

MINUTES APPROVED AT THE DRB MEETING ON OCTOBER 26, 2022

DESIGN REVIEW BOARD REGULAR MEETING

Richmond, CA 94804

September 14, 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
Marcus Christeson
Jonathan Livingston

Brian Carter
Michelle Hook

Chair Jonathan 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, Marcus Christeson, and Michelle Hook

Absent: None

Roberta Feliciano reported that Boardmember Macy Leung had resigned from the DRB.

INTRODUCTIONS

Staff Present: Planners Roberta Feliciano, Jonelyn Whales and Mary Sanchez, and Stephanie Vollmer from the City Attorney's Office

APPROVAL OF MINUTES: August 10, 2022

After Vice Chair Carter had made a motion to approve the minutes, as submitted, and Boardmember Christeson had seconded that motion which had then been approved unanimously, Boardmember Hook reported that she had emailed a number of species she had recommended for the planting plan for PLN22-194, the Target Store Expansion, which had not been included in the minutes. Her email had been submitted to Jonelyn Whales and it was recommended that the e-mail exchange be appended to the minutes from the August 10, 2022 meeting to clarify the plantings that had been approved by the DRB.

ACTION: It was M/S/C (Hook/Livingston) to approve the minutes of the August 10, 2022 meeting, as amended to attach the e-mail exchange between Boardmember Hook and Jonelyn Whales related to the planting species for PLN22-194, the Target Store

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Expansion; approved by voice vote: 5-0 (Ayes: Butt, Carter, Christeson, Hook, and Livingston; Noes: None; Abstain: None; Absent: None.)

APPROVAL OF AGENDA

MEETING PROCEDURES

Chair Livingston turned the gavel over to Vice Chair Carter at this point in the meeting.

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

PUBLIC FORUM

CORDELL HINDLER, Richmond, reported that Vice Chair Carter had been reappointed to the DRB by the City Council. He reminded the DRB that for any projects being considered, the applicant must communicate with the applicable Neighborhood Council to receive feedback and he provided examples of past applications when that had not been done. He added that he had recommendations for people who could fill the vacant positions on the DRB.

BRUCE BEYAERT, Chair of TRAC (Trails for Richmond Action Committee), stated the protected bikeway was rolling out on Cutting Boulevard and Harbour Way South with Hoffman Boulevard to come shortly, along with signage which was a work in progress. He stated the California Public Utilities Commission (PUC) and the BNSF Railway were requiring the City to install automated drop down gates where bicycles were traveling counter to the direction of motor vehicle traffic, which was expected to cost \$100,000 per crossing. He added that the City was working to secure funding to complete the necessary automated grade crossing to provide 2.25 miles of protected bikeway connecting the Ferry Building to Harbour Way South with the Point Richmond Historic District and on to the Richmond/San Rafael Bridge Trail.

CITY COUNCIL LIAISON REPORT: None

CONSENT CALENDAR:

Mr. Beyaert requested the removal of Item 1, PLN21-262, Svendsen's Bay Marine West Yard.

APPEAL DATE

The appeal date for actions taken by the Board at this meeting will be no later than 5:00 P.M. on Monday, September 26, 2022.

PUBLIC HEARINGS

1. CC PLN21-262

Description

Location

APN

Zoning

Applicant

Staff Contact

SVENDSEN'S BAY MARINE WEST YARD

PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO REPLACE A 2,860 SQUARE FOOT DOCK AND A 1,700 SQUARE FOOT WHARF. THE PROJECT WILL ALSO INCLUDE APPROVAL OF A FOCUSED MITIGATED NEGATIVE DECLARATION.

320 WEST CUTTING BOULEVARD

560-300-003-4

IW, WATER-RELATED INDUSTRIAL

BILL ELLIOT, SVENDSEN'S BAY MARINE, INC. (OWNER)

JONELYN WHALES Recommendation: **CONDITIONAL APPROVAL**

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Jonelyn Whales presented the staff report dated September 14, 2022, and advised that the public hearing was to replace a 2,860 square foot dock and a 1,700 square foot wharf.

The existing wood docks were dilapidated and in need of replacement and the project would consist of the removal of the existing floating docks and associated wood pilings as well as a wharf extending along the east side of the finger channel. The applicant proposed to replace the wood docks with new aluminum or wood floats and the new docks would be smaller than the facilities that existed in 2004.

Ms. Whales stated that a focused Initial Study and Mitigated Negative Declaration (IS/MND) had been prepared for the project, and no public comments had been submitted from the public or community groups, although permits would have to be secured from regulatory agencies to permit the project. She recognized that Bruce Beyaert had requested to make a comment related to community benefits but she had advised that there had to be a nexus to attach to community benefits.

BRUCE BEYAERT, Chair of TRAC, noted that in recent years all of the other projects on Cutting Boulevard and Harbour Way South had contributed a fair share towards implementing the Ferry to Bridge to Greenway Complete Streets Plan, and based on the project's frontage multiplied by the cost of installing new protected bikeways, he stated there would be a \$51,000 fair share contribution in this case. He asked the applicant to consider that fair share contribution favorably.

BILL ELLIOT, Svendsen's Bay Marine, Inc., the applicant, commented that he had not been apprised of the need for a fair share contribution for protected bikeways. He stated the budget for the project was tight given the need to replace docks before they sank, and to pave a vacant lot, there was nothing available for an additional fee and he asked if that fee was a requirement.

Ms. Whales explained that the Richmond General Plan had a Recreational Element and bicycle trails and the Bay Trail around the City had been able to benefit from the development within the City along that alignment when developers had contributed toward it. In this case, she noted that the project was different because it was not new development and she would talk to the City Attorney's office to determine a reasonable amount. In the future an Administrative Use Permit would be required for this project, at which time a condition of approval could be attached if there was agreement from the applicant to address the fair share contribution. Given the need to complete the project before the herring season, there was a time constraint and she did not want to hold up the approval.

Mr. Beyaert did not want to hold up the project and suggested that a condition attached to the Administrative Use Permit would be reasonable. He asked the DRB to adopt a condition of approval that the City would collaborate with Mr. Elliot and TRAC to determine a fair share payment to complete the Ferry to Bridge to Greenway Complete Streets Plan.

Vice Chair Carter closed the public hearing.

ACTION: It was M/S/C (Carter/Hook) to approve PLN21-262, Svendsen's Bay Marine West Yard subject to the four Findings and Statements of Fact with nine Conditions of Approval and an additional DRB condition as follows: 10) The City to collaborate with TRAC and Mr. Elliot to come up with a resolution before the Administrative Use Permit was submitted for the project for a fair contribution for the Bay Trail; approved by a Roll Call vote: 4-0 (Ayes: Butt, Carter, Christeson, and Hook; Noes: None; Abstain: Livingston; Absent: None.)

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Chair Livingston chaired the meeting at this time.

2. PLN22-171	TERMINAL 1 RESIDENTIAL REDESIGN
Description	PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION OF A PROPOSED AMENDMENT TO A PREVIOUSLY APPROVED PLANNED AREA PLAN TO MODIFY THE UNIT TYPES AND REDUCE THE OVERALL UNITS FROM 316 TO 184, AND ASSOCIATED SITE PLAN, FLOOR PLANS, LANDSCAPING, PUBLIC PARK, AND SUBDIVISION IMPROVEMENTS. THE PROJECT WEBPAGE IS WWW.CI.RICHMOND.CA.US/2939/TERMINAL-ONE-PROJECT .
Location	1500 DORNAN DRIVE
APN	560-420-006, -007, AND -010
Zoning	PA, PLANNED AREA
Owner	CITY OF RICHMOND
Applicant	TERMINAL ONE DEVELOPMENT LLC
Staff Contact	ROBERTA FELICIANO Recommendation: RECOMMENDATION TO THE PLANNING COMMISSION

Roberta Feliciano presented the staff report dated September 14, 2022, and explained that the request was a recommendation to the Planning Commission on the Planned Area Amendment at 1500 Dornan Drive. She reported there was a Land Disposition Agreement (LDA) between the City of Richmond and Terminal One Development LLC, and based on the LDA the City would sell the developer a portion of a 13.8-acre site for redevelopment as a medium density residential project and retain ownership of the remainder of the site for reuse as a public park.

Ms. Feliciano described the history of the site where in 2016 the City Council had approved the redevelopment of the Terminal One site as a mixed use project for a 323-unit residential development and 21 townhomes and a public waterfront park. She identified the entitlements for that original project, which had been completely entitled, and stated the applicant had subsequently returned given that the project was no longer economically feasible. The subject of the current application was a redesign of the proposal for a 184-unit Planned Area plan with associated site plan, floor plans, landscaping, public park, and subdivision improvements.

A study session held by the City Council in April 2022 had authorized staff to continue with the processing of the redesigned project. In May 2022, a subcommittee meeting of the DRB and the Planning Commission had occurred as had a later study session with the DRB in June 2022. A recommendation to the Planning Commission was being sought for the 155 single-family homes and 29 Accessory Dwelling Units (ADUs). The applicant would return to the DRB for the design review of the architecture for the residential buildings, the retail café building at the corner of Dornan Drive and Brickyard Cove Road and for the community building at the southern portion of the site.

Ms. Feliciano explained that there would be a decrease in the number of dwelling units to the PA district, which would be considered a Major Amendment to an approved PA Plan and the DRB's decision would be a recommendation to the Planning Commission with respect to the PA Plan Amendment. The project conformed to the Medium-Density Residential land use classification and to the General Plan. She added that dimensioned building elevations showing proposed architectural concepts, color and material samples would be provided during the design review phase scheduled for the DRB's October 12, 2022 meeting. She identified the

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standards and proposed deviations for lot size and lot width, setbacks and density, building height, maximum lot coverage and off-street parking standards, and stated the project would also update the Bay Trail along Brickyard Cove Road and provide a public park and access to the shoreline. Ten percent of the units would be for moderate affordability, to remain for 45 years, and the project would be subject to an all-electric natural gas ban requirement.

Ms. Feliciano added that the environmental review was underway for an Addendum to the Environmental Impact Report (EIR) certified in 2016, noticing had been above and beyond the standard 3,300 square foot mailing requirements and letters had been submitted to the DRB. She recommended that the DRB make recommendation to the Planning Commission for a Major Amendment to the PA Plan.

Ms. Feliciano responded to questions from the DRB and clarified the DRB's role to make a recommendation to the Planning Commission on the PA Plan, stated that all required content had been submitted although there had been a few inconsistencies on the Vesting Tentative Map (VTM) that had since been updated to address those inconsistencies, the grading plan was usually required at the time of the building permit but could be requested now given the Chair's comment that the grading plan had been shown as being required on the PA Submittal Checklist, and there would either be public art or a one percent in lieu fee associated with the project. With respect to public transportation and currently with no public transit in the area where there would be ADUs, she clarified that the requirement for a bus stop within half a mile of ADUs of 500 square feet did not apply in this case given that Junior ADUs at 400 square feet in size had been proposed and no bus stop would be required.

Chair Livingston introduced the development team and explained that they had worked with the DRB Subcommittee and with the Planning Commission a few months ago and had responded to a series of comments at that time. One of the concerns was that the site plan was not superior to the base zoning and the development team had responded with the addition of a community building, a retail shop on the corner, had improved circulation internally, had tried to accommodate TRAC, and had addressed other points that had been raised by the group.

PAUL MENZIES, CEO, Laconia Development LLC, the local developer representative of the Terminal One Development LLC, stated the hearing would focus on the site plan and PA Plan while the architecture of the project including the retail store and the community building would be the focus of the October 12, 2022 DRB meeting. He sought the DRB's recommendation to the Planning Commission and subsequently to the City Council after the October 12 hearing.

Mr. Menzies emphasized that the Terminal 1 site was no ordinary site in that before anything could be built the seismically unstable site must be stabilized, the environmental contamination must be remediated, the seismically unstable wharf must be stabilized, the lead paint contaminated warehouse must be demolished, and the City required that the wharf and a portion of the site would have to be converted to a public park. He added that if the sale of the site could not be completed by the end of the year it would come under the jurisdiction of the Surplus Lands Act where the site must be offered to developers of low income housing, which would substantially complicate the City's effort to develop the site.

Mr. Menzies presented a revised site plan and noted the criteria that must be employed in the approval process for PA Plans. He went through the standards one by one to identify how the proposed plan met that criteria with respect to a wide diversity of housing types, the extent to which the project provided infrastructure improvements, the extent to which the project provided open space, creativity and land use and the celebration of the waterfront setting, and superior quality of design. He added that 30 percent of the land was dedicated to public park, access

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improvements and open space. He presented illustrations of the public park to be on the existing wharf that would be completely remediated.

With respect to community benefits, Mr. Menzies stated the project could pay for a spectacular waterfront park that he compared to the High Line in New York City, to create beauty and utility by repurposing an abandoned infrastructure element.

Mr. Menzies added that for other community benefits, the project would pay for remediation of residual soil and groundwater contamination (currently the responsibility of the City), demolition of a lead paint contaminated public nuisance warehouse, remediation of the seismically unstable site and the structural retrofit of the wharf and transformation of a blighted and contaminated fenced off site, support adjacent property values by remediation of the site, create the waterfront public park that would cost the city \$18 million if constructed on a standalone basis, provide enhanced public access to the Point Richmond shoreline and allow payment of \$16 million of near-term revenue to the City, and \$3 million in ongoing property taxes in which the City would receive its share.

Mr. Menzies spoke to the treatment of Dornan Drive and stated the Bay Conservation and Development Commission (BCDC) had submitted its own plan. That plan would convert Dornan Drive itself to a public park, although he noted the developer had its own plan that would have to be discussed.

Chair Livingston noted that it had been discovered that there would be 45,000 cubic yards of fill to be imported to the site and he asked if that would be discussed in the environmental document, and Ms. Feliciano stated the Addendum to the EIR was currently being prepared by ESA, which would address the truck trips along Brickyard Cove Road. Staff had also researched a condition that could be added to require, and which could be part of the Mitigation and Monitoring Reporting Program (MMRP), a pre-construction survey of the roads that the trucks would take along with a post-construction survey so that the applicant would have to make any necessary repairs to the post-construction survey.

When asked by Vice Chair Carter to explain how the various housing types would be situated on the site, Mr. Menzies stated the homes would be a mixture of two- and three-story units and would be situated to capture the spectacular views to the south to the east and to the west. To the west, views of Mt. Tamalpais and San Pablo Bay would be captured by the two-story homes and the homes behind those homes would be three-story homes. The same would be done to the southern portion of the site and to the east a mix of two and three stories would be placed to maximize views. Duets would be placed along Brickyard Cove Road and there would be a blend of housing prices. In the middle, a mix of three-story homes and duets had been proposed to generate reasonable density. He emphasized there was a lot of work to be done prior to any construction and they were trying to balance the remediation of the site with the density, which had led to the proposed balance of homes.

Chair Livingston commented that there were potentially 61 of the three-story homes that could be four stories.

Vice Chair Carter requested a site section to identify the layout of the homes.

Boardmember Butt asked the applicant to walk through the design changes from the previous iteration to identify the changes that had been made and she asked if the developer was considering the proposal by BCDC to vacate Dornan Drive.

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Mr. Menzies stated that they were considering BCDC's idea which had a lot of creativity and had several meetings with BCDC about its proposal.

CLEVE LIVINGSTON, Laconia Development LLC, explained that the major issues that had been addressed from an architectural perspective concerned the massing of the buildings, primarily the three-story structures that were top heavy with too much mass at the top. The architectural team had provided different elevations that better articulated the massing on the buildings, particularly the side elevations and those exposed to the street.

Mr. Livingston stated they also dealt with the massing issue by proposing a different mix of units along the perimeter of the site and had mixed in two-story units with three-story units to offer variation in terms of building elevations and their presentation in the front and rear of the units. Many of the buildings had a hybrid orientation where the garages and the main entry to the house were off the street but the main living area of the home was at the rear and looked out to the viewshed.

ROBERT LEE, WHA Architects and Planning, displayed a revised site plan and identified the changes that had been made to the street orientation, landscaping and sidewalks, the orientation and massing of the homes and the garages, access, the addition of a recreation facility, an indoor café, and extension of outdoor activities and barbeque area, storm basins and the locations of the JADUs.

Boardmember Christeson asked about the parking and expressed concern that there would be insufficient parking, particularly if people did not park in their garages. He also asked about emergency vehicle access, and Mr. Lee explained that the Fire Department had not yet signed off on the proposal and they would work with the Fire Department and the Fire Marshal to make sure that all requirements had been met.

Mr. Lee identified the on-street parking in the development and advised that an analysis could be provided if desired. He added that the minimum parking requirements had been exceeded and the homes had three spaces each with two in the garage and one on the driveway.

Chair Livingston stated that he had reviewed the VTM and had found that numerous homes were over the property lines and over the setbacks. He had seen a revised layout today that he stated had similar errors.

Ms. Feliciano clarified at this point in the meeting that Item 3, PLN21-444, Brickyard Cove Residential had been continued to a special meeting on September 21, 2022. She again identified the meeting procedures, the format of the web-based meeting and the public's ability to speak during the meeting.

PHILLIP ROSENTHAL, President of the Point Richmond Neighborhood Council (PRNC), stated that he was speaking for the constituency and not the Council at this time. He expressed concern for parking, particularly given the ADUs and with a cul-de-sac park in that once the bike trails come through parking availability would be reduced. He was very concerned that the parking issue would affect residents' quality of life. He also spoke to the condition of Brickyard Cove Road that was being maintained by some of the homeowner associations (HOAs) and not by the City, and how the truck traffic would impact that road, what would happen with emergency vehicles, and potential evacuation in or near the tunnel or in or near Dornan Drive as the only exit. He asked that additional access and exits be provided for emergency vehicles.

KIERON SLAUGHTER thanked the applicants for their willingness to address the concerns. While he had been highly critical of the original plan, he stated the plan had come a long way

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and he acknowledged the inclusion of ADUs. He believed that any two-car garages would only fit one car, recommended timed parking for on-street parking to create some rotation and turnover, and once the HOA had been created recommended some parking pass requirement for parking in the guest areas. He added it was difficult to support single-family residences but he reiterated that the proposal had come a long way and he supported the modifications to the community building and the improvements to the Bay Trail.

BRUCE BEYAERT, Chair of TRAC, commented that TRAC was disappointed that the applicant had chosen to disregard the Bay-Trail-Design-Guidelines-and-Toolkit.

Mr. Beyaert stated that the Bay Trail adjacent to the development had been proposed four feet narrower than specified in the design guidelines that set the minimum standards necessary to accommodate a typical level of use along the Bay Trail when completed. He suggested the DRB could not make the required PA Plan finding that the proposal complied with the applicable design guidelines. He added that on the eastern and southern side of the property a wall and the backyards of the homes would be crammed up against the Bay Trail with no landscaping between the edge of the Bay Trail and the fence of the Richmond Yacht Club property. He requested a revised site plan and VTM to show an 18-foot Bay Trail on all three sides of the property plus adequate landscaping alongside the trail within the public access easement on the southern and eastern sides of the property.

BRIAN LEWIS, Richmond Yacht Club (RYC), speaking to both the subject site and the PG&E site and the attempts of residents over 40 years to get the City to take over the maintenance of Brickyard Cove Road, expressed concern with the issue of excessive trucks and urged a requirement that the developers of both the PG&E site and the subject site protect the road and have the City take over the road. He also expressed concern with the height of units along the RYC property and asked for a two-story limit along the eastern border, for parking and the trucks coming along Brickyard Cove Road, that fence height be six feet next to the Yacht Club, recommended architectural improvements, and concurred with Mr. Beyaert's comments with respect to the Bay Trail.

MEGAN BLECKINGER, a Brickyard Cove resident, appreciated that the developer had worked with the community. She was disappointed that the General Plan height limit of structures in Medium-Density Residential areas of 35 feet would be exceeded. With regards to Brickyard Cove Road, she stated that homeowners maintained that road, the City had not taken over the maintenance of that road and the impact from large construction vehicles would degrade the condition of the road requiring the need for future repairs as a result of the development.

LISA JOHNSON, Richmond, requested that the PA Plan not be approved without having the road issues being addressed, with a VTM that included a rebuild of Brickyard Cove Road in front of Terminal 1 and any new road along Dornan Drive out to the wharf. She suggested the import of fill would destroy Brickyard Cove Road and Seacliff Drive. She urged City staff to work with residents and the HOAs current and new at all three developments along Brickyard Cove Road to maintain the landscaping along that road and Seacliff Drive to avoid a new district tax to cover more expensive yet worse landscaping as seen on Seacliff Drive. She added that the need to import fill was a serious issue as was parking, which was insufficient, and pursuing the BCDC plan would lose additional parking spaces. There was no public transit and the ADU residents would need a place to park, the café should be moved to the southwest corner to enjoy the views of the bay, there were a lot of deficiencies architecturally and she did not support the stucco walls.

MIKE JOSELYN, a Boardmember with the RYC stated the RYC had been located at the site since 1966 with over 12,000 members and shared the longest boundary with the project. He

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supported a viable and reasonable development of the property but did not support the proposed design as memorialized in a letter to the DRB this date. He stated the site would be filled raising the ground higher than the club and the homes would tower over the land. He supported a 35-foot height limit for those homes bordering the property, expressed concern with the interface with the recently approved conditional use permit, had no information on the grades adjacent to the site, asked if there would be a retaining wall along the perimeter of the property and asked how the drainage would be handled, expressed concern for Brickyard Cove Road and how it would interface with the rest of the road and the effects of the truck traffic. He noted other details in the letter and asked that the developer meet with the RYC to address those concerns prior to any support for the project.

CHRIS COOK, a member of the Seacliff Board of Directors urged the DRB to reject the proposal as the application was substantially incomplete. He did not think the public or the DRB could make an informed decision on the plans that had been submitted. Seacliff was concerned that the City had yet to accept the road and had failed to comply with its agreements. He was also concerned with the thousands of trucks coming over Seacliff Drive and the 11 percent grade, and urged City staff to increase the radius of public notice if the trucks were coming up Seacliff Drive given the substantial burden those trucks would impose on the subject project let alone the PG&E project. He urged the DRB to reject the application.

KATHRYN DIENST, Richmond, generally supported the new proposal although it had been a year since the revised proposal had been submitted and the information was highly incomplete. Her key areas of concern related to the lack of topography fill and site grading details, the self-treating drainage that made up more than half the site, Figure L-2 of the plans identified fences yet the fence with RYC had not been shown despite being required by a legal settlement, the tot lot needed to be moved to the Bay Trail park near RYC in order to be a real asset, the current park was too small and just a drainage swale next to a parking area, and Brickyard Cove Road and the Bay Trail crossing near the secondary access road may need another stop sign to prevent accidents. In addition, on weekends when the Bay Trail was busy and the two RYC entrances may be open could create a hazard that needed to be addressed, and the assumption of Brickyard Cove Road by the City was long overdue and needed to get done. Given the looming deadline for the project, she questioned how Laconia and planning staff could be so lax.

CHRISTINA and MIKE LEDERER, residents of Brickyard Cove Road and a member of the Brickyard Cove Road Steering Committee, agreed with the comments offered by others and stated critical issues that had not yet been addressed by the developer's revised plan were that the remediation of the road had not been specified nor had drainage problems, especially along the boundary with the RYC and the tall buildings close to the RYC boundary violated the intent of the settlement agreement.

JEFF VINES, Richmond, a resident of Brickyard Landing and member of the Board and Community Affairs Committee for Brickyard Landing stated the road improvements discussion was a key issue for them given that they funded the maintenance of both sections of the roadway privately owned and the developer needed to assume the maintenance of the area impacted. Guest parking was an issue on the site with the ADUs and with only 36 off-street parking spaces there would be a need for more spaces. He concurred with the architectural concerns that the homes seemed too densely packed and could have more space between them to provide a more aesthetic presentation to the community and to the future residents.

JIM FOUICHE, a resident of Brickyard Cove and a former Boardmember of that HOA, stated it was paramount for the City and the developer to address the problems and the future of the

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road. As a user of the Bay Trail, he stated the construction of the Bay Trail in the area needed to comply with the district's expectations. The parking was also inadequate and would hamper the beauty, effectiveness and usefulness of the area for visitors and residents alike.

JEFF SHUKIS, a member of the Brickyard Cove HOA 2 Board, liked the plan but given the omissions, inaccuracies and problems in the plan as presented it was not yet ready for approval. All the items of concern had been mentioned but he emphasized that the road would be damaged as a result of the construction of the development. As part of the early approval, a survey of the road before and after was required along with payment of the cost of required fixes. In addition, the interface between the project and RYC was not proper and additional setbacks, width of the Bay Trail, landscaping and fencing needed to be addressed before the project could be approved.

SUSAN HUBBARD, a past Commodore of RYC and also a former member of the HOA and a resident of Seacliff did not support a situation where the 35-foot height limit would be exceeded. She noted that RYC was the only nearby neighbor of Terminal 1 and she asked why the two- and three-story buildings with 16 along the property line of RYC had been placed at that location. She expressed concern for Brickyard Cove Road and for the Bay Trail and stated the Bay Trail's requirements had been consistent for many years. She was pleased with the reduction of the number of units, expressed concern about accessibility to the park and suggested there should be more provisions for accessibility.

Chair Livingston thanked the public for their comments and noted that most had mentioned Brickyard Cove Road as being the primary issue with the Bay Trail and parking also being major concerns. He stated with respect to accessibility to the park, there was a problem with respect to side shows and nuisance created around music, loud cars, and donuts, and a lot of parking had been moved away from that pier to avoid creating a potential nuisance to those living in the area and to decrease the potential for a nuisance, which was the reason for the design.

In response to the comments, Mr. Menzies genuinely thanked the public for the comments and stated that with development as in business and in life everything was a question of a balance of advantages and disadvantages, which had informed the proposed design to be able to balance between the two. He stated the site was not a normal site, not a site that they or any other developer could stick a shovel in the ground and commence the building process in that there was a huge amount of work that had to be done to the site to be able to build. He reported that \$15 million was required to be able to remediate the site. The balance was to remediate the site to the benefit of the community because if the site slushed into the Bay it would not be good for property values. The site itself and the future homebuyers would have to pay for the remediation, which required a certain density and required a reduction in the width of the Bay Trail. If carving out other room for this and that the density would be lost and the project would no longer make sense. He stated that all the problems finally, after decades could be remediated by the project and chopping away what had been proposed would prevent that.

Boardmember Butt suggested that good design planning moves had been made and she appreciated the changes to the overall site plan. She commented that people needed to understand that the fill was needed to get the site up high enough to comply with the FEMA Flood Plan and to address the contaminated site. She wanted to see a section of what would happen with the Bay Trail for the area between the site and the RYC where the Bay Trail narrowed, was intrigued by the idea of vacating Dornan Drive and considering the BCDC plan, appreciated the public comments particularly the comment about utilizing timed parking along the road, and asked about the process of having the City accept the road. She wanted to know how the DRB felt about the height, about meeting the requests of the RYC, about Dornan Drive

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and what could be done, if anything, about parking. She did not support excessive parking.

Chair Livingston referred to the interface between the sidewalk and the public and if Dornan Drive would be a street with units down that street, he stated the houses would be close and he asked how the DRB felt about a second-story deck being five feet from the sidewalk and whether that was adequate.

Vice Chair Carter asked for details on repairs to Brickyard Cove Road, and Mr. Menzies stated the developer would be required to survey the road at the beginning and at the end and repair any damage to the road, and some arrangement would be appropriate because the developer of the PG&E site would also be using the road. As to getting the City of Richmond to do what it had not done for over ten years was unfair to place on the project and make it a condition of the approval of the project.

For the houses abutting the Bay Trail and adjacent to RYC, Vice Chair Carter asked if those houses would have front yard fences between the front yard landscaping and the Bay Trail and Mr. Menzies stated there would be a low fence.

Mr. Lee referred to Page L-4 that showed the interface between the homes and the Bay Trail with a low wall that would be built along the property line and with a little landscape buffer that would be installed on the Bay Trail side of the low wall. This would allow users of the Bay Trail to look over the wall and also allow a viewshed over the RYC to the east as well. It would also reduce any sense of confinement or canyon effect that might otherwise be caused and create a more open interface.

Vice Chair Carter asked if there was any way a two-foot extension of the Bay Trail was possible and Mr. Menzies stated if they could they would but could not maintain the current design and density if doing that. He expressed a willingness to work with Mr. Beyaert and would do what they could but did not believe they would then have the room to provide the necessary density to do the project at all.

Mr. Lee added that while they appreciated Mr. Beyaert's comments and would work with him, he clarified that the initial project had no problem in that the Bay Trail had been 10 feet wide at that point. With the new project, the standard for the Bay Trail had changed in 2016 when the width of the Bay Trail had expanded to 12 feet. Fehr & Peers had evaluated that request in the EIR and had concluded that the guidelines were not a one-size-fit-all standard and this was a special situation given that they had agreed to not only build the Bay Trail Loop around the south perimeter of the site but to finish the Bay Trail where it currently terminated to the north of Brickyard Cove Road and bring it to the intersection of Dornan Drive to create two different Bay Trails in terms of function where one would be primarily for commuters and not so much concerned about the access to the shoreline and views.

The Bay Trail Loop had been intended to provide visitors to the park and users of the Bay Trail with a more aesthetically pleasing accessibility to the shoreline. Fehr & Peers had concluded that by separating out the two functions would improve the safety of the Bay Trail and that the width of the Bay Trail was adequate given the way in which the function had been divided between the commuter trail and the Bay Trail Loop, and they had proceeded with the design in place. He reiterated that one of the challenges of the site was getting enough density to pay the costs required for the remediation to be able to use the site. When adding the Bay Trail and parking to the street the density would be lost where the project no longer made sense, which was why they had retained the standard in place that had been approved with the original project and Fehr & Peers' position in the prior EIR remained true in terms of safety, utility and

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function of the Bay Trail.

In response to the Vice Chair with respect to the required fill, Mr. Menzies explained that they would be soil farming, which he described as taking the contaminated soil and spreading it out on the site to allow natural attenuation of the environmental problem to take place through the action of the sun and exposure of the soil formerly underground and now on the surface, with testing until it was usable and there would be soil brought in to build up the site with surcharge to help the soil settle. Some of the surcharge would be taken off. No contaminated soil would be exported. He explained that with the addition of soil to the site, the topo as it existed, would be below Brickyard Cove Road and would be built up approximately two feet at the rear of the site and as much as five feet at the southern portion of the site, growing from two to five feet from north to south of the site to be matched with the adjacent buildup. Site details were now being developed.

Vice Chair Carter appreciated the steps taken by the developer and the developer's receptiveness to the DRB, the Planning Commission and the public and adding retail to the corner would be a great addition for those using the Bay Trail and the park, and he hoped that market forces would support that addition to the area. As far as how to handle Dornan Drive to keep it as a cul-de-sac or go with the full park, he could go either way and suggested the full park would be amazing and having the access with the cul-de-sac would also offer benefits but eliminating the parking in favor of the cul-de-sac would be a good move with the added green space. If left as a road with the cul-de-sac including speed bumps should preempt some of the street racing concerns.

With respect to the road improvements, Chair Livingston noted some 1,200 feet of frontage along Brickyard Cove Road and along that area new curb and gutter would be installed and the road would have to be taken apart to add all new utilities. As such, he suggested the developer would be tearing up the entire southern part of the road to provide new utilities, drains, curb and gutter and the entire road would actually be replaced.

Mr. Livingston referred to sections of Brickyard Cove Road to the east of the project and stated those plans had already been reviewed and approved both by the DRB and the City Council, and most recently in the DRB's second stage design review of the project. The improvements had been shown on the plan set submitted to the DRB in October 2017.

Boardmember Hook stated the project was coming together. She had concerns with the width of the Bay Trail and sought more space since the trail would be attractive to bicycle and pedestrian use but she had concern with the safety of the width especially along the shoreline. She noted some sections seemed to be constrained along the RYC and she agreed with the suggestion that there may be opportunities to evaluate the finished grade and with sea level rise find more space where planting along the edge of the BCDC shoreline might be reduced or where additional planting might be allowed along Section BB, the shoreline greenbelt and the riprap edge.

Chair Livingston commented that the Bay Trail was five feet higher than the current riprap edge and if raising the Bay Trail up five feet there would be even less room. He questioned whether there would be planting at that edge.

Boardmember Hook clarified with the Chair that the riprap was at a plus or minus ten-foot elevation and she asked if there could be movement more towards the water's edge and whether the developer's team had considered that solution.

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Mr. Menzies stated that might be possible and they would look at the concept of widening the Bay Trail in certain selected areas where possible. He commented that it had taken three years to get approval from BCDC which had looked at the design, liked it, and suggested it was a better land use. They could not start again from scratch but would look into the suggestion to see whether it was possible.

Boardmember Hook suggested there might be an opportunity for a raised boardwalk that might slightly protrude over the bioswale planting. Given the attraction of the wharf and the Bay Trail, she emphasized the need to address that situation. When asked, she felt strongly that there could be a park along Dornan Drive and the streetscape design solution would be different, especially the edge condition between the two. While there could be drop-offs at the edge of Miller/Knox Regional Shoreline Park or within the community, she stated that specifically a Dornan Drive park area might be beneficial.

Asked if the applicants had reached out to the East Bay Regional Park District (EBRPD) regarding a parking agreement, Mr. Menzies stated they would be reaching out to EBRPD to talk about a parking agreement for a potential expansion of the parking lot at Miller/Knox Regional Shoreline.

Chair Livingston stated that if the will of the DRB and Laconia decided to get rid of Dornan Drive and the drop-off, there could be an expansion of the EBRPD parking at the park and the expansion area next door. He asked Ms. Feliciano to help the applicant make contact with the EBRPD.

Boardmember Hook referred to the comments from the public and sought to ensure coordination and communication with the neighboring RYC with respect to the edge condition of the proposal. She was also concerned about Brickyard Cove Road and the concern for this and other adjacent developments and referred to some discussions related to financial help for emergency access roads. She suggested the applicant should also be open to that and ultimately the City needed to communicate with the residents of the area as to the real safety concerns. She encouraged the applicants to work with the City on that issue.

Mr. Menzies stated they were open to that idea.

Boardmember Hook also asked for comments on the maximum 35-foot height of the buildings, and Mr. Lee stated the eastern edge along the RYC and the Bay Trail were two and three stories and would not exceed the 35-foot height. There would be no four-story units along that edge or the western and southern edges and the proposed roof deck would be more interior to the project. Units along Brickyard Cove Road would be limited to three stories and be maxed out at 35 feet.

Chair Livingston asked for a condition that the sales team would not be able to sell a rooftop deck unit along the entire length of the RYC boundary. He stated the plan failed to articulate the difference between a three- and four-story unit and it would be up to the buyers as to whether they would like a rooftop deck or not. He suggested that all rooftop decks would be four stories for purposes of planning but he wanted assurance that those decks along the RYC border would be no more than three stories.

Mr. Lee presented the site plan and stated they were flexible and he suggested there was no intent to put a four-story roof deck along the RYC boundary. The developer could distinguish

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which lot those roof decks could apply to and which they could not, and could clarify for the DRB, the Planning Commission, the City Council and the public in the future what homes could be at the fourth level. It was his hope to give the homebuyers and those who lived in the area more opportunities to have views of the Bay.

Boardmember Hook spoke to the art component and Ms. Feliciano confirmed that there was a one percent public art requirement where the developer could pay an in-lieu fee or provide the public art.

Mr. Menzies stated that they were often required by a jurisdiction city to do public art and had done it whether it was required or not and could work with a local group for input. He wanted to do public art, had done fabulous things over the years, and would like to do the same for the subject proposal.

Boardmember Christeson understood the concerns related to Brickyard Cove Road and Seacliff Drive and it reminded him of a situation he had experienced with the Navy Seabees.

Boardmember Christeson suggested that big balloon tires on smaller trucks could help protect the roadway and the landfill material itself could be brought in by barge, which could actually save money. As far as parking, he liked the parking the way it was and suggested that a parking lot could be restricted for wharf parking at a specified time and for HOA parking at a specified time, which could resolve a lot of the parking issues. With respect to the lot size, as long as the requirements were met the developer should be able to place the house on the lot. As a user of the Bay Trail, he stated when the trail was made wider and wider bicyclists would spread out and speed up, which was a safety hazard to pedestrians and others using the full width of the trail. From his observations over 10 to 12 years, he suggested a narrower trail would avoid those safety concerns.

Ms. Feliciano advised that given the hour, the Board needed to extend the meeting.

ACTION: It was M/S/C (Livingston/Carter) to extend the public hearing to 10:00 P.M.; approved by voice vote: 5-0 (Ayes: Butt, Carter, Christeson, Hook, and Livingston; Noes: None; Abstain: None; Absent: None.)

Boardmember Christeson stated the building height was fine and the situation had been resolved adjacent to the RYC.

Chair Livingston sought comments from all members of the Board about the building height adjacent to the RYC and stated once the VTM had been approved it could not be changed and he wanted to make sure the DRB understood that situation.

Mr. Livingston clarified what the developer needed from the DRB was a recommendation to the Planning Commission and the City Council to approve the PA Plan. The developer was not seeking design review approval at this time, which would give them a chance to meet with TRAC, the RYC and others who had commented on the proposal to find some common ground. The same applied to the VTM. He stated the PA Plan Addendum basically described the project in conceptual terms and made reference to the various planning documents the DRB was charged with reviewing, which included the architectural plan set, the landscape plan set, and the VTM plan set and those items would return to the DRB on October 12 for further design review and approval at that time. At this time, he sought a recommendation of approval on the PA Plan itself.

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Chair Livingston disagreed and stated the VTM would not come back to the DRB. He sought a clarification from the City Attorney's Office.

Stephanie Vollmer from the City Attorney's Office referred to the applicable section of the Zoning Code, Section 810.030 Procedures and D) Application Content, which listed what was needed as shown in the required findings at Section 810.040 A through F, and 1 through 9.

Chair Livingston stated in order to make those findings there had to be an accurate VTM and the necessary materials had not been submitted because there was no proper plot and therefore no accurate site plan.

Mr. Livingston suggested there was time to address the issues with a detailed expert analyses to revise the various documents and that the documents submitted were more than adequate to offer the information to make the finding required to recommend approval of the PA Plan, although Chair Livingston disagreed given that the plan was inaccurate.

Mr. Livingston suggested Chair Livingston was confusing the design review process with the process of making a recommendation on the PA Plan.

Mr. Livingston clarified the various planning documents involved as part of the current submittal related to the PA Plan Amendment separate from the plans that would be submitted for discussion by the DRB on October 12, 2022 when all the remaining issues would be discussed, including those related to the VTM. He emphasized that the burden was on the developer and it was important for them to be able to move the project forward to secure Planning Commission approval in October and get to the City Council in November to get the project approved before the end of the year and avoid the problems associated with the Surplus Lands Act. He added that the developer would return with a solution where the DRB could comfortably recommend approval of the VTM.

Ms. Feliciano summarized the review procedures for a PA Plan and stated that a Tentative Subdivision Map must be prepared and submitted concurrently with an application for a PA District, and a Tentative Subdivision Map had been submitted. She acknowledged that there were inconsistencies with units over a property line in that map. In the granting of a Major Amendment to a PA, as spelled out in the code, she identified the criteria involved and the hypotheticals possible as a result of that criteria if the DRB made a recommendation to the Planning Commission at this time. She added that unless the DRB felt there would be changes to that criteria requiring another amendment to the PA Plan after this time, the DRB could make a recommendation to the Planning Commission. She also clarified that the original PA had identified a specified number of 323 units and the current plans were for 184 units, although the DRB could establish a range of units as opposed to a specific number of units, if desired.

Ms. Feliciano clarified that the applicant could not proceed to the Planning Commission without design review approval.

Boardmember Butt recommended a range of units as opposed to a specific number, and Mr. Livingston verified with Ms. Feliciano that a range approach of 166 to 184 units, as an example in a recommended PA Plan, would not require another Major Amendment to the PA Plan.

Chair Livingston stated the VTM would give the applicant a vested right to develop what had been set at that time. His concern was that all the other things that needed to be included on the civil set to satisfy the community would include road improvements that needed to be documented and set in a legal context to avoid losing the ability to make conditions of approval of a site plan. He sought legal counsel, noted there were no road agreements, and stated once

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the developer had the right to develop the City would lose its ability to make informed conditions of approval.

Ms. Vollmer highlighted the statements involved where Mr. Livingston had asserted that the applicant had, in fact, submitted the map which was part of the application requirement process; Chair Livingston had stated the map was incorrect and materially indistinguishable from there not being a map; and Boardmember Butt had indicated to some extent change could be anticipated and if setting a range the map could be moved forward. She referred to the time constraint given the Surplus Lands Act concern and stated the developer was a developer of integrity who had pledged to do the project professionally and responsibly, a range would offer protection, and when coming back the developer would not create tiny lot sizes in that the developer would want the project to be nice to be marketable. From a legal standpoint, she did not see a problem offering a range to be able to move forward.

Chair Livingston referred to Section 801.030 D, E and F related to detailed engineering site plans for the provision of public utilities and provisions for off-site connections and stated the City needed to have an understanding of the responsibility of the developer beyond the property line.

Ms. Vollmer stated that the PA Plan had earlier been approved and she asked what had changed since that approval that had indicated those elements were not in place, and Chair Livingston commented that he was looking at the current plans.

Mr. Menzies suggested there was a narrow field of concern in front of everyone but he stated there was a broader issue as to whether the property would be developed or whether it would remain the same for another 20 years. He wanted to know whether the City wanted to find problems or find solutions creatively and legitimately to be able to move to the next step.

Chair Livingston stated the plans needed to be accurate with accurate civil drawings and the DRB should ask the applicant to discuss with the City of Richmond the formation of a Development Agreement with the City of Richmond to ensure the integrity of Brickyard Cove Road to be maintained and to revise the DA to improve Brickyard Cove Road and further beyond.

Mr. Menzies reiterated that the frontage would be replaced completely but if being asked to take responsibility of all of Brickyard Cove Road that could not be done and even if it could nothing happened quickly with the City. If not meeting the deadline, the Surplus Lands Act would ensure the property remained as is for the next 20 years. He wanted everyone to be solution oriented and not problem oriented. He added that there were other parties involved and emphasized the long process that would not get resolved in any timeframe to be able to meet the Surplus Lands Act deadline.

Vice Chair Carter sought clarification and noted the earlier discussion that the site had been pretty well designed and constrained such that widening the Bay Trail by a couple of feet was a non-starter, and with the discussion that the site plan, as shown on the civil drawings, was not within the property boundaries he was apprehensive about the amount of wiggle room left in the plan. He asked if there was space in the plan to fit things within the property line appropriately.

JASON WHITE, BKF Civil Engineers, acknowledged that some buildings had been shown over the property line in the original plan, which had been modified this date. He stated that no lots would be lost and one road had been adjusted and it had been a fairly simple change.

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Chair Livingston referred specifically to Lot 2 and stated the Plan 1 on that lot was 49 feet long according to the drawings and the lot was 50 feet long with a five-foot front setback and a deck in the back that extended five feet over the back.

Mr. White concurred that would not be possible and stated that would be an easy correction.

Mr. Lee noted that on the revised site plan Lot 2 and Lot 1 had been consolidated to the corner retail but Chair Livingston stated that was not the VTM map being approved but the legal civil drawing as part of the package.

On Chair Livingston's assertion that the map submitted was part of the package being considered for approval at this time, Mr. Livingston clarified it was not part of the package. The focus was on the PA Plan, basically a conceptual document that described the document in conceptual terms.

Ms. Feliciano described the process for a Tentative Subdivision Map and stated that pursuant to the code the process for review would be a recommendation from the Planning Commission to the City Council. Tentative Subdivision Maps were considered by the Planning Commission and not the DRB. The current application was at the Vesting Tentative Map (VTM) stage. The DRB would only be recommending the PA Plan Amendment to the Planning Commission.

Mr. Lee stated that the VTM would be accurate by October 12, 2022 and had been agendized for Planning Commission review on October 20, 2022.

Chair Livingston referred to the comments on parking and asked if having no parking for ADUs was a concern and if that would be superior to the base zoning. He noted that members of the public had expressed concern but adding more parking would affect the PA Plan.

Boardmember Butt asked staff in general about the process if tonight was not the night to get approval and she asked about the deadline.

Ms. Feliciano again explained that the deadline for the Surplus Lands Act was the end of the year and needed to be done by December 30, 2022, a Friday, and by then the developer needed final approval for the entitlements from the City Council. Based on the current schedule, November 15, 2022 had been targeted for City Council consideration given that there needed to be a 30-day California Environmental Quality Act (CEQA) challenge, which would allow a close on the property prior to the end of the year. If the will of the DRB was to continue the item to October 12, 2022, the DRB could consider the PA Plan Amendment and Design Review at that time and then go on to the Planning Commission on October 20, 2022 if recommended by the DRB. In order to make the November 15, 2022 City Council meeting, the application had to make the October 20, 2022 Planning Commission meeting. She stated that three hours had just been spent on the PA Plan Amendment and Design Review would be considered by the DRB at its October 12, 2022 meeting. As a result, she questioned whether there would be sufficient time at that meeting to consider both the PA Plan Amendment and Design Review. She added that the VTM would still need to be updated.

Ms. Feliciano clarified that the PA Plan Amendment and the VTM were two separate issues and while there were crossovers and there had been an error on the applicant's part that the residences were over the property line, she stated the VTM was not the same as the PA Plan Amendment.

Vice Chair Carter clarified that the Planning Commission would only review the VTM that had spun off from the PA Plan design, and Ms. Feliciano stated it was the Planning Commission's

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purview to review the VTM and it needed a recommendation on the PA Plan Amendment and Design Review from the DRB, and both could be considered together by the Planning Commission.

Ms. Feliciano also clarified that if neither the PA Plan Amendment nor Design Review were recommended to the Planning Commission by the DRB, the application could not make the Planning Commission's October 20, 2022 meeting and the applicant would not be able to close on the property by the end of the year. She added that the applicant had offered to have the Chair or another member of the DRB meet with their design team between now and next week to make refinements to the design review content.

Ms. Feliciano reiterated that the VTM was part of the application although there would be no action from the DRB in that the DRB's action was on the PA Plan Amendment and Design Review.

Ms. Vollmer identified the need for another motion to continue the meeting.

ACTION: It was M/S/C (Livingston/Carter) to extend the public hearing to 10:15 P.M.; approved by voice vote: 5-0 (Ayes: Butt, Carter, Christeson, Hook, and Livingston; Noes: None; Abstain: None; Absent: None.)

Boardmember Butt confirmed that there was no opportunity for an extension of the deadline related to the Surplus Lands Act, which had been imposed by the State of California because the property was City owned.

Mr. Menzies stated that the corrected map would be provided on October 12, 2022.

Chair Livingston emphasized the comments that had been made by the public with respect to the RYC and the dimensional issue related to the Bay Trail. He requested an accurate site plan and stated he was not comfortable the way it had been submitted and would like to see it again and to see it corrected.

Vice Chair Carter had some apprehension about the way things would fit based on his understanding that things were pretty tight and was looking at the illustrative nature of the PA map and did not know how much could be reduced or scaled down to fit within the actual property lines. He too sought corrected drawings to allow 100 percent confidence in what had been proposed. He stated the illustrative nature had given him a good idea of what they were going for and he had confidence the applicant could make it work. He could move forward with the illustrative plan in good faith.

Boardmember Hook verified that the DRB meeting on October 12, 2022 would include the Design Review of the property and there would be another DRB meeting next week. She referred to the intense deadline and asked how the details of the design could be fit in.

Ms. Feliciano emphasized that the DRB would need to make a decision at its October 12, 2022 meeting and any changes to the plans would have to be added as conditions of approval. She reiterated that the applicant had offered to meet with the Chair and another member of the DRB to address the concerns.

Boardmember Hook confirmed that the revised, corrected plans would be reviewed on October 12, 2022 and if there was a range the width of the Bay Trail could be considered for widening. She wanted to know more about the park and the issue with respect to the BCDC proposal, the

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wharf design was important and she had a lot of questions. With that, she recognized the integrity of the team and wanted to push the project forward and wanted to flush out the edge conditions.

Ms. Feliciano sought a commitment to allow Boardmember Hook to work with the applicant's landscape architect so that she could make her recommendations directly.

Boardmember Hook was comfortable with the PA Plan and was comfortable moving forward with the PA Plan Amendment but she had a lot of questions with respect to design.

Boardmember Christeson did not want to approve the PA Plan at this time and wanted to wait until the October 12, 2022 meeting.

Boardmember Butt agreed with the recommendation to approve everything at the October 12, 2022 meeting.

Ms. Feliciano suggested it might be important to the developer to have something to confirm with respect to the proposal.

Chair Livingston clarified that the public hearing remained open.

ACTION: It was M/S/C (Livingston/Christeson) to continue PLN22-171, Terminal 1 Residential Redesign to the October 12, 2022 meeting; approved by a Roll Call vote: 4-1 (Ayes: Butt, Christeson, Hook, and Livingston; Noes: Carter; Abstain: None; Absent: None.)

Ms. Vollmer identified the need to extend the meeting.

ACTION: By consensus, the DRB extended the meeting to 10:20 P.M. with all Boardmembers present with the exception of Boardmember Christeson.

3. PLN21-444	BRICKYARD COVE RESIDENTIAL
Description	STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED DESIGN OF A 94-UNIT MULTIFAMILY RESIDENTIAL PROJECT.
Location	BRICKYARD COVE ROAD, VACANT LOT BETWEEN SEACLIFF ESTATES AND BRICKYARD LANDING
APN	560-340-043, 560-340-039
Zoning	RM1, MULTIFAMILY RESIDENTIAL DISTRICT
Owner	PACIFIC GAS & ELECTRIC CO.
Applicant	REPUBLIC BRICKYARD LLC
Staff Contact	ANDREA VILLARROEL Recommendation: CONTINUE TO SEPTEMBER 21, 2022

The application was continued to the September 21, 2022 meeting.

Board Business

- A. Staff reports, requests, or announcements: None
- B. Boardmember reports, requests, or announcements

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Chair Livingston recognized that the DRB was down to five members and a quorum would now be three members. He confirmed that there would be at least three members needed for the special study session on September 21, 2022 related to the PG&E site. There would also be the regular meeting on September 28, 2022 to consider the Terminal 3 project when he noted issues with respect to Brickyard Cove Road would likely be discussed.

The Chair asked the Director of Public Works to talk to Urban Republic for the PG&E site and Laconia for the Terminal 1 site to at least start a road agreement for Brickyard Cove Road.

Ms. Feliciano announced a community workshop on Tuesday, September 27 for the Hilltop Specific Plan via Zoom.

When asked about in-person meetings, Ms. Feliciano stated that planning staff was taking the lead from the City Council which was considering a hybrid setup to allow meetings in-person and at-home through Zoom, which consideration was ongoing.

Adjournment

The meeting was adjourned at 10:27 P.M. to the special Design Review Board meeting on Wednesday, September 21, 2022.