CITY OF RICHMOND

DESIGN REVIEW BOARD

SPECIAL MEETING

COUNCIL CHAMBERS, CITY HALL

440 CIVIC CENTER PLAZA

RICHMOND, CA  94804

WEDNESDAY, APRIL 30, 2014

RE: PLN11-089, THE CHEVRON REFINERY

MODERNIZATION PROJECT

CONTINUED PUBLIC COMMENT HEARING TO CONSIDER

A RECOMMENDATION TO THE PLANNING COMMISSION REGARDING A

DESIGN REVIEW PERMIT

REPORTED BY:  FREDDIE REPPOND, STENOGRAPHIC REPORTER
APPEARANCES

CITY OF RICHMOND DESIGN REVIEW BOARD:

Brant Fetter, Chair
Brenda Munoz, Vice Chair
Eileen Whitty
Mike Woldemar
Robin Welter

FOR THE CITY ATTORNEY'S OFFICE:

Rachel Sommovilla, Assistant City Attorney

FOR THE PLANNING DEPARTMENT:

Lina Velasco, Senior Planner
Hector Rojas, Senior Planner
Kieron Slaughter, Associate Planner

FOR THE APPLICANT:

Mark Piersante

FROM THE PUBLIC:

Jeff Kilbreth
CHAIR FETTER: This is the Design Review Board meeting for April 30th, 2014. And I'll introduce the Board by means of roll call.

Hector.

MR. ROJAS: Chair Fetter.

CHAIR FETTER: Here.

MR. ROJAS: Board Member Whitty.

BOARD MEMBER WHITTY: Here.

MR. ROJAS: Board Member Welter.

BOARD MEMBER ROBIN WELTER: Whic one?

MR. ROJAS: Board Member Munoz.

I'm sorry. Board Member Ray Welter.

Board Member Brenda Munoz.

VICE CHAIR MUNOZ: Here.

MR. ROJAS: Board Member Mike Woldemar.

BOARD MEMBER WOLDEMAR: Aye.

MR. ROJAS: Board Member Robin Welter.

BOARD MEMBER ROBIN WELTER: Here.

MR. ROJAS: We do have a quorum tonight.

CHAIR FETTER: And we also have Hector Rojas, Senior Planner. We have Lina Velasco. And we have
Kieron Slaughter. We also have counsel. Tonight is Rachel Sommovilla. And we also have a guest with us, Freddie Reppond, recording for the Chevron project.

And since we have no minutes to approve, we will move on to the agenda and --

BOARD MEMBER WOLDEMAR: Move to approve the agenda as stated.

BOARD MEMBER ROBIN WELTER: I second it.

CHAIR FETTER: All in favor.

UNIDENTIFIED SPEAKER: Can you speak up with your mics? It's hard to hear you out here.

BOARD MEMBER WHITTY: Stop rustling your papers.

CHAIR FETTER: We will try to get everyone to speak more closely into the mic. It's rather awkward. They don't have volume control on these right now because we don't have AV people, just so you know.

All in favor.

ALL BOARD MEMBERS: Aye.

MR. ROJAS: Before you --

CHAIR FETTER: So the minutes have been approved. I'm sorry. The agenda has been approved. And now we will move on to meeting procedures.

MR. ROJAS: We actually had recommendations on the agenda -- I'm sorry -- in the middle of your vote.
We did have speakers on Items No. 2 and 3. And we were also going to be recommending that we move Item No. 3 at the forefront of the agenda.

BOARD MEMBER WOLDEMAR: Hector, I'm sorry. This thing isn't working. I could barely hear you. I don't know whether the audience can. They're shaking their head no.

MR. ROJAS: Yeah. Can you hear me? I'll just try to speak just a little bit louder.

So staff did have some recommendations as far as the agenda is concerned. Item No. 2 and 3 does have speakers in opposition. So we would want to hear those. And we were also going to suggest that Item No. 3 be heard first. So we wanted to rearrange the agenda. Of course, that's up to you, the Board, at the Board's purview.

BOARD MEMBER WHITTY: No.

CHAIR FETTER: Well, I guess it also depends on whether or not they were taken off of consent calendar. But I can't vote on the agenda because I have an item on the agenda.

BOARD MEMBER WOLDEMAR: Mr. Chair, can I suggest that we do the consent calendar first and then adjust, if necessary, the agenda; because they may not all stay off or on, depending on which way we're looking 

at it, if that's all right. Let's do the consent
calendar first.

CHAIR FETTER: Okay. Well, I guess then I
would ask -- actually, it's more important that we hit
meeting procedures first and then we'll go on to the
agenda, if you don't mind.

Meeting procedures are listed at the back of
the agenda, that you'll notice. And the primary issue
there is the fact that, you know, it's when we have
public speaking and how we handle numbers of people
speaking on a particular agenda. And that includes the
form for speaking; and that, if you would like speak on
a particular item, I would ask that you fill out the
speaker form and hand it in to Lina or Hector.

The next thing is let's get the public forum
out of the way. If there is an item -- or I should say
an issue or something -- that the public would like to
speak about that is not on the agenda -- not on the
agenda -- I welcome anyone to speak right now.

Please go ahead.

UNIDENTIFIED SPEAKER: The minutes from the
previous meeting, they're not listed. And so --

CHAIR FETTER: We have not had them processed
and submitted to us yet. I mean this is a very fast
cycle. We wanted to address these items, so as far as I
know we didn't have --

We don't have the minutes from the last meeting processed yet, do we?

MR. ROJAS: That's correct. We do have an audio recording that's available to the public if you want to take a visit to the --

UNIDENTIFIED SPEAKER: So they haven't been approved?

CHAIR FETTER: Correct. No, no. We just don't usually have this fast a turn-around. We've got a lot of stuff on the menu, so we're trying to handle a lot. So we had to put in an extra meeting.

UNIDENTIFIED SPEAKER: Okay. That's all I wanted to say.

CHAIR FETTER: Sure. Sure Anybody else have something that they'd like to talk about?

Seeing that we don't have any more items that are off agenda, we will move to the consent calendar.

Do I have any Board Members that would like to remove an item?

BOARD MEMBER WOLDEMAR: Mr. Chair, I'd like to pull Items No. 2 and No. 3, please.

CHAIR FETTER: Okay. Any other Board Members?

And seeing that we don't have any more
comments from the Board, is there any member of the public that would like to remove an item from the agenda, other than 2 and 3?

MS. VELASCO: Chair Fetter, we do have one speaker signed up for the modernization project, which is Item 1, stating no position.

CHAIR FETTER: Okay.

BOARD MEMBER WOLDEMAR: Do you know that name? Can we ask the person if they would like to speak afterwards or that we leave it on the consent calendar?

MS. VELASCO: Jeff Kilbreth was the speaker.

CHAIR FETTER: Maybe we should ask the nature of the commentary.

MS. VELASCO: I can inquire.

CHAIR FETTER: Thank you. We'll wait just a moment for that.

THE REPORTER: Excuse me. Board Member Woldemar, I don't think your microphone is on. I'm not hearing anything.

BOARD MEMBER WOLDEMAR: This one?

THE REPORTER: Oh, it is. Okay. Thank you.

CHAIR FETTER: Just you have to be right there on it, unfortunately; and it's rather awkward. Usually they have them a little more sensitive so we don't have to put our faces on it, practically.
MR. ROJAS: And to the public, I do apologize. This is one of the first times that we have been here in this meeting facility, so there is going to be a little bit of a learning curve with this specific Board and the facility. So I do apologize for that.

CHAIR FETTER: Other times we've usually had the TV crew here to handle all the AV issues. So, yeah, please bear with us.

MS. VELASCO: So he does have questions regarding consideration by the Board, so I think we do need to hear the item.

BOARD MEMBER WOLDEMAR: All right. Then, Mr. Chair, I would also then request that we pull Item No. 1 from the consent calendar as well.

CHAIR FETTER: Thank you, Michael. All right. So let's move on to the agenda.

BOARD MEMBER WHITTY: [speaking off microphone]

CHAIR FETTER: Yeah. It's the order that we have to deal with. And staff is asking that we re-sort the order. I'd say that, personally, I think that that's reasonable, considering the numbers of commenters and such.

MR. ROJAS: Thank you.

CHAIR FETTER: Considering the number of
commenters, I think we should take the staff recommendation and take the order.

    But then I cannot comment on No. 2. So it's up to you guys then.

    MR. ROJAS: So, to clarify, the suggested staff order would be to hear Item No. 3, No. 1, and then No. 2.

    BOARD MEMBER WHITTY: Okay. Sounds fine.

    So I move to reorder the agenda as per Hector's suggestion.

    BOARD MEMBER WOLDEMAR: Second.

    CHAIR FETTER: All in favor.

    BOARD MEMBERS: Aye.

    CHAIR FETTER: And I recuse. So it goes -- it seems to be adopted.

    And we will move on to -- I'll state that the appeal date for any items that are approved tonight is 5:00 p.m. on Monday, May 12th, 2014.

    [Items 2 and 3 were not requested to be reported. Therefore, the reporter went off the record at 6:08 p.m. and went back on the record at 6:52 p.m.]

    CHAIR FETTER: And now we move on to PLN No. 11-089, Chevron Refinery Modernization Project.

    Lina, take it away.
MS. VELASCO: Yes. Good evening. Lina Velasco, senior planner.

The item before you is a continued item from the April 23rd Design Review Board public hearing. And at that meeting the project was presented. And really three major issues and one sort of study item for staff were proposed. And I'm not going to go into a lot of detail about how they were addressed, because we do have Mark Piersante from the applicant, who is going to provide more detail. But the areas of concern were the visibility of the tank domes; the lumen levels for the replacement LED lighting; and then also the various landscape proposals to meet their on-site landscaping requirement.

And so there was also a discussion about a pedestrian path from the refinery over to Point Richmond. And there was a discussion as to whether or not there was sufficient nexus to require this project, or the applicant, to make any additional improvements to that. And so staff did provide a response within the staff report and did identify that there wasn't sufficient nexus for that requirement.

So we're happy to answer additional questions, if necessary. If not, then I'll just pass it to Mark, who will talk about the various other discussion points.
that were arrived.

CHAIR FETTER: Let me make sure if the Board has no other questions for staff.

BOARD MEMBER WOLDEMAR: Just a comment.

CHAIR FETTER: Oh, please.

BOARD MEMBER WOLDEMAR: Great turn-around time.

CHAIR FETTER: Yeah.

BOARD MEMBER WOLDEMAR: This was only heard last week, same time, same place, down in the basement. And so you came up with really what I think are really good answers to the concerns that we had

CHAIR FETTER: Yeah. You hit them all.

MS. VELASCO: Thank you.

CHAIR FETTER: All right. And, speaking of which, since we've nailed most of the conditions, this is more driven by the single public comment that we had. That's why we pulled it off the calendar. So if we can probably make your presentation very brief and then maybe answer questions, that might be the most efficient way to go about it.

MARK PIERSANTE: Yeah. That sounds good.

Hi. I'm Mark Piersante. Nice to see all of you again. And I want to really thank staff for their hard work this week in pulling this together. I mean it
was really -- we really appreciate the effort Lina and others went through. So I want to make sure to knowledge that.

Lina did just ask me -- very briefly -- I only have a couple of slides.

Robin, you weren't here last week. I think primarily for your interest, just a very brief -- and you have this on your screen, is that right, up there?

CHAIR FETTER: We do.

MARK PIERSANTE: Yeah. So just -- I don't know if you've had a chance to look at the EIR or anything, but the basic scope of the project is to finish the construction of the partially completed hydrogen plant and to construct what we're calling the sulfur-removal improvements, which is to install equipment in various locations in the refinery. There's also some electrical and other sort of ancillary supporting equipment -- pumps and pipes and things like that -- that would go along with the --

And, in addition, we are constructing certain project design features, as we're calling them, which are items not related directly to the project but which would allow the emissions from the project to be brought down the net of zero that we have committed to.

BOARD MEMBER ROBIN WELTER: Great.
MARK PIERSANTE: The three areas that we sort of identified to bring back with you and talk about tonight are landscaping, the tank dome visibility or colors, and then the LED lighting.

On the landscaping, Marsha left me here by myself. So we had proposed some options last week. And we started looking at it and talking to staff. And we felt that the proposed, or the preferred, alternative that you see in the staff report is the best answer, quite frankly. In talking with Richard over the years, I know he's really had an interest in us planting screening along Castro Street there. And I think this starts moving in that direction. So I'm pretty excited about it. I think it's really a great idea. I don't know what you guys think. The diagram I'll show you from --

BOARD MEMBER WOLDEMAR: You mean Marsha doesn't have it designed for you already?

MARK PIERSANTE: Now I'm a landscape architect.

[indicating] So this is the span from Gertrude Street along the parkway to the General Chemical site. I don't think it actually goes this far. But the idea would be to plant various types of bushes and trees in sort of a staggered, you know, nicely designed layout,
kind of as you see it there. I think it equates to
about 1.28 acres, which is a little bit bigger than
1.25, but that's fine. And I think Lina likes it. I
like it. You guys like it?

BOARD MEMBER WHITTY: We like it.

CHAIR FETTER: Part of the conditions is that
full proposal will be brought back to us; is that right?

MARK PIERSANTE: Yes, with kind of the
standard and the true design, if you will, and details
and all that. That's been kind of the standard drill,
so --

CHAIR FETTER: Yeah. Actually -- if you could
actually turn it so that the members of the audience can
see it.

UNIDENTIFIED SPEAKER: What are we looking at?

CHAIR FETTER: It's --

UNIDENTIFIED SPEAKER: Explain what this is.

MARK PIERSANTE: This is -- so this is a
shot -- an aerial shot -- looking down at the parkway,
which kind of wraps around. And this is the old General
Chemical site along Castro Street. If you continue on
down, you would hit the entrance to the General Chemical
site and as you continue further then you'd run into the
580 and the refinery.

So the idea would be, along that Chevron
property, sort of inside the fence line --

MR. ROJAS: Mark, if you could go ahead and use the mic there. Sorry about that.

MARK PIERSANTE: I'm not a landscape architect.

CHAIR FETTER: And hold it close to your mouth.

UNIDENTIFIED SPEAKER: You were clear. You were fine.


UNIDENTIFIED SPEAKER: [speaking off microphone and inaudible]

CHAIR FETTER: Exactly. More screening.

MARK PIERSANTE: Okay. So that's that. Marsha owes me big time on that, I got to tell you.

So the next item was to talk about the dome visibility. And, Mike, you had suggested could we find a better tank, you know, one that's lower in the refinery? And indeed we looked at our sort of list of tanks. And there is one tank -- that's the landscape slide.

So this particular tank -- and we again talked with staff and with Environ context about which tank might be suitable for swapping of the 1491 tank, which
is the one that you had asked about last week. The tank we've selected is the 3225 tank. It's a tank that's kind of in the flatlands of the refinery. It's essentially at sea level. It's very, very difficult -- I don't really think you can see it all, but it's possible, perhaps, from outside the refinery. I don't know if you can really see on this --

So what this one shows is 1491. If you see it, they're sort of on the left. Now, this is a slightly different vantage point, Mike, than what you were looking at last week. But you see 1491 there is called off. And then the 3225 tank is kind of where I put that arrow. It's that red arrow. It's down in the flats. It's obscured in this view by other equipment. We looked at all the views and we could not see it from any of the existing viewpoints.

BOARD MEMBER WOLDEMAR: And this viewpoint is up on the freeway or --

MARK PIERSANTE: I'm sorry?

BOARD MEMBER WOLDEMAR: Is this viewpoint from the 580?

MARK PIERSANTE: Yes. This is the parkway -- parkway viewpoint.

BOARD MEMBER WOLDEMAR: Oh, parkway. Okay.

MARK PIERSANTE: Yeah. And I just kind of
zoomed in and blew it up a little bit to try to get it
on the screen. So, to me, that should address your
concern. It seems to fit for all the concerns that were
raised. So I think if you're happy with that, that
really is kind of what I wanted to talk about on the
tank domes.

CHAIR FETTER: Thank you, Mark. Did you have
anything else?

MARK PIERSANTE: The only other thing on the
list there was the LED lighting. And we provided Lina
and staff with information that's in the staff report.
So I hope, if you've had a chance to read that, that
really was intended to address the questions, concerns
about brighter lumen levels, et cetera.

CHAIR FETTER: We did get that. And, also,
the condition does address feedback as far as lumen
level overall later on.

MARK PIERSANTE: Right. Yeah.

So was there any other -- if there's questions
on any of these three items? Other than that, that was
kind of my short and sweet --

CHAIR FETTER: Look like the Board has no
questions for the applicant at this time.

So if we could get public comment, we would
love to hear from them.
MS. VELASCO: Okay. Jeff Kilbreth.

CHAIR FETTER: And I want to note that one of the issues we had previously about this project is that we don't address, obviously, issues about emissions and things like that. So this is about design.

JEFF KILBRETH: Yes. No, I understand that.

So I had one specific question about the dome issue. And I was just curious what the thinking was.

So the domes -- I mean if you read the Environmental Impact Report, there's numbers in there for how much emissions savings come from each dome. There's thirty storage tanks and it sort of is a question of whether we just do -- whether Chevron just does one or two, which might or might not be sort of necessary right now in some kind of immediate, shall we say, balance sheet on the emissions question, right? Or whether we do all thirty and whether we do it in five years, ten years, fifteen years, or however many years.

But the point is that the emissions issue is significant and long-term. All of the tanks ought to be domed. I mean right? And, like I say, whether it's five years, ten years, or fifteen years, you know, all the tanks ought to be domed.

So I was just concerned about what seemed to me like a focus on, like, the aesthetics of domes, when
at least, as somebody who lives in Point Richmond and who, you know, lives in Richmond, I care more -- I mean I look at the domes every day. I care a lot more about the ongoing, continuous improvement of the refinery than I do about, you know, whether the dome is a little funny-looking.

So I guess I just wanted, you know, to give you that feedback, that design aesthetics really aren't the main issue here. You know, this is about safety and health more. And I know what you mean when you say your job is just design; but the attitude that the domes were sort of unattractive, you know, like -- I didn't like that. I just wanted to give you that feedback, because it's okay with me that they're not beautiful.

CHAIR FETTER: The sole purpose of this Board is to address design considerations, aesthetics. And there's a lot of corollary issues, but when it gets into health concerns that are addressed by other boards, we would be actually doing something that's not appropriate for our Board to get into that topic. And I'm really wanting to make people aware of that. There are plenty of things that we would love to address, believe me; but we are not allowed to in some situations just because either liability or whatever. But we -- this is going to be before several different boards. And, you know,
we handle our bit. And we'd love to handle more, but that's what we do. So we are very concerned about aesthetics.

All right. Thank you for the comment.

Do we have any other comment?

MS. VELASCO: No. That's all the speakers.

I did want to add one clarification point.

CHAIR FETTER: Please.

MS. VELASCO: We did get a call by the applicant a little bit earlier today regarding Condition 6, which is in reference to the LED lighting/illumination. And so right now staff has written a condition requiring a photometrics plan be submitted before and after the installation of the replacement LED lighting.

But I guess, if we can write the condition, if the Board would be okay with that, to either do a photometrics or or an equivalent verification process, there may be different ways to achieve what the Board, I think, is trying to achieve, outside of doing a photometrics. So, typically, it's a modeling. So there may be ways of measuring the existing lumens differently.

So if the Board would be okay with that.

CHAIR FETTER: Thank you, Lina.
BOARD MEMBER WOLDEMAR: So long as it's sort of an apples-and-apples. We could fly a plane over the top and blink at it and see if it looks darker or lighter.

CHAIR FETTER: Come to think of it, I would agree because the model that they would have to generate would be close to absurd. The number of lights that they have out there and how they -- all the reflective surfaces, it's pretty crazy. So I'd rather keep this rational.

So, yeah, if we can -- unfortunately, I actually know a good bit about lighting. The problem is I don't know an equivalent methodology for measuring, aside from just, let's say, going around the facility and requiring a comparative analysis. A simple one, meaning a point-to-point You know, forty locations.

Measure it before. Measure it after. You know, just to prove it. Aside from a pure scientific measuring methodology, I don't know an equivalent method.

Does anybody else have a suggestion about the condition and how we word that?

BOARD MEMBER WOLDEMAR: I just think it's you change the words to read "equivalent methods." As simplistic as that.

CHAIR FETTER: Okay. Lina, do you -- can you
come up with a -- are you fine with that --

MS. VELASCO: Yeah. I think --

CHAIR FETTER: -- -- in accordance with the request?

MS. VELASCO: -- what we're requesting, I think if we're able to put an equivalent method in the condition, it allows us to contact lighting specialists and figure out if there is an equivalent.

CHAIR FETTER: Okay. Well, then shall we close public comment?

BOARD MEMBER WOLDEMAR: Move to close the public hearing.

BOARD MEMBER WHITTY: Second.

CHAIR FETTER: All in favor?

ALL BOARD MEMBERS: Aye.

CHAIR FETTER: And --

BOARD MEMBER WOLDEMAR: Somebody else --

CHAIR FETTER: Yes. Does anyone else have a comment or anything they want to discuss about this project? Any new information? Okay.

And this one I was really happy about. We got a lot of our conditions nailed by Lina. So I was like, this is good. So I'm actually fine right at the moment.

Mike, did you have anything else?

BOARD MEMBER WOLDEMAR: So make a motion to
approve.

CHAIR FETTER: All right. Then I will move to approve PLN11-089 with -- how many conditions do we have on that?

MS. VELASCO: Six.

CHAIR FETTER: Yeah. So with the four findings, of course, and the six conditions as written in the agenda.

Do I have a second?

VICE CHAIR MUNOZ: Second.

CHAIR FETTER: All in favor?

ALL BOARD MEMBERS: Aye.

BOARD MEMBER WOLDEMAR: Just noting that this was a recommendation to the Planning Commission.

CHAIR FETTER: That is true. You're right. As recommendation.

BOARD MEMBER WOLDEMAR: And next time I'd like Lina to read out the actual location for us, with every parcel number included.

MR. ROJAS: Chair Fetter, can you clarify who the second was on that motion? I'm sorry. I didn't get that.

CHAIR FETTER: Brenda was the second for the motion to recommend.

[Action on the item ended at 7:09 p.m.]
CERTIFICATE OF REPORTER

I, FREDDIE REPPOND, a duly authorized Shorthand Reporter and licensed Notary Public, do hereby certify that on the date indicated herein that the above proceedings were taken down by me in stenotype and thereafter transcribed into typewriting and that this transcript is a true record of the said proceedings.

IN WITNESS WHEREOF I have hereunto set my hand on this 1st day of May, 2014.

__________________________
FREDDIE REPPOND
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IN RE: CHEVRON REFINERY

APPROVED 6/25/2014

April 30, 2014

Bird, 1947

CITY OF RICHMOND

DESIGN REVIEW BOARD

APPROVED 6/25/2014

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