

**PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL  
1401 Marina Way South, Richmond, CA  
October 6, 2011  
6:30 p.m.**

**COMMISSION MEMBERS**

|                       |                         |
|-----------------------|-------------------------|
| Charles Duncan, Chair | Sheryl Lane, Vice Chair |
| Jeff Lee, Secretary   | Carol Teltschick-Fall   |
| Ben Choi              | Andrés Soto             |
| Roberto Reyes         |                         |

The meeting was called to order by Chair Duncan at 6:35 p.m.

Chair Duncan led in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chair Duncan, Secretary Lee; Commissioners Choi, Reyes, Soto, and Teltschick-Fall

**Absent:** Vice Chair Lane

**INTRODUCTIONS**

**Staff Present:** Lamont Thompson, Hector Rojas, Richard Mitchell, Mary Renfro, Carlos Privat

**MINUTES**

May 5, 2011:

**ACTION: It was M/S (Soto/Reyes) to approve the minutes of May 5, 2011; carried unanimously.**

June 2, 2011:

**ACTION: It was M/S (Reyes/Teltschick-Fall) to approve the minutes of June 2, 2011; carried by majority voice vote (Lee and Soto abstained).**

September 1, 2011:

**ACTION: It was M/S (Reyes/Choi) to approve the minutes of September 1, 2011; carried unanimously. (Lee and Soto abstained).**

Chair Duncan provided an overview of meeting procedures for speaker registration, 2-minute speaker time limit, and public hearing functions. He said items approved by the Commission may be appealed in writing to the City Clerk by Monday, October 17, 2011, by 5:00 p.m. and as needed, announced the appeal process after each affected item.

**CONSENT CALENDAR**

Chair Duncan noted there were two items on the Consent Calendar; Items 1 and 2. He asked whether members of the public, staff or the Planning Commission wished to remove any item.

Mr. Thompson reported receipt of requests from the Regional Parks District and Eleanor Loynd for hold-over of Item 2 on the Consent Calendar and staff requests that the item be held over to the Planning Commission meeting of November 3, 2011.

**ACTION: It was M/S (Soto/Choi) to hold over Item 2 to the November 3, 2011 Planning Commission meeting at 6:30 p.m.; carried unanimously.**

Consent Calendar Item Held Over:

- 2. PLN11-065: Metro PCS Wireless Facility and Monopine** - PUBLIC HEARING to consider a new Metro PCS Wireless Facility and Monopine antenna for installation in the El Sobrante area of the City of Richmond at 5500 Valley View Ct. (APN: 435-180-008). Planned Area District. Pandal Perminders, owner; Metro PCS/MTT LLC, applicant. Planner: Lamont Thompson. Tentative Recommendation: Conditional Approval.

**ACTION: It was M/S (Soto/Choi) to approve the Consent Calendar consisting of Item 1; carried unanimously.**

Consent Calendar Item Approved:

- 1. PLN11-063: Modifications to AT&T Wireless Facility** - PUBLIC HEARING to consider a modification to an existing unmanned telecom facility consisting of 3 new antennas and 6 new remote radios, 1 GPS unit and other supporting equipment at 400 Harbour Way (APN: 540-420-003). City Center Specific Plan District. Bridge Housing Corporation, owner; AT&T, applicant. Planner: Lamont Thompson . Tentative Recommendation: Conditional Approval

**Brown Act – Public Forum**

Jerome Smith, Richmond, recited the poetry of John Muir, noting the relevance of it to the Planning Commission's address of the City's natural environment, balancing of tasks, and he asked to consider legacy, intangible value when deliberating on facts and figures of its work.

- 3. PLN09-137: Richmond General Plan 2030** - PUBLIC HEARING on the August 2011 Draft Richmond General Plan and proposed Final Environmental Impact Report (FEIR). Staff's recommended Planning Commission actions include a recommendation from the Planning Commission to the City Council for certification of the FEIR and adoption of the General Plan. Planner: Hector Rojas.

Chair Duncan provided an overview of the task to finalize the Final EIR and consideration by the Planning Commission to adopt the Draft General Plan, as amended. He noted this is a mandate of State law and is required of California municipalities. He said public comment is critical to deliberation of the agenda item and he repeated the meeting protocols for speaker times for groups and individuals, questions and answers, and said he will close the hearing by 10:30 p.m. If public testimony has not concluded, he will continue the item to the next meeting on October

20, 2011 at 6:30 p.m. He said only those individuals turning in speaker slips tonight will be able to speak tonight and at the continued session.

Mr. Mitchell provided introductory comments regarding the significant public outreach, discussion and work relating to the General Plan. MIG provided an Issues and Opportunities paper. A website was established for the General Plan and numerous meetings were held in and around the City over an extended period of time. He noted some of the consultants, staff and others who have worked very hard on the project early on, some of whom are not in place today. What is before the Commission is a significant and good document, and he recognized Hector Rojas for his talents. Many comments received would better fit into a specific plan or in a revised zoning ordinance and, as a General Plan, he hoped people would see the document more as a platform or an envelope because of the enormous amount of change since beginning the process. In imbedding traditional urban design into the General Plan new issues have arisen such as sustainability, urban agriculture, innovation, health and wellness, standards and ideas which he briefly described. He spoke of the economic situation, Richmond as a changing city, and the need for its General Plan to be flexible and supportive of change.

Hector Rojas noted that the packet before the Commission includes all maps from the General Plan for ease of reference, said staff is seeking the Planning Commission's recommendation to the City Council to certify the EIR for the Draft General Plan and adopt the General Plan. He gave an overview of the environmental review process, comments received, purpose of the plan and its elements, policies, and growth assumptions. He briefly addressed objections by property owners in specific areas included within the General Plan, for which the Commission will need to address, and he suggested the Chair open the public hearing and take public comment, and said staff was available for questions.

Chair Duncan opened the public comment period, and Mr. Thompson noted there were a total of 59 speakers.

#### Public Comments:

Judy Morgan, President and CEO, Richmond Chamber of Commerce, introduced a one-minute clip on U-Tube about the importance of keeping and creating jobs in Richmond. The clip calls for leaders of the community to take responsibility for creating a business-friendly Richmond and one that supports job creation. She asked that once viewing the clip, individuals should listen and take seriously the issues and concerns presented by the members of the business community.

Katrinka Ruk, Council of Industries, Richmond, said the clip was three young people who grew up and live in Richmond and the young lady's family is currently out of work because one of the businesses left Richmond. What the businesses want to portray is the concern COI has is to be here, to grow, and to attract new businesses and this is why it is compelling for the Commission to look at the General Plan as a land use document, but also as a document that will enhance the partnership between businesses in the City of Richmond, and this is what they want to work on. COI has general recommendations and she also submitted a list of specific recommendations. Regarding the Economic Development Element, she asked the City to consult the Milken Report which discusses marketing outreach to businesses, and incorporate those ideas in the General Plan. She said this also entails establishing business clusters, perhaps locating them in transition and buffer zones in the Ford Peninsula or in the Campus Bay area. To do this, she asked to consider in transition buffer zones that there be no housing or mixed use because mixed use as designated includes residential, which they do not believe

is appropriate. Regarding the Circulation Element, she asked the Commission to look at overlay zones for bicyclists for safe routing throughout the City. They want to encourage the Harbour Tract Business area and that transition zones, as well as the Northshore change area to be considered for business development. Regarding developer fees and review process, they are asking to look at the redundancy of fees and to determine a matrix so they are consolidated.

Bob Delmont, Danville, Cal Oils Corporation, said they are in full agreement with Ms. Ruk's point about the resident buffer zone on the Ford Peninsula. They believe it is very important that there be no kind of residential development, which would cause problems with the light and heavy industry around it. He gave an overview of Cal Oils, stating they are a company at 1141 Harbour Way South on the west side of the street. They lease some of their property from the Port, they lease dock facilities and import and process vegetable oil throughout the year. Important is that they process and ship out of their facility over 300 million pounds of oil a year. The problem they are anticipating that could restrict their economic growth is the restructuring of Harbour Way South over which 40% to 50% of their product is shipped. They need to have language in the General Plan specific to industry that will prevent the street configuration from changing.

Jerry Feagley, Realtor, Richmond, said he lives and works in Richmond and over 45 years, he has developed over 300 residential units, managed over 1500 properties and sold thousands of homes. He started his career on San Pablo Avenue in 1956, which was considered the worst real estate market since the Depression. However, it was just a drop in the bucket as compared to today's real estate market. He is a member of the local and state National Association of Realtors. It seems Richmond has been more impacted with the real estate downturn and possibly one of the last to recover from it. He is greatly concerned with the volume of development and construction fees noted in the Draft General Plan. He believes it will kill the goose that laid the golden egg. For new construction, including the City's vision of recruiting clean and green industries, these fees will thwart all of that and affordable housing of which Richmond now has an over-abundance of. Revenues are necessary, but he fears it will be counter-productive, as they will be competing for this construction and employment with many cities like Livermore who plan to stimulate their growth by lowering developer fees.

Jim Cannon, Walnut Creek, said he worked in Richmond for the past 28 years at the then Richmond Terminal. It is mandatory for the governing documents of the City and for the City Council to protect existing businesses and industries and the jobs they already have, and jobs produced in the future. In Circulation Element Goals CR-4-A and CR-4-B, the goods movement plan and the truck routes plan call for the regular updating of both plans to ensure improved levels of service while increasing safety and minimizing the conflict of truck and rail versus pedestrian and bicycle traffic. He said it is the responsibility of the City to protect existing industries and jobs. The idea of putting the road surrounding the Port Priority Area on a road diet, reducing them from 4 lanes to 2 lanes is a horrible idea and he asked that the City not do this. Increased width is needed for the efficient movement of goods in this area.

Barbara O'Neill, Petaluma, Levine Pacific Terminal and Richmond Pacific Railroad, said she will address the land use, urban design section of the General Plan, referred to page 3.26 there are designations regarding Regatta Boulevard on either side of Marina Way, and said this area is currently being designated as high intensity use. She would like to see the area west of Marina Way changed to a business light industrial, as this area comes close to their rail yards and there are a lot of trucks entering and leaving. She asked that the area have more of a buffer and not have any residential development nearby, or at the very least, have a provision for residential to be at least 300 feet away from their rail yards because they want to keep people safe. Also,

parcels north of Hall Avenue and west of Marina Way South are designated as medium intensity mixed use. She believes these are supposed to be in a buffer zone. It is close to their rail yards and several industries that have trucks entering and leaving and it is probably not the best use of the property to have a condominium project where noise and activity would bother residents. Overall, they want to keep people safe and business growing. They are hiring additional people and want to keep growth moving, and asked that the City work with them.

Anthony Gillespie, Richmond, said in the 52 years he has lived in Richmond, 30 have been working for companies in Richmond, and he asked that this opportunity be given to youth that will be impacted by the 2030 project. The Council of Industries has business-friendly proposals, and he recognizes these as promoting more residents coming to live and work in Richmond. This will promote high end growth, jobs, and said the 3 people in the video clip epitomize what he has done—going to school, work and living in Richmond. He said it is unique and most of the things people come to Richmond for are the Ford Building, Rosie the Riveter, both former working businesses. He asked that the City ensure that businesses here now will hopefully be part of a future that will bring jobs and keep people living in Richmond.

Fred Glueck, Alamo, said the Commission is seated at a very critical time and has very important decisions to make concerning the future of Richmond. The decisions and recommendations brought forward to the City Council will affect the City for years to come. He asked to think about the future—industry, technology, and the ability to move Richmond forward and how to make recommendations to allow for flexibility and ability for the City to adapt to the trends of the future. The Port of Richmond is one of the last industrial regions in the Bay Area where there is growth and development, and can occur with a vision in mind. The General Plan needs to be aware of this concept, and he asked that the Commission design for the future and not inhibit the future, advocate a goods movement study for the Ford Peninsula and the Santa Fe channel to best take advantage of the assets in Richmond. He asked to think about not only enabling the existing businesses in Richmond the opportunities and tools to grow, but more importantly, creating the opportunity for new businesses to come to Richmond and bring with them those opportunities. He asked not to dwell on where the economy is now, but where we want it to go in the future and where we want Richmond to be in that picture. He asked to recommend to the City Council the critical changes to the buffer zone that the COI has suggested, specifically, the goods movement study, restriction of housing, schools and live/work in the buffer zone, and the safe re-directing of the bike trails on Harbour Way as to enable Richmond to take advantage of the opportunities that will come. He asked not to handcuff the City or to obstruct the future of the City, but to create a format for proper zoning. In moving forward, he asked to make Richmond a place people not want to be from but rather a place we want to be.

Marc Madden, Corte Madera resident, Director of Government Relations, Sims Metal, Richmond, said almost every Sims Metal management employee met together to discuss safety at their facility. For those who have visited Sims, they will see a high level of activity among customers, trucking recyclables in, employees weighing, sorting and processing materials for re-use, and loading materials bound to locations throughout the Pacific Rim. Safety and safe recycling is their number one priority, which leads him to emphasize three components of the General Plan. First, their capacity to provide recycling services to the Richmond community depends on their continued ability to operate in a dedicated industrial environment, zoned to permit the use of heavy machinery that is essential to modern recycling. Secondly, they urge the Commission to maintain separation of industrial use. Within the industrial zoned areas are arterials designed to handle commercial trucking activity that is part in parcel recycling. They urge completion of the goods movement study before any decision is made regarding bike

paths in and around the industrially zoned areas. Thirdly, their business is currently regulated by literally dozens of federal, state, and regional agencies. For example, the EPA, CARB and the BAAQMD all rule and regulate on air quality. In the interest of minimizing the City's limited resources here, they implore the City of Richmond to concentrate its efforts elsewhere. Air or water quality, or even recycling are surely important to the health and welfare of the City and a regional approach is really the better way, given that environmental protection does not stop and start at the Richmond borders. He concluded by stating they want to remain being able to provide service, recycling, employment and exportable products that all benefit the City.

Stan Teaderman, Napa, Allied Propane Service, said he founded Allied 44 years ago close to Stafford Chemical, which is now known as the Harbour Front Business Association. They are distributors of natural gas liquids, propane and butanes for the northern Bay Area counties and they reserve and maintain commercial industrial distribution of wholesale, retail and some international exports. They run 24/7, 365 days a year and have developed their business alongside Stafford Chemical. He said he wanted to brief the Commission on the discussions that Harbour Front Business Association has had with planning staff regarding the vision of the southern gateway. Harbour Front is a small 5-block area consisting of a number of smaller businesses. Last year, the Council voted unanimously for a collaborative planning process for the southern gateway involving stakeholders in the City. Since then, Harbour Front Association has held 4 extended meetings with Mr. Mitchell, Ms. Renfro and planning staff to reach the following understandings regarding their region. The first was that the southern gateway will be designated an industrial area within the General Plan that preserves the identity of those of us that are in business in that region. Harbour Front Business Association will be an industrial sub-district of the southern gateway with its own listed permitted and conditionally permitted uses to continue to operate without restriction further permitting. New uses are limited to those compatible with existing uses and would be developed within concert to the City.

Dexter Vizinou, El Sobrante resident, Executive Vice President, Cybertran International located in Richmond, said they are a green tech company that is commercializing a new technology in rail transit systems. They have an aggressive business plan and their business model calls for 20,000 jobs to be created in a 10 year period in Richmond. Their market is a global market and they plan on shipping transit vehicles and civil structures for a global market. He said their preference is to be able to ship them out of the Port of Richmond and not place them on a truck and ship them from the Port of Oakland. The need for a goods movement circulation plan to be established prior to circulation policies is of critical importance. It needs to be safe and bicycles and pedestrians are an after- and not a before-fact.

Jim Holland, new resident of Richmond and employed in Richmond for the last 4 years at Levine Richmond Terminal. He said he moved to Richmond because he has a job here. He drives down Cutting Boulevard and removing 2 lanes will slow down everything and make things less safe for those of them who use this important and heavily used street. He also asked the Commission to consider a goods movement plan which is critical to their business as well as others mentioned here. He suggested taking the bicycle paths and pedestrian walkways out of the industrial areas because frankly they do not do well next to the travel of large industrial trucks, trains, and equipment.

Joel Torres, Berkeley resident, Director of Operations for Richmond Pacific Railroad, commented that the General Plan proposes a Class I bicycle route connecting Potrero Avenue and Marina Way using a non-existent right-of-way either alongside or through his railroad's 23<sup>rd</sup> Street and Safeway yards. Additionally, the maps of the proposed bike and pedestrian paths seems to have been drawn with some reckless abandoned bicycling railroad yards, truck routes,

and even facilities that are required by federal law to be secure and not have the public going through them. He said there are consistently misguided land use proposals, specifically, ones which would allow residential construction to abut railroad lines with absolutely no buffer or not separation. He thinks there must be some division in these things, some idea of separation, as it is better for the residents, the railroad and companies, as they cannot be on top of each other.

Tom Waller, Hercules resident, said he has spent several years on the Richmond Chamber of Commerce Board and past Chair, commented on the connection of the General Plan to economic growth and underscored what he hopes will be a lens through which the Commission looks at the General Plan in making its reviews and determinations and in passing it onto the City Council. He said there is no doubt in the business community that they view economic growth as the primary means by which Richmond's well-being and prosperity is going to increase. Certainly, municipal plans have increased in complexity over the recent years beyond just a land use blueprint to include many different elements and almost become unwieldy and wide-ranging, but it still comes down to the important issue of does this General Plan sufficiently support the economic growth of this City. He said they are talking about the increasing local production of goods and services in Richmond. It is by local companies that are already here and growing and expanding, but also attraction of new businesses from outside. He said he believes every business wants to grow, not always in size but in terms of profitability, and it is important that the conditions of the rules, regulations, requirements, fees, and taxes support the ability of business people to take risks and invest in additional equipment, additional equipment, facilities and people. With this City's unemployment rate still twice the national rate, there is nothing more important for this City than economic growth and he hopes the Commission will consider this in passing it along to the City Council.

Margaret Jordan, Richmond, said she is an old friend of Lakrisha Edwards who struggled successfully to save the shorelines for Richmond as open space for people and for recreation for the citizens of Richmond and the Bay Area. In some cases, she used her own money to buy land which she was able to give or sell to the City for very reasonable prices. She commended those when drawing up the General Plan when they rezoned the shoreline to be open space and recreation, and recommends that the Commission confirmed this changed zoning of this area to make it be the one for the citizens, their health, safety and welfare. She thinks the issue of sea level rise needs to be taken seriously. She has seen horrible things on television where whole streets of houses flood one by one. She thinks the situation is real, cannot see how the City can be reasonably thinking about zoning light industry and have people build projects on that area where we know that sea level rise will be an issue. Either these places will be gone or they will spend huge amounts of money saving them with bunkers. She did not feel that allowing this area to be a buffer which will then be able to accept sea level rise will be better for citizens or wildlife in the area. In speaking to those who say we need jobs and rezoning to open space will have a negative impact on developments that create jobs, she said infill is the solution that makes sense both socially and environmentally. Rather than create jobs at the expense of the shoreline and at the expense of its citizens at the edge of the City where people will have to drive to transport themselves we should be talking about walk able cities. There is plenty of room for industry, and she can envision attractive light industrial areas next to commercial areas next to residential areas, and we should not be thinking about creating jobs at the edge of the City. She urged the Commission to maintain the current designation for zoning of open shoreline and parks.

Del Price, Albany, said she would speak briefly to the FEIR and more generally to the General Plan. She congratulated the Commission, staff and members of the community, as all should be proud to reach this point in the process. This is not to say there have been challenges and the

need for more edits. She did not believe anyone thought 6 years ago it would take this long to produce an update nor would the community expect and demand to be as actively involved as it has been. The final product; however, shows that once again the City is a leader and this time a leader in adjusting and incorporating input from a wide variety of stakeholders. The Commission and staff are ensuring that the policies of the City's future planning efforts reflect thoughtfulness from every sector of the community. Speaking as an individual and one spending a fair amount of reviewing the plan, she provided a few suggestions. Because this is a policy guideline that is to be further implemented by federal regulations and ordinances, she commended the Commission for approaching the elements as a whole by matching related sectors with other key components of the plan, e.g., jobs are addressed and matched with the Economic Element but matched with the Health Element, as well. The site remediation was addressed in Land Use and Economic Elements also; however, in EC-1.1 according to Figure 8, where commercial and industrial, emitters are responsible for 67.7% of the greenhouse gas emissions in Richmond. The General Plan could be used to address this, but it does not. Staff explained it does not because it is a program EIR, but later down the road, the City will have to do it. She also supports expansion of the national park effort because she thinks marketing the Rosie the Riveter WWII destinations to hoards of conventioners who come to the Bay Area makes sense. It makes sense to also include the places where Pullman Porter stayed and played at, and she recommended Commissioners take a Rosie the Riveter tour.

Jerome Smith, Richmond, said he is impressed with the atmosphere, unanimity of purpose of both business and community that has not existed in previous meetings that he has experienced. From Wilfred Peltier and Ted Poole, "wherever you are is home and the earth is paradise. Wherever you set your feet is holy land. You don't live off it like a parasite. You live in it and it in you, or you do not survive, and that is the only worship of God there is". There is a specific issue he would like to address which is the Northshore recommendation to leave it as is and not change it. When you look at it holistically and synergistically, you must leave it as it is for whatever vision or dream that may be given you and however framed in jobs. If they do what they want to do there, they will displace economic thriving in the downtown area. They will shift shoppers from 23<sup>rd</sup> Avenue, will ignore impacts of global warming and the rising of waters, they will ignore the impact of earthquakes on landfill, and he would ask the Commission to follow the recommendations of staff.

Michelle Itagaki, Executive Director of the Richmond Convention and Visitors Bureau and the Chair of the City's Economic Development Commission. Like others, she commended staff and volunteers in this long process. They forwarded a letter which is in the packet from the Commission and spoke to a few points. She asked the Commission to consider the Nolte Institute Report on the California manufacturing job loss. Manufacturing is a large part of Richmond's economy and we cannot afford to lose them. It also provides jobs for those who have education at a high school level, which is needed for some of Richmond's residents. She asked the Commission to consider the developer fees, eliminate duplication, redundancy and excess fees. By doing this, you show continuous improvements in this area and it lends credibility to this City. Sitting on the Economic Development Commission over the last 5 years is a subject that comes up over and over again and it needs to be addressed. Regarding focusing on marketing, arts, cultural resources, and housing, the City needs a strong marketing program and a focused leadership to do this well. One of the things very interesting in the General Plan is the Health and Wellness Element which is commendable and wonderful; however, in various areas, the plan recommends locating residential areas near industrial areas, and buffer zones between these areas are disappearing.

Goretha Johnson, Interim President of the Parchester Neighborhood Council, Richmond, said she was born at Parchester Village and is in favor of development of land to light industrial besides Parchester. She said they sit out there isolated and it would be nice for industry to come out so we can lighten our carbon footprints and walk to work or ride a bicycle to our jobs. In terms of the General Plan, it is general, but she would like to see Parchester be part of the plan and not just an afterthought.

Tony Sustak, Richmond, in addressing the issue of Change Area 12 he emphasized that pushing the development towards the core of Richmond will be made a \$250 million investment, \$400 million before the bonds get paid off and this will benefit and leverage that investment. All comments made about the problems at the Shoreline are there. In commenting on road diets and the bicycle plan, the irony of the road diet is that you can actually increase throughput. He rides a bike every day and he works in a place that has 60 foot vehicles that weigh 65,000 pounds, and he rides in heavy traffic all the time. If they have the rules of the road laid out and enforced and obeyed by everybody, people on bikes can get along with people in trucks. The issue is not that these things are incompatible, inconsiderate, or not safe. The issue regarding the buffer zone should be part of the notions of infill development and using the staggered heavy industry, commercial, light industrial, or commercial, retail and then housing where that is possible. As everybody knows, Richmond has been a developer's Rorschach test. He asked how the City begins to reconcile the needs of people in Hilltop and in the Annex and the Iron Triangle. He asked to develop a process driven by the people's needs as opposed to speculators and other things.

Joan Garrett, Richmond, Pt. Malate Community Advisory Committee Chair, said she was seated in July with the charter of providing oversight in the clean-up and restoration of Pt. Molate and also to provide advice to the City on development and budget for Pt. Molate's redevelopment. Unfortunately, they have not had a chance to weigh in previously on the EIR, but would like to weigh in on it now. She read a letter of recommendations which were taken at their special meeting of September 26, 2011. After extensive review of the General Plan, the recommendation of the PMCAC is for Change Area 13 which is the San Pablo Peninsula, the three areas recommended as land use designation of residential be changed to open space. The primary reasons are that for the San Pablo Peninsula, the location is a very isolated area and is not in keeping with the overall goals of infill development. There is no public transport, no linkages from Pt. Molate, and that isolated area of the City does not mesh well with the overall goals of community and marketability. There are no neighborhood amenities there. No schools are planned there. The infrastructure does not support a residential development. Western Drive is a small road in poor condition and needs extensive work to become useful to service residential. Likewise, wastewater treatment capacity is virtually non-existent and would have to flow over through Pt. Richmond to the available plant. That plant serves 3600 people and is struggling, adding 800 more people would be very difficult. She also brings attention to the deed which disallows residential on the entirety of the former Navy Depot, and asked that this be addressed.

Mary Selva, President of the Richmond Annex Neighborhood Council (RANC), said she distributed information about the floor area ratios to provide an example of the old General Plan compared to the new General Plan and said the density has dramatically increased under the floor area ratios (FARs), especially for the light industrial, which was formerly for the Pt. Isabel area to 0.50 and the proposed General Plan will be 3.0 FAR, which is a lot of density. The regional commercial was 1.5 and it will be 2.0 FAR. The high intensity mixed use which they did not have a category for will be 5.0 FAR up to 135 feet. They have dramatically increased the FAR and the density for the City of Richmond and along San Pablo as well, more so than El

Cerrito, including the two BART stations in which their FARs are 2.0. In that case, they have distributed protections they would like to have for existing single family neighborhoods in the area. They are a bedroom community and they need to consider and protect those areas. The City of El Cerrito has a list of policies in their General Plan which she distributed that she feels should go into Richmond's General Plan to protect existing neighborhoods. For the shoreline, she believes 4.0 is too dense for the Pt. Isabel and at Campus Bay and there should also not be residential in the Campus Bay area because of human traffic and degradation of wetland. There is an extensive wetlands area from Pt. Isabel all the way up to Marina Bay.

Jerry Yoshida, Boardmember, RANC, thanked staff for their work in bringing together the General Plan work. In elaborating on the residential in the industrial areas, he thinks it is a big mistake to include this there. Major communities avoid this and separate them. Just like Marina Bay, it should be separated from industrial developments proposed out there, as well as Campus Bay and the UC Campus site. For similar reasons, not only because of this unique situation but because it is next to sensitive wildlife which have high population of diverse species. Pollution and noise will also affect residents living there. The cost of land drives up the cost of industrial land which makes industry not afford to operate there. Industry takes over 60% of employment according to the General Plan, and this must seriously be taken into consideration. If it does come in as residential, he would suggest a small percentage of square footage and separate it away. Regarding comments for the EIR, he is disappointed with responses like unavoidable traffic. He believes a road diet is avoidable and it should be mitigated as an example.

Garland Ellis, Vice President, RANC, and Richmond Neighborhood Council Coordinating Board, referred to the FEIR and General Plan, as well as the Bicycle Pedestrian Plan which are all tied together, stating the consultants did not do an adequate job of answering many of the challenges in the Draft EIR. Many avoided issues and giving a direct answer. The emissions data found in the Draft EIR is primarily geared to measuring vehicles and a little bit of industry. None of it is directed towards greenhouse gases because there are no agencies that measure it at this time. All agencies used in their data are primarily for vehicles which burn gasoline. Some of them also burn propane and also use electricity. The City wants to regulate emissions by restricting vehicles. There is no federal, state, county or other city that has ever approached emissions in this way and every agency does not even recommend trying.

Mr. Thompson noted that the next 7 speakers wished to speak as a group:

Jerry Overaa, Lafayette, said he is partnered with Josh Genser on the Richmond Development Company and CEO of Overaa Construction. He said Overaa Company has been in Richmond for 100 years. His dad, mother and he all went to school here, have 3 children in the business, 2 son-in-laws, and they are a builder and built many of the buildings in Richmond, including City Hall. He said none of the work was handed to them, but was competed for and they persisted. At this point, they have a fairly significant construction company of over 400 employees and many good crafts people working for them. Their latest project is the BART Richmond Project where there are significant numbers of crafts people who are disadvantaged in this area. They are a company committed to this area and have given back to the City in many ways. The economy is dreadful, yet they maintain their employment base and are a business family. He said 10 years ago, they formed a partnership with Mr. Genser, and he closed with stating that their business in Northshore is a developed piece of property. They purchased it when it already had three businesses on it, two of which were condemned by eminent domain and one torn down, and now they are facing the prospect that their property will be confiscated which is not fair or right.

Diane Hanna, SSL Law Firm, representing Joe and Heidi Shiku and Richmond Development Company, urged the Commission to amend the Draft General Plan and recommend adoption of a business light industrial classification for that collection of properties in the Northshore area. There are some significant benefits with the City proceeding with this approach, including its consistence with GPAC's recommendation of a 22-9 vote that favored developed uses in this area. It is also consistent with the EIR's analysis. The EIR was actually prepared under the assumption that the property would be put to business and light industrial uses. Accordingly, if the General Plan were to be adopted to reflect these business and light industrial uses, there would be no need to revise or recirculate it. It could be accomplished by an explanation of staff. There are also significant downsides to moving forward with the current open space proposal. In a letter they submitted today, they explain in detail how this open space designation is really the product and direct influence of Councilmember Tom Butt. Several months ago, the FPPC confirmed that Councilmember Butt had a disqualifying conflict of interest in the Northshore area. The process before the Commission with the open space designation is essentially a continuation of that influence he has exerted. If they continue down the path set now, the City will be faced with the risk that its entire General Plan will be void and in essence, it is undoing the improper influence he has already exercised over this General Plan. Lastly, today the Commission is charged with a legal duty to follow the law and ensure the City and its residents are not exposed to expensive liability that can be avoided.

Dan Murray, Mill Valley, said he owns property on the Richmond Northshore line and said downzoning the Northshore property to open space is a simple tool to devalue their land so the Parks District or open space groups can condemn or buy it for a fraction of its value. This is a stated and published goal by the North Richmond Shoreline Open Space Alliance and Citizens for East Shore Parks. In their literature, they call the General Plan process an "unparalleled opportunity to lower the value of our land to the least possible intensity and see it put into public ownership." The Parks District initiated this Northshore land grab back in 2005 when they used their police power to condemn their next door neighbor, the Bruner property. After forcibly taking the land from the owner, they paid them only \$892,000 claiming it was just compensation for over 217 acres. The land owners sued and the court ruled that the true value was \$6.8 million or 8 times more. After the ruling, the Planning Director Mitchell wrote a staff email about the remaining North Shore lands "since the Park District cannot afford to pay the price set by the court, he suspects they would be pressing hard to have the land programmed as park and open space in the General Plan. He stands here today and this is exactly what has happened. Despite a 22-9 GPAC vote favoring development, under heavy pressure from the Parks District and its allies, including Councilmember Butt, the City has changed the Draft General Plan designation to Open Space without a vote from the Planning Commission or City Council. Their land value has already been greatly reduced in this process, and in late 2010, the Parks District offered to purchase their land based on industrial prices. While they were finalizing the appraisal, the draft General Plan changes to open space at which time the Parks District indicated they would not pay them open space prices. In other words, they would pay them a dime on the dollar.

Commissioner Soto said his understanding in that court case was that the Breuner family were suggesting the property was worth about \$12 million and in fact, it was a jury decision that split the value to be somewhere between the two interests. Mr. Murray said he was not involved in the lawsuit, but it included in the packet he distributed. He noted the minutes from the East Bay Regional Parks District Board meeting shows this as well.

Joshua Genser, property owner and business owner in Richmond and said he has invested with his partner, Jerry Overaa very heavily in the City of Richmond, including buying property on the Northshore line they bought for development. They did not buy property there because they thought it was the best investment for their money, but because they thought they could bring jobs and development and things to Richmond that they would live with because they live and work here. He asked why it was so important that their property become parkland. Just north of the property are 2400 acres of parkland. He asked why it is so important that their acreage be parkland. He asked why it was so important to take away their acreage in order to increase that park size by 4%. He loves parks and his kids learned to ride their bikes at Pinole Regional Parks, his dogs walk every day to Pt. Isabel, he played softball at Nichol Park and Martin Luther King Park, but Richmond has thousands of acres of parks and has 32 miles of shoreline, whereas they have only a few hundred yards of shoreline. If this is taken away, what the City is taking away is one of the most developable spots in Richmond. It is the only place in Richmond right now where a large scale development can be brought in with new jobs and new companies. People have said this is not infill. First of all, Silicon Valley companies will not look at Macdonald Avenue. You might get them on the shoreline because it is beautiful. Secondly, from a regional standpoint, this is infill. We are not talking about whether or not they're going to build a Macdonald Avenue or out on the Northshore line, but building in Tracy or Fairfield or on the Northshore line. He asked to bring jobs and tax revenue into Richmond.

Bob Herbst, San Rafael, said they have two gentlemen tonight to provide a short presentation on short projects that want to come to the Northshore right now. He said one is from the Salvation Army and one is representing Artists Collaborative Housing. Regarding sea level rise and its potential impact on the Northshore, their existing site elevations are 4-6 feet above current flood levels. Their project grading will include an additional 2-3 feet of fill which will place their road and buildings several feet above even a 55 inch sea level rise. Plus, their projects will include a shoreline park which is publicly accessible with Bayline trails that also has a wildlife habitat banned where wildlife species will be able to take refuge during high tides. He introduced Mark Lindquist who will discuss a Salvation Army regional campus and Todd Jersey who will speak about Artists Collaborative Housing.

Mark Lindquist, Oakland, said they hold substantial properties in Richmond and what he has today is middle ground. He serves on the Salvation Army Board in the East Bay. They have looked at Richmond for a major center of rehabilitation and warehousing that would allow both a planned effect that would allow plenty of shoreline along with a great development, providing 300 entry level jobs. This is not one where they have just come into town. They have had several meetings, at least two meetings with the City Manager and Economic Development Director. This would present a campus-like location, combining centers from Oakland and San Francisco to Richmond. It would provide 300 jobs, maximize views of the bay, allow the open space and Bay Trail to continue in that area, and enhance the area it would be located in. They have received good support from the City Manager's Office and think that by downsizing the property or making it open space they would lose a great opportunity to provide jobs and the rehabilitation of individuals from the Bay Area. Salvation Army has the funds to build a project and would welcome the opportunity to come to Richmond.

Chair Duncan said he has heard about this, has not seen it, and wondered if it were possible to be emailed a copy of it. Mr. Lindquist agreed to do this.

Todd Jersey, Architect, Berkeley, said they have a strong commitment to using artisans in their projects. They did the restoration of the Richmond Plunge where they used 11 different artisans for the restoration. His office has developed a mixed use development prototype specifically

created to restore economic and ecological vitality to former industrial land and to create safe and affordable houses and work spaces for artisans, artists, musicians, and other creative professionals. This prototype is called Artisan Collaborative Housing and he asked staff to provide a description of this model to the Commission. He recently met with Bob Herbst to discuss his prototype as a model for the Freely Subdivision. After visiting the site, he believes the developing artisan housing collaborative at the Freely Subdivision is the best way to return this land to economic productivity while creating a business plan for the ecological preservation of this land and optimizing it as publicly accessible open space. He asked to alter the Draft General Plan to keep the land as it is currently zoned to allow for the possibility of creating an artisan collaborative housing community on the Freely Subdivision.

**BREAK**

Chair Duncan noted the meeting was halfway completed, as it was 8:40 p.m. and called for a 10-minute break, and the meeting was thereafter reconvened at 8:50 pm.

Public Comments (Continued):

Connie Galambos Malloy, Urban Habitat, Richmond, said in 2005 Urban Habitat convened the Richmond Equitable Development Initiative (REDI) which is a partnership among local community organizations. They have been involved in the General Plan process since it began. REDI partners include Richmond Vision, Communities for a Better Environment, the Alliance for Californians for Community Empowerment, the Laotian Organizing Project of the Asian Pacific Environmental Network, CISCO and Urban Habitat. As the Commission will hear from community members, their vision for equitable development includes sustainable living wage jobs, better health through a cleaner environment, accessible affordable public transit, safe streets, and most importantly, a City without fear. They believe in REDI that Richmond's plan can set the policy framework to make those goals a reality and return Richmond to what it once was—a thriving safe place. For this to happen, they need participation from all members of the community and moreover accountability on all sides. All too often in the past, they felt the community has had no voice in the planning process which is why REDI is particularly proud to be here. They trust that the Commission is listening carefully and hold itself accountable to the residents the Commission is placed here to serve. Finally, they applaud the City for a strong Health Element. To take this commitment to public health seriously must be reflected in all elements of the plan and not just the Health Element because the City is truly a living organism and all systems must work together to ensure that good health. On behalf of REDI, she thanked the Commission for the opportunity to speak and she provided the Clerk with a copy of the letter they submitted earlier in the week.

Laneisha Whitfield, Richmond, said she is the mother of an asthmatic child and while she applauds the City's government for incorporating a Health and Wellness Element into the its General Plan, she is more concerned it is more of a business branding strategy for Richmond and less than a long term commitment to community health and resilience. It is impossible to say that by including the Health and Wellness Element the City is "addressing topics deemed critical to fulfilling the community's aspirations for Richmond if they refuse to include the strong language that REDI requested in Economic Development area 1.G; Air Quality Monitoring in Health and Wellness Area 9 A, which states, "to hold businesses and interests financially accountable for their impacts." City staff included a loophole that states "to the extent feasible, document health effects and develop provisions to hold businesses and operations financially accountable." She takes this personal because to her it sounds as if City staff is choosing to treat resident's health like a business transaction, or a shadow that can be bought and sold by ambiguous language and open-ended policy geared towards businesses. Our General Plan

language should be very strong and clear so that future ordinances and policies are implemented that would be of great benefit to residents. Currently, this City is out cracking down resident property owners with blighted properties and fining them up to \$400 if they do not clean up their mess. She knows because their property was one that needed to have the weeds cleared. Fines or sums of money required to be paid are penalties for an offense. If the City thinks that fines are an effective way to prevent offenses, she recommended the Commission adopt the recommendations of the REDI Coalition and make polluters clean up their mess and pay a fine. If residents should have to pay, so should business and industry because they negatively impact the health of Richmond residents. In closing, she asked the Commission to support the REDI Coalition recommendations for air quality monitoring and to hold business and industry financially accountable for their actions.

Meuy Sa echao, Richmond, referred to air quality in the General Plan and said she lives very close to the Chevron Refinery, have always heard the sirens go off when there is a spill and throughout the years she feels there has been one too many. To improve air quality, strengthening the connection between transportation policies and a healthy environment is key. These could include improving community health by efficiently moving goods and re-routing diesel trucks away from neighborhood streets and also emphasizing the use of vehicles that do not burn fossil fuels. Simply put, businesses and industries that pollute should be held financially responsible. Also needed is to incorporate and assess the impact of emissions being emitted by the issuance of new and renewed permits for the projects. They cannot make a healthier Richmond until everybody understands and determines the root causes of health problems. She strongly believes that improving the air we breathe will give us a clear path to change for the future. Also, businesses and incorporations come and go and what is left are the people behind her. These are the people who witness changes throughout the City and are more dedicated as community leaders who work every day and live in the environments that industrial and business people push away from. These are the people we should concentrate on first and foremost throughout all of these meetings.

Christina Saeteurn, Richmond, referred to the General Plan and toxic and contaminated sites and mixed and used infill development, stating she wants the City to give community leaders a healthy life and clean environment to live, work and strive in. Many industrial companies in Richmond that continue to pollute and dump toxins everyday know the harmful causes it brings to the community and the worst part is that companies are not held accountable for it. She asked that they be held accountable each time they pollute in the community. The main components of a healthier Richmond is to reduce pollution and clean up their sites and she feels this is a very important issue and should be taken seriously because lives of community members are all at stake.

Farm Saeyang, Richmond, said I am from LOP and here to discuss the issue of new liquor stores in the poor neighborhoods. She also requests land to do urban gardening and plant vegetables for healthier food choices. She also wants to address the foods which are not healthy in poor areas. Many residents have suffered from high rates of diabetes, heart disease and obesity. She was also a farmer and gardener and having that land would help her and provide her with exercise as well.

Ina Mason, North Richmond, REDI and ACE, said she would speak on Economic Development ED1.A; Community Health and Wellness, HW1.H; Public Safety Design. She lives on Alamo next to the railroad tracks, has been there for 10 years, has experienced her neighbor's dog finding a body, experienced a neighbor being shot in front of her house and 2 neighbors around the corner. What gets to her is that her street light has been out since July. She sent an email,

called, and received a phone call back stating there was no power to that particular pole and it would take 3 months to have it repaired, which is not acceptable. She called Corky Booze and the light is now on. She should not have to go through such trials to be safe. She does not like to be out at night and is constantly looking at the time. When she gets home, she rushes and trips up the stairs trying to get in the house before someone can rob her purse. Another dark area is on the corner of Canal Way and Hensley or Richmond Parkway, and the intersection by the auto painting dealership. It is dark and the only lights there are street lights. These are red, yellow or gold, which does not help. She asked the Commission to develop and adopt design guidelines to deter criminal activity and recommended the Commission adopt the regulations by the REDI Coalition.

Silvia Ledesma, REDI member with Richmond Vision, said she lives in Pt. Richmond and wants to speak about circulation CR3.1 and CR3.2; Safety and Accessibility. She asked to include bus stops and safety maintenance improvements. In Land Use 1.4; Active Streets, she asked to include bus stops, shelters, and amenities throughout the City to improve public safety. This issue affects people with disabilities like her, needing to feel safe when they use transit. They need bus shelters that include benches so they feel protected. The shelters should be designed in a way that lighting becomes an integral part of the structure, and it should indicate it is for the use of disabled people. Several years ago there were bus shelters with attached benches by Hilltop Mall. For those of us who have severe back problems, we get cramps and need to be able to rest their bodies. She supports REDI's recommendation to include bus stops and shelters and amenities throughout the City and Pt. Richmond, to improve public safety and to be proud and dignified about being a Richmond resident.

Paul Larudie, Richmond, said he belongs to ACE which is a member of the REDI Coalition, and he wants to speak to the issue of using vacant land for urban agriculture and healthy initiatives. There is a market where he lives where the owner was able to expand. He got a piece of land and chickens and they are now getting eggs produced in Richmond. He can get healthy food at this place, but this is not true everywhere in Richmond. There is land that can be used for farming. There is language in the General Plan and REDI has requested to identify sites for urban agriculture development and this is Entertain Climate Change EC4.5; Community Health and Wellness HW2.2; Local Food System, and also Community Health and Wellness HW2.1; Quality Food Stores and Land Use. They need to be able to use the resources we have here in Richmond. We are not interested in Canadian geese that come and land here, use our resources and go elsewhere. He said they have heard about economic development and he asked for whom? He asked that it be for the people of Richmond and not those outside Richmond or to develop industry that raises the standard for everyone except Richmond. He urged the Commission to please consider the REDI language which has been sent to the Commission and designed to help the people of Richmond for Richmond, and to encourage businesses that come here to help Richmond.

Bruce Sutorius, Richmond, said he wanted to talk about the Transit and Circulation Element 1B; Public Transit Improvements. In the time he has lived in the City, there have been significant changes. As a resident, he appreciates how things have improved. One thing not changed is the bus service. For the first two years his wife worked as a nurse's aide in San Pablo, she took the 72M. Sometimes she would find herself waiting for an hour or more waiting for the stop. As a result, she would have to try and take BART or a taxi to get to work. The 72M is notoriously unreliable and it is this bus that people complain most about. The good thing is that Richmond has a basic bus service in place. At this point, minor improvements could make a big difference. In closing, he asked the Commission to support the REDI Coalition recommended language to

restore recently lost bus service, improve daytime coverage, frequency service for low income persons and persons with special needs.

Marcy Rhime, Urban Habitat and REDI, Richmond, said she will speak to the General Plan and two concerns about the Circulation Element, and recommends that the plan include an overall transit needs assessment and provision for an active role for the City in advocating for better transit funding, and neither of those appear. A needs assessment is common sense; it would show where there are gaps in service, how the service links major jobs, housing and commercial centers, what are special needs for special populations, and in general would help prioritize programs, use of scarce resources, and generally structure of the element. Regarding the funding question, Mr. Sutorius spoke eloquently about something that comes up a lot which is people so dependent on transit, the service disappearing, and AC Transit's cuts of up to 15% over the last two years. What the City government can do is to help address the problem – transit funding on every level from the federal government on down favors highways and not transit. To change this priority will take everybody working together who has a stake in it, and it includes City officials who would have a persuasive voice, as well as transit agencies, transit workers, and transit riders. This is why they are asking that the plan include an active role for the City government in advocating for transit funding. In conclusion, REDI would like to see those two pieces get included with circulation—a transit needs assessment and the role of the City in getting funding to better service.

Vicky Martinez, CBE, Richmond resident for over 20 years, said she would like to talk about air quality and transportation. The State of California and Bay Area governments have not regulated air contamination. It is necessary that the local City of Richmond be more attentive and use its power to represent the City of Richmond. It is also important because in Richmond we have a disabled population. We need security in our transportation and with more healthful transportation modes. She said she has been discriminated against quite a bit because she is disabled. Many bus drivers have left her because they do not want to lower the ramp or because the ramp doesn't even work. It is very difficult to live with problems of contamination, problems of health, and discrimination. I would recommend to the City that the Planning Commission adopt the REDI Coalition recommendations.

Jeff Romm, Richmond resident for 31 years, said he is affiliated with REDI partner Richmond Vision and wants to address air quality elements in Economic Development 1G and in Health and Wellness 9A. REDI requested that the plan require businesses and industry to be held accountable for impacts on air quality. Staff modified the request by including the phrase, "to the extent feasible." This raised basic questions—feasible for whom and feasible for what purpose. He said observations from a teacher's point of view are that it is not feasible for kids to stay healthy in dirty air. It is not feasible for sick kids to thrive in school or their parents to thrive at work. It is not feasible for kids to feel safe in the school when shelter in place warnings will occur on a regular basis. If kids do not thrive in school, it will not be feasible for them to hold jobs to support healthy families, communities, and businesses. It is not feasible for a healthy community to ignore causes of illness, loss potential and fear among its children. The Richmond Plan must affirm and assure that these things become feasible, not to open pathways for evasion. He asked the Commission to adopt the REDI recommendation and remove "to the extent feasible" qualifier that has been introduced in the last draft.

Shirley Bodde, Richmond, said she walks all around the City of Richmond, gave a definition of 'general' stating it is of affecting or indulging, yet all in a group, not limited to one class or field and not specific. The General Plan she has read over does not seem to be as specific as it needs to be, and what seems to be happening is that there is a lot of unused land and blighted

properties that instead of building houses, you should upgrade them and the communities. There are businesses here that can thrive and survive if utilized, but this is not done. There are jobs within this community. She has talked with the Mayor and gave her some ideas which were inspired to her and it seems that perhaps she needs to come to the Commission to get an okay. A lot of back biting and fighting happened when a big community comes together. The Commission has been appointed to represent and plan for the people and this is who should be represented. The plan that the Salvation Army brought forth is something feasible. It is already land that sits there. She asked why God's green earth is being destroyed and asked to leave what is here and develop what is blighted and what is already destroyed. She also asked that some of the planning money go towards some of the industries so they can work on getting rid of some of their pollution. As a result, she was born in Massachusetts, raised in Connecticut, moved to California and had never been sick a day in her life. She is now sick and this is not fair to the people who have grown up here and lived here. There are disabled people that are sick because of air emissions and she asked to address this instead of building and throwing what is already here, to help people breathe.

Father Don McKinnon, Priest with the Laotian Catholic community, member of the REDI Coalition, Richmond Vision and GRIP, spoke on economic development or ED1.F and the Health and Wellness which is 9J on Site Remediation. REDI requested accountability of private owners to pay for clean-up of contaminated sites. The social equity strives for a healthy and clean environment, especially communities impacted by heavy industry. Before a contaminated site can be used for redevelopment, he asked to make sure owners pay for their fair share of the clean-up. Every child learns to clean up his/her mess and he asked why property owners do not cleanup their mess, especially when messes have serious impacts on people's lives and health. In closing, he asked the Commission to support REDI Coalition's recommended language, accountability of private owners to pay.

Nile Malloy, CBE, said he will be speaking about the Energy and Climate Action Plan Element. He said CBE seeks energy and climate policies that cut pollutant emissions to prevent climate impacts and serious ongoing toxic impacts locally thereby creating sustainable jobs locally. They are very concerned with the development of pollution trading that might happen out of the Energy and Climate Action Plan Element that will allow increased pollution and industrial polluters to keep emitting unconditionally. The Commission has an opportunity to make decisions wisely that require weighing the reasonable foreseeable potential that without a strong local policy under the state's plan that will allow pollution trading. On greenhouse gas, co-pollutant emissions could continue or increase locally while economic and job benefits of building local energy systems could acquire elsewhere. Therefore, he strongly recommended the Commission support REDI's recommendations around addressing the Climate Action Plan to address greenhouse gas emissions from business and industry as well as community and government, as well as looking at the air quality issues related to it, and requested that the City use its land use authority to regulate industrial and commercial emissions. They believe the City can and should require that businesses and industry do their fair share to help reduce GHG emissions and address the toxic co-pollutants that come along with climate change.

Maria Alegria, Pinole resident, REDI Member with FaithWorks and Richmond Vision, said she worked for many years on the Iron Triangle, Harbour Way and Nevin and have lots of family. She thanked Chair Duncan and Commissioners for their attention and thanked Mr. Rojas for his stewardship during this process and being available to work with them. This is a proud moment to witness this community planning process and see members articulate what is a healthy Richmond, and how it is reflected in the various elements, especially the Health and Wellness Element. She said their members talked about the very basic rule of a clean environment, in

maintaining health, reducing air pollution, and cleaning up toxic sites. For this to happen, business and industry will need to be accountable for monitoring their emissions and cleaning up their messes. Creative ways to improving access to quality food obviously contributes to health and serves as incentives for local food stores to improve their offerings and opportunities for urban gardening. Bringing jobs to Richmond is being able to get a job, so it is important to one's economic health and well-being. It is also important to be able to get to a job through affordable, accessible transit. So is public safety. The freedom to move about the city, freedom from stress and freedom from violence is necessary. Most important is the health and values that the plan is built on. We know the General Plan is not a neutral document. Every decision about what to include or what to leave out is based on values. She said we want a healthy and clean business environment so it is a win/win for businesses and for people who live here. REDI members represent a wide range of Richmond communities. Some have been in process from the start and they all have inspired her every day. For her, this is personal. She grew up in Richmond, she remembers Richmond, knows what Richmond was, what it is and what it can be—a healthy, safe and prosperous Richmond again.

Tracey Rattray said she works in the Public Health Department in Contra Costa Health Services, thanked staff who worked on the General Plan and Health and Wellness Element and called out their genuine commitment to including community in the development of this plan. She said the Health Department particularly focused on the Health and Wellness Element and this is a visionary document as one of the first and definitely one of the most comprehensive health elements in California. The element recognizes the impact that the places where we live has on our health. The health element looks to create equitable conditions in Richmond that will support the health of all residents, especially those that carry the heaviest burden of disease and experience poor health outcomes. A couple of small examples of things in the element that will positively impact the health of Richmond residents include 1) access to safe and clean parks increases physical activity, can reduce violence, reduce obesity, reduces rates of heart disease, cancer and stroke; 2) complete streets and this idea recognizes that streets need to accommodate cars, pedestrians and bicyclists, thereby increasing the physical activity, obesity, heart disease, cancer and stroke, as well as reducing injuries. Finally, the health element also includes some recommendations around compact mixed use development. One of the advantages of that if done well is that it can increase the physical activity, decrease violence and increase access to healthy foods so there can be a lot of co-benefits done to that if done well and in a right way. She concluded by saying the Health Department is pleased to be working with the City on this, and they have already brought in funding from private government sources to support implementation of the Health Element.

Richard R. Poe, Larkspur, thanked City staff for work they did as it relates to Marina Bay on the west shore. They have high density mixed uses and allows them to have residential and commercial. In hearing from the business community, he went to the Clean Tech event this morning and basically, there is a tri-valley group who are promoting themselves as Pleasanton, Livermore, San Ramon and Danville. Part of their sponsors are some of the great companies of the world which include Cybase, Lawrence Berkeley National labs, Chevron, Lawrence Livermore National Lab and others. And in noticing what they are doing which is something we should focus on which ties us into the business community, which is a mission statement. There are new innovations from the labs promise to generate technology advances, business opportunities on an unprecedented scale, small companies with big ideas and big companies that lead their industries for finding their home here. We need to concentrate around Marina Bay, the buffer zone, Lawrence Berkeley National Labs maybe coming to our field station, and how to encourage companies to come to Richmond. He also said the mayors also spoke. Mr. Wilson, Mayor of San Ramon, said industries have found a way to come together and not just

fighting and pushing each other, but coming together to support businesses to come and streamlining. He asked the community to look at stop fighting past battles which look at working together in finding common ground and getting jobs here.

Michael Parker, Richmond, thanked staff for what he thinks is a phenomenal job in trying to do something difficult. This is about planning, about the future, about the vision about the kind of society and community we want to be. It isn't about rubber-stamping what other people are willing to do, what other forces are doing, but about what we want to take into our own hands to create for ourselves. He believes people have already spoken to it. The guiding principle seems to be to rebuild the City of Richmond. The technical word for that is 'infill'. It is basically taking the areas of Richmond that are blighted and rebuild them. Put in the industry and the parks and not housing in those areas so we can be a community again. Do not further disperse the blight in the community but rebuild the City, meaning 23<sup>rd</sup> Street, Macdonald, Iron Triangle, Cutting, and San Pablo. During the period before and during the break, he heard lots of mocking by some business people here about the idea of infill. He asked if everybody thinks Silicon Valley is going to put something in the middle of Richmond and the statement is give them some shoreline or they will go to Tracy. He said this is not our choice. There are businesses that actually want to build in real communities and we can provide the incentives for those businesses. In fact, we had a slight of hand here. On the one hand, while promising us that if we do this thing we will get Silicon Valley businesses to come and establish something here. What do we get when they come and actually make a presentation when we can have a Salvation Army Center; something that will take the land off the tax roll, something that will not attract other industry or other community or residents around it. To make matters worse, they actually proposed to upzone their area even more by making it residential. The other project they proposed for this area was residential. The fact of the matter is that what is going on here is that some people own land and they want to make sure that the value of their land is made as high as possible even while they cannot get any development for it, but they want to be able to sell it to the public for the highest price possible. This means pick our pockets for their profits, and he thinks what we should do is look at what we need to do. We should do this for what we need to do—save the bay, address global warming, address the fact that we are going to deal with a whole new climate in this area, and he thinks that staff has done this right by calling this open space.

Tarnell Abbott, Richmond, said she feels like we are at the point where there is the bully on the playground and we are going to ignore it because it's too big. She is talking about the refinery in particular, which is the largest emitter of greenhouse gases in California. Industry is generating most of the greenhouse gases in Richmond, but in the planning document, it is saying we are not responsible for regulating the industry. However, we care about people's health and we want to put their health first. It is sort of counter-intuitive of what is going on. So, the impact of global warming and what it does to human life and quality of life, what it does to our entire environment whether it is the animals on the shoreline or the air we breathe, it is not right to continue in the same old way. We need a different way of addressing our economic need for work that does not involve raping the land further. We have had 100 plus years of heavy industrial pollution and it is continuing to have a negative impact on people's health. She asked the Commission not to give up its power to regulate industry to any regional, state, or federal entity. They do not care about us. It is your job to look out for us and she asked the Commission to do so. A case in point was during the struggle with the Chevron expansion. The BAAQMD Board did not want to intercede at all and would not take action, nor did the EPA. Lastly, regarding toxic clean ups, Richmond has one of the most heaviest polluted sites on the Richmond shoreline and she asked to make sure that toxic dump gets cleaned up. She asked

everybody to come to their meeting on Thursday in the basement of City Hall at 6:00 p.m. and attend the Community Advisory group and the Department of Toxics and Substances Control.

Patricia Jones, Executive Director, Citizens for East Shore Parks (CESP), said she is speaking on the General Plan and EIR and thanked Mr. Rojas for his great job. CESP supports new open space designation for the entire North Richmond shoreline, west of the Richmond Parkway and south of Point Pinole Regional Park. She asked that the Commission approve the General Plan as is with this designation. The new General Plan envisions the area as a natural open space, restored and protected to continue its historical function as a vital habitat and provide enhanced opportunities for public access and recreation. This perfectly describes what the community wants and has been saying for years. There is a once in a lifetime opportunity to protect one of the last undeveloped shoreline corridors in the City of Richmond. The residents of Richmond deserve to have this. Not only will this open space provide habitat protection from any species along the shoreline today, but including the open parcels, the Commission will also ensure their survival as sea level rises. The Commission has heard of another idea of upzone and they definitely oppose this idea. She asked to see the letter submitted by their attorney, Stewart Flashman on October 4, 2011 stating that the business light industrial designation proposed is not adequately addressed in the Final EIR for the General Plan update as reported by staff. This designation increases the allowable density from the current commercial mixed use designation going from a maximum floor area ratio of .5 to 3.0 and maximum heights of 55 feet, which he says in his report. As mentioned in the letter, an upzoning would contribute to many site specific impacts not addressed in the EIR such as transportation, traffic, air quality, toxics contamination on the Murray property and others, biological and visual impacts in sea level rise issues. She said Mr. LaForce will speak to the residential upzonings that were also brought up tonight. They support the open space, parks, recreation along the shoreline for cleaner air as people have asked for and better public health, public access to the Richmond shoreline for all of its residents, and CESP urges the Commission to reflect on how it will design its City for the next generation. She asked whether the Commission will look at some short term gains or create great parks, great creeks, great shorelines and contribute to the health and well-being of residents and the long term financial health of the City's economy. She invited everybody to come to the North Richmond Shoreline Festival on October 8<sup>th</sup> at Pt. Pinole Regional Park.

Norman LaForce, El Cerrito former Mayor and resident and Chair of the West County group Sierra Club, said he is speaking on behalf of the Sierra Club which has made the North Richmond Shoreline one of the four areas in this whole state of California as part of its resilient habitat's campaign because it is such an important habitat area in focusing on how we protect from sea level rise and climate change. It is important to go ahead with the zoning of open space recreation in order to protect and provide that as a buffer zone and protect the wetland areas of those properties. Ms. Jones has already discussed in detail why that should be protected in that way. What is proposed by the property owners is an upzoning of the property. This is because they own the property, they know that the Carr property was bought through eminent domain and they simply want to jack up the price of the property at a time if ever purchased as part of completion of park and open space. The proposal about the Salvation Army is interesting. He heard about it many months ago and it seemed to ebb and flow with the tide. When it was convenient to pop it up as a proposal, Mr. Genser proposed it and when it looked like it was not going anywhere, it died away. If this were a serious proposal, it should be in the pipeline of the City's planning department and Mr. Genser should be proceeding with this as a proposal. Instead, it is brought to try and do a bait and switch tonight. Regarding the residential artist housing proposal, this is simply inconsistent with what is being proposed and a residential use was never addressed in the EIR. So, if the Commission were to change the zoning to allow for that, the EIR would have to be redone on that, risking entire delay. Finally, he

thinks Mr. Genser's attorney should review what Mr. Butt proposed. Mr. Butt did not propose the open space recreation proposal that staff has; it was a very different proposal including agricultural use which is not included. So this phony notion that somehow Mr. Butt is directing everything and controlling what to do with the North Richmond Shoreline is just a figment of an attorney's imagination.

Larry Tong, Inter-Agency Planning Manager, East Bay Regional Parks District, thanked the Commission for its continuing support of the District and said all great cities have great parks and open space areas. They look forward to partnering with the City in implementing the General Plan regarding great regional open space and parks. He is here primarily to answer any questions that the Planning Commission might have regarding the District.

Bryan Grunwald, Oakland, representing Don and Lonnie Carr and Bay Area Wetlands that own 20 acres in the approximately 100 acres in the Northshore line Area 12, said in not repeating everything people have said, he is recommending the Commission recommend to the City Council that the area be business light industrial as discussed by Mr. Rojas as an alternative. By way of background, he did the long range development program for UCSF that recommended relocation of its second campus to Mission Bay and they also put together with the Murray's an application for the Lawrence Berkeley National Labs. This is the only 100 acres, 20 acres of which belongs to the Carr's. It is the only privately owned acres free of contamination that could be put together in the City for a research campus. There does not need to be any disagreement with the Park District, as there should be a way integrating a significant amount of open space into a campus plan that extends the values of the surrounding park and shoreline which is already going to be reserved as open space and create what is necessary, which is eyes on the park. This will make the park safer because there will be others on the park area. He would also like to call for a public/private partnership with the open space community to come up with something that is world class that could be a campus on the Bay. Regarding Change Area 14, it is a 20 acre area east of Sea Drift, and to zone that medium density residential is a travesty. It is right next to the Port and one of the City's biggest assets in Richmond. To put this designation next to a working Port has not been addressed in the EIR in terms of noise, light, and other impacts that would likely occur.

Commissioner Soto said Mr. Grunwald indicated that this public/private partnership would enhance the public safety of the park. He asked if Mr. Grunwald was aware of any crimes that have occurred that need to be remediated. Mr. Grunwald said he has worked on the property since 2002 and there have been numerous properties hauled off the property. Within one year ago, there was a murder there which was a gun fight between homeless people on the property, as well as significant dumping that occurs on the property. Commissioner Soto questioned if this was on the park itself. Mr. Grunwald said no, this is a property that would be the park.

Antwon Cload, Richmond, said he has watched Richmond grow from a thriving community to a community that is not worth a dime. He has been involved with a lot of things in Richmond to make this a better community, and this community and the City Council has pushed \$1.8 billion out the window, have promised people jobs, have pushed youth and jobs and he questioned where were they, and now we have an opportunity for the Commission to approve a plan. No one has talked about the crime and the killing going on in Richmond. The City wants people to come here but it is not taking care of the problem. The problem in this community is that inner city issues are not being addressed. He challenged the Commission to go to the Salvation Army and see what they do with their building. They give people a second chance at a first class life. They give them opportunities to work and learn how to be productive members of the society. They can use Richmond Build to paint blighted houses, put those communities back together

and give youngsters some pride and purpose. He said he has touched every wall in the City Hall building because he worked on it and is proud. If youngsters can get this instilled in them at a young age, they can go on and be positive and productive members of the society.

Eduardo Martinez, Richmond, said Richmond needs growth and not the cancerous growth seen in the suburbs spreading whichever way money dictates, but smart growth that solidifies the city to one unit. This General Plan attempts to do that. He asked to clear up the blight that plagues the City by investing dollars in their established communities. He hears developers complain about increased fees, but he suggested what we need to do is create a development zone in the interior of Richmond to encourage developers to come into main Richmond and build it up. The shoreline has also been dealt with in a piecemeal fashion. It is time to consider the entire Richmond shoreline as one unit and in this consideration we need to be mindful of sea level rise and mindful of wildlife and that the shoreline is a gift of Richmond citizens. It should not belong to any individual but the citizens of Richmond. He hears some residents complain about flooding, taking Richmond to court over their homes being flooded. We do not want these numbers to increase by building where there will be flooding and the shoreline should remain open space available to all residents.

Gerrald Hatchett, Vallejo, said he has been in the community working at Sims since 1970, said he has been working on the General Plan over the last 7 years, still talking about the buffer zone, and \$3 million later, here we are. Sims is the oldest green business there is in the world. Their recycling work goes way back. There needs to be a buffer zone, he hires in Richmond and has over 100 young people working for him who are very diverse and who need jobs. He asked the Commission to implement the buffer zone and get the General Plan approved and stop spending more money on it.

Chair Duncan noted public comment has concluded. He thanked speakers who remained in the audience for their thoughtful comments and said it is very important that letters have been submitted. Over the next two weeks, the Commission has significant homework to do which will prove to be advisory to the City Council. The Council will need to vote on them and if they do not, they will return to the Commission for further discussion.

Chair Duncan closed the public hearing.

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| <b>ACTION: It was M/S (Soto/Choi) to continue PLN09-137: Richmond General Plan 2030 to October 20, 2011 at 6:30 p.m.; carried unanimously.</b> |
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## **COMMISSION BUSINESS**

### **4. Reports of Officers, Commissioners and Staff**

#### **Adjournment**

The meeting was adjourned at 9:50 p.m.