

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

450 Civic Center Drive, Richmond, CA

April 2, 2015

6:30 p.m.

COMMISSION MEMBERS

Sheryl Lane, Chair
Nancy Baer
Jeffrey Kilbreth
Roberto Reyes

Ben Choi, Vice Chair
Andrew Butt
Marilyn Langlois

The regular meeting was called to order by Chair Lane at 6:30 p.m.

Chair Lane led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Sheryl Lane; Vice Chair Ben Choi; Secretary Marilyn Langlois, Commissioners Nancy Baer and Andrew Butt

Absent: Commissioners Jeffrey Kilbreth and Roberto Reyes

INTRODUCTIONS

Staff Present: Planning staff: Lina Velasco, David Brosky, Jonelyn Whales, Hector Lopez, Richard Mitchell, and City Attorney Carlos Privat

MINUTES - None

AGENDA

Chair Lane provided an overview of meeting procedures for speaker registration, public comment and public hearing functions. She said items approved by the Commission may be appealed in writing to the City Clerk by Monday, April 13, 2015, by 5:00 p.m. and as needed, announced the appeal process after each affected item.

CONSENT CALENDAR

Chair Lane stated currently the Consent Calendar consists of Items 1, 2 and 3 and she asked if Commissioners, staff or the audience wished to remove that item. Ms. Velasco stated there are two speakers signed up to speak on Items 2 and 3.

ACTION: It was M/S/C (Langlois/Choi) to approve Consent Calendar Item 1; which carried unanimously by the following vote: 4-0-2 (Ayes: Butt, Choi, Langlois and Lane; Noes: None; Absent: Kilbreth and Reyes.

Item Approved on the Consent Calendar:

CC1. PLN14-205: Westridge Apartments Street Vacation - PUBLIC HEARING to consider a request to determine if the proposed vacation (abandonment) of South Hampton Court (APNs: 414-310-008-1, 414-310-007-3, 414-300- 003-4, and 414-300-006-7) conforms with the City's General Plan. MFR-3, Multifamily High Density Residential District. Menlo Westridge Investors, owner; Oakley and Oakley Architect, applicant; Planner: Hector Lopez. Tentative Recommendation: Report GP Conformity

Brown Act – Public Forum

Cordell Hindler, Richmond, said he spoke before the Commission at the last meeting and a resident asked him to thank the Commission for putting the car stereo business out of the area, given it has been a nuisance to her business.

Items Removed from the Consent Calendar:

CC2. PLN15-113: Riggers Loft Wine Company CUP - PUBLIC HEARING to consider a request for a Conditional Use Permit to allow a wine production facility to have a wine tasting room and banquet facility as part of their operations within the Riggers Loft building at 1420 Canal St. (APN: 560-320-016). M-4, Marine Industrial District. Surplus Prop Authority (Port of Richmond), owner; Riggers Loft Wine Company, applicant; Planner: Lina Velasco. Tentative Recommendation: Conditional Approval.

Planning Intern David Brosky gave the staff report and described the request for a Conditional Use Permit (CUP) to allow a banquet facility and tasting room as part of their wine operations at the Riggers Loft Building. He noted the zoning is M-4 Marine Industrial District and in the General Plan, it is a Port Priority Area. It is categorically exempt from CEQA.

Mr. Brosky said in September 2007 the Richmond City Council adopted two resolutions; one making a public policy to maximize the economic benefit from under-utilized real estate assets in the Port of Richmond. A second resolution was also adopted ensuring that future development and uses in Shipyard III are planned and implemented in such a way as to be compatible with the continued preservation of intact historic resources and with public access to such resources.

The applicant proposes to renovate the lease area which is within the Rigger's Loft Building into a fully function winery that produces wine under its own brand labels. To supplement the facilities, other interior renovations are proposed including a wine tasting bar, restrooms, a glass cleaning facility, a banquet facility and office space and tasting room. Exterior renovations include a patio on the south side of the building and re-arrangement of visitor parking spaces to the east and west of the building to accommodate ADA compliant access.

The applicant is applying for a Type 2 alcohol beverage license which is categorized as a wine grower and the City requires applicants to obtain a CUP for retail sales of alcohol. This is not retail sales, so the subject license is not considered retail and not subject to local regulation of alcohol beverage sales. The primary use is wine production which is permitted by right in the M-4 zoning district.

Chapter 6.06 of the Richmond Municipal Code governs historic structures, and although this has been identified as an historic structure, the improvements are minor and therefore not subject to State historic preservation standards.

In conclusion, the proposed CUP is compatible with the Port uses and historic resources in the area and conditionally meets all applicable zoning requirements. Based on these findings and statements of fact, staff is recommending the Commission conditionally approve PLN15-113.

Secretary Langlois asked if the CUP currently requires that restrooms be made available to the public during business hours and also a drinking fountain and asked if this could be incorporated into conditions. Mr. Brosky said the CUP does not require that, although the property owner is amenable to letting the public use restrooms in the facility and the property owner is requesting these not be made into formal conditions of approval.

Charles Simpkins, Acting CEO, Riggers Loft Wine Company and Boardmember of R&B Cellars. He said the winemaker of R&B Cellars is currently in China traveling. They are currently based in Alameda but have been making wine at other locations. They needed a larger facility to make their own wine and will call the location a custom crush facility. They will be making the R&B Cellars wine there as well as at least two other winemakers who will be using their facilities. They will have a beautiful view of the south bay and believe the tasting room will be a good attraction for the area. Most wineries want a tasting room and while they do not know how successful it will be, they will make their best efforts to develop one which will truly enhance the area. As far as the restroom facilities and the drinking fountain, they will have these available, as well as water for dogs and there will be people in the building most of the time. He said he could elaborate on any aspect of the operation, and asked that the Commission approve their request. He added that they also have a security system which police will be able to see, and he could answer any questions.

Commissioner Butt said he thinks this is a fantastic proposal and he is looking forward to sampling wines. Regarding the restrooms, he asked Mr. Simpkins to expand on this. Mr. Simpkins said if they add it as a condition and someone happens to be in the building temporarily and they leave, he questioned whether they need to keep the restroom open. He explained it is inside the facility, but they do not anticipate it will be a problem, but if it became a problem, they would have to return to the City and indicate there are problems from people coming in and using the restrooms.

Commissioner Butt said it seems unfair to burden the operation with a restroom because in the long-term there should be a public restroom available for everybody to use, but not necessarily a part of the wine operation. He questioned if Mr. Simpkins would be amenable to a condition for a restroom and if there were issues, the owner could regulate it themselves and have restrooms open during operating hours only. If and when there is a more permanent solution in a more ideal location, this condition would not be required. Mr. Simpkins concurred.

Chair Lane opened the public comment period.

Public Comments:

Cordell Hindler, Richmond, said he likes the project because it will bring people into Richmond; however, he thinks the applicant should present the project to the Point Richmond Neighborhood Council.

Ms. Velasco summarized the recommendation, stating that staff recommends that the CUP be approved by adopting the draft resolution in the packet.

Secretary Langlois echoed Commissioner Butt's comments and thinks the winery will be a great destination for people and agreed that the setting is stunning. She asked and confirmed that the applicant was amenable that drinking fountains be available on the exterior part of the building. She also agreed with the recommendation for restrooms, and that the applicant could return if problems arise.

Commissioner Butt asked if there is bike parking available as part of the project.

Robert Stevens, applicant, confirmed the existence of bike parking at the overlook across from the building.

The public hearing was closed.

ACTION: It was M/S/C (Butt/Langlois) to approve PLN15-113 with staff's 4 findings and proposed conditions 1 through 15 with an additional condition that the applicant provide public access and a sign to the two restrooms during business hours and that should they encounter problems with this, that the applicant shall return to the Commission; and add the condition that exterior drinking fountains be provided; which carried unanimously by the following vote: 4-0-2 (Ayes: Butt, Choi, Langlois and Lane; Noes: None; Absent: Kilbreth and Reyes.

CC3.PLN14-115: Nevin Avenue Residential - PUBLIC HEARING to consider adoption of a Mitigated Negative Declaration and associated MMRP and approval of a Conditional Use Permit to construct Multifamily dwellings over 35' in an RMO district and for a Density Bonus with incentives for reduced parking, reduced open space and increased height for construction of a 289-unit affordable housing development on the south side of Nevin Avenue, between 21st and 23rd Streets (APN: 514-080-013 and 514-090-018). MFR-3, Multi-Family High Density Residential and C-2, General Commercial District. Carl Adams TRE, owner; Alexis M. Gevorgian, applicant; Planner: Jonelyn Whales. Tentative Recommendation: Conditional Approval.

Jonelyn Whales gave the staff report, stating the project before the Commission is the Nevin Homes residential project. Staff came to the Commission in October during the public review period and at that time a study session was held. The project has been modified since that time; however, staff is still requesting a CUP for the density bonus and RMO district which is a liquefaction district. Anytime a building is built over 35 feet in height, a CUP is required.

Ms. Whales said the proposal is for 289 unit 100% affordable apartment project. One building is on Site A which is between 21st and 22nd Street and the other building, Site B, is between 22nd and 23rd Street. She displayed an overhead of the proposal and said there will be quite a few studio apartments, as well as one-bedroom units. There are only a total of 5 four-bedroom apartments and the total project site is 1.7 acres. She presented a vicinity map of the site and described the site as in the Civic Center area in the Richmore Village Neighborhood. She presented an aerial map as well and presented Site A which is currently being used as a parking lot. There are amenities along 23rd Street where patrons park there as well as a mobile vending truck adjacent to the site. The site also used to house the Economic Development

Department office building. The applicant will be demolishing the building as well as the parking lot.

She presented a slide which provides a visual of the neighborhood context, noting there are many single family residences and the BART station one-quarter mile away. She pointed to the Housing Authority building which is 67 feet high. She presented the proposed project for Sites A and B.

The form based code has come before the Commission and the 23rd Street corridor is inclusive of this area, so commercial development is proposed on the ground floors and will be reviewed by the DRB. The project is currently zoned under the General Plan of High Intensity Mixed Use for a Major Activity Center. The vision of the Council as well as the residents were to have office, retail, entertainment and residential uses of a higher density than what is currently in these zones and this project is compatible with that. She noted a typographical error that Site A is currently zoned C-2; however, residential uses fall under the MFR. Site B falls under MFR and allows senior housing, multi-family apartments, townhouses, etc.

The planning entitlements sought tonight are for adoption of the Initial Study and Mitigated Negative Declaration (MND) and the Conditional Use Permit (CUP) for the Resource Management Overlay District and be able to build higher than 35 feet, and the density bonus for affordable housing units. There are also concessions requested by the applicant for reduced parking, reduced open space and an increase in height. The last entitlement is a design review permit for the project.

Ms. Whales said she spoke of the General Plan goals and policies for improving the urban fabric by emphasizing high density mixed use infill development, and this project is ¼ mile from the BART station. Any time there is a proposed urban infill project this close to transit, the City is not likely required to go through CEQA analysis, but because of the density bonus and other unknowns regarding the two sites, the applicant elected to go through the actual CEQA process and this is why the MND is before the Commission.

Ms. Whales introduced Richard Grisetti, the City's environmental consultant. Also in attendance is the City's Capital Improvement Manager, Chad Smalley who will also assist with the presentation and discuss improvements planned along the Nevin Boulevard corridor.

Richard Grisetti said an Initial Study was prepared and circulated for public review for 30 days from September 23 to October 23rd. Comments were received and responded to, and edits were made to the document in response to those comments, and a final Initial Study has been prepared. Also, a Mitigation Monitoring and Reporting Program was included in the final Initial Study MND.

Another item of interest is because this project is an infill residential project in a Transit Priority Area which is within ½ mile of a major transit station and the bus terminal, CEQA allows a partial exemption for consideration of certain items. Two items that cannot be considered significant impacts under this exemption are parking and aesthetics.

Chad Smalley, Capital Improvement Manager, said he will briefly discuss the Nevin Avenue Pedestrian and Bicycle Improvements' 27th project. He has been working on this for 6 years to assemble enough funding to complete the streetscape project which is complementary to transit-oriented development that can happen in the corridor.

Mr. Smalley said in 2009 the Redevelopment Agency had significant investments at Transit Village and in the Civic Center. It takes about 8 minutes to walk from the Civic Center to BART but very few people are willing to do so. They wanted to connect the two investments and make the corridor more transit-oriented, more comfortable to bike and walk, and they began to assemble funding to do so.

Over the ensuing years, they obtained grants from several agencies such as the BAAQMD, EPA, transportation grants from federal government via the Transportation for Livable Communities Program, and from Measure J. They were able to assemble a total of \$5 million to build the streetscape and in 2010 and 2011 designed it to be a very comfortable corridor.

He described the project as including bulb outs at every intersection except 24th Street, a traffic circle at 24th Street, and it fixes the perpetual non-functioning signal at 22nd Street which was a huge disincentive to walking. It also includes plants, new street trees, road striping for a bike boulevard and pedestrian-scaled street lighting along its length. Two aesthetic themes are employed for this project similar to the blocks from 27th Street to 23rd Street adjacent to the Civic Center, such as light fixtures and street furniture. At 23rd Street, the character of the street changes to a more residential environment and for that reason, they are employing the design palette used in the Transit Village west of the BART station with the black, wrought iron streetlights and softer landscaping. The project also includes permeable pavers, rain gardens that treat the stormwater, and they propose to award contracts at the April 7th City Council meeting and he said he was available to answer questions.

Ms. Whales said in summary, staff has analyzed the project and she noted a typographical error in the staff report as far as the proposed parking spaces. She referred to page 8 of the report and she stated that the parking should be 193 and not 121 spaces.

Chair Lane referred to the bottom floor commercial spaces and she asked and confirmed that these were for both of the sites fronting 23rd Street.

Chair Lane referred to the matrix for guest parking. She confirmed there is no guest parking currently in the plan, but Ms. Whales stated that the DRB will review this and parking will be set by the requirement for one space per every five units for guests.

Chair Lane referred to the Nevin Streetscape Project and said she is glad to see it is continuing. She asked when all of the improvements will be completed, and Mr. Smalley said it is difficult to predict, but thinks they will finish by October, as some of the work depends on staging relating to utility relocation. Chair Lane asked and confirmed that the signal at 22nd Street will be turned on.

Commissioner Butt said as part of the parking reduction strategy there were provisions for transit passes for occupants, and asked if this is part of this project as well. Ms. Whales said at the present time it is not because it is right downtown and ¼ mile from the BART station. The applicant foresees those living in the project as not having a car and this is why parking numbers are so low.

Commissioner Butt said staff mentioned that this Commission recently passed the form based code; however, it will be returning because the map is not complete. He did not see anything in the staff report about how this project relates to that and questioned staff's position and how the

form based code would relate to the project. Ms. Whales said the project complies with the form based code in that they are going to have the actual commercial development on the ground floor along 23rd Street. Commissioner Butt said he was questioning more the development standards in the form based code. Ms. Whales asked for an example but said the project complies.

Ms. Velasco said she thinks the intent was that because the Planning Commission is not approving a design for the building, through the DRB process, they will review the form based code because this is where there are more prescriptive elements. Right now, the applicant is looking to have the environmental work completed, the density bonus, along with the concessions and they will work on the design to comply with the form based code as part of the DRB process.

Commissioner Butt asked and confirmed that the project will have ground floor commercial on the 23rd Street frontage.

Commissioner Baer asked about trees and said as a long-time member of the BPAC, she is glad to see that both the building and streetscape move forward. She said Mr. Smalley said the Nevin Avenue Streetscape project will add street trees on the Nevin Avenue portion, but she asked if this applies to the 21st, 22nd, and 23rd Street portions as well. Mr. Smalley said they will maintain existing trees in the block between 23rd and 22nd and there will be 8 new Chinese Elm trees located across the entire frontage. Commissioner Baer asked about the existing trees in the parking lot, and Ms. Whales said they could condition the project such that for every tree removed, there could be 2-3 trees to replace those trees removed.

Secretary Langlois thanked representatives for their presentation, said the project is a good example of infill development and she thinks it will be many people to businesses in the downtown area. She hopes most people will use public transit and not drive so much, and she echoed Commissioner Baer's comments about the street frontage improvements, which will greatly improve the area. In terms of parking, she said there are proposed 289 units, 193 parking spaces, and if 1 of 5 must be for one guest parking, this would be about 57 spaces, which she confirmed would be deducted from the 193, leaving about 136 spaces. She asked if these would be a lottery type basis. Ms. Whales said there will be on-site management and they will have some type of program set up for either payment or incentives for residents.

Secretary Langlois referred to bike parking and storage, and asked that there be sufficient bike parking so residents who live on upper floors have a place to securely keep their bikes overnight. Ms. Whales clarified there will be bike parking in the garage area, but she was unsure of the number of spaces and said there will be a secured area with either lockers or a gated area to store bikes.

Commissioner Butt commented that the condition is for 50 bike spaces, but he was not sure this enough for the entire project. He suggested seeing more adequate bike parking and thinks it would also be nice to have areas to work on bikes, as well. He said he thinks this is exactly the kind of project for Richmond and it is providing affordable housing close to transit and in tandem with the Nevin Avenue improvements, it will be a major benefit for the area.

Chair Lane said she is concerned with the amount of parking, and while there is nearby transit, she also feels that there will be families in these units and she does not think have 136 spaces is optimal, as parents and families still must drive for many errands in vehicles. She noted there

are cars also that park in the area and she feels there may be problems for people being able to park.

Chair Lane called on the applicant to speak.

Alexis M. Gevorgian, applicant, stated with respect to parking, he thinks Commissioners are being realistic and pragmatic about biking and the trend to have less cars. He thinks it is a legitimate concern, but they have tried to mitigate this as much as possible. They have a very large number of studio apartments and very few 4 bedroom units, so as to discourage large families living there. Given the number of parking spaces, the larger units will take a priority over smaller units to ensure there is livability given reduced parking stalls. He said there is a large parking structure on the other side of the railroad tracks that could be used to mitigate concerns, as well. Overall, he thinks staff did a great job in describing the project and asked that the Commission allow them to proceed.

Commissioner Butt referred to the 50 bike parking spaces and 289 units, and he said if 80% of renters have a bike, he asked where they would go. Mr. Gevorgian said it would be great if they have this type of demand, and because they have a podium deck, they could easily provide added bike parking and/or hang bikes in the garage. Commissioner Butt asked and confirmed that Mr. Gevorgian was amenable to provide a condition for additional bike parking and he noted that below the podium, they could also hang bikes as well.

Chair Lane stated there are 112 studio apartments, 84 one-bedroom units, and a variety of the larger units adding up to 289 units. She asked how the applicant arrived at the number of parking spaces needed and voiced concern about the number of spaces, given the current impact in the neighborhood. Mr. Gevorgian said they will have retail on the ground floor which is a competing interest, as well as the economics of providing parking which is very expensive. The only other alternative would be to build another podium deck or go below grade, which is a non-starter and cost-prohibitive. In terms of what they have found in other projects, planners are suggesting not building parking if people want fewer cars on the road and less traffic. They have recognized that parking works itself out from a supply and demand standpoint. If it gets too difficult, people simply do not rent the units. There are also other parking management plans they could utilize if they encounter problems. They could provide parking shuttles and if the demand is very high, there may be a way to pay for spaces off-site, but it eventually works itself out.

Chair Lane opened the public comment period.

Public Comments:

Chung Yeung Yu said he lives in the area and even now he cannot find parking at night. He said there will be a huge problem if the project is built. Most people use cars and the BART system will not work for the neighborhood. Most people in the area work in construction and have at least two vehicles. If 289 units are built with 136 parking spaces, it will not work and people will die in their neighborhood because they fight over parking. Therefore, he asked that the Commission listen to the input from neighbors and said it is a life and death issue. He also questioned security, as there are problems with drugs and prostitution, and police do not show up.

Cordell Hindler, Richmond, agrees with the previous speaker and said he passes 23rd and Nevin Avenue daily and the neighborhood council opposes the project due to excessive crime between 21st and 23rd and Nevin streets and people who take BART regularly cannot afford \$4/daily to park and use the bus. He thinks townhomes are much better and asked the Commission to address parking and decide on duplexes or townhomes.

Candida Orellana, Richmond, said she has lived in the neighborhood since 1973 and said there are shootings, prostitution, drugs, no safety and a lot of police activity. There are no parking spaces for residents and she did not agree with putting 289 units without adequate parking. People who ride BART every day park along the neighborhood streets and there is no parking when she gets home which is not fair. She asked the Commission to consider the impact it will cause existing residents in the area.

Scott Littlehale, Richmond, Carpenter's Local Union 152, said he does not rise in opposition to the project, and as a resident he wished he was in support of the project but he thinks it is true that construction is a vital part of Richmond and there is not a person on this Commission or the City Council who are in favor of more quality construction jobs for local residents. He said they have 50% more construction workers than the average California city has now, and truthfully, most workers drive and travel quite a distance to get to and from work. He thought it would be great to commit to employing local residents and quality jobs that did not qualify them to live in lower income housing but rather enable them to live as middle class people. He thinks the community should pull together to make this happen, as this project will take some form of subsidy. They are trying to make a better future for Richmond residents and hopes to reinforce that message with the applicants.

Yesena Rodriguez, Richmond, said she lives on 21st and Nevin Avenue and she has a family of 6 people and 3 currently drive. One is almost about to drive and this requires a lot of parking. As her neighbor indicated, parking is scarce and people prefer walking four blocks instead of paying \$4/day. When she returns from work, there is never any parking where she lives. There are also many drugs and crime and had a friend killed in the area and her friends do not want to visit her home. She agrees that the project looks nice, but parking is a big concern and no one walks or rides bikes due to crime in the area.

Rebuttal – Applicant

Alexis Gevorgian, applicant, said residents have a real concern with crime which includes murder, prostitution, drugs, and many negative things in the community. He thinks a solution to this is to provide activity. There will be more people, more eyes, real human surveillance, and it is the lack of activity particularly in the evenings that causes crime. He said all of their management team are third party professionals that conduct criminal background checks, gang affiliation checks, in-house site visits, and their intent is to plant good citizens and families who do not want their community to deteriorate. As long as they conduct good checks on who will be residing in the units, it will be a much better environment. Additionally, they intend to provide better lighting in the area and retail to turn around the entire area.

Rebuttal – Lead Speaker

Chung Yeung Yu said he agrees more light and activity is needed, but it will not change the current conditions. Just because there are more people does not mean they can go out at night. There is no way to guarantee people's safety, as the more people there are, the more crime that

can occur against them. He asked that the City first provide safety and security, and he asked to think about current residents who need more parking and safety.

Chair Lane stated it was noted in the staff report that Mr. Gevorgian met with some of the neighbors, and she asked about this process. Mr. Gevorgian said most tenants did not want to speak with them, but he said they met with several investors who purchased homes in the neighborhood on Nevin Avenue which had been boarded up and fenced. For the most part, the reaction they received from investors is that they hoped that the area would appreciate in value and they indicated whatever could be done to assist would be great.

Commissioner Baer said some communities there are parking programs that give neighbors the priority for parking near their house. She does not think Richmond has anything like that but given increased density in this area and potentially in other areas, she asked if this is something that could be implemented.

Director of Planning and Building Richard Mitchell said he believes that over time, there will be parking programs and strategies. There is a whole set of organizations that did not exist in the past such as Lift, Uber, Sidecar, and many people always talk about parking, but many buildings in Richmond were built in the early 1900's and it was a completely different reality. They expect the proposed project building to be here for 100 years. There will be some adjustments that will need to be made in the short term as they shift back toward urban buildings and away from parking. He then discussed gas prices, examples of too much and too little parking examples, options for getting around and noted that people will need to make choices if cities are to build a high density urban fabric.

Chair Lane spoke of high density neighborhoods and parking programs where permits are assigned to residents. She is personally impacted by this issue and thinks something needs to be done in Richmond so residents are able to park and Mr. Mitchell said these types of programs can be brought here.

Commissioner Baer asked to have wide sidewalks on 23rd Street particularly where the eastern building fronts commercial space as well as street trees and other amenities. Mr. Smalley said as part of the Nevin Avenue improvements, the plan is to build a bulb-out on 23rd Street and Nevin and it would extend 20-30 feet south from that corner so it will blend in with the existing sidewalk.

The public hearing was closed.

Chair Lane asked that public transit passes be considered for residents, asked to explore whether the nearby garage could also be used and priority given to families in larger units for being able to park inside the garage of the project. She said she is very familiar with the criminal activity in the neighborhood and have witnessed many issues while walking which is a concern for neighbors. She recognized that these are all real issues the community faces.

Secretary Langlois thanked the neighbors for coming and speaking, said she is also aware of issues in the area while walking and biking in the area, knows of a drug house that causes many problems, and has advocated for the Nevin Avenue streetscape improvements. She thinks have the street and area improved with lighting and more people and activity will improve and provide eyes on the street. She suggested increased police visibility and hopefully the area will be revitalized with businesses, more people and restaurants. She also recognized parking

problems on Nevin Avenue but while biking, she noticed areas where there are no vehicles, so hopefully this will improve as well. Residents who move into the project also may be those without vehicles and who take public transit and she supported transit passes be issued and a parking mitigation plan for residents.

Secretary Langlois asked the applicant what steps could be taken to hire as many local construction workers as possible. Mr. Gevorgian said it is in their best interest to hire as many local residents as they can and have also made local residents aware of the project, but it is a competitive process and they will keep costs controlled to make the project feasible.

Vice Chair Choi thanked residents who came and spoke, said the solutions the City has for crime really involve new development, more people and activity in areas. He was raised in a very dangerous area and as more people live and know each other in a community, it automatically deters crime.

Commissioner Butt agrees with comments, appreciates Mr. Mitchell's comments about driving cars, and he thinks the future will provide a positive approach to how cars are phasing out. He knows concerns are real and he supported transportation management programs, but with projects like this, it forces the issue of living with fewer cars. He added that he would like conditions that address sidewalk improvements along 23rd Street and with amenities like street trees and lighting, that there is adequate bike storage for one bike per unit, and he wants to ensure that the DRB looks at the form based code and livable corridors standards to apply to the project.

Ms. Velasco said staff can provide the analysis to the DRB, but the regulations or standards are not in effect until they are adopted by the City Council. She said one of the requirements was for a commercial frontage along 23rd Street which has been done, and staff will evaluate the project based on the ordinances in effect today.

ACTION: It was M/S/C (Baer/Butt) to adopt Resolution 15-09, the Final MND and Mitigation Monitoring and Reporting Program, and approve the Conditional Use Permit within the Resource Management Overlay District which includes a density bonus, concessions for height, parking and reduced open space; and to adopt the staff findings and recommended conditions and add/amend the following conditions: 1) Amend a condition to add a transit pass program; 2) Require one bike parking space per unit; 3) Replace any removed trees on a 3:1 replacement ratio to be planted on site or in another location, and that the applicant work with City staff to have tree replacement consistent with City policy similar to what is being done along Nevin Avenue; 4) that a parking priority be given to occupants of larger units; 5) that 23rd Street sidewalk improvements and street trees should be added; and 6) consider subsidizing the nearby parking garage as an option under a parking management program; which carried unanimously by the following vote: 4-0-2 (Ayes: Butt, Choi, Langlois and Lane; Noes: None; Absent: Kilbreth and Reyes.

Chair Lane announced the 14-day appeal process. Secretary Langlois asked what the fees for filing an appeal were.

Ms. Velasco said there are two fee schedules; the planning appeal schedule and the City Clerk appeal schedule. The planning appeal fee is 5% of the fees paid for the subject project and staff

has been honoring the City Clerk fee for the appeal of \$150 for planning projects, and this will be clarified and revised in the near future.

STUDY SESSION ITEMS

- 4. PLN15-078: Bicycle, Trail & Pedestrian Standards Zoning Text Amendments - STUDY SESSION** to review Zoning Text Amendments to Section 15.04.830 of the Richmond Municipal Code that would set requirements and standards for bicycle, trail and pedestrian improvements for development projects and amendments to Section 15.04.850 adding minimum ratios for bicycle parking and modifying ratios for residential uses. City of Richmond, applicant; Planner: Kieron Slaughter. Tentative Recommendation: Hold Over to 5/7/2015

This item was held over to the May 7, 2015.

- 5. PLN15-141: Creek Ordinance - STUDY SESSION** to review Zoning Text Amendments to Section 15.04.510 of the Richmond Municipal Code to regulate development adjacent to creeks and establish requirements for creek improvements for development projects. City of Richmond, applicant; Planner: Jonelyn Whales. Tentative Recommendation: Hold Over to 5/7/2015

This item was held over to the May 7, 2015.

COMMISSION BUSINESS

6. Reports of Officers, Commissioners and Staff

Ms. Velasco announced that the City will be holding community meetings relating to the Housing Element update. The first meeting will be April 9th in the Chambers, and they welcome the public's input in evaluating the previous planning period along with hearing ideas for housing development and policies and programs. The second community meeting will be on April 14th as the City must have the element approved by the State by May 31st. She noted that staff held a stakeholder luncheon with advocacy groups and stakeholders and distributed flyers. In addition, staff is distributing flyers in various City locations and publishing the notices in the City Manager's Weekly Report, posted on-line and sending notices to the neighborhood councils.

Chair Lane suggested a staff person or a City Councilmember to mention this at meetings that this is underway for further outreach.

Commissioner Baer reported that on March 18th she attended the final workshop for the South Richmond Connectivity Plan.

Chair Lane said as the Commission gets more infill projects like the one discussed tonight, she asked staff to return information on a transportation management program, given continuing issues with parking citywide. It is important as it relates to development along commercial corridors, government buildings, and she suggested staff bring options for neighborhood parking permits or other parking options.

Chair Lane said in terms of outreach, she asked that staff provide more materials and information so neighbors understand what is happening in their communities.

7. **Adjournment** - The meeting was adjourned at 8:42 p.m. to the next regular meeting on April 23, 2015.