

CITY COUNCIL RESOLUTION NO. 75-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AFFIRMING THE PLANNING COMMISSION'S DECISION TO APPROVE A 289-UNIT AFFORDABLE HOUSING DEVELOPMENT ON THE SOUTHSIDE OF NEVIN AVENUE, BETWEEN 21ST AND 23RD STREET (PLN14-115)

WHEREAS, the appellant, Chung Yeung Yiu, filed an appeal of the Planning Commission's decision to approve Application PLN14-115 with the City of Richmond requesting approval of the Nevin Homes Residential Project, a 289-unit affordable housing development (the "project") on two parcels totaling 1.71 acres located on the south side of Nevin Avenue, between 21st and 23rd Streets (Assessor Parcel Nos: 514-080-018-013 and 514-090-018) (the "subject site"). The approval included a Mitigated Negative Declaration, Mitigation and Monitoring Reporting Program, and a Conditional Use Permit for a density bonus with three incentives for reduced parking, open space and an increase in height; and

WHEREAS, the proposed project includes two buildings with ground floor retail commercial space, including a 289-unit apartment complex, consisting of 112 studios, 84 one-bedroom, 53 two-bedroom, 30 three-bedroom, and 10 four-bedroom units. The building at Site A would have 84,510 square feet of residential area, and the building at Site B would have 88,010 square feet, for a project total of 172,520 square feet of residential space. The project (both buildings) would have a total floor area of approximately 350,000 square feet, including residential space, retail and common spaces, and parking; and

WHEREAS, Richmond's General Plan designates the site as High Intensity Mixed-Use (Major Activity Center) which includes mid and high-rise mixed-use development at major activity centers to serve the community and region. Areas with this classification are characterized by streets with minimal setbacks, wide sidewalks and public spaces that cater to pedestrians and transit riders. Medium-Intensity Mixed-Use (Commercial Emphasis) is allowed within this land use classification; and

WHEREAS, according to the State's Density Bonus Law and the City's Density Bonus Ordinance (Section 15.04.810.050 of the Zoning Ordinance) the project is an affordable housing development and is eligible for Conditional Use Permit for a density bonus which allows for concessions to development standards, including density, parking, open space and building heights; and

WHEREAS, in accordance to the California Environmental Quality Act (CEQA) a Mitigated Negative Declaration (MND) was prepared for the project. The draft Initial Study/MND was noticed for a 30-day public review period which began on September 23 and ended on October 23, 2014. The review period was extended to 45 days from the original 30 day period; and ended on November 10, 2014. Three comment letters were received from various community groups and agencies. A Response to Comments was prepared along with a Mitigation Monitoring and Reporting (MMRP) which became the Final Mitigated Negative Declaration for the project. The final MND contains environmental information related to development of the project and recommends mitigation measures to reduce significant environmental impacts to a less than significant level; and

WHEREAS, the Planning Commission considered the project at a properly noticed public hearing on April 2, 2015, and determined that the project would promote affordable housing opportunities adjacent to the Richmond intermodal station and unanimously approved the project; and

WHEREAS, on April 27, 2015, the appellant, Chung Yeung Yiu, filed a timely appeal of the Planning Commission's decision; and

WHEREAS, the City Council considered the appellant's appeal at a properly noticed public hearing on June 16, 2015 and finds as follows:

- The project would comply with the goals and vision of the Richmond General Plan; and
- The project would provide "more eyes on the street" and revitalize two blighted parcels in a neighborhood that has experienced substantial disinvestment. New residents will help support and promote economic activity in the downtown area; and
- The project is an urban in-fill development located in an area already served by community facilities and utilities compatible with the existing transportation system; and
- The project would provide more affordable housing opportunities within the City of Richmond.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby denies the appellant's appeal and affirms the Planning Commission's approval of a 289-unit transit oriented affordable housing development, proposed for two parcels located near the Richmond Intermodal station, on the south side of Nevin Avenue, between 21st and 23rd Streets.

I CERTIFY that the foregoing resolution was adopted at a regular meeting of the City Council on July 21, 2015 by the following vote:

AYES: Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé,
Vice Mayor Myrick, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

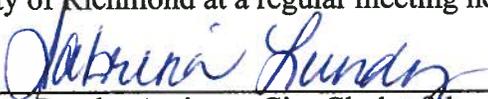
TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 75-15**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 21, 2015.



Sabrina Lundy, Assistant City Clerk of the City of Richmond