to 1,800 square feet.

Vicinity Map
Site Photo

View of house from corner of Lincoln Ave and Everett St

Adjacent Designations and Land Uses


**South**: Single Family Residential (RS-5) Zoning and Low Density Residential General Plan designation. Single family house.

**West**: Single Family Residential (RS-5) Zoning and Low Density Residential General Plan designation. Single family house.

Analysis

Project Description

The applicant is proposing an addition which would add an additional bedroom, a bathroom, and a family room to an existing building. The addition would extend the center of the north side of the building by approximately 18 feet 11 inches along the nonconforming side setback of 5.5 feet but would not encroach further into the required side setback. The resulting building would have 3 bedrooms, 2 bathrooms, a living room, and a kitchen.

Consistency with the Zoning District

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 non-conforming side setback.

Table 1: Comparative Development Standards – RS-5 Zone and Proposed Project

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Zoning Ord. Requirement</th>
<th>Existing</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height (maximum)</td>
<td>25’ maximum</td>
<td>13’-1”</td>
<td>No Change</td>
<td>Yes</td>
</tr>
<tr>
<td>Height (at setback lines)</td>
<td>15’ maximum</td>
<td>10’-11”</td>
<td>No Change</td>
<td>Yes</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10’</td>
<td>16’-11”</td>
<td>10’</td>
<td>Yes</td>
</tr>
<tr>
<td>Side (north)</td>
<td>8’-6”</td>
<td>5’-6”</td>
<td>5’-6”</td>
<td>No. Use Permit required for extending this nonconforming setback.</td>
</tr>
<tr>
<td>Side (south)</td>
<td>5’</td>
<td>5’</td>
<td>No change</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear</td>
<td>15’</td>
<td>39’</td>
<td>No change</td>
<td>Yes</td>
</tr>
<tr>
<td>Parking spaces (covered)</td>
<td>2 spaces</td>
<td>1 space</td>
<td>No change</td>
<td>No. Existing nonconforming condition.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50% maximum</td>
<td>26%</td>
<td>33%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Nonconforming Setback

As described above, the existing house has a non-conforming side setbacks of 5.5 feet from the northern street side property line. The proposed addition would extend the existing building by approximately 18 feet 11 inches along the nonconforming side setback of 5.5 feet. Pursuant to Section 19.27.050 of the El Cerrito Municipal Code, a Conditional Use Permit is required for additions and structural alterations that enlarge and extend a nonconforming structure when such enlargement does not comply with all applicable requirements. The proposed addition requires a Conditional Use Permit for extending the southern building which is nonconforming in regard to the side setback.

Public Notice and Comment
The required public notice for the project was published in the East Bay Times and mailed to owners of property within 300 feet of the project site on or before September 28, 2022. No public comments have been received to date.

Environmental Review

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

Compliance with the General Plan

The Conditional Use Permit to allow an exception to the side setback and covered parking requirements is consistent with the following policies of the El Cerrito General Plan:

**LU1.5: Suitable Housing.** Promote suitably located housing and services for all age groups within the City.

The proposed project would enlarge the common spaces of an existing single-family home and add an additional bedroom, providing suitable housing for a large family or multi-generational household.

**CD1.1: Neighborhood Character.** Preserve and enhance the character of existing residential neighborhoods by limiting encroachment of new buildings and activities that are out of scale and character with the surrounding uses.

The project would extend an existing nonconforming side setback which would allow the building to remain a single-story building. The resulting building would only be 1,188.5 sq. ft which still matches the charter of the surrounding neighborhood. The project does not exceed the overall height limit for the RS-5 zoning district or the daylight plane requirements.

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

The building at 6822 Lincoln Ave would remain a one-story house and would comply with the height limit and lot coverage regulations of the RS-5 zone that control building scale and character. The addition’s overall height and roof line would be consistent with many of the other single-family buildings on the 500 block of Everett Street and 6000 block Lincoln Ave. The addition’s materials, colors, and design would match those of the existing house.

Required Findings

In order to approve the Conditional Use Permits to allow expanding an existing nonconforming setback, the Planning Commission must make the following findings, contained in Section 19.34.040 of the El Cerrito Municipal Code:

1. The location, size, design, and operating characteristics of the proposed development will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

   *The surrounding neighborhood predominantly contains single-family houses. The surrounding houses are predominantly single-family houses with a mixture of two-story and one-story houses. The proposed addition would only increase the floor area of the house by 240.5 square feet and would result in a 1,188.5 square foot house on a 3,400 square foot lot. The location, size, and*
The design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

2. The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City.

The proposed project would add an additional bedroom to an existing single-family home and would result in three bedrooms, a kitchen, and a living room. The resulting house will be an attractive addition to the neighborhood.

3. The proposal is consistent with the purpose of the district where it is located and conforms in all significant respects with the El Cerrito General Plan and with any other applicable plan adopted by the City Council.

The Conditional Use Permit will allow the expansion of a single-family home, which is a permitted land use in the RS-5 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, CD1.1: Neighborhood Character, and CD4.1: Compatibility in Building Scale.

Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application PL22-0104, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

1. Move adoption of Planning Commission Resolution PC2022-12 approving the Conditional Use Permits to allow an addition expanding a nonconforming side setback of an existing single-family house at 6822 Lincoln Ave.

Appeal Period

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

Attachments

1. Draft resolution
2. Project plans
A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION EXPANDING A NONCONFORMING SIDE SETBACK EXISTING SINGLE-FAMILY HOUSE AT 6822 LINCOLN AVE

WHEREAS, the site is located at 6822 Lincoln Ave; and

WHEREAS, the existing Assessor’s Parcel Number of the site is 504-062-001; and

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

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

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities; and

WHEREAS, on August 11, 2022, Daniele Panicacci (the “applicant”) submitted an application for a Conditional Use Permit for an addition expanding a nonconforming side setback of an existing single-family house at 6822 Lincoln Ave; and

WHEREAS, on October 19, 2022, the Planning Commission, after due consideration of all evidence and reports and application materials offered for review does find and determine the following:

1. The surrounding neighborhood predominantly contains single-family houses. The surrounding houses are predominantly single-family houses with a mixture of two-story and one-story houses. The proposed addition would only increase the floor area of the house by 240.5 square feet and would result in a 1,188.5 square foot house on a 3,400 square foot lot. The location, size, and design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

2. The proposed project would add an additional bedroom to an existing single-family home and would result in three bedrooms, a kitchen, and a living room. The resulting house will be an attractive addition to the neighborhood.

3. The Conditional Use Permit will allow the expansion of a single-family home, which is a permitted land use in the RS-5 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, CD1.1: Neighborhood Character, and CD4.1: Compatibility in Building Scale.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL22-0104, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans received by the City on September 6, 2022. Minor changes may be approved by the Zoning Administrator. All improvements
shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If the applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

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

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on October 19, 2022, upon motion of Commissioner _______, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
Sean Moss, AICP
Planning Manager
PANICACCI RESIDENCE //
BEDROOM AND BATHROOM ADDITION
6822 LINCOLN AVE,
EL CERRITO, CA 94530

APPLICABLE CODES

ALL WORK SHALL COMPLY WITH THE PROVISIONS OF THE FOLLOWING CODES:

PART 1 - 2019 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE
PART 2 - 2019 CALIFORNIA BUILDING CODE
PART 3 - 2019 CALIFORNIA ELECTRICAL CODE
PART 4 - 2019 CALIFORNIA MECHANICAL CODE
PART 5 - 2019 CALIFORNIA PLUMBING CODE
PART 6 - 2019 CALIFORNIA ENERGY CODE
PART 7 - 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
PART 8 - 2019 CALIFORNIA HISTORICAL BUILDING CODE
PART 9 - 2019 CALIFORNIA FIRE CODE
PART 10 - 2019 CALIFORNIA CODE FOR BUILDINGS CONSERVATION
PART 11 - 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
PART 12 - 2019 CALIFORNIA REFERENCE STANDARDS CODE

OAKLAND MUNICIPAL CODE

IN THE EVENT OF CONFLICTS IN CODE REQUIREMENTS, THE MOST STRINGENT REQUIREMENTS SHALL APPLY. ANY CONFLICTS BETWEEN THE CONSTRUCTION DOCUMENTS AND THE ABOVE LISTED CODES AND ORDINANCES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND OWNER FOR RESOLUTION BEFORE COMMENCING WITH THE WORK.

EXISTING RESIDENCE PHOTOS
demolition notes

1. The demolition work shown on this drawing is not the complete demolition required to accommodate the new work. A work area exposure of at least 3'-0" minimum frontage generally shows the scope of work expected of the contractor. The contractor will be responsible to coordinate all work required, but not shown, in order to accommodate any new work.

2. All dimensions shown on the drawings are for reference only and must be verified in the field. Where necessary, the contractor will coordinate all work with the architect without any surveying or engineering type equipment. Anyone relying on the information above this line, to the full extent of all provisions, is solely responsible for any additional cost to the owner.

3. When necessary, the contractor will coordinate the piping and patching of all existing plumbing fixtures and related equipment. Shown to be removed, the existing system to remain. The contractor will verify the work required to install and patch the new system, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

4. Where necessary the contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

5. The contractor will coordinate and patch all existing plumbing fixtures and related equipment. Shown to be removed, the existing system to remain. The contractor will verify the work required to install and patch the new system, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

6. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

7. The contractor will coordinate and patch all existing plumbing fixtures and related equipment. Shown to be removed, the existing system to remain. The contractor will verify the work required to install and patch the new system, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

8. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

9. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

10. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

11. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

12. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

13. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

14. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.

15. The contractor will coordinate the patching of the mechanical equipment, as shown on the new work plans, into the existing system. The contractor will discuss the design and the required changes with the owner prior to signing a contract. Failure to do so will constitute an understanding of these general notes and their acceptance by the contractor.
KEY NOTES:

BATHRM NOTES: ALL NON-COMPLIANT PLUMBING FIXTURES SHALL BE REPLACED BY OWNER WITH WATER-CONSERVING PLUMBING FIXTURES AS NOTED BELOW.

- **TUB/SHOWER**: SHOWER SURROUND SHALL HAVE A NON-ABSORBENT FINISH. O/C EM. BD. TO 72" ABV. DRAIN. SHOWER HEAD SHALL BE 2.0 GPM @ 80 PSI MAX. OR BETTER & PROVIDED W/ PRESSURE BALANCE OR THERMOSTATIC MIXING VALVE, TEMP. GL. ENCL. W/ SHOWER DR. TO OPEN A MIN. 22" FOR EGRESS. SIZE SHALL BE A MIN. 1024 S.I. & CAPABLE OF ENCLOSING A 30" DIA. DOORS AND ENCLOSURES FOR SHOWER SHOULD BE SAFETY GLAZING.

- **WATER CLOSET**: TOILET SHALL BE 1.28 GPF MAX. OR BETTER, W/ MIN. 30" CLEAR SPACE @ REAR W/ 15" MIN. TO CENTERLINE. PROVIDE 24" MINIMUM CLEARANCE AT FRONT.

- **LAVATORY SINK**: NEW FAUCETS SHALL BE 1.2 GPM @ 60 PSI MAX. OR BETTER.

- **OUTLETS**: ALL OUTLETS SHALL BE GFI & TAMPER-RESISTANT. PROVIDE 20 AMP CIRCUIT FOR EACH BATHROOM BEING ALTERED OR ADDED.

- **LIGHTING**: FIXT. SHALL BE HIGH EFFICACY & CONTROLLED BY A VACANCY SENSOR SWITCH OR DIM CONTROL. RECESSED FIXT SHALL BE IC-RATED & AIRTIGHT W/ NO SCREW BASED SOCKETS. EXT. LIGHTING ATTACHED TO BUILD'G SHALL BE HIGH EFFICACY & INCLUDE A MANUAL ON/OFF SWITCH AS WELL AS ONE OF THE FOLLOWING: PHOTOCONTROL & MANUAL TIME SWITCH CONTROL OR, ENERGY MANAGEMENT CONTROL SYSTEM.

- **EXHAUST FAN**: 50 CFM FOR INTERMITENT VENTILATION OR 20 CFM FOR CONT. VENT. FANS HAVE BACK-DRAFT DAMPER & BE ON TIMER. FANS SHALL BE ENERGY STAR & EQUIPPED W/ A HUMIDISTAT & HUMIDITY CONTROL. TERM. FIXT. SHALL BE ENERGY STAR & EQUIPPED W/ A HUMIDISTAT & HUMIDITY CONTROL. TERM. FIXT. SHALL BE ENERGY STAR & EQUIPPED W/ A HUMIDISTAT & HUMIDITY CONTROL. TERM. FIXT. SHALL BE ENERGY STAR & EQUIPPED W/ A HUMIDISTAT & HUMIDITY CONTROL.

ALARMS: CONTR. SHALL INSTALL/VERIFY THAT SMOKE & CARBON MONOXIDE ALARMS ARE LOCATED INSIDE & OUTSIDE EACH BEDRM. AS WELL AS ONE ON EVERY LEVEL. ALARMS IN EXIST'G AREAS WHERE ACCESS ABOVE CEILING IS NOT POSSIBLE, ALARM MAY BE POWERED BY A 9-12V BATTERY SOURCE. OTHERWISE, DETECTORS AND/OR ALARMS SHALL BE HARD WIRED W/ 110V BATTERY BACKUP.

OUTLETS: PROVIDE 125-V. 15 & 20 A. OUTLETS IN ANY RM. SHALL BE TAMPER RESISTANT & PROTECTED BY AN ARC-Fault CIRCUIT-INTERRUPTER. EXT. OUTLETS TO BE 20 AMP CIRCUIT FOR EACH BATHROOM BEING ALTERED OR ADDED.

ALTERNATIVES:

- **NEW WALLS**: (2x4 @ 16" O.C.)

- **P.L.**

- **EVERETT ST**

- **LINCOLN AVE**

- **FLOOR PLAN**

- **DRAWN BY**: ARCH. DANIELA VIDAL

- **DATE**: MAY 10 2021

- **SHEET NUMBER**: a2.2

- **PROJECT**: DANIELLE PANICACCI

- **LOCATION**: 6822 Lincoln Ave El Cerrito, CA 94530

- **WWW**: dbuildgroup.com

- **INFO**: info@dbuildgroup.com

- **PHONE**: 855-333-2845

- **LICENSE**: B General Contractor

- **FLOOR PLAN**: PROPOSED FLOOR PLAN 3/8" - 1'-0"
KEY NOTES:

ELECTRICAL WORK SHALL COMPLY WITH 2019 CALIFORNIA ENERGY CODE AND CALIFORNIA ELECTRICAL CODE.

BATHROOM NOTES:

OUTLETS: ALL OUTLETS SHALL BE GFCI & TAMPER-RESISTANT. PROVIDE 20 AMP BRANCH CIRCUIT FOR EACH BATHROOM BEING ALTERED OR ADDED. LIGHTING FIXTURES SHALL BE HIGH EFFICIENCY & CONTROLLED BY AN UNVACANCY SENSOR SWITCH OR DIMMER. SHOWER SHAL BE SUITABLE FOR WET LOCATIONS.

EXHAUST FANS: 50 CFM FOR INTERMITENT VENTILATION OR 20 CFM FOR CONTINUOUS VENTILATION.

ALARMS: CONTR. SHALL INSTALL/VERIFY THAT SMOKE & CARBON MONOXIDE ALARMS ARE LOCATED INSIDE & OUTSIDE EACH BEDRM. AS WELL AS ONE ON EVERY LEVEL. ALARMS IN EXISTING AREAS WHERE ACCESS ABOVE CEILING IS NOT POSSIBLE, ALARM MAY BE POWERED BY A D/C BATTERY SOURCE. OTHERWISE, DETECTORS AND/OR ALARMS SHALL BE HARD WIRED W/ 110V BATTERY BACKUP.

LIGHTING: SHALL BE HIGH EFFICACY & CONTROLLED BY A VACANCY SENSOR SWITCH OR DIMMER. RECESSED FIXTURES SHALL BE IC-RATED & AIRTIGHT W/ NO SCREW BASED SOCKETS. EXT. LIGHTING ATTACHED TO BUILDING SHALL BE HIGH EFFICACY & INCLUDE A MANUAL ON/OFF SWITCH AS WELL AS ONE OF THE FOLLOWING: PHOTOCONTROL & MOTION SENSOR, PHOTOCONTROL & AUTOMATIC TIME SWITCH CONTROL OR, ENERGY MANAGEMENT CONTROL SYSTEM.
LINCOLN AVE

PROPOSED ROOF PLAN
3/8" - 1'-0"

NOTES:
Update_30/08/2021
EXISTING NORTH ELEVATION
1/4" - 1'-0"

PROPOSED NORTH ELEVATION
1/4" - 1'-0"

WINDOW AND DOOR SCHEDULE:

NEW WINDOWS SHALL BE DUAL GLAZED MILGUARD VINYL WINDOWS. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO ORDERING WINDOWS. EGRESS WINDOWS SHALL HAVE AN OPENING HT. A MAX. OF 44" ABV. FIN. FLR. & SHALL HAVE A MIN. NET CLEAR OPENING OF 5.7 S.F. WINDOWS:

S.F. WINDOWS SHALL HAVE A MIN. NET CLEAR OPENING HT. OF 24" AND MIN. NET CLEAR OPENING WIDTH OF 20". FLASHING (1) S.G.D W/T.G. (2) 2/0 x 2/4 SLIDER 2400 FOR NAIL ON WINDOWS. ALL WINDOWS SHALL HAVE AT LEAST ONE Pane THAT IS TEMPERED.

DOORS:

A) 2/6 x 6/8 solid core wood with paint finish

B) 2/8 x 8/8 S.G.D W/T.G.
### Construction Details

<table>
<thead>
<tr>
<th>Description</th>
<th>Material</th>
<th>Location</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Stud to stud (left or right)</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>2. Stud to stud (top or bottom)</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>3. Top plate to stud</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>4. Bottom plate to stud</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
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<tr>
<td>5. Ledger to top plate</td>
<td>2&quot; x 6&quot; ledger</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>6. Stud to wall (left or right)</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>7. Stud to wall (top or bottom)</td>
<td>2&quot; x 6&quot; stud</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>8. Top plate to wall</td>
<td>2&quot; x 6&quot; plate</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
<tr>
<td>9. Bottom plate to wall</td>
<td>2&quot; x 6&quot; plate</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
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<tr>
<td>10. Ledger to top plate</td>
<td>2&quot; x 6&quot; ledger</td>
<td>Wall</td>
<td>10'-0&quot; o.c.</td>
</tr>
</tbody>
</table>

### Diagram Overview

- **1:** Floor plan showing the layout of the building.
- **2:** Elevations showing the height and orientation.
- **3:** Details of the structural elements, such as Joists, Beams, and Sheathing.
- **4:** Cross-section of the building, highlighting the thickness and type of materials used.

### Acknowledgements & Symbols

- **PA:** Architectural Plan
- **E:** Engineering Plan
- **C:** Contractual Plan
- **G:** General Plan
- **D:** Detail Plan
- **S:** Section Plan

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*Note: The diagram and table provide a comprehensive view of the structural and architectural details of the Panicino Residence. For a detailed understanding, please refer to the full set of engineering and architectural plans.*
Planning Commission Staff Report
October 19, 2022

601 Lexington Avenue Tentative Subdivision Map

DETAILS

Application Number: PL22-0066

Applicant: Erica Meeks

Location: 601 Lexington Avenue

APN: 503-402-008

Zoning: RM (Multi-Family Residential)

General Plan: High Density Residential

Request: Planning Commission consideration of a Tentative Subdivision Map for a project containing a total of six residential units (ECMC Chapter 18.12 Tentative Map).

CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-Fill Development Projects.

EXECUTIVE SUMMARY

The project applicant is seeking approval of a Tentative Subdivision Map to allow the creation of six condominium units.

On May 20, 2020, the Planning Commission approved Conditional Use Permits for a reduction of the required off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. In July 2020, the Design Review Board granted Design Review approval for the conversion of a former church and office building into a multifamily residential building with six residential units at 601 Lexington Avenue.

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

Site Location and Layout
The project site is located on the northwest corner of the intersection of Lexington Avenue and Lincoln Avenue. The project site is a 10,000 square foot lot that is relatively flat, slightly sloping upwards towards the north from Lincoln Avenue.

Vicinity Map

Existing/Previous Land Use
The project site was developed with a 5,077 square foot office building that was originally constructed as a church. The existing building is located slightly more than five feet from the western property line and encroaches into the required rear setback of 15 feet.

In 1949, the east-west oriented portion of the existing L-shaped building was constructed. In 1960, the Planning Commission approved Special Use Permit No. 1419 to allow an addition to the structure for the remaining rear portion of the building. In 2000, the Planning Commission approved a Use Permit to allow the conversion of the building to a professional office use for no more than 12 employees. Adventure Associates, Inc. continued to utilize this building as an office until October 2019.

The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along nearby San Pablo Avenue. Many of the surrounding multi-family developments consist of four to eight residential units, with a few larger complexes containing more than 20 residential units.
Previous Approvals

On May 20, 2020, the Planning Commission reviewed the application for the aspects of the project that did not meet the development standards of the El Cerrito Zoning Ordinance. At this meeting, the Planning Commission adopted Resolution PC 2020-05 approving Conditional Use Permits for a reduction of the required off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements for the project. On July 1, 2020, the Design Review Board adopted Resolution DRB 20-04 granting design review approval of a proposed conversion of a former church and office building into a multifamily residential building with six residential units at 601 Lexington Avenue. On November 10, 2021, the project was issued a building permit and is currently under construction.

Adjacent Designations and Land Uses

**North**: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Multi-family residential building with four units.

**East**: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Single family dwellings

**South**: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Single family dwelling

**West**: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Single family dwellings and a duplex.

Analysis

Project Description

The proposed project consists of a 6,887 square foot building containing six residential units. As stated above, the site plan for the project has previously been approved by the Design Review Board and the proposal now before the Planning Commission consists only of a Tentative Subdivision Map to allow future creation of condominium units. The applicant is requesting approval of a Tentative subdivision Map for 6 residential condominiums to facilitate advantageous financing, it is still the intent of the owner/applicant to own and operate the 6 units as apartment rentals for the long term. As a result, staff is proposing a condition of approval that applies the requirements of El Cerrito Municipal Code Chapter 19.45: Condominium Conversion to the project if the units are converted from rental to ownership units at any point in the future.
Project Renderings

Lincoln Avenue Frontage (with greenscreen guardrail)

Lincoln Avenue Frontage (with black metal guardrail)
The California Government Code Section 66426 states the following:

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

Section 18.12.100 of the El Cerrito Municipal Code notes that the Planning Commission is the body of decision for a Tentative Map that is comprised of more than five lots, or in this case, more than five condominiums. Section 18.12.100 requires the following:

A. The planning commission shall determine whether the tentative map is in conformity with the provisions of law and of this title, and upon that basis within thirty days after the filing of the tentative map approve, conditionally approve, or disapprove the same and shall report such action direct to the subdivider and shall also transmit to the city engineer a copy of the tentative map, and a memorandum setting forth the action of the commission thereon.

At the May 20, 2020, and the July 1, 2020, meetings the Planning Commission and Design Review Board determined that the overall project was consistent with the El Cerrito Zoning Ordinance and the El Cerrito General Plan. The proposed Tentative Subdivision Map will allow the creation of condominiums for the approved six units. The map is therefore consistent with the El Cerrito Zoning Ordinance and the El Cerrito General Plan.

B. The planning commission may require the subdivider to dedicate suitable areas for the parks and playgrounds and set aside areas for schools and other public building sites that will be required for the use of the population which is intended to occupy the subdivision under the plan of proposed property uses therein. In all cases the planning commission shall suggest to the subdivider such measures as will make for excellence of residential, commercial, or industrial development.
The project is required to pay applicable impact fees to the West Contra Costa Unified School District to finance improvements to school facilities. The project site is not identified for any other dedication of land in any City policy document.

C. The planning commission may refuse to approve a tentative map when the only practical use which can be made of the property proposed to be subdivided, is a use prohibited by ordinance or law or if the property is deemed unhealthful or unfit for human habitation or occupancy by the health officer of the city.

The use of the site as a multi-family residential is an allowed use under the RM zoning district and is consistent with the district’s intent.

Public Notice and Comment

The required public notice for the project was published in the East Bay Times and mailed to owners of property within 300 feet of the project site on or before September 28, 2022. No public comments were received prior to the publication of this report.

Environmental Review

This project is categorically exempt from the provisions of CEQA pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-fill Development Projects. A Class 32 Exemption Memo was prepared by Urban Planning Partners on May 11, 2020, for the proposed project (see Attachment 3). This Memo provides analysis demonstrating the project complies with the following the conditions under which a project qualifies for a Class 32 exemption:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

As discussed in this staff report, the project is consistent with the general plan designation (High Density Residential) and applicable general plan policies as well as with the zoning designation (RM) and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is within the City of El Cerrito and the site is 0.23 acres.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The San Pablo Avenue Specific Plan EIR did not identify any “candidate, sensitive, or special-status species” with habitat in the San Pablo Avenue Specific Plan Area. While the site is not within the San Pablo Avenue Specific Plan Area, the site sits about 180 feet from the plan area. The site has been extensively disturbed by past development and no longer provides suitable habitat for any special-status animal or plant species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project would generate less than 100 peak hour trips and is not considered to have significant traffic impacts per the Contra Costa County Transportation Authority (CCTA) traffic impact study guidelines. The project would not result in significant temporary (construction) noise as construction would occur during the times specifically allowed under Section 16.02.060, ECMC and
since the project involves no foundation work or significant site preparation work. Operational noise impacts would not be significant since the proposed multifamily residential use is consistent with the existing multi-family and single-family residential uses in the surrounding neighborhood. The project is below the number of dwelling units in the screening criteria from the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines and would not cause a significant impact to air quality. The project would be required to comply with the Contra Costa Clean Water Program, the California Stormwater Quality Association’s Best Management Practices for Construction Activities, and the Association of Bay Area Government’s Manual of Standards for Erosion and Sediment Control Measures. Compliance with these standards and regulations would minimize any water quality impacts of the project.

(e) The site can be adequately served by all required utilities and public services.

The site is currently served by all utilities.

Compliance with the General Plan

The proposed project is consistent with the following goals and policies of the El Cerrito General Plan:

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

*The proposed project is consistent with the multi-family and single-family residential character of the surrounding neighborhood. The project will feature six residential units that will face the adjacent streets add to surveillance of the street and integrate well into the surrounding community.*

**LU1.3 Quality of Development.** Ensure that all multifamily or mixed-use development in residential areas addresses compatibility and quality of life issues.

*The proposed project is consistent and compatible with the surrounding multi-family and single family residential neighborhood. The project has been reviewed thoroughly to ensure that it will not negatively impact the surrounding neighborhood.*

**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 will largely maintain the aesthetics of the existing building, while providing additional landscaping, common open space, doors, and windows that will enhance the aesthetics of the building and the site. The project was considered by the Design Review Board as required to ensure high-quality materials and design.*

**LU1.5 Suitable Housing.** Promote suitably located housing and services for all age groups within the city.

*The project proposes six new residential units. This housing type will provide new multi-family rental housing opportunities nearby the El Cerrito Plaza BART Station.*

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

*The density of the proposed project is 26 units/acre.*
**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 add new multi-family housing next to surrounding residential uses. The modern architecture with articulated facades will improve the aesthetics of an existing building in an already diverse neighborhood architectural theme. The project also adds window openings, patios and landscape along the street frontages, continuing the consistent pedestrian-scaled streetscape.*

**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 residential units will include doors, windows, and private open spaces that face Lincoln Avenue and Lexington Avenue which will allow for surveillance of the street.*

**CD3.2 Usable Open Spaces.** Require the provision of usable open space in the form of ground-floor patios, upper-floor decks, and balconies, as well as common recreational facilities.

*Five of the six residential units will feature private open spaces (ground level yards or an upper level balcony). The project also features landscaped common open space.*

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

*The project proposes substantial new landscaping throughout the site, including in proposed common and private open space areas and in the parking lot. Many of the plants are native or drought tolerant. The proposed landscaping will aesthetically enhance the project site.*

**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 facades are well-articulated and will be considered by the Design Review Board, as required, to ensure a well-designed building form.*

**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 design elements of the project were considered by the Design Review Board as required.*

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

*The project is within the RM (Multi-Family Residential) zoning district. The zoning designation will remain in place as part of the project. The project proposes a multifamily residential use in the district.*
Required Findings

The Subdivision Ordinance does not specify findings to approve a Tentative Map, however, pursuant to Section 66473.5 of the California Government Code (Subdivision Map Act), the following finding must be made in order to approve the proposed Tentative Map for the project:

*The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1.*

As determined by the Design Review Board in its July 1, 2020 approval of Design Review for the project, the project is consistent with the El Cerrito General Plan. The project will implement the following standards of the General Plan: LU1.2: Multifamily Neighborhoods, LU1.3: Quality of Development, LU1.5: Suitable Housing, LU1.7: Maximum Density, CD1.3: High-Quality Design, CD1.9: Building Design, CD2.1: Street Frontages, CD3.2: Usable Open Space, CD3.3: Site Landscaping, CD4.2: Building Articulation, and CD5.1: Design Review Process. Approval of this Tentative Subdivision Map will permit the creation of condominium housing units consistent with the prior approvals for the project and is therefore consistent with the El Cerrito General Plan.

Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL22-0066, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

1. Move adoption of Planning Commission Resolution PC2022-13 granting approval to Planning Application No. PL22-0066 for a Tentative Subdivision Map (for condominium purposes) for a previously approved project containing a total of six residential units.

Appeal Period

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

Attachments

1. Draft Resolution
2. Proposed Tentative Subdivision Map
3. CEQA Class 32 Memo
4. Design Review Board Resolution DRB 2020-04
5. Planning Commission Resolution PC 2020-05
A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A TENTATIVE SUBDIVISION MAP (FOR CONDOMINIUM PURPOSES) FOR A PROJECT CONTAINING 6 RESIDENTIAL UNITS AT 601 LEXINGTON AVENUE.

WHEREAS, the site is located at 601 Lexington Avenue; and

WHEREAS, the existing Assessor’s Parcel Number of the site is 503-402-008; and

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

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

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-Fill Development Projects; and

WHEREAS, on February 27, 2020, the applicant submitted a Design Review application for the proposed conversion of a former church and office building into 6 residential units at 601 Lexington Avenue; and

WHEREAS, on May 20, 2020, the El Cerrito Planning Commission adopted Resolution PC 2020-05 approving Conditional Use Permits for a reduction of the required off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements for the project; and

WHEREAS, on July 1, 2020, the Design Review Board adopted Resolution DRB20-04, granting Design Review approval to the project; and

WHEREAS, on May 12, 2012, the applicant submitted an application for a Tentative Subdivision Map; and

WHEREAS, on October 19, 2022, the Planning Commission, after due consideration of all evidence and reports offered for review does find and determine the following:

As determined by the Design Review Board in its July 1, 2020 approval of Design Review for the project, the project is consistent with the El Cerrito General Plan. The project will implement the following standards of the General Plan: LU1.2: Multifamily Neighborhoods, LU1.3: Quality of Development, LU1.5: Suitable Housing, LU1.7: Maximum Density, CD1.3: High-Quality Design, CD1.9: Building Design, CD2.1: Street Frontages, CD3.2: Usable Open Space, CD3.3: Site Landscaping, CD4.2: Building Articulation, and CD5.1: Design Review Process. Approval of this Tentative Parcel Map will permit the creation of condominium housing units consistent with the prior approvals for the project and is therefore consistent with the El Cerrito General Plan.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL22-0066, subject to the following conditions:

Planning Division:
1. Any and all Final Maps shall be developed and recorded consistent with the plans dated September 13, 2022. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If Applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for nonissuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

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

5. All conditions of approval of Resolution PC 2020-05 & DRB20-04 remain in effect and remain applicable to the project.

6. If any units in the project are rented prior to being offered for sale, prior to the conversion of rental units to for-sale units, the then-owner of the property shall comply with all provisions of Chapter 19.45 of the El Cerrito Municipal Code (Condominium Conversions), except that a use permit and tentative and final map shall not be required. For the purposes of this condition, “conversion of rental units to for-sale units” means the sale of the first rental unit as a condominium. This condition of approval shall be documented in a manner satisfactory to the City Attorney to ensure that any future owner of the property receives notice of the requirement.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on October 19, 2022, upon motion of Commissioner _____, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Sean Moss, AICP
Planning Manager
# Memorandum

**DATE**  
May 11, 2020

**TO**  
Jeff Ballantine, Senior Planner  
(510) 215-4358  
JBallantine@ci.el-cerrito.ca.us

**FROM**  
Emilio Balingit, Planner  
Lynette Dias, Principal-in-Charge

**RE: 601 Lexington Avenue - Class 32 Exemption**

## INTRODUCTION

This memorandum documents Urban Planning Partner’s finding that the 601 Lexington Avenue project (project) qualifies for a categorical exemption as an In-Fill Development Project (Class 32 exemption) under the California Environmental Quality Act (CEQA).\(^1\) Section 15300 of the CEQA Guidelines defines certain classes of projects which have been “determined not to have a significant effect on the environment and which shall, therefore, be made exempt from the provisions of CEQA.” The CEQA Guidelines Section 15332 describes the conditions under which a project qualifies for a Class 32 exemption:

- **(a)** The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- **(b)** The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- **(c)** The project site has no value as habitat for endangered, rare or threatened species.
- **(d)** Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- **(e)** The site can be adequately served by all required utilities and public services.

Urban Planning Partner’s review and analysis of this project demonstrates that the project meets the required conditions. Our findings are described below:

---

\(^1\) CEQA Guidelines Section 15332
a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project site’s General Plan land use designation is High Density Residential and the zoning designation is RM (Multi-Family Residential). Per the El Cerrito General Plan’s Community Development and Design Element, the High Density land use designation is “intended to provide opportunities for multiple-family residential development,” with residential densities of between 21 to 35 dwelling units per acre.

The project’s proposed multifamily residential use would be compatible with the project site’s General Plan land use designation and the RM zoning district, which permits multifamily residential uses by-right.

<table>
<thead>
<tr>
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<tr>
<td>Minimum Lot Size for 6 units in the RM district</td>
<td>9,650 square feet</td>
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<tr>
<td>Residential Density (General Plan)</td>
<td>21-35 DU/Acre</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>60%</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10’</td>
</tr>
<tr>
<td>Side</td>
<td>5’-0”</td>
</tr>
<tr>
<td>Corner Side</td>
<td>8’-6”</td>
</tr>
<tr>
<td>Rear</td>
<td>15’</td>
</tr>
<tr>
<td>Max. Height</td>
<td>35’</td>
</tr>
<tr>
<td>Parking</td>
<td>9 spaces</td>
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</table>

As seen in Table 1 above, the project would meet the applicable regulations for developments in the RM zone. Per Sections 19.27.050 and 19.24.050 of the ECMC, respectively, the project would require a use permit to alter an existing non-conforming structure and permit a parking reduction. The general findings for approval for use permits, described in Section 19.34.040, include finding that the project “is consistent with the purposes of the district in which it is located and conforms in
all significant respects with the El Cerrito General Plan.” Thus, approval of the project would necessitate the project being consistent with the zoning and General Plan land use designations.

b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is 10,000 square feet in area, or 0.23 acres, and is located within the City of El Cerrito’s city limits. The CEQA Guidelines do not specifically define urban uses, but a definition of “qualified urban uses” is provided in CEQA Guidelines Section 15191, which states that a qualified urban use is any “residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.” The project site is bordered on all sides by residential uses and thus is “substantially surrounded by urban uses.”

c) The project site has no value as habitat for endangered, rare or threatened species.

The project site is within a highly developed urban area. The project site itself was first developed in 1949 and is currently developed largely with impervious surfaces, apart from five street trees and some assorted landscaping containing small shrubs and grasses. Per the San Pablo Avenue Specific Plan (SPASP) Environmental Impact Report (EIR), neither the Specific Plan area nor the vicinity contain any plant or animal species “identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations.” The San Pablo Avenue Specific Plan boundary is approximately 180 feet west of the project site, terminating at the western edge of Kearny Street, and it is thus reasonable to assume that the findings of the SPASP EIR regarding endangered species apply to the project site. Furthermore, the project site does not contain any federally protected wetlands or riparian habitat.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

1) Traffic

The City of El Cerrito uses the Contra Costa Transportation Authority (CCTA) traffic impact study guideline thresholds to determine whether a traffic study is required and for determining potential traffic impacts. According to the CCTA guidelines, a project that generates less than 100 peak hour trips is considered to have no significant impacts.

The project would eliminate 4,170² sf of office use and create six new multifamily dwelling units. According to the Institute of Transportation Engineers’ (ITE) Trip Generation Manual, 10th Edition, multifamily housing (ITE land use code 220) generates 7.32 daily and 0.56 peak hour trips per unit. Using these figures, the new project would generate approximately 44 daily and 4 peak hour trips.

total. Without considering, the net change from office to residential these trip totals are less than the CCTA traffic study thresholds and thus the project would not have any significant impacts related to traffic.

2) Noise
Appendix G of the CEQA Guidelines contains criteria for determining the significance of the project’s noise impacts. In December 2018, Appendix G and the criteria for noise were revised as shown below eliminating the significance criteria related to the exposure of future residents or employees of projects to existing ambient noise at the project site, which is no longer a consideration on CEQA as it is regulated by state and local policies.

Would the project:

a) Exposure of persons to or 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??

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

c) For a project located within the vicinity of a private airstrip 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?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Temporary Noise Increase (Construction)

Construction of the project would result in a temporary increase in noise in the project vicinity. Given the project is an adaptive reuse project, the scope of the construction would be less than if the site was being development with all new construction. The project involves no foundation work or significant site preparation work, such as grading, excavation, or pile driving. These construction activities are typically the noisiest phases of construction. Section 16.02.060 of the Municipal Code restricts the time that construction activities may take place from 7:00 a.m. to 6:00 p.m. Monday through Friday and from 8:00 a.m. to 5:00 p.m. on Saturdays, with construction being totally prohibited Sundays and holidays. The code further states work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion. Limiting construction to these hours ensures that no increase in noise would occur during nights and on Sundays and holidays when the ambient noise is typically lower and an increase in noise would be perceived as louder. The limited construction scope together with the limited hours for construction activity, would ensure that the project would not result in a substantial temporary increase in noise.

Permanent Noise Increase (Operation)
The proposed project would result in the adaptive reuse of the project site with residences, whereas the site is currently utilized for commercial office. Overall operational noise levels would generally be low, consistent with similar uses, and would primarily be associated with vehicle noise associated with residents accessing the site, but this would be similar to existing conditions when accessed by office users and would not result in a substantial permanent increase in noise at the site or its vicinity. The project site is not within 2 miles of a private airstrip or public airport. The nearest such facility is Oakland International Airport, located approximately 11.9 miles southeast of the project site.

**Vibration**

Neither project construction nor operation are anticipated to result in any noticeable vibration. The scope of the construction is limited and would not involve grading or the use of heavy equipment that would result in vibration. Residential use does not cause noticeable vibration. As a result, the project would not result in any significant impacts related to noise.

**Non-CEQA Informational Section: Ambient Noise**

Although not required under CEQA, this analysis of the potential for future residents of the project site to be exposed to noise in excess of the standards established by the City of El Cerrito for residential uses is provided for informational purposes. Per the ECMC Section 19.21.050, outdoor noise levels for residential areas shall not exceed a Ldn\(^3\) of 60 dB, or 70 dB if the noise source is a Bay Area Rapid Transit (BART) facility. As the project site is surrounded by residential uses, the primary noise sources are traffic noise on adjacent streets and BART trains passing on the tracks to the east.

The project site is located at the intersection of Lincoln Avenue and Lexington Avenue, both of which are low-volume, low-speed residential streets in the vicinity of the project site. The major source of traffic noise from the project would be from San Pablo Avenue, whose centerline is approximately 420 feet west of the project site. Noise from the BART tracks, approximately 450 feet to the west, would also be perceptible at the project site.

The initial study for the 921 Kearny Street project used the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model to predict traffic noise levels at that project site, which was approximately 165 feet from the centerline of San Pablo Avenue. The FHWA model showed that traffic noise from San Pablo Avenue would be 59.3 dBA at 100 feet from the centerline of the road, and 55 dBA at 195 feet from the centerline of the road. As noise attenuates with distance, the perceived noise from San Pablo Avenue at the project site would be less than 55 dBA and thus compliant with the residential area noise standards in ECMC 19.21.050.

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\(^3\)Ldn (Day/Night Noise Level) is the average A-weighted sound pressure level during a 24-hour day, obtained after addition of 10 decibels to levels measured during the night between 10:00 p.m. and 7:00 a.m.
Noise measurements taken at the project site for the 921 Kearny Street project initial study showed that the maximum noise perceptible at the project site during afternoon peak traffic hour was 65.7 dBA, with passing BART trains generating the loudest noise recorded. The 921 Kearny project site is approximately 390 feet west of the BART tracks. As the project is further from the BART tracks than the 921 Kearny project, noise from passing BART trains would be lower than the 65.7 dBA measured at the 921 Kearny project site and thus compliant with the residential area noise standards in ECMC 19.21.050.

3) Air Quality

The Bay Area Air Quality Management District (BAAQMD) provides guidelines for assessing air quality impacts of projects under CEQA in the San Francisco Bay Area Air Basin. By the nature of the project (multifamily residential), operation of the project would not be considered a source of Toxic Air Contaminants (TAC) or PM$_{2.5}$. Additionally, as shown in Table 2, the project is below the screening criteria in the BAAQMD CEQA Air Quality Guidelines. Projects of a smaller size than those in the screening criteria are assumed to have less than significant impacts on air quality. As the project is below the number of dwelling units in the screening criteria, both operation and construction of the project would result in a less-than-significant impact from air pollutant emissions.

<table>
<thead>
<tr>
<th>Project Phase</th>
<th>Project</th>
<th>BAAQMD Screening Criteria (low-rise apartments)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation</td>
<td>6 dwelling units</td>
<td>451 dwelling units</td>
</tr>
<tr>
<td>Construction</td>
<td>6 dwelling units</td>
<td>240 dwelling units</td>
</tr>
</tbody>
</table>

Source: BAAQMD, 2017. CEQA Air Quality Guidelines Table 3-. May. The BAAQMD database of permitted stationary sources of air pollution shows that no stationary sources are within 1,000 feet of the project site. The closest stationary source is the Unlocal #4,296 gas station at 3160 Carlson Boulevard, approximately 1,025 feet southwest of the project site. The air quality analysis conducted for the SPASP EIR concluded that any site at least 131 feet away from this gas station would not be exposed to significant air quality impacts. The other potential source of air pollution at the project site is high-volume roadways. The SPASP EIR concluded that projects at least 75 feet east of San Pablo Avenue and 750 feet east of I-80 would not experience significant air quality impacts from these sources. The project site is over 2,500 feet away from Interstate-80 (I-80) and thus residents at the project would not be exposed to significant air pollution from that roadway. The closest high-volume roadway is San Pablo Avenue, the centerline of which is approximately

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5 El Cerrito Municipal Code Section 8.49.070
450 west of the project site. As a result, the project would not result in exposure of sensitive receptors (new residents) to significant levels of air pollution.

4) **Water Quality**

During construction, the project would be required comply with the City’s municipal stormwater permit requirements under the Contra Costa Clean Water Program, the California Stormwater Quality Association’s Best Management Practices for Construction Activities, and the Association of Bay Area Government’s Manual of Standards for Erosion and Sediment Control Measures. Compliance with these standards and regulations would minimize any water quality impacts resulting from construction of the project. Additionally, the project would reduce the amount of impervious surfaces by converting a portion of the paved parking lot to landscaping, thus reducing the amount of stormwater runoff from the site. No streams, rivers, or wetlands are on or near the project site and thus none of these features would be impacted by the project. Water would be provided to the site by the East Bay Municipal Utilities District and thus the project would not affect ground water recharge, well water supplies, or aquifers. Lastly the project site is not within a flood hazard area as mapped by the Federal Emergency Management Agency.

e) **The site can be adequately served by all required utilities and public services.**

The project site is within the city limits of El Cerrito and currently adequately served by public services and utilities. The project site currently contains an operating office building and is served by existing sewer, water, and electrical lines. The City of El Cerrito provides police and fire services.

**EXCEPTIONS TO CATEGORICAL EXEMPTIONS**

Section 15300.2 of the CEQA Guidelines describes criterion which would prohibit the use of a Class 32 CEQA exemption:

**Criterion 15300.2(b): Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

**Criterion 15300.2(c): Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

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6 El Cerrito Municipal Code Section 8.49.070
7 El Cerrito Municipal Code Section 8.40.90.
**Criterion 15300.2(d): Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

**Criterion 15300.2(e): Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

**Criterion 15300.2(f): Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

None of the criterion described in section 15300.2 exist at the project site. No successive projects of the same type in the same place are known or are expected to occur over time that would result in cumulatively considerable impacts. The project site and surrounding environment contain no unusual circumstances which would cause the project to have a significant effect on the environment. The project is not located on or near a Scenic Highway nor a Hazardous Waste site and thus these exceptions would not apply.

No historic resources exist at the project site. The CEQA Guidelines Section 15064 defines a historical resource as being:

1) Listed or eligible to be listed in the California Register of Historic Resources  
2) Listed in a local register of historic resources or identified as significant in a historic resource survey  
3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California

The church structure currently at the project site was constructed in 1949. It does not appear on any local, state, or national list or register of historic resources. As stated in the attached memo from Left Coast Architectural History dated May 11, 2020 (Attachment A), the church structure is not a historic resource for the purposes of CEQA.

**CONCLUSION**

On the basis of the evidence provided above, the project is eligible for a Class 32 categorical exemption, in accordance with Section 15332, Infill Development Projects, of the CEQA Guidelines. Because the Project meets the criteria for categorically exempt infill development projects, and
because it would not have a significant effect on the environment, this analysis finds that a Notice of Exemption may be prepared for the Project. No further review is needed.
ATTACHMENT A: 601 LEXINGTON AVENUE, EL CERRITO HISTORICAL RESOURCE EVALUATION
601 Lexington Avenue, El Cerrito
Historical Resource Evaluation

Prepared for:
Urban Planning Partners, Inc.
388 17th Street, Suite 230
Oakland, CA 94612

11 May 2020
INTRODUCTION

This Historic Resource Evaluation was prepared by Caitlin Hibma, architectural historian qualified under the Secretary of the Interior's Standards for Architectural History, for Urban Planning Partners, Inc. It examines the historic significance and integrity of the property addressed 601 Lexington Avenue in the City of El Cerrito (APN: 503-402-008-0), which was built in 1949 according to County Assessor's data. The study provides a record of research findings, evaluation according to the California Register of Historical Resources significance criteria and aspects of integrity, and culminates in a preliminary determination of the property's eligibility for designation as a Historic Resource.

METHODOLOGY

This report was undertaken during statewide shelter-in-place orders, effective during April 2020. The following methodology was vetted and approved by the City of El Cerrito Planning Division. Research was performed remotely using sources available online or through communications with the El Cerrito Historical Society. The significance and integrity evaluation contained herein is based on that research. A caveat is provided that other historical information may be available that was not able to be obtained by this effort and which may have the potential to change the conclusions of this analysis.

No site visit was performed. Instead, visual inspection of the property was made using Google Maps and Google Street View, which provided imagery current to January 2019.

Research was performed via online repositories, including the following archives/sources:

- Architect & Engineer trade periodical (via Internet Archive; archive.org)
- California Digital Newspaper Collection (https://cdnc.ucr.edu/cgi-bin/cdnc)
- City of El Cerrito Building Division building permits and other property records (obtained by project sponsor and provided to Left Coast Architectural History by Urban Planning Partners)
- El Cerrito Historical Society (email from Left Coast Architectural History to echistorical@gmail.com on 17 April 2020; response received from David Weinstein stating that ECHS had no information available for the property.)
- Google Maps/street view (maps.google.com)
- NETR Historic Aerials (https://www.historicaerials.com/)
- Newspaper Archive (newspaperarchive.com via San Francisco Public Library)
- Oakland city directories (including surrounding cities); 1949, 1951, 1953-1957 (via Ancestry.com)  
  (Subject property not listed at any time)
- Pacific Coast Architecture Database (http://pcad.lib.washington.edu/)
- Sanborn Fire Insurance maps (ProQuest via San Francisco Public Library)

This memorandum culminates in an evaluation and determination of eligibility of the property for the California Register of Historical Resources (CRHR), which establishes each property's status as a Historic Resource according to the California Environmental Quality Act (CEQA). Evaluative procedures for CRHR eligibility are outlined below:

Evaluative Procedures

CEQA states that any property listed or determined eligible for listing on the CRHR qualifies as a Historic Resource under CEQA and must be given consideration in the CEQA process. To evaluate and determine
eligibility for listing on the CRHR, it must be found that a property is significant under one or more of the following criteria.

**Criterion 1 (Events):** Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

**Criterion 2 (Persons):** Resources that are associated with the lives of persons important to local, California, or national history.

**Criterion 3 (Architecture):** Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.

**Criterion 4 (Information Potential):** Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation.

In addition to possessing significance under one of the aforementioned criteria, a property must also retain historic integrity to be eligible for listing on the CRHR. The process of determining integrity references seven variables or aspects to define integrity, as follows:

**Location** is the place where the historic property was constructed.

**Setting** addresses the physical environment of the historic property inclusive of the landscape and spatial relationships of the building(s).

**Design** is the combination of elements that create the form, plans, space, structure and style of the property.

**Materials** refer to the physical elements that were combined or deposited during a particular period of time and in a particular pattern of configuration to form the historic property.

**Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history.

**Feeling** is the property’s expression of the aesthetic or historic sense of a particular period of time.

**Association** is the direct link between an important historic event or person and a historic property.

**RESEARCH FINDINGS**

**Current Historic Status**

- National Register of Historic Places – Not Listed
- California Register of Historical Resource – Not Listed
• Contra Costa County Historic Resources Inventory (current July 2019) – Not listed
• City of El Cerrito - No local inventory of historic resources; not listed.

Sanborn Fire Insurance Maps

• July 1926 – The only Sanborn map edition available for the City of El Cerrito was published in July 1926. The map shows that the parcel currently addressed 601 Lexington Avenue may have consisted of two lots, both of which were vacant, suggesting that the subject property was not developed prior to the construction of the current building.

Aerial Photographs

The earliest aerial photograph available via the Historic Aerials website dates to 1946 and shows that the subject property was vacant at that time, supporting the idea that the property was undeveloped prior to construction of the subject building in 1949.
The next available aerial photographs date to 1958 and 1959. They show a large rectangular building located at the corner of Lexington and Lincoln Avenues and oriented on an east-west axis. The size and shape of the building corresponds to the east-west oriented mass of the current L-shaped building. The northern portion of the lot remained open and scattered trees are visible.

By 1968, when the next aerial image was taken, the north-south oriented mass of the L-shaped building appears to have been added, extending across the back of the open northern portion of the parcel, while the open northeastern portion bears no vegetation and may have been occupied with a surface parking area, as today.

Additional aerial photos from 1980 through 2016 indicate no additional changes to the property.¹

### Building Division Records

The following building permit records, architectural drawings, and other records are on file at the City of El Cerrito Building Division:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Contents/Scope of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/11/60</td>
<td>Architectural drawings</td>
<td>“Additions to First Church of Christ Scientist” by Corlett &amp; Spackman Architects of San Francisco. Illustrates addition of rear north-south ell to existing church building. Owner: First Church of Christ Scientist</td>
</tr>
<tr>
<td>2000</td>
<td>Use permit application #5748</td>
<td>Change of use from church to professional office. Owner: Adventure Associates, Inc.</td>
</tr>
<tr>
<td>09/15/05</td>
<td>Building permit #05 1042</td>
<td>Replace 8 windows, same sizes, no location changes. Owner: Adventure Associates, Inc.</td>
</tr>
</tbody>
</table>

### Chain of Title & Occupancy

Deduced from city/county directories, building permit records, and newspaper advertisements:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Owner</th>
<th>Tenant/Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1949 – 2000</td>
<td>First Church of Christ Scientist</td>
<td>Same/religious</td>
</tr>
<tr>
<td>2000 – recent</td>
<td>Adventure Associates, Inc.</td>
<td>Same/commercial – professional office</td>
</tr>
</tbody>
</table>

### Architect & Builder

- No original building permit or other archival information was found that identified the original architect and/or builder of the church.

¹ Images not included due to copyright restrictions.
• Corlett & Spackman Architects: designers of the 1960 rear ell addition. Partnership of William G. Corlett III and Wendell Ross Spackman. Firm based in San Francisco, established 1952. Spackman retired in 1976 and other partners joined, firm name changed, still operates as CSDA Design Group. Portfolio of work during Corlett & Spackman era includes: Greenbrae Elementary School, Greenbrae, CA (1953); Center Street School, Castro Valley (1955); American Corp Sisalkraft’s West Coast plant (1957); American Trust Company Branch Banking Facility, Napa, CA (1959); main arena for Squaw Valley Winter Olympics (1960); Sunset View Mortuary, Kensington, CA (1962); U.C. Santa Cruz dorms and dining commons (1968); American International School of Tokyo, Japan K-12 campus (1968); Glen Park BART Station, San Francisco (1970).2

Newspapers

The following advertisements for church activities were found in local newspapers:

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2 PCAD, https://csdadesigngroup.com/firm/
EVALUATION

Historical Significance

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria.

- **Criterion 1 (Events):** Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

- **Criterion 2 (Persons):** Resources that are associated with the lives of persons important to local, California, or national history.

- **Criterion 3 (Architecture):** Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.

- **Criterion 4 (Information Potential):** Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation.\(^3\)

The building at 601 Lexington Avenue does not appear to be eligible for individual listing in the California Register under any of the above criteria. A full evaluation follows:

**Criterion 1 (Event)**

The building at 601 Lexington Avenue does not appear to be associated with historical events or patterns of development significant to the history of El Cerrito or the State of California that would raise it to a level of individual significance and eligibility. A few newspaper advertisements indicate that the church hosted religious

lectures in addition to its presumably regular services. However, these lectures do not appear to be of any historic significance and no other specific events of historical importance are known to have occurred at the property. The church was built in 1949, falling into a late period of El Cerrito's development, after the city was established and had grown to notable size. The church's construction may be loosely related to population growth in the area spurred by World War II, but was built 4 years after the end of the war and so is not directly related to the war-era boom, nor was it specifically influenced by war-time activities. Based on this analysis, the property is not eligible for individual listing in the California Register under Criterion 1 (Events).

Criterion 2 (Persons)

The building at 601 Lexington Avenue does not appear to be associated with any people significant to the history of El Cerrito or the State of California that would raise it to a level of individual significance and eligibility. The property served as a church for the majority of its history. Research identified no names of specific individuals associated with church leadership or membership who may have been historically significant. The only names that were found were those of people who gave religious lectures at the church, but none of them have known activities or achievements beyond their church involvement or appear to be historically significant. Based on this analysis, the property is not eligible for individual listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture/Design)

The building at 601 Lexington Avenue does not appear to exhibit the high architectural merit or associations with a master architect that would raise it to a level of individual significance and eligibility. The building was originally designed in 1949 as a simple rectangular church building with some Modernist decorative detailing located around the primary entrance. The church's aesthetic is best assigned to the Mid-Century Modern sub-style of Modernism, which embraced cantilevered roofs and overhangs, the use of bright or contrasting colors, projecting eaves, canted windows, projecting boxes that frame upper stories, stucco siding, spandrel glass, large expanses of windows, flat or shed roof forms, vertical corrugated siding, stacked roman brick cladding, and occasionally, vertical wood siding. The church at 601 Lexington exhibits few of these character defining features, except its stucco siding and perhaps the asymmetrically patterned box-like framing that creates a grid incorporating a window and louvered vent above the main entrance. It is noted that churches – as less utilitarian and more ceremonial, and therefore dramatic and expressive, structures - “embraced Midcentury Modern design elements that emphasized exaggerated roof forms, projecting overhangs, and articulated facades.” The subject church, other than having a strong gable roof form, does not exhibit any of these traits either. The 1960 rear addition, which imposed an L-shaped plan on the building, only mimicked existing materials and decorative elements, like the asymmetrically patterned box framing, on other areas of the building. It perhaps instilled slightly more Modernist influence in roofline details like broader eaves and clerestory windows at the location of a roof level change, but did not impose any stylistic expression of its own on the building. Based on this, the church does not appear to be a strong example of the Midcentury Modern style, especially as applied to ecclesiastical buildings, which were often more dramatic than buildings of other uses.

No architect or builder were identified with the original design or construction of the church. The rear ell addition was designed by Corlett & Spackman Architects, a prominent Bay Area architecture firm; however, this project – an addition to an existing building, mimicking its prevailing style – does not rank highly within the firm's portfolio of independently designed, publicly prominent, high-style projects that included schools and state college campuses, mortuaries, factories, banks, BART stations, and an Olympic venue. The firm's Sunset View Mortuary, in neighboring Kensington and only two years older than the addition to 601 Lexington Avenue,

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5 Ibid.
is a quasi-ecclesiastical building that stands as an excellent comparative example of the firm's work, both in location and use, and is far more expressive and noteworthy in its architecture.

Because the building lacks architectural merit, is not the original work of any known architect or builder, and is not a prime example of work by Corlette & Spackman Architects, it does not rise to a level of individual significance that would make it eligible for individual listing in the California Register under Criterion 3 (Architecture/Design).

Criterion 4 (Information Potential)

Criterion 4 is typically concerned with archaeological investigation. Where buildings or architectural elements are concerned, it typically relates to rare construction types, of which 601 Lexington Avenue is not an example. Therefore, the property does not appear to be eligible for individual listing in the California Register under Criterion 4.

Integrity

In order to qualify for listing in the California Register, a property must possess significance under one of the aforementioned criteria and have historic integrity. The church at 601 Lexington Avenue does not appear to qualify for designation on an individual level; therefore, an analysis of its integrity is not required. However, it can be noted that the church retains integrity of location and setting having never been moved from the primarily residential neighborhood in which it is located, which was developed throughout the 20th century and not drastically changed since the time the church was built. The building itself has undergone some alterations, the exterior extent of which appears to include window replacement; steel-sash for vinyl along the southern facade (likely occurred in 2005). This affects integrity of design, materials, and workmanship to some extent, but the church generally remains physically intact. The rear ell addition changed the original design, but occurred within the historic period and is stylistically and materialistically in keeping with the original portion of the church and so is not considered to diminish integrity. The church's integrity of feeling as a Midcentury neighborhood church remains intact. There are no significant associations giving the church significance, so integrity of association is not pertinent. Overall, the building retains integrity, although it is not historically significant.

CONCLUSION

The church at 601 Lexington Avenue does not appear to be historically significant; bearing no associations with important events, people, architectural styles or design professionals, nor having information potential. The building retains physical integrity, but this does not support historic significance or designation eligibility. Therefore, 601 Lexington Avenue does not appear to be eligible for listing on the California Register and, subsequently, would not qualify as a historic resource under CEQA.
Design Review Board Resolution DRB 2020-04

APPLICATION NO. PL20-0032

A RESOLUTION OF THE CITY OF EL CERRITO DESIGN REVIEW BOARD GRANTING DESIGN REVIEW APPROVAL FOR THE PROPOSED CONVERSION OF A FORMER CHURCH AND OFFICE BUILDING INTO A MULTIFAMILY RESIDENTIAL BUILDING WITH SIX RESIDENTIAL UNITS AT 601 LEXINGTON AVENUE

WHEREAS, the site is located at 601 Lexington Avenue; and

WHEREAS, the existing Assessor’s Parcel Number of the site is 503-402-008; and

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

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

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-Fill Development Projects; and

WHEREAS, on February 27, 2020, the applicant submitted a Design Review application for the proposed conversion of a former church and office building into 6 residential units at 601 Lexington Avenue; and

WHEREAS, on May 20, 2020, the El Cerrito Planning Commission adopted Resolution PC 2020-05 approving Conditional Use Permits for a reduction of the required off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements for the project; and

WHEREAS, on July 1, 2020, the Design Review Board, after due consideration of all evidence and reports offered for review, does find and determine the following:

Pursuant to ECMC Section 19.38.060, in acting to approve or conditionally approve a Design Review application, the Design Review Board shall find that the application is consistent with the following:

1. As described in the Zoning Standards portion of this staff report, the project meets the requirements of the Zoning Ordinance except with regards to providing reduced off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. On May 20, 2020 the Planning Commission adopted Resolution PC 2020-05 approving Conditional Use Permits for each of these items.

2. The design is consistent with the General Plan policies that influence design, specifically, LU1.3 Quality of Development, CD 1.3 High Quality Design, CD1.9 Building Design, CD 2.1 Street Frontages, CD2.7 Accessible Design, CD3.3 Site Landscaping, CD4.2 Building Articulation and CD 5.1 Design Review Process.

3. There are no design guidelines adopted by the City Council for this part of the city. This finding is not applicable.

4. The project is in keeping with the design review criteria as outlined below (Section 19.38.060 B of the El Cerrito Municipal Code).

The project has received all required Planning Commission approvals including Conditional Use Permits.
for providing reduced off-street parking; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements.

5. No other City policies apply to this project.

6. The project provides an attractive and comfortable environmental for all with enhanced articulation for the existing building and by providing significant new landscaping and common open space and private open space areas.

7. The building materials integrate well with the building design and the façade articulation. The proposed landscaping is appropriate for the site and integrates well with the proposed design aesthetic. The overall design scheme is visually consistent.

8. The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along nearby San Pablo Avenue. The structures are predominantly one and two stories high with some structures up to 4 stories high, and are typically mid-century in design. The massing of the proposed project is consistent with the prevailing one and two stories in the neighborhood with similar front, side and rear setbacks.

9. The proposed continuation of the Mid-Century Modern design of the existing building and the proposed additional windows and doors will add visual interest to the existing building and the surrounding area. The project will also maintain the existing variation in building facades, rooflines, and projections of the existing building. The El Cerrito Plaza Bay Area Rapid Transit (BART) station and AC Transit bus routes are less than a quarter of a mile away from the project, making it an ideal walking or biking distance to mass transit.

10. The units will face street frontages on Lexington Avenue and Lincoln Avenue, with doors, windows, fenced yards and landscaping along the street-frontages that will allow for surveillance of these streets.

11. This finding is not applicable. The project location is not in a part of the city that has been recognized as having a historically or visually significant character.

12. The proposed project will not expand the building footprint but will slightly raise the roof of the east-west oriented portion of the building to accommodate a new second floor. The project will not substantially impact any potential views from public streets or open spaces.

13. The project proposes substantial new landscaping throughout the site, including in proposed common and private open space areas; the parking lot; and along the street frontages. The plant palette incorporates drought-tolerant plants suitable for El Cerrito’s climate and the characteristics of the site. The proposed landscaping will screen the parking lot and soften the building walls.

14. The project will be required to comply with the energy requirements of Title 24 of the 2019 CalGreen building code.

15. The project site does not include natural features and is not adjacent to the Ohlone Greenway. This finding is not applicable.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Design Review Board hereby approves Application No. PL20-0032, subject to the following conditions:
Planning Division:

1. The project will be constructed substantially in conformance with the plans received by the City on June 24, 2020. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If the applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

4. If not used, this approval shall expire two years from the date of this action. If the Design Review Board approves the design review application for this project (PL20-0032) within such time, then this approval shall expire two years from the date of action by the Design Review Board.

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

7. The applicant shall provide a site survey conducted by a licensed surveyor prior to issuance of a building permit. If the survey substantially deviates from materials provided to the Planning Commission, then reconsideration by the Planning Commission may be required.

8. The applicant shall propose a small loading area for solid waste containers, such as an extended red curb on both sides of the driveway, for review and approval by the Zoning Administrator prior to issuance of a certificate of occupancy.

9. The applicant shall propose a large tree on the rear yard of 602 Kearney Street of species, size, and location to be reviewed and approved by the Zoning Administrator and the property owner of 602 Kearney Street prior to issuance of a building permit. The tree shall be planted prior to issuance of a certificate of occupancy at the applicant’s expense.

10. The applicant shall ensure that the project site does not create glare impacts to adjacent neighbors from lighting on the project site for review and approval by the Zoning Administrator prior to issuance of a certificate of occupancy.
Building Division:

Prior to issuance of building permit, applicant shall address the following:

11. In order to not provide an accessible path to every residential unit, the applicant shall perform a site analysis, per Chapter 11A Section 1150A of the California Building Code, that demonstrates that providing an accessible route is not technically feasible.

12. There must be an accessible path from each unit to the common outdoor space.

13. All units must comply with current requirements for energy efficiency, water conservation, sub-metering, etc.

14. All areas of the building must be protected by an automatic fire sprinkler system in accordance with fire department requirements and under a separate permit.

Fire Department:

Prior to issuance of building permit, applicant shall address the following:

15. Building Construction

16. Access
   a. Any electronic gates installed shall be equipped with Knox Key System.
   b. Any non-electric gates installed shall have Knox Box next to gate(s).
   c. A “KNOX BOX” shall be installed with keys for all common areas.

17. 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.

18. Automatic Fire Sprinklers
   a. Automatic Fire Sprinklers shall be installed throughout the building.
   b. Fire sprinkler plans shall be submitted for review, approval and permit under separate cover.

19. Fire Department Connection / 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 system underground pipe plans shall be submitted for review and approval.

20. Fire Alarm System
   a. Automatic fire alarm system is required.
   b. Fire alarm plans shall be submitted for review and approval.

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

22. Carbon Monoxide Detectors
   a. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-
   burning appliances are installed; and in dwelling units that have attached garages.
   b. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
   c. Carbon Monoxide alarms shall be 120v Powered with battery backup and interconnected with the
      smoke detectors.

23. Electrical
   a. All electrical breakers shall be labeled.

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

25. 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.

Public Works:

26. Applicant shall provide a detailed civil plan for off-site work (improvements in the PROW) for the Public
    Works Department to review and approve prior to issuance of building permit.

27. Prior to the issuance of a building permit, applicant shall submit an estimate of grading and earthwork
    to be completed for the project. Any earthwork and/or grading operations in excess of 50 cubic yards
    will require the applicant to submit a detailed grading plan, obtain a Grading & Transportation Permit
    and pay all associated fees.

28. Applicant shall provide a detailed drainage plan including rain leaders, roof slopes, downspouts, etc.
    for the Public Works Department to review and approve prior to issuance of building permit.

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

30. 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.

31. Approval from the East Bay Municipal Utilities District (EBMUD) and Stege Sanitary District is required.

City Arborist:

32. Protect existing street trees during construction, per Section 015639 of the Tree and Plant Protection
    specifications of the Urban Tree Foundation.
33. The applicant shall enlarge planter strip tree well openings subject to the approval of the City Arborist prior to issuance of a certificate of occupancy. This shall include removing concrete panels adjacent to existing trees (1 each) and replacing with arbor mulch or approved equal. Then repair concrete pavement in ROW per City standard.

34. Prior to the issuance of a building permit, the applicant shall submit a landscaping plan, showing all planting in the right-of-way. The applicant shall remove and replace one to three street trees on Lincoln Avenue in front of the project site. All new street trees shall 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 three years prior to acceptance by the City.

Design Review Board:

35. The applicant shall revise the plans to address the following comments, for review and approval by the Zoning Administrator prior to issuance of a building permit:
   a. Widen the pathway to Unit 6 and the common open space area for the portion of the pathway adjacent to the trash enclosure.
   b. Add control joints to stucco on the building exterior.
   c. Provide stucco or another more refined material than the CMU block that is proposed for the trash enclosure.
   d. Incorporate the mailbox into the building wall.
   e. Provide trellises over the sliding doors for the private open space areas for Units 1, 2, and 3.
   f. Provide additional color variety on building walls in the spaces between the wood designs at the entryway for Unit 1 facing Lexington Avenue and at the entryway for Unit 4 facing Lincoln Avenue.
   g. Utilize the Guardrail Alternate 1 option with the greenscreen metal mesh, as shown on Sheet L-2 on the plans received by the City on June 24, 2020.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on July 1, 2020, upon motion of Commissioner Groch, second by Commissioner Singh:

AYES: Chaqui, Groch, Li, Singh, Thompson
NOES: None
ABSTAIN: None
ABSENT: None

Jeff Ballantine, AICP
Senior Planner
Planning Commission Resolution PC 2020-05

APPLICATION NO. PL20-0032

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING CONDITIONAL USE PERMITS FOR A PARKING REDUCTION; MAKING SUBSTANTIAL ALTERATIONS TO A NONCONFORMING STRUCTURE; AN EXCEPTION TO BUFFER YARD REQUIREMENTS; AND AN EXCEPTION TO RETAINING WALL HEIGHT REQUIREMENTS FOR A PROPOSED CONVERSION OF A FORMER CHURCH AND OFFICE BUILDING INTO 6 RESIDENTIAL UNITS AT 601 LEXINGTON AVENUE

WHEREAS, the site is located at 601 Lexington Avenue; and

WHEREAS, the existing Assessor’s Parcel Number of the site is 503-402-008; and

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

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

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines, Class 32: In-Fill Development Projects; and

WHEREAS, on February 27, 2020, Erica Meeks (the “applicant”) submitted an application for Conditional Use Permits for a parking reduction; making substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements for a proposed conversion of a former church and office building into 6 residential units at 601 Lexington Avenue; and

WHEREAS, on May 20, 2020, the Planning Commission, after due consideration of all evidence and reports and application materials offered for review does find and determine the following:

PARKING REDUCTION FINDINGS

Section 19.34.040 Findings

1. The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along the nearby San Pablo Avenue. Many of the surrounding multi-family developments consist of four to eight residential units, with a few larger complexes with more than 20 residential units. The surrounding buildings are predominantly two-story and single-story.

The project includes six new multi-family residential units and proposes substantial additional landscaping, a new common open space area, a new trash enclosure. Except for these proposed changes, the appearance of the building and the site will look substantially similar to the existing building and site. The location, size, and design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

The multi-family residential units in the surrounding neighborhood have between one to two off-street parking spaces per unit. Specifically for the 500 block and the 600 block of Lexington Avenue, there are an average of 1.5 off-street parking spaces per unit. The project includes one off-street parking space per unit, and is consistent with the range of off-street parking spaces provided for multi-family residential units in the surrounding neighborhood.

2. The proposed project would provide six new multi-family residential units and will largely maintain the aesthetics of the existing building, while providing additional landscaping, common open space, doors,
and windows that will enhance the aesthetics of the building, the parking lot, and the general site. The project will be an attractive addition to the neighborhood.

3. The Conditional Use Permit will allow a multi-family residential building that includes reduced off-street parking; substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. Multi-family residential buildings are a permitted use in the RM zoning district and are consistent with the district’s intent. The proposed project will implement the following General Plan Policies: LU1.2 (Multifamily Neighborhoods); LU1.3 (Quality of Development); LU1.5 (Suitable Housing); LU1.7 (Maximum Density); CD1.3 (High-Quality Design); CD2.1 (Street Frontages); CD3.2 (Usable Open Spaces); CD3.3 (Site Landscaping).

Section 19.24.050 Findings

1. The parking demand of the project will exceed the proposed off-street parking supply by one to three parking spaces, based on analysis in the Trip Generation and Parking Analysis Memo prepared for the project. The project site is located approximately 0.23 mile from the El Cerrito Plaza BART Station. There is also extensive bus transit service provided by Alameda-Contra Costa County (AC) Transit operating on San Pablo Avenue (less than two blocks from the project site) and at the BART Station. Therefore, it is anticipated that a higher portion of travel will occur by the use of public transit and by walking. In addition, the project exceeds the requirements for bicycle parking. The project is required to provide two short-term and two long-term bicycle parking spaces. The project will provide three short-term bicycle parking spaces (one bicycle locker and one bicycle rack) and six long-term bicycle parking spaces (one wall-mounted bicycle rack in each unit). As a result, it is expected that some of the future residents of the project will forego owning a car or an extra car, because of the close proximity to multiple transit options and because of the availability of long-term and short-term bicycle parking.

2. Abrams Associates conducted on-street parking surveys of all on-street public parking within about 500 feet of the project site on Friday, March 13, 2020 and Saturday, March 14, 2020 during the early afternoon (1-2 PM), mid-afternoon (4-5 PM), and evening (8-9 PM) (see Attachment 4). The highest on-street parking occupancy occurred on the Saturday evening when approximately 169 spaces were occupied of the total supply of 223 spaces (76% occupancy). On the weekday evening, there were approximately 148 occupied spaces (67% occupancy). As described above, it is anticipated that the parking demand of the project will exceed the proposed off-street parking supply by one to three parking spaces. If the worst-case scenario occurred where the project resulted in an additional six vehicles parked on-street, the surveys indicate the parking occupancy in the area would still be no higher than 78% during any of the time periods surveyed.

3. As described above, the project is consistent with numerous General Plan policies by providing six new residential units in close proximity to transit and by providing common open space for the future residents and substantial new landscaping. There are currently nine off-street parking spaces on the site. The project would comply with parking requirements in the City’s Zoning Ordinance if these nine parking spaces remained. However, the applicant proposes to remove three of these parking spaces to allow space for common open space, a new recycling and solid waste enclosure, an ADA accessible ramp connecting the parking lot to four of the units, and an ADA accessible lift for access to another unit.

If the project were required to comply with the parking standards in the City’s Zoning Ordinance, the following consequences could occur: common open space would not be provided; trash enclosure would be moved to the front of the property; and the entire project may no longer be feasible if space is not available for an ADA accessible ramp nor for converting one of the parking spaces to an ADA parking space.
NONCONFORMING BUILDING EXTENSION FINDINGS

1. The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along the nearby San Pablo Avenue. Many of the surrounding multi-family developments consist of four to eight residential units, with a few larger complexes with more than 20 residential units. The surrounding buildings are predominantly two-story and single-story.

The project includes six new multi-family residential units and proposes substantial additional landscaping, a new common open space area, a new trash enclosure. Except for these proposed changes, the appearance of the building and the site will look substantially similar to the existing building and site. The location, size, and design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

On the 600 block of Lexington Avenue, there are four other multiple family residential buildings (511, 615, 620, and 642 Lexington Avenue) with nonconforming rear setbacks. All four of these buildings have a rear setback of approximately five feet. The project proposes to maintain the existing nonconforming rear setback of approximately five feet, and is consistent with a number of multiple family residential buildings on this block.

2. The proposed project would provide six new multi-family residential units and will largely maintain the aesthetics of the existing building, while providing additional landscaping, common open space, doors, and windows that will enhance the aesthetics of the building and the site. The residential units will include doors, windows, and private open spaces that face Lincoln Avenue and Lexington Avenue which will allow for surveillance of the street. The project will be an attractive addition to the neighborhood.

3. The Conditional Use Permit will allow a multi-family residential building that includes reduced off-street parking; substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. Multi-family residential buildings are a permitted use in the RM zoning district and are consistent with the district’s intent. The proposed project will implement the following General Plan Policies: LU1.2 (Multi-family Neighborhoods); LU1.3 (Quality of Development); LU1.5 (Suitable Housing); LU1.7 (Maximum Density); CD1.3 (High-Quality Design); CD2.1 (Street Frontages); CD4.2 (Building Articulation); CD5.1 (Design Review Process); H1.6 (Retain Housing); and H2.1 (New Housing).

BUFFER YARD EXCEPTION FINDINGS

1. The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along the nearby San Pablo Avenue. Many of the surrounding multi-family developments consist of four to eight residential units, with a few larger complexes with more than 20 residential units. The surrounding buildings are predominantly two-story and single-story.

The project includes six new multi-family residential units and proposes substantial additional landscaping, a new common open space area, a new trash enclosure. Except for these proposed changes, the appearance of the building and the site will look substantially similar to the existing building and site. The location, size, and design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

Complying with the buffer yard requirements is infeasible for the following reasons: (1) the area must remain open for the Fire Marshall’s ladder access to several bedroom egress windows; (2) there are underground utility lines running through the five foot wide area; and (3) the existing building’s roof
overhang covers half of the five foot wide area and blocks light needed for plants and trees. On the 600 block of Lexington Avenue, every multiple family residential use that is adjacent to a single family or a two family residential use does not comply with the buffer yard requirements in Section 19.25.090, ECMC (611, 614, 615, 620, 629, 633, and 642 Lexington Avenue).

2. The proposed project would provide six new multi-family residential units and will largely maintain the aesthetics of the existing building, while providing additional landscaping, common open space, doors, and windows that will enhance the aesthetics of the building and the site. The residential units will include doors, windows, and private open spaces that face Lincoln Avenue and Lexington Avenue which will allow for surveillance of the street. The project will be an attractive addition to the neighborhood.

3. The Conditional Use Permit will allow a multi-family residential building that includes reduced off-street parking; substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. Multi-family residential buildings are a permitted use in the RM zoning district and are consistent with the district’s intent. The proposed project will implement the following General Plan Policies: LU1.2 (Multifamily Neighborhoods); LU1.3 (Quality of Development); LU1.5 (Suitable Housing); CD1.3 (High-Quality Design); C03.3 (Site Landscaping); CD5.1 (Design Review Process); H1.6 (Retain Housing); and H2.1 (New Housing).

RETAINING WALL EXCEPTION FINDINGS

1. The surrounding neighborhood contains single-family houses, multi-family residences, and commercial uses along the nearby San Pablo Avenue. Many of the surrounding multi-family developments consist of four to eight residential units, with a few larger complexes with more than 20 residential units. The surrounding buildings are predominantly two-story and single-story.

The project includes six new multi-family residential units and proposes substantial additional landscaping, a new common open space area, a new trash enclosure. Except for these proposed changes, the appearance of the building and the site will look substantially similar to the existing building and site. The location, size, and design of the proposed house addition are consistent with the scale and design of development in the surrounding neighborhood.

The project includes a new retaining wall (two to three feet tall) located approximately one foot from an existing retaining wall on the southern property edge that is slightly taller than two feet. The new retaining wall will provide a relatively level surface for the private open spaces for units 1, 2, 3, and 4 (see Sheet A1.1 on Attachment 2). The applicant proposes to plant ‘Morning Light’ Coast Rosemary along the approximately one foot strip that separates the two retaining walls. These plants will minimize any potential aesthetic impacts of the new retaining wall. The combined height of the existing and the proposed retaining wall shall not exceed six feet.

2. The proposed project would provide six new multi-family residential units and will largely maintain the aesthetics of the existing building, while providing additional landscaping, common open space, doors, and windows that will enhance the aesthetics of the building and the site. The residential units will include doors, windows, and private open spaces that face Lincoln Avenue and Lexington Avenue which will allow for surveillance of the street. The project will be an attractive addition to the neighborhood.

3. The Conditional Use Permit will allow a multi-family residential building that includes reduced off-street parking; substantial alterations to a nonconforming structure; an exception to buffer yard requirements; and an exception to retaining wall height requirements. Multi-family residential buildings are a permitted use in the RM zoning district and are consistent with the district’s intent. The
proposed project will implement the following General Plan Policies: LU1.2 (Multifamily Neighborhoods); LU1.3 (Quality of Development); CD1.3 (High-Quality Design); CD2.1 (Street Frontages); CD3.2 (Usable Open Spaces); CD3.3 (Site Landscaping); CD3.4 (Fencing); CD4.2 (Building Articulation); CD4.3 (Front Yards); and CD5.1 (Design Review Process).

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL20-0014, subject to the following conditions:

Planning Division

1. The project will be constructed substantially in conformance with the plans received by the City on May 8, 2020. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If the applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for non-issuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

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

4. If not used, this approval shall expire two years from the date of this action. If the Design Review Board approves the design review application for this project (PL20-0032) within such time, then this approval shall expire two years from the date of action by the Design Review Board.

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

7. The applicant shall provide a site survey conducted by a licensed surveyor prior to issuance of a building permit. If the survey substantially deviates from materials provided to the Planning Commission, then reconsideration by the Planning Commission may be required.

8. The applicant shall propose a small loading area for solid waste containers, such as an extended red curb on both sides of the driveway, for review and approval by the Zoning Administrator prior to issuance of a certificate of occupancy.

9. The applicant shall propose a large tree on the rear yard of 602 Kearney Street of species, size, and location to be reviewed and approved by the Zoning Administrator and the property owner of 602 Kearney Street prior to issuance of a building permit. The tree shall be planted prior to issuance of a certificate of occupancy at the applicant's expense.
10. The applicant shall ensure that the project site does not create glare impacts to adjacent neighbors for review and approval by the Zoning Administrator prior to issuance of a certificate of occupancy.

**Building Division**

Prior to issuance of building permit, applicant shall address the following:

11. In order to not provide an accessible path to every residential unit, the applicant shall perform a site analysis, per Chapter 11A Section 1150A of the California Building Code, that demonstrates that providing an accessible route is not technically feasible.

12. There must be an accessible path from each unit to the common outdoor space.

13. All units must comply with current requirements for energy efficiency, water conservation, sub-metering, etc.

14. All areas of the building must be protected by an automatic fire sprinkler system in accordance with fire department requirements and under a separate permit.

**Fire Department**

Prior to issuance of building permit, applicant shall address the following:

15. Building Construction

16. Access
   a. Any electronic gates installed shall be equipped with Knox Key System.
   b. Any non-electric gates installed shall have Knox Box next to gate(s).
   c. A "KNOX BOX" shall be installed with keys for all common areas.

17. 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.

18. Automatic Fire Sprinklers
   a. Automatic Fire Sprinklers shall be installed throughout the building.
   b. Fire sprinkler plans shall be submitted for review, approval and permit under separate cover.

19. Fire Department Connection / 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 system underground pipe plans shall be submitted for review and approval.

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   a. Automatic fire alarm system is required.
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21. Smoke Detection
   a. Smoke detection shall be installed in each bedroom, in hallways adjacent to bedrooms, and one detector per floor level (top and bottom of stairs).
   b. Smoke detectors shall be 120v powered with battery backup.
   c. Smoke detectors shall be interconnected.

22. Carbon Monoxide Detectors
   a. Carbon monoxide alarm shall be installed outside of and adjacent to sleeping areas where fuel-burning appliances are installed; and in dwelling units that have attached garages.
   b. Carbon Monoxide detectors shall be installed in accordance with NFPA 720.
   c. Carbon Monoxide alarms shall be 120 v Powered with battery backup and interconnected with the smoke detectors.

23. Electrical
   a. All electrical breakers shall be labeled.

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

25. 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.

Public Works

26. Applicant shall provide a detailed civil plan for off-site work (improvements in the PROW) for the Public Works Department to review and approve prior to issuance of building permit.

27. Prior to the issuance of a building permit, applicant shall submit an estimate of grading and earthwork to be completed for the project. Any earthwork and/or grading operations in excess of 50 cubic yards will require the applicant to submit a detailed grading plan, obtain a Grading & Transportation Permit and pay all associated fees.

28. Applicant shall provide a detailed drainage plan including rain leaders, roof slopes, downspouts, etc. for the Public Works Department to review and approve prior to issuance of building permit.

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

30. 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.

31. Approval from the East Bay Municipal Utilities District (EBMUD) and Stege Sanitary District is required.
City Arborist

32. Protect existing street trees during construction, per Section 015639 of the Tree and Plant Protection specifications of the Urban Tree Foundation.

33. The applicant shall enlarge planter strip tree well openings subject to the approval of the City Arborist prior to issuance of a certificate of occupancy. This shall include removing concrete panels adjacent to existing trees (1 each) and replacing with arbor mulch or approved equal. Then repair concrete pavement in ROW per City standard.

34. Prior to the issuance of a building permit, the applicant shall submit a landscaping plan, showing all planting in the right-of-way. The applicant shall remove and replace one to three street trees on Lincoln Avenue in front of the project site. All new street trees shall 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 three years prior to acceptance by the City.

Planning Commission

35. The Planning Commission recommends the applicant propose a direct access connection between Unit 1 and the private open space for Unit 1 through the south wall of Unit 1, prior to Design Review Board consideration of the project.

36. The Planning Commission recommends the applicant propose alternatives to the turf in the common open space area and the lawn in the private open spaces, prior to Design Review Board consideration of the project.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on May 20, 2020, upon motion of Commissioner Mendez, second by Commissioner Lucas:

AYES: Bloom, Crump, Gillett, Lucas, Mendez, Navarrete
NOES: None
ABSTAIN: None
ABSENT: None

Sean Moss, AICP
Planning Manager
SAN PABLO AVENUE SPECIFIC PLAN UPDATE AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Applicant: City of El Cerrito

Location: San Pablo Avenue Specific Plan area

Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).

General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).

Request: Planning Commission recommendation on the San Pablo Avenue Specific Plan update and the Supplemental Environmental Impact Report (SEIR)

CEQA: A Supplemental Environmental Impact Report (SEIR) has been prepared for this project

EXECUTIVE SUMMARY

The San Pablo Avenue Specific Plan was adopted in 2014. The Environmental Impact Report (EIR) for the project analyzed a total of 1,706 new residential units and 243,110 square feet of new commercial space. As of 2022, the total unit count of entitled projects was approaching the development capacity. In order to continue the success of the Specific Plan, staff procured grants to complete an update and to prepare a Supplemental EIR.

The City commenced the Specific Plan update in 2019. At that time, the Planning Commission, Design Review Board and City Council reviewed and endorsed the scope of the Specific Plan update. The intention of the update was to complete a minor update, with the main goal of evaluating and creating additional development capacity.

On August 17, 2022 the Planning Commission reviewed the Draft Supplemental Environmental Impact Report (SEIR) and received public comment. Immediately following on August 17, 2022, a joint body of the Planning Commission and Design Review Board reviewed the San Pablo Avenue Specific Plan (Form Based Code) update and provided feedback to City staff.

This report highlights the changes to the Specific Plan update to address the Planning Commission’s and the public’s feedback and to address errors and omissions noted since the August 17 meeting.

Staff is requesting that the Planning Commission forward recommendations on the San Pablo Avenue Specific Plan update and the Final SEIR to the City Council.
Background

After many years of the City pursuing development along San Pablo Avenue to fulfill General Plan goals, and relatively little development occurring in the decades prior, in September 2014, City Council approved the San Pablo Avenue Specific Plan (Resolution 2014-52) and certified the Plan’s Environmental Impact Report (Resolution 2014-50). The San Pablo Avenue Specific Plan (“Plan”) guides the physical environment and character of San Pablo Avenue, supporting the vision to create a vibrant, walkable, sustainable, and transit-oriented corridor, and to attract new development and investment. The Plan includes the following Chapters:

- **Chapter 1: Introduction**
  Establishes the framework and goals of the Specific Plan

- **Chapter 2: Form Based Code**
  Establishes regulations for the built environment

- **Chapter 3: Complete Streets**
  Establishes plans and policies to improve San Pablo Avenue for all modes and users

- **Chapter 4: Infrastructure**
  Evaluates the infrastructure needed to accommodate the development of the Specific Plan

- **Program EIR**
  The program EIR established a streamlined, comprehensive CEQA process throughout the Plan area.

The Plan directly implements the City’s General Plan, Strategic Plan, Climate Action Plan and Economic Development Action Plan by promoting transit-oriented and infill development, stimulating investment on underutilized and vacant parcels, and reducing per capita vehicle miles traveled. The Plan was developed after several years of community input, development feasibility studies, and public hearings.

The program Environmental Impact Report (EIR) for the San Pablo Avenue Specific Plan analyzed a development capacity of 1,706 new residential units and 243,110 square feet of new commercial space. Between the Plan’s adoption and the beginning of 2019, over 1,400 residential units had been entitled or proposed, leaving only 282 units within the analyzed development capacity. Therefore, in order to continue the plan’s success, a Supplemental Environmental Impact Report was necessary in order to analyze and establish additional development capacity.

In 2018-2019, City staff successfully applied for grants from the Metropolitan Transportation Commission and the State SB 2 Planning Grant program, totaling $468,000 both aiming to continue to streamline and advance housing production, and specifically housing production in high resource areas near transit. On January 16, 2019, the Planning Commission and the Design Review Board held a Special Joint Meeting to discuss the Specific Plan update. At this meeting, City staff identified the topic areas of focus for the Plan update, based on past feedback from the public, the Planning Commission, the Design Review Board; and Staff’s experience implementing the Plan. The Commission and the Board provided feedback to City staff regarding the scope of the Plan update. On February 5, 2019, the City Council reviewed the scope for the Specific Plan update. City staff incorporated the Planning Commission’s and
the Design Review Board’s comments into the presentation that was given to the City Council. The City Council endorsed the scope of the plan update without adding or subtracting any focus areas.

On November 20, 2020, the City circulated a Notice of Preparation for the Supplemental Environmental Impact Report.

Based on the scope of the update that had been endorsed by the Planning Commission, the Design Review Board, and the City Council, City staff worked with the City’s consultant, MIG, to develop more detailed proposals for the topic areas identified in the scope. These refined proposals were shared with the Planning Commission, the Design Review Board, and the public at a Special Joint Meeting of the Planning Commission and the Design Review Board on March 31, 2021.

Since this time, City staff, have worked with the City’s consultant, MIG, to develop draft language and revised maps and figures for the Specific Plan update; and to complete the Draft Supplemental Environmental Impact Report. Both documents were published on the City’s website and the Draft SEIR was sent to the State Clearinghouse on July 19, 2022. The City also circulated a Notice of Availability to interested parties and posted it with the Contra Costa County Clerk and in the East Bay Times. Throughout the process, Community Development provided updates through its monthly eNews.

On August 17, 2022, the Planning Commission reviewed the Draft SEIR, received public comments and provided feedback to City staff and the City’s consultant. In a special joint meeting of the Planning Commission and Design Review Board immediately following the Planning Commission meeting, the joint body reviewed the Specific Plan update, received public comments and provided feedback to City staff and the City’s consultant.

The public review and comment period for the Draft SEIR ended on September 2, 2022. The comments received during the public comment period have been included and responded to in the Final SEIR document.

Analysis

Since the August 17, 2022 special joint meeting, various modifications have been made to the Specific Plan update to respond to comments from the Planning Commission, Design Review Board, and the public, and to correct errors and other refinements to the update based on the topic areas identified by the Planning Commission, Design Review Board, and City Council. Changes have only been made to Chapter 2: Form Based Code. No changes have been made to the remaining chapters since August 17.

The August 17 staff report details all of the changes contained in the Specific Plan update. That report is included as Attachment 3. This report focuses on the changes to the Specific Plan update since the August 15 meeting. The Specific Plan Update is available for review at: http://www.el-cerrito.org/SPASP

Land Use Table

A variety of changes have been made to the land use table to address Planning Commission comments, correct errors, and enhance the consistency of the table:

Government offices would be permitted on upper floors and would require an Administrative Use Permit on the ground floor consistent with other office types.

Bank drive-through facilities would be allowed with a Conditional Use Permit, similar to other drive-through facilities.
General Markets would be permitted by-right in all districts pursuant to Planning Commission feedback.

The City encourages outdoor dining. During the current public health emergency, the City developed a streamlined, over-the-counter process for allowing outdoor dining and will be bringing forth an ordinance to continue this process. On private property, in areas other than along a public-right-of-way frontage, in order to assure outdoor uses are managed to minimize impact to adjacent properties, an Administrative Use Permit will continue to be required (although suspended during the public health emergency). Outdoor dining along public right-of-way frontages will be allowed by-right, however, permanent installations and installations on the street (e.g. a parklet) would be subject to the review of Public Works.

Public Meeting Process

Pursuant to Planning Commission feedback, the required process for the applicant to hold an early public meeting would also be required for commercial projects of 10,000 square feet or more. The title of Section 2.02.05.02 has also been updated to “Community Meeting” in the table of contents, consistent with the heading in the document.

Waivers

In order address the Planning Commission’s general comment about allowing for more flexibility in the Plan, additional waivers have been added to Section 2.02.06.07.

The Unit Mix requirements could be waived for projects that provide special needs housing or 100% affordable or senior housing.

The requirement that 30% of the private/common open space requirement be allocated to private open spaces could be reduced to 20% through the waiver process.

The requirement that balconies be provided on street-facing elevations would be eligible for a waiver to facilitate context-sensitive design.

San Pablo Avenue Commercial Frontage Types

The frontage requirements along the San Pablo Avenue Commercial Street type have been revised to clarify that public, semi-public and service uses are permitted to satisfy the shop frontage requirement. This would allow, for example, a library to satisfy the requirement along the Fairmount Avenue frontage of the El Cerrito Plaza Station TOD project.

San Pablo Avenue Community Street Activity Zone

A required two-foot activity zone has been added to the San Pablo Avenue Community Street type. This was done to create more generous sidewalks, with flexible use, along the entirety of San Pablo Avenue.

Shadow Standards

The draft of the Specific Plan update erroneously deleted the date and time when shadows are required to be measured. This has been added back to the document (December 21 at 1:30 p.m.)
Open Space Standards

The open space standards have been refined so that they more effectively implement the intent of the overall changes to the open space standards.

The balcony requirements have been revised to require balconies on street facing elevations. (Also see discussion of the waiver to the balcony requirements in the Waivers section above.)

As part of the preparation of this final draft of the Specific Plan update, City staff had the opportunity to further evaluate and test the previous version of the interior courtyard standards. This version proved difficult to implement and the interior courtyard standards have been revised to better reflect the intent of designing courtyards with ample access to light and air.

Minimum dimensions have been established for private open spaces and interior courtyards. The adopted San Pablo Avenue Specific Plan does not contain minimum dimensions for such spaces. In some circumstances, staff had to refer to standards in the Zoning Ordinance. Adopting these standards as part of the Specific Plan update will make their implementation much clearer.

Climate Related Policies

At the August 17, 2022 joint Planning Commission/Design Review Board meeting City staff highlighted the changes in the Specific Plan update related to energy policy. Notably, Section 2.05.05.01 (page 02-92) contains two additions:

1. A policy strongly encouraging applicants and building operators “to commit to participating in an energy program that maximizes the use of renewable energy” (such as MCE’s Deep Green program).
2. A requirement that “project applicants of new buildings containing 5 or more residential units shall evaluate any increased cost necessary to construct buildings with electricity as the only energy source. An estimate of any increased cost shall be provided as part of the project application.”

City staff also indicated that they were continuing to evaluate additional electric vehicle (EV) charging requirements in addition to those that will go into effect in January 2023 as a part of the 2022 California Building Standards Code, including the Green Building Standards, to include in the final version of the Specific Plan update.

As discussed in the August 17, 2022 staff report (Attachment 3), at its August 9, 2022 meeting, the Environmental Quality Committee made a recommendation to the Planning Commission to add additional climate- and energy-related measures to the Specific Plan update.

At the August 17 joint meeting, the joint body discussed climate and energy policies and provided feedback to staff. The Planning Commission's and Design Review Board's feedback can be summarized as follows:

- Identify a process to develop a building electrification policy prior to the adoption of the Climate Action Plan in order to capture the next round of development in the Specific Plan area.
- Add EV charging requirements the exceed what the 2022 CalGreen Code will require. Use the 2022 CalGreen Tier 2 voluntary standards as a starting point.
Based on this feedback, staff have researched both issues.

Throughout development of the SPASP update, and since, the August 17 meeting, Community Development has worked closely with Public Works/Operations and Environmental Services Division to discuss these issues. Due to the need for an all-electrification requirement to undergo additional process and evaluation, and to the fact that the Climate Action Plan (CAP) update efforts is currently moving forward, a process for identifying early-wins in the Climate Action Plan has been developed. The CAP process will enable additional regulations affecting the type of occupancies built in the Specific Plan area (e.g. multifamily) to be evaluated and adopted, if recommended through the CAP process as feasible early-wins, prior to any project that would be entitled under the Specific Plan submitting building permits. The Request for Proposals for the CAP update was released on August 24, 2022. Proposals have been received and reviewed by staff and interviews with prospective consultants will be taking place the week of October 17, 2022.

In regards to electric vehicle charging, the final Specific Plan update has been modified to include some of the voluntary standards, whereas others, due to additional technical issues to be evaluated and resolved, are being advanced to the CAP process. The SPASP will require all parking to provide a raceway (conduit) from the main electric service or subpanel to each parking space. This will allow future wiring to be installed to all parking spaces. In interviews with other city staff and developers, the need to develop additional policies, such as panel requirements, and possible waivers, needs to be developed carefully due to issues, for example, with PG&E capacity and when certain waivers may need to be considered.

If during the CAP update, after undergoing analysis, it is recommended that an all-electric requirement and additional electric vehicle charging requirements be advanced, City staff with its consultants, will work to have this in place to apply to the first round of projects that will be entitled by the Specific Plan update. Staff believes that this process captures the intent of the Planning Commission and Design Review Board feedback to capture the next round of development, while also allowing for a thoughtful process wherein the regulations are vetted through a policy and developed to not have inadvertent consequences on the feasibility of housing projects.

In regard to building electrification, the 2022 Building Standards that go into effect January 1, 2023, include a requirement that buildings be all-electric ready. Given the CAP schedule, an early-win process, and the time required from the time a land use application is submitted until a building permit application is submitted, additional measures that go beyond this could be evaluated and put into effect prior to the first projects advancing to the building permit phase.

Finally, it should be noted, that although adjacent cities do have these regulations in place, they have not come through the Zoning Ordinance or a Specific Plan, but through other standalone ordinances. The Specific Plan update is intended primarily as an economic development and housing plan that brings significant environmental benefits. Parallel or subsequent ordinances, such as one requiring all-electric multifamily buildings and enhanced electric vehicle charging would apply to projects within the Specific Plan, but the Plan itself would not provide the framework or process.
Staff Recommendation

Staff recommends the Planning Commission adopt resolutions recommending:

1. That the City Council certify the Final Supplemental Environmental Impact Report for the San Pablo Avenue Specific Plan update.
2. That the City Council adopt the San Pablo Avenue Specific Plan update.

Proposed Motion


Attachments

1. Draft Resolution recommending certification of the Final Supplemental Environmental Impact Report for the San Pablo Avenue Specific Plan Update
2. Draft Resolution recommending adoption of the San Pablo Avenue Specific Plan Update
3. August 17, 2022 Planning Commission/Design Review Board staff report
A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION RECOMMENDING THAT THE EL CERRITO CITY COUNCIL CERTIFY THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE SAN PABLO AVENUE SPECIFIC PLAN UPDATE

WHEREAS, on September 22, 2014, the El Cerrito City Council adopted Resolution 2014-50, certifying the Environmental Impact Report for the San Pablo Avenue Specific Plan; and

WHEREAS, on November 20, 2020 the City of El Cerrito issued a Notice of Preparation for a Supplemental Environmental Impact Report (SEIR) for the San Pablo Avenue Specific Plan update, pursuant to the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, on December 3, 2020, the Planning Commission held a public scoping meeting for the SEIR and received public comments; and

WHEREAS, the Draft SEIR was circulated on July 19, 2022; and

WHEREAS, the public comment period for the Draft SEIR ended on September 2, 2022; and

WHEREAS, the Final SEIR has been prepared in accordance with the CEQA Guidelines; and

WHEREAS, on October 19, 2022, the Planning Commission, after due consideration of all evidence and reports offered for review does find and determine the following:

1. Pursuant to the CEQA Guidelines a Notice of Preparation of a Supplemental Environmental Impact Report (SEIR) was circulated on November 20, 2020. A scoping meeting was held on December 3, 2020. The Draft Supplemental Environmental Impact Report was circulated on July 19, 2022. The public comment period on the Draft SEIR ended on September 2, 2022. Pursuant to CEQA, comments received during the comment period have been responded to in the Final SEIR which is now before the Planning Commission for consideration.

2. The analysis contained in the SEIR has been had been developed using experts in related fields to professional standards stipulated by the CEQA Guidelines and by prevailing CEQA case law.

3. The Final SEIR was presented to the Planning Commission prior to the October 19, 2022 meeting. The Planning Commission reviewed the Final SEIR and has considered the analysis contained therein.

4. The Final SEIR has been developed by City of El Cerrito staff and the City’s consultant, using the analysis of experts in related fields. The Final SEIR reflects the independent expert analysis the City of El Cerrito’s independent judgment.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby recommends that the El Cerrito City Council certify the Final Supplemental Environmental Impact Report for the San Pablo Avenue Specific Plan update.

CERTIFICATION
I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on October 19, 2022, upon motion of Commissioner ____, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Sean Moss, AICP
Planning Manager
A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION RECOMMENDING THAT THE EL CERRITO CITY COUNCIL ADOPT AN UPDATE TO THE SAN PABLO AVENUE SPECIFIC PLAN

WHEREAS, on September 22, 2014, the El Cerrito City Council adopted Resolution 2014-52, adopting the San Pablo Avenue Specific Plan; and

WHEREAS, on September 22, 2014, the El Cerrito City Council adopted Resolution 2014-51, approving a General Plan amendment for properties located in the San Pablo Avenue Specific Plan area; and

WHEREAS, on September 22, 2014, the El Cerrito City Council introduced Ordinance 2014-06, rezoning properties located in the San Pablo Avenue Specific Plan area; and

WHEREAS, Ordinance 2014-06 became effective on November 6, 2014, making the San Pablo Avenue Specific Plan effective as of this date; and

WHEREAS, in 2019, the City of El Cerrito commenced the preparation of an update to the San Pablo Avenue Specific Plan; and

WHEREAS, on January 16, 2019, the Planning Commission and Design Review Board reviewed the scope of the Specific Plan update; and

WHEREAS, on February 5, 2019, the El Cerrito City Council reviewed the scope of the Specific Plan update; and

WHEREAS, on March 31, 2021, the Planning Commission and Design Review Board reviewed focused areas within the scope for the Specific Plan update; and

WHEREAS, the Draft of the Specific Plan update was released for public review on July 19, 2022; and

WHEREAS, the Draft Supplemental Environmental Impact Report for the San Pablo Avenue Specific Plan update was circulated on July 19, 2022; and

WHEREAS, the Final SEIR was prepared in accordance with the CEQA Guidelines; and

WHEREAS, on August 17, 2022, the Planning Commission and Design Review Board reviewed the draft of the San Pablo Avenue Specific Plan Update; and

WHEREAS, this update to the San Pablo Avenue Specific Plan complies with the provisions of Government Code Section 65453; and

WHEREAS, on October 19, 2022, the Planning Commission, after due consideration of all evidence and reports offered for review does find and determine the following:

1. 1. The San Pablo Specific Plan is in the public interest and will advance the health, safety, and general welfare of the City of El Cerrito.

2. The San Pablo Specific Plan is consistent with the El Cerrito General Plan.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and
testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby recommends that the El Cerrito City Council adopt an update to the San Pablo Avenue Specific Plan.

CERTIFICATION

_________________________

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on October 19, 2022, upon motion of Commissioner ____, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________

Sean Moss, AICP
Planning Manager
PLANNING COMMISSION AND DESIGN REVIEW BOARD
STAFF REPORT
August 17, 2022

STUDY SESSION: SAN PABLO AVENUE SPECIFIC PLAN UPDATE
AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

DETAILS

Applicant: City of El Cerrito

Location: San Pablo Avenue Specific Plan area

Zoning: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).

General Plan: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU), Transit-Oriented Mid-Intensity Mixed Use (TOMIMU), and Theater District (TD).


Planning Commission and Design Review Board study session on the San Pablo Avenue Specific Plan update.

CEQA: A Supplemental Environmental Impact Report has been prepared for this project

EXECUTIVE SUMMARY

The San Pablo Avenue Specific Plan was adopted in 2014. The Environmental Impact Report (EIR) for the project analyzed a total of 1,706 new residential units and 243,110 square feet of new commercial space. As of 2022, the total unit count of entitled projects was approaching the development capacity. In order to continue the success of the Specific Plan, an update to the Plan and a Supplemental EIR were required.

The City commenced the Specific Plan update in 2019. At that time, the Planning Commission, the Design Review Board and the City Council reviewed and endorsed the scope of the Specific Plan update.

The draft update before the Planning Commission and Design Review Board for review is based on this scope. The focus areas of the Plan update are discussed in greater detail in this report.

City staff requests that the Planning Commission review the Draft SEIR, provide comments to staff, and receive public comments on the document.

City staff requests that the Planning Commission and Design Review Board review the Draft Specific Plan update, provide comments to staff, and receive public comments on the document.
Background

In September 2014, City Council approved the San Pablo Avenue Specific Plan (Resolution 2014-52) and certified the Plan’s Environmental Impact Report (Resolution 2014-50). The San Pablo Avenue Specific Plan (“Plan”) guides the physical environment and character of San Pablo Avenue, supporting the vision to create a vibrant, walkable, sustainable, and transit-oriented corridor, and to attract new development and investment. The Plan includes a Form-Based Code (Chapter 2), which regulates the buildings or the “built environment” and a Complete Streets Plan (Chapter 3), which seeks to improve traffic circulation and make San Pablo Avenue more welcoming to bicyclists, pedestrians, and transit users. The Plan directly implements the City’s General Plan, Strategic Plan, Climate Action Plan and Economic Development Action Plan by promoting transit-oriented and infill development, stimulating investment on underutilized and vacant parcels, and reducing per capita vehicle miles traveled. The Plan was developed after several years of community input, development feasibility studies, and public hearings.

The program Environmental Impact Report for the San Pablo Avenue Specific Plan analyzed a development capacity of 1,706 new residential units and 243,110 square feet of new commercial space. Between the Plan’s adoption and the beginning of 2019, over 1,400 residential units had been entitled or proposed, leaving only 282 units within the analyzed development capacity. Therefore, in order to continue the plan’s success, a Supplemental Environmental Impact Report was necessary in order to analyze additional development capacity.

On January 16, 2019, the Planning Commission and the Design Review Board held a Special Joint Meeting to discuss the Specific Plan update. At this meeting, City staff identified the topic areas of focus for the Plan update, based on past feedback from the public, the Planning Commission, the Design Review Board; and Staff’s experience implementing the Plan. The Commission and the Board provided feedback to City staff regarding the scope of the Plan update. On February 5, 2019, the City Council reviewed the scope for the Specific Plan update. City staff incorporated the Planning Commission’s and the Design Review Board’s comments into the presentation that was given to the City Council. The City Council endorsed the scope of the plan update without adding or subtracting any focus areas.

On November 20, 2020, the City circulated a Notice of Preparation for the Supplemental Environmental Impact Report.

Based on the scope of the of the update that had been endorsed by the Planning Commission, the Design Review Board, and the City Council, City staff worked with the City’s consultant, MIG, to develop more detailed proposals for the topic areas identified in the scope. These refined proposals were shared with the Planning Commission, the Design Review Board, and the public at a Special Joint Meeting of the Planning Commission and the Design Review Board on March 31, 2021.

Since this time, City staff, have worked with the City’s consultant, MIG, to develop draft language and revised maps and figures for the Specific Plan update; and to complete the Draft Supplemental Environmental Impact Report. Both Documents were published on the City’s website and sent to the State Clearinghouse on July 19, 2022. The City also circulated a Notice of Availability to interested parties and posted it with the Contra Costa County Clerk and in the East Bay Times. The public review and comment period for the Draft SEIR will end on September 2, 2022.
Analysis

As discussed above, the Planning Commission, Design Review Board, and the CityCouncil endorsed the scope for the Specific Plan update based on a number of focus areas. Below is a summary of the changes to the plan organized by chapter and by focus area. The draft Plan update is presented as a red-lined version so that the changes can be clearly seen. The document will be finalized once it is adopted. The Specific Plan Update is available for review at: http://www.el-cerrito.org/SPASP

Chapter 1: Introduction

The Introduction has been updated to reflect the 2022 Plan update and changes that have been made regarding City policy documents and State regulations since 2014. Most notably, the goals and strategies of the Specific Plan have been revised to reflect changes in State legislation, changes in City policies, and shifting community values since 2014.

Chapter 2: Form Based Code

The Form Based Code Chapter has been revised most substantially. The revisions are highlighted below by focus area.

Expand Commercial Requirements

The San Pablo Avenue Commercial and Major Commercial street designations have been extended. These designations require that 50% of the street frontage of new development be composed of commercial uses. The changes to these designations can best be seen by comparing Figure 2.01.02 (page 02-2) to the crossed-out figure preceding it from the 2014 Plan.

Commercial Priority Overlay Zone

Staff evaluated this potential revision and determined that the expansion of the Commercial Street types will achieve a similar goal of preserving commercial uses in key locations in the Plan area.

Daylight Plane and Shadow Standards

Changes to daylight plane standards are best summarized as the following and can be seen in Section 2.05.02.02 (pages 02-73 through 02-75):

1. Standards for sites adjacent to existing residential uses have been revised in favor of daylight plan standards instead of shadow standards.
2. Standards along Neighborhood streets have been clarified and revised in favor of shadow standards instead of daylight plan standards.
3. Shadow standards have been clarified to apply to multiple street types.

The previous standards for sites adjacent to existing residential uses limited shadows to extending across a property line a maximum of 14 feet on parcels to the east. Parcels to the west were specifically excluded due to solar angle, and parcels to the north and south were previously not mentioned. In order to limit substantial changes in scale between existing and proposed development and to minimize shadows in more locations, staff developed a standard that will apply broadly to sites that are adjacent to existing residential uses, regardless of the direction of those uses. The standard includes a daylight plane that extends to 25 feet at the property line and then angles back at a 45-degree angle. The massing of new buildings adjacent to existing residential uses will be required to comply with this daylight plane.
The standards along all other street types are shadow standards that require that shadows not to extend past the curb line on the opposite side of the street on the Winter Solstice. In an oversight, the time-of-day standards for the Winter Solstice have been struck out. These will be clarified and added in the final version of the document.

**Design Review Process**

These revisions can be seen in Section 2.02.06.04 (pages 02-25 through 02-28). All Design Review Tiers have been revised to clarify the applicability of each tier. Tier III Design Review has been refined to make the threshold more qualitative (e.g. substantial exterior modification) rather than quantitative (e.g. 50% of the assessed value). These changes will make the Tier III Design Review process easier to administer. In addition, Tier IV Design Review has been revised to clarify the applicability and the scope of both the Planning Commission’s and the Design Review Board’s authority, and the required findings have been refined. Section 2.02.06.04 has been revised with heavy involvement of the City Attorney, in order to ensure that the process remains objective as required by State law.

**Pre-application Process**

At the suggestion of the Planning Commission, Section 2.02.05.02 (page 02-19) has been revised to add a process that requires applicants of projects of more than five residential units to host a community meeting early in the design process.

**Land Use Regulations**

FBC Table 02 (pages 02-11 through 02-14), which regulates land uses in the Specific Plan area, has been revised. Notable changes include:

1. Removing the requirement for an Administrative Use Permit for restaurants that serve alcohol. All restaurants will now be treated the same.
2. Permitting accessory dwelling units and large-family daycare in all districts as required by State law.
3. Adding Low Barrier Navigation Center as a residential use, as required by State law.
4. Reclassifying Live-Work as a residential use so that it does not satisfy commercial frontage requirements on commercial street types.
5. Permitting smaller General Markets in all districts. Currently all General Markets require an Administrative Use Permit.
6. Referencing the Tobacco Retailers Ordinance with regard to tobacco sales uses.
7. Requiring a Conditional Use Permit for Recycling Collection Points and Recycling Processing Facilities. Recycling Collection Points and Processing Facilities have been the subject of many code enforcement issues across the City and staff would like to ensure a higher level of review for these uses. In addition, changes in the recycling industry since the Specific Plan was first adopted have greatly reduced the utilization of privately operated Recycling Processing Facilities.

**Major Commercial Street Standards**

The Major Commercial Street standards in Section 2.04.02.02 (pages 02-47a through 02-47d) have been revised to respect the smaller scale of these streets. In the current Specific Plan, the Major Commercial Street standards are identical to the San Pablo Avenue Commercial Street standards. This does not acknowledge the character of streets like Fairmount Avenue, Hill Street, and Stockton Avenue. The revised standards establish standards that are appropriate and achievable on these smaller commercial
streets. Additionally, the revised standards allow the continuation of the City’s existing streetscape improvements on Fairmount Avenue.

*Neighborhood Street Standards*

The Neighborhood Street standards in Section 2.04.02.04 (pages 02-56 through 02-59) have been revised to add a 10-foot activity zone. This zone is appropriate for Neighborhood Streets which are smaller streets with a more neighborhood scale. Additionally, a note has been added that clarifies that private front yards are permitted in the Activity Zone. The standards have also been revised to reduce the ground floor ceiling height for residential uses. Most locations on Neighborhood streets are, at best, marginal locations for commercial uses. The Neighborhood Street standards allow for residential frontage types, and these frontages are compatible with a lower, albeit still generous, ceiling height.

*Light and Air Exposure*

The daylight plane requirements discussed above will have a substantial effect on light and air access to units. Additionally, the Specific Plan update includes new courtyard standards in Section 2.05.06.03 (page 02-98b) that require interior courtyards to be at least as wide as the height of the lower wall adjacent to the courtyard. This standard will ensure that courtyards are a minimum with and will provide additional air and light into courtyards and the adjacent units.

*Open Space Provisions*

Open space standards have been revised in the following ways:

1. Requiring 30% of the required common/private open space square footage to be allocated to individual, private open spaces (page 02-97).
2. Requiring the provision of onsite public open space for larger projects, with more than 150 units or on sites larger than 1 acre (page 02-97).

*TDM Measures/Parking Adjustments*

Section 2.05.08.05 (page 02-116) has been revised to clarify the process for requesting automobile and bike parking reductions. The parking reduction process for projects that qualify for a State Density Bonus has also been clarified.

*Other Changes*

*Specific Plan Area*

One small change has been made with regard to the boundary of the Specific Plan area. The El Cerrito Plaza BART station parking lot parcel that is bounded by Central Avenue, Richmond Street, Willow Street, and the Ohlone Greenway has been added to the Specific Plan area in order to conform with the minimum density and height requirements stipulated in AB 2923.

*Master Site Plan Review*

A process has been created for review of site plans for larger sites that include multiple buildings in Section 2.02.06.04.02(E) (page 02-28). Although the development process for the forthcoming El Cerrito Plaza BART station TOD project is stipulated by AB 2923, staff is currently in the process of memorializing the process with the development team. The process for review of the project’s site plan is modeled after the Master Site Plan review process in the Specific Plan Update.
Unit Mix Requirements

At the Planning Commission’s request, minimum unit mix requirements have been added on page 02-38. The standards require a minimum of two or three different unit types, depending on the size of the project.

Mechanical Shafts

A requirement for ground floor spaces to have mechanical shafts that vent to the roof has been added to Section 2.05.04.03.02 (page 02-83). This will provide the infrastructure necessary for ground floor spaces to accommodate future food service uses.

Three Stream Waste Requirement

A requirement for to make provision for three separate waste streams (recycling, compost and trash) has been added to Section 2.05.05.02.04 (page 02-94).

Energy Policies

Section 2.05.05.01 (page 02-92) contains two notable additions:

1. A policy strongly encouraging applicants and building operators to commit to an energy program that maximizes the use of renewable energy (such as MCE’s Deep Green program).
2. A requirement that project applicants evaluate the cost of constructing buildings as all-electric.

Signage Standards

Signage standards in Section 2.05.10 (pages 02-125 through 02-149) have been refined based on staff’s experience implementing the standards. The revised standards provide additional clarity.

Chapter 3: Complete Streets

The only revision to the Complete Streets Chapter is a note that states that the Chapter has not been revised as part of the 2022 Specific Plan update. The Complete Streets Chapter will continue to be implemented as funding becomes available. Notably, the El Cerrito del Norte Transit Oriented Development (TOD) Complete Streets Improvements project which is currently in the design phase will implement key components of the Complete Streets Chapter.

Chapter 4: Infrastructure

The Infrastructure Chapter has been revised to accommodate changes since 2014 and to address infrastructure needs in terms of the increased development capacity.

SEIR

Pursuant to Sections 15162 and 15163 of the California Environmental Quality Act (CEQA) Guidelines, a Draft Supplemental Environmental Impact Report (Draft SEIR) has been prepared for the San Pablo Avenue Specific Plan Update. The scope of the SEIR is limited to environmental issues raised by the differences between the Specific Plan Update and the 2014 adopted Specific Plan described and evaluated in the 2014 Specific Plan EIR. The Draft SEIR is available for review at: http://www.elcerrito.org/SPASP

The SEIR analyzes a total of 14 environmental topic areas. Each chapter the analyzes an environmental topic area describes the environmental setting and the regulatory setting for the topic. The chapter
then describes any potential supplemental impact of the plan update that exceeds the analysis in the 2014 EIR. Each chapter goes on to conclude whether the impacts remain less-than-significant with implementation of the mitigation measures in the 2014 EIR or whether supplemental mitigation measures are required to reduce the impact of the Specific Plan update to a less-than-significant level.

Throughout the Draft SEIR, only one supplemental impact was identified which required supplemental mitigation. This supplemental impact is in the area of Tribal Resources (Chapter 7). The addition of the supplemental impact and mitigation mainly stem from the fact the Tribal Resources was a topic area added to the Appendix G CEQA Checklist after 2014, and was not explicitly analyzed in the 2014 EIR. Supplemental Mitigation Measure 7-1 requires notification of the Native American Heritage Commission in the event of an archeologic discovery that appears to be Native American in nature. It also requires the City to conduct consultation with appropriate tribal contacts in the event of such a discovery.

The Draft SEIR also concludes that the Significant and Unavoidable Impacts identified in the 2014 EIR remain unchanged with the following exception: Impact 16-1: Cumulative Traffic Impacts (Chapter 16) is no longer a significant unavoidable impact or a cumulative impact for the Specific Plan Update. This is due to the change in metric from Level of Service (LOS)/Multi-Modal Level of Service (MMLOS) in the 2014 EIR to Vehicle Miles Traveled (VMT) in the SEIR. This change in metric is required by changes to the CEQA Guidelines as a result of SB 743.

**EQC Recommendation on the SEIR**

The El Cerrito Environmental Quality Committee (EQC) previously adopted recommendations to City staff and the Planning Commission regarding the Specific Plan update and the SEIR. These recommendations were previously forwarded to the Planning Commission and are included in the SEIR under NOP Comment Letters (Appendix 24.1).

On August 9, 2022, the EQC received a presentation from City staff on the Specific Plan Update at SEIR. Staff detailed the environmental components of the Specific Plan update and highlighted the SEIR. At the conclusion of the presentation and discussion, the EQC passed a unanimous motion to recommend to the Planning Commission and Council that the SEIR not be certified without addressing additional climate actions to meet stated climate goals, including all-electric buildings, increased EV infrastructure readiness and reducing embodied GHG emissions associated with construction materials, and to recommend analysis of recent federal legislation, as well as state and regional funding opportunities supporting the funding of greenhouse gas emission reductions.

In response, City staff notes that the Specific Plan Update includes the requirement, discussed above, that new development applications evaluate the cost of all-electric construction. Additionally, building electrification ordinances are technical local amendments to the California Building Code and are rarely implemented through land use plans. These types of ordinances are best developed through a separate public process that can focus specifically on this issue and give the issue the appropriate technical analysis. Staff intends to include enhanced EV infrastructure requirements for review in the final version of the Specific Plan update.

**Next Steps**

The public comment period for the Draft SEIR ends on September 2, 2022.
City staff and the City’s consultant, MIG, will review comments given by the Planning Commission, Design Review Board and the public and will complete the Final SEIR and finalize the Specific Plan update. Staff expects the Specific Plan update and SEIR to return to the Planning Commission at the October 19, 2022 meeting for consideration of recommendations to the City Council on both documents.