AGENDA BILL

Agenda Item No. 6(B)

Date: September 20, 2016
To: El Cerrito City Council
From: Sean Moss, Senior Planner
       Margaret Kavanaugh-Lynch, Development Services Manager
Subject: PL14-0171 El Dorado Townhomes Tentative Subdivision Map

ACTION REQUESTED
Conduct a public hearing and upon conclusion adopt a resolution approving the Tentative Subdivision Map for Planning Application PL14-0171, including changes to the project proposed by the applicant.

BACKGROUND
The applicant, Urban Community Partners submitted an application for a Tentative Subdivision Map and Design Review for a residential townhome project on December 17, 2014. For complete background information on the project and a complete description of the project please see the July 19, 2016 agenda bill included as Attachment 3.

At the July 19 meeting, the City Council conducted a public hearing, heard public testimony and discussed the project. During the discussion, the Council expressed concerns regarding the project. The Council’s concerns generally related to the accessibility of the units and the mix of unit types, in particular as it relates to affordability. Although the units met the required accessibility standards of the Building Code and Fair Housing Act, with bedrooms and bathrooms on the ground level of some units, the Council was concerned that none of the primary living areas of kitchens would be accessible to individuals who were not able to access stairways.

Although the issues surrounding the existing land use (RV park) were discussed in more detail in the July 19, 2016 agenda bill (see Attachment 3), the City Council expressed concern regarding the elimination of living options with lower rents. The Council’s discussion focused mainly on the inclusion of smaller units as a way to achieve units that had a lower price point and therefore a wider range of affordability.

Due to these concerns, the Council continued the consideration of the project to the September 20 meeting and directed the applicant to return with a revised project that addressed the Council’s concerns.
Zoning Standards

The site lies within the RM (Multifamily Residential) zoning district, just outside the San Pablo Avenue Specific Plan Area. The table below has been updated to reflect the modifications made to the project since the July 19 meeting.

Table 1

<table>
<thead>
<tr>
<th></th>
<th>Zoning Standard</th>
<th>Current Proposal</th>
<th>Previous Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Density</strong></td>
<td>35 du/ac</td>
<td>35 du/ac</td>
<td>32du/ac</td>
<td>The project includes 29 units on 0.84 acres plus 3 accessory units, for a total of 33 dwelling units. Accessory units do not count towards density.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>Zoning Standard</td>
<td>Current Proposal</td>
<td>Previous Proposal</td>
<td>Comment</td>
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<td>----------------------</td>
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</tr>
<tr>
<td></td>
<td>60% for lots less than 30% slope</td>
<td>47.6%</td>
<td>47.6%</td>
<td></td>
</tr>
</tbody>
</table>

| Maximum Height | 35 ft. | 35 ft. | 35 ft. | |

**Setbacks**

<p>| Front | 10 ft. | 10 ft. | 10 ft. | |
| Sides | 5 ft.; 10 ft. for portions of buildings taller than 25 ft. | 10 ft. | 10 ft. | All buildings would be 35 ft. in height therefore 10 ft. is required in all locations. |
| Rear | 15 ft. | Over 45 ft. | Over 45 ft. | Only a small portion of the project adjacent to Central Park and an adjacent parcel would be classified as a rear property line. |
| Parking Setback | 20 ft. | Over 20 ft. | Over 20 ft. | All parking will be located on internal private streets. |</p>
<table>
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<tr>
<th><strong>Agenda Item No. 6(B)</strong></th>
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<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Number of Curb Cuts</strong></td>
<td>1 per lot for sites less than 1 acre</td>
<td>2 total</td>
<td>2 total</td>
<td>3 residential lots are proposed as well as two parcels for private drives and one for open space/bio retention, for a total of 6 lots.</td>
</tr>
<tr>
<td><strong>Vehicle Parking</strong></td>
<td>2 spaces/unit (56 spaces total)</td>
<td>50 spaces total</td>
<td>54 spaces total</td>
<td>Applicant will be required to apply for a parking waiver under the revised proposal.</td>
</tr>
<tr>
<td><strong>Bicycle Parking</strong></td>
<td>Long Term: 1 space per 4 units (7 total) Short Term: 2 spaces minimum</td>
<td>27 long term spaces and 2 short term spaces</td>
<td>27 long term spaces and 2 short term spaces</td>
<td>27 units (each plan except Plan ‘C’) contain space in the garage that is not required for automobile parking that can accommodate long-term bike parking, in addition to other storage space</td>
</tr>
<tr>
<td><strong>Landscape/Open Space</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Maximum paving on street facing yard</strong></td>
<td>50%</td>
<td>&lt;50%</td>
<td>&lt;50%</td>
<td></td>
</tr>
<tr>
<td>Zoning Standard</td>
<td>Current Proposal</td>
<td>Previous Proposal</td>
<td>Comment</td>
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<td>----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Minimum site area that must be devoted to landscaping</td>
<td>15% of the site</td>
<td>18% of the site</td>
<td>18% of the site</td>
<td>6,587 square feet of the site will be landscaped</td>
</tr>
<tr>
<td>Minimum requirements for common open space</td>
<td>150 sq. ft./unit minus private open space provided in excess of requirement</td>
<td>1,191 sq.ft.</td>
<td>1,191 sq.ft.</td>
<td>Required common open space = (29 units x 150 sq.ft.) – 3,250 sq.ft. of excess private open space = 1,100 sq.ft.</td>
</tr>
<tr>
<td>Minimum requirements for private open space</td>
<td>80% of units must be provided with private open space. Min 50 sq. ft. for above ground level spaces</td>
<td>83% of units have private open space. 3,250 sq. ft. of private open space provided in excess of requirement.</td>
<td>89% of units would have private open space.</td>
<td>80% of units (23 units) must provide a minimum of 50 sq. ft. of private open space (1,150 sq. ft. total).</td>
</tr>
</tbody>
</table>

**ANALYSIS**

For additional analysis, please see the July 19, 2016 agenda bill included as Attachment 3. The discussion below focuses primarily on the modifications made to the plans since the July 19, 2016 City Council meeting.

**Modifications to the Plans**

The applicant has made several modifications to the plans to address the City Council concerns which were voiced at the July 19 meeting. In order to address concerns regarding the unit mix of the project, the applicant has added two ground level one bedroom units. In addition, each of the three ‘B’ units has been redesigned to include a studio accessory living unit (in-law unit) on the ground floor. The one bedroom units would be 478 square feet each and the accessory living units would be 271 square feet each. Together, these changes add 5 new residential units—two for sale, and three potential rentals.
The accessory living units would be on the same parcel as the main living unit and would function as an accessory use to the primary townhome unit. These units will be required to comply with the development standards that the Zoning Ordinance establishes for second units. Specifically, the units cannot be sold apart from the primary unit and the property owner must reside on the property. Practically, these units will provide rental options in the project. However, accessory living units do not count as independent units for the purposes of unit count or density.

By including these two new smaller unit types into the project, the applicant is providing both for-sale units at a lower price point as well as rental units that will presumably rent for less than most other El Cerrito rental options.

In order to address the issue of accessibility, the applicant has designed each of these five new ground floor units (both the one bedroom units and the accessory dwelling units) to be fully accessible, including doors with accessible clearances and required clearances adjacent to fixtures. In addition, the stairways of the remaining 27 units have been modified to allow stair lifts to be added to all units. Stair lifts will be an option available to purchasers at the time of sale or can be added later.

In order to accommodate the changes described above, the applicant will be required to seek a waiver from the parking requirements established by the Zoning Ordinance. Four parking spaces have been removed from the project as a result of the modifications, which took space from garages in initially proposed units to create the additional proposed units. Some of the ‘A’ units have been redesigned as ‘D’ units with only a one car garage. In addition, the two new ‘C’ units will not feature off-street parking. The ‘B’ units will still feature two-car garages, but the accessory living units will not have off-street parking. Pursuant to the Zoning Ordinance, each unit of 2 bedrooms or larger requires 2 covered parking spaces; each 1-bedroom unit requires 1 covered parking space; and each Accessory Living Unit requires an uncovered parking space. A parking waiver will therefore be required for 1 covered parking space for each ‘D’ unit; 1 covered parking space for each ‘C’ unit and 1 uncovered parking space for each ‘D’ unit for a total deficit of 9 parking spaces (6 covered and 3 uncovered). To accommodate these changes, the draft resolution includes a condition of approval requiring the applicant to submit an application for a parking waiver. This subsequent application would be the purview of the Planning Commission and would not need to return to the City Council, unless the decision is appealed. It is worth noting, that although the project previously conformed with the parking requirement in the Zoning Ordinance, some members of the Planning Commission expressed a desire for the project to include less parking when the Commission reviewed the project in May 2016.
Table 2

<table>
<thead>
<tr>
<th>Revised Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unit</strong></td>
</tr>
<tr>
<td>A</td>
</tr>
<tr>
<td>B</td>
</tr>
<tr>
<td>C</td>
</tr>
<tr>
<td>D</td>
</tr>
<tr>
<td><strong>Accessory Living Unit (Part of ‘B’ Units)</strong></td>
</tr>
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</table>

* As noted above, a parking waiver will be required.

**Unit Mix**

The Housing Element of the El Cerrito General Plan contains policies which encourage a diversity of unit types and sizes citywide. Specifically, policy H2.8 reads:

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

The General Plan provides a broad vision for the City’s future growth and development. General Plan policies are generally citywide goals that are intended to be evaluated at a citywide level unless they specifically state otherwise. The intent of the General Plan policy stated above is to achieve diversity of unit types and sizes as new development occurs throughout El Cerrito, with an emphasis on providing housing that can accommodate families.

Looking at projects currently in the pipeline, staff anticipates that much of the future development proposed within the San Pablo Avenue Specific Plan will be proposed with a majority of 1 and 2 bedroom units. The following table shows pipeline projects and the size and number of proposed units. Please note that these projects are in various stages of development and information on the table is subject to change. (Creekside is
under construction; 5730 El Dorado has approved entitlements; the planning application for 10135 San Pablo Avenue is incomplete and a proposal was selected for the Mayfair project, but no application has been submitted.) The table shows that nearly half of the units proposed in these pipeline projects are 1-bedroom units and that over 85 percent are 2-bedroom and smaller.

Table 3

<table>
<thead>
<tr>
<th></th>
<th>Studio</th>
<th>1-bedroom</th>
<th>2-bedroom</th>
<th>3-bedroom</th>
<th>4-Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count</td>
<td>Percentage</td>
<td>Count</td>
<td>Percentage</td>
<td>Count</td>
</tr>
<tr>
<td>Creekside Walk</td>
<td>3</td>
<td>2.3%</td>
<td>63</td>
<td>49.2%</td>
<td>56</td>
</tr>
<tr>
<td>Mayfair</td>
<td>53</td>
<td>22.7%</td>
<td>115</td>
<td>49.1%</td>
<td>49</td>
</tr>
<tr>
<td>10135 San Pablo Ave</td>
<td>0</td>
<td>-</td>
<td>25</td>
<td>34.7%</td>
<td>13</td>
</tr>
<tr>
<td>5730 El Dorado St</td>
<td>1</td>
<td>11.1%</td>
<td>4</td>
<td>44.5%</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>57</strong></td>
<td><strong>12.9%</strong></td>
<td><strong>207</strong></td>
<td><strong>46.7%</strong></td>
<td><strong>119</strong></td>
</tr>
</tbody>
</table>

Other cities in the Easy Bay region are seeing development of similar unit mixes and unit sizes. Staff conducted a review of applications currently pending in Berkeley. Due to the different format of information available for various projects, staff was not able to compile the information into a table. However, the vast majority of the proposed units that staff observed were 1- and 2-bedroom units. Three- and four-bedroom units are less feasible to develop as part of for-rent projects since the rent premium achieved for larger units does not often balance the additional square footage required to build larger units. When the market favors development of rental units, it is likely that fewer large units will be developed. The market will continue to dictate the mix of units built in El Cerrito and the region. One of the goals of the San Pablo Avenue Specific Plan is to “encourage practical and market-friendly development.”

The General Plan’s emphasis on producing 3- and 4-bedroom multi-family units is intended to provide an alternative unit type (larger multi-family units) which can accommodate families but which can provide more affordable family housing than the traditional single-family model. Townhome units typically feature small yards, but they are attached to one another, therefore requiring less land than single-family homes and therefore, they usually sell at a lower price point than comparable single-family homes.
Policy H2.8 is a citywide policy and the development of the larger units described in the policy is encouraged whenever they are economically feasible to build.

Unit Type

The Housing Element identifies 345 townhome (single family attached) units in El Cerrito. This represents 3.2% of the city’s total housing stock. The Housing Element also notes that in Contra Costa County as a whole and across the entire State of California, the percentage of townhome units is approximately 7% of the total housing stock.\(^1\) Using GIS, staff also performed a search of the city for townhome units. Staff identified 214 parcels in the city that contained townhome units. It is possible that a discrepancy exists because the Department of Finance figures contained in the Housing Element include the Vista Heights townhome community at the end of Rifle Range Road, which uses an El Cerrito mailing address but which is located in the City of Richmond. Most townhomes in El Cerrito reside in three neighborhoods: Rose Park on Richmond Street between Schmidt Lane and Portola Drive; Wildwood off of Navellier Street; and Country Club Vista at the end of Cutting Blvd. There are also a small number of small townhome complexes near the El Cerrito del Norte BART station.

The nearest townhome units to the site are five units on San Luis Street in the City of Richmond. There are no existing for-sale multi-family units in the southern portion of El Cerrito. The nearest for-sale multi-family units in El Cerrito are on Kearney Street at Moeser Lane. Rose Park and Wildwood were built in 1972 and Country Club Vista was built in 1985. Staff has not identified any townhomes in El Cerrito which were built after 1988.

Community Concerns

Condominium Conversion

City staff and Council have received a letter from a member of the public asserting that this project amounts to a condominium conversion and the requirements of Chapter 19.45: Condominium Conversions of the El Cerrito Municipal Code should apply.

Section 19.45.020 establishes the applicability of Chapter 19.45. Section 19.45.020 states:

> The regulations set forth in this chapter shall apply to the conversion of existing multiple family rental housing to condominiums.

Section 19.46.030 of the Municipal Code defines multiple family residential as “Three or more dwelling units on a single lot. Types of multiple-family dwellings include: townhouses, garden apartments, and other apartment buildings.” It is important to remember that the existing use of the property is an RV park. The Municipal Code does

\(^1\) Source: Department of Finance City/County/State Population and Housing Estimates, 2014
not list RVs as a type of multiple-family dwellings. Consequently, to be encompassed within the meaning of the term, RVs would have to be similar in nature to the types of housing expressly listed. They are not. Townhouses, garden apartments, and apartment buildings, are permanent structures built on a foundation and generally intended to remain in the place where they are constructed. RVs are a form of trailer or camper, built on a single chassis, and “self-propelled, truck-mounted, or permanently towable on the highways . . . .” (Health & Safety Code § 18010.) Although RVs are a form of habitation, they are therefore not within the meaning of multiple-family dwellings, and the provisions of the Municipal Code that regulate condominium conversions do not apply to them.

In addition to limiting its applicability to existing multiple family rental housing, Chapter 19.45 goes on to require a “physical elements report” of the existing multi-family rental structures which includes an evaluation of the condition of structural elements, an evaluation of any pest damage, an evaluation of existing soil conditions, and a statement of “repairs and improvements to be made by the applicant necessary to refurbish and restore the project to achieve a high degree of appearance and safety.” Typically in RV parks, what a tenant rents is the ground upon which an RV is parked, not a structure. An RV park generally does not have structures occupied by tenants but belonging to the property owner that would have to be evaluated prior to sale to a tenant. It is clear therefore, from both the applicability statement and the application requirements, that Chapter 19.45 applies to the conversion of existing structures from multi-family rental housing to condominiums. This determination has been made in consultation with the City Attorney.

Affordability

The issue of affordability was discussed in terms of unit types above. However, in the community dialogue about this project, the issue of permanent affordability has also been raised. The City does not currently have an inclusionary housing ordinance, through which below-market rate (BMR) units are required as a part of a market rate development. The project applicants are market rate developers and have stated that they bought the property and financed the project based upon the City’s adopted policies. Through the redesign, the project applicants aimed to address the issue of affordability through inclusion of a diversity of units types, a strategy often referred to as “affordable by design”. In the recent past and near future, the City has or will be adding 207 below market rate units to the housing stock in El Cerrito, including Ohlone Gardens (57; 2015), Creekside Walk (19; 2016-17), Hana Gardens (63; 2017-18) and Mayfair (68; estimated 2019). In the coming year, Community Development will also be embarking on developing an Affordable Housing Strategy to evaluate and propose a mix of policies and strategies for City Council to consider to be able to achieve its affordability goals. Currently, with the recently developed and proposed (“pipeline”) projects, listed above, the City is on track to exceed the Regional Housing Needs Allocation (RHNA) need as described in the Housing Element Table III-2.
California Environmental Quality Act Consistency

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15332: Class 32, Infill Development Projects, the project is exempt from review under CEQA.

Section 15332 of the CEQA Guidelines establishes following conditions for in-fill projects which are exempt from CEQA review:

(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, above, the project is consistent with the General Plan and the RM zoning district.

(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 is within the City of El Cerrito and the site is 0.84 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 150 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 applicant commissioned Traffic Analysis, a Noise Impact Assessment, an Air Quality Impact Assessment, a Water Quality Impact Assessment, and prepared a Stormwater Control Plan. These studies are included as Attachments 5-10 The studies concluded that the project would not have any significant effects in these areas.

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

The site is currently served by all utilities. Pursuant to the requirements of the Stege Sanitary District, the applicant has prepared a sewer capacity study which shows that existing sewers have capacity to serve the project.
General Plan Consistency

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

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

The proposed project is consistent with the multifamily character of the surrounding neighborhood. The project will feature townhomes 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 multifamily neighborhood. The project has been reviewed thoroughly to ensure that is will not negatively impact the surrounding neighborhood.

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

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

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

The density of the proposed project is 35 units per acre.

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

The units will contain fenced and landscaped front yards. Two curb cuts will serve all of the units.
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 proposal was revised to respond to the Design Review Board's preliminary comments. The project will be considered by the Design Review Board as required to ensure high-quality materials and design.

CD2.1 Street Frontages. Encourage street frontages that are safe, by allowing for surveillance of the street by people inside buildings and elsewhere, and are interesting for pedestrians. Require buildings in development centers and neighborhood commercial centers along San Pablo Avenue to be directly abutting sidewalks, with window openings and entries along the pedestrian frontage.

The townhome units will face Avila Street and El Dorado Street and will contain front yards along those street frontages as well as upper level balconies and street-facing windows which will allow for surveillance of the street.

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

The units will feature a combination of ground-floor yards/patios and upper level balconies. 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 incorporated landscaping as required by the Zoning Ordinance. The landscaping will be considered by the Design Review Board, as required, to ensure that it is of high-quality design and appropriate for the site.

CD3.4 Fencing. Require that residential streets maintain open front yards and not be enclosed with fences that exceed three feet in height. Allow fences up to six feet in height to enclose front yards along major arterials, heavily used pedestrian ways or to protect yards from deer and other animals.

All front yard fencing will be a maximum of 3 feet in height.

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.

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

The project will feature landscaped front yards along both public street frontages. All off-street parking is accessed from internal private streets. On-site parking will not be visible from public streets.

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 Review Board conducted Preliminary Conceptual Review of the project on October 7, 2015. The design elements of the project will be 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 (Multifamily Residential) zoning district. The project proposes a residential use in the district.

H2.1 Provide adequate residential sites for the production of new for-sale and rental residential units for existing and future residents.

The project will produce 29 new for-sale housing units and three accessory dwelling units.

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

Twenty-seven units within the project will contain 3 or 4 bedrooms which will improve the diversity of the City’s housing stock by providing multi-family units which can accommodate families.
H5.5 Continue to enforce the State Energy Conservation Standards for new residential construction and additions to existing structures.

The units will exceed the energy requirements of Title 24 of the 2016 CalGreen building code by 27%.

Findings

Pursuant to Section 66473.5 of the California Government Code (Subdivision Map Act), the following findings must be made in order to approve the proposed Tentative Subdivision 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.

The project will implement the following standards of the General Plan: LU1.2 Multifamily Neighborhoods, LU1.3 Quality of Development, LU1.5: Suitable Housing, LU1.7 Maximum Density, LU1.8 Neighborhood Maintenance, CD1.3 High-Quality Design, CD2.1: Street Frontages, CD3.2 Usable Open Spaces, CD3.3: Site Landscaping, CD3.4 Fencing, CD4.2: Building Articulation, CD4.3 Front Yards, CD4.5 Energy and Resources, CD5.1: Design Review Process, and H1.6, H2.1, H2.8, H5.2, and H5.5. As a result of assistance by the property owner to some residents, the project is consistent with H1.1 and H1.2. The project is not within the area of any adopted specific plan.

STRATEGIC PLAN CONSIDERATIONS

By implementing the General Plan policies discussed above, the project will further Goal C: Deepen a sense of place and community identity of the El Cerrito Strategic Plan by “promot[ing] strong neighborhoods.” The project also incorporates a “vision for underdeveloped and underutilized properties…that [includes] investment and/or new development.”

ENVIRONMENTAL CONSIDERATIONS

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

FINANCIAL CONSIDERATIONS

The development of infrastructure for the project will be financed through a combination of development impact fee programs and developer funding. The General Fund will not be used to pay for any of the infrastructure costs of this project.
LEGAL CONSIDERATIONS
The contents and preparation of the park closure report were the result of discussions between the City Attorney and the applicant’s attorney. The City Attorney has reviewed the project and this report.

Reviewed by:

Scott Hanin, City Manager

Attachments:
1. Draft Resolution
2. Plans dated September 2, 2016
3. July 19, 2016 Agenda Bill
7. Memorandum containing noise measurements, dated September 17, 2015
13. Planning Commission Resolution PC16-05
14. H. Gowdy correspondence