

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

Thursday, July 11, 2013, 6:30 p.m.

Commissioners - Board Officers

Sheryl E. Lane, Chair-CPC
Vacant, Vice Chair-CPC
Roberto Reyes, Secretary

Commissioners - Board Members

Ben Choi
Andrew Butt
Melvin Willis
Marilyn Langlois
Eduardo Martinez

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) Hearing is closed; (10) Commission discussion; (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 10:30 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, 5

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. PLN13-063: 62-Unit Senior Housing Development On Harbour Way

PUBLIC HEARING to consider a Conditional Use Permit to allow a 25% increase in density over the maximum allowable density under the General Plan to construct a 62-unit Senior Housing Development of approximately 42,000 s.f. at 20 and 25 Harbour Way (APN: 538-430-014 and 538-430-019). The project proposal includes a request for city concessions related to parking and open space reductions. C-2, General Commercial and MFR-1, Multi-Family Residential Districts.

Andre Pessis Tre, owner; AMG and Associate-Gene Broussard, applicants

Planner: Hector Lopez

Tentative Recommendation: Conditional Approval

NEW ITEMS

CC 2. PLN12-287: Gonzalez Mixed-Use Building Parking Variance

PUBLIC HEARING to consider a Conditional Use Permit for a Variance to reduce the off-street parking requirement for a 4,968 s.f. mixed-use building with commercial space on the ground floor and residential use on the second floor at 761 23rd St. (APN:529-180-006,007). C-2, General Commercial District.

Roberto Gonzalez, owner; David Kesler, applicant

Planner: Kieron Slaughter

Tentative Recommendation: Conditional Approval

CC 3. PLN13-153: GEF Donation/Recycling Center

PUBLIC HEARING to consider a Conditional Use Permit to establish a small recycling collection facility operated by the Green Education Foundation, a 501(c)(3) non-profit organization at 3300 Blume Dr. (APN: 405-290-064). C-3, Regional Commercial District. DDRM Hilltop Plaza LP, owner; Green Education Foundation, applicant
 Planner: Hector Rojas

Tentative Recommendation: Conditional Approval

4. PLN13-154: Formula Restaurant Ordinance

PUBLIC HEARING to consider making a recommendation to the City Council to adopt an ordinance prohibiting Formula Eating Establishments in the C-1 Neighborhood Commercial District of Point Richmond. C-1, Neighborhood Commercial District.
 City of Richmond, applicant
 Planner: Hector Lopez

Tentative Recommendation: Recommend Approval to City Council

CC 5. PLN11-086: Richmond-Ohlone Greenway Gap Closure MND

PUBLIC HEARING to consider adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for the Richmond-Ohlone Greenway Gap Closure Project, a multi-use trail connection between the existing Richmond Greenway in the City of Richmond and the Ohlone Greenway in the City of El Cerrito. The Richmond-Ohlone Greenway Gap Closure project includes installation of a new multi-use trail, new crosswalk and traffic signal on San Pablo Avenue, and new bridge over realigned Baxter Creek, as well as associated improvements and landscaping at San Pablo Ave., South of Bissell Avenue and North of Bart tracks (APN: 513-340-046 and 513-340-059). C-2, General Commercial Districts.
 City of Richmond, applicants
 Planner: Lina Velasco

Tentative Recommendation: Adopt Final MND

COMMISSION BUSINESS

6. ADOPT a resolution expressing concerns about hazardous conditions at the Chevron Richmond refinery and calling on the Building Official and Planning staff for a formal determination of whether portions of the Chevron Richmond refinery constitute dangerous building conditions.

7. Election of the New Officers

8. Reports of Officers, Commissioners and Staff

Receive an update from staff about the status of the Chevron refinery's CUP 93-40.

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.