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PLANNING COMMISSION STAFF REPORT
Meeting Date: March 19, 2014

I. SUBJECT

Application: 6133
Applicant: Edward Biggs
Location: 1715 Elm Street
Zoning: RM Multi-family Residential
General Plan: High-Density Residential
APN: 502-112-038
Request: Planning Commission **study session** of a Mitigated Negative Declaration and necessary entitlements to consider the construction of 14 new dwelling units, the relocation 1 existing dwelling unit to be retained on site; 15 parking spaces; 1,548 square feet of private open space, and 2,874 square feet of common open space. Entitlements requested include: General Plan Amendment, Planned Development Development Agreement, Use Permit and Design Review.
CEQA: A Mitigated Negative Declaration has been prepared for this project.

II. BACKGROUND

The project site currently contains four buildings: the main house, garage, well house, and shed, as well as other features characteristic of rural agricultural properties. The house was constructed in 1897 by Ambrose Rodoni and, based on information from the Contra Costa County Assessor, it is the third-oldest building in El Cerrito. The Rodoni house is a two-story, wood-frame, T-plan, Queen Anne–style dwelling with a compound hip and gable roof. Ambrose and Virginia Rodoni eventually purchased three adjoining lots, creating a larger landholding measuring 150 feet along Elm Street (originally Union Street) and 130 feet deep. This property, comprising nearly a half acre, was more than sufficient to create a compact "weekend ranch" capable of supporting their large family with homegrown produce, fruit, wine, and possibly livestock. A well and water pulled from the creek were used to irrigate the property and to provide drinking water, until the property was hooked up to municipal water in the 1940's.The area immediately surrounding the property, historically a semirural area of small ranches and single-family dwellings, was built out during the post–World War II era as suburban development.

A creek channel runs through the southern third of the property. The channel is straight-sided and bounded by dry-laid stone walls. The stone is of various types and is not uniformly dressed. The purpose of the walls appears to contain flows, stabilize the banks, and prevent erosion. The channel

exits the property to the southwest, where it passes under a fence and enters a culvert beneath the adjoining property. The channel appears to have been an aesthetic and functional feature of the property and was probably used for irrigation long after the house was hooked up to municipal water in the 1940s.

Site Description

The project site is a fairly level, rectangular 0.42-acre lot located at 1715 Elm Street. The site slopes from a high point along the Elm Street frontage to the western boundary, representing a gentle 3 percent slope across the property. It currently includes a vacant two-story house built in 1897, a detached garage, a well house, and a shed.The site has fallen into disrepair and is now overgrown with weeds and unkempt landscaping.

An open, rock-lined creek channel runs east–west across the site along the southern edge of the property approximately 20 feet from the house. The channel is approximately 4 feet deep and continues westerly onto the adjacent property in an open box culvert. The channel conveys stormwater runoff from upstream properties to the east.

Vicinity

The project site is primarily surrounded by residential neighborhoods. Elm Street and residential properties are to the east, residential properties and Hill Street to the north, residential properties and Liberty Street to the west, and a day care and Blake Street are located to the south. Summit K2, a public charter school, is approximately 700 feet to the northeast (due to open in fall of 2014). San Pablo Avenue, which is a major commercial corridor, and a Safeway store are a few blocks to the west. The El Cerrito del Norte BART station is approximately one-quarter mile to the northwest.

III. DISCUSSION

Development Proposal

There are a number of aspects to the development that qualify it as a candidate for consideration as a Planned Development. First, 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 single-family detached house on site to provide a fifteenth living unit and preserving an important historic resource. Finally, the project is proposing to keep the creek 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. (Attachment 1, Plan set.)

Pursuant to the Municipal Code: *The specific purpose of the -PD Planned Development district is to provide for detailed review of development that warrants special review and deviations from the existing development standards. This district is also intended to provide opportunities for creative development approaches and standards that will achieve superior community design, environmental preservation and public benefit.*

The approval process for a Planned Development contains two steps.
Planned Development District. *An application for a Planned Development District rezone shall be reviewed at a public hearing by the Planning Commission and the Planning Commission shall make a recommendation to City Council. The City Council shall consider the recommendation of the*

Planning Commission at a public hearing, and act on the proposed Planned Development District rezone.

Planned Development Use Permit. An application for a Planned Development Use Permit and associated Development Agreement shall be reviewed and considered by the Planning Commission. The Planning Commission shall be the final decision authority on the Planned Development use permit (unless appealed). The Planning Commission shall make a recommendation on the Planned Development District and Development Agreement to the City Council. The City Council shall be the final decision authority on the Development Agreement.

When considering the approval of a Planned Development Use Permit and District, the may city allow deviation from the minimum lot area, yard requirements, building heights, other physical development standards, and land use and density requirements of other zoning districts. This project also requires a General Plan Amendment because it proposes to exceed the maximum density for market rate housing allowed by 0.7 dwelling units per acre.

The project proponent is requesting relief from specific development standards of the RM zone in order to retain the site's assets while accommodating a level of development that is generally consistent with the General Plan. This project shall require relief from the following standards:

1. Setback from property line for the relocated historic building.
2. Maximum height of the proposed new construction.
3. Setbacks from creek from both the relocated historic dwelling and the proposed new construction. Restrictions regarding a bridge over the creek.
4. Required parking for vehicles.

While requiring relief from some development standards, it exceeds the RM 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.

Development Standards

Dev. Standards	Required	Proposed
Setbacks		
Front	10 ft	10 ft
Sides	5 ft; 10 ft for portions of building greater than 25 ft. in height	25ft on the west side, 3 ft. on the east side
Rear	15ft	15 ft
Height	35 ft	42 ft
Parking	2/unit (21)	15
Lot Coverage	60 % max	53 %
Distance Between Buildings	10 ft to 20 ft depending on location of primary rooms	10 ft to 20 ft

Setback from Property Line of Relocated Historic Building

The relocated historic building is proposed to be three feet away from the east side elevation. That distance is really a function of the width of the existing building and the location of the creek bank. The applicant has located the building as close as possible to the creek bank without compromising the building's foundation or the bank of the creek. Staff determined this relief of two feet allows for an overall better design of the project, in that it is allows the historic building to fit into that quadrant of the site. Staff also notes that it is only the front section of the house that requires this relief as the remaining two thirds of the structure do conform to the five foot requirement. The day care building is over 20 feet away on the abutting lot, offering an unusually large buffer between the two uses. Therefore, staff believes that this relief will not adversely affect the livability of the adjacent day care.

Maximum Height of Proposed New Construction

Height shall be considered the vertical distance from the highest point of any structure to the ground level directly below. The maximum height allowed in the RM zone is 35 feet. As noted on page A-11 of the plan set, the roof plate for this project is 33 ft tall. The additional 8 feet requested by the applicant is to allow for the mansard roof structure. This style of roof and overall height of the building is supported by staff for a number of reasons:

Adjacency of Historical Building.

Although not required as a strict condition of approval for this project, the Department of Interior Standards recommends that new buildings that share sites with historic buildings be designed to be compatible with the historic character of the historic building in terms of size, scale design, material, color, and texture. The applicant has designed the new construction to meet that recommendation, including a number of architectural features that reflect the style of the historic building. See page A-8 and A-10 of the plan set. The gable roof with brown asphalt shingle roofing is used on both primary buildings and the pitch is of each roof is also very similar. The applicant is also using horizontal siding in painted in neutral tones to support this goal. Staff believes a flat roof would not be preferable in this case.

Impact of Height of New Construction Related to Neighboring Dwellings

Staff reviewed the new construction to try to identify ways to reduce the height. The floor plates provide for a ten foot wide floor which is typical for new construction today. Staff would not recommend decreasing this measurement. Staff and the applicant discussed ways to modify the roof structure in a way that might decrease the related impact of shade on the adjacent dwellings. See Attachment 2, shadow studies. The studies illustrate that at 2:00 pm on December 21st (winter solstice when the sun is in lowest orbit or worst case in terms of building shade impact) the impact added by the addition of the Mansard roof is minimal as compared to a flat roof. The additional shade is to the front yards of the dwellings across the street, not to the buildings themselves. The municipal code does not have a specific standard for shade impacts of new construction. These type of shadow studies are common ways to compare different building style's impact on the surrounding neighborhood. In this case, staff believes the additional height is not a detriment.

Building Setback from the Creek and the pedestrian bridge

One of the goals of the Creek Protection Overlay district is to preserve, enhance and restore natural drainage ways as parts of the storm drainage system, minimizing any alterations or structures within the natural stream channel and streambed. In support of that goal, the Creek Protection overlay (Chapter 19.14) prohibits placement of fill or any other obstruction and establishes a minimum 30-

foot setback from the top of creek bank. The new construction is proposed to be 7 ft 8 in from the center line of the creek and the relocated historic building is proposed to be 5 ft 5 in away from the centerline. In addition, a footbridge is proposed to cross the channel to provide access to the shared common area.

The project is proposing to maintain creek in its current location and ensure that it would not be filled or otherwise obstructed. Instead, it would be part of the common open space area of the development and would benefit from proposed adjacent riparian friendly landscaping.

Although the project does not include the 30-foot setback from the channel pursuant to Municipal Code Chapter 19.14, it is noted that in this case that the on-site surface water feature lacks characteristics of a natural riparian corridor and provides only marginal habitat value for wildlife that may include utilization by local birds and mammals, therefore the initial study concludes that there would be less than significant impacts to biological resources. Finally, it is only by granting relief from the setbacks, that the site can support the superior community design by accommodating the high density dwellings and the historic building's retention and the benefit of the existing creek in its current location.

<u>Required Parking for Vehicles</u>
Parking is proposed to be located in a gated parking garage located below the units. The project proposes 15 new parking spaces and is requesting an exception to the City parking requirements, which requires 21 spaces. Section 19.24.050.B lists the findings needed for the Planning Commission to grant a Use Permit for a reduction in parking. In this case, staff believes that these following findings can be met:

a. The use will be adequately served by the proposed parking due to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working or visiting the site; or because the applicant has undertaken a transportation demand management program that will reduce parking demand at the site.

b. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

c. The project furthers the implementation of land use or redevelopment goals of the El Cerrito General Plan more effectively than the project would if it met the parking standards of this Chapter.

d. The site plan is consistent with the objectives of the zoning district, and incorporates features such as unobtrusive off-street parking placed below the ground level of the project with commercial uses above, or enclosed parking on the ground floor.

The site plan illustrates that the parking area is enclosed on the ground floor and screened with a gate. By placing the parking below the proposed construction and not in a surface lot and reducing the amount down from 21 to 15, it allows for much more efficient use of the site making the land available for the new housing, the creek and considerable amount of open space; as well as the historic building. This style of parking tucked under the new construction is a preferred alternative in terms of urban design, basically by hiding the vehicles from public view while accommodating them on site. Finally, staff believes that the close proximity of the project site to the El Cerrito del Norte BART station located (within a quarter mile), several bus lines, and commercial uses will result in increased transit use and pedestrian activity that will reduce the demand for parking on site.

As part of the work being completed in drafting the San Pablo Specific Plan, staff has identified a number of studies that support a parking standard of one space per unit for projects up to one half mile away from a BART station. For all of these reasons, staff supports the reduction in parking to one parking space per unit for residences.

Open Space	Required	Proposed
Common	1,602 sq ft	2,874 sq ft
Private	100 sq. ft./ground floor unit, 50 sq. ft./upper level units 900 sq ft	1,548 sq ft

Open Space

Common Areas

There are three common areas proposed in the plan. One is directly in front of the restored historic structure. It features a turf oval surrounded by a concrete walk that connects to the pedestrian entry along Elm Street. It also includes a low seat wall near the Elm Street entry. Plantings abutt this area on both the north and south sides, which include orchard trees, accent trees, orchard trees as well as shrubs and North of this larger area, there is another area that is proposed to include raised beds, accent trees and decomposed granite walking paths. The third common space adjoins this area and serves as the primary pedestrian access to the new primary structure. It also includes accent trees, shrubs and groundcovers and utilizes permeable brick pavers. A bridge is proposed across the creek to connect the entry area to turf area.

Landscaping proposed in the common areas includes edible garden plantings (fruit trees and herbs), drought-tolerant plant species, and seasonal flower displays. Permeable brick pavers, crushed granite walkways, natural turf, and a stone seat-wall are features proposed at various locations to enhance the human scale of the garden. Two stormwater bioswales are proposed to mitigate storm runoff and would be vegetated with a combination of native grasses and wildflowers to provide additional natural habitat adjacent to the channel. See page L-1 of the plan set.

Private Areas

Each proposed dwelling unit has its own private space as well, either as a patio or balcony. See page A-6 of the plan set.

Project landscaping along the perimeter of the site includes densely planted landscape setbacks around the proposed buildings to provide a buffer between the project and adjacent residential sites. Trellises and picket fencing are proposed along the street frontage to enhance the residential character of the street and separate public street space from private common open space. Both hard- and softscape outdoor areas are proposed for the use of residents and will be open to the street along the building frontage.

General Plan Amendment

The project site is designated in the El Cerrito General Plan for High Density Residential. The purpose of the High Density Residential land use designation is to provide opportunities for multi-family residential development in a well-designed environment at a density of 21 to 35 dwelling units per net acre. It is noted that the General Plan actually allows up to 72 units per acre in certain development scenarios, including senior housing with services. The General Plan also encourages denser housing close to the BART stations. This project will require the approval of General Plan Amendment to construct to its proposed density of 35.7 dwelling units per acre. Although slightly denser than typically allowed in it's General Plan designation, through the use of the Planned Unit overlay, the project proposes exceed the minimum required amount of open space, preserve the existing creek, and retain the historic main structure all currently on site. As discussed in the staff report and throughout this Initial Study, the slight increase in density beyond that allowed in the High Density Residential land use designation would not result in any significant physical environmental effects nor cause a detrimental effect to the surrounding neighborhood.

From a neighborhood context, the use and development is compatible within the multiple unit residential development characteristics of the neighborhood. With the exception of the daycare use abutting the property to the south and Summit K2 School to the north, the neighborhood is generally residential in nature. The neighborhood is a blend of single family and high density residential. The site is the second largest parcel on the block, at over 18,000 square feet, while the average lot size in the immediate block is approximately 5,000 square feet. The proposed development will be compatible in density with several such developments in the neighborhood as outlined in the table below:

Address	No. of Units	Lot Size (sq. ft.)	No. of Stories	Density
1715 Elm Street (Proposed Project)	***15***	***18,468***	***3***	***35.7 du/ac***
1749 Elm Street	5	9,225	2	23 du/ac
1715 Liberty St.	3	6,250	3	20 du/ac
1725 Liberty St.	10	12,500	2 (tuck under prk.)	32 du/ac
1740 - 1750 Liberty St.	16	23,136	3	30 du/ac
1751 Liberty St.	20	21,780	3	40 du/ac
1708 Lexington Ave.	13	13,000	3	33 du/ac

The table shows that one parcel in the neighborhood was developed at the medium density level; while most were developed under the High Density-Residential use classification of the General Plan. Many structures are three stories high. Staff concludes that the proposed use, density, and overall project characteristics are consistent with the goals and policies outlined in the General Plan and the existing development characteristics in the area.

CEQA Considerations

An Initial Study and Mitigate Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) have been prepared for this project. Impacts identified in the Initial Study and Mitigated Negative Declaration as "Environmental Factors Potentially Affected" (page 12 of the MND) include: 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, therefore, finds that although potential environmental impact may occur as a result of this project, mitigation measures will be incorporated into the project to reduce such impacts to less than significant. A Mitigation Monitoring Plan has been prepared for this project and will be incorporated as conditions of approval.

General Plan

General Plan Consistency

The project is consistent with the vision in General Plan for this project site and surrounding properties. The site is located within the High Density Residential Land Use Classification of the General Plan. As a well-designed residential project implement many of the goals and policies of the General Plan. By preserving the Rodoni House, building design and landmarks; and the project's proximity to BART addresses many of the polices related to alternative modes of transportation. The following is a list of the General Plan policies which staff has identified that the project will implement. This list is not meant to be exhaustive, but to clearly illustrate that the project is consistent with and will implement the General Plan.

- 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
- CD3.12: Landscape Species
- CD4.2: Building Articulation
- CD4.5: Energy and Resources
- CD5.1: Design Review Process
- R2.2: Historic Preservation

Design Review Board Preliminary Conceptual Review Comments

Preliminary Conceptual Design Review is the Design Review Board's opportunity to comment on items that are outside the DRB's purview. These comments are forwarded to the Planning Commission for review. The DRB conducted Preliminary Conceptual Review on November 6, 2013. The Board commented that they generally supported the architecture and landscape proposed.

IV. RECOMMENDATION

Staff recommends that the members of the Planning Commission review the staff report, take public comment and offer guidance back to staff for the finalization of the report.

Attachments:

1) Plans dated March 13, 2014
2) Shadow Studies
3) Initial Study/Mitigated Negative Declaration (on city website).