

MINUTES APPROVED AT THE PC MEETING ON JANUARY 6, 2022

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

Teleconference
November 18, 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, Yu-Hsiang (Michael) Huang and Masoomah Sharifi Soofiani

Absent:

INTRODUCTIONS

Staff Present: Planning Staff: Roberta Feliciano, Lydia Elias, Andrea Villarroel, Community Development Director Lina Velasco, and Attorney Shannon Moore

MINUTES – None.

AGENDA

Chair Tucker said items approved by the Commission may be appealed in writing to the City Clerk by Monday, November 29, 2021, by 5:00 p.m.

CONSENT CALENDAR – None.

BROWN ACT – Public Forum – None.

NEW BUSINESS

1. **PLN20-331: Cherry Blossom Row Townhomes** PUBLIC HEARING to consider a Vesting Tentative Map and Design Review to construct 100 residential dwelling units on vacant parcels totaling 4.7-acres at 2301 Columbia Blvd. (APNs: 507-251-015, -021, -020). Proposed CEQA status: exempt under CEQA guidelines section 15183. CG, General Commercial District. ABS-CBN International, owner; City Ventures, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

Ms. Feliciano reported that the project site contains three vacant parcels that total 4.7-acres. The subject parcels are separated by two existing multi-family residences on Napa Street. The smaller site located east of Napa Street contains mature eucalyptus trees. There are PG&E and sewer easements in the northwest corner of the larger site. The General Plan's classification of the site is medium-intensity mixed-use (commercial emphasis). This zoning classification allows mixed-use development, residential only, or commercial only development. The residential density allows up to 50-dwelling units per acre. However, the site's zoning is general commercial which does not allow residences. Under Government Code Section 65589.5(j)(4), the site is not required to be rezoned if the proposed housing development project is consistent with the objective of the General Plan standards and criteria. Staff agreed that the project is consistent with the General Plan, the zoning is inconsistent with the General Plan, and so the City cannot require the applicant to rezone the project site. Staff has determined that the CM-3 zoning is the most consistent with the medium-intensity mixed-use commercial land use designation. Staff has applied the Objective Standards and criteria for the CM-3 to facilitate and accommodate development at the density allowed on the site by the General Plan.

The applicant requested a concession and waiver under State Density Bonus Law, a Vesting Tentative Map, Design Review to construct 100 residential dwelling units, and Conditional Use Permit (CUP) to construct a community garden on the vacant parcels. Also, the applicant requested a determination that the project qualifies for a California Environmental Quality Act (CEQA) Exemption.

The scope of work consisted of constructing 15 buildings, interior roads, pedestrian circulation paths, and landscaped areas. The dwelling units will range from 1,300 to 1,900-square feet. The residential buildings will be three stories with three residential levels and garages located on the ground floor. The units will have a second-story balcony and ground-floor open space. At least 10 percent of the units will be designated as affordable units. The project meets all of the Development Standards per the CM-3 Zoning District with the approval of the concession to the Design Standards pertaining to the ground floor height and a waiver to the Development Standards pertaining to parking location.

Concerning the Vesting Tentative Map, the applicant proposed to subdivide the existing site into two lot subdivisions. A homeowner association (HOA) will be formed to maintain the subdivision improvements. The Vesting Tentative Map has been reviewed and found in compliance with provisions within the City's Subdivision Ordinance. The project plans were reviewed by the Technical Review Committee, utility companies, and outside agencies for comments and additional conditions.

Concerning the CUP, the applicant proposed a community garden within the project site. Per the City's Municipal Code, a community garden may be permitted after review and approval of the CUP by the Planning Commission.

A study session was held in March 2021 with the Design Review Board (DRB) and in July 2021, the DRB held a formal public hearing. After reviewing the project, the DRB unanimously recommended approval to the Planning Commission of the design with additional conditions. Those conditions were incorporated into the Resolution and the project plans.

Concerning the Housing Accountability Act, staff determined that with the approval of the concessions and waiver, the project conforms to all Objective Standards and the project will not have a significant impact on public health or safety. Therefore, the project cannot be denied or

reduced in density. The Commission may add additional Conditions of Approval as long as those conditions do not have the effect of reducing the density of the project.

On September 22, 2021, planning staff and the applicant met with members of the Confederated Villages of Lisjan. The applicant agreed to incorporate certain requests made by the group into the project's Conditions of Approval.

Staff recommended that the Planning Commission adopt Resolution 21-16 approving all components of the project.

Samantha Hauser, City Ventures, applicant, announced that City Ventures is an infill developer. The project proposed would contain all solar and electric power. The proposal is for townhome condominiums for sale, but an HOA would pay for the maintenance of the homes. The landscaping will be low impact, will have low-flow water fixtures, the garages will be set up for electric vehicle (EV) charging and other climate change components.

The goal of the project is to have an architectural style that compliments the neighborhood. The project will contain bicycle and pedestrian improvements to foster public transportation. The project will include central green space, a grand entry, new sidewalks, landscaping and lighting, a community garden that will be open to the public for use, and other amenities. The project will also be build over a mile of new bicycle pathways that are outlined in the General Plan.

Commissioner Agarwal wanted more information about the proposed urban agriculture on the site, the HOA fee, and marketing plans. Ms. Hauser confirmed that the HOA will be set up to be the financing mechanism and the City will not have to pay for the agriculture. She anticipated the HOA fee to be in the \$200 to \$300 range and the HOA will be responsible for the maintenance of the grounds. Concerning marketing, she mentioned that City Venture markets across all channels and will work closely with the City to market the affordable housing units.

Commissioner Soofiani appreciated the design, the compatibility to the surrounding neighborhood, the community garden, and the front doors opening to the streets. She asked if there is diversity in the size of the units, how the affordable units will be incorporated, and why apartment styles were not used in the project. Ms. Hauser confirmed that there are five different unit types and the majority of the homes will range between 1,600- to 1,700-square feet. The affordable units will be scattered throughout the site and will be the same style as the market-rate housing. Concerning apartments, she emphasized that the City has a requirement that affordable units be the same size as the proposed market-rate housing and the target groups for the site were first-time home buyers and families. Ms. Velasco confirmed that the City recently updated its Inclusionary Housing Ordinance. The project will be required to sign a Regulatory Agreement. She mentioned that the City has not built affordable income, for-sale units for over a decade.

Commissioner Harrison found the design impressive, especially the offsite bicycle and pedestrian improvements. He mentioned he discussed with the applicant noise and air quality concerns since the project is located between two freeways and a train track. Ms. Hauser disclosed that on the east side of the project there is an existing 20-foot high wall that mitigates noise. On the west side, the project will have a private street along the railroad to create a buffer zone and then the units will have high-quality windows to mitigate noise. All private open space will face away from the railroad tracks as well. Concerning air quality, the City has placed a condition on the project that there be one air change per hour with outside fresh air through a high-quality filter and four additional air exchanges per hour.

Commissioner Agarwal asked that the approximate sale price per square foot. Ms. Hauser anticipated that in current times, the market rate homes would be in the \$500,000 to \$600,000 range and the affordable homes would be \$400,000.

Vice Chair Loy thanked staff and the applicant for bringing forward a well-thought-out project.

Commissioner Brubaker found the density of the project impressive and he strongly supported the project. He asked for further explanation about the townhomes in building five and the walkway that ends half along the backside of the proposed yards. Ms. Hauser mentioned that the DRB suggested that when entering the site, it is a better experience to see front doors than garages. She confirmed that there will be a walkway in front of building five and the driveway aprons have been extended. Concerning the walkway, she explained that is a Building Code requirement to have a second path of egress for emergencies.

Commissioner Soofiani inquired about existing trees on site, parking signage, fire safety, and access to the community garden. Ms. Hauser confirmed that several trees will be retained but the eucalyptus trees will be removed due to safety concerns. Concerning parking, she mentioned that there is an excess of parking on the site. The Covenants, Conditions & Restrictions (CC&R) will contain strong language regarding street parking and will be monitored by the HOA. Any street parking located on public streets will be limited to 4-hours. Concerning fire safety, she explained that all of the private streets have emergency vehicle access and all of the streets are 26-feet wide to allow for emergency vehicles. Concerning the community garden, she concurred that part of the garden is fenced and part is open. Signage will be posted to communicate that the garden and fruits trees are open to the public and the HOA will manage them.

Chair Tucker wanted to understand what the security measures are for the project. Ms. Hauser explained that the homes will be wired for ring doorbells. The site will be well light and have no dark recesses.

Public Comment:

LAUREN A. RUSSO strongly supported the project. She read a letter into the record crafted by Richmond residents and herself that express strong support for the project. They stated that the project will be a beautiful addition to the neighborhood, the project will bring work forcing to the City, and they supported the proposed electrification and water flow components.

JONATHAN LIVINGSTON, who spoke for himself and not as the Chair of the DRB, stated that the project is unbelievable, that the applicant responded positively to all comments made by the public, and he strongly encouraged the Commission to approve the project.

NICO NAGLE expressed his support for the project. He supported the project for its ownership opportunities and increased housing for the City.

Commissioner Brubaker wanted to understand how the City can ensure that affordable housing will be available in the project. Ms. Feliciano noted that Condition of Approval #16 requires the developer to enter into an agreement with the City for the affordable units.

Chair Tucker asked what the anticipated timeline for the project would be. Ms. Hauser predicted that in roughly 15-months the entire project could begin to see occupancy.

Commissioner Harrison inquired if the affordable units will be deed-restricted for a specific number of years. Staff answered that the homes will be held as affordable units for 45-years.

Commissioner Soofiani asked if there is a stormwater management plan. Ms. Hauser answered that it is located on Page C4 of the Packet. Chair Tucker added that stormwater management is addressed in Condition #17.

ACTION: It was M/S/C (Tucker, Harrison) to adopt Resolution #21-16, determine that the project is exempt from CEQA pursuant to CEQA Guideline Section 15183 and approving one concession and one waiver under Density Bonus Law, a Vesting Tentative Map, Design Review and Conditional Use Permit for the Cherry Blossom Road Townhome Project subject to Conditions of Approval and adding Condition #47 as given in the letter that was received by the Commission; which carried by the following vote: 7-0 (Ayes: Tucker, Loy, Brubaker, Agarwal, Harrison, Huang, Soofiani; Noes: None).

COMMISSION BUSINESS

7. Reports of Officers, Commissioners, and Staff – Ms. Velasco reminded the Commission and the public that City offices will be closed on November 25 and 26, 2021. Also, on December 8, 2021, the City will be hosting a virtual community open house for the Travel Safe Richmond Project.

Chair Tucker requested that a joint study session with the DRB be scheduled. Ms. Velasco anticipated that would be held in January or February of 2022.

8. Adjournment - The meeting was adjourned at 7:47 p.m. to the next regular meeting on December 2, 2021.