

MINUTES APPROVED AT THE DRB MEETING ON MARCH 23, 2022

DESIGN REVIEW BOARD REGULAR MEETING Richmond, CA 94804

March 9, 2022
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
Michelle Hook
Jonathan Livingston

Brian Carter
Macy Leung

Chair Livingston called the regular meeting to order at 6:03 P.M.

ROLL CALL

Present: Chair Jonathan Livingston, Vice Chair Brian Carter, and Boardmember Michelle Hook

Absent: Boardmembers Kimberly Butt and Macy Leung

INTRODUCTIONS

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

APPROVAL OF MINUTES: February 23, 2022

Chair Livingston requested that the minutes of the February 23, 2002 meeting be held over to the next meeting due to a technical glitch to allow Commissioners an opportunity to review the minutes.

APPROVAL OF AGENDA

Chair Livingston advised that Item 2 on the agenda, PLN22-020 Industrial Warehouse would be continued to the meeting on March 23, 2022, and Item 5, PLN17-236 would be continued to a future meeting.

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Public Forum

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

CORDELL HINDLER, Richmond, reminded the Board that any time projects came before the DRB, applicants must contact the applicable Neighborhood Council to address any concerns with the application, and he provided examples of situations where that had not occurred.

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, March 22, 2022 by 5:00 P.M.

PUBLIC HEARINGS

1. PLN21-447	HARBOUR 8 PARK EXPANSION
Description	PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR DESIGN REVIEW OF THE HARBOUR 8 PARK EXPANSION CONSISTING OF A ±3,356 SQUARE-FOOT COMMUNITY CENTER BUILDING, PLAYGROUND, PICNIC AREA, TOT LOT, ZIP LINES, BICYCLE AND PEDESTRIAN PATHS, AND LANDSCAPING.
Location	BETWEEN HARBOUR WAY AND 8 TH STREET
APN	538-420-001, -022, -030
Zoning	PR, PARKS AND RECREATION AND IL, INDUSTRIAL LIGHT
Owner/Applicant	CITY OF RICHMOND
Staff Contact	ROBERTA FELICIANO
	Recommendation: RECOMMENDATION TO THE PLANNING COMMISSION

Roberta Feliciano presented the public hearing for design review of the Harbour 8 Park Expansion of an approximate 3,356 square foot community center building, playground, picnic area, tot lot, zip lines, bicycle and pedestrian paths and landscaping located between Harbour Way and 8th Street in an existing park along with a few parcels acquired along Ohio Avenue. The applicant was the City of Richmond in partnership with Pogo Park. The proposed project met all of the required development standards for the zone; the community center would be 24 feet in height where 55 feet was allowed, it would be set back 5 feet from Ohio Avenue where a zero setback was allowed, and would be 50 feet from the rear and side property lines, there was a Floor Area Ratio (FAR) of .05 where .65 was allowed and the proposal far exceeded the 20 percent landscaping requirement. The DRB's approval would be a recommendation to the Planning Commission.

Ms. Feliciano stated that on January 12, 2022, the applicant had presented the project to the DRB during a study session when comments had been provided. She noted that the community center had specifically been located in the back of the park in a design that had been selected by the community. After the study session, the applicants had met with Chair Livingston and had indicated that due to budget constraints what had been proposed was what would be pursued at this time, although a modified entry could be considered in the future. She clarified that the budget

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for the project was comprised primarily of grant funding.

Ms. Feliciano reported that the Iron Triangle Neighborhood Council and the Friends of the Richmond Greenway had offered letters of support. Based on the findings and statement of facts, she recommended that the DRB offer a recommendation of approval to the Planning Commission for design review.

Chair Livingston acknowledged that the details of the application had previously been provided and the entire development team was available to respond to questions.

TOODY MAHER, Executive Director of Pogo Park, a non-profit working in Richmond to transform parks in the Iron Triangle into safe, green and vibrant places for children to play, asked the architect to highlight the proposal.

DOUGLAS THORNLEY, Goring & Straja Architects, provided an extensive description of the proposal and its various components. He explained that the community team wanted the community center to be secure and had set it back behind an existing wooden fence which would be opened up to provide more transparency celebrating a dramatic south window and trellis to offer more grandeur from Ohio Avenue. He pointed out that the community was actually participating in the construction of the project. There would be two neutral stucco colors, with the green standing seam metal roof contextual with buildings in the area, cladding and exterior would be black, light fixtures were simple on the exterior, with decorative light fixtures on the north patio and east porch to be visible from the public right-of-way. Security lighting would be simple with a wedge fixture along the perimeter, dark sky friendly.

Mr. Thornley spoke to the existing Harbour Way archway, which had been designed and built by the public park community and which had been approved by the DRB and constructed in 2019. He explained that the community felt strongly that the archway entry should be at all the park entrances, which was the direction the community wanted to take. When funding was available, the wood fencing would be replaced with more wrought fencing for transparency into the park and the entrances would be gated to provide more security. There was a desire for an enlargement of the Ohio Avenue entrance into the community center with improvements to the Ohio Avenue and 9th Street intersection where a raised crossing area to slow traffic with some bulb-outs had been proposed to make the area safer. He presented a couple of images and noted the community had envisioned an iconic building different from neighboring buildings, more public in nature. He reiterated that the design was by the community and would represent a good addition to the Iron Triangle Neighborhood.

Boardmember Hook was comfortable with the landscape plan that had been reviewed at the last meeting. She asked about the streetscape and how that would tie into a future proposal of how Ohio Avenue would be improved.

Ms. Maher commented that 8th Street was like a freeway and the community had been working closely with the City to do the Yellow Brick Road on 8th Street to slow down traffic. She explained that the project was a stepping stone to slow down the traffic at the corner of 9th Street and Ohio Avenue, which would be a major entrance to Harbour 8, and was high on their list to pursue funding to make the necessary improvements to Ohio Avenue. She explained that the park funds would only fund projects inside the park boundaries.

Vice Chair Carter had no questions. He characterized the design as great and the proposal as a great addition to the community and he had been blown away when it had been presented the first time. He added that the renderings were spectacular.

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

KIERON SLAUGHTER supported the work being done to make Richmond a better place and commended Toody Maher and her team for their stewardship and community engagement. He enthusiastically supported the work that Pogo Park continued to do for the City of Richmond.

LISA JOHNSON, congratulated the team on a beautiful design and the community hall that would be an asset for the community.

Chair Livingston closed the public hearing.

Ms. Maher thanked the DRB for the approval and thanked DRB Members for their service to the community.

ACTION: It was M/S/C (Carter/Hook) to recommend approval of PLN21-447, Harbour 8 Park Expansion to the Planning Commission for approval, subject to the four Findings and Statements of Fact with ten Conditions of Approval; approved by a voice vote: 3-0 (Ayes: Carter, Hook, and Livingston; Noes: None; Abstain: None; Absent: Butt and Leung.)

2.	PLN22-020	INDUSTRIAL WAREHOUSE
	Description	PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±14,000 SQUARE-FOOT WAREHOUSE IN THE REAR OF AN INDUSTRIAL PROPERTY.
	Location	1200 HENSLEY STREET
	APN	561-280-012
	Zoning	IL, LIGHT INDUSTRIAL DISTRICT
	Owner	MCLAUGHLIN CHARLES T TRE
	Applicant	ANTHONY TABACCO
	Staff Contact	JONELYN WHALES
		Recommendation: CONTINUE TO MARCH 23, 2022

The item was continued to the March 23, 2022 meeting.

3.	PLN20-091	LOWERY NEW SINGLE-FAMILY RESIDENCE
	Description	(CONTINUED FROM FEBRUARY 23, 2022) PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±1,470 SQUARE-FOOT TWO-STORY SINGLE-FAMILY RESIDENCE ON A ±2,594 SQUARE-FOOT VACANT PARCEL.
	Location	SOUTH OF 550 36 TH STREET
	APN	516-080-018
	Zoning	RL-2, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT
	Applicant	DENISE LOWERY (OWNER)
	Staff Contact	HECTOR LOPEZ
		Recommendation: CONDITIONAL APPROVAL

Hector Lopez presented the staff report dated March 9, 2022 for Design Review approval to construct a ±1,470 square foot two-story dwelling on a ±2,594 square-foot parcel that had been created by a Planning Commission approved small-lot subdivision out of the adjacent parcel to the north in April 2020. The Planning Commission had also granted a variance to reduce the minimum lot width from 30 feet to 25 feet. The proposed new dwelling would include two bedrooms, two and one-half bathrooms, office, living area, and kitchen, and a 200 square foot one-car garage. The project complied with the requirements of the small lot subdivision and the building height was set by the overlaying zoning district RL-2, with a maximum allowed height of

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30 feet. The setback requirements were 20 feet for the front yard, and side yard setbacks were 3 feet and 4 feet. The proposal complied with those setback requirements.

Mr. Lopez reported that the project had been reviewed by the DRB on two occasions; May 26, 2021 and February 9, 2022. During the last meeting there had been a discussion that the proposed project might need to comply with a 5-foot side yard setback on the second floor. The DRB had continued the item to allow staff to further review the setback issue. The DRB had also requested a more legible shadow study, which had been provided.

Mr. Lopez clarified that small lot subdivisions created in the RL-2 district were subject to the setback requirement of the underlying district to ensure compatibility with the surrounding neighborhood, and small lot subdivisions were allowed in all districts where residential uses were permitted including mixed-use districts. A 5-foot side yard setback was required on the second floor in those districts where there was no underlying setback requirement. He stated the proposed design was simple, well-balanced, and was characterized by a gable roof and included an entry porch supported by a column.

Since the writing of the staff report, Mr. Lopez reported that staff had received multiple letters in opposition to the application. He stated the project was consistent with the General Plan regulations and would be constructed in compliance with the requirements of the Building Code. Comments in the opposition letters had indicated that the proposal was out of scale with the neighborhood at two stories as opposed to one story and would impact privacy and block sunlight to adjacent buildings. In response to those concerns, he explained the project must comply with the requirements of the small lot subdivision with a maximum lot coverage of 40 percent, and as designed the project was at 33 percent and satisfied that requirement. The small lot subdivision also allowed a maximum FAR of .6, which included the garage, although that requirement was exceeded by 20 square feet. As part of the conditions of approval, the total floor area of the residence would have to be reduced by at least 20 square feet. With respect to the privacy concern for the one-story property located to the south, a condition would require that the two windows on the south elevation be frosted windows, or in the case of the staircase, a skylight could be provided instead of a window.

Chair Livingston noted that the DRB had requested that staff review the Planning Commission variance transcript, which had not been provided, although Mr. Lopez explained that he had reviewed the transcript and during the meeting the applicant had described a proposal for a 1,200 square foot building 15 feet in height.

Chair Livingston requested that Mr. Lopez add up the wall width to identify the additional floor area that would have to be added to the 20 square feet since the FAR counted the outside walls and the inside walls might have been counted in this case. He also asked Stephanie Vollmer whether the minutes of meetings were considered to be part of the public record in terms of decision making.

Ms. Vollmer advised that the record was part of the proceeding and part of the public record on a proceeding, and comments during that proceeding may have influenced decisions. She stated she would have to look into that further.

DIANE LOWERY, the property owner, expressed a desire to be able to construct the house that had been redesigned multiple times and which had been reduced in size to respond to comments.

GIL DOMINGUEZ, Dominguez Design, reported that the square footage calculations had been based on the exterior side of the walls to the plywood exterior side of the walls.

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Chair Livingston verified with Mr. Lopez that the public hearing had been closed.

Vice Chair Carter recognized that the applicant had made some exterior modifications but understood that the neighbors' discomfort related to the massing and looming nature of the house in the neighborhood in the context of the two neighboring houses.

Vice Chair Carter agreed that the proposal felt disproportionate with the neighborhood. He noted that a house on 37th Street had been offered as an example of the neighbors' concerns and he had looked at that house which had been wedged into a narrow lot next to two one-story homes. He stated he could not help but be affected by the many letters from the neighbors and he agreed that the proposal was out of balance with the neighborhood. He suggested the ground floor living room area could be used as an office to eliminate the office from the upper story and be able to push that portion back, which might offer one solution.

Boardmember Hook was very sympathetic to all the letters but also recognized that the applicant had respected the City's codes, had met the codes, and had made changes in response to comments. She would base her decision on that fact.

Chair Livingston stated that after getting the letters and reading the transcript from the Planning Commission meeting when the property owner had assured the Commission that she would only build a 15-foot high single-story house in the context of the community, the Commission had granted the variance. He suggested the Planning Commission would not likely have approved the variance for a two-story house. He supported the Vice Chair's position that the proposal was out of context with the community and he could not support the application.

ACTION: It was M/S/C (Livingston/Carter) to deny PLN20-091, Lowery New Single-Family Residence given that the findings could not be made that the proposal fit within the context of the neighborhood; approved by a voice vote: 3-0 (Ayes: Carter, Hook, and Livingston; Noes: None; Abstain: None; Absent: Butt and Leung.)

The application was denied and Chair Livingston advised that an appeal of the decision in writing to the City Clerk must be made within ten days, or by March 22, 2022 by 5:00 P.M.

Mr. Lopez advised that if the applicant proposed a 15-foot high building that would be an entirely different application considered at the staff level not subject to review by the DRB.

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| 4. PLN21-327 | QUARRY RESIDENTIAL PROJECT REDESIGN |
| Description | PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION OF A MAJOR AMENDMENT TO AN APPROVED PLANNED AREA PLAN TO MODIFY THE HOUSING TYPE FROM MULT-FAMILY TO SINGLE-FAMILY DETACHED, WHICH WILL REDUCE THE OVERALL NUMBER OF UNITS FROM 193 TO 76. MAJOR DESIGN REVIEW FOR THE PROPOSED HOUSE PLANS, WAIVER OF CERTAIN DEVELOPMENT STANDARDS FOR A PROJECT ELIGIBLE FOR A DENSITY BONUS, THE PROJECT ALSO INCLUDES A REQUEST FOR A VESTING TENTATIVE MAP TO SUBDIVIDE THE SITE INTO 76 SINGLE-FAMILY LOTS AND 7 COMMON-INTEREST LOTS. |
| Location | 1135 CANAL BOULEVARD |
| APN | 560-330-043 |
| Owner | RICHMOND COVE 1 LLC |

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Applicant NEW WEST COMPANY
Staff Contact LINA VELASCO

Recommendation: RECOMMENDATION TO THE
PLANNING COMMISSION

Lina Velasco presented the staff report dated March 9, 2022 for consideration of a recommendation to the Planning Commission of a major amendment to a previously approved Planned Area Plan (PA) to modify the housing types from multi-family to single-family attached and to reduce the number of units from 193 to 76.

The application represented major design review for the proposed house plans, and for a waiver of certain development standards for a project eligible for a density bonus. The project had first been approved by the City Council in February 2018. Since then, the applicant had not been able to build the project and had requested time extensions to allow the project to move forward.

Ms. Velasco stated the City Council had certified an Environmental Impact Report (EIR), approved a General Plan Amendment (GPA), rezoned the site from Parks and Recreation to Medium Density Residential and Open Space, and approved a rezone to Planned Area Plan and Open Space, a Vesting Tentative Map and Design Review for a 193-unit subdivision.

Ms. Velasco stated a large portion of the site would be reserved as undeveloped open space and 6.3 acres would be developed with a residential subdivision. She presented an overall site plan and noted three locations on the site that would have improvements, common open space for residents, a small tot lot and improved areas with benches and areas for pets. She highlighted the subdivision and noted that waivers would be requested for minimum lot sizes. The layout would be close to what had originally been approved. There would be no parking on the street but there would be visitor parking throughout. All streets would be privately maintained but open to the public, the development would not be gated, and emergency access would be provided. She offered examples of the proposed house plans with three basic plans with three elevation styles for each plan and with multiple color programs.

Ms. Velasco explained that the Planned Area Plan enabled the facilitation of the orderly development of larger sites within the City and would typically include deviations from the base zoning regulations but were required to be consistent with the General Plan in terms of density, height and land use. A major amendment was required in this case because the overall number of units was being modified and being reduced to less than stated in the original Planned Area Plan. Overall 10 percent of the units would be affordable to moderate income households, which made the project eligible for a density bonus where waivers and concessions could be sought. In this case, five waivers had been requested to achieve the required minimum density for the medium density for the General Plan land use designation. Waivers to minimum lot size and minimum lot width; front, rear and side yard setbacks had been requested.

The modified project would bring forward many of the improvements associated with the original project, especially conditions to address speeding on Seacliff Drive, improvements to the roadway, to the Bay Trail to add landscaping between the street edge and the Bay Trail, and to make other improvements to improve the drainage of the area, building a staging area for the trail and adding a new Bay Trail segment to connect directly from Canal Boulevard to Seacliff Drive and remove non-native shrubs and some tree overgrowth in the landscaped area where the staging area had been proposed. Other improvements associated with the site were noted and some requests to enhance landscaping in the area would remove some non-native shrubs throughout the area and trim trees to make the Bay Trail more inviting.

Ms. Velasco recommended conditional approval of the application to the Planning Commission

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based on the findings and statements of fact with 39 recommended conditions of approval.

Ms. Velasco responded to comments about the zoning and the density bonus being used not to increase the density from what was allowed in the General Plan but to obtain waivers from the development standards to build the project. She clarified that according to a recent court case, there was no limit on the number of waivers allowed. She also clarified the concessions that could be involved to promote inclusion of more than moderate income units. She described what had been proposed to address traffic calming under Conditions 29, 30 and 31 for a stop sign and stop pavement markings for vehicles and trail crossing signs, among others, which had been carried forward from the previous project approval.

TERRY MANLEY, New West Advisors, LLC, spoke to the amendment to a previously approved project with a reduction in the number of units. He noted that they had held to every prior condition from the previous approval with other conditions added.

MARCIA VALLIER, Vallier Design Associates, stated the project site was 18.4 acres and the development area was 6.3 acres so a majority of the site would be preserved. She described the proposed units as three to four bedroom, two stories, with two-car garages. There would be three architectural styles in a coastal design at a maximum height of 28 feet. For each of the three designs there would be three different design treatments. There would also be 18,560 square feet of open space.

Ms. Vallier identified meeting with the DRB Chair on September 1, 2021 and meetings with the Point Richmond Neighborhood Council Land Use Committee and the Council proper along with other members of the DRB to review the project. She reported that the Neighborhood Council and DRB members all had similar concerns related to traffic safety, which concerns had been addressed. She described the preliminary design with 77 units and explained that due to a concern that there was insufficient open space in the core and parking, one unit had been eliminated and shared community open space had been created in the center of the project along with visitor parking where 34 stalls had been provided, more than doubling the number of spaces. She explained that they were very cognizant about the scarcity of water and the planting plan would be native coastal live oak woodland to also be carried over into the open space along with no mow fescues and native shrubs. She pointed out stormwater basins that would be planted with drought condition plantings and explained that the plant material would naturalize over time so that less irrigation would be required.

Ms. Vallier reported that the Bay Trail was being reconstructed from the southern property line down to Canal Boulevard with a planted buffer along the driveway to ensure visibility. The Bay Trail would be 10 to 12 feet wide with a three-foot shoulder. A small swale at the edge of the decomposed granite would address water running across the trail. She described the entry drive, the stop signs, and the signs that warned people on the trail that they needed to stop to make sure there were no conflicts at the entry. She also described ornamental landscaping at either side of the entry. In the central core there would be a grass area and a tot lot with picnic tables, trash cans and benches and a grouped mailbox area. Crosswalks had been created in and around the site for pedestrians. The site amenities would include play equipment with bark mulch as surfacing, picnic tables, benches and trash cans, along with stamped crosswalks and pedestrian level LED lights under 3,000k. She also pointed out the proposed board-form concrete retaining walls with a rock face look on the walls along the edges. The houses would back onto Seacliff Drive, the facades had been improved, and fencing would be wood horizontal on top of the retaining wall in board-form finish with ornamental landscaping up the drive and with green planting along the Bay Trail and no mow fescue with native green plants.

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The houses would have typical front entry improvements and there would be columnar street trees in between two units with street trees and evergreen landscaping with flower color along the frontage. There would be a shared walkway to the backyards where trash containers could be kept behind the fence. Streetlights would be placed every other walkway.

Ms. Vallier described small trellis structures that would provide more presence on the front with an option where homeowners could select windows in the garage doors or not. With respect to the plant palette, it would be drought tolerant and complied with the Model Water Efficient Landscape Ordinance (MWELo), and plantings would be compatible and could be grouped together in hydro zones with irrigation.

As to the staging area, Ms. Vallier stated it would be off of Canal Boulevard and would provide parallel parking to either side with an improved sidewalk up to the Crest Trail. She pointed out City property in the area of the improved service road behind that property and she had talked to the City about removing non-native plant material and replanting with native shrubs, ground cover and grasses. She stated there were utility lines overhead that ran all through which was why the trees had been spaced the way they had.

DAVID BURTON, KTGy Architects, provided details of the three distinct but thematically-related styles for the project with a focus on styles seen in coastal areas. The three styles were identified as California cottage, southern cottage, and contemporary cottage. The California cottage focused on areas of shingled exterior, wood detailing, brackets and planter boxes in warm color schemes. The southern cottage had light stucco exteriors of off white and light medium grays with darker trim around windows, a bay window on the front and hurricane shutters with a cooler light colored scheme and a minimalist palette. The contemporary cottage would have minimal language with closer cropped eaves, stucco reveals, and a combination of stucco and areas of board and batten siding with details focused on railings, Juliette balconies, and shades over windows and with a lighter color scheme than the California cottage. There would be three distinct styles and with each style there would be three different color schemes so that for the 76 units there would be 27 distinct elevation options to offer a visual variety along the streetscape. A preliminary plotting diagram had been provided to the City to demonstrate the variety that could be achieved on the site.

In response to the community, Mr. Burton stated entry courts would play off the pedestrian level with trellis elements that announced the entries into each of the homes and provide detail and warmth in combination with landscaping. He pointed out that the rear of the houses would be at the entry and all the detailing on the fronts of the houses would be brought to the backside facing Seacliff Drive where primarily the second story would be visible from the street.

ROBERT STEVENS referred to the tentative map to show the breakdown of the units. Since the site was a former quarry with an irregular triangular shape and with a steep topography, the principal homes would be developed on a gently sloping plain and the eastern frontage on Seacliff Drive was where the rain guard and water quality features would be placed with the retaining walls to help break the grade. He pointed out a large retaining wall on a large existing knoll with a natural rock wall and to the west beginning to encroach into the quarry face where excavation would be conducted and where that soil would be used as fill for the site.

In response to Chair Livingston's concern for rainwater leaching across the Bay Trail from the bio-retention areas, Mr. Stevens explained that all the water from the hillside as well as all the water in the new development would be directed to the bio-retention area from which it would be piped into the existing storm water system. None of the water from the site or the hillside should actually flow over the Bay Trail. The only water would be from the toe of the slope to the side of the trail.

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Water would go in and come out only through a pipe.

Chair Livingston verified that quercus agrifolia had been proposed in the planting plan but he pointed out that the species had not been included on the plant list, which Ms. Vallier noted was an oversight.

In response to Boardmember Hook, Ms. Velasco advised that the easement for the emergency vehicle access (EVA) would still be provided to create the trailhead. As to the inclusion of restrooms, she stated the city did not want to take on the responsibility of a restroom nor did the East Bay Regional Park District (EBRPD), although that might be something that could be considered in the future.

Ms. Velasco pointed out that one of the recommendations from Trails for Richmond Action Committee (TRAC) was to have a Bay Trail marker along with a historical type of marker to identify the quarry, which could be a stopping/resting point on the trail.

Mr. Manley affirmed that Bruce Beyaert from TRAC had sent examples of signage, which would be included. He stood by the commitment to help develop the parking, although there was no plumbing for drinking fountains or bathrooms, which was a challenge, particularly since they did not own or control the property.

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

Chair Livingston opened the public hearing.

LISA JOHNSON asked if the EVA would be open to the public to access the space. With respect to the proposed development, she noted that fences had been a concern in the community and many neighbors had not maintained their fences. She encouraged the applicant to stain the fences as part of the development to promote their longevity. She recognized that a good amount of guest parking would be provided and suggested that the CC&R's restrict the parking to guest parking so that homeowners could not park excess vehicles in those spaces. She also commented that there were serious concerns about emergency access in that the Canal and Cutting Boulevard train crossings were frequently blocked and given some of the storage tanks and pipelines in the area any efforts to evacuate would be very difficult. She proposed that the applicant and the developers of Terminal One and the PG&E site share the cost and create a short emergency bypass route to connect east Richmond with Canal Boulevard to bypass the train tracks, and which could be restricted to emergency access to Fire Station 61 and the Richmond Police Department (RPD). She noted that former Chief Shepard had supported that plan.

CATHERINE DIEST, explained that she had opposed the original development given the asbestos in the soil and the industrial history of the site, from the poor air quality in the port, and given that a petroleum pipeline crossed the front of the site and both access points, along with slope instability issues. She pointed out areas where the retaining walls were half the height of the homes to defend the area from landfalls and asked if each individual homeowner would have to repair the infrastructure and how that area could be accessed once the development had been completed. She was also concerned given the moisture from the Bay that there could be mold problems given the high retaining walls, shading, and lack of circulation. She had earlier requested a three-way stop sign on Seacliff Drive because of the amount of traffic and the fact that the road was dangerous. She had also reviewed the zoning and commented that she could not find that the site had ever been zoned Medium Density Residential zoning and she asked for

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clarification.

JENNY BALISLE noted that as the former Chair of both the Richmond Arts & Cultural Commission (RACC) and the Public Art Advisory Commission (PAAC), she had been involved with the One Percent for Public Art requirement. She explained that the elements in the proposal lent themselves to amenities and stated that Winifred Day, the City's Arts & Culture Manager was an important contact as to how to incorporate arts and local artists into the proposal to help beautify the property and bring work to the artists. She wanted to see more interaction since the RACC would be the body to work with on the project.

JEFF VINES, Brickyard Landing, appreciated the presentation and verified that the project was comprised of single-family for-sale units. He referred to drainage issues, rock fall and instability concerns.

Mr. Vines also supported a left turn lane on Seacliff Drive in the northerly direction and noted that one of the points previously agreed upon was that there would be double striping down the center of the road for safety purposes. He stated no recreation facility had been proposed which the DRB might want to consider, asked if the landscaping along Seacliff Drive would continue on up the hill for the rest of the frontage of the property and suggested it should, and recommended that sufficient power be provided to all the homes to have the ability to install electric vehicle charging stations.

Chair Livingston stated he had gotten a message from TRAC and noted their concerns had been addressed with respect to interpretive signs. TRAC had also mentioned amenities for the trail staging area including restrooms, a bottle fill station, and a bike tool station paid for and included in the development.

Vice Chair Carter asked about the One Percent for Public Art requirement for the project, reported by Ms. Velasco to be one percent of the project cost and in this case the applicant would pay an in-lieu fee to satisfy that requirement.

Vice Chair Carter also asked about the three-way stop that had been requested and Ms. Velasco stated that double striping was a condition shown as Condition 31 in the staff report, which the applicant had agreed to do. She added that the City had looked at a stop sign warrant study as part of the original EIR with a denser project, and Fehr & Peers had determined that a three-way stop was not warranted and could potentially be more dangerous. As a result, the traffic improvements associated with the previous project remained. She added that there wasn't sufficient width for a left-turn pocket into the subdivision.

As to soil retention and drainage off of the steep slope in response to the Vice Chair, Mr. Stevens stated that a Closure Plan had been completed for the former quarry in the 2008-2010 period, and in the 2011-2013 period work had been done to stabilize the slope, install drainage on the slope, remove loose rock, install rock anchors near the top, and fill and do remedial grading at the bottom of the quarry. As a result, the quarry face had been stabilized and approved by the State of California. The actual excavation into the first buttress that had been referenced by a commenter was consistent with the previous state plan as well as the geotechnical team's recommendations. Evaluations of the site's soils did not find any contamination that would meet the state standards for residential land use. The project had a small debris fence at the top of the wall on the quarry face, not to stop big boulders but to stop small debris that might be coming down, and provided an area where the Homeowner's Association (HOA) could run a small bobcat or small excavator for occasional clean-up.

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As to the kind of vegetation holding the soil in place on the hill, Mr. Stevens referred to large anchors and other features that had been installed by the quarry operator as a condition of closure to retain the fractured bedrock. The rest of the slope was deemed to be stable. The buttresses attenuated water down the slope and stopped debris and sediment. Having walked the site regularly since 2017, he had not seen a significant quantity of debris coming off the hillside and suggested that required maintenance would be minimal. When the quarry was closed, an underground piping system had been created and all water had been collected and conveyed under the development and distributed into the City's collection system. The rainwater from the development would be collected and taken to the rain guards for treatment. There were two separate pipes on the site.

Chair Livingston stated that since water was an issue, he asked if it was possible to collect and retain the water on site for irrigation, although Mr. Stevens explained that harvesting that water and reusing it for other purposes was not consistent with state guidelines.

Mr. Stevens suggested that future homeowners and the HOA could always tap into the pipe along the hillside and build some sort of cistern and harvest water, although he presumed that would require a permit from the City. As to whether the developer could install the piping for such a system, he stated that all the property owners would need to construct the system. He added that the challenge of any rainwater harvesting needed some form of treatment and some form of storage, which required a process and large tanks. Anything that would have a meaningful rainwater collection system on the site would occupy a large portion of the site and given the hard rock, digging down and installing tanks in the ground would not be economical.

Chair Livingston wanted to find something in the project to make it superior consistent with the PA District.

Boardmember Hook liked the house plans and the mix of beach cottages and the pilasters for the trellises to provide a gateway and separation of the homes. With the variation of the architecture, she asked if the plantings would be cohesive to unify the whole space.

Ms. Vallier stated a HOA landscape was typically considered a commercial landscape and there was a need to make sure it could be maintained at a reasonable rate for the HOA. She had tried to match the hydro for all the different plant material and offer enough variation in the palette to make things more individual. She commented that not every single house was different, there were different palettes with different maintenance rotations. The plant material recommended had a lot of visual character and variation, was evergreen with flower themes and was something that people could maintain. The planting would be by exposure that would also offer variation. She added that she had learned that naturalistic planting did not look good in front of homes and there were other plantings, with variation, where the landscaping could be maintained by the HOA and landscape contractor.

Boardmember Hook referred to the retaining walls and suggested the board form-concrete felt distant from the fact that it was a quarry site with stucco/shingle homes. She asked the intent of that materiality, to which Ms. Vallier stated the board-form concrete offered more texture where clinging vines could stick, and given the industrial corridor, something with more texture was a good thing which was why it had been selected.

Boardmember Hook suggested adding boulders to harken back to the history of the quarry, and Ms. Vallier had no problem adding some boulders in the planting plan including in the play area.

Vice Chair Carter referred to the subcommittee discussions and a diversity of housing size, which

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would provide a more diverse housing stock for first-time homeowners and for those without children.

Mr. Manley stated the plan had attempted to respond to the market. After sitting on the site for four years with a multiple unit plan and after talking with developers they had listened to the homebuilders and the marketing firms and had created a plan set and plan forms that responded to the market. It was noted that the houses were modest in size, all under 2,000 square feet without the square footage of the garage.

As to whether more diverse house sizes could be provided, Mr. Manley stated that consistency of lot sizing provided efficiency in design and engineering. He explained that diversity had been created by architecture, square footage, and different forms. When asked by Vice Chair Carter if he could mix in different product types, he stated that with 76 lots it would be difficult to include a combination of attached and detached units in different product types.

Chair Livingston explained that the Terminal One proposal had included three or four different types of units, and Shea had five different types of units, although all were attached. With respect to the architecture, he stated the front elevation of the California coastal style seemed to have massing out of scale with all the other cottages and looked bulky and ponderous.

Chair Livingston emphasized that New West Development had been granted a rezoning of the land to the PA District a few years ago and to qualify for that exclusive zoning the development had to produce a project superior to the City's published residential zoning standard, which the previous design had accomplished with a higher density, a pool, a clubhouse and ample open space. Now that the plan had been changed with a new design under the same zoning, he questioned how the modified design was superior in order to qualify for the PA district. Given that the modified plan had sought a number of concessions to create smaller lots, reduce setbacks, and reduce rear yards, with no pool, no clubhouse, no on-street parking, no parking in front of the garage and very little open space, he asked what could be done through design and/or partnership with the adjoining property owners to elevate the proposal to a distinguished level of PA.

Chair Livingston reported that he had submitted a sketch to Ms. Velasco to elevate the project to something that was superior. He commented that the zoning could be changed. He also noted that there was an opportunity between the City and the EBRPD that could make the project great. He referred to the community garden at Brickyard Landing as an example of something that could elevate the project. He commented that he had no problem with the proposed architecture. The Chair's exhibit was displayed to the meeting attendees at this time.

Mr. Manley stated that the proposed architecture was outstanding and the edge along Seacliff Drive was beautifully planned and would enhance the neighborhood, they had agreed to off-site improvements along with the extension of the Bay Trail outside of the frontage of the project, and had agreed to participate with the EBRPD and the City on the trailhead. He noted the property was within walking distance to a 290-acre EBRPD open space area, the Bay Trail, and Richmond amenities, and the idea was to get people out to enjoy what Richmond had to offer.

To the Chair's idea, Mr. Manley had concerns about inviting people into an area given there was already 290 acres of open space for all residents, and to develop an area into a programmed open space that looked like a park was land the applicant did not own. He noted that Richmond Parks and Recreation did not want to maintain that area and would rather have it be replanted with natives and have the trash cleaned up. He expressed concern creating an area for people to gather in an area of thick trees along Canal Boulevard and he suggested the better treatment for the area would be to pull out the non-natives and scarify it and have it be replanted with natives,

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with no invitation for people to gather in a hidden location. He recommended that the trailhead parking area in which the development would participate would help get people into the park.

Chair Livingston sought more specifics on the plan for the improvement to the service road, and Ms. Velasco noted the discussion that the service road could be paved with decomposed granite shoulders similar to the paved trail and with a better paved base.

Chair Livingston suggested there was an opportunity to take the existing road and instead of having the awkward EVA access, the road could be run straight into the property with bollards off the entrance off of Canal Boulevard similar to what had been proposed at Point Molate, using an EVA access for the Bay Trail. He suggested finding some common ground that would make the project better and recommended that addressing that small piece of land would offer something more beneficial.

Mr. Manley stated he would work to specify what could be done in that area, was not certain that moving the EVA access would make it a superior project, but the idea that the project would do more offsite than was already being done could be considered, potentially to prepare a specific landscape plan for that wasted area. If the land was allowed to grow back to its natural condition it might keep people out and eliminate the trash problem in that area.

Chair Livingston stated there was no place for people to form a community in the development and he supported gathering places to allow a community to be developed. He reiterated the benefit of community gardens, and while Mr. Manley commented that there were as many failures as successes with respect to community gardens, he expressed a willingness to consider looking into that possibility.

Ms. Vallier suggested that a community garden be placed in the development interior given that they only worked if they were within walking distance and if the garden was visible. She recommended a potential placement in the play area with demonstration gardens, suggested a more defined landscape plan at the roadway, and could work with the Fire Marshal to verify that the EVA would be consistent with fire department distance standards.

Mr. Stevens reminded everyone that the little section of land under discussion was where Seacliff Drive used to follow the old road alignment and the land was a portion of surplus land authority of the City of Richmond and a public right-of-way. He also suggested there were Kinder Morgan facilities and a potential easement in that area. As such, there might not be as much available land in that area as assumed.

Mr. Manley pledged to work harder to address that area with something that was specific and consider the placement of a community garden in the center or on the edge of the project, and he asked Mr. Stevens for a constraint map to identify the areas that were not available.

When asked if he was aware of the situation where the train tracks were routinely blocked, Mr. Manley stated he had not been aware of that situation which he suggested was a regional safety issue that a 76-unit development should not be required to address.

Ms. Vallier suggested there might be other ways to exit the area and the Chair referred to an area where a gravel EVA could be placed to address that concern, while Mr. Stevens stated that the crossing under discussion was regulated and the railroad was not allowed to block the road and there was a way to handle that situation.

Commissioner Hook suggested that doing something to harken back to the history of the site

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might be a way to create a superior project, and Mr. Manley agreed that something could be done in that regard.

Vice Chair Carter verified with staff that the inclusionary requirement shown in Condition 10 referred to moderate-income households only and not to any of the other income categories. He expressed concern with a lack of diversity.

While Mr. Manley had hoped for the DRB's recommendation to the Planning Commission at this meeting, Chair Livingston noted a disagreement on the architecture and a lack of specificity on what would be done to elevate the project.

Vice Chair Carter agreed and was not comfortable proceeding at this time. While he understood the need for marketability, he wanted to see a wider range of housing types to be more inclusionary. He suggested the intention behind the density bonus law was to provide more housing on a given lot along with a wider variety of housing.

Mr. Manley commented that the proposal was in compliance with the City's housing policy.

TRAVIS BROOKS, Miller Starr Regalia, Land Use Counsel for the applicant, stated that providing 10 percent of units offered at prices affordable to moderate-income households was totally consistent with and promoted the core goals of the density bonus law. He explained that the project was subject to protections under the Housing Accountability Act, and one of those protections was the five-hearing total. Under the density bonus law, the project was fully consistent with the requirements of the law and fully entitled to the benefits under that law.

Commissioner Hook asked about the superior aspect of the project, which it was noted was very subjective.

Ms. Vallier wanted to move forward and she clarified that a community garden could be added into the core, boulders could be added to the landscaped area, the applicant could provide an alternate EVA to connect to the service road to potentially create a more graceful connection to the staging area, and there was a suggestion to change the unit types although she stated that all the other developments were the same, such as Seacliff, all were in PA districts and all had been approved.

Chair Livingston stated the Vice Chair's comments were clear and both he and the Vice Chair were trying to make the project better for the City. He clarified that the project could be rezoned but stated there was a responsibility to maintain the regulations under the PA zoning.

Ms. Velasco recommended that the item be continued to the March 23 meeting and if a decision was made on that date the applicant could still make the April Planning Commission meeting.

Mr. Manley expressed confusion by how far reaching the discussion had gotten. He stated they had an approved circulation plan from the Public Works Department and he did not know whether the EVA idea would work.

Chair Livingston emphasized that a way needed to be found and he urged the applicant to try. He suggested there might be a creative way to address the affordability issue and potentially include a duplex in the maps to address a concern for greater affordability.

Mr. Manley verified with the Chair that any denial of an application could be appealed to the Planning Commission.

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Ms. Velasco clarified that given the Housing Accountability Act, the City would be limited given that the project still had to go to the Planning Commission and City Council, and at least two meetings had to be reserved for that to happen. If after three DRB meetings there was no decision, Ms. Velasco advised that she would have to request a denial for the Planning Commission and the City Council to consider. She was hopeful that some of the concerns raised could be resolved. She recommended that the hearing be continued to March 23, 2022 to avoid the need for additional noticing.

Mr. Brooks clarified that continued hearings were considered to be separate hearings, and he noted that the project qualified for certain protections under the Housing Accountability Act that would not require rezoning given that it was fully consistent with the General Plan and the applicable zoning standards.

It was M/S/C (Livingston/Carter) to keep the public hearing opened for PLN21-327, Quarry Residential Project Redesign to the March 23, 2022 meeting; approved by voice vote: 3-0 (Ayes: Carter, Hook, Livingston; Noes: None; Abstain: None; Absent: Butt, Leung.)

Chair Livingston stated that staff would send a summary of the items to be considered by the applicant.

5. PLN17-236	POWERPLANT PARK
Description	PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR DESIGN REVIEW OF AN AGRICULTURAL FACILITY THAT INCLUDES GREENHOUSES, RESTAURANT, PROCESSING, MANUFACTURING, AND SUPPORTING FACILITIES.
Location	NORTHWEST CORNER OF GOODRICK AVENUE AND RICHMOND PARKWAY
APN	408-220-023, -024, -025, -026, -039, -041, -042, -043, -049, AND -050
Zoning	IA, INDUSTRIAL AGRICULTURE
Owners	RICHMOND DEVELOPMENT CO, DOOMMAS ENTERPRISES LLC, AND JOE AND HEIDI SHEKOU
Applicant	POWERPLANT PARK INC., RICHARD TRIEBER
Staff Contact	ROBERTA FELICIANO Recommendation: CONTINUE TO FUTURE MEETING

The item was continued to a future meeting.

Board Business

A. Staff reports, requests, or announcements:

Chair Livingston reported that a new member of the DRB would be introduced at the next meeting.

B. Boardmember reports, requests, or announcements

None

Adjournment

The meeting was adjourned at 9:46 P.M. to the next regular Design Review Board meeting on Wednesday, March 23, 2022.