Community Development Step by Step

By Chris Treadway

El Cerrito is in the midst of its biggest building boom in recent memory, driven by a plan adopted six years ago that altered the city’s development emphasis as well as by the regional demand for housing near transit. On or near San Pablo Avenue, there are 272 units under construction in six projects and an additional 816 units approved in 13 projects. These projects also include 10 new commercial spaces totaling over 30,000 square feet. And, lastly, a Hampton Inn hotel with 124 rooms has also been approved and is in for building permits.

Melanie Mintz, the city’s Community Development Director, and Planning Manager Sean Moss, were kind enough to share their time to explain the process for projects in the city.

To understand where development in El Cerrito currently stands and where it’s going, you have to realize where it has been.

Redevelopment had been the driver of projects for decades, with the City using its redevelopment funds to bridge financing gaps and to acquire and assemble land and attract the types of projects officials felt El Cerrito needed. The results were mixed at best and did not act as a catalyst for other projects.

Redevelopment programs in California ended in 2012 and two years later city leaders adopted a different approach for the future of San Pablo Avenue, its main commercial corridor. San Pablo Avenue evolved as a state highway corridor poses very different challenges than, for example, revitalizing a downtown that was built centered around pedestrians. Attracting new private investment for residential and commercial development required a different approach.

According to Mintz, bringing life to a historic highway corridor poses very different challenges than, for example, revitalizing a downtown that was built centered around pedestrians. Attracting new private investment for residential and commercial development required a different approach.

“We did a lot of economic analysis in 2006 and again in 2011 and the studies kept showing that development under our regulations at the time didn’t pencil on San Pablo Avenue,” Mintz said.

The old regulations capped buildings at three stories. All residential projects were required to have ground floor commercial space and two parking spaces per residential unit. As a result, the City wasn’t seeing much investment, even in previous build cycles, without the assistance of redevelopment, which was no longer an option.

“The market kept telling us those regulations weren’t right for the marketplace,” Mintz said, “and the controversy to build anything bigger was so great that...
MUCH APPRECIATION goes to both Melanie Mintz, Community Development Director, and Sean Moss, Planning Manager, for their part in assisting Byline correspondent Chris Treadway with the main article in this issue about development in El Cerrito. Chris interviewed both by Zoom video. This story has been in the works for months. Hopefully, the Byline will make the somewhat complicated process clearer to all. Part two of the article will continue in next month’s issue.

Now leasing. Banners hang from the new Cerrito Vista apartments located at 10963 San Pablo Avenue. That’s where Playland Not at the Beach was. Construction is still underway, but completion will be very soon for the 50 unit building. Pet friendly with a dog washing facility, rooftop deck views, “close to the city, close to nature” as the advertising says. 510-704-1240 for information.

New biz. A new tenant at 11155 San Pablo (next to the post office) is Vasco Career College. They offer vocational training for pharmacy techs and various medical specialties. Jobs in health care are always in high demand if you have skills. Here’s your opportunity. 510-243-7400 or vascoce.com

Get “juice” at the new Tesla charging stations now in operation at El Cerrito Plaza near Macaroni Grill. I suppose it’s only for Tesla cars as every brand probably has to have their own plug. I drive an 18 year old Saturn so these electric “fuel pumps” are not for me.

This plaque was presented by Vanessa Bell at the 7-Eleven worker appreciation event held on Saturday, July 11th. (See photo above.) Thank you, Vanessa, for the nice gesture. We love our EC 7-Eleven!

El Cerrito’s budget. There’s a lot happening. On Saturday, August 1st, a town hall and special City Council meeting begins at 10 a.m. This will be a Webex meeting, meaning you can view and participate online. Hear updates and ask questions. See el-cerrito.org/budgettownhall for login instructions and how to make public comments either on or off line.

But wait, there’s more! On Tuesday, August 11th at 4:30 p.m., the City Council will hold a budget workshop to discuss the plan for financial recovery and sustainability. Again, this will be online using Webex as above.

Then on Tuesday, August 18th at 7 p.m., there is the regular City Council meeting, online by Webex. All these events are on the City’s website. Confused? Email the City Clerk: hcharlety@ci.el-cerrito.ca.us.

The main focus now is to reduce city costs by $1.5 million and place the city on a path to financial sustainability. The budget plan must be complete before October 1st. It’ll happen.

An enhanced Webex platform made its debut last month and worked pretty well, allowing public comments in real time as City Hall remains closed due to the pandemic.

Eat! If you’re hungry after attending the Saturday town hall meeting then stop by Los Moles Beer Garden for their all you can eat gourmet Mexican buffet on the patio. 6120 Potrero Ave. Open until 9 o’clock.

Reader feedback. In a budget update article last month I mentioned the significant sales tax revenue that El Cerrito restaurants normally generate for the City which is now greatly reduced due to no inside dining. An astute reader commented on the drive through shops (e.g., Jack In The Box, Church’s, et al.) which have stayed open offering, in many cases, a source of contact-free food for the public plus sales tax revenue to the City. Your input is always welcome.

See page 7 for a story about the new outdoor dining regulations that hopefully provide our local restaurant operators more business.

Hi John. It must have been a decade since Supervisor John Gioia spoke at a member meeting. I introduced him then. “Hard working and pragmatic” were likely words in my intro. Meet him online at the upcoming Zoom “lunch” announced elsewhere in this issue.

As a way to thank the hard working, dedicated employees of El Cerrito’s 7-Eleven store, customer Vanessa Bell created a Go Fund Me site to raise funds as a gift. On Saturday, July 11th, the staff was presented with a bouquet of flowers, a plaque, and cash. Shown above are El Cerrito Mayor Greg Lyman, Pedie Moore, store owner Bogos Drar, Saba S. Drar, Yonas R. Berhane, Vanessa Bell, and John C. Stashik, representing the Chamber of Commerce. Mr. Drar has owned the store for over 30 years which is open 24 hours every day, pandemic or not.

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Help Small Businesses Recover; Pause the Minimum Wage Hike

BY LOREN KAYE
President of the California Foundation for Commerce and Education, a think tank affiliated with CalChamber.
Printed with permission.

Small businesses have suffered a severe setback from the recent, understandable public health actions by state and local leaders to reimpose restrictions on commerce involving public gathering. These small businesses, especially restaurants, hospitality, tourism, entertainment and personal services, also employ many low-skilled, low-wage workers, often in entry-level jobs on the lower rungs of the economic ladder. Their jobs will not reappear until their employers are again healthy.

Small businesses are already facing increased costs and burdens as a result of the pandemic and related recession including higher workers compensation rates and unemployment insurance taxes. Recovery of smaller firms will depend in large part on affirmative efforts by elected state leaders to reduce employer costs to offset these businesses’ loss of economic production.

The good news is that the Governor has an opportunity by August 1st, to help distressed businesses get back on their feet and rehire their workers by using his existing authority to postpone for one year the automatic increase in the minimum wage.

Legislation in 2016 established a schedule to raise the minimum wage to $15 per hour, but enabled the Governor to postpone for a year any of the annual step increases in the event of a major economic recession or state budget crisis. This temporary offramp was touted by sponsors as an improvement upon the then-proposed ballot measure, and its inclusion likely made the difference in the bill’s passage.

The measure called out the purpose of assessing the economy, “to ensure that economic conditions can support a minimum wage increase.” Not only do the current conditions meet the criteria for postponement, they are likely far worse than the sponsors ever imagined the economy and budget situation could reach.

This is how the assessment works:
• Is total seasonally adjusted non-farm employment in June, 2020, less than in March, 2020, or
• Is total seasonally adjusted non-farm employment in June, 2020, less than in December, 2019, and
• Are retail sales and use tax revenues for 2019-20 less than those revenues for 2018-19?
Yes, yes and yes.

Indeed, the most conspicuous characteristics of this recession are massive unemployment and crashing retail sales. The minimum wage law is designed with economic sensitivity: if postponement is not indicated under this dire economic circumstance, then just when would this offramp apply?

The fiscal analysis by Department of Finance should be completed by the end of this month. If it concludes that economic conditions meet the statute’s standards for a suspension, then the Governor would be justified in using his authority to postpone the 2021 increase in the minimum wage until 2022. The jobs of many thousands of low wage workers may hang in the balance.

PAST PREZ PALAVER

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I’m loving those packaged dinners at Fatapple’s restaurant. If you can’t dine in, this is the next best thing. Turkey, Meatloaf, Lasagna, Spaghetti Bolognese, Salmon, even Pork Chops. Plus some great salads. Take home and eat. Tip: order early before they sell out.

Send money now. With cities facing a general revenue shortfall of billions of dollars due to the pandemic this Chamber has officially joined a coalition sponsored by the League of California Cities. I’m proud to have moved this through our Board which approved the affiliation last month.

The politicians in Washington need to quickly address extension of the PPP and EIDL loans to help businesses survive and keep workers employed. Plus local governments like our own city of El Cerrito are being killed economically by the lengthy COVID-19 crisis. Bailout money is essential. Memo to Congress and Senate: stop bickering and get it done.

Baseball is back! Albeit with cardboard fans in the stands. Well, MLB has to do what it has to do. But really, will there be canned cheering a la a television sitcom?

We can use that approach here at our Chamber of Commerce. Meetings and events have all been on Zoom video; nothing face to face anymore. How about cardboard cutouts of members to display on screen? Just musing.
COMMUNITY DEVELOPMENT STEP BY STEP

Continued from page 1

it didn’t get approved or it wasn’t worth trying.”

The economic analysis done for the City concluded that “If we wanted to get new development to be feasible we needed to allow five stories, six stories,” Mintz said. “And they also said if we want to attract high quality development we needed to help make the Avenue more pedestrian-friendly, so that’s what we set out to do.”

The San Pablo Avenue Specific Plan

The result was the San Pablo Avenue Specific Plan, adopted in 2014. The plan area covers San Pablo from Baxter Creek Gateway Park at the north to the Albany-El Cerrito border at the south and includes Central Avenue from the BART tracks to Interstate 80 (excluding parcels in Richmond).

Rather than trying to dictate to the market, as in the past, the plan aimed to identify community goals but also pivoted to what the market wanted by extending height limits, reducing parking requirements, and eliminating the requirement for commercial space along the entire corridor, focusing on “pedestrian nodes” instead.

“It was clear we needed to focus on residential to support commercial, and that ground floor commercial could not be required everywhere,” Mintz said. “Going higher (than five or six stories) you get into a much more expensive type of construction, while anything lower was not attracting investment.”

The relaxed requirements stream-lined portions of the application process, allowing administrative approval of minor improvements to existing buildings and allowing “by right” development of 5-6 story developments, which required only design review if certain development rules were met.

“We streamlined the approval process, but what I think is important for the public to know is that when the process was streamlined through the adoption of the San Pablo Avenue Specific Plan, projects still go through a public design review process,” Mintz said. “When we adopted the plan, we worked hard and had a lot of public meetings before it went to the Council for adoption.”

But the City wasn’t just giving prospective developers and the market their way. “A development has to make financial sense. But from the City’s perspective, it has to also make community sense,” Mintz said.

That includes many design standards, impact fees, infrastructure fees, and other public benefits beyond the administrative fees for project review.

Each approved project that gets built contributes additional fees beyond what it takes to review the project,” Mintz said. “Project developers pay a fee to Stege Sanitary to upgrade all the sewer lines on the Avenue. They pay a Transportation Impact Fee to the City to help pay for transportation improvements, a regional transportation fee to help with regional transportation improvements, and a fee to the school district. The projects that have been built are required to improve the street frontage where they are built and also contribute funds to overall circulation improvements.”

Design is a key component of the City’s plan, which is known as a

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The Timeline

as provided by the Community Development Department

The timeline is highly variable depending upon the applicant. Below are general steps. Steps 1-4 have a lot of variability (based on the market, the willingness or interest of the property owner to sell at a price acceptable to the buyer and vice versa, etc.).

1. Property for sale or someone looking to pursue a project.
2. Some number of people call and inquire what is allowed.
3. Some serious potential applicants will schedule a meeting with the Community Development Department.
4. With complicated projects, some may submit a preliminary site plan and run some ideas by Community Development (and they may convene Fire, Police, or others to discuss and give preliminary feedback for complicated sites).
5. A potential buyer or owner of a property may submit a preliminary application or application. Community Development can offer a study session with a preliminary application or prior to a formal application, for a fee as development related projects are based on a cost-recovery model.
6. From the time an application is submitted, again for a fee that is based on cost recovery, it takes a varying amount of time (5-6 months on the project) for an application to be considered complete. See chart below.
7. Complete to final approval (at the Design Review Board or Planning Commission) can be 3-6 months. (Note: This is less time as the Specific Plan Program EIR is in place, as it simplifies the CEQA process. If a project needs to do its own CEQA, like the OSH project will—due to its size and timing—this period would be more like 12 months).
8. Once approved, a project has two years to submit for a building permit, or it can be administratively extended for up to two years, if the project still conforms to adopted regulations.

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Total Time from Application to Building Permit Issuance (wks.)

- Application Submission to Completion
- Planning Commission Approval
- Design Review Board Approval
- Building Permit Submitted
- Building Permit Issued

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Form Based Code. The look of a project, the inclusion of public spaces and installations such as art, are key requirements.

“While the City needed the code to be market friendly, we also want something that really contributes to the quality of life for our existing and future residents.”

When we were developing the regulations we not only held public meetings, we also did charrettes with developers and architects and property owners to make sure the regulations we were coming up with would work, because one of the challenges in planning is that you can have a vision and an idea, but all of the money comes from private development,” Mintz said. “The City doesn’t contribute any funding to development at all. Not since redevelopment ended. We don’t interact much in the financing end of it, except to make sure we have rules and regulations that make sense.”

The Development Process

Here is how a typical development now unfolds in EL Cerrito, if everything is done properly.

The City initially hears from prospective developers looking to build and seeking the right location, or those negotiating for a property and seeking to learn what’s allowed.

Once a project application is submitted, a planner is assigned to assess conformity with City requirements and rules.

“The planner has a good feeling for what the Planning Commission is looking for and guides them so that when the project goes public it’s as close as possible to both the regulations and what we’ve heard from the community,” Mintz said. “When it’s complete, and meets all the criteria, Sean, our Planning Manager, and his team send it out to make sure it matches our environmental guidelines.”

Special studies on some project aspects, such as traffic circulation, are then done if necessary.

“Once it checks out, if it’s a small project such as a building improvement to an existing building it goes to the Zoning Administrator for a zoning board hearing and we give a 21-day notice to those within 300 feet of the property,” Moss said. “If it’s a larger project it might go to the Design Review Board, and maybe the Planning Commission, again with 21-day public notice to properties within 300 feet of the project, the newspaper, and posted on the City’s webpages, City Hall agenda board. Interested members of the public can also sign up to receive notification of Design Review Board and Planning Commission agendas.

Entitlements

“For something a little bit different it might go first to the Planning Commission and then the Design Review Board. When it gets that approval, that’s what we call entitled.”

Moss explained that entitlements “are the right to build the project once it’s approved. The Specific Plan sets up the structure of what’s required for a project. A lot of things are allowed by right,” including multi-family residential and commercial uses. “The Specific Plan eliminates the need for a use permit for those uses,” Moss said. “What is still required is design review.”

New construction under the specific plan is classified as Tier 2, those that meet all the requirements of the city’s form-based code, or Tier 4, those that vary from the code.

“It’s called form-based because there are still regulations related to land use, but by and large we’re trying regulate the form of what buildings look like, how they interact with the public right of way and how people interact with them, so it includes standards like articulation,” Moss said. “In general, buildings that have a higher degree of architectural articulation are more interesting, they’re more interesting to look at, more interesting to interact with, relate better to the street.”

Project submissions are evaluated for those development standards.

Those that come under Tier 2 go to the Design Review Board to evaluate the architecture and landscape design.

“If there’s some reason a project needs an exception to one standard or multiple standards then it’s subject to Tier 4 design review,” which allows some flexibility. It acknowledges that projects for one reason or another might need flexibility to standards in the form based code. But in exchange for that flexibility, we want there to be some additional benefit to the public that wouldn’t be required otherwise,” Moss said.

“A lot of projects have gone through the Tier 4 process,” Moss said. “Most notable for me is at the site of the Big 5 sporting goods store,” where developers sought to build six stories in an area where the limit is five (taller projects are allowed under the plan near the two BART stations).

“So they added an additional story and in exchange they pledged to contribute $1 million to the city’s affordable housing trust fund, $700,000 toward completion of street improvements in

Continued on page 6
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the Specific Plan that focus on pedestrian, bicycle and transit improvements along the corridor, and also provided a mid-block connection from San Pablo Avenue to the Ohlone Greenway.”

At the Greenway will be a bike stop facility open to the public during commute hours.

“We felt that justified the decision to allow adding a sixth story,” Moss said.

Mintz noted that most Tier 4 variances are not as large and the public benefit is sized accordingly.

A project in the Tier 4 process first goes to the Planning Commission, which reviews and acts on public benefits and exceptions. It then goes to the Design Review Board for evaluation of the architectural and landscape design.

A two-year entitlement is typical for most cities and if the applicant pulls a building permit during that time the entitlement would vest, meaning the entitlement becomes permanent.

If there are delays, entitlement can be administratively extended up to two years more.

Projects are approved based on rules in place at the time. “If two years pass, it opens the opportunity to say the rules have changed,” Mintz said. “It can be administratively extended another two years, after that it has to go back to the Planning Commission, which can grant another extension via the public review process, which they would do if it’s a project the City wants,” Moss added.

Seeking an extension involves a fee and the City has notified some developers about upcoming expirations,” Mintz said.

“The timeline for what we just described can be anywhere up to about a year until entitlement,” Mintz said.

Once entitled, they might move to the construction phase right away, but if they do it would take about six months for them to prepare construction drawings for an approved project” that again must be submitted for review and approval.

See The Timeline on page 4.

To be continued in the next Byline

LEARN MORE ONLINE

| Specific Plan | www.el-cerrito.org/SPAS |
| Economic Development | www.el-cerrito.org/EconDev |
| Affordable Housing | www.el-cerrito.org/AffordableHousing |
| Major Projects | www.el-cerrito.org/MajorProjects |

Have ‘Lunch’ with John Gioia

Our Contra Costa County Supervisor will meet with Chamber members by Zoom video

Friday, August 7th · Noon to 1:30 p.m.

John will share County updates and his perspective on local business issues

Breakout rooms will be utilized for easier networking

For access, sign in here: https://us02web.zoom.us/j/6980552751

RSVP to: info@elcerritochamber.org or call 510-778-5883

The link will be sent once again as date gets closer

Time Flies

20 years ago Premier Graphics became a member of the El Cerrito Chamber of Commerce. Owner John C. Stashik, a member of the Board of Directors and Treasurer, was recently honored with a plaque noting the milestone presented by City Council Member Gabriel Quinto and Chamber President Jeffrey Wright. Stashik is also editor and publisher of this newsletter.

El Cerrito Business Licenses

It is renewal time for business licenses in El Cerrito. Normally due on July 1st, the City has extended the deadline until September 1st (due to the COVID-19 pandemic and related hardships) without any penalty. This year, penalties for late payment will begin accruing on October 1st.

Have questions? They can be answered by the Community Development Department by calling 510-215-4314. Email: businesslicense@ci.el-cerrito.ca.us.
cials flash their badges to motorists, exclaim “police business I need your vehicle,” order the driver out of the car, and then burn rubber taking off, leaving the vehicle owner stranded on the side of the road not knowing when they will regain control of their vehicle and what type of condition it will be in when they recover it.

Restaurant owners, hair stylists, and other types of businesses being told to shutdown, then permitted to re-open only to be told to shutdown again. Granted, we are currently dealing with extenuating circumstances resulting in all manner of disruption and these “emergency measures” are for the purpose of benefiting society as a whole.

There is certainly complexity to all of this, however, the simplest aspects of life offer comfort and reassurance that in time everything will be okay. What makes me say this? Nature!

Two years ago a neighbor lost control of their vehicle and wound up straddled across my retaining wall and front walkway. Along with damage to brickwork and a handrail, two pedestal style planters that were on each side of my walkway were casualties. In the past few weeks I set out replacement planters and put in some young, vibrant, violet colored pansies. Upon completion, I stood back and gazed proudly at my work.

To my dismay, nature “sprung into action” alright! A few days after planting I noticed that there were no flowers in the planters, the soil was disturbed to the extent that what remained of the plants were uprooted. Some other budding plants in the yard were also disturbed. I began to think about the cute doe and two fawns that I recently saw, on more than one occasion, trekking through the neighborhood. I’m not assigning blame to them, because I did not see them do anything and besides that, there’s all manner of wildlife in El Cerrito.

I dutifully replanted the flowerless plants, and unfortunately this cycle went on for two more rounds. The “attacker” was persistent and tenacious, and even though I was pretty irritated by the third replanting, I was even more determined, persistent and tenacious.

Nature will provide us with literal life lessons that we can then apply literally, figuratively, and metaphorically. This much I do know, in order to live a “full bloom life,” along the way, the soil will be disturbed and aspects of our lives will be uprooted. We have to be more persistent and tenacious then the forces that seek to “disturb our soil” and overall well being.

To my fellow El Cerrito businesspeople and citizens alike, let us be persistent, tenacious, and firmly rooted while we cultivate and nourish our soil…our bouquet is coming just as my planters are now, once again heralding the blooms of vibrant pansies!

Outdoor Dining

As many local restaurants and retailers continue to adapt during these times, the City Council adopted a new program in July to further boost El Cerrito businesses. The Temporary Outdoor Dining and Retail Program allows outdoor private and/or public space adjacent to a business to be utilized for outdoor dining and retail.

Realizing that each business location is not identical, the guidelines allow use of outdoor private property, public sidewalks and public parking spaces. Businesses who are interested can learn more and apply for an expedited permit at no cost by visiting el-cerrito.org/outdoorseating. For more information, email community@ci.el-cerrito.ca.us.

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What’s Open?
The City of El Cerrito has an online directory of local restaurants, retailers, and other businesses that are currently open.
Proprietors should ensure their business is listed in the directory and add or update information as needed.

Email citymanager@ci.el-cerrito.ca.us with any questions about this directory.

To access the directory go to: www.el-cerrito.org/whatsopeneicerrito

Mural on the Greenway

Authorized by City Council, Delta Sigma Theta Sorority, Inc., took the lead in painting “Black Lives Matter” on the BART path on July 25th. Others pitched in including Mayor Greg Lyman (left).