

**PLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL**  
450 Civic Center Drive, Richmond, CA  
November 2, 2017  
6:30 p.m.

**COMMISSION MEMBERS**

Marilyn Langlois, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Claudia Garcia	Michael Huang
Vacancy	

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

**ROLL CALL**

**Present:** Chair Marilyn Langlois; Vice Chair Andrew Butt, Commissioner Nancy Baer, Jen Loy, Claudia Garcia and Yu-Hsiang (Michael) Huang

**Absent:** None

**INTRODUCTIONS**

**Staff Present:** Planning Staff: Lina Velasco and Attorney Carlos Privat

The Commission sent their condolences to Ms. Roberta Feliciano whose father passed away.

**MINUTES:**

Chair Langlois stated that there are no meeting minutes to approve.

**AGENDA**

Chair Langlois provided an overview of meeting procedures for speaker registration, public comment, and public hearing functions. If the public wishes to appeal the Commission's motions, they can do so with the City Clerk's Office in writing by November 13, 2017, by 5:00 p.m.

**CONSENT CALENDAR**

Item one has been removed from the consent calendar. There are two public speakers for item one; one speaker in favor and one stating no position.

- 2. PLN17-281: Mayder Residential Variance and Design Review Permit PUBLIC HEARING** to consider a Variance for minimum lot size and Design Review Permit to construct a two-story single family dwelling on a 2,500 square-foot parcel at 251 South 39th Street (APN: 513-062-018). RL2, Single-Family Low-Density Residential District. Romi Mayder, owner; Margarita Veronica Blanco, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

**ACTION: It was M/S/C (Baer/Butt) to approve Item 2 on the Consent Calendar; which carried by the following vote: 6-0 (Ayes: Langlois, Baer, Butt, Loy, Garcia, Huang; Noes: None.)**

**BROWN ACT – Public Forum**

CORDELL HINDLER, Richmond, requested that the Commission consider a spa and juice bar in downtown Richmond. He provided some recipes for drinks for the spa and juice bar.

**NEW ITEM**

1. **PLN17-071: Ritz Carlson, Medical Marijuana Cultivation CUP**  
**PLN17-114: TP 350, Medical Marijuana Cultivation CUP**  
**PLN17-345: HIP Carson, Medical Marijuana Cultivation CUP**  
**PLN17-346: Macy East Bay, Medical Marijuana Cultivation CUP**  
**PLN17-347: Kyle Richmond, Medical Marijuana Cultivation CUP** PUBLIC HEARING to consider requests for Conditional Use Permits to operate medical marijuana cultivation facilities located on five separate parcels at 350 Carlson Blvd. (APNs: 513-010-002 to 006). CG, General Commercial District. Adel Park LLC, owner; Anderson Schwartz Architects, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

Chair Langlois did a brief overview of the procedures for the public hearing.

Ms. Lina Velasco gave the staff report and overview of the projects for the requested Conditional Use Permits and the Certificates of Appropriateness.

Former Pullman shop structures, built in 1910, were deemed a historic resource and these shops sit on the proposed site. On October 24, 2017, the Historic Preservation Commission reviewed the request for a Certificate of Appropriateness for each structure and recommended that the Planning Commission approve the Certificate of Appropriateness for each of the five structures.

As defined in Section 11362.7 of the California Health and Safety Code, the cultivation of marijuana would be conducted inside buildings two through six in designated flowering room. All buildings will be equipped for all phases of medical cannabis cultivation. The proposed project meets the buffer distance requirements from schools, parks, community centers, youth centers, daycares and nursery schools.

The project agrees to comply with all the standard conditions for cultivators and staff is recommending that the Planning Commission approve the Conditional Use Permits and the Certificates of Appropriateness.

There are some clarifying notes that staff has suggested the Planning Commission include in their motion. Condition Eight would clarify that if the improvements and the CUP are not exercised within one year, the applicant would have to return for renewal. Condition thirteen, seventeen, and forty need some grammatical changes. Condition nineteen would clarify that the project would have to prevent access if not being used. Forty-four would clarify that the applicant would notify the Police Department of new employees or new management members.

Condition fifty would clarify that the disposal of any marijuana products not being sold needs to be disposed and rendered unusable. Lastly, fifty-six clarifies that the bureau refers to the Bureau of Cannabis Control at the state.

Chair Langlois called upon the applicants to present.

ZOHAR SCHWARTZ, Anderson Schwartz Architects, applicant, explained to the Commission that the scope of the project consists primarily of site improvements and construction of interior partitions. He reiterated the improvements that were listed in the staff report such as a new fence and guard booth. Also, all work done on the exterior of the buildings will conform to the Secretary of the Interior's Standards and all buildings are separate in terms of cultivation from one another.

ERIC OLSON, Hyphae Design Laboratory, Landscape Design, states that the building operates on one hundred percent renewable energy. In terms of water, the condensation from the HVAC units will be recycled and reused for interior irrigation. Also, a greywater system will be installed to water exterior landscaping. Mr. Olson also explained briefly about the landscaping that is being proposed and it benefits to the outside environment.

PATRICK GOGGIN, Counsel for Ritz Carlson, applicant, states that they have been in contact with the Pullman Neighborhood and that they are fully willing to implement and apply the eight suggestions that the neighborhood has come up with to help improve the area.

Public Comments:

ELBERT MCDONALD suggests that if some of the money that the City receives from this project could fix up the neighborhood and help implement the other suggestions the neighborhood has requested, then he is in full support of the project.

NAOMI WILLIAMS, President of the Pullman Neighborhood, states that while she is not against the project, she is against the location of the project. Ms. Williams states that the project location is in the middle of a neighborhood and because the project is proposed near Pullman Point Apartments, which has high crime, she would like to know about the security plan. If the proposed projects give written confirmation that they will do all the eight suggestions that the neighborhood has presented to them, Ms. Williams is in support of the project.

Mr. Goggin states that there is a robust security plan in place for the facilities. For employees, Mr. [Gogan] says there will be about 10-15 employees per parcel. He also reiterates that the applicants are here to work with the neighborhood and the Neighborhood Council on any item that is requested of them.

Vice Chair Butt wished to hear the eight requests that the neighborhood had suggested. Mr. Goggin states that the conditions were just recently required and are not in any of the Conditions of Approval but all parties are committed to seeing these requests fulfilled. The eight requests from the neighborhood include a meeting space for the neighborhood Council to meet bi-monthly, extend the fence on South 33<sup>rd</sup> St. to 10-feet high, install cameras on South 33<sup>rd</sup> St. and Ohio Ave. at the entrance of the Richmond Greenway, provide volunteers for neighborhood cleanup days, provide funding and help paint the exterior of homes of seniors and disabled in the neighborhood, assign a spokesperson to attend three neighborhood meetings per year and

deliver an update report, adopt a section of the Greenway located in the neighborhood and provide funding and sponsorship for the Family Friendly Neighborhood Block Party.

Vice Chair Butt asked about how the windows will be rehabilitated and suggested that a condition that the building be painted or cleaned subject to the Planning Department and Historic Preservation Commission. Mr. Schwartz stated that the windows are obscured glass and will be painted a lighter color. He also states that the Historic Preservation Commission stated not to paint the façade because it originally wasn't painted.

Commissioner Baer asked for more detail about the security plan and is concerned about the 10-foot high suggested fence in that it might attract more attention to the property. RON BRANDON, Project Manager/Consultant, states that there are security cameras, extra flood lights on the property, security measures on the building itself and security guards and that the applicants have been coordinating with the local Police Department on security.

Commissioner Baer wants to know what directions Council has given on how many marijuana cultivation installations are wanted in the community. Ms. Velasco states that the Council removed their limitation policy and there is no limit number.

Commissioner Loy states that she has the contact for the Friends of the Richmond Greenway that she can pass along to the applicants.

Chair Langlois wanted to know if each individual operator is responsible for fulfilling all the requirements of the Conditional Use Permits. Ms. Velasco states that staff did draw up five separate Conditional Use Permits for each operator so that it wouldn't affect all the operators if there was a turnover in ownership. Also, all operators would need to follow and implement all requirements in the Conditional Use Permit.

The public hearing was closed.

Per Chair Langlois request, Ms. Velasco reiterates that staff is recommending the Planning Commission adopt the Resolutions 17-21 through 17-25 approving Conditional Use Permits and Certificates of Appropriateness for medical marijuana cultivation facilities and rehabilitation of historic structures at 350 Carlson subjects to the conditions and minor modifications.

Discussion commenced among the Commission about the neighborhood's suggested conditions and how those conditions would be implemented. Mr. Privat suggests that \$5,000 from each business per year be put into a fund and administrated by the operators and in consultation with the Neighborhood Council. The Commission agreed upon the fence height increase to 10-feet and the attendance of three Neighborhood Council meetings per year with an updated report from the business's appointed spokesperson.

Vice Chair Butt move for approval and stated that the 10-foot height fence is included in the motion as one of the eight conditions from the neighborhood.

**ACTION: It was M/S/C (Butt/Baer) to approve PLN17-114, PLN17-071, PLN17-345, PLN17-346, PLN17-347 and the Certificate of Appropriateness to rehabilitate historic structures located on those five separate parcels at 350 Carlson Boulevard with the staff included findings, the staff recommended conditions, the additional eight conditions as discussed by both the Neighborhood Council and agreed upon by the applicant. All of them**

**that relate to funding coming from the applicant would be dealt with as a fund of \$5,000 per applicant to be set up subject to staff and City recommendation and be administered by the applicants and used for beautification projects to be determined by the local Neighborhood Council; and that the building's façade be cleaned up; which carried by the following vote: 6-0 (Ayes: Langlois, Butt, Baer, Loy, Garcia, Huang; Noes: None).**

**COMMISSION BUSINESS**

- 3. Reports of Officers, Commissioners, and Staff** – Commissioner Baer attended the housing workshop that was put on by the City at the end of September and found it very interesting.
- 4. Adjournment** - The meeting was adjourned at 7:39 p.m. to the next regular meeting on November 16, 2017.