

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF A CONDITIONAL USE PERMIT AND DESIGN REVIEW TO OPERATE AND ESTABLISH A RETAIL STORE GREATER THAN 3,000 SQUARE FEET IN SIZE (10,000 SF PROPOSED), INCLUDING BUILDING RENOVATIONS AND SITE IMPROVEMENTS WITHIN THE CM-4, COMMERCIAL MIXED-USE, GATEWAY/NODE AT 12300 SAN PABLO AVENUE (PLN21-129).

WHEREAS, Kim Kevin and Jennifer Yu (the "applicant") request approval of a Conditional Use Permit and Design Review to operate and establish a retail store greater than 3,000 square feet (SF) in size (10,000 SF proposed), including making building renovations and site improvements. ("Project") at 12300 San Pablo Avenue (APN: 519-200-018 and 519-200-013) ("subject site") within CM-4, Commercial Mixed-Use, Gateway/Node; and

WHEREAS, on January 6, 2022, at a public hearing the Planning Commission reviewed the Project and voted to approve the Conditional Use Permit and Design Review, subject to conditions to be incorporated in the attached plans (see Project Plans); and

WHEREAS, on January 18, 2022, an appeal was filed by Jim Hanson on behalf of Richmond Heights Neighborhood Council (RHNC), objecting to the Planning Commission approval of the Conditional Use Permit and Design Review (PLN21-129); and

WHEREAS, on March 1, 2022, the City Council conducted a properly noticed public hearing pursuant to California Government Code Section 65090 and has duly considered all written and verbal testimony presented before or during the hearing, including the staff report; and

WHEREAS, the proposed project is categorically exempt under Section 15301 and 15332 of the California Environmental Quality Act (CEQA) consisting of projects involving minor alterations to existing commercial structures and facilities that will not result in an increase in floor area and infill development projects of less than 5 acres surrounded by urban uses; and

NOW, THEREFORE, BE IT RESOLVED, on the basis of the written appeal, plans, materials, agenda report, and testimony received at or before the public hearing, the City Council does hereby denies the appeal and affirms the Planning Commission's conditional approval of the Conditional Use Permit and Design Review for the Project.

I CERTIFY, that the foregoing resolution was adopted by the City Council of the City of Richmond, California, at a regular meeting held on March 1, 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CITY CLERK

Tom Butt
MAYOR

Approved as to form:

CITY ATTORNEY