

MINUTES APPROVED AT THE PC MEETING ON NOVEMBER 4, 2021

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

Teleconference
October 7, 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 Commissioner Brubaker at 6:30 p.m.

ROLL CALL

Present: Commissioner Alpa Agarwal, Bruce Brubaker, Jonathan Harrison, Yu-Hsiang (Michael) Huang and Masoomah Sharifi Soofiani

Absent: Chair David Tucker; Vice Chair Jen Loy

INTRODUCTIONS

Staff Present: Planning Staff: Roberta Feliciano, Hector Lopez, Community Development Director Lina Velasco, and Senior Assistant Attorney James Atencio

MINUTES –

August 19, 2021

ACTION: It was M/S/C (Harrison, Huang) to approve the August 19, 2021 draft meeting minutes; which carried by the following vote: 4-0-2-1 (Ayes: Agarwal, Harrison, Huang, Soofiani; Noes: None; Absent: Tucker, Loy; Abstain: Brubaker).

September 16, 2021

Ms. Velasco noted that Commissioner Soofiani requested to clarify her comments by inserting the words “view preservation” into the sentence where she says “the City does not have Objective Standards” on Page 4 of the minutes. Also, in the same sentence, insert the words “Design Review Board findings are based on”.

Commissioner Brubaker stated that he recused himself from Item PLN20-043, but was present for the other items.

ACTION: It was M/S/C (Harrison, Huang) to approve the September 16, 2021 draft meeting minutes as amended by Commissioner Soofiani; which carried by the following vote: 5-0-2 (Ayes: Brubaker, Agarwal, Harrison, Huang, Soofiani; Noes: None; Absent: Tucker, Loy).

AGENDA

Commissioner Brubaker provided an overview of meeting procedures for public comment and public hearing functions. He said items approved by the Commission may be appealed in writing to the City Clerk by Monday, October 18, 2021, by 5:00 p.m.

CONSENT CALENDAR –

- 1. PLN21-256: Live/Work Conversion PUBLIC HEARING** to consider a request for a Conditional Use Permit to convert an existing industrial building into a live-work unit at 710 South 33rd St. (APN: 549-221-012). IL, Light Industrial District. Lawrence A Wong, TRE, owner; Edward Lee, applicant Planner: Hector Lopez Tentative Recommendation: Conditional Approval
- 2. PLN21-280: Dissident Spirits Co. CUP PUBLIC HEARING** to consider a request for a Conditional Use Permit to establish a Limited Industrial Use (craft spirits distillery) with tasting room in an existing building at 855 Marina Bay Parkway, Suite 28 (APN: 560-181-091). T5N-O, Transect Zone, SP-2, Richmond Bay Specific Plan. Marina Bay Crossing LLC, owner; Adrian Willey, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

ACTION: It was M/S/C (Huang, Harrison) to approve the Consent Calendar; which carried by the following vote: 5-0-2 (Ayes: Brubaker, Agarwal, Harrison, Huang, Soofiani; Noes: None; Absent: Tucker, Loy).
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BROWN ACT – Public Forum

CORDELL HINDLER, a resident of Richmond, was appalled that the Commission approved PLN21-191, the W Club – Karaoke Bar CUP Amendment. He commented that karaoke bar brings crime to the area and should not be allowed to stay open later than 11:00 p.m. He emphasized that an applicant must talk to the associated neighborhood council before their project comes before a reviewing body.

CONTINUED ITEMS

- 3. PLN20-043: Garbelmann Residence PUBLIC HEARING** to consider a Conditional Use Permit and Design Review to construct a two-story, single-family dwelling on a vacant parcel located within the –S, Shoreline Overlay District at 357 Western Dr. (APN: 558-185-006). RL-1, Single Family Very-Low Density Residential and –S, Shoreline Overlay District. Rudi Garbelmann, owner; Brad Gunkel, applicant Planner: Hector Lopez Tentative Recommendation: Conditional Approval

Commissioner Brubaker recused himself from the item and Commissioner Huang took over the position of Acting Chair for the item.

Mr. Lopez reported that the proposal is to construct a two-story home with 2,340-square feet. On November 18, 2020, the Design Review Board held a public hearing regarding the project and the Board unanimously voted 7-0 to not recommend approval of the proposed design to the Planning Commission.

The Planning Commission held a public hearing on September 16, 2021, in which the Planning Commission continued the item and requested that Staff prepare findings and Conditions of Approval for the CUP and Design Review with modifications. The Commission's direction was to decrease the slope of the butterfly roof and/or ceiling height in order to reduce the height of the structure. Also, that the metal roofing material is painted or coated to ensure that it does not reflect light and incorporate a green wall or landscaping on the north elevation to reduce massing and bulk. Staff recommended Conditions of Approval number 2, 3, and 4 to satisfy the Planning Commission's recommended design modification.

Condition Number 2 required a reduced roof height of 1 ½-feet. Condition Number 3 required material samples of the proposed metal roof to be provided to the Community Development Director for review and approval. Condition Number 4 required the north elevation to integrate design features or landscaping to reduce the mass and bulk of the building.

Staff recommended that the Commission adopt Resolution No.21-17 approving the CUP and Design Review with modifications.

Commissioner Agarwal understood from the email that was sent from the applicant to all of the Commissioners that there were three design changes made to the project. One was non-reflective paint, the second was lowering the roof by 13-inches, and the third was landscaping on the side. She inquired if those changes were included in the Staff report. Mr. Lopez confirmed that the new information was not included in the Staff report and the modifications were submitted late. Commissioner Agarwal asked if the matter should be continued to the next meeting so that Staff has time to review the submitted changes. Ms. Velasco noted that the applicant has provided modifications to satisfy Condition Number 2 and 3, but has proposed to decrease the roof by 13-inches instead of the recommended 18-inches.

Commissioner Harrison clarified that Condition Number 1 refers to Exhibit A regarding what the project is supposed to look like. He commented that Exhibit A does not reflect a reduction in the roof height. He remarked that he did not want to continue the item to a future meeting and asked if there is a way to modify Condition Number 1 to reflect the applicant's most recent submittal. Mr. Lopez stated that the applicant has not modified the project enough to satisfy Condition Number 2.

Commissioner Soofiani mentioned that the applicant has changed the roof form and now it is partially flat. The drawings that the applicant has submitted do not reflect the recommended reduction of 1 ½-feet. She wanted to understand from the applicant if it is possible to reduce the height of the roof to the recommended reduced height. Brad Gunkel, the applicant, explained that the center of the roof has been flattened as well as the slope of the front portion of the roof has been changed. These modifications have reduced the height of the roof by 2-feet lower than the original proposal. The modifications put the rear roof slope at the lowest height that is feasible without having to do a standing seam metal roof system.

Commissioner Agarwal asked how many inches was the roof reduced by and Mr. Gunkel answered that the front roof elevation was reduced by 23-inches. The back portion to the roof was not reduced due to it being at a minimum height. He noted that the back roof will not be visible from the street and was pedestrians. Commissioner Agarwal noted that all the conditions have been met except for the height of the roof in the back. Mr. Lopez remarked that he has not seen the drawings to know if the conditions have been met, but the requirement is to lower the front and back roof by a 1 ½-feet.

Commissioner Harrison understood that the Commission was seeking a lower roof in the front in order to improve the view from the street. He could not recall a conversation about lowering the back of the roof. He stated that he is comfortable with the rear portion of the roof staying at what the applicant has proposed because the rear roof will not be seen from the street.

Commissioner Agarwal agreed with Commissioner Harrison that there was never a conversation about what should happen to the front and the back of the roof. She also agreed with Commissioner Harrison that the applicant has lowered the front of the roof by roughly 2-feet and views are no longer impacted. She commented that it appears that the applicant has met the requirements.

Mr. Gunkel showed a schematic of the new design to the Commission. Mr. Lopez acknowledged that the new schematic shows a less dramatic roof form and that is what Staff has been seeking.

Mr. Atencio suggested that the motion state that Exhibit A will be the recently revised supplement submittal that the applicant has provided.

Commissioner Soofiani requested that the applicant provide a schematic of the north elevation with the landscaping and list what species of plants will be used. Mr. Gunkel agreed to provide that to Staff.

ACTION: It was M/S/C (Harrison, Agarwal) to adopt Resolution No. 21-17 adopting the findings and therein approving a Condition Use Permit and Design Review with modification for number PLN20-043 to construct a single-family dwell at 357 Western Dr and to clarify that Condition Number 1 would be modified to reflect the roof design contained in materials submitted by the applicant on October 7th, 2021 for consideration by Staff and the Planning Commission and that the applicant will provide a landscape rendering for the northern elevation to be reviewed by the Planning Staff prior to moving forward with construction and remove Condition Number 2; which carried by the following vote: 4-0-2-1 (Ayes: Agarwal, Harrison, Huang, Soofiani; Noes: None; Absent: Tucker, Loy; Recused: Brubaker).

Commissioner Agarwal expressed her appreciation of Staff, the Planning Commission, and the applicant for working together and coming to consensus.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners and Staff

Commissioner Brubaker inquired what would be the mechanism to have a joint study session with the Design Review Board to discuss the interactions between the Planning Commission and the Design Review Board. Ms. Velasco answered that a retreat could take place with the groups and the public would be allowed to attend.

Commissioner Harrison supported the idea of having a retreat.

Commissioner Agarwal inquired what components of the process is not working. Commissioner Brubaker explained that there needs to be a better understanding of the different roles. Commissioner Harrison agreed with Commissioner Brubaker's answer.

Commissioner Agarwal requested to agendized a discussion regarding design guidance versus requirements.

Commissioner Huang commented that some of the Design Review Board's intentions become lost when an item comes to the Commission for review. He wanted to better understand the conduit between the Planning Commission and the Design Review Board, and how the Design Review Board's intent can be transferred between the two groups better.

Commissioner Brubaker requested that the discussion regarding a joint retreat be discussed at the next meeting so that the two absent Commissioners can provide comments. He suggested that Staff discuss the idea with the Design Review Board.

Ms. Velasco reminded the Commission and the public that City Hall will be closed on October 11, 2021 and will reopen on October 12, 2021.

8. **Adjournment** - The meeting was adjourned at 7:36 p.m. to the next regular meeting on November 4, 2021.