

**PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**
450 Civic Center Drive, Richmond, CA
October 3, 2019 2019
6:30 p.m.

COMMISSION MEMBERS

David Tucker, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Michael Huang	Brandon Evans
Willie Hicks, Jr.	

The regular meeting was called to order by Chair Tucker at 6:32 p.m.

ROLL CALL

Present: Chair David Tucker; Commissioner Nancy Baer, Jen Loy, Yu-Hsiang (Michael) Huang, Brandon Evans and Willie Hicks, Jr.

Absent: Vice Chair Andrew Butt

INTRODUCTIONS

Staff Present: Planning Staff: Jonelyn Whales, Director of Planning Lina Velasco, and Attorney Shannon Moore

MINUTES –

March 21, 2019

May 16, 2019

June 6, 2019

Commissioner Baer expressed that the vote taken pertaining to the item about the Medical Marijuana Use Ordinance, her vote was not recorded. Director Velasco commented that Staff would review the video and adjust the vote accordingly.

ACTION: It was M/S/C (Baer, Huang) move to approve the minutes for March 21, 2019, May 16, 2019 and June 6, 2019 with the proposed vote corrections; which carried by the following vote: 6-0-1 (Ayes: Tucker, Baer, Loy, Huang, Evans, Hicks, Jr.; Noes: None; Absent: Butt).

AGENDA

CONSENT CALENDAR

Chair Tucker gave a brief overview of the consent calendar's policies and procedures.

1. **PLN18-358: Islamic Society Mosque Addition** PUBLIC HEARING to consider an amendment to CU#89-50 and Design Review Permit to expand an existing mosque by constructing a 2,500-sf two-story addition at 1110 36th Street (APN: 526-030-012). RL-2, Single-Family Low-Density Residential District. Islamic Society of West CCC, owner/applicant Planner: Jonelyn Whales Tentative Recommendation: Hold Over to 10/17/2019

ACTION: It was M/S/C (Loy, Baer) to accept the Consent Calendar as stated for hold over; which carried by the following vote: 6-0-1 (Ayes: Tucker, Baer, Huang, Loy, Evans, Hicks, Jr.; Noes: None; Absent: Butt).

BROWN ACT – Public Forum

CORDELL HINDLER welcomed Commissioner Hicks, Jr. to the Commission. He advised the Commission to adjust the agendas during the meeting in order to allow speakers of items to speak first before informational items. Also, that Commissioners email Staff if they have questions that pertain to a Consent Calendar Item instead of pulling items from the Consent Calendar at meetings.

NEW BUSINESS

2. **PLN19-167: Appeal of PLN18-162** APPEAL of the Design Review Board's Conditional Approval of Design Review Permit PLN18-162 to construct a new +2,165 square foot (SF) single family dwelling on a vacant 5,000 SF lot at 527 Santa Fe Avenue (APN: 558-184-008). SP-1, Tiscornia Estate Specific Plan. Rod Satre, appellant Planner: Jonelyn Whales Tentative Recommendation: Deny the Appeal and Uphold the DRB's Approval

Chair Tucker gave a description of the process in which the hearing was to be held.

Ms. Whales introduced Fire Marshall Eric Govan and Design Review Board Chair, Jonathan Livingston, who presented to the Commission the appeal. She continued to state that the project was approved on May 22, 2019, with 17 conditions and on May 31, 2019 the appellants appealed the Design Review Board's decision of approval. Staff's recommendations were that the Planning Commission hold a public hearing and deny the appeal.

The appellants had eight reasons why they were appealing which included unannounced meetings with the applicant and improper noticing, Brown Act violations, takings of private property, Bay Avenue not accepted by the City in 1912, and TESP rejection of turnarounds. Staff felt that none of these conclusions were accurate.

Mr. Govan, Fire Marshall, discussed the fire prevention procedures within the City with the Commission. He suggested that a modified hammerhead turn around be installed instead of the required bulb out turnaround.

Mr. Livingston, Chair of the City of Richmond Design Review Board, stated that the design of the project met all design criteria that were required and surrounding residents and the Board were satisfied with the Fire Marshalls' suggestion of a hammerhead turnaround.

Commissioner Baer asked for further clarification regarding the fire hammerhead turn around which Mr. Govan supplied.

Brad Gunkel, the applicant, went over the process in which his project had gone through in terms of working with the neighbors, City staff, the Design Review Board, and the appellants.

Rodrick Satre, the appellant, emphasized that he was not against the project, but was against the Brown Act violation in terms of there was no public hearing to discuss the taking of property located on the west side of Bay Avenue. He argued that Bay Avenue was not owned by the City of Richmond and provided evidence to confirm his argument. He pointed out that the suggested emergency turn around would directly impact his property and suggested it be moved 50-feet from the dead end.

Public Comment:

JERRY KEEFE stated he lived about 200-feet from the proposed project and he urged the Commission to reject the appeal. He agreed with the Fire Marshall's suggestion of where the emergency turn around should be located.

ALLISON LEHMAN announced that she lived on the corner of Western Dr. and Santa Fe Avenue. She was excited about a new emergency turn around to be located on her street and agreed that the proposed location was a good one. She concluded that she was not in support of the appeal.

JEAN MARY MULLEN, a resident on Santa Fe Avenue, suggested that the appeal be denied.

RICHARD KATS, a resident of Belvedere Avenue, announced that based on his experience as a big rig truck driver that large vehicles could not be turned around on Bay Avenue.

CORDELL HINDLER articulated that he had attended all the meetings associated with the project, but he could not come to a firm conclusion if he supported the appeal or not.

Mr. Satre summarized the arguments that he had presented earlier.

Mr. Gunkel clarified that there was also a Y option for an emergency vehicle turn around, not just a hammerhead option. In terms of who would pay for the turnaround, he was under the impression that he would be putting money into a bond along with other neighbors and City Engineering.

Commissioner Loy asked Staff if there was any new information that they felt they needed to respond too. Mr. Livingston noted that there were three existing sewer lines that came down Bay Avenue and if the City decided to eliminate the street, the sewer lines would cause a problem. Mr. Govan added that all new homes are required to have sprinklers and in terms of the additional options for the turnaround, everything was preliminary. No official report had been drawn up by the engineers.

Chair Tucker asked the Commission if they had any clarifying questions regarding the last-minute documentation submitted by the appellant. Chair Tucker and Commissioner Baer confessed that they had not had time to review the documents but felt that the appellant had summarized already summarized the documents nicely.

Commissioner Baer wanted more clarification on the geography of the streets in question which Ms. Whales and other Commissioners provided.

Commissioner Evans asked if the change of a roundabout to a hammerhead configuration had to be noticed. Ms. Velasco answered that it was not typical of Staff to note changes to public streets. Mr. Govan noted that a roundabout was not an option because it cut into too many parcels.

Commissioner Huang summarized that Mr. Govan felt comfortable with the applicant's concepts and Mr. Govan confirmed that was correct.

Commissioner Hicks, Jr wanted to know who was going to pay for the emergency turn around. Ms. Velasco stated that the funding would be worked out as part of the project implementation.

ACTION: It was M/S/C (Baer, Evans) to deny the appeal and uphold the DRB's approval for PLN19-167 appeal of PLN18-162; which carried by the following vote: 6-0-1 (Ayes: Tucker, Baer, Loy, Huang, Evans, Hicks, Jr; Noes: None; Absent: Butt.)

Commissioner Tucker stated that the decision was not appealable to the City Council.

STUDY SESSION -None.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners and Staff –

Commissioner Loy invited members of the public and the Commission to the State of the Schools Breakfast and Presentation for the West Contra Costa Unified School District. Also, Fall Fest was to be taking place in the Point Richmond area.

Commissioner Baer welcomed Commissioner Hicks, Jr. She requested an update on the status of Terminal One. Ms. Velasco announced that the project was in the process of finalizing its BCDC Permit.

Commissioner Evans announced that the Iron Triangle Annual Community Picnic and Health Fair was to take place on October 5th, 2019 at Nevin Park.

8. Adjournment - The meeting was adjourned at 7:52 p.m. to the next regular meeting on October 17, 2019.