

PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
March 4, 2010
7:00 p.m.

COMMISSION MEMBERS

Virginia Finlay, Chair
Jeff Lee
Jovanka Beckles
Carol Teltschick-Fall

Nagarajo Rao
Charles Duncan
Sheryl Lane

The meeting was called to order by Acting Chair Lee at 7:05 p.m.

Acting Chair Lee led in the Pledge of Allegiance.

ROLL CALL

Present: Acting Chair Lee and Commissioners Beckles, Lane and Teltschick-Fall

Absent: Chair Finlay, Secretary Duncan, Commissioner Beckles and Rao

INTRODUCTIONS

Staff Present: Richard Mitchell, Hector Rojas, Hector Lopez, Kieron Slaughter, Allen Wolken and Carlos Privat

Brown Act – Public Forum – No speakers

MINUTES

December 9, 2009

ACTION: It was M/S (Teltschick-Fall/Lane) to approve the minutes of December 9, 2009; as written; unanimously approved.

January 7, 2010

ACTION: It was M/S (Teltschick-Fall/Lane) to approve the minutes of January 7, 2010, as written; unanimously approved (Beckles abstained).

CONSENT CALENDAR

Acting Chair Lee noted Consent Calendar items included Items 1, 2 and 3 on the agenda. Commissioner Lane requested removal of Item 3 from the Consent Calendar.

Acting Chair Lee provided an overview of the Consent Calendar, meeting procedures for speaker registration and public hearing functions and procedures. He said items approved by

the Commission may be appealed in writing to the City Clerk by Monday, March 15, 2010, by 5:00 p.m. and he read them after each affected item.

ACTION: It was M/S (Teltschick-Fall/Lane) to adopt the Consent Calendar consisting of Items 1 and 2; unanimously approved.

Items Approved:

- 1. PLN 09-012: Richmond Redevelopment Plan Amendments** -PUBLIC HEARING to consider a recommendation on the amended and restated Redevelopment Plan for the Richmond merged project area and accompanying EIR. Richmond Community Redevelopment Agency, owner/applicant. Planner: Jonelyn Whales. Tentative Recommendation: Recommend Adoption to City Council
- 2. PLN 10-022: Conditional Use Permit for an Auto Repair Shop** - PUBLIC HEARING to consider a conditional use permit for an auto repair shop at 243 23rd Street (APN: 514-033-006). C-2, General Commercial District. Grand Richmond Associates, owner; Gustavo Velado, applicant. Planner: Lamont Thompson. Tentative Recommendation: Conditional Approval

Item Removed from the Consent Calendar:

- 3. PLN 08-084: Kaiser Parking Lot** - PUBLIC HEARING to consider a request for an exception to the City Center Specific Plan that would allow a temporary surface parking lot with 175 parking stalls. Site bounded by Macdonald Avenue, 7th Street, 8th Street and Nevin Avenue (APN: 538-142-016). Central Business District. Kaiser Foundation Hospitals, owner; Anita Williams, applicant. Planner: Hector Lopez. Tentative Recommendation: Conditional Approval.

Hector Lopez gave the staff report, stating the request is for consideration of an exception to the City Center Specific Plan that would allow a temporary surface parking lot with 175 parking stalls. Kaiser is requesting a ten-year use of the site; staff has reviewed applicable regulations, determines that temporary parking can be approved and recommends a five-year period with additional extensions up to ten years.

The public hearing was opened.

Anita Williams, Applicant, Planning Director, Sacramento, noted they are a Kaiser Foundation architect team working on all Kaiser medical facilities throughout northern California. She introduced the project team as: Julie Hadnott, Kaiser Director of Public Affairs, Allen Birkett, Head of Kaiser's East Bay Capital Projects Team, and Donna O'Sullivan, Senior Public Affairs Representative. She said they read and concur with the staff report, specific project conditions and respectfully requested the Commission adopt the recommendation in Attachment 1 to allow the temporary surface lot.

Their project goals are to provide accessible and adequate parking for members, visitors and employees while continuing to meet the City's requirement to provide parking. They want to also create a focal point in contributing to the street character of Macdonald Avenue. They have taken dramatic design steps to ensure the lot will integrate into the community and be

compatible with the existing neighborhood, and want to ensure a safe transition for employees arriving and departing from the center and to have a positive connection with the community.

Ms. Williams discussed purchase of the property in 2006 as a vacant J.C. Penney's building and now a vacant lot used by Kaiser for construction purposes relating to the medical center expansion. She noted the property is within the Specific Plan area and she views it as an important bridge between the broader policies and goals of the general plan in that it outlines specific regulations, programs and legislation for local properties and land uses. She noted the plan was last amended in 2001 before Kaiser purchased the property and as such, it was designated for mixed use, high density residential. At the recommendation of the Planning Department, Kaiser seeks an exemption from the plan to develop a 175 stall employee-only surface parking lot. They see this land use as temporary and the exception is not expected to be needed for more than 10 years and concur with staff's recommendation. Upon approval, Kaiser will develop the lot to replace the required parking which will be lost when their lease for 170 stalls in the City-owned 12th Street garage expires in the summer. Kaiser members will continue to enjoy free access to the surface lot near the corner of Barrett and 8th Street and throughout the parking structure where employee parking is limited to the top two floors.

To more fully integrate the project, she said Kaiser will install interpretive markers and displays as well as historic artifacts relating to Kaiser's history in Richmond along the Macdonald Avenue frontage, and are working with the National Parks Service to actively seek up to two large shipyard or naval artifacts for installation to the site, which they believe will be in keeping with other community installations such as the Rosie the Riveter WWII Home front National Historic Park and the memory of Macdonald projects in place. In the commitment to use local resources, Kaiser is working with the Scientific Art Studio to design, fabricate and install the displays and exhibits. Other amenities will include landscaping, decorative fencing, and will compliment the recently installed streetscape improvements in the vicinity of Marina, Harbour and Macdonald.

They have made vehicular site access solely from 8th Street. There will be a staffed attendance booth with a gate at the driveway to prohibit disallowed access and avoid congestion. She described site lighting, a robust, environmentally friendly system of storm water control of bio swales, a new bus shelter along Macdonald Avenue, a crosswalk at the Intersection of Nevin and 8th Street.

She described the exemption as being in concert with the specific plan's transition to shield residential areas from commercial developments, and the static use will provide less disturbance than a public parking lot. The lot will serve as an opportunity for people to more fully explore the scale, diversity and complexity of Richmond's contributions to the American Home Front story. She had receipt of commemorative displays which she offered to discuss with the Commission, as needed, and said the project team was available to answer questions.

Public Comment:

Otheree Christian, President of the Iron Triangle Neighborhood, said they have been working with Kaiser on the project to ensure goals are met for the area, specifically the streetscape in order for the same design to be carried down from Harbour Way to Garrard. They support the request and said after five years, he hoped Kaiser looks at building permanently in order to fully develop the area with retail and commercial.

Arnie Kasendorf, said he volunteers in many areas and is proud as Chair of the Main Street Initiative, which is a non-profit organization to bring vitality back to the downtown. He said their

area covers Macdonald Avenue from 19th Street to 8th Street and one avenue over each way. While he supports the request and agrees with the former speaker, he would have rather seen Kaiser permanently construct, but supports this as a temporary fix and is hopeful that in the near future, Kaiser decides to move forward and bring a beautiful building to the area which will contain offices, storefronts, and enhancement to the area. Kaiser is a good partner, they help the community in many areas, and they support the request.

Commissioner Lane acknowledged supportive speakers as stakeholders in the area, noted this is an exception from the City Center Specific Plan, understands there must be a need for parking, and questioned Kaiser's future plans for permanent parking.

Ms. Williams noted their original need was to allow time to develop a plan for long term parking. She said their firm does a lot of work for Kaiser, similar industries and civic organizations. The planning involved for medical uses is a lot different than a civic or educational use where the planning horizon is much shorter, and this is why they wanted ten years. It does take a lot of time for various programming and needs assessments. They are hoping to stand by staff's recommendation which is a five year approval with the possibility for extensions beyond that. They are hoping to spend the first period of time to address long-term parking needs as well. If they return in five years with a plan either for a building and a campus as a whole, parking needs can be addressed at that time, as well as staffing, patient and member needs. However, currently, this enables them to end their lease at the 12th Street garage and still be able to provide parking.

Acting Chair Lee confirmed that if there are no plans for the facility now, the probability that a project will be shovel ready in five years is remote, and that the first five year segment provides an opportunity to plan for it.

Allen Birkett, Kaiser, said they are comfortable with the five years with the possibility for the extension, and will remain in dialogue with the City. He agreed that it takes a long time to plan and build.

Acting Chair Lee conveyed the need to start planning because it is not the City's desire for a parking lot to remain five years from now and he asked that Kaiser beginning planning.

Commissioner Teltschick-Fall agreed ten years is too long, echoed comments of Acting Chair Lee, but questioned the status of the original plan for the area and asked if this was still being looked at by Kaiser.

Mr. Birkett said many things are moving in the business and ownership, stating Kaiser has purchased another parcel in the center of the campus, and he would prefer returning with the appropriate Kaiser representatives to discuss this. Commissioner Teltschick-Fall confirmed that the other parcel of land was 325 Harbour; the inner block of the L-shaped parcel purchased by Kaiser. She felt it would have been better to know a little bit more about this, but was not sure how it could be addressed. She questioned parking for patients, and Mr. Birkett noted they would be parking in the parking structure, and they have one on campus. The City-owned structure is down the street and Kaiser leases space there for 170 stalls for employees which is expiring.

Commissioner Teltschick-Fall asked if Kaiser was willing to install a water permeable surface. Mr. Birkett said they have done this in other areas, but he was not sure about whether it was physically feasible for this site. Mr. Mitchell noted that the proposal will be returning to the

Design Review Board and they will be addressing all of the new standards that have to do with permeability of the pavement, as well as bio swales, and there will be an opportunity for those to be specified, and the design team is aware of this.

Commissioner Teltschick-Fall said she understands Kaiser wants to fence off the parking to protect the residential neighborhood from traffic flow, but depending upon what the fencing looks like, it could create something that is opposite what a vibrant downtown area should look like. She preferred seeing something else there or make it look as good as Kaiser can possible made it look, look into whether permeable surface can be done which would alleviate drainage problems.

Acting Chair Lee said if the Commission approves the request, the City would lose revenue and that usage.

Allan Wolken, Redevelopment Agency, said the Agency did not ask Kaiser to vacate. It is a business decision by Kaiser. They own the property where they are proposing development of the parking garage. They have been a very good tenant of the parking structure, have done many improvements to the structure, and he can see where they can put money into their parking lot on their property. This will also free up parking for the community downtown. The way the Agency structured the lease is that the community would have 50 spaces on the ground floor and the upper two floors would be used by Kaiser. In the evening after 8:00 p.m., the ground floor closes and the entire structure is Kaiser. This will free up parking for downtown Richmond for various businesses. Right next door, the East Bay Center for the Performing Arts will be completing their \$15 renovation project, and there will be many activities in the center, and the garage will be heavily used.

Acting Chair Lee said from the Agency's standpoint, the loss of revenue from the lease is outweighed by the potential community gain moving forward. Mr. Wolken added that prior to leasing it to Kaiser, there was a parking attendant and the City charged a nominal hourly rate. The Agency is thinking of having a ticket machine system. He noted there is a parking shortage downtown and opportunities exist for having a single user in the garage, as well.

Commissioner Lane questioned how the extension to ten years is reflected in the current resolution. Mr. Thompson noted it is found on page 2 of the resolution, which states, "Prior to issuance of a building permit, a deed restriction shall be filed on the property with the County Recorder's office stating that the applicant agrees to use the site, a surface parking lot, for a period of five years." He said prior to the expiration, they can apply for an extension. When or if they return for the extension, the City can review and determine the number of years it can extend.

Acting Chair Lee asked to strengthen this wording slightly, to state not to exceed five years. Mr. Thompson said this is premature, given the City does not know what the future holds. He would rather have it made available to the Planning Commission at that time to determine its appropriateness. By doing this, it would tie the hands of the Planning Commission. Mr. Lopez added that there is language in the condition that states, "Prior to the expiration, the applicant may seek an exemption of this exception by the Planning Commission provided that temporary parking shall not be permitted on the property for a period longer than 10 years." Mr. Privat noted that the language incorporates the 10 year cap and allows Kaiser to come in and pass for an extension of less than those five years; 1, 2, 3 or 5 years.

Commissioner Lane re-read the section previously read into the record by Mr. Lopez.

Acting Lee called for a motion to close the public hearing. Commissioner Teltschick-Fall abstained, and Mr. Privat noted there were only three votes and four votes are needed.

The Commissioners re-voted and the public hearing was closed.

ACTION: It was M/S (Beckles/Lee) to approve PLN 08-084: Kaiser Parking Lot, with the addition of new language which would include “prior to the expiration, the applicant may seek an extension of this exception by the Planning Commission provided that temporary parking shall not be permitted at the property for a period longer than 10 years.”; carried unanimously.

COMMISSION BUSINESS

4. Reports of Officers, Commissioners and Staff

Commissioner Teltschick-Fall reported meeting with the Mayor to find out more information about the LDA status of Pt. Molate EIR and the LDA status on how that relates to review of the EIR. She also held a fact-finding phone call with Allen Wolken concerning the Redevelopment Plan amendments.

Acting Chair Lee noted he also met with the Mayor and Commissioner Teltschick-Fall, and wished a speedy recovery to Chair Finlay and Commissioner Duncan. He also thanked staff for their assistance with managing the meeting.

Adjournment

The meeting was adjourned at 7:55 p.m.