

**PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**
450 Civic Center Drive, Richmond, CA
November 16, 2017
6:30 p.m.

COMMISSION MEMBERS

Marilyn Langlois, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Claudia Garcia	Michael Huang
Vacancy	

The regular meeting was called to order by Chair Langlois at 6:30 p.m.

ROLL CALL

Present: Chair Marilyn Langlois; Vice Chair Andrew Butt, Commissioners Nancy Baer, Claudia Garcia, Jen Loy and Yu-Hsiang (Michael) Huang

Absent:

INTRODUCTIONS

Staff Present: Planning Staff: Lina Velasco, Attorney Shannon Moore

MINUTES:

Chair Langlois stated that there are no minutes for approval.

AGENDA

CONSENT CALENDAR

Chair Langlois stated that there are no items on the consent calendar.

BROWN ACT – Public Forum

CORDELL HINDLER, Richmond, discussed his idea for a spa to be located in downtown Richmond and to call it, Rainforest Spa. He will bring a photo next month showing where he got his inspiration for a rainforest spa and he requested that the Commission consider this idea. Also, he updated the Commission that there will be a new Member joining them next month.

NEW ITEM

1. **PLN16-732: Quarry Residential Project - PUBLIC HEARING** to receive comments on the Draft Environmental Impact Report (EIR) for the Quarry Residential Project. The Project includes a request for a General Plan Amendment to change the land use classification, and a Rezone to a Plan Area (PA) District to construct up to 200 condominium units, a club house with a swimming pool and associated road, bay trail

and infrastructure improvements. Project information and the Draft EIR are available online at www.ci.richmond.ca.us/quarry-residential-project; Richmond Cove 1, LLC, owner; New West Communities, applicant; Planner: Lina Velasco; Tentative Recommendation: Receive and Provide Comments

[See the attached minutes for this item starting on page 5.]

STUDY SESSION

2. **PLN17-609: Change Area 12 (Northshore) General Plan Amendment - STUDY SESSION** to receive and provide comments on emerging concepts for a General Plan Amendment modifying land use classifications of certain areas within General Plan 2030 Change Area 12 (Northshore). Change Area 12 is generally defined by Richmond Parkway to the east and south, San Pablo Bay to the west, and Point Pinole Regional Shoreline park to the north. Project information is available online at www.ci.richmond.ca.us/NorthShoreGPA; Various, Owners; Planner: Lina Velasco; Tentative Recommendation: Receive and Provide Comments

Vice Chair Butt recused himself from this item for he has a client that he is doing design work for that could be a potential user in Change Area 12.

Ms. Velasco states that the City Council has directed Staff to look into this amendment change. She introduced Michael Dyett with Dyett and Bhatia, who is the consultant and assisting in the preparation of this General Plan Amendment.

MICHAEL DYETT, Dyett and Bhatia, consultant, gave a presentation that includes the Council's direction for a study, discussion of some of the planning factors being considered, community input received, the firm has done and stakeholder input received.

The Council's direction was to look at uses for Change Area 12 that includes open space, parks and recreation, agriculture and public, cultural and institutional. These such uses could provide reasonable economic use for private property owners. There was direction to receive input on such change from the property owners, stakeholders, residents and the Planning Commission.

In terms of sea level rise, the Richmond Bay Specific Plan assumed a 3-foot raise plus 1 foot for foundation protection. The federal guidance from the National Oceanic and Atmospheric Administration (NOAA) assumes 5-feet above high water, which would be about 130-acres that would be affected in Change Area 12. MTC and the Bay Conservation and Development Commission (BCDC) last February did a report called Adapting to Rising Tides. It included ten scenarios and the most likely would be 77-inches (36 inches sea rise plus 100-year extreme flooding) of sea level rise. Sea levels would affect about 183-acres of the land area in Change Area 12 using that scenario.

Many stakeholders were concerned about inappropriate development and permanent structures located in flood zone areas. Mr. Dyett emphasized that the General Plan needs to make clear that there are other viable options such as renewable energy, cannabis cultivation, public and private recreation, etc.

There is a decreasing demand for industrial space reflected by declining growth of industrial jobs and spaces. Change Area 12 can easily accommodate these industrial facilities because

there is approximately 311 acres of vacant or underutilized land. The key to viability is to give owners flexibility in what they decide to use their land for and also in FAR (Floor Area Ratio).

The demand for renewable energy is growing with the state's goal of reaching 33% in 2020 so the opportunity to put renewable energy facilities in Change Area 12 is a good viable option. Medical Cannabis is also another area that is about to grow and could be a viable option to bring in money for the City.

The plan recommended for Change Area 12 is to maintain the character appropriate to the natural setting, provide activities that relate to the shoreline, provide shoreline access and complete the Bay Trail. In terms of the General Plan Land Use designations, the definitions need to be refined for this area to achieve the vision the community described.

Mr. Dyett suggests two concepts, Concept A includes industrial agricultural and shoreline conservation for a mixed public and private open space, parks and recreational uses, agricultural uses, and a low-intensity/low-impact public, cultural and institutional uses. Concept B continues the ideas in the current General Plan but refines them to say there is a demand for a shoreline industrial designation.

Through community workshop two potential refinements were brought up. One was that there should be information in the General Plan if there is to be a restaurant in Change Area 12 and two, move industrial agriculture east of Goodrick Avenue to reduce exposure to sea level rise and extreme tides.

Commissioner Loy asked why not introduce a bike repair shop and Mr. Dyett explained that could lead to retail shops and that maybe the City should shy away from that potential. Commissioner Garcia liked the idea of a small health food restaurant located in Change Area 12. Mr. Dyett addressed Commissioner Bear and Commissioner Huang's questions that a greenhouse is an example of a temporary building and that all FEMA requirements would have to be met for these temporary buildings.

Public Comment:

CORDELL HINDLER, Richmond, stated that there were three things that he took away from the presentation. One is a health and fitness facility, two that Richmond needs healthy food options, and both these things could be included in a spa. The third item is a sports club and that there needs to be a space for them to play.

DANIEL B. MURRAY, is the owner of 52-acres out at the confluence of Goodrick and the Parkway. Up until Council decided to possibly change the zoning for this section, he had it under contract with Shea properties. Mr. Murray listed off a bunch of positive things that Shea properties was planning to propose on the 20-acres that they were planning to donate back to the City. Mr. Murray was disappointed that the City Council decided to change the zoning on his land and thus essentially declining the Shea properties proposal.

The public hearing was closed.

Commission Garcia states that she thinks Concept A really has a good balance of ideas that fit the area well. Commissioner Baer stated that she also prefers Concept A and agrees with Commissioner Garcia's comment that if Mr. Murray's land could be changed to something that would benefit him, that would be helpful. Commission Baer voiced that she does not think that

renewable energy belongs in the Industrial Agriculture definition. She also thinks that the category Shoreline Conservation encompasses too much and needs to be refined. Commissioner Huang prefers Concept B. Commissioner Loy prefers Concept A.

Chair Langlois also prefers Concept A with the exception that if the Gun Club were no longer operable then that land revert back to open space. Mr. Dyett explains that by designating that area open space, the open space definition per the zoning code is used for public space and this section of land is privately owned.

Ms. Velasco explains that the City Council and Staff are still working on policies that encompass cannabis cultivation to be farmed inside buildings, as well as greenhouses.

COMMISSION BUSINESS

3. Reports of Officers, Commissioners, and Staff –

Ms. Velasco reported that the California Natural Resources Agency announced their Urban Greening grants and Richmond is to receive \$7.2 million worth of urban greening improvements; specifically for 'Greening the Yellow Brick Road' and the 'Richmond Wellness Trail'.

Commissioner Garcia reminds the Commission that on December 2nd is the Planning Commission Conference at Sonoma State University.

Commissioner Baer voiced that she is still very interested in hearing an update on pending projects that were reviewed by the Commission, she plans to attend the Commission Conference as well and that the New Partners for the Smart Growth Conference is going to be in San Francisco in January.

4. Adjournment – The meeting was adjourned at 9:00 p.m. to the next regular meeting on December 7, 2017.

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CITY OF RICHMOND
CITY PLANNING COMMISSION
PUBLIC HEARING AND COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT
QUARRY RESIDENTIAL PROJECT - PLN16-732

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Thursday, November 16, 2017
Council Chambers, Richmond City Hall
440 Civic Center Plaza
Richmond, California

REPORTED BY: DEBORAH FUQUA, CSR #12948
[TEXT CORRECTIONS BY: ESA, November 28, 2017]

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1 A P P E A R A N C E S

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3 RICHMOND PLANNING COMMISSION:

4 MARYLYN LANGLOIS, Chair

5 ANDREW BUTT, Vice Chair

6 NANCY BAER, Secretary

7 JEN LOY, Commissioner

8 CLAUDIA GARCIA, Commissioner

9 MICHAEL HUANG, Commissioner

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11 RICHMOND PLANNING COMMISSION STAFF:

12 LINA VELASCO: Senior Planner

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14 SHANNON MOORE, Assistant City Attorney

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16 CONSULTANT ESA:

17 CHRISTY HERRON, AICP, Senior Managing Associate

18 CONSULTANT FEHR & PEERS:

19 SAM TABIBNIA, PCE, Professional Traffic Engineer

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1 Thursday, November 16, 2017 6:55 p.m.

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3 P R O C E E D I N G S

4 (Presentation by Christy Herron and Sam
5 Tabibnia was given)

6 CHAIR LANGLOIS: Thank you very much. So with
7 that, just want to remind Commissioners, you will have
8 a chance after the public speakers to give your
9 comments on the project. But now I just want to give
10 you a chance if you've got technical or clarifying
11 questions about the presentation.

12 Commissioner Baer?

13 COMMISSIONER BAER: I have a couple questions
14 about the analysis that was done on traffic. Did you
15 -- I'm concerned about how many cars are going to be
16 coming out of this project on a daily basis. I think

17 probably more so in a.m. peak hours. But did you
18 analyze that situation? And what are the traffic --
19 current traffic volumes along Seacliff Drive at this
20 point?

21 SAM TABIBNIA: So our traffic analysis was
22 basically performed at morning, a.m. peak hour and the
23 evening p.m. peak hour. And we looked at, I believe,
24 six or seven intersections. And obviously the project
25 does add traffic at these intersections, but the level

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1 of additional traffic does not trigger enough that --
2 to impact threshold for the project.

3 And your second question, existing volume on
4 Seacliff is about 2,000 cars a day. And the project
5 generates about 110 a.m. peak hour trips, 130 p.m. peak
6 hour, and about 1400 daily trips.

7 COMMISSIONER BAER: And I guess I'm concerned
8 about the spot right there where Seacliff intersects
9 the project. Did you -- was that included in your
10 intersection studies?

11 SAM TABIBNIA: (Nods head affirmatively)

12 COMMISSIONER BAER: Okay.

13 CHAIR LANGLOIS: Any other questions from
14 Commissioners?

15 (No response)

16 CHAIR LANGLOIS: Okay. I have one question I
17 have to ask. This is more about the process that we're
18 going through tonight. I do have some concerns about
19 the fact that we're actually comingling a couple of
20 processes, both a General Plan amendment and a Draft
21 EIR hearing.

22 And it's a concern for me because the General
23 Plan amendment is a pretty significant change. It's
24 changing the entire land use designation. We had a
25 similar situation where we did a General Plan amendment

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1 together with a project on the -- on the Shea Bottoms
2 property. And that was -- brought up a lot of concerns
3 from the public. And that didn't change the land use
4 designation; it just changed some technical components
5 of it. But even that, the fact that that included a
6 General Plan amendment, caused some controversy.

7 And here we're changing the land use from
8 parks and recreation to housing, medium density
9 housing. So I'm just wondering -- I did a little
10 asking around, and I heard from Rod Satre of the Point
11 Richmond Neighborhood Council Land Use Design Review
12 Committee that -- he says apparently the original
13 conditional use permit for the quarry included a
14 provision that the property owner agreed to developing

15 the land to be used for housing after cessation of
16 quarry operations.

17 Now, I haven't seen that. It may be true. If
18 so, it's probably dated quite a long time ago. But
19 what we're seeing here is that the City Council -- the
20 Planning Commission at the time with the City Council,
21 when they did the General Plan update completed in
22 2012, did see, for whatever reasons, in their wisdom to
23 put this land as parks and recreation.

24 I'm just wondering, Ms. Velasco, do you know
25 what was the thinking about designating the space as

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1 parks and recreation rather than housing at the time of
2 the General Plan?

3 LINA VELASCO: I think, when we were working
4 on the General Plan, the reclamation of the quarry
5 would be completed and it was considered that, when
6 that was completed, there was the potential that either
7 the East Bay Regional Park District or the City would
8 acquire the property if it was put on the market.

9 CHAIR LANGLOIS: Okay.

10 LINA VELASCO: That didn't occur.

11 CHAIR LANGLOIS: I see. So, in any event,
12 that's what the plan was.

13 It's -- I just have a concern because I don't
14 want the -- it's just like we're trying to do two
15 different things here. If -- it may not end up being a
16 problem, but if it turns out there's very grave
17 concerns about the General Plan or the land use
18 designation change and for some reason that were not
19 approved, then the applicant would have done all this
20 work and spent all this money on a project that can't
21 go forward because the General Plan amendment land use
22 designation isn't approved.

23 So -- and this isn't about the project. This
24 is, again, more about the process. I'm wondering if we
25 can at some point, either tonight or in the future,

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1 make a recommendation to the City Council from us on
2 the Planning Commission to state that, whenever a
3 property owner seeks a General Plan amendment that
4 would change the actual land use designation for that
5 site, the General Plan amendment process must first be
6 completed before any application for development on
7 that site under the new land use designation is
8 submitted.

9 So I just want to put that out there. And
10 perhaps later, if people want to discuss that, we can.
11 But it's something I'd like to put as a recommendation
12 to the City Council at some point.

13 Other than that, I have no other technical
14 questions or clarifying questions myself. So with
15 that, can we go to the public speakers, please?

16 COMMISSIONER GARCIA: I just have one quick
17 question regarding the feasi- --

18 CHAIR LANGLOIS: Commissioner Garcia?

19 COMMISSIONER GARCIA: Thank you, Chair.

20 Regarding the feasibility of the
21 recommendation to the City Council for decoupling
22 amendments, land use amendments and the CEQA process,
23 how long would that take? If we were to initiate
24 something like that, would the process now be
25 lengthened from two years to four years? So would

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1 development be considerably -- I guess, the timeline
2 for development in our city, would it be considerably
3 slowed in that process?

4 LINA VELASCO: I think we would have to look
5 to see what the recommendation was and how it's stated.
6 But I do think that's a separate item that we're not
7 prepared to discuss and wasn't agendized. So if that's

8 something the Chair wanted us to add to a future
9 meeting, we'd be happy to.

10 CHAIR LANGLOIS: Yes, I think that's a good
11 question, Commissioner Garcia, and something I think we
12 should discuss because there may be a -- you know, some
13 threshold we want to observe if the change in the
14 General Plan is -- the magnitude is such we really need
15 to consider that change first. If it's minor, then we
16 might opt to save time and deal concurrently with.
17 Yes, I'd like to see us discuss that at future meeting.

18 Any other questions?

19 (No response)

20 CHAIR LANGLOIS: Let's go on with the public
21 speakers then, please.

22 LINA VELASCO: Okay. So I'm going to call up
23 the first five names, so if you could take some seats
24 up at the front.

25 Cordell Handler, Kathryn Dienst,

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1 Wendie Silverman-Martin, Marlo Martin, and
2 David Preuss.

3 CORDELL HANDLER: Okay. So good evening,
4 Commissioners. I am Cordell Handler. This is an
5 excellent presentation that I just saw. And I have
6 some of the same concerns that Commissioner Baer had

7 regarding the traffic and other things.

8 I was like, I'm thinking this is like, hmm,
9 the issues with traffic is going to be very difficult
10 for people coming back from -- going through and on
11 back Seacliff Drive. And I was, like, I'm not so sure
12 because I said -- and then some of the other things
13 that I had in mind was already asked.

14 So I'm just hopeful that you take these
15 comments into consideration.

16 So Kathryn.

17 KATHRYN DIENST: So I would like to see the
18 public get a chance to vote on this General Plan
19 amendment because it's taking something that's a public
20 asset, public recreation, and it's turning it into
21 private housing. And I feel like that level of change
22 should require a public input.

23 I also disagree with the LUP 2 finding. I
24 think it is significant because, if this public
25 recreation is permanently removed and there's no

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1 transfer rights that reassign it elsewhere in the city,
2 that the citizens of Richmond will suffer.

3 The plan clearly envisioned recreational uses,
4 and it's a perfect site for a lighted soccer field,
5 baseball field serving Richmond citizens and beyond.

6 Do not take this public asset away without further
7 study. For example, West Contra Costa County Youth
8 Soccer, Richmond participates in that group, but
9 they're the only city that does not have soccer fields
10 listed. Pinole, Hercules, San Pablo, and El Sobrante
11 each have three to four soccer fields, and yet their
12 populations are only 10 to 25 percent of what Richmond
13 has.

14 If you compare Richmond with Berkeley, which
15 has a similar 100,000 population, the gap is even more
16 dramatic. Look at how much use the lighted Gilman
17 soccer fields get by people of all ages.

18 And your next item, by the way, on Page 30,
19 talks about how difficult it is to book recreation
20 sites in Richmond currently. So I feel like by the
21 time the General Plan builds out and we have the ten
22 stories along Canal or the five stories that the
23 General Plan will allow on the two sides of Canal plus
24 all the recreation, this field that offers a public
25 asset will be even more important. And I feel like

11

1 it's completely wrong to give it away to this
2 developer.

3 Also in the EIR, I feel like we've misstated
4 the traffic. We've shortened Seacliff Drive. It's

5 only a mile long. It's had at least seven accidents
6 and a fatality. They don't consider the full one mile
7 of it. They've shortened it to misstate it. They also
8 showed no traffic going uphill, which I think is a
9 manipulation and fraudulent. I think that they've
10 really done some tricky numbers. And I hope you'll
11 read that area closely.

12 I'd note that the site is also inappropriate
13 for residential. It's unstable. It has high arsenic
14 and asbestos. It has bad air quality, so bad that
15 Channel 5 featured our port on a -- maybe three years
16 ago on a TV program saying that that port has the worst
17 air quality in the Bay Area. And yet the EIR
18 white-washes all of this and says everything's right.

19 I feel like, when we get into General Plan
20 amendments, this City has a way of collapsing it.
21 There were a few of you that were on the Commission
22 when Dyett instructed us on how we should look at them.
23 A general plan amendment is for something that was not
24 known when the General Plan was written. And he cited
25 the UC campus as an example.

12

1 This particular case is spot zoning, and you
2 should not approve it. Thank you.

3 LINA VELASCO: Wendie?

4 WENDIE SILVERMAN-MARTIN: So my concern -- can
5 you hear me okay?

6 The quarry project, has --

7 COMMISSIONER BAER: I'm sorry. What's your
8 name, please?

9 WENDIE SILVERMAN-MARTIN: I'm sorry. My name
10 is Wendie Silverman-Martin. I live over in Brickyard
11 Landing.

12 This project will increase the hazards on
13 Seacliff Drive due to the sharp curves and the nature
14 of driving on a road with many visual shortcomings. I
15 feel that the installation of electronic feedback signs
16 in both directions will be a distraction to drivers
17 whose attention needs to be on the road.

18 Reducing the width of the road is dangerous as
19 the road is already narrow enough. I've spent some
20 time in the last few weeks walking back and forth as
21 well as driving up and down Seacliff Drive road from
22 one end to the other. This road fits my Subaru car,
23 but a pickup truck and a van certainly take up the
24 road. And a FedEx, UPS, and a large moving truck
25 present visual hazards on both sides.

13

1 So I ask what's the purpose of adding
2 three-foot shoulders on each side, decreasing the width

3 of driving lanes from 14 feet to 11 feet overall? I
4 mean, this is self-serving reasons to accommodate an
5 entrance to a Quarry development. It will only take
6 one emergency situation -- such as a flat tire, a car
7 breakdown, a medical emergency -- while one is driving
8 on this one-lane-in-each-direction road, and we will
9 have a major traffic disruption in both ways. A
10 three-foot shoulder will not accommodate an ambulance
11 or tow truck to the rescue.

12 One solution is to widen the road to two lanes
13 in each direction. Another solution and one that I
14 feel is better suited to this Quarry project is to use
15 a different access road off Canal Boulevard with an
16 easement from the East Bay Regional Park and
17 Recreation.

18 It's important to keep in mind that there will
19 be an overall increase in traffic from all three new
20 developments: Shea Homes, Terminal One, and possibly
21 this Quarry project.

22 If drivers are coming from Highway 580 in
23 either direction and they want to avoid the train
24 crossings on Canal Boulevard, they may choose to access
25 the tunnel and Dornan Drive instead and drive north

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1 along Seacliff road, in which case, they'd have to make

2 a left turn into the Quarry development. This will
3 have an impact on crossing the traffic coming uphill on
4 that road and the oncoming traffic.

5 This Quarry project is proposing approximately
6 200 units with 300 parking spaces, coupled with the
7 Shea homes -- that's 60 homes with two-car garages --
8 and the Terminal One project with approximately 300
9 condominiums and 21 detached townhouses, adding at
10 least another 300-plus cars on the road. Overall, I
11 see the possibility of up to 600 new vehicles using the
12 Seacliff Drive roadway. This will be a disaster in the
13 making.

14 Shea Homes is building a separate entrance
15 further south on Canal Boulevard in the direction of
16 the large overhead Point Potrero sign which is past
17 Seacliff Drive and will enter into their housing
18 area -- which will enter into their housing area. This
19 will alleviate some of the congestion on Seacliff Drive
20 and give an alternative to those new homeowners.

21 If you built the main entrance -- if the main
22 entrance is built into the Quarry project at the north
23 end with an easement from East Bay Regional Park and
24 Rec, that entry -- I'm almost done. That entry would
25 be a much safer alternative to adding congestion to a

1 road that is already not safe and would get potentially
2 much worse for everyone in the area.

3 Narrowing the two lanes, one in each
4 direction, and putting up a lot of distracting signs
5 along with an increase of traffic from the three new
6 developments is a recipe for a potentially serious --

7 CHAIR LANGLOIS: Time.

8 WENDIE SILVERMAN-MARTIN: -- accident.
9 Rerouting -- one more paragraph.

10 Rerouting Quarry development traffic to
11 another entryway, like Shea Homes is providing, will
12 provide a safer alternative to adding more traffic to
13 Seacliff Drive which is already significantly
14 dangerous. Thank you.

15 LINA VELASCO: Marlo Martin?

16 CHAIR LANGLOIS: I just want to remind
17 speakers, when the signal goes off, that means that the
18 three minutes is concluded.

19 Is that correct, Staff?

20 And then, if you can't finish everything, you
21 can still submit all of your comments in writing. And
22 every comment you submit, either verbally or in
23 writing, will be addressed in the Final EIR.

24 MARLO MARTIN: My name is Marlo Martin; I live
25 in Brickyard Landing.

1 I want to address only one issue, a safety
2 issue that I think is being underplayed.

3 The weak spot in all of this, for me, is the
4 Seacliff Drive. This is a stretch -- small stretch of
5 road that I don't believe can be made safe with a few
6 signs and a little bit of paint on the side, especially
7 when you're using it as the entry -- driveway entry
8 into a project of this sort.

9 I'd -- I have three specific items I'd like
10 people to look at. And if I could ask the
11 Commissioners, if you haven't done so recently, please,
12 take a drive out there and look at -- the first one is
13 at the north end of Seacliff. It's a sharp, almost
14 right-angle turn onto Canal Boulevard. This -- when
15 you go there, make sure you look at that corner.
16 You'll see that somebody has put a number of white
17 separators to separate the lanes, temporary separators
18 with red and amber markers on it.

19 Every one of those things has been mowed down
20 over the last several weeks. And what you see -- look
21 down at the road -- you'll see chunks of broken plastic
22 and white, red, and yellow. That is not a safe corner
23 and can't be made safe by just putting a turn sign on
24 it. I think traffic is moving too quickly and turning
25 too sharply.

1 The item number two is going down the -- down
2 the slope at the south end, when you're going down that
3 slope toward this property, the -- there's a sign
4 posted there saying "11 percent grade."

5 We were driving out here today. I asked
6 Wendie to just drive up to this, take your foot off the
7 accelerator. By the time we got to the bottom of that,
8 we had gone from 25 up to around 40 or more than 40
9 miles an hour without hitting the brakes and without
10 putting on the gas. People do that sort of
11 unconsciously. It's obviously going too fast for that
12 curve.

13 Accidents don't just happy in isolation. It's
14 usually one risk factor added to another added to
15 another, and then suddenly you don't have any options.

16 I think that the -- well, the third issue that
17 I haven't heard anybody address is, as you go north,
18 you go down this hill and go north on Seacliff, take a
19 look and get out of your car and see what's on the
20 right. There's a 10- to 20-foot embankment, quite
21 vertical. It's hidden by bushes and trees, so you
22 don't really realize how sharp it is. It drops down.
23 There's a chain-link fence on the other side, but
24 that's 10 or 20 feet below.

25 I think of that as a real risk factor that

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1 doesn't come out in the statistics that the gentleman
2 over here --

3 CHAIR LANGLOIS: Thank you.

4 MARLO MARTIN: -- was talking about.

5 So I think any vehicle --

6 CHAIR LANGLOIS: Was the time concluded?

7 MARLO MARTIN: What's that?

8 LINA VELASCO: Yes.

9 CHAIR LANGLOIS: I see a red light, but I
10 didn't hear a tone. There we go.

11 Did you want to finish your sentence you were
12 right in the middle of?

13 MARLO MARTIN: If I could, please. Thank you.

14 Any vehicle that goes too fast or a little bit
15 out of control down this slope, especially if you have
16 risk factors like raining, dark night, something like
17 that, and cars coming out of the side, if you get hit
18 by the side, you'll probably go out of control over
19 that embankment.

20 CHAIR LANGLOIS: Thank you very much.

21 MARLO MARTIN: And I'd really like to see
22 those addressed, not just dry statistics.

23 CHAIR LANGLOIS: Thank you.

24 LINA VELASCO: So the next speaker is

25 David Preuss. And then the next five speakers will be

19

1 Jeff Vines, Lynn Vines, Leslie Hicks, Pat Glass, and
2 Gail Bourque.

3 Sorry for the pronunciation.

4 DAVE PREUSS: Hi. My name is Dave Preuss, and
5 I live at Brickyard Landing. Sort of been one of my
6 things that I do, I'm assistant district administrator
7 for District 4 Little League, which includes Richmond
8 Little League, Albany Little League, and North and
9 South Oakland Little Leagues. And as that capacity, I
10 sit on the JBA, which was formed to build the Gilman
11 Complex.

12 So I know, as Kathryn mentioned, that there's
13 a significant shortage of recreational youth and adult
14 fields. In fact, a lot of Richmond residents go use
15 the Gilman Complex. It's the largest group of people
16 who use that complex because there's no facilities near
17 the city that are comparable.

18 So from an overall standpoint, I think that
19 removing potential park and rec land is not the right
20 way to go for the City. So that's a concern that I
21 would like you to think about.

22 And then specifically, like some of the other
23 speakers, I drive that road every day. And I know that

24 there were some accident numbers given. But what those
25 numbers don't show is the near accidents. And I see

20

1 one at least once a week.

2 And it's because the road itself -- I'm not
3 sure -- I'm not -- I am an engineer but not a road
4 engineer. So I'm not sure how that road is
5 constructed, but it's not as safe as most roads. It
6 seems to have lesser -- bigger turns, sharper turns,
7 angles on the turns, et cetera.

8 So I'm concerned that, when you add the impact
9 of this project plus, as others have mentioned, the
10 increased traffic from The Bottoms project and the
11 Terminal One, that that's going to be a lot more
12 traffic than was cited by the engineer over here. So
13 I'm concerned that this is looking at this project
14 isolated, by itself, and not looking at what's going to
15 happen what all this other stuff happens at this -- you
16 know, in the next few years. I'm estimating that it
17 will triple the traffic on that road from where it is
18 now.

19 So I ask to you think about other
20 mitigations -- not allowing just striping, et cetera --
21 going forward, other mitigations that can make that

22 road safer that might include turn lanes so that people
23 can turn into the project going south on the -- going
24 down the hill without having -- stopping and blocking
25 traffic, and going up the hill, same way. Those kind

21

1 of mitigations, I think, would be better than just sort
2 of what I call cosmetic mitigations.

3 Thank you.

4 COMMISSIONER BUTT: Can I ask one question of
5 the traffic engineer?

6 CHAIR LANGLOIS: Sure. Go ahead.

7 COMMISSIONER BUTT: So this is something
8 that's come up a lot. I thought maybe you could speak
9 to it. I'm sure other of us speakers will bring it up.

10 It's my understanding that the study did
11 include the potential future cumulative traffic. Is
12 that accurate?

13 SAM TABIBNIA: That's correct.

14 COMMISSIONER BUTT: Of all the proposed
15 projects out there -- so the Terminal One and Shea as
16 well as the -- is that correct?

17 SAM TABIBNIA: That is correct.

18 COMMISSIONER BUTT: And then someone else -- I
19 think a couple other people also mentioned it, that it
20 didn't take into account traffic going both up and down

21 that road. Can you address that?

22 SAM TABIBNIA: Yeah, so that's -- I will try
23 to be as brief as I can. So there was two -- we did --
24 so we did two different analyses here. So we looked at
25 both the capacity of the roadways and also the safety

22

1 on Seacliff Drive.

2 So for the capacity drive -- so with the
3 capacity analysis, we basically looked at what --
4 how -- what traffic assignment would result in the
5 worst conditions. And that would be if we assumed that
6 all traffic would basically use Canal Boulevard. So
7 not go uphill; basically, go downhill and then through
8 Canal Boulevard and then through the -- the way around
9 there. So that's part of that.

10 But for the safety analysis, we did look at --

11 COMMISSIONER BUTT: So are you saying the --
12 the hypothetical of all of the traffic out at Brickyard
13 using that -- going to Canal rather than Garrard; is
14 that --

15 SAM TABIBNIA: That is correct. Yeah. That's
16 correct.

17 Then for the safety analysis, we did look at
18 what would happen if a large number of the traffic
19 would come -- or go towards the uphill direction.

20 COMMISSIONER BUTT: Okay. So sounds like I'm
21 hearing you say you did look at traffic going in either
22 direction. Is that accurate, or --

23 SAM TABIBNIA: Yes, you can say that.

24 COMMISSIONER BUTT: Okay. You don't seem too
25 certain.

23

1 SAM TABIBNIA: It's -- for safety analysis, we
2 did, yes.

3 COMMISSIONER BUTT: Okay. We can get into
4 that later. Thank you.

5 CHAIR LANGLOIS: Let's go on to the next
6 speaker, please.

7 LINA VELASCO: Jeff Vines. And Lynn Vines is
8 going to provide her timing for Jeff. So he'll get
9 more time.

10 JEFF VINES: If I need it.

11 LINA VELASCO: If you need it.

12 JEFF VINES: Hi. I'm Jeff Vines. I'm a
13 member of BCARD and also live at Brickyard Landing. I
14 want to thank everybody at the Planning Commission here
15 for allowing us all to get up and talk about this.

16 There's a lot of interest in this project. I
17 happen to very strongly support the notion of putting
18 it back into recreational use. That would be fabulous

19 for the whole community and a great use of that
20 property. That ought to be considered. Don't just
21 think about building every time there's an opportunity.

22 I, along with a number of folks in the
23 community, have spoken at, now, including this meeting,
24 six meetings about this project with presentations and
25 writing. And I submitted my comments to all of you and

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1 including some of my earlier comments, too. So a lot
2 of reading involved.

3 CHAIR LANGLOIS: Excuse me. Can you speak
4 directly into the microphone? The audience is having
5 a --

6 JEFF VINES: Thank you. All right.

7 So because of time, I just want to talk about
8 my main concern. I think there are other issues around
9 this as well, but it's mainly the developer's plan to
10 have the access on Seacliff Drive.

11 Seacliff Drive, as you've heard, is an unsafe
12 road, current condition. It was never designed --
13 properly designed as a main access road. It was
14 actually a -- it was a dirt fire road, emergency access
15 road and morphed into a paved-road access to the
16 community when the Seacliff homes were built. It's
17 got -- doesn't have proper engineering to deal with the

18 downhill curve, blind spots, very dangerous blind curve
19 that goes into Canal that you've heard about.

20 Now, the community originally requested that
21 the developer use the current access road, which rides
22 just west of Seacliff Drive and comes out sort of where
23 the East Brother Brewery entrance is, right on the
24 Canal. There wouldn't be any objections to that. It
25 would give them a private access. The City actually

25

1 owns that road. And there may be an easement to the
2 park, but that could be dealt with. The City owns all
3 the property down to the -- Canal, so you could do
4 something that would give them access, keep them off of
5 Seacliff Drive.

6 Now, just because they've done this plan with
7 some drawings doesn't mean you can't change that.
8 And if it has to go there, then what the community has
9 asked for is that you widen Seacliff Drive to allow for
10 a left-hand-turn lane in the northerly downhill
11 direction. This will be a much safer way to approach.

12 And it has been consistently rejected by the
13 developer. At the September 13 presentation to the
14 Design Review board, BCARD actually offered to share in
15 the cost of putting a design together to show a
16 left-hand-turn road. At that meeting, New West said --

17 came over and said, "Yes, we'll work with you on that."

18 Subsequent to that, we tried to get a hold of
19 them to set up a meeting, and we were ignored. They
20 never came to a meeting because they knew that the EIR
21 would not force them to do it.

22 Last Thursday, I very much appreciated that
23 Lina set up a meeting with Yader Bermudez, Steven Tam,
24 Sam Tabibnia. We went to Seacliff Drive. It was with
25 myself and some other members of the community. We

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1 really looked over the challenges, and we expressed our
2 big concern that what the developer has proposed --
3 increased signage, narrowing that road; if you've
4 driven it, you already feel like you're in a tunnel --
5 that that will -- that that's supposed to slow down
6 traffic.

7 It is a standard approach, apparently, for
8 calming traffic. But in this area, it will have little
9 effect, partly because it wasn't addressed around
10 letting your foot off the gas, you go down that hill,
11 it's very difficult getting below 35 miles an hour.
12 And so that's -- it's just not going to happen. People
13 will ignore that speed limit sign because, frankly,
14 it's too slow for that road. People always travel --
15 safely, you can do it at close to 35.

16 Now, at this meeting, while, you know, Sam and
17 the others didn't back down on their approach being a
18 good one, they did agree that putting a plan together
19 to look at a left-turn lane that had a method for
20 squeezing the right passing lane down to slow the cars
21 down would be a good thing to do.

22 Lina said, "I'll ask the developer to do it."
23 She did, and the developer said no, they won't do it.
24 So twice they've been asked; once we offered to pay.

25 So with the technical help -- I don't know if

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1 you put up that -- the map. A friend of mine at
2 Brickyard Landing, he put together this plan to show
3 possibly what it would look like. So it needs a lot of
4 work, but the concept is there. You would have to
5 widen the road a little bit on the easterly side to
6 allow for a safe passing lane. You could squeeze it
7 down.

8 I mean, their plan now is that the way you
9 slow cars down if somebody wants to turn left, you're
10 going to have to hit your brakes behind them, possibly
11 stop. If it's rainy, there will be issues with doing
12 that.

13 So at least if you require -- if this goes
14 forward and you don't turn it back into park land, we

15 are strongly recommending that you require them to put
16 in a left-turn lane at least so that there's a safe way
17 for people to turn into the project. You know, that
18 will demonstrate respect for the community. This is a
19 community issue. The rest of us -- you know, they're
20 going to generate 1400 trips a day. Terminal One's
21 going to generate 2700 trips a day. I don't know how
22 many are going to be there from The Bottoms project.

23 But that's -- on top of that, all the people
24 that are there, we drive there several times a day.

25 CHAIR LANGLOIS: Thank you very much. If you

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1 have additional comments, sir, you can submit them.

2 JEFF VINES: Oh, I will. And I have. Thank
3 you.

4 CHAIR LANGLOIS: Commissioner Baer?

5 COMMISSIONER BAER: Question for the speaker.

6 JEFF VINES: Yes?

7 CHAIR LANGLOIS: Sir, would you come back up
8 to the microphone? Thank you.

9 COMMISSIONER BAER: I just want to understand
10 which way you're -- where the left-turn lane is. Are
11 you suggesting it's in the westbound direction?

12 JEFF VINES: Well, that's actually -- to your
13 right in that picture, that's the north direction. To

14 the left is the south. To the bottom by the parking
15 lot is east. And west is really where the project will
16 be.

17 COMMISSIONER BAER: So if you're coming out of
18 that --

19 JEFF VINES: It's coming down --

20 COMMISSIONER BAER: -- potential future
21 development. . .

22 JEFF VINES: They would be able to turn left.
23 There would be a little more room for them to merge
24 into the northerly downhill direction. And of course,
25 a left-turn lane with some sort of a barrier that would

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1 force cars to the right to slow down and, you know,
2 give a safe entry to the project.

3 COMMISSIONER BAER: Are you also suggesting a
4 turn lane as residents of the potential project come
5 uphill, come home at night and turn into the
6 development?

7 JEFF VINES: Well, I think that would be a
8 good improvement to do that. It's -- I'm not the
9 expert. You know, Sam would be able to say. But
10 coming up the hill, they can turn right, right into the
11 project. So unless there's a traffic jam, shouldn't be
12 an issue.

13 Here, with all this traffic coming in there,
14 they're going to have to wait, and that's going to
15 cause people behind them to stop.

16 COMMISSIONER BAER: Okay. Thank you.

17 JEFF VINES: Anything else?

18 CHAIR LANGLOIS: Commissioner Butt?

19 COMMISSIONER BUTT: Thank you, Chair. Just a
20 follow-up question to Commissioner Baer's question.

21 So the way I'm looking at this -- and correct
22 me if I'm wrong -- you would get a single-car pocket
23 turn coming down Seacliff going into the project; is
24 that right?

25 JEFF VINES: Well, I mean, we -- we originally

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1 had a longer pocket turn. It could be whatever is
2 safe. I would say at least two cars and maybe more.
3 Originally, the design showed about four or five cars,
4 and I thought --

5 COMMISSIONER BUTT: My guess is most of the
6 people coming into the project would be coming up
7 Seacliff from Canal.

8 JEFF VINES: Well, I mean, not if they go
9 downtown, if they go to the restaurants, if they go to
10 the park.

11 COMMISSIONER BUTT: The train.

12 JEFF VINES: There's a train -- anybody who's
13 done it. So I think there will be a fair number of
14 those. And then all those --

15 COMMISSIONER BUTT: Do you think -- you know,
16 I think we're all cognizant that this is a serious
17 issue and one that the neighbors really want to get
18 right, and I personally want to get it right as well.

19 I'm just thinking what about, like, a
20 three-way stop sign? Would that be --

21 JEFF VINES: Oh my god, no.

22 COMMISSIONER BUTT: Why?

23 JEFF VINES: No. People would be coming down
24 that hill, and they have to stop even if nobody's
25 there?

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1 COMMISSIONER BUTT: Sure. But I mean, seems
2 to me -- and I know that hill well. Right? My kid's
3 in the junior program at the yacht club. And I have to
4 go down there every day -- or every Sunday. I've
5 driven it a lot. And I know that the inclination is to
6 exceed 25 miles per hour, particularly if you're going
7 down.

8 And it strikes me that the best thing to do
9 would be something that would effectively slow cars
10 down. But it seems like I kind of hear people saying,
11 "Well, we really want this to be able to go fast."

12 JEFF VINES: We want to be able to go through.

13 COMMISSIONER BUTT: Sure.

14 JEFF VINES: Not fast.

15 COMMISSIONER BUTT: Yeah, but safely.

16 JEFF VINES: But safely. If you put a stop
17 sign in, you've got a problem.

18 CHAIR LANGLOIS: So we're getting into
19 comments here.

20 JEFF VINES: Yeah, I mean --

21 CHAIR LANGLOIS: Do you have any further
22 questions, Commissioner Butt?

23 COMMISSIONER BUTT: That's all I've got.

24 Did you have any additional comments you want
25 to wrap up on?

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1 CHAIR LANGLOIS: He's finished.

2 JEFF VINES: I think I'm done. Thank you.
3 Appreciate the time.

4 CHAIR LANGLOIS: Thank you.

5 And Commissioners, keep your additional
6 comments for when we get to that, but certainly
7 questions are welcome at this point.

8 So let's have our next speaker, please.

9 LINA VELASCO: Okay. Leslie Hicks.

10 LESLIE HICKS: Good evening. Thank you for

11 this opportunity to say something. I've been a
12 resident at Brickyard Landing for 29 years, almost 30
13 years. And I myself am a witness to have totaled my
14 car coming down Seacliff Drive. I had to slow down.
15 And when I slowed down, I found -- well, I took my eye
16 off the road for a second, and I realized that I was
17 headed over to the side. So I panicked, and I
18 overcorrected to the other side; then I panicked again
19 and overcorrected. Then I put on my brakes. My car
20 flew around; the back wheels flew around, and I went
21 down that embankment and totaled my car.

22 I just want you to know that it is a dangerous
23 road. It is centrifugally dangerous. First, you're
24 leaning one way; then you're going another way. And
25 there's all kinds of angles and visuals that are -- the

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1 visuals are not good enough.

2 If you have a car turning left into this new
3 project and you're coming around that curve and you're
4 going down and somebody is stopped behind the car
5 that's turning because there's a car coming up and they
6 don't see it, they're going to throw brakes on. Then
7 the car behind them has to throw their brakes on. And
8 then the one that's coming around the corner who's
9 completely unaware of what's going around the corner is
10 going to be shocked.

11 I believe that they have to have a left-hand
12 turn lane into that project from the downhill side.

13 The other thing is that that curve down to
14 Canal, when you go to Seacliff, when you -- just before
15 you get to Canal, there is no sign that says that this
16 is a right-angle turn. And the road goes down, so you
17 can't see ahead. It looks like you're going to go
18 straight.

19 And that's why all those barriers, all those
20 barrels, everything they've ever put up there has been
21 mowed down because people are unaware that the road
22 drops to the right. There's no sign that says it goes
23 to the right. Anyway, I'm adamant about that. And
24 that's all I have to say about that.

25 And there's deer. And if you come around the

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1 corner and there's a deer and you throw your brakes on
2 and your car swings around and you're in a an 11-foot
3 lane -- it's a disaster.

4 CHAIR LANGLOIS: Thank you.

5 LINA VELASCO: Pat Glass?

6 PAT GLASS: Thank you. I live at Brickyard
7 Landing, and that is a key road I take.

8 CHAIR LANGLOIS: Excuse me, sir. Could you
9 lift up the mike and try to speak into the mike so

10 everybody can hear? Thank you.

11 PAT GLASS: I use Seacliff to get home and go
12 to work every day. I find the approach from Canal to
13 Seacliff and then from Seacliff to Canal to be a great
14 concern that I think the City needs to take care of.

15 As far as the development, I'm not that sure
16 about land use; I haven't gone into that. But I would
17 suggest that, if it does go in, that that road that
18 they have coming out of there, even though they're all
19 going ahead toward Canal -- there are cars coming over
20 the hill that are going to come down. And they need to
21 have a clear view of what's coming over the hill
22 towards them.

23 The one thing that I would say toward maybe a
24 development there is that the City will pay attention
25 to that roadway. There's a traffic light that's been

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1 out forever. I've been there for a year and a half.

2 And then the landscape along the road --
3 whatever landscape, there's never been landscape. Once
4 I pass that, I go into Brickyard Landing, and I have a
5 wonderfully maintained, privately maintained area. But
6 it's a little bit of a distraction all the way along
7 from Cutting, the roadway, just the sides, weeds, just
8 doesn't seem to be maintained at all.

9 But I think that the real hiccup in any added

10 traffic is strictly the existing problem that is coming
11 and having -- having Canal reduced from two lanes to
12 one lane rather abruptly, and then coming back down the
13 hill, that sharp turn which many cars have hit,
14 left-hand -- not mine, but -- so I think that's really
15 about it. I appreciate the time, and good luck.

16 CHAIR LANGLOIS: Thank you.

17 LINA VELASCO: And the last speaker is Gail
18 Bourque.

19 GAIL BOURQUE: Good evening, Commissioners.
20 My name is actually Gail Bourque. Thank you for the
21 opportunity to speak.

22 So I, too, as many people here, live at
23 Brickyard Landing, and I'm really concerned about the
24 traffic issue. You come off the highway, you come onto
25 Canal; it's industrial road, you know, all factories,

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1 all industrial tanks. And then you make the turn onto
2 Seacliff, and you're in the country. There's very
3 little lighting.

4 As you've heard, the history of that road was
5 that it was a dirt road, you know, just a milk train or
6 whatever and that it was only made into a paved road in
7 order to get the egress from the Seacliff housing that
8 was built not that long ago to make another exit for

9 people from Brickyard Landing -- from the Brickyard
10 Cove area.

11 So we're pretty inundated. You know, we're
12 going from this small kind of community to getting 300
13 new buildings at Terminal One to whatever it is, 80,
14 down at Shea to, you know, another 200. This is like
15 amazing, really going to change our neighborhood.

16 And the only access road that makes any sense
17 to this new project is off Canal. I'm hearing
18 everything about making an extra lane, but really,
19 nothing is going to make that road safer. You've got
20 to put the entrance and exit off Canal because -- just
21 like what Shea is doing down the road further. It's
22 the only way that makes any sense to get the cars in
23 and out of that place.

24 It's just -- as you're saying, that road is --
25 you know, it's -- go over there; drive it. It's curvy.

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1 It's not safe. Animals get killed on that -- you know,
2 people have accidents on that. Putting another 2- to
3 600 vehicles at a time on that road -- sure, they won't
4 all be on there at once, but it's not safe. And I'd
5 really, really encourage you to take this very
6 seriously. Thank you.

7 CHAIR LANGLOIS: Thank you.

8 That's all the speakers?

9 LINA VELASCO: Yes, that concludes the public
10 speakers.

11 CHAIR LANGLOIS: Thank you.

12 So, Commissioners, did you have any clarifying
13 questions for any of the speakers?

14 (No response)

15 CHAIR LANGLOIS: Okay. Can I have a motion to
16 close the public hearing?

17 COMMISSIONER BAER: So moved.

18 COMMISSIONER BUTT: Second.

19 CHAIR LANGLOIS: Okay. We'll vote, starting
20 with Commissioner Huang.

21 COMMISSIONER HUANG: Aye.

22 COMMISSIONER BUTT: Aye.

23 CHAIR LANGLOIS: Aye.

24 COMMISSIONER BAER: Aye.

25 COMMISSIONER LOY: Aye.

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1 COMMISSIONER GARCIA: Aye.

2 CHAIR LANGLOIS: Okay. The public hearing is
3 now closed. And I'd like to invite Commissioners to
4 express their comments on this EIR.

5 Commissioner Garcia?

6 COMMISSIONER GARCIA: I have some clarifying
7 questions about some of the sections in the EIR.

8 First, the cultural resources, in the
9 discussion for tribal cultural resources with respect
10 to AB52, Mr. Galvan indicated that he would like
11 further consultation if any cultural materials are
12 found on the site. What is the procedure to make sure
13 that that occurs if there are any cultural resources
14 found?

15 CHRISTY HERRON: I'm going to go to the part
16 of the EIR just so I don't misspeak. I know that we do
17 have a mitigation measure for archeological monitoring.
18 And I believe that includes participation by Mr. Galvan
19 or other members of other interested tribes as
20 monitors. I think they will be invited.

21 Yes, the mitigation measure CUL-1 has cultural
22 resources monitoring measures. And it -- the outreach
23 hasn't been fully determined yet, but the City has been
24 in conversations with Mr. Galvan, as I understand.

25 I don't know, Lina, if you have further sort

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1 of updates on that.

2 But in general, what we do is invite the
3 members of the tribes to be monitors during
4 construction -- if there is a mitigation measure that

5 requires that kind of monitoring -- and to review all
6 of the results from excavations and any finds as well.

7 Lina, did you have anything else?

8 LINA VELASCO: No, we haven't been in contact
9 since the original consultation, but mitigation
10 measures can specify. So if that's a comment, we can
11 detail that a little bit more.

12 COMMISSIONER GARCIA: That would be helpful.
13 Just, you know, if -- I know that Mr. Galvan is part of
14 the Ohlone Tribe. And I'm not sure if we should
15 specifically call that out in Mitigation Specification
16 CUL-1 and indicate that.

17 CHRISTY HERRON: Yes. I think, in my
18 experience, sometimes there could be more than one
19 tribe that could be interested. And they sort of
20 discuss amongst themselves and pick a member of one
21 tribe. I think it probably would be Mr. Galvan to lead
22 that in this case. I don't know --- I'm not sure we
23 would necessarily want to say specifically him from the
24 Ohlone Tribe, but we can add some language in there to
25 make that more specific.

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1 COMMISSIONER GARCIA: Thank you.

2 CHAIR LANGLOIS: Thank you.

3 Any other comments, Commissioner --

4 COMMISSIONER GARCIA: I do.

5 CHAIR LANGLOIS: Go ahead.

6 COMMISSIONER GARCIA: So for project
7 description, I just want to clarify Table 3-1. Does
8 that mean that all the 200 condominiums proposed will
9 be 1100 square feet, or will they vary in size?

10 CHRISTY HERRON: I believe they would vary in
11 size. Let me get to that table.

12 COMMISSIONER GARCIA: It's on page --

13 CHRISTY HERRON: That is the average size of
14 the condominium units. They would vary in size, yeah.

15 COMMISSIONER GARCIA: Okay. Thank you. And
16 with 12.1 acres that will remain open space, it's my
17 understanding that that would that will be preserved so
18 it will be closed off to the public.

19 Is there -- what measures will be taken by the
20 developer to close that off or are residents going to
21 be able to access that open space area? Will current
22 residents in the area be able to access it? Will there
23 be signage? Or what's the process there?

24 LINA VELASCO: I can respond to that. So I
25 don't think it's been determined that it would be

1 fenced off. Right now, it's open. So we don't have an
2 answer to that fully.

3 COMMISSIONER GARCIA: Okay. Thank you.

4 Oh, yes. Regarding the units -- oh, and I
5 forgot to mention that Cultural Resources thank you for
6 having that relayed that mitigation measure. They were
7 very nice.

8 For units in the transportation section, for
9 the tables -- for other tables in the Draft EIR, I
10 think specifically like utilities chapters, they had
11 definitions of all the units used in the table. And I
12 think some of the tables in the transportation section
13 lack that.

14 So it would be good just to clarify for the
15 reader what those units in that chapter mean.

16 CHRISTY HERRON: Thank you.

17 COMMISSIONER GARCIA: And those are my
18 questions.

19 CHAIR LANGLOIS: Okay. Thank you,
20 Commissioner Garcia.

21 Who would like to go next?

22 Vice Chair Butt, please.

23 COMMISSIONER BUTT: I don't have a lot. My
24 main concerns, I think, are getting the traffic right.

25 But I do have a comment about the

1 alternatives. And I think one of them was to leave it
2 recreational; is that correct?

3 CHRISTY HERRON: Yes.

4 COMMISSIONER BUTT: Okay. So I wonder, since
5 that's come up a few times tonight with several
6 speakers, it would make sense to me to maybe delve into
7 that a little bit more, since that's obviously a --
8 it's a big deal, I think, with the proposed change of
9 land use. And it's obviously something that's a
10 concern, one of the primary concerns, among the
11 neighbors there.

12 And for me personally, you know, I think it
13 would be great -- I think we do need more recreational,
14 particularly soccer fields type things in Richmond.
15 I'm not sure that this site is the most feasible place
16 to do that. I think it would be good, given that
17 that's something that's come up, to look a little
18 further into that.

19 For example, what would be the traffic impact
20 of that? And the Gilman Fields, you're talking about
21 hundreds of kids there, you know, all hours of day and
22 night. So my guess is it would be significantly more
23 impactful. There was discussion about illuminated
24 fields like Gilman, what impact would that have on the

25 wildlife, things like that.

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1 So I think if you could maybe look into that a
2 little bit more so that, when we are charged with
3 making this land use decision of a potential change
4 from open space, parks and rec to, you know, dwellings,
5 that we have a case there that we can look at some
6 solid evidence of helping us make that case.

7 And then the other thing is relative to
8 traffic, you know, I -- I think there's a lot of good
9 points brought up, a lot of valid points about that
10 road. I think there are -- particularly where it
11 intersection with Canal, I know that's a bad area. You
12 look at -- there's tire tracks on the curb there. And
13 I think probably slowing down traffic would help a lot.

14 But I'm wondering if there could be -- I would
15 really like to see that looked into a little further.
16 And maybe it means having another traffic engineer
17 brought in by the City kind of outside of the EIR team,
18 to look at that, analyze it. Maybe it means -- if
19 there's software out there that you can do simulation
20 of traffic. And I would like to see us delve into that
21 a little bit more, again, so that we can, you know,
22 talk to the people who have these concerns and say,
23 "You know, we've really looked at this. We've studied

24 it. If we approve this, we're doing so knowing that we
25 have absolutely looked at what the issues are and how

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1 to mitigate them."

2 Those are my comments.

3 COMMISSIONER LOY: Chair, can I pile on a
4 little bit?

5 CHAIR LANGLOIS: Just a moment.

6 Are you finished?

7 COMMISSIONER BUTT: I'm finished.

8 CHAIR LANGLOIS: So Commissioner Loy, please
9 go right ahead.

10 COMMISSIONER LOY: Thank you. I'm sorry to
11 interrupt.

12 I want to reiterate what I'm hearing from my
13 fellow Commissioners and thank the community members
14 for coming out. If we do this, we have to get the
15 traffic right. So if we -- I'm fairly new to some of
16 these processes.

17 I'm intrigued about the idea of asking for
18 more traffic analysis. And I'd really like to see some
19 of the suggestions we've heard from the community
20 analyzed. Why aren't we using Canal and an easement
21 from the Park District? Why aren't we considering
22 that? Why aren't we seeing analysis on the

23 left-hand-turn lane. So if we're going to delve back
24 in, I'd like to see that.

25 And also, to reiterate some of the concerns

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1 that we've heard about losing what is currently public
2 access space or could be, I wonder if there's a way to
3 look at the development of housing along with publicly
4 accessible space. And I don't think we should be
5 putting, necessarily, soccer fields next to a bunch of
6 houses, but is there another use that could be
7 explored? And I'll just leave it at that.

8 Thank you.

9 CHAIR LANGLOIS: Thank you, Commissioner Loy.
10 Commissioner Baer, you're next.

11 COMMISSIONER BAER: Just a little bit more
12 piling on of traffic issues. That is my major concern
13 at this point. And I thank the folks that have spoken
14 for shedding some light on the history of that road
15 because I -- I don't travel there often, but I've
16 traveled there, and that hill is really something, so.

17 I see the main problem, if this development is
18 approved and constructed, I see the main problem being
19 people who are leaving the project area in the morning
20 and wanting to go turn left and go down Seacliff
21 because that potentially brings them into conflict with

22 cars that are coming over the hill at Seacliff. And it
23 doesn't look to me like there's enough room there. And
24 that's the portion that I would like to see examined
25 more closely.

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1 I do think that the stop controls and the --
2 and the lights and the other things that have been
3 proposed, I think they will slow down traffic. And
4 they may not be enough. And it's important that people
5 are safe.

6 The other comment that I'll make hasn't come
7 up yet, but the trees, the palm trees that are proposed
8 in the development are not on the City's approved tree
9 list. So I would like to see the applicant replace
10 those palm trees with something that is already
11 approved by the City.

12 Thank you.

13 CHAIR LANGLOIS: Thank you. Commissioner
14 Huang, do have any comment you'd like to make?

15 COMMISSIONER HUANG: No.

16 CHAIR LANGLOIS: Okay. So I'll have a few
17 comments to make, and if you think of anything else
18 before we end, please speak up.

19 So thank you to the EIR team for your
20 presentation. Thank you to all the public for your

21 input. We always appreciate when you come to our
22 meetings to let us know your thoughts. It's always
23 very helpful to get that.

24 As we turn to the actual project and the EIR,
25 to me the issue that jumps out the most is the traffic

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1 safety, which it appears to be a concern for many
2 people, although we did get at least one communication
3 in writing of a resident who thinks it's not a concern.
4 But many people do think it is.

5 And I appreciate the fact that the plan
6 includes some signage and speed indicators and that
7 sort of thing. That certainly is a help, but I, too,
8 question whether this would be sufficient in terms of
9 mitigating any danger of accidents.

10 We don't just -- we don't want to only have no
11 more accidents, we want to have fewer accidents than we
12 have now I think would be a good aim. And I heard many
13 questions about the cumulative impact of traffic once
14 the Shea project is completed and once Terminal One is
15 completed. I think that will really magnify this
16 issue, and I think it's -- it would warrant further
17 study to make sure that we get the traffic right.

18 And then I'd like to address the trail issue
19 that was raised in the letter by TRAC, the Bay Trail

20 issue. I concur that it would make sense to ask the
21 applicant, based on the many standards that we have
22 approved in our General Plan and in our Bicycle Master
23 Plan, that the applicant make some very needed
24 improvements right next to the site along Canal
25 Boulevard as outlined in the TRAC letter so that we get

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1 those additional Bay Trail improvements.

2 Another thing, I was in conversation; the
3 applicant approached me and asked for a meeting. And
4 one of the things they told me was that they plan --
5 they made an arrangement with East Bay Regional Park
6 District to create at the edge -- I think it's the
7 northern edge of the property, they would create a
8 staging area with parking for trail heads that lead
9 into the park, which I think certainly would be very
10 welcome. And I'd like to see that in writing, either
11 as a mitigation for the EIR or as a condition for the
12 conditional use permit so that we have that commitment
13 in writing.

14 I do have some concerns -- this is -- has to
15 do more with the new land use designation of
16 residential. And that is the site is fairly close to
17 the wastewater treatment plant. And I know a few years
18 ago, when I was working in Mayor McLaughlin's office,

19 there was -- off and on, we'd get quite a large number
20 of complaints, odor complaints, from residents near
21 that wastewater treatment plant. So I'm just concerned
22 how that might affect the new residents; they would
23 certainly need full disclosure on that.

24 Also, I'm wondering about the train noise. I
25 know there's a lot of train traffic up and down near

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1 where the automobiles are shipped in and out and how
2 would that affect residential.

3 Also, on -- in terms of the General Plan
4 amendment, I've been told by both the applicant and by
5 a -- a Point Richmond resident who gave me a little
6 history of the site that the East Bay Regional Park
7 District does not want this site. Apparently
8 historically Ms. Velasco said there's a -- historically
9 there was some talk that they may want to acquire it.
10 I've heard anecdotally that they have no interest in
11 acquiring it. So I'd like to request that we get a
12 letter from the East Bay Regional Park District stating
13 that explicitly from them so that we have that
14 confirmation from them.

15 And then, finally, I just want to say one more
16 comment about the fact that we're doing a General Plan
17 amendment at the same time as reviewing this project.
18 And what's coming to me is it's almost an issue of

19 fairness.

20 We have in our General Plan a number of areas
21 that are designated for various types of housing that
22 don't have housing on them at the moment. And we
23 certainly need more housing; there's no question about
24 that. So if there are any developers out there who
25 want to come into Richmond and develop housing, they

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1 can look at our plan, look at the various sites
2 available, and make their proposals.

3 So if we have a case where a developer comes
4 in and puts their -- sets their sights on a site that
5 is not designated for housing but it's designated for
6 parks and recreation, says, "Oh, well, I think this
7 will be good -- great for housing. I'll just go for
8 it, you know, see if I get lucky and can get the
9 General Plan amendment at the same time as my project
10 because, looks good to me," and you know, why not? So
11 that's the situation we're in now.

12 We, of course, can't go back on that. But to
13 me, it's sort of like it's putting this developer
14 somewhat at an unfair advantage over any other
15 residential developer who might have wanted to try to
16 develop on this site if the General Plan amendment had
17 occurred first. If it had occurred first, then we'd

18 know, "Okay. Guess what. This site we've decided
19 collectively should be for housing. Now, it's open to
20 any developer who might want to come in and propose on
21 that."

22 So I'm just a little bit uncomfortable with
23 that. And I think the public did raise some concerns
24 that, yes, the potential recreational uses there would
25 be gone forever. We would lose those. I don't know if

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1 we have similar, equivalent recreational sites other
2 places. I do know that we have a lot of vacant sites
3 that are zoned for housing. So I'm just a little
4 concerned we've put all those two things together and
5 would like to see that addressed in some way and
6 certainly find a way to address that for the future.

7 So those are my comments.

8 And do any other Commissioners have any other
9 comments that they forgot to say or come up since then?

10 (No response)

11 CHAIR LANGLOIS: No? Okay. Thank you very
12 much. Thank you to the public and to all the staff.

13 I guess the next step will be the Final EIR
14 which will be coming out?

15 LINA VELASCO: Probably early 2018.

16 CHAIR LANGLOIS: Early in the coming year.

17 Okay. Thank you very much.

18 (Whereupon, the proceedings concluded

19 at 7:59 p.m.)

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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF MARIN)

3 I, DEBORAH FUQUA, a Certified Shorthand
4 Reporter of the State of California, do hereby certify
5 that the foregoing proceedings were reported by me, a
6 disinterested person, and thereafter transcribed under
7 my direction into typewriting and which typewriting is
8 a true and correct transcription of said proceedings.

9 I further certify that I am not of counsel or
10 attorney for either or any of the parties in the
11 foregoing proceeding and caption named, nor in any way
12 interested in the outcome of the cause named in said

13 caption.

14 Dated the 28th day of November, 2017.

15

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17 DEBORAH FUQUA

18 CSR NO. 12948

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