

**PLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL**  
450 Civic Center Drive, Richmond, CA  
April 19, 2018  
6:30 p.m.

**COMMISSION MEMBERS**

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

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, Commissioner Nancy Baer, Jen Loy, Claudia Garcia and David Tucker

**Absent:** Yu-Hsiang (Michael) Huang

**INTRODUCTIONS**

**Staff Present:** Planning Staff: Lina Velasco, Hector Lopez, Director of Planning Services Richard Mitchell and Assistant City Attorney Shannon Moore

**MINUTES:**

June 29, 2017

**ACTION: It was M/S/C (Baer/Garcia) to approve the Minutes of June 29, 2017; which carried by the following vote: 4-0-2-1 (Ayes: Baer, Loy, Garcia, Tucker; Noes: None; Abstain: Langlois, Butt; Absent: Huang)**

July 20, 2017

**ACTION: It was M/S/C (Baer/Garcia) to approve the Minutes of July 20, 2017; which carried by the following vote: 4-0-2-1 (Ayes: Baer, Loy, Garcia, Tucker; Noes: None; Abstain: Langlois, Butt; Absent: Huang)**

March 15, 2018

**ACTION: It was M/S/C (Baer/Garcia) to approve the Minutes of March 15, 2018; which carried by the following vote: 4-0-2-1 (Ayes: Baer, Loy, Garcia, Tucker; Noes: None; Abstain: Langlois, Butt; Absent: Huang)**

**AGENDA**

Chair Langlois provided an overview of meeting procedures for speaker registration, public comment, and public hearing functions. She said items approved by the Commission may be appealed in writing to the City Clerk by Monday, April 30, 2018, by 5:00 p.m.

**CONSENT CALENDAR**

Chair Langlois gave a brief overview of the consent calendar’s policies and procedures.

Ms. Velasco recommended to the PC that Item#3 be added to the consent calendar.

Vice Chair Butt announced he would like Item #2 to be removed from the Consent Calendar.

Chair Langlois announced this item would be heard at the conclusion of the meeting.

1. **PLN17-657: W Club Karaoke Bar** PUBLIC HEARING to consider a request for a Conditional Use Permit to allow a new Karaoke Club with a Type 48 Alcoholic Beverage Control (ABC) license within an existing 7,200 square foot commercial space located at 5327 Jacuzzi St. (APN: 510-070-002). CR, Regional Commercial District. Shihong Lin, owner/applicant Planner: Jonelyn Whales Tentative Recommendation: Hold Over to 5/3/2018
  
2. **PLN18-035: Rosie’s Roost CUP for ABC License** PUBLIC HEARING to consider a request for a Conditional Use Permit for a Type-47 Alcoholic Beverage Control (ABC) license for on-sale general at a new eating establishment proposed in an existing commercial building at 12056 San Pablo Ave. (APN: 501-241-008). CM-4, Commercial Mixed Use, Gateway/Node District. Mandana Hakim-Afzal, owner; Shiryn Shalileh, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval
  
3. **PLN16-401: Miraflores Residential Development** PUBLIC HEARING to consider a recommendation to the City Council regarding a Major Amendment to a Planned Area Plan to increase the total number of residential units from 150 to 190, including 30 moderate-rate income units, and building height on an 8.17-acre parcel. The project includes a request for a Vesting Tentative Map for condominiums. The project area is bounded by South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north (APNs 513-321-001, 513-321-003, 513-330-001 through -003, 513-330-005 through -007, and -012 through-014). PA, Planned Area District. Successor Agency to the Richmond Community Redevelopment Agency, owner; Miraflores Community Devo, LLC, applicant Planner: Hector Lopez Tentative Recommendation: Conditional Approval

**ACTION: It was M/S/C (Butt/Garcia) to approve the Consent Calendar with Item 3 added and Vice Chair Butt’s request to remove Item 2; which carried by the following vote 6-0-1 (Ayes: Langlois, Butt, Baer, Loy, Garcia, Tucker; Noes: None; Absent: Huang).**

**BROWN ACT – Public Forum** – None.

## STUDY SESSION

- 4. PLN18-001: Point Molate Land Uses STUDY SESSION** to receive an update on the scope of work for the public engagement process for determining General Plan land use designations and zoning for the former Point Molate Naval Fuel Depot at Western Drive (APN: 561-100-008). PR, (Parks And Recreation), IL (Industrial, Light), CG (Commercial General), RM1 (Medium Density Multi-Family Residential)/1S-3 (Interim Study Zone -3, Point Molate) City of Richmond, owner/applicant Staff Contact: Richard Mitchell  
Tentative Recommendation: Provide and Receive Comments

Mr. Mitchell, Director of Planning & Building Services, announced the timeline, gave a brief historical overview and update for the land use visioning for Point Molate. In 1978, 35 buildings were built and are now deemed historic. The existing Winehaven building has since been repurposed but the other buildings have not. The direction from Council was that the Planning Commission was to seek community input which happened during the first meeting of the Point Molate land use study session. Staff will be bringing a presentation to City Council in May with the Planning Commissions recommendations related to citizen input.

One key statement was that all documents concerning Point Molate would be posted online for the public to view and that has been accomplished. Included in those material are documentation on the former Point Molate Casino Environmental Impact Report but there is no intention of building another casino out at the Point.

The scope of work that the consultant will be doing includes establishing an interactive website that invites citizen to have input on how to develop the site, establish and maintain links to all documents related to Point Molate, develop a comprehensive community outreach program, identify ways the youth can be involved in the planning process, schedule up to six public meetings, and create a virtual tour.

Some of the objectives of the workshop include understanding the obligations under the Judgment, give a brief overview of the conditions of the historical buildings, understand the resource diversity, post any information related to birds and wildlife, understand the existing road capacity, identify any Native American sites that are of significance, and several other tasks.

The key question for this process is what would an inclusive, multi-income, multi-generational, multi-cultural, sustainable, mixed-use community look like in the Point Molate-Winehaven district?

Next steps include interviewing a consultant, requesting Council approval of the scope, consultant and budget. Staff anticipates beginning the public meetings in June.

Vice Chair Butt wanted to know what the anticipated timeframe was for the project. Mr. Mitchell answered that the idea is to get all public meetings and selection done this summer and present to the Commission and Council in September/October.

Commissioner Garcia asked how constrained the City is in terms of the Settlement Agreement (Judgment)is. Mr. Mitchell answered that the plan calls for the restoration and reuse of the existing historic structures, it allows 670 units of housing and that 2/3rds of the site be open space.

Chair Langlois asked for clarification on what kind of zoning needs to be at Point Molate and how does the community input play into that. Mr. Mitchell answered that there will be a sort of checklist that the community can weigh in on and help figure out what is needed out on Point Molate.

Public Comment:

JIM HANSON, Richmond resident, voiced that this project needs to be well-publicized and a very meaningful process. He voiced that he hopes the Commission will forward the request to let the public develop a plan that they believe in and that all major plan themes that arise in the community process should be included. He also stated that a full definition of what is flexible is confusing and it needs to be written out in detail. There is no mention of transportation, translation, child care, and other various things in terms of the community meetings.

PAM STELLO, Citizens for Sustainable Point Molate, announced that she agrees with Mr. Mitchell in that Point Molate needs to have as much creativity at the site as possible. In terms of the guiding question Point Molate could have many different buildings beside the housing units that are stated in the Settlement Agreement. She also wanted to know how the maintenance of the open space is going to be paid for.

TONY SUSTAK, Citizens for East Shore Parks, stated that at the City Council meeting about Point Molate everyone was under the impression there needed to be negotiations that have to occur but really there doesn't need to be any negotiations. Also, that the current process has been run to circumvent any public process.

CAROL TELTSCHICK voiced that she would like clarification if the Settlement Agreement allows or requires 670 units of housing. A cost-benefit analysis might be helpful to provide to the public, a discussion about infrastructure costs needs to take place, a discussion on public services, and that the public constantly needs to be reminded the distinction between public and private land. Also, she suggests doing a bio-blitz out on Point Molate and using the iNature app.

PAUL CARMAN stated that he would like some assurance that the City is not taking any bids on the four land parcels on Point Molate as the public process is taking place. There is a lot of confusion about what the Settlement Agreement states about the four parcels versus what the press and the Council have stated.

CONNIE PORTERO voiced that now is the time to come together on the plans and arrangements that best serves the citizens of Richmond as a whole. She voiced that she would like to see more community meetings and that the meetings should be held where neighborhood councils meet. During the community input meetings, she recommended not to voice the constraints so that everyone can get their ideas heard without being afraid of their ideas not meeting those constraints. She stated that there is no description of how Point Molate is currently being used and she suggests using the open space for playing fields. Also, she would like to know how the City plans to include different language speakers in the process.

Commissioner Baer asked Mr. Mitchell to give some clarification on the Settlement Agreement and the selling of the four parcels. Mr. Mitchell stated that when a consultant is hired that consultant will have the expertise to show and explain on a map where things are located. All this has to be done in a timely fashion though. Commissioner Baer announced that she would like other venues to be considered when it comes to the community workshops.

Commissioner Garcia articulated that the City should send letters in multiple languages to all of the neighborhood councils, alert them to the timeline that is in place and the proposed workshops. Also, have a possible translator at each meeting and a kid's corner so parents can bring their children who don't have childcare. She suggested the local schools as a possible location for community meetings and listing public transportation routes people can use on the flyer that is sent out.

Commissioner Loy suggested that the consultant look back at past community outreach meetings that were successful and pull any ideas from those to help make the community meetings as successful as possible.

Vice Chair Butt asked Mr. Mitchell for clarification on the timeline and what the approximate cost will be. Mr. Mitchell voiced that it's a 24-month time period before entitlements need to be secured and that Council has not yet determined what level of funding that they want to provide. Vice Chair Butt voiced his concern that the community will come up with a plan but no developer will accept that plan because it's unrealistic. Also, Vice Chair Butt announced that he feels the time frame of 24-months is not enough time to get everything done. Mr. Mitchell voiced that whatever plan is approved, it will have to be consistent with the Settlement Agreement. Mr. Mitchell explained that the plan is to bring key developers into the process early so they can be in the know and voice any concerns they have early.

Commissioner Tucker stated that the City needs to focus on the tone of the community meetings to get people to actually show up and to focus on the positive instead of the negatives.

Mr. Mitchell answered Commissioner Garcia's question that in the General Plan there is a statement that says that the General Plan is generally consistent with the Reuse Plan. There may need to be changes to the General Plan in terms of zoning. In terms of CEQA, there already is a lot of work done and the City will have to look at new issues that exist like greenhouse gases and transportation.

Chair Langlois reiterated what Mr. Mitchell said that the City plans to get developer bids before the public input is completed. The judgment states that multiple developers are allowed to be used but the Council will make that decision if they want to use one developer or multiple. Chair Langlois suggested adding in Mr. Hanson's document in the recommendation to Council and the consultant. Chair Langlois agreed with Commissioner Tucker on the tone of the community meetings. Also, that the public needs to get maximum flexibility within the constraints to get the most input that can be received. Chair Langlois would like more information about the existing road and an emergency plan for that road for evacuations.

Chair Langlois volunteered to be the point person to help interview the three potential land use visioning consultants. Commissioner Loy is the alternate.

## **NEW BUSINESS**

- 2. PLN18-035: Rosie's Roost CUP for ABC License PUBLIC HEARING** to consider a request for a Conditional Use Permit for a Type-47 Alcoholic Beverage Control (ABC) license for on-sale general at a new eating establishment proposed in an existing commercial building at 12056 San Pablo Ave. (APN: 501-241-008). CM-4, Commercial Mixed Use, Gateway/Node District. Mandana Hakim-Afzal, owner; Shiryn Shalileh, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

Vice Chair Butt suggested as a condition that four street trees be planted on the Macdonald Avenue frontage and a bike rack be included.

Ms. Velasco stated that the applicant is constrained on bicycle parking because there is no room to add it but if the applicant is amenable the sidewalk could be wide enough to a few bike racks.

SHIRYN SHALILEH, applicant, stated that the new conditions are reasonable as long as they are feasibly possible. She voiced that it is not a new establishment, it is an existing establishment and that they are not a fully operational bar. They are a restaurant that would stay open to maybe 12 p.m. at the latest.

Commissioner Tucker announced his appreciation to the applicant for putting a business in a building that has sat vacant for some time.

**ACTION: It was M/S/C (Butt/Baer) to approve PLN18-035 Rosie's Roost CUP with the Staff recommended findings and conditions and two additions being that if feasible, they install and maintain four street trees along the Macdonald Avenue frontage and that they install with input from City engineering and planning Staff, if feasible, a bike rack along the same façade elevation; which carried by the following vote 6-0-1 (Ayes: Langlois, Butt, Baer, Loy, Garcia, Tucker; Noes: None; Absent: Huang).**

## **COMMISSION BUSINESS**

**7. Reports of Officers, Commissioners, and Staff** – Ms. Velasco reported that the Planning Commission meeting on May 3<sup>rd</sup> is canceled and the next meeting will be May 17<sup>th</sup>, 2018. Also, there will be a meeting on the 23<sup>rd</sup> Streetscape project and that is scheduled on May 26, 2018, at Richmond High between 10 am and 2 pm.

Mr. Mitchell reminded everyone to go out and visit Point Molate on Saturday, the boat show is in town, and earth day also is this weekend.

Commissioner Baer announced that she went to the Planning Commission Conference in Monterey last month but the power went out during it. She announced that the keynote speaker had a lot of good insight about all of the pressures that are creating the current housing crisis. Another presentation that she enjoyed was about different Planning Commissions in various cities and how they interact with their City.

Commissioner Tucker also attended the Planning Commission Conference but because of the power outage, he was not able to stay for the whole conference. He was able to download an app that contains all the PowerPoint presentations and he plans to get those out to the Commission.

**8. Adjournment** - The meeting was adjourned at 8:20 p.m. to the next regular meeting on May 17, 2018.