

**MINUTES APPROVED AT THE PC MEETING ON SEPTEMBER 15, 2022**

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

Teleconference  
August 18, 2022  
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 Tucker, Vice Chair Jen Loy; Commissioners Alpa Agarwal and Masoomah Sharifi Soofiani

**Absent:** Commissioners Bruce Brubaker, Yu-Hsiang (Michael) Huang, Jonathan Harrison

**INTRODUCTIONS**

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

**MINUTES** – None

**AGENDA** – None

**CONSENT CALENDAR** – None

**BROWN ACT – Public Forum**

CORDELL HINDLER strongly encouraged all applicants to seek neighborhood council approval before submitting their plans to the City.

**NEW BUSINESS**

**1. PLN21-023: Supportive And Family Apartments**

PUBLIC HEARING to consider a recommendation to the City Council for a General Plan Amendment to change the land use designation from Public, Cultural, And Institutional to Medium Intensity Mixed Use (Commercial Emphasis) and Rezoning from PCI (Public, Cultural, And Institutional) to CM-3 (Commercial Mixed-Use) for the construction of a new 5-story building and the rehabilitation of a former medical building to include a total of 135 affordable residential units. The project includes request for concessions and waivers under the state density bonus law for open space and off-street parking reductions, and building height increase at 100 38th Street (APN: 517-340-004). The project includes consideration of an Environmental Checklist pursuant to CEQA Guidelines Cal. Code Regs. tit. 14,

§§ 15162 and 15168. Current zoning is PCI (Public, Cultural, And Institutional) district. Contra Costa County, owner; Eden Housing, Inc., applicant Planner: Hector Lopez Tentative Recommendation: Recommend Approval to City Council

Mr. Lopez reported that the subject parcel was a developed parcel with an approximate size of 2.8-acres. The parcel was located in an area with mixed public commercial and residential uses. The existing building on the parcel was a two-story medical building, which had been vacant for several years, and surface parking.

The requested zoning change would allow the construction of a new five-story building with 76 affordable residential units and 8,500 square feet of commercial space on the ground floor. Also, rehabilitation of the former medical building to include 59 permanent supportive housing (PSH) apartments. The project also included a Design Review Permit and a request for waivers under the State Density Bonus Law for open space reduction, off-street parking reduction, and building height increase.

On July 27, 2022, the Design Review Board (DRB) reviewed the project. The applicant made several changes to the project design based on the comments received. The DRB unanimously recommended approval of the proposed project to the Planning Commission.

The Planning Commission was to consider the General Plan Amendment, Rezoning, Design Review and waivers and provide a recommendation to the City Council. The subject lot was located adjacent to other CM-3 and CM-4 zoning districts. The southern border of the site abutted the Bay Area Regional Transit (BART) rail line and blocked access to the south. Staff believed the General Plan Amendment and Rezoning appeared to be consistent with the surrounding zoning districts and that the site was physically suitable for the proposed land use and intensity. If approved by the Council, the project will comply with most of the CM-3 Development Standards.

The applicant requested a waiver for open space reduction, parking reduction and a building height waiver under the State Density Bonus Law. With respect to open space, the applicant requested a 100 percent reduction for private open space and a 62 percent reduction from the required common open space. With respect to parking, the applicant requested a 30 percent reduction in the off-street parking requirement. With respect to building height, the applicant requested a waiver for 1-foot 8-inches over the height limit. The City must approve the applicant-requested waivers because the waivers did not violate State or federal law. Also, there were no adverse impacts to the property listed on the California Register and there were no impacts on the health and safety of residents.

Based on the findings and Statement of Facts, staff recommended that the Planning Commission adopt Resolution 22-10 and recommend approval to the City Council, subject to conditions.

Matt Schreiber, Eden Housing Incorporated, applicant, noted the project was a joint effort between Edan Housing Incorporated and Community Housing Development Corporation (CHDP). Both agencies owned and operated units across the State of California and together had built over 200 affordable housing units within the City of Richmond.

The site was originally owned by Contra Costa County. Eden Housing and CHDP were selected through a Request for Proposal (RFP) process in 2019 to adaptively reuse the existing building for housing and convert the existing parking lot into a five-story mixed-use development. The

target income threshold for the units was 60 percent of Area Median Income (AMI). The PSH units would be filled through a referral process through the County of Coordinated Entry System. The YMCA of the East Bay will be housed in the 8,500 square feet of ground floor retail space. Their services will include birth to 5 child care for 70 to 80 kids, pre-k, mental health support and medical home connections. The project will also partner with local businesses like Planet Fitness, BART and LifeLong Medical to provide amenities to residents.

William Duncanson, BAR Architects, remarked the goal of the project was to create homes for individuals and families; create positive and social impacts; and minimize negative environmental impacts.

The project included removing a portion of the existing building to provide a courtyard in the middle to create open space and bring light into the dwelling units. The project will also create open space for the YMCA's childcare service. The proposal was to remove the existing ramp and provide better access to the courthouse as well as improve the ground floor of the PSH building. The proposal tied the PSH building with the newly constructed building through colors, materials and fenestrations. The existing basement of the PSH building will be reused for common amenity space with an outdoor courtyard and parking.

Chair Tucker invited any representatives who opposed the project to provide their comments. Ms. Feliciano announced there was no opposing representative.

Chair Tucker requested more details about the construction timeline. Mr. Schreiber remarked with successful entitlement expected before the end of the year 2022, the year 2023 will focus on financing. Construction would begin near the end of 2023/beginning of 2024, and completion was estimated to be in the summer of 2025.

Commissioner Agarwal asked several clarifying questions and then inquired if the units would be rental or ownership units. Mr. Schreiber confirmed all the units would be rental units and there were no age restrictions. Commissioner Agarwal inquired if all the units were affordable or if some would be market-rate. Mr. Duncanson answered all the units would be held at a maximum income threshold of 60 percent of AMI and would be permanently affordable.

Commissioner Soofiani greatly appreciated the project and inquired what the Commission's role was with respect to the waivers. Mr. Lopez explained the Commission must decide whether or not to recommend approval of the General Plan Amendment and Rezoning to the City Council. With regard to the waivers, the waivers must be approved by the City due to the project being an affordable project. Commissioner Soofiani supported the project and found it well designed. She wanted to understand if the City was making up for the lost PCI zone somewhere else in the City. Ms. Velasco confirmed that PCI was a typical land use classification for government-owned properties. The transfer from Contra Costa County to the applicant would merit consideration of a rezone and reclassification under the General Plan. Commissioner Soofiani asked if there was a plan to enhance the connection between the development and the nearby parks. Mr. Schreiber shared they were exploring two State financing sources to help the project come into alignment with the City's Bicycle Master Plan and the Pedestrian Master Plan.

Chair Tucker noted the project abuts an existing bicycle trail on the backside of the property near the BART rail line. Any enhancements to that part of the trail would be a great addition to the project.

Vice Chair Loy was very excited about the project and strongly supported it. She appreciated the comments that the applicant will work with the City to enhance bicycle and pedestrian access as well as work with community partners. She encouraged the applicants to continue their community partnerships after the project is built and potentially explore others in the future. Also, she encouraged the applicant to work with community partners and the City's Public Art Commission to include public art in the project. She inquired if there were plans to continue interactions with local businesses after construction and Mr. Schreiber answered yes.

Commissioner Agarwal mentioned that gas heat was commonly less expensive than electric heat. Mr. Schreiber confirmed that the goal was to have the project be all-electric. He mentioned that heat pumps are more efficient and quieter. The project also included rooftop solar panels to help offset tenants' electrical loads. Mr. Duncanson added that in mixed-use buildings it was uncommon to use gas heating. Commissioner Agarwal asked for more details about financing. Mr. Schreiber emphasized that both agencies were long-term owners and operators of all their properties. Potential funding sources included funding from the State of California, the City, the County, potential federal funding and subsidies and tax credit investors. Commissioner Agarwal understood parking and open space were reduced to increase density. Mr. Schreiber clarified that common open space was reduced due to site logistics and private open space was reduced due to operational constraints. Mr. Duncanson added that repurposing the medical building created constraints for more open space. Commissioner Agarwal agreed with the other Commissioners that the project will be well welcomed in Richmond.

Public Comment:

MADLINE LAW, President of Park Plaza Neighborhood Council and Co-Chair of the Southside Plus One Improvement Group, announced that all of the neighborhood councils were very much in favor of the project. The project would be an improvement neighborhood and revitalize it. She emphasized that the southside needed housing and urged the Commission to recommend approval of the project.

Chair Tucker thanked the DRB for their work on the project. He greatly appreciated the proposal and believed it would revitalize the corridor. He was happy to see that the neighborhood councils were engaged in the process and voiced their support. He encouraged the applicant to explore enhancements to Nicholl Park.

**ACTION: It was M/S/C (Tucker, Loy) to adopt Resolution 22-10 to recommend approval to the City Council of a Design Review Permit Density Bonus for the purpose of obtaining waivers, General Plan Amendment to change the land use designation from a Public, Cultural, Institutional to Medium-Intensity mixed-use and rezoning from PCI to CM-3 at 138 Street subject to conditions; which carried by the following vote: 4-0-3 (Ayes: Tucker, Loy, Agarwal, Soofiani; Noes: None; Absent: Brubaker, Harrison, Huang).**

Chair Tucker announced that the item could not be appealed.

**2. PLN12-248: Livable Corridors Form-Based Code Zoning Amendments**

PUBLIC HEARING to consider a recommendation to the City Council on proposed Zoning Text and Map Amendments to codify the draft Richmond Livable Corridors From Based Code (FBC) as new Series 15.04.400 Form-Based Code Zoning Districts in the Richmond Municipal Code, including transect zones, building types, frontage types, architectural standards, and general to large site standards. The FBC will designate new transect zones

for parcels within the FBC area as shown on the Map. The draft FBC and Zoning Map Amendments are available for review at [www.ci.richmond.ca.us/2965/rlc-fbc](http://www.ci.richmond.ca.us/2965/rlc-fbc). The proposed project also includes adoption of an Addendum to the General Plan 2030 Environmental Impact Report. Various, owner; City of Richmond, applicant Planner: Roberta Feliciano  
Tentative Recommendation: Recommend Adoption to City Council

Ms. Velasco announced the item would be held over to the September 1, 2022 Planning Commission meeting.

### **COMMISSION BUSINESS**

**3. Reports of Officers, Commissioners and Staff** – Ms. Velasco reported that the election of officers for the Commission will be held at the September 1, 2022 meeting.

Chair Tucker requested an update on the Hilltop Mall conversations. Ms. Feliciano shared that the summary from the stakeholder interviews and the market study was posted on the project's website. An advisory meeting was going to be held on August 24, 2022 and the first community workshop was to be held at the end of September.

**4. Adjournment** - The meeting was adjourned at 7:43 p.m. to the next regular meeting on September 1, 2022.