

A G E N D A
CITY PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
440 Civic Center Plaza, Richmond, CA 94804

Thursday, April 1, 2010, 7:00 p.m.

Commissioners - Board Officers

Virginia Finlay, Chair-CPC
Jeff Lee, Vice Chair-CPC
Charles Duncan, Secretary

Commissioners - Board Members

Nagaraja Rao
Jovanka Beckles
Carol Teltschick-Fall
Sheryl E. Lane

NOTICE TO PUBLIC

Function of a Public Hearing: A public hearing enables the public to present information, opinions, and arguments relevant to the actions of the Planning Commission, and informs the public about the details of a proposal.

Speaker Registration: Persons wishing to speak on a particular item on the agenda shall file a speaker form with Planning staff **PRIOR** to the Planning Commission's consideration of the item on the agenda. Once discussion of the agenda item begins, only those persons who have previously submitted speaker forms shall be permitted to speak on the item. Speakers will be called after the project applicant has made a presentation. Anyone who wishes to address the Planning Commission on a topic that is not on the agenda and is relevant to the Commission's purpose may file a speaker form with Planning Department staff at any time before or during the meeting and will be called to speak during the Public Forum portion of the meeting.

Consent Calendar: In order to allow the Commission to complete their reviews within the time they have offered to serve, applications that are considered routine will be placed on the consent calendar (marked "CC" on the agenda) with a staff recommendation to approve, conditionally approve, continue or hold the item over to a date certain. The Commission may act in one motion to adopt the staff recommendations on those items. Before voting on the consent calendar, the Chair will ask if any members of the public wish to speak on any of the items on the consent calendar. If you wish to speak on an item on the consent calendar, you need to rise and request that it be removed from the consent calendar. The item will then be discussed in the numerical order in which it appears. Items for which the recommendation is to hold the item over may not be removed from the consent calendar by members of the public. Staff and Commission members may also remove items from the consent calendar.

Public Hearing Procedure: (1) Chair opens the hearing; (2) City staff explains the application and presents a preliminary analysis; (3) Applicant speaks; (4) Persons in favor of the project speak; (5) Persons opposing the project speak; (6) Applicant and proponents may rebut; (7) Opponents may also rebut; (8) City staff presents its summary and recommendations; (9) Commission discussion; (10) Hearing is closed; (11) Commission votes to approve, deny, approve in a modified form, postpone, or take the application under advisement; (12) Chair informs the audience of the Commission's action, outlines the appeal procedure, and states when the action becomes final.

Time Limits: In the interest of conducting an orderly and efficient meeting, the following time limits apply: (1) The applicant shall limit presentation of the project to 10 minutes unless the time is extended by a two-thirds majority vote of the Commission; (2) Speakers in favor of the project are limited to 3 minutes each unless there are 10 or more speakers, pro and con, signed up to speak on the item, in which case each speaker will be limited to 2 minutes; (3) The initial speaker opposing the project shall be limited to 10 minutes or, if the Commission voted to grant the applicant more time, the initial speaker in opposition shall have the same amount of time to speak that the applicant had; (4) Each subsequent speaker opposed to the project shall be limited to 3 minutes each unless there are 10 or more speakers, pro and con, signed up to speak on the item, in which case each speaker will be limited to 2 minutes; (5) The applicant shall have 2 minutes to respond to comments; and (6) One of the speakers in opposition to the project shall have 2 minutes to respond to the applicant's rebuttal.

In non-application items, following the initial staff presentation all speakers will be limited to 5 minutes.

If the Commission finds that it will be unable to complete the meeting by 11:00 p.m., the Commission may continue a portion of the agenda to a subsequent meeting or vote to extend the meeting. A motion to extend the meeting requires a two-thirds majority vote of the Commission to pass. The Commission shall endeavor to conclude the meeting by midnight.

Zoning Legislative Hearings: Notice of hearings on proposed zoning ordinances or amendments will be given in compliance with Government Code §65090 and §65091.

Exhaustion of Remedies Requirement: If you challenge a decision by the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at any public hearing(s) on the item challenged or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing(s).

Appealing Planning Commission Decisions: The decisions of the Planning Commission may be appealed within ten days of the decision by notifying the City Clerk in writing, stating wherein the Planning Commission decision is in error. The appeal fee is \$150.

ROLL CALL
APPROVAL OF MINUTES

CONSENT CALENDAR: 2, 3, 4

BROWN ACT

PUBLIC FORUM - Anyone who wishes to address the Planning Commission on a topic that is not already on the agenda and is relevant to the Commission’s purpose may submit a speaker form to Planning Department staff at the beginning of the meeting. A three-minutes-per-speaker time limit shall apply.

HOLD OVER ITEM

1. PLN 09-069: Do-IT Fluid U-Haul Rentals – Conditional Use Permit

PUBLIC HEARING to consider a Conditional Use Permit to establish a U-Haul Rental Service at an existing gasoline service station at 1825 Cutting Boulevard (APN: 544-212-013), MFR-1, Multifamily Residential District.
Pandal Perminder, owner; Bilal Malill, applicant
Planner: Hector Rojas

Tentative Recommendation: Withdrawn

NEW ITEMS

- CC 2. PLN 09-169: Ahmad Tire Shop

PUBLIC HEARING to consider a Conditional Use Permit to operate a tire sales and service business at 12637 San Pablo Ave. (APN: 524-220-021). C-2, General Commercial District.
Joe Petkovich, owner; Manzoor Ahmad, applicant
Planner: Hector Lopez

Tentative Recommendation: Withdrawn

- CC 3. PLN 10-020: Red Taste Wine Shop/Tasting Room

PUBLIC HEARING to consider a Conditional Use Permit to operate a retail wine shop and tasting area with a Type-20 Off-Sale Beer and Wine License at 3254 Pierce St. #C113/M108 (APN: 510-060-006). C-3, Regional Commercial District.
3254 Pierce Street Associates, owner; Jacky Chou Bin Liang, applicant
Planner: Kieron Slaughter

Tentative Recommendation: Conditional Approval

- CC 4. PLN 10-028: Modifications to Conditional Use Permit regarding Hours of Operation for the Eating Establishment

PUBLIC HEARING to consider a modification to the Conditional Use Permit for the Up and Under Pub and Grill at 2 W. Richmond Avenue, which would allow the business to operate daily from 7:00 a.m. to 2:00 a.m. (APN: 558-122-020). C-1, Neighborhood Commercial District.

Richard Lompa, owner; Nathan Trivers, applicant

Planner: Jonelyn Whales

Tentative Recommendation: Conditional Approval

COMMISSION BUSINESS

5. Reports of Officers, Commissioners and Staff