

MINUTES APPROVED AT THE DRB MEETING ON DECEMBER 8, 2021

DESIGN REVIEW BOARD REGULAR MEETING Richmond, CA 94804

October 13, 2021
6:00 P.M.

All Participation Via Teleconference

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom had issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Newsom had issued executive orders that allowed cities to hold public meetings via teleconferencing. Due to the shelter in place orders, all City of Richmond staff, members of the Design Review Board (DRB), and members of the public participated via teleconference. Public comment was confined to items on the agenda and limited to the specific methods identified on the agenda.

BOARD MEMBERS

Kimberly Butt
Jessica Fine
Macy Leung

Brian Carter
Michelle Hook
Jonathan Livingston

Chair Livingston called the regular meeting to order at 6:00 P.M.

ROLL CALL

Present: Chair Jonathan Livingston, Vice Chair Brian Carter, and Boardmembers Kimberly Butt, Jessica Fine, and Michelle Hook

Absent: Boardmember Macy Leung

INTRODUCTIONS

Staff Present: Planners Roberta Feliciano, and Hector Lopez, and Shannon Moore and Stephanie Vollmer from the City Attorney's Office

Shannon Moore introduced Stephanie Vollmer, a new hire in the City Attorney's Office, who described her background in Public Law.

APPROVAL OF MINUTES: September 22, 2021

ACTION: It was M/S/C (Fine/Hook) to approve the minutes of the September 22, 2021 meeting, as submitted; approved by voice vote: 5-0 (Ayes: Butt, Carter, Fine, Hook and Livingston; Noes: None; Abstain: None; Absent: Leung.)
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APPROVAL OF AGENDA

Public Forum

Roberta Feliciano identified the format of the web-based meeting and the public's ability to speak during the meeting.

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The following email was received for public comment from CORDELL HINDLER, Richmond:

“Good evening Chair Livingston, Boardmembers and City staff, I have a couple of comments for the record. 1. Anytime when projects are being considered, the applicant must communicate with the correct neighborhood council to provide input. 2. I have someone in mind to fill the last vacancy on the Board. Sincerely, Cordell.”

City Council Liaison Report: None

CONSENT CALENDAR: None

APPEAL DATE

Any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, October 25, 2021, by 5:00 P.M.

PUBLIC HEARINGS:

- | | |
|---------------------|--|
| 1. PLN21-053 | ACCESSORY BUILDING |
| Description | PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±650 SQUARE FOOT DETACHED ACCESSORY BUILDING. |
| Location | 2420 FOOTHILL AVENUE |
| APN | 549-132-003 |
| Zoning | RM-1, MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT |
| Applicant | HENRY YEUNG (OWNER) |
| Staff Contact | HECTOR LOPEZ Recommendation: CONTINUE TO OCTOBER 27, 2021 |

The application was continued to the October 27, 2021, meeting.

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| 2. PLN18-059 | MOGHADAM RESIDENCE |
| Description | PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±2,400 SQUARE FOOT SINGLE-FAMILY RESIDENCE. |
| Location | 2439 FOOTHILL AVENUE |
| APN | 549-140-014 |
| Zoning | RL-2, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT |
| Applicant | DARAN MOGHADAM (OWNER) |
| Staff Contact | JONELYN WHALES Recommendation: CONTINUE TO A FUTURE MEETING |

The application was continued to a future meeting.

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| 3. PLN21-019 | RICHMOND YACHT CLUB – WEST LOT |
| Description | STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED IMPROVEMENTS TO A 24,394 SQUARE FOOT VACANT PARCEL FOR DRY SLIPS FOR SMALL MARINE VESSELS. |
| Location | 351 BRICKYARD COVE ROAD |
| APN | 560-420-003 |
| Zoning | CC, COASTAL COMMERCIAL DISTRICT |
| Owner | MICHAEL JOSSELYN, RICHMOND YACHT CLUB |
| Staff Contact | ROBERTA FELICIANO Recommendation: PROVIDE AND RECEIVE COMMENTS |

The application was continued to the October 27, 2001 meeting.

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4. PLN21-141	VON HIPPEL SINGLE-FAMILY RESIDENCE
Description	STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED DESIGN OF A 2,767 SQUARE FOOT TWO-STORY SINGLE-FAMILY RESIDENCE ON A VACANT PARCEL.
Location	700 OCEAN AVENUE
APN	558-222-032
Zoning	RL-1, SINGLE-FAMILY VERY LOW-DENSITY RESIDENTIAL DISTRICT
Owner	ERIC VON HIPPEL
Applicant	JOSHUA HORNE, BAY AREA DESIGN STUDIO
Staff Contact	ROBERTA FELICIANO Recommendation: PROVIDE AND RECEIVE COMMENTS

Roberta Feliciano presented the staff report dated October 13, 2021, for a study session to provide and receive comments on the proposed design of a 2,025 square foot two-story single-family residence on a vacant parcel of 7,059 square feet at the corner of Ocean Avenue and Marine Street. She noted there had originally been four parcels that did not meet the minimum lot size and the property owner had applied for a lot line adjustment to merge the parcels into two lots that conformed to the minimum lot size in the RL-1 District. The proposal was to construct the residence with a 484 square foot detached garage for two cars in the rear of the newly reconfigured parcel, with access through an easement through the front lot, also owned by the property owner.

Ms. Feliciano stated that the applicant had met with the DRB Subcommittee on June 2, 2021, and she summarized the subcommittee's comments at that time related to the height of the three-story home and the recommendation that the height be reduced to two stories. Comments from the surrounding neighbors had expressed concern that the proposal would block bay views. She sought comments and feedback on the proposed design.

Chair Livingston complimented the applicant and the property owner for the changes to the plans since the meeting with the DRB Subcommittee.

Vice Chair Carter verified with Ms. Feliciano that the allowable height limit in the RL-1 District was 35 feet.

ERIC and JESSIE VON HIPPEL described their history with Point Richmond and their desire to locate in Point Richmond to be near family, who also spoke in support of the application. They expressed appreciation to the DRB Subcommittee's comments which they stated had improved the proposal.

JOSHUA HORNE, Bay Area Design Studio, agreed that the DRB's recommendations and feedback had improved the project overall. He explained that a three-story home of 2,767 square feet had originally been proposed with an Accessory Dwelling Unit (ADU) and garage on the lower level. That proposal had been submitted to the Land Use Committee of the Point Richmond Neighborhood Council in April 2021, which had unanimously approved the project. There had been no objections to the three-story design.

In May 2021, the DRB Subcommittee had requested revisions including the elimination of one story when the ADU had been eliminated and the garage had been changed to a detached garage in the rear. As requested, the single-slope shed roof had been changed to a flat roof to mitigate solar glare to the neighbors, and screening had been provided to the rooftop solar panels and to the elevator penthouse, as requested. The metal siding had also been changed to horizontal cementitious siding and the adjacent property owners had been contacted to present the plans. In addition, the house had been moved down the hill to bring the height of the house down and

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the building had been moved north to allow a better defined front entry.

As a result, the proposal was now for a two-story 2,025 square foot home similar to all the other homes in Point Richmond.

Chair Livingston opened the public hearing.

Ms. Feliciano again identified the format of the web-based meeting and the public's ability to speak during the meeting.

HANA BAUGUESS, 800 Western Drive, Richmond, stated the proposed home blocked four properties behind it. While the proposed design was beautiful, she suggested it was in the wrong place and would take away too much from the other neighbors. She suggested a one-story building might work but the two stories at the proposed location took up too much of the views.

JORDAN DeSTAEBLER, 631 Western Drive, Richmond, had no problem with the design of the house that was appropriate for the neighborhood but agreed that it seemed to be sited too close to the neighbors. He recommended that the City consider a non-conforming lot configuration where the house could be moved to the south and further west on a non-conforming lot. It was his understanding that where the house had been placed used to be an alleyway right-of-way, and given two conforming lots to the north of the present house, he suggested preserving the right-of-way both for the garage and for any future development that might be placed on the property. He also suggested that the house could be dug down two to three feet into the grade to keep it from impacting the bay views.

PAULINA BERCZYNSKI stated the proposed building would negatively affect her parents' property at 717 Western Drive located behind the project and the adjacent lot they owned and the bay views would be impacted as would property values and the family's potential for their own property. She too supported a situation where the structure could be moved down the hill to help protect views.

MARK BERCZYNSKI also spoke to his parents' property at 717 Western Drive and stated that the story poles had indicated that a major benefit to that property would be blocked entirely on one side by the proposed structure. He sought some remedy to the situation, objected to the height, and wanted to delay approval to determine whether a repositioning of the home could address some of the height concerns.

DAN HOYMAN, who had a garden at 415 Western Drive, stated he would lose a lot of light to that garden if the home was placed as proposed. He also objected to the loss of views.

JOANNA SALSKA suggested that if the house was placed on the north side it would not impact anyone and if moved 10 to 15 feet down it would present as one story. She requested that the DRB look at the issue from the bigger perspective. She asked for a clarification of the height of the home.

MARGARET BERCZYNSKI, 717 Western Drive, Richmond, was having difficulty logging in and Chair Livingston read her email dated August 30, 2021 into the record to advise Mr. Hippel of the impacts his proposed home would have on her home, her family, her views, and her life. She asked that the design of the proposed house be configured to be more respectful to her and the other impacted neighbors.

After her email had been read into the record, Margaret Berczynski was able to log in to the

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meeting and clarified that she had sent photos of how the proposal would ruin her future sense of being given that the views from her porch and her home would be negatively impacted.

ARLENE DENNETT, 401-405 Marine Street, Point Richmond, also had trouble logging in without disrupting audio feedback and Chair Livingston read her email into the record: "There are plans being made to construct a home on the corner of Marine and Ocean, that when completed will block the bay views of four existing homes and greatly reduce their values! I am myself a property owner in the neighborhood with a bay view and object to this project!"

Boardmember Fine was empathetic to the comments from the neighbors, noted that vacant lots would not be vacant forever, and asked staff to clarify the development standards for the property and what the property owner could actually build on the property.

Ms. Feliciano stated the zoning was RL-1 requiring a 6,000 square foot minimum lot, which was why the lot line adjustment had been pursued to meet the minimum lot size. The maximum height was 35 feet and the proposed two-story home was at 22 feet, 13 feet lower than the maximum height. She stated that while the maximum height was 35 feet there were also findings that would have to be made for design review and the importance of context in that the height of surrounding homes in the neighborhood would have to be considered as would being respectful to neighbors. She added that the front setback was 20 feet, side setback was 6 feet, rear setback was 20 feet, there could be a 45 percent maximum lot coverage, and based on the lot size (7,095 square feet) the applicant could have a 3,000 square foot house where 2,025 square feet had been proposed, 975 square feet less than what could be developed within the envelope.

Boardmember Fine stated it was important to note that the house would not present as a solid wall on all four sides in that there was a lot of fenestration, glazing and transparency. She noted that the resolution of some of the drawings was difficult to read and she asked that the resolution be addressed in the next set of drawings. She requested a grading plan to know what was existing and what had been proposed, referred to Drawing Sheet A3.5 and requested an elevation marker on the maximum height allowed, and sought a landscape plan with some color differentiation. She appreciated the modesty of the house from a sustainability standpoint and suggested that a portion of the roof could be vegetated to potentially blend into the neighborhood more. She looked forward to next steps.

Vice Chair Carter asked how the actual lots related to each other, and Mr. Horne stated there would be two lots in that the original purchase was for four separate lots. Two lots were being merged because none of them complied with the minimum lot size and there would be an access easement over the far north side of 700 Ocean Avenue for the driveway.

Mr. Horne further described the steps that had been taken when the project had first been proposed and the various iterations that had been considered consistent with the development standards and the challenges of the site. He explained that the building had been placed as it had to block the least amount of views. The house had been adjusted multiple times based on the comments from the DRB Subcommittee.

In response to the Vice Chair, Mr. Horne described the proposed materials, specifically the cementitious product that looked like wood but performed better given the close proximity to the bay. The house had been designed specifically to the current and future needs of the property owners. With respect to the cedar fencing, he stated that material could be changed but was being used to soften the transition from the street to the house and to give definition to planter boxes that had been planned at the streetscape. He also confirmed that there would be board form cast-in-place concrete for the base of the deck and slats would provide dimension between

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that and underneath the house with access from that area where HVAC equipment and storage might be possible. He also verified the floor to ceiling height as 8 feet 8 inches on each floor. As a way to give the neighbors to the east a foot or two more view, Vice Chair Carter suggested that the floor to ceiling be changed to 8 feet and that the ground floor be recessed a bit more.

Boardmember Butt thanked the applicant for the improved design, expressed her appreciation for the reduction of the third story, noted the elevator penthouse had offered an additional height, and clarified that the City had no view ordinance and there was no view protection. She emphasized the importance of siting the home on the lot and urged the applicant to work with the neighbors.

Mr. Horne clarified that an elevator had been found that required no penthouse.

Boardmember Hook referred to the elevations and the rendering and verified with Mr. Horne that the rendering did not match the elevations and would be adjusted. She asked if there would be fencing along the edge of the property and Mr. Horne noted there was no desire to separate the two properties with fencing although there would likely be some sort of fence around the property. The rendering had not included that element and the fence would be addressed at a later time.

Boardmember Hook verified that planting appeared to be meadow grasses and natives, which Mr. Horne confirmed and added that the planting would be kept as minimal as possible and as native as possible with irrigation to the planter boxes in the front with native plantings and the desire to possibly add a couple of fruit trees in the backyard.

Mr. Horne also explained that there was a grading plan on Sheet BMP.1. He added that color in the landscape plan made sense, as recommended.

Chair Livingston commended the applicant and the designer for reducing the height of the house. He asked about an accurate roof plan and requested that it be presented to the DRB at the next meeting and include the runoff. He recommended the relocation of the solar array to either a ground-mounted unit or to the roof of the garage, and Mr. Horne agreed that the roof of the garage made a lot of sense. The Chair also asked if the house could be dropped in the back to further open up the views.

Mr. Horne noted that the house had not been dropped in the rear given the need to avoid a concrete stem wall above the finish floor on the main floor.

The Board supported the relocation of the solar array to the roof of the garage.

Further with respect to the garage, Chair Livingston questioned the necessary space to back out of the garage, and Mr. Horne stated there was a turnaround and if not large enough the turnaround could be extended to accommodate an exit from the driveway.

Chair Livingston referred to the gray water system and understood that the applicant would be attempting to pump the sewer up and over the hill instead of having flows down to the main sewer pump station at Keller Beach. He verified the gray water system would also help with irrigation on the site. With respect to the landscape plan, he noted that it lacked some trees and recommended two or three *Quercus agrifolias* (coast live oak) on the southwest side of the house to soften the architecture and blend in with the environment. He added that a multi-trunk native oak would help blend the house back into the environment.

Boardmember Hook concurred that coast live oak would work in the eastern corner.

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Chair Livingston added that Toyon might also be an appropriate tree species to add to the site and recommended integrating some of those trees into the landscape plan to also help blend the home into the environment. He did not support a vegetated roofline.

Chair Livingston suggested that the applicant had not given much thought to the interface between the east side of the Von Hippel house and the fence line of the neighbors, and recommended a buffer. Mr. Horne agreed.

On the architecture, Chair Livingston requested the specs of the aluminum cladding in the next set of plans submitted to the DRB. He also stated the entry did not seem to be as powerful as it could be, although the cedar fence offered a nice touch.

Mr. Horne explained they had worked through a number of iterations to the entry. It was his hope that the front door being recessed into the envelope of the building along with the cedar railing around the porch would offer a more pronounced entry. He advised that he would look into that element.

Chair Livingston verified with Mr. Horne that the story poles had been certified to the current height of the proposal. He thanked the applicants and the designer for the changes that had been made in response to comments and for the applicant's willingness to make those changes. He requested that the plans be modified to identify the changes that had been made and include the details requested.

Chair Livingston summarized the requested changes to the plans, for:

- An articulated grading plan to show the back out;
- An illustrative relationship (Sheet A3.5) of the proposed height to the maximum height allowed;
- An updated landscape plan to also show what the fencing would look like for the whole exterior, to cover the driveway area, and with Boardmember Hook to review that plan prior to the next submittal;
- The relocation of the solar array; and
- The suggestions related to the aluminum cladding, the rain screen, and the reduction of ceiling height from 8 feet 8 inches to 8 feet to lower the house to mitigate views.

Board Business

A. Staff reports, requests, or announcements:

There were no staff reports, requests, or announcements.

B. Boardmember reports, requests, or announcements

In response to Vice Chair Carter's reference to multiple bills passed by the State Legislature related to housing, Ms. Feliciano stated that in the next month or two there would be a study session about the form-based code in terms of design standards and the applicability of the new housing laws.

Ms. Moore stated that the City Attorney's Office could prepare a summary of the new housing laws.

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Chair Livingston noted his understanding that the DRB could ask for help in preparing objective design guidelines to ensure City-appropriate designs.

Chair Livingston also reported that the Planning Commission had indicated a desire that someone from the DRB regularly attend Planning Commission meetings to testify to the DRB's conclusions, when needed.

Boardmember Hook volunteered to attend the Planning Commission meeting scheduled for October 21, 2021 to represent the DRB.

Ms. Moore advised that she would clarify the role of DRB representatives at Planning Commission meetings.

Adjournment

The meeting was adjourned at 8:00 P.M. to the next regular Design Review Board meeting on Wednesday, October 27, 2021.