



Community Development Department

# AGENDA

## REGULAR MEETING OF THE DESIGN REVIEW BOARD

Wednesday, November 4, 2015

7:30 PM

El Cerrito City Hall

Council Chambers

10890 San Pablo Avenue

### **This Meeting Place Is Wheelchair Accessible**

**Roll Call:** Chair: Maggie Leighly; Board Members: Carl Groch, Christophe Laverne, John Thompson, and Glenn Wood.

**1. Council/Staff Liaison Announcements and Reports**

Staff and/or Councilmember Bridges may report on matters of general interest to the Design Review Board, Council policies, priorities and significant actions taken by the City Council.

**2. Comments from the Public**

(Each speaker is limited to a maximum of 3 minutes.)

**3. Approval of Minutes**

Approval of the minutes of the January 7, 2015, February 4, 2015 and October 7, 2015 meeting minutes.

**4. Board Member Communication/Conflict of Interest Disclosure**

This time on the agenda is reserved for Board Members to disclose communications from individuals regarding specific agenda items or to state a potential conflict of interest in relation to a specific agenda item.

**5. Public Hearing - Creekside Project Windows**

Application: PL NO. 6038

Applicant: Creekside Ventures, LLC

Location: Southeastern Corner of the El Cerrito Plaza

APN: 504-170-022

Zoning: San Pablo Avenue Specific Plan- Transit Orientated Higher Intensity Mixed Use

General Plan: San Pablo Avenue Specific Plan- Transit Orientated Higher Intensity Mixed Use

Request: Design Review Board verification of compliance with the project's conditions of approval, specifically regarding the use of aluminum windows. Design Review

### **COMMUNICATION ACCESS INFORMATION**

*To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Noel Ibalio, Staff Liaison at (510) 215-4330 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.*

10890 San Pablo Avenue, El Cerrito, CA 94530 Tel: (510) 215-4330

E-mail: [nibalio@ci.el-cerrito.ca.us](mailto:nibalio@ci.el-cerrito.ca.us)

Resolution 07-09, condition #5(a) stipulated that the applicant shall submit window trim color and suggested exploring aluminum windows. At the April 2, 2014 Design Review Board meeting, the Board Members recommended to the applicant to use aluminum windows and stipulated that any other materials shall be brought back to the Board. The applicant is asking the Board to reconsider windows made of materials other than aluminum.

CEQA: Certified Environmental Impact Report (SCH No. 2004032021)

**6. Staff Communications**

**7. Adjournment**



Community Development Department

# MINUTES

## REGULAR MEETING OF THE DESIGN REVIEW BOARD

Wednesday, October 7, 2015

7:30 PM

El Cerrito City Hall

Council Chambers

10890 San Pablo Avenue

### **This Meeting Place Is Wheelchair Accessible**

**Roll Call:** Chair: Maggie Leighly; Board Members: Carl Groch, Christophe Laverne, and John Thompson. Boardmember Glenn Wood had an excused absence.

**1. Council/Staff Liaison Announcements and Reports**

Nothing was reported.

**2. Comments from the Public**

No comments were received.

**3. Approval of Minutes**

Approval of the minutes of the February 4, 2015 meeting was continued to the November meeting.

**4. Board Member Communication/Conflict of Interest Disclosure**

Boardmember Wood's absence was due to his recusal from the El Dorado Townhomes item. His employer is currently performing work for the applicant.

**5. El Dorado Townhomes Preliminary Conceptual Design Review**

Applicant: Urban Community Partners

Location: 5828 El Dorado St

Zoning: RM (Multi Family Residential)

General Plan: High Density Residential

APN: 510-037-001, -002, -027 and -028

Request: Design Review Board Preliminary Conceptual Design Review of a proposal to construct 27 townhomes in 3 separate buildings. This review is advisory only. No action will be taken at this meeting.

CEQA: The project is Categorically Exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15332 of the CEQA Guidelines: Class 32, Infill Development Projects.

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City of El Cerrito  
Design Review Board Meeting Minutes

Senior Planner, Sean Moss, presented the staff report and answered questions from the Board.

The applicant, Keith McCoy, introduced the project.

The project architect, Carl Campos, presented the project and answered questions from the Board.

The Board discussed the project and gave comments to the applicant.

The following members of the public addressed the Board:

Sharon Maldonado, Berkeley

Sydney Manchester Jones, 5828 El Dorado St

Nick Galloro, 646 Lexington Ave

Ronnie Polonsky, 646 Lexington Ave

Jelina Pike, 5828 El Dorado St

Howdy Goudy, 635 Elm St

Robbin Mitchel, 635 Elm St

Helene Maxwell, Oakland

**6. Staff Communications**

Staff informed the Board that Noel Ibalio is back at work and regarding upcoming agenda items.

**7. Adjournment**

9:10 p.m.



Community Development Department

# MINUTES

## REGULAR MEETING OF THE DESIGN REVIEW BOARD

Wednesday, January 7, 2015  
7:30 PM  
El Cerrito City Hall  
Council Chambers  
10890 San Pablo Avenue

**Roll Call:** Maggie Leighly, Carl Groch, and John Thompson.

Christophe Laverne had an excused absence.

**1. Council/Staff Liaison Announcements and Reports**

No report was made.

**2. Comments from the Public**

No comments were received.

**3. Approval of Minutes**

Motion to approve the December 3, 2014 minutes: Groch, 2<sup>nd</sup>:Thompson.

Vote:

Ayes: Groch, Leighly, Thompson

Noes: None

Abstain: None

Absent: Laverne

**4. Board Member Communication/Conflict of Interest Disclosure**

Nothing was reported.

**5. Public Hearing – Elm Street Condominiums**

Application: PL No 6133

Applicant: Eddie Biggs

Location: 1715 Elm Street

APN: 502-112-038

Zoning: RM (Multi-Family Residential)

General Plan: High Density Residential

Request: Design Review Board consideration of final architectural review as it applies to aesthetic design of the structures, landscaping, lighting and other architectural features of the project proposed for 1715 Elm Street.

CEQA: A Mitigated Negative Declaration is being prepared for this project.

Development Services Manager, Margaret Kavanaugh-Lynch presented the staff report.

Carl Campos of LCA Architects gave a presentation of the project submittal.

The public hearing was opened

The following members of the public addressed the Board:

Howdy Goudey, 635 Elm St

Franklin Leong, Manor Cir

Robin Mitchell, 635 Elm St

The public hearing was closed.

Motion to approve the project at 1715 Elm Street: Groch, 2<sup>nd</sup>: Thompson.

Vote:

Ayes: Groch, Leighly, Thompson

Noes: None

Abstain: None

Absent: Laverne

The Board added the following condition of approval:

1. 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) Sub surface 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.

Building Plans:

- i) The type of windows along the ground elevation shall be specified in the plan set as either casement or slider windows.
- j) All windows on the new building shall not contain false muttons and shall use dark bronze vinyl framing.
- k) There shall be no bars on the ground floor windows.

- l) The siding shall be Hardie Brand and type entitled “Artisan” lap siding with mitered corners.
1. On the east elevation, the horizontal band shall be removed and the windows on the central bay area shall be made thinner and taller.

**6. Staff Communications**

None.

**7. Adjournment**

9:15 p.m.

DRAFT



**Community Development Department - Planning Division**  
10890 San Pablo Avenue, El Cerrito, CA 94530  
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planning@ci.el-cerrito.ca.us

***DESIGN REVIEW BOARD STAFF REPORT***  
**Meeting Date: November 4, 2015**

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**I. SUBJECT**

Application: PL 6038 B  
Applicant: Creekside Ventures, LLC  
Location: Southeastern Corner of the El Cerrito Plaza  
APN: 504-170-022  
Zoning: TOM (Transit Oriented Use) – at the time of entitlement  
San Pablo Avenue Specific Plan- Transit Orientated Higher Intensity Mixed Use  
General Plan: Commercial/Mixed Use– at the time of entitlement  
San Pablo Avenue Specific Plan- Transit Orientated Higher Intensity Mixed Use  
Request: Design Review Board verification of compliance.  
Staff is requesting Design Review Board confirm that the VPI Endurance Series  
Windows and glass doors are adequate for use in the project.  
CEQA: Certified Environmental Impact Report (SCH: 2004032021)

**II. BACKGROUND**

In 1997, the City Council certified the El Cerrito Plaza Shopping Center Redevelopment Project Environmental Impact Report (EIR) evaluating impacts of the redevelopment and rehabilitation of the El Cerrito Plaza Shopping Center. The 1997 proposal included up to 205 multi-family residential units on six acres on the eastern end of the shopping center.

In 2004, a use permit application was submitted under the Incentives Program for a proposed mixed-use development located in the southeast corner of the El Cerrito Plaza shopping center. The development was proposed to contain 84 units of owner-occupied housing, a 404 space parking garage for BART patrons and a child care facility. The Planning Division determined that the proposed mixed-use project might cause significant environmental impacts not sufficiently addressed in the previous EIR and that a subsequent environmental impact report (SEIR) should be prepared. As a result, a Draft Subsequent Environmental Impact Report (DSEIR) for the El Cerrito Plaza Mixed-Use Development Project was prepared.

On February 16, 2005, the Design Review Board held a public hearing on the 84 unit project that included the parking garage, adopted a motion recommending that the Planning Commission not consider the project under the Incentives Program and directed changes in design. In late February 2005, the City determined that it no longer wanted to move forward with the garage portion of the

project and the project sponsor eliminated the BART parking garage and a child care facility leaving the residential project intact.

In March 2005, the City of El Cerrito Community Development Department received revised plans for the project site, which included 128 residential units. This revised plan was initially evaluated as the Residential Only Alternative in the DSEIR. On September 21, 2005, the Design Review Board held a public hearing to review the Project's qualifications for the City's Incentives Program and accept public comment. The Board prepared comments for the Planning Commission, which are included in the administrative record.

The City prepared responses to the comments received during the public review period and made changes to the SEIR, as appropriate, to account for the adoption of a Residential Only Alternative as the proposed Project. The text changes and the comments and responses were compiled into the Final Subsequent Environmental Impact Report (FSEIR). The FSEIR, dated September 2005, was distributed to commenting agencies on September 23, 2005, made available to the public on September 26, 2005, and placed on the City's website. On October 5, 2005, the FSEIR was distributed to Planning Commission members for their review.

On November 2, 2005, the Planning Commission held a public hearing on the FSEIR and the Project, and received comments from the public. The Commission reviewed the FSEIR and considered the record and all relevant materials. The Planning Commission adopted Resolution PC05-21 certifying the FSEIR, adopting environmental findings, mitigation measures and approving the mitigation monitoring and reporting program and Resolution PC05-22 approving a Use Permit for Application 6038, a 128 unit condominium development to locate in a C-2-A, commercial zoning district at the southeast corner of El Cerrito Plaza.

On November 17, 2005, four appellants appealed the decision of the Planning Commission. On January 9, 2006, the City Council held a duly noticed public hearing to consider the appeals and continued the item to a special meeting. On January 30, 2006, the City Council held a public hearing to consider the appeals, and adopted Resolution 2006-1, certifying the FSEIR, adopting environmental findings, mitigation measures and approving the mitigation monitoring and reporting program, denying the appeals, and upholding the Planning Commission action approving a Use Permit with conditions allowing a condominium development to locate in a C-2-A, Commercial zoning district at the southeast corner of El Cerrito Plaza. At the meeting, the applicant (Forest Park Partners) and the property owner (Regency), verbally agreed to comply with a condition of approval requiring preparation of a traffic and circulation study for the Plaza shopping center.

On November 14, 2006, the applicant applied for a use permit extension in order to allow the design review process to continue as the use permit issued under City Council Resolution 2006-1 were to expire on January 30, 2007.

On December 6, 2006, the applicant initiated the design review process by holding a study session with the Design Review Board.

On December 20, 2006, the Planning Commission held a duly noticed public hearing and approved a request for a use permit extension for a period of one year.

On January 2, 2007, an appellant appealed the decision of the Planning Commission regarding progress on condition of approval #50, and project density; and

On February 5, 2007, the City Council held a duly noticed public hearing to consider the appeal and denied the appeal.

On March 18, 2007, the applicant applied for Design Review approval.

On May 2, 2007, the Design Review Board held a duly noticed public hearing and approved Resolution DRB07-04, granting design review approval of the building shell and site layout. The Board requested the applicant return with specific architectural and landscape details as specified in the Resolution.

On September 5, 2007, the Design Review Board held a duly noticed public hearing and approved Resolution DRB 07-09, granting approval for specific architectural and landscape details and materials.

On September 11, 2007, an appellant appealed the decision of the Design Review Board regarding issues unrelated to the September 5, 2007 approval.

On November 5, 2007, the City Council held a duly noticed public hearing to consider the appeal; and upheld the decision of the Design Review Board approving the architectural and landscaping details.

A demolition permit was issued for the project by the City of El Cerrito on December 4, 2007.

On August 27, 2013, the project sponsor, Creekside Walk Ventures, LLC, submitted for building permits.

On April 2, 2014, the Design Review Board held a hearing to confirm compliance with the Conditions of Approval in Design Review Board Resolution No. 07-09 Design Review item no. 5 and the Final Subsequent Environmental Impact Report's Mitigation and Monitoring Reporting Plan (MMRP) Mitigation Measure NO 4.1. At that meeting, the Board unanimously confirmed that compliance was met and added the following recommendations:

1. Window shall be aluminum windows. Any other materials shall be brought back to the Board.
2. Bicycle and pedestrian path adjacent to the creek shall be redesigned to be serpentine and incorporated with seating.
3. Connectivity from the Ohlone Greenway to the bicycle and pedestrian path must be designed to be wide and with a gradual slope.
4. Stoops along the bicycle and pedestrian path along the creek shall be redesigned to be wider to be in keeping with the original stoop designed.

On July 7, 2015, building permits were issued for the project. The plan set included specifications for aluminum windows that were fully compliant with all the requirements.

### III. DISCUSSION

On September 29, 2015, the applicant met with staff and stated that they were not able to purchase suitable aluminum windows for the project. They noted the requirements for the windows are particularly challenging in that they need to not only meet Title 24 Energy Code standards of the current building code, but also comply high acoustical rating of STC 40 on the east elevations due to their proximity to the BART tracks. The applicant noted that they spoke to other bay area architects to try to identify window styles that would be compliant with the necessary specifications, but in the end, no aluminum windows were identified that met all of the necessary requirements at a cost that was feasible for the applicant.

The applicants have identified a vinyl window series that has a number of positive attributes. They supplied correspondence that provided an overview of their design challenge, including some of the window types that they investigated; and a brochure detailing the window specifications that they propose to use for the project. These documents are included as attachments.

The VPI Endurance Window Series brochure notes that that the windows provide a durable, ultra-violet (UV) resistant product that comes in a number of colors.



Color samples

The brochure also notes that many of these colors use a heat deflection technique to prevent heat distortion that can occur when darker colors are used in vinyl windows. The windows shown in cross section in the brochure exhibit a satisfactory level of architectural relief, affording a look of depth and shadow more associated with aluminum windows than vinyl. As part of the additional plan check process, staff will ensure that the window types submitted to the city for review are compliant to the current building code and all necessary acoustical specifications.

The applicant and a representative of the window manufacturer will be in attendance at the Board meeting to discuss the specifications of the windows and sliding glass doors with the Board and members of the public. Color samples and a full window sample will be brought to the meeting, as well.

#### **Environmental Review**

A Certified Subsequent Environmental Impact Report (SCH No. 2004032021) pursuant to the California Environmental Quality Act was prepared for this project. Staff found that this action is consistent with that report and no further environmental review is required.

#### **Findings**

Staff recommends that the Design Review Board make the following findings.  
The Board finds that:

1. The applicant has provided plans, testimony and information needed for the Board to confirm that the VPI Endurance Series vinyl windows and glass doors are adequate for use in the project and therefore are suitable to include as a revision to the approved building permit plans in compliance with the requirements of Design Review Condition No. 5 of Design Review Resolution No. 07-09. And;
2. The use of this window series is consistent with the Final Environmental Impact Report adopted for this project.

#### **IV. RECOMMENDATION**

Staff recommends that the Board find that the VPI Endurance Series Windows and glass doors are adequate for use in the project and conform to the intent of Design Review Condition no. 5 of DRB Resolution 07-09; for the project known as Creekside at the southeastern corner of the El Cerrito Plaza Shopping Center (PL 6038 B) as outlined in the draft resolution.

**Proposed Motion:** Move adoption of Design Review Board Resolution DRB15-01, finding that the VPI Endurance Series Windows and glass doors are adequate for use in the project and conform to the intent of Design Review Condition no. 5 of DRB Resolution 07-09; for the project known as Creekside at the southeastern corner of the El Cerrito Plaza Shopping Center (PL 6038 B) as outlined in the draft resolution.

#### **Attachments:**

- 1) Draft Resolution
- 2) Design Review Resolution 07-09
- 3) Design Review Resolution 14-04
- 4) Minutes of April 2, 2015 Design Review Board Meeting
- 5) Correspondence dated October 22, 2015
- 6) Window Brochure

## **Design Review Board Resolution DRB 15-01**

### **APPLICATION NO. PL6038 B**

A RESOLUTION OF THE CITY OF EL CERRITO DESIGN REVIEW BOARD CONFIRMING COMPLIANCE WITH THE INTENT OF DESIGN REVIEW BOARD RESOLUTION NO. 07-09 DESIGN REVIEW CONDITION NO. 5 FOR THE PROJECT KNOWN AS "CREEKSIDE" LOCATED AT SOUTHEAST CORNER OF THE EL CERRITO PLAZA SHOPPING CENTER (504-170-022)

WHEREAS, in August of 2013, the project architect, Paul Essick, submitted the building permit plan check plans for the project known as "Creekside";

WHEREAS, in light of the submittal of the building permit plan, staff examined conditions of approval under Design Review Board Resolution No. 07-09 and the Final Environmental Impact Report Mitigation Monitoring and Reporting Plan;

WHEREAS, staff has determined that several components of the plan set needed confirmation from the Design Review Board; including Condition No. 5a. which stated that, "the applicant shall submit window trim color". "The Board suggested exploring aluminum windows".

WHEREAS, on April 2, 2014, the Design Review Board, after due consideration of all evidence and reports offered confirmed that the conditions of approval in DRB Resolution No. 07-09 item no. 5. and Mitigation Monitoring Reporting Plan Mitigation Measure NO-4.1 were met.

Whereas, at the April 2, 2014 hearing, the Design Review Board recommended that the Windows shall be aluminum windows. Any other materials shall be brought back to the Board.

WHEREAS, on September 29, 2015, the applicant met with staff and stated that they were not able to find suitable aluminum windows for the project;

WHEREAS, on November 4, 2015, the Design Review Board, after due consideration of all evidence and information offered did confirm that VPI Endurance Series vinyl windows and glass doors are adequate for use in the project;

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Design Review Board hereby confirms that:

The VPI Endurance Series vinyl windows and glass doors are adequate for use in the project and therefore are suitable to include as a revision to the approved building permit plans in compliance with the requirements of Design Review Condition No. 5 of Design Review Resolution No. 07-09. And;

The use of this window series is consistent with the Final Environmental Impact Report adopted for this project

### **CERTIFICATION**

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I CERTIFY that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on November 4, 2015 upon motion of Boardmember \_\_\_\_\_ second by Boardmember \_\_\_\_\_:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Margaret Kavanaugh-Lynch  
*Development Services Manager*

**CITY OF EL CERRITO  
DESIGN REVIEW BOARD**

**RESOLUTION NO. 07-09**

**A RESOLUTION OF THE DESIGN REVIEW BOARD APPROVING ARCHITECTURAL AND LANDSCAPE DETAILS FOR A 128-UNIT CONDOMINIUM PROJECT AND DESIGN DETAILS FOR THE DAYLIGHTING OF A 180 LINEAR FOOT SEGMENT OF CERRITO CREEK LOCATED AT THE SOUTHEAST CORNER OF THE EL CERRITO PLAZA.**

WHEREAS, on March 18, 2007 the applicant submitted a Use Permit planning application for the consideration of a 128-unit condominium project located on the southeast corner of the El Cerrito Plaza Shopping Center on a three acre parcel. The project consists of two structures with ground floor parking, the daylighting of Cerrito Creek, and related landscaping and open space on the site. The southern building will house 80 units with 123 parking spaces and the northern building will house 48 units with 72 parking spaces;

WHEREAS, the General Plan land use classification of the site is Commercial Mixed Use;

WHEREAS, the zoning district of the site is C-2-A Central Commercial –A Combining District;

WHEREAS, the site was originally developed as overflow parking for the El Cerrito Plaza shopping center;

WHEREAS, on September 21, 2005, the Design Review Board held the first public hearing on the proposed development to consider incentives, pursuant to Chapter 19.32 of the El Cerrito Municipal Code (ECMC) for the proposed project to allow a 128-unit condominium development and a daylighted, restored Cerrito Creek. At that time, the Board made several comments and recommendations for Planning Commission consideration.

WHEREAS, on November 2, 2005, a use permit was granted by the Planning Commission for the proposed project. The decision was appealed to City Council and upheld by the Council on January 30, 2006.

WHEREAS, an Environmental Impact Report was certified by the City Council on January 30, 2006;

WHEREAS, on December 6, 2006, the Design Review Board conducted a study session on the proposed design. The Board raised several comments and suggestions and was overall pleased with the modifications made since they last saw the project;

WHEREAS, on December 20, 2006, the Planning Commission approved an extension of the original use permit (6038-B) for a period of one year. During the 15-day appeal period, one appeal was received from Jason Foster of the North Albany Neighborhood Association.

WHEREAS, on February 5, 2007, the City Council upheld the Planning Commission's approval of the extension and denied the appeal.

WHEREAS, on May 2, 2007, the Design Review Board conditionally approved the project and required that the applicant submit architectural and site details for Design Review Board consideration;

WHEREAS, on September 5, 2007 the Design Review Board considered evidence, both written and oral at the aforesaid Public Hearing

WHEREAS, the Design Review Board of the El Cerrito, after due consideration of all evidence and reports offered for review, shall consider whether the project complies with the following criteria:

- A. The proposed development complies with city design guidelines as adopted by City Council resolution or ordinance.

*The City has adopted a Design and Development Guide as part of the General Plan (Appendix C) for this area of the City. Components of the Guide relevant to this project include: varying use of design styles, higher intensity development around a transit node, and create an "outdoor room" linking the Plaza with the Ohlone Greenway,*

- B. All colors and materials of the exterior surface of buildings, other structures, landscaping and site design must be harmonious and architecturally compatible with their surrounding environment.

*The development is consistent with the existing environment in that the site will be landscaped to be consistent with the Ohlone Greenway and the building design will compliment the modern theme of El Cerrito Plaza. Similar materials and earthtone colors will be used on the new structure to be compatible with existing shopping center.*

- C. The proposed building or structure is not, in its exterior design and appearance, so at variance with the appearance of other existing structures in the neighborhood as to cause the nature of the local environment to materially depreciate in appearance and value. Emphasis is placed upon exterior design with regard to height, bulk and area openings, breaks in the façade facing on a public or private street, line and pitch of roof, and arrangement of structures on the parcel. The site plan and landscaping shall be appropriate to the design.

*The proposed building is designed to not appear so at a variance to existing structures in the neighborhood as to cause the nature of the local environment to materially depreciate. The buildings in the plaza surrounding the site are currently two stories high, with some architectural elements projecting up to three stories high. The site is adjacent to the BART right of way which has an elevated track of approximately 30'. There are no residential structures adjacent to the site within the Plaza boundaries. There are 2-3 story apartment buildings across the City of Albany border.*

- D. The circulation pattern, parking layout and points of ingress and egress (both vehicular pedestrian) shall be designed to maximize pedestrian safety and convenience and to minimize traffic congestion resulting from the impediment of vehicular movement.

*The circulation pattern is designed in a safe and convenient manner for both pedestrians and automobiles. Safety measures have been taken in spots where pedestrians and automobiles intersect. Pedestrian access into the main entrance has been changed to reduce pedestrian crossing to one secondary driveway.*

Now, therefore, be it resolved that; after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Design Review Board hereby approves Application No. 6388, subject to the following conditions;

Planning Division:

1. The project shall be developed and maintained substantially in compliance with the plans dated August 9, 2007 except as amended by subsequent conditions of this Resolution.
2. Approval of this design review shall be limited to architectural and site details for the construction of a 128-unit condominium project located on the southeast corner of the El Cerrito Plaza Shopping Center on a three acre parcel.
3. If not used, this design review approval shall expire one year from the date of this action.
4. Approval of this application is subject to all findings and conditions in City Council Resolution 2006-1. Any modifications to the project beyond that indicated in the approved Use Permit and Environmental Impact Report will mandate the return of the application to the Planning Commission for additional consideration.

Design Review:

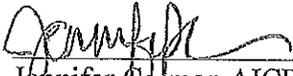
5. Prior to the issuance of a building permit, the following items are to be brought back to the Design Review Board for consideration:
  - a) Applicant shall submit window trim color. The Board suggested exploring aluminum windows;
  - b) Applicant shall redesign handicapped ramp at the southwestern corner of the southern building and shall submit a revised south elevation of the southern building;
  - c) Applicant shall redesign garage screening. The Board suggested filling in the open panels to the garage with a mesh screening or with the louvers combined with vertical elements;
  - d) Applicant shall redesign the bike and pedestrian path along the daylighted creek to provide more of a variety in previous paving materials and adding a serpentine edge with wall seating; and
  - e) Applicant shall redesign the podium level private open space to add variation to the space. Examples from the Board include: adding casement windows at the podium level, install a gate from the private open space into the common open space, or vary the railing design for ground floor private open spaces

**CERTIFICATION**

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I certify that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on September 5, 2007, upon motion of Board member Gary Hill, second by Board member Bruce Anderson:

AYES: Gary Hill, Bruce Anderson, Michael Albrecht  
NOES: None  
ABSTAIN: Mathew Gaber  
ABSENT: None

  
Jennifer Carman AICP  
Planning Manager

## Design Review Board Resolution DRB 14-04

### APPLICATION NO. PL6038 B

A RESOLUTION OF THE CITY OF EL CERRITO DESIGN REVIEW BOARD CONFIRMING COMPLIANCE WITH THE INTENT OF DESIGN REVIEW BOARD RESOLUTION NO. 07-09 DESIGN REVIEW CONDITION NO. 5 AND THE ENVIRONMENTAL IMPACT REPORT MITIGATION MONITORING AND REPORT PLAN NO.4.1 FOR THE PROJECT KNOWN AS "CREEKSIDE" LOCATED AT SOUTHEAST CORNER OF THE EL CERRITO PLAZA SHOPPING CENTER (504-170-022)

WHEREAS, in August of 2013, the project architect, Paul Essick, submitted the building permit plan check plans for the project known as "Creekside";

WHEREAS, the site is located at the southeastern corner of the El Cerrito Plaza Shopping Center;

WHEREAS, in light of the submittal of the building permit plan, staff examined conditions of approval under Design Review Board Resolution No. 07-09 and the Final Environmental Impact Report Mitigation Monitoring and Reporting Plan;

WHEREAS, staff has determined that the following conditions of approval needed confirmation from the Design Review Board:

Design Review, Condition No. 5. Prior to the issuance of a building permit, the following items are to be brought back to the Design Review Board for consideration:

- a) Applicant shall submit window trim color. The Board suggested exploring aluminum windows.
- b) Applicant shall redesign handicapped ramp at the southwestern corner of the southern building and shall submit a revised south elevation of the southern building.
- c) Applicant shall redesign garage screening. The Board suggested filling in the open panels to the garage with a mesh screening or with the louvers combined with vertical elements.
- d) Applicant shall redesign the bike and pedestrian path along the daylighted creek to provide more of a variety in pervious paving materials and adding a serpentine edge with wall seating.
- e) Applicant shall redesign the podium level private open space to add variation to the space. Example from the Board include adding casement windows at the podium level, install a gate from the private open space into the common open space, or vary the railing design for ground floor private open space.

Final Environmental Impact Report Mitigation, Monitoring and Reporting Plan NO 4.1

Specifically, the condition requires that within 100 feet to the BART tracks, the proposed residential units shall be designed with non-monolithic walls that incorporate architectural or physical breaks in the design of at the walls. A reasonable design goal is to limit increases in BART train noise to no more than 1dBA for residences within 500 feet of the eastern property line of the project site.

Whereas, on April 2, 2014, the Design Review Board, after due consideration of all evidence and reports offered for review does finds and confirms the following:

1. The applicant has provided the plans and information needed for the Board to confirm that the conditions of approval in DRB Resolution No. 07-09 item no. 5. and Mitigation Monitoring Reporting Plan Mitigation Measure NO-4.1 are met.
2. Upon review of the information, the Board hereby does confirm that the plans and information submitted meet and fulfills the requirements as out lined in DRB Resolution No. 07-09 item no. 5. and Mitigation Monitoring Reporting Plan Mitigation Measure NO-4.1,
3. The plans and information are consistent with the Final Environmental Impact Report adopted for this project.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Design Review Board hereby confirms that:

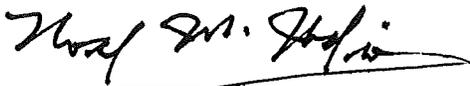
The architect, Paul Essick, submitted building permit plans and information that meets the requirements of Design Review Condition No. 5 of Design Review Resolution No. 07-09 and Mitigation Monitoring and Reporting Plan NO 4.1 Planning Application No. 6038 B. A. All other conditions of approval as outlined in City Council Resolution No. 2007-09, City Council Resolution No. 2007-84, Design Review Board Resolution No. 07-04 Design Review Board Resolution No. 07-09, remain in effect and must be implemented.

### CERTIFICATION

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I CERTIFY that this resolution was adopted by the El Cerrito Design Review Board at a regular meeting held on April 2, 2014, upon motion of Boardmember Groch, second by Boardmember Leighly:

AYES: Wood, Leighly, Grock, Laverne, Thompson  
NOES: None  
ABSTAIN: None  
ABSENT: None



Noel M. Ibalio  
*Senior Planner*



Community Development Department

# MINUTES

## OF THE Design Review Board

Wednesday, April 2, 2014

7:30 PM

El Cerrito City Hall

Council Chambers

10890 San Pablo Avenue

### **This Meeting Place Is Wheelchair Accessible**

**Roll Call:** Glenn Wood, Maggie Leighly, Christophe Laverne, Carl Groch, and John Thompson.

**1. Council/Staff Liaison Announcements and Reports**

Council liaison Greg Lyman report on the activities of the Council since November 2013.

**2. Election of Chair and Vice Chair**

Board member Wood nominated Board member Leighly to serve as Chair, 2<sup>nd</sup>: Laverne. Vote 5-0-0

Board member Wood nominated Board member Laverne to serve as Vice Chair, 2<sup>nd</sup> Groch. Vote 5-0-0.

**3. Comments from the Public**

Ann Leiman (Behrens Street Neighborhood Group) spoke on concerns regarding traffic from the site and impacts to surrounding properties.

**4. Approval of Minutes**

The Board vote d 4-0-1-0 to approve the minutes of the January 8, 2014 meeting. Board member Thompson abstained as he was not on the Board at the time of the hearing.

**5. Board Member Communication/Conflict of Interest Disclosure**

None were reported.

**6. Public Hearing – Creekside Project**

Application: PL No. 6038  
Applicant: City of El Cerrito – Planning Division  
Location: Southeastern Corner of El Cerrito Plaza  
APN: 504-170-022  
Zoning: TOM (Transit Oriented Mixed Use)  
General Plan: Commercial/Mixed Use

### **COMMUNICATION ACCESS INFORMATION**

*To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Noel Ibalio, Staff Liaison at (510) 215-4330 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.*

10890 San Pablo Avenue, El Cerrito, CA 94530 Tel: (510) 215-4330

E-mail: nibalio@ci.el-cerrito.ca.us

City of El Cerrito  
Design Review Board Meeting Agenda

- Request: Design Review Board verification of compliance. Staff is requesting Design Review Board verify that specific conditions of approval and specific mitigations from the Final Supplemental Environmental Impact Report's Mitigation Monitoring and Reporting Plan have been met by the applicant as part of the building plan submittal. The conditions of approval and mitigation measures address the following topics: window trim color, the design of a ramp at the southwest corner of the Project's southern building, the design of garage screening, the design of creek-adjacent paths, the design of private open space, and the use of noise-limiting designs for BART-facing building walls.
- CEQA: Certified Environmental Impact Report (SCH No. 2004032021)

Planning Manager, Margaret Kavanaugh-Lynch, gave an overview of the history of the project and where we are now in the process.

Senior Planner, Noel M. Ibalio, presented the case and answered questions from the Board.

Speakers:

John Mark (106 Behrens) Talked about the safety and along the Greenway. There should be a separate path for pedestrian vs. bicyclist.

Tony Crenshaw (apt. complex nearest to the project site to the south) noted that his tenants were not sent notices. Trees are in his loading zone.

Eleanor Moses Concerned with traffic impacts of the project to

Ann Chaney (City of Albany) The development will cause traffic to Albany streets because of the delineated pathway from the development to San Pablo Avenue.

Lisa Schnider – The project will result in traffic impacts on the schools.

Tom Pannis – In favor of the project. Thank the applicant for opening up the creek.

Ann Leeman 222Behrens. Expressed concerns regarding noise. Wondered about the demographics that could live there. Inquired about existing conditions of approvals.

Motion to approve the project: Groch, 2<sup>nd</sup>: Leighly. Vote 5-0-0-0

The Board added the following recommendations:

- 1) Window shall be aluminum windows. Any other materials shall be brought back to the Board.
- 2) Bicycle and pedestrian path adjacent to the creek shall be redesigned to be serpentine and incorporated with seating.
- 3) Connectivity from the Ohlone Greenway to the bicycle and pedestrian path must be designed to be wide and with a gradual slope.
- 4) Stoops along the bicycle and pedestrian path along the creek shall be redesigned to be wider to be in keeping with the original stoop designed.

**7. Staff Communications**

**8. Adjournment**

***Appeals:***

*A decision of the Design Review Board may be appealed to the Planning Commission, by the applicant or any El Cerrito resident or property owner, through the filing of a written statement and the payment of an appeal fee of \$325 with the City Clerk within ten calendar days after the decision date. (The applicant may file an appeal for the cost of half the original permit fee.)*

***Any writings or documents provided to a majority of the Design Review Board regarding any item on this agenda will be made available for public inspection in the Planning Division office located at 10890 San Pablo Avenue during normal business hours.***

Oct 22, 2015

Margaret Kavanaugh-Lynch  
Development Services Manager  
Community Development Department  
City of El Cerrito  
10890 San Pablo Avenue  
El Cerrito, CA 94530

RE: Creekside Walk Windows

Dear Margaret,

Per your request I am providing a brief narrative of the project owner's attempt to identify suitable windows to be used at the Creekside Walk residential project at the Southeast corner of El Cerrito Plaza.

On April 2, 2014 the project came before the Design Review Board. At that meeting the Board noted that aluminum windows would be required in the project and that any other materials should be brought back to the Board.

The owner looked at available options taking into account the window design shown in the approved plans, the Title-24 requirements, and the acoustical requirements. Notably, as the project is located adjacent to BART, STC 40 windows are required in certain portions of the project along the east side.

The All-Weather Series 5000 windows were reviewed as an option. However after doing considerable research and obtaining quotes we have been advised that All-Weather cannot do sliding windows or single hung windows as shown on the plans. In addition All-Weather cannot meet the Title-24 requirements on the STC 40 windows on the east side of the project.

The owner also reviewed Torrance Aluminum windows, however we have been informed that Torrance window have been known to have quality issues. Torrance windows can meet the STC and Title-24 requirements but the cost is prohibitively high for the project.

Milgard aluminum windows were reviewed as an option however they can only achieve STC 32 in their sliding window, STC 32 in their single hung window, and STC 36 in their casement window. Creekside Walk needs to obtain an STC 40.

VPI vinyl windows were reviewed as an option. Our reviews have shown that VPI makes a high quality vinyl window that has been used in numerous high-end residential projects. We believe

the look will add to an attractive finished building and will be attractive to residents and neighbors.

We have provided a full sample of the VPI window. The windows come in several color options such as Architectural Bronze (samples will be provided) and we are open to color suggestions from the City and Design Review Board. We believe VPI windows are an excellent fit for the project as we can achieve the required STC and Title-24 requirements while maintaining a high quality look and product warranty.

We have provided the spec sheet with relevant information for VPI windows. In addition a VPI window representative will attend the Design Review Board meeting on November 4 to answer any additional product questions you may have.

Thank you,

A handwritten signature in black ink that reads "D.G. Baak". The signature is written in a cursive style with a large, prominent "D" and "B".

Derek Baak  
Creekside Walk Ventures, LLC