

**PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**

450 Civic Center Drive, Richmond, CA

April 2, 2020

6:30 p.m.

COMMISSION MEMBERS

David Tucker, Chair
Nancy Baer
Michael Huang
Vacant

Andrew Butt, Vice Chair
Jen Loy
Brandon Evans

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

ROLL CALL

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

Absent:

INTRODUCTIONS

Staff Present: Planning Staff: Emily Carroll, Jonelyn Whales, Roberta Feliciano, Director of Planning Lina Velasco, and Attorney James Atencio

MINUTES – None.

AGENDA

Chair Tucker 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, April 13, 2020, by 5:00 p.m. and he announced the appeal process after each affected item, as needed.

CONSENT CALENDAR –

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

- 1. PLN20-001: Sky Music ABC License CUP Amendment PUBLIC HEARING** to consider an amendment to Conditional Use Permit (PLN13-211) to change from a Type 41 (on-sale beer & wine, eating place) alcoholic beverage control (ABC) license to a Type 47(on-sale, general, eating place) license within an existing karaoke restaurant at 3288 Pierce Street A-128 (APN: 510-060-006). CR, CommercialRegionalDistrict.3254 Pierce Street LP, owner; Li Jing (Sky music LLC), applicant Planner: Jonelyn Whales Tentative Recommendation: Conditional Approval
- 2. PLN20-018: Mike's Market CUP Amendment PUBLIC HEARING** to consider a request for a Conditional Use Permit to change from a Type-20 (off-sale beer and wine) alcohol

beverage control (ABC) license to a Type-21(off-sale general) license at an existing convenience store at 1434 Bissell Avenue (APN:540-250-027).CM-5, Commercial Mixed-Use (Activity Center) District. Ali Ali Abdulrahman, owner/applicant Planner: Jonelyn Whales Tentative Recommendation: Conditional Approval

- 3. PLN20-058: Lowery Small Lot Subdivision PUBLIC HEARING** to consider a parcel map for a small lot subdivision to create a 2,500SF parcel and a variance for minimum lot width at 550 36th Street (APN: 516-080-018). RL-2, Single-Family Low Density Residential District. Denise Lowery, owner/applicant Planner: Emily Carroll Tentative Recommendation: Conditional Approval

Director Velasco announced that there were public speakers for Item Three and requested that it be removed from the Consent Calendar. Commissioner Baer also wished to see Item Three removed from the Consent Calendar.

ACTION: It was M/S/C (Butt, Baer) to accept Item One and Item Two on the Consent Calendar and remove Item Three; which carried by the following vote: 6-0 (Ayes: Tucker, Baer, Butt, Evans, Huang, Loy; Noes: None).

BROWN ACT – Public Forum

CORDELL HINDLER reported that the Fairmede-Hilltop Neighborhood Council was concerned about the Aspire School's project. He requested that for future projects, all neighborhood councils be notified.

NEW BUSINESS –

- 3. PLN20-058: Lowery Small Lot Subdivision PUBLIC HEARING** to consider a parcel map for a small lot subdivision to create a 2,500SF parcel and a variance for minimum lot width at 550 36th Street (APN: 516-080-018). RL-2, Single-Family Low Density Residential District. Denise Lowery, owner/applicant Planner: Emily Carroll Tentative Recommendation: Conditional Approval

Ms. Carroll reviewed the item with the Commission. She announced that Staff supported the subdivision of the parcel and the Variance for Small Lot Subdivision Development Standards. She concluded that the project was consistent with surrounding parcels and any development on the site would be subject to Design Review.

Ms. Lowery, the applicant, expressed to the Commission that she planned to build a house on the parcel and that house would conform with the existing houses in the neighborhood. She emphasized that by developing the lot she would be beautifying the neighborhood because as existing the lot was a maintenance issue.

Mr. Cunha, an engineer, echoed and agreed with Ms. Lowery's statements. He announced that they were in agreement with the Staff's proposed recommendations and were not requesting any modifications.

Vice Chair Butt pointed out that the lot was 25-feet in width and requested of Staff how that was consistent with the Small Lot Subdivision. Ms. Carroll explained that Staff made four Findings for the Variance that addressed the 30-foot width requirement for the zoning.

Public Comment:

JOHN PENBERTHY acknowledged the letter that was sent to the Commission that he and several neighbors had co-written which stated their reasons for opposing the project. He requested in the letter that the gate to the backyard driveway patio be restricted to a standard 4-foot wide gate.

Chair Tucker asked Mr. Penberthy if he knew a house was being planned to be built on the parcel and Mr. Penberthy answered that he had not heard anything from the owner on what their plans where.

GRACE DURDEN requested that Staff read her letter aloud that she had sent to the Commission that stated her opposition to the project. She was frustrated with the disruption the current construction work was causing and she was concerned about what future disruption a new house would bring to her neighborhood.

LANA MARTARELLA, an adjacent neighbor to the project, explained that there had been disagreements between her and the applicant.

STEPHEN KIRKISH explained that there had been construction work on the parcel already and there were currently three driveways on the parcel. He believed that with that many driveways it was an indication that there were going to be more cars on the already crowded street.

Commissioner Loy wanted to know if the parcel and the applicant had a history of not complying with the City's ordinances, rules, and zoning. Ms. Carroll noted that there was a code enforcement issue regarding existing construction work but the issue had been resolved.

Chair Tucker asked Staff and the applicant's contractor questions on the current construction work happening on the lot, how the new proposed home would fit on the new parcel, and utility connections. Mr. Cunha announced that he expected to have to install new water and sewer services to the site.

Commissioner Huang asked if the Code stated any off-street parking requirements for Small Lot Subdivisions. Ms. Carroll stated that if a home were to be built on the parcel it would be required to have two parking spaces.

Vice Chair Butt asked if there had been any small lot applications that had included a Variance regarding the width of the lot. Ms. Velasco confirmed that there had been approved applications with a Variance for lot width adjustment.

The discussion commenced between the Commission and Staff regarding whether the Commission could add additional conditions. Vice Chair Butt added a condition that any new construction would go before the Design Review Board for review before construction started.

ACTION: It was M/S/C (Butt, Huang) to approve the Staff recommended conditions and one additional condition that the applicant would be required to go to the Design Review Board prior to approval of any construction on the parcel; which carried by the following vote 5-1 (Butt, Baer, Loy, Huang, Evans; Noes: Tucker).

STUDY SESSION -None.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners and Staff –

Ms. Velasco gave a brief statement of how the Planning Department was operating during the state-mandated shutdown due to COVID-19. The 2020 Census was in progress and she encouraged members of the public to fill out the survey.

8. Adjournment - The meeting was adjourned at 8:00 p.m. to the next regular meeting on April 16, 2020.