



**Planning Commission
Regular Meeting**

**Tuesday, January 11, 2022, 7:00 P.M.
MINUTES**

Virtual Meeting

**Watch on Webinar: <https://tinyurl.com/pc-2022-01-11>
Watch on YouTube: <http://www.youtube.com/cityofsanrafael>
Telephone: (669) 900-9128
Meeting ID: 872-0645-4435#
One Tap Mobile: US: +16699009128,,87206454435#**

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Assembly Bill 361, the City of San Rafael is offering teleconference without complying with the procedural requirements of Government Code section 54953(b)(3). This meeting will be held virtually using Zoom.

How to participate in the meeting:

- Submit public comments in writing. Correspondence received by 5:00 p.m. the Wednesday before this public hearing will be provided with the agenda materials provided to the Commission. Correspondence received after this deadline but by 5:00 p.m. the day of the hearing will be conveyed to the Commission as a supplement. Send correspondence to the project planner and to planningpubliccomment@cityofsanrafael.org
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email city.clerk@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Present: Chair Samudzi
Commissioner Harris
Commissioner Haveman
Commissioner Mercado
Vice Chair Previtali
Commissioner Saude
Absent: None
Also Present: Leslie Mendez, Planning Manager
Tricia Stevens, Contract Planner

CALL TO ORDER

Chair Samudzi called the meeting to order at 7:02 p.m. He then invited Planning Manager Leslie Mendez to call the roll. All commissioners were present.

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

Chair Samudzi suggested moving Agenda Item 3 (Northgate Mall Redevelopment Project) to be heard last tonight, as Commissioner Saude would be recusing herself from that item. Then, Chair Samudzi clarified that the term of the new Chair elected in Agenda Item 4 would take effect at the next meeting.

PUBLIC NOTIFICATION OF MEETING PROCEDURES

Chair Samudzi invited Planning Manager Leslie Mendez who informed the community the meeting would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through Zoom. She explained the process for community participation on the telephone and Zoom.

Chair Samudzi reviewed the procedures for the meeting.

ORAL COMMUNICATIONS FROM THE PUBLIC

None

CONSENT CALENDAR

Chair Samudzi invited public comment; however, there was none.

Commissioner Saude moved and Commissioner Haveman seconded to approve the Consent Calendar.

1. Approval of the Planning Commission Meeting Minutes of December 14, 2021 *Approved minutes as submitted*

AYES: Commissioners: Harris, Haveman, Saude & Chair Samudzi

NOES: Commissioners: None

ABSENT: Commissioners: None

ABSTAIN: Commissioners: Mercado & Previtali

Motion carried 4-0-2

2. Tiscornia Marsh Restoration Project, North of Canal Street

Request for a Use Permit and Environmental and Design Review Permit to approve the Tiscornia Marsh Restoration Project. The Tiscornia Marsh Restoration Project proposes to restore the 23-acre tidal marsh/mudflats and shoreline levee located north and outboard of Canal Street, as well as the five-acre, City-owned diked marsh located north of the Albert J. Boro Center/Pickleweed Park Playfields. APNs: 009-142-01, 009-032-08 and -09; Planned Development- Wetland Overlay (PD-WO) and Parks/Open Space-Wetland and Canalfront Review Overlay (P/OS-WO-C) Districts. Applicant: Marin Audubon Society; Property Owners: Marin Audubon Society and City of San Rafael.

Project Planner: Leslie Mendez Leslie.mendez@cityofsanrafael.org

RESOLUTION NO. 22-01 - RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) (SCH #2021020362) PREPARED FOR THE TISCORNIA MARSH RESTORATION PROJECT, EAST CANAL STREET (CASE NOS. UP21-001, ED21-002, IS21-001)

RESOLUTION NO. 22-02 - RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION ADOPTING CEQA FINDINGS OF FACT AND APPROVING A MITIGATION MONITORING & REPORTING PROGRAM TO SUPPORT CONDITIONAL APPROVAL OF USE PERMIT (UP21-001) AND AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED21-002) FOR THE DEVELOPMENT OF THE TISCORNIA MARSH RESTORATION PROJECT, EAST CANAL STREET (CASE NOS. UP21-001, ED21-002)

RESOLUTION NO. 22-03 - RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION CONDITIONALLY APPROVING A USE PERMIT (UP21-001) AND AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED21-002) FOR THE DEVELOPMENT OF THE TISCORNIA MARSH RESTORATION PROJECT, EAST CANAL STREET (CASE NOS. UP21-001, ED21-002)

AYES: Commissioners: Harris, Haveman, Mercado, Previtali, Saude & Chair Samudzi
NOES: Commissioners: None
ABSENT: Commissioners: None
ABSTAIN: Commissioners: None

Motion carried 6-0

ACTION ITEMS

3. Northgate Mall Redevelopment Project (5800 Northgate Drive)

Scoping meeting for the Notice of Preparation of an Environmental Impact Report (EIR) for a Rezone to the Planned Development (PD) zone, a Use Permit, an Environmental and Design Review Permit, and a Tentative Map to allow the comprehensive redevelopment of the existing Mall into a new, phased mixed-use development with retail and approximately 1,443 residences on a 44.76-acre site. APNs: 175-060-12, -40, -59, -61, -66 & -67; General Commercial (GC) District; MeloneGeier Partners, owner/applicant; File Nos: ZC21-001, UP21-007, ED21-024, TS21-002, IS21-002 & DA21-001

Project Planner: Tricia Stevens Tricia.Stevens@cityofsanrafael.org

Recommended Action - Accept public comment and direct staff to prepare a Draft Environmental Impact Report (DEIR)

Commissioner Saude recused herself from this item (due to a potential conflict with her employer) and left the meeting at 7:29 p.m.

Leslie Mendez, Planning Manager introduced Tricia Stevens, Contract Planner who presented the Staff Report.

Theresa Wallace, CEQA Consultant gave a presentation.

Staff and Applicant responded to questions from the Commissioners.

Chair Samudzi invited public comment.

Speakers: Tyler Nielsen, Matthew Hartzell, WTB-TAM (Transportation Alternatives for Marin), Claire Halenbeck, Shirley Fischer, Bill Carney, Sustainable San Rafael, Adolfo, Scott Frerich, Brian, Mark Schott, Kate Powers, Judy Schriebman, Gallinas Watershed Council, Fred Penczak, Cecil Nielson, Kim Keith-Brown, Terra Linda Homeowners' Association, Raoul

Staff responded to further questions from the Commissioners.

Commissioners provided comments.

Staff provided comments.

Staff responded to further questions from the Commissioners.

Commissioners provided further comments.

4. Annual Meeting 2022

Annual Meeting of Planning Commission for 2022 to include: a) election of officers; and b) review of Planning Commission "Rules and Procedures"; and c) selection of liaisons to DRB meetings

Project Planner: Leslie Mendez Leslie.mendez@cityofsanrafael.org

This item was advanced and heard after the Consent Calendar.

Leslie Mendez, Planning Manager presented the Staff Report.

Leslie Mendez, Planning Manager presented 4.a Election of Officers.

Discussion amongst the Commission regarding Chair and Vice Chair Position.

Commissioner Mercado moved and Commissioner Haveman seconded to elect Vice Chair Previtali as Chair and to elect Commissioner Saude as Vice Chair for 2022, and that rotation continues based on the same tenure.

AYES: Commissioners: Harris, Haveman, Mercado, Previtali, Saude & Chair Samudzi

NOES: Commissioners: None

ABSENT: Commissioners: None

ABSTAIN: Commissioners: None

Motion carried 6-0

Leslie Mendez, Planning Manager presented 4.b Review of Planning Commission "Rules and Procedures".

Staff responded to questions from the Commissioners.

Commissioner Haveman moved and Commissioner Saude seconded to accept the suggested change granting the Chair's ability to limit the time of public comment on an item.

AYES: Commissioners: Harris, Haveman, Mercado, Previtali, Saude & Chair Samudzi

NOES: Commissioners: None

ABSENT: Commissioners: None

ABSTAIN: Commissioners: None

Motion carried 6-0

Leslie Mendez, Planning Manager presented 4.c Selection of liaisons to Design Review Board meetings for the first half of the year as there is currently a vacancy in the Planning Commission.

Staff responded to questions from the Commissioners.

Commissioner Haveman signed up for March. Commissioner Saude signed up for June. Commissioner Mercado signed up for January and April. Commissioner Harris signed up for May. Chair Samudzi signed up for February.

DIRECTOR'S REPORT

Planning Manager reported on the following items:

- Senate Bill 9 (SB 9) Update
- Gratitude for Chair Samudzi's service as Chair for the year

COMMISSION COMMUNICATION

- Vice Chair Previtali gave an update on the Housing Element Subcommittee.

ADJOURNMENT

Chair Samudzi adjourned the meeting at 9:15 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2022

SHINGAI SAMUDZI, Chair