

**PLANNING COMMISSION MEETING**  
**COUNCIL CHAMBERS, RICHMOND CITY HALL**  
1401 Marina Way South, Richmond, CA  
July 6, 2006  
7:00 p.m.

**COMMISSION MEMBERS**

Virginia Finlay, Chair  
Ludmyrna Lopez, Secretary  
Nagaraja Rao  
William Coleman  
Vacant

Vice Chair Stephen A. Williams  
Zachary Harris  
Vicki L. Winston  
Vacant

The meeting was called to order by **Chair Finlay** at 7:00 p.m.

**Vice Chair Williams** led in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chair Finlay, Vice Chair Williams, Secretary Lopez and Commissioners, Harris Rao (arrived late) and Winston

**Absent:** Coleman

**INTRODUCTIONS**

**Staff Present:** Hector Rojas, Janet Harbin, Mary Renfro, Lina Velasco

**Chair Finlay** gave an overview of the procedures for speaker registration and public hearing functions and procedures. She said any decision approved may be appealed in writing to the City Clerk by Monday, July 17, 2006 by 5:00 p.m.

**MINUTES** – There were no minutes for approval.

**CONSENT CALENDAR**

**Chair Finlay** noted the Consent Calendar consisted of Items 6, 7, 8, 9 and 10.

**Commissioner Harris** gave a report on the DRC where Items 2, 3 and 6 were discussed. He suggested moving Items 2 and 3 to the Consent Calendar. He recommended Item 6 be moved to the Consent Calendar with the following changes: Item 1 in Exhibit A should be corrected to read, "The access road shall be available for all three potential tenants"; and Item 4 in Exhibit A should be corrected to add, "water and sanitary sewer."

**Chair Finlay** referred to Item 1 and said the staff report neglected to place the appeal information on the bottom of the report and requested amendment of the report to read, "The Planning Commission's decision for tonight's hearing may be appealed by notifying the City

Clerk in writing and paying the appeal fee by 5:00 p.m. on Monday, July 17, 2006 stating wherein the Planning Commission's decision is in error.

**Chair Finlay** referred to Items 3 and 4, and said there were different verbiages used. Item 3 is being dropped from consideration and moved to the Consent Calendar as action taken by the Planning Commission because a letter of withdrawal was received by the applicant. Item 4 is an action by the applicant because staff had not yet received in writing the request for withdrawal by the applicant.

Items requested for removal from the Consent Calendar were Items 9 (Harris), Items 6 and 8 (public).

**ACTION: It was M/S (Williams/Harris) to adopt the Consent Calendar consisting of Item 2, 3 and 4 (with changes), 7 and 10; unanimously approved.**

**Consent Items Approved:**

- 2. EID/TM/GPA/RZ 1101112 – Point Richmond Shores at Dornan Drive and Brickyard Cove Road** - PUBLIC HEARING to consider the Point Richmond Shores project, also known as Terminal One, proposed by Toll Brothers, consisting of an Environmental Impact Report (EIR) with Mitigation Monitoring and Reporting Program; a General Plan Amendment; Rezoning to Planned Area District; Vesting Tentative Map; and, Design Review. The project site is located at Dornan Drive and Brickyard Cove Road and is proposed for construction of the following: a) approximately 330 residential condominium units contained within two-5 story buildings constructed over a parking podium; and, b) an approximately 1.9-acre public park. C-C, Coastline Commercial Zoning District. Redevelopment Agency, owner; Toll Brothers, applicant. Tentative Recommendation: Hold Over To 8/3/2006.
- 3. TPM 1102809 (TPM 754-06) – Tentative Parcel Map, Three Lot Subdivision on Capitol Hill Avenue** - PUBLIC HEARING to consider Tentative Parcel Map, TPM 754-06, to subdivide two existing lots, measuring 10,129 and 8,556 square feet in area, into three lots located at 5931 and 5943 Capitol Hill Avenue (APN 419-191-002 and 419-191-003). SFR-2, Very Low Density Zoning Residential District. Leo Edejer, owner/applicant. Tentative Recommendation: Application Withdrawn.
- 4. CU 1102819 – Expansion of Educational and Office Facilities at 999 Canal Boulevard** - PUBLIC HEARING to consider a Conditional Use Permit to allow the continuance and expansion of educational and office uses, and a request for a 25% parking reduction per Richmond Zoning Ordinance Section 15.04.850.060, at 999 Canal Boulevard (APN 560-310-053). General Plan Designation: Industrial Office Flex – 920, Public and Institutional – 964; Zoning Classification: M-1 – Industrial/Office Flex & PC – Public and Civic Uses Zoning Districts. Bom-Bay Partners, LLC, owner; Lucille Sansing, applicant. Tentative Recommendation: Application Withdrawn.
- 7. CU 1102797 – Live/Work Units at 431 First Street** - PUBLIC HEARING to consider converting of a vacant industrial building into 11 live/work units at 431 First Street (APN 538-042-029). M-2, Light Industrial District. MSH Properties, owner/applicant. Tentative Recommendation: Hold Over To 8/3/2006.

**10. CU 1103051 – Daycare Center at 2856 Garvin Avenue - PUBLIC HEARING** to consider establishment of a daycare center in an existing home at 2856 Garvin Avenue (APN 528-280-008). SFR-3, Single family Residential District. LaRhonda Martin, owner/applicant. Tentative Recommendation: Hold Over To 8/3/2006.

**Brown Act** – There were no speakers.

**Items Discussed:**

**1. CU/V 1102322 – Wireless Communications at I-80 & Solano Avenue - PUBLIC HEARING** to consider a Conditional Use Permit and a Variance from the 1,000 foot spacing between antennas requirement to allow the installation of a new ±40 foot high steel pole with three (3) panel antennas, two (2) equipment cabinets, and electrical and telco panels on a concrete pad on Caltrans property at I-80 and Solano Avenue, Caltrans, owner; Misako Hill, applicant. Tentative Recommendation: Conditional Approval.

Janet Harbin gave the staff report, said the applicant changed the location of the 42 foot antenna and pole contained within a faux pine tree to Solano and Amador Street, said the neighborhood council recommended approval and recommended approval.

The public hearing was opened.

Misako Hill, Cingular Wireless, agreed to all conditions and was available to answer questions.

There were no public speakers and the public hearing was closed.

**ACTION: It was M/S (Harris/Winston) to adopt the required findings for conditional use permit and variance/exception review and approve CU/V 1102322 with conditions A-G as listed in the staff report; unanimously approved.**

**5. GPA 1102866 – Tides General Plan Amendment at 3185 Garrity Way - PUBLIC HEARING** to consider a General Plan Amendment to change the land use designation from 930/Regional Office Shopping to 922/General Commercial for a ±11.2 acre parcel with an existing 200 unit apartment community at 3185 Garrity Way (APN 405-290-068) in a C-3, Regional Commercial district. Fairfield Hilltop L.P., owner/applicant. Tentative Recommendation: Recommend Approval to City Council.

**Janet Harbin** said the project meets the general plan goals and policies which were outlined in the staff report, and recommended approval.

Shannyn Henkel, Fairfield Hilltop L.P., concurred with staff's recommendations and requested Commission support of the general plan amendment.

**Chair Finlay** noted that both a hotel and apartment complex were to be built and received a historical background on the original plan from Ms. Harbin and the applicant.

There were no public speakers, and the public hearing was closed.

**ACTION: It was M/S (Winston/Williams) to adopt Resolution No. 06-13, Attachment 2 with the General Plan Map attached as Exhibit A, recommending approval of GPA 1102866 to**

**the City council, based on findings and subject to the previously approved Conditions of Approval for DR 02-21, the original development; unanimously approved.**

**6. MS 1102914 – Three Lot Subdivision at 3655 Collins Avenue - PUBLIC HEARING** to consider a tentative parcel map to subdivide an 8.45 acre parcel into three parcels varying from .88 acres to 6.32 acres in size at 3655 Collins Avenue (APN 408-060-012). M-2, (Light Industrial) Zoning District. Durkee Properties, LLC, owner/applicant. Tentative Recommendation: Conditional Approval.

**Lina Velasco** gave the staff report and recommended approval of the tentative parcel map subject to conditions of Exhibit A attached to the resolution. The DRC recommended additional changes to the language, as follows: Item 1 in Exhibit A should be corrected to read, “The access road shall be available for all three potential tenants”; and Item 4 in Exhibit A should be corrected to add, “water and sanitary sewer”, and the applicant concurs with the recommended changes.

Carey Andre, Durkee Properties, LLC, concurred with conditions, said they plan to develop CC&R’s and control the smaller parcels, with ownership of the largest parcel.

Public Comments:

Ethel Dotson, opposed the project and cited traffic and site contamination issues.

Whitney Dotson, Chair of Parchester Village Neighborhood Council, distributed a letter from the neighborhood council, cited traffic, noise, clean up, lighting, landscaping, building design, and drainage issues, and asked that the applicant and residents meet and resolve issues.

**Commissioner Winston:** Questioned the toxic report and confirmed with Ms. Andre that orders for cleanup were issued and scheduled in the general area, but there were no known contaminants on the particular parcels under consideration.

**Chair Finlay:** Felt the issues of the neighborhood council should be dealt with at the time there is a specific application for a project.

**Commissioner Lopez:** Confirmed there was illegal dumping currently occurring on Martin Avenue and Ms. Andre noted they would require maintenance of the site to City standards.

*Rebuttal*

Ms. Kiwanda, Durkee Properties, said the site planned to be subdivided did have environmental issues, the former owner is mandated to have 50 wells for a five-year monitoring period, and over the last year and a half, none have shown contamination over drinking standards in the ground water. She said it has always been their intention to emphasize the Collins Avenue entrance over Morton Avenue, and there are no large, big rig trucks in the area.

Ethel Dotson, felt contamination was an issue and asked the Commission to hold off on approval until the issues were resolved.

**Ms. Velasco** gave staff summation and recommendation.

The public hearing was closed.

**ACTION:** It was M/S (Harris/Winston) to adopt Resolution 06-14 in Attachment 1 making the appropriate requisite findings as prescribed for the proposed tentative parcel map by the Subdivision Map Act and approve TPM 752-06 (MS 1102914) subject to the conditions of approval set forth as Exhibit A of the attached resolution, with the provision of the following amendments to Items 1 and 4 as follows: Item 1 in Exhibit A should be corrected to read, "The access road shall be available for all three potential tenants"; and Item 4 in Exhibit A should be corrected to add, "water and sanitary sewer."; unanimously approved.

**8. V 1102836 – Variance for Two Detached Dwelling Units at 312 Golden Gate Avenue - PUBLIC HEARING** to consider Variances to construct two detached dwelling units on a vacant lot located at 312 Golden Gate Avenue (APN 558-291-004). Each dwelling unit will be ±1,914 square feet. The variances requested are for exceptions to minimum setback requirements and distance requirements between structures. MFR-1, Multi-Family Residential Zoning District. William Barrera, owner; Jay Betts, applicant. Tentative Recommendation: Conditional Approval.

**Lina Velasco** gave the staff report, said a petition was signed/received by 12 area residents and two letters in opposition of the project citing compatibility, landslides, and impacts on the Pt. Richmond historic district designation. Ms. Velasco believes conditions 4, 7, 8, 9, 12 and 16 address issues regarding slope stability, existing multi-family development in the area and said the DRB reviewed and unanimously approved the proposal on May 24, 2006, and staff recommended approval.

Jay Betts, Architect/applicant, gave a background of the proposal, said they met with neighbors on April 4 and reviewed their concerns, met separately with the neighbor to the north in May and reviewed her concerns, discussed changes made which addressed concerns, was surprised after receipt of the petition, disagreed with its content, discussed architecture of the proposal, voiced concerns regarding the process, agreed to do more work with the neighborhood if required, and requested approval of the project.

**Commissioner Harris:** Asked for an explanation of improvements on Golden Gate Avenue relating to the width of the road at its entrance.

**Chair Finlay:** Asked for an explanation of unit and street parking improvements.

Public Comments:

William Barrera, Owner, questioned why there was opposition to the project, said the applicants have worked to address many issues, and felt many changes were made.

Paul Hayashi, empathized with petitioners but felt the improvements would benefit the neighborhood and its homes.

Sigrid Laing, supported the development of the lot and spoke highly of the architect's reputation.

Dennis Rydgren, could not understand why there was opposition to the proposal, said surrounding homes were large and noted that neighbors who signed the petition had previously agreed to the current revised proposal.

Carolyn Rydgen, supported the proposal with the modifications that have been made.

Jeff Lee, verified that the project did come before the Pt. Richmond Neighborhood Council a couple of times wherein it was recommended for approval as presented.

Jerry Feagley, felt the owner has gone out of his way to meet with neighbors and modifications have been made to the proposal, felt it meets all of the planning criteria and felt it was well designed and should be approved.

Diane Anderson, hoped the Commission approves the proposal, felt the architect has worked diligently with the neighbors to resolve problems and was sympathetic to the owner because he has the last developable lot.

Wendy Morton, opposed the proposed plans for construction, felt the site was within the historic district of Pt. Richmond and all three bordering homes were contributing historic structures, said the proposal does not follow the design review guidelines for the historic structures code in scale, design, ratio of open space to structures, and adverse effect on existing contiguous properties. She said the building would block her view, light, all visible sky from her windows, and from the studio garage space that she works from, voiced privacy concerns, the proposal would reduce her property value by \$30,000, said the square footage was over three times the size of her home, felt the architecture was modern and too massive, felt the project should have less impact on the neighbors and asked to reduce the square footage and remove the master bedroom.

John Droutsas, agreed the applicant has worked to resolve many of the issues, supported the project's traffic and aesthetics, but voiced concerns after a story pole was erected and requested reducing its height.

**NOTED PRESENT:**

**Commissioner Rao** was noted present at 8:45 p.m.

Susan Snyder, voiced concerns that the project would have on the character of the neighborhood.

Richard F. Neidhardt, said he changed his position of support after the story pole was erected for the project, felt the proposal could be lowered by excavating the driveway into the hill which would bring it more into character with the neighborhood.

Bonnie Jo Cullison, said she initially supported the project but did not after the story pole was erected and requested lowering the mass and height of the building.

*Rebuttal:*

Jay Betts, Architect/applicant, said all homes above on Golden Gate would look over the proposal, as  $\frac{3}{4}$  of the project's first floor was above the roadway and the neighbor's homes were another 15 feet higher than this, felt sloped roofs would increase the height and supported flat roof design, felt landscaping would address privacy and there would be no one able to look into the neighbor's side yard, there would be no sunlight lost, and there was no adverse effect to the neighborhood as far as historic significance.

Bonnie Jo Cullison, said she would look directly at the building and not over the top of it, and asked that the building conform to the character of the neighborhood in its size, height and massiveness.

**Lina Velasco** gave the staff summary and recommended that the Planning Commission concur with the Design Review Board findings, concur with the variance findings, and approve the proposal. She noted two correspondences were received during the meeting for the record; one letter from Jay Betts and a letter from Gary Schows at 229 Golden Gate Avenue.

**Commissioner Winston:** Questioned whether the ceilings could be reduced, and **Ms. Velasco** noted the first floor was 8 feet; second floor, 10 feet and noted the height of the structure was 3 feet over what the building code required. She

**Commissioner Harris:** Referred to the windows on the north side and asked that a condition be written to revise the design of those windows. **Commissioner Winston** suggested the additional condition state, "That northerly second floor windows be modified in such a way to minimize views of the adjacent property, subject to review and approval by the Planning Director and/or his designee." He also requested Condition 1 be amended to read, "...stamped by the Architect on February 23, 2006 and received by the Planning Department on June 30, 2006."

The public hearing was closed.

**ACTION: It was M/S (Winston/Williams) to adopt the Design Review Findings 1 through 4 outlined in the May 24, 2006 DRB staff report, attached as Exhibit E; adopt the Variance Findings 1 through 5; and approve the requested variances to reduce the required front yard setback from 7.5 feet to 3 feet and the side yard setback from 5 feet to 0 feet for the purpose of constructing two detached dwelling units on the vacant lot located at 312 Golden Gate Avenue, subject to the 23 conditions as listed in the staff report; that Condition 1 be amended to read, "...stamped by the Architect on February 23, 2006 and received by the Planning Department on June 30, 2006."; and with an additional condition 24) That northerly second floor windows be modified in such a way to minimize views of the adjacent property, subject to review and approval by the Planning Director and/or his designee; and that the testimony heard this evening regarding Martinez Street would not be applicable, as it would not be an improved street in the foreseeable future; Vote: 5-0-1 (Rao abstained).**

**9. CU 1102841 – 66 Unit Senior Housing Complex at 300-338 and 400-412 Macdonald Avenue - PUBLIC HEARING** to consider proposal to construct a 66 unit senior housing complex consisting of two 3 story buildings of 27,134 and 31,686+ square feet building with 1,646 square feet of retail space at 300-338 and 400-412 Macdonald Avenue (538-200-004 & -005; 538-210-002 & -003). C-1, Neighborhood Commercial District. Richmond Labor of Love Community Development, owner; The Related Companies, applicant. Tentative Recommendation: Conditional Approval.

**Janet Harbin** gave the staff report and described the proposal, questioned concerns related at previous public hearings regarding security at the location, said the DRB reviewed the project on June 13<sup>th</sup> and found it to be acceptable and recommended approval; however, they requested the project be returned to the DRB for final design.

The public hearing was opened.

Randy Lande, Executive Director, Richmond Labor of Love Community Development Corporation, discussed the history of the property acquisition, supported the project, and asked the Commission to move forward in the project's approval.

Kim McKay, co-partner with Richmond Labor of Love Community Development Corporation, described the 66-unit affordable housing project exclusively limited to seniors, said the project was reviewed by the neighborhood council, received comments from the DRB and residents having to do with shadows cast on properties, said because of the need for meeting the deadline for funding the DRB requested the project be returned, but approved in concept.

Ron Henley, Michael Willis Associates, Architect, felt the project was of high quality and important for the neighborhood, felt it would provide needed affordable senior housing, presented pictures of the immediate vicinity of the project area, historic buildings on Macdonald closer to the downtown, describe architecture, landscaping, and noted there would be 1600 square feet of retail space in Building A.

**Commissioner Winston:** Felt the biggest concern was the tower height. **Ms. Harbin** said the applicant, because of timing issues, wanted to move forward without making design changes and return to the DRB or ask that the Planning Commission approve the conditional use permit but possibly not the design review application.

Natalia Lawrence, HCD-Redevelopment Agency Project Manager, asked the Commission to consider separating the use proposed for the item and make a decision on the use at the project's location. Staff could then return the item to the DRB to iron out details of the project. She noted the DRB approved the design in concept, but because of the timing issue, they wanted it returned for addressing final detail items.

**Commissioners** discussed the process for the project moving forward. **Ms. Harbin** noted the DRB's comments relate solely to the design and agreed to the concept of the massing and the bulk of the structures, but wanted further detailing to return to them.

**Commissioner Harris:** Voiced concerns relating to minimizing the ability of people to look into units and security of the ground floor windows. Mr. Henley said no one could see into the units unless they were looking up into the ceilings, said the 5 foot wide planting strip could be pushed out another 2 feet beyond the property line and provide thorny bushes to deter intrusion.

**Commissioner Rao:** Confirmed the project met floor area ratio and ADA requirements and discussed funding for the project included low income housing tax credits which create the equity for the project, Redevelopment Agency funds and some private funds. He suggested the inclusion of iron fencing around the project and Ms. McKay was not sure whether the DRB would support a gated community but was open to the suggestion.

**Chair Finlay:** Felt the senior age limits and screening process should be strictly followed, supported the concept, questioned the project's review process, questioned elevator, stairwell, and laundry facility locations, confirmed that parking would be ½ space per unit, and voiced concerns with security of the ground floor.

Ms. McKay and Mr. Henley discussed the process of the proposal, issues relating to security, retail, design, and living environment.



**Commissioner Winston:** Voiced concerns about time spent on conditions for approval of the project, the parking ratio, voiced concerns with people congregating in the overhang during rainy weather, and Mr. Henley said they were heavily encouraged by staff and the DRB to include canopies and felt this would be subject to design review.

**Commissioner Lopez:** Felt security was a major issue, questioned unit locations along the street for Building B, suggested making the green space a closed courtyard with access to the building.

Public Comments:

Nzinga Kalimonjaro, Iron Triangle Construction Committee, voiced support for the project, said there was currently illegal activity on the property and she felt the project would significantly improve the area.

Reverend Andre Shumaker, Sr., asked that the Commission support the conditional use for the project to move forward and get the tax credits for funding the project, felt the Iron Triangle needed positive change, and said they would have to wait until next year for the next round of funding if the Commission did not approve the proposal.

Fred Jackson, supported the project, cited homicide and crime statistics in Richmond, and asked for the project's approval.

Natalia Lawrence, said the project was one of three on Macdonald Avenue that the Agency was funding, said it was a process that was very calculated, she re-emphasized their efforts to coordinate new improvement in the area and provide housing for several sectors of the Richmond population. She discussed the 11-unit housing project called Nevin Plaza, a 24-unit housing project called Lalay Jones Plaza, the 66-unit senior housing and retail project, and development of market rate housing. She discussed funding mechanisms through the Agency's loan agreements where they can place conditions on funding of the project as it moves ahead and felt there would be benchmarks and conditions for the disbursement of funds, as well as approvals in place prior to building permits being issued. Regarding security, she said the project was a community effort to change the Iron Triangle, said the Agency was putting significant seed money into the project, felt coordination would be maintained with police, fire, the neighborhood council, and Agency/City officials and asked for support of the project.

**Mary Renfro** questioned if there was a disposition and development agreement in place, and Ms. Lawrence said they would enter into a loan agreement which would provide specifics on the terms of the development and operation of the facility, as well as a purchase and sale agreement that has conditions in it regarding terms of development.

**Commissioner Harris:** Referred to condition 6, and asked that in addition to Building C, that Building A, B and the entire site be included under that condition. **Chair Finlay** felt Condition 1 dealt with Building A and B and Condition 6 dealt with Building C.

**Mary Renfro** noted Condition 6 was actually beyond the scope of the Planning Commission to delegate its authority to the Agency Director and proposed that it be stricken and revise it to read: "The development shall be in substantial conformance to and meet the benchmarks of all loan agreements and regulatory agreements between the Redevelopment Agency and the developer."

**Chair Finlay** also requested revision of Condition 1 to read: "Design of the project of Building A and B shall be subject to..." She requested staff consider scheduling more often study sessions to inform the Planning Commission of upcoming projects.

Ulis G. Redic, Mt. Zion Baptist Church, felt past indicators would carry forward and the two Richmond senior housing complexes (Hacienda and 24<sup>th</sup> and Nevin Center) have denigrated to crime infestation, felt the same would occur with this project, felt revitalization efforts in other cities focused on business and ownership, was opposed to the DRB approval review and process, and felt the project was not well thought out.

*Rebuttal:*

Randy Lande, Executive Director, Richmond Labor of Love Community Development Corporation, said there is a plan and a vision for the project, felt incidents were isolated in some cases, felt the project would bring life and light to Fourth Street.

Ulis Redic, felt statistics show what has happened to the other senior complexes and felt it was a short-sighted fix to a problem that would lead to greater problems.

**Janet Harbin** gave the staff summary and recommends approval of the proposal subject to conditions.

**Commissioner Rao:** Questioned whether a 6 foot security fence was allowed with the current zoning, and **Ms. Harbin** discussed requirements for 4 and 6 feet fencing, noted the City's policy was for projects to not necessarily be fenced off.

The public hearing was closed.

**Commissioner Winston:** Said she was not sure if she was able to make Finding 2 based on the Staff Statement and felt the design was not compatible to the safety of the persons residing at the project. She proposed the Staff Statement be revised to: "Criterion conditionally satisfied. *If the design elements of the project as required by the Design Review Board maximize the safety and welfare of the persons residing in the proposed use, then this criterion is satisfied.*"

#### **EXTEND MEETING:**

ACTION: It was M/S (Harris/Rao) to extend the meeting to 11:15 p.m.; unanimously approved.

**Commissioner Winston** discussed how to frame the motion based on wanting the project approved and the desire for the project to return the project to the Design Review Board. **Mary Renfro** said the Commission could amend the Staff Statement, but not Finding 2 language.

ACTION: It was M/S (Winston/Harris) that the Planning Commission concur with the attached Design Review Board Report adopting Design Review Permit Findings 1, 3 and 4 and Conditional Use Permit Findings 1, 3 and 4 and the amended Staff Statements for Finding 2 to read:

*"Criterion conditionally satisfied. If the design elements of the project are incorporated as required by the Design Review Board maximize the safety and welfare of the persons residing in the project, then this criterion is satisfied."*; and thereby approve **CU & DR 11002841** subject to conditions 1 through 5";

Delete Condition 13 of the Design Review Board conditions; and

Strike Condition 2 of the Planning Commission conditions (regarding Title 24 energy efficiency requirements); and

Strike Condition 3 of the Planning Commission conditions (regarding moldings); and

Strike Condition 4 of the Planning Commission conditions (regarding transom windows).

Strike Condition 6 of the Planning Commission conditions and replace with:

“The development shall be in substantial compliance with loan agreements and regulatory agreements entered into with the Redevelopment Agency” and revise Condition 1 to read, “Design of Building A and Building B of the project shall be subject to the review and approval of the Design Review Board. Prior to application for building permits final building elevations and sections, site, floor, landscape, lighting, signage, circulation, site furnishings, roof plans, and security issues shall be submitted to the Board. All and any conditions, changes or ameliorations required by the Board shall be considered conditions of this Conditional Use Permit.”; and

Vote: 6-0.

#### **EXTEND MEETING**

ACTION: It was M/S (Rao/Winston) to extend the meeting to 11:30 p.m. Vote: 5-0-1 (Williams abstained).

#### **COMMISSION BUSINESS**

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

###### **Elections:**

**Commissioner Rao** reported on the Nominating Committee, and the Committee recommended Virginia Finlay to serve as Chair, Ludmyrna Lopez to serve as Secretary and Stephen Williams to serve as Vice Chair for their next terms.

ACTION: It was M/S (Rao/Winston) to close nominations; unanimously approved.

ACTION: It was M/S (Harris/Winston) to approve the slate of officers as put forth by the Nominating Committee; unanimously approved.

**Hector Rojas** reported the scheduling of community workshops for the General Plan update.

**Mary Renfro** reported a meeting was held on structuring the relationship between the Design Review Board and the Planning Commission, said retreats were helpful and one was tentatively scheduled for October.

**Commissioner Winston** questioned the status of Commissioner Coleman. **Chair Finlay** said his term ended effective June 30, 2006 and the Mayor was actively pursuing new members.

**Commissioner Rao** said he attended a North Richmond Neighborhood Council meeting and the Toxics Coalition and reported significant opposition.

**Chair Finlay** reported on her attendance to the Marina Bay Fourth of July Fireworks event and thanked staff.

The meeting was adjourned at 11:25 p.m.

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