



AGENDA BILL

Agenda Item No. 6

Date: June 23, 2014

To: El Cerrito City Council

From: Margaret Kavanaugh-Lynch, Development Services Manager
Melanie Mintz, Interim Community Development Director

Subject: Consideration of a General Plan Amendment, Development Agreement, and the creation of a Planned Development District including a Zoning Map Amendment to allow for the construction of 14 new dwelling units, the relocation and restoration of 1 existing historic 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 on property located at 1715 Elm Street.

RECOMMENDATION

On June 2, 2014, the City Council held a single, consolidated public hearing to consider both the actions necessary to approve the proposed development at 1715 Elm Street (the "Project") and the related appeal of the Planning Commission's approval of the Planned Development Use Permit for the Project. The City Council closed the public hearing but continued the matter to a special meeting on June 23, 2014 for deliberation and decision.

Staff recommends that, at the conclusion of its deliberations, the City Council:

1. Adopt a resolution approving the Initial Study/Mitigated Negative Declaration for the Project;
2. Adopt a resolution approving a General Plan Amendment;
3. Waive first reading and introduce an ordinance to approve Planned Development Zoning for the Project property and amend the Zoning Map accordingly;
4. Adopt a resolution denying an appeal of the Planning Commission's approval of a Planned Development Use Permit for the Project; and
5. Waive first reading and introduce and ordinance to approve a Development Agreement.

BACKGROUND

As the members of the City Council recall, this project was the subject of a public hearing on June 2, 2014. After hearing presentations from staff, the applicant, the appellant, and receiving public testimony, the public hearing was closed. The City Council then made a motion to continue this item to June 23, 2014 at 7:00 pm.

The project is before the Council this evening just as it was paused on the evening of June 2nd. The Council continued the matter for the purpose of deliberation and making a decision on the Project approvals and appeal of the Planning Commission's action to

approve the Planned Development Use Permit for the Project. If the Council would like to ask questions to receive additional information, they would need to vote to reopen the public hearing to take that testimony.

Since this item was continued from the June 2 meeting, you may refer to your packets for the June 2 meeting for the staff reports and all attachments. The only materials reproduced for this staff report are the resolutions and ordinances. Members of the public seeking to review the initial staff report and all attachments may find them at <http://www.el-cerrito.org/DocumentCenter/View/3712>, or may review them, along with communications received at the June 2 meeting at the City Clerk's Office.

The applicant has submitted a letter to the City Council since the June 2nd hearing. It is included as Attachment 6. Staff has reviewed the document and notes that it summarizes statements that the applicant made during the public hearing, does not contain any new information that has not been discussed as part of the public testimony.

After the members of the City Council complete their deliberations, staff recommends that action be taken to approve the Project and deny the appeal, as described above. Alternatively, the Council may uphold the appeal and deny the Project as proposed, or approve a modified version of the Project, if the majority of the City Council favors a revised project.

Reviewed by:

Scott Hanin, City Manager

Attachments:

1. Resolution approving the Initial Study/Mitigated Negative Declaration for the Project (Exhibit A to the Resolution online at <http://www.el-cerrito.org/DocumentCenter/View/3712>)
2. Resolution approving a General Plan Amendment
3. Ordinance approving a Planned Development District for the project property and amending the Zoning Map
Exhibit A: Site Plan
4. Resolution denying an appeal of the Planning Commission's approval of a Planned Development Use Permit for the Project.
5. Ordinance approving a Development Agreement
Exhibit A: Development Agreement
6. Correspondence from the applicant dated June 10, 2014.