

ORDINANCE NO. 13-16 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, REZONING TO PLANNED AREA (PA) DISTRICT THE
TERMINAL ONE SITE LOCATED AT 1500 DORNAN DRIVE FOR THE
TERMINAL ONE PROJECT (PLN14-316)**

WHEREAS, in 2014, Terminal One Development LLC (the Project Sponsor or Applicant) filed applications for a Zoning Amendment to rezone to Planned Area District (PA) and a Vesting Tentative Map with the City of Richmond (City) for the Terminal One project (the Project), to construct 323 residential units, including approximately 21 detached townhomes and approximately 302 multi-family condominium flats, with building heights varying from two to five stories over podium on an approximately 13-acre site in the City of Richmond, Contra Costa County, California;

WHEREAS, the Project Site is owned by the City of Richmond and subject to a Land Disposition Agreement between Terminal One Development LLC and the City of Richmond;

WHEREAS, a Notice of Preparation (“NOP”) of a Draft Environmental Impact Report (“Draft EIR”) was filed for the Project with the State Clearinghouse (“SCH”) Office of Planning and Research (“OPR”) on November 21, 2014 (State Clearinghouse No. 2014112050). The NOP was distributed to public agencies and interested parties for a 30-day public review period which ended on December 22, 2014. In addition, the City held a public scoping meeting on December 15, 2014 to obtain public input on the proposed scope and content of the Draft EIR;

WHEREAS, a Draft EIR was prepared for the Project (SCH# 20141120504). The DEIR was prepared and circulated in accordance with state law and local guidelines;

WHEREAS, on January 27, 2016, the Design Review Board opened a public hearing to consider a recommendation to the Planning Commission regarding the design of the project and approval of the Zoning Amendment for the Project;

WHEREAS, on January 27, 2016, the DRB closed the public hearing and recommended approval of the Zoning Amendment, subject to conditions;

WHEREAS, on June 16, 2016, the City of Richmond Planning Commission opened a public hearing to consider a recommendation to the City Council regarding the certification of the Final EIR, adoption of the MMRP, and approval of the Rezoning and Vesting Tentative Map for the Project;

WHEREAS, on June 16, 2016, the Planning Commission closed the public hearing and recommended that the City Council give particular consideration to certain aspects of the CEQA analysis when determining whether to certify the Terminal One Project Environmental Impact Report (State Clearinghouse #2014112050) and adopt a Mitigation Monitoring and Reporting Program, and that the City Council approve the Zoning Amendment and approve the Vesting Tentative Map (PLN 14-316), subject to conditions;

WHEREAS, on July 5, 2016, the City Council held a public hearing to consider certification of the FEIR, adoption of the Mitigation Monitoring and Reporting Program, and approval of the Zoning Amendment and Vesting Tentative Map for the Project;

WHEREAS, On July 5, 2016, after reviewing all oral and written evidence in the public record, the City Council certified the EIR as adequate, adopted a Mitigation Monitoring and Reporting Program (MMRP) for the Project, and approved a Vesting Tentative Map for the Project conditioned upon City Council subsequent approval of the Zoning Amendment for the Project; and

WHEREAS, the Project application includes a request to change the zoning of the Project Site from C-C, Coastline Commercial to Planned Area (PA), substantially in the form on file with the Planning & Building Services Department, relative to the proposed development of the Terminal One project on certain real property consisting of approximately 13-acres located in the City of Richmond, as more particularly described in the attached **Exhibits A and B** (“Rezoning Exhibit” and “PA Planned Area Plan”), incorporated herein and made part hereof.

NOW, THEREFORE, the City Council of the City of Richmond does ordain as follows:

SECTION I. The City Council finds and determines the following:

1. The PA plan is consistent with the Richmond general plan and other applicable policies and is compatible with surrounding development.

Statement of Fact: *Criterion Satisfied.* The current C-C, Coastline Commercial zoning of the project site is not consistent with the site’s Medium Density Residential General Plan 2030 land use designation. The Medium Density Residential land use classification provides for single and multi-family housing types, including garden apartments, bungalows, townhouses, and stacked flats. The proposed PA Plan includes both townhomes and stacked flats. The proposed PA zoning would bring the site’s zoning into compliance with the General Plan 2030. In addition, the project includes additional site features that would be consistent with other applicable goals in the General Plan (see policies LU4.1, CR1.6, and CN2.2) related to enhanced pedestrian and bicycle connectivity, enhanced access to the shoreline, and creation of new open areas. The proposed project design as articulated in the PA Plan for the proposed project and shown in the Master Plan and Design Framework document demonstrates that the project would be compatible with development in the surrounding area. In addition, the Project will comply with the Special Features Overlay (SFO) District No. #1, Brickyard Cove Area as described in RMC Section 15.04.520.060.

2. The PA plan will result in superior urban design in comparison with the development under the base zoning district regulations that would apply if the plan was not approved.

Statement of Fact: *Criterion Satisfied.* The proposed PA plan would result in a superior urban design as the project provides for two residential building types (townhomes and multifamily condominium flats), a small visitor and neighborhood serving retail area, and enhanced public open space (new waterfront park, repurposed Terminal One pier and Bay Trail extension) designed to create a residential neighborhood and public spaces that provide opportunities for residents and visitors to connect with the natural environment. The architectural style of the buildings provides for a contemporary adaptation of Bay Area Regionalism-- a style that is not only complementary to the historic character of the Point Richmond Neighborhood, but also the more recently built housing in the Brickyard Cove area.

3. The PA plan includes adequate provision for utilities, public services, emergency vehicle access that will not exceed the capacity of existing and planned public services and infrastructure.

Statement of Fact: *Criterion Conditionally Satisfied.* Provisions are included in the project that would require the project to extend utilities at the project applicant’s cost to serve the project, and based on the analysis contained in the Final EIR, the project would not exceed the capacity of existing and planned public services, including police and fire protection services; water, waste water, and stormwater utilities; and existing roadways.

4. The proposed Zoning Map amendment is consistent with the policies of the Richmond General Plan and the purposes of Chapter 15.04.960 of the Richmond Municipal Code.

Statement of Fact: **Criterion Conditionally Satisfied.** The current C-C, Coastline Commercial zoning of the project site is not consistent with the site's Medium Density Residential General Plan 2030 land use designation. The Medium Density Residential land use classification provides for single and multi-family housing types, including garden apartments, bungalows, townhouses, and stacked flats. The proposed PA Plan includes both townhomes and stacked flats. The proposed PA zoning would bring the site's zoning into compliance with the General Plan 2030 and is consistent with the purposes for making such amendments to the zoning map, including for consistency with the General Plan. In addition, the project includes additional site features that would be consistent with other applicable goals in the General Plan (see policies LU4.1, CR1.6, and CN2.2) related to enhanced pedestrian and bicycle connectivity, enhanced access to the shoreline, and creation of new open space areas. In addition, the Project will comply with the Special Features Overlay (SFO) District No. #1, Brickyard Cove Area as described in RMC Section 15.04.520.060.

SECTION II. By this ordinance, the City Council approves the Zoning Amendment rezoning the Project Site to Planned Area District as set forth in Exhibit A, ("Rezoning Exhibit") and adopts the Planned Area Plan as set forth in Exhibit B, ("Plan Exhibit"), incorporated herein and made part hereof.

SECTION III. Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION IV. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION V. Effective Date. This Ordinance becomes effective thirty (30) days after its final passage and adoption. In accordance with Richmond Municipal Code Section 15.04.610.040.E, the Planned Area Plan for the Project shall be effective on the same date as this ordinance

Exhibit A: Rezoning Map

Exhibit B: Plan Area Plan and Master Plan and Design Framework

First introduced at a regular meeting of the City Council of the City of Richmond held July 5, 2016, and finally passed and adopted at a regular meeting held July 19, 2016, 2016 by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

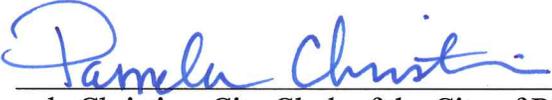
PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 13-16 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 19, 2016.

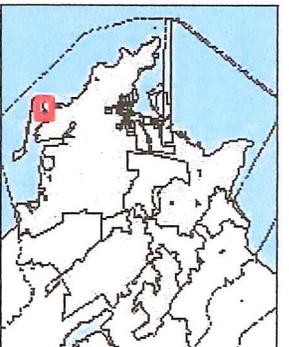
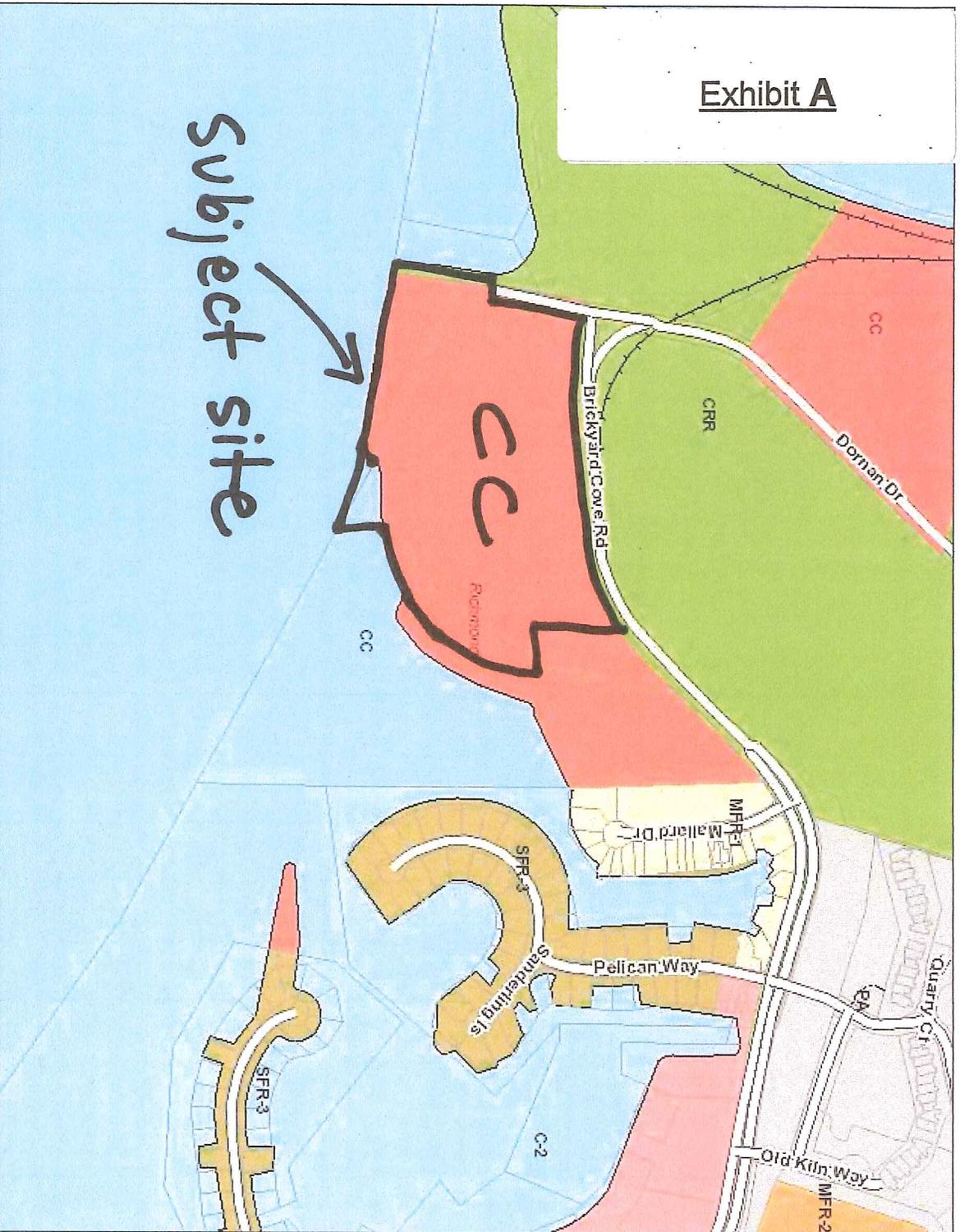


Pamela Christian, City Clerk of the City of Richmond



City of Richmond Existing Zoning

Exhibit A



Legend

- Street Labels
- Major Roads
 - Primary Highway
 - Secondary Highway
 - Access Ramp
- Local Roads and Alleys (Detail)
 - Local Road
 - Alley
- Other Roads and Trails
 - Primary Highway
 - Primary Road
 - Vehicle Trail
 - Access Ramp
 - Special Road
 - Unnamed Road
 - Trail
 - Driveway
 - Parking Lot
- Railroads
- Parcel
- Historic Resource
 - Historic Resource
 - Pt. Richmond Historic District Bound
- City and County Boundaries
- Water Bodies

1:4,956

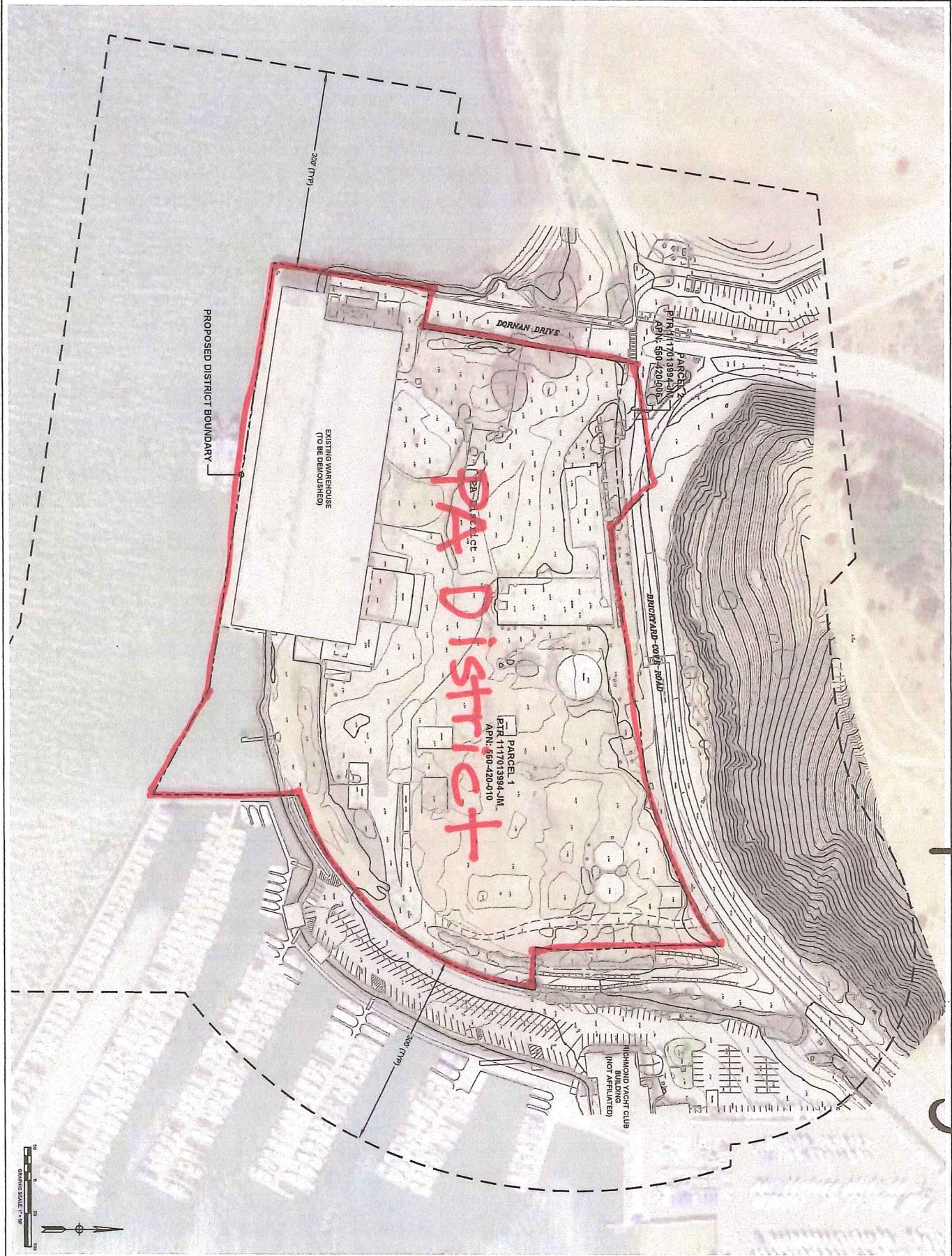


Notes

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION





Proposed Zoning

DATE	01	05
BY	JM BROWN	
PROJECT	SHRINK	
DRAWN	EXH-01	

TERMINAL ONE PLANNED AREA DISTRICT PROPOSED DISTRICT BOUNDARY

Bkf
 PROFESSIONAL ENGINEERS
 215215
 215215



REVISIONS			
NO.	DESCRIPTION	BY	DATE

© Bkf Engineers

PLANNED AREA PLAN FOR THE TERMINAL ONE PROJECT

I. INTRODUCTION

The Terminal One Property consists of a 13.3 ± acre shoreline site (the “Terminal One Property” or the “Project Site”) which previously served as a port terminal for and is presently owned by the City of Richmond (the “City”). The Project Site is subject to the Terminal One Land Disposition Agreement (the “Terminal One LDA”) by and between the City and Terminal One Development LLC (the “Developer”) pursuant to which the City has agreed to sell to the Developer an 11.9± acre portion of the Project Site for residential use, with the City to retain ownership of the remaining 1.9± acre portion of the Project Site for use as a public park¹.

As further described below and in the appended Terminal One Master Plan and Design Framework (the “TO Master Plan”), this Planned Area Plan for the Terminal One Project (the “PA Plan”) contemplates the development of a mix of uses on the Terminal One Property, the two principal components of which will consist of:

- a residential neighborhood with 323 residential dwelling units and associated common area amenities; and
- a public waterfront park with parkland-related amenities that will feature the existing Terminal One Pier repurposed for public use and a shoreline extension of the Bay Trail.

A. Project Location

The Project Site is located in the neighborhood of Point Richmond, the City of Richmond, Contra Costa County, California, at 1500 Dornan Drive. The Project Site consists of three parcels totaling approximately 13.3 acres located southeast of the intersection of Brickyard Cove Road and Dornan Drive. The Project Site is bounded on the west by Dornan Drive and the Miller-Knox Regional Shoreline Park (the “Miller-Knox Park”), on the north by Brickyard Cove Road and the headlands of the Miller-Knox Park, on the east by the Richmond Yacht Club, and on the south by the San Francisco Bay.

¹¹ The Terminal One LDA acreage calculations were based on the erroneous assumption that the Project Site is 13.8± acres in size. A subsequent survey of the Property has determined the size of the site to be approximately 13.3 acres.

B. Former Uses and Existing Conditions

The dry land portion of the Terminal One Property consists of approximately 12.6 acres reclaimed as part of the development of the Port of Richmond during the early 1900s. The remaining 0.7± acre portion of the Project Site consists of submerged tidelands. The Terminal One Property includes approximately 1,100 lineal feet of San Francisco Bay shoreline armored along its length by a rip rap revetment of rock and concrete.

Until the early 1990s, the site was used for shipping and transport, warehouse functions, storage of liquid products ranging from petroleum to vegetable oil, and other port-related industrial activities. Most buildings and structures (including the liquid storage tanks) have been demolished and removed from the Project Site, with the exception of an approximately 94,000 square foot (“SF”) former port operations warehouse building (the “Terminal One Warehouse”) that is partially supported by a shoreline pier (the “Terminal One Pier” or “Terminal One Wharf”) situated within the southwestern quadrant of the site. The wharf structure comprises a concrete deck supported by precast concrete piles. Also present on the Terminal One site are disconnected sections of railroad tracks as well as building foundations, storage tank pads, and other remnant hardscape surfaces.

In recent years, adjacent land uses to the east of the Project Site have transitioned from largely port-related heavy industrial uses to a mix of residential, marina, commercial, and other non-industrial uses.

C. Existing General Plan Designation and Zoning

The Project Site is designated Medium Density Residential by the Richmond General Plan 2030. This Planned Area District will rezone the Project Site from Coastal Commercial (CC) to Planned Area District (PA). The Special Features Overlay (SFO) zoning currently applicable to the Terminal One Property will continue in effect.

II. PROJECT OVERVIEW

A. The Terminal One Land Use Program

The land use plan for the Project includes the following defining features:

1. **The Terminal One Residential Neighborhood.** – Occupying the northern portion of the Project Site and incorporating a mix of 323 residential units composed of 302 condominium flats and 21 townhomes (“THs”), together with two single level podium garages and associated common area amenities, including landscaped gardens on the podium deck.

2. **The Terminal One Waterfront Park**. – Extending the length of the Terminal One shoreline and incorporating parkland-related amenities that will include the repurposed Terminal One Pier with its boardwalk gardens (the “Boardwalk Gardens”); a shoreline extension of the Bay Trail (the “Bay Trail Loop”); a project gateway and entry plaza with a pocket node of visitor-serving retail (the “Entry Plaza”); public gardens featuring native coastal plantings and seasonal wetland habitat (the “Native Coastal Gardens”); a tidelands habitat and marine ecology area (the “Tidelands Habitat Area”); and a shoreline trail system with connections to the Miller-Knox Park to the west of the Project Site (collectively, the “Waterfront Park”).

3. **Shoreline Drive**. – Ringing the Project from its intersection with Brickyard Cove Road at the northeast corner of the Project Site to its intersection with Dornan Drive at the site’s northwest corner and providing direct vehicular access to the Terminal One shoreline with its Waterfront Park, repurposed pier, public gardens, walking and bicycle trails, and panoramic views of the San Francisco Bay.

4. **The Terminal One Mews**. – Extending from Brickyard Cove Road at the northern edge of the Project Site to the southern reach of Shoreline Drive and serving as a pedestrian and bicycle oriented promenade designed: (i) to open up the site along a north/south axis; (ii) to tie together the Project’s park and residential land uses; (iii) to bring the public realm into the Project’s core; (iv) to establish a visual and physical connection between the Miller-Knox Park headlands and the San Francisco Bay shoreline across the Project Site; and (v) to provide emergency access to the interior of the site.

5. **The Bay Trail Loop**. – Connecting the existing Bay Trail segments that extend to the east along Brickyard Cove Road and to the west through the Miller-Knox Park and providing direct bicycle and pedestrian access to the Terminal One Waterfront Park and shoreline.

B. “Sense of Place” the Terminal One Project Is Designed to Create

The Terminal One Project is designed to create a residential neighborhood and a waterfront park that will provide the public and residents alike with opportunities to access the panoramic views afforded by the Project’s shoreline location and to connect physically as well as visually with the extraordinary bay shore and parkland environment that adjoins the Terminal One Project on three of its four sides. These opportunities to connect with the natural order and its setting on an intimate and personal level, in turn, give the Project its special sense of place and unique character.

C. Principal Land Use Components of the Terminal One Project

The Terminal One Project consists of two principal land use components:

1. **The Terminal One Residential Neighborhood**. One of the two primary land use components of the Terminal One Project will be a residential neighborhood consisting of 323 for-sale, market-rate condominium flats and townhomes. The 323 dwelling units to be developed on the Terminal One Property will consist of:
 - a. Condominium Flats – 302 stacked flats (ranging in size from one bedroom/800± SF units to three bedroom/1,770± SF units) to be provided in five multi-family buildings to be constructed over two partially sub-grade single-story parking podiums on the northern portion of the site, with building heights extending 4- and 5-stories above the podium garages²;
 - b. Townhomes – Twenty-one detached 2- and 3-story townhomes (averaging 2,100± SF in size) to be configured as single family residential units, to be constructed along and on top of the southern edge of the Project's two parking podiums, and to front on the Project's new ring road (Shoreline Drive); and
 - c. Visitor and Neighborhood Serving Retail – Approximately 2,000 SF of visitor and neighborhood serving retail space to be constructed at the Project's Entry Plaza located in the northwest corner of the Project site.

At build-out of the Project, the development of the Project's residential component will result in:

- a. A total gross floor area under roof of approximately 542,534 SF;
- b. A total building footprint of approximately 155,789 SF;
- c. An overall density equal to approximately 32 units per net developable acre³; and

² Of the five condominium buildings, four will have an elevation fronting on either Shoreline Drive or the Project's internal Mews. Each of these four elevations will include ground floor units along the public access-ways which will be constructed at the podium level and will screen the podium behind a façade of habitable space, front doors and entry stoops/patios.

³ The Project's "gross developable area" is equal to the gross area of the dry land portion of the Project Site: 12.6± acres or approximately 548,856 SF.

The Project's "net developable area" is calculated by applying a land use efficiency factor of 80% to the gross developable area: 12.6± acres x 0.8 efficiency factor = 10.08± net developable acres.

The overall "project density" is calculated by dividing the total number of dwelling units to be developed on the Terminal One site (323 DUs) by the net developable acreage (10.08± acres): 323 DUs/10.08± net developable acres = 32.04± DUs per net developable acre.

- d. An overall coverage factor equal to approximately 28% of the gross developable area of the site.⁴

The Project's mix of residential units will "step up" from the low-rise 2- and 3-story townhomes (located on the southern portion of the site, in closest proximity to the Terminal One Waterfront Park) to the condominium buildings that extend four- and five-stories above the podiums (located on the northern portion of the site, immediately south of Brickyard Cove Road, at the foot of the parkland bluff which overlooks the Terminal One Property). The Project's residential structures will be situated and oriented on the site with the dual objective of optimizing views of the East Bay shoreline, the Bay Bridge, the San Francisco skyline, Angel Island, the Marin headlands, and Mt. Tamalpais, while also limiting the extent to which the Project will impact views from both public and private off-site locations.

2. **The Terminal One Waterfront Park.** The other primary land use component of the Terminal One Project will be the development of the Terminal One Waterfront Park together with the related parkland amenities and open space improvements. This waterfront park is designed to provide the public with an opportunity to connect to, experience, and enjoy the Terminal One shoreline's ecological attributes and visual character which are at the heart of the sense of place the Terminal One Project is intended to create.

The Terminal One Waterfront Park will include the following parkland-related amenities and open space improvements:

- a. The Terminal One Pier – Assuming that it is structurally sound, the existing Terminal One pier will be resurfaced and reprogrammed for public use as a park amenity and a special public moment along the new shoreline leg of the Bay Trail. The design of this signature feature of the Terminal One Waterfront Park will recall the history of the wharf while, at the same time, bringing to life the tired structure that was once the port terminal's reason for being, investing it with a new public purpose, and transforming it into a vital community attribute that will complement the diversity of open space experiences and recreational opportunities already afforded by the adjacent Miller-Knox Regional Shoreline park. The primary goal of the reuse plan for the pier is to provide public access to the panoramic views that the wharf affords and to the extraordinary Bay-front resources it sits astride. To achieve this goal, the reuse plans make use of truncated segments of the exterior walls of the warehouse that was constructed over the wharf in 1915 to create a series of outdoor rooms that frame a variety of

⁴ The Project's "coverage factor" is calculated by dividing the area of the total building footprint (155,789± SF) by the gross developable area (548,856±SF): $155,789 \pm \text{SF} / 548,864 \pm \text{SF} = 28.38\%$ coverage.

interconnected program areas, including a family picnic pavilion and raised viewing deck, a hammock grove, an informal play theater, a flexible lawn, and a coastal boardwalk garden. A preliminary "Condition Survey and Assessment" performed in 2005 by A. J. Miller & Associates⁵ has determined the Terminal One Pier retains the structural integrity required to sustain the loads involved with recreational use by the public. Before the reuse plans for the pier are brought back to the City's Design Review Board for permitting pursuant to RMC Section 15.04.930, an additional investigation and assessment will be performed to confirm the structural integrity of the Terminal One Pier. This assessment will include an analysis of the load bearing characteristics of the pier and the development feasibility of the planned improvements.

- b. The Bay Trail Loop – The Project will include a new segment of the Bay Trail that will be constructed along the outside curve of the new shoreline ring road extending from Brickyard Cove Road at the northeastern corner of the site to Dornan Drive and the Miller-Knox Park at the northwestern corner of the site. The Bay Trail Loop will consist of a 10 foot wide paved section with 2 foot wide shoulders and will provide direct bicycle and pedestrian access to the Terminal One Waterfront Park and shoreline from the existing Bay Trail. The Bay Trail Loop will also function as a flood barrier, providing protection to the interior of the site from both storm events and sea level rise.
- c. The Shoreline Trails – The Terminal One Waterfront Park will include walking trails which will provide direct access to the entire Terminal One shoreline, will be designed to incorporate sections of the existing abandoned rail lines that served the Terminal One warehouse and pier, and will connect to the Miller-Knox Park at the Project's western edge.
- d. The Terminal One Entry Plaza – The Project's Entry Plaza, will anchor the northwest corner of the Project Site, providing a public gathering place, a San Francisco Bay overlook, and a centering point of reference connecting the Project's residential neighborhood to the east, the Miller-Knox Park to the west and north, and the Terminal One Waterfront Park and San Francisco Bay frontage to the south. The Entry Plaza will also incorporate public art and/or elements of historical relevance as well as retail space that may be put to use as a coffee shop, a café, a kayak/bicycle rental, a small market, or other visitor/neighborhood serving retail sales or personal services use.
- e. The Public Gardens – The Terminal One Waterfront Park will also include public gardens consisting of native coastal plantings and seasonal wetland habitat that

⁵ A. J. Miller & Associates, Structural Engineering Corporation, "Richmond Municipal Wharf Condition Survey and Assessment," January 12, 2005.

will incorporate a stormwater treatment bioswale. These Native Coastal Gardens will occupy the Project's open space frontage along Shoreline Drive and will serve as an organic buffer and transitional space between the Waterfront Park-related land uses to the south and the residential land uses to the north.

In addition to the Waterfront Park-related public improvements referenced above, the public will also have access to the Project's north/south Mews, with its pedestrian/bicycle priority and the internal Project connectivity it provides.

D. Other Components of the Project's Land Use Program

1. **Project Circulation.** The Terminal One Project circulation system will include the following principal components:

- a. **Regional Project Access** – Primary vehicular access to the Project from regional locations will be provided by U.S. Highway 580 ("I-580") by way of Dornan Drive and the Dornan Drive Tunnel. Secondary access to the site from I-580 will also be available via Canal Boulevard/West Cutting Boulevard, Seacliff Drive, and Brickyard Cove Road. The Richmond BART station located at 1700 Nevin Avenue provides regional transit service to the BART system and can be accessed from the Project by way of surface streets (Dornan Drive/South Gerrard Blvd/ to West Macdonald Avenue at a distance of 3.1 miles.
- b. In addition, planned ferry service between Richmond and San Francisco, which is expected to begin operations in 2018 out of a new terminal facility to be located at the Craneway Pavilion, can be accessed from the Project by way of surface streets (Dornan Drive/Cutting Boulevard/Harbour Way) at a distance of approximately 3.5 miles.
- c. **Brickyard Cove Road** – The Terminal One circulation plan assumes the continued operation of Brickyard Cove Road as a two lane collector roadway which will provide commuter, commercial, and other through traffic with a means of bypassing the Project. The circulation plan also contemplates Brickyard Cove Road frontage improvements which will include driveway access to the two podium parking garages, 11± on-street parking spaces, a separated sidewalk, designated passenger pick-up/drop-off and loading zones, and a landscaped setback to the edge of the parking podium. In addition, the existing section of the Bay Trail that terminates at the midpoint of the Project's northern frontage will be extended along the north side of Brickyard Cove Road to the intersection with Dornan Drive, where it will connect with the existing Bay Trail located in the Miller-Knox Park.

- d. Shoreline Drive – The Project will include the construction of Shoreline Drive – a new public shoreline ring road that will connect to, and serve as an extension of, Dornan Drive at the northwest corner of the Project Site and intersect with Brickyard Cove Road at the northeast corner of the Project Site. Shoreline Drive will be the primary roadway serving the site. Its principal function will be to provide direct public access to the Terminal One Waterfront Park, with its shoreline amenities, and to the unobstructed panoramic views of San Francisco Bay afforded by the Project’s waterfront location and site orientation. Shoreline Drive will also serve as a scenic entry not only to the Project itself, but also to the Point Richmond neighborhoods to the east of the Project Site. The western leg of Shoreline Drive adjacent to the Project’s Entry Plaza will include 11± on-street parking spaces; the eastern leg adjacent to the eastern-most condominium building will include an additional 12± on-street parking spaces. Except for 2 ADA accessible on-street spaces located opposite the midpoint of the Terminal One Pier, no on-street parking will be provided along the southern reach of Shoreline Drive in order to minimize the impact of parking on the views of the Bay. Provision is also made for strategically located on-street passenger pick-up/drop-off and loading zones along the Project’s Shoreline Drive frontage. The new shoreline roadway will be funded and constructed by the Developer as part of the Phase I Subdivision Improvements, in accordance with the provisions of the Terminal One LDA.
- e. The Project’s Internal Mews – The Project’s pedestrian and bicycle circulation system will also include an internal Mews extending across the site between Brickyard Cove Road to the north and Shoreline Drive to the south. The Mews is designed to function as one of the Project’s principal connecting elements. In this regard, it will serve as a pedestrian and bicycle oriented paseo that will transect the Project along a north/south axis and connect the Project’s interior core and its exterior perimeter. In the process, it will tie together the podium common area and the public open space and will provide an interactive interface between the Project’s public realm and its more private residential countenance. The Mews will also provide a physical and visual link between the Miller-Knox Park headlands to the north of the Project Site and the San Francisco Bay shoreline to the south. Also of consequence from a fire and life safety perspective, the Mews will provide emergency vehicle access to the center of the Project Site. The Developer will fund and construct the new internal Mews. This intract publicly accessible pedestrian/bicycle promenade will be owned by the Project’s Home Owners Association, with the on-going costs of operations and maintenance to be funded by the Project using financing mechanisms that may include CFD/Assessment District and/or Home Owner Association funding.

- f. Pedestrian and Bicycle Circulation – The Terminal One circulation system is designed to prioritize pedestrian and bicycle modes of travel. It features:
- a shoreline extension of the Bay Trail (the Bay Trail Loop) providing bicycle and pedestrian access to the Project’s Waterfront Park from off-site locations to the east, north, and west by way of connections to existing Bay Trail facilities;
 - a “commuter” extension of the Bay Trail which will run from the existing terminus of the Bay Trail located on the north side of Brickyard Cove Road opposite the midpoint of the Project’s northern frontage to a point of connection with the existing Bay Trail in the Miller-Knox Park west of the Dornan Drive intersection; and
 - an interconnected network of on-site multi-use trails designed both to provide the public with full access to the Project’s Waterfront Park and shoreline amenities and to tie together the Project’s residential and park-related land uses.
- g. Circulation Plan Elements Designed to Deemphasize the Automobile – In recognition of the importance of (i) creating a sense of place which celebrates the natural order and ecological attributes of the shoreline, and (ii) the priority assigned to pedestrian and bicycle circulation as a means of providing access to these attributes at a more intimate level, the Terminal One circulation system is designed to deemphasize the automobile. To this end, the Terminal One transportation plan incorporates the following elements:
- As noted above and further discussed below, Brickyard Cove Road has been retained as a collector roadway which will provide commuter and commercial traffic with a means of bypassing the Project. The through-put function of this existing roadway will, in turn, reduce both the volume of Shoreline Drive traffic and the potential conflicts between traffic using the Project’s ring road as a destination-serving roadway to access the Terminal One Waterfront Park, on the one hand, and commuter/commercial traffic seeking a route between off-site destinations that will minimize travel time and distance, on the other.
 - By locating the driveway entrances/exits to the parking podium off Brickyard Cove Road, the Project’s circulation plan has been designed to allow residents (and their guests) to access their units without the need to make use of Shoreline Drive. This critical shoreline ring road has, in effect, been reserved for use by those members of the public interested in experiencing and enjoying the offerings of the Project’s Waterfront Park and shoreline attributes, including the panoramic views afforded by the Project’s Bay-front setting.

- The design of the on-site vehicular circulation system also incorporates traffic calming features that function to prioritize pedestrian and bicycle modes of travel and reduce the threat posed by vehicular traffic to the safety of those walking and bicycling. These features include both (i) a ring road configuration with two sweeping curves that require automobiles approaching and exiting Shoreline Drive's southern reach to reduce speeds and (ii) other traffic calming measures such as raised crosswalks/speed tables, stop signs, 10 foot wide travel lanes, on-street parking, and a "Safety Zone" designation with a posted speed limit of 20 mph.
- All resident and guest parking is hidden from view inside the two podium garages. On-street parking along Shoreline Drive's southern reach has been limited to ADA accessible parking spaces in order to minimize the impact of the automobile on Bay-views.

2. **Offsite Improvements**. In accordance with the provision of the Terminal One LDA, the following shoreline and infrastructure improvements, as described in greater detail above (collectively, the "Offsite Improvements") will be funded and constructed as a component of the Project's initial phase of development:

- a. the Terminal One Waterfront Park;
- b. the Bay Trail Loop;
- c. the new shoreline ring road (Shoreline Drive); and
- d. the Terminal One Pier resurfacing.

3. **Parking**. Parking for residents and guests of the 302 condominium units and the 21 townhomes will be provided in two single-level parking podiums that will have a combined capacity of approximately 601 spaces. As noted above, the parking podiums will be accessed by driveways off Brickyard Cove Road to the north. In addition, approximately 36 on-street parking spaces will be provided for the public along Shoreline Drive and Brickyard Cove Road.

A total of approximately 637± public and private parking spaces will be provided by the Project, consisting of 601± private spaces (reserved for residents, guests, and commercial employees) in the podium parking structures and 36± on-street public spaces.

4. **Warehouse Demolition and Site Preparation**. The warehouse that is presently situated in the southwest corner of the Terminal One Site will be demolished as part of site preparation. In addition, preparation of the site for construction of the Project will

also include removal of all remnant hardscape elements. The bulk of the waste materials that are generated by demolition of the warehouse and site clearance will be reprocessed and reused on-site. Off-haul will be limited to those materials that will be recycled off-site or that are determined to be inappropriate for reuse on-site.

5. **Programmatic Reuse of Elements from the Terminal One Warehouse and On-Site Railways.** In addition to reprogramming the Terminal One Pier for public use as the centerpiece of the Waterfront Park, Developer also plans, where feasible, to incorporate in the design of the repurposed Pier adaptive reuse of structural elements and materials from the existing warehouse, which may include truncated sections of the warehouse's exterior walls, redwood roof decking, and a small section of the warehouse's pediment signage. These residual elements will be used to frame the landscape program and, in so doing, to express the working character which defined the pier for over 80 years; to create raised viewing platforms; and to provide historical points of reference. The Terminal One landscape program also contemplates on-site reuse of existing rail spurs as part of the pedestrian trail system.

6. **Trash/Recycling Pick-Up.** Trash and recycling will be collected in covered bins and stored in trash rooms located in each of the two podium garages. *[Brickyard Cove Road Option – In addition, two trash and recycling pick-up zones have been designated along the Project's Brickyard Cove Road frontage opposite the trash rooms located in each of the two podium garages. On days when trash/recycling pick-up is scheduled, the bins will be moved from the trash rooms to the on-street pick-up/loading zones where their contents will be picked up by the refuse hauler and removed from the site.] [Shoreline Drive Option – In addition, an on-street trash and recycling pick-up zone has been designated at the mid-point of the eastern leg of Shoreline Drive. On days when trash/recycling pick-up is scheduled, the bins will be moved from the trash rooms in each of the two podium garages to a trash/recycling enclosure located opposite the on-street pick-up/loading zone, where they will be held pending pick-up of their contents by the refuse hauler and removal from the site.]*

7. **Utilities.**

- a. **Water and Wastewater** – The Project will rely on existing and available water and wastewater treatment and off-site transmission/conveyance capacity. Additional on-site water and wastewater lines, laterals, connections, and other improvements will be constructed as needed to tie into the existing backbone infrastructure and adequately serve the Project.
- b. **Stormwater** – The Project will employ a system of bioswales and other natural treatment measures to retain and treat stormwater run-off on-site. The Project will either recondition and reuse existing stormdrain lines and outfalls or, if reuse of the existing lines is determined to be infeasible, construct new stormwater

conveyance facilities for the purpose of collecting and discharging the Terminal One stormwater run-off into the Bay after it has been treated on-site.

8. **Grading.** The preliminary grading plan for the Project is designed to balance cut and fill on-site, with soil that will be removed from the northern portion of the site (where existing elevations are the highest and cuts are required to accommodate construction of the parking podium) to be reused for the purpose of raising elevations on the southern portion of the site (where existing elevations are the lowest and fill is required to accommodate roadway and finished floor elevations necessary to address hydrological considerations).

9. **Site Remediation.** The Terminal One Property has been subject to remediation associated with prior industrial uses of the site. A Remedial Action Plan ("RAP") and Soil Management Plan ("SMP") have been approved by the Regional Water Quality Control Board ("RWQCB") and the remedial actions required by these plans have been in large part completed. The Developer will assume responsibility both for completing the requirements of the RAP and for complying with the requirements of the SMP. The Developer will also assume responsibility for processing with the RWQCB any amendments to the RAP and SMP that may be required to accommodate the Terminal One Project.

10. **Project Phasing.** The Terminal One Project will be developed in up to five phases, with all of the Offsite Improvements (including the Terminal One Waterfront Park improvements, the new shoreline ring road, the Terminal One Pier reprogramming, and the Bay Trail Loop) to be constructed as part of the initial phase of development. Project phasing will progress from west to east, with:

- a. Phase 1 to consist of demolition of the warehouse and other site clearance work; mass grading of the entire site; construction of the Phase 1 Subdivision Improvements, including the on-site utility infrastructure and storm drain improvements and all of the Offsite Improvements; construction of the western parking podium; and development of both the western-most of the five multi-family buildings (Building #1, consisting of 62 condominium flats) and 3 of the 21 townhomes (together with the associated utility laterals/connections and common area improvements);
- b. Phase 2 to consist of development of the second multi-family condominium building (Building #2, 58 units) and 4 additional townhomes (together with the associated utility laterals/connections and common area improvements);
- c. Phase 3 to consist of development of the third multi-family condominium building (Building #3, 68 units), the western frontage of the Project's internal Mews, and 4

additional townhomes (together with the associated utility laterals/connections and common area improvements);

- d. Phase 4 to consist of construction of the eastern parking podium; construction of the pedestrian over-crossing connecting the two podium decks; and development of the fourth multi-family condominium building (Building #4, 68 units), the eastern frontage of the Project's internal Mews, and 5 additional townhomes (together with the associated utility laterals/connections and common area improvements); and
- e. Phase 5 to consist of development of the fifth multi-family condominium building (Building #5, 46 units) and 5 additional townhomes (together with the associated utility laterals/connections and common area improvements).

Project phasing will be undertaken as a dynamic process and will be based principally on market conditions. In this regard, the Project's phasing plan will allow the five phases described above to be combined into four or fewer phases.

11. **Inclusionary Housing**. The Terminal One LDA makes provision for the satisfaction of the requirements of the City's Inclusionary Housing Ordinance by the payment of a fee to the appropriate City of Richmond authority in lieu of incorporating inclusionary housing into the Project.

12. **Operations and Maintenance Funding Plan**. The Terminal One LDA also requires the Project include a plan for funding the operations and maintenance of the Project's new shoreline ring road; the Terminal One Waterfront Park, with its parkland amenities and open space improvements, and the Bay Trail Loop (the "Project O&M Plan"). The Project O&M Plan will be funded by the Project using financing mechanisms that may include CFD/Assessment District and/or Home Owners Association funding.

III. THE TERMINAL ONE PLANNED AREA DISTRICT DESIGN REVIEW PROCESS

The design of the Terminal One Project is subject to a two stage design review process. The first stage of the design review process (the "PA Design Review") shall be conducted as an integral part of the City's consideration of Developer's Planned Area District rezone application. PA Design Review shall involve the review and approval of this PA Plan and the Terminal One Master Plan and Design Framework that is appended hereto. City adoption of the Terminal One Planned Area District and this PA Plan shall also constitute approval of the Terminal One Master Plan and Design Framework and the PA Design Review.

The second stage design review of the Terminal One Project shall be undertaken pursuant to a Design Review Permit Application to be filed by Developer under RMC Section 15.04.930. This second stage design review process shall involve the review and approval by the Design Review Board (the "DRB") of those detailed elements of the design of the Terminal One Project's exterior building construction that have not already been reviewed and approved as part of the PA Design Review. Second stage design review under RMC Section 15.04.930 shall also include review of signage proposed as part of new building construction.

A. PA Design Review

The PA Design Review process examines and evaluates the following basic elements of the Terminal One Project design, as further described in this PA Plan and the Terminal One Master Plan and Design Framework.

1. **The Terminal One Land Use Program.** – including:
 - a. General plan and zoning district designations;
 - b. Land uses and the interrelationship between land uses;
 - c. Density and intensity of use; and
 - d. Parcelization (lot size, configuration, and dimensions).

2. **The Terminal One Site Plan.** – including:
 - a. Site and lot area(s);
 - b. Gross and net developable area;
 - c. Organization of public and private land uses;
 - d. Building layout, orientation, alignment, configuration, separation, and setbacks;
 - e. Distribution of building density, volume and heights;
 - f. Building footprints and floor area;
 - g. Coverage and floor area ratios;
 - h. Gross and net usable public, common area, and private open space;
 - i. Vehicular, pedestrian, and bicycle circulation;
 - j. Public and private parking spaces by type and number, loading and staging areas, pick-up and drop-off zones, and refuse/recycling pick-up zones;
 - k. Roadway and street frontage improvements; and
 - l. Construction phasing.

3. **The Terminal One Architectural Plans.** – including:
 - a. Architectural style;
 - b. Building form and composition – including the following principal components thereof:

- Configuration, dimensions and shape;
 - Massing and volumes;
 - Height; and
 - Scale and proportion.
- c. Architectural features used in defining the way in which building form and composition is expressed – including:
- Roof treatment;
 - Balconies, bays, patios and porches;
 - Projected and recessed wall planes;
 - Window size, shape and alignment;
 - Stepped volumes (both forwards and backwards as well as vertically and horizontally);
 - Vertical and horizontal articulation of building façade;
 - Contrasting colors and materials;
 - Fenestration; and
 - Trim.

4. **The Terminal One Landscape Plan**. – including:

- a. Location, configuration and distinguishing characteristics of designated landscape areas;
- b. Palette of plant materials and selection criteria by designated landscape area;
- c. Open space/common area improvement program by designated landscape area;
- d. Principal features and public/private amenities of open space/common area improvement program by designated landscape area; and
- e. Lighting strategy.

5. **The Terminal One Preliminary Grading and Drainage Plan**. – including:

- a. Preliminary finished floor, Bay Trail and roadway elevations;
- b. Preliminary finished site contours; and
- c. Preliminary cut and fill estimates.

B. The Terminal One Master Plan and Design Framework

Upon approval as part of the PA Design Review, the Terminal One Master Plan and Design Framework shall establish the basic design elements and architectural tenets which define the essential underlying characteristics of the Project’s built form and aesthetic composition (the “Master Plan Design Framework”). The Project’s final land use program, site plan, architectural plans, landscape plans, and grading/drainage plans shall be substantially consistent with the approved Master Plan and Design Framework and the aspects of form and composition that are depicted therein, which include:

1. **Site Design.** – The Terminal One site design framework includes:

a. The Conceptual Site and Landscape Plan (see TO Master Plan at pages 13-27) that addresses:

- Organization of land uses – including public and private land uses;
- Building layout – including building footprints, configuration, orientation, alignment, separation, and setbacks, as well as the distribution of building density, mass, volumes, and height over the site;
- Organization of open space – including public open space, common area open space, and private open space;
- Location and configuration of view corridors;
- Layout of the Waterfront Park – with features that include the Terminal One Gateway and Entry Plaza, Terminal One Pier, Bay Trail Loop, shoreline trails, Boardwalk Gardens, and Native Coastal Gardens;
- Layout of the podium terrace – with features that include Podium Gardens, amenity pavilions, private patios, Bay overlooks, a children’s playground, Native Grass Meadows, a pedestrian bridge over the Project’s internal Mews, and stairway access connecting the landscaped common area of the raised podium deck to the public open space and pedestrian circulation improvements to be constructed at grade;
- Parking layout – including both resident/guest/employee parking in the podium garage and public on-street parking on Shoreline Drive and Brickyard Cove Road; and
- Trash/recycling collection and pick-up.

b. The Site Circulation Plans (see TO Master Plan at pages 28-31) that addresses:

- Pedestrian circulation – including public and resident pedestrian circulation;
- Bicycle circulation – including the Bay Trail Loop, the bike/pedestrian priority Mews, the commuter extension of the Bay Trail north of the site, and bicycle nodes;

- Vehicular circulation – including the new perimeter roadway Shoreline Drive and the section of the existing Brickyard Cove Road abutting the Project’s northern boundary, together with the related frontage improvement to include access to the podium garages, on-street parking, designated loading and drop-off/pick-up zones, refuse/recycling pick-up zones, and ADA compliant parking spaces; and
 - Intersection configuration – including both the Dornan Drive/Shoreline Drive/Brickyard Cove Road intersection at the northwest corner of the Project and the Shoreline Drive/Brickyard Cove intersection at the northeast corner of the site.
- c. The Site Cross Sections (see TO Master Plan at pages 32-37) that addresses:
- The layout of the Brickyard Cove Road corridor and related frontage improvements;
 - The layout of the Shoreline Drive corridor and related frontage improvements; and
 - The minimum finished floor, Bay Trail and roadway elevations required to address projected sea level rise.

2. **Landscape Design**. – The landscape design framework includes:

- a. The Public Open Space and Common Area Open Space Improvements Program (see TO Master Plan at pages 39-44) that addresses the conceptual landscape program for both:
- The designated public open space improvement areas – including the Terminal One Entry Plaza, the Terminal One Pier, the Native Coastal Gardens, the Tidelands Habitat Area, the Bay Trail Loop, the Brickyard Cove Road landscape corridor, and the Terminal One internal Mews; and
 - The Common Area Open Space Improvements Program – including the Podium Gardens, the Podium Meadow, the resident dog park, and the pedestrian bridge/Bay overlook;
- b. Conceptual Plans, Sections, Views, and Precedents for the Terminal One Pier (see TO Master Plan at pages 45-58);

- c. Conceptual Plans and Precedents for the Waterfront Park and Stormwater Treatment Gardens (see TO Master Plan at page 59);
 - d. Conceptual Plans and Precedents for the Terminal One Entry Plaza (see TO Master Plan at pages 60-61);
 - e. Precedents for the Neighborhood Mews (see TO Master Plan at page 62);
 - f. Precedents for the Podium Gardens (see TO Master Plan at page 63), including illustrative precedents showing landscape installation technology for the Podium Meadows and Gardens;
 - g. The Lighting Strategy (see TO Master Plan at page 64), including:
 - Selection criteria for Waterfront Park lighting, Podium Gardens lighting, and Streetscape lighting; and
 - Illustrative lighting precedents;
 - h. The Plant Palette (see TO Master Plan at pages 65-70) for each of the designated public and common area open space improvement areas, including the Perimeter Landscaping, the Native Coastal Gardens, the Boardwalk Gardens, the Stormwater Treatment and Wetland Habitat Gardens, and the Podium Meadows and Gardens;
3. **Building Design**. – the building design framework includes:
- a. Illustrative Precedents (see TO Master Plan at page 72) showing examples of contemporary adaptations of the style of architecture known as Bay Area Regionalism.
 - b. Building Elevations (see TO Master Plan at pages 73-82):
 - Showing the character of the exterior appearance of the Terminal One architecture and its relationship to its surroundings;
 - Addressing the principal components of building composition and form, including:
 - i. Configuration and shape;
 - ii. Massing and volume;
 - iii. Height; and
 - iv. Scale and proportion; and

- Depicting the way in which architectural features are used to define these components of building composition and form, including:
 - i. The use of a brick veneer (or similar facing material) on the exposed portions of the podium wall and podium level residential units to define a single-story building base; to anchor that base at the ground level; to provide an historical reference relative to the Brickyard Cove brickyard that operated for many years in the area; and to give the building architecture a sense of both warmth and substance;
 - ii. The use of a projected wall plane and a contrasting naturally colored rain screen panel system (or similar facing material) to define a two- to three-story building mid-section and to emphasize the building's horizontal reach;
 - iii. The use of a recessed top floor wall plane coupled with dark trim and a more neutral color palette to define the one- to two-story top section of the building;
 - iv. The extensive use of glass and stacked floor-to-ceiling window openings, framed by contrasting dark trim, to wrap the building's corners and the bays which extend beyond the plane of the building's exterior wall in order:
 - To give the building's mass a lighter and more transparent feel;
 - To create an hierarchy of internal space that calls out the areas of more active use;
 - To achieve an integration of indoor and outdoor space that invites the outdoor in and projects the indoor out;
 - To impart a vertical rhythm to the building design that complements the horizontal rhythm created by the rows of smaller windows that reach across the building façade; and
 - To access the panoramic views which the site affords;
 - v. The use of cantilevered balconies – off-set at the building bays and stacked at the building corners – to activate the building façade and bring the perpendicular elements of the building's exterior to life while, at the same time, creating horizontal lines that reduce the vertical expression of the bay windows and serve a leveling function;
 - vi. The use of flat roofs with over-hanging eaves and sun shades: to limit building heights; to cap the vertical elements of the building façade; and to emphasize the horizontal plane of the building's flat roof by carrying the line of the roof beyond the building's edge;

- vii. The use of front door entry stoops and patios at the ground floor level:
 - To create a sense of engagement with the exterior environment;
 - To activate an interactive transition between the private and public realms; and
 - To give to this transition a more vibrant human scale; and
 - viii. The use of natural looking materials and natural earth-tone colors to integrate the buildings with the surrounding setting.
- c. Building Sections (see TO Master Plan at pages 83-92) showing building heights relative to:
- The elevation of Brickyard Cove Road;
 - The elevation of Shoreline Drive;
 - The elevation of the top of the podium;
 - The ground level elevation at the Terminal One Mews; and
 - The finished floor elevation of the ground level units.
- d. Use of Brick (see TO Master Plan at page 93) showing the locations where a brick veneer (or similar facing material) will be used on the exposed portions of the podium wall and podium level residential units.
- d. Typical Unit Floor Plans (see TO Master Plan at pages 94-97) for:
- One, two, and three bedroom flats; and
 - Two- and three-story townhomes.
- e. Conceptual Material Palette (see TO Master Plan at page 98) showing examples of integrally colored cementitious rain screen materials.
- f. Phasing Diagram (see TO Master Plan at page 99) showing how the Project development will be phased.

C. Second Stage Design Review

The PA Design Review approvals establish the basic tenets and elements of architectural form and composition that govern final design and development of the Terminal One Project. The design detail involved in transforming this first stage design framework into a final set of architectural and landscape plans (the "Final Plan Set") shall be the subject of a Design Review Permit Application pursuant to RMC Section 15.04.930. This second stage design review process shall be undertaken during the Project's schematic design phase following approval of the Terminal One Planned Area

District and the related entitlements and shall include, among other design details, a review of:

- a. The use of colors and materials in building design; and
- b. The design and programming of the Terminal One Pier and Waterfront Park.

Once the PA Design Review has been approved, the scope of the DRB's subsequent review under a Design Review Permit Application shall be limited to those aspects of the Project's design that have not already been reviewed and approved in the PA Design Review process. To avoid the need for multiple subsequent reviews of project design by the DRB, the stage two design review application and submittal shall cover the entire project as if the project was to be developed in a single phase.

IV. PLANNED AREA PLAN

All requirements set forth in Richmond Municipal Code Article 15.04.600 "PA-Planned Area District" shall apply to the Project, including but not limited to the following:

- The PA Plan shall be effective on the same date as the ordinance creating the PA district for which it was approved and shall expire six years after the effective date unless a building permit has been issued and construction diligently pursued.
- The Planning Director or his/her designee shall review the building permit applications to ensure compliance with the conditions of PA District approval.

A. Permitted Land Uses

The following uses shall be permitted in the Terminal One PA District. Similar uses may be permitted by interpretation of the Planning Director or designee.

1. Residential Uses.

- a. Multifamily Residential Dwelling
- b. Single Family Residential Dwellings
- c. Duplex Dwellings

2. Civic, Public, and Semi-Public Uses.

- a. Day Care Center

- b. Day Care Home, limited (6 or fewer) and general (7 to 12) - with business license and state license*
*Primary use of property remains residential

3. **Commercial Uses.** – Retail Sales and Services

- a. Home Occupations
- b. Visitor and Neighborhood Serving Retail Sales and Services – including appropriately sized convenience stores, food stores, eating establishments (with or without alcoholic beverage sales), personal services, specialty retail

4. **Open Space and Recreational Uses.**

- a. Parks, Open Space, and Trails

5. **Accessory Uses.** - Accessory uses and buildings shall be limited to those uses that are clearly incidental to the primary use of the property, such as garages, swimming pools, shade structures, and trash enclosures.

6. **Temporary Uses.** – The following temporary uses shall be allowed as permitted uses within the Terminal One PA District provided each such temporary use, in order to qualify as a permitted use, must be issued a Special Event Permit by the City and must be conducted in accordance with the permit terms.

- a. Street Fairs
- b. Outdoor Exhibits
- c. Arts and Craft Shows, Outdoors
- d. General Assembly
- e. Live Entertainment and Events
- f. Recreational Events
- g. Retail Sales, Outdoors
- h. Trade Fairs

V. APPLICABLE STANDARDS WITHIN PA DISTRICT

A. Development Standards

The Development Standards applicable to the Terminal One Planned Area District shall be those standards for which provision is made in this PA Plan (the “Terminal One Development Standards”). The permitted uses in this PA District shall be substantially consistent with the Terminal One Development Standards as set forth below.

1. **Development Density.** – The Project’s density shall not exceed 33 dwelling units per net acre.

2. **Roof Type and Building Height.** – To reduce building heights and the Project’s view impacts, the Terminal One buildings will employ flat roofs with overhanging eaves. The building heights by housing type shall not exceed the maximum heights set forth below:

Housing Type	Maximum Building Height*
Condominium Building # 1	61.5’
Condominium Building # 2	61.5’
Condominium Building # 3	61.5’
Condominium Building # 4	61.5’
Condominium Building # 5	51.5’
Townhouse Units – Two Story	25’
Townhouse Units – Three Story	35’

*“Building Height” means the vertical distance between the finished floor of the building’s lowest unit and the top-of-roof and shall not include roof-top projections such as elevator over-runs, staircase penthouses, parapets, mechanical screening, mechanical equipment, vents, and similar appurtenant elements. The building height of a stepped up terraced building is the maximum building height of any segment of the building.

3. **Open Space Requirements.** – East residential unit shall have a minimum of 32 square feet of useable private open space with a minimum clear dimension of 4 feet. Common open space shall be provided in substantial compliance with the Conceptual Site and Landscape Plan approved as part of the Terminal One PA District.

4. **All Other Residential Development Standards.** – All other residential development standards, as applicable to the Terminal One Project, including, but not limited to, standards regarding lot area, lot square footage per dwelling unit, lot width and frontage, lot depth, building setbacks, distances between residences, interior yard area, usable open space, floor area ratios, and lot coverage, shall be deemed satisfied where the residential development substantially complies with this PA Plan and the Terminal One Master Plan and Design Framework.

B. Performance Standards

The uses in the Terminal One Planned Area District shall comply with the applicable performance standards delineated in the Richmond Municipal Code Section 15.04.840.

C. Parking and Loading Standards

All parking and loading area within the Terminal One Planned Area District shall comply with the applicable provisions of Richmond Municipal Code Section 15.04.850.

D. Signs

All signs within the Terminal One Planned Area District shall comply with the applicable provisions of Richmond Municipal Code Sections 15.04.860 and 15.04.930.020, in addition to the Sign Ordinance (Chapter 15.06) and the Sign Code (Chapter 4.04).

VI. PA PLAN IMPLEMENTATION

A. Residential Construction

The Terminal One Planned Area District residential development shall be constructed in substantial compliance with the Final Architectural Plan Set approved by the DRB and the City of Richmond Planning and Building Services Department as complying with all conditions of approval for the Terminal One Project.

B. Landscape and Fencing Installation

The Terminal One Planned Area District landscaping and fencing shall be installed in substantial compliance with the Final Landscape Plan Set approved by the DRB and the City of Richmond Planning Department as complying with all conditions of approval of the Terminal One Project.

C. Building Permit Issuance

Approval of the Terminal One Planned Area District and PA Plan will constitute final zoning for the Terminal One Property. Issuance of building permits will require Tentative Map approval by the Planning Commission and Second Stage Design Review approvals by the DRB.

D. PA Plan Amendments

The PA Plan provides a design framework and development standards which govern the development of the Terminal One Project. As noted above, the Project is also subject to Tentative/Final Map and Second Stage Design Review approvals. Final architectural design, landscape design, and site planning will occur at the time of Second Stage Design Review and no amendment of this PA Plan will be required as long as the

Final Architectural and Landscape Plan Sets are in substantial compliance with this PA Plan as well as the Richmond General Plan.

Developer may apply to amend this PA Plan in order to accommodate development that is not in substantial compliance with the PA Plan. All amendments to the PA Plan shall be subject to the procedures set forth in Richmond Municipal Code Section 15.04.610.030 "PA Plan Area District – Procedures".

E. Modifications to the Terminal One Master Plan and Design Framework

Developer may also seek modification to the Terminal One Master Plan and Design Framework to accommodate development that is not otherwise in substantial compliance with the adopted plan and framework. Such modifications shall not require an amendment to the PA Plan as long as the following conditions are met:

1. The maximum number of dwelling units does not exceed 323 dwelling units.
2. The total gross floor area under roof does not exceed 542,534 GSF.
3. The total net floor area under roof does not exceed 471,986 NSF.
4. The building height limits as set forth above are not exceeded.

All modifications of the Terminal One Master Plan and Design Framework shall be subject to the review and approval of the DRB.

VII. ADMINISTRATIVE AND ENFORCEMENT PROCEDURES

All activities, development and uses allowed in the Terminal One Planned Area District are subject to the provisions contained in Richmond Municipal Code Section 15.04.900 "Administrative and Enforcement Procedures". Provisions of this PA Plan will be enforced in accordance with Richmond Municipal Code Section 15.04.950 "Enforcement Procedures" and 15.04.990 "Revocation/Modification Provisions".

VIII. EFFECTIVE DATE

In accordance with Richmond Municipal Code Section 15.04.610.040.E, the PA Plan for the Project shall be effective on the same date as the ordinance creating the Terminal One Planned Area District for which it was approved (the "Effective Date") and shall expire four years after the Effective Date unless a building permit has been issued and construction diligently pursued. An approved PA Plan may specify a development stage exceeding four years. This Terminal One PA Plan specifies a development stage of six years following the Effective Date of the ordinance.