



Staff Liaison
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AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

March 20, 2024 at 7:30 p.m.

City Council Chambers, El Cerrito City Hall
10890 San Pablo Avenue
El Cerrito, CA 94530

7:30 p.m. CONVENE REGULAR MEETING

1. **ROLL CALL** – Chair Joy Navarrete, Vice Chair Daniel Hamilton; Members Erin Gillett, Leslie Mendez, Abhijeet Singh, and Nathan Tinsclair
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 February 21, 2024 meeting minutes.
5. **COMMISSIONER COMMUNICATION/CONFLICT OF INTEREST DISCLOSURE**
This time on the agenda is reserved for Commissioners to disclose communications from individuals regarding specific agenda items or to state a potential conflict of interest in relation to a specific agenda item.
6. **PUBLIC HEARING: CONDITIONAL USE PERMIT – 6551 PORTOLA DRIVE**
Application: PL24-0001
Applicant: Anthony Dente
Location: 6551 Portola Drive
APN: 503-130-012
Zoning: RM (Multi-family Residential)
General Plan: High Density Residential
Request: Planning Commission consideration of a Conditional Use Permit for expanding a nonconforming side setback for an existing 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.

7. PUBLIC HEARING: CONDITIONAL USE PERMIT – 2010 JUNCTION AVENUE

Application: PL23-0150
Applicant: Perry Wexelberg
Location: 2010 Junction Avenue
APN: 501-321-005
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of Conditional Use Permits to allow a proposed increase in building height of an existing single-family house to convert a basement to a first floor which exceeds the building envelope requirement, and to allow the extension an existing nonconforming side setback (Section 19.06.030.D, 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.

8. PUBLIC HEARING: TENTATIVE SUBDIVISION MAP – 1715 ELM STREET

Application: PL21-0053
Applicant: Harmeet Anand
Location: 1715 Elm Street
APN: 502-112-038
Zoning: RM-PD (Multi-family Residential – Planned Development)
General Plan: High Density Residential
Request: Planning Commission consideration of a Tentative Subdivision Map to create fourteen condominium residential units within a multifamily residential building and to create one commercial condominium unit within a separate structure on the parcel (Chapter 18.12, ECMC).
CEQA: An Initial Study/Mitigated Negative Declaration was prepared and adopted for the project pursuant to CEQA.

9. PRESENTATION: LOCAL ROAD SAFETY PLAN

Update on the Local Road Safety Plan

10. STAFF COMMUNICATIONS

Informational reports on matters of general interest, presented by City staff.

11. 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.



**COMMUNITY DEVELOPMENT
DEPARTMENT**

Staff Liaison

Sean Moss | 510.215.4330
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MINUTES

**REGULAR MEETING OF THE
PLANNING COMMISSION**

February 21, 2024 at 7:30 p.m.

City Council Chambers, El Cerrito City Hall
10890 San Pablo Avenue
El Cerrito, CA 94530

7:30 p.m. CONVENE REGULAR MEETING

1. **ROLL CALL** – Chair Joy Navarrete, Members Leslie Mendez, Erin Gillett, and Abhijeet Singh. Commissioners Daniel Hamilton and Nathan Tinsclair had excused absences. Commissioner Brendan Bloom was also absent.
2. **COUNCIL/STAFF LIAISON ANNOUNCEMENTS AND REPORTS**
No report was given.
3. **ORAL COMMUNICATIONS FROM THE PUBLIC**
No comments were received.
4. **COMMISSIONER COMMUNICATION/CONFLICT OF INTEREST DISCLOSURE**
Nothing was reported.
5. **CONDITIONAL USE PERMIT – 1224 RICHMOND STREET**
Application: PL23-0173
Applicant: Sally Lang
Location: 1224 Richmond Street
APN: 503-060-023
Zoning: RS-5 (Single Family Residential)
General Plan: Low Density Residential
Request: Planning Commission consideration of a Conditional Use Permit request for exceeding building envelope requirements for a second story addition to a single-family house (ECMC Section 19.06.030.D and ECMC Chapter 19.34)
CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

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

The public hearing was opened.

The following speakers addressed the Commission:
Christina Castanha

The public hearing was closed.

Moved/Second: Commissioners Navarrete/Mendez. Action: Passed a motion to approve Conditional Use Permits to allow exceptions to the building envelope requirements for a second story addition to a single-family house at 1224 Richmond St.

Ayes: Mendez, Navarrete, Gillett, Singh.

Noes: None.

Abstain: None.

Absent: Bloom, Hamilton, Tincclair.

6. ADOPTION OF CONSENT CALENDAR

A. Approval of Minutes

Adoption of the December 20, 2023 meeting minutes.

B. General Plan Annual Progress Report

Applicant: City of El Cerrito

Location: Citywide

Request: Planning Commission consideration of a recommendation to the City Council to receive and file the 2023 General Plan Annual Progress Report.

CEQA: The adoption of the General Plan Annual Progress Report does not constitute a project pursuant to Public Resources Code Section 21065, and CEQA Guidelines Sections 15060.

C. Acquisition of Property for Public Purposes– 10936 San Pablo Avenue

Applicant: City of El Cerrito

Location: 10936 San Pablo Avenue

Request: Planning Commission consideration of a resolution finding that the acquisition of property for public purposes at 10936 San Pablo Avenue is consistent with the El Cerrito General Plan.

CEQA: This action and the property acquisition are exempt from environmental review pursuant to the common-sense exemption in CEQA Guidelines Section 15061(b)(3).

Moved/Second: Commissioners Mendez/Navarrete. **Action:** Passed a motion to adopt the February 21, 2024 Consent Calendar.

Ayes: Mendez, Navarrete, Gillett, Singh

Noes: None.

Abstain: None.

Absent: Bloom, Hamilton, Tincclair.

7. STAFF COMMUNICATIONS

Planning Manager Sean Moss updated the Commission about upcoming projects and the El Cerrito Plaza TOD project.

8. ADJOURNMENT

8:05 p.m.



Community Development Department
Planning and Building Division
10890 San Pablo Avenue, El Cerrito, CA 94530
(510) 215-4330 | planning@ci.el-cerrito.ca.us

PLANNING COMMISSION STAFF REPORT

March 20, 2023

6551 PORTOLA DRIVE – CONDITIONAL USE PERMIT

DETAILS

Application Number: PL24-0001

Applicant: Anthony Dente

Location: 6551 Portola Drive

APN: 503-130-012

Zoning: RM (Multi-family Residential)

General Plan: High Density Residential

Request: Planning Commission consideration of a Conditional Use Permit to allow the expansion a nonconforming side setback for an existing 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 proposed project includes a 100 sq. ft. addition to an existing 1,200 sq. ft. single-family house which would result in a 1,300 sq. ft. house. The proposed addition would extend the living room by 5 feet 6 inches, the project also proposes a 100 sq. ft porch.

The existing house has a non-conforming side setback of 3 foot 5 inches on the east side of the property. The proposed addition would extend the building along the nonconforming side setbacks and would not project further into the required 5-foot 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 recommends approval of the Conditional Use Permit.

Background

Site Location and Layout

The house at 6551 Portola Drive is an approximately 1,200-square-foot single-story house. The house sits on a 4,080-square-foot lot in the RM (Multi-family Residential) zoning district. The existing lot coverage of the property is 35 percent.

The existing house has a kitchen, a living room, two bedrooms, and one bathroom. The existing house has a non-conforming side setbacks of 3 foot 5 inches on the east side.

The surrounding neighborhood predominantly contains single-family houses and multi-family buildings. The surrounding buildings are a mixture of two-story and one-story buildings. On the block of the project site, houses range in size from 2,000 square feet to 4,000 square feet.

Vicinity Map



Site Photo



View of house from Portola Drive

Adjacent Designations and Land Uses

North: Multi-family Residential (RM) Zoning and High Density Residential General Plan designation. Single family house.

South: Multi-family Residential (RM) Zoning and High Density Residential General Plan designation. Triplex.

West: Multi-family Residential (RM) Zoning and High Density Residential General Plan designation. Multi-family Apartment.

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

Analysis

Project Description

The applicant is proposing a 100 sq. ft. addition which would extend the living room by 5 feet, 6 inches. The project is also proposing a 100 sq. ft. porch which when combined with the living room extension would extend the east side building wall along the nonconforming setback by approximately 10 feet, 11 inches. The proposed addition would not encroach further into the required side setback than the existing building.

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 – RM Zone and Proposed Project

Development Standard	Zoning Ord. Requirement	Existing	Proposed	Complies
Height (maximum)	35' maximum	14'-7"	No Change	Yes
Setbacks				
Front	10' minimum	16'-10"	No Change	Yes
Side (east)	5' minimum	3'-5"	3'-5"	No. Use Permit required for extending this nonconforming setback
Side (west)	5' minimum	9'-10"	No Change	Yes
Rear	15' minimum	33'-11"	No Change	Yes
Parking spaces (covered)	0 spaces Per AB 2097	0 spaces	No change	Yes
Lot Coverage	60% maximum	35.5%	39.2%	Yes

Nonconforming Setback

As described above, the existing house has a non-conforming side setback of 3 feet, 5 inches on the east side of the property. The proposed addition would extend the existing building by approximately 11 feet. The new addition would also be 3 feet, 5 inches from the east side property line and would not extend further into the required side setback than the existing building. Pursuant to ECMC Section 19.27.050, 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.

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 March 6, 2023. 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 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:

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 one existing nonconforming side setback, but the addition would not project further into the required 5-foot setback than the existing structure. The resulting building would still match the character of the surrounding neighborhood. The project does not exceed the overall height limit for the RM zoning district.

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

The building at 6551 Portola Drive would comply with the height limit and lot coverage regulations of the RM 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 6000 block of Portola Drive. 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 and multi-family buildings. The surrounding buildings are a mixture of single-family houses and multi-family buildings with a mixture of two-story and one-story buildings. The proposed addition would increase the floor area of the house by 100 square feet and would result in a 1,300 square foot house on a 4,080 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 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 100 square feet of living space by extending the living room of an existing single-family home by approximately 5.5 feet. The project would also add a 100 square foot porch to the front of the building. 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 RM district and consistent with the district's intent. The proposed project will implement the following policies of the El Cerrito General Plan: 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 PL24-0001, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

1. Move adoption of Planning Commission Resolution PC2024-04 approving the Conditional Use Permits to allow an addition expanding a nonconforming side setback to an existing single-family house at 6551 Portola Drive.

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

Planning Commission Resolution PC 2024-04

APPLICATION NO. PL24-0001

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION THAT EXTENDS A NONCONFORMING SIDE SETBACK FOR AN EXISTING SINGLE-FAMILY HOUSE AT 6551 PORTOLA DRIVE

WHEREAS, the site is located at 6551 Portola Drive; and

WHEREAS, the existing Assessor's Parcel Number of the site is 503-130-012; 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 15301 of the CEQA Guidelines, Class 1: Existing Facilities; and

WHEREAS, on January 2, 2024, Anthony Dente (the "applicant") submitted an application for a Conditional Use Permit for an addition extending a nonconforming side setback of an existing single-family house at 6551 Portola Drive; and

WHEREAS, on March 20, 2024, 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 and multi-family buildings. The surrounding buildings are a mixture of single-family houses and multi-family buildings with a mixture of two-story and one-story buildings. The proposed addition would increase the floor area of the house by 100 square feet and would result in a 1,300 square foot house on a 4,080 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 100 square feet of living space by extending the living room of an existing single-family home by approximately 5.5 feet. The project would also add a 100 square foot porch to the front of the building. 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 RM district and consistent with the district's intent. The proposed project will implement the following policies of the El Cerrito General Plan: 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. PL24-0001, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans received by the City on January 1, 2024. 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 exercised, this Conditional Use Permit approval will expire two years after the date of this approval pursuant to El Cerrito Municipal Code Section 19.32.100.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on March 20, 2024, upon motion of Commissioner _____, second by Commissioner _____:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sean Moss, AICP
Planning Manager

GENERAL NOTES

PROJECT DATA

LOCATION:	6551 PORTOLA DR EL CERRITO, CA 94530
APN:	5031 - 300 - 121
ZONING:	RS-5
LOT AREA:	4080 SF
BUILDING HEIGHT: EXISTING: PROPOSED:	1 STORY; MAX 17'-6" 1 STORY; MAX 17'-6"
TOTAL FLOOR AREA EXISTING: PROPOSED:	1200 SF 1300 SF
LOT COVERAGE: EXISTING: PROPOSED:	1450 SF 1600 SF
PERCENT IMPERVIOUS SURFACE EXISTING: PROPOSED:	35.5% 39.2%

SCOPE

- REMOVE CHIMNEY
- BUMP PUT FRONT WALL OF HOUSE AND ADD PORCH
- PV ON ROOF; SEPARATE PERMIT BD23-0703
- ROOF REPAIR AND REROOF

COORDINATION

ALL FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF THE SAME TYPE AND CHARACTER AS SHOWN FOR SIMILAR CONDITIONS. ALL SITE CONDITIONS, DIMENSIONS, ELEVATIONS, ETC. SHALL BE VERIFIED BEFORE STARTING WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE STRUCTURAL ENGINEER AND DESIGNER BEFORE PROCEEDING. IN THE EVENT OF ANY DISCREPANCIES BETWEEN STRUCTURAL DRAWINGS AND ARCHITECTURAL, MECHANICAL, OR PLUMBING DRAWINGS, NOTIFY THE ARCHITECT BEFORE PROCEEDING.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ADEQUATE BRACING, SHORING, AND SUPPORT OF ALL TEMPORARY CONSTRUCTION, TEMPORARY EXCAVATION, AND PARTIALLY COMPLETED PORTIONS OF THE BUILDING; SUCH BRACING, SHORING AND SUPPORT MUST INSURE THE SAFETY OF THE ADJACENT PROPERTY AND OF ANY PERSONS WHO MAY COME IN CONTACT WITH THE PROJECT.

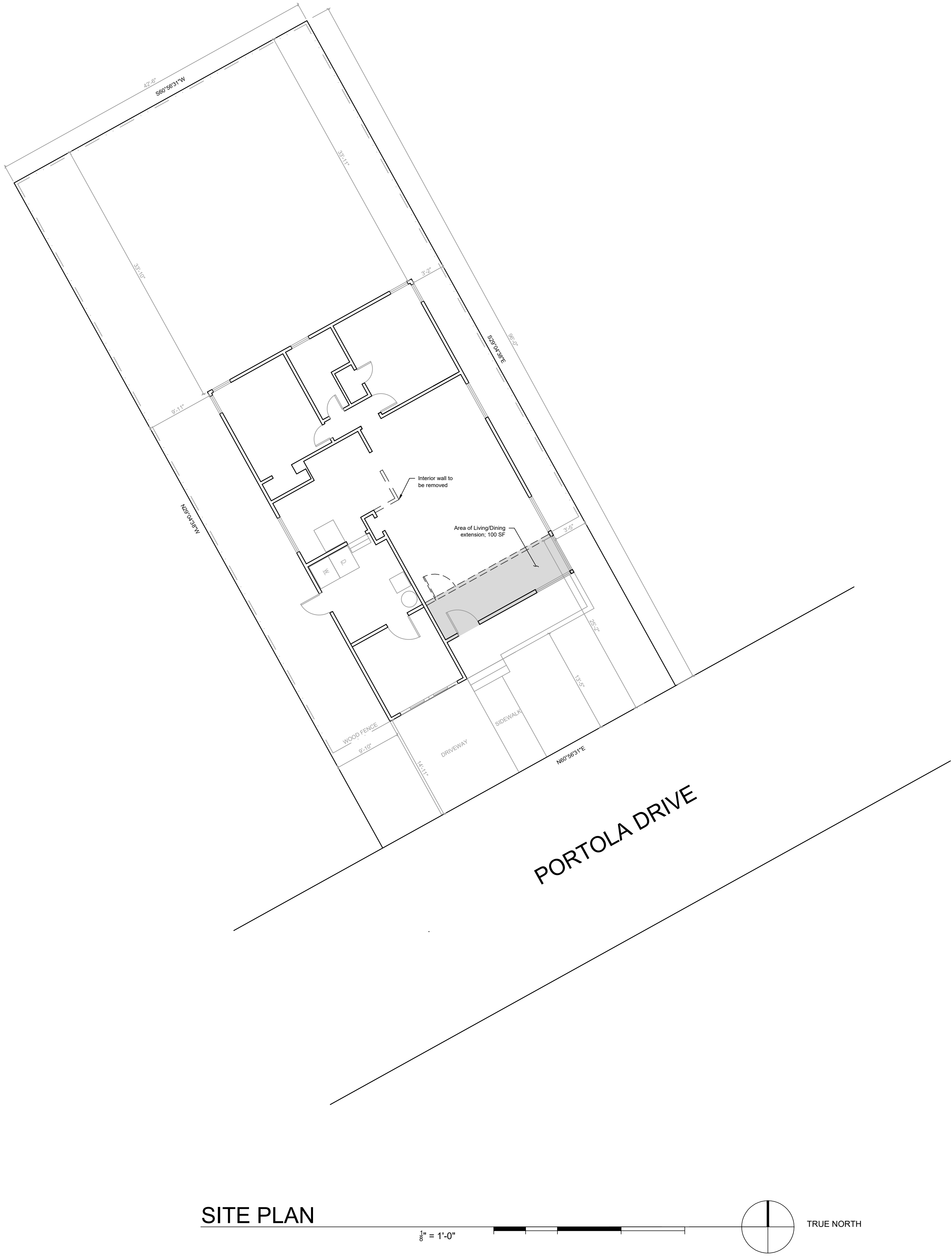
ALL EXISTING ELEMENTS ARE NOTED AS EXISTING. ALL NEW ELEMENTS ARE NOT NOTED EXPLICITLY AS NEW. THEY ARE SIMPLY NOTED.

SHEET LIST

A0.0	SITE PLAN, GENERAL NOTES, SHEET LIST, AND ABBREVIATIONS
A2.0	FIRST FLOOR DEMOLITION PLAN & PROPOSED FIRST FLOOR PLAN
A3.0	EXTERIOR ELEVATIONS
A4.0	BUILDING SECTIONS
A4.1	BUILDING SECTIONS
A4.2	BUILDING SECTIONS
S0.0	GENERAL STRUCTURAL NOTES
S2.0	(E) FOUNDATION AND FIRST FLOOR PLAN, (E) CEILING PLAN, & (E) ROOF PLAN
S2.1	FOUNDATION AND FIRST FLOOR PLAN, CEILING PLAN, & ROOF PLAN
S4.0	TYPICAL DETAILS
S4.1	DETAILS
MEP1.0	MECHANICAL, ELECTRICAL, AND PLUMBING PLANS

ABBREVIATIONS

AB	ANCHOR BOLT
ABV	ABOVE
ADDL	ADDITIONAL
APPROX	APPROXIMATE
ALT	ALTERNATE
ARCH	ARCHITECT
ATR	ALL-THREAD ROD
BLW	BELOW
BLDG	BUILDING
BLKG	BLOCKING
BM	BEAM
BN	BOUNDARY NAIL
BTWN	BETWEEN
BOT	BOTTOM
BP	BEARING PLATE
CBC	CALIFORNIA BUILDING CODE
CJ	CONSTRUCTION JOINT; CONTROL JOINT
CL	CENTER LINE
CLR	CLEAR
CMU	CONCRETE MASONRY UNITS
CSK	COUNTERSINK
COL	COLUMN
CONC	CONCRETE
CONT	CONTINUOUS
D	PENNY (NAIL SIZE)
DIA	DIAMETER
DIMS	DIMENSIONS
DBL	DOUBLE
DET	DETAIL
DF	DOUGLAS FIR
DTP	DOUBLE TOP PLATE
DWG	DRAWING
(E)	EXISTING
EA	EACH
EB	EXPANSION BOLT
EF	EACH FACE
EJ	EXPANSION JOINT
EL	ELEVATION
EN	EDGE NAIL
ENGR	ENGINEER
EO	EVERY OTHER
EQ	EQUAL
ES	EACH SIDE
EW	EACH WAY
EXT	EXTERIOR
FDN	FOUNDATION
FIN	FINISH
FN	FIELD NAIL
FOC	FACE OF CONCRETE
FOS	FACE OF STUD
FS	FAR SIDE
FTG	FOOTING
GA	GAUGE
GALV	GALVANIZED
GB	GRADE BEAM
GLT	GLUED-LAMINATED TIMBER
GYP BD	GYPSUM WALL BOARD
HDG	HOT DIP GALVANIZED
HDR	HEADER
HF	HARDY FRAME
HGR	HANGER
HORIZ	HORIZONTAL
HSB	HIGH STRENGTH BOLTS
HSS	HOLLOW STRUCTURAL SECTION
HT	HEIGHT
ID	INSIDE DIAMETER
INT	INTERIOR
JST	JOIST
L	ANGLE SECTION
LLH	LONG LEG HORIZONTAL
LLV	LONG LEG VERTICAL
LONG	LONGITUDINAL
LSL	LAMINATED STRAND LUMBER
LVL	LAMINATED VENEER LUMBER
MANUF	MANUFACTURER
MAX	MAXIMUM
MB	MACHINE BOLT
MIN	MINIMUM
(N)	NEW
N/A	NOT APPLICABLE
NO	NUMBER
NS	NEAR SIDE
NTS	NOT TO SCALE
O/	OVER
OC	ON CENTER
OD	OUTSIDE DIAMETER
OH	OPPOSITE HAND
OPNG	OPENING
OSB	ORIENTED STRAND BOARD
PAF	POWDER ACTUATED FASTENERS
PEN	PENETRATION
PERF	PERFORATED
PERP	PERPENDICULAR
PL	PLATE
PSL	PARALLEL STRAND LUMBER
PSWS	PER SHEAR WALL SCHEDULE
PT	PRESSURE TREATED
PVC	POLYVINYL CHLORIDE
PWD	PLYWOOD
RDWD	REDWOOD
REINF	REINFORCEMENT
RFT	RAFTER
REQD	REQUIRED
RET	RETAINING
RO	ROUGH OPENING
SAD	SEE ARCHITECTURAL DRAWINGS
SCD	SEE CIVIL DRAWINGS
SCHED	SCHEDULE
SLD	SEE LANDSCAPE DRAWINGS
SMD	SEE MECHANICAL DRAWINGS
SHT	SHEET
SHTG	SHEATHING
SIM	SIMILAR
SOG	SLAB ON GRADE
SQ	SQUARE
SS	SELECT STRUCTURAL; STAINLESS STEEL
STD	STANDARD
STL	STEEL
STIFF	STIFFENER
SW	SHEAR WALL
SYM	SYMMETRICAL
T&B	TOP AND BOTTOM
TD	TIE-DOWN
T&G	TONGUE AND GROOVE
THRD	THREADED
TN	TOE-NAIL
TOS	TOP OF SLAB; TOP OF STEEL
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED
VB	VAPOR BARRIER
VERT	VERTICAL
VIF	VERIFY IN FIELD
W	WIDE FLANGE SECTION
W/	WITH
WP	WORKING POINT
WPM	WATERPROOF MEMBRANE
WS	WOOD SCREW
WWR	WELDED WIRE REINFORCEMENT
#	SIZE OF REINFORCING BAR
@	AT (SPACING)

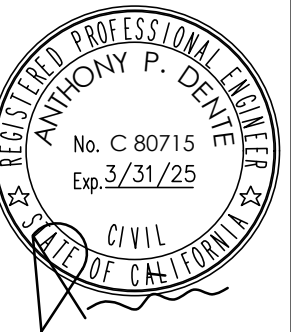
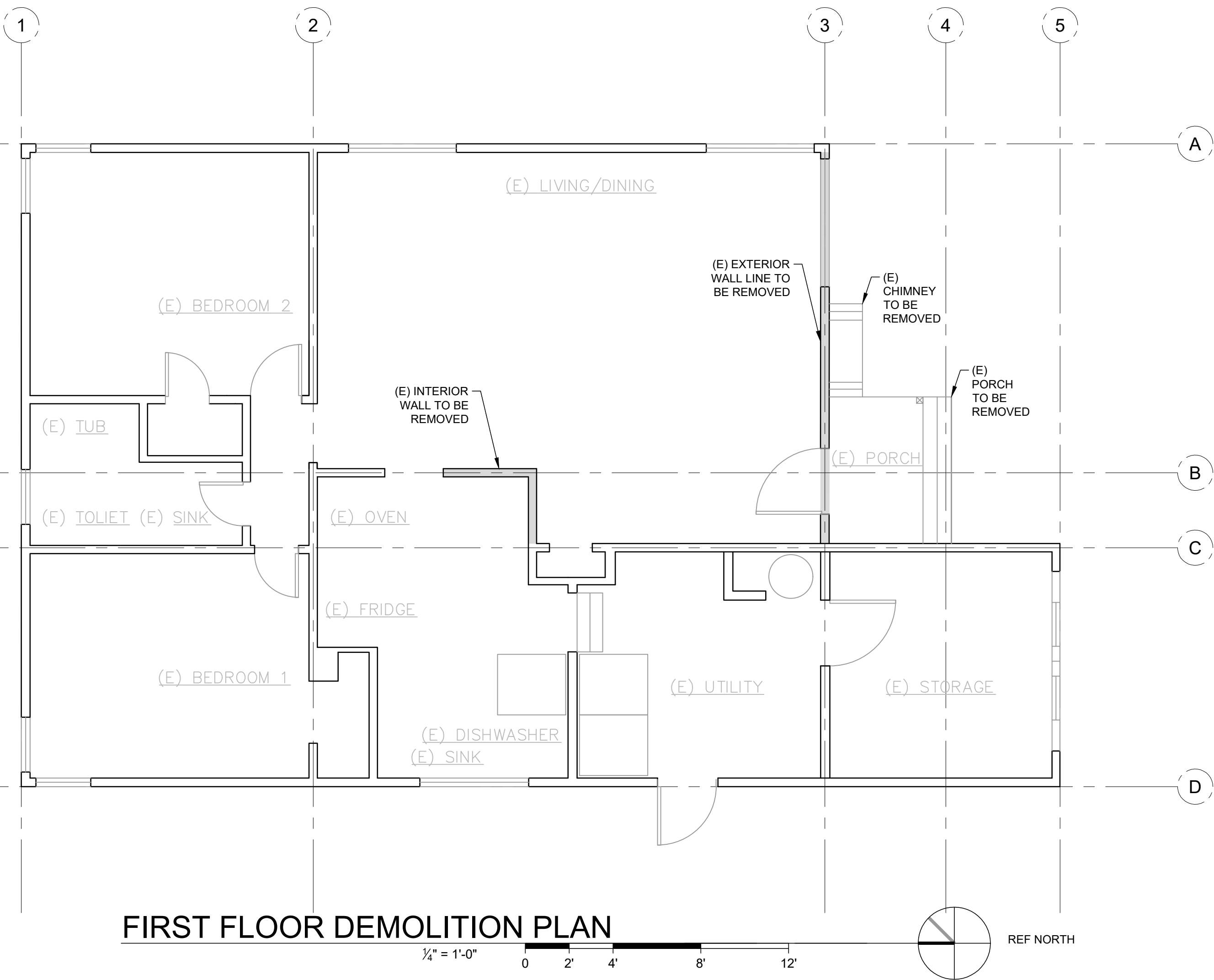
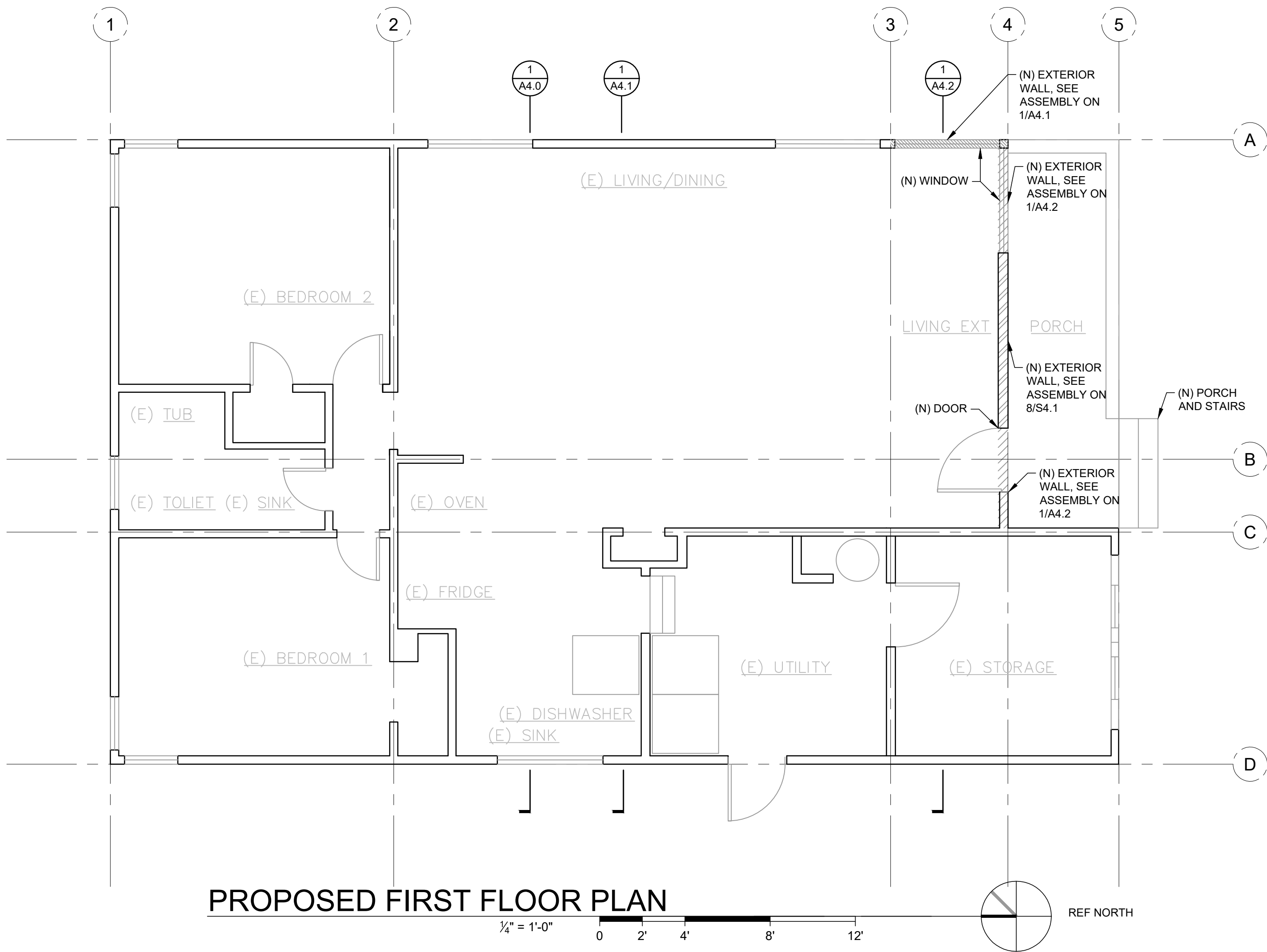


SITE PLAN



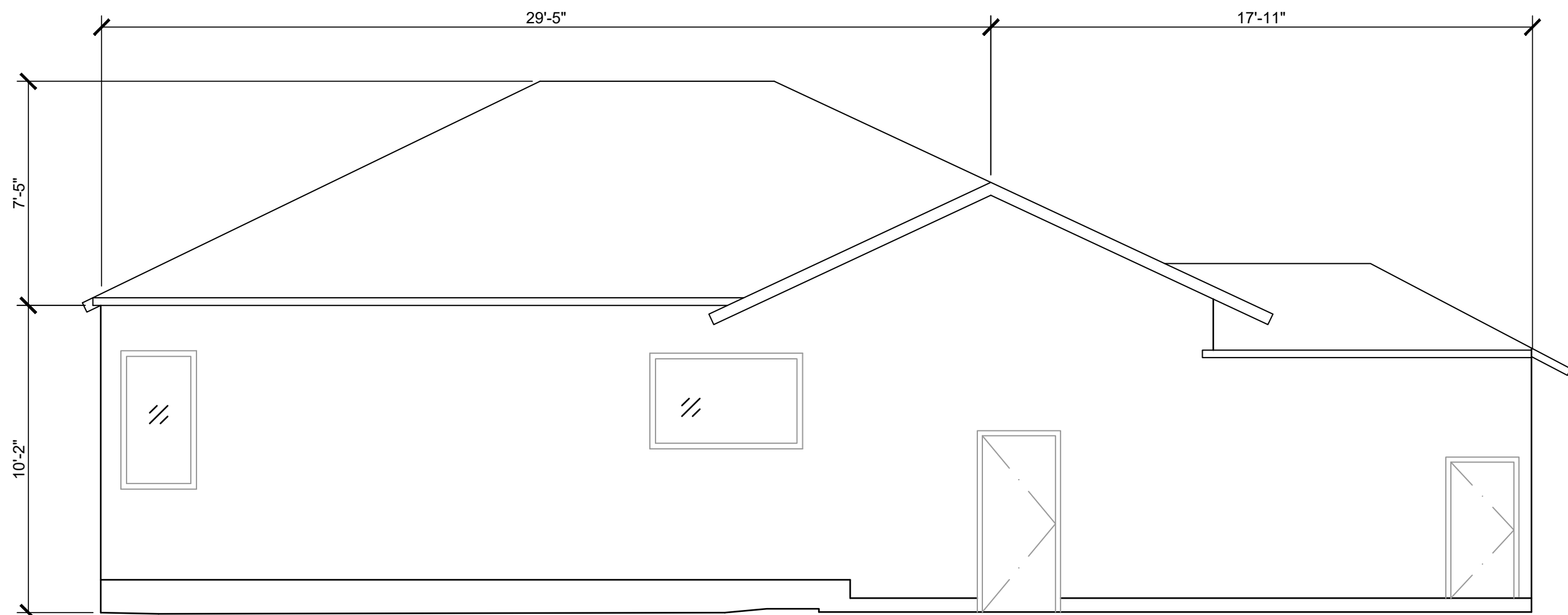
Revision:
1 PLAN CHECK 12.15.23
Date: 09/14/2023
Scale: AS NOTED
Drawn: APD
Job: 19128

WALL LEGEND	EXTERIOR SURFACE	STRUCTURE & INSULATION	INTERIOR SURFACE
	WALL TO BE DEMOLISHED		
	EXISTING WALL TO REMAIN	1X WOOD BOARD	2X4 WOOD STUDS BATT INSULATION 5/8" GYPSUM BOARD
	WALL EXTENSION, SEE ASSEMBLY ON 1/A4.1	1X WOOD BOARD	2X4 WOOD STUDS R-15 BATT INSULATION 5/8" GYPSUM BOARD
	NEW WALL, SEE ASSEMBLY ON 1/A4.2	3/8" PLYWOOD 3/4" BATTEN RAIN SCREEN 1X WOOD BOARD	2X6 WOOD STUDS R-19 BATT INSULATION 5/8" GYPSUM BOARD
	NEW WALL, SEE ASSEMBLY ON 8/S4.1	3/8" PLYWOOD 3/4" BATTEN RAIN SCREEN 1X WOOD BOARD	2X6 WOOD STUDS R-12 STRAW INSULATION 5/8" GYPSUM BOARD

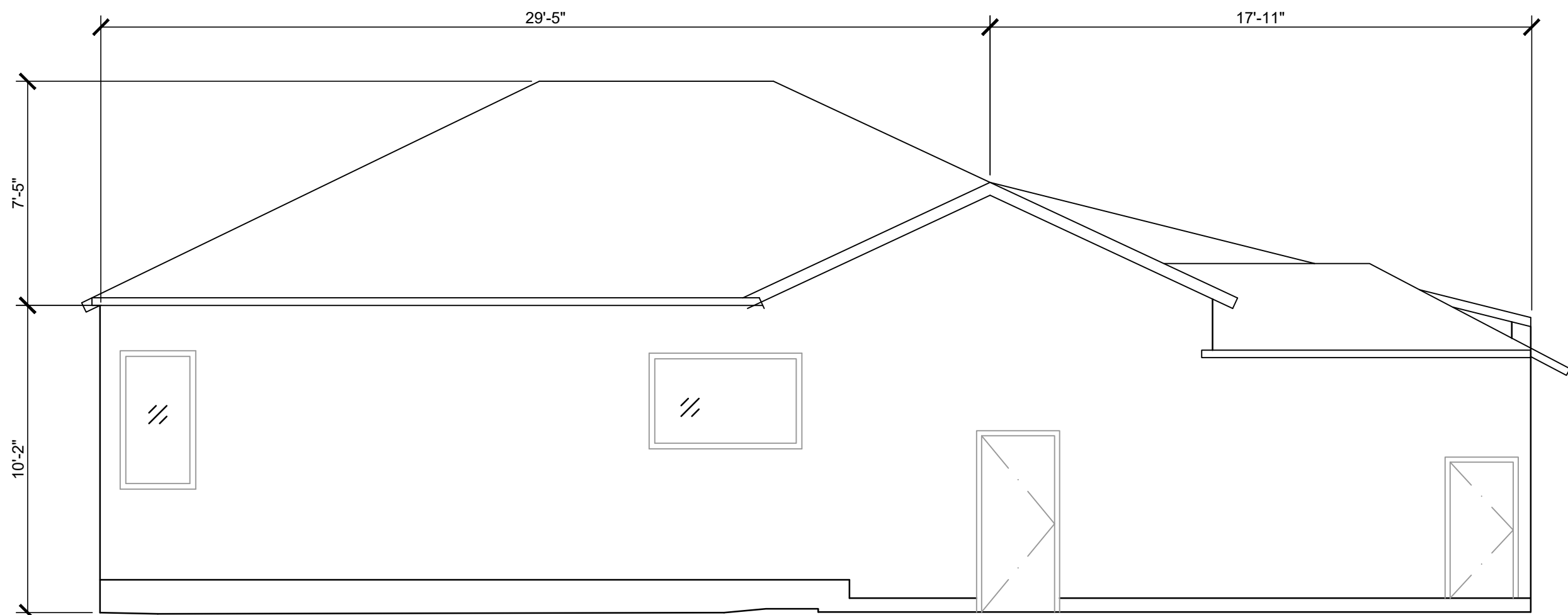


DENTE FRANSON RESIDENCE
6551 Portola Dr., El Cerrito, CA

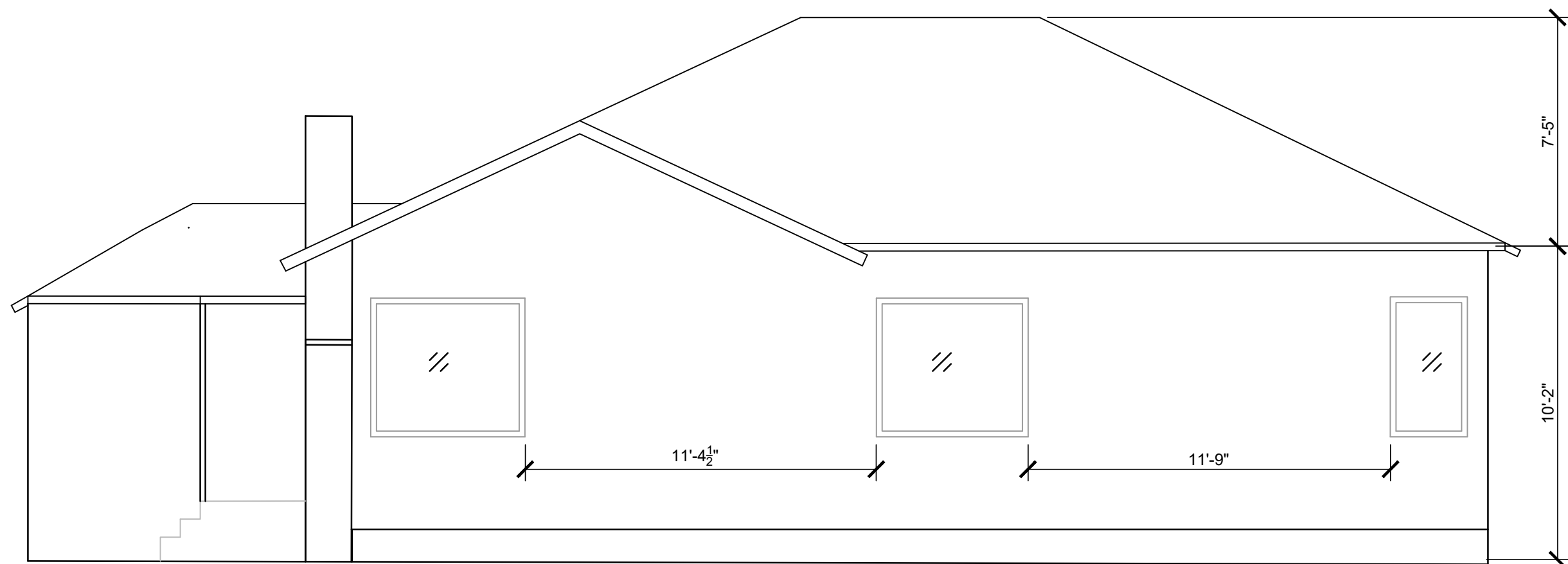
Revision:
1 PLAN CHECK 12.15.23
Date: 9/14/2023
Scale: AS NOTED
Drawn: RTW
Job: 19128
FIRST FLOOR DEMOLITION PLAN & PROPOSED FIRST FLOOR PLAN
Sheet:



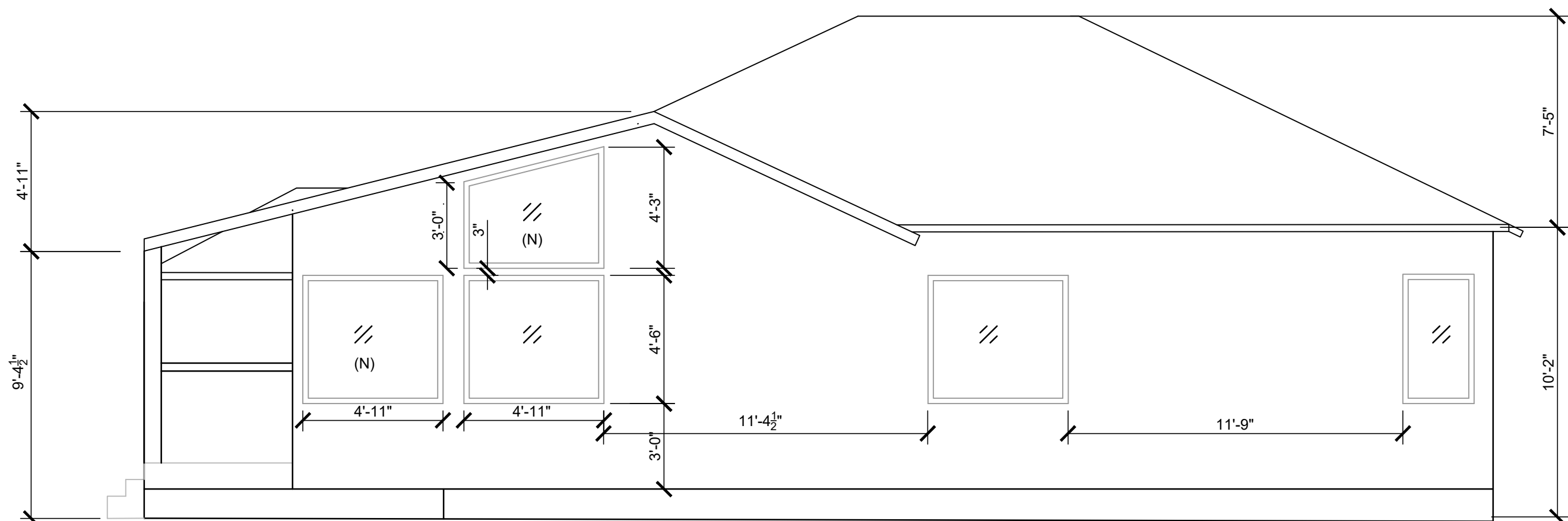
EXISTING ELEVATION WEST
1/4" = 1'-0"



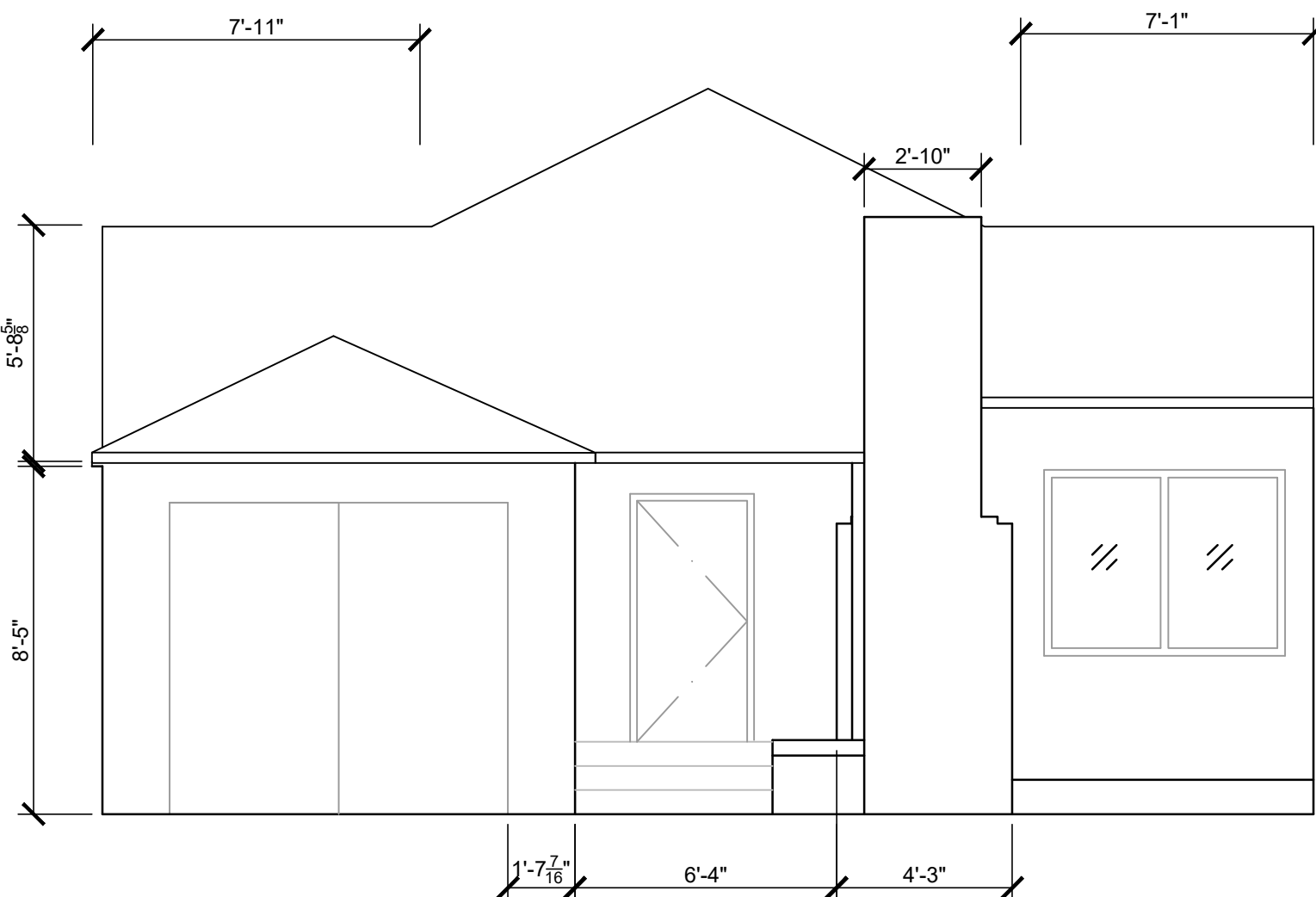
ELEVATION WEST
1/4" = 1'-0"



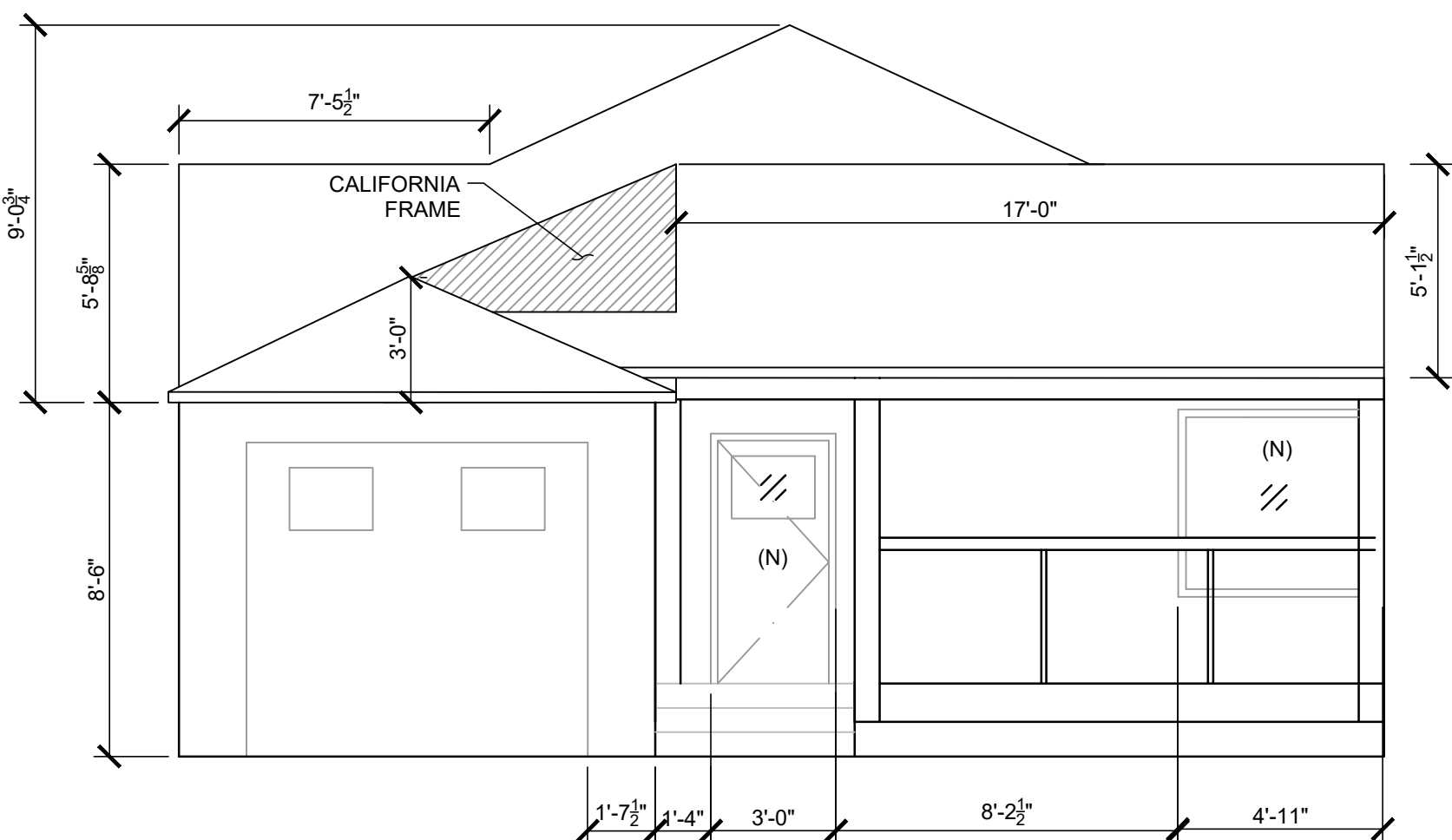
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1/4" = 1'-0"



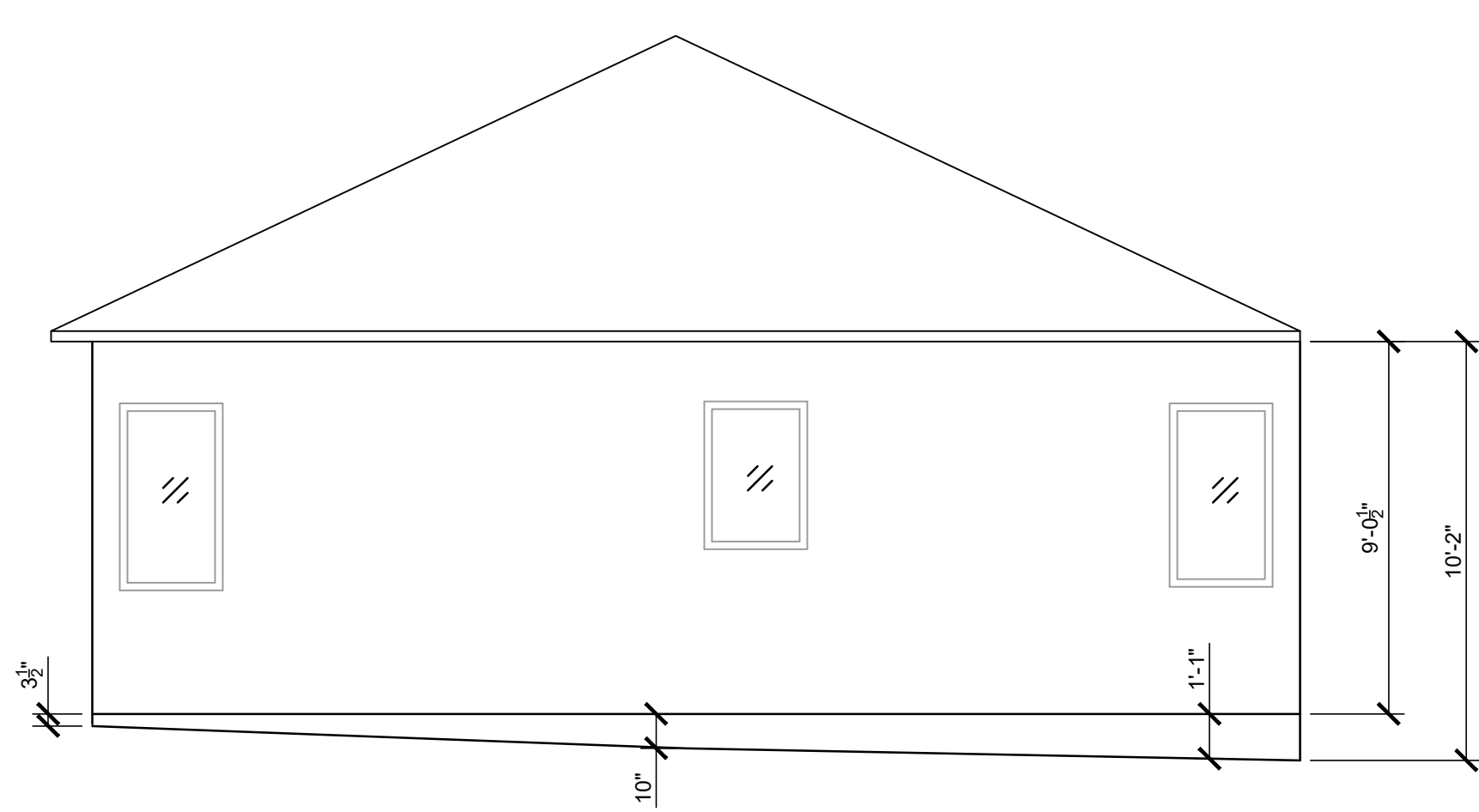
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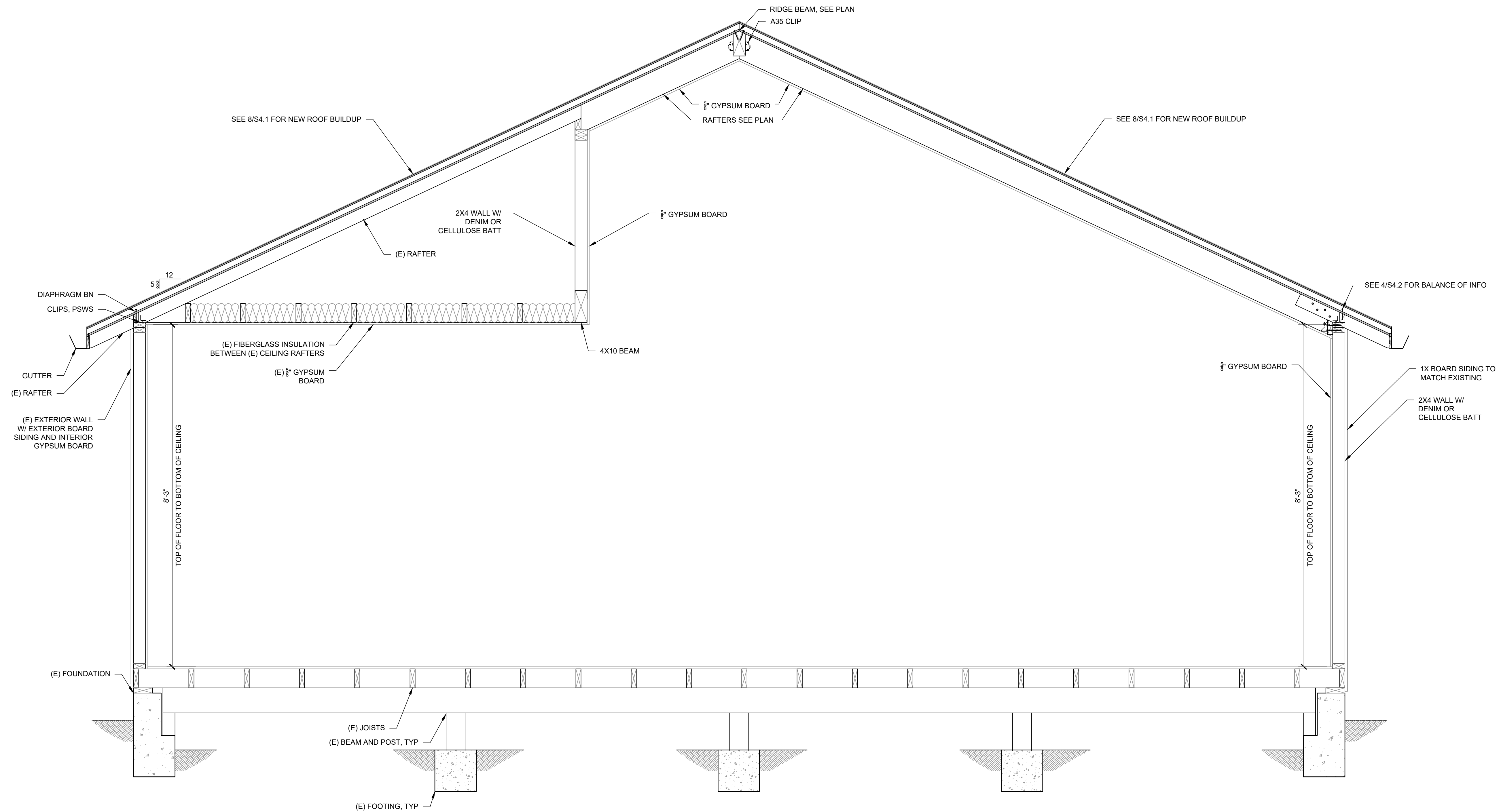
EXISTING ELEVATION SOUTH
1/4" = 1'-0"



ELEVATION SOUTH
1/4" = 1'-0"

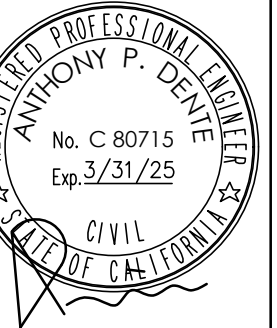


EXISTING & PROPOSED ELEVATION NORTH
1/4" = 1'-0"



1 SECTION
A4.0

3/4" = 1'-0"

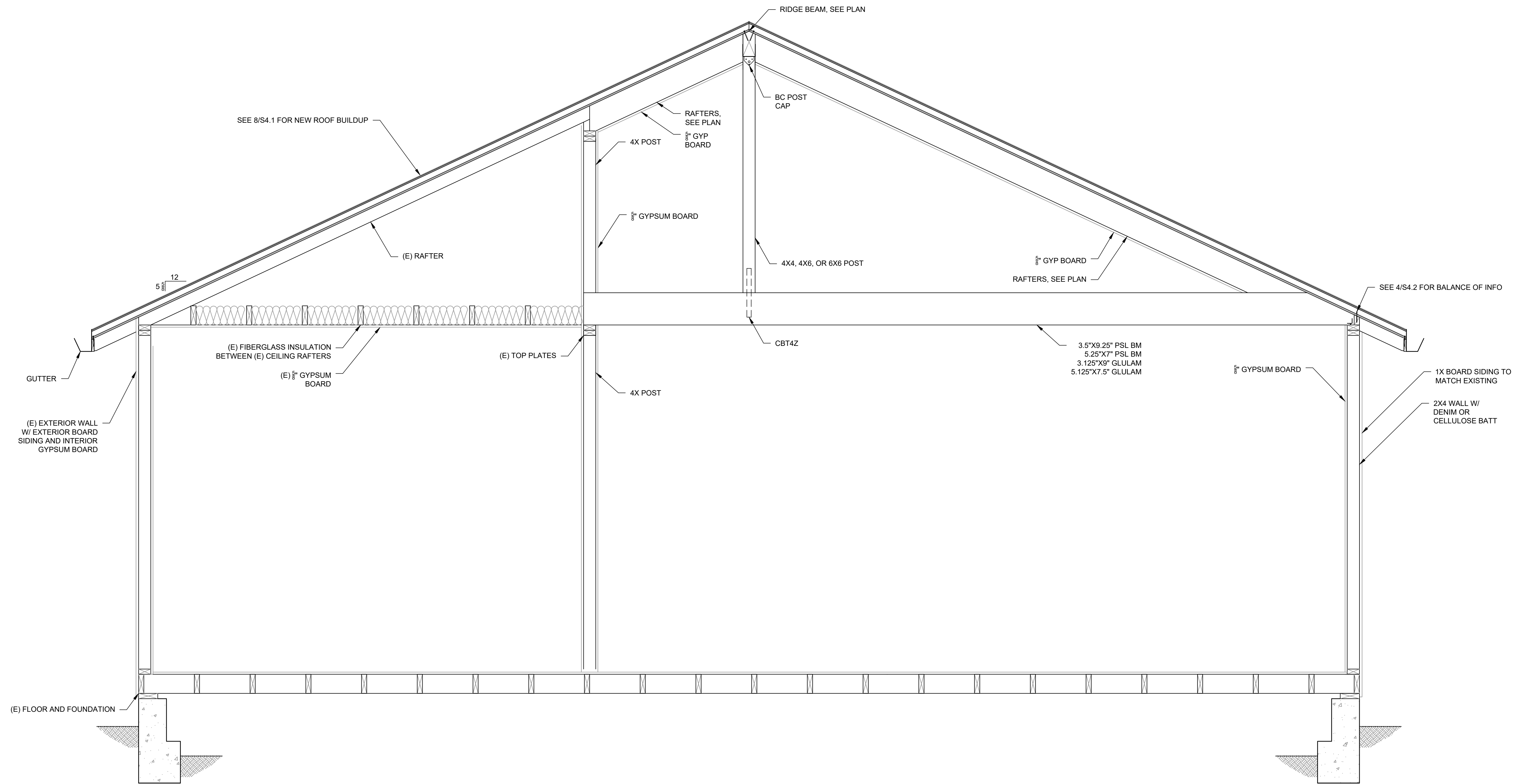


DENTE FRANSON RESIDENCE
6551 Portola Dr., El Cerrito, CA

Revision:	
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SECTION
Sheet:

A4.0



1 SECTION
A4.1

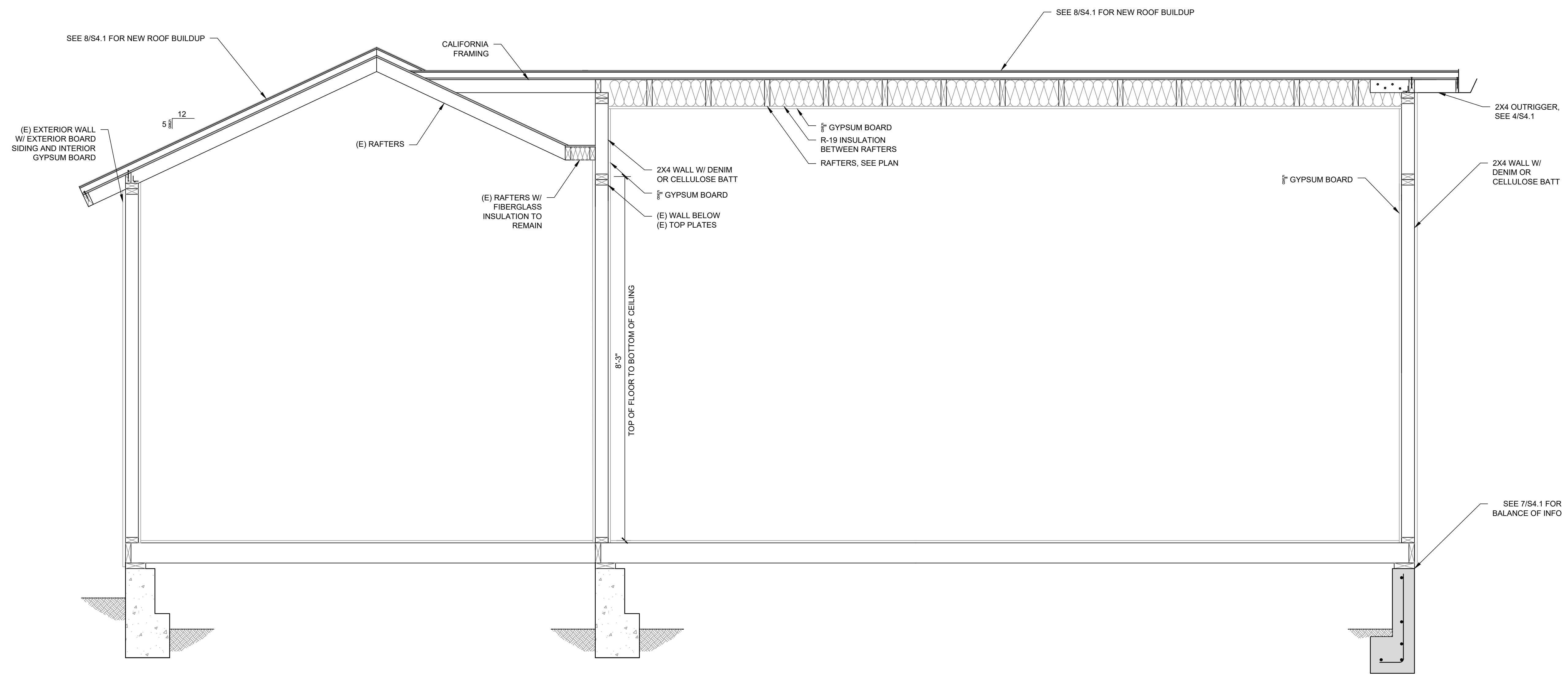
3/4" = 1'-0"

DENTE FRANSON RESIDENCE
6551 Portola Dr., El Cerrito, CA

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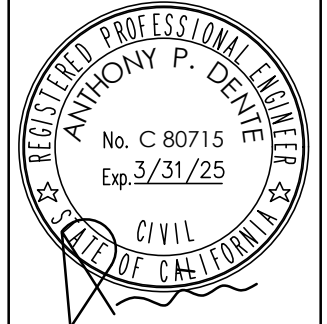
SECTION
Sheet:

A4.1
Sheet 5 of 12



1 SECTION
A4.2

3/4" = 1'-0"



DENTE FRANSON RESIDENCE
6551 Portola Dr., El Cerrito, CA

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SECTION
Sheet:

A4.2

Sheet 6 of 12

GENERAL STRUCTURAL NOTES

CODES AND STANDARDS

DESIGN IS BASED ON THE CALIFORNIA BUILDING CODE, 2022 EDITION. ALL CONSTRUCTION SHALL CONFORM TO APPLICABLE SECTIONS OF THIS CODE.

LIVE LOADS

ROOF LIVE	20 PSF
FLOOR LIVE	40 PSF
DECK LIVE	60 PSF

SEISMIC DESIGN

Ie	1.0
Ss	2.161
S1	0.833
SITE CLASS	D
Sds	1.729
Sd1	0.944
SEISMIC DESIGN CATEGORY	E
Cs	0.266
R	6.5 (BEARING WALL, LIGHT FRAMED W/ WOOD STRUCTURAL PANELS)
ANALYSIS PROCEDURE	EQUIVALENT LATERAL FORCE
REDUNDANCY FACTOR	1.0

WIND DESIGN

BASIC WIND SPEED, V	92 MPH
Iw	1.0 (CATEGORY II)
EXPOSURE	B (URBAN, CLOSELY SPACED CONSTRUCTION, OR WOODED AREA)

MAIN WIND-FORCE RESISTING SYSTEMS	
ANALYSIS PROCEDURE	ASCE 7-16, CHAPTER 27
COMPONENTS & CLADDING	
ANALYSIS PROCEDURE	ASCE 7-16, CHAPTER 30

SUBMITTALS

THE FOLLOWING SHALL BE SUBMITTED TO THE ENGINEERS FOR REVIEW:

CONTRACTOR PROPOSED CHANGES IN PRODUCTS, MATERIALS, EQUIPMENT, AND METHODS OF CONSTRUCTION FROM THOSE SPECIFIED ON THE STRUCTURAL DRAWINGS.
CONCRETE MIX DESIGN TWO WEEKS PRIOR TO CONCRETE POUR

STRUCTURAL OBSERVATION

STRUCTURAL OBSERVATION WILL BE PROVIDED BY VSE IN ACCORDANCE WITH CBC 2022, CHAPTER 17. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AT LEAST 48 HOURS IN ADVANCE OF TIME WHEN WORK THAT REQUIRES STRUCTURAL OBSERVATION WILL BE COMPLETED.

THE FOLLOWING STRUCTURAL OBSERVATIONS SHALL BE PERFORMED:

- REINFORCING STEEL AND EMBEDDED ANCHORS BEFORE PLACEMENT OF CONCRETE
- WOOD FRAMING BEFORE FINISHES ARE APPLIED:
 - GENERAL WOOD FRAMING
 - SHEAR WALLS, DIAPHRAGMS, AND CONNECTIONS

SPECIAL INSPECTION

SPECIAL INSPECTION SHALL BE PROVIDED IN ACCORDANCE WITH CBC 2022, CHAPTER 17. A SPECIAL INSPECTOR SHALL BE ENGAGED TO PROVIDE SPECIAL INSPECTIONS. UNLESS OTHERWISE SPECIFICALLY INDICATED, THE ENGINEERS SHALL NOT PROVIDE SPECIAL INSPECTION.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE FEASIBILITY OF PERFORMING SPECIAL INSPECTIONS PRIOR TO THE SCHEDULING OF ANY INSPECTIONS. ANY DISCREPANCIES SHALL BE REPORTED TO THE STRUCTURAL ENGINEER.

THE FOLLOWING SPECIAL INSPECTIONS SHALL BE PERFORMED:

- EPOXY OR MECHANICAL ANCHORS (CBC 1705.3)
- CONTINUOUS INSPECTION OF ADHESIVE ANCHORS INSTALLED TO HARDENED CONCRETE [VSE or BY OTHERS]

FOUNDATIONS

SPREAD FOOTINGS SHALL BEAR ON UNDISTURBED SOIL, ENGINEERED FILL, OR ROCK. FOOTING DESIGN IS BASED ON A MAXIMUM ALLOWABLE SOIL BEARING PRESSURE OF 1500 PSF DEAD PLUS LIVE, AND 2000 PSF TOTAL LOADS, INCLUDING WIND OR SEISMIC.

CONCRETE SLAB ON GRADE (SOG) SHALL BE UNDERLAIN BY CLEAN CRUSHED ROCK, NO FINES. A VAPOR BARRIER OF 10-MIL MIN THICKNESS SHALL BE PLACED ON TOP OF THE GRAVEL.

WATERPROOFING

WHERE STRUCTURAL DETAILS INDICATE ANY WATERPROOFING OR VENTILATION ITEMS, THEY ARE SCHEMATIC ONLY AND FOR THE PURPOSE OF ASSISTING IN SHOWING A COMPLETE STRUCTURAL DETAIL. REFER ONLY TO ARCHITECTURAL PLANS AND SPECIFICATIONS FOR THE COMPLETE DESCRIPTION OF ALL REQUIRED WATERPROOFING AND VENTILATION SYSTEMS.

CONCRETE

CONCRETE WORK SHALL CONFORM TO THE REQUIREMENTS OF ACI 301-19. CONCRETE SHALL BE NORMAL WEIGHT AND SHALL BE REINFORCED UNLESS OTHERWISE NOTED.

CONSTRUCTION JOINTS ARE PERMITTED EXCEPT WHERE LAP-SPLICES OCCUR, UON.

CONSULT ENGINEER FOR ACCEPTABLE THERMAL BREAK LOCATIONS.

ALL CONCRETE SHALL BE CONSOLIDATED WITH A MECHANICAL VIBRATOR.

A SLUMP OF 3 TO 4 INCHES IS REQUIRED.

MIX DESIGN

THE FOLLOWING INFORMATION IS SHARED TO PRODUCE A MIX DESIGN THAT MEETS THE STRUCTURAL REQUIREMENTS OF THE PROJECT AND REDUCES THE POUNDS OF CEMENT PER YARD AS MUCH AS POSSIBLE.

FINES AND AGGREGATES MAY INCLUDE ENGINEERED PRODUCTS SUCH AS ORCA, RECYCLED CONCRETE AGGREGATE (RCA), RETURNED FRESH CONCRETE (RFC), CRUSHED CONCRETE AGGREGATE (CCA) OR EQUIVALENT. CONSULT ENGINEER OR CONCRETE SUPPLIER TO CONFIRM WHERE THESE MIXES ARE APPLICABLE.

CONCRETE SUPPLIER TO SUBMIT ENVIRONMENTAL PRODUCT DECLARATION (EPD) ALONG WITH CONCRETE MIX PROVIDED, IF AVAILABLE. CONCRETE MIX WITH EPD RECOMMENDED.

CONCRETE SUPPLIER WITH NRMCA GREEN-STAR PLANT CERTIFICATION IS RECOMMENDED.

STRENGTH & CURE TIME

MINIMUM CONCRETE COMPRESSIVE STRENGTHS ARE:
FOOTINGS AND SLABS: 2500 PSI COMPRESSIVE STRENGTH @ 56 DAYS

STRENGTH INCLUDED ABOVE DO NOT INCLUDE HEAVY CONSTRUCTION MATERIALS SUCH AS CRANES OR FORKLIFTS. CONSULT VSE IF FAST CURE TIMES ARE ANTICIPATED FOR HEAVILY LOADED AREAS. MATURITY TESTING (SMART CONCRETE SENSORS) MAY BE USED TO MONITOR STRENGTH.

SUPPLEMENTAL CEMENTITIOUS MATERIAL (SCM)

A MINIMUM SCM OF 50% REQUIRED AND UP TO 90% SCM ALLOWED. SCMS MAY INCLUDE BUT ARE NOT LIMITED TO CARBON CURE, SLAG, FLY ASH, NATURAL GLASS POZZOLANS ETC. CONSULT ENGINEER FOR MORE INFO.

CONCRETE TO COMPLY TO REDUCED CARBON CONCRETE LIMITS. ALL MIXES OF THE FOLLOWING STRENGTHS SHALL BE LIMITED TO THE FOLLOWING CEMENT CONTENT (NOTE: THE ASSOCIATED CURE TIMES FOR THESE STRENGTHS AS THEY RELATE TO SPECIFIC STRUCTURAL ELEMENTS ARE LISTED ABOVE):

MINIMUM SPECIFIED COMPRESSIVE STRENGTH, F'c (PSI)	MAXIMUM LIMITS OF ORDINARY PORTLAND CEMENT CONTENT, (LBS/YD3)
	REQUIRED MAXIMUM
UP TO 2500	362
	RECOMMENDED
	GENERAL: 100-150
	SLABS: 150-250

OUR REQUIREMENTS DO NOT CERTIFY ANY AESTHETIC OR WORKABILITY OUTCOME OF THE MIX BEYOND STRUCTURAL PERFORMANCE. THIS IS THE RESPONSIBILITY OF THE CONTRACTOR.

HOSE SIZE

IT IS RECOMMENDED TO USE LARGER ¾" & 1" AGGREGATES INSTEAD OF PEA GRAVEL. THE LARGER AGGREGATES CAN REDUCE THE POUNDS OF CEMENT PER YARD OF CONCRETE. USE A HOSE SIZE ADEQUATE FOR THE LARGER AGGREGATE WHEN POSSIBLE.

REINFORCING STEEL

REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60.

REINFORCING BARS NOTED OR SHOWN AS CONTINUOUS SHALL RUN IN AS LONG LENGTHS AS PRACTICAL. IN SLAB AND BEAMS LOCATE TOP BAR SPLICES MIDWAY BETWEEN SUPPORTS, BOTTOM BAR SPLICES AT SUPPORTS. BEND AND SPLICE BARS AS NOTED IN THE DETAILS.

WELDING OF REINFORCEMENT BARS SHALL COMPLY WITH AWS D1.4 STRUCTURAL WELDING CODE-REINFORCING STEEL. USE GRADE A706 UNLESS SHOWN OTHERWISE.

UNLESS OTHERWISE NOTED, THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCEMENT:

CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH:	3"
CONCRETE EXPOSED TO EARTH OR WEATHER:	2"
CONCRETE NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND	
SLABS AND WALLS:	1"
BEAMS AND COLUMNS:	1½"

CAST-IN-PLACE ANCHORS IN NEW CONCRETE

FOR ALL SHEAR WALL SILL ANCHORS INTO NEW CONCRETE USE GALVANIZED 5/8" DIAMETER ANCHOR BOLTS WITH 7" MIN EMBEDMENT, UON. SPACE ANCHORS PER SHEAR WALL SCHEDULE. PROVIDE MIN 4D CLEARANCE BETWEEN ANCHOR BOLTS AND EDGE OF CONCRETE.

FOR ALL SHEAR WALL TIE-DOWN ANCHORS INTO NEW CONCRETE USE GALVANIZED ANCHORS AND SEE TIE-DOWN SCHEDULE FOR ANCHOR TYPE, DIAMETER, AND EMBEDMENT.

ADHESIVE DOWELS TO EXISTING CONCRETE

PER MANUFACTURER, ADHESIVE ANCHORS SHALL BE INSTALLED IN CONCRETE HAVING A MINIMUM AGE OF 7 DAYS AT TIME OF ANCHOR INSTALLATION AND 21 DAYS BEFORE FULL LOADING. FOR INSTALLATIONS SOONER THAN 7 DAYS CONSULT ADHESIVE MANUFACTURER.

ADHESIVE ANCHORS SHALL BE ONE OF THE FOLLOWING:

- "SET-3G" ADHESIVE SYSTEM BY SIMPSON STRONG-TIE COMPANY, INC. INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN INSTRUCTIONS AND ICC EVALUATION REPORT ESR-4057. CONTACT ENGINEER FOR "SET-XP".

MINIMUM HOLE SIZE AND EMBEDMENT SHALL BE AS FOLLOWS, U.O.N. ON THE DRAWINGS. HOLE SIZE SHALL BE 1/8" GREATER THAN DIAMETER OF DOWEL/ ALL-THREAD-ROD. REMOVE DUST FROM HOLE WITH COMPRESSED AIR AND A NYLON BRUSH. IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN INSTRUCTIONS.

FOR ALL SHEAR WALL SILL ANCHORS INTO EXISTING CONCRETE USE 5/8" DIAMETER ALL-THREAD-ROD WITH 7" MIN EMBEDMENT, UON. SPACE ANCHORS PER SHEAR WALL SCHEDULE.

FOR ALL SHEAR WALL HOLDOWN ANCHORS INTO EXISTING CONCRETE SEE HOLDOWN SCHEDULE FOR ANCHOR TYPE, DIAMETER, AND EMBEDMENT.

STRUCTURAL STEEL

DETAILS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE LATEST AISC STANDARD SPECIFICATIONS.

BOLTS AND ROD SHALL CONFORM TO THE FOLLOWING:

COMMON BOLTS: ASTM A307 USE U.O.N.
HIGH STRENGTH BOLTS (H.S.B.): ASTM A325 TYPE N
ANCHOR RODS: ASTM F1554 GR. 36
THREADED ROD: ASTM A36

CARPENTRY

IT IS STRONGLY ENCOURAGED THAT ALL LUMBER PRODUCTS ARE EITHER RECLAIMED OR SALVAGED AND CERTIFIED BY THE FOREST STEWARDSHIP COUNCIL (BEARING FSC STAMP) OR THE SUSTAINABLE FORESTRY INITIATIVE (SFI) OR FROM LOCALLY SUSTAINABLE HARVESTED SOURCES. CONSULT ENGINEER IF CLARITY IS DESIRED.

PROVIDE 4X6 OR 6X6 HEADERS OVER ALL EXTERIOR WALL DOOR AND WINDOW OPENINGS UON (6'-0" MAX.). PROVIDE 4X6 OR 6X6 MIN. HEADERS OVER ALL DOOR AND OTHER OPENINGS (6'-0" MAX.) ELSEWHERE UON PROVIDE 2X4 (OR 2X6) CRIPPLE AND FULL HEIGHT STUD AT EACH JAMB.

PROVIDE FULL DEPTH SOLID BLOCKING BETWEEN STUDS @ 10'-0" OC MAX AND BETWEEN JOISTS @ 12'-0" OC MAX.

ALL 2X6 STUDS SHALL BE SPACED AT 2'-0" U.O.N. OR AT 1'-4" WHEN SUPPORTING TWO FLOORS PLUS A ROOF CEILING OR A HABITABLE ATTIC. CRC TABLE R602.3(5). THIS REQUIREMENT MAY CHANGE IF STRAW INSULATION IS USED. CONSULT ENGINEER.

ALL 2X4 STUDS SHALL BE SPACED AT 2'-0" U.O.N. OR AT 1'-4" WHEN SUPPORTING ONE FLOOR PLUS A ROOF CEILING OR A HABITABLE ATTIC. CRC TABLE R602.3(5). THIS REQUIREMENT MAY CHANGE IF STRAW INSULATION IS USED. CONSULT ENGINEER.

MOISTURE CONTENT AND PROTECTION

ALL FRAMING SHALL HAVE A MOISTURE CONTENT BELOW 19% MAXIMUM UPON INSTALLATION.

MATERIALS SHALL BE PROPERLY STORED ON THE JOB SITE. MATERIALS SHALL BE STORED OFF OF THE GROUND, AND PROTECTED FROM EXPOSURE TO THE ELEMENTS.

PRESERVATIVE TREATMENT

WOOD FRAMING MEMBERS THAT ARE EXPOSED TO WEATHER OR IN CONTACT WITH CONCRETE, BUT NOT IN CONTACT WITH THE GROUND, SHALL BE OF NATURALLY DURABLE OR PRESERVATIVE-TREATED WOOD IN ACCORDANCE WITH AWPA STANDARD U1.

PER CBC 2304.12.2, PRESERVATIVE-TREATED WOOD USED IN INTERIOR LOCATIONS SHALL BE PROTECTED WITH TWO COATS OF URETHANE, SHELLAC, LATEX EPOXY, OR VARNISH UNLESS WATERBORNE PRESERVATIVES ARE USED. PRIOR TO THE APPLICATION OF THE PROTECTIVE FINISH, THE WOOD SHALL BE DRIED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

DIMENSIONAL LUMBER

DIMENSIONAL LUMBER SHALL CONFORM TO THE FOLLOWING MINIMUM GRADES AND SHALL BE DOUGLAS FIR, UON, AS FOLLOWS:

- SILLS AND LEDGERS ON CONCRETE OR CONCRETE BLOCK - DOUGLAS FIR - PRESSURE TREATED WITH AN APPROVED PRESERVATIVE OR REDWOOD
- RAFTERS, JOISTS, STUDS, PLATES, BLOCKING, ETC. - NO 2 OR BETTER, UON
- BEAMS AND POSTS 4X AND WIDER - NO. 1, UON

MANUFACTURED LUMBER

TJ'S, PARALLAMS (PSL'S), MICROLLAMS (LVL'S), AND TIMBERSTRAND (LSL) ARE MANUFACTURED BY ILEVEL WEYERHAEUSER. UON USE:

- BEAMS- 2.2E PARALLAM PSL
- RAFTERS AND JOISTS- 2.0E MICROLLAM LVL
- POSTS- 1.8E PARALLAM PSL

REFER TO SPECIFIER'S GUIDE #TJ-4000 FOR TJ'S AND #TJ-9000 FOR PSL'S AND LVL'S FOR WEB STIFFENER, BAKER BLOCKS, AND INSTALLATIONS RECOMMENDATIONS.

SHEATHING

WOOD SHTG PANELS SHALL CONFORM TO PS 1-19 OR PS 2-18, EXPOSURE 1 (OR EXTERIOR GRADE PER ARCHITECTURAL REQUIREMENTS), WHICH CAN INCLUDE PWD AND OSB. FLOOR AND ROOF SHEATHING SHALL BE PLACED WITH LONG AXIS OF PANELS PERPENDICULAR TO SUPPORTS AND WITH STAGGERED END JOINTS.

ROOF - 15/32" 40/20 APA RATED SHEATHING WITH T&G EDGES (UNBLOCKED, UON), (OR WHEN 15/32" 40/20 APA RATED SHEATHING WITH T&G EDGES IS PREFERRED USE ONE PLYCLIP PER JOIST SPACE AT ALL UNSUPPORTED EDGES IF JOIST SPACING EXCEEDS 1'-4"). NAIL ALL SUPPORTED EDGES WITH 10d" @ 6"; ALL OTHER INTERMEDIATE BEARINGS WITH 10d" @ 12". OFFSET PANEL GRID IN ONE DIRECTION. WHERE DIAPHRAGMS ARE BLOCKED NAIL ALL PANEL EDGES W/ MIN 10d" @ 6", UON.

FLOORS - 15/32" 24 O.C. APA RATED STURD-4-FLOOR WITH T&G EDGES (UNBLOCKED, UON). NAIL ALL SUPPORTED EDGES WITH 10d" @ 6"; ALL OTHER INTERMEDIATE BEARINGS WITH 10d" @ 12". OFFSET PANEL GRID IN ONE DIRECTION. WHERE DIAPHRAGMS ARE BLOCKED NAIL ALL PANEL EDGES W/ MIN 10d" @ 6", UON.

WALLS - (WHERE SHOWN ON PLANS) 5/8" 32/16 APA RATED SHEATHING. BLOCK EDGES. NAIL ALL PANEL EDGES PER SHEAR WALL SCHEDULE WHERE INDICATED OR WITH 10d" @ 6" UON; NAIL ALL OTHER INTERMEDIATE BEARINGS WITH 10d" @ 12".

FASTENERS

ALL WOOD CONNECTIONS SHALL BE IN ACCORDANCE WITH TABLE 2304.10.2 OF THE 2022 CBC. NAILS SHALL BE COMMON WIRE NAILS U.O.N. BOLTS AND LAG SCREWS BEARING ON WOOD SHALL HAVE WASHERS. SILLS OR PLATES SHALL BE BOLTED TO CONCRETE WITH GALVANIZED 5/8" DIAMETER BOLTS WITH 3X3X1/4" WASHERS, EMBEDDED 7" MINIMUM AT 4'-0" MAXIMUM ON CENTER, UON.

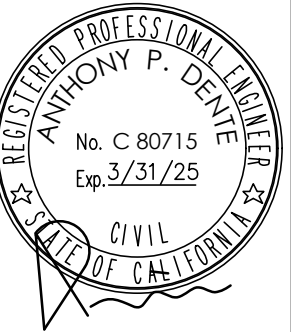
FASTENERS FOR INTERIOR APPLICATIONS PENETRATING PRESSURE-TREATED LUMBER, OR FASTENERS EXPOSED TO WEATHER INCLUDING EXTERIOR APPLICATIONS OF PRESSURE-TREATED LUMBER SHALL BE HOT DIPPED ZINC-COATING GALVANIZED WITH A MINIMUM ASTM A 653 TYPE G185 COATING OR STAINLESS STEEL.

WOOD CONSTRUCTION CONNECTORS SHALL BE GALVANIZED AND MANUFACTURED BY SIMPSON STRONG-TIE COMPANY OR EQUAL. JOIST HANGERS SHALL BE "LUS" SERIES UON ON DRAWINGS. JOIST HANGERS SHALL BE "HU" SERIES WHERE JOISTS ARE SLOPED OR SKEWED, OR WHERE THE HANGER IS TO BE WELDED ONTO THE CARRYING MEMBER.

POST CAPS/BASES ARE NOT REQUIRED UNLESS SPECIFICALLY CALLED OUT ON DRAWINGS. FASTEN BEAM WITH (4) 10d COMMON NAILS TO NAILED TO POST.

MATERIAL LEGEND

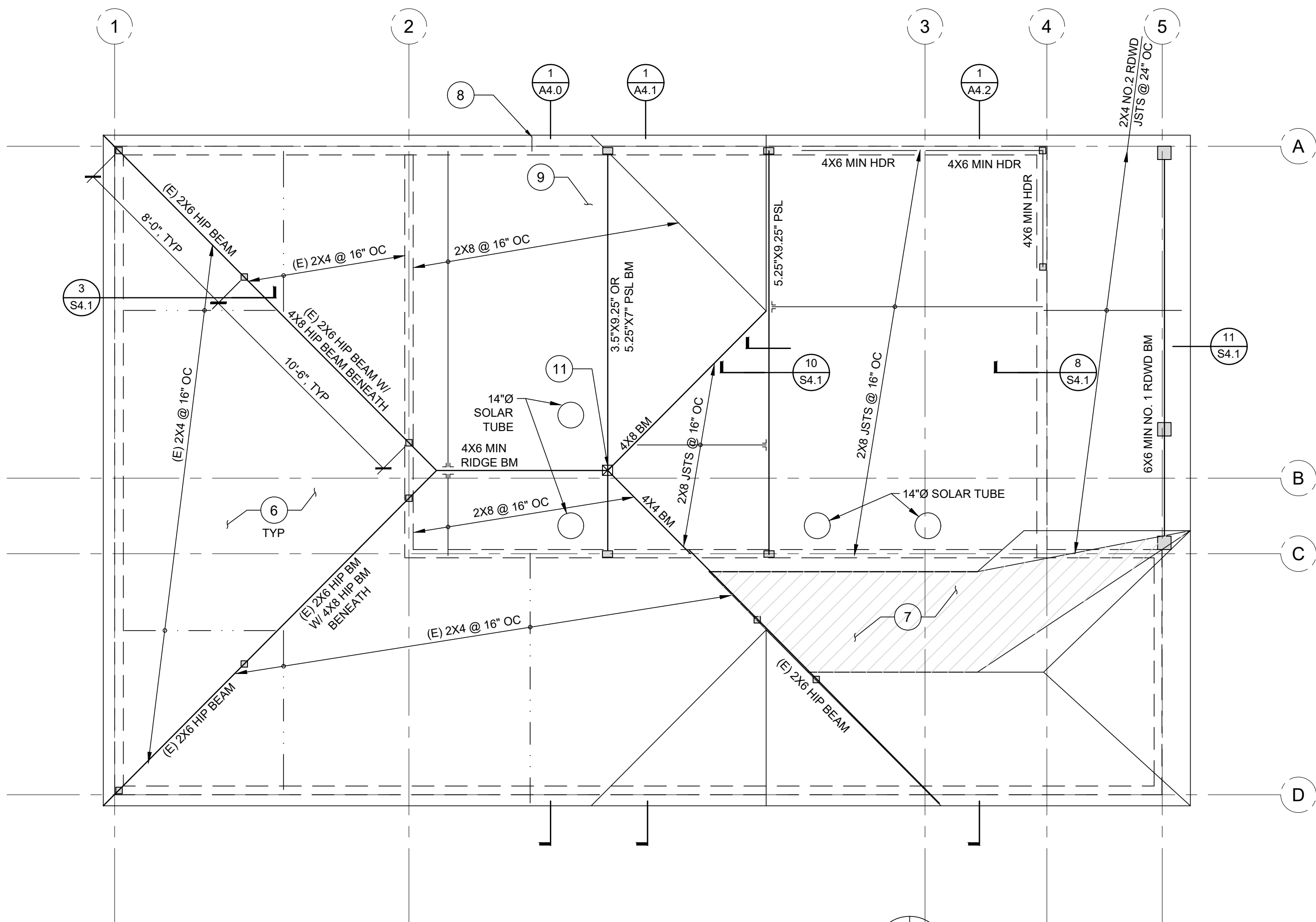
	(N) WALL OR (N) CONCRETE
	(E) CONCRETE
	(N) FOOTING
	(E) FOOTING
	MASONRY WALL
	WOOD SHEAR WALL
	TIEDOWN
	DEMO WALL OR (N) BEARING WALL BELOW
	(E) WALL TO BE DEMO'D
	(N) WOOD BEAM
	(N) RAFTER OR JOIST
	(E) MEMBER
	WOOD POST ABOVE. DBL STUD OR 4X4, U.O.N.
	WOOD POST BELOW DBL STUD OR 4X4, U.O.N.
	WOOD POST ABV & BLW DBL STUD OR 4X4, U.O.N.
	STRAP



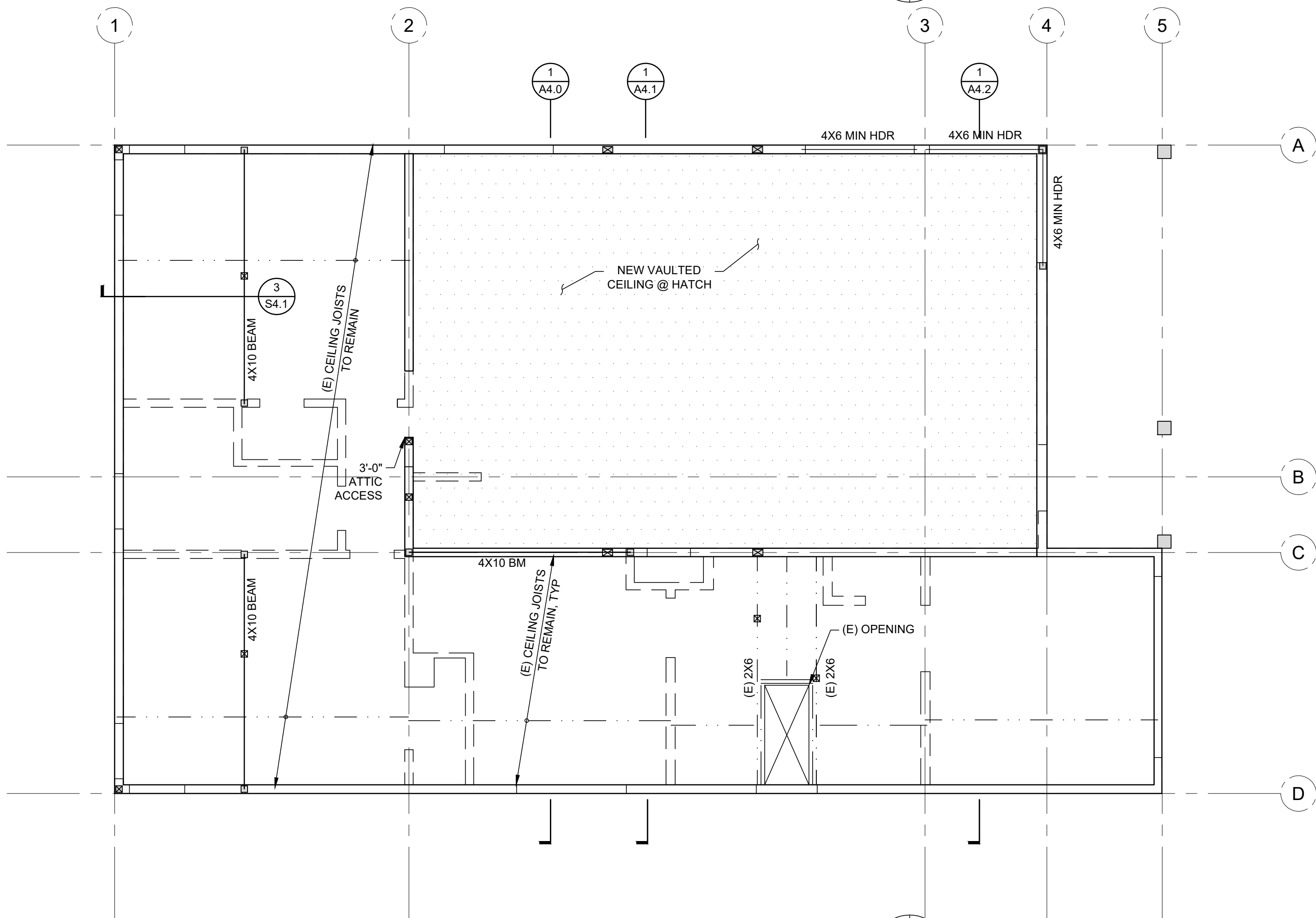
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GENERAL
STRUCTURAL
NOTES

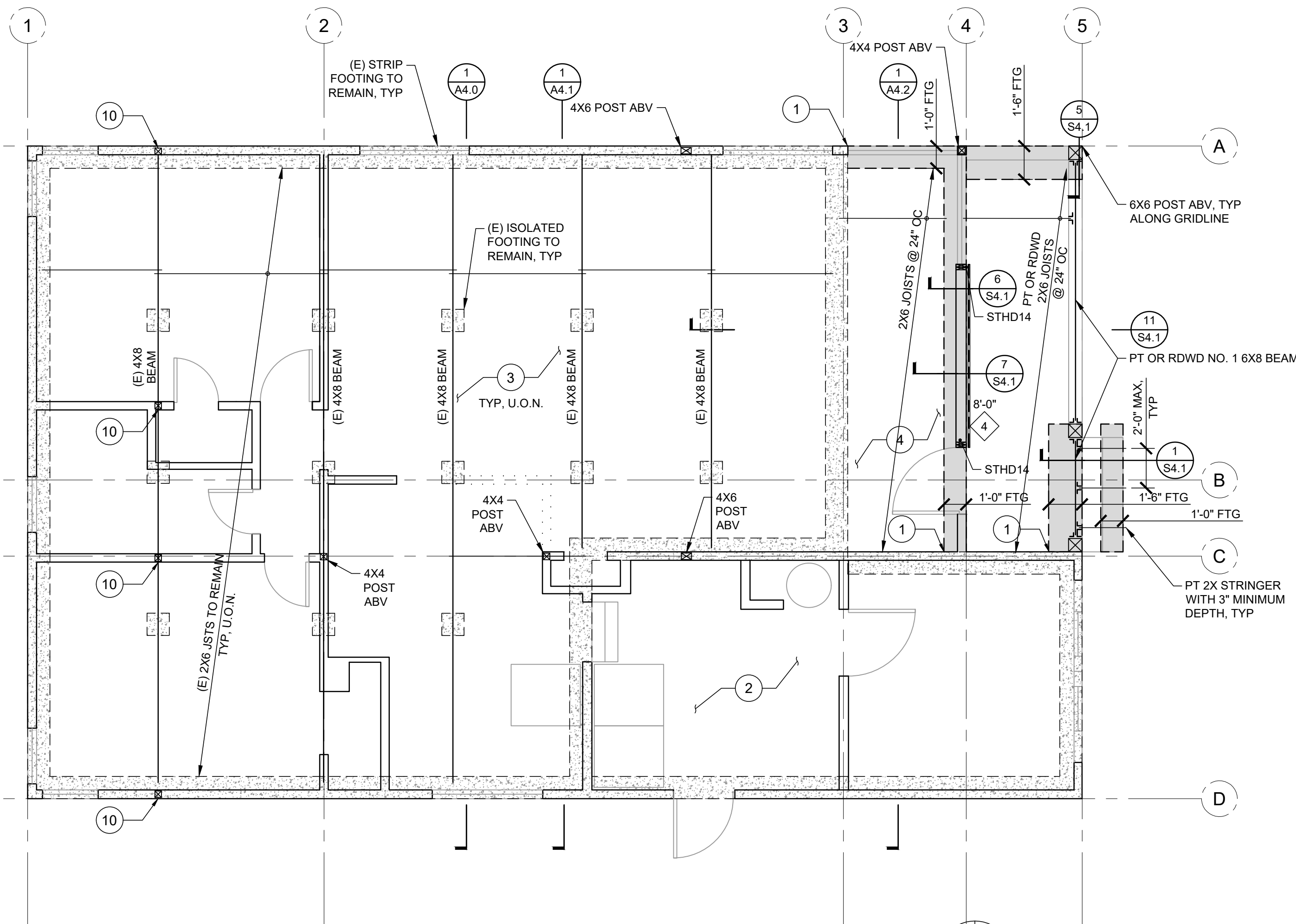
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ROOF FRAMING PLAN



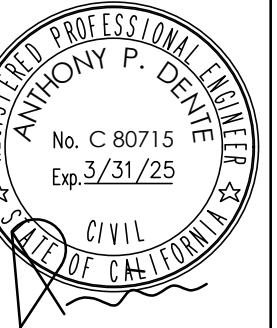
CEILING FRAMING PLAN



FIRST FLOOR FRAMING AND FOUNDATION PLAN

SHEET NOTES

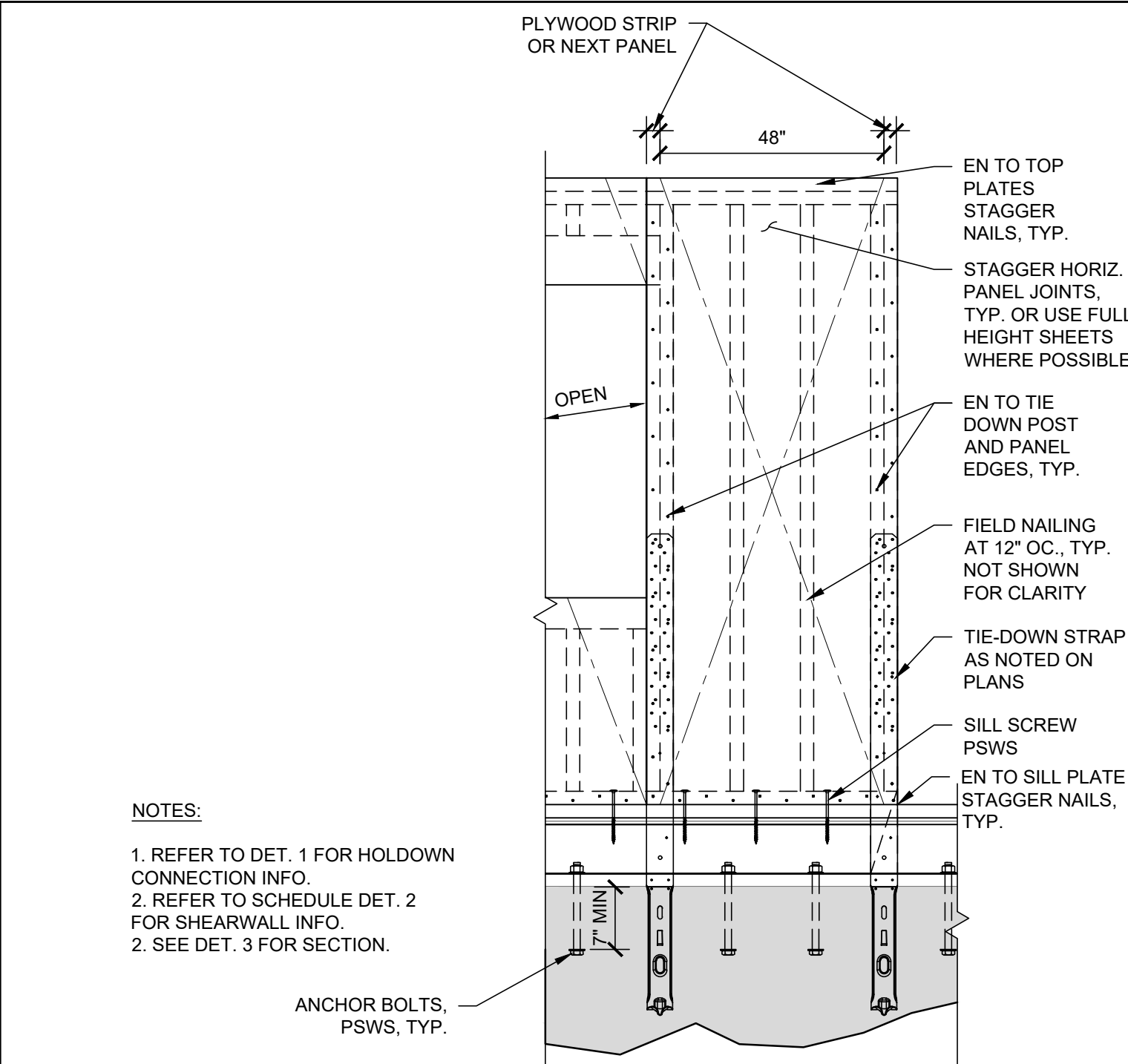
1	DOWEL (N) TO (E) FOOTING	5 S4.0
2	(E) SLAB ON GRADE	
3	(E) FLOOR SHEATHING	
4	FLOOR SHEATHING, SEE GENERAL NOTES	
5	(E) ROOF SHEATHING	
6	ROOF SHEATHING, SEE GENERAL NOTES	
7	CALIFORNIA FRAMING AT HATCH	14 S4.0
8	2X4 OUTRIGGER	
9	PV ON ROOF PER PERMIT XXX	
10	(E) 2X4 STUD OR (E) TOP PLATE SPANNING TO (E) STUDS	
11	HHRC44 HIP TO RIDGE CONNECTION; 4X6 KING POST W/ BC46 CAP FROM RIDGE TO POST & CBT42 FROM POST TO PSL BM	



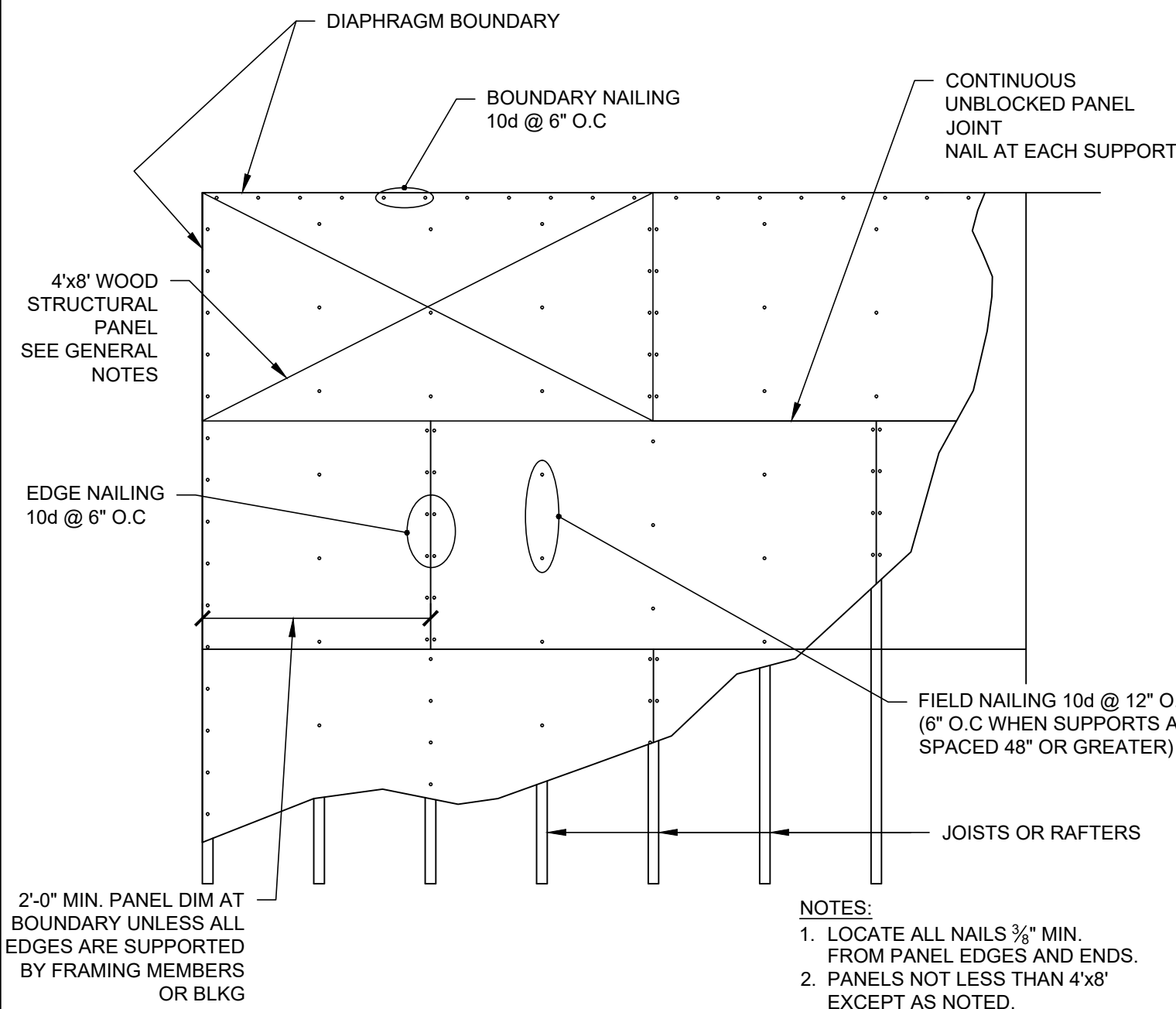
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FOUNDATION
AND FIRST
FLOOR PLAN,
CEILING PLAN, &
ROOF PLAN

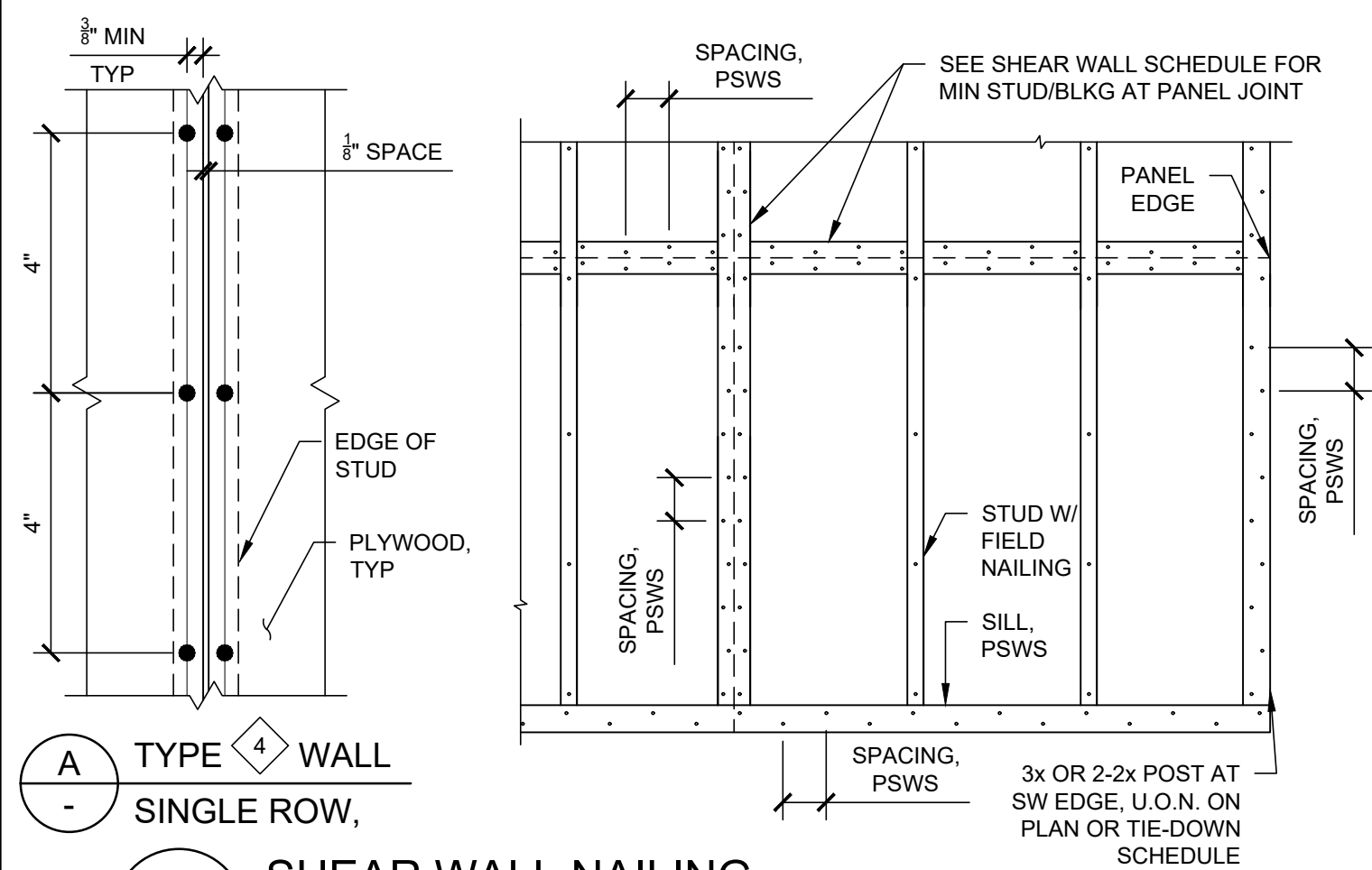
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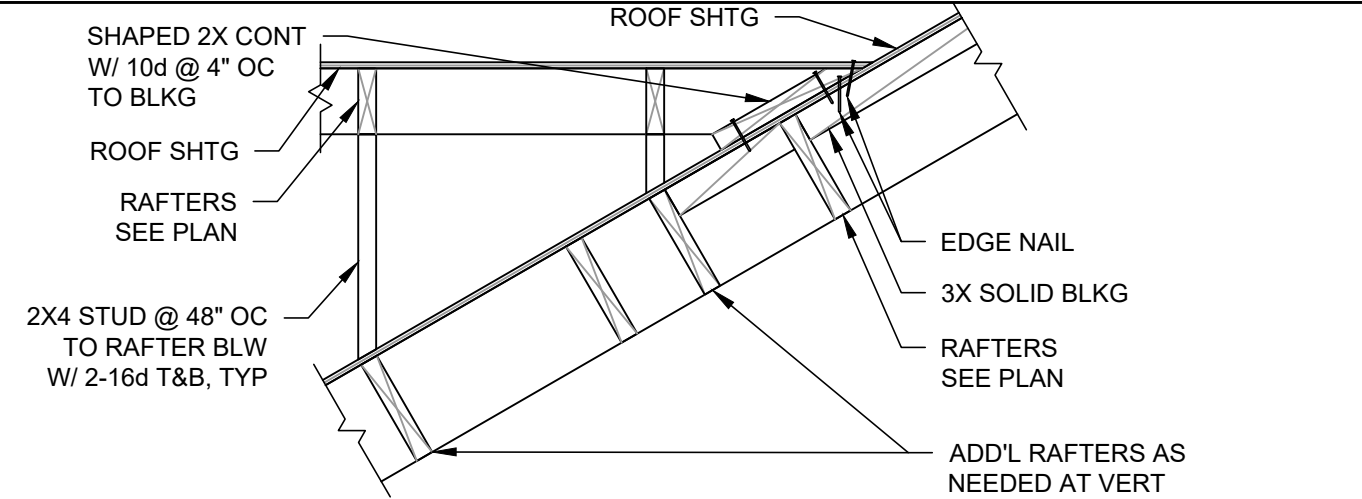
17
S4.0 SEGMENTED SHEAR WALL
NOT TO SCALE



16
S4.0 PARTIAL ROOF OR FLOOR PLAN UNBLOCKED DIAPHRAGM
N.T.S.



15
S4.0 SHEAR WALL NAILING
NOT TO SCALE

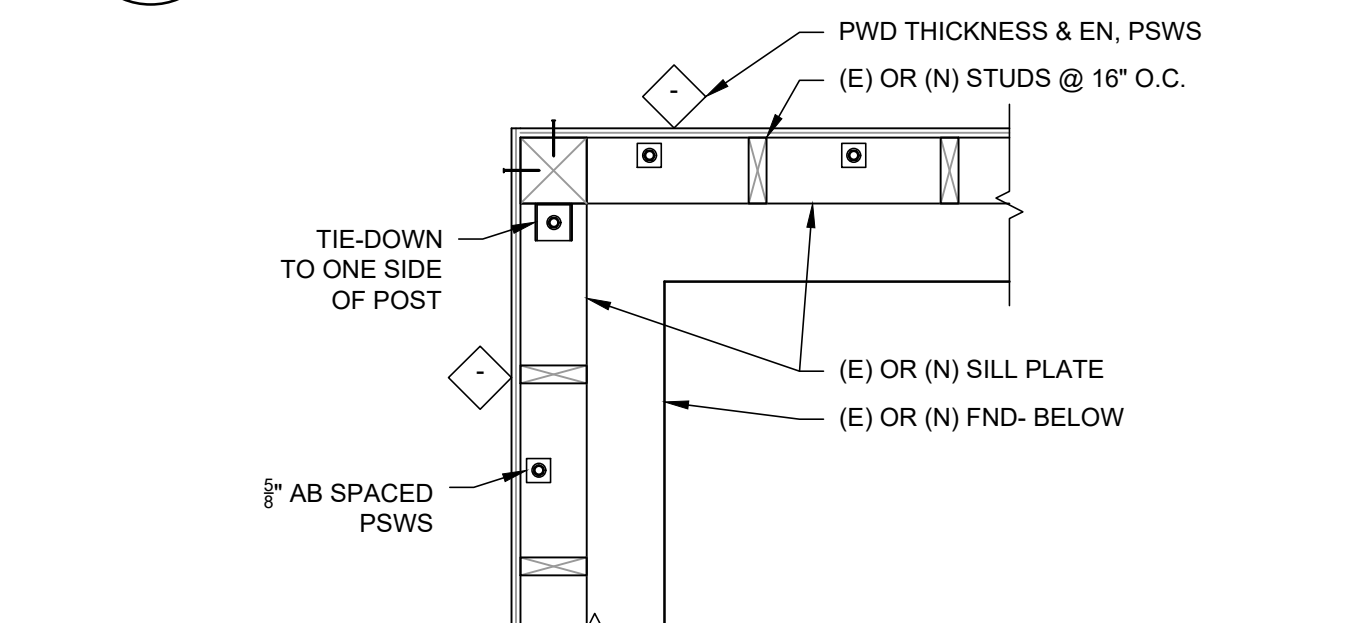


14
S4.0 TYPICAL CALIFORNIA FRAMING
 $\frac{3}{4}$ " = 1'-0"

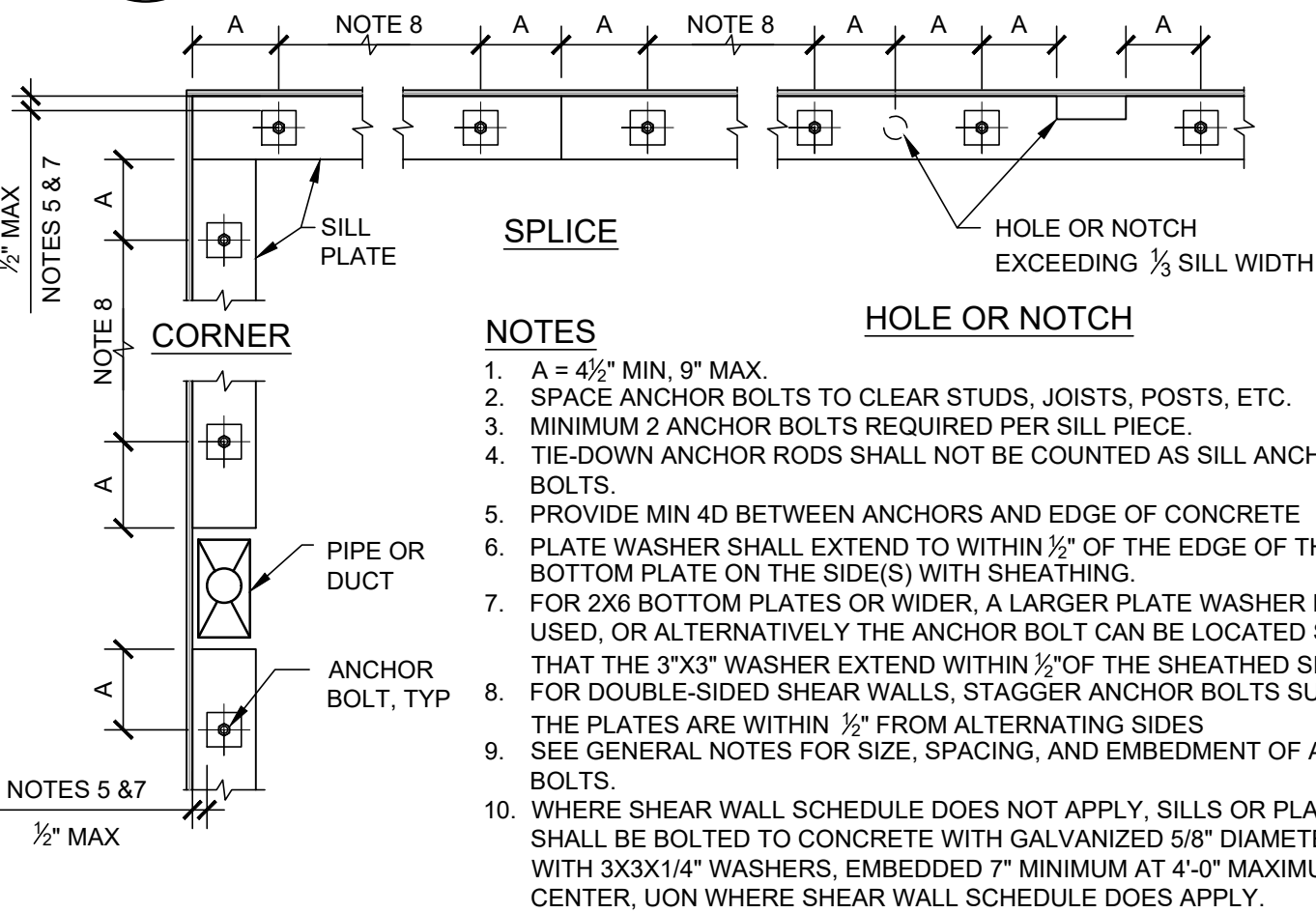
TIE-DOWN (1)	MINIMUM POST SIZE (2)	FASTENERS TO POST (1)	ANCHOR ROD SIZE	SIMPSON ANCHOR (1)	STRAP END LENGTH (4)	EMBEDMENT TO (N) CONC
STHD14	2-2x OR 4x	22- 0.148"x3 $\frac{1}{2}$ " NAILS	N/A	N/A	N/A	14"

- NOTES:**
- SIMPSON STRONG-TIE COMPANY OR EQUIVALENT.
 - 2-2X STUDS MAY BE USED IN PLACE OF 4x POST. FASTEN TOGETHER WITH 2 ROWS 16d @ 4" STAGGERED.
 - SSTB ANCHORS SHALL NOT BE USED AS A SUBSTITUTE FOR SB ANCHORS U.O.N.
 - STRAP NAIL INSTALLED IN EVERY OTHER HOLE

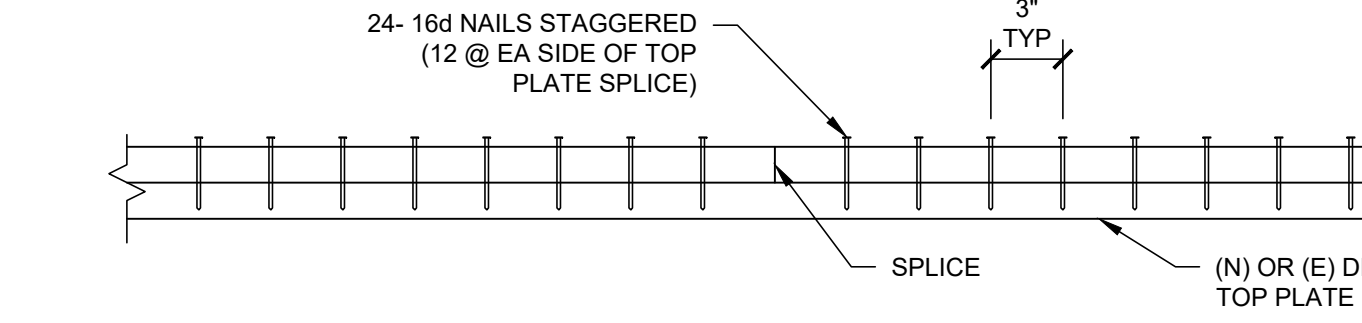
13
S4.0 TIE-DOWN SCHEDULE
NOT TO SCALE



12
S4.0 SHEAR WALL SILL PLATE PLAN
NOT TO SCALE



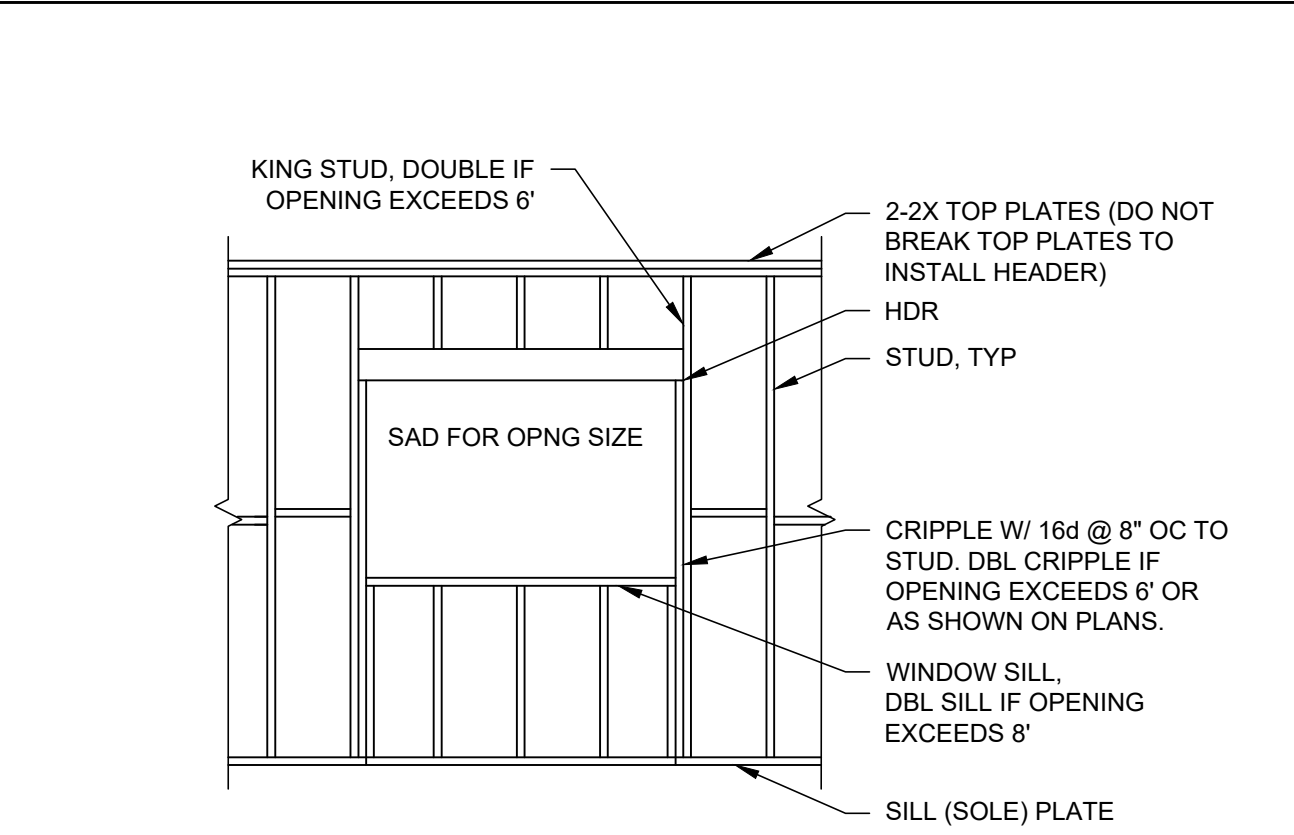
11
S4.0 SILL PLATE BOLTING PLAN
NOT TO SCALE



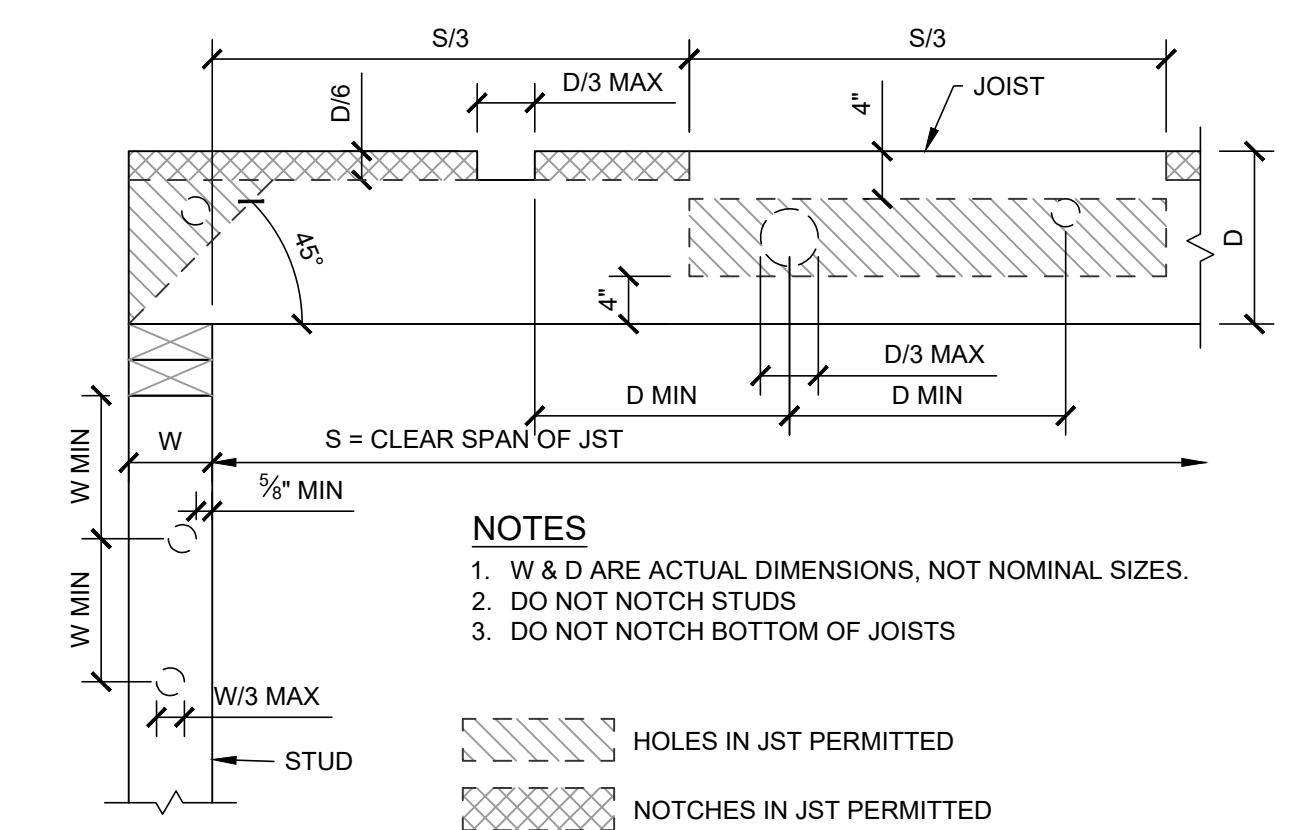
10
S4.0 TOP PLATE SPLICE
NOT TO SCALE

SPECIFIED COMMON NAIL	WIRE GAGE	WIRE DIAMETER	MIN. PENETRATION INTO HOLDING MEMBER
8d	10 1/4	0.131"	1 1/2"
10d	9	0.148"	1 3/4"
12d	9	0.148"	1 3/4"
16d	8	0.162"	2"
20d	6	0.192"	2 3/8"
30d	5	0.207"	2 1/2"

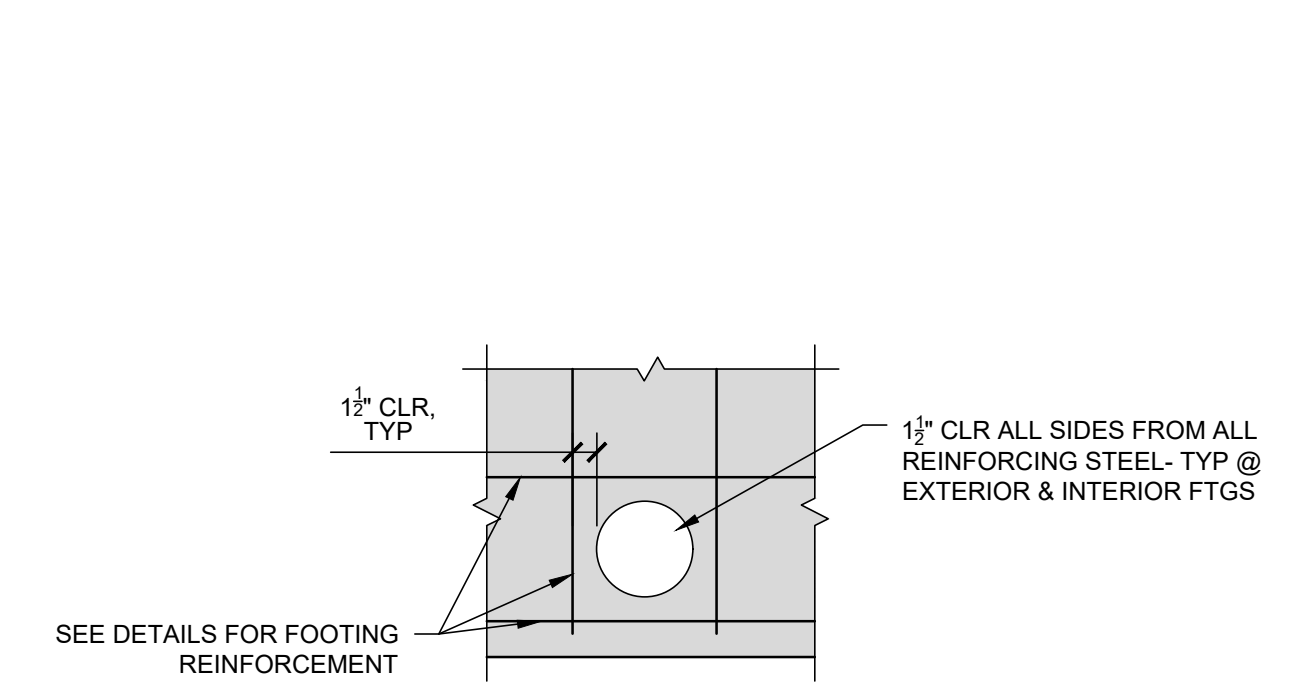
9
S4.0 NAIL SCHEDULE
NOT TO SCALE



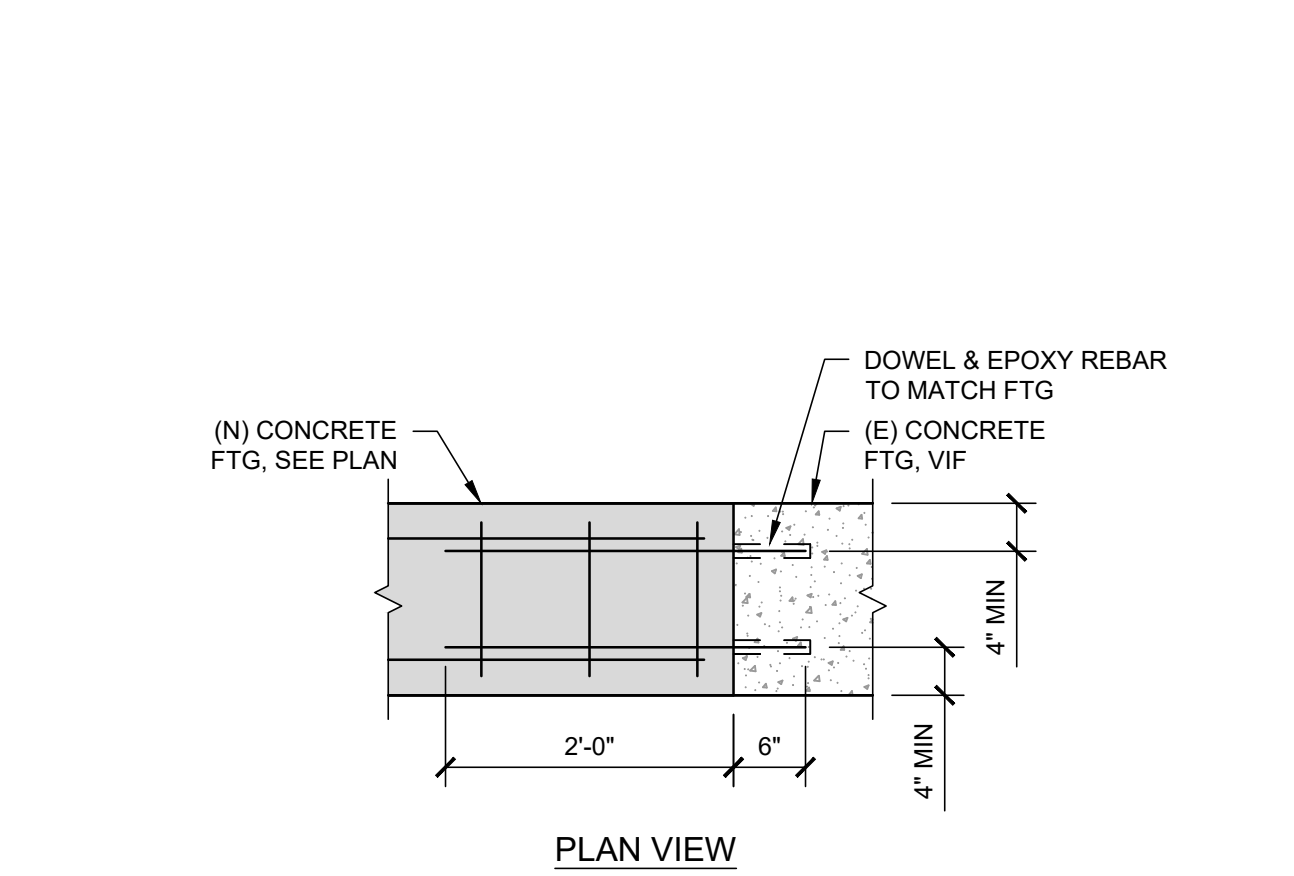
8
S4.0 WOOD HEADER FRAMING
NOT TO SCALE



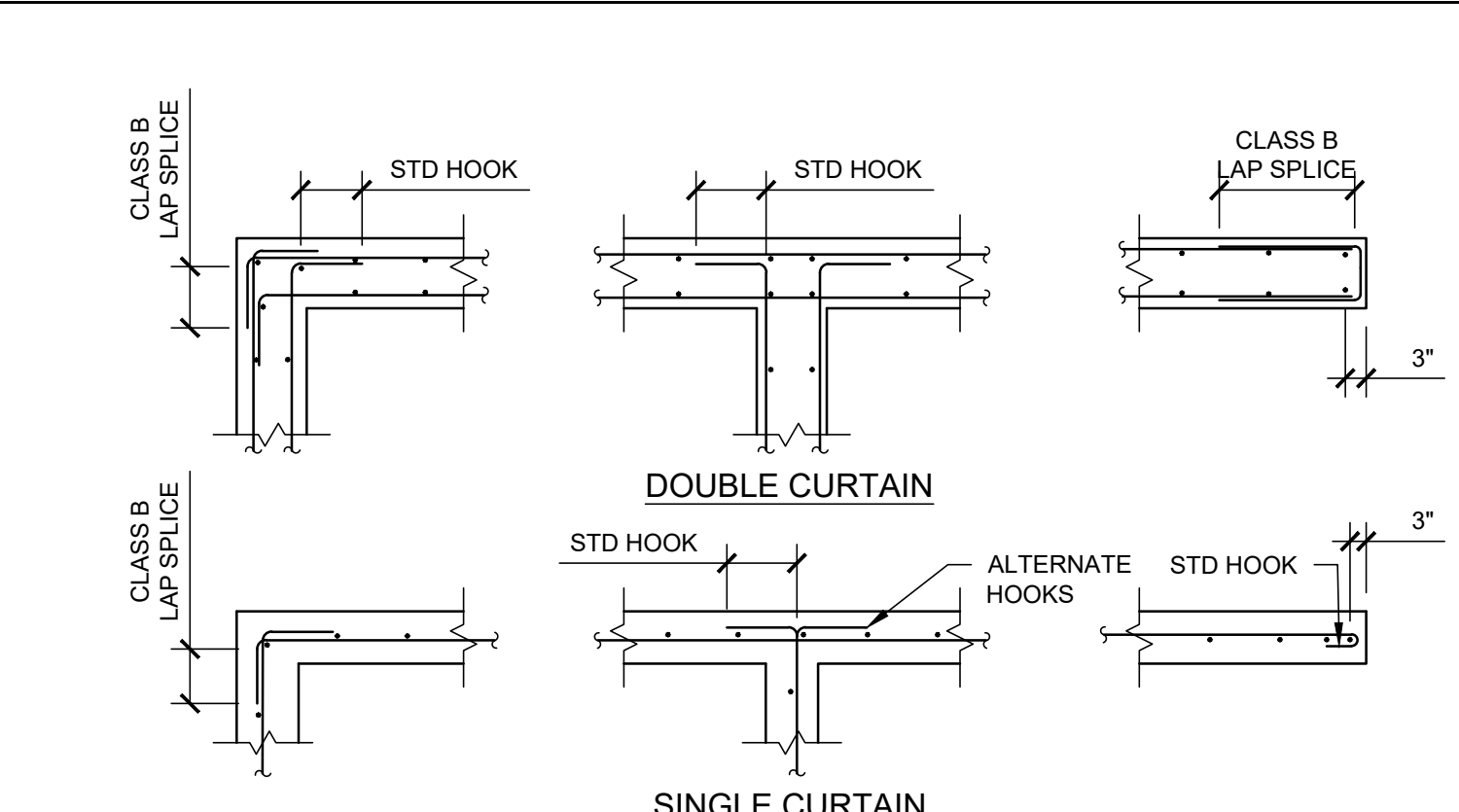
7
S4.0 HOLES & NOTCHES IN SAWN LUMBER
NOT TO SCALE



6
S4.0 PERPENDICULAR PENETRATION THROUGH FOOTINGS
 $\frac{3}{4}$ " = 1'-0"



5
S4.0 (N) TO (E) FOOTING DOWEL CONN
 $\frac{3}{4}$ " = 1'-0"



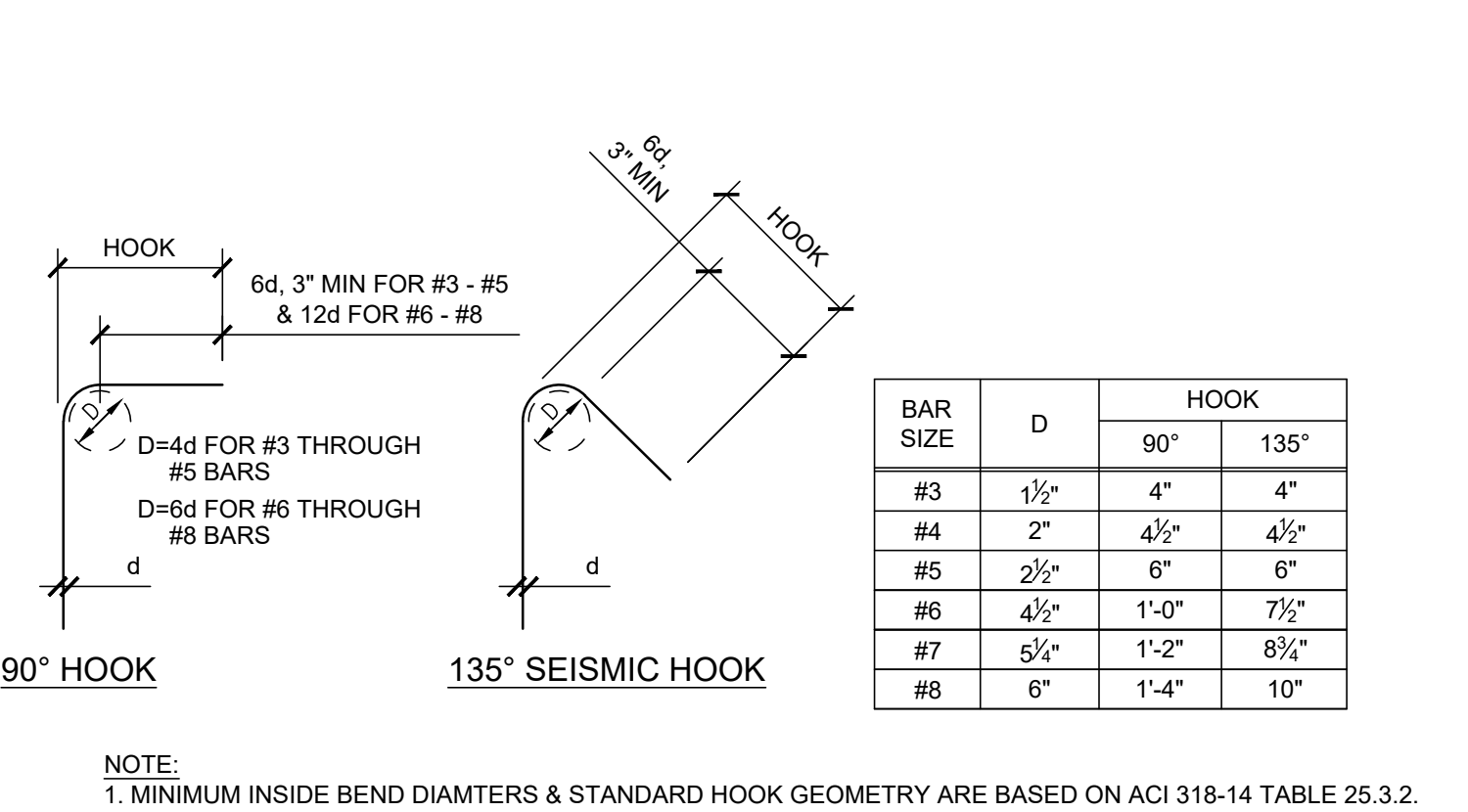
4
S4.0 CONC REINF AT CORNERS & INTERSECTIONS
NOT TO SCALE

NOTES:

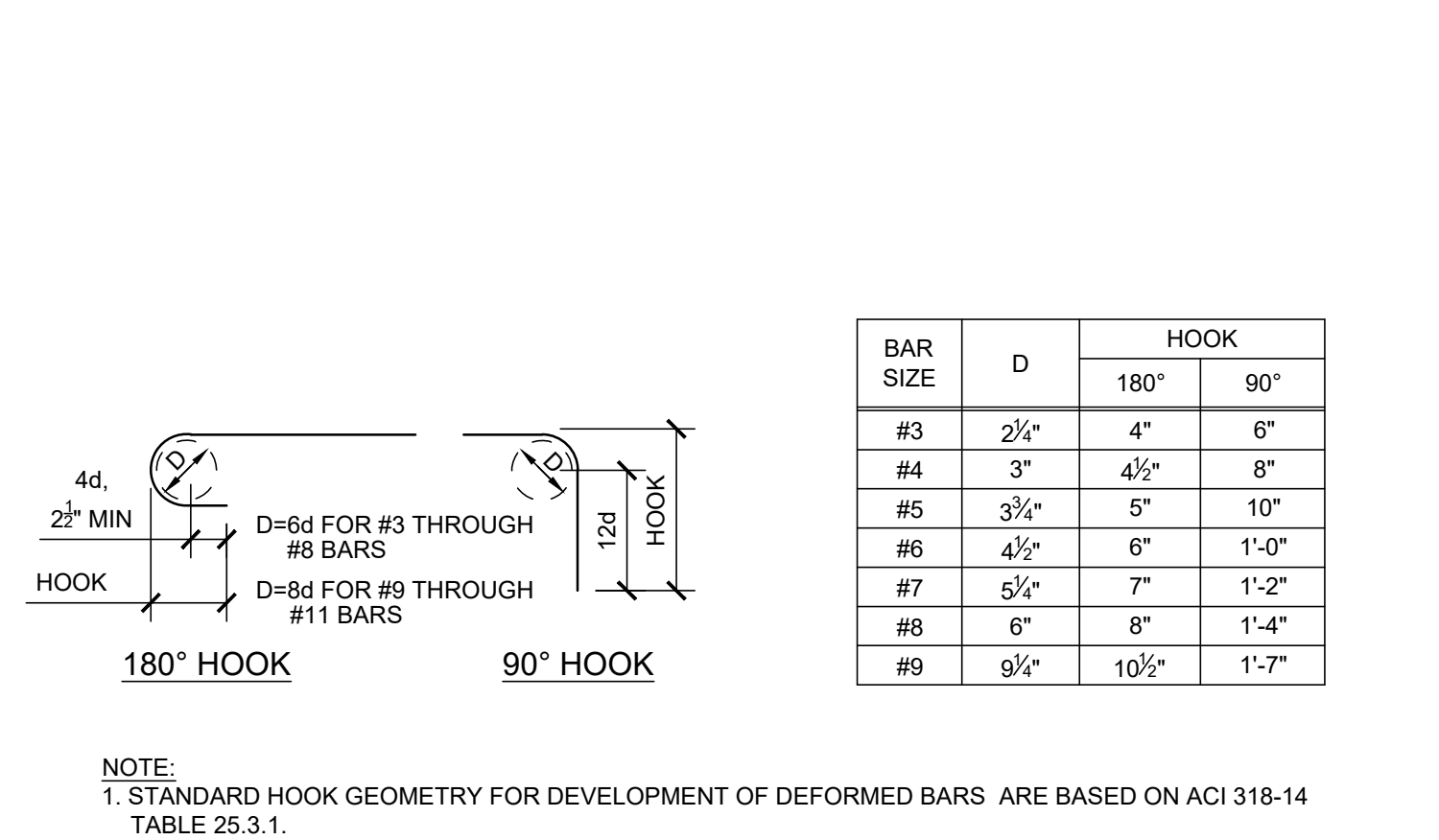
- LAP SPLICE LENGTHS ARE BASED ON ACI 318-14 25.4.2.2, GR. 60 STEEL AND NORMAL WEIGHT AGGREGATE. CLEAR SPACING OF BARS BEING DEVELOPED OR SPLICED NOT LESS THAN 2db AND CLEAR COVER NOT LESS THAN db.
- CLASS A SPLICES ARE LIMITED TO CASES WHERE ONE-HALF OR LESS OF THE TOTAL REINFORCEMENT IS SPLICED WITHIN THE REQUIRED LAP LENGTH (STAGGERED SPLICE). SEE ACI COMMENTARY FIGURE R25.5.2.1 FOR CLASS A TENSION LAP SPLICE ILLUSTRATION. FOR WALLS THE SPLICES SHALL ALSO BE STAGGERED WITH RESPECT TO THE OPPOSITE CURTAIN.
- TOP BARS ARE BARS WITH MORE THAN 12" OF CONCRETE POURED BELOW THE BARS.

BAR SIZE	CLASS B SPLICE (in)		CLASS A SPLICE (in)	
	TOP BARS	OTHER BARS	TOP BARS	OTHER BARS
F'c = 2500psi				
#3	31	24	24	18
#4	41	32	32	24
#5	51	39	39	30
#6	61	47	47	36
#7	71	55	55	42
#8	82	63	63	48
F'c = 3000psi				
#3	28	22	22	17
#4	37	29	29	22
#5	47	36	36	28
#6	56	43	43	33
#7	65	50	50	39
#8	74	57	57	44

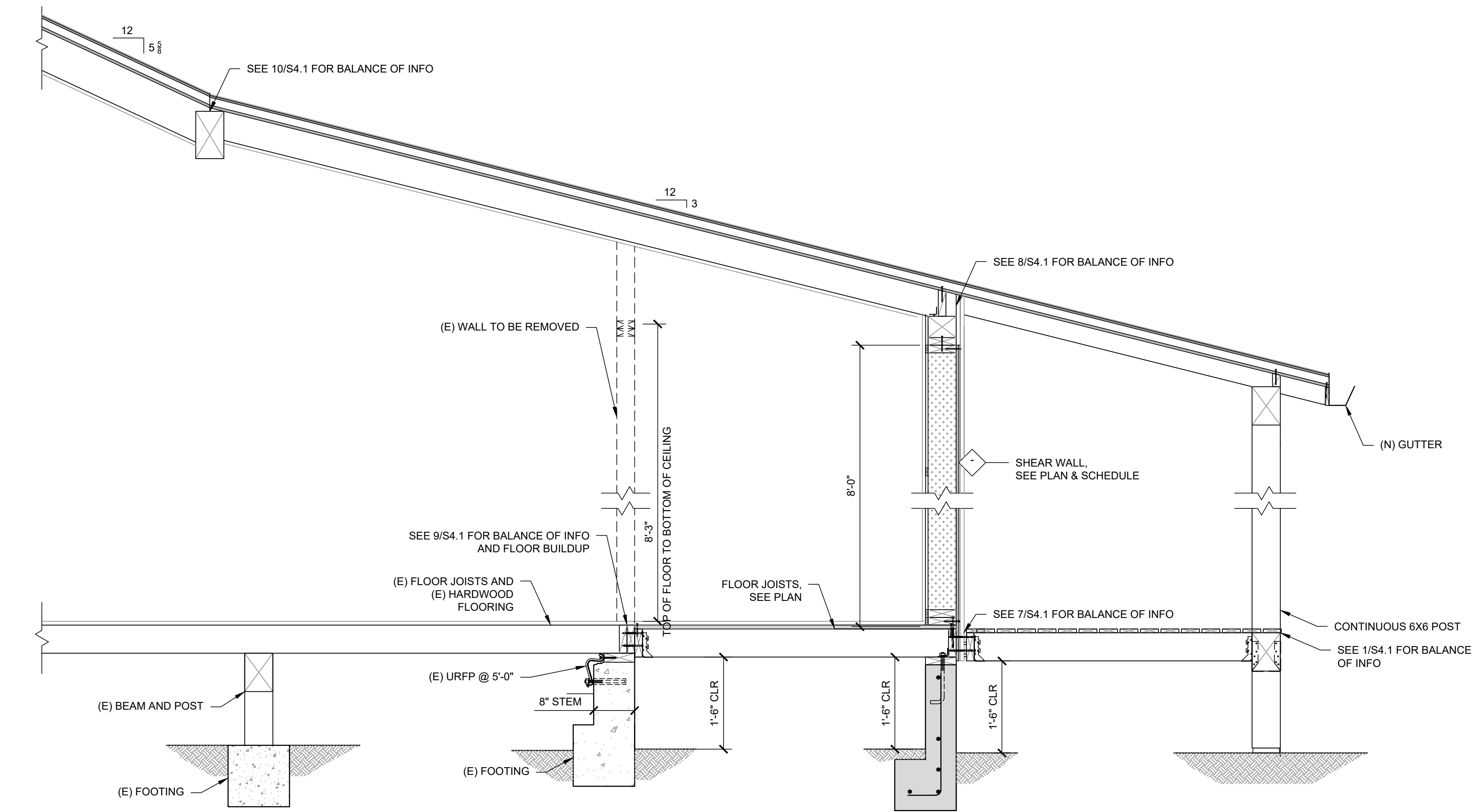
3
S4.0 TENSION LAP SPLICES
NOT TO SCALE



2
S4.0 STIRRUPS & TIE HOOKS
NOT TO SCALE

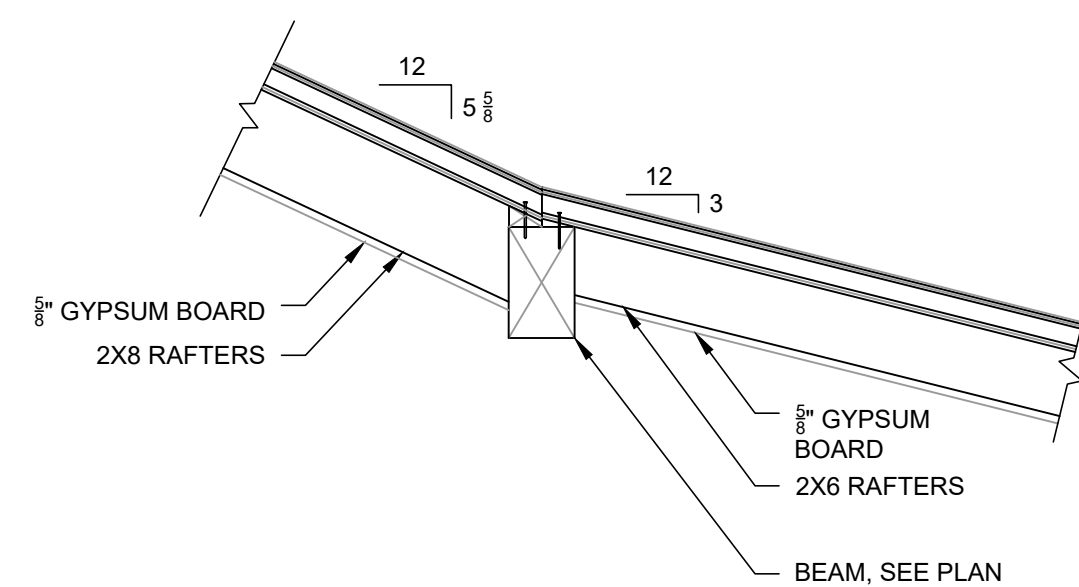


1
S4.0 STANDARD HOOKS
NOT TO SCALE



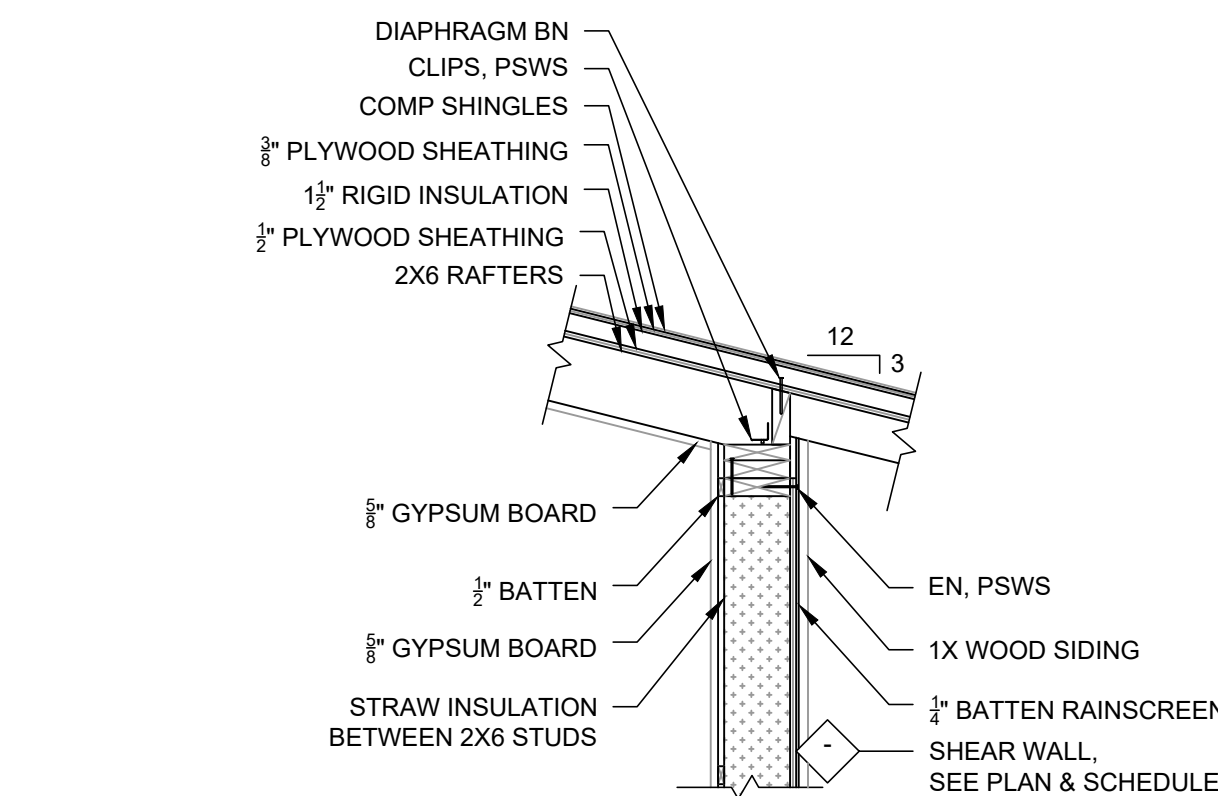
11 (N) TO (E) ROOF CONNECTION
S4.1

3/4" = 1'-0"



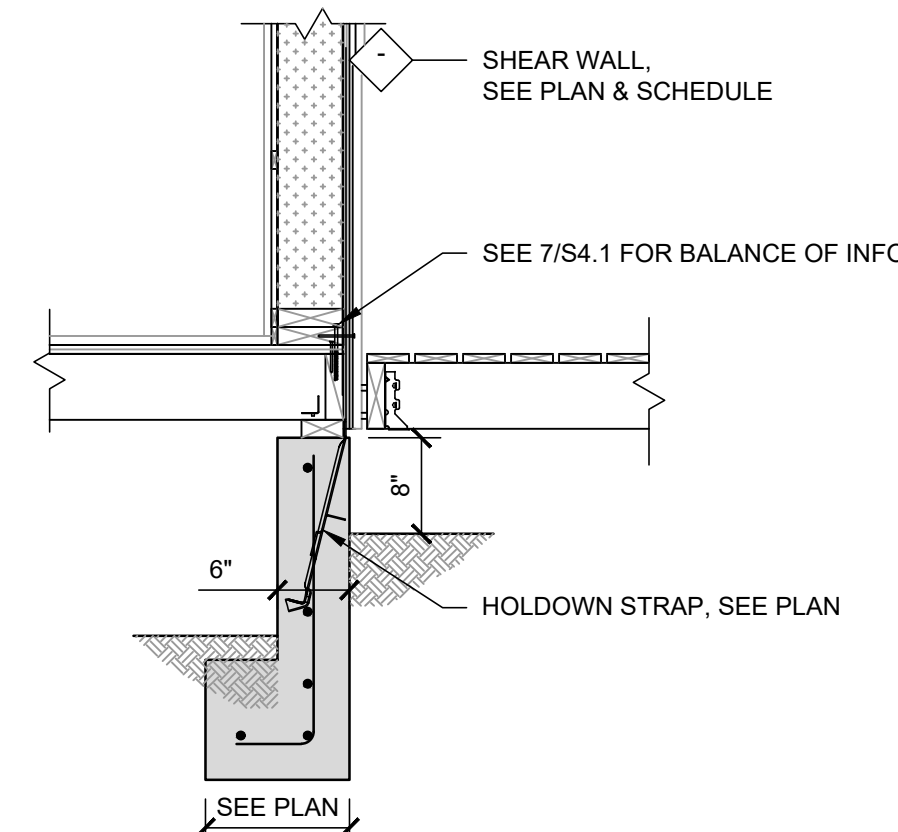
10 (N) TO (E) ROOF CONNECTION
S4.1

3/4" = 1'-0"



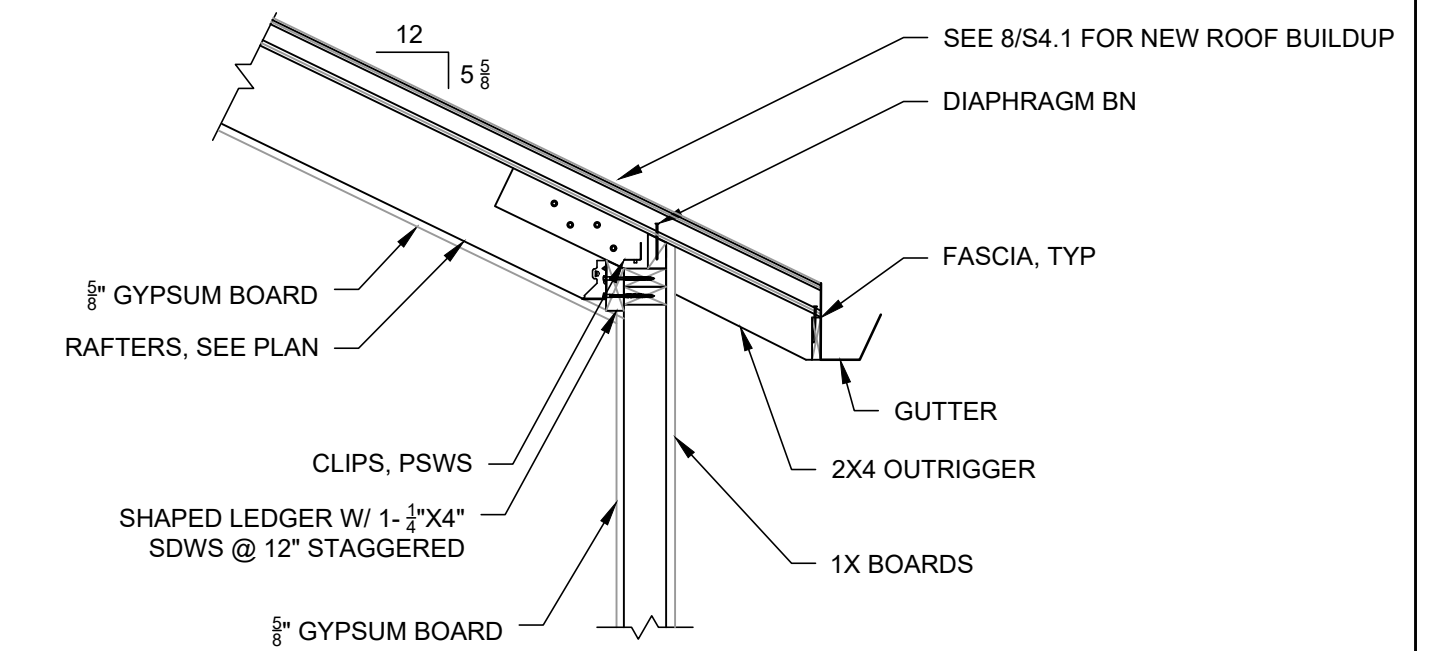
8 (N) WALL SECTION AT EXTERIOR WALL
S4.1

3/4" = 1'-0"



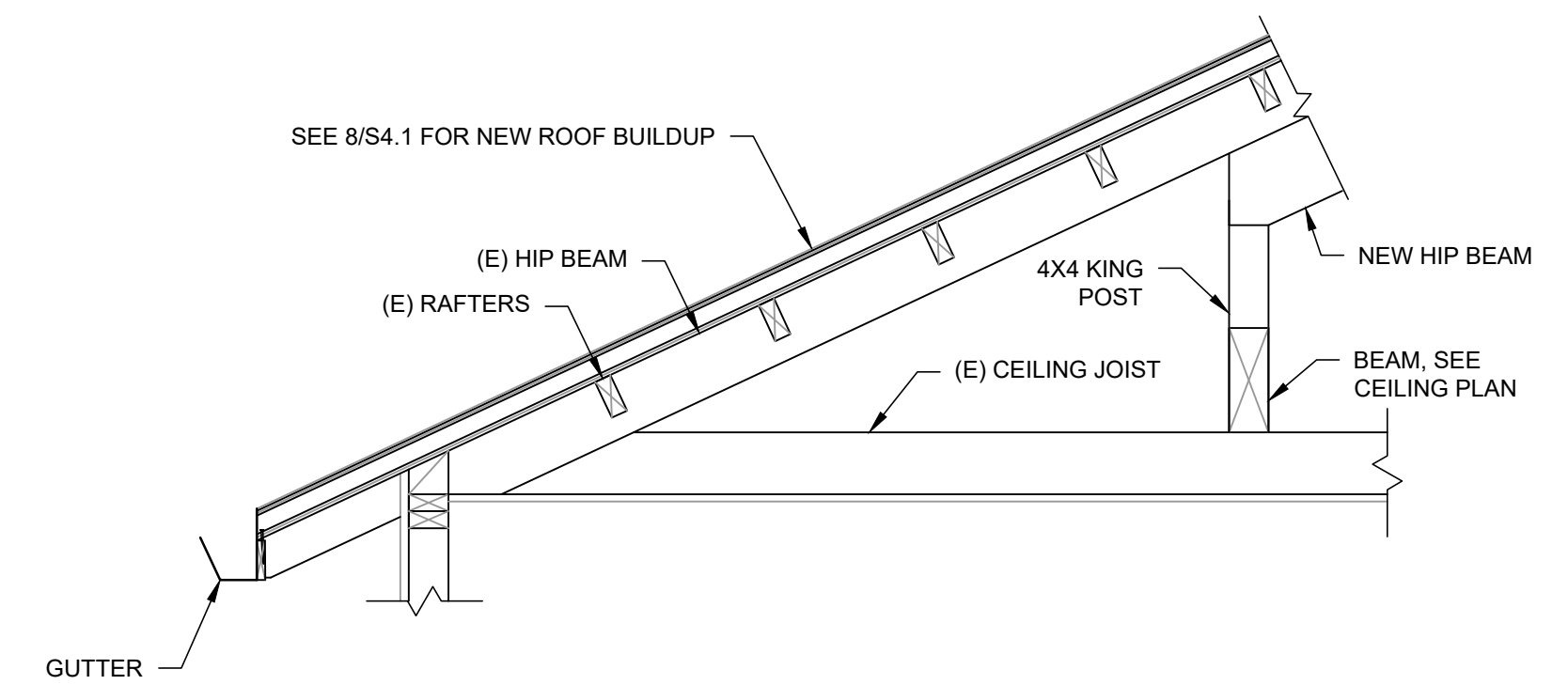
6 STRAP HOLDOWN (N) FOOTING AT EXTERIOR WALL
S4.1

3/4" = 1'-0"



4 WALL SECTION AT EAVE
S4.1

3/4" = 1'-0"



3 (N) TO (E) HIP CONNECTION
S4.1

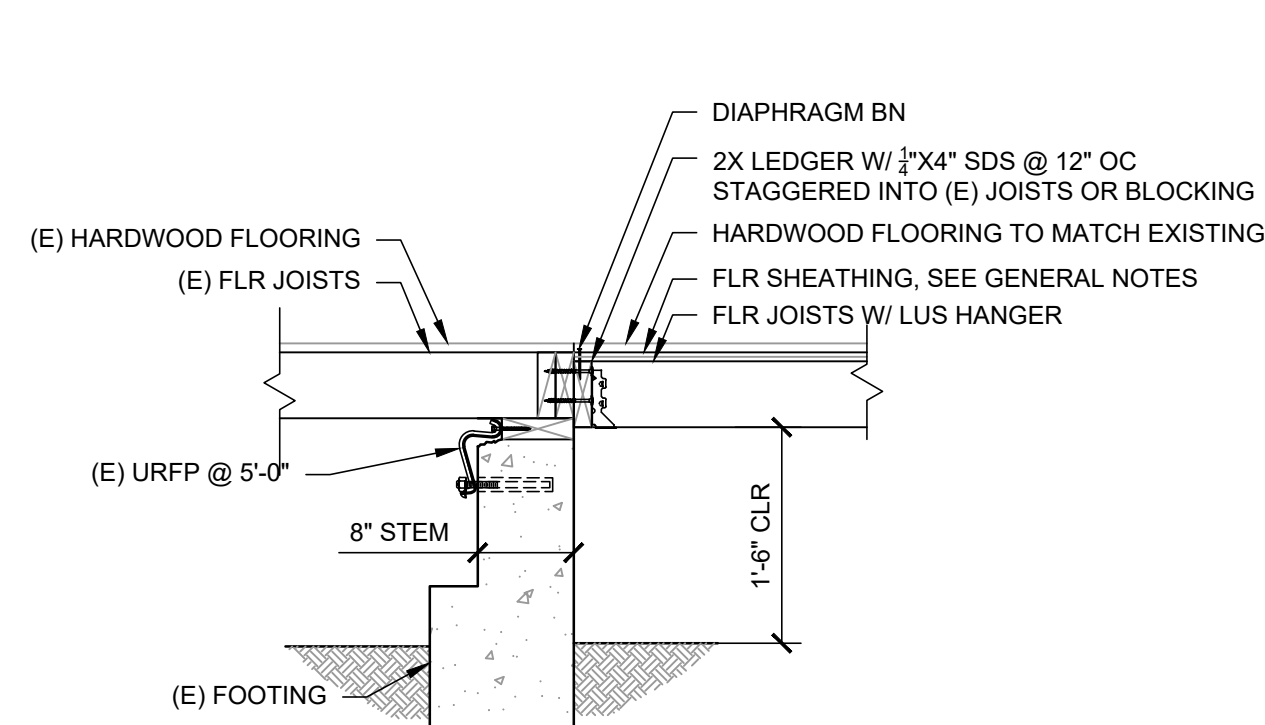
3/4" = 1'-0"

SW SYMBOL	SHTG	PANEL EDGE NAILING (1) (2)	MIN STUD/BLKG AT PANEL JOINT (3)	ANCHOR BOLT SPACING (4)	FNDN SILL	FLR SILL CONN TO 2X RIM (5) (6)	SILL AT UPPER FLR	CLIPS TO RIM/BLKG (5) (7)
6	3/8"	8d @ 6"	2x	48"	2x	SDWSX6" @ 16" O.C.	2x	A35 @ 24" OR LTP4 @ 24"
4	SHTG	8d @ 4"	2x	48"	2x	SDWSX6" @ 12" O.C.	2x	A35 @ 24" OR LTP4 @ 24"

- NOTES:
1. FLAT BLK'G TO BE PROVIDED AT UNSUPPORTED PANEL EDGES, 2x4 FOR 1 ROW & 2x6 FOR 2 ROWS OF NAILING.
 2. FOR ALL EXCEPT TYPE <6> WALLS, THE PANEL JOINT AND SILL PLATE NAILING SHALL BE STAGGERED PER STAGGERED SHEAR WALL NAILING DETAIL.
 3. 2-2X STUDS MAY BE USED IN PLACE OF 3x STUD. FASTEN TOGETHER WITH 2 ROWS 16d @ 4" STAGGERED.
 4. 5/8" DIAMETER BOLTS WITH 3X3X1/4" WASHERS, EMBEDDED 7" MINIMUM AT 4'-0" MAXIMUM ON CENTER, U.O.N. SIMPSON STRONG-TIE COMPANY OR EQUIVALENT.
 5. MIN 2" PENETRATION INTO 2X RIM JOIST.
 6. CLIPS SHALL BE ORIENTED HORIZONTALLY.
 - 7.

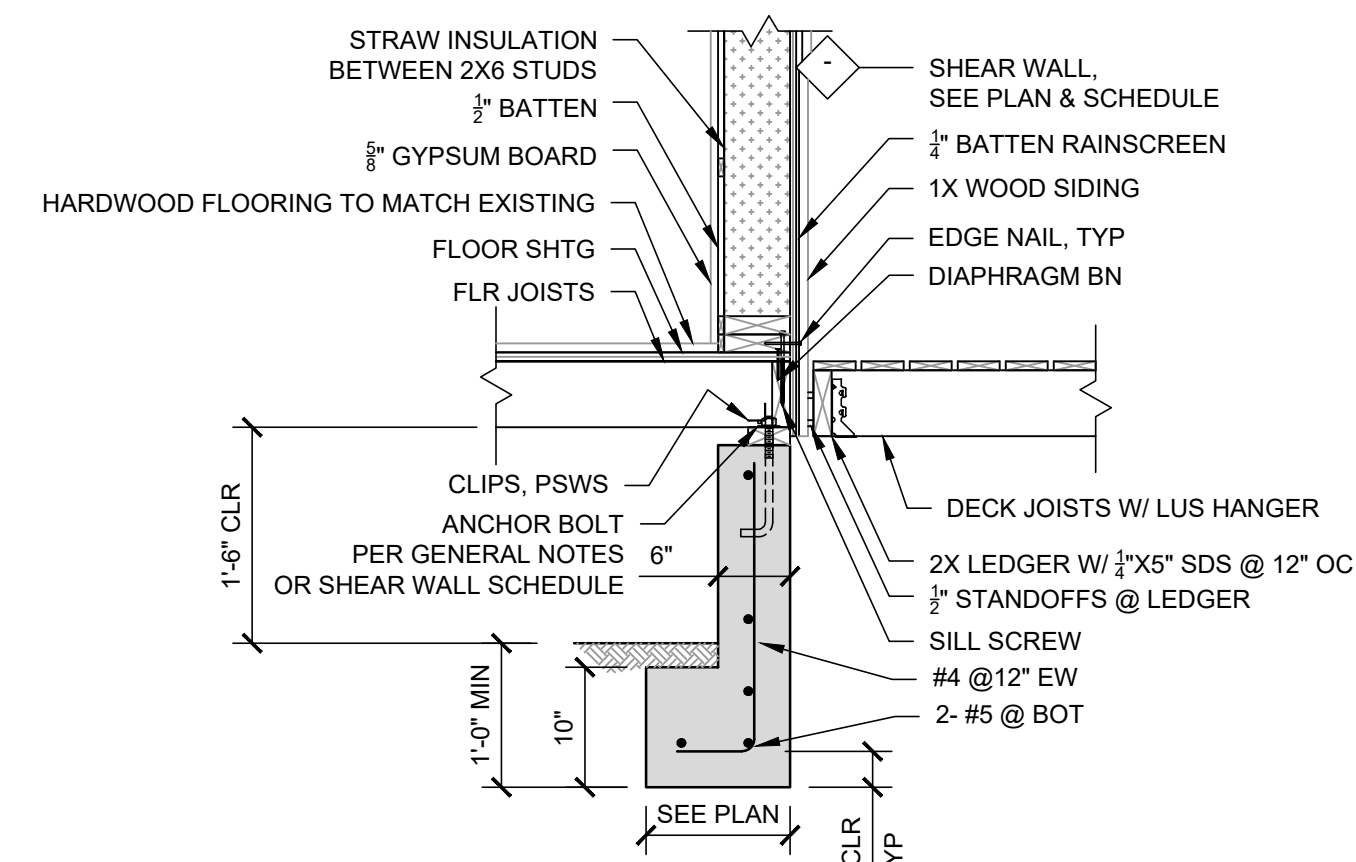
2 SHEAR WALL SCHEDULE
S4.1

NOT TO SCALE



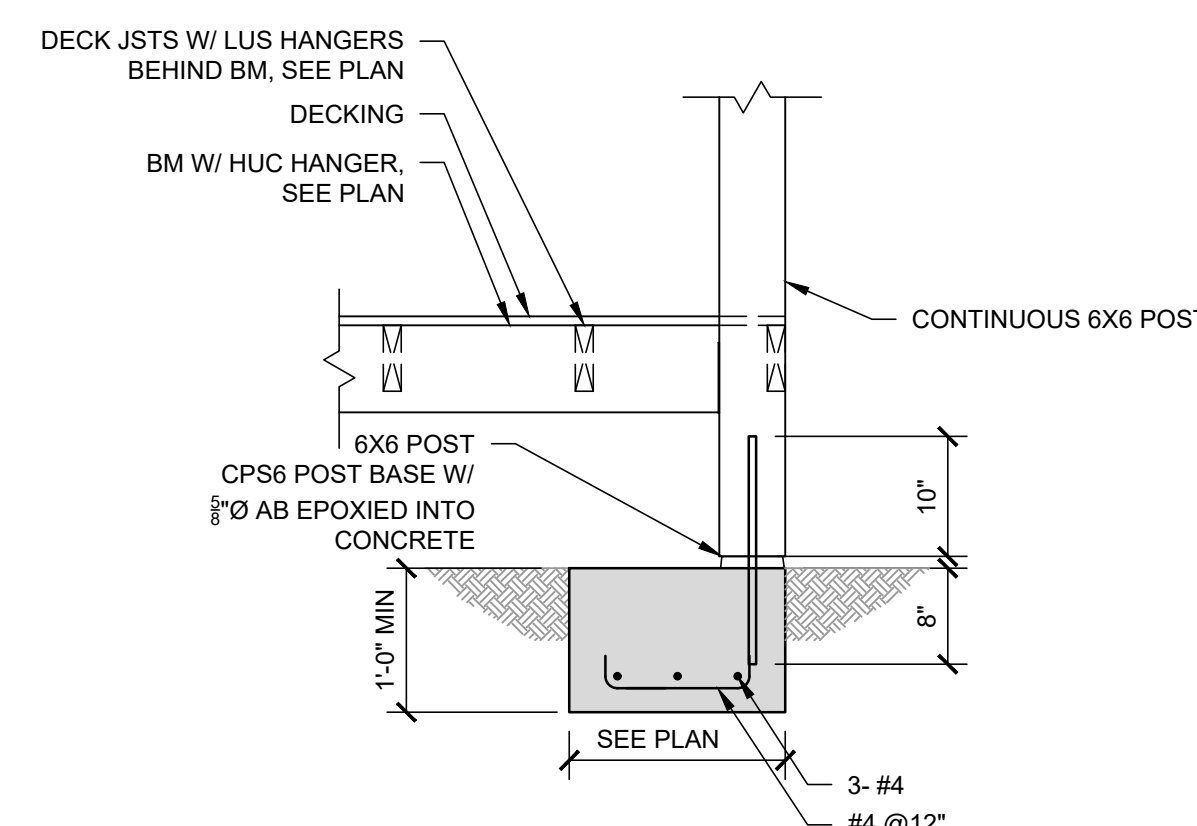
9 (E) FOOTING AT INTERIOR WALL
S4.1

3/4" = 1'-0"



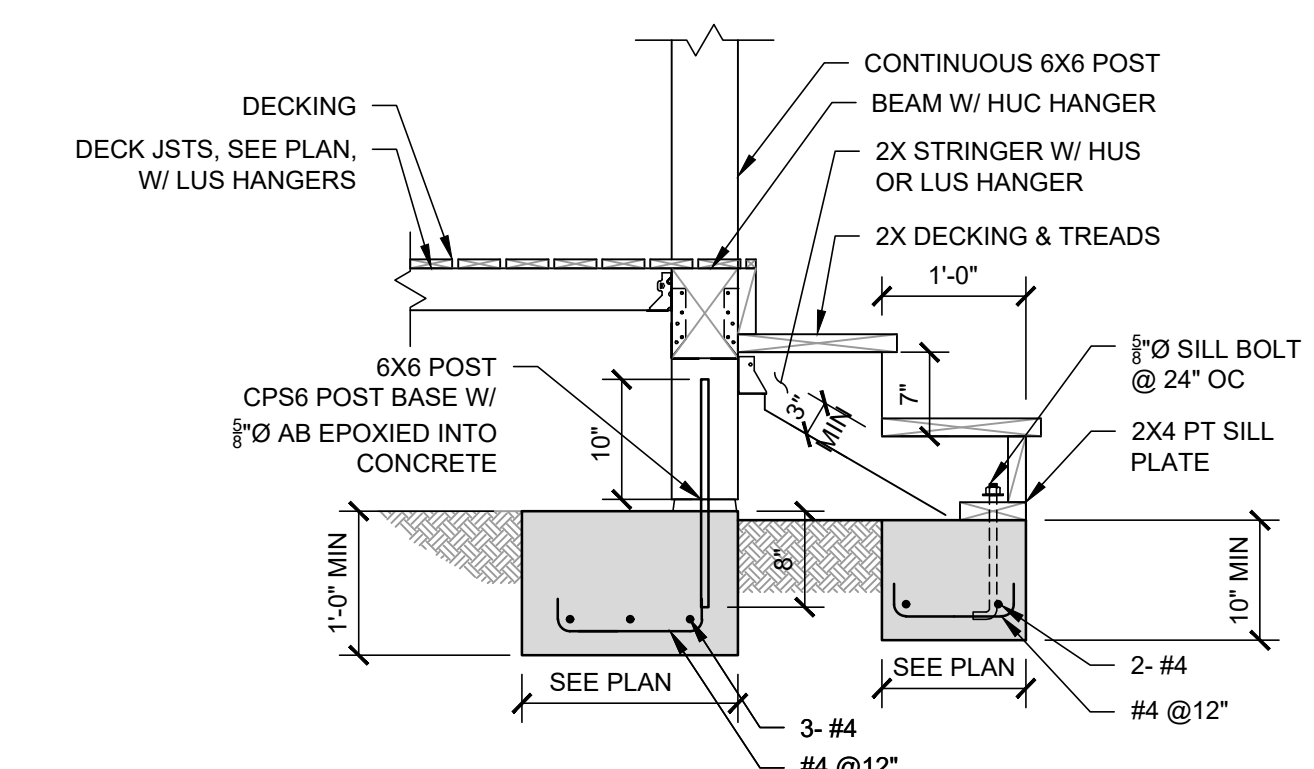
7 (N) FOOTING AT EXTERIOR WALL
S4.1

3/4" = 1'-0"



5 EXTERIOR ISOLATED FOOTING
S4.1

3/4" = 1'-0"

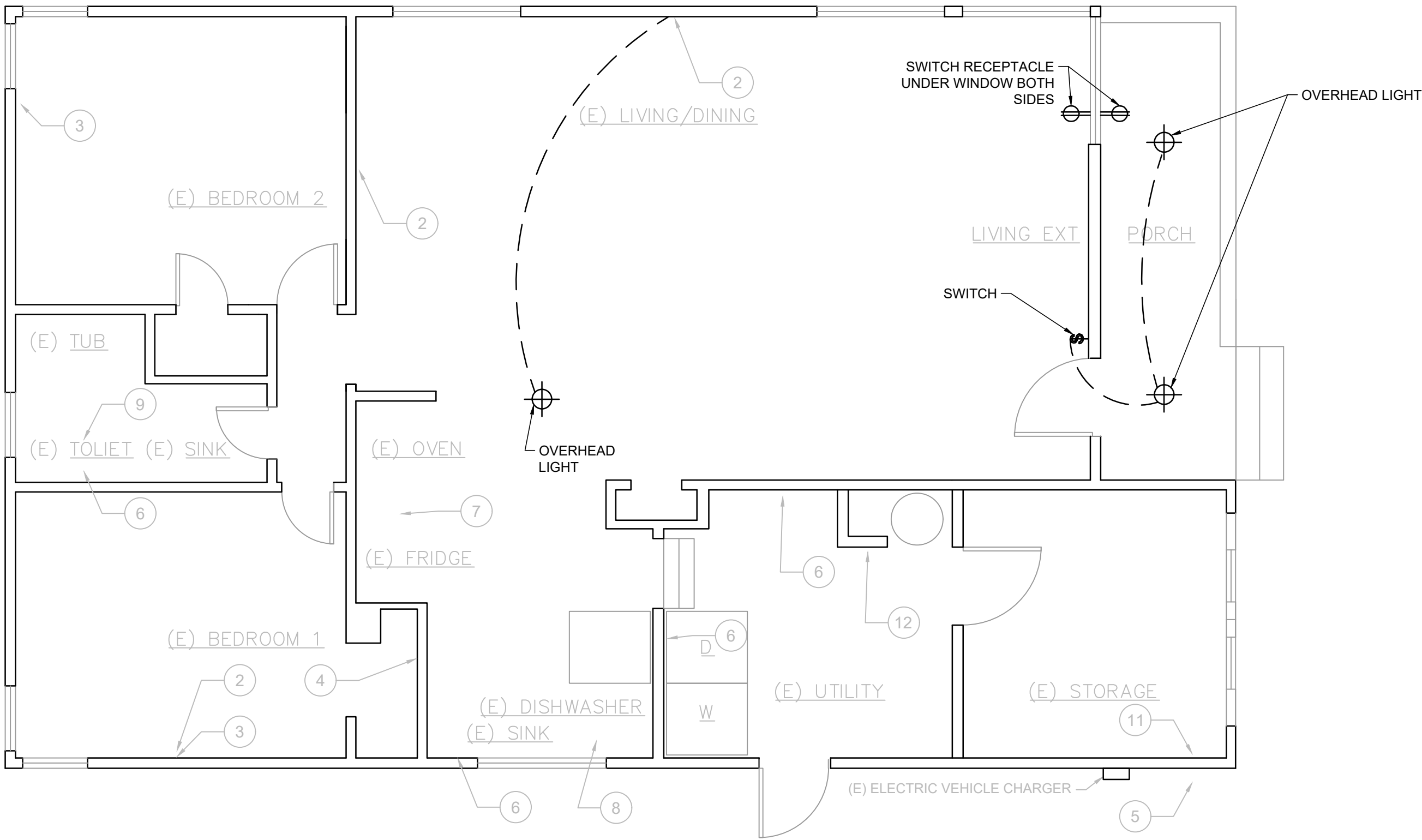


1 DECK STAIR SECTION
S4.1

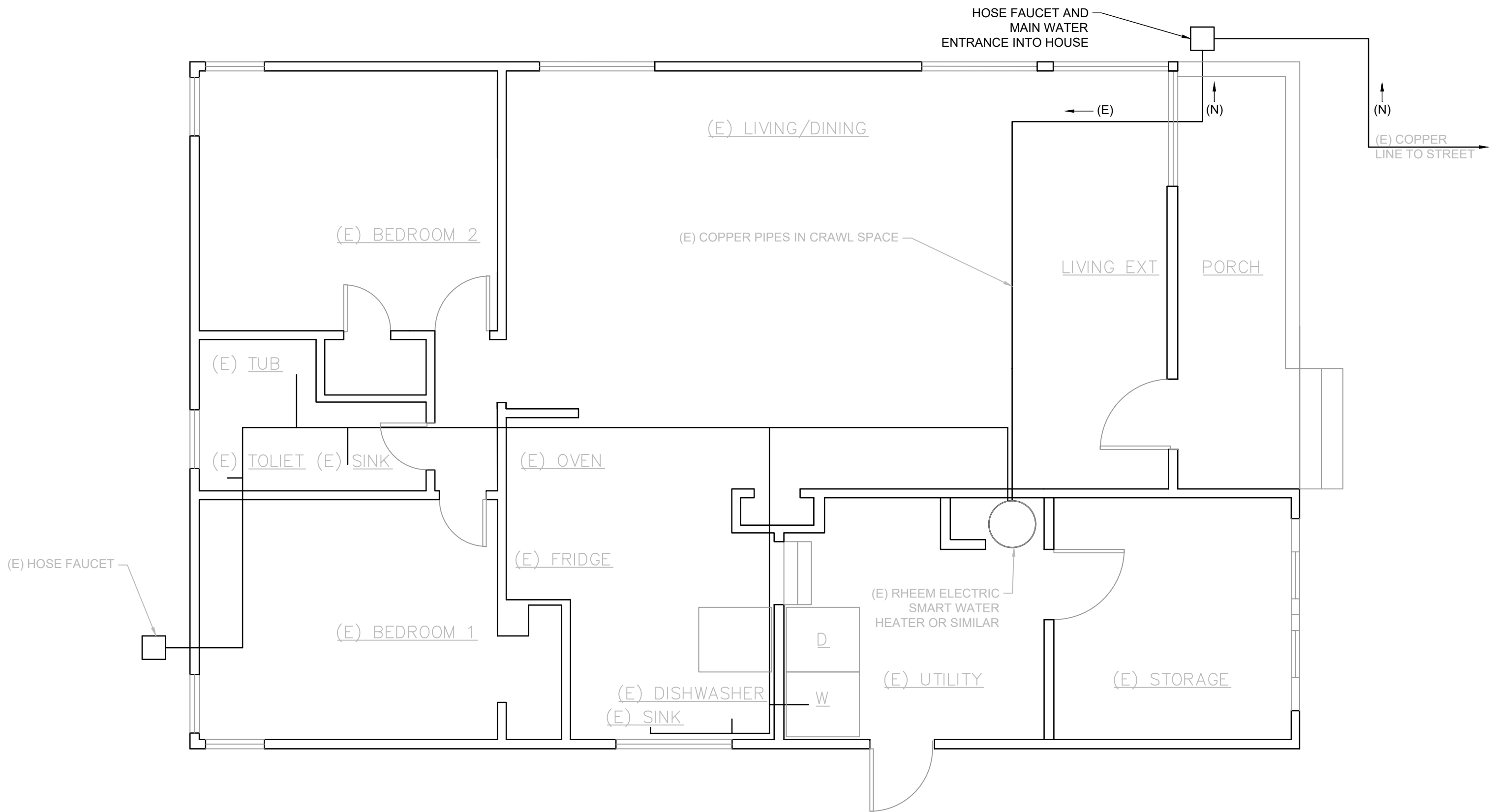
3/4" = 1'-0"

ELECTRICAL SHEET NOTES

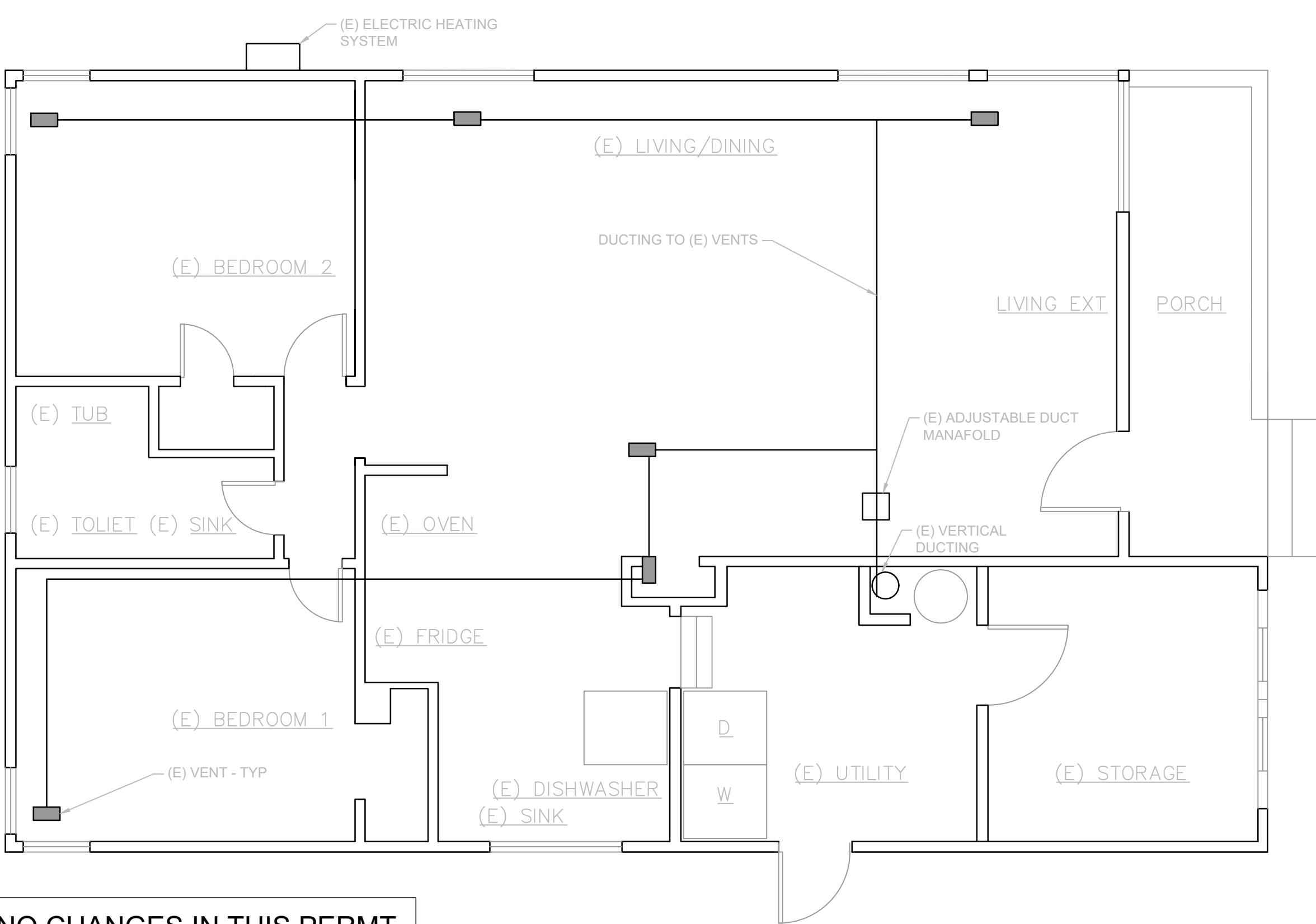
1	EXISTING ELECTRICAL SYSTEM IS A COMBINATION OF A 2017 PERMITTED UPGRADE, A 2019 PERMITTED UPGRADE AND THE ORIGINAL 1930'S KNOB AND TUBE SYSTEM THROUGH THE ATTIC
2	(E) 20 AMP OUTLET - ARC-FAULT PROTECTED WHERE OLD ORIGINAL OUTLET WAS
3	(E) 20 AMP OUTLET - ARC-FAULT PROTECTED
4	(ORIG) FUSE BOX
5	(E) MAIN ELECTRICAL BOX OF THE HOUSE SET FOR REMOVAL VIA PERMIT BD23-0703
6	(E) GFI/ARC-FAULT OUTLET
7	(E) ELECTRIC CLOSET OVEN WOS11EM4EW WHIRLPOOL 3.1 CU FT (INSTALLED AND PERMITTED 2017)
8	(E) 24" DISHWASHER
9	(E) DEDICATED CIRCUIT TO BATHROOM
10	GENERAL NOTE: ALL (N) CIRCUITS TO BE ARC-FAULT PROTECTED WHERE REQUIRED
11	(E) 2ND CIRCUIT BOARD RUN FROM MAIN BOARD
12	(E) SUBPANEL



ELECTRICAL PLAN



PLUMBING PLAN



NO CHANGES IN THIS PERMT

MECHANICAL PLAN



Community Development Department
Planning and Building Division
10890 San Pablo Avenue, El Cerrito, CA 94530
(510) 215-4330 | planning@ci.el-cerrito.ca.us

PLANNING COMMISSION CONDITIONAL USE PERMIT REPORT

MARCH 20, 2024

2010 JUNCTION AVENUE

DETAILS

Application Number: PL23-0150

Applicant: Perry Wexelberg

Location: 2010 Junction Avenue

APN: 501-321-005

Zoning: RS-5 (Single Family Residential)

General Plan: Low Density Residential

Request: Planning Commission consideration of Conditional Use Permits to allow a proposed increase in building height of an existing single-family house to convert a basement to a first floor which exceeds the building envelope requirement, and to allow the extension an existing nonconforming side setback (Section 19.06.030.D, 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 requested entitlements for consideration by the Planning Commission are Conditional Use Permits to allow a proposed increase in building height of an existing single-family house to convert a basement to a first floor which exceeds the building envelope requirement, and to allow the extension an existing nonconforming side setback.

The applicant is proposing a combined additional 962 square feet of habitable space. The project entails increasing the height of the existing single-family house by 1 foot 9 inches to convert a basement into a 926 square foot ground floor level. The project also entails enlarging the upper level by 36 square feet at the rear of the house. The proposed project would expand an existing nonconforming side setback on the southern side of the building by increasing the height of the building. The proposed project would also exceed the building envelope requirements for two relatively small portions of the southern side of the building.

Based on the evidence and analysis contained in this report, staff recommends approval of the Conditional Use Permits.

Background

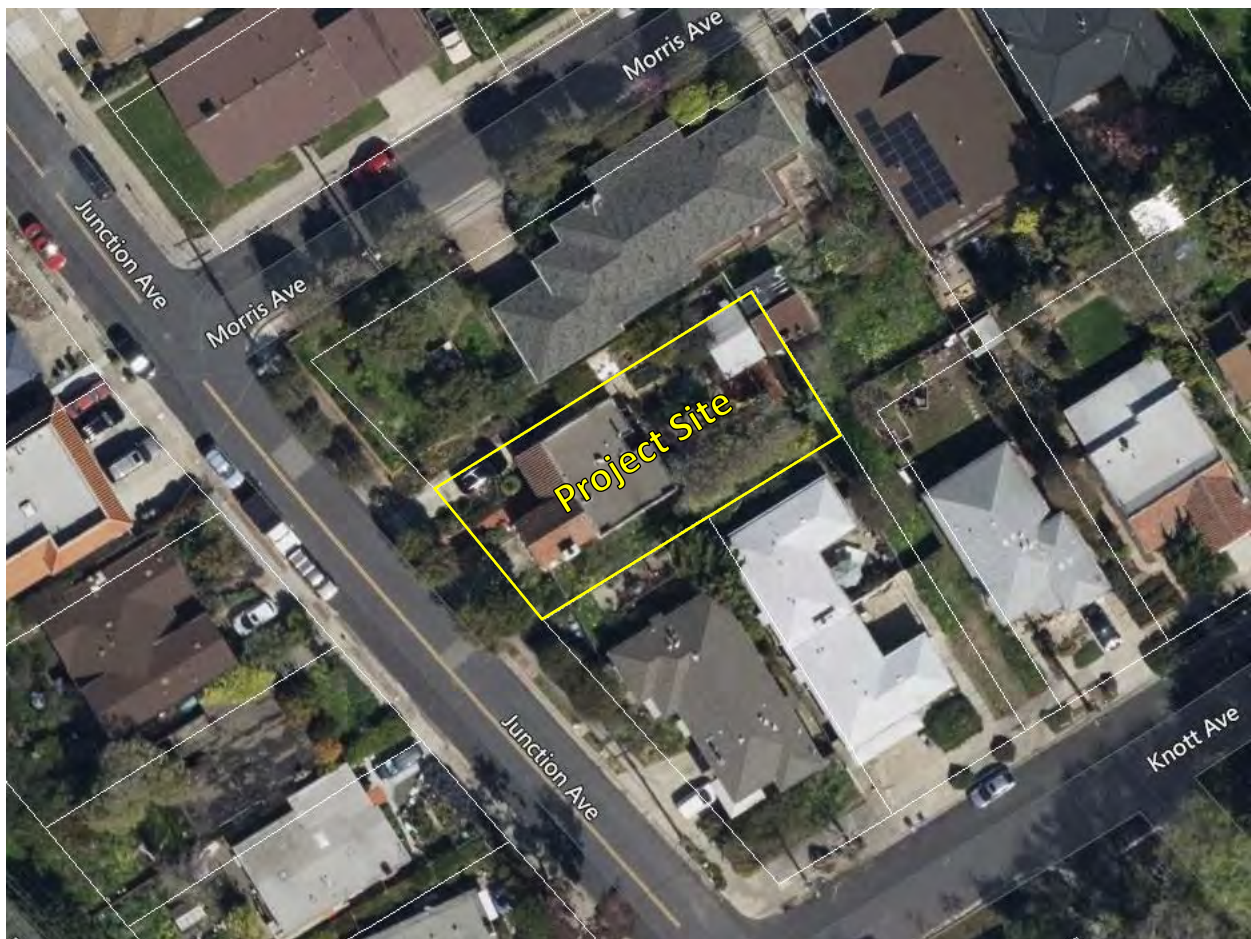
Site Location and Layout

The existing two-story house at 2010 Junction Avenue is 1,169 square feet. The house sits on a 5,000-square-foot lot that is relatively flat. The lot is in the RS-5 (Single Family Residential) zoning district. The existing lot coverage of the property is 29 percent.

The existing house has a kitchen, a dining room, two bedrooms, one bathroom, and a one-car attached garage. In addition, a basement is located underneath the main level of the house. The southern side of the existing house is approximately 3 feet 8 inches from the southern property line and does not comply with the 5-foot side setback requirement for the RS-5 zoning district.

The surrounding neighborhood contains mostly single-family houses. The surrounding houses are a mixture of one-story and two-story houses.

Vicinity Map



Site Photos



West (Front) Façade



West (Front) Facade



East (Rear) Facade

Adjacent Designations and Land Uses

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

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

West: Duplex Residential (RD) Zoning and Medium Density Residential General Plan designation. Single family house.

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

Analysis

Project Description

The applicant is proposing a combined additional 962 square feet of habitable space. The project entails increasing the height of the existing single-family house by 1 foot 9 inches to convert a basement to a 926 square foot ground floor. The project also entails enlarging the upper level by 36 square feet at the rear of the house. The proposed project would expand an existing nonconforming side setback on the southern side of the building by increasing the height of the building. The proposed project would also exceed the building envelope requirements for two relatively small portions of the southern side of the building. The proposed addition would provide a family room, storage area, and an additional bedroom and bathroom.

The addition would not comply with the required main building envelope, including the required daylight plane.

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

Development Standard	Zoning Ord. Requirement	Existing	Proposed	Complies
Height (maximum)	30' max.	21'-4.25"	No change	Yes
Height (at setback lines)	20' max.	21'-2" (southeastern corner)	19'-5" (southeastern corner)	No. Use Permit required.
Setbacks				
Front	10'	14'-8"	No change	Yes
Side (north)	5'	13'-10"	No change	Yes
Side (south)	5'	3'-8"	No change, but increased building height	No. Use Permit required.
Rear	15'	41'-6"	No change	Yes
Parking spaces (covered)	0 spaces (AB 2923)	1 space	No change	Yes.
Lot Coverage	50% maximum	29%	31%	Yes

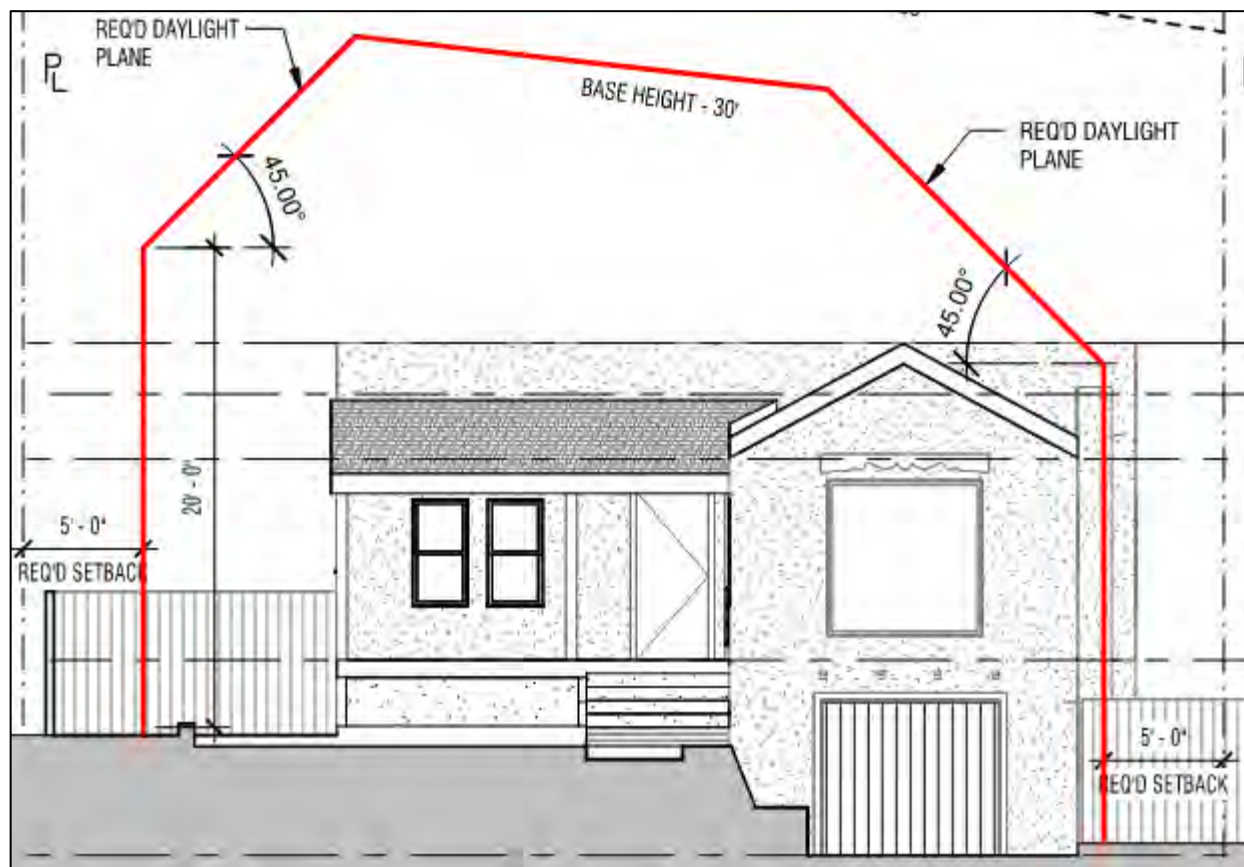
Main Building Envelope

Figure 19.06-B of the El Cerrito Zoning Ordinance establishes the permitted height limits and daylight planes for development in the RS zoning districts.

Maximum heights and daylight planes are dependent on the slope of the subject property. The subject property has an average lot slope of 16.3%. The permitted maximum building envelope, therefore, reaches a height of 20 feet at the required setback lines and then slopes toward the center of the property at a 45-degree angle (the required daylight plane), until it reaches a base height of 30 feet. The 'base height' is the maximum height permitted by-right.

The proposed addition would exceed the building envelope requirements for two relatively small portions of the southern side of the building. An approximately 6-inch-wide portion of the building located behind the hip roof would be 20 feet 10 inches in height at the side setback line and an approximately 3 feet 6 inches wide portion of the rear of the building would be 21 feet 2 inches in height at the side setback line (see the south, east, and west daylight diagrams on Sheet A0.4 of Attachment 2). Both building portions exceed the daylight plane that starts at a height of 20 feet at the side setback. No portion of the existing house or of the proposed addition exceeds the base (by-right) 30-foot height limit (see images below).

Proposed West (Front) Elevation



Architectural elevation drawing of a building facade. The drawing shows a two-story building with a central entrance, windows, and a balcony. A red line traces the roof profile, with annotations for "BASE HEIGHT - 30'", "REQ'D DAYLIGHT PLANE", and "45.00°" slopes. A "REQ'D SETBACK" of 5'-0" is indicated on the right side. The building is set on a 4'-6" high foundation.

Project Design

1. Massing impacts. The proposed addition entails increasing the height of much of the building by 1 foot 9 inches to convert a basement into habitable living space. This is significantly less building massing than if a new story was proposed on top of the existing house. Consequently, the proposed addition would minimally affect the aesthetics of the building and the overall building form.
2. Open space. If the addition was located on the ground floor behind the existing house instead, then that would significantly reduce the open space in the rear yard.

Solar Access

The proposed addition entails increasing the height of much of the building by 1 foot 9 inches. Given that the proposed addition would exceed the building envelope requirements for two relatively small portions of the southern side of the building, it will not cause a significant solar access impact to adjacent residences.

Views

The El Cerrito General Plan acknowledges the presence of views of bridges, the San Francisco and San Pablo bays, Mt. Tamalpais and Marin County, and of the East Bay hills from uphill locations in El Cerrito. Due to the gently sloping topography, location and scale of surrounding houses, and existence of trees on and adjacent to the project site, potential view impacts to residences of key landmarks that would result from the proposed addition appear to be limited. City staff note that this is based on staff's assessment of the best available information. City staff did not have access to adjacent properties and were not able to observe the views from inside adjacent residences.

Privacy

The requested daylight plane exception is located on the south side of the building. The proposed addition includes one new window on the second story facing south. All second story windows facing south are less than 15 feet above grade. Thus, the requested daylight plane exception is not anticipated to result in privacy impacts upon adjacent neighbors.

Nonconforming Setback

As described above, the existing house has a non-conforming side setback of 3 feet 8 inches on the south side. The portion of the building with a non-conforming side setback is approximately 28 feet wide. The proposed addition entails increasing the height of much of the building by 1 foot 9 inches, including the portion of the building that has an existing non-conforming side setback. Pursuant to ECMC Section 19.27.050, 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. As described here, only a small portion of the proposed addition does not comply with the side setbacks.

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 March 5, 2024. No public comments were received as of the publication of this report.

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 main building envelope 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 addition would add extra living area and an extra bedroom to an existing single-family home, 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 is not expected to have substantially greater impacts on adjacent neighbors regarding views, solar access, and privacy than it would if it were designed to comply with the main building envelope requirements. The project does not exceed the overall height limit for the RS-5 zoning district.

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

The proposed addition would comply with the height limit, setback and lot coverage regulations of the RS-5 zone that control building scale. The addition's overall height and roof line would be consistent with many of the other single-family buildings on the 2000 block of Junction Avenue. The addition's materials, colors, and design would match those of the existing house.

Required Findings

In order to approve the Conditional Use Permit to allow an exception to the main building envelope and to allow an expansion of a nonconforming side 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 houses are predominantly single-family houses with a mixture of two-story and one-story houses. The proposed addition would only increase the footprint by 58 square feet and would result in a 2,131 square foot house on a 5,400 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. As described in the staff report, the proposed addition has been designed to limit privacy, view, and solar access impacts to the adjacent properties.

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 addition would convert a basement to habitable space and would provide a family room, storage area, and an additional bedroom and bathroom to an existing single-family home and would result in three bedrooms, two bathrooms, a kitchen, a dining room, a family room, and a storage area. 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.

In addition, to approve the Conditional Use Permit to allow an exception to the main building envelope, the Planning Commission must make the following finding in Section 19.06.030.D.3.i:

4. The proposal when viewed in its entirety represents a superior design solution to that which would be possible if the project were built in full compliance with the required standards for the main building envelope and will not cause a significant adverse impact on residences to the side, rear or directly across the street with respect to solar access, view blockage and privacy.

The proposed addition entails increasing the height of much of the building by 1 foot 9 inches to convert a basement into habitable living space. This is significantly less building massing than if a new story was proposed on top of the existing house. Consequently, the proposed addition would minimally affect the aesthetics of the building and the overall building form. If the addition was located on the ground floor behind the existing house instead, then that would significantly reduce the open space in the rear yard. Therefore, the proposed addition represents a superior design solution to that which would be possible if the project were built in full compliance with the required standards for the main building envelope.

The proposed house addition has been designed to limit privacy, view, and solar access impacts to the adjacent properties. It is not expected that the proposed house will significantly impact the solar access of adjacent houses given that the proposed addition would exceed the building envelope requirements for two relatively small portions of the southern side of the building. Due to the location of the addition and scale of surrounding houses, and existence of trees on and adjacent to the project site, potential view impacts to residences of key landmarks that would result from the proposed addition appear to be limited. The proposed addition includes one new window on the second story facing south. All second story windows facing south are less than 15 feet above grade. The proposed addition is not anticipated to result in privacy impacts upon adjacent neighbors.

Staff Recommendation

Based on the information contained in this report, staff recommend approval of Planning Application PL23-0150, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

1. Move adoption of Planning Commission Resolution PC2024-05 approving Conditional Use Permits to allow a proposed increase in building height of an existing single-family house to convert a basement to a first floor which exceeds the building envelope requirement, and to allow the extension an existing nonconforming side setback at 2010 Junction Avenue.

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
3. Applicant Statement

Planning Commission Resolution PC 2024-05

APPLICATION NO. PL23-0150

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING CONDITIONAL USE PERMITS TO ALLOW A PROPOSED INCREASE IN BUILDING HEIGHT OF AN EXISTING SINGLE-FAMILY HOUSE TO CONVERT A BASEMENT TO A FIRST FLOOR WHICH EXCEEDS THE BUILDING ENVELOPE REQUIREMENT, AND TO ALLOW THE EXTENSION AN EXISTING NONCONFORMING SIDE SETBACK AT 2010 JUNCTION AVENUE

WHEREAS, the site is located at 2010 Junction Avenue; and

WHEREAS, the existing Assessor's Parcel Number of the site is 501-321-005; 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 October 5, 2023, Perry Wexelberg (the "applicant") applied for Conditional Use Permits to allow a proposed increase in building height of an existing single-family house to convert a basement to a first floor which exceeds the building envelope requirement, and to allow the extension an existing nonconforming side setback (pursuant to Chapter 19.34 of the El Cerrito Municipal Code); and

WHEREAS, on March 20, 2024, 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 houses are predominantly single-family houses with a mixture of two-story and one-story houses. The proposed addition would only increase the footprint by 58 square feet and would result in a 2,131 square foot house on a 5,400 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. As described in the staff report, the proposed addition has been designed to limit privacy, view, and solar access impacts to the adjacent properties.
2. The proposed addition would convert a basement to habitable space and would provide a family room, storage area, and an additional bedroom and bathroom to an existing single-family home and would result in three bedrooms, two bathrooms, a kitchen, a dining room, a family room, and a storage area. The resulting house will be an attractive addition to the neighborhood.
3. The Conditional Use Permits 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.
4. The proposed addition entails increasing the height of much of the building by 1 foot 9 inches to convert a basement into habitable living space. This is significantly less building massing than if a new story was proposed on top of the existing house. Consequently, the proposed addition would minimally affect the aesthetics of the building and the overall building form. If the addition was located on the ground floor behind the existing house instead, then that would significantly reduce the open space in the rear yard.

Therefore, the proposed addition represents a superior design solution to that which would be possible if the project were built in full compliance with the required standards for the main building envelope.

The proposed house addition has been designed to limit privacy, view, and solar access impacts to the adjacent properties. It is not expected that the proposed house will significantly impact the solar access of adjacent houses given that the proposed addition would exceed the building envelope requirements for two relatively small portions of the southern side of the building. Due to the location of the addition and scale of surrounding houses, and existence of trees on and adjacent to the project site, potential view impacts to residences of key landmarks that would result from the proposed addition appear to be limited. The proposed addition includes one new window on the second story facing south. All second story windows facing south are less than 15 feet above grade. The proposed addition is not anticipated to result in privacy impacts upon adjacent neighbors.

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. PL23-0150, subject to the following conditions:

Planning Division:

1. The project will be constructed substantially in conformance with the plans received by the City on February 9, 2024. 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 exercised, this Conditional Use Permit approval will expire two years after the date of this approval pursuant to El Cerrito Municipal Code Section 19.32.100.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on March 20, 2024, upon motion of Commissioner _____, second by Commissioner _____:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sean Moss, AICP
Planning Manager

The image displays a detailed architectural drawing of a building's exterior elevation on the left. The building features a gabled roof, a central entrance with a small porch, and a large window on the right. To the right of the drawing is a comprehensive list of architectural symbols and linetypes, organized into two main sections: SYMBOLS and LINETYPES.

SYMBOLS

- EXTERIOR ELEVATION / ELEVATION SERIES:** A diamond-shaped symbol with 'Ref' at the top and bottom, and 'A1.1' in the center.
- INTERIOR ELEVATION / ELEVATION SERIES:** A diamond-shaped symbol with '1' at the top and bottom, and 'A1.1' in the center.
- BUILDING SECTION:** A symbol showing a cross-section of a building with a roof and a foundation.
- DETAIL SECTION:** A symbol showing a cross-section of a detail with a roof and a foundation.
- DETAIL CALLOUT:** A symbol showing a square with a circle and the number '1' and 'A1.1'.
- VERTICAL DATUM DIMENSION:** A symbol showing a vertical line with a circle and the number '1'.
- REVISION CLOUD:** A cloud-shaped symbol.
- NORTH ARROW:** A symbol showing a circle with a cross and the word 'NORTH'.
- CEILING TAG:** A symbol showing a circle with the number '1' and the word 'SLOPED'.
- ROOM TAG:** A symbol showing a rectangle with the text 'ROOM NAME' and '101'.
- DOOR TAG:** A symbol showing a circle with the number '101'.
- WINDOW TAG:** A symbol showing a hexagon with the number '11'.
- WALL TAG:** A symbol showing a diamond with the number '11'.
- ALIGN:** A symbol showing two arrows pointing towards each other with the word 'ALIGN'.

LINETYPES

- DEMOLISHED:** A dashed line.
- OVERHEAD:** A dashed line.
- CONC CONTROL JT:** A dashed line.
- CENTERLINE:** A dashed line.
- HIDDEN:** A dashed line.
- RATED WALL 1 HR.:** A thick solid line.
- FIRE LANE:** A dashed line.
- PATH OF TRAVEL, ACCESSIBLE OR EGRESS AS NOTED:** A solid line with a series of dots.
- FENCE LINE, CHAIN LINK:** A dashed line with a series of 'X' marks.

[illegible]



7. SOUTH SIDE OF HOUSE



6. SOUTH SIDE OF HOUSE



3. SOUTH WALL



5. NORTH SIDE OF HOUSE



2. FRONT GARAGE FACADE



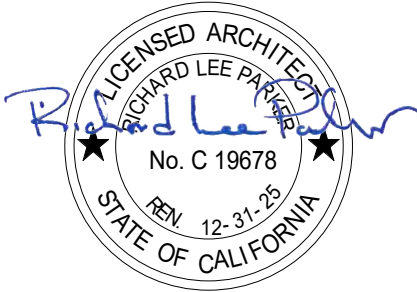
4. BACK OF HOUSE



1. ENTRY STAIRS / PORCH

JAMES RESIDENCE

2010 JUNCTION AVE.
EL CERRITO, CA 94530



Submittals		
#	ISSUE	DATE
	USE PERMIT	02/08/24

Sheet Title:
(E) SITE PHOTOS

Project Status	
Issue Date	
Job Number:	Drawn By:
1306	Author

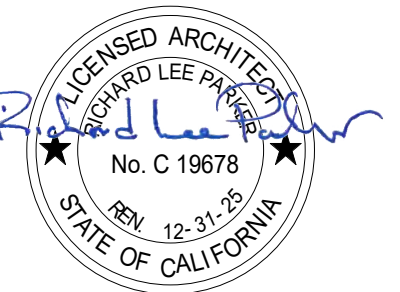
Sheet Number:

A0.3



$$\frac{\left(\frac{114 + 110.6}{2}\right) - \left(\frac{105.7 + 105.7}{2}\right)}{\left(\frac{40 + 40.6}{2}\right)} = 16.3\%$$

2010 JUNCTION AVE.
EL CERRITO, CA 94530

[illegible]

Sheet Title:

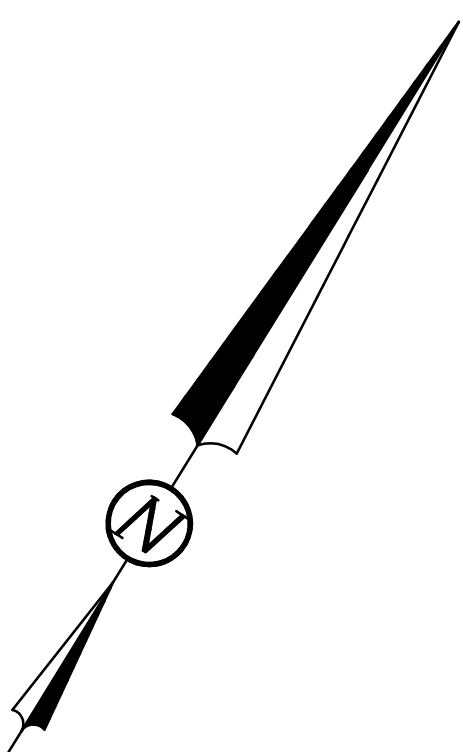
**DAYLIGHT PLANE
DIAGRAMS & SLOPE
CALCULATION**

Project Status
Issue Date

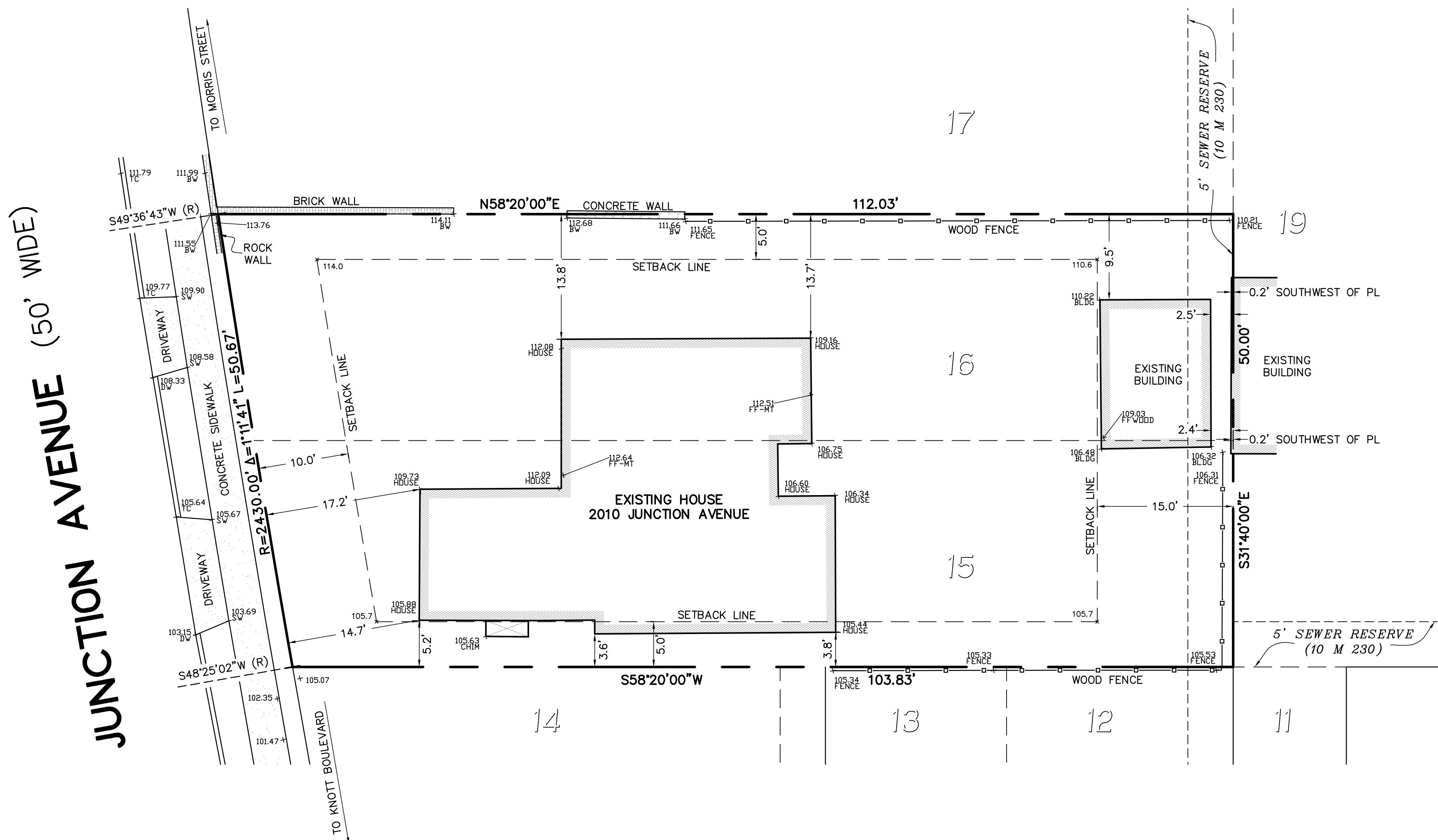
Job Number:	Drawn By:
1306	Author

Sheet Number:

A0.4



- LEGEND**
- APN ASSESSOR'S PARCEL NUMBER
BLDG BUILDING
BW BASE OF WALL
CHIM CHIMNEY
DW DRIVEWAY
FF FINISHED FLOOR
MT METAL THRESHOLD
PL PROPERTY LINE
SW SIDEWALK
TC TOP OF CURB
BRICK
BUILDING FOOTPRINT
CONCRETE
CONCRETE WALL
ROCK WALL
WOOD FENCE
(R) RADIAL BEARING



GENERAL NOTES:
DIMENSIONS ARE IN FEET AND DECIMAL FEET.

DIMENSIONS SHOWN FROM BUILDINGS TO PROPERTY LINES ARE MEASURED AT BUILDING CORNERS FROM THE EXTERIOR BUILDING FACE PERPENDICULAR TO THE PROPERTY LINE.

ALL EASEMENTS RELATED TO THIS PROPERTY REFERENCED IN NORTH AMERICAN TITLE COMPANY PRELIMINARY REPORT ORDER NUMBER 1604274, DATED NOVEMBER 15, 2018 ARE SHOWN HEREON.

APN: 501-321-005

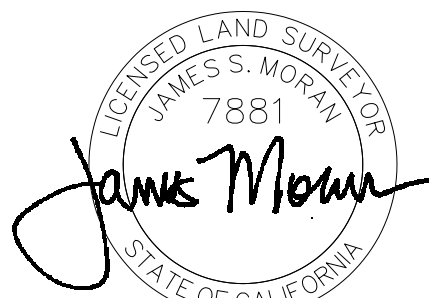
PROPERTY AREA: 5,401± SQUARE FEET

DATE OF FIELD SURVEY: DECEMBER 1, 2023

BASIS OF BEARINGS:
THE RIGHT-OF-WAY LINE OF MORRIS STREET WAS TAKEN AS NORTH 58°20'00" EAST AS SHOWN ON RICHMOND JUNCTION HEIGHTS (10 M 230).

DATUM:
ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

BOUNDARY NOTE:
PROPERTY BOUNDARIES WERE ESTABLISHED BY SPLITS OF IMPROVEMENTS AROUND THE BLOCK.



12-15-2023

HOUSE LOCATION SURVEY

LOT 15 AND 16, BLOCK 33, RICHMOND JUNCTION HEIGHTS (10 M 230)

LOCATED AT 2010 JUNCTION AVENUE

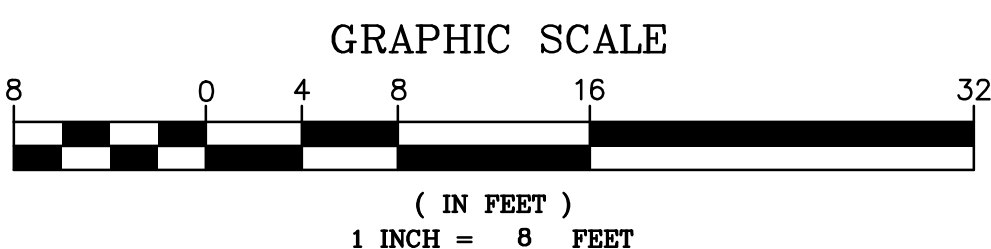
CITY OF EL CERRITO, COUNTY OF CONTRA COSTA, CALIFORNIA

DECEMBER 15, 2023

SCALE: 1" = 8'

MORAN ENGINEERING, INC.

CIVIL ENGINEERS \ LAND SURVEYORS
1930 SHATTUCK AVENUE, SUITE A
BERKELEY, CALIFORNIA 94704
(510) 848-1930



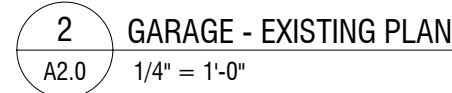
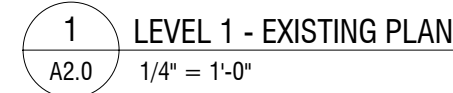


Key Value	Keynote Text
-----------	--------------



A1.0

1. SPOT ELEVATIONS ARE PROVIDED ONLY AS A REFERENCE TO (E) GRADE / FINISH FLOOR ELEVATION @ GROUND FLOOR DATUM IN GARAGE
2. ALL EXISTING DIMENSIONS TO BE VERIFIED IN FIELD.
3. THE OWNER SHALL COORDINATE WITH THE PUBLIC WORKS DEPARTMENT TO ENSURE THAT ANY PROPOSED REPAIR WORK TO THE SEWER LATERAL, SIDEWALK, CURB, AND/OR GUTTER WILL BE SATISFACTORY TO THE CITY. AN ENDOCHARGE PERMIT SHALL BE OBTAINED FOR ANY WORK IN THE PUBLIC RIGHT OF WAY. WORK SHALL BE RESPONSIBLE FOR ALL APPLICABLE FEES AND DEPOSITS. ALL WORK RELATED TO THESE REQUIREMENTS SHALL BE COMPLETED AT THE OWNERS EXPENSE.
4. ANY SUBSTANDARD SIDEWALK, ROLLED CURB AND GUTTER FRONTING THE PROPERTY SHALL BE REMOVED AND REPLACED TO CURRENT CITY STANDARDS AS DIRECTED BY THE CITY OF SFG AND AT THE OWNERS EXPENSE. THE CITY OF SFG SHALL BE THE SOLE JUDGE OF WHETHER ANY SUCH REPLACEMENT IS NECESSARY.

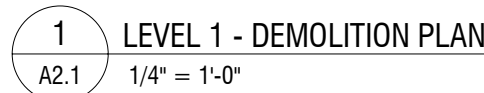


GENERAL NOTE

1. ALL EXISTING DIMENSIONS ARE PROVIDED FOR REFERENCE ONLY AND SHALL BE VERIFIED IN FIELD PRIOR TO START OF WORK.

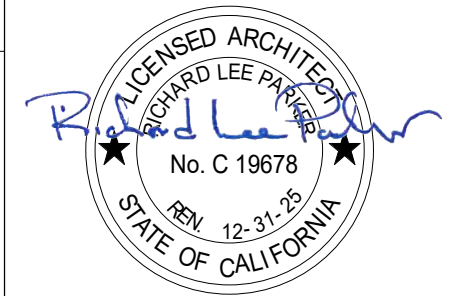
Professional Engineer Seal for Richard Lee Parker, State of California, License No. C 19678, expires 12-31-25.

Sheet Title:	
EXISTING REFERENCE PLANS	
Project Status	
Issue Date	
Job Number: 1306	Drawn By: Author
Sheet Number: A2.0	



450 architects, inc.
9 pier, suite 105
the embarcadero
san francisco, california 94111

2010 JUNCTION AVE.
EL CERRITO, CA 94530

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Project Status

Issue Date

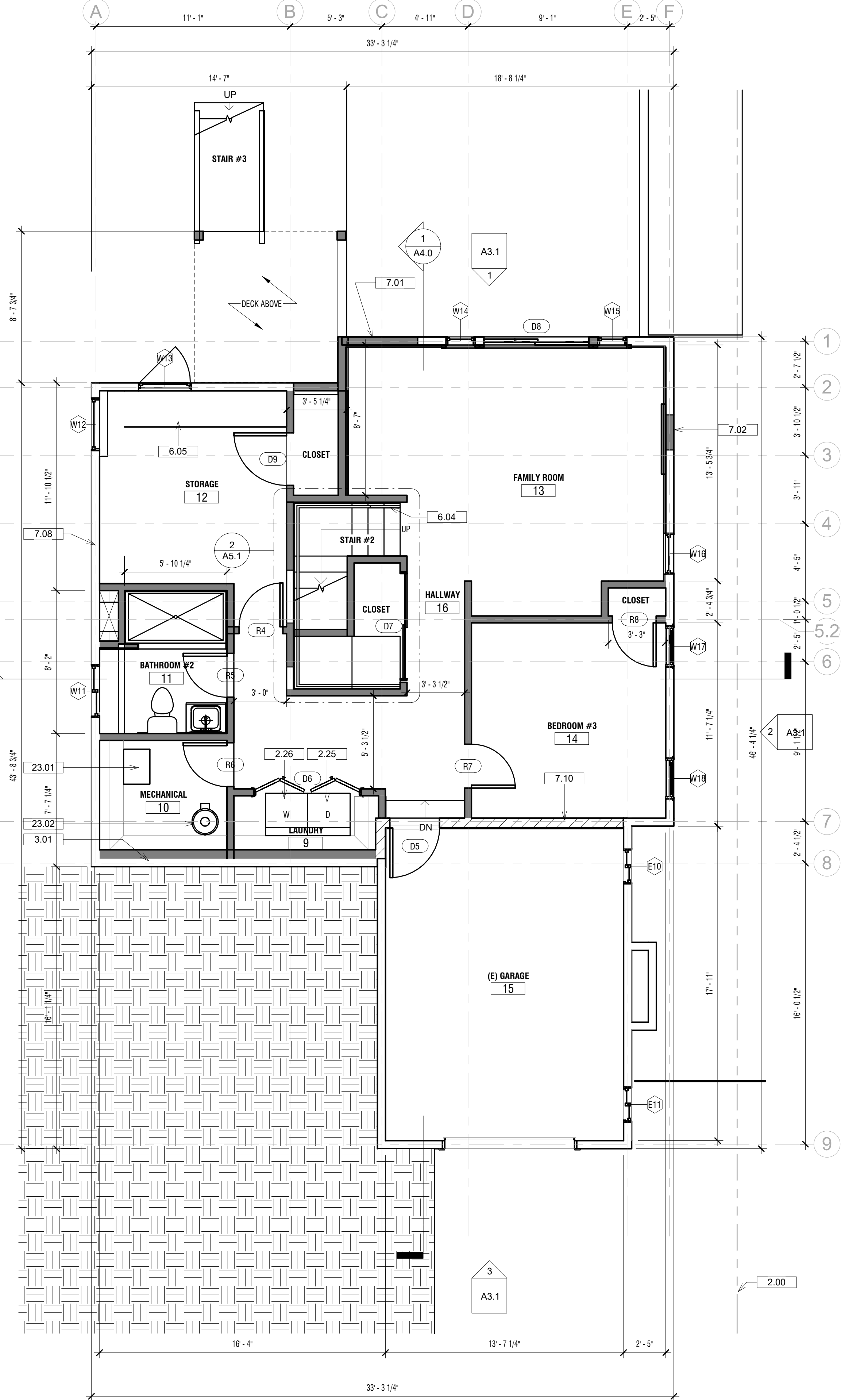
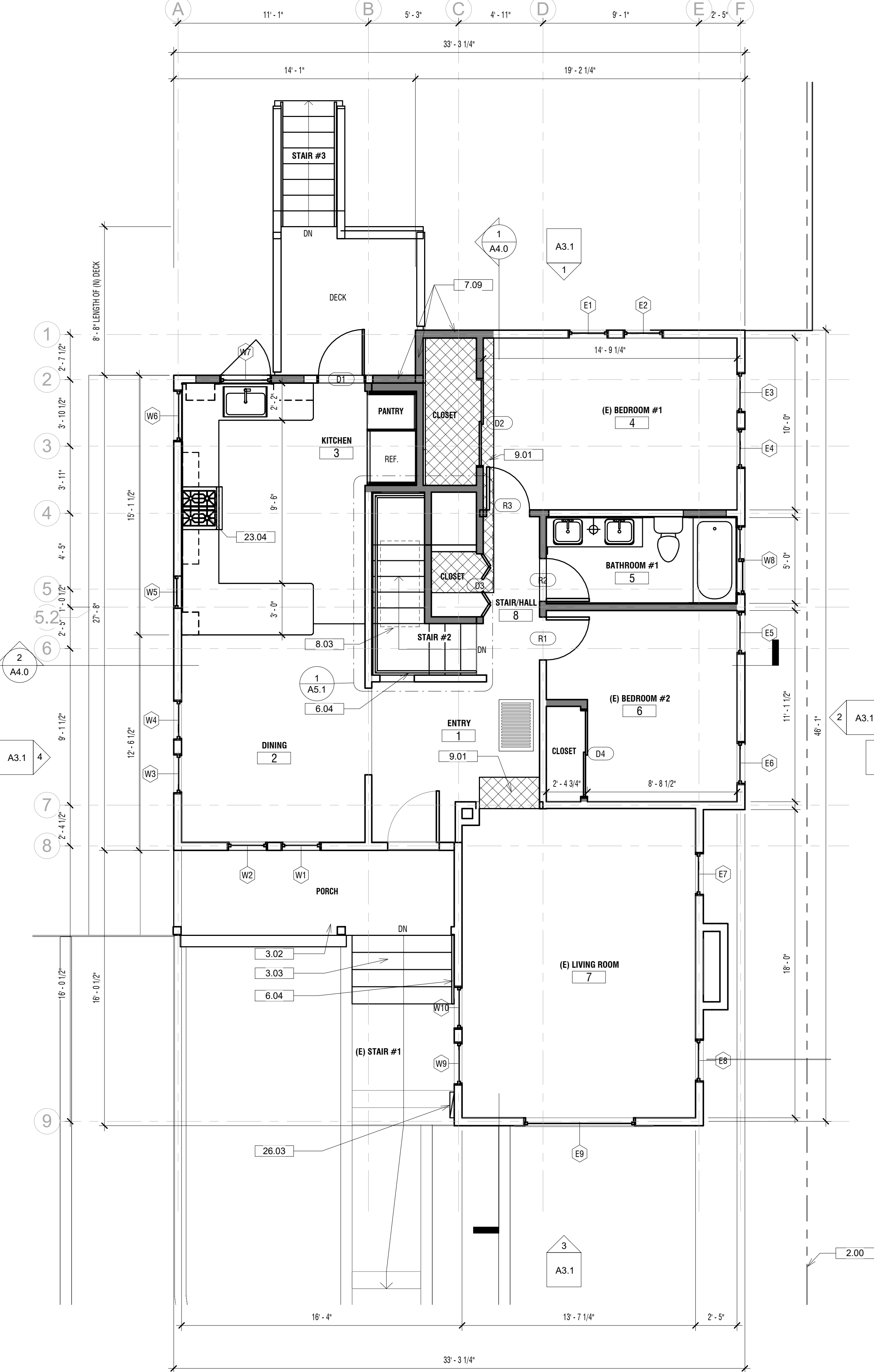
Job Number:	Drawn By:
1306	Author

Sheet Number:

A2.1

C:\Users\jgw\Documents\James Residence_MasterFile_perry\560E.rvt
ANSI D 227 X 34"
02/09/2024 11:12:44 AM

COPYRIGHT © 2021 450 architects, inc.



KEYNOTE LEGEND	
Key Value	Keynote Text
2.00	PROPERTY LINE
2.25	(E) DRYER TO BE RELOCATED, PROVIDE DRYER EXHAUST PER MECHANICAL CODE
2.26	(E) WASHER TO BE RELOCATED
3.01	(N) 6" CONC. RETAINING WALL, S.S.D., W/ 2X6 FURRING AND 1 LAYER GYP., PROVIDE MINERAL WOOL BATT R-19 INSULATION IN CAVITY PER TITLE 24 REPORT
3.02	(N) CONC. PATIO, S.S.D., PTD.
3.03	PORTION OF (E) CONC. STEPS TO BE RECONSTRUCTED TO MEET (N) FINISH FLOOR LEVEL @ PATIO, S.S.D., PTD.
6.04	(N) HANDRAIL AT 34" A.F.F.
6.05	(N) CONTINUOUS LOW SHELF WALL ALONG EXTERIOR WALL TO COVER FOUNDATION
7.01	(N) 2X6 WD STUD EXTERIOR WALLS, W/ STUCCO ON EXTERIOR AND 1 LAYER OF GYP. ON INTERIOR, PATCH TO MATCH (E) ADJACENT, PROVIDE MINERAL WOOL BATT R-19 INSULATION PER TITLE 24 REPORT
7.02	FILL IN (E) WINDOW, STUCCO PATCH & PAINT TO MATCH (E) ADJACENT SURFACES
7.08	SISTER IN 2X6 STUDS TO (E) 2X4 STUDS AFTER LIFT TO ADD LENGTH TO ALL EXTERIOR WALLS AT BASEMENT, S.S.D., W/ STUCCO ON EXTERIOR AND 1 LAYER OF GYP. ON INTERIOR, PATCH TO MATCH (E) ADJACENT, PROVIDE MINERAL WOOL BATT R-19 INSULATION PER TITLE 24 REPORT
7.09	(N) 2X4 STUD WALLS AT LEVEL 1 W/ STUCCO ON EXTERIOR AND 1 LAYER OF GYP. ON INTERIOR, PATCH TO MATCH (E) ADJACENT, PROVIDE MINERAL WOOL BATT R-13 INSULATION PER TITLE 24 REPORT
7.10	(N) 2X6 1HR WALL W/ TYPE X GYP. EA. SIDE, PROVIDE MINERAL WOOL BATT R-19 INSULATION PER TITLE 24 REPORT
8.03	DASHED LINE OF (N) SKYLIGHT ABOVE
9.01	(N) WOOD FINISH TO PATCH (E)
23.01	(N) ELECTRIC HEAT PUMP, REUSE EXISTING DUCTS, ADD AND REPLACE DUCTS AS REQUIRED
23.02	(N) HYBRID ELECTRIC HEAT PUMP WATER HEATER
23.04	PROVIDE RANGE HOOD EXHAUST PER MECHANICAL CODE
26.03	(N) 200 AMP ELECTRICAL PANEL

GENERAL FLOOR PLAN NOTES

- FINISH FLOOR (0'-0") = ELEVATION xx FT.
- SEE A6.0 FOR EXTERIOR ASSEMBLY TYPES
- SEE A6.0 FOR INTERIOR PARTITION TYPES
- SEE EXTERIOR ELEVATIONS FOR WINDOW TAGS
- INTERIOR PARTITIONS ARE MEASURED TO FACE OF FINISH
- SEE SLAB PLAN FOR CONC CURB INFO
- WHERE DOOR OPENINGS ARE NOT DIMENSIONED, DOOR SHALL BE TWO BACK-TO-BACK STUDS AWAY FROM ADJ. PTN
- CEILING HEIGHTS FOR ALL LIVING ROOMS, BEDROOMS, KITCHENS AND BATHROOMS IS GREATER THAN 7'-0". SEE REFLECTED CEILING PLANS ON A2.05 FOR CEILING HEIGHTS.
- ALL EXISTING DIMENSIONS TO BE VERIFIED IN FIELD.
- PATCH WALLS/FLOORS AT ALL AREAS WHERE DEMOLITION HAS OCCURED TO MATCH ADJACENT CONSTRUCTION AND PREP LEVEL AS REQUIRED TO ACCOMMODATE NEW FINISHES.
- ALL SPACES UNDERSTAIR STAIRS SHALL HAVE THE WALLS, UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2" MIN. GYPSUM BOARD PER CRC SEC. R302.7, U.O.N.
- BATHTUB & SHOWER FLOORS & WALLS ABOVE BATHTUBS W/ INSTALLED SHOWER HEADS & IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR PER CRC SEC. R307.2
- ENVIRONMENTAL EXHAUST DUCT TERMINATION SHALL BE AS FOLLOWS PER CMC SEC. 502.2:
 - 10 FEET FROM A FORCED AIR INLET, AND
 - 3 FEET FROM OPENINGS INTO THE BUILDINGii. UNLESS OTHERWISE PERMITTED OR REQUIRED BY THE DRYER MANUFACTURERS INSTALLATION INSTRUCTIONS AND APPROVED BY THE CITY. DOMESTIC DRYER MOISTURE EXHAUST DUCTS SHALL NOT EXCEED A TOTAL COMBINED HORIZONTAL AND VERTICAL LENGTH OF FOURTEEN FEET, INCLUDING TWO 90-DEGREE ELBOWS. TWO FEET SHALL BE DEDUCTED FOR EACH 90-DEGREE ELBOW IN EXCESS OF TWO, PER CMC SEC. 504.4.2.1
- FOR ADDITIONAL PLUMBING FIXTURE AND ELECTRICAL NOTES SEE A10.00.

LEGEND

- NEW CONSTRUCTION
- EXISTING TO REMAIN
- TO BE DEMOLISHED
- OVERHEAD
- HIDDEN
- 1-HR FIRE RATED

450architects

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9 pier, suite 105
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san francisco, california 94111

JAMES RESIDENCE

2010 JUNCTION AVE.
EL CERRITO, CA 94530

LICENSED ARCHITECT
RODARDO LEE PARRA
No. C 19678
REV. 12-31-25
STATE OF CALIFORNIA

Submittals		
#	ISSUE	DATE
	USE PERMIT	02/08/24

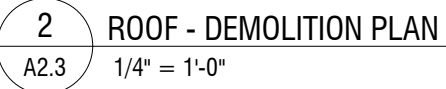
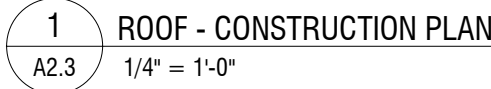
Sheet Title:
CONSTRUCTION PLANS

Project Status
Issue Date

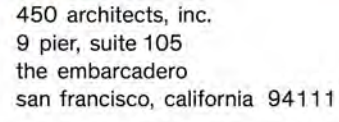
Job Number:
1306

Drawn By:
Author

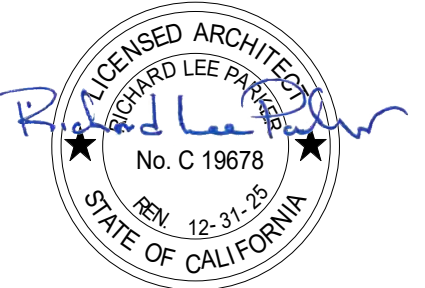
Sheet Number:
A2.2



KEYNOTE LEGEND	
Key Value	Keynote Text
2.00	PROPERTY LINE
2.11	(E) TILE ROOF TO BE REMOVED
2.12	(E) CHIMNEY TO REMAIN
2.17	(E) ROOFING TO BE REMOVED
2.28	REMOVE PORTION OF PARAPET, SEE ELEVATIONS
2.29	REMOVE (E) TILE DETAIL, STUCCO PATCH TO MATCH (E) ADJACENT
7.04	(N) TPO ROOFING (PROVIDE MIN 1/2" POLYSO COVER BOARD ABOVE (N) ROOFING AND ABOVE (E) SHEATHING)
7.05	(N) ROOF FRAMING, SHEATHING, & WATERPROOFING, PROVIDE MINERAL WOOL BATT R-30 INSULATION PER TITLE 24 REPORT
7.06	(N) PARAPET TO MATCH (E) ADJACENT HEIGHT & FINISH
7.07	(N) COMP SHINGLE ROOF



2010 JUNCTION AVE.
EL CERRITO, CA 94530

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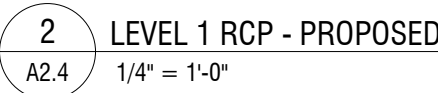
ROOF PLAN

Issue Date

1306

Author

A2.3



450 architects

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 9 pier, suite 105
 the embarcadero
 san francisco, california 94111

JAMES RESIDENCE

2010 JUNCTION AVE.
 EL CERRITO, CA 94530



Submittals		
#	ISSUE	DATE
	USE PERMIT	02/08/24

Sheet Title:	
REFLECTED CEILING PLAN	
Project Status	
Issue Date	
Job Number: 1306	Drawn By: Author
Sheet Number:	
A2.4	

5'-0"

REQ'D SETBACK

(E) T.O. PARAPET
14' - 11 1/2"

(E) PARAPET LOW
11' - 1"

(E) B.O. OF ROOF STR
10' - 1 1/2"

(E) WINDOW TO REMAIN

(E) 3' - 8"

21' - 1 1/2"

EXISTING HEIGHT

(E) STUCCO CHIMNEY TO REMAIN

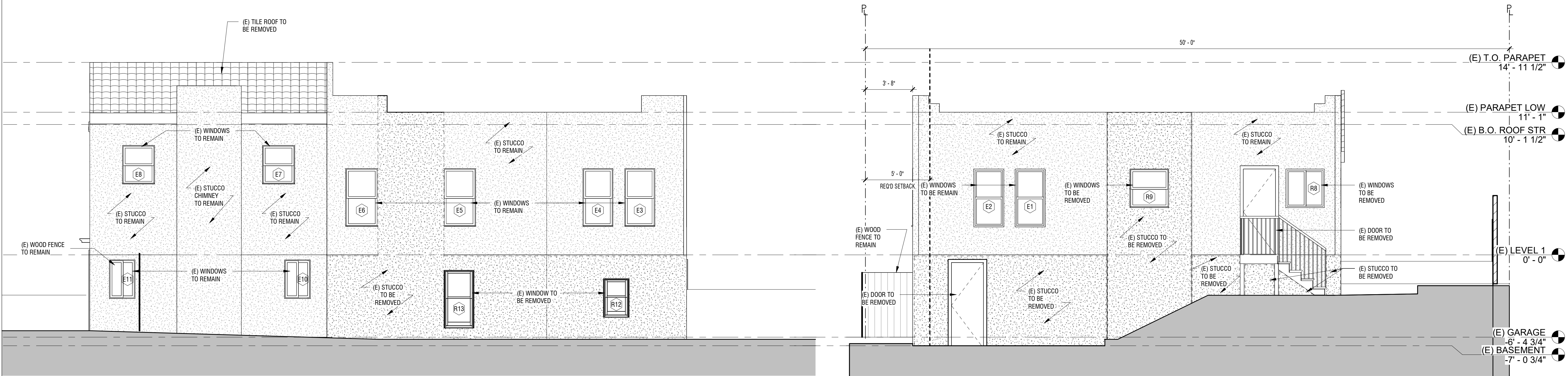
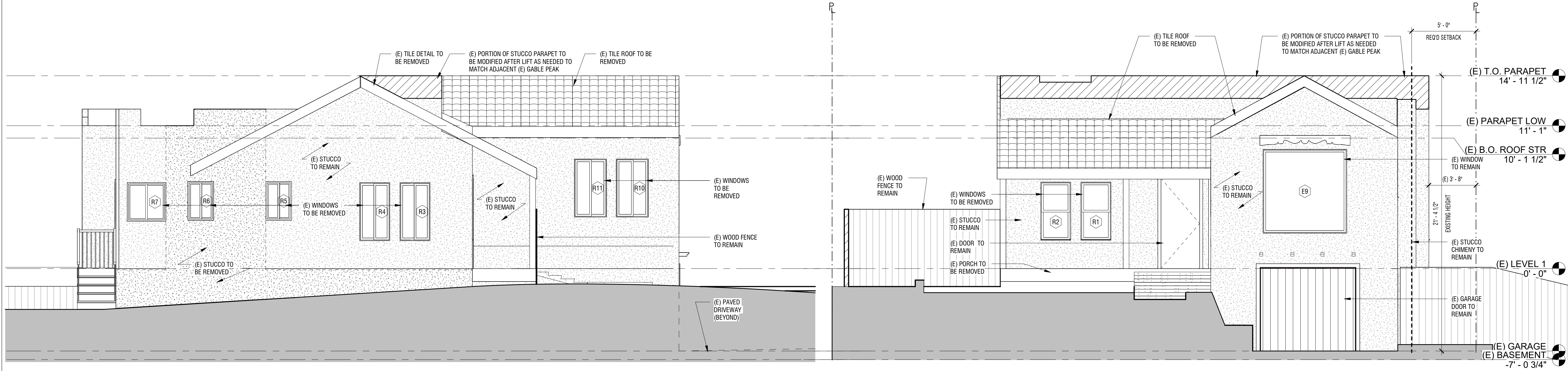
(E) LEVEL 1
0' - 0"

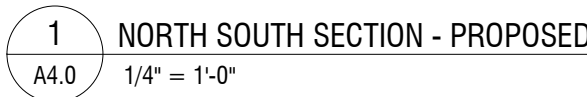
(E) GARAGE DOOR TO REMAIN

(E) GARAGE
(E) BASEMENT
-7' - 0 3/4"

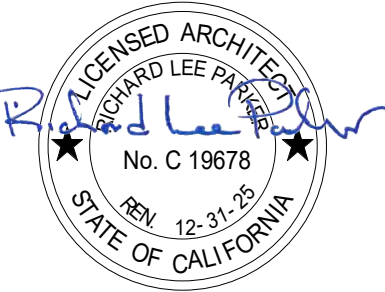
4 WEST - EXISTING
A3.0 1/4" = 1'-0"

1	EAST - EXISTING
A3.0	1/4" = 1'-0"





2010 JUNCTION AVE.
EL CERRITO, CA 94530

[illegible]

Sheet Title:

BUILDING SECTIONS

Project Status

Issue Date

Job Number:	Drawn By:
1306	Author

Sheet Number:

A4.0



Pier 9, suite 105
the embarcadero
san francisco, ca 94111
415.546.0450

February 9th, 2024

The City of El Cerrito
Community Development Department
Planning Division
10890 San Pablo Ave, El Cerrito CA 94530

Project: 2010 Junction Ave. Conditional Use Permit

We are requesting a Conditional Use Permit for an enlargement within an existing nonconforming side setback and daylight plane. The existing non-conforming side setback is 3'-6" to 3'-8", the house will be raised 1'-8" within this setback to accommodate an occupiable first floor level. The rear section of the house will be lifted while the front garage and living room will stay at the same level, this will make the existing house all on one level, allowing for better use by family members/visitors/future owners with limited mobility. The max height of the house will not change because the gable portion of the house and parapet above the living room will remain. As part of this project, drainage will be added around the foundation which will decrease surface and subsurface water that runs downhill, benefitting the downhill neighbors and increasing the safety of the soil conditions in the adjacent areas during storm events.

The location, size, design and operating characteristics of the proposed development will be harmonious and compatible with and not adversely affect the livability of the abutting properties. Because the subject property is on a hillside with the downhill neighbor to the south, the additional height will not cast any shadow on the adjacent downhill neighbor. The adjacent property above the subject property is located in such a way that no scenic views will be blocked by the additional height. The materials for the added walls will remain stucco which is compatible with the neighborhood character. The low slope portion of the roof will be a built-up roof similar to other properties on the block and the gable portion will be composite shingles which is a common material used in this neighborhood.

The location of this project is a five-minute walk to Bart and close to shopping on San Pablo Ave corridor. The design of this project will provide a third bedroom and additional family room space so the current family can stay in this location and will provide needed housing that is in a transit friendly area therefore reducing dependence on single occupant vehicle trips. Creating a living floor that is all on one level will also make this house more functional for elderly and people with physical disabilities. The new drainage will provide for better storm water management.

The proposed project maintains the single-family use and is consistent with the residential character of the district and the El Cerrito General Plan. The additional residential space is near the San Pablo Avenue corridor and the Del Norte Bart Station where the majority of commercial and residential growth is called for in the El Cerrito General Plan. By building up instead of out, this design will not significantly increase the amount of impermeable surface therefore maintaining permeable surface which will help with storm water mitigation. No significant views will be blocked by this project and existing street trees and landscaping will remain. The proposed design will be smaller in bulk and mass than all three of the directly adjacent residences therefore maintaining compatibility in the building scale of the neighborhood. The project will upgrade the remaining single pane windows with energy efficient double pane windows.

Perry Wexelberg
Architect, AIA
450 Architects



Community Development Department
Planning Division
10890 San Pablo Avenue, El Cerrito, CA 94530
(510) 215-4330 | planning@ci.el-cerrito.ca.us

PLANNING COMMISSION STAFF REPORT

March 20, 2024

1715 ELM STREET TENTATIVE SUBDIVISION MAP

DETAILS

Application Number: PL21-0053

Applicant: Harmeet Anand

Location: 1715 Elm Street

APN: 502-112-038

Zoning: RM-PD (Multi-family Residential – Planned Development)

General Plan: High Density Residential

Request: Planning Commission consideration of a Tentative Subdivision Map to create fourteen condominium residential units within a multifamily residential building and to create one commercial condominium unit within a separate structure on the parcel (Chapter 18.12, ECMC).

CEQA: An Initial Study/Mitigated Negative Declaration was prepared and adopted for the project pursuant to the California Environmental Quality Act.

EXECUTIVE SUMMARY

The project applicant is seeking approval of a Tentative Subdivision Map to allow the creation of fourteen condominium residential units within a multifamily residential building and to create one commercial condominium unit within a separate structure on the parcel.

In 2014, the City Council adopted an Initial Study and Mitigated Negative Declaration; approved a Planned Development Use Permit; rezoned the project site to a Planned Development zoning district; and approved a Development Agreement for the project. On January 7, 2015, the Design Review Board granted design review approval of the project. On March 18, 2015, the Planning Commission denied an appeal and upheld the Design Review Board's design review approval of this project. On May 19, 2015, the City Council denied an appeal and upheld the Planning Commission's design review approval of the project.

The applicant is seeking a Subdivision Map for the 14 condominium units to facilitate the option to sell some or all of the residential units.

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

Background

Site Characteristics and Neighborhood Context

The project site is an 18,450 square foot lot that is relatively flat, slightly sloping downwards to the west from Elm Street. The site has been entitled for construction of 14 new residential units (see Previous Entitlements section, below) which are nearing completion. The project site previously contained only a 1897 single-family house which has been relocated as part of the approved project. A creek that is a tributary of Baxter Creek runs through the middle of the property from the northeastern side of the property down to the southwestern side in a rock-lined channel.

The project site is located within a quarter mile of the El Cerrito del Norte BART station, the AC Transit 72R Rapid Bus line, and the Ohlone Greenway. The land uses of the existing neighborhood are an eclectic mix of single-family dwellings, duplexes, a charter school campus, and multifamily dwellings all within a two-block radius of this site. The surrounding multifamily residential buildings are two to three stories and generally range from five residential units to 20 residential units each.

Vicinity Map



Adjacent Designations and Land Uses

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

East: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Duplexes.

South: Multi-Family Residential (RM) Zoning and High Density Residential General Plan designation. Keystone Montessori School and a single-family residential building.

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

Previous Approvals

In 2005, the Edward and Loretta Biggs Revocable Trust submitted a development application to construct a multifamily residential building with 14 residential units and to relocate and renovate the existing house at 1715 Elm Street (Planning Application No. 6133). This development application included requests to rezone the property to PD (Planned Development); a Planned Development Use Permit; Design Review; and a Development Agreement.

On April 16, 2014, the Planning Commission adopted an Initial Study and Mitigated Negative Declaration (Resolution PC14-06) and approved the Planned Development Use Permit for the project (Resolution PC14-07). This Use Permit approval included relief of Zoning Ordinance requirements for setbacks from property line and creek, maximum building height, and minimum vehicle parking spaces.

On April 28, 2014, Howdy Goudey, Robin Mitchell, Jason Hasley, Keystone Montessori School, Linda Shehabi, Dan & Henia Pines and Julia Lucia filed an appeal of the Planning Commission's Planned Development Use Permit approval for the project. On August 19, 2014, the City Council adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the project (Resolution 2014-44). On September 12, 2014, the City Council denied the appeal and upheld the Planning Commission's approval of the Planned Development Use Permit (Resolution 2014-45). On October 7, 2014, the City Council rezoned 1715 Elm Street to a Planned Development zoning district (Ordinance 2014-03) and approved a Development Agreement (Ordinance 2014-04) for the project.

On April 17, 2014, the California Department of Fish and Wildlife (CDFW) issued a Streambed Alteration Agreement for the project to install a new concrete headwall at the downstream end of the existing channel, remove two pedestrian bridges, and install a new pedestrian bridge.

On January 7, 2015, the Design Review Board granted design review approval of the project. On January 20, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Design Review Board approval of the design review application. On March 18, 2015, the Planning Commission denied the appeal and upheld the Design Review Board's design review approval of this project (Resolution PC15-02). On March 26, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Planning Commission decision. On May 19, 2015, the City Council denied the appeal and upheld the Planning Commission's design review approval of the project (Resolution 2015-40).

On April 21, 2022, a building permit (BD18-0782) was issued for the new multi-family building, and it is now nearing completion. On September 8, 2021, a building permit (BD21-0172) was also issued for the relocation and restoration of the existing house on the property, and that effort is also nearing completion.

Analysis

Project Description

The proposed project consists of a new multifamily residential building with 14 residential units and the relocation, restoration, and conversion of an existing house into a museum, art studio, offices, or similar community-center type use. As stated above, the project has already received approvals for a rezone of the property to PD (Planned Development), a Planned Development Use Permit, a Development

Agreement, and Design Review. The proposal now before the Planning Commission consists only of a Tentative Subdivision Map to create 14 condominium residential units within a multifamily residential building and to create one commercial condominium unit within a separate structure (relocated existing house) on the parcel.

Tentative Subdivision Map

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.*

In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project was consistent with the El Cerrito General Plan and the El Cerrito Zoning Ordinance, through the rezoning and the Planned Development Use Permit process. The proposed Tentative Subdivision Map will allow for the creation of 14 condominium residential units within a multifamily residential building and the creation of one commercial condominium unit within a separate structure on the parcel. 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. Pursuant to Section 5.6 of the Development Agreement adopted by the City Council (Ordinance 2014-04), the applicant agreed to lease the existing house on the property to the City for 99 years for a total rent of \$1 for use as a museum, an art studio, offices, or similar community center type uses that are conditionally permitted in the underlying RM Zoning District. In addition, Section 5.7 and 5.8 of

the Development Agreement require the applicant to provide and maintain an oval open space area in front of the relocated existing house as Publicly Accessible Open Space. This open space shall be open to the public Monday through Saturday between 10:00 a.m. and 5:00 p.m.

- 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 multi-family residential and community center type use for the existing house are permitted and conditionally permitted uses, respectively, under the underlying RM zoning district and the Planned Development (PD) zoning district approved for the site and are consistent with the intent of both the underlying RM zoning district and the approved PD for this project site.

In addition, City staff have reviewed the proposed Tentative Subdivision Map submittal and determined that it complies with all requirements in El Cerrito Municipal Code Section 19.44.040 (development standards for condominiums) including but not limited to requirements for ground fault circuit interrupters, fire prevention, sound transmission, crime prevention, utility metering, and private and common open space.

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 March 5, 2024. No public comments were received prior to the publication of this report.

Environmental Review

An Initial Study and Mitigate Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was approved by the Planning Commission on April 16, 2014, and by the City Council on August 19, 2014. Impacts identified in the Initial Study and Mitigated Negative Declaration as “Environmental Factors Potentially Affected” included: hazard and hazardous materials, utilities/service systems, cultural resources, hydrology/water quality, noise, air quality and geology. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures.

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 14 residential units that will face the street 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 architecture of the proposed multifamily residential building has been designed to reflect but not mimic the existing single-family house on the project site. The roof pitch of the dormers is consistent with the roof pitch of the existing house, and while the materials are not the same, the appearance of the materials as well as their colors are consistent with the existing main building. The proposed building interacts with Elm Street by providing an interesting variation in form and mass (as opposed to monolithic). The elevations include vertical architectural elements and horizontal color bands. Balconies and trellises have been added to soften the interface with the street. 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 design was considered and approved by the City Council on May 9, 2015, 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 14 new residential units. This housing type will provide new multi-family housing opportunities nearby the Del Norte 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 33 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. As described above for General Plan Policy CD1.3 (High-Quality Design), the proposed multifamily residential building provides an interesting variation in form and mass with a variety of building projections and recesses. The elevations include vertical architectural elements and horizontal color bands. Balconies and trellises have been added to soften the interface with the street.

CD2.1 Street Frontages. Encourage street frontages that are safe, by allowing for surveillance of the street by people inside buildings and elsewhere, and are interesting for pedestrians.

The residential units will include doors, windows, and private open spaces that face Elm Street 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 residential units will feature private open spaces (ground level yards or an upper-level balcony). The project also features landscaped public 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 new trees and plants along all four edges of the property, and new plants and trees along both sides of the creek. 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. The project design was considered and approved by the City Council on May 9, 2015, to ensure high-quality materials and design.

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 City Council conducted design review of the project and granted approval 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 use of the site as multi-family residential and community center type use for the existing house are permitted and conditionally permitted uses, respectively, under the underlying RM zoning district and the Planned Development (PD) zoning district approved for the site.

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:

- A. 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.

In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall 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.

In addition, El Cerrito Municipal Code Section 19.44.050, requires that the following findings be made to approve for a tentative subdivision map with proposed condominiums:

- A. All provisions of El Cerrito Municipal Code Chapter 19.44 are met.

The proposed tentative subdivision map application complies with all requirements in El Cerrito Municipal Code Section 19.44.040 including but not limited to requirements for ground fault circuit interrupters, fire prevention, sound transmission, utility metering, and private and common open space. The project complies with all provisions of El Cerrito Municipal Code Chapter 19.44.

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

In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project is consistent with the El Cerrito General Plan. There are not any applicable specific plans for the project.

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

In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project is consistent with the El Cerrito Municipal Code. The proposed tentative subdivision map will implement the Planned Development zoning designation and the Development Agreement adopted through the processes established in the Municipal Code.

- D. The site is physically suitable for the type of development and the proposed density of the development.

An Initial Study and Mitigate Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was certified by the City Council on August 19, 2014. Impacts identified in the Initial Study and Mitigated Negative Declaration as "Environmental Factors Potentially Affected" included: hazard and hazardous materials, utilities/service systems, cultural resources, hydrology/water quality, noise, air quality and geology. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures. In addition, the project complies with the maximum

allowable density of 35 units per acre for the General Plan designation of High Density Residential. The project also includes measures to protect the creek on the project site and the California Department of Fish and Wildlife (CDFW) issued a Streambed Alteration Agreement for the project to install a new concrete headwall at the downstream end of the existing channel, remove two pedestrian bridges, and install a new pedestrian bridge on April 17, 2014.

- E. All parcels created have adequate and safe access from a public street for both vehicles and pedestrians.

The proposed Tentative Subdivision Map would create fourteen residential condominium units within a multifamily residential building and to create one commercial condominium unit within a separate structure on the parcel. The proposed multifamily residential building on the project site includes a driveway that connects to a ground level parking garage. The driveway was reviewed by relevant City departments prior to the project receiving design review approval from the City Council in 2015. The existing parcel has adequate and safe access to Elm Street for both vehicles and pedestrians.

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

An Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was certified by the City Council on August 19, 2014. Impacts identified in the Initial Study and Mitigated Negative Declaration as “Environmental Factors Potentially Affected” included: hazard and hazardous materials, utilities/service systems, cultural resources, hydrology/water quality, noise, air quality and geology. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures.

Staff Recommendation

Based on the information contained in this report, staff recommends approval of Planning Application No. PL21-0053, as conditioned by the draft resolution in Attachment 1.

Proposed Motion

1. Move adoption of Planning Commission Resolution PC2024-06 granting approval to Planning Application No. PL21-0053 for a Tentative Subdivision Map to create fourteen condominium residential units within a multifamily residential building and to create one commercial condominium unit within a separate structure on the parcel, for a previously approved project.

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. Proposed Tentative Subdivision Map
3. Project Plans, Approved by City Council
4. City Council Ordinance 2014-03 (Rezoning to Planned Development)
5. City Council Ordinance 2014-04 (Development Agreement)
6. City Council Resolution 2014-44 (Initial Study and Mitigated Negative Declaration)
7. City Council Resolution 2014-45 (Planned Development Use Permit)
8. City Council Resolution 2015-40 (Design Review Approval)

Planning Commission Resolution PC2024-06

APPLICATION NO. PL21-0053

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A TENTATIVE SUBDIVISION MAP TO CREATE FOURTEEN RESIDENTIAL CONDOMINIUM UNITS WITHIN A MULTIFAMILY RESIDENTIAL BUILDING AND TO CREATE ONE COMMERCIAL CONDOMINIUM UNIT WITHIN A SEPARATE STRUCTURE ON THE PARCEL AT 1715 ELM STREET.

WHEREAS, the site is located at 1715 Elm Street; and

WHEREAS, the existing Assessor's Parcel Number of the site is 502-112-038; 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-PD (Multi-family Residential – Planned Development); and

WHEREAS, in 2005, the Edward and Loretta Biggs Revocable Trust submitted a development application to construct a multifamily residential building with 14 residential units and to relocate and renovate the existing house at 1715 Elm Street (Planning Application No. 6133) that included requests to rezone the property to PD (Planned Development); a Planned Development Use Permit; Design Review; and a Development Agreement; and

WHEREAS, on April 16, 2014, the Planning Commission adopted an Initial Study and Mitigated Negative Declaration (Resolution PC14-06) and approved the Planned Development Use Permit for the project (Resolution PC14-07) including relief of Zoning Ordinance requirements for setbacks from property line and creek, maximum building height, and minimum vehicle parking spaces; and

WHEREAS, on April 17, 2014, the California Department of Fish and Wildlife (CDFW) issued a Streambed Alteration Agreement for the project to install a new concrete headwall at the downstream end of the existing channel, remove two pedestrian bridges, and install a new pedestrian bridge; and

WHEREAS, on April 28, 2014, Howdy Goudey, Robin Mitchell, Jason Hasley, Keystone Montessori School, Linda Shehabi, Dan & Henia Pines and Julia Lucia filed an appeal of the Planning Commission's Planned Development Use Permit approval for the project; and

WHEREAS, on September 12, 2014, the City Council denied the appeal and upheld the Planning Commission's approval of the Planned Development Use Permit (Resolution 2014-45); and

WHEREAS, an Initial Study and Mitigate Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was approved by the Planning Commission on April 16, 2014, and by the City Council on August 19, 2014; and

WHEREAS, on October 7, 2014, the City Council rezoned 1715 Elm Street to a Planned Development zoning district (Ordinance 2014-03) and approved a Development Agreement (Ordinance 2014-04) for the project); and

WHEREAS, on January 7, 2015, the Design Review Board granted design review approval of the project; and

WHEREAS, on January 20, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Design Review Board approval of the design review application; and

WHEREAS, on March 18, 2015, the Planning Commission denied the appeal and upheld the Design Review Board's design review approval of this project (Resolution PC15-02); and

WHEREAS, on March 26, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Planning Commission approval of the design review application; and

WHEREAS, on May 19, 2015, the City Council denied the appeal and upheld the Planning Commission's design review approval of the project (Resolution 2015-40); and

WHEREAS, on March 11, 2021, Thompson Development submitted an application for a Tentative Subdivision Map; and

WHEREAS, on March 30, 2023, Thompson Development submitted a letter authorizing Harmeet Anand and S & H Incorporated to assume ownership of this Tentative Subdivision Map application as the new property owner of the project site; and

WHEREAS, on March 20, 2024, the Planning Commission, after due consideration of all evidence and reports offered for review does find and determine the following:

Government Code Section 66473.5

1. In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall 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.

El Cerrito Municipal Code Section 18.12.100

2. A In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project was consistent with the El Cerrito General Plan and the El Cerrito Zoning Ordinance, through the rezoning and the Planned Development Use Permit process. The proposed Tentative Subdivision Map will allow for the creation of 14 condominium residential units within a multifamily residential building and the creation of one commercial condominium unit within a separate structure on the parcel. The map is therefore consistent with the El Cerrito Zoning Ordinance and the El Cerrito General Plan.
3. The project is required to pay applicable impact fees to the West Contra Costa Unified School District to finance improvements to school facilities. Pursuant to Section 5.6 of the Development Agreement adopted by the City Council (Ordinance 2014-04), the applicant agreed to lease the existing house on

the property to the City for 99 years for a total rent of \$1 for use as a museum, an art studio, offices, or similar community center type uses that are conditionally permitted in the underlying RM Zoning District. In addition, Section 5.7 and 5.8 of the Development Agreement require the applicant to provide and maintain an oval open space area in front of the relocated existing house as Publicly Accessible Open Space. This open space shall be open to the public Monday through Saturday between 10:00 a.m. and 5:00 p.m.

4. The use of the site as multi-family residential and community center type use for the existing house are permitted and conditionally permitted uses, respectively, under the underlying RM zoning district and the Planned Development (PD) zoning district approved for the site and are consistent with the intent of both the underlying RM zoning district and the approved PD for this project site.

El Cerrito Municipal Code Section 19.44.050

5. The proposed tentative subdivision map application complies with all requirements in El Cerrito Municipal Code Section 19.44.040 including but not limited to requirements for ground fault circuit interrupters, fire prevention, sound transmission, utility metering, and private and common open space. The project complies with all provisions of El Cerrito Municipal Code Chapter 19.44.
6. In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project is consistent with the El Cerrito General Plan. There are not any applicable specific plans for the project.
7. In 2014, the City Council approved a Planned Development Use Permit (Resolution 2014-45); adopted an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (Resolution 2014-44); rezoned the project site to a Planned Development zoning district (Ordinance 2014-03); and approved a Development Agreement (Ordinance 2014-04) for the project. On May 19, 2015, the City Council granted design review approval of the project (Resolution 2015-40). Through these actions, the City Council determined that the overall project is consistent with the El Cerrito Municipal Code. The proposed tentative subdivision map will implement the Planned Development zoning designation and the Development Agreement adopted through the processes established in the Municipal Code.
8. An Initial Study and Mitigate Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was certified by the City Council on August 19, 2014. Impacts identified in the Initial Study and Mitigated Negative Declaration as "Environmental Factors Potentially Affected" included: hazard and hazardous materials, utilities/service systems, cultural resources, hydrology/water quality, noise, air quality and geology. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures. In addition, the project complies with the maximum allowable density of 35 units per acre for the General Plan designation of High Density Residential. The project also includes measures to protect the creek on the project site and the California Department of Fish and Wildlife (CDFW) issued a Streambed Alteration Agreement for the project to install a new concrete headwall at the downstream end of the existing channel, remove two pedestrian bridges, and install a new pedestrian bridge on April 17, 2014.
9. The proposed Tentative Subdivision Map would create fourteen residential condominium units within a multifamily residential building and to create one commercial condominium unit within a separate

structure on the parcel. The proposed multifamily residential building on the project site includes a driveway that connects to a ground level parking garage. The driveway was reviewed by relevant City departments prior to the project receiving design review approval from the City Council in 2015. The existing parcel has adequate and safe access to Elm Street for both vehicles and pedestrians.

10. An Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) was certified by the City Council on August 19, 2014. Impacts identified in the Initial Study and Mitigated Negative Declaration as “Environmental Factors Potentially Affected” included: hazard and hazardous materials, utilities/service systems, cultural resources, hydrology/water quality, noise, air quality and geology. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures.

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. PL21-0053, subject to the following conditions:

Planning Division:

1. Any and all Final Maps shall be developed and recorded consistent with the plans dated February 28, 2024. 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 exercised, this Tentative Subdivision Map approval shall expire two years from the date of this action.
5. 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.
6. Prior to issuance of certificate of occupancy, the applicant shall comply with inclusionary housing requirements contained in Chapter 19.30 of the El Cerrito Municipal Code.
7. Prior to issuance of a Certificate of Occupancy, the requirements in ECMC Chapter 16.16 – Uniform Building Security Code shall be addressed to the satisfaction of the City’s Building Division.

8. Prior to issuance of a Certificate of Occupancy, provide a draft declaration of Covenants, Conditions and Restrictions (CC&Rs) which would be applied on behalf of any and all owners of condominium units within the project. The declaration shall include, but not be limited to: the conveyance of units; the assignment of parking; an agreement for common area maintenance, including facilities and landscaping, together with an estimate of any initial assessment fees anticipated for such maintenance; description of a provision for maintenance of all vehicular access areas within the project; an indication of appropriate responsibilities for maintenance of all utility lines and services for each unit; a plan for equitable sharing of communal water metering. The following shall be included as CC&Rs as well:
 - a. The relocated structure commercial condominium unit is subject to the following limitations on use: Any future use of the historic building located on site shall be as a museum, art studio or offices, which are all uses seen in community centers. The hours of operation shall not exceed 10:00 am to 5:00 pm, Monday through Saturday. Any event held at subject property beyond the stipulated hours of operation shall be required to receive a Temporary Use Permit and requires the approval of the Home Owners Association of 1715 Elm Street (City Council Resolution No. 2014-45, Condition of Approval No. 21).
 - b. The private open space in front of the historic building shall be available for public use for the same hours as stipulated for the historic structure. Any trash or damage to the open space generated by the users of the house shall be remediated by the users, not the future Home Owners Association (City Council Resolution No. 2014-45, Condition of Approval No. 22).
9. The project is subject to the conditions of approval in City Council Resolution No. 2014-45, denying an appeal and upholding the Planning Commission's approval of the Planned Development use permit.
10. The project is subject to the development agreement terms in City Council Resolution No. 2014-04, including but not limited to provisions relating to the improvement and use of the historic house and the Publicly Accessible Open Space in front of the historic house.
11. The project is subject to the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted in City Council Resolution No. 2014-44.
12. The applicant shall adhere to the conditions of the Project's CWA Section 401 Water Quality Certification and Order (WDID No. 2CW395112), issued by the San Francisco Bay Regional Water Quality Control Board.
13. The applicant shall adhere to the conditions of the Project's CWA Section 404 Nationwide Permit authorization (Corps File No. 2014-00041S), issued by the Army Corps of Engineers.
14. The applicant shall adhere to the requirements included in the February 6, 2020, Streambed Alteration Agreement (SAA), Notification Number 1600-2019-0329-R3, issued by the California Department of Fish and Wildlife (CDFW).

Public Works Department:

15. Prior to issuance of a certificate of occupancy, a sidewalk easement will need to be acquired for the proposed sidewalk behind the driveway curb cut to allow for public access on private property.

CERTIFICATION

I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on March 20, 2024, upon motion of Commissioner Hamilton, second by Commissioner Bloom:

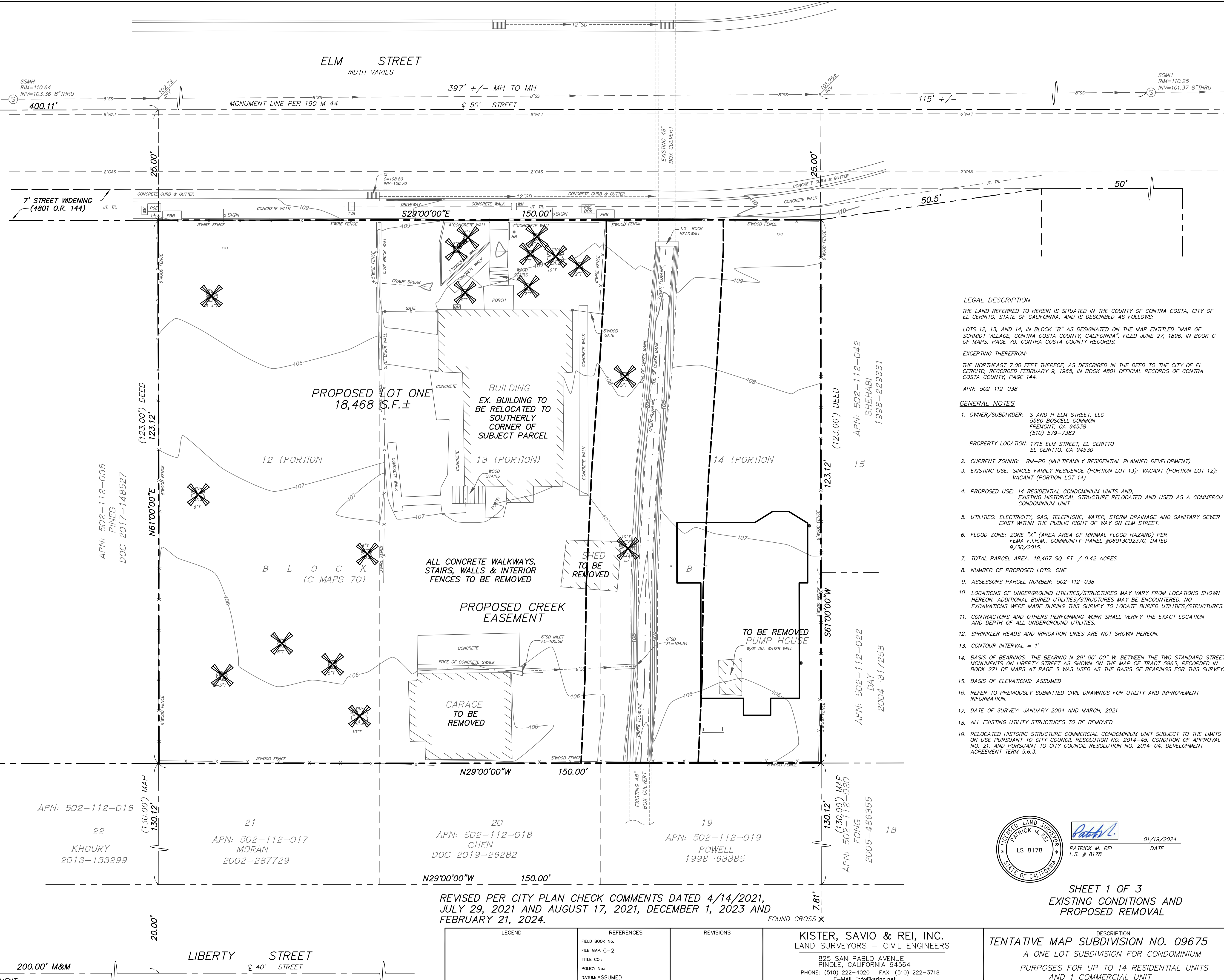
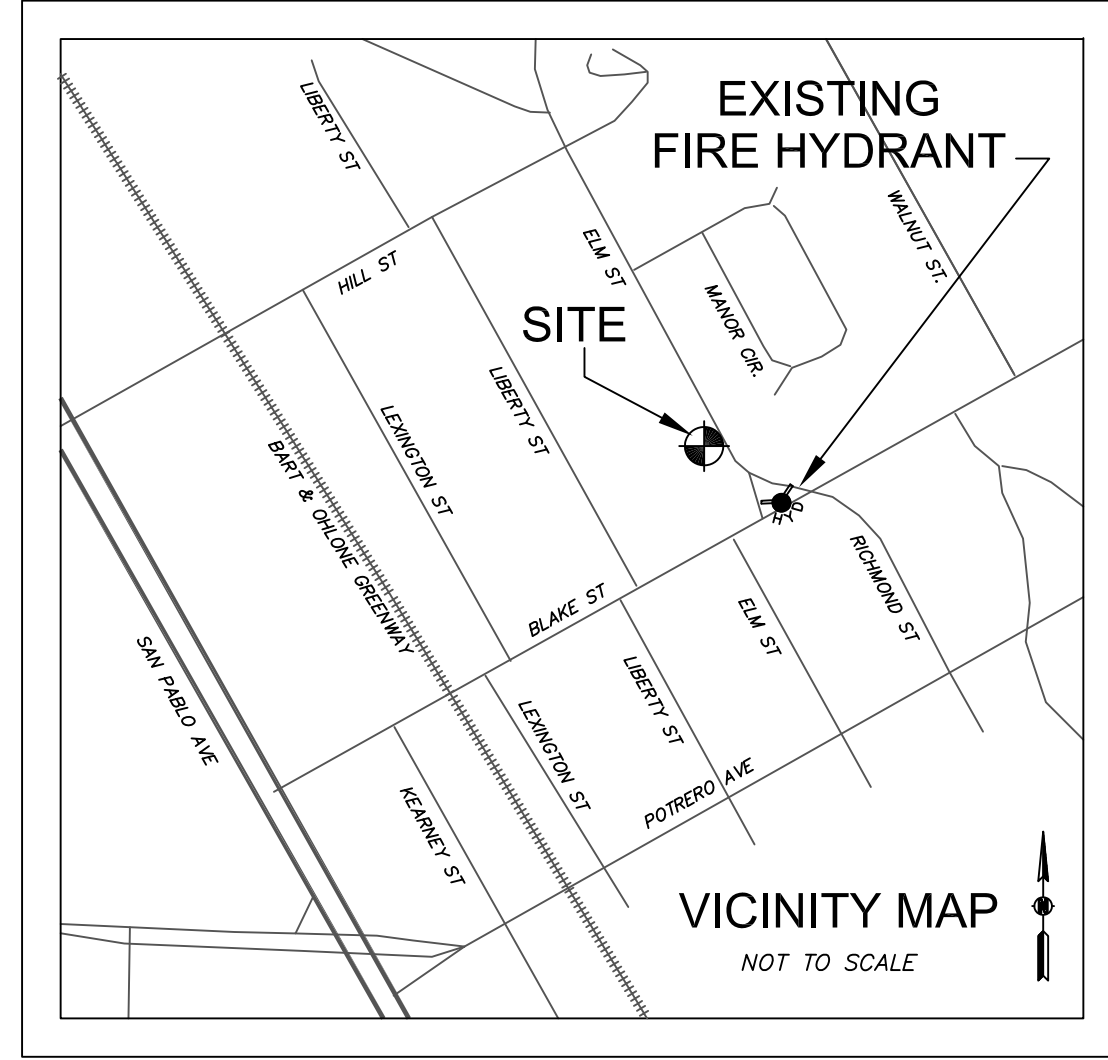
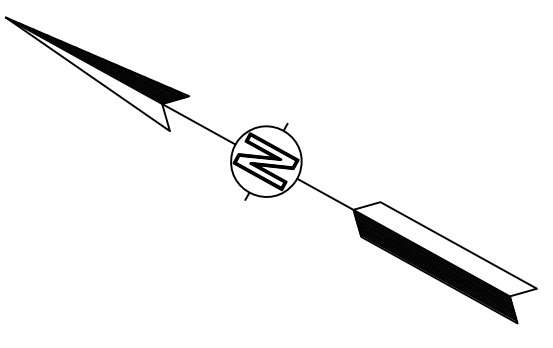
AYES:

NOES:

ABSTAIN:

ABSENT:

Sean Moss, AICP
Planning Manager



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF CONTRA COSTA, CITY OF EL CERRITO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 12, 13, AND 14, IN BLOCK "B" AS DESIGNATED ON THE MAP ENTITLED "MAP OF SCHMIDT VILLAGE, CONTRA COSTA COUNTY, CALIFORNIA". FILED JUNE 27, 1896, IN BOOK C OF MAPS, PAGE 70, CONTRA COSTA COUNTY RECORDS.

EXCEPTING THEREFROM:

THE NORTHEAST 7.00 FEET THEREOF, AS DESCRIBED IN THE DEED TO THE CITY OF EL CERRITO, RECORDED FEBRUARY 9, 1965, IN BOOK 4801 OFFICIAL RECORDS OF CONTRA COSTA COUNTY, PAGE 144.

APN: 502-112-038

GENERAL NOTES

- OWNER/SUBDIVIDER: S AND H ELM STREET, LLC
5560 BOSCELL COMMON
FREMONT, CA 94538
(510) 579-7387
- PROPERTY LOCATION: 1715 ELM STREET, EL CERRITO
EL CERRITO, CA 94530
- CURRENT ZONING: RM-PD (MULTIFAMILY RESIDENTIAL PLANNED DEVELOPMENT)
- EXISTING USE: SINGLE FAMILY RESIDENCE (PORTION LOT 13); VACANT (PORTION LOT 12); VACANT (PORTION LOT 14)
- PROPOSED USE: 14 RESIDENTIAL CONDOMINIUM UNITS AND:
EXISTING HISTORICAL STRUCTURE RELOCATED AND USED AS A COMMERCIAL CONDOMINIUM UNIT
- UTILITIES: ELECTRICITY, GAS, TELEPHONE, WATER, STORM DRAINAGE AND SANITARY SEWER EXIST WITHIN THE PUBLIC RIGHT OF WAY ON ELM STREET.
- FLOOD ZONE: ZONE "X" (AREA AREA OF MINIMAL FLOOD HAZARD) PER FEMA F.I.R.M., COMMUNITY-PANEL #06013C0237G, DATED 9/30/2015.
- TOTAL PARCEL AREA: 18,467 SQ. FT. / 0.42 ACRES
- NUMBER OF PROPOSED LOTS: ONE
- ASSESSORS PARCEL NUMBER: 502-112-038
- LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
- CONTRACTORS AND OTHERS PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.
- SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
- CONTOUR INTERVAL = 1'
- BASIS OF BEARINGS: THE BEARING N 29° 00' 00" W, BETWEEN THE TWO STANDARD STREET MONUMENTS ON LIBERTY STREET AS SHOWN ON THE MAP OF TRACT 5963, RECORDED IN BOOK 271 OF MAPS AT PAGE 3 WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.
- BASIS OF ELEVATIONS: ASSUMED
- REFER TO PREVIOUSLY SUBMITTED CIVIL DRAWINGS FOR UTILITY AND IMPROVEMENT INFORMATION.
- DATE OF SURVEY: JANUARY 2004 AND MARCH, 2021
- ALL EXISTING UTILITY STRUCTURES TO BE REMOVED
- RELOCATED HISTORIC STRUCTURE COMMERCIAL CONDOMINIUM UNIT SUBJECT TO THE LIMITS ON USE PURSUANT TO CITY COUNCIL RESOLUTION NO. 2014-45, CONDITION OF APPROVAL NO. 21, AND PURSUANT TO CITY COUNCIL RESOLUTION NO. 2014-04, DEVELOPMENT AGREEMENT TERM 5.6.3.

PATRICK M. REI
L.S. # 8178
DATE 01/19/2024

SHEET 1 OF 3
EXISTING CONDITIONS AND
PROPOSED REMOVAL

DESCRIPTION
TENTATIVE MAP SUBDIVISION NO. 09675
A ONE LOT SUBDIVISION FOR CONDOMINIUM
PURPOSES FOR UP TO 14 RESIDENTIAL UNITS
AND 1 COMMERCIAL UNIT
PORTION OF LOTS 12, 13 & 14
MAP OF SCHMIDT VILLAGE ("C" M 70)
EL CERRITO CONTRA COSTA COUNTY CALIFORNIA

LEGEND	REFERENCES	REVISIONS	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 825 SAN PABLO AVENUE PINOLE, CALIFORNIA 94564 PHONE: (510) 222-4020 FAX: (510) 222-3718 E-MAIL: info@ksrinc.net	
FILE BOOK NO. FILE MAP: G-2 TITLE CO: POLICY NO: DATE: ASSUMED MISC. REF: B-8846 R-803, R-1124			FOR: S AND H ELM STREET, LLC SCALE: 1"=10' DATE: JANUARY 19, 2024	JOB NO. 20267 DWG NO. X-3509.TM
NOTE: CONTOURS BY INTERPOLATION, APPROXIMATE ONLY.				

LEGEND

"T" = TREE (APPROXIMATE DIAMETER)
AP = ANGLE POINT
BC = BUILDING CORNER
C = TOP OF CURB
CL = CATCH BASIN
CONC = CENTER LINE
DI = CONCRETE
DL = DAYLIGHT
DW = DRIVEWAY
F = FENCE
FL = FLOW LINE
GB = GRADE BREAK
GL = GUTTER LIP
GM = GAS METER
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M&M = MAP & MEASURE
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RET = RETURN
SIGN = SIGN
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SSMH = STORM DRAIN MANHOLE
SS = SANITARY SEWER LINE
SSMH = SANITARY SEWER MANHOLE
SSCO = SANITARY SEWER CLEAN OUT
T = TOP OF SLOPE
TOC = TOP OF CONCRETE
TW = TOP OF WALL
TVB = TELEVISION UTILITY BOX
W = BACK OF WALK
WLK = WALK
WM = WATER METER
WV = WATER VALVE
= MONUMENT LINE
= PROPERTY LINE
X = EXISTING TREE TO BE REMOVED

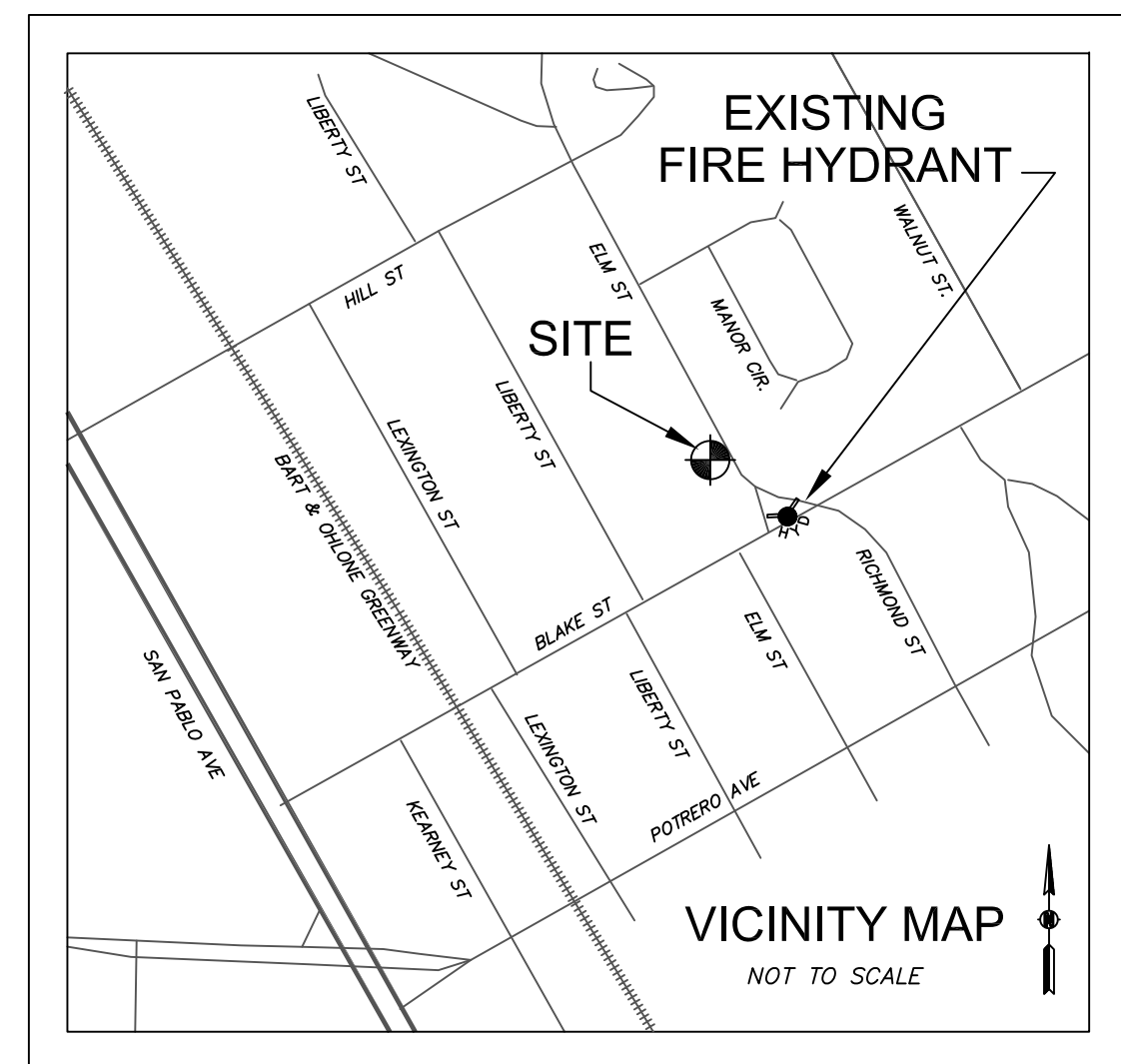
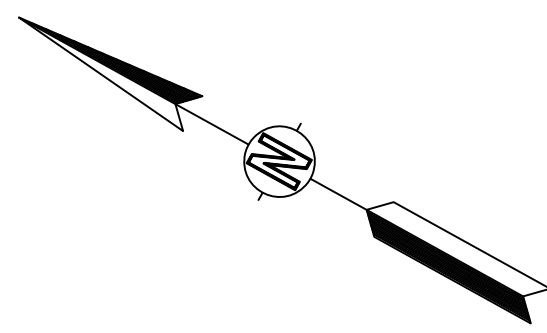
GRAPHIC SCALE

0 5 10 20
(IN FEET)
1 inch = 10 ft.

N29°00'00"W 200.00' M&M
FOUND MONUMENT PER 271 M 4
BASIS OF BEARINGS
200.00' M&M
FOUND MONUMENT PER 271 M 4

REVISED PER CITY PLAN CHECK COMMENTS DATED 4/14/2021,
JULY 29, 2021 AND AUGUST 17, 2021, DECEMBER 1, 2023 AND
FEBRUARY 21, 2024.

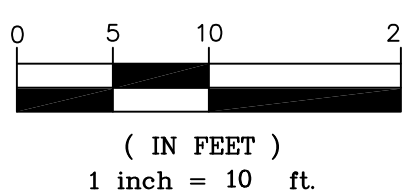
FOUND CROSS X



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W = BACK OF WALK
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WM = WATER METER
WV = WATER VALVE
--- = MONUMENT LINE
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GRAPHIC SCALE



N29°00'00"W 200.00' M&M
FOUND MONUMENT PER 271 M 4

200.00' M&M
FOUND MONUMENT PER 271 M 4

LIBERTY STREET
40' STREET

ELM STREET
WIDTH VARIES

REVISED PER CITY PLAN CHECK COMMENTS DATED 4/14/2021,
JULY 29, 2021 AND AUGUST 17, 2021, DECEMBER 1, 2023 AND
FEBRUARY 21, 2024.

LEGEND	REFERENCES	REVISIONS	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 825 SAN PABLO AVENUE PINOLE, CALIFORNIA 94564 PHONE: (510) 222-4020 FAX: (510) 222-3718 E-MAIL: info@ksrinc.net	
NOTE: CONTOURS BY INTERPOLATION, APPROXIMATE ONLY.	FIELD BOOK NO. FILE MAP: G-2 TITLE CO: POLICY NO: DATUM: ASSUMED MISC. REF: B-8846 R-803, R-1124		FOR: S AND H ELM STREET, LLC SCALE: 1"=10' DATE: JANUARY 19, 2024	JOB NO. 20267 DWG NO. X-3509.TM

TENTATIVE SUBDIVISION MAP NO. 09675 A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES FOR UP TO 14 RESIDENTIAL UNITS AND 1 COMMERCIAL UNIT PORTION OF LOTS 12, 13 & 14 MAP OF SCHMIDT VILLAGE ("C" M 70)	
EL CERRITO	CONTRA COSTA COUNTY
CALIFORNIA	

SHEET 2 OF 3
PROPOSED IMPROVEMENTS

LEGAL DESCRIPTION

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APN: 502-112-038

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FREMONT, CA 94538
(510) 579-7382
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EL CERRITO, CA 94530
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- TOTAL PARCEL AREA: 18,467 SQ. FT. / 0.42 ACRES
- NUMBER OF PROPOSED LOTS: ONE
- ASSESSORS PARCEL NUMBER: 502-112-038
- LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
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- SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
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APN: 502-112-042
SHEHABI
1998-229331

APN: 502-112-022
DAY
2004-317258

APN: 502-112-022
FONG
2005-486355

APN: 502-112-036
PINES
2017-148527

APN: 502-112-016

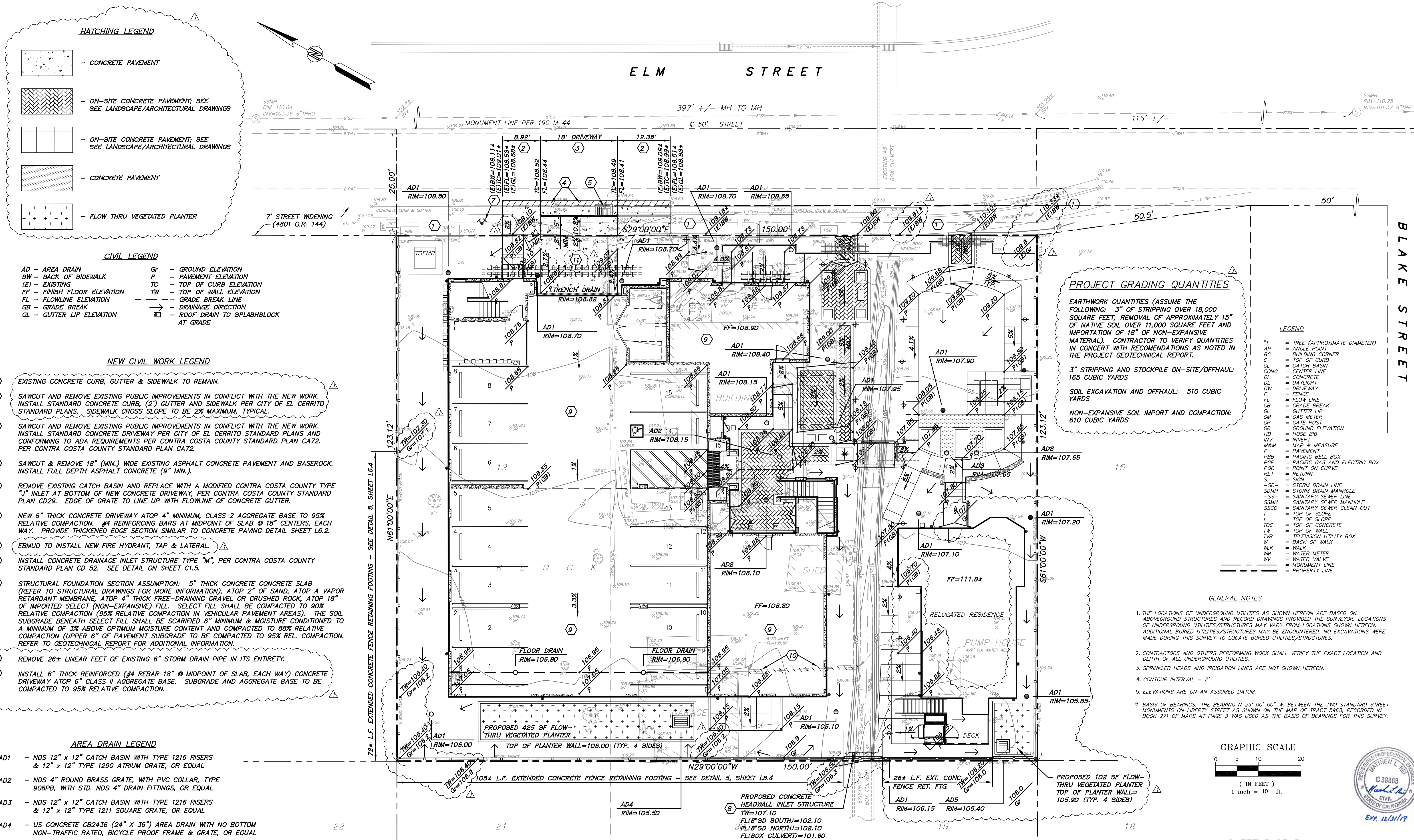
22
KHOURY
2013-133299

21
APN: 502-112-017
MORAN
2002-287729

20
APN: 502-112-018
CHEN
2019-26282

19
APN: 502-112-019
POWELL
1998-63385

18



PROJECT GRADING QUANTITIES

EARTHWORK QUANTITIES (ASSUME THE FOLLOWING: 3" OF STRIPPING OVER 18,000 SQUARE FEET; REMOVAL OF APPROXIMATELY 15" OF NATIVE SOIL OVER 11,000 SQUARE FEET AND IMPORTATION OF 18" OF NON-EXPANSIVE MATERIAL). CONTRACTOR TO VERIFY QUANTITIES IN CONCERT WITH RECOMMENDATIONS AS NOTED IN THE PROJECT GEOTECHNICAL REPORT.

3" STRIPPING AND STOCKPILE ON-SITE/OFFHAUL: 165 CUBIC YARDS

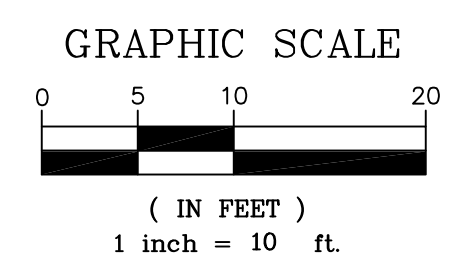
SOIL EXCAVATION AND OFFHAUL: 510 CUBIC YARDS

NON-EXPANSIVE SOIL IMPORT AND COMPACTION: 610 CUBIC YARDS

- LEGEND**
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 - W = WALK
 - WLK = WATER METER
 - WM = WATER VALVE
 - WV = MONUMENT LINE
 - - - = PROPERTY LINE

GENERAL NOTES

- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND RECORD DRAWINGS PROVIDED. THE SURVEYOR'S LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
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- ELEVATIONS ARE ON AN ASSUMED DATUM.
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- AREA DRAIN LEGEND**
- AD1 - NDS 12" x 12" CATCH BASIN WITH TYPE 1216 RISERS & 12" x 12" TYPE 1290 ATRIUM GRATE, OR EQUAL
 - AD2 - NDS 4" ROUND BRASS GRATE, WITH PVC COLLAR, TYPE 906PB, WITH STD. NDS 4" DRAIN FITTINGS, OR EQUAL
 - AD3 - NDS 12" x 12" CATCH BASIN WITH TYPE 1216 RISERS & 12" x 12" TYPE 1211 SQUARE GRATE, OR EQUAL
 - AD4 - US CONCRETE CB2436 (24" x 36") AREA DRAIN WITH NO BOTTOM NON-TRAFFIC RATED, BICYCLE PROOF FRAME & GRATE, OR EQUAL
 - AD5 - US CONCRETE CB2424 (24" x 24") AREA DRAIN WITH NO BOTTOM NON-TRAFFIC RATED, BICYCLE PROOF FRAME & GRATE, OR EQUAL

APN: 502-112-038

SHEET 3 OF 3
GRADING AND DRAINAGE PLAN

C1.0

LEGEND	REFERENCES	REVISIONS	DESCRIPTION
NOTE: CONTOURS BY INTERPOLATION, APPROXIMATE ONLY.	FIELD BOOK No. FILE MAP: G-2 TITLE CO: POLICY No.: DATUM: ASSUMED MISC. REF: B-8846 R-803, R-1124	Δ - MISC. REVISIONS 2/13/19	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 3095 RICHMOND PARKWAY, SUITE 214 RICHMOND, CALIFORNIA 94806 PHONE: (510) 222-4020 FAX: (510) 222-3718 E-MAIL: info@ksrinc.net FOR: S AND H ELM STREET, LLC SCALE: 1"=10' DATE: APRIL 26, 2021 JOB No. 20267 DWG No. X-3509
TENTATIVE SUBDIVISION MAP NO. 09675			A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES FOR UP TO 14 RESIDENTIAL UNITS AND 1 COMMERCIAL UNIT
EL CERRITO			CALIFORNIA

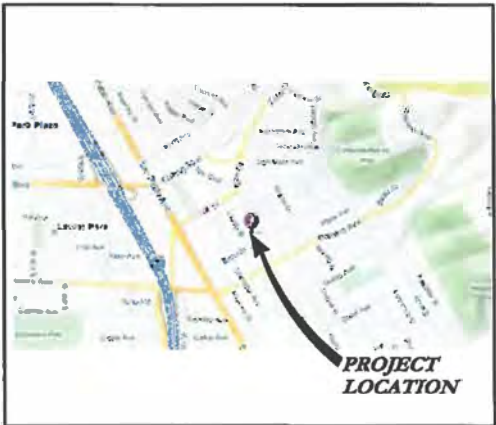


1715 Elm Street

EL CERRITO, CALIFORNIA

VICINITY MAP

NOT TO SCALE



PROJECT TEAM

APPLICANT:	ED BIGGS
	4271 VALLEY LANE FAIRFIELD, CA 94534 PH. 707.718.6798
ARCHITECT:	LCA ARCHITECTS, INC.
	245 YGNACIO VALLEY ROAD, STE. 200 WALNUT CREEK, CA 94596-4025 PH. 925.944.1626 CONTACT: PETER STACKPOLE
CIVIL:	KISTER, SAVIO & REI, INC.
	825 SAN PABLO AVENUE PINOLE, CA 94564 PH. 510.222.4020 CONTACT: MATT REI
LANDSCAPE:	CAMP & CAMP ASSOCIATES
	35 QUAIL COURT, SUITE 200 WALNUT CREEK, CA 94597 PH. 925.941.6490 CONTACT: TERRY CAMP

SHEET INDEX

A1	COVER SHEET
A2	CONCEPTUAL SITE PLAN
A3	CONCEPTUAL FIRST FLOOR PLAN
A4	CONCEPTUAL SECOND FLOOR PLAN
A5	CONCEPTUAL THIRD FLOOR PLAN
A6	CONCEPTUAL UNIT PLANS
A7	CONCEPTUAL ROOF PLAN
A8	CONCEPTUAL ELEVATIONS
A9	CONCEPTUAL ELEVATIONS
A10	EXISTING HOUSE ELEVATIONS
A11	CONCEPTUAL SECTIONS
A12	EXISTING SITE PHOTOS
A13	COLOR BOARD
A14	COLOR BOARD (EXISTING HOUSE)
A15	MATERIALS BOARD
A16	WINDOW AND DOOR DETAILS
L1	CONCEPTUAL LANDSCAPE PLAN
L1A	CONCEPTUAL IRRIGATION PLAN
L2	IRRIGATION NOTES AND LEGEND
L3	IRRIGATION DETAILS
L4	IRRIGATION DETAILS
L5	PROJECT IMAGES
L6	PROJECT IMAGES
L7	CONCEPTUAL LANDSCAPE LIGHT PLAN
---	PRELIMINARY CIVIL SITE PLAN
---	BOUNDARY AND TOPOGRAPHIC SURVEY

PROJECT DATA

ADDRESS:	1715 ELM STREET
APN:	502-112-038
ZONING DESIGNATION:	RM (MULTI-FAMILY RESIDENTIAL)
GENERAL PLAN DESIGNATION:	HIGH DENSITY RESIDENTIAL
TOTAL LOT AREA:	.42 ACRES± (18,465 SF±)
LOT COVERAGE:	48.5%±
LANDSCAPE AREA:	9,279 SF/18,465 SF 50.2%±
PRIVATE OPEN SPACE	
PRIVATE OPEN SPACE REQUIRED (100 SF/GROUND LEVEL UNIT, 50 SF/UPPER LEVEL UNITS)	900 SF
PRIVATE OPEN SPACE PROVIDED	1,548 SF±
COMMON OPEN SPACE	
COMMON SPACE REQUIRED (150 SF/UNIT MINUS 648 SF PRIVATE OPEN SPACE ABOVE REQUIRED)	1,602 SF±
COMMON OPEN SPACE PROVIDED	2,892 SF±

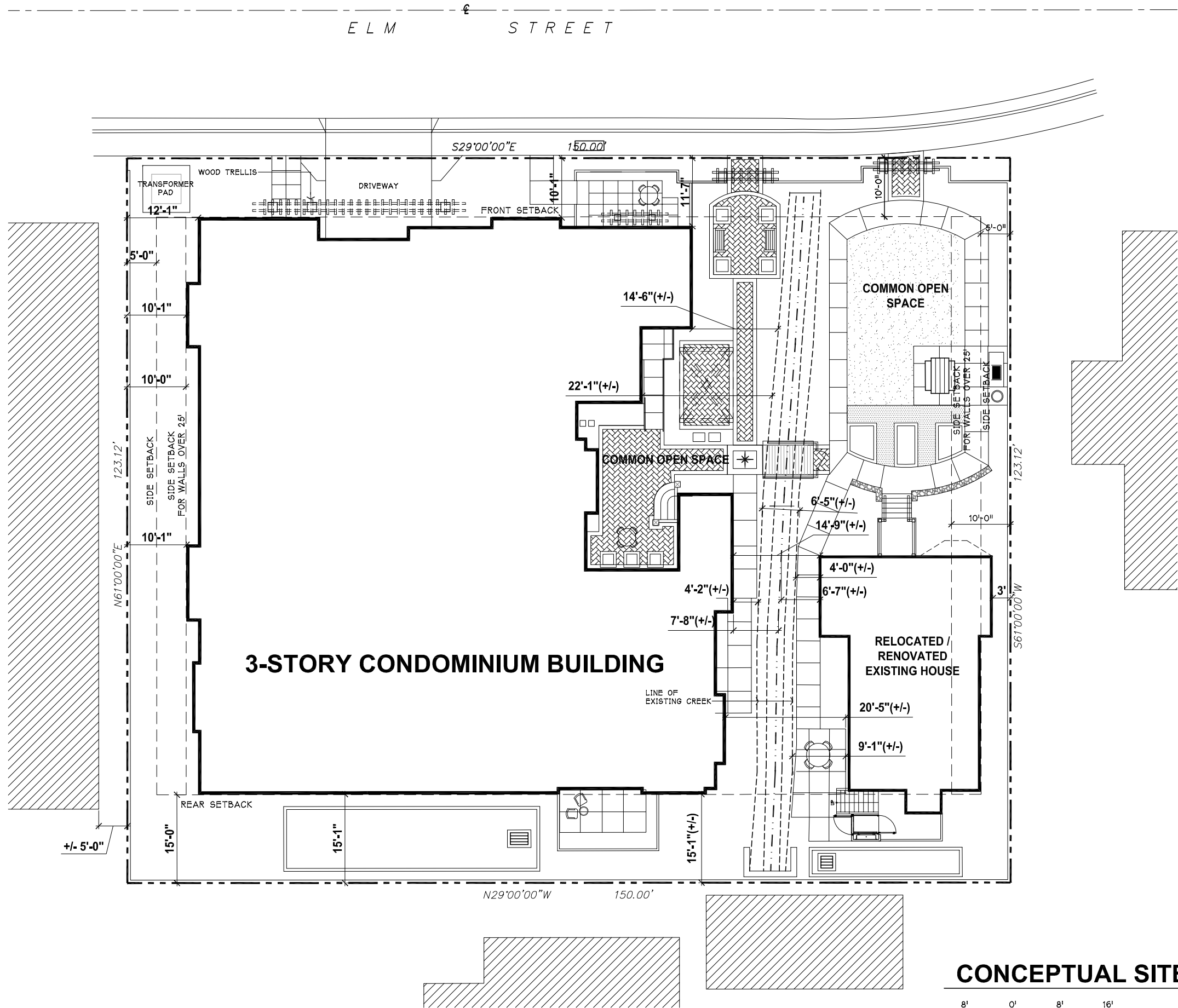
SUMMARY - RESIDENTIAL UNITS	
TOTAL UNIT COUNT:	15 UNITS
DENSITY (UNITS PER ACRE):	35.7 PER ACRE±
UNIT COUNT BY TYPE:	
EXISTING HOUSE TO BE RELOCATED:	1 UNIT
1 BEDROOM UNIT COUNT:	3 UNITS
2 BEDROOM UNIT COUNT:	11 UNITS
AVERAGE GROSS UNIT AREA BY TYPE:	
EXISTING HOUSE TO BE RELOCATED:	ESTIMATE: 1,065 SF±
1 BEDROOM UNIT:	809 SF±
2 BEDROOM UNIT:	1,064 SF±
PARKING REQUIRED (BART PROXIMATE UNITS)	
EXISTING HOUSE (1.5 PER UNIT):	2 SPACES
1 BEDROOM UNITS (.75 PER UNIT):	2 SPACES
2 BEDROOM UNITS (1.5 PER UNIT):	17 SPACES
TOTAL PARKING REQUIRED - BART PROXIMATE:	21 SPACES
TOTAL PARKING PROVIDED:	15 SPACES
ACCESSIBLE PARKING REQUIRED (2% MINIMUM):	1 SPACE
TOTAL ACCESSIBLE PARKING PROVIDED:	1 SPACE

ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

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COVER PAGE

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	11/3/14
PROJECT NO.	12048
A-1	
SHEET	OF



CONCEPTUAL SITE PLAN

8' 0' 8' 16'
SCALE: 1/8" = 1'-0"



PROJECT
NORTH

ELM STREET CONDOMINIUMS EDDIE BIGGS DEVELOPMENT EL CERRITO, CALIFORNIA

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CONCEPTUAL SITE PLAN

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DATE: 2-15-13

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12/12/14	
PROJECT NO.	12048

A-2
SHEET OF



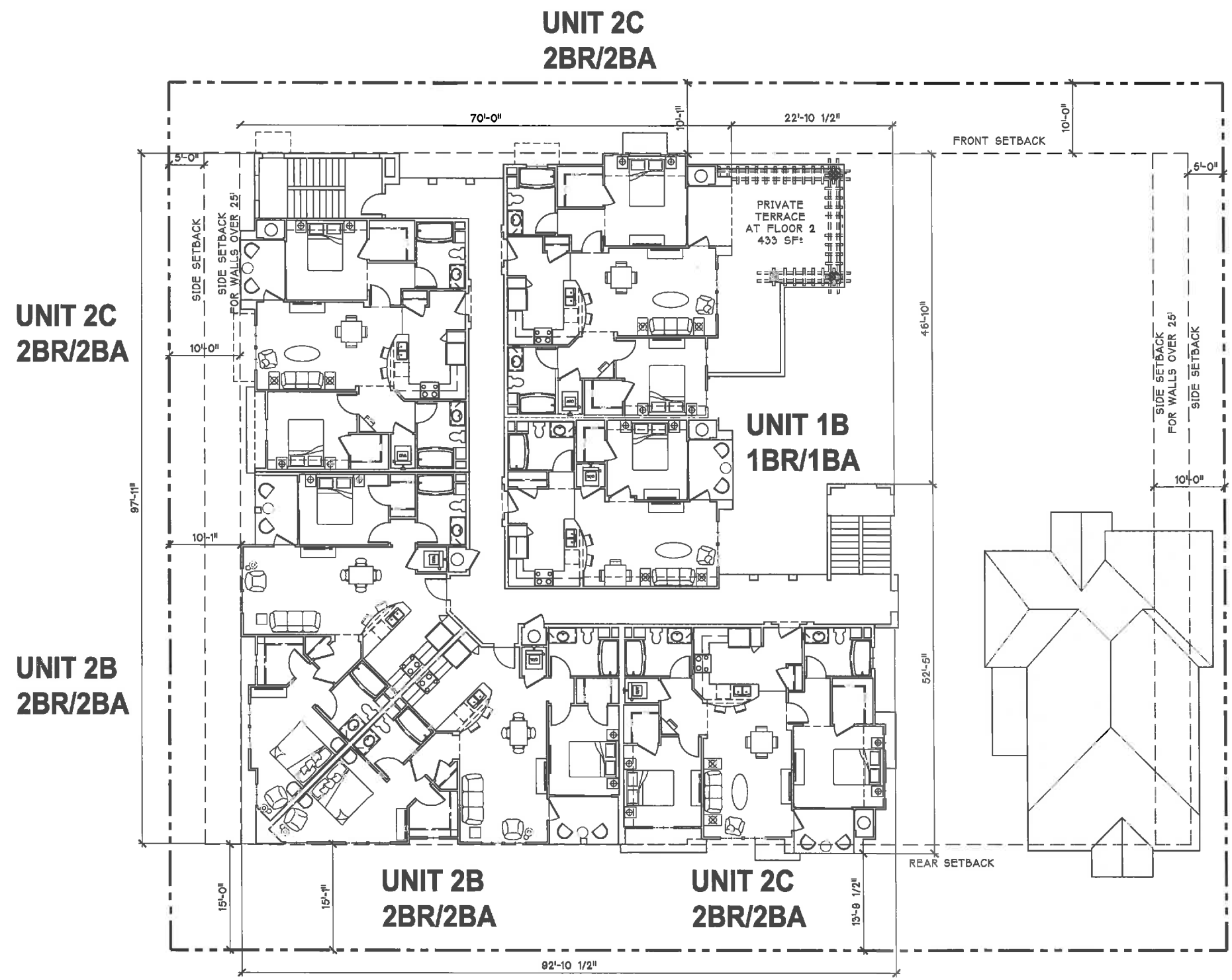
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EL CERRITO, CA 94530
(925) 944-1028 | (925) 944-1068 FAX | WWW.LCAARCHITECTS.COM



CONCEPTUAL FLOOR 1 PLAN

A-3

SHEET OF



CONCEPTUAL FLOOR 2

8' 0' 8' 16'
SCALE: 1/8" = 1'-0"





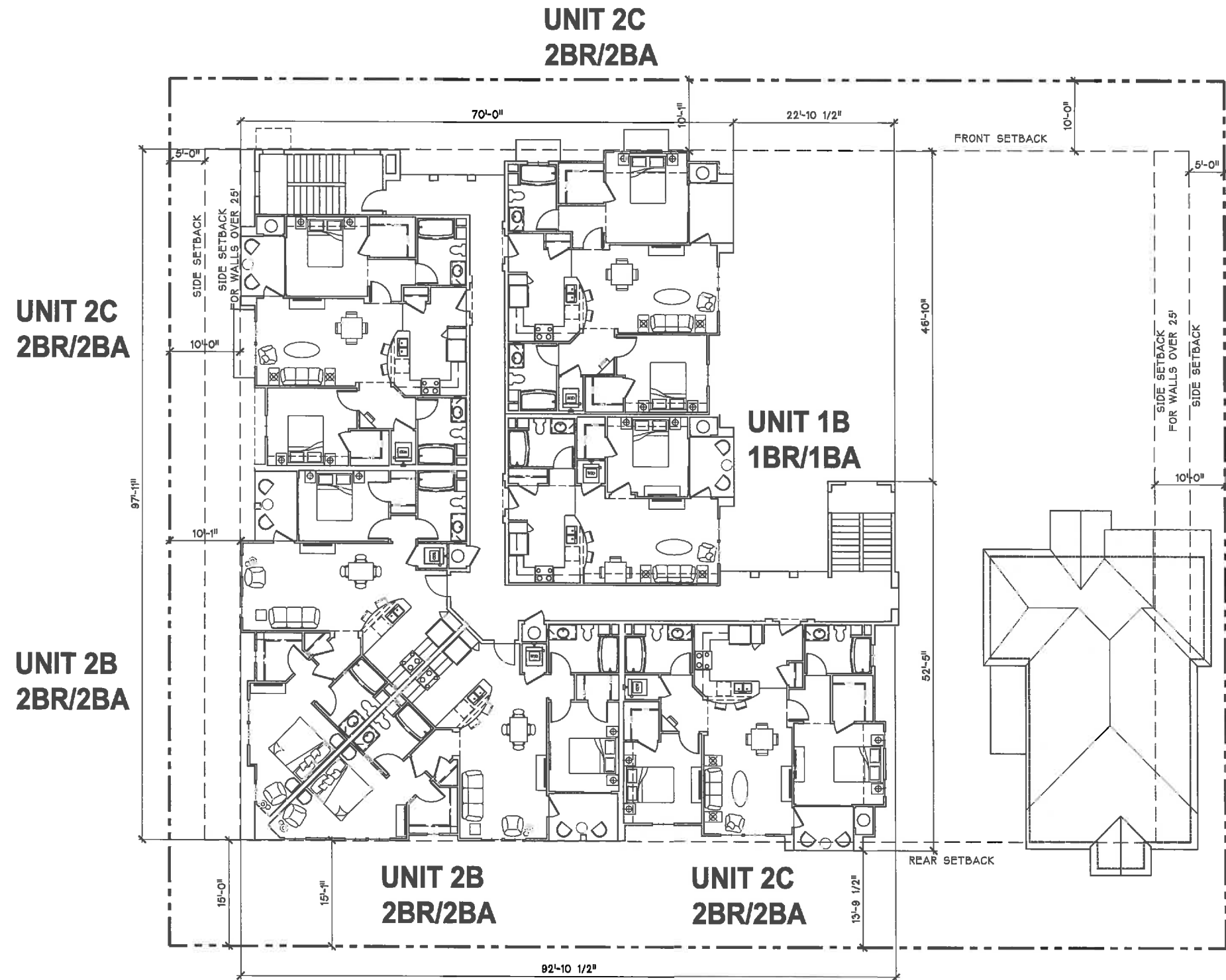
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ELM STREET CONDOMINIUMS
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**CONCEPTUAL
FLOOR 2
PLAN**

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	1/20/14
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CONCEPTUAL FLOOR 3



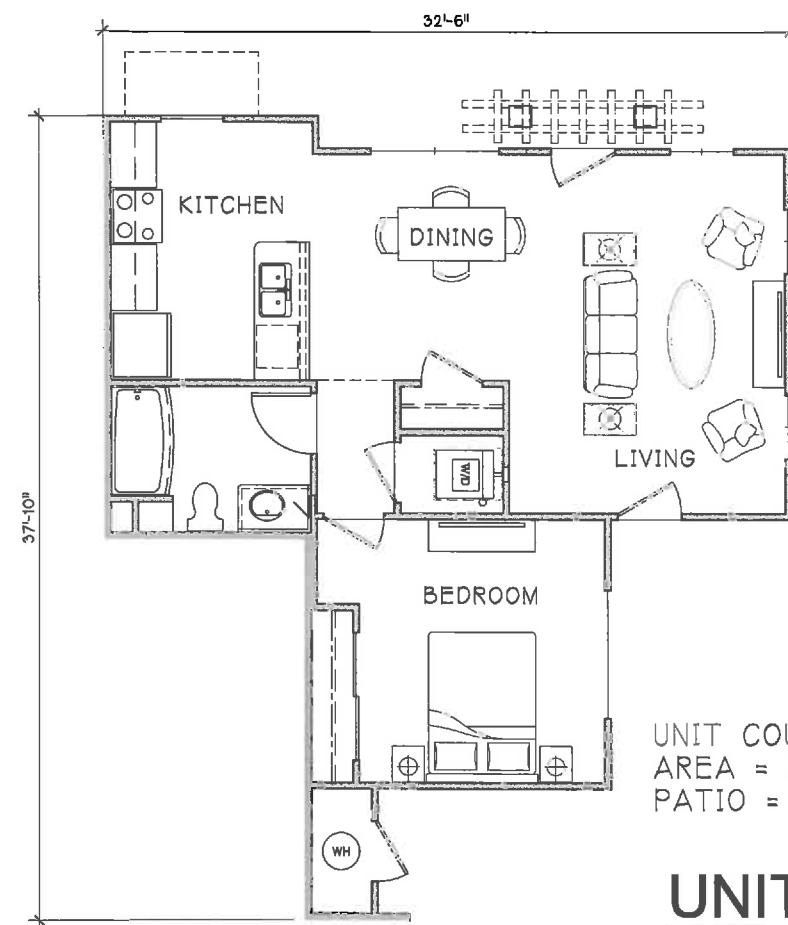
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CONCEPTUAL
FLOOR 3
PLAN

SCALE: AS SHOWN
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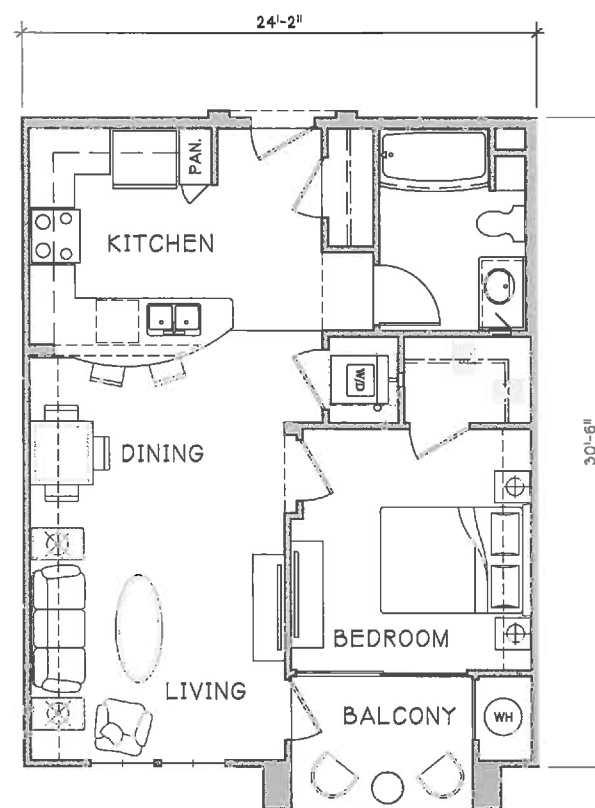
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PROJECT NO. 12048



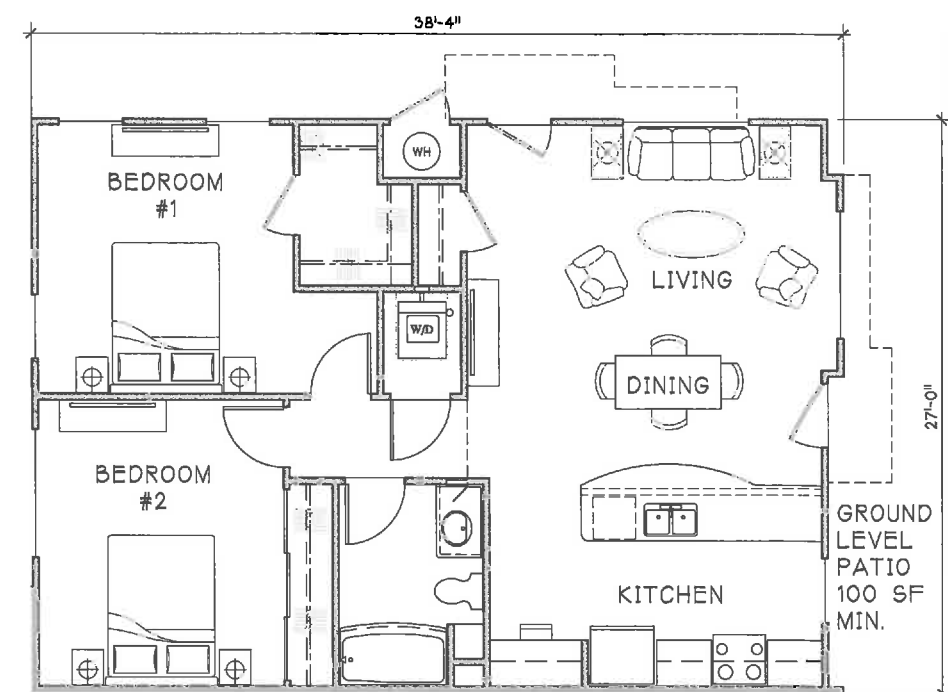
UNIT COUNT = 1 UNIT
AREA = 795 SQ.FT.
PATIO = 172 SQ.FT.

UNIT 1A
1 BR / 1 BATH



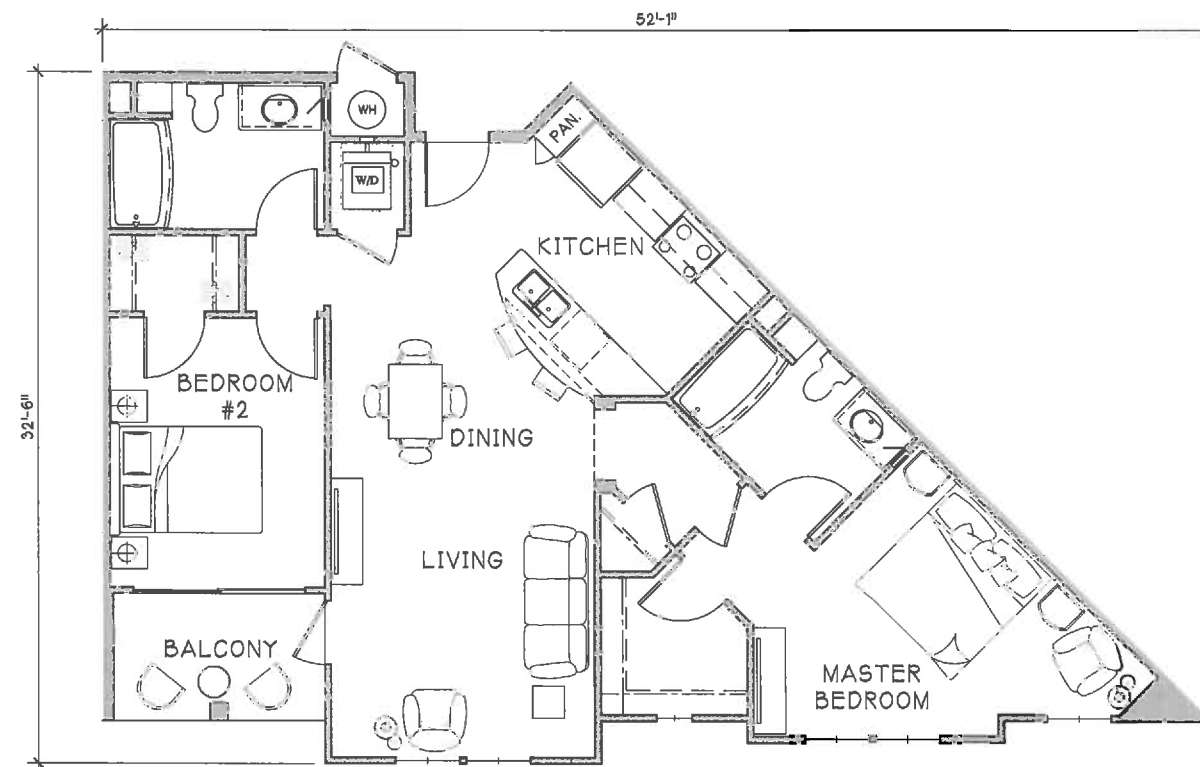
UNIT COUNT = 2 UNITS
AREA = 708 SQ.FT.
DECK = 53 SQ.FT.

UNIT 1B
1 BR / 1 BATH



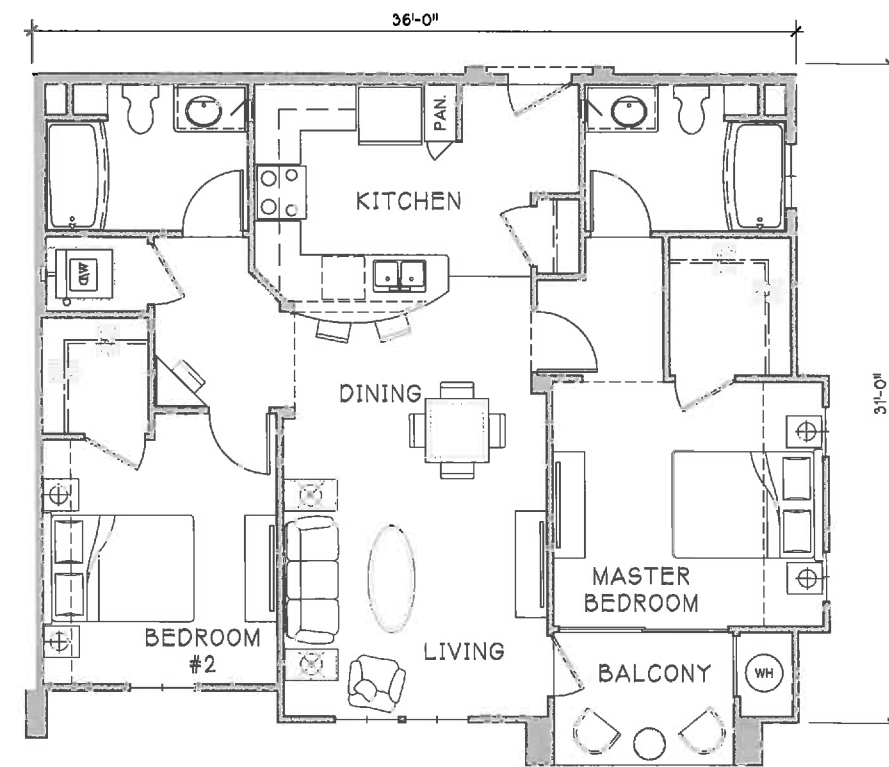
UNIT COUNT = 1 UNIT
AREA = 1,014 SQ.FT.
PATIO = 164 SQ.FT.

UNIT 2A
2 BR / 1 BATH



UNIT COUNT = 4 UNITS
AREA = 1,085 SQ.FT.
DECK = 59 SQ.FT.

UNIT 2B
2 BR / 2 BATH



UNIT COUNT = 6 UNITS
AREA = 1,070 SQ.FT.
DECK = 53 SQ.FT.

UNIT 2C
2 BR / 2 BATH



ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

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**CONCEPTUAL
UNIT PLANS**

SCALE: AS SHOWN

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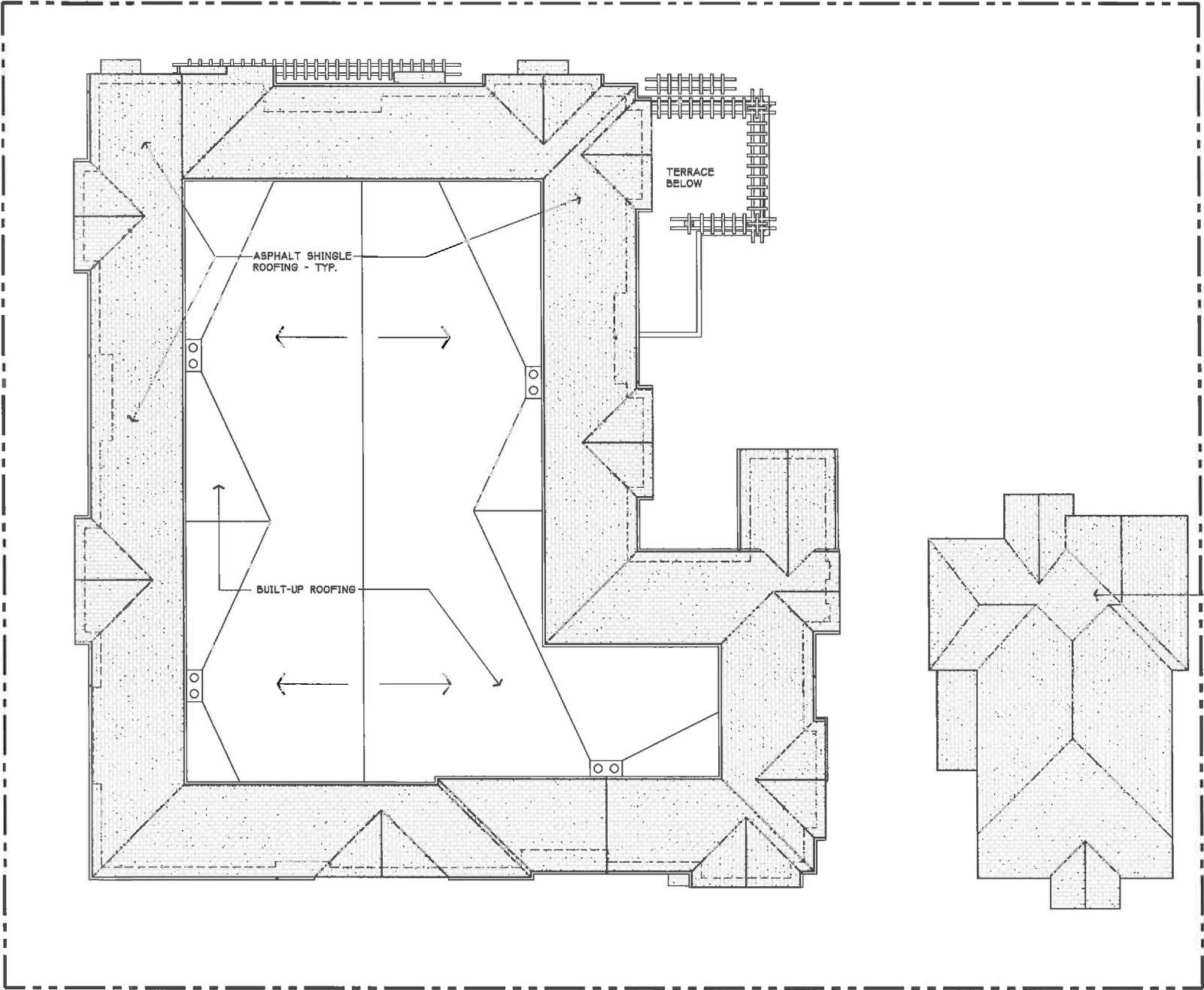
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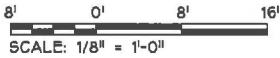
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A-6

SHEET OF



CONCEPTUAL ROOF PLAN



PROJECT
NORTH

ELM STREET CONDOMINIUMS
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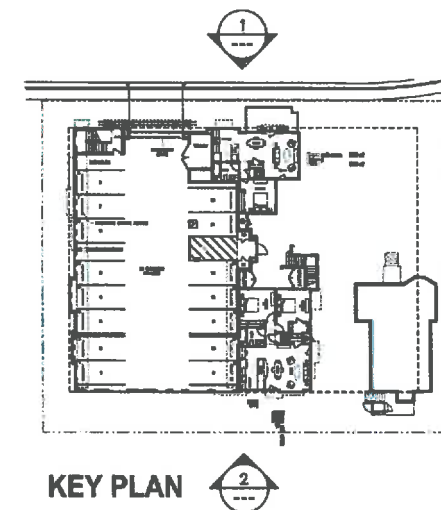
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SHEET	OF



CONCEPTUAL ELEVATIONS

8' 0' 8' 16'

SCALE: 1/8" = 1'-0"



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SHEET OF



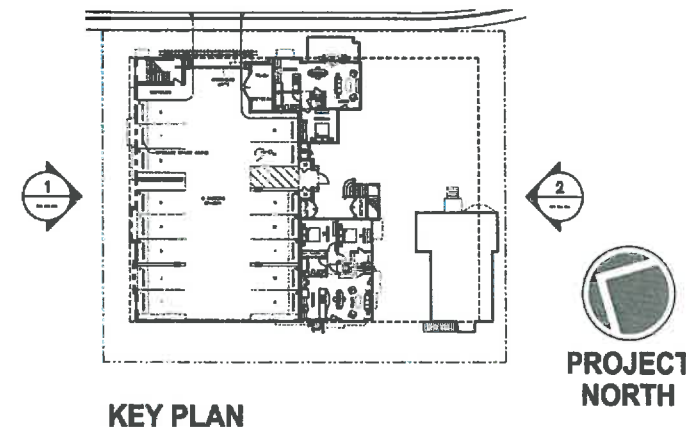
1. NORTH ELEVATION



2. SOUTH ELEVATION

CONCEPTUAL ELEVATIONS

8' 0' 8' 16'
SCALE: 1/8" = 1'-0"



KEY PLAN

PROJECT NORTH

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CONCEPTUAL ELEVATIONS

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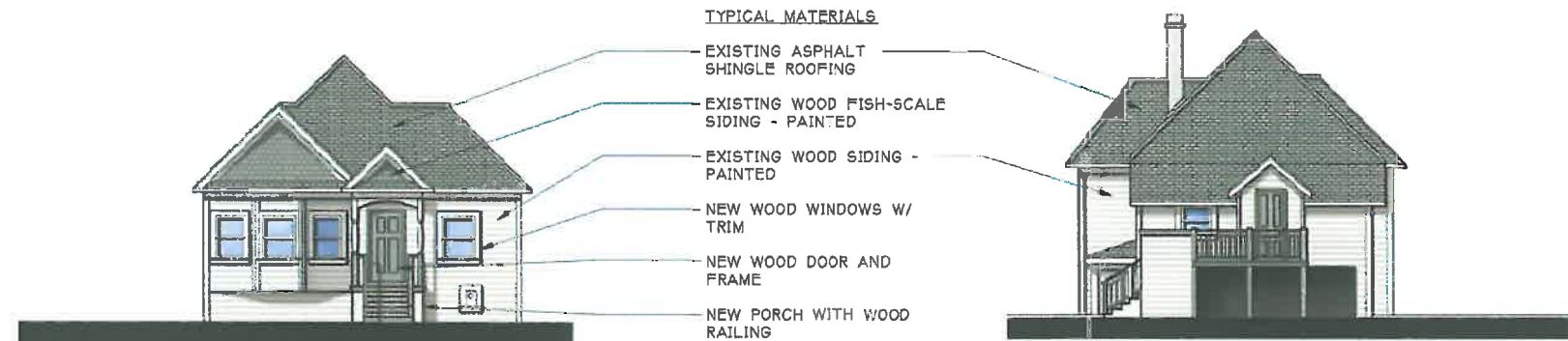
PROJECT NO. 12048

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SHEET OF

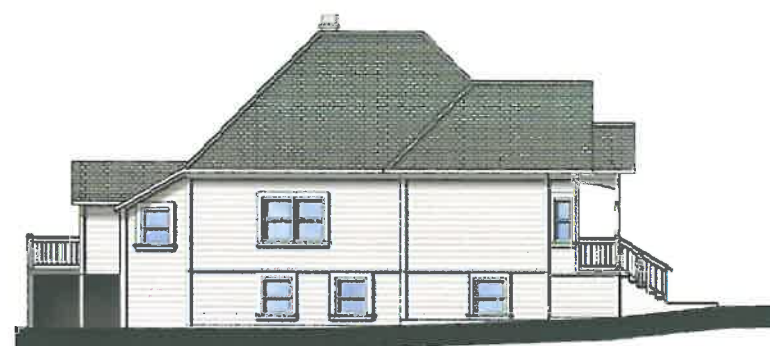


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1. EAST ELEVATION

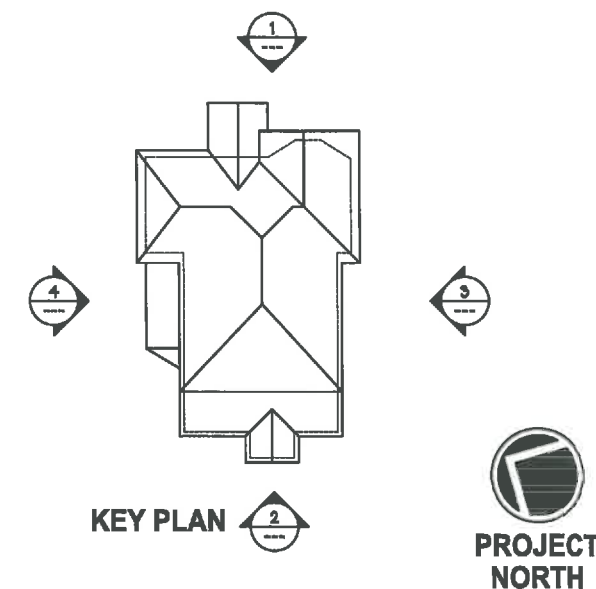
2. WEST ELEVATION



3. SOUTH ELEVATION



4. NORTH ELEVATION

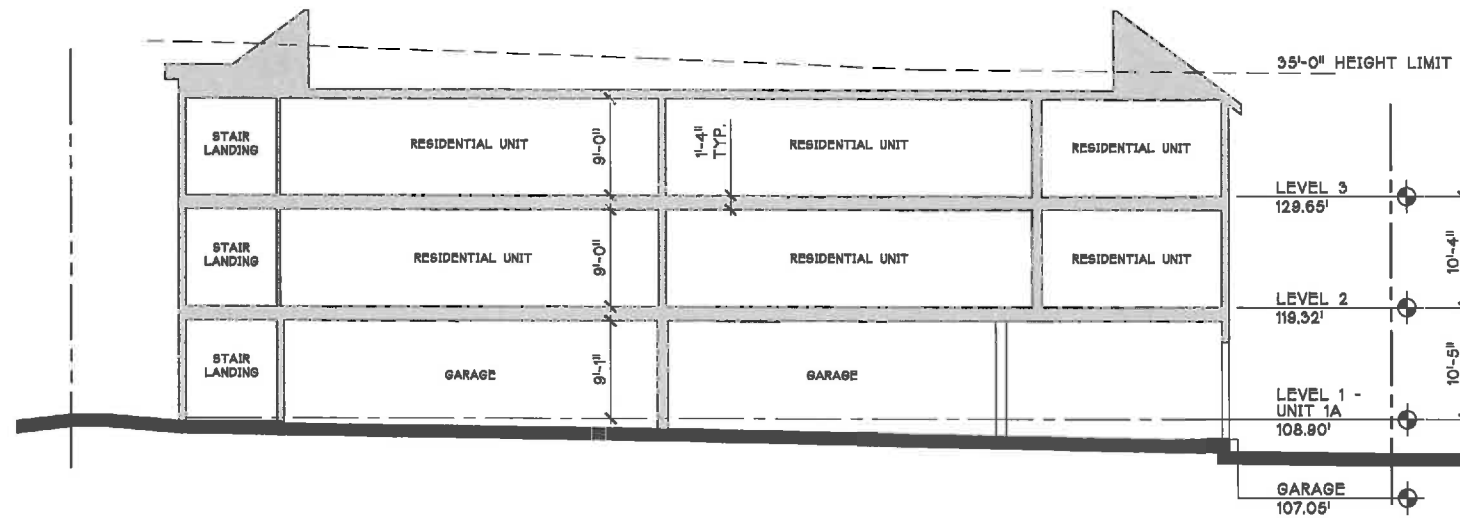


EXISTING HOUSE ELEVATIONS

8' 0' 8' 16'
SCALE: 1/8" = 1'-0"

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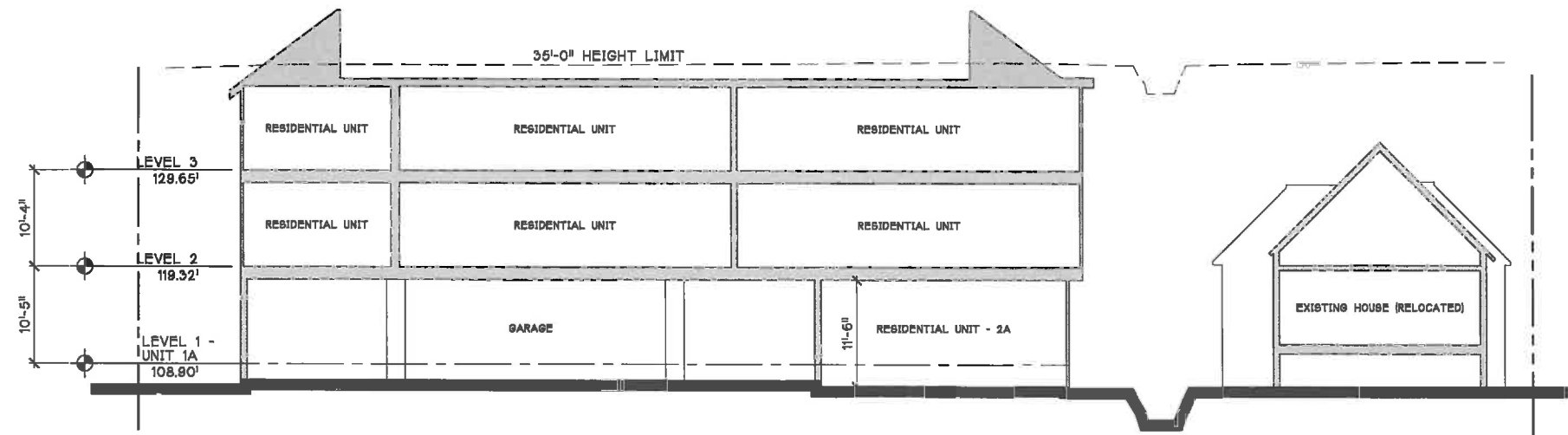
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A CONCEPTUAL SECTION

8' 0' 8' 16'

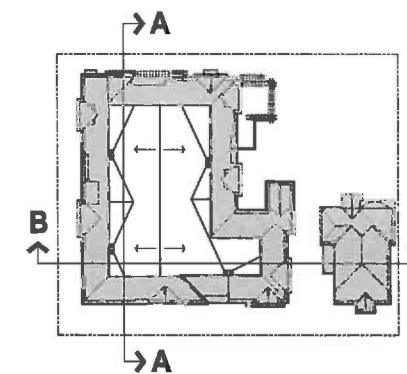
SCALE: 1/8" = 1'-0"



B CONCEPTUAL SECTION

8' 0' 8' 16'

SCALE: 1/8" = 1'-0"



KEY PLAN





AERIAL VIEW



VIEWS OF EXISTING HOUSE FROM ELM ST.

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**EXISTING
SITE PHOTOS**

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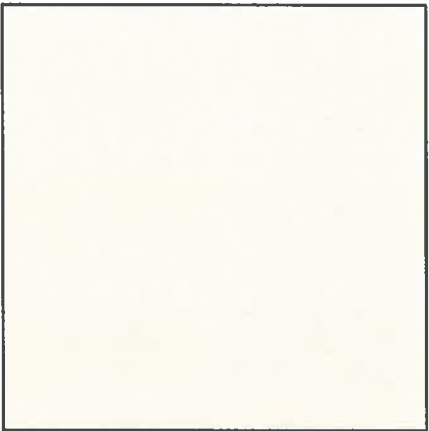
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SHEET OF

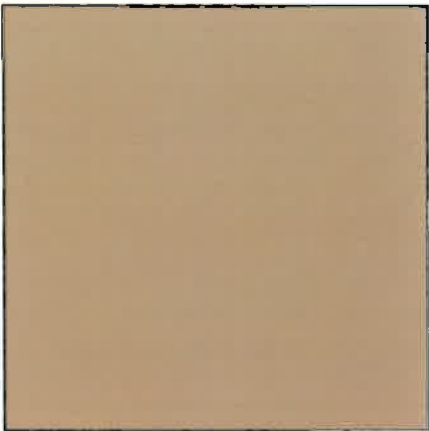
CONCEPTUAL BUILDING COLORS AND MATERIALS



ASPHALT SHINGLE ROOFING
MANUF : TIMBERLINE HD
COLOR: BARKWOOD



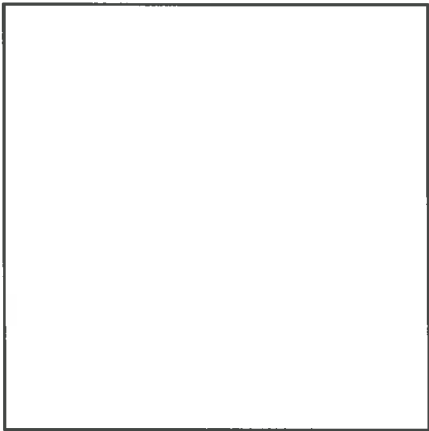
SIDING COLOR #1
MANUF: KELLY MOORE
COLOR: MAYBECK MUSLIN HLS4254-1



SIDING COLOR #2
MANUF: KELLY MOORE
COLOR: BUNGALOW BROWN HLS4213-3



SIDING COLOR #3
MANUF: KELLY MOORE
COLOR: WILD CATTAIL KM4518-3



TRIM/RAILING COLOR #1
MANUF: KELLY MOORE
COLOR: DAISY WHITE HLS4295-1



TRIM/RAILING COLOR #2
MANUF: KELLY MOORE
COLOR: AMERICANO KM4512-5



ACCENT COLOR #1
MANUF: KELLY MOORE
COLOR: DRIVE-IN CHERRY HLS4231

NOTE: Paint chip colors/numbers, material and manufacturers shown on this board are representative only. Final approval will be based on sample portion of building. Call the architect or owner for field review. The owner reserves the right to change any listed manufacturer. The changes in manufacturer shall match paint chip color/material as noted.

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ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

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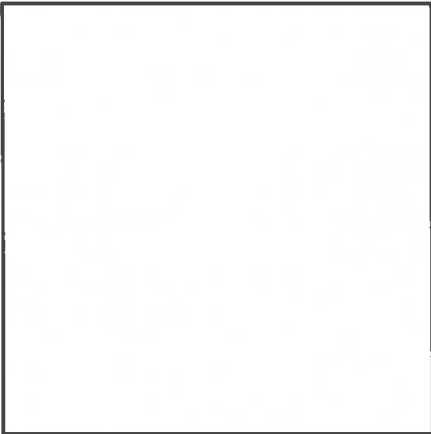
CONCEPTUAL
COLORS AND
MATERIALS

SCALE:	
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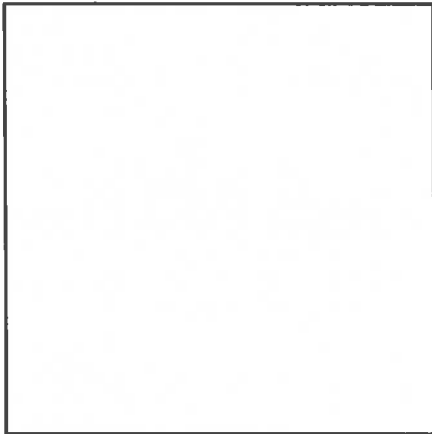
EXISTING HOUSE COLORS AND MATERIALS



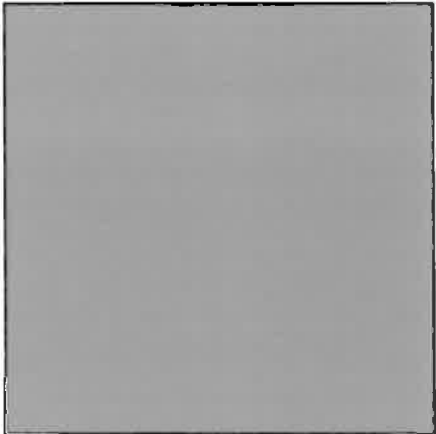
EXISTING COMP SHINGLES
TO REMAIN



SIDING COLOR #1
MANUF: BENJAMIN MOORE
COLOR: WHITE DOVE



TRIM/RAILING COLOR #1
MANUF: BENJAMIN MOORE
COLOR: WHITE DOVE



ACCENT COLOR #1
MANUF: BENJAMIN MOORE
COLOR: PURITAN GRAY HC-164

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EXISTING HOUSE COLORS AND MATERIALS

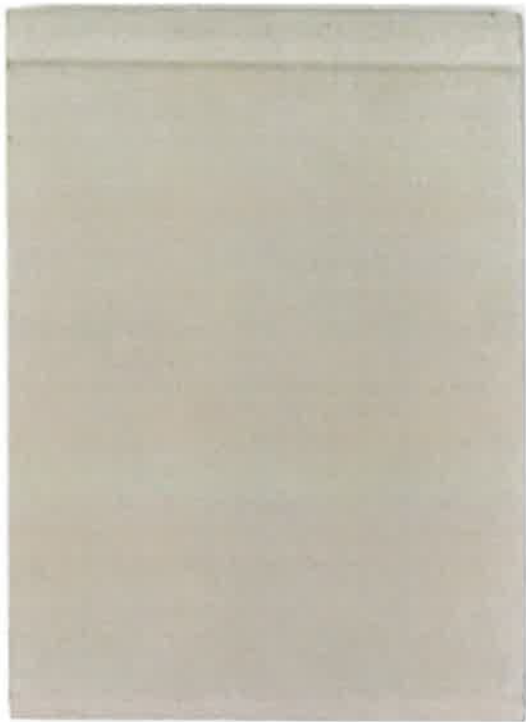
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ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

CONCEPTUAL BUILDING MATERIALS



EXTERIOR WALL MOUNTED LIGHT
ULTRALIGHT "PROFILES OUTDOOR WALL SCONCE"
OR EQUAL
COLOR:



FIBER CEMENT SIDING
HARDIE-PLANK OR EQUAL



WINDOW & DOOR TRIM
HARDIE-TRIM OR EQUAL



ASPHALT SHINGLE ROOFING
GAF TIMBERLINE "LIFETIME"
HIGH DEFINITION SHINGLES
OR EQUAL
COLOR: BARKWOOD

ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA



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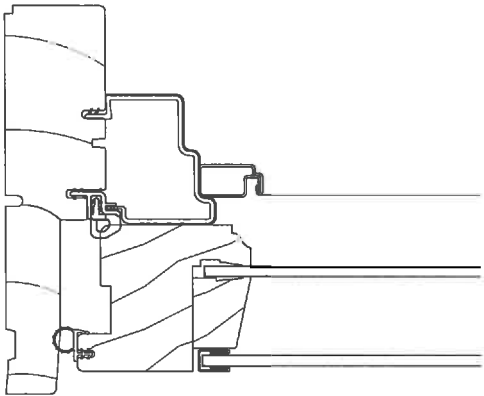
CONCEPTUAL
MATERIALS

SCALE:	
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REVISIONS:	
	3/22/13
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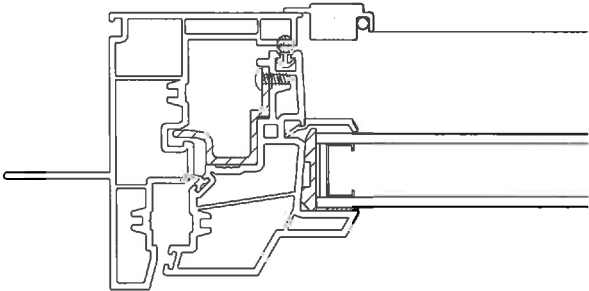
CONCEPTUAL WINDOW & DOOR DETAILS



VINYL WINDOWS
MILGARD MONTECITO SERIES
OR EQUAL
COLOR: WHITE

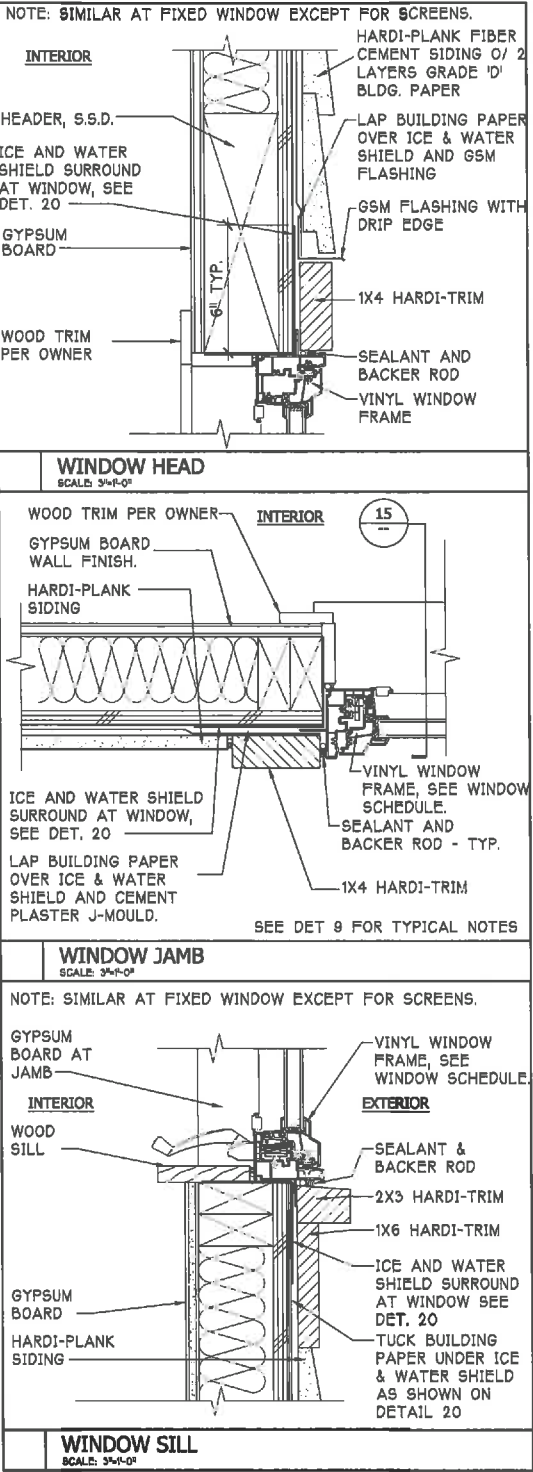


MARVIN WOOD WINDOW



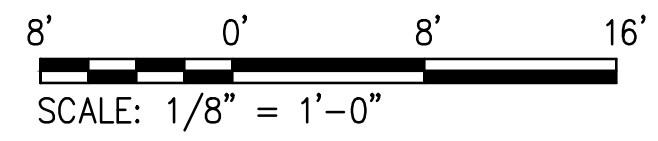
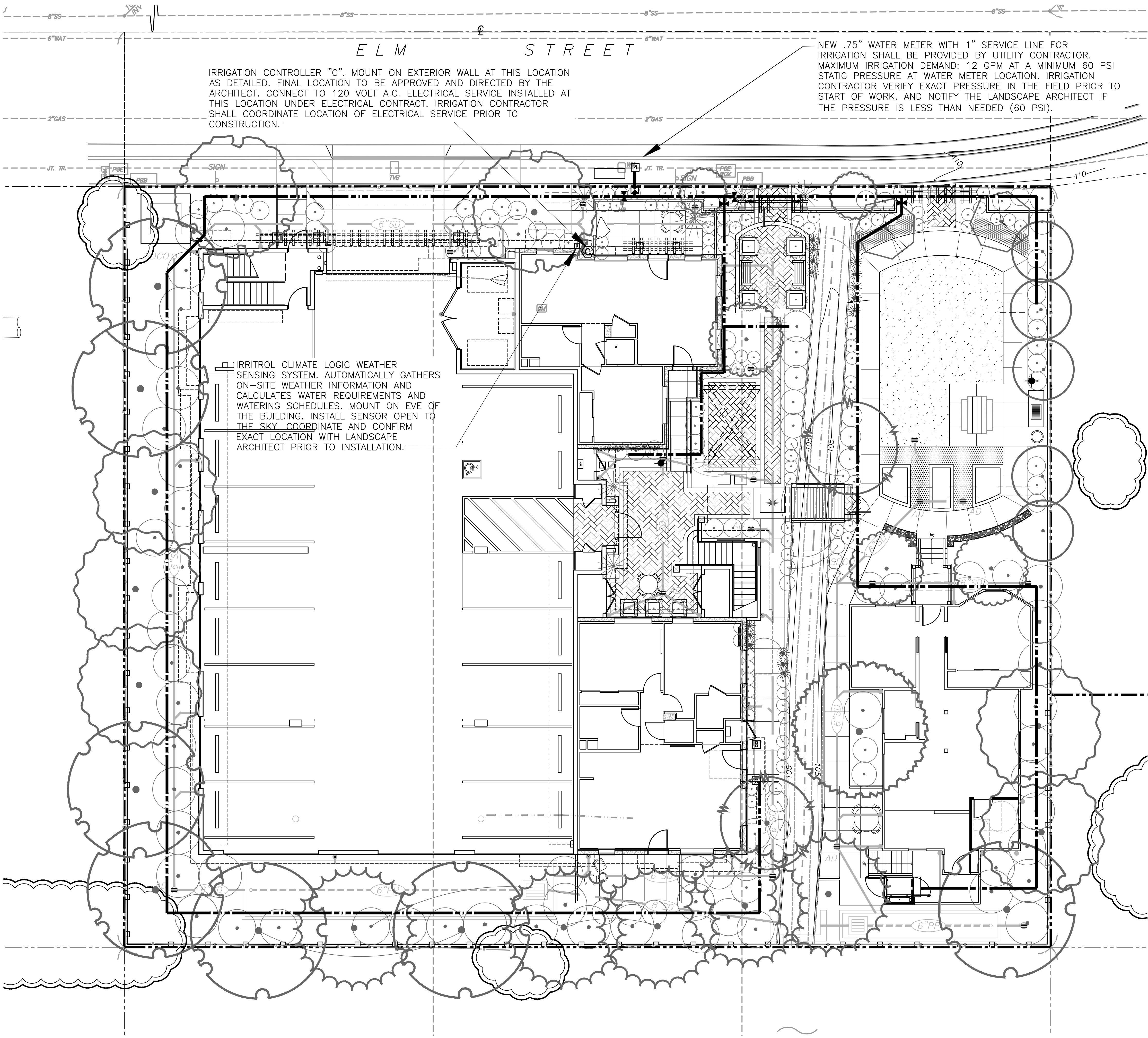
PROPOSED MILGARD MONTECITO
VINYL WINDOW

WINDOW JAMB SECTIONS COMPARING PROPOSED
VINYL WINDOW PROFILE VS. TYPICAL WOOD WINDOW
PROFILE



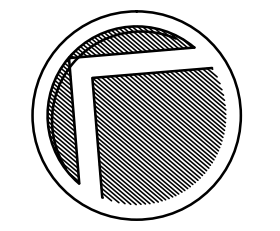
TYPICAL WINDOW TRIM DETAILS
(DOORS SIMILAR)





IRRIGATION LEGEND

SYMBOL	NUMBER	DESCRIPTION	NOZZLE GPM	OPERATING PSI	OPERATING RADIUS (FEET)
	570Z-6P-PRX-COM/ O-T-15FP,15HP,15QP	TORO POP-UP SPRAY SPRINKLER (TURF)	2,3,1,2,0,6	30	12-15
	570Z-6P-PRX-COM/ O-T-12FP,12HP,12QP	TORO POP-UP SPRAY SPRINKLER (TURF)	1,5,0,75,,37	30	10-12
	570Z-6P-PRX-COM/ O-T-10FP,12HP,12QP	TORO POP-UP SPRAY SPRINKLER (TURF)	1,0,5,0,23	30	8-10
	LF-40-PC	TORO BUBBLER (SHRUB) 2 PER SHRUB	0.066	30	TRICKLE
	570S FB-25-PC	TORO TREE BUBBLER (TWO PER TREE)	.25	30	TRICKLE
	P220-27 SERIES	TORO REMOTE CONTROL VALVE W/PRESSURE REGULATOR			
	P220-27 SERIES/ T-ALFD10150-L	TORO REMOTE CONTROL VALVE WITH A PRESSURE REGULATOR AND Y-FILTER FOR USE ON VALVES AT DRIP ZONES.			
	FCH-H-FIPT	TORO FLUSH VALVE			
	YD-500-34	TORO AIR/VACUUM RELIEF VALVE			
	DL-MP9	TORO OPERATION INDICATOR			
	33 DNP	RAIN BIRD QUICK COUPLING VALVE			
	T113-K	NIBCO GATE VALVE (LINE SIZE)			
	975XLS-1"	WILKINS REDUCED PRESSURE BACKFLOW ASSEMBLY			
	MC-XXE/CL-R1	IRRITROL MC-E-CONTROLLER IN A WALL MOUNTED ENCLOSURE WITH MAINTENANCE REMOTE.			
	R CL-100-WIRELESS	IRRITROL CLIMATE LOGIC WEATHER SENSING SYSTEM WITH ADAPTER CABLE.			
		CONTROLLER AND STATION NUMBER			
		FLOW (GPM)			
		REMOTE CONTROL VALVE SIZE (IN INCHES)			
		ASSOCIATED REMOTE CONTROL VALVE			
		CONTROLLER AND STATION NUMBER			
		AREA (SQ. FT.)			
		FLOW (GPM)			
		REMOTE CONTROL VALVE SIZE (IN INCHES)			
		MAIN LINE: 2" THROUGHOUT: 1120-SCHEDULE 40 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT WELD FITTINGS. 24" COVER.			
		LATERAL LINE: 3/4" AND LARGER: 1120-SCHEDULE 40 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT WELD FITTINGS. 12" COVER. (18 COVER UNDER PAVEMENT SECTION)			
		SLEEVING: 1120-CL. 200 PVC PLASTIC PIPE. COVER TO BE AS INDICATED IN SPECIFICATIONS OR AS INDICATED ABOVE FOR PIPE DEPTH OF COVER.			
		DRIP ZONE: TORO DL2000 SERIES DRIPLINE, PART #RGP-212-05. TUBING TO BE INSTALLED 4" BELOW GRADE IN A 12" O.C. GRID ACCORDING TO DETAILS. SEE DETAILS ON FOR FURTHER INFORMATION.			



PROJECT
NORTH



ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

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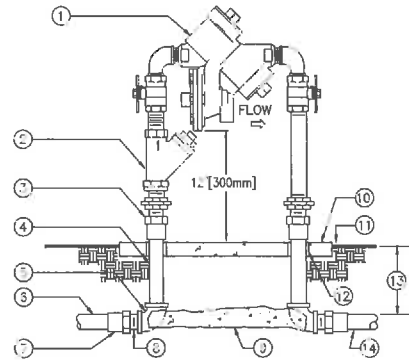
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08/25/14
PROJ. NO. 12048
L-1A
SHEET OF

IRRIGATION NOTES

- THESE IRRIGATION DRAWINGS ARE DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE INSTALLED. ALL PIPING, VALVES, AND OTHER IRRIGATION COMPONENTS MAY BE SHOWN WITHIN PAVED AREAS FOR GRAPHIC CLARITY ONLY AND ARE TO BE INSTALLED WITHIN PLANTING AREAS DUE TO THE SCALE OF THE DRAWINGS. IT IS NOT POSSIBLE TO INDICATE ALL OFFSETS, FITTINGS, SLEEVES, CONDUITS, AND OTHER ITEMS WHICH MAY BE REQUIRED. IN THE EVENT OF FIELD DISCREPANCY WITH CONTRACT DOCUMENTS, PLAN THE INSTALLATION WORK ACCORDINGLY BY NOTIFICATION AND APPROVAL OF THE OWNER'S AUTHORIZED REPRESENTATIVE AND ACCORDING TO THE CONTRACT SPECIFICATIONS. NOTIFY AND COORDINATE IRRIGATION CONTRACT WORK WITH APPLICABLE CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE, CONDUIT OR SLEEVES THROUGH OR UNDER WALL, ROADWAY, PAVING AND STRUCTURES BEFORE CONSTRUCTION. IN THE EVENT THESE NOTIFICATIONS ARE NOT PERFORMED, THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR REQUIRED REVISIONS.
- THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, STANDARDS, AND REGULATIONS. ALL WORK AND MATERIALS SHALL BE IN FULL ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE NATIONAL PLUMBING CONFERENCE, THE NATIONAL PLUMBING CODE, PUBLISHED BY THE WESTERN PLUMBING OFFICIALS ASSOCIATION, AND OTHER STATE OR LOCAL LAWS OR REGULATIONS. NOTHING IN THESE DRAWINGS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES OR REGULATIONS. THE CONTRACTOR SHALL FURNISH WITHOUT ANY EXTRA CHARGE, ANY ADDITIONAL MATERIAL AND LABOR WHEN REQUIRED BY THE COMPLIANCE WITH THESE CODES AND REGULATIONS.
- THE CONTRACTOR SHALL COORDINATE INSTALLATION OF IRRIGATION SYSTEM WITH LAYOUT AND INSTALLATION OF THE PLANT MATERIALS TO INSURE THAT THERE WILL BE COMPLETE AND UNIFORM IRRIGATION COVERAGE OF PLANTING IN ACCORDANCE WITH THESE DRAWINGS, AND CONTRACT DOCUMENTS. THE IRRIGATION LAYOUT SHALL BE CHECKED BY THE CONTRACTOR AND OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO CONSTRUCTION TO DETERMINE IF ANY CHANGES, DELETIONS, OR ADDITIONS ARE REQUIRED. IRRIGATION SYSTEM SHALL BE INSTALLED AND TESTED PRIOR TO INSTALLATION OF PLANT MATERIAL.
- THE INTENT OF THIS IRRIGATION SYSTEM IS TO PROVIDE THE MINIMUM AMOUNT OF WATER REQUIRED TO SUSTAIN GOOD PLANT HEALTH.
- IT IS THE RESPONSIBILITY OF THE MAINTENANCE CONTRACTOR AND/OR OWNER TO PROGRAM THE IRRIGATION CONTROLLER(S) TO PROVIDE THE MINIMUM AMOUNT OF WATER NEEDED TO SUSTAIN GOOD PLANT HEALTH. THIS INCLUDES MAKING ADJUSTMENTS TO THE PROGRAM FOR SEASONAL WEATHER CHANGES, PLANT MATERIAL, WATER REQUIREMENTS, MOUNDS, SLOPES, SUN, SHADE AND WIND EXPOSURE.
- IT IS THE RESPONSIBILITY OF A LICENSED ELECTRICAL CONTRACTOR TO PROVIDE 120 VOLT A.C. (2.5 AMP DEMAND PER CONTROLLER) ELECTRICAL SERVICE TO THE CONTROLLER LOCATION(S). IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO COORDINATE THE ELECTRICAL SERVICE STUB-OUT TO THE CONTROLLER(S). PROVIDE PROPER GROUNDING PER CONTROLLER MANUFACTURER'S INSTRUCTIONS AND IN ACCORDANCE WITH LOCAL CODES.
- PROVIDE EACH IRRIGATION CONTROLLER WITH ITS OWN INDEPENDENT LOW VOLTAGE COMMON GROUND WIRE.
- INSTALL NEW BATTERIES IN THE IRRIGATION CONTROLLER(S) TO RETAIN PROGRAM IN MEMORY DURING TEMPORARY POWER FAILURES. USE QUALITY, TYPE AND SIZE REQUIRED AS PER CONTROLLER MANUFACTURER'S INSTRUCTIONS.
- SCHEDULE A MEETING WHICH INCLUDES REPRESENTATIVES OF THE IRRIGATION CONTROLLER MANUFACTURER, THE MAINTENANCE CONTRACTOR, THE OWNER AND THE IRRIGATION CONTRACTOR AT THE SITE FOR INSTRUCTION ON THE PROPER PROGRAMMING AND OPERATION OF THE IRRIGATION CONTROLLER.
- IRRIGATION CONTROL WIRES: SOLID COPPER WITH U.L. APPROVAL FOR DIRECT BURIAL IN GROUND. COMMON GROUND WIRE: SIZE #12-1 WIRE WITH A WHITE INSULATING JACKET. CONTROL WIRE: SERVICING REMOTE CONTROL VALVES: SIZE #14-1 WIRE WITH INSULATING JACKET OF COLOR OTHER THAN WHITE. SPLICES SHALL BE MADE WITH 3M-DBT SEAL PAKS OR APPROVED EQUAL.
- INSTALL TWO SPARE CONTROL WIRES OF A DIFFERENT COLOR ALONG THE ENTIRE MAIN LINE. LOOP 20" EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
- SPLICING OF LOW VOLTAGE WIRES IS PERMITTED IN VALVE BOXES ONLY. LEAVE A 36" LONG, 1" DIAMETER COIL OF EXCESS WIRE AT EACH SPlice AND A 36" LONG EXPANSION LOOP EVERY 100 FEET ALONG WIRE RUN. TIE WIRES TOGETHER EVERY TEN FEET. DO NOT TAPE WIRES TOGETHER WHERE CONTAINED WITHIN SLEEVING OR CONDUIT.
- INSTALL BLACK PLASTIC VALVE BOXES WITH BOLT DOWN, NON HINGED COVER MARKED "IRRIGATION". BOX BODY SHALL HAVE KNOCK OUTS. ACCEPTABLE VALVE BOX MANUFACTURER'S INCLUDE NDS, CARSON OR APPROVED EQUAL.
- INSTALL REMOTE CONTROL VALVE BOXES 12" FROM WALK, CURB, BUILDING OR LANDSCAPE FEATURE. AT MULTIPLE VALVE BOX GROUPS, INSTALL EACH BOX AN EQUAL DISTANCE FROM THE WALK, CURB, BUILDING OR LANDSCAPE FEATURE AND PROVIDE 12" BETWEEN BOX TOPS. ALIGN THE SHORT SIDE OF RECTANGULAR VALVE BOXES PARALLEL TO WALK, CURB, BUILDING OR LANDSCAPE FEATURE.
- VALVE LOCATIONS SHOWN ARE DIAGRAMMATIC. INSTALL IN GROUND COVER/SHRUB AREAS (AVOID LAWN AREAS WHERE POSSIBLE).
- THE CONTRACTOR SHALL LABEL CONTROL LINE WIRE AT EACH REMOTE CONTROL VALVE WITH A 2 1/4" X 2 3/4" POLYURETHANE I.D. TAG, INDICATING IDENTIFICATION NUMBER OF VALVE (CONTROLLER AND STATION NUMBER). ATTACH LABEL TO CONTROL WIRE. THE CONTRACTOR SHALL PERMANENTLY STAMP ALL VALVE BOX LIDS WITH APPROPRIATE IDENTIFICATION AS NOTED IN CONSTRUCTION DETAILS.
- INSTALL A GATE VALVE TO ISOLATE EACH REMOTE CONTROL VALVE OR GROUP OF VALVES LOCATED TOGETHER. GATE VALVE SIZE SHALL BE SAME AS THE LARGEST REMOTE CONTROL VALVE IN MANIFOLD.
- FLUSH AND ADJUST IRRIGATION OUTLETS AND NOZZLES FOR OPTIMUM PERFORMANCE AND TO PREVENT OVER SPPAY ONTO WALKS, ROADWAYS, AND/OR BUILDINGS. SELECT THE BEST DEGREE OF THE ARC AND RADIUS TO FIT THE EXISTING SITE CONDITIONS AND THROTTLE THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH CONTROL ZONE.
- LOCATE EMITTER OUTLETS ON UPHILL SIDE OF PLANT OR TREE.
- LOCATE BUBBLERS ON UPHILL SIDE OF PLANT OR TREE.

- INSTALL A HUNTER HCV SERIES, KBI CV SERIES, OR APPROVED EQUAL SPRING LOADED CHECK VALVE IN SPRINKLER RISER ASSEMBLIES WHERE LOW OUTLET DRAINAGE WILL CAUSE EROSION AND/OR EXCESS WATER.
- WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, USE CAUTION TO AVOID INJURY TO TREES AND TREE ROOTS. EXCAVATE BY HAND IN AREAS WHERE TWO (2) INCH AND LARGER ROOTS OCCUR. BACK FILL TRENCHES ADJACENT TO TREE WITHIN TWENTY-FOUR (24) HOURS. WHERE THIS IS NOT POSSIBLE, SHADE THE SIDE OF THE TRENCH ADJACENT TO THE TREE WITH WET BURLAP OR CANVAS.
- NOTIFY LOCAL JURISDICTIONS FOR INSPECTION AND TESTING OF INSTALLED BACKFLOW PREVENTION DEVICE.
- THE SPRINKLER SYSTEM DESIGN IS BASED ON THE MINIMUM OPERATING PRESSURE SHOWN ON THE IRRIGATION DRAWINGS. VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READINGS AT THE IRRIGATION POINT OF CONNECTION TO THE OWNER'S AUTHORIZED REPRESENTATIVE.
- IRRIGATION DEMAND: REFER TO PLANS.
- PIPE SIZING SHOWN ON THE DRAWINGS IS TYPICAL AS CHANGES IN LAYOUT OCCUR DURING STAKING AND CONSTRUCTION THE SIZE MAY NEED TO BE ADJUSTED ACCORDINGLY.
- PIPE THREAD SEALANT COMPOUND SHALL BE RECTOR SEAL #5.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MINOR CHANGES IN THE IRRIGATION LAYOUT DUE TO OBSTRUCTIONS NOT SHOWN ON THE IRRIGATION DRAWINGS SUCH AS LIGHTS, FIRE HYDRANTS, SIGNS, ELECTRICAL ENCLOSURES, ETC.
- WHEN WORK OF THIS SECTION HAS BEEN COMPLETED AND SUCH OTHER TIMES AS MAY BE DIRECTED, REMOVE ALL TRASH, DEBRIS, SURFLUS MATERIALS AND EQUIPMENT FROM SITE.

Irrigation Consultant:
Russell D. Mitchell Associates, Inc.
2750 Camino Diablo
Walnut Creek, CA 94597
tel 925.939.3985 ♦ fax 925.932.5671
www.rdmirrigation.com



- REDUCED PRESSURE BACKFLOW ASSEMBLY.
- 1/2" STRAINER SYSTEM (AS REQUIRED).
- WROUGHT COPPER MALE ADAPTER-2 TOTAL (SOLDER x THREAD CONNECTION).
- COPPER TYPE "K" PIPE (LENGTH AS REQUIRED).
- WROUGHT COPPER 90° ELBOW-2 TOTAL (SOLDER x THREAD CONNECTION).
- PVC MAIN LINE TO POINT OF CONNECTION.
- EACH AS NECESSARY FOR SIZE TRANSITION.
- SCHEDULE 40 PVC MALE ADAPTER-2 TOTAL.
- CONCRETE SUPPORT BLOCK.
- CONCRETE PAD-SEE ENCLOSURE DETAIL.
- FINISH GRADE.
- PVC SLEEVE BOTH SIDES.
- REFER TO IRRIGATION LEGEND.
- PVC MAIN LINE TO IRRIGATION SYSTEM.

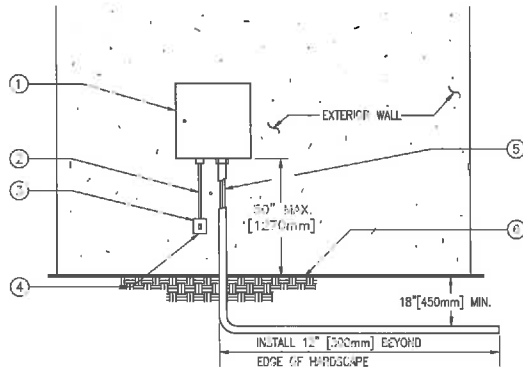
NOTES:

- INSTALL A FREEZE PREVENTATIVE BLANKET AROUND BACKFLOW ASSEMBLY. BLANKET SHALL BE GREEN.
- DO NOT SOLDER CONNECT FITTINGS WHILE THREADED INTO BACKFLOW ASSEMBLY. THIS MAY CAUSE DAMAGE TO DEVICE.
- NIPPLES AND FITTINGS TO BE SAME IPT SIZE AS BACKFLOW ASSEMBLY.
- PROVIDE A STAINLESS STEEL ENCLOSURE TO COMPLETELY ENCLOSE DEVICE. INSTALL ENCLOSURE TO CONCRETE BASE AS DIRECTED BY MANUFACTURER.

1

REDUCED PRESSURE BACKFLOW ASSEMBLY

SCALE: NONE
DET: RPB-1

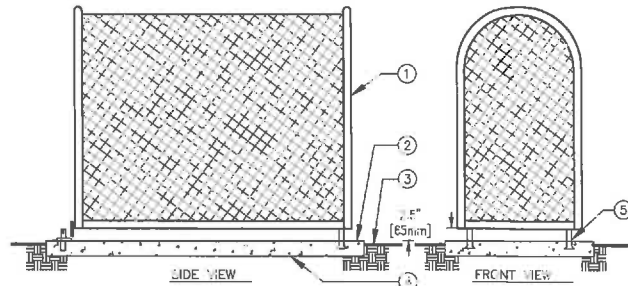


- IRRIGATION CONTROLLER.
- 120 VOLT SERVICE IN RIGID STEEL CONDUIT.
- 120 VOLT LOCKABLE WEATHERPROOF ON/OFF SWITCH PROVIDED UNDER IRRIGATION CONTRACT.
- 120 VOLT SERVICE TO CONTROLLER LOCATION PROVIDED BY CONTRACTOR.
- LOW VOLTAGE WIRE IN GRAY SCHEDULE 40 PVC CONDUIT.
- FINISH GRADE OR HARDSCAPE.

3

CONTROLLER - EXTERIOR WALL MOUNTED

SCALE: NONE
DET: EXT-CONT

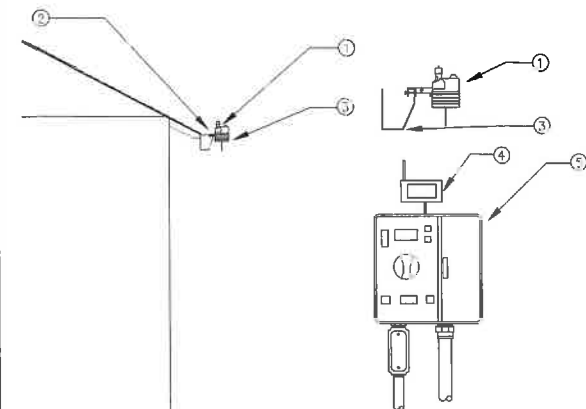


- STAINLESS STEEL ENCLOSURE TO COMPLETELY ENCLOSE DEVICE
- SET PAD 1/2" [13mm] ABOVE FINISH GRADE
- FINISH GRADE
- 6" [150mm] THICK CONCRETE PAD FOR ENCLOSURE SUPPORT TO EXTEND 6" [150mm] BEYOND ENCLOSURE ON ALL SIDES. CONCRETE TO HAVE MEDIUM BROOM FINISH
- MOUNTING BRACKETS (STANDARD WITH ENCLOSURE) TO BE SET INTO CONCRETE PAD. PROVIDE LOCKING T-B TO ACCEPT PADLOCK PER MANUFACTURER'S INSTRUCTION.

2

BACKFLOW ASSEMBLY ENCLOSURE 3" [75mm] AND SMALLER

SCALE: NONE
DET: ENC-SMOOTH



NOTE: MAXIMUM LINE OF SIGHT FROM SENSOR TO RECEIVER IS 1000 FT. DISTANCE IS LESS IF OBSTRUCTIONS EXIST. SENSOR MUST BE INSTALLED IN "CLEAR SPACE" WHERE IT IS EXPOSED TO UNOBSTRUCTED RAINFALL AND IS CLEAR OF IRRIGATION SPRAY.

- WIRELESS CLIMATE SENSOR TRANSMITTER (EVE/GUTTER MOUNTED)
- MOUNT SENSOR ON GUTTER/EAVE
- GUTTER/EAVE
- SENSOR RECEIVER
- CONTROLLER

4

WIRELESS WEATHER SENSOR

SCALE: NONE
DET: CL-W



CARLE CAMPES | DAVID BOGGIO | PETER STACHOLE
245 YONCAS VALLEY ROAD, WALNUT CREEK, CALIFORNIA 94596
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ELM STREET CONDOMINIUMS
EDDIE BIGGS DEVELOPMENT
EL CERRITO, CALIFORNIA

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IRRIGATION NOTES AND LEGEND

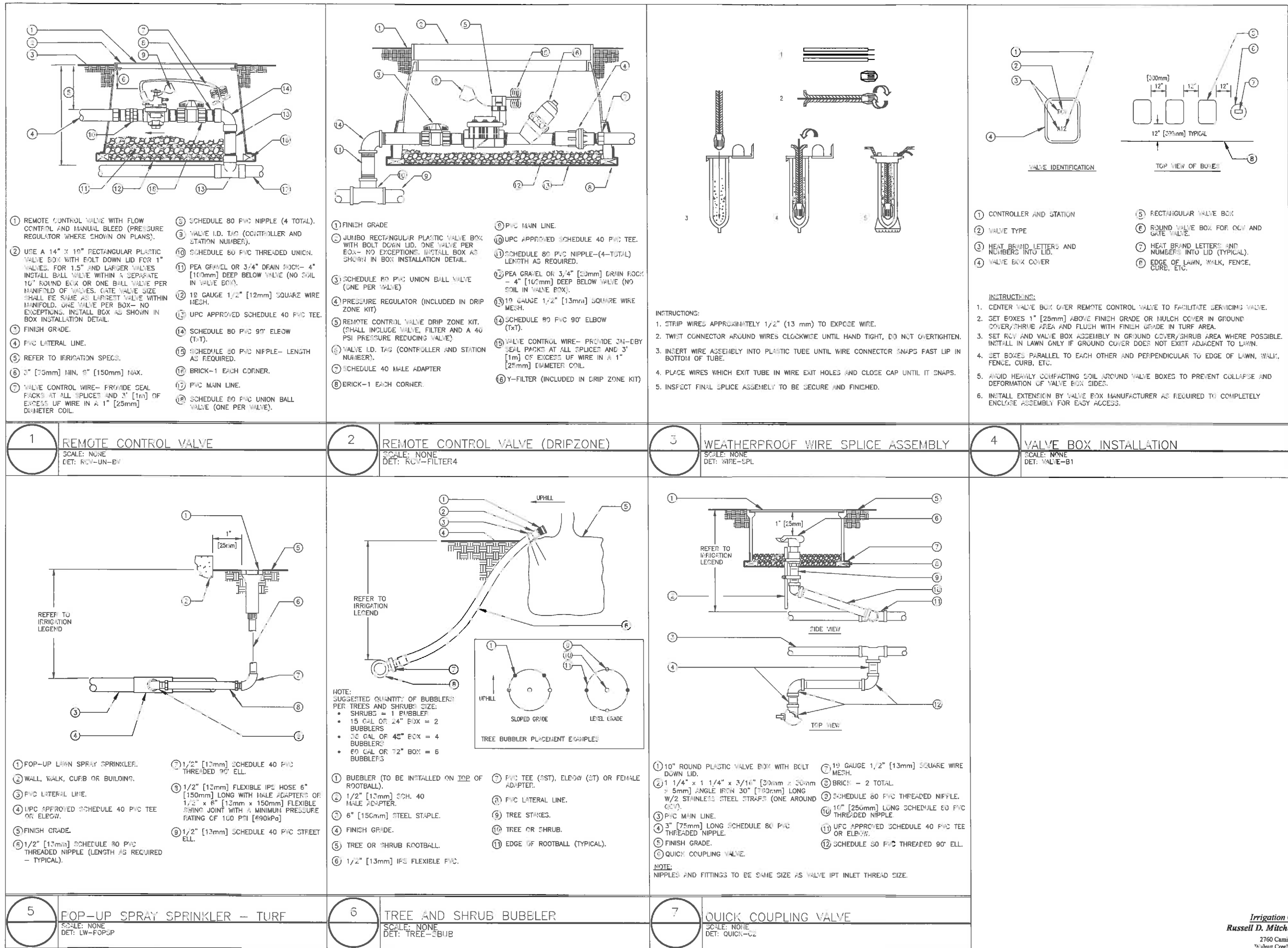
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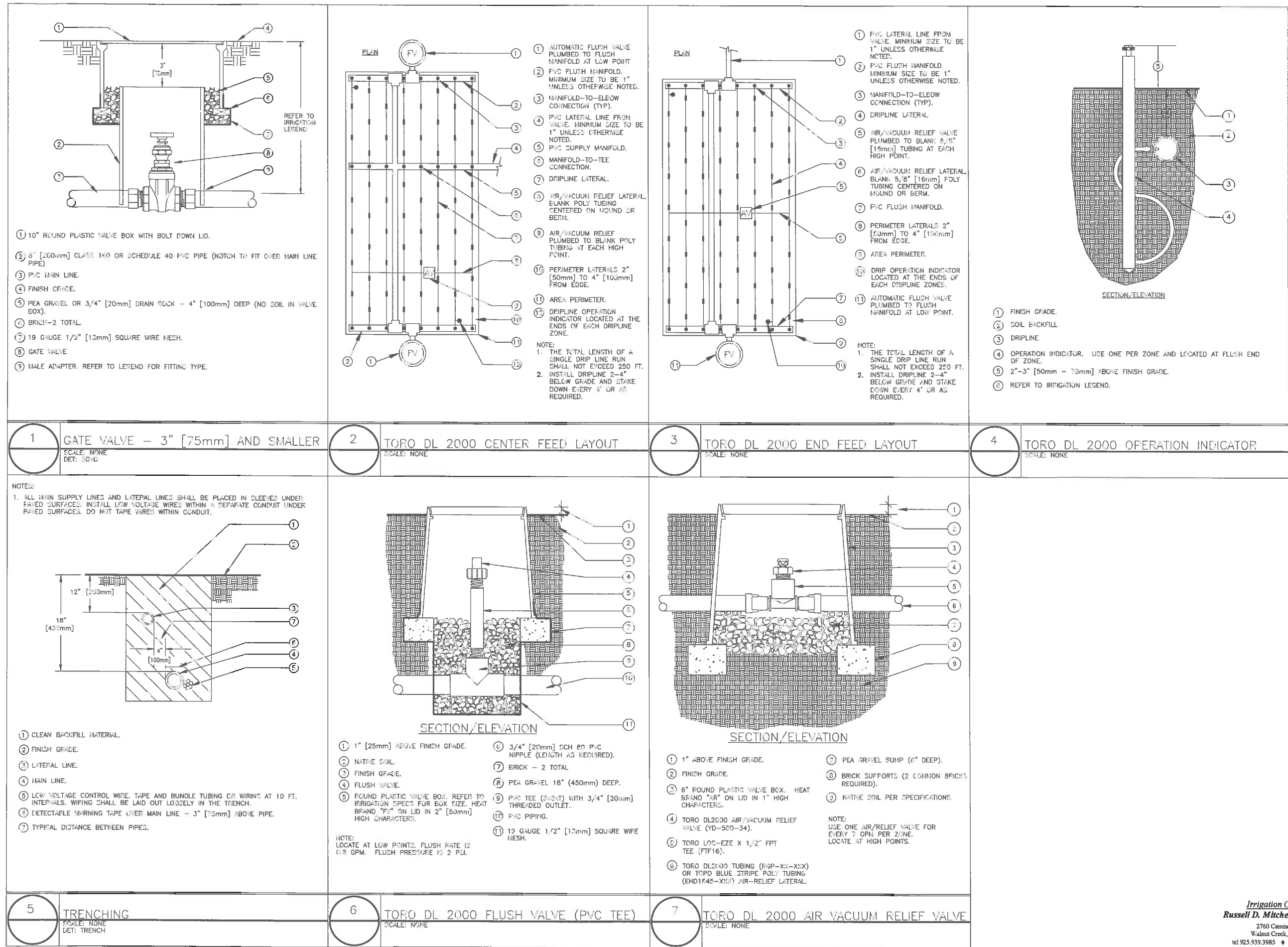
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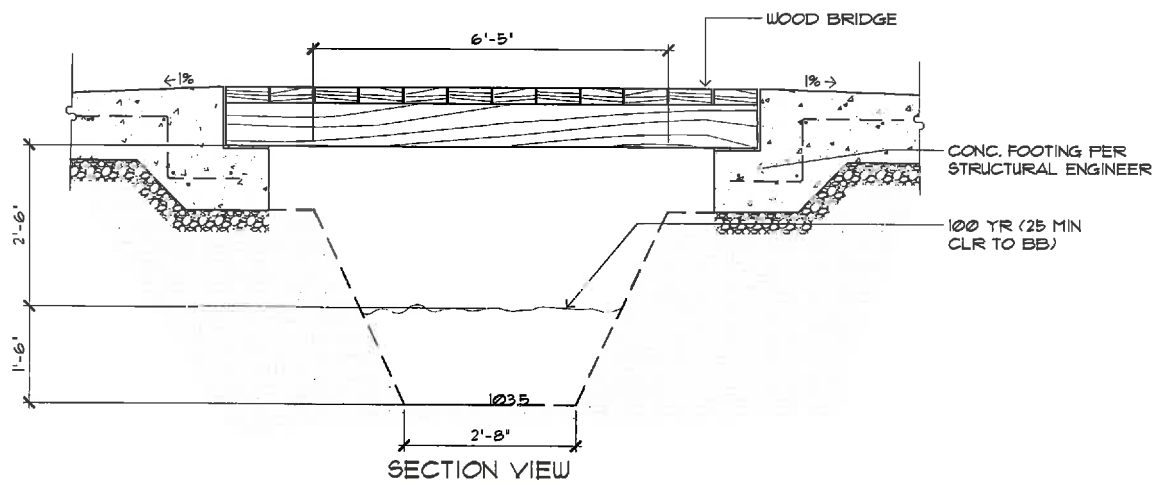


Drought tolerant Mediterranean

Planting



Grass Oval



CHANNEL PROFILE WITH BRIDGE
scale: 3/4"=1'-0"



Decomposed Granite



Permeable paving Eco Priora - Herringbone Pattern

Paving



Border Herbs



Dwarf Fruit Orchard

Edible Landscape Features



Metal Picket Fence



Open Greenhouse Trellis



Entry Trellis



Bench- Country Casual



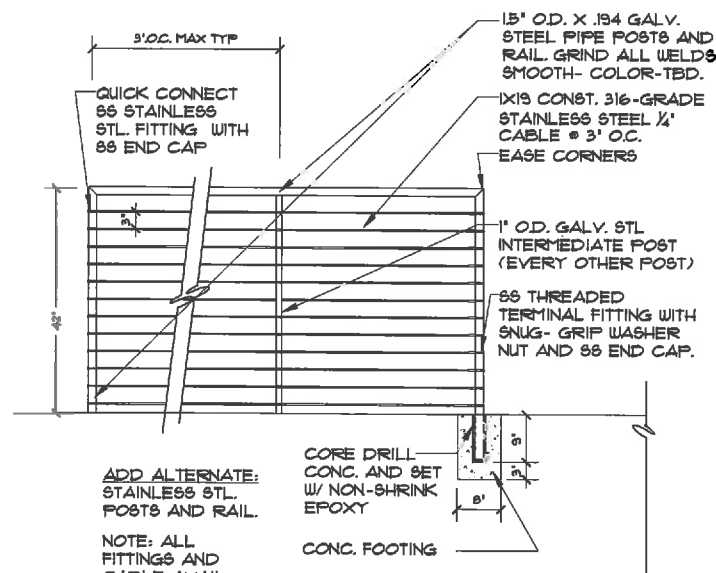
Dumor-Table



Architectural Pottery Planters



Raised Garden Beds



CABLE GUARDRAIL
SCALE: 1/2"=1'-0"

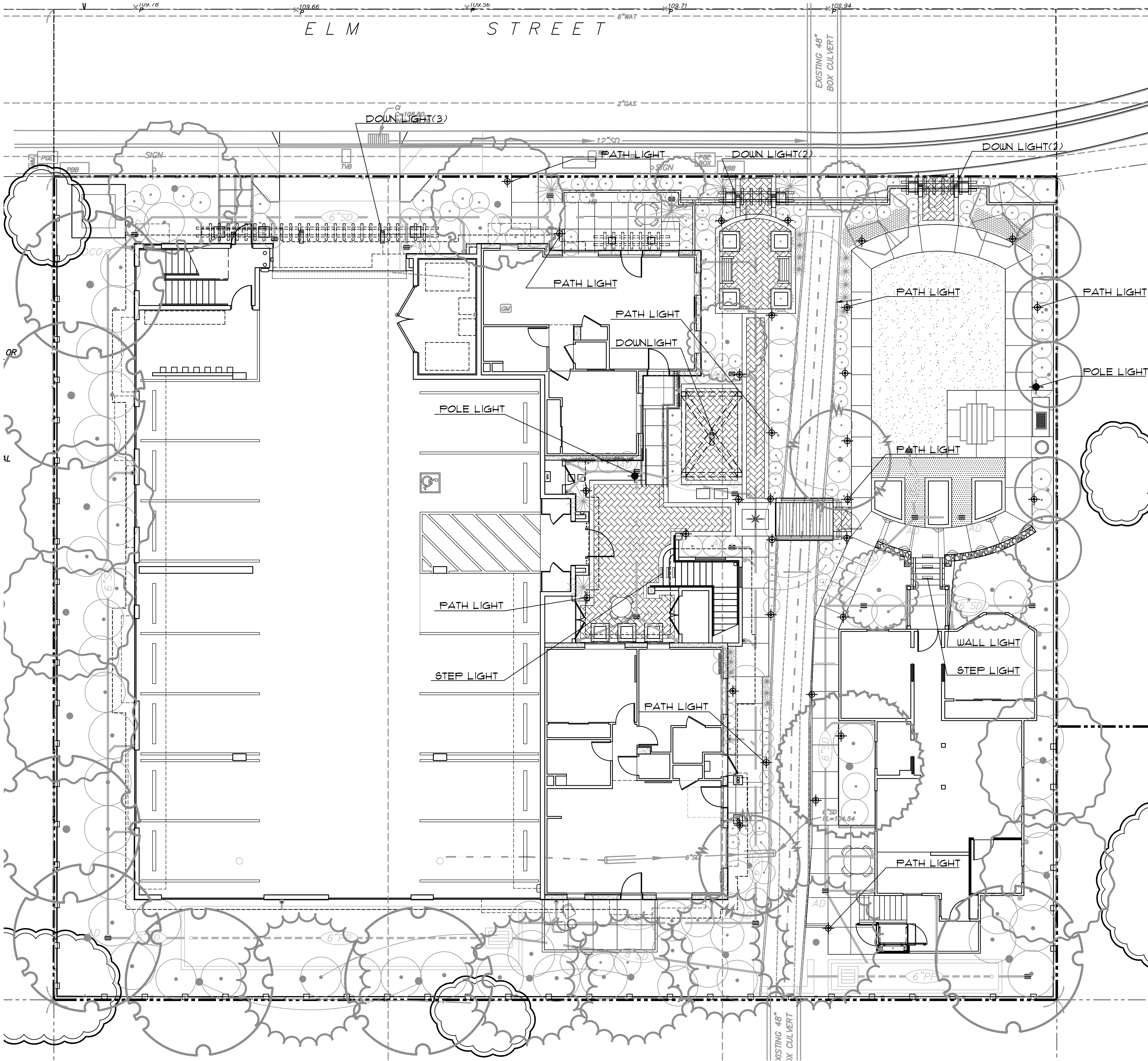
Railing Detail



Stone
Tumbled McGregor-Lake-Ledge
with French Limestone



Stone Seatwall



8' 0' 8' 16'
SCALE: 1/8" = 1'-0"



Step Star™
Shown in Clear Anodized Powder (CAP)

BK-Wall Light- Bronze fin.



BEGA-Steplight- Bronze fin.



Surface Downlight
ArtiStar™
Shown in Satin Aluminum Finish (SAP)

BK-Downlight- Bronze fin.



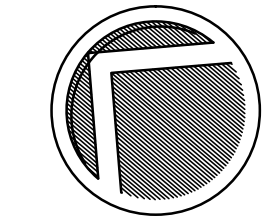
BEGA-Path Bollard- Black



PHILIPS DOMUS-Pole Light- Black

Lighting Legend MANUFACTURER: UNIQUE

DESCRIPTION	MANUFACTURER/ MODEL *
WALL LIGHT	BK-STEP STAR 88-LED-622- BZF
DOWNLIGHT	BK- ARTI-STAR SURFACE DOWNLIGHT- BZF- LED-8 W, 2.5' APETURE, MED. FLD, SOFT FOCUS LENS, C CAP
STEP LIGHT	BEGA-US, 2038 LED 101 W LED BRZ
PATH LIGHT	BEGA-US, T464 12 W LED W/ 895 A ANCHORAGE KIT, BLK SHIELDED BOLLARD
POLE LIGHT	PHILIPS DOMUS SERIES DM650 -6CB, 35W 32 LED, MFR , 6PR4 12' POLE- BLACK



PROJECT
NORTH



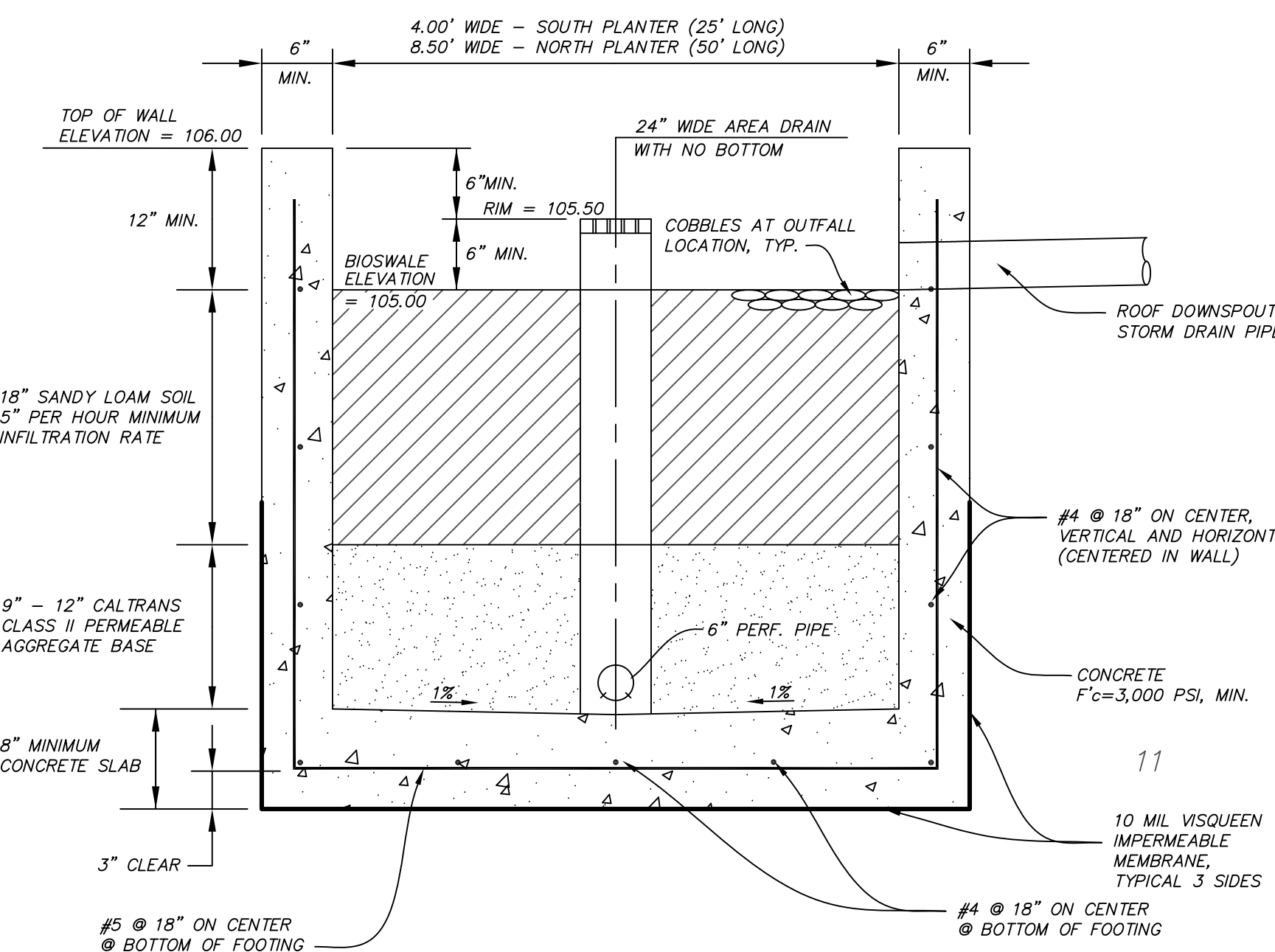
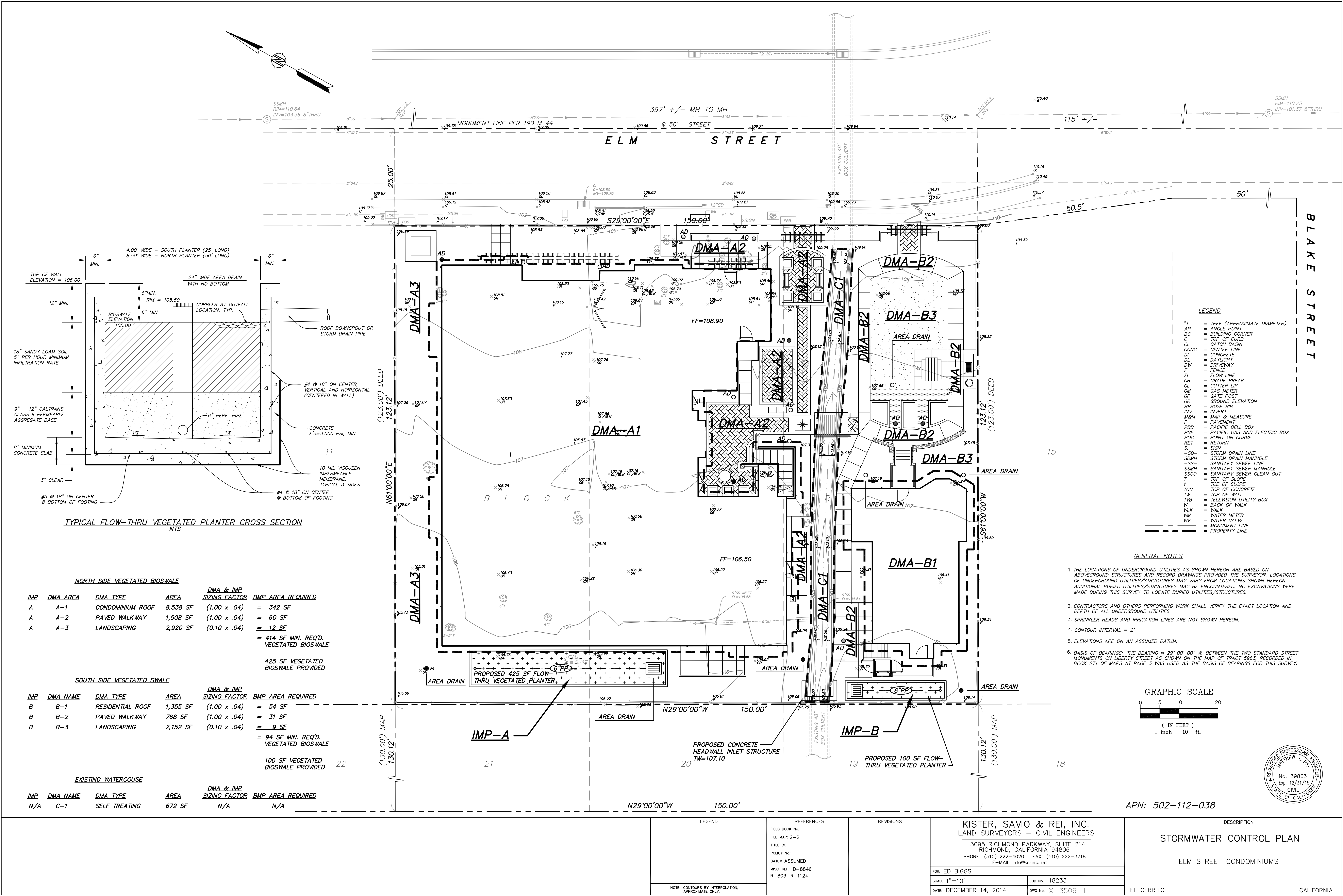
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CONCEPTUAL
LIGHTING
PLAN

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10/24/14
PROJ. NO. 12048



NORTH SIDE VEGETATED BIOSWALE

IMP	DMA AREA	DMA TYPE	AREA	DMA & IMP SIZING FACTOR	BMP AREA REQUIRED
A	A-1	CONDOMINIUM ROOF	8,538 SF	(1.00 x .04)	= 342 SF
A	A-2	PAVED WALKWAY	1,508 SF	(1.00 x .04)	= 60 SF
A	A-3	LANDSCAPING	2,920 SF	(0.10 x .04)	= 12 SF
					= 414 SF MIN. REQ'D. VEGETATED BIOSWALE

425 SF VEGETATED BIOSWALE PROVIDED

SOUTH SIDE VEGETATED SWALE

IMP	DMA NAME	DMA TYPE	AREA	DMA & IMP SIZING FACTOR	BMP AREA REQUIRED
B	B-1	RESIDENTIAL ROOF	1,355 SF	(1.00 x .04)	= 54 SF
B	B-2	PAVED WALKWAY	768 SF	(1.00 x .04)	= 31 SF
B	B-3	LANDSCAPING	2,152 SF	(0.10 x .04)	= 9 SF
					= 94 SF MIN. REQ'D. VEGETATED BIOSWALE

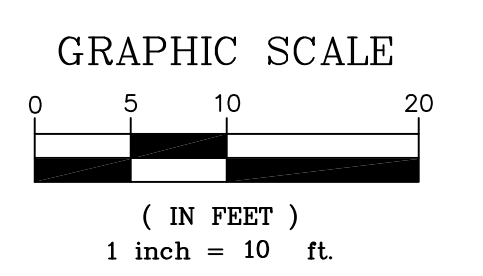
100 SF VEGETATED BIOSWALE PROVIDED

EXISTING WATERCOUSE

IMP	DMA NAME	DMA TYPE	AREA	DMA & IMP SIZING FACTOR	BMP AREA REQUIRED
N/A	C-1	SELF TREATING	672 SF	N/A	N/A

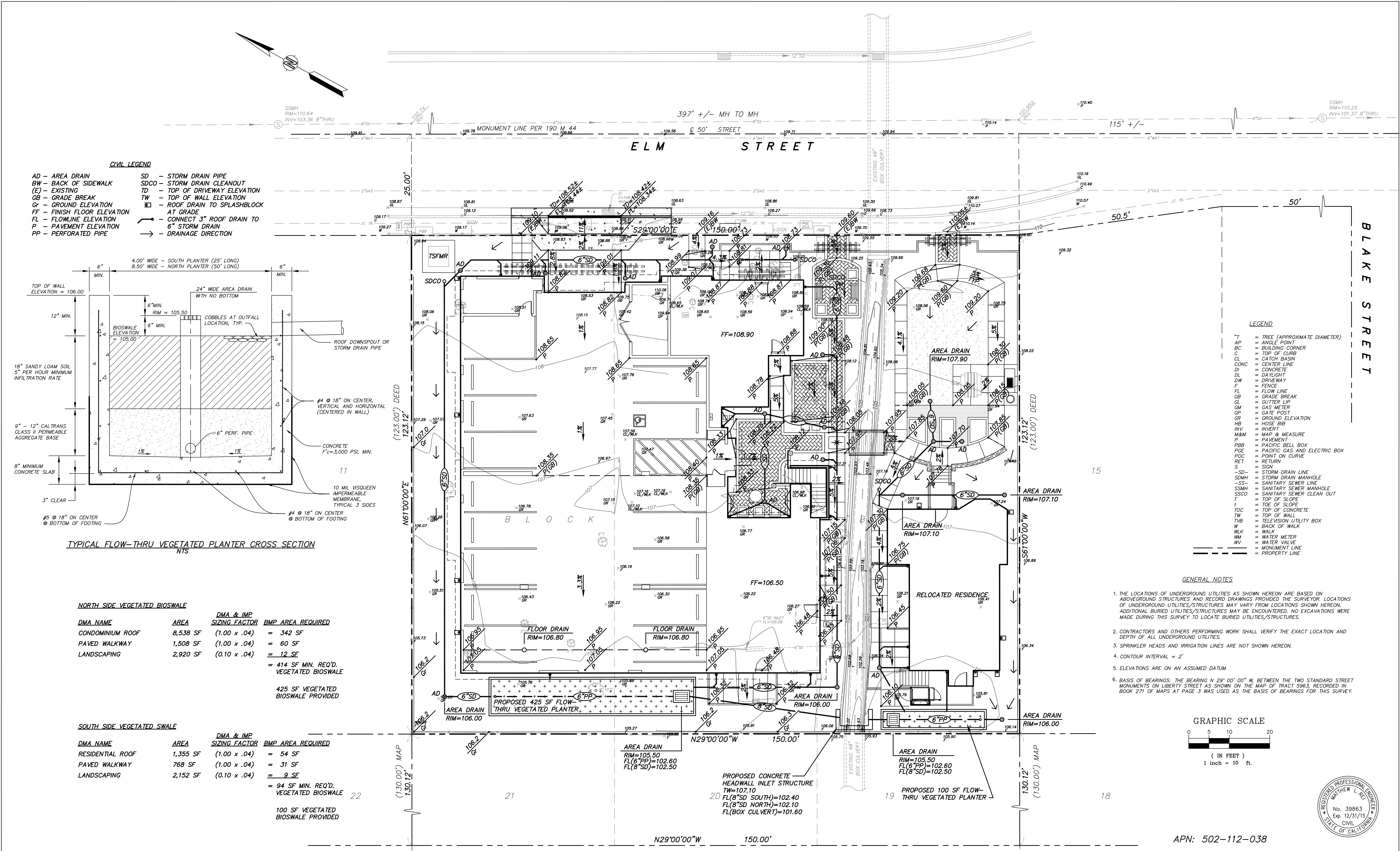
- LEGEND**
- T = TREE (APPROXIMATE DIAMETER)
 - AP = ANGLE POINT
 - BC = BUILDING CORNER
 - C = TOP OF CURB
 - CL = CATCH BASIN
 - CONC = CENTER LINE
 - DI = CONCRETE
 - DL = DAYLIGHT
 - DW = DRIVEWAY
 - F = FENCE
 - FL = FLOW LINE
 - GB = GRADE BREAK
 - GL = GUTTER LIP
 - GM = GAS METER
 - GP = GATE POST
 - GR = GROUND ELEVATION
 - HB = HOSE BIB
 - INV = INVERT
 - M&M = MAP & MEASURE
 - P = PAVEMENT
 - PBB = PACIFIC BELL BOX
 - POC = PACIFIC GAS AND ELECTRIC BOX
 - POC = POINT ON CURVE
 - RET = RETURN
 - S = SIGN
 - SD- = STORM DRAIN LINE
 - SDMH = STORM DRAIN MANHOLE
 - SS- = SANITARY SEWER LINE
 - SSMH = SANITARY SEWER MANHOLE
 - SSCO = SANITARY SEWER CLEAN OUT
 - T = TOP OF SLOPE
 - TOC = TOP OF CONCRETE
 - TW = TOP OF WALL
 - TWB = TELEVISION UTILITY BOX
 - W = BACK OF WALK
 - WLK = WALK
 - WM = WATER METER
 - WV = WATER VALVE
 - = MONUMENT LINE
 - - - = PROPERTY LINE

- GENERAL NOTES**
- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
 - CONTRACTORS AND OTHERS PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.
 - SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
 - CONTOUR INTERVAL = 2'
 - ELEVATIONS ARE ON AN ASSUMED DATUM.
 - BASIS OF BEARINGS: THE BEARING N 29° 00' 00" W, BETWEEN THE TWO STANDARD STREET MONUMENTS ON LIBERTY STREET AS SHOWN ON THE MAP OF TRACT 5963, RECORDED IN BOOK 271 OF MAPS AT PAGE 3 WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.



APN: 502-112-038

LEGEND	REFERENCES	REVISIONS	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 3095 RICHMOND PARKWAY, SUITE 214 RICHMOND, CALIFORNIA 94806 PHONE: (510) 222-4020 FAX: (510) 222-3718 E-MAIL: info@ksrinc.net	DESCRIPTION STORMWATER CONTROL PLAN ELM STREET CONDOMINIUMS
NOTE: CONTOURS BY INTERPOLATION, APPROXIMATE ONLY.	FIELD BOOK No. FILE MAP: G-2 TITLE CO: POLICY No.: DATUM: ASSUMED MISC. REF.: B-8846 R-803, R-1124		FOR: ED BIGGS SCALE: 1"=10' DATE: DECEMBER 14, 2014	JOB No. 18233 DWG No. X-3509-1 EL CERRITO CALIFORNIA



- CIVIL LEGEND**
- AD - AREA DRAIN
 - BW - BACK OF SIDEWALK
 - (E) - EXISTING
 - GB - GRADE BREAK
 - Gr - GROUND ELEVATION
 - FF - FINISH FLOOR ELEVATION
 - FL - FLOWLINE ELEVATION
 - P - PAVEMENT ELEVATION
 - PP - PERFORATED PIPE
 - SD - STORM DRAIN PIPE
 - SDCO - STORM DRAIN CLEANOUT
 - TD - TOP OF DRIVEWAY ELEVATION
 - TW - TOP OF WALL ELEVATION
 - ☐ - ROOF DRAIN TO SPLASHBLOCK AT GRADE
 - ☐ - CONNECT 3" ROOF DRAIN TO 6" STORM DRAIN
 - - DRAINAGE DIRECTION

- LEGEND**
- T = TREE (APPROXIMATE DIAMETER)
 - AP = ANGLE POINT
 - BC = BUILDING CORNER
 - C = TOP OF CURB
 - CL = CATCH BASIN
 - CONC = CENTER LINE
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 - DL = DAYLIGHT
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 - P = PAVEMENT
 - PBB = PACIFIC BELL BOX
 - POE = PACIFIC GAS AND ELECTRIC BOX
 - POC = POINT ON CURVE
 - RET = RETURN
 - SIGN = SIGN
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 - SS = SANITARY SEWER LINE
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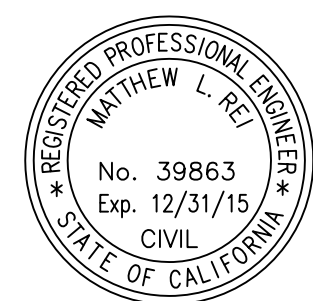
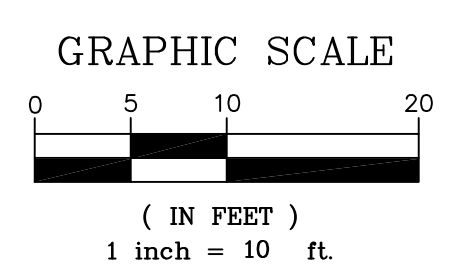
NORTH SIDE VEGETATED BIOSWALE

DMA NAME	AREA	DMA & IMP SIZING FACTOR	BMP AREA REQUIRED
CONDOMINIUM ROOF	8,538 SF	(1.00 x .04)	= 342 SF
PAVED WALKWAY	1,508 SF	(1.00 x .04)	= 60 SF
LANDSCAPING	2,920 SF	(0.10 x .04)	= 12 SF
= 414 SF MIN. REQ'D. VEGETATED BIOSWALE			
425 SF VEGETATED BIOSWALE PROVIDED			

SOUTH SIDE VEGETATED SWALE

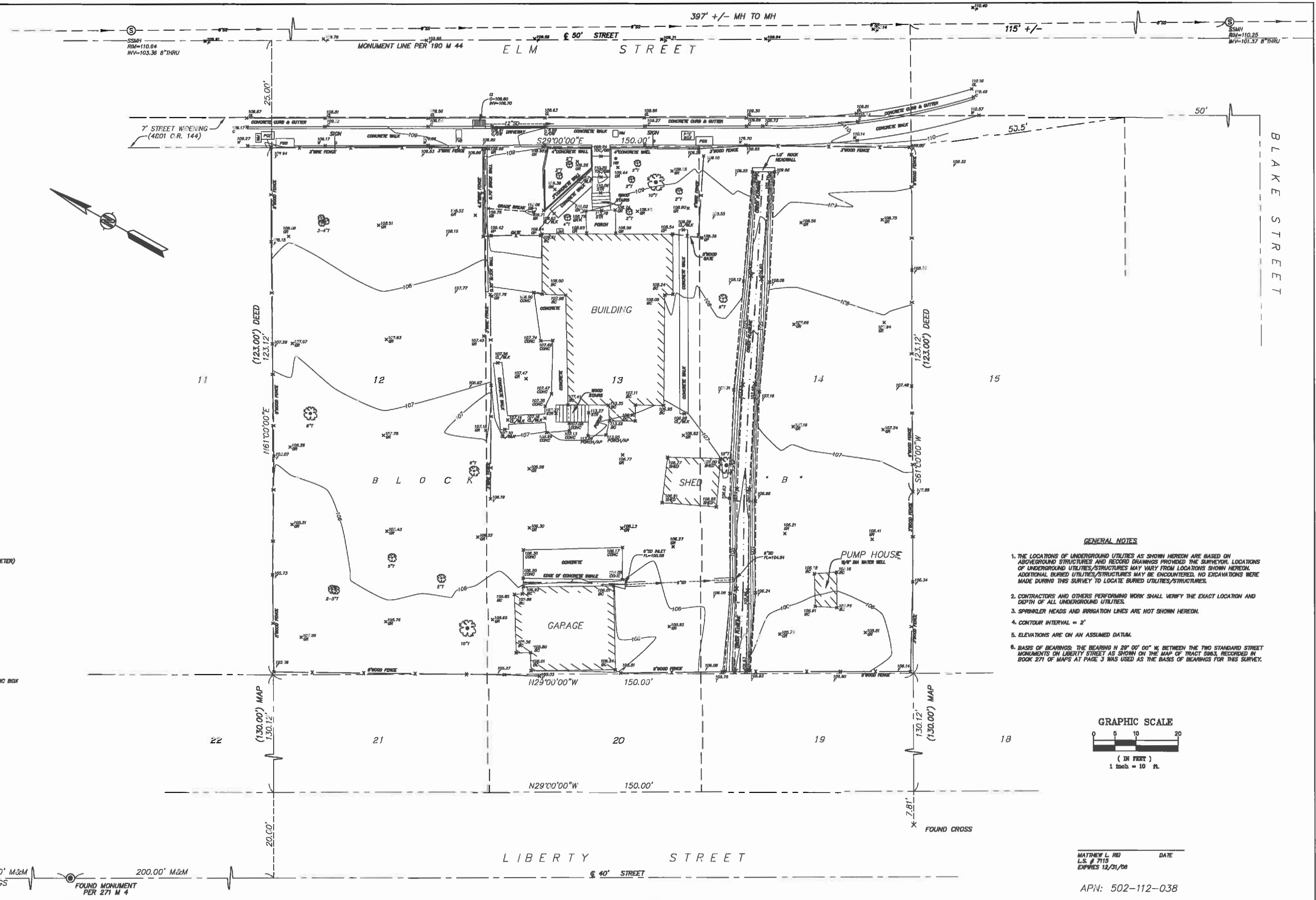
DMA NAME	AREA	DMA & IMP SIZING FACTOR	BMP AREA REQUIRED
RESIDENTIAL ROOF	1,355 SF	(1.00 x .04)	= 54 SF
PAVED WALKWAY	768 SF	(1.00 x .04)	= 31 SF
LANDSCAPING	2,152 SF	(0.10 x .04)	= 9 SF
= 94 SF MIN. REQ'D. VEGETATED BIOSWALE			
100 SF VEGETATED BIOSWALE PROVIDED			

- GENERAL NOTES**
- THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
 - CONTRACTORS AND OTHERS PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.
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 - CONTOUR INTERVAL = 2'
 - ELEVATIONS ARE ON AN ASSUMED DATUM.
 - BASIS OF BEARINGS: THE BEARING N 29° 00' 00" W, BETWEEN THE TWO STANDARD STREET MONUMENTS ON LIBERTY STREET AS SHOWN ON THE MAP OF TRACT 5963, RECORDED IN BOOK 271 OF MAPS AT PAGE 3 WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.



APN: 502-112-038

LEGEND	REFERENCES	REVISIONS	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 3095 RICHMOND PARKWAY, SUITE 214 RICHMOND, CALIFORNIA 94806 PHONE: (510) 222-4020 FAX: (510) 222-3718 E-MAIL: info@ksrinc.net	DESCRIPTION PRELIMINARY GRADING & DRAINAGE PLAN ELM STREET CONDOMINIUMS
NOTE: CONTOURS BY INTERPOLATION, APPROXIMATE ONLY.	FIELD BOOK No. FILE MAP: G-2 TITLE CO: POLICY No: DATUM: ASSUMED MISC. REF: B-8846 R-803, R-1124		FOR: ED BIGGS SCALE: 1"=10' DATE: DECEMBER 14, 2014	JOB No. 18233 DWG No. X-3509-1 EL CERRITO CALIFORNIA

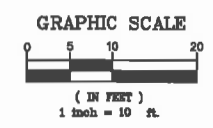


LEGEND

- TREE (APPROXIMATE DIAMETER)
- ANGLE POINT
- BUILDING CORNER
- TOP OF CURB
- CATCH BASIN
- CENTER LINE
- CONCRETE
- DAYLIGHT
- DRIVEWAY
- FENCE
- FLOW LINE
- GRADE BREAK
- GUTTER LIP
- GAS METER
- GATE POST
- GROUND ELEVATION
- HOSE BIB
- INVERT
- MAP & MEASURE
- PACIFIC BELL BOX
- PACIFIC GAS AND ELECTRIC BOX
- POINT ON CURVE
- RETURN
- SIGN
- STORM DRAIN LINE
- STORM DRAIN MANHOLE
- S

GENERAL NOTES

1. THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
2. CONTRACTORS AND OTHERS PERFORMING WORK SHALL VERIFY THE EXACT LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.
3. SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
4. CONTOUR INTERVAL = 2'
5. ELEVATIONS ARE ON AN ASSUMED DATUM.
6. BASIS OF BEARINGS: THE BEARING N 29° 00' 00" W BETWEEN THE TWO STANDARD STREET MONUMENTS ON LIBERTY STREET AS SHOWN ON THE MAP OF TRACT 5943, RECORDED IN BOOK 271 OF MAPS AT PAGE 3 WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.



N29°00'00"W 200.00' M&M FOUND MONUMENT PER 271 M 4
BASIS OF BEARINGS
200.00' M&M FOUND MONUMENT PER 271 M 4

MATTHEW L. REED DATE
L.S. # 7118
EXPIRES 12/31/06

APN: 502-112-038

LEGEND		REFERENCES	REVISIONS	KISTER, SAVIO & REI, INC. LAND SURVEYORS - CIVIL ENGINEERS 3095 RICHMOND PARKWAY, SUITE 214 RICHMOND, CALIFORNIA 94806 PHONE: (810) 222-4020 FAX: (810) 222-3718 E-MAIL: info@kristersurvey.com		DESCRIPTION	
NOTES CONTAINED BY INTERPOLATION, APPROXIMATE ONLY.		FIELD BOOK No. FILE MAP: G-2 TITLE CO. POLICY No. DATING ASSUMED MIN. REF: B-8846 R-803, R-1124	REV. 1-21-04 ADD TOE OF CREEK SHOTS	FOR ED BIGGS SCALE 1"=10' DATE 06-30-03	JOB No. 18233 DWG No. X-3509	BOUNDARY & TOPOGRAPHIC SURVEY PORTION OF LOTS 12, 13 AND 14, BLOCK B MAP OF SCHMIDT VILLAGE (C M 70)	
						EL CERRITO	CALIFORNIA

ORDINANCE 2014-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CERRITO REZONING
1715 ELM STREET TO A PLANNED DEVELOPMENT ZONING DISTRICT –
APPLICATION 6133

THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION 1. RECITALS

A. The Applicant, the Edward and Loretta Biggs Revocable Trust, proposes a development project that includes the conversion and renovation of an existing historical single-family detached house on the Property into a community center, the construction of 14 new one- and two-bedroom dwelling units, and the preservation of an existing historic stone lined channel on 0.42 acre site. The project proposes a Planned Development District; a Planned Development Use Permit; Design Review; a subdivision map and condominium plan; and this Development Agreement. The proposed development and applications are collectively known as the "Project"; related approvals of the applications are collectively known as the "Project Approvals."

B. The Project site is located at 1715 Elm Street in El Cerrito, California (the "Property").

C. The Applicant has applied to change the zoning of the Property to a Planned Development District subject to certain terms, attached to this ordinance, and to amend the City's Zoning Map accordingly.

D. The California Environmental Quality Act (CEQA), together with the state guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

E. An Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) have been prepared for this Project. All potential impacts identified are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures.

F. On April 16, 2014, the Planning Commission held a properly noticed public hearing on the Project, and adopted Resolution PC14-07 recommending that the City Council adopt the Planned Development Use Permit, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

G. On May 21, 2014, the Planning Commission held a properly noticed public hearing on the Project, including the proposed General Plan Amendment, Planned Development District and Development Agreement, and adopted PC Resolution 14-10 recommending that the City Council

deny the General Plan Amendment, Planned Development District and Development Agreement, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

H. On June 2, 2014, the City Council held a duly noticed public hearing to consider the Project Approval, including the Development Agreement. The City Council closed the hearing and continued consideration of the Project Approvals to June 23. At the June 23 meeting, the City Council requested additional information and continued deliberations.

I. A Staff Report, dated August 19, 2014 and incorporated herein by reference, described and analyzed the Project, including the Planned Development rezoning for the City Council.

J. On August 19, 2014, the City Council received the additional information requested at the June 23 meeting and held a properly noticed public hearing on the Project, including the proposed Planned Development rezoning at which time all interested parties had the opportunity to be heard.

K. On August 19, 2014, the City Council adopted Resolution 2014-44 adopting an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Project.

L. The City Council considered the adopted Initial Study and Mitigated Negative Declaration and all above-referenced reports, recommendations, and testimony prior to taking action on the Project.

SECTION 2. FINDINGS

A. Pursuant to Sections 19.14.040.A and 19.40.040.D of the El Cerrito Municipal Code, the City Council finds as follows.

1. The proposed residential Project will be a transit oriented development located within 800 feet of a BART station (1,400 feet by foot). It will add fourteen new dwelling units while preserving an historic building and retaining an existing historic stone lined channel. The balance of all these core values on the site is considered to be in the public interest.
2. The project is consistent with the purposes of the district and conforms in all significant respects with the amended General Plan, as conditioned in that it consists of high density multifamily development that utilizes good urban design principles including reduced parking requirements, parking concealed under the new building, and a mix of unit types. It also preserves an important historic resource and protects an existing historic stone lined channel by including it within its landscaped area. The project will implement the following General Plan goals and policies: Land Use 1.2: Multifamily Neighborhoods, Land Use, 1.3: Quality of Development, Land Use 1.5: Suitable Housing, Land Use 1.6: Variety of Housing Types, Land Use 5.1 BART Station Areas, Community Design 1.3: High-Quality Design, Community Design 1.9: Building Design, Community Design 4.2: Building Articulation,

Community Design

5.1: Design Review Process, Community Design 5.2 Planned Development. Community Design 3.5 Creek Preservation. Resources 1.9 Developments near Creeks, Resources 2.1: Historic Preservation, Resources 2.5: Public Awareness.

3. The proposed residential project will be a transit oriented development with good urban design. It will add fourteen new dwelling units to the neighborhood while preserving a historic structure and retaining the existing historic stone lined channel. It will not unduly shade surrounding dwellings or create unacceptable traffic or parking impacts; and as conditioned it will not be detrimental to the abutting properties or neighborhood.
4. An Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) have been approved for this project. All factors are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures. The Mitigation Monitoring Plan has been incorporated in the conditions of approval.
5. The proposed residential project will be a transit oriented development with good urban design. It will add fourteen new dwelling units to the neighborhood while preserving a historic structure and retaining the existing historic stone lined channel. It will not unduly shade surrounding dwellings or create unacceptable traffic or parking impacts; and as conditioned it will not be detrimental to the public interest, health, safety, convenience or welfare of the City.
6. The proposed amendment is a planned development district. It is consistent with applicable provisions of the zoning code including the purpose and intent of the Residential Mixed Use zone.
7. The Project will add fourteen new dwelling units to the neighborhood while preserving a historic structure and retaining the existing historic stone lined channel. The site is 0.42 acres in size with a relatively level grade. It has direct access onto Elm Street and will be served by existing utilities in the area. It will not unduly shade surrounding dwellings or create unacceptable traffic or parking impacts; and as conditioned it will not adversely affect the livability of the abutting properties or neighborhood.
8. This project is demonstratively superior to the development that could occur under the standards applicable to the underlying base district in that it represents a balance of many of El Cerrito's core values. It is a transit oriented development; thereby reducing Vehicle Miles Traveled with good urban design; successful historic preservation and preservation of an existing historic stone lined channel. Had the project been governed by the base district standards and strict interpretation of the creek protection ordinance, much of the open space would have been lost to surface parking spaces, the number of units would have to have been decreased due to the reduced building footprint, the building would two stories with a mansard roof, which would have greatly reduce the number of dwelling units.

9. The project is consistent with the purposes of the district and conforms in all significant respects with the General Plan, as conditioned, in that it consists of high density multifamily development that utilizes good urban design principles including reduced parking requirements, parking concealed under the new building, and a mix of unit types.
10. The Project is a transit oriented development, thereby reducing Vehicle Miles Traveled with good urban design, successful historic preservation and preservation of an existing historic stone lined channel. All of these goals are public benefits to the City of El Cerrito.

SECTION 3. ZONING MAP AMENDMENT

Pursuant to Chapter 19.14 of the City of El Cerrito Municipal Code the City of El Cerrito Zoning Map is amended to rezone the property described below to a Planned Development Zoning District:

0.42 acres at 1715 Elm Street ("Project site").

A map of the rezoning area is shown in Exhibit A. The allowable use of the Property is described in the Planned Development Use Permit for the Project.

11. Compliance with adopted Mitigation Measures. The Applicant/Developer shall comply with all adopted mitigation measures of the Initial Study and Mitigate Negative Declaration prepared for 1715 Elm Street.

12. Confirmation of ownership. The Applicant/Developer shall provide the City with a recorded copy of the deed vesting title to the Property in its name.

SECTION 4. NOTICING, POSTING AND PUBLICATION

This ordinance is adopted pursuant to the procedures established by state law, and all required notices have been given, and the public hearing has been properly held and conducted.

SECTION 5. EFFECTIVE DATE

This ordinance shall not take effect until the Development Agreement for the Project takes effect and is recorded on the Property.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on August 19, 2014 and passed by the following vote:

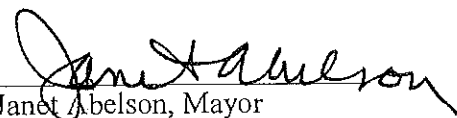
AYES: Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES: Councilmember Lyman
ABSTAIN: None

ABSENT: None

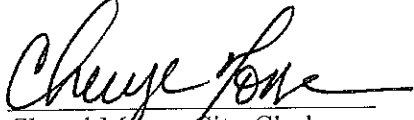
ADOPTED AND ORDERED published at a regular meeting of the City Council held on October 7, 2014 and passed by the following vote:

AYES: Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES: Councilmember Lyman
ABSENT: None

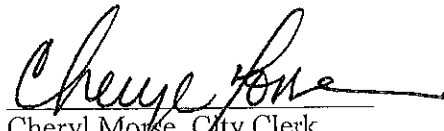
APPROVED:


Janet Abelson, Mayor

ATTEST:


Cheryl Morse, City Clerk

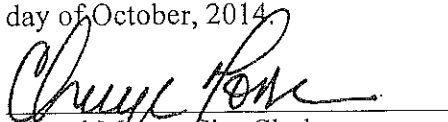
IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on October 8, 2014.


Cheryl Morse, City Clerk

ORDINANCE CERTIFICATION

I, Cheryl More, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2014-03 of the City of El Cerrito, that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 7th day of October 2014; and that said ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, this 8th day of October, 2014.


Cheryl Morse, City Clerk

ELM STREET



PROJECT NORTH

ORDINANCE NO. 2014-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CERRITO APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF EL CERRITO AND THE EDWARD AND LORETTA BIGGS REVOCABLE TRUST FOR 1715 ELM STREET – APPLICATION 6133

THE CITY COUNCIL OF THE CITY OF EL CERRITO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS

A. The Applicant, the Edward and Loretta Biggs Revocable Trust, proposes a development project that includes the conversion and renovation of an existing historical single- family detached house on the Property into a community center type uses, the construction of 14 new one- and two-bedroom dwelling units, and the preservation of an existing historic stone lined channel on a 0.42 acre site. The project proposes a Planned Development Use Permit; Design Review; a subdivision map and condominium plan; and this Development Agreement. The proposed development and applications are collectively known as the “Project”; related approvals of the applications are collectively known as the “Project Approvals”.

B. The Project site is located at 1715 Elm Street in El Cerrito, California (the “Property”).

C. The Applicant and City desire to enter into a Development Agreement subject to certain terms, attached to this ordinance, and the vesting of the Project Approvals for ten years.

D. The California Environmental Quality Act (CEQA), together with the state guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

E. An Initial Study and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) have been prepared for this Project. All potential impacts identified are reduced to a less than significant level pursuant to the California Environmental Quality Act with the implementation of mitigation measures.

F. On April 16, 2014, the Planning Commission held a properly noticed public hearing on the Project, and adopted Resolution 14-07 recommending that the City Council adopt the Planned Development Use Permit, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

G. On May 21, 2014, the Planning Commission held a properly noticed public hearing on the Project, including the proposed General Plan Amendment, Planned Development District and Development Agreement, and adopted Resolution 14-10 recommending that the City Council not adopt the General Plan Amendment, Planned Development District and Development Agreement, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

H. On June 2, 2014, the City Council held a duly noticed public hearing to consider the Project Approval, including the Development Agreement. The City Council closed the hearing and continued consideration of the Project Approvals to June 23. At the June 23 meeting, the City Council requested additional information and continued deliberations. On August 19, the City Council reopened the hearing and received the additional information, and all interested parties had the opportunity to be heard.

I. A staff report dated August 19, 2014 and incorporated herein by reference, described and analyzed the Project, including the Development Agreement, for the City Council.

J. The City Council used their independent judgment and considered the staff report, the Initial Study and Mitigated Negative Declaration, and all reports, recommendations and testimony referenced above and adopted Resolution No. 2014-44 adopting the Initial Study and Mitigated Negative Declaration prior to approving the Development Agreement.

K. The City Council has considered the recommendation of the Planning Commission on the Development Agreement, including the Planning Commission's reasons for its recommendation, the staff report, all comments received in writing, and all testimony received at the public hearing.

SECTION 2. FINDINGS AND DETERMINATIONS

On the basis of: (a) the foregoing Recitals which are incorporated herein, (b) the City of El Cerrito General Plan; (c) Initial Study and Mitigated Negative Declaration, (d) the staff report; (e) information in the entire record of proceedings for the Project, and on the basis of the specific conclusions set forth below, the City Council finds and determines that:

1. The Development Agreement is consistent with the objectives, policies, general land uses and programs specified and contained in the City's General Plan in that: (a) the General Plan land use designations, policies, programs and objectives are incorporated into the Development Agreement and not altered by the Development Agreement; and (b) the Project is consistent with the fiscal policies of the General Plan with respect to the provision of infrastructure and public services.

2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the real property is located.

3. The Development Agreement is in conformity with public convenience, general welfare, and good land use policies in that the Project will implement land use guidelines set forth in the General Plan.

4. The Development Agreement will not be detrimental to the health, safety, and general welfare in that the Developer's proposed Project will proceed in accordance with all the programs and policies of the General Plan and Project Approvals.

5. The Development Agreement will not adversely affect the orderly

development of property or the preservation of property values in that the Project will be consistent with the General Plan and Project Approvals.

6. The Development Agreement complies with the requirements of §§ 65864 et seq. of the California Government Code and El Cerrito Municipal Code Chapter 19.14 and specifies the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation of open space. The Development Agreement contains an indemnity and insurance clause requiring the developer to indemnify and hold the City harmless against claims arising out of the development process, including all legal fees and costs.

SECTION 3. APPROVAL

The City Council hereby approves the Development Agreement (Exhibit A to the Ordinance) and authorizes the City Manager to execute it.

SECTION 4. NOTICING, POSTING, PUBLICATION AND RECORDATION

This ordinance is adopted pursuant to the procedures established by state law, and all required notices have been given, and the public hearing has been properly held and conducted. Within ten days after the Development Agreement is fully executed by all parties, the Development Services Manager shall submit the Agreement to the County Recorder for recordation.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect thirty days after the date of its adoption, and prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

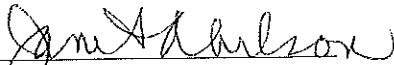
THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on August 19, 2014 and passed by the following vote:

AYES:	Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES:	Councilmember Lyman
ABSTAIN:	None
ABSENT:	None

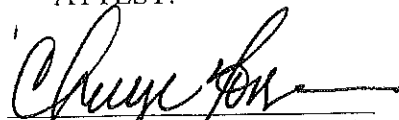
ADOPTED AND ORDERED published at a regular meeting of the City Council held on the October 7, 2014 and passed by the following vote:

AYES	Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES:	Councilmember Lyman
ABSTAIN:	None
ABSENT:	None

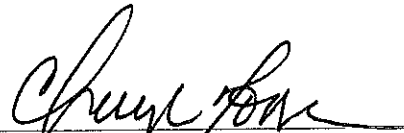
APPROVED:


Janet Abelson, Mayor

ATTEST:


Cheryl Morse, City Clerk

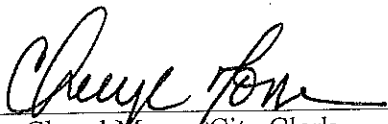
IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on October 22, 2014.


Cheryl Morse, City Clerk

ORDINANCE CERTIFICATION

I, Cheryl More, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2014-04 of the City of El Cerrito, that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 7th day of October 2014; and that said ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, this 22nd day of October, 2014.


Cheryl Morse, City Clerk

RECORDING REQUESTED BY:

CITY OF EL CERRITO

When Recorded Mail To:

City Clerk
City of El Cerrito
10890 San Pablo Ave.
El Cerrito, CA 94530

*Exempt from Recorder's Fees
Pursuant to Government Code §§ 27383, 6103*

Space above this line for Recorder's use

DEVELOPMENT AGREEMENT

BETWEEN THE

CITY OF EL CERRITO

AND

THE EDWARD AND LORETTA BIGGS REVOCABLE TRUST
DATED MARCH 22, 2011

FOR 1715 ELM STREET

THIS DEVELOPMENT AGREEMENT ("**Agreement**" or "**Development Agreement**") is made and entered into in the City of El Cerrito on _____, 2014, by and between the City of El Cerrito, a municipal corporation ("**City**") and The Edward and Loretta Biggs Revocable Trust dated March 22, 2011 ("**Developer**") pursuant to the authority of §§ 65864 *et seq.* of the California Government Code and El Cerrito Municipal Code, Chapters 19.14 and 19.41. City and Developer are, from time-to-time, individually referred to in this Agreement as a "party," and collectively as "parties."

RECITALS

A. California Government Code §§ 65864 *et seq.* ("**Development Agreement Law**") and Chapter 19.41 of the El Cerrito Municipal Code ("**Chapter 19.41**") authorize the City to enter into a development agreement for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property. Chapter 19.14 of the El Cerrito Municipal Code ("**Chapter 19.14**") requires a development agreement for all projects for which Planned Development District zoning is approved.

B. Developer owns the real property located at 1715 El Street in the City (APN 502-112-038) and that is more particularly described in Exhibit A attached hereto and is incorporated herein by reference (the "**Property**").

C. The proposed development of the Property includes the relocation and conversion of an existing historical single-family detached house on the Property into a museum, art studio, office, or other community center type use, the construction of 14 new one- and two-bedroom dwelling units, and the preservation of an existing open space channel on the 0.42 acre site (the "**Project**").

D. Developer has applied for and City has approved or is processing, various land use approvals in connection with the Project, including, without limitation, a General Plan Amendment; Planned Development District zoning; a Planned Development Use Permit; Design Review; a subdivision map and condominium plan; and this Development Agreement. All such approvals, collectively, together with any approvals or permits now or hereafter issued with respect to the Project, are referred to as the "**Project Approvals**." None of the Project Approvals take effect until the Development Agreement takes effect.

E. City desires the timely, efficient, orderly and proper development of the Project.

F. The City Council has found that, among other things, this Development Agreement is consistent with its General Plan, as amended, and has been reviewed and evaluated in accordance with the Development Agreement Law and Chapters 19.14 and 19.41.

G. City and Developer have reached agreement and desire to express herein a Development Agreement that will facilitate development of the Project, subject to conditions set forth herein.

H. The El Cerrito Planning Commission approved a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project on April 16, 2014 by the adoption of Planning Commission Resolution No. PC14-XX. The Mitigated Negative Declaration analyzed the environmental impacts of this Agreement. No significant unavoidable impacts were identified in the Mitigated Negative Declaration.

I. On _____, 2014, the City Council adopted Ordinance No. _____ approving this Development Agreement (the "**Approving Ordinance**"). The Approving Ordinance states that it will take effect on _____ (the "**Ordinance Effective Date**").

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Developer agree as follows:

AGREEMENT

1. Description of Property.

The Property that is the subject of this Agreement is described in Exhibit A attached hereto.

2. Interest of Developer.

The Developer owns the Property.

3. Relationship of City and Developer.

It is understood that this Agreement is a contract that has been negotiated and voluntarily entered into by the City and Developer and that the Developer is not an agent of the City. The City and Developer hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection herewith shall be construed as making the City and Developer joint venturers or partners.

4. Effective Date, Term, and Termination.

4.1. Effective Date. The effective date of this Agreement shall be the Ordinance Effective Date ("**Effective Date**").

4.2. Term. The term of this Agreement shall commence on the Effective Date and extend five (5) years thereafter, unless said term is otherwise

terminated or modified pursuant to the provisions of this Agreement. As authorized by California Government Code Sections 65863.9 and 66452.6(a)(1), the terms of the Project Approvals shall be the longer of: (a) the term of this Agreement; or (b) the term normally given each approval under controlling law.

4.3. Termination.

4.3.1. Termination on Sale of Individual Lots. Notwithstanding the foregoing Section 4.2, the provisions of this Agreement shall terminate with respect to any individual lot and such lot shall be released from and shall no longer be subject to this Agreement (without the execution or recordation of any further document or the taking of any further action) upon the lot being finally subdivided and sold or leased to a member of the public or any other ultimate user. City shall cooperate with Developer, at no cost to City, in executing in recordable form any document that Developer (including any successor to the title of the Developer in and to any of the aforescribed lots) may submit to confirm the termination of this Agreement as to any such lot. For purposes of this Section 4.3.1, each reference to a "lot" shall be deemed to include an individual dwelling unit that is a standalone structure or constructed within a multi-unit building, whether leased as an apartment or single-family home or sold as a condominium or similar interest in the Property.

4.3.2. Termination Upon Completion of Project. Notwithstanding the foregoing Sections 4.2 and 4.3.1, upon completing construction of the Project and satisfying all terms and conditions of this Agreement and the Project Approvals, Developer may send City written notice terminating this Agreement. City shall cooperate with Developer, at no cost to City, in executing in recordable form any document that Developer (including any successor to the title of Developer in and to any portion of the Property) may submit to confirm the termination of this Agreement.

5. Use of the Property.

5.1. Right to Develop. Developer shall have the vested right to develop the Project on the Property in accordance with the terms and conditions of this Agreement, the Project Approvals (as and when issued), and any amendments to any of them as shall, from time to time, be approved pursuant to this Agreement. (Such amendments, once effective, shall become part of the law Developer is vested into without an additional amendment of this Agreement.) Notwithstanding the foregoing or anything to the contrary herein, any amendment to the General Plan not in effect on the Effective Date shall not become part of the law Developer is vested into under this Agreement unless an additional amendment of this Agreement is entered into between Developer and City in accordance with state and City laws.

5.2. Permitted Uses. The permitted uses of the Property, the density and intensity of use, the maximum height, bulk, and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, the location and maintenance of on-site and off-site improvements, the location of public utilities, and other terms and conditions of development applicable to the Property, shall be those set forth in this Agreement, the Project Approvals and any amendments to this Agreement or the Project Approvals, subject to the provisions of Section 5.1.

5.3. Rules Regarding Permitted Uses. For the term of this Agreement, the City's ordinances, resolutions, rules, regulations and official policies governing the permitted uses of the Property and governing density and intensity of use of the Property and the maximum height, bulk and size of proposed buildings shall be those in force and effect on the Effective Date of this Agreement.

5.4. Rules Regarding Design and Construction. Unless otherwise expressly provided in Section 5 of this Agreement, the ordinances, resolutions, rules, regulations and official policies governing design, improvement and construction standards and specifications applicable to the Project shall be those in force and effect at the time of the applicable discretionary approval, whether the date of that approval is prior to or after the date of this Agreement. Ordinances, resolutions, rules, regulations and official policies governing design, improvement and construction standards, and specifications applicable to public improvements to be constructed by Developer shall be those in force and effect at the time of the applicable discretionary approval, whether the date of that approval is prior to or after the date of this Agreement.

5.5. Building and Other Codes Applicable. The Project shall be constructed in accordance with the provisions of the Building, Mechanical, Plumbing, Electrical, and Fire Codes and Title 24 of the California Code of Regulations, relating to Building Standards, in effect at the time of approval of the appropriate building, grading, encroachment or other construction permits for the Project.

5.6. Treatment of Existing House. The existing house that Developer plans to move and renovate within the Property as part of the Project (the "House"), shall be subject to the following terms and conditions.

5.6.1. Relocation and Restoration of House. Developer shall relocate the House to the location shown in the Project Approvals, which shall be part of the common area owned by the Homeowners Association for the Project ("HOA"). The House shall be placed on a new foundation. Plumbing and electrical systems shall be updated in compliance with applicable codes. A bathroom and exterior lift will be installed compliant with the Americans with Disabilities Act ("ADA"). Recognizing its historic

status, the exterior of the House shall be restored to applicable Department of Interior standards for restoration of historic structures; the ADA-compliant lift is allowed under the California Historic Building Code, which also applies to restoration of the House. Construction details and floor plan revisions shall be subject to the reasonable satisfaction of City's Development Services Manager.

5.6.2. Lease to City. Developer agrees to lease the House to City after the structure has been moved and renovated, and City agrees to accept and enter into a lease for the House, subject to the terms and conditions in Section 5.6. The lease shall be for a term of ninety-nine (99) years, at a total rent of One Dollar (\$1.00) payable in advance. Following expiration or earlier termination of the lease, the HOA shall be free to sell, lease or use the House as it sees fit, including residential use, subject to applicable regulations, including but not limited to obtaining an amendment to the City's General Plan to allow for the resulting density.

5.6.3. Use of House. The lease shall specify that City may only use the House for (a) a museum, (b) an art studio, or (c) offices or similar community center type use, as are conditionally permitted in the underlying RM Zoning District. "Community center type use" shall be consistent with the foregoing specific uses and shall comply with applicable provisions of the El Cerrito Municipal Code, including limits on outdoor noise levels for residential areas (Section 19.21.050.B.2.a). No use of the House by City or a subtenant shall draw crowds or produce noise disruptive to the residents of the residential component of the Project, except for approved special events. Any special events would require an Administrative Use Permit. The House may be used by the City or a subtenant only Monday through Saturday between 8:00 a.m. and 6:00 p.m., unless the HOA agrees to different hours for special events. The House may only be opened to the general public during the same hours as the Publicly Available Open Space, set forth in Section 5.8 below. City acknowledges that the allowed uses of the House are intended to be compatible with the neighborhood and avoid traffic, parking and noise concerns. For the avoidance of doubt, the parties agree that while the lease is in effect the House may not be used as a residence.

5.6.4. Maintenance of House. While the lease is in effect, City shall be solely responsible for maintenance of the House (but not surrounding grounds which shall be the responsibility of the HOA), and neither Developer nor the HOA shall have any obligation or liability for maintenance of the House.

5.6.5. Parking. Developer shall reserve one (1) parking space in the Project for the exclusive use of the House.

5.6.6. Sublease of House. City may sublease the House to a non-profit organization ("NPO"), which subtenant shall be subject to the terms and restrictions described in this Section 5.6 which City covenants to include in any such sublease and enforce on any such subtenant. The HOA shall be informed of each change in tenancy in order to monitor use of the reserved parking space and the party responsible for maintenance of the House.

5.7. HOA Maintenance Responsibilities. In addition to its other responsibilities, the HOA shall be responsible for maintaining (a) the open space channel traversing the Project and the abutting landscaping, walkway and related improvements, (b) the oval open space area south of the channel and in front of the House (the "**Publicly Accessible Open Space**"), and (c) the grounds surrounding the House; provided, City or its subtenant shall be responsible for cleaning up after their use of the grounds surrounding the House related to their use of the House, and for repairing any damage to the grounds caused by such use. The HOA responsibilities shall be specified in Covenants, Conditions and Restrictions ("CC&Rs") for the Project, and City responsibilities shall be specified in the lease and any sublease for the House.

5.8. Public Use of Open Space. The Publicly Accessible Open Space, including the pathway within and partially abutting the south side of the open space channel from Elm Street to the front of the House as shown in the Project Approvals, shall be open to the public Monday through Saturday between 10:00 a.m. and 5:00 p.m., except as needed for maintenance purposes. The fence across the Elm Street frontage of the Project shall include an opening to provide access to the Publicly Accessible Open Space and the House, with a gate which the HOA may lock to enforce the hours of public use described in Section 5.6 and this Section. City's lease of the House and the grant of public access to the Publicly Accessible Open Space shall not entitle City or any subtenant to use the Publicly Accessible Open Space for an organized event or use the Publicly Accessible Open Space as part of its use of the House, without the consent of the HOA in its sole discretion, and City shall be responsible for cleaning and repairing the Publicly Accessible Open Space after any such use whether or not approved by the HOA. Notwithstanding the foregoing, neither City nor a subtenant shall require HOA approval for use of the Public Accessible Open Space as part of either's use of the House if the use is consistent with the intended passive recreational purposes of the Publicly Accessible Open Space.

5.9. State Historic Register. Developer shall support listing of the historic house on the state historic register.

6. Subsequently Enacted Rules and Regulations.

6.1. New Rules and Regulations. Consistent with Government Code section 65866, during the term of this Agreement, the City may apply new or

modified ordinances, resolutions, rules, regulations and official policies of the City, whether adopted by the City or through the referendum or initiative process ("New City Laws") to the Property, which were not in force and effect on the Effective Date of this Agreement and which are not in conflict with those applicable to the Property as set forth in this Agreement and are not in conflict with the Project Approvals. Without limiting the generality of the foregoing, or any other provision of this Agreement, a New City Law shall be deemed to conflict with this Agreement to the extent it limits or controls the timing of construction or occupancy of the Project.

6.2. Approval of Application. Nothing in this Agreement shall prevent the City from denying or conditionally approving any subsequent land use permit or authorization for the Project on the basis of such New City Laws except that such subsequent actions shall be subject to any conditions, terms, restrictions, and requirements expressly set forth herein.

7. Subsequently Enacted or Revised Fees, Assessments and Taxes.

Notwithstanding anything to the contrary contained herein, the Project shall be subject to subsequently enacted or revised fees, assessments and taxes adopted by the City after the Effective Date of this Agreement. Nothing in this Agreement creates a vested right for the Project in the amount or type of fees, assessments and taxes in effect on the Effective Date of this Agreement.

8. Amendment or Cancellation.

8.1. Modification Because of Conflict with State or Federal Laws. The Project and Property shall be subject to state and federal laws and regulations and this Agreement does not create any vested right in state and federal laws and regulations in effect on the Effective Date. In the event that state or federal laws or regulations enacted after the Effective Date of this Agreement prevent or preclude compliance with one or more provisions of this Agreement or require changes in plans, maps, or permits approved by the City, the parties shall meet and confer in good faith in a reasonable attempt to modify this Agreement to comply with such federal or state law or regulation. Any such amendment or suspension of the Agreement shall be subject to approval by the City Council in accordance with Chapter 8.56 of the Municipal Code.

8.2. Amendment by Mutual Consent. This Agreement may be amended in writing from time to time by mutual consent of the parties hereto and in accordance with the procedures of state law and Chapter 19.41.

8.3. Insubstantial Amendments. Notwithstanding the provisions of the preceding Paragraph 8.2, any amendments to this Agreement that do not relate to (a) the term of the Agreement as provided in Paragraph 4.2; (b) the permitted uses of the Property as provided in Paragraph 5.2; (c) the density or intensity of

use of the Project; (d) the maximum height or size of proposed buildings; or (e) monetary contributions by Developer as provided in this Agreement, shall not, except to the extent otherwise required by law, require notice or public hearing before either the Planning Commission or the City Council before the parties may execute an amendment hereto.

8.4. Cancellation By Mutual Consent. Except as otherwise permitted herein, this Agreement may be canceled in whole or in part only by the mutual consent of the parties or their successors in interest, in accordance with the provisions of Chapter 19.41.

9. Annual Review.

9.1. Review Date. The annual review date for this Agreement shall be between June 1 and July 1, 2015 and thereafter between each June 1 and July 1 during the Term.

9.2. Initiation of Review. Developer shall initiate annual review of this Agreement by submitting an annual application. Developer shall submit with such application a report to the City's Community Development Director describing the Developer's good faith substantial compliance with the terms of this Agreement during the preceding year and include supporting evidence. Such report shall include a statement that the report is submitted to the City pursuant to the requirements of Government Code Section 65865.1 and of this Agreement. The report shall comply with Section 19.41.050 of Chapter 19.41. The burden of proof by substantial evidence of compliance is upon the Developer.

9.3. Finding of Compliance. Within thirty (30) days after Developer submits its report hereunder, the City's Community Development Director shall review Developer's submission to ascertain whether Developer has demonstrated good faith substantial compliance with the material terms of this Agreement. If the Community Development Director finds and determines, in consultation with the City Manager and the City's Public Works Director, that Developer has in good faith substantially complied with the material terms of this Agreement, or does not determine otherwise within 30 days after delivery of Developer's report, then the annual review shall be concluded. If the Community Development Director initially determines that such report is inadequate in any respect, then he or she shall provide written notice to that effect to Developer, and Developer may supply such additional information or evidence as may be necessary to demonstrate good faith substantial compliance with the material terms of this Agreement. Following consultation with the City Manager and the City's Public Works Director, if the Community Development Director concludes that Developer has not demonstrated good faith substantial compliance with the material terms of this Agreement, then he or she shall so notify Developer within 30 days after delivery of the additional information and prepare a report to the

City Council with respect to the conclusions of the Community Development Director and the contentions of Developer with respect thereto.

9.4. City Council Hearing Regarding Non-Compliance. After submission of the staff report of the City's Community Development Director, the City Council shall conduct a noticed public hearing to consider the determination that Developer has not demonstrated good faith substantial compliance with the material terms of this Agreement. At least ten (10) days prior to hearing, the Community Development Director shall provide to the City Council, Developer and to all interested persons requesting the same, copies of all staff reports and other information concerning Developer's good faith substantial compliance with the material terms of this Agreement and the conclusions and recommendations of the Community Development Director. At such hearing, Developer and any other interested person shall be entitled to submit evidence, orally or in writing, and address all the issues raised in the staff report on, or with respect or germane to, the issue of Developer's good faith substantial compliance with the material terms of this Agreement. If, after receipt of any written or oral response of Developer, and after considering all of the evidence at such public hearing, the City Council finds and determines, on the basis of substantial evidence, that Developer has not substantially complied in good faith with the material terms of this Agreement, then the City Council shall specify to Developer the respects in which Developer has failed to comply, and shall also specify a reasonable time for Developer to meet the terms of compliance, which time shall be not less than thirty (30) days after the date of the City Council's determination, and shall be reasonably related to the time necessary to adequately bring Developer's performance into good faith substantial compliance with the material terms of this Agreement.

If the areas of noncompliance specified by the City Council are not corrected within the time limits prescribed by the City Council hereunder, then the City Council may by subsequent noticed hearing extend the time for compliance for such period as the City Council may determine (with conditions, if the City Council deems appropriate), terminate, or modify this Agreement, or take such other actions as permitted under applicable law. Any notice to Developer of a determination of noncompliance by Developer hereunder, or of a failure by Developer to remedy the areas of noncompliance hereunder, shall specify in reasonable detail the grounds therefore and all facts demonstrating such noncompliance or failure, so that Developer may address the issues raised in the notice of noncompliance or failure on point-by-point basis in any hearing held by the City Council hereunder.

9.5. Meet and Confer Process. If either the City's Community Services Director or the City Council makes a determination that Developer has not demonstrated good faith substantial compliance with the material terms of this Agreement, then the City Manager and/or designated City Council representatives may initiate a meet and confer process with Developer pursuant

to which the Parties shall meet and confer to determine a resolution acceptable to both Parties of the bases upon which the Community Services Director or City Council has determined that Developer has not demonstrated good faith substantial compliance with the material terms of this Agreement. The results and recommendations of the meet and confer process shall be presented to the City Council for review and consideration at its next regularly scheduled public meeting, including consideration of such amendments to this Agreement as may be necessary or appropriate to effectuate the resolution through such meet and confer process, Developer shall be deemed to be in good faith substantial compliance with the material terms of this Agreement, only upon the City Council's acceptance of the results and recommendation of the meet and confer process.

9.6. Staff Reports. To the extent practical, the City shall deposit in the mail and fax or email to Developer a copy of all staff reports, and related exhibits concerning contract performance at least five (5) days prior to any annual review.

9.7. Costs. Costs reasonably incurred by the City in connection with the annual review shall be paid by Developer in accordance with the City's schedule of fees in effect at the time of review.

10. Default.

10.1. Other Remedies Available. Upon the occurrence of an event of default, the parties may pursue all other remedies at law or in equity that are not otherwise provided for in this Agreement or in the City's regulations governing development agreements, expressly including the remedy of specific performance of this Agreement.

10.2. Notice and Cure. Upon the occurrence of an event of default by either party, the nondefaulting party shall serve written notice of such default upon the defaulting party. If the default is not cured by the defaulting party within thirty (30) days after service of such notice of default, the nondefaulting party may then commence any legal or equitable action to enforce its rights under this Agreement; provided, however, that, if the default cannot be cured within such thirty (30) day period, the nondefaulting party shall refrain from any such legal or equitable action so long as the defaulting party begins to cure such default within such thirty (30) day period and diligently pursues such cure to completion. Failure to give notice shall not constitute a waiver of any default.

10.3. No Damages Against City. Notwithstanding anything to the contrary contained herein, in no event shall damages be awarded against the City upon an event of default or upon termination of this Agreement.

11. Estoppel Certificate.

Either party may, at any time, and from time to time, send written notice to the other party requesting such party to certify in writing that (a) this Agreement is in full force and effect and a binding obligation of the parties, (b) this Agreement has not been amended or modified either orally or in writing, or, if so amended, identifying the amendments; and (c) to the knowledge of the certifying party, the requesting party is not in default in the performance of its obligations under this Agreement, or, if in default, to describe therein the nature and amount of any such defaults. A party receiving a request hereunder shall execute and return such certificate within thirty (30) days following the receipt thereof, or such longer period as may reasonably be agreed to by the parties. City Manager of the City shall be authorized to execute any certificate requested by Developer. Should the party receiving the request not execute and return such certificate within the applicable period, this shall not be deemed to be a default, provided that such party shall be deemed to have certified that the statements in clauses (a) through (c) of this Section are true, and any party may rely on such deemed certification.

12. Mortgagee Protection; Certain Rights of Cure.

12.1. Mortgagee Protection. This Agreement shall be superior and senior to any lien placed upon the Property, or any portion thereof after the date of recording this Agreement, including the lien for any deed of trust or mortgage ("Mortgage"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value, but all the terms and conditions contained in this Agreement shall be binding upon and effective against any person or entity, including any deed of trust beneficiary or mortgagee ("Mortgagee") who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise.

12.2. Mortgagee Not Obligated. Notwithstanding the provisions of Section 12.1 above, no Mortgagee shall have any obligation or duty under this Agreement, before or after foreclosure or a deed in lieu of foreclosure, to construct or complete the construction of improvements, or to guarantee such construction of improvements, or to guarantee such construction or completion, or to pay, perform or provide any fee, dedication, improvements or other exaction or imposition; provided, however, that the Mortgagee shall not be entitled to devote the Property to any uses or to construct any improvements thereon other than those uses or improvements provided for or authorized by the Project Approvals or by this Agreement without new approvals by the City as may be required for such other uses or improvements.

12.3. Notice of Default to Mortgagee and Extension of Right to Cure. If the City receives notice from a Mortgagee requesting a copy of any notice of default given Developer hereunder and specifying the address for service thereof, then the City shall deliver to such Mortgagee, concurrently with service

thereon to Developer, any notice given to Developer with respect to any claim by the City that Developer has committed an event of default. Each Mortgagee shall have the right during the same period available to Developer to cure or remedy, or to commence to cure or remedy, the event of default claimed set forth in the City's notice. The City, through its City Manager, may extend the thirty-day cure period provided in Paragraph 10.2 for not more than an additional sixty (60) days upon request of Developer or a Mortgagee.

13. Severability.

The unenforceability, invalidity, or illegality of any provision, covenant, condition, or term of this Agreement shall not render the other provisions unenforceable, invalid, or illegal.

14. Attorneys' Fees and Costs.

If the City or Developer initiates any action at law or in equity to enforce or interpret the terms and conditions of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs in addition to any other relief to which it may otherwise be entitled. If any person or entity not a party to this Agreement initiates an action at law or in equity to challenge the validity of any provision of this Agreement or the Project Approvals, the parties shall cooperate in defending such action. Developer shall bear its own costs of defense as a real party in interest in any such action, and shall reimburse the City for all reasonable court costs and attorneys' fees expended by the City in defense of any such action or other proceeding.

15. Transfers and Assignments.

15.1. Right to Assign. Developer may wish to sell, transfer, or assign all or portions of its Property to another entity (each such other entity is referred to as a "Transferee"). In connection with any such sale, transfer, or assignment to a Transferee, Developer may sell, transfer, or assign to such Transferee any or all rights, interests, and obligations of Developer arising hereunder and that pertain to the portion of the Property being sold or transferred to such Transferee, provided, however, that no such transfer, sale, or assignment of Developer's rights, interests, and obligations hereunder shall occur without prior written notice to City and approval by the City Manager, which approval shall not be unreasonably withheld, conditioned or delayed.

15.2. Approval and Notice of Sale, Transfer or Assignment. The City Manager shall consider and decide on any transfer, sale, or assignment within ten (10) days after Developer's notice, provided all necessary documents, certifications, and other information are provided to the City Manager to enable the City Manager to determine whether the proposed Transferee can perform the Developer's obligations hereunder. Notice of any such approved sale, transfer,

or assignment (which includes a description of all rights, interests and obligations that have been transferred and those which have been retained by Developer) shall be recorded in the official records of Contra Costa County, in a form acceptable to the City Manager, concurrently with such sale, transfer, or assignment.

15.3. Release Upon Transfer. Upon the transfer, sale, or assignment of all of Developer's rights, interests, and obligations hereunder pursuant to Paragraph 15.1 of this Agreement, Developer shall be released from the obligations under this Agreement, with respect to the Property transferred, sold, or assigned, arising subsequent to the date of City Manager approval of such transfer, sale, or assignment; provided, however, that if any Transferee approved by the City Manager expressly assumes all of the rights, interests, and obligations of Developer under this Agreement, Developer shall be released with respect to all such rights, interests, and assumed obligations. In any event, the transferee, purchaser, or assignee shall be subject to all the provisions hereof and shall provide all necessary documents, certifications, and other necessary information prior to City Manager approval.

15.4. Developer's Right to Retain Specified Rights or Obligations. Notwithstanding Paragraphs 15.1 and 15.2 and Paragraph 16, Developer may withhold from a sale, transfer, or assignment of this Agreement certain rights, interests, and/or obligations, which Developer shall retain, provided that Developer specifies such rights, interests, and/or obligations in a written document to be appended to this Agreement and recorded with the Contra Costa County Recorder prior to the sale, transfer, or assignment of the Property. Developer's Transferee shall then have no interest or obligations for such rights, interests and obligations, and this Agreement shall remain applicable to Developer with respect to such retained rights, interests, and/or obligations.

16. Agreements Run With the Land.

All of the provisions, rights, terms, covenants, and obligations contained in this Agreement shall be binding upon the parties and their respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring the Property, or any portion thereof, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions of this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to applicable laws, including, but not limited to, Section 1468 of the Civil Code of the State of California. Each covenant to do, or refrain from doing, some act on the Property hereunder, or with respect to any owned property (a) is for the benefit of such properties and is a burden upon such properties, (b) runs with such properties, and (c) is binding upon each party and each successive owner during its ownership of such properties or any portion thereof, and shall be a benefit to and a burden upon

each party and its property hereunder and each other person succeeding to an interest in such properties.

17. Bankruptcy.

The obligations of this Agreement shall not be dischargeable in bankruptcy.

18. Indemnification.

Developer agrees to indemnify, defend and hold harmless the City, and its elected and appointed councils, boards, commissions, officers, agents, employees, and representatives from any and all claims, costs (including legal fees and costs) and liability for any personal injury or property damage which may arise directly or indirectly as a result of any actions or inactions by the Developer, or any actions or inactions of Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, operation, or maintenance of the Project, provided that Developer shall have no indemnification obligation with respect to negligence or wrongful conduct of the City, its contractors, subcontractors, agents or employees or with respect to the maintenance, use or condition of any improvement after the time it has been dedicated to and accepted by the City or another public entity (except as provided in an improvement agreement or maintenance bond). If City is named as a party to any legal action, City shall cooperate with Developer, shall appear in such action and shall not unreasonably withhold approval of a settlement otherwise acceptable to Developer.

19. Insurance.

19.1. Public Liability and Property Damage Insurance. During the term of this Agreement, whenever Developer is conducting work on the Property pursuant to the Project Approvals, Developer shall maintain in effect a policy of comprehensive general liability insurance with a per-occurrence combined single limit of not less than One Million Dollars (\$1,000,000.00) with a One Hundred Thousand Dollar (\$100,000) self-insurance retention per claim. The policy so maintained by Developer shall name the City as an additional insured and shall include either a severability of interest clause or cross-liability endorsement.

19.2. Workers Compensation Insurance. During the term of this Agreement, whenever Developer is conducting work on the Property pursuant to the Project Approvals, Developer shall maintain Worker's Compensation insurance for all persons employed by Developer for work at the Project site. Developer shall require each contractor and subcontractor similarly to provide Worker's Compensation insurance for its respective employees. Developer

agrees to indemnify the City for any damage resulting from Developer's failure to maintain any such insurance.

19.3. Evidence of Insurance. Prior to issuance of any permits for the Project, including grading permits, Developer shall furnish the City satisfactory evidence of the insurance required in Sections 19.1 and 19.2 and evidence that the carrier is required to give the City at least fifteen (15) days prior written notice of the cancellation or reduction in coverage of a policy. The insurance shall extend to the City, its elective and appointive boards, commissions, officers, agents, employees, and representatives and to Developer performing work on the Project.

20. Notices.

All notices required or provided for under this Agreement shall be in writing. Notices required to be given to the City shall be addressed as follows:

City Manager
City of El Cerrito
10890 San Pablo Ave.
El Cerrito, CA 94530
Fax: (510) 864-7025
Email: sch@ci.el-cerrito.ca.us

Notices required to be given to Developer shall be addressed as follows:

The Edward and Loretta Biggs Revocable Trust dated March 22, 2011
4271 Valley Lane
Fairfield, CA 94534
Fax: (707) 864-8150

A party may change its address by giving notice in writing to the other party. Thereafter, all notices shall be addressed and transmitted to the new address. Notices shall be deemed given and received upon personal delivery, or, if mailed, upon the expiration of 48 hours after being deposited in the United States Mail. Notices may also be given by overnight courier which shall be deemed given the following day, or by facsimile, which shall be deemed given upon verification of receipt if received before 5:00 p.m. on a regular business day or else on the next business day. The City will accept notice by email transmission, which shall be deemed given upon verification of receipt if received before 5:00 p.m. on a regular business day or else on the next business day. Developer may accept notice by email by providing notice and an email address to the City consistent with this section.

21. Agreement is Entire Understanding.

This Agreement constitutes the entire understanding and agreement of the parties concerning the subject matter of this Agreement.

22. Exhibits.

The following documents are referred to in this Agreement and are attached hereto and incorporated herein as though set forth in full:

Exhibit A Legal Description of Property

23. Counterparts.

This Agreement is executed in three (3) duplicate originals, each of which is deemed to be an original.

24. Recordation.

The City shall record a copy of this Agreement within ten (10) days following the Effective Date.

[Execution Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first above written.

CITY OF EL CERRITO

DEVELOPER

The Edward and Loretta Biggs Revocable
Trust dated March 22, 2011

Scott Hanin, City Manager

By: _____

Its: Trustee

Attest:

Cheryl Morse, City Clerk

Approved as to Form:

Sky Woodruff, City Attorney

(NOTARIZATION ATTACHED)

Exhibit A

Legal Description of the Property

The land referred to is situated in the State of California, County of Contra Costa, City of El Cerrito, and is described as follows:

Lots 12, 13 and 14, in Block "B" as designated on the map entitled "Map of Schmidt Village, Contra Costa County, California", filed June 27, 1896, in Book C of Maps, Page 70, Contra Costa County Records.

EXCEPTING THEREFROM: The Northeast 7.00 feet thereof, as described in the Deed to City of El Cerrito, recorded February 9, 1965, in Book 4801 Official Records of Contra Costa County, Page 144.

(Being APN 502-112-038)

RESOLUTION NO. 2014-44

A RESOLUTION OF THE CITY OF EL CERRITO CITY COUNCIL ADOPTING AN INITIAL STUDY WITH A MITIGATED NEGATIVE DECLARATION AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION OF 14 NEW DWELLING UNITS AND THE CONVERSION OF AN EXISTING DWELLING UNIT INTO A COMMUNITY CENTER AT 1715 ELM STREET, APPLICATION NO. 6133

WHEREAS, the Edward and Loretta Biggs Revocable Trust proposes a development project that includes the conversion and renovation of an existing historical single-family detached house into a museum, art studio or offices or other community center type uses, the construction of 14 new one- and two-bedroom dwelling units, and the preservation of an existing historic stone lined channel. The project proposes rezoning the property to PD (Planned Development); a Planned Development Use Permit; Design Review; a subdivision map and condominium plan; and a Development Agreement (the "Project"); and

WHEREAS, the subject site is located at 1715 Elm Street; and

WHEREAS, the zoning district of the site is RM (Multifamily Residential); and

WHEREAS, the general plan land use designation of the site is High Density; and

WHEREAS, on January 13, 2014 the City circulated an Initial Study/Mitigated Negative Declaration for the Project pursuant to the CEQA Guidelines; and

WHEREAS, at its March 19, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and directed staff to bring the project back for formal action; and

WHEREAS, at their April 16, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC14-06, adopting an Initial Study and Mitigated Negative Declaration; and

WHEREAS, at their April 16, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC14-07, approving a Planned Development Use Permit; and

WHEREAS, on June 2, 2014, the City Council held a duly noticed public hearing to consider the Project, including the negative declaration and mitigation monitoring and reporting program. The City Council closed the hearing and continued consideration of the Project to June 23. At the June 23 meeting, the City Council requested additional information and continued deliberations. On August 19, the City Council reopened the hearing and received the additional information. The City Council held a properly noticed public hearing on the Project, and all interested parties had the opportunity to be heard. After due consideration of all evidence and reports offered for review, the City Council does find and determine the following:

The City Council has considered the proposed negative declaration together with any comments received during the public review process, and finds, on the basis of the whole record before it, that:

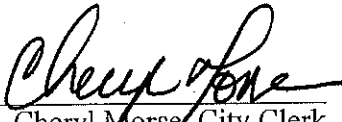
- (1) There is no substantial evidence the project will have a significant effect on the environment, and
- (2) The negative declaration reflects the lead agency's independent judgment and analysis.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of El Cerrito 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 City Council hereby adopts the Initial Study/Mitigated Negative Declaration and adopts the Mitigation Monitoring and Reporting Program for the construction of 14 new dwelling units and the conversion of one existing dwelling unit into a community center located at 1715 Elm Street.

I CERTIFY that at a special meeting on August 19, 2014 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES: Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES: Councilmember Lyman
ABSTAIN: None
ABSENT: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 11, 2014.


Cheryl Morse, City Clerk

APPROVED:

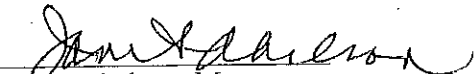

Janet Abelson, Mayor

Exhibit A: Initial Study and Mitigated Negative Declaration

RESOLUTION 2014-45

A RESOLUTION OF THE EL CERRITO CITY COUNCIL DENYING AN APPEAL AND
UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF A PLANNED
DEVELOPMENT USE PERMIT AT 1715 ELM STREET

WHEREAS, the Edward and Loretta Biggs Revocable Trust proposes a development project that includes the conversion and renovation of an existing historical single-family detached house into a community center type use, the construction of 14 new one- and two-bedroom dwelling units, and the preservation of an existing historic stone lined channel on 0.42 acre site. The project proposes rezoning the property to PD (Planned Development); a Planned Development Use Permit; Design Review; a subdivision map and condominium plan; and a Development Agreement (the "Project"); and

WHEREAS, the subject site is located at 1715 Elm Street; and

WHEREAS, the zoning district of the site is RM (Multifamily Residential); and

WHEREAS, the general plan land use designation of the site is High Density; and

WHEREAS, on January 13, 2014 the City circulated an Initial Study/Mitigated Negative Declarations pursuant to the CEQA Guidelines; and

WHEREAS, at their March 19, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and directed staff to bring the project back for formal action; and

WHEREAS, at their April 16, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC14-06, adopting an Initial Study and Mitigated Negative Declaration for the Project; and

WHEREAS, at their April 16, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC14-07, approving a Planned Development Use Permit for the Project; and

WHEREAS on April 28, 2014, Howdy Goudey, Robin Mitchell, Jason Hasley, Keystone Montessori School, Linda Shehabi, Dan & Henia Pines and Julia Lucia filed an appeal of the Planning Commission's Planned Development Use Permit approval for the Project; and

WHEREAS, on June 2, 2014, the City Council held a duly noticed public hearing to consider the appeal. The City Council closed the public hearing and continued consideration of the appeal to June 23. At the June 23 meeting, the City Council requested additional information and continued deliberations. On August 19, the City Council reopened the hearing, received the additional information; and

WHEREAS, based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony and the proceedings before the City Council and the Planning Commission, the Council has considered the appeal.

NOW THEREFORE, BE IT RESOLVED:

The City Council of the City of El Cerrito finds that:

1. The proposed project will be a transit oriented development (TOD) with good urban design. It will add 14 new dwelling units to the neighborhood while preserving a historic structure and retaining the existing historic stone lined channel. It will not unduly shade surrounding dwellings or create unacceptable traffic or parking impacts; and as conditioned it will not adversely affect the livability of the abutting properties or neighborhood.
2. The location and design of the project will provide a functional living environment that has good urban design. With the required vehicle parking tucked under the building, existing historic stone lined channel and landscaped area and clear sightlines to the restored historic building, it will be an attractive amenity for the City.
3. The project is consistent with the purposes of the district and conforms in all significant respects with the General Plan as conditioned; in that it consists of high density multifamily development that utilizes good urban design principles including reduced parking requirements, parking concealed under the new building, and a mix of unit types. It also preserves an important historic resource and protects an existing historic stone lined channel by including it within its landscaped area. The project will implement the following General Plan policies: LU1.3: Quality of Development, LU1.5: Suitable Housing, LU1.6: Various Housing Types, LU1.7: Maximum Density, LU5.5: Pedestrians, Bicycles, and Access, LU6.4: Water Conservation, CD1.2: Design Concept, CD1.3: High-Quality Design, CD1.5: Landmarks Preservation, CD 1.9: Building Design, CD3.3: Site Landscaping, CD4.2: Building Articulation, CD5.1: Design Review Process and R2.2: Historic Preservation.
4. The proposed project will be a transit oriented development (TOD) located within 800 feet of a BART station (1,400 feet by foot). It will add 14 new dwelling units while preserving a historic dwelling and retain an existing historic stone lined channel.
5. The new construction includes both one bedroom and two bedroom housing unit styles. All units' prices will be set by the market. It is expected that the prices will reflect the different unit sizes.
6. While this is an important consideration, there was no feasible way to include a mandate to offer these units at an affordable price to persons and families of low and moderate income or lower income homes as defined by the State of California.
7. The existing infrastructure is sufficient to serve the proposed development as proposed.
8. While requiring relief from some development standards of the RM zone, it exceeds the zone requirements for both common area and private open space and allows for ten percent less lot coverage than could have been allowed in this district.
9. The use of the development area is primarily residential with community center type uses allowed in the historical structure. Other uses may be permitted consistent with the regulations for the RM zone.

10. The design of the new construction has been designed to allow acceptable levels of light and air into the interior spaces of the building. As conditioned, it shall meet or exceed all requirements of the California Building Code. In addition, the distance between the re-located historic structure and the adjacent pre-school is approximately 13 feet.
11. This project will contribute to the enhancement of the neighborhood character and the environment of El Cerrito in the long term in that it represents a balance of many of El Cerrito's core values. It incorporates transit oriented development and good urban design with successful historic preservation and stewardship of an existing historic stone lined channel.
12. The project is proposing to provide 14 new one and two bedroom dwelling units on a 0.42 acre site that is designated in the General Plan for high density. It also proposes to restore and relocate the existing historic structure on site preserving an important historic resource. Finally, the project is proposing to keep the historic stone lined channel in place, thereby protecting the 115 foot long water course which is a tributary of the Baxter Creek and utilizing it as an amenity to the overall site.

BE IT FURTHER RESOLVED that after careful consideration of facts, correspondence, and testimony, and other evidence submitted in this matter, the El Cerrito City Council hereby denies the subject appeal and upholds the Planning Commission's approval of Planned Development Use Permit at 1715 Elm Street. Application No. 6133, subject to the following conditions:

Building and Planning Division:

1. The project will be constructed substantially in conformance with the plans dated January 20, 2014, as amended in the revised site/landscape plan of April 15, 2014. 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. Minor changes may be approved by the Zoning Administrator.
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 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. All new residential developments of five or more units are required to comply with the Art in Public Places ordinance pursuant to El Cerrito Municipal Code Section 13.50. This is a requirement of any project with development costs of two hundred fifty thousand dollars or more. The applicant shall devote an amount not less than one percent of such costs for acquisition and installation of public art on the development site, subject to a maximum of one hundred fifty thousand dollars. Compliance with the provisions of this chapter shall be

demonstrated by the applicant at the time of filing a building permit application in one of the following ways:

- a. Payment of the full amount of the public art in-lieu contribution; or
- b. Written proof to the community development department of a contractual agreement to commission or purchase and install the required public art on the subject development site and a written acknowledgement by the visual art professional and the owner or developer, in a form approved by the city, that the proposed public art complies with the following criteria:
 1. The public art shall be designed and constructed by any person experienced in the production of such art and recognized by critics and by his or her peers as one who produces works of art;
 2. The public art shall require a low level of maintenance and that the proposed maintenance provisions are adequate for the long-term integrity and enjoyment of the work;
 3. The public art shall be related in terms of scale, material, form and content to immediate and adjacent buildings and architecture, landscaping or other setting so as to complement the site and its surroundings and shall be consistent with any corresponding action of the planning commission, design review board or city council as it may relate to any development entitlements;
 4. Permanent public art shall be a fixed asset to the property;
 5. The public art shall be maintained by the property owner in a manner acceptable to the city;
 6. The public art meets all applicable building code requirements.

The applicant shall provide the city with proof of installation of the required public art project on the development site prior to the issuance of a certificate of occupancy. If installation prior to the date of occupancy is impracticable, as determined by the city manager or his or her designee, a certificate of occupancy may be approved for the building or portion thereof if the application submitted pursuant to this section has been approved, the applicant has executed a written agreement with the city to install the public art, and the applicant has filed security in an amount and form acceptable to the city attorney to guarantee installation of the public art.

5. The mitigation measures identified in the mitigation monitoring plan (MMRP) shall be considered conditions of approval of the project. They are included as Exhibit A to the resolution.
6. Prior to the issuance of a building permit, the Building Official shall confirm that the building permit plans, specifications and other related information conform to the California Codes in effect at the time, and all other applicable local ordinances. Compliance with the California Codes and local ordinances shall include, but not be limited to, seismic

and geotechnical requirements for Seismic Zone 4, and Title 24 energy conservation and disabled access requirements.

7. Prior to the issuance of a building permit, Applicant shall submit to the Building Official proof of compliance with all other permits necessary from the applicable regulatory agencies, including but not limited to the Stege Sanitary District, West Contra Costa Unified School District, Pacific Gas and Electric and East Bay Municipal Utility District.
8. A demolition permit for all proposed demolition shall be submitted to and approved by the City of El Cerrito prior to issuance of a building permit.
9. Prior to the issuance of a demolition or building permit, the Building Official shall confirm that a survey of lead-based paint (LBP) and asbestos-containing materials (ACMs) shall be completed and all identified ACMs and any loose or peeling LBP must be abated. If intact LBP is present on the site and not abated, demolition and construction activities must comply with the State's construction lead standard (Title 8, California Code of Regulations, Section 1532.1).
10. Prior to the issuance of a building permit the applicant and/or construction company shall submit the location of construction staging areas for materials, equipment, and vehicles to the Zoning Administrator for review and approval.
11. Prior to the issuance of a building permit the applicant and/or construction company shall submit a parking management plan for all construction workers and their equipment to ensure that construction workers or construction equipment and vehicles do not occupy on-street spaces.
12. In the City of El Cerrito, the hours of construction work are limited to:
 - a. 7:00 a.m. to 6:00 p.m. Monday through Friday
8:00 a.m. to 5:00 p.m. on Saturdays
 - b. Work is prohibited on Sundays and holidays.
 - c. Work may be prohibited during inclement weather by order of the City Building Official.
13. No construction shall take place on graduation day at the request of the preschool.
14. To ensure that the construction of the project is completed with minimal impact to the existing neighborhood, the following requirements shall be met before the issuance of a building permit:
 - a. Applicant shall submit a construction sign for approval by the Development Services Manager. The sign shall be made of a permanent material with professional lettering. The sign shall be at least 2 feet by 3 feet with a minimum letter size of 2 inches. The sign shall include the following information: the project name; name of the owner/developer; the name and phone number of a contact person, available at all times to address complaints and with the authority to control construction activity on the site; name and phone number of the contractor; and the approved hours of construction.

- b. The sign shall be posted at the time of placing temporary fencing and start of construction activity. The sign shall be placed on the Elm Street frontage of the site in a location facing the street where the information can be easily read by people in the right-of-way.
15. Prior to issuance of a building permit, the applicant shall submit a site security and safety plan to assure that grading and construction activities are adequately secured during off-work hours. This will include the temporary construction fence required in the Public Works Department condition listed below. The height of the construction fence on the south side of the property shall be twelve feet in height.
16. The applicant shall stipulate in the construction bid information for the project that construction company shall be required to do the following:
- a. A notification procedure stating their plan to notify adjacent property owners as to when major deliveries, detours and lane closures may occur. At a minimum, this notification plan will include a written notice sent electronically as soon as possible to all neighbors that request such notification. The list of interested parties will be kept by the Community Development Department.
 - b. A monthly meeting in person with the operators of the preschool to go over any issues or concerns.
 - c. Make every possible effort shall be made to have the construction site turn off all unnecessary heavy equipment, generators and power tools from noon until 1:00 p.m.
17. Prior to issuance of a certificate of occupancy, the Zoning Administrator shall confirm that:
- a. All mechanical equipment, including electrical, and gas meters, heating/air conditioning or ventilation units, radio/TV antennas or satellite dishes shall be appropriately screened from off-site view, and electrical transformers shall be either placed underground or appropriately screened.
 - b. All visible vents, gutters, down spouts, flashings, and the like shall match the color of adjacent surfaces, or shall be incorporated into the overall exterior color and materials scheme for the building.
18. All landscaping improvements shall be maintained in a healthy, growing condition at all times. The landscaped areas shall be irrigated by an automatic sprinkler system designed to reduce water usage. Applicant shall replace all landscaping that dies with the exact living species, or substitutes approved by the Zoning Administrator.
19. The applicant has volunteered to donate four thousand dollars to the City of El Cerrito towards the creation and installation of up to two historical plaques. (This money will be held in a draw down account and any unused funds will be refunded.) The purpose of commemorative plaques would be to explain the history of the Rodini house as well as the history of the surrounding Little Italy neighborhood. The Zoning Administrator shall work

with the El Cerrito Historical Society to create these plaques. The plaques will be installed on the front fence of the new project.

20. If for some reason, the City Council denies the Development Agreement, or the Planned Development District, this entitlement is null and void.
21. Any future use of the historic building located on site shall be as a museum, art studio or offices, which are all uses seen in community centers. The hours of operation shall not exceed 10:00 am to 5:00 pm, Monday through Saturday. Any event held at subject property beyond the stipulated hours of operation shall be required to receive a Temporary Use Permit and requires the approval of the Home Owners Association of 1715 Elm Street.
22. The private open space in front of the historic building shall be available for public use for the same hours as stipulated for the historic structure. Any trash or damage to the open space generated by the users of the house shall be remediated by the users, not the future Home Owners Association.
23. As stated in the Development Agreement, the historic structure located on site shall be leased to the City of El Cerrito for a term of 99 years for \$1.00. The City shall utilize this building as a museum, art studio or offices, which are all uses seen in community centers.
24. Prior to the issuance of the building/relocation permit for the historic structure, the applicant/developer shall submit a set of plans that illustrate the floor plan of the structure, the addition of new foundation, the restoration of the east or main elevation of the structure to the Department of Interior standards for rehabilitation, as well as the restoration plans for the remaining three exterior elevations to match the east elevation in terms of colors and materials. A new roof to match the existing roof is required as well. Further, the plans shall note the location and construction of a restroom and an exterior lift on the eastern elevation, both of which shall be designed to be compliant with Title 24 of the California Building Code and the Americans with Disabilities Act requirements. Finally, the all plumbing and electrical components of the historical building shall be revised to comply with current California Building Code requirements. These plans must be created to the satisfaction of the Development Services Manager and the Building Official.
25. The renovation of the historic structure shall be complete prior to the issuance of the Certificate of Occupancy of the new 14 unit building.
26. All landscaping shown on the site/landscape plan dated April 15, 2014 must also be complete prior to the Certificate of Occupancy of the 14 unit building.

Public Works Department:

27. A complete Stormwater Control Plan (Narrative Report and Exhibit) prepared in accordance with the latest version of Contra Costa Stormwater C.3 Guidebook, must be submitted as soon as possible to ensure the stormwater design, site plan, and landscaping plan are congruent.
28. Any changes to the existing storm drain channel will require a Public Works Encroachment Permit and may require that a storm drain easement be recorded. The

applicant must furnish plans, specifications and hydrology/hydraulics studies, as appropriate, prior to consideration of the permit application. The City may impose conditions as are appropriate to eliminate any diminution in the capacity of the existing drain to carry off the volume of water reasonably anticipated. If conflict exists between the Encroachment Permit and the JARPA permit, the JARPA permit shall prevail.

29. Remove and replace all sidewalk and driveway approaches to comply with Americans with Disability Act and all other applicable City standards. Sidewalk and driveway improvements shall require a Public Works Encroachment Permit.
30. All site grading shall be done per Chapters 8 and 13 of the El Cerrito Municipal Code and all other relevant laws, rules and regulations. Prior to commencing any grading in excess of 50 cubic yards, the applicant shall obtain a Grading & Transportation Permit and approval from the Public Works Department.
31. New street tree types and locations shall be approved by the City Arborist prior to issuance of a building permit.
32. Prior to issuance of a building, demolition or grading permit for any portion of the project, applicant shall submit a Traffic and Parking Management Plan for review and approval by the Public Works Director and the Zoning Administrator. The plan shall include any City restrictions and limitations on using certain local streets for construction traffic, proposed truck delivery and haul routes, parking arrangements for construction personnel, ingress and egress, noise, efforts to address street debris and dust control and proposed on-site staging and equipment/material storage areas.
33. Prior to the issuance of a building permit, applicant shall install temporary construction fence around the perimeter of the site that provides for continued pedestrian traffic meeting the standards of the Americans with Disabilities Act as approved by the Public Works Director and the Zoning Administrator. On the southern property line, the fence shall be 12 feet high to provide an additional visual and safety screen for the adjacent school. The applicant shall submit the materials for the fence to the Zoning Administrator for review and approval before the fence is installed.
34. Applicant, through its contractor, shall implement comprehensive traffic control measures as set forth in the approved Traffic and Parking Management Plan, including scheduling of major truck trips and deliveries to avoid peak hours (normally 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.).
35. All mud, dirt and construction debris carried off the construction site onto adjacent streets shall be removed and cleaned daily. Failure to adequately sweep the streets may result in the City undertaking the effort at Applicant's cost.
36. Dust control measures to minimize air quality impacts shall be implemented including:
 - a. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind. b) Cover all trucks hauling soil, sand, and other loose materials.
 - b. Pave, apply non-potable water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site.

- c. Limit traffic speeds on unpaved roads to 5 mph.
 - d. Install, maintain and replace sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - e. Minimize removal and replant vegetation in disturbed areas as quickly as possible.
 - f. No grading between October 1st and April 15th unless the City Engineer has approved an erosion and sedimentation control plan.
37. Applicant shall be deemed responsible for any damage to public improvements that occur during construction and shall repair such damage at its expense and to the satisfaction of the City Engineer, including but not limited to sidewalk repair, street slurry seal or street reconstruction.
38. Prior to issuance of a certificate of occupancy, the Public Works Director shall confirm that all off-site and on-site public improvements (including sidewalk and driveway approaches) are completed in accordance with the final building permit and improvement plans or that other arrangements acceptable to the Public Works Director have been made for ensuring that the work is completed, such as an irrevocable standby letter of credit.

Operations and Environmental Services Division

39. Prior to issuance of a building permit, the applicant shall provide provision for pickup and hauling of solid waste and recycling to the satisfaction of the City of El Cerrito Operations & Environmental Services Division. This includes a written description of the plan for the removal of solid waste and recycling items; the plans clearly showing the location of the solid waste and recycling area and the proposed access for both users and waste haulers. The solid waste and recycling area must include:
- a. Access doors that are at least 8 feet wide.
 - b. The solid waste and recycling storage areas/room shall be lined with metal bands 2 feet wide at a height starting 3 feet from the ground.
 - c. There shall be sloping curbs in front of the access door to the solid waste and recycling storage areas/rooms.
40. Prior to the issuance of a building permit, the applicant shall submit a Construction/Demolition Waste Management Plan to the satisfaction of the City of El Cerrito Operations and Environmental Services Division. This plan must comply with the California Building Code requirement that at least 50% by weight of jobsite debris generated by new construction be recycled, reused or otherwise diverted from landfill disposal.
41. Upon completion of construction and demolition activities, but before the Certificate of Occupancy, the applicant shall submit the CWM Report to demonstrate achievement of the diversion requirement to the satisfaction of the City of El Cerrito Operations and

Environmental Services Division.

Fire Department:

42. Approved numbers or address shall be provided in such a position to be plainly visible and legible from the street fronting the property.
 - a. The address numbers shall be of contrasting color of the background shall be internally or externally illuminated.
 - b. If address cannot be placed as stated above a monument shall be placed where the address is plainly visible from the street.
43. An Automatic Fire Sprinkler System is required for this project.
44. A fire hydrant is required within 50' of the Fire Department Connection (FDC) and shall be on the same side of the street as the FDC unless approved by the Fire Marshal.
45. Building shall have a "Wet Fire Standpipe in rear stairwell.
46. Standpipes shall be interconnected with the fire sprinkler system.
47. The fire alarm system shall be installed in accordance with NFPA 72.
48. Fire alarm System shall have the FACP located in an approved location and shall be easily accessible and access doors clearly labeled.
49. If the FACP cannot be located for easy access a remote enunciator shall be placed in an approved location.
50. Knox box shall be placed adjacent to entry doors, doors inclosing the fire sprinkler riser and or fire alarms control panel and any remote annunciating locations, and locking gates.
51. Electronic gate shall have a Knox Key Entry System installed for emergency operations.
52. All Knox Box Entry Systems used in this building shall be approved by the Fire Marshall before installation.
53. Fire Extinguishers shall be placed on each level and throughout the building.
 - a. Spacing shall have a maximum travel distance of 75'.
 - b. Travel distance to an extinguisher shall not exceed 75' of travel distance.
 - c. The location of each extinguisher shall be conspicuously posted with an approved sign. Mount Fire extinguishers on wall with the top no higher than 5 feet from the ground.
54. All electrical breakers shall be labeled. Major equipment shall have corresponding labels.
55. The Fire Department shall review building plans for compliance of these before a building

permit is issued. The applicant shall provide Fire Prevention Division with 24-hour notice prior to any inspections. Implementation of these conditions shall be verified prior to the issuance of the Certificate of Occupancy.

Police Department:

56. The building plans shall note that exterior lighting shall provide adequate illumination for on-site security and display purposes for the building, parking lot and pedestrian access ways while limiting off-site spillover of light through shielding. This condition shall be reviewed for compliance prior to the Certificate of Occupancy.

Additional Conditions of Approval:

57. The applicant/owner shall require all potential construction bidders to supply the following information in their bid packages. These conditions will also be added to subsequent contracts between the owner and their selected general contractor in order to reduce the emissions of toxic pollutants generated by the use of heavy-duty diesel powered vehicles as well as by the introduction of new architectural finishes, adhesives, paints, and construction materials equipment during construction.

The contractor shall be required to:

- a. Keep all construction equipment in proper tune in accordance with manufacturers' specifications by keeping maintenance logs for all equipment. These logs will be made available for review by city staff upon request.
- b. Specify the model years of their late model vehicles and equipment in their bid documents.
- c. Keep fuel logs to illustrate compliance with the goal of using low-emission diesel fuel for all heavy-duty diesel-powered equipment. These logs will be made available for review by city staff upon request.
- d. Keep idle times of all road legal vehicles to 90 second idle times, maximum.
- e. Rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines. If there is equipment where this condition is not feasible, please explain why in bid documents.
- f. Whenever possible, a material with a high VOC will be exchanged with a material with a low VOC by the contractor.
- g. Submit to the city a local construction material plan prior to the issuance of building permits that show a good faith effort to meet the mitigation that they will use local construction materials (within 100 miles) to the maximum extent possible.
- h. CALGreen mandates permitted new residential and non-residential building construction, demolition and certain additions and alteration projects to recycle and/or salvage for reuse a minimum 50 percent of the non-hazardous construction and demolition (C&D) debris generated during the project. In addition to that requirement, the contractor shall submit to the city

a plan showing steps taken to identify opportunities to recycle construction waste and demolition materials prior to construction; and require monthly reports of waste disposal and recycling/salvage during construction.

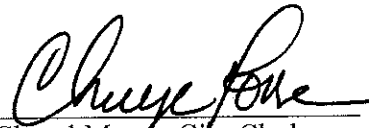
i. The developer is required to implement air quality monitoring on the site during construction if determined to be feasible by the Community Development Director or the Development Services Manager if the cost does not exceed \$20,000.

j. The developer is required to conduct a biological survey for endangered species in the stone lined channel not more than two weeks prior to construction on the project at a cost to be borne by the applicant.

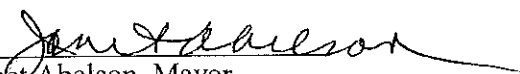
I CERTIFY that at a regular meeting on August 19, 2014, the El Cerrito City Council passed this Resolution by the following vote:

AYES:	Councilmembers Benassini, Bridges, Friedman and Mayor Abelson
NOES:	Councilmember Lyman
ABSTAIN:	None
ABSENT:	None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on September 12, 2014.


Cheryl Morse, City Clerk

APPROVED:


Janet Abelson, Mayor

CEQA Mitigation Monitoring Plan

1715 Elm Street

INTRODUCTION

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of El Cerrito in its implementation and monitoring of measures included in the Initial Study prepared for the proposed project located at 1715 Elm Street.

MITIGATION MEASURES

The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for monitoring the actions.

MMRP COMPONENTS

The components of each monitoring form are addressed briefly, below.

Mitigation Measure: All mitigation measures that were identified in the 1715 Elm Street Initial Study are presented and numbered accordingly.

Timing/Implementation: Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified. Within the City of El Cerrito, the responsibility for implementation of the measures would lie with the Planning and Building Division.

Enforcement/Monitoring Party: The City of El Cerrito is responsible for ensuring that mitigation measures are successfully implemented.

Air Quality Mitigations

AQ-1 To adequately control dust, the project applicant shall ensure construction contracts contain requirements for implementing the BAAQMD's basic construction mitigation measures from Table 8-1 of the BAAQMD's CEQA Guidelines. Construction contracts shall also contain the following measures in order to reduce the emissions of toxic pollutants generated by heavy-duty diesel powered equipment during construction.

1. Keep all construction equipment in proper tune in accordance with manufacturers' specifications.
2. Use late-model heavy-duty diesel-powered equipment during construction to the extent that it is readily available in the San Francisco Bay Area.
3. Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the

San Francisco Bay Area.

4. Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at construction sites to the extent that it is readily available and cost effective in the San Francisco Bay Area. (This requirement does not apply to diesel-powered trucks traveling to and from the site.)
5. Utilize alternative-fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area.
6. Limit truck and equipment idling time to 5 minutes or less.
7. Rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible.

Timing/Implementation: Prior to construction

Enforcement/Monitoring: City of El Cerrito Planning Division

Biological Mitigations

BIO-1 Survey for Migratory Birds.

If clearing and/or construction activities will occur during the migratory bird nesting season (April 15–August 15), preconstruction surveys for nesting migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

If active nest(s) are identified during the preconstruction survey, a qualified biologist shall monitor the nest to determine when the young have fledged. Monthly monitoring reports, documenting nest status, shall be submitted to the City Planning Division until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.

Timing/Implementation: Prior to construction

Enforcement/Monitoring: City of El Cerrito Planning Division

BIO-2 Survey for Active Raptor Nests.

If construction activities will occur during the nesting season for raptors (January 15–August 15), all suitable raptor nesting habitat within 0.5 mile of the impacted area shall be surveyed for active raptor nests before construction activity commences. If an active raptor nest is located within 0.5 mile of the construction site, a no-activity buffer shall be erected around the nest while the nest is active to protect the nesting raptors. This buffer distance may be amended to account for nests that are not within the line of sight of the construction activity.

Timing/Implementation: Prior to construction

Enforcement/Monitoring: City of El Cerrito Planning Division

BIO-3 Conduct Surveys for Bird Nests in Structures.

If demolition of on-site structures is proposed to take place during the migratory bird nesting season (April 15–August 15), a survey for nesting migratory birds (e.g., swallows, phoebes) shall be conducted by a qualified biologist prior to demolition. If bird nests are discovered in the structure, the structure shall not be removed until the nest(s) become inactive.

Timing/Implementation: Prior to demolition

Enforcement/Monitoring: City of El Cerrito Planning Division

BIO-4 Conduct Surveys for Potential Bat Roosts.

Demolition of on-site structures shall be preceded by a survey for bat presence. Structures being used by bats will not be removed until it has been determined that bats are no longer using the site or until demolition can be carried out without harming any bats.

Timing/Implementation: Prior to demolition

Enforcement/Monitoring: City of El Cerrito Planning Division

BIO-5 Mitigate for Loss of Waters of the United States. If the US Army Corps of Engineers identifies that the feature is jurisdictional, the project applicant shall ensure that the project will result in no net loss of waters of the United States by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits and/or 1602 Streambed Alteration Agreement.

Timing/Implementation: Prior to construction

Enforcement/Monitoring: City of El Cerrito Planning Division

Cultural Resource Mitigations

CULT-1 Prior to any alterations of structures on the project site, the project applicant shall complete Historic American Building Survey (HABS) level documentation. Prior to occupancy of any structure on the project site, the applicant shall complete façade restoration, and salvage and reuse building materials and landscape features, as discussed below.

a) The project applicant shall document the affected historical resource and its setting, in accordance with HABS. The intent is to preserve an accurate record of historic property that can be used in research and other preservation activities. To serve these purposes, the documentation must include information that permits assessment of its reliability.

Generally, this includes:

- Drawings: Select existing drawings, where available, should be photographed with large-format negatives or photographically reproduced on Mylar.
- Photographs: Photographs with large-format negatives of exterior and interior views, or historic views, where available.
- Written data: History and description in narrative or outline format.

HABS material standards regarding reproducibility, durability, and size shall be met. Copies of the photographs and report shall be presented to repositories that are invested in archiving the history of El Cerrito.

b) Restore the building façade, including windows, the historic wood trim around the doors and windows on the primary façade, and the door in the main entrance, as determined by documentation by either physical and/or documentary evidence to the extent documentation is available. If physical evidence is inconclusive or historic photographs are not available, comparable, intact properties built during the same period as the Rodoni house may be used to inform the appearance of the façade.

Timing/Implementation: Prior to construction or demolition activities

Enforcement/Monitoring: City of El Cerrito Planning Division

CULT-2 In the event any archeological resources are encountered during construction, work within 100 feet of the find shall cease and a qualified paleontologist shall be contacted by the project applicant to determine whether the resource is significant. If the find is determined to be of significance, an excavation plan shall be created and resources shall be donated to an appropriate cultural center. All work products and plans shall be reviewed and approved by the City prior to execution.

Timing/Implementation: During construction

Enforcement/Monitoring: City of El Cerrito Planning Division

CULT-3 In the event paleontological resources are encountered during construction, the construction manager shall cease operation at the site of the discovery and immediately notify the City of El Cerrito Environmental & Development Services Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the City of El Cerrito Environmental & Development Services Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

Timing/Implementation: During construction

Enforcement/Monitoring: City of El Cerrito Planning Division

CULT-4 If human remains are encountered during project construction, work within 100 feet of the remains shall be suspended immediately, and the City of El Cerrito Environmental & Development Services Department and the Contra Costa County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours. A professional archaeologist with Native American burial experience shall conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of El Cerrito Environmental & Development Services Department will be responsible for the approval of recommended mitigation, taking account of the provisions of state law, as set forth in CEQA Guidelines Section 15064.5(e) and Public Resources Code Section 5097.98. The project applicant shall implement the approved mitigation, to be verified by the City of El Cerrito Environmental & Development Services Department, before the resumption of activities at the site where the remains were discovered.

Timing/Implementation: During construction

Enforcement/Monitoring: City of El Cerrito Planning Division

GHG-1 Prior to issuance of grading or building permits, the project applicant shall specify on the final project plans implementation of BAAQMD-recommended construction-related measures to reduce GHG emissions during construction activities. These measures include, as feasible:

1. Use alternative-fueled (i.e., biodiesel, electric) construction vehicles and equipment to the maximum extent possible.
2. Use local construction materials (within 100 miles) to the maximum extent possible.
3. Recycle construction waste and demolition materials to the maximum extent possible.

Timing/Implementation: Prior to grading permits

Enforcement/Monitoring: City of El Cerrito Planning Division

RESOLUTION NO. 2015-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF THE DESIGN REVIEW APPLICATION FOR 1715 ELM STREET.

WHEREAS, the subject site is located at 1715 Elm Street; and

WHEREAS, the zoning district of the site is RM (Multifamily Residential); and

WHEREAS, the general plan land use designation of the site is High Density; and

WHEREAS, on January 13, 2014 the City circulated an Initial Study/Mitigated Negative Declarations pursuant to the CEQA Guidelines; and

WHEREAS, on March 19, 2014 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and directed staff to bring the project back for formal action; and

WHEREAS on April 16, 2014, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC14-06, adopting an Initial Study and Mitigated Negative Declaration and also adopted Resolution PC14-07, approving a Planned Development Use Permit; and

WHEREAS on April 28, 2014, Howdy Goudey, Robin Mitchell, Jason Hasley, Keystone Montessori School, Linda Shehabi, Dan & Henia Pines, and Julia Lucia filed an appeal of the Planning Commission's Planned Development Use Permit approval at 1715 Elm Street; and

WHEREAS, on June 2, 2014, the City Council held a duly noticed public hearing to consider the appeal. The City Council closed the public hearing and continued consideration of the appeal to June 23, 2014; and

WHEREAS on June 23, 2014, the City Council held a special meeting and requested additional information and continued deliberations;

WHEREAS on August 19, 2014, the City Council reopened the hearing, received additional information and based on all the information before them and the testimony received, voted to approve the Initial Study and Mitigated Negative Declaration and Development Agreement, the Planned Development District including a Zoning Map Amendment, and a Use Permit for the project at 1715 Elm Street; and

WHEREAS, on November 10, 2014, the applicant submitted Design Review application for 1715 Elm Street; and

WHEREAS, at their January 7, 2015 meeting, the Design Review Board held a duly noticed public hearing, received public testimony and adopted Resolution DRB 14-08, approving the Design Review Application for 1715 Elm Street; and

WHEREAS, on January 20, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Design Review Board approval of the Design Review Application; and

WHEREAS, at its March 18, 2015 meeting, the Planning Commission held a duly noticed public hearing, received public testimony and adopted Resolution PC15-02, denying the appeal and approving the Design Review Application; and

WHEREAS, On March 26, 2015, Howdy Goudey and Robin Mitchell filed an appeal of the Planning Commission decision; and

WHEREAS, on May 19, 2015, the City Council held a duly noticed public hearing to consider the appeal; and

WHEREAS, based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony and the proceedings before the Planning Commission, the Council has considered the appeal.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of El Cerrito that it finds the project to be consistent with the following:

1. *The applicable standards and requirements of this Zoning Ordinance. (19.38.060 A.1);*

The project complies with all of the relevant standards of the El Cerrito Zoning Ordinance. It has received all other necessary land use approvals as stated in the Zoning Ordinance at the August 19, 2014 City Council meeting. The findings relevant to Design Review approval are listed below.

2. *The design policies of the General Plan and specific plans adopted by City Council. (19.38.060 A.2);*

Pursuant to the City of El Cerrito General Plan, the following policies are pertinent to the proposed project: CD1.2 Design Concept, CD1.3 High Quality Design, and CD5.1 Design Review Process.

3. *Any applicable design guidelines adopted by the City Council. (19.38.060 A.3);*

No other design guidelines apply to project.

4. *The design review criteria set forth in the following subsection. (19.38.060 A.4 ;)*

Please see below.

5. *Any planning or zoning approvals by the Planning Commission or Zoning Administrator. (19.38.060 A.5);*

The project is consistent with the approvals of the August 19, 2014 City Council action that approved the Initial Study and Mitigated Negative Declaration and Development Agreement, the Planned Development District including a Zoning Map Amendment, and a Use Permit for the project at 1715 Elm Street.

6. *Any other relevant policies or regulations of the City. (19.38.060 A.6);*

No other policies or regulations apply to this project.

7. *The design review criteria set forth in the following subsection*

- a. *The aesthetic design, including its exterior design and landscaping, is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community. (19.38.060 B.1);*

The aesthetic design of the project will provide an attractive and comfortable environment, in that the project provides for a high level of architectural interest, uses high quality materials and finishes and includes a diverse list of landscaping materials and plantings.

- b. *Project details, colors, materials, and landscaping, are fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design. (19.38.060 B.2);*

The project features a unified color scheme in an earth tone hue that is complementary to the historic building's colors. It uses durable, long lasting materials such as cement siding on the new building as well as quality historically appropriate materials on the historic building, such as wood siding. The overall design of the project, including the architectural details and the landscaping tie together well to appear as one unified project.

- c. *The project has been designed with consideration of neighboring development. (19.38.060 B.3);*

The project has been designed with extensive buffer style landscaping that will visually screen the project site from adjoining neighbors. The project will also be open for the neighbors to use whenever the historic building is open, offering access to the site amenities and view of the rock lined channel.

- d. *The project contributes to the creation of an attractive and visually interesting built environment that includes well-articulated structures that present varied building facades, rooflines, and building heights and encourages increased pedestrian activity and transit use. (19.38.060 B.4);*

The project contributes to the creation of an attractive and visually interesting environment by providing well articulated new construction, a visually interesting color scheme, and varied facades with wood trellises and other detailing. The site has two pedestrian gateways leading to the public sidewalk and is 700 feet from Del Norte BART and San Pablo Avenue.

- e. *Street frontages are attractive and interesting for pedestrians, address the street and provide for greater safety by allowing for surveillance of the street by people inside buildings and elsewhere. (19.38.060 B.5);*

The street frontage is visually attractive with both a pedestrian and vehicular access offered through architecturally varied entrances and gates. The project also locates a door, windows and a patio on the Elm Street elevation, increasing 'eyes on the street' from both inside and outside of the new building.

- f. *The proposed design is compatible with the historical or visual character of any area recognized by the City as having such character. (19.38.060 B.6);*

The project retains two existing historical resources, the historic structure and the rock lined channel. The design of the new structure and the landscaping proposed complements and supports those historic resources on the site through architecture and plantings.

- g. The aesthetic design preserves significant public views and vistas from public streets and open spaces and enhances them by providing areas for pedestrian activity. (19.38.060 B.7);

There are no significant views or open space visible from the site or on adjacent public right-of-way. However, the project retains a historic structure and provides for public access to the structure and the open space directly in front of the structure and beside the rock lined channel.

- h. *The proposed landscaping plan is suitable for the type of project and will improve the appearance of the community by enhancing the building, minimizing hardscape and softening walls; and the landscape plan incorporates plant materials that are drought-tolerant, will minimize water usage, and are compatible with El Cerrito's climate. (19.38.060 B.8);*

The proposed landscape is suitable for the type of project and provides an extensive plant palette that has many drought tolerant species listed. It also provides for quality open spaces, visual buffers and plants specifically valued for their bio-retention qualities.

- i. *The project has been designed to be energy efficient including, but not limited to, landscape design and green or eco-friendly design and materials. (19.38.060 B.9);*

The project will be consistent with Title 24 of the California Building Code. Further, the project is utilizing many plants that are drought tolerant; provide shade as well as plantings valued for their bio-retention qualities.

- j. *The project design protects and integrates natural features including creeks, open space, significant vegetation, and geologic features. Projects along the Ohlone Greenway shall enhance the usability and aesthetic appeal of the Greenway by integrating it into the fabric of the City through building designs that include entries, yards, patios, and windows that open onto and face the Ohlone Greenway. (19.38.060 B.10);*

The project design protects and integrates the existing rock lined channel that transects the site. Plantings are included that will benefit both this resource and provide for a rich palate in the open space areas throughout the project.

BE IT FURTHER RESOLVED, that after careful consideration of facts, correspondence, and testimony, and other evidence submitted in this matter, the El Cerrito City Council hereby denies the appeal and upholds the Planning Commission's approval of Design Review application at 1715 Elm Street, subject to the following conditions:

1. The project shall be developed and maintained substantially in compliance with the plans dated November 10, 2014. Minor changes may be approved by the Zoning Administrator as noted in the El Cerrito Municipal Code Section 19.32.110.B.
2. If not used, this design review approval shall expire two years from the date of this action.
3. All previous conditions of approval included as part of the August 19th City Council public hearing remain a part of this project entitlement package, in addition to any conditions included herein.
4. This project shall confirm to its approved Storm Water Control Plan dated December 15, 2014.

5. The applicant shall submit a revised set of plans that illustrate compliance with the following modifications. This set of plans shall be submitted prior to the submittal of building plans and are subject to staff approval. The intent of this condition is that once this set of plans is approved by staff, they will be included in the building set of plans submitted to the city.
The plan set submitted to staff shall include:

Landscape and Irrigation Plans:

- a) Revised Gates. Both sets of proposed gates shall be six feet wide. Each set of gates shall consist of two sets of three foot wide panels.
- b) The current lighting scones along interior paths shall be replaced by light stick-style lighting.
- c) All of the proposed Oak trees on the plan set shall be removed and replaced with a more columnar shaped tree that will create a narrower canopy.
- d) Subsurface irrigation system shall be added to the C3 area of the site plan and illustrate that proposed shrubs are located in way to not disrupt the adjacent irrigation pipe.
- e) Address the curved top of the raised bed and show the final design of the seating area.
- f) Show location of proposed vines on plan set. Ensure they are in areas that already provide irrigation.
- g) Specify appropriate location and type of groundcover in space immediately adjacent to creek.
- h) To avoid the unintentional spread of Sudden Oak Disease to Oak trees proposed on this site and in the area, no plant species that are known for the ability to serve as vectors for the disease shall be allowed on plant list. This list includes, but is not limited to: Bay Laurel and Azaleas.
- i) The staff will engage in a dialogue with neighbors to attempt to identify a preferred species of tree for the perimeter tree planting.
- j) Applicant shall consider using a 15 gallon tree for the perimeter planting tree instead of the prescribed 24 inch box size.
- k) The outside path leading to unit on the southwest dwelling unit shall be removed and the access to that unit shall be included on the interior of the building. The former path area shall be planted with riparian plantings or other appropriate plantings.

Building Plans:

- l) The type of windows along the ground elevation shall be specified in the plan set as either casement or slider windows.
- m) All windows on the new building shall not contain false muntins and shall use dark bronze vinyl framing.
- n) There shall be no bars on the ground floor windows.
- o) The siding shall be Hardie Brand and type entitled "Artisan" lap siding with mitered corners.
- p) On the east elevation, the horizontal band shall be removed and the windows on the central bay area shall be made thinner and taller.
- q) The applicant shall decrease non-permeable hardscape on the project site, especially near the rock lined channel.
- r) The applicant will replace the cable barrier fence on the south side of the rock lined channel (adjacent to the historic structure) with a split rail or picket fence that is compliant with all necessary building code restrictions.
- s) The applicant shall add riparian habitat adjacent to the creek bed, especially in the western half of the site where a non-pervious path has been removed by condition 5.k.

I CERTIFY that at the regular meeting on May 19, 2015 the El Cerrito City Council passed this resolution by the following vote:

AYES: Councilmembers Abelson, Bridges and Mayor Friedman
NOES: Councilmember Lyman and Quinto
ABSENT: None
ABSTAIN: None

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on June 17, 2015.


Cheryl Morse, City Clerk

APPROVED:


Mark Friedman, Mayor