

MINUTES APPROVED AT THE PC MEETING ON OCTOBER 15, 2020

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

Teleconference
August 6, 2020
6:30 p.m.

COMMISSION MEMBERS

David Tucker, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Michael Huang	Vacant
Vacant	

The regular meeting was called to order by Chair Tucker at 6:32 p.m.

ROLL CALL

Present: Chair David Tucker, Vice Chair Andrew Butt; Commissioner Nancy Baer, Jen Loy, and Yu-Hsiang (Michael) Huang.

Absent:

INTRODUCTIONS

Staff Present: Planning Staff: Enzo Cabili, Emily Carroll, Director of Planning 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, August 10, 2020, by 5:00 p.m. and he announced the appeal process after each affected item, as needed.

CONSENT CALENDAR –

- 1. PLN20-115: Tentative Tract Map For Existing Live-Work Condominiums PUBLIC HEARING** to consider a 33 lot tentative map subdivision for condominiums purposes. The subdivision will include 30 live/work units and 3 common area lots at 401 1 st Street (APN: 538-041-024). LW, Live Work District. Mark Howe, owner/applicant Planner: Jonelyn Whales Tentative Recommendation: Remove From The Agenda

ACTION: It was M/S/C (Butt, Loy) to accept Staff's recommendation to remove the item from the agenda; which carried by the following vote: 5-0 (Ayes: Tucker, Baer, Butt, Huang, Loy; Noes: None).

BROWN ACT – Public Forum

Ms. Velasco articulated that the City of Richmond and the City of Oakland are in a challenge against each other to see who could get the high resident count for the 2020 Census. She mentioned that four days were left and encouraged the public to fill out the Census form.

NEW BUSINESS – None.

PRESENTATION

2. PLN20-057: Point Molate Mixed-Used Development Project PRESENTATION of the Final Subsequent Environmental Impact Report (SEIR), consisting of the Draft SEIR and Responses to Comments for the Point Molate Mixed Use Development Project proposed at 2100 Stenmark Drive (APN: 561-100-008). (This presentation is not a public hearing on the Project, Project Entitlements, or certification of the Final SEIR. The intent of this presentation is to provide the Planning Commission and public with an overview of the Final SEIR. No action will be taken by the Planning Commission at this meeting.) The Point Molate Mixed-Use Development Project proposes a development with a mix of residential and non-residential uses, including office space and retail, along with open space including recreational areas, parks, trails (including a 1.5 mile portion of the San Francisco Bay Trail), vista overlooks, and other similar spaces open to the public. Zoning: RM-1, Medium Density Multi-Family Residential; RH, Single Family Hillside Residential; PR, Parks and Recreation; CG, Commercial General; IL, Industrial Light; and OS, Open Space District. The project also includes infrastructure and roadway improvements needed to support the proposed development. Additional project information is online at: <http://www.ci.richmond.ca.us/3757/Point-Molate-Mixed-Use-Project> City of Richmond, owner; Winehaven Legacy LLC, applicant Planner: Lina Velasco and Roberta Feliciano Tentative Recommendation: Receive A Presentation

Ms. Velasco noted that the recommended action before the Commission is to receive an overview presentation on the Final SEIR. The SEIR contained several entitlement requests which included a Development Agreement, Large Lot Tentative Subdivision Map, Shoreline Overlay, and a General Plan Amendment along with several others that would be reviewed at a later time.

Viviana Alvarez, AES, reviewed the location, site, and vicinity of the project, CEQA process, and a timeline of the site including prior uses. She disclosed that the SEIR compared a prior modified project's environmental impacts to the impact conclusions of the 2011 FEIR. The SEIR analyzed two options; Option 1 being residential heavy and Option 2 being commercial heavy.

The Draft SEIR did not carry forward five project alternatives which included a no-build option, mixed-use Tribal Destination Resort and Casino Options A and B, a reduced Tribal Destination Resort and Casino project, and total parkland. Five alternatives that the SEIR did analyze were a No Action Alternative, Reduced Intensity Mixed-Use Development, Base Reuse Plan Alternative, Community Plan Alternative, and Affordable Housing Reduced Density Alternative.

The SEIR identified that the project would generate a less than significant impact on land use and planning along with population and housing. Aesthetics, biological resources, cultural and

tribal resources, energy, geology, soils, mineral resources, hazard, hazardous materials, wildfire, hydrology, water quality noise, public service, and recreation where all found less than significant with mitigations. Air-quality, greenhouse gas emissions, and transportation were impacts that could not be reduced to less than significant levels with mitigations.

In terms of tribal consultation, the City has provided formal notification of the preparation of the draft SEIR and Guidiville Indian Rancheria were the only tribe to respond within the required period set by AB 52 and SB 18. Two additional tribes, Confederate Villages of Lisjan and Wilton Rancheria, responded after the required period for consultation which the City did accept consultation with. All three tribes provided vital information that helped formulate mitigation measures.

The Final SEIR is composed of the Draft SEIR and the Response to Comments Document which housed a total of 124 comment letters that were submitted by residents and local businesses. The Response to Comments Document contained five sections; introduction; refinement of the Modified Project and revisions to the Draft SEIR; agencies, tribes, organizations, and individuals commenting on the Draft SEIR; written comments on the Draft SEIR and responses to comments; mitigation, monitoring, and reporting program.

A summary was provided regarding grading, concept planning and development area, land use, the Winehaven Historic District, and open space for the Refined Project. Due to the Refined Project falling within the range of the development area, the Refined Project fell within the scope of analysis provided by the Draft SEIR.

Revisions to the Draft SEIR were made that addressed concerns and recommendations that were provided by the community. The Mitigation, Monitoring, and Report Program are located with the Response to Comments document along with Master Responses and corresponding attachments.

Public Comment:

MICHAEL GLICKSON, Richmond resident, pleaded that the City reject the sale of Point Molate to SunCal and except the Community Plan. Several reasons it should be rejected included annual costs that residents would have to endure for years, it would destroy valuable ecosystems, it violated the General Plan, significant traffic impacts along with several others.

PAUL KILKENNY, California Progressive Alliance and Richmond resident requested to remove the language that the site was founded by the US Navy. He agreed with the previous speaker that the SunCal project would be detrimental on many different levels for the City and residents and Alternative D, the Community Plan, is the best alternative for the site.

JEAN COURTS, Richmond resident, expressed that the high-end housing development is a terrible plan and it is terrible for the City of Richmond. She questioned why the Planning Department was not actively recruiting developers to develop the blighted lots located with the central part of the City which would provide sustainable jobs. She did support the restoration of the Winehaven District and requested that the South Watershed be preserved.

BRIAN HOLT, Chief of Planning Trails and GIS for the East Bay Regional Park District, reiterated that the East Bay Regional Park District had been interested in Point Molate for a long time. They had helped find funding for a potential regional park along the Point Molate shoreline. He noted that the quick timeline, as well as financial constraints, had limited the

District's ability to provide input regarding a footprint for a project that would include a regional shoreline park. The District wished to continue discussions with the City to find a shoreline park within Point Molate.

ALPA, Richmond resident, asked if documents were available to the public that discussed the process and potential developments on Point Molate.

DELMEE, Richmond resident, affirmed that jobs provided by hotels usually did not pay livable wages, they did not include benefits and overworked employees. She disclosed that the Commission should know all the information regarding the operator of the proposed hotel so that high-quality hotel jobs could be created for Point Molate.

DAVID HELVRAG, Richmond resident, announced that he has sent a newspaper article link to the Commissioners and requested that they read it. He was concerned about housing being developed being located within a High Fire Severity Zone.

AMANDA LUCAS, Richmond resident, felt that the amount of traffic on Interstate 580 was unmitigated; especially on the bridge from Stenmark Drive to the City of Marin. She was also concerned about wildfires.

SALLY TOBIN believed that instead of providing a public park that all residents could use, the proposal would cater to only the privileged. She specified that the proposed project would bring financial inequalities to Richmond. She concurred that the proposed project did not follow the General Plan.

FRANCIS GERARD invited the Commissioners to participate in the First Annually Gospel Explosion for Police Activity.

DEBBIE noted that the cumulative impact on freeway operations would remain considerable and could not be mitigated. Also, no evacuation plan had been approved and Point Molate only provided one way out for emergencies.

JIM HANSON, Conversation Chair for the East Bay Chapter of the California Plant Society, acknowledged that the SunCal project ignored the General Plan altogether.

JEFF KILLBRETH, a prior Planning Commissioner, agreed with previous speakers that stated that the SunCal project did not follow the City of Richmond's General Plan. He foresaw two risks, financial and traffic congestion, that could hurt the City if the project moved forward.

SONYA CARABEL, Unite Here Local 20, requested that the City only approve responsible hotel operators for Point Molate that could provide high quality paying and benefit jobs to residents. She suggested that amendments be made to the Planned Area District that would give language similar to the City of Oakland's Code regarding employment impacts.

PAUL CARMON urged the Planning Commission to reject the Draft SEIR due to the Commission not having enough time to absorb all the negative impacts that the project would imply as well as the inconsistencies within the document.

JEANNA MIELCAREK, Richmond resident, found the project to be disingenuous and reiterated that there is already funding available to develop Point Molate into a public park.

CAROL TELTSCHICK, a former Planning Commissioner, was concerned about amending the General Plan to accommodate a project that had major impacts that could not be mitigated.

MARGOT CUNNINGHAM, Richmond resident, expressed her concerns regarding the timeline deadlines and that the public processes should be extended.

KELLI HAAERGREN (phonetics) emphasized that there was major evacuation issues in terms of wildfires. Due to the COVID-19 Pandemic, she foresaw the City not being able to recover quickly and advised that the Economic Report be redone.

LUCY GILL, Richmond resident, echoed a previous speaker that the public comment period should be extended in light of the pandemic. She requested an update on the process regarding the Ohlone Tribe's feedback.

GAYLE MCLAUGHLIN, a former Mayor, saw Point Molate as a treasure for Richmond and did not want to see it be consumed by bad development.

Ms. Velasco disclosed that all comments that were provided by the public would be addressed at the Planning Commission's public hearing.

Commissioner Loy requested more information from Staff regarding the City's Code language in terms of hotel workers, an update regarding tribal authorities, answers to common questions regarding evacuation plans and funding for infrastructure, the financial analysis, and the comments regarding funding that has already been raised by the East Bay Regional Park District for a public park. Also, information disclosing how many affordable housing projects were happening within the City currently as well as in the pipeline.

Commissioner Huang agreed that more information regarding General Plan conflicts should be included in the public hearing.

Chair Tucker wanted to hear more about what the timeframe was for the development of the project if approved, usable public space versus open space that could not be traversed, proposed range of pricing of proposed homes, and what consequences were there if the Planning Commission moved the project forward or not.

Commissioner Baer echoed the concern around the accessibility of the open space. She wanted more clarification regarding traffic, greenhouse gases, wildfires, and how they are listed as a significant and unavoidable impact. She saw a risk of the City being bogged down by lawsuits if the proposed project is approved and it turned out to be the wrong project for the site.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners and Staff – None.

8. Adjournment - The meeting was adjourned at 8:30 p.m. to the next regular meeting on August 17, 2020.