

**MINUTES APPROVED AT THE PC MEETING ON AUGUST 19, 2021**

**PLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL**

Teleconference  
May 6, 2021  
6:30 p.m.

**COMMISSION MEMBERS**

David Tucker, Chair	Michael Huang	Jonathan Harrison
Jen Loy, Vice Chair	Masoomah Sharifi Soofiani	
Bruce Brubaker, Secretary	Alpa Agarwal	

The regular meeting was called to order by Chair Tucker at 6:30 p.m.

**ROLL CALL**

**Present:** Chair David Tucker; Vice Chair Jen Loy; Commissioner Bruce Brubaker, Alpa Agarwal, Jonathan Harrison, Commissioner Yu-Hsiang (Michael) Huang and Masoomah Sharifi Soofiani

**Absent:**

**INTRODUCTIONS**

**Staff Present:** Planning Staff: Hector Lopez, Roberta Feliciano, Emily Carroll, Community Development Director Lina Velasco, and Attorney James Atencio

**MINUTES** – None.

**AGENDA**

Chair Tucker provided an overview of meeting procedures for speaker registration, public comment, and public hearing functions. He said items approved by the Commission may be appealed in writing to the City Clerk by Monday, May 17, 2021, by 5:00 p.m. and he announced the appeal process after each affected item, as needed.

**CONSENT CALENDAR –**

- 1. PLN20-329: Davidson Second Story Addition PUBLIC HEARING** to consider a Variance to the rear setback and Design Review to construct a ±1,240 sf second story addition to an existing single family residence at 696 Yuba St. (APN: 520-121-012). RL-2, Single Family Low Density Residential District. Eric and Natalie Davidson, owner; Zachary Meade, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

Chair Tucker requested the item be removed from the Consent Calendar to allow for public comment.

2. **PLN21-027: The Grape Nest Wine Bar Use Permit** PUBLIC HEARING to consider a Conditional Use Permit for an on-sale beer and wine (Type 42) ABC License to operate a wine retail shop with tasting in an existing tenant space at 229 Tewksbury Ave. (APN: 558-312-004). CM-2, Commercial Mixed-Use, Neighborhood District. Jacobs James A & Olivia T, owners; Marlina Miller, applicant Planner: Hector Lopez Tentative Recommendation: Conditional Approval
3. **PLN21-095: Lizarraga Deck** PUBLIC HEARING to consider a Variance to allow for a 6 foot projection into the non-conforming rear yard (3 feet allowed) and Design Review to construct a two-story deck greater than 4 feet in height from the ground (8.5 feet proposed) at 517 Western Drive (APN: 558-201-007). RL-1, Single Family Very Low Density Residential District. Megan Lizarraga & Joseph Marchini, owners/applicant Planner: Emily Carroll Tentative Recommendation: Conditional Approval

Chair Tucker mentioned that under the appealable section, it states that the item is appealable by Monday, May 16, 2021, and it should be Monday, May 17, 2021.

**ACTION: It was M/S/C (Harrison, Soofiani) to accept Consent Calendar Items PLN21-027: The Grape Nest Wine Bar Use Permit and PLN21-095: Lizarraga Deck, and the correction to the appealable date for item PLN21-095; which carried by the following vote: 7-0 (Ayes: Tucker, Brubaker, Loy, Huang, Soofiani, Agarwal, Harrison; Noes: None).**

**BROWN ACT – Public Forum** – None.

**NEW BUSINESS** –

1. **PLN20-329: Davidson Second Story Addition** PUBLIC HEARING to consider a Variance to the rear setback and Design Review to construct a ±1,240 sf second story addition to an existing single family residence at 696 Yuba St. (APN: 520-121-012). RL-2, Single Family Low Density Residential District. Eric and Natalie Davidson, owner; Zachary Meade, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

Ms. Feliciano explained that the applicant is requesting a Variance to allow a 10-foot rear yard setback along Clinton Avenue where 20-feet is required as well as Design Review for a 1,240-square foot second story addition. As proposed, there would be a two-car garage on the first floor facing Clinton Avenue with bedrooms and offices on the second floor.

During the April 14, 2021, Design Review Board meeting, the applicant received a recommendation for approval to the Planning Commission. The applicant reached out to the butting neighbor as well as the Richmond Heights Neighborhood Council and received letters of support from both parties.

Commissioner Brubaker commented that the Variance is for the rear setback, not the height of the addition. Ms. Feliciano confirmed that is correct.

Commissioner Agrawal asked if the curb will remain as is and Ms. Feliciano answered that is correct.

**Public Comment:**

COURTLAND PEREZ opposed the addition because it will obstruct the view from her home which will diminish the value of the property.

Commissioner Agrawal inquired if the City has any standards regarding views and obstructions of views. Ms. Velasco explained that the City does not protect views from private property. She noted that several Cities do have View Preservation Ordinances, but it was not pursued by the City of Richmond. Commissioner Agrawal emphasized that issues regarding views have come forward several times now and she requested that the Commission explore a View Preservation Ordinance.

Chair Tucker agreed that the concerns regarding views has come up several times.

Commissioner Soofiani agreed with Commissioner Agarwal that the City should adopt a standard for view preservation.

Commissioner Huang noticed that the building footprint is adhering to the 10-foot rear setback and the only encroachment into the setback was the overhang of the roof. Mr. Zachary Meade, architect, answered that the Variance applies to the first and second floor. The existing first floor was already out of compliance in terms of the setback.

Mr. Meade shared that the adjacent property abutting the project is 10-feet higher than the top of the roofline of the project and the project is 8-feet below the maximum allowable height.

Vice Chair Loy was also interested in learning more about view protections and ordinances.

Commissioner Harrison disclosed that because there are no current guidelines or standards regarding views, the Commission could only act upon the content of the request for a Variance. For those reasons, he supported the project as presented.

Commissioner Agrawal suggested that the application be tabled until Staff can provide clarification regarding views.

Commissioner Soofiani acknowledged that developing standards can be a long process and it would not be benefit the applicant to place their application on hold for that length of time.

Commissioner Brubaker agreed with Commissioner Soofiani. He declared that the applicant did an excellent job of designing the addition so that it is only on one half of the building and is sensitive to the surrounding neighbors.

**ACTION: It was M/S/C (Harrison, Soofiani) to adopt Resolution #21-07 as contained in Attachment 1 adopting the Findings here therein in approving a Major Design Review and Variance for rear yard setback to construct a two-story addition to single-family residents, case PLN20-329, subject to any applied conditions; which carried by the following vote: 6-0-1 (Ayes: Tucker, Loy, Brubaker, Huang, Soofiani, Harrison; Noes: None; Abstain: Agarwal).**

Commissioner Agarwal explained that her abstention vote is because the City should clarify concerns regarding views.

### **COMMISSION BUSINESS**

**7. Reports of Officers, Commissioners and Staff** – Ms. Velasco thanked the Commissioners for participating in the training that was held by the City.

Chair Tucker found the training to be very informative. He asked if views are covered in the new guidelines for decision making and suggested Staff provide any information regarding that at the next Commission meeting.

**8. Adjournment** - The meeting was adjourned at 7:06 p.m. to the next regular meeting on May 20, 2021.