

PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
October 1, 2009
7:00 p.m.

COMMISSION MEMBERS

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

Vice Chair Nagarajo Rao
Charles Duncan
Sheryl Lane

The meeting was called to order by Chair Finlay at 7:10 p.m.

Vice Chair Lee led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Finlay, Vice Chair Lee, Secretary Duncan, and Commissioners Beckles, Lane, Rao and Teltschick-Fall

Absent: None

INTRODUCTIONS

Staff Present: Jonelyn Whales, Janet Harbin, Carlos Privat, Richard Mitchell, Allen Wolken and Jim Branch

MINUTES

October 14, 2009

October 28, 2009

Chair Finlay noted minutes were received in their packets, but she did not have time to review them, and therefore asked that they be held over until the next meeting.

ACTION: It was M/S (Rao/Duncan) to continue the approval of minutes of October 14 and 28, 2009 to November 5, 2009; unanimously approved.

CONSENT CALENDAR

Secretary Duncan stated that the Consent Calendar consisted of Item 4. Chair Finlay requested Item 3 be added to the Consent Calendar.

ACTION: It was M/S (Rao/Finlay) to adopt the Consent Calendar consisting of Items 3 and 4; unanimously approved.

Items Approved:

3. **PLN 09-026: MIRAFLORES HOUSING DEVELOPMENT PROJECT - PUBLIC HEARING** to consider recommending approval of a General Plan Amendment, Rezoning, and adequacy and certification of the project Environmental Impact Report (including draft and final EIR, with associated Technical appendices) to the City Council for the construction a 230 unit housing development, including 80 units of affordable senior housing and 150 units of for-sale market rate units, at the site generally bounded by South 45th Street to the west, Wall Avenue to the south, Interstate 80 to the east, and the BART tracks to the north (APN: 513-321-001, 513-321-003, 513-330-001,-002,-003, -005, -006,-007, and -012 through-014). SFR-3 (Low Density Residential) & SFR-3/EA (Low Density Residential/Exclusive Agriculture) Zoning Districts. Applicant: Richmond Redevelopment Agency. Planner: Lina Velasco. Tentative Recommendation: Hold Over To 11/5/2009.
4. **CITY OF RICHMOND, COMMUNITY DEVELOPMENT (REDEVELOPMENT) AGENCY – MEADE STREET BY-PASS ROAD – PUBLIC HEARING** for consideration and recommendation to the City Council of the proposed project and the associated Mitigated Negative Declaration to construct a two-lane temporary bypass road near the intersection of Meade Street and Regatta Boulevard west of I-580 to minimize vehicular traffic congestion due to existing railroad operations. General Plan designation: Industrial/Office Flex (920); Zoning District: M-1, Industrial/Office Flex. Applicant: Richmond Redevelopment Agency. Planner: Jonelyn Whales. Tentative Recommendation: Recommend Adoption to City Council.

Brown Act – No Speakers

STUDY SESSIONS

1. **GENERAL PLAN UPDATE PROGRAM: PRESENTATION AND DISCUSSION – PRESENTATION** on the General Plan Update. Applicant: City of Richmond. Planner: Lori Reese-Brown.

Chair Finlay announced that the 27 speakers will each be limited to 3 minutes per person.

Richard Mitchell, Planning Director, said this is a continuation of the discussion of the General Plan Update and an opportunity for the Commission to take additional comments. Tonight represents the closing of the Public Comment period. After tonight, comments will be organized and will become part of the process.

Vic Consuit [?? Spelling], Berkeley, Consulting Project Manager for MIG, said most of the existing conditions analysis has been completed and outreach has been conducted. They prepared a draft document that staff had reviewed earlier this year. The public review period lasted from July 15, 2009 to October 1, 2009. Over the next month they will revise the draft by taking into account comments from the public and the Planning Commission. They may schedule a third round of Planning Commission meetings in which they would ask the Commission to make a recommendation to the City Council, and anticipate that a public review EIR will be available by the end of November, followed by a 45-day review period in which the public can comment on the EIR. The plan will be ready for adoption in March, 2010.

Vice Chair Lee asked how much of an impact the comments will have on the General Plan. Mr. Consuit suggested the Commission would not make a recommendation to the City Council if the

public's comments were not adopted in the General Plan. They plan to document all public comments and present them back to the Planning Commission for review. They will update the General Plan based on those comments and bring a revised draft to the Commission at the end of November. Mr. Mitchell said most of the comments they have received were clarifications and map color changes. So far, they have not seen comments stating that the Plan is fundamentally going in the wrong direction.

Commissioner Lane asked for an update on the Housing Element since it was not listed in the timeline. Mr. Consuit said it is underway and there will be a public outreach component to it, but it has not yet been released for public review.

Chair Finlay said she will not recommend adoption of this General Plan until she sees the changes that were being discussed. She thinks there have been some fundamental changes that must be made and they should expect major revisions.

Commissioner Teltschick-Fall agreed and said she has a tall stack of comments on her desk. She wondered if staff could provide the Commission with tallies of the comments into categories.

Public Comment:

Dietmar Lorenz, Richmond, presented a photo montage that shows the potential impact of 55-foot tall buildings along San Joaquin. Many comments have been sent by himself and his neighbors by email and letter. The impacts will be on views and increased density in the area. The only access points to the area are via Central and Carlson, both of which are already problematic. It will also fundamentally change the character of the shoreline. He pointed out the importance of planning so that tall obstructions are not built in front of someone's property, stated that there is no bus or BART in the area, and the density that is proposed is completely out of tune with what it ought to be. Their neighborhood is very stable and solid with a lot of pride, and that relates to the unique Bay view they have. That view is why everyone moved to that area and why it is such a stable neighborhood. The General Plan as proposed will destroy something that is already good.

Bill Pinkham, Richmond, said he has been a resident of the Annex for over 20 years. He is on the Board of Directors of various commissions concerned about the safety of pedestrians and bicycle riders. He discussed the proposed change of the Point Isabel area from light industrial to regional commercial. The intersection of Riden Road and Central Avenue is in the middle of one of the most heavily used areas of the Bay Trail. He has had a number of very close calls at that intersection. If this area is designated regional commercial, the increase in traffic will significantly increase the dangers to pedestrians and bikers. Changing the zoning will result in many more serious accidents and he feels it is an extremely bad idea.

Mary Selva, Richmond, President of Richmond Annex Neighborhood Council, said they have been reviewing the General Plan for a long time and have submitted 6-7 pages of comments. Specific goals and policies for the Richmond Annex area that are in the current General Plan are not in the new General Plan, and they would like those rolled over. The goals and policies have to do with schools, parks, residential areas, and land use areas. They are also opposed to the land use change at Point Isabel; the types of uses allowed under regional commercial would overburden the area and she agreed with Mr. Pinkham's comments regarding the current traffic in that area. She also agreed with Mr. Lorenz's comments that people purchased homes in the San Joaquin area because of the view.

Garland Ellis, Richmond, Vice-President of Richmond Annex Neighborhood Council, said he has lived for over 50 years in Richmond Annex. The proposed changes would be greater than what he has seen in the past 50 years. Buildings up to 50 feet are being proposed in an area where it is now 35 feet. The Pacific East Mall is surrounded by residential single-story houses. Under the new proposal there could be 55 feet anywhere within that property line. There are no buffer zones, and many of the residential homes' back yards back right up to the mall. He noted the problem of separate cities adding development in the area without looking at the cumulative effect. El Cerrito and Richmond each want to increase commercial and build taller buildings. None of the traffic studies consider the cumulative effect, and he requested a more realistic look at what is being planned for the entire region, especially Central Avenue.

Vincent Dentamaro, Berkeley, said he is very concerned about the dog park at point Isabel. He is against the re-zoning of the area to regional commercial mixed use. This change would lead to potential development of stores and housing in the park, which would produce a high intensity of development and use next to the dog park. This will impact the park users, neighborhood, and environmental conditions and wildlife in the area.

Joshua Genser, Richmond, said this plan is not ready and needs huge numbers of changes. He suggested they need at least as much time the second time around to review the document as they had the first round. Throughout the entire document there are action items that would commit the City to do these items because they are in the General Plan, when these items should require vote of the people. They do not belong in the General Plan. He is the owner of property on the North Shoreline, and that area has no land use designation. He believes that is unwise and unlawful. A General Plan cannot say a property is not planned and nothing can be done with it until it becomes designated. He believes it should retain the zoning it had under the old General and Specific Plan, which was business/light industrial.

Stan Davis, Pittsburg, said he owns 238 acres on the North Shoreline. He was encouraged to purchase the property and develop it. It is currently zoned light industrial and he would like it to stay that way.

Robert Herbst, San Rafael, said he owns 8 lots at an industrial park. Over the last 3 years he has worked together with the Richmond Redevelopment Agency to develop a community called Bayside Village that complied with the existing light industrial zoning of the property. There is little definition of the zoning of that area in the draft General Plan. Given that uncertainty, he requested the land-use designation of light industrial remain unchanged in that area.

Eleanor Yukic, Albany, said she is a member of Point Isabel dog owners and visits Point Isabel. None of the environmental groups wish to see that property re-zoned. She said it is a shame that the area did not remain recreational, and requested not re-zoning the area. In the previous General Plan there were several sentences stating the park would be preserved, and she thinks it is too bad that was left out of the current draft plan.

Chair Finlay asked Mr. Mitchell to clarify the zoning of the park. Mr. Mitchell said Point Isabel and the dog park would remain unchanged. The zoning change is confined to the structures that exist, such as Costco and the Postal Office, and the plan does not contain any recommendation to re-zone any park. Chair Finlay noted this has been one of the great misconceptions of the General Plan.

Commissioner Teltschick-Fall said several people have asked her about the park. They understand that they are not re-zoning the park itself and are concerned about the higher density and zoning around it and how that will impact the experience and access to the park.

Mr. Mitchell said they looked at existing uses in the development of the General Plan. Costco is very successful in that area. They used the proper zoning for what exists in that location and there is no pending proposal to build anything additional in that location.

Al Engel, Richmond, representing North Richmond Properties, said they have over 25 tenants and over 100 employees who will be greatly affected if their zoning changes. The zoning is currently heavy industrial and he thinks the whole corridor should remain heavy industrial. If it is changed to business mix it will be a nonconforming use.

John Marques, Richmond, said the corridor between the railroad tracks in North Richmond is currently zoned heavy industrial. He has toured that site and it is clear that the businesses there are heavy industry. He agreed with Mr. Engel and said if it is down-zoned in any fashion and any of those tenants move, they would never be replaced.

Daniel Murray, Mill Valley, representing Murray Parkway Partners, said they own property in the South of Parchester designation area. It is currently zoned light industrial. The new designation is ill-defined and makes it unclear what rights they have as property owners. They would prefer the zoning of the property remain business light industrial. Changing the zoning would decrease job opportunities in the area. He also commented on the proposed change area 12, map 314 in the draft General Plan, which shows a significant part of their property designated for open space. They are in full support of keeping the wetlands on their property as open space. Their concern is the draft General Plan does not include notes stating where the wetlands are located, and the size of the open space is larger. He requested the reason for the definition of open space on their property be specifically noted in the General Plan.

Debra Dodge, Richmond, said she has lived in the Richmond Annex for 18 years and is a business owner and a property owner. She disagreed with Mr. Mitchell's argument that the zoning designation should match Costco's location. She uses the area and feels it is a bad plan to consider increasing density in that area. The zoning that exists currently is reasonable for that area and it should remain as is. She stressed the importance of protecting the existing shoreline.

Richard Poe, West Palm Beach, FL, Virtual Development Corporation, said they have been in Richmond for 25 years in contract with the City. He pointed out the large number of jobs that Richmond is losing. Light industrial zoning is more flexible and brings workers and jobs and he proposed a national monument in the Marina Bay area.

Mary Jean Moore, Richmond, said she lives in Richmond Annex, and she encouraged the Commission to keep the current zoning around Point Isabel. She said changing the zoning promotes developers' interest but does not promote the interests of the residents who live there, nor the interests of wildlife or the City of Richmond. Changing it to a higher intensity use would destroy a sensitive wildlife habitat. Hoffman Marsh is right across the street from Riden Road where the increased development would be occurring. Wildlife that currently lives at Point Isabel would not stay near high intensity developments. She pointed out that the land would liquidate in an earthquake and it is irresponsible to promote the use of this land as high intensity.

Sylvia Falcon, El Cerrito, said Map 3.2.A in Element 3.162 shows the entire Point Isabel dog park in red, which shows it is designated regional commercial mixed use. She also questioned the future of Central Avenue which was stated to include a mix of high intensity regional development that is adjacent to open space and ecologically sensitive marshlands. She questioned whether convenient regional access is possible in that area and pointed out that the freeway is a boundary between high intensity uses on one side of the freeway and the other side where the wildlife sanctuaries exist should not be high intensity use. If that area is changed to high intensity then no public hearings would be required for development.

Brian Grunwald, Oakland, spoke about the South of Parchester area, specifically the 238 acres purchased by Bay Area wetlands. He stressed the importance of keeping the underlying land use designation as business mix light industrial. He requested the Specific Plan area include the entire 238 acres of the Bruner Marsh as in the plan district boundary. The open space overlay zone should be removed or better defined because it is a carryover from the North Richmond Specific Plan that had inaccurate data. He also requested more consistency in the allowable uses of the South of Parchester area.

Lindy Turner, Richmond, said she is opposed to the rezoning and redevelopment proposal because it will affect the park and wildlife. She questioned whether there are already enough vacant commercial buildings available that could be utilized instead of developing that area. She said it is important to keep the few areas of Richmond that are beautiful and safe such as Point Isabel. She pointed out the traffic congestion in the area and said it would be a travesty to spoil such a beautiful area. It is one of the few positive impressions that people in other counties have of Richmond.

Jim Cannon, Walnut Creek, said he has worked in Richmond for the past 25 years and represents the Richmond Terminal and Richmond Pacific Railway. He was on the General Plan Advisory Committee and attended 20 of the 22 meetings. He has turned in approximately 200 pages of comments on the General Plan, and those did not cover everything in the General Plan that he thinks are serious flaws. The General Plan needs to be revised before it comes back to the Planning Commission, particularly in light of the serious economic period that is occurring now. He said much of the Plan was a waste of time, effort, and City funds. The idea of undergrounding the railroad is a billion dollar project, and totally unrealistic. He wants to see a Plan that is very realistic, and the current Plan is not realistic at all.

Katrinka Ruk, Richmond, Executive Director of the Council of Industries and representing the Richmond Chamber of Commerce, said she disagrees with the statement made earlier that minor changes have been submitted recently. The Council of Industries and Chamber of Commerce have concerns over the numerous flaws and inconsistencies throughout the Plan. She suggested the best solution would be to require the consultant to amend it to the highest quality possible. If the City chooses to go forward with this flawed version, they are asking for the following: Revisit the work done by the GPAC and include their comments in the final draft, the industry and businesses sector should be included in the General Plan, insure that the buffer zones are included in the Plan, and they strongly urge that the City remove references to due dates and action items. The changes must be made prior to the Planning Commission approving this draft of the General Plan.

Tony Sustat, Richmond, Secretary of the Richmond Bicycle Pedestrian Advisory Committee and Boardmember of Citizens for East Shore Parks, said those organizations support the previous speakers who have addressed the dog park and the potential changes in zoning. They would prefer the least impactful language be used in those areas of the General Plan. He pointed out

the Costco is in that area on a conditional use permit. He agreed with earlier speakers about maintaining the North Richmond Shoreline as light industrial. He sees the loss of manufacturers and other plants on the North Shoreline as an opportunity to save that shoreline.

Marla Miyashiro, San Pablo, said she is a member of the Board of Directors for PIDOA, the Point Isabel Dog Owners Association. She said they gathered over 5,000 petition signatures against the rezoning of Point Isabel. She agreed with previous speakers who pointed out the increased traffic along Central Avenue. She thinks it is a terrible idea to add more retail and housing in between the bulk mail center and Costco. It is naïve to think there would be no adverse effects on wildlife, since the Hoffman Marsh is right across Riden Road from where the potential development would be. Richmond is known for crime, but they could instead tout this beautiful shoreline that no other Bay Area city has.

Mary Barnsdale, El Cerrito, said she is opposed to the rezoning of Point Isabel for three reasons: 1) traffic backing up on Central Avenue near her residence, 2) the environment is very sensitive and would be negatively impacted by development in the area, 3) the Point Isabel Regional Shoreline Park is the most popular park in the East Bay Regional Park System and building around it would degrade the park experience. To serve the public, she thinks they should be expanding the park. She said Mr. Mitchell needs to understand that his argument seems disingenuous to people who love Point Isabel. Costco was grandfathered into an industrial zone, and rezoning Point Isabel around Costco is not correct.

Beryl Golden, Richmond, said the Richmond website includes many photos of the Bay and people bicycling. She also saw a sign on MacDonald Avenue that said "32 miles of shoreline." She is opposed to further development of the buildings along Riden Road. She would like that area to be preserved.

Heather Burke, El Cerrito, agreed with much of what has already been said regarding the shoreline. She pointed out the petitions and the high attendance at tonight's meeting, but there are probably hundreds of people who are at home now and their dogs who cannot speak. She said the highlight of her day is knowing she can go to Point Isabel and watch dogs playing.

Eileen Cohen, Berkeley, said she has enjoyed the Richmond shoreline since 1986 as a visitor to the Point Isabel park and as a frequent cyclist on the Bay Trail. She is opposed to the General Plan's proposed rezoning of the business area at Point Isabel from light industrial to regional commercial mixed use. This change would have implications far beyond those that Mr. Mitchell implied, and she agreed with Ms. Barnsdale that Mr. Mitchell's explanation for the change in zoning is disingenuous. She stressed the importance of preserving open space and stopping overdevelopment in environmentally sensitive areas.

Carol Bledsoe, Berkeley, said she is a member of the Sierra Club, the East Bay Audubon Society, and the Point Isabel dog owners group. She urged the Planning Commission to not change the zoning. She addressed Mr. Mitchell's comments and said what is needed in that area is protection in perpetuity. She is concerned that no one has mentioned the United States Postal Service area that is leased to the East Bay Regional Park through 2025. It is possible that the Postal Service will sell that area off and the park would be gone. She asked to save the environment, protect the wildlife, and protect the quality of life for people who enjoy Point Isabel as it is.

Steve Kaiser, Napa, representing his family's business on Harbor Front Track Property, said they are very concerned about the possible rezoning of the properties. That would possibly

force them to move out of the business they have been in since 1967. They want to maintain their business in Richmond.

Paul Minolt, Counsel for Allied Propane, said his client is located at the Xeneca site. The Plan would strip the plant of its industrial designation and leave it ambiguous until the site is developed. This proposal is unfair to the property owners, unwise for the City, and unnecessary to achieve the purposes of the Plan. It makes it impossible for the property owners to realize the maximum use and economic value of their property because they don't know what it will be zoned for in the future. The Plan proposes to develop the site for industry, and proposes using the Harbor Front Track as a model for what will be in Campus Bay. So there is no reason to strip away the existing industrial designation.

Jerrold Hatchett, Richmond, Division Manager of Sims Metal, said he has been with the company for 39 years. He said because of the zoning they lost 30 acres and moved their location. He does not think Richmond is business friendly. If they have to move again, that will leave 70 families without a job. He pointed out the current economic situation and stressed the importance of keeping businesses and industries in Richmond.

Susan Bender, Oakland, said the City of Richmond owns a piece of property that is a world class treasure. The Point Isabel area is the most beautiful location in the East Bay. She asked the Commission to have courage and preserve parks against vested interests. She described how Sedona Arizona has been ruined by development, and suggested the Point Isabel area in Richmond is one of the most beautiful areas in the country.

Dave Harris, Richmond, said he is a 30 year resident of Richmond Annex and member of the Richmond Annex Neighborhood Council. He said warehouse stores require a conditional use permit in the light industrial district. Changing the Point Isabel shoreline area land use designation from light industrial low intensity use to a regional commercial district high intensity use is a major land use change and will permit inappropriate uses. This is a developer's dream and not the public's dream. The only areas that are regional commercial are Hilltop Mall, Auto Plaza, a portion of MacDonalD Avenue, and Pacific East Mall, and these are all located east of interstate 580. The area west of interstate 580 was never intended for regional commercial uses. The 1994 General Plan update protected the Point Isabel area from high intensity development. Central Avenue is the sole access to Point Isabel and this would cause huge traffic problems.

Commissioner Lane said most of her comments on the General Plan were submitted in writing to the City. She said it is important that comments are documented in the next revision of the General Plan. She suggested the comments should be categorized so the Commission can understand the comments in a clear way. There are also many areas of the draft Plan where the community was not included in the process. She would like to see that changed in the next iteration. She thinks the document does a good job reflecting equity. It would be appropriate in the introduction section to define the meaning of that. She said she sees a use for the action items in the document, and does not think they should be removed. She requested an update on the housing element for the next round of revisions. She addressed the issue of industrial land use, and suggested an industrial land use strategy that guides the City in future decisions as to whether land is converted, retained, or rezoned.

Commissioner Rao agreed with Commissioner Lane's comments and expressed concern that the comments of the public will become a typed document rather than seriously considered in

revising the General Plan. He does not think rezoning of the Point Isabel shoreline is necessary.

Vice Chair Lee said he is finding it hard to understand how the GPAC committee spent 22 meetings on the document, and then so many comments from the public stating what needs to be corrected. He pointed out how much time and money has been spent on the project. The document does not reflect what the community wants, and he does not know how to get to that point. He requested the comments of the public become a part of the Plan, and the consultant's job is to make sure the document appropriately reflects what was discussed in the GPAC. He said the Point Isabel area rezoning is confusing to him because he does not see who wanted to do this rezoning in the first place.

In addressing Mr. Mitchell's comments about rezoning to fit businesses that are in that location, he does not understand how that is consistent with some of the up-zoning of the heavy industry areas so that what is there becomes nonconforming use. He suggested looking at the possibility of dual zoning, and leave in place the existing zoning so that existing buildings in that area do not have to get conditional use permits to go forward as they are currently functioning. He stressed the importance of figuring out the zoning now rather than leaving it for later, so that current property owners know what they can do with their property.

Commissioner Duncan concurs with previous comments and agrees with Mr. Genser's comments that the plan has a lot of inconsistencies. He thinks the rezoned areas need to be addressed. The EIR will start up fairly soon, and if this document is not complete, they will automatically receive a flawed EIR. He thinks this document must be completed at the end of December in a way that incorporates the comments and concerns of the public and that they must have some form of consensus on the General Plan before they commit to an EIR.

Commissioner Beckles said she was a member of the GPAC and it ended abruptly leaving many of the members wondering what happened to their comments. Several things were supposed to happen that never happened. She asked when the ambiguous sites will be given a land use designation.

Mr. Mitchell said there is some litigation on one of the parcels in the North Shoreline, making it very difficult for the City to come to a conclusion. The other area is Point Molate, where there is an EIR out on the trail. The third area is the South Shore area, which includes Campus Bay, the University of California, and the old Sea Port district. He said those areas require a final word on the conditions at Campus Bay and UC before being able to engage that area in a Specific Plan. He said this is not something they can resolve during this General Plan process unless they want to postpone it.

Commissioner Beckles questioned whether there is really no change in the current land use designation of Point Isabel. When Costco went in, it was light industrial. Mr. Mitchell clarified its current land use is light industrial, but Costco is not a light industrial business. Since Costco and the Postal Service are not going away, this is an effort to clear up what is currently an inconsistency in land use. The Commission will decide whether they want to recommend leaving the designation light industrial or change it to regional commercial. Commissioner Beckles pointed out the large number of comments on this issue by the residents, and the concern that other large businesses and stores would come into the area. Mr. Mitchell said that is theoretically correct, but the land is not large enough for a large number of big box stores to be built in that location. There is no recommendation to remove, eliminate, or modify the dog park. Commissioner Beckles said the other concern is heavy traffic in that area so that even if

one large store were added to that location it would really overburden the area. She suggested putting the least impactful language into the document to put the residents in that area at ease.

Chair Finlay noted zoning exists at Point Molate, the Xeneca site, and the North Shoreline. The fact that the General Plan calls for a Specific Plan does not negate the zoning that is in place. Mr. Mitchell said they have had numerous discussions about that issue and their current position is it would not allow an automatic land use but rather bring any uses during this period before the Commission for a conditional use and review. Chair Finlay said the document is missing that explanation and it needs to explicitly state that it needs to come before the Commission for a decision-making process.

Chair Finlay said the point of reference might be the difference between the current zoning and the new zoning at Point Isabel. The Kohl's site that has been developed is not being used, but the site was previously developed before it was closed down and they know the impact on traffic. The previous development was considered to be more intensive because of the truck use involved than something that is a lighter type of zoning.

Commissioner Teltschick-Fall agreed with Chair Finlay's comments regarding the undefined areas. She pointed out the amount of angst and confusion that is being caused by the undefined zoning. She said it is important to spell that out in the document. She thinks shoreline is extremely important to people and suggested a zoning category for Point Isabel that is not centered around the existing commercial use. A zoning category should be chosen that will protect the character of that area and protect the shoreline. The idea of trying to protect the parks they have in perpetuity is a good idea and she would support that. She also pointed out the entire General Plan includes a lot of shoreline, and she does not believe that any high intensity development should be on the shoreline of the San Pablo peninsula. That is one of the land use areas in the General Plan that is left undefined. She said anywhere they put regional commercial zoning requires looking at the adequacy of roads and the ability to handle traffic. With all of the discussion about jobs in Richmond currently, she thinks they need to protect the jobs that they have and not force them out. Along with the tallies in categories that will be provided, she requested change bars on the next draft so they can see where they have made changes in the Plan.

She said she was on the GPAC and agreed with Commissioner Beckles that it stopped abruptly and they were no longer involved in the process. There were quite a few disconnects between what they saw at the end of the GPAC meetings and what they see in the document they are reviewing tonight. She thinks it is very important that people's comments are reflected in the document.

Chair Finlay said there was a lot of discussion about when participation in the GPAC would continue and what would happen to the process. The City Council was very clear that they would not fund anymore participation. They gave Planning instructions about what they wanted and how it was to happen. While she understands the frustration, decisions were made because of the time it was taking, the expense that was being accrued, and because it was time to move on with the project.

Chair Finlay thanked the GPAC, the Commission, and all of the community members who have written and commented on the draft. She shared the changes she did for the first 3 ½ chapters: On each page there is at least one correction or statement. Many of these were basic corrections that she never should have had to do, such as spelling errors, wrong names for subdivisions, etc. She said "small" business has no place in this document because it is not

quantitative and does not mean anything. She expressed frustration having to spend a lot of time doing that type of correction, which should have been done by the maker of the document. It was clear that no one had edited the document for continuity. In one chapter the Ford Peninsula is suddenly the home of the ferry. The Ford Peninsula is part of Marina Bay, the ferry is in a different area of Marina Bay; there is a contract with Signature Realty that has been completely ignored in Marina Bay, not the Ford Peninsula. In Chapter 4 the ferry is correctly identified as proposed in Marina Bay. It is okay to have two authors for two chapters if someone is going to do basic editing work for content and continuity. She felt this was not professional, especially given the amount of money the City is paying consultants to produce it. She also stated the City should have received some guidance from the consultants. She said timeframes cannot be in the General Plan because it could lead the City to lawsuits if those timeframes are not met. She also suggested deleting all policies and all implementing actions from this document.

Chair Finlay said the document fails to understand the role of the City Council, who sets policies based on the Strategic Plan and the Capital Improvement Plan, which is updated twice a year and is based on the financial reality of the City and the economy. Goals should be set in the General Plan, but policies should not be included. She stressed the importance of having a well-done document to work from so that they can agree on the changes that need to be made. She provided her changes to staff, said she will need to see a revised document before she can make a recommendation to the City Council and said that unless all of the charges have been prepaid with MIG, she recommended bringing the entire revision process in-house. She suggested deleting all time frames, policies, and implementing actions, leaving the document as is with goals intact, suggested getting a legal review of what is left after those deletions to be sure they can legally do what they are expecting to do and said she does not think all of the goals are written correctly.

The public hearing was closed.

2. SAN PABLO AVENUE SPECIFIC PLAN: PRESENTATION AND DISCUSSION – PRESENTATION on the DRAFT San Pablo Avenue Specific Plan. Applicant: City of Richmond. Planner: Lori Reese-Brown.

Mr. Mitchell said the San Pablo Avenue Specific Plan is an unusual process because it has involved both the City of El Cerrito and the City of Richmond, and it covers the segment of San Pablo Avenue that the two cities share. MIG has been working on the Plan with representatives from both communities. It was presented at the Design Review Board last week where their comments were taken. Tonight it will be presented to the Planning Commission for comments. Chris Bannon and Brian Solent, both from MIG, have been working on the document.

Chris Bannon, MIG, said the Specific Plan is the result of great collaboration between the communities in both the City of Richmond and the City of El Cerrito. He said it is a visionary document that will promote a dynamic and vibrant avenue in the future. The document is very reflective of the communities' visions. They began with an existing conditions analysis and held 8 SPAC (San Pablo Advisory Committees) meetings. There were several community workshops, technical analyses, and they have arrived at a public draft plan. The comments at last week's DRB meeting were positive and noted they were on the right track.

Mr. Bannon presented a matrix of DRB comments outlining the source, date, and location, and they will move forward with response and recommendations. They have also created matrices for community and advisory comments, and they will create a matrix for comments from

tonight's Planning Commission meeting. Since they are working with both cities, they will interface with both communities.

Mr. Bannon provided an overview of the main points of the Plan document, stated Volume 1 is an overview of the vision, key principles and concepts, Volume 2 gives specific information regarding land use zoning and design guidelines and Volume 3 is a set of technical appendices. The vision includes creating new mixed use and more intense development particularly at key nodes along the Avenue. These would include a variety of housing types. They will build more walk-able, bike-able, and transit-oriented environments around the BART stations. People have expressed a desire for high quality, nicely designed buildings and architecture. In more dense areas they will have upper floor step backs so that buildings are not towering over the street.

In terms of character, there will be nice doors and windows, pedestrian-friendly, and green design components. Beautification is also important, including lighting, wide sidewalks and street plantings. They have also looked at changes in circulation to create a better flow in the environment.

Mr. Bannon said the four key node areas are MacDonald Gateway, Del Norte BART Station, Midtown Civic Center area, and El Cerrito Plaza. The MacDonald Gateway is proposed as more of an entry and a gateway to both the Cities of El Cerrito and Richmond. The Del Norte BART Station is proposed as having the most density and highest building heights. They also are considering a mid-block crossing, to provide a safe way to cross the street for pedestrians, such as Richmond High School students who cross the area to try to get to the BART station. The Midtown Civic Center area will have slightly lower allowance heights and densities, but people have expressed they would like to see some services and more housing in that area in mid-level densities of 3-4 stories. They plan to incorporate streetscape improvements, parking, and lighting improvements in that area.

The El Cerrito Plaza area is mostly within the jurisdiction of El Cerrito, but it impacts Richmond. This area will include a Main Street feel and include streetscape improvements. The areas in between the nodes will include residential uses, not mixed use. They will cluster the services and retail aspects in the four nodes, and then in between those areas will be housing and other single uses that engage the street environment through better design.

Mr. Bannon said there are specific tools in the document to foster the vision in each of the environments outlined. Volume 2 includes zoning, design elements, green architecture, etc. to foster that vision. An important aspect of the project is to ensure appropriate transitions from the Avenue area to surrounding residential areas. From a public perspective people have said it is important to include pedestrian improvements, safety, and public art. Parks and open spaces will be stronger as green elements along the Avenue, including pocket parks and plazas, and enhancing connections to the Ohlone Greenway. They have also received a lot of feedback regarding parking and effects on neighborhood streets, and they plan to strengthen that more along with traffic calming and transportation demand management programs such as residential permits. There has also been discussion of more intuitive routing of busses through the Del Norte BART station and San Pablo Avenue to improve circulation.

Brian Solent, MIG, reviewed some of the over 200 comments received thus far on the Plan. There are three areas where they converged: 1) vision and principles, 2) parking requirements, and 3) signage guidelines. He presented an outline of the vision and principles people wished to add. These included access to goods and services, managing parking to protect the existing

community, and encouraging healthy human habitats designed for active living. People really want to see more lenient parking standards for developments than what is currently required.

Initially in the plan they set maximums based on current standards, but the Advisory Committee recommended requiring even less parking. They changed the plan to include a range of parking standards, such as between 1.5 and 1.75 spaces per unit. It becomes less restrictive in areas surrounding the BART station.

Mr. Bannon said the rationale behind this is to create places where people would not have as much need to own an automobile. Mr. Solent said they received comments requesting adding signage and being sure signage was not blocked by trees. They have, therefore, recommended signage guidelines that will be added to the Plan. Mr. Bannon said he would characterize the comments to date as additive and supportive of the vision that was crafted through the community and committee process.

Commissioner Rao asked about the existing General Plans for the City of Richmond and the City of El Cerrito and how these were put into the Specific Plan document. Mr. Bannon said they have used the General Plans as an overall guiding force for the Specific Plan.

Commissioner Lane asked how the decision-making process will happen since there are two different jurisdictions each with their own Commissions and City Councils. Mr. Bannon answered that it must go through the process of both cities. Both cities are eventually adopting the plan in its entirety, and it will not be split between the cities. One of the benefits of this Plan is it has brought the staffs of each city together. Representatives from each city have been on committees and have worked together. Each City Council will need to review and approve the Plan.

Commissioner Teltschick-Fall asked why they did not extend the area in the Plan up to at least Barrett Avenue. Mr. Mitchell answered the end of the area is where they two cities share the area, and once it reaches Barrett Avenue it is all Richmond.

Commissioner Teltschick-Fall commented on the Del Norte area, which is the most densely planned, and pointed out the serious traffic congestion in that area. She asked how they plan to handle the extra traffic created by increasing the density of that area. Mr. Bannon said that has been considered by the team and their transportation analyst. They did a greater traffic analysis in that area and one of the biggest changes they are making is changing Cutting to a two-way street coming out of the BART station. Currently it is one-way, and by making it two-way it will allow busses to come through and circulate in a manner where they are not going down San Pablo Avenue to Cutting and Hill. With the lower parking standards, transit, and the spread of the housing in the area, these circulation improvements will maintain about the same traffic congestion in the area.

Public Comment:

Mary Selva, Richmond, President of Richmond Annex Neighborhood Council, said they have been part of this process since the beginning and have attended every meeting. The outcome of the Plan is good, but there are a few modifications they are requesting. For the Richmond Annex side of the street they would like more reasonable density and height because they have very shallow 100-foot deep lots abutting single family homes. Richmond Annex streets are very narrow and are already overcrowded. If parking is reduced on the El Cerrito side of the street, it will impact parking on the Richmond Annex side. She expressed concern that parking will not

be monitored in the Richmond Annex neighborhood. Central Avenue is also an issue because from Carlson to San Luis it is currently zoned for residential and will be rezoned under this plan for mixed use. She would like that to be carefully considered.

Garland Ellis, Richmond, Vice-President of Richmond Annex Neighborhood Council, said he is concerned about the differences between the El Cerrito and Richmond meetings. There are only .6 acres of parking on the Richmond side of San Pablo Avenue. There are 43.3 acres of development in Richmond along that corridor. This is much less than what is in El Cerrito. In El Cerrito, the parking is presently in front of the buildings. They want to move all of those buildings out to the sidewalk and move parking behind those buildings. They also want to build a ground floor Safeway with housing above. Parking permits are great for the City because they make money for the City, but residents hate them because they have to pay for them. The owner always has a place to park, but the employees do not. They like it in El Cerrito because it generates a lot of traffic ticket money. But it also requires a larger police force. He was concerned about making Central mixed use because right now there is not enough parking. BART parking lots are not big enough, and so people park on Central Avenue and walk to the BART station. There will not be enough parking if commercial buildings go up in that area. The parking proposed for the BART station will be at I-80 and not at the BART station, except for the garage. Every major walk along San Pablo will be in-filled with housing developments. A lot of the results of this planning have been driven by planners within the City of El Cerrito.

Chair Finlay asked Mr. Ellis to repeat the location of the parking for BART. Mr. Ellis explained the parking garage will be next to the station, but the outside parking will be converted to housing and the parking will be moved to the other side of that housing.

Mary Jane Moore, Richmond, Richmond Annex Neighborhood Council, said three stories or lower should be adopted by the Council in the area between San Pablo and Carlson. The parking issues were brought up at a previous meeting, and the parking issues were made worse in their opinion at that meeting. In the Plaza they were going to have 1 parking space per 5 units at the affordable housing, which is very small. This causes safety issues and impacts neighborhoods because people will be driving around looking for parking further away from where they live. There have not been many people from El Cerrito at the meetings because they do not have neighborhood councils, and she expressed concern that once people in El Cerrito realize what is proposed they will be very concerned.

Commissioner Teltschick-Fall said overall she likes the high quality with aesthetic and green elements. San Pablo Avenue really needs some attention and she is glad that it is getting some. She is concerned about the traffic issues not only on San Pablo, but also the spillover from the clogged traffic on I-80. The Del Norte BART area is still of major concern to her. The freeway onramps in that location are difficult and create traffic problems which will not be solved by changing to two-way at the BART station. The parking issues cannot be enforced, and does not take into account the fact that most people have 2 cars. She does not want the heavily residential neighborhoods in the area to become packed with traffic and cars looking for parking. One of the reasons people like it in those neighborhoods is that it is calm. She thinks they need the new development and new businesses, but she would like it to be in a more moderate perspective.

She likes the idea of putting in more trees, greenery, and more space for pedestrians, but it is important to be sure they can maintain those trees once they are installed. She would like to see a requirement that greenery is included in building plans.

Commissioner Beckles said she likes the vision of the Plan, but questioned how realistic it is. She hopes they will implement the comments from community members in the area, particularly the Richmond Annex. She does not like the idea of closing the only supermarket that Richmond has to move it to the old Target store, and suggested there could be other viable options.

Commissioner Duncan congratulated the team and said it is clear that it is a well-produced document. The graphics are a bit difficult to read because of the coloring production. He understands the scope of the project and why it stops at MacDonald Avenue. It is also clear that this is El Cerrito-centric. There are 1.3 miles of San Pablo Avenue that are not covered by the Specific Plan, and he asked what will happen with that stretch. Mr. Mitchell said when resources are available they will pick up where the Specific Plan ends and take it up to the City of San Pablo.

Commissioner Duncan asked if a statement could be included in this document to that effect; about the applicability of this type of Specific Plan for that area. He said the Central Avenue exit remains a problem and has not been analyzed thoroughly enough in this document, and he said that should be looked at a little more carefully in terms of traffic impacts.

Mr. Bannon said they are in agreement and the mixed use in was a mistake in this document. They would not propose mixed use along Central because it is a very intensive corridor right now. Maintaining it in its current residential uses is the proper way to go. He apologized for that error in the document and said it will be changed.

Commissioner Duncan concurred with the DRB about the signage issue and said that is the biggest think missing in the Plan currently.

Vice Chair Lee said giving a parking range will be difficult and probably always slighted toward the minimum. He believes density around BART nodes is where things will go. He knows that creates a difficulty with the existing housing and parking, but it is inevitable and they need to plan for high density around the BART nodes. The initial timeline showed a January meeting for Planning and City Council, and he asked if that will be a joint meeting.

Mr. Bannon said the public comment period for the CEQUA portion of the project will be wrapping up in December and they need sufficient time to produce the final document. The January timeframe is reasonable for having the Planning Commission and City Council hearings. They will not be joint sessions. The Planning Commission will see a revised document for consideration prior to a recommendation onward to City Council.

Commissioner Lane requested more information in understanding the differences in overlay around the El Cerrito Civic Center. This is a prime site for intensive uses. She was concerned there should be a mixture of retail and restaurant on both sides. Mr. Bannon said the other oriented businesses will be on one side and not on the other because it reflects the existing uses in that location and the desire to not intensify uses on that side. The community has expressed preferences to the West. In looking at development feasibility, the lots are very narrow in that stretch and difficult to get more intensive development in that area because it would require building right up to the lot line in adjacent neighborhood areas.

Commissioner Lane said other oriented businesses on that side could serve the Civic Center. Mr. Bannon said they will not disallow those types of uses. Commissioner Lane asked about pedestrian safety issues around Kennedy High School and said she wants to be sure that is

properly addressed. There should be a focus on pedestrian safety in areas where there are students and people getting off the bus besides the Ohlone Greenway.

Commissioner Rao was excused from the meeting at 10:30 p.m.

Chair Finlay said Chapter 1 page 86 has a spelling error that needs to be corrected. In Volume 2, Chapter 1, pages 8-12, she has concerns about the height and how it will affect the Annex neighborhood. She thinks the parking requirements go way too far. There is an underlying premise that people use saying if people live near major transit hubs they will buy in to the concept of not needing a car. But that is only true if people bought into a newer development. If a person bought a house before BART, such as in the Annex, then that person did not buy into the idea of rapid transit and the transit oriented developments. That person bought the house because of the neighborhood and the house itself. She would prefer to see more ample parking for the residential community. She thinks 1 space in 5 for each affordable housing unit is ridiculous. Richmond is not a big metropolitan area with super transit on every corner. The predication that seniors do not need cars is incorrect. BART and AC Transit are not adequate transit because they do not circulate the entire city.

Mr. Bannon agreed and said they need to look at the ratios more. Part of the impetus behind the reduction in parking requirements is to keep costs down in development that would be passed on to the consumer. They are particularly targeting affordable and senior housing to allow for costs to be lower for those units. But perhaps the ratios are too onerous, and they can look at it again. Chair Finlay said she understands the notion, but what she sees in affordable housing in other areas are two cars parked in the driveway and in every available parking area on the street. All of those cars are going to be parked in the Annex and in El Cerrito. The people around the Plaza already complain because they cannot park on their own streets, and this will exacerbate the problem. She knows it is well-intentioned, but it needs to be examined again.

Chair Finlay noted on page 15 there are two concepts that are confusing. On the one hand they discuss step back architecture, and then on the other hand they discuss protrusions. Also on page 15 they cannot disrupt storm water systems without talking to Contra Costa County and determining where the water will flow. In Volume 2, Chapter 2 she would like to see some legal review where the words "provide" or "prohibit" are used. On pages 60-61 she would like to see more written about Richmond regarding the MacDonald Gateway so that it is more in line with the amount written about El Cerrito. In Volume 2, Chapter 3, page 72, where AC Transit is discussed, it needs to be realistic and for the short term. AC Transit would like to move funds for transit improvements to general operating so they can service areas they have not been able to service because they have a shortfall in their operations budget. She would have liked to see San Pablo and Albany included in these discussions because San Pablo Avenue has been used as the major thoroughfare between these communities. She pointed out the problem with landscaping in Richmond is they do not keep up landscaping as well as El Cerrito. This is not a problem with the Plan, but is something that needs to be discussed. Parking will be an issue at Del Norte because AC Transit is cutting bus service from areas such as Marina Bay. The parking at Del Norte is always jammed.

She agreed with Commissioner Duncan that signage must be included in the Plan, and the City of Richmond has just signed a new sign ordinance that needs to be referenced. She pointed out the words "high quality" in a document like this have no meaning because there is no definition. She requested revising the draft more carefully and either removing words or adding specific definitions.

The public hearing was closed.

COMMISSION BUSINESS

5. Reports of Officers, Commissioners and Staff

Mr. Mitchell thanked the Commission for their time and the quality of their comments.

Chair Finlay noted there will be no mid-monthly Planning Commission meeting in October. The next meeting will be the first Thursday of November.

Chair Finlay said Barbara Overlay passed away. She was a member of the Chamber of Commerce and was a generous person who served the City. She offered heartfelt condolences to her friends and family and closed the meeting in her honor.

Public Forum - None

Adjournment

The meeting was adjourned at 11:20 p.m. in memory of Barbara Overlay.