

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

Teleconference  
November 19, 2020  
6:30 p.m.

**COMMISSION MEMBERS**

David Tucker, Chair  
VACANT  
Jen Loy

Michael Huang  
Bruce Brubaker  
Masoomah Sharifi Soofiani

Alpa Agarwal

The regular meeting was called to order by Chair Tucker at 6:31 p.m.

**ROLL CALL**

**Present:** Chair David Tucker; Commissioner Alpa Agarwal, Bruce Brubaker, Jen Loy, Yu-Hsiang (Michael) Huang, and Masoomah Sharifi Soofiani

**Absent:**

**INTRODUCTIONS**

**Staff Present:** Planning Staff: Emily Carroll, Jonelyn Whales, Community Development Director Lina Velasco, and Attorney James Atencio

**MINUTES –**

October 15, 2020

**ACTION: It was M/S/C (Loy, Huang) to approve the minutes of October 15, 2020; which carried by the following vote: 6-0 (Ayes: Tucker, Loy, Huang, Brubaker, Soofiani, Alpa; Noes: None; Absent: Baer).**

**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, November 30, 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. PLN20-191: Crane City Nursery PUBLIC HEARING** to consider a request for a Conditional Use Permit for a 4,000 San Francisco adult-use cannabis cultivation, distribution, and non-volatile manufacturing, and nursery facility within an existing building at 400 W. Ohio Ave.

(APN: 550-050-020). IL, Industrial, Light District. Robert Contreras, owner; Johnson Tran, applicant Planner: Jonelyn Whales Tentative Recommendation: Hold Over to 12/3/2020

- 2. PLN20-251, PLN20-240, PLN20-215, PLN20-217, PLN20-216: SSS Richmond, LLC (PLN20-251); MMD Richmond, LLC (PLN20-240); Richer Land, LLC (PLN20- 215); EGM LLC (PLN20-217); and Green Flora Garden, LLC (PLN20-216) Cannabis Cultivation Facilities Conditional Use Permits** PUBLIC HEARING to consider requests for Conditional Use Permit for adult-use cannabis cultivation facilities at 50, 70, and 100 West Ohio Ave. (APN: 550-050-012, - 024 & -025). IL, Industrial, Light District. 50, 70 and 100 W Ohio, LLC, owner; Yaowen Chen, Jianwei Ma and Jianwei Wu, applicants Planner: Jonelyn Whales Tentative Recommendation: Conditional Approval

Commissioner Brubaker wanted to see onsite secure bicycle parking be added as a Condition of Approval. Commissioner Loy supported that recommendation.

Commissioner Huang voiced concern about requiring the applicant to provide bicycle parking without fully understanding what the demand is.

Chair Tucker advised that the Item be pulled from the Consent Calendar.

**ACTION: It was M/S/C (Huang, Loy) to approve the Consent Calendar with Item Number 2 pulled; which carried by the following vote: 6-0 (Ayes: Tucker, Loy, Huang, Brubaker, Soofiani, Alpa; Noes: None).**

### **BROWN ACT – Public Forum**

BRUCE BEYAERT, Chair of Trails for Richmond Action Committee (TRAC), shared that the City has completed the Class 1, multi-modal Bay Trail section between Richmond Parkway and Dotson Family Marsh Staging Area. The City has received a Quick Build Grant from the State Department of Transportation which will contribute in the construction of protected bicycle ways from the Richmond San Francisco Ferry Terminal to north on Harbor Way South then turning down Hoffman Boulevard and concluding on Cutting Boulevard at Gerard Avenue.

TARNELL ABBOT, a member of the Richmond South East Shoreline Area Community Advisory Group to the Department of Toxic Substance Control (DTSC), expressed that the City's website is not user friendly and it is very difficult to find the Planning Commission's Agenda.

NANCY BAER announced her resignation from the Planning Commission due to other responsibilities.

### **NEW BUSINESS**

- 2. PLN20-251, PLN20-240, PLN20-215, PLN20-217, PLN20-216: SSS Richmond, LLC (PLN20-251); MMD Richmond, LLC (PLN20-240); Richer Land, LLC (PLN20- 215); EGM LLC (PLN20-217); and Green Flora Garden, LLC (PLN20-216) Cannabis Cultivation Facilities Conditional Use Permits** PUBLIC HEARING to consider requests for Conditional Use Permit for adult-use cannabis cultivation facilities at 50, 70, and 100 West Ohio Ave. (APN: 550-050-012, - 024 & -025). IL, Industrial, Light District. 50, 70 and 100 W Ohio,

LLC, owner; Yaowen Chen, Jianwei Ma and Jianwei Wu, applicants Planner: Jonelyn Whales Tentative Recommendation: Conditional Approval

Chair Tucker wanted to know if there had been any dialog between Staff and the applicant around bicycles. Ms. Whales explained that had not been discussion because there will only be a total of 10 employees.

Commissioner Brubaker disclosed that he had misunderstood how many employees would be on the site. With that said, he encouraged the Staff and the Commission to consider bicycles on every project.

Commissioner Agarwal predicted that if a locking bicycle facility was present on-site, it would encourage the employees to ride bikes to work.

James Lee, the applicant, agreed to install a locking bicycle facility on site.

**ACTION: It was M/S/C (Brubaker, Tucker) to add a Condition of Approval to Agenda Item Number 2 to require the joint applicants to provide at least one area of secure bicycle parking for employees; which carried by the following vote: 6-0 (Ayes: Tucker, Loy, Huang, Brubaker, Soofiani, Alpa; Noes: None).**

**3. PLN20-310: Campus Bay Mixed-Use Project PUBLIC HEARING** to consider a recommendation to the City Council on the: Addendum to the Richmond Bay Specific Plan Final Environmental Impact Report; including adopting a Mitigation Monitoring and Reporting Program; a Development Agreement; a Vesting Tentative Map for Condominium Purpose; and; a Conditional Use Permit for Residential Uses in the SD:R & amp; D and T5MS-O transect zones and for the park use proposed within the –S, Shoreline Overlay District; and an Adjustment to the Parking Setback for the proposed Point Molate Campus Bay Mixed-Use Development Project, which proposes a mix of up to 4,000 residential units and 50,000 SF of non-residential retail uses, along with open space including parks, trails, and other similar spaces open to the public at the site generally bounded by Meade Street on the north, San Francisco Bay on the south, South 46th Street on the west, and South 49th Street on the east (APNs: 560-050-023, 560-050-021, 560-050-022, 560-010-046, 560-010-047, 560-026-002, 560-028-007, 560-027-005, 560-050-023, 560-022-019, 560-023-026, 560-050-007, 560-050-019). Existing Zoning: SP-2, Richmond Bay Specific Plan. The project also includes infrastructure and roadway improvements needed to support the proposed development. Zoning: SP-2, Richmond Bay Specific Plan; OS, Open Space; and –S, Shoreline Overlay. CHEROKEE SIMEON VENTURE I LLC, owner; HRP Campus Bay Property, LLC, applicant Planner: Lina Velasco Tentative Recommendation: Recommend Approval to City Council

Director Velasco reviewed the procedures for the hearing. After the public hearing was opened, Director Velasco began her presentation. The recommended action was to hold the public hearing and make a recommendation to Council regarding the adoption of the Addendum to the Richmond Bay Specific Plan Environmental Impact Report (EIR), Mitigation Monitoring and Reporting Program (MMRP); Development Agreement, Vesting Tentative Map and Use Permit. The project site is located in the South Richmond Priority Development which is an area that has been identified for potential growth within the City because it is close to transit. The City has received a Priority Development Planning Grant from the Association of Bay Area Governments. UC Berkley was considering a long-range development plan called the Richmond Bay Specific

Plan (RBSP) for its Richmond Field Station on the site. This plan helped inform other potential land uses for the site around the Field Station.

The area that is under City jurisdiction was broken up into Sub-Areas and the project site is located within Sub-Area Four. The site is over 80-acres which included a habitat area along the bay and abuts property that is owned by the City as well as the East Bay Regional Park District. RBSP was adopted by Council on December 20, 2016, as well as they certified the RBSP EIR. The area contained pre-existing contamination which is under the oversight of DTSC. DTSC broke up the lot into several areas; Lots 1, 2, and 3 as well as Habitat Areas 1 and 2 and the southeast parcel.

The Campus Bay Project is located on Lots 1, 2, and upland areas of Lot 3. In June 2017, DTSC approved a Feasibility Study/Remedial Action Plan (FS/RAP) for Habitat Area 2. The design documents for the clean up of that area were approved in August of 2018 and was implemented between August 2018 to April 2019 and September 2019 to January 2020. In October of 2019, DTSC approved the FS/RAP and adopted a Negative Declaration under California Environmental Quality Act (CEQA) for Lot 1, Lot 2, and the upland portion of Lot 3. The Remedial Action Plans are under the jurisdiction of the DTSC, but the land uses are within the City's jurisdiction.

The project is zoned SP-2, Open Space (OS), and Shoreline (S) Overlay. The proposed project would include 2,000 to 4,000 residential units and up to 50,000-square feet of retail space which included a minimum 20,000-square foot grocery store. The residential buildings were proposed to range from three stories tall to eight stories tall. The Vesting Tentative Map subdivided the project site into 34 development parcels with 10 OS parcels. New public streets, bicycle lanes, sidewalks, landscaping, and utilities were to be installed. Six new civic spaces were being proposed as well as 25.9 acres of biological preserve OS long the San Francisco Bay frontage.

The RBSP took a formed-based approach and so within the RBSP, the area was divided into the Transect Zone Regulating Plan which contained a special Research and Development (R&D) district, T-5 neighborhood, and T5 Main Street (MS). A Use Permit was requested for the SD: R&D transect zone as well as the S Overlay. An Administrative Use Permit was also being requested to allow for residential units on the ground floor.

Also, included in the RBSP is the Civic Space Regulation Plan which the project complies with by providing four neighborhood squares, a linear park, and a community park with a shoreline promenade.

The RBSP also provided a Thoroughfare Regulating Plan that required a basic street network layout which the Vesting Map complies too. A robust bicycle network layout was also being proposed.

Key Development Agreement (DA) included language regarding the term, vested elements, minimum and maximum project, community benefits, Development Impact Fees, Affordable Housing, project financing, subsequent approvals, and future rules and standards.

In terms of community benefit, the project will contribute \$2 million in direct funding for Richmond Promise. It will contribute \$1 million to local community programs and \$8 million total for the construction of improvements to Fire Station 24, Booker T. Anderson Community Center and Park, and provide a trailhead with parking and restrooms for the San Francisco Bay Trail. In

addition, \$2 million will be contributed for qualified organizations that provide programs to Richmond residents; \$750,000 for City of Richmond Public Safety and at-risk youth programs; \$8.25 million for other community benefits; contribution to school fees; development of a grocery store in Phase 1, and comply with the Inclusionary Housing Ordinance. The DA contained a community benefits schedule in which once reaching a milestone the project will release identified community funds.

The project fulfilled many General Plan Goals including Goal LU 4, Goal LU 6 and CN6, Goals CR 1, CR 2 and EC2, Goal CR3, and several others.

Staff proposed modifications to Condition 55e to clarify that Parcel D, F, G, and I shall be completed after the Final Map recordation or after the first Building Permit is issued. TRAC had submitted a letter which Staff translated into modifications to Condition 15 and new Condition 60, 61, and 62.

Crescentia Brown with Environmental Science Associates (ESA) presented the RBSP EIR to the Commission. The EIR analyzed the potential impacts of the RBSP as well as impacts for the Sub-Area 4 project. RBSP was analyzed on a program level which is routine for long-range programs that involve several actions over time.

The EIR assumed a possible scenario of development called Foreseeable Maximum Theoretical Build Out because it was not known yet what was to be built on the site when the EIR was drafted. Staff's Addendum Analysis compared the small changes made by the Campus Bay Project to the Foreseeable Maximum Theoretical Build Out in the EIR. The result was no new significant effect or substantially more severe impacts which did not trigger a new EIR to be drafted under CEQA. The Addendum Analysis modified Mitigation Measures to directly address the Campus Bay Project and added one new project Mitigation Measure. The new Mitigation Measure addressed Green House Gas emissions and climate change for the Campus Bay Project.

Bill Shopoff, the applicant, disclosed that his company, Shopoff Realty Investment, is partnering with Hilco Redevelopment Partners (HRP) on the Campus Bay Project. Both companies hold long successful track records.

Juliana Connolly shared that she has been in the industry of contaminated clean-up for 17-years and her role at HRP is to oversee assessment and remediation work on contaminated properties. The site already contains a remedial approach that was approved by DTSC. Zeneca is the party responsible for implementing the remediation and the approach has already completed remediation work in Habitat Area 1 and Habitat Area 2. The approved remedial approach has an end goal to make the site safe for residential uses. HRP was in negotiations with Zeneca to take over the physical barrier portion of the remedial approach and HRP voluntarily will install vapor mitigation systems under all of the structures.

David Graves noted that all the streets will be open to the public, but will be privately funded and privately maintained in the Campus Bay Project. Public parks and OS take up roughly 1/3 of the Campus Bay Project.

Sherry Padgett presented a presentation that demonstrated why the project should not be approved. She stated that that the applicant was proposing to put residential homes onto a complex, leaking, off-gassing hazardous waste site with a high risk of potential failure in the

future given its location and given what it is made of. The previous occupant, Stauffer, engaged in many activities on the site that caused copious amounts of contaminants to leak into the soil on the site. There were existing chemical ponds on the site that were leaking into the lower mud and the Bay. Zeneca is only required to remove the chemicals 3-feet down and so everything below 3-feet is contaminated. The containment cap was opened twice by Zeneca to receive excavated dirt from UC Berkeley's Field Station. This resulted in a \$100,000 fine for both parties.

Public Comment:

AHMAD ANDERSON supported the project because it addressed the housing imbalance that the City was currently facing.

FRENREN FLETCHER, a resident, urged the Commission to approve the project because it will provide jobs and housing.

LISA PARK, a Richmond resident, read a statement from Steve Lindsley who is a chemist. He supported the project but wanted the site to be completely cleaned up before any construction took place. If the contaminants are not cleaned up, seawater will soak into the soil and activate the contaminants.

BRIAN LISTON, a Richmond resident, emphasized that the project will provide much-needed housing as well as jobs to the residents. For those reasons, he strongly supported the project.

ALIX MAZUET summarized that when the project was present to Council, only four written comments out of 28 were supportive of the project. She wanted the Commission to wait on making a determination so that a new EIR could be drafted.

BILL PINKHAM shared that animals will have left the area, died off, or be killed before the project can construct a suitable marsh habitat. He was concerned about the toxic clouds that residents may experience who are using the Bay Trail during construction. He did not support the project.

KAREN FRANKLIN is a neighbor close to the project site and she reported that her neighborhood will be affected by toxic clouds that the project may create. She voiced frustration that her neighborhood was not notified of the public hearing. The size of the project will cause many hazards and she urged the Commission not to approve the project until another EIR is completed.

SCOTT LITTLEHALE, a Richmond Resident and a member of Carpenter Local Union 152, shared that there is uncertainty within the DA that should clarify that any formation of the financing mechanism that administers loan funds through the City constitutes a subsidy per the City's Municipal Code and that the project employ Richmond apprentices.

JANET JOHNSON read comments from Supervisor John Joya. He advised the Commission to not approve the project and request further analysis regarding sea level rise.

TOM HANSEN, the Business Manager of Electrician IBW Local 302, concurred with the comments that the project will provide jobs to apprentices.

GROVER DE MARINIS was concerned about the project applicants and wished to see an improved EIR. He shared that HRP is involved in a lawsuit that is investigating the company for mishandling toxins. He did not oppose development but wanted to see the site contaminants removed correctly.

BILL SIMPICH, a resident of Marina Bay, voiced concern regarding the safety of the residents who will inhabit the site. He expressed that the contaminants are spread throughout the slew and having a cap will not contain it.

BRUCE BEYAERT, President of TRAC, shared that TRAC is pleased that their proposed amendments have been incorporated by the applicant, but did not like Staff's proposed language for Condition 61. He requested that Condition 61 be modified to state that the funds would be available for any project.

PAUL KILKENNY, a member of the Zeneca Site Community Advisory Group, expressed that Zeneca has the funds to do a comprehensive clean-up of the site and Richmond residents deserve that type of clean up. He requested that the Commission delay action until the new City Council is seated.

LUIS PADILLA, President of Richmond Firefighter Local 188, strongly supported the project because it provided housing and community benefit funding.

SHIRLEY DEAN reiterated that the Council had unanimously supported Alternative 6 before the Campus Bay Project was even submitted. She believed that Alternative 6 is the best approach for the site.

MAGGIE LAZAR, a member of the Zeneca Site Community Advisory Group, shared that she works at the Richmond Field Station and believed that the complex contamination of the site, along with sea-level rise, requires an updated EIR.

GAYLE McLAUGHLIN, Council Member-elect for Richmond District 5, reiterated that a comprehensive cleanup is needed for the Zeneca Site. More than 100 chemicals remain after several remediations.

BENJAMIN TERRIAULT, President of the Richmond Police Officer Association, urged the Commission to recommend the adoption of the project to City Council.

JONATHAN B., a resident of Richmond, supported the project because it provided local benefits to the community.

INGER COBLE, a resident of Richmond, emphasized that the Bay Trail located near the project site is already heavily used. Building more housing will only cause more congestion as well as destroy natural habitats. She requested a new EIR be drafted before the project is approved.

KEVIN VAN BUSKIRK, represented Sheet Metal Workers 104, requested the Commission to approve the project. He requested that the DA explicitly say that the developer will hire local union workers.

STEWART FLASHMAN commented that he had sent to the Commission information regarding several key areas he felt that the Commission should review. The EIR inadequately addressed

sea level rise and a new EIR needed to be done before any approval of the project can be made.

KELLY HAMMARGREN, a Member of Citizens for East Shore Parks, supported the comments made by Ms. Dean. She continued to be concerned about the public health issues that the site will cause to residents who live on it. She did not support the remedial approach of simply installing structural barriers around contaminated soils.

COLE BURCHIEL, representing Bay Keeper, requested that the Planning Commission reject the proposed Addendum and that further analysis is needed regarding sea water depths.

CAROLYN GRAVES, a resident of Richmond, proclaimed that she was not notified of the hearing, even though she lives only a mile away. The Fascial Impacts and Community Benefits Analysis did not state what model was used to draft the analysis and there was no discussion around up-front City cost for infrastructure. The report assumed that the dwelling units will sell quickly, even though the trend within the City shows that condominium sales was slow.

SALLY TOBIN, a Richmond resident, compared the proposed project to the Love Cannel Case where human health issues were identified in residents who lived on the site. She requested that the Commission not approve the project.

JJ THORPE, a Richmond resident, proposed Richmond Rows as a possible applicant for funds from the DA. The goal of the organization is to provide rowing instruction and equipment to youth within the community.

TIM LIPSCOMB, Director of Organizing for the Carpenters Union, emphasized that there is no commitment between the applicant and the Carpenters Union. The only assurance that local workers will be hired is the First Source Hire Agreement. He urged the Commission to recommend that the applicant commits to having an in-place Letter of Intent with the Carpenters Union before going to Council.

FARIS, a resident of Richmond, remarked that the City has received a proposed concept and not a plan. He declared that CEQA impacts are not being considered. He had several concerns regarding the columns that would support the structures.

JOHN DOWEL was appalled to hear the comment made regarding the building unions placing workers in unsafe areas. He emphasized that the safety of employees is number one priority. He supported the project because it was the best project that has come forward that had the best toxic containment plan.

ERIC BLUM urged the Commissioners to demand a current EIR for the project. He supported the project but wanted to see a comprehensive cleanup happen of the site.

DEBORAH BAYER requested that the Commission differ from making any decision. She shared that the Commission should only approve the project if none of the Commissioners have doubts.

BERYL GROVEN concurred that there is no lining underneath the existing toxins and therefore they continue to spread throughout the Bay. She did not believe the statement that Goal LU4 of the Comprehensive Plan will be achieved because the site will be completely covered by impermeable surfaces. Trees cannot be planted on the site unless they are in containers.

NADIA CRABTREE was not made aware of the hearing even though she lives roughly one mile away. She was concerned about the public's health and environmental impacts. She supported the idea of having a new EIR.

[The Commission took a short break]

Chair Tucker encouraged the public to email Planning Staff their comments so that their comments can be entered into the record.

Ms. Connolly restated that the remedy plan to remove the toxic containments has already been approved by DTSC. Another clarification she made was that a cap was not the only remedy that will be used at the site and it is not the remedy to be used for volatile compounds. The specific objective of the remedy is to make sure that the site will not pose any threat to residents who live and/or use the site.

Ms. Padgett emphasized that there were areas of the site that house chemicals that can cause cancer in humans. She agreed that remedial techniques can be effective as long as the source is removed.

Commissioner Loy wanted more information regarding the applicant's response to sea-level rise, a response from Ms. Connolly regarding Ms. Padgett's rebuttal comments, TRAC's recommendations, and zero-emission technology. Director Velasco clarified that Condition 61 does not eliminate the possibility to use the excess funds for other projects. She confirmed that the Addendum does consider 2020 predictions regarding sea level rise. In terms of zero net energy, there are conditions and mitigation measures that addressed Green House Gas emissions reductions, as well as the Energy Reach Code, which will apply to the project. Loading docks at the grocery store will be electrified as well as solar panels are required throughout the project. Mr. Graves clarified that the project does provide up to 7-feet of sea-level rise. Ms. Connolly responded that the remedy that is proposed is source controlled and source destruction which is the most effective way to turn the chemicals into a non-toxic chemical. The monitoring period is to make sure that there is no rebounding of the toxic chemicals once they are dissolved.

Commissioner Agarwal appreciated that the project will provide for a 7-foot sea level rise and wanted to see that statement included in the documentation as well as language stating that the applicant will pay for those improvements. She wanted to know if the site is considered as a Super Fund Site, what happens if the developer goes bankrupt, and if the remediation plan has been approved by other California regulatory agencies. She agreed that the Faire-Mead Neighborhood Council should be involved and the Carpenters Union should be included in the labor components of the application. Director Velasco responded that Staff did not feel that an additional Condition of Approval regarding sea level rise is needed. She predicted that the site was not a Super Fund Site. DTSC has approved the cleanup remedy, as well as other agencies are involved in terms of issued special permits. Base on the analysis that is within the Addendum, that analysis did not trigger the need for a new EIR to be drafted. She encouraged all applicants to work with all neighborhood councils that may be impacted by a project. Staff felt that the DA language was sufficient when it addressed the First Source Hiring Agreement and that would cover the Carpenters Union. Mr. Shopoff noted that the partner's current interest in the property is completely unleveraged and cash has been invested in the project. He confirmed that the partners will have a long-term stake in the property. Commissioner Agarwal asked if the

cleanup of the site will be negatively impacted if there is a bankruptcy and Mr. Shopoff answered no because there are already financial requirements set in place.

Commissioner Brubaker asked about the loss of 1.2 acres of OS, conversion of R&D spaces to residential spaces, and that the size of the project seemed bigger. He wanted to know if the Addendum addressed the extra traffic that the conversion of R&D sites to residential would cause. He wanted to know the process for the repair of the deteriorating Richmond Waste Water Treatment Plant. He asked when south 46<sup>th</sup> Street would be phased in and if it would include bicycle connectivity to the Bay Trail. Director Velasco responded that Condition of Approval 18G required the application to work with the City regarding the downstream conditions and capacity of the sewer system. The Addendum does analysis Vehicle Miles Traveled (VMT) and the project is required to have a Traffic Demand Management Program (TDM). Mr. Graves noted that the project will be paying a \$500 Impact Fee per residential unit to pay for any impacts the project may have on existing infrastructure. He expressed that there is no market for R&D space and so the applicant team decided to convert those spaces into residential spaces. The project is conditioned to build the full width of 46<sup>th</sup> Street with sidewalks included. Regarding OS he commented that the project comes very close to what is feasible on the parcel.

Commissioner Soofiani wanted to know who is responsible for worker's safety during remediation, what the strategies were for protecting the site from surrounding contaminated properties, and why a street was removed to make the blocks larger. She voiced concern about the project encroaching close to the habitat areas and suggested that there be a small transition area between the two zones. Director Velasco answered that worker's safety is addressed in DTSC's Soil Management Plan. Regarding protection from other contaminated sites, DTSC will monitor any possible transfer of contaminants and if found, the appropriate agency will address it. Mr. Graves acknowledged that the team could have made the transition zone larger between the project and the wildlife area, but felt that the extra space was better suited in the linear park. The RBSP did provide specific requirements regarding block size and the project complied with those requirements.

Commissioner Huang assumed that new development would adhere to buffer requirements to adjacent incompatibilities. Once existing industrial uses cease, new industrial uses will not be permitted. Director Velasco responded that future development will have to conform with the RBSP which does contain very limited industrial uses. Mr. Shopoff confirmed that there will be a buffer between the project and the adjacent industrial use.

Chair Tucker strongly appreciated that the project was providing funding that would go directly back into the neighborhood near the project. He shared that Marina Bay use to be a toxic site and when it was constructed it was not required to analyze sea level rise. He emphasized that the project is still in the beginning phase and there will be time to provide further feedback. He requested that the project hire Richmond residents and if there is a labor issue, that it be discussed early in the process. He wanted to see TRAC and East Bay Regional Park District be a part of the discussion regarding trailheads and recreational areas. He encouraged the applicant to consider the surrounding neighborhoods that will be impacted by the project during construction.

**ACTION: It was M/S/C (Loy, Huang) to adopt Resolution Number 20-27 recommending Certification of the Addendum and adoption of the Mitigating, Monitoring and Reporting Program subject to revisions proposed by Staff, include staff's proposed modifications**

to Conditions of Approval 55, 16b, 60, 61, and 62, approval of the Vesting Tentative Map, Use Permit, and Development Agreement to the City Council for the Campus Bay Mixed-Use Project subject to Conditions of Approval; which carried by the following vote: 6-0 (Ayes: Tucker, Loy, Huang, Brubaker, Soofiani, Alpa; Noes: None).

#### **COMMISSION BUSINESS**

##### **4. Election of Officers**

The Election Committee nominated Commissioner Brubaker as Secretary, Commissioner Loy as Vice Chair, and Chair Tucker as Chair.

Commissioner Brubaker asked what the secretary does and Director Velasco explained that the secretary reads the item before it is heard by the Commission.

**ACTION: It was M/S/C (Huang, Tucker) to approve the nominations of Commissioner Brubaker as secretary, Commissioner Loy as Vice Chair and Chair Tucker as Chair; which carried by the following vote: 6-0 (Ayes: Tucker, Loy, Huang, Brubaker, Soofiani, Alpa; Noes: None).**

##### **5. Reports of Officers, Commissioners and Staff –**

Director Velasco acknowledged the public comment regarding the difficulty of finding Planning Commission Agendas and will work with IT to fix the issue.

Commissioner Loy announced that United Against Hate week starts on November 30, 2020, and ends December 6, 2020. There will be virtual activities available on [unitedagainsthateweek.org](http://unitedagainsthateweek.org).

Commissioner Brubaker noted that he does not receive any calendar invites to the Planning Commission meeting and he had a hard time connecting to the meeting.

##### **6. Adjournment - The meeting was adjourned at 11:00 p.m. to the next regular meeting on December 3, 2020.**