

**PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**
450 Civic Center Drive, Richmond, CA
August 2, 2018
6:30 p.m.

COMMISSION MEMBERS

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

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

ROLL CALL

Present: Vice Chair Andrew Butt; Commissioner Nancy Baer, Jen Loy, Claudia Garcia, David Tucker, and Yu-Hsiang (Michael) Huang

Absent: Chair Marilyn Langlois

INTRODUCTIONS

Staff Present: Planning Staff: Lina Velasco, Jonelyn Whales, Attorney James Antencio

MINUTES - None.

AGENDA

Vice Chair Butt provided an overview of meeting procedures for speaker registration, public comment, and public hearing functions. He said items approved by the Commission may be appealed in writing to the City Clerk by Monday, August 17, 2018, by 5:00 p.m. and he announced the appeal process after each affected item, as needed.

CONSENT CALENDAR –

[The Commission heard the Brown Act first]

- 1. PLN18-098: Modifications to An Existing Marijuana Cultivation Permit PUBLIC HEARING** to consider a request to modify an existing medical marijuana conditional use permit (PLN17-474) for cultivation within a 3,608 square foot warehouse at 744 13th St. (APN: 560-222-012). IL, Industrial Light District. Michael Hegarty, owner; Be Kind Production, LLC Planner: Jonelyn Whales Tentative Recommendation: Conditional Approval
- 2. PLN17-450: One West Barrett Avenue Project PUBLIC HEARING** to consider (1) Adoption of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program and (2) Approve a Conditional Use Permit to allow appropriate land uses in existing buildings on the former Marvais Steel Company 6-acre site at 1 W Barrett Ave. (APN: 534-260-001). LW, Live/Work District. Waisco Inc., owner; Nora Orton, applicant

Planner: Jonelyn Whales Tentative Recommendation: Adoption of an IS/MND & Approval of a CUP

Commissioner Baer requested that Item #2 be removed from the Consent Calendar.

ACTION: It was M/S/C (Huang/Garcia) to approve the Consent Calendar with Item 2 removed for discussion; which carried by the following vote: 6-0-1 (Ayes: Butt, Baer, Loy, Garcia, Huang, Tucker; Noes: None; Absent: Langlois).

[The Commission moved to Item #2 under new business]

BROWN ACT – Public Forum

CORDELL HINDLER, Richmond, wanted to put on record that the Cortez Stege Neighborhood Council has been inactive for 10-years now. He reminded the Commission that a spa would be great for downtown Richmond. He voiced his concern about how at a previous meeting when the Richmond Annex group had to wait until the end of the meeting in order to speak on an item they were concerned about. He stated that the agenda should have been rearranged so that item could have been heard.

[The commission moved back up to the Consent Calendar]

NEW ITEMS

2. PLN17-450: One West Barrett Avenue Project PUBLIC HEARING to consider (1) Adoption of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program and (2) Approve a Conditional Use Permit to allow appropriate land uses in existing buildings on the former Marvais Steel Company 6-acre site at 1 W Barrett Ave. (APN: 534-260-001). LW, Live/Work District. Waisco Inc., owner; Nora Orton, applicant Planner: Jonelyn Whales Tentative Recommendation: Adoption of an IS/MND & Approval of a CUP

Ms. Whales introduced the item to the Commission. The project is located on a 6-acre parcel of land that has been vacant since 1989. The project is located in a Live Work Zone and limited industrial and major utility uses are a permitted land use for the zoning district. A Notice of Availability for a Mitigated Negative Declaration was published on May 25th, 2018 and was circulated for 30-days. There were no comments received. Some environmental impacts were found and mitigation proposed. Those included biology, air quality, noise, hydrology, and traffic.

Commissioner Baer stated that when she read the definition for the Live Work Zone, it did not include light industrial and residential as a permitted use. Ms. Velasco clarified that there is a Live Work Zoning District and then there's a separate definition for Live Work land use. The Live Work Zoning District definition is broader and is meant to include a larger variety of uses.

Vice Chair Butt stated that a limited industrial use is allowed via approval of the Zoning Administrator and does not require a CUP. He also wanted to know how long the facility would be used for Bombardier BART rail cars. Ms. Velasco articulated that the Director has the discretion to push an application to the Commission if he/she sees fit. Ms. Whales answered that it would be used for the rail cars for 3 to 5-years.

Commissioner Loy asked Staff if the Commission could approve it for this use and then have it come back to them when a future use proposed for the parcel. Ms. Velasco stated that the Commission could work that kind of language into a motion if they so choose.

Commissioner Loy proposed that when a new tenant is ready to take over the parcel in a few years, that neighborhood outreach should happen again. Vice Chair Butt and Commissioner Baer agreed with that comment.

Commissioner Garcia proposed, in terms of a future new tenant, that some sort of paperwork be provided to show compliance with the Mitigated Negative Declaration. If there were any new mitigation measures that needed to be implemented the Commission would need to review those at that time as well.

STEVE SCHWARTZ, applicant, announced that one block of the parcel has been in negotiations to be used for City department offices and the other block is to be used for the Bombardier BART Car Assembly contract where railcars would be assembled.

Commissioner Tucker wanted to know when the Bombardier BART 3 to 5-year contract would start. Also, what the timeframe was for construction of the facility. Mr. Schwartz explained that negotiations with BART have been extended and that he wasn't sure when the 3 to 5-year contract would actually start. In terms of construction, the tenant's timeframe is also behind schedule and that is also unknown when construction would start.

Commissioner Garcia asked if the applicant would be open to providing landscaping around the facility to beautify the area. Mr. Schwartz announced that all the landscaping has been done but he was open to anything the Commission is wishing to add to the Conditions of Approval.

Commissioner Loy wanted to know if the applicant was amendable to bike parking for the workers and outside eating on the property. Mr. Schwartz stated that there is a proposed picnic area in the City corporation yard portion of the project. Also, there was talk about a proposed sports court and basketball court on the property. Bike racks had been added into the parking plan. He voiced that in terms of Bombardier BART, those conversations about amenities have not been discussed yet.

Vice Chair Butt agreed with Commissioner Garcia that one Condition of Approval would be to add more landscaping to the project. He asked Staff if the City of Richmond Corporation Yard portion of the project has been reviewed by the Design Review Board. Staff stated that they were looking for approval of the CUP from the Commission about the land uses and not the design of the building.

The Commission voiced their concerns about approving something when they didn't know exactly what the parcel would be used for because the tenants were not set in stone at the time. Mr. Schwartz assured the Commission that any tenant that uses the parcel would have to fall under the permitted land uses that the Commission approved.

The public hearing was closed.

Discussion commenced among the Commission and Staff about the mitigating measures that were being proposed.

The public hearing was reopened.

Commissioner Baer wanted more information about the traffic. She suggested that the delivery trucks that would be delivering the rail cars enter on A-Street instead of Barret Street. Mr. Schwartz explained that rail car delivery would be minimal; one or two truck deliveries a day. A-Street is not suitable to handle large amounts of traffic so that is why the trucks were proposed to enter the facility off of Barrett Street.

The public hearing was closed.

Street trees along A-Street and Ripley Street were specific landscaping items that the Commission stated that they would like to see happen.

ACTION: It was M/S/C (Baer/Garcia) to approve the adoption of the Initial Study Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and approve the Conditional Use Permit with the Staff recommend conditions and two additional conditions. One being that if another project that is vastly different from the Bombardier project is contemplated that it come back to the Commission for review and a condition that the project include landscape enhancements to the project site beyond what they've done on Barrett already; which carried by the following vote: 6-0-1 (Ayes: Butt, Baer, Loy, Garcia, Huang, Tucker; Noes: None; Absent: Langlois).

COMMISSION BUSINESS

3. Reports of Officers, Commissioners, and Staff – Ms. Velasco announced that on August 18th, 2018, from 10 am to 12 pm there would be a public site tour at Point Molate. There would be a third workshop on August 27th, 2018 where the Staff would be discussing concept alternatives for Point Molate and they wished for public feedback at that workshop. Online activities that mirror the discussions that happen at the workshop is available for folks who cannot attend in person.

Commissioner Garcia announced that the Rosie Rally is August 10th, 2018, at Crane Way Pavilion.

4. Adjournment - The meeting was adjourned at 7:32 p.m. to the next regular meeting on September 6, 2018.