

**MINUTES APPROVED AT THE DRB MEETING ON OCTOBER 26, 2022**

**DESIGN REVIEW BOARD REGULAR MEETING**

**Richmond, CA 94804**

September 28, 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 6:01 P.M.

**ROLL CALL**

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

**Absent:** Boardmembers Kimberly Butt and Marcus Christeson

**INTRODUCTIONS**

**Staff Present:** Planners Lydia Elias and Hector Lopez, and Stephanie Vollmer from the City Attorney's Office

**APPROVAL OF MINUTES:** None

**APPROVAL OF AGENDA**

**MEETING PROCEDURES**

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

**PUBLIC FORUM:**

No written comments were submitted, or oral comments made, by any member of the public.

**CITY COUNCIL LIAISON REPORT:** None

**CONSENT CALENDAR:**

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- 1. CC PLN22-251      TWO-STORY DECK**  
 Description      PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A DECK GREATER THAN FOUR FEET IN HEIGHT FROM THE GROUND (NINE FEET PROPOSED).  
 Location      685 YUBA STREET  
 APN      519-070-008  
 Zoning      RL-2, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT  
 Owner      BRYANT REED  
 Applicant      MICHAEL TOM  
 Staff Contact      LYDIA ELIAS      Recommendation: **CONDITIONAL APPROVAL**

**ACTION: It was M/S/C (Carter/Hook) to approve PLN22-251, Two-Story Deck subject to the four Findings and Statements of Fact with five Conditions of Approval; approved by a Roll Call vote: 3-0 (Ayes: Carter, Hook, and Livingston; Noes: None; Abstain: None; Absent: Butt and Christeson.)**

**APPEAL DATE**

The appeal date for actions taken by the Board at this meeting will be no later than 5:00 P.M. on Tuesday, October 11, 2022.

At this time and for the record, Chair Livingston advised that at the DRB meeting on September 14, 2022 he had recused himself from Item 1 PLN21-262, Svendsen’s Bay Marine West Yard, but had not officially identified that recusal for the record.

**PUBLIC HEARINGS**

- 2.    PLN22-058      PORT OF RICHMOND DISTRIBUTION CENTER**  
 Description      STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED DESIGN OF A NEW ±206,000 SQUARE-FOOT LIGHT INDUSTRIAL WAREHOUSE ON A 15.8-ACRE PARCEL.  
 Location      1411 HARBOUR WAY SOUTH  
 APN      560-270-060 AND 560-270-055  
 Zoning      IW, WATER-RELATED INDUSTRIAL DISTRICT  
 Owner      CITY OF RICHMOND  
 Applicant      IVI 1411 HARBOUR WAY S JV LLC  
 Staff Contact      HECTOR LOPEZ      Recommendation: PROVIDE FEEDBACK AND RECOMMENDATION

Hector Lopez presented the staff report dated September 28, 2022 for a nearly 16-acre parcel located on Harbour Way South in the Ford Peninsula and one of the facilities under the jurisdiction of the Port of Richmond known as Terminal 3. He identified the zoning designation as IW, Water-Related Industrial and stated it had been designated by the Bay Conservation and Development Commission (BCDC) as a “Port Priority Use.” The property was surrounded by a wide range of light industrial uses including incubator Research and Development businesses. A dilapidated metal warehouse structure was currently situated on the property along with several ancillary office buildings and the remainder of the property was paved. A 1.3-acre portion at the northwest corner of the site was currently in use by Sause Bros, a marine transportation company.

Mr. Lopez stated the property had a wide street frontage on Harbour Way South with access to

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the Harbor Channel in the rear.

The Ford Assembly Building and the Cannery Building were located across the street on Harbour Way South while the Richmond Ferry Terminal and parking lot was located to the south of the site. Existing land uses located to the north of the site were primarily heavy industrial uses. The Port facility, including the buildings and pier, had not been in operation for several years and needed significant repair.

The applicant requested approval of a Design Review Permit to construct a new  $\pm 206,000$  square-foot manufacturing warehouse/maritime brake bulk facility to include 198,000 square feet of warehousing/manufacturing and 8,000 square feet of office space and dedicated wharf loading space. The southern portion of the site would be designated for mixed uses or Port facility use and the proposed improvements would also include site lighting, landscape and hardscape areas.

Mr. Lopez reported that the prospective tenant to occupy the building had been identified as Moxion Power, a battery manufacturing business headquartered in Richmond. He noted that Moxion was the creator and manufacturer of a zero emission, mobile battery storage module that replaced diesel generators used on construction sites and as backup power for homes, offices and hospitals. The operation would involve prefabricated components to be delivered to the site and shipping out from the site via truck, rail and ship.

The water-front related manufacturing business was a permitted use in the district subject to design review for new construction and met all the development standards such as floor area ratio (FAR), setbacks, and parking requirements. The project was under review by an environmental consultant to determine if it was consistent with the Richmond 2030 General Plan Final Environmental Impact Report (FEIR). If found to be in conformance with the analysis and conclusions of the FEIR, an environmental Initial Study/Consistency Checklist would be prepared to consider air quality, biological resources, cultural resources, parking, transportation and the like.

The proposal was considered a single structure stretching 950 feet along Harbour Way South that would be sited at the center of the site. Surface parking had been proposed in front of the property on Harbour Way South along the northern and southern boundary of the site. Employee parking would be provided on the northern parking lot and would include trailer storage. The southern parking area would primarily be used for temporary trailer storage/stacked containers. It was staff's understanding that the area would be subdivided and could include a different use in the future.

The overall building design was simple and designed primarily for its functional use as warehouse and offices and the building was characterized by a clean profile with simple forms with two distinct building styles. The building would be constructed out of concrete tilted panels and would include two corner elements with a distinct style located at the northeast and southeast corners of the building. These elements would be more traditional as opposed to the rest of the building which was more utilitarian.

Mr. Lopez added that based on the input that staff and Chair Livingston had provided to the applicant, one of the issues had been the prominent location near the Richmond Ferry Terminal. The site was a gateway from the Bay to the City of Richmond. The overall design should reflect a sense of arrival and the building style should be of a Port facility as opposed to a typical logistic building. Several sketches had been provided to the applicant to illustrate the design intent and direction.

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Mr. Lopez sought comments and suggestions from the DRB.

Chair Livingston complimented the design team for listening to the comments, many found in the goals and policies of the General Plan. The applicant had modified the building to fit into some of those goals and policies. He understood the southern portion of the property was being taken out of the Seaport Plan and the State Lands Commission also had restrictions, and a mixed use or some other use adjacent to the Ferry Terminal could be possible in the future.

WILLIAM LU, Senior Vice President and Market Officer, CA Ventures, Operating Partner for the JV subleasing the property from Terminal 3 Partners and the City of Richmond, introduced the project. He described his and the firm's background as an industrial developer of multiple projects in Northern California including the East Bay and Contra Costa County. The property was owned by the City of Richmond and the grounds were currently master leased to Terminal 3 Partners, and CA Ventures subleased it from Terminal 3 Partners, who were the applicant and developer for the proposed project. The City of Richmond had consented to CA Ventures originally subleasing the property on December 22, 2021.

Mr. Lu reported that the project would most likely be a build-to-suit for Moxion Power, and represent an expansion of Moxion's current 40,000 square foot headquarters in the Ford Point Building where the company had been founded. Moxion hoped to utilize the facility to perform clean energy advanced manufacturing for the on-shore assembly and the production of renewable mobile energy storage technology to replace old technology and generators of various sizes with electrical and clean energy generators. The goal was to bring in imported battery cells from overseas, assemble them with their own proprietary technology and use the location to service the market and their clients.

Mr. Lu identified the site location and pointed out a current 80,000 square foot Class C metal building in need of repair. He also identified the paved 1.3-acre portion of the property at the northwest corner currently used by Sause Bros, a marine transportation company that would remain on the site, would service ships and would occasionally bring on and off cargo.

Mr. Lu stated the current metal building was not waterproof and a previous tenant had filled up the vast majority of the building with dirt and a combination of organic debris. As part of the development they would clean up the site, reutilize the actual dirt for the actual construction, eliminate the trash, perform deep port maintenance, and get rid of power poles/light poles to turn the site into a Class A facility. The zoning was IW and the City General Plan was a Port-related industrial use. He understood the Port and the City were supportive of the user and the use complied with the use requirement as well as the City zoning. The 1.3-acre maritime user would remain on the property and continue to utilize the waterfront in conjunction with the proposed use, would have a separated truck access and the operations would not be impacted by the use. He also noted there was a State Department of Toxic Substances Control (DTSC) Cap area that had limitations where the dirt could not be disturbed. The project had been designed to accommodate that environmental condition.

THERESA GOODWIN, Architect, HPA Architects, Inc., stated the proposed project would improve Harbour Way with a Class A industrial building. The site plan had originally started as a speculative industrial project with no specified tenant but in direct coordination with Moxion the design had been adapted to Moxion's exact needs and unique requirements for site location. On the south there would be an access path, a walking path to an outlook to allow the public to enjoy the view of the water adjacent to the parking lot. An area nearby had been indicated as solar canopies, which was particular to Moxion, which would highlight the sustainability and

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clean energy parts of the project that were unique.

On the west interacting with the Port of Richmond, there was a secure maritime loading and unloading zone adjacent to the existing 38-foot berthing deck for ship loading and unloading. The use of the Port would reduce roadway trips for goods movement, another sustainability plus. There would be extra-large doors on the Plan Left and two large doors on Plan Right to allow the movement of large materials in and out of the building. The current site plan had two-story offices on the north side, about 30,000 square feet in size where more space would allow Moxion employee parking needs to be served with the benefit of views of the glass line on that side of the building from Harbour Way and the Ferry Building.

Ms. Goodwin explained that the site was adjacent to the Cannery Building and the Ford Building and views from those neighboring projects were identified. On the south side, a portion of the site had been designed for flexibility with space set aside and planned to be available for use in the future. She showed a concept for how the area could be converted to provide more auto parking and a two-story commercial building to show how in the future there was a possibility to enliven the area adjacent to the Ferry Terminal. She also showed where the solar canopies had been planned and provided other images of the Port, Ferry, Cannery Building, and the Ford Point Building. She also pointed out glass lines and arch features and explained they had taken that inspiration as their portal to a new vision to revitalize the site and to show the importance of the structure. She described the intent to pick up some of the brick and glass lines from the Ford Point Building without competing with that building.

Ms. Goodwin presented all four sides of the proposed building and described how each side addressed each unique elevation with the glass line of the north elevation to welcome visitors traveling south to the Ferry Terminal; the west elevation to address the Port with big letters "Port of Richmond" painted on the building; for the south elevation to carry the architecture around with the arch and bringing in the glass line and brick façade to address the Ferry Terminal and to support a welcome to Richmond vibe; and through the use of brick, glass and concrete articulation allow the east elevation to provide a rhythm to respect the frontage and to complement the landscaping.

Ms. Goodwin noted that the east elevation had oriented the main entry on Harbour Way to activate the street with tenant signage, to be further developed, and with potential canopy attachments. She pointed out the 24-foot wide by 20-foot tall door in the Port side to allow for the movement of large goods in and out of the building and also offered a 3D rendering of the northeast corner of the main office entrance. She reported the site would be fully fenced, as required by Customs.

SHAWN TAYLOR, HMM Landscape Architecture, presented the landscape concept for the site to utilize materials and plantings to tie the site into the surrounding area. The frontage and curb appeal landscape scheme offered a rhythm of planting to acknowledge the architecture and provide scale through the addition of street trees with a mix of evergreen and semi-evergreen trees to frame the architecture and add seasonal appeal. Colorful climate appropriate adaptive and hardy shrubs and groundcover plants would add curb appeal through color, texture and scale. The majority of the plant palette would consist of native species and a couple of hardscape plazas would tie landscape materials to the architecture and add user benefit through the use of decorative pavement patterns, landscape pavers, metal benches, low seat walls, sculptural bicycle racks, tables, seating and a future sculpture or art.

Mr. Taylor stated the welcoming corner plaza entry toward the northeast end of the building had been designed to complement and open to the Harbour Street frontage with decorative paving

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patterns, with a compass rose inlay, sculptural bicycle racks, and pottery with accent planting to offer an opportunity for sculpture or art to add to the project placemaking. The public would have access to the water's edge and be able to take advantage of Bay vistas.

On the south end of the site access would be identified with a custom monument and flag, a meandering decomposed granite garden path would lead to a decorative paver plaza and offer seating options and tables to take advantage of open views of the Bay. Any site fencing and gates would be clear view metal fencing to allow for safety and to provide security.

Ms. Goodwin presented pictures of ideas for water-related art. She clarified that the pictures did not indicate what had been proposed but what water-related art could look like near the entry to the site. The applicant would work with local artists and further details would be returned for DRB feedback.

Mr. Hu referred to the sustainability features and advised that Platinum Leadership in Energy and Environmental Design (LEED) goals had been targeted with the installation of multiple electric vehicle (EV) charging stations, solar panels on the roof and solar canopies, installing conduits and providing the future ability for the site to be electrified for ships, autos, trucks and various modes of transportation. The reuse of the 20,000 cubic yards of dirt on the site had been designed to avoid having to truck it in the neighborhood and on the freeway for disposal. He sought input from the DRB.

Chair Livingston noted that since Port-related uses were required, he wanted to make sure it was a Port-related building. He asked where the Customs office would be and the longshoremen's break room since there had to be a separate entrance. He also asked if there was a break room for the 300 or so Moxion employees.

Ms. Goodwin highlighted the proposed break room adjacent to the outlook area inside the fence; which was a large area with outdoor space.

Boardmember Hook referred to other adjacent uses and noted the proposed architecture had touched on some of those other uses with a modern addition to the façade and architecture. She had questions about the arches, referred to the streetscape and an entrance into the building and suggested it be a bit more celebrated in materiality from the change in the sidewalk into the small gathering plaza space into the building. She asked what the face of the building would look like if standing in the Ferry Terminal parking lot. When showed a rendering, she suggested that more brick should come through the middle section and noted it appeared to be a grey box in between. She commented that the paneling in the lower elevation appeared to break up the architecture and the east elevation. While the south elevation was a very important view she suggested it was less exciting. She recommended more of the vertical members for the east elevation and verified with Ms. Goodwin that the gray material shown was painted concrete, which was what current industrial buildings were constructed out of but that the entry details would be intricately detailed.

Boardmember Hook recommended that more brick come through, particularly given the adjacent Bay Trail. She liked the landscaping and noted that the plantings were a mix of natives and others that would thrive. She questioned the use of the Golden Rain tree and wondered how it would do under the site conditions, had not seen it in Richmond, and recommended that Mr. Taylor check out the Urban Green Master Plan to verify acceptable street trees and also consider the overhead PG&E lines that affected the street trees allowed to be planted. She asked about the pathway along the Ferry parking lot and asked if there was a fence and how that pathway would be traversed from the parking lot.

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Mr. Taylor stated the pathway would be accessed from the public sidewalk and the main entry plaza. He envisioned a garden walk filled with trees, shrubs and groundcover on that site when getting out to the outlook plaza, with raised planters, seating areas, and enhanced paving. They had received feedback about having accent trees such as Monterey cypress.

Boardmember Hook asked if it made more sense to put the pathway on the edge of the parking lot to ensure access by wheelchairs, for instance, or if there should be a pathway to connect from the parking lot to the path, although Mr. Taylor explained that the public sidewalk near the street was an acceptable route and he wasn't sure if there was an opportunity on the neighboring site to create a truly accessible route from that parking lot.

With respect to the outdoor break room, Boardmember Hook verified that had not been flushed out yet although space had been reserved to make sure it would meet the client's needs.

Boardmember Hook noted that there was a basketball court on the site and suggested that might be a useful amenity for the employees, and Mr. Taylor stated that they would remind the client of active uses such as pickle ball.

Boardmember Hook asked that the Port of Richmond sign be studied to determine how it could be more visible, and to that end she recommended that it be yellow to be more prominent, especially to bicyclists or from Miller/Knox Regional Shoreline Park. She recommended a graphic with a play between old and new.

Chair Livingston referred to the PG&E overhead lines and referred to the DRB Subcommittee's earlier discussions with the applicant about undergrounding those power lines. He asked for confirmation on that question.

GEORGE ATALLA, the Development Manager, advised that they were waiting for some confirmation on that issue but would comply with the City requirement.

With respect to access on the public pathway, it was noted that the City's Ferry Terminal parking lot was secured and the ability to connect an access pathway from that area was questionable, particularly since Americans with Disabilities Act (ADA) accessibility would have to go out to the sidewalk.

Chair Livingston stated they would work on that aspect of the project.

Lydia Elias identified the public's ability to speak during the meeting.

### **PUBLIC COMMENTS OPENED**

DONALD BASTIN, a member of TRAC [Trails for Richmond Action Committee], Chair of the Interpretive Exhibit Subcommittee, and representing TRAC Chair Bruce Beyaert, stated there was no problem with the project itself but he asked for maximum feasible access. Public access also included interpretive exhibits and three interpretive exhibits had been recommended to identify Yard 3 across the channel, the only yard left out of the four built during World War II; the dramatic change in the southern shoreline; and something about the Port facilities themselves #1 and #2. He noted that Mr. Beyaert had suggested the placement of that interpretive signage at the Sheridan Observation Point, along the eastern side of the Bay Trail at Harbour Way and potentially at the lookout point.

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Vice Chair Carter recognized the thought and care put into the design and asked how the brick would resolve at the cornice meeting the roof area, and Ms. Goodwin stated that the materials had not all been selected at this point and what they had pictured was using a lot of the concrete above while some of the projections would probably be something else. She stated the brick needed to go up and finish, which was why a trim piece had been added, which could be concrete or steel.

Vice Chair Carter wanted to see the brick continued to the top cornice level to read as more of an industrial, classic or timeless look as opposed to retail. He liked the contemporary details that had been added and agreed the design should not attempt to be exactly like the Ford Building across the street. He also referred to the long frontage on Harbour Way and asked if there would be a way to have another layer of landscaping to add a bit more rhythm.

Mr. Taylor stated they would pay attention to street tree locations and the undulations of the building, had done something similar in the middle area by creating a rhythm of changing plants and a repeating pattern in and out, and could enhance that with an even stronger palette of differentiation running through that zone.

Vice Chair Carter sought a vignette to break down the scale. He asked about lighting and recommended doing something interesting in the carved out reaches to emphasize the syncopated pattern in the night pattern to at least give the illusion of multiple building forms. He also asked about the latitude for patterns that could be inlaid for the tilted pre-cast panels to break down the scale, and Ms. Goodwin stated that the reveal pattern in the panels was made from wood in the forms. She described what had been done elsewhere and suggested for this location generally anything could be done.

Vice Chair Carter recommended adding a few more verticals and horizontals and did not recommend anything representational but adding a few more dividers to the panels to break up the scale. He referred to the storefronts and the windows above with the mullion and noted it was evocative of the neighboring Ford plant and the precast could have some sort of square divided pattern for a portion of it with some additional reveals.

Vice Chair Carter referred to the site plan and asked about the fence that went along the overlook area pathway on the south side next to the path to the lookout area, and asked about a fence on the back side of the battery storage area. He suggested the City would have to move the fence on the ferry side which would be the only way the lookout area would be attractive. Referring to a little seating area in that location, he suggested people would continue to walk north, particularly if there were interpretative signs, and he asked Mr. Taylor to provide some sort of pathway in that area.

Chair Livingston stated he had gotten an email this date from Boardmember Butt who had forwarded comments to the DRB for consideration. She liked the Port of Richmond sign which made the building distinctive from the typical pattern of tilt-up buildings and recommended that the architecture be more related to the Port buildings as opposed to another logistics building. She had liked the Ford Building being long and clean and was not comfortable with the arches and “mixed metaphors.”

Chair Livingston agreed and suggested the east side of the building with the Port of Richmond sign was a handsome addition with the lettering but it was in conflict with the rest of the tilt-up patterns. He had offered a sketch with a canopy over the base and some tension rod canopies to support that which was where the dock lighting could be with down lighting to avoid conflicts with navigational lights. He liked the Port of Richmond letters on the building but in the

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development of the building for the new client there was no signage or celebration of the Port of Richmond. He explained it really was a Port-related building and whatever happened in front of the building had to have a Port of Richmond entry celebration. As such, in the front corner architecture where there was a Moxion sign, he stated it should say Port of Richmond or the steel entry portal over the entry to the site itself could have Port of Richmond on it. He also suggested that the whole front fence was designed such that the Port of Richmond could be put in the fence and he emphasized the need to keep the Port-related feel of the building.

Ms. Goodwin stated they had put a lot of design into the building and they could look into the Port sign. She noted there were a lot of things happening at the corner and they needed to try to bring everything together to tell the story. There could also be art in that location.

With respect to the solar canopies, Chair Livingston asked if they could be moved to the north lot, although Mr. Hu stated the north lot had a DTSC environmental cap and he was uncertain that the footings could be done in that area.

Chair Livingston encouraged the applicant to move the entry north from the proposed location to free up that space for a future Port arrival from the Ferry making it part of public interaction with a retail spot, a restaurant, or a restroom, and he suggested the placement of a solar array would make it harder to build in that area in the future. He stated it would be incumbent upon the applicant to use best efforts to include language that in the future the parcel shall be a mixed-use building to ensure its eventual inclusion.

Mr. Hu understood and stated that would be reviewed with staff.

Chair Livingston added for the benefit of the other members of the DRB that some early sketches had been included in the back of the staff report, one of which was an overview of the entire peninsula to attempt to encourage Terminal 3 partners to make that Ferry arrival something special and they had to move their building and move the entry so that could happen. He stressed that the whole idea was to make Richmond a better place and improve the public and private connection and he thanked the team for working to make that happen. He added that the Port deserved something special given that it was a special place and the Port building should look less like a tilt-up for a logistics building and look like it belonged there.

Vice Chair Carter suggested the applicant had heard the input and perhaps simplifying or streamlining some of the elevations to be more akin to a Port building may also reduce the cost of some of the moves made elsewhere. He also suggested the relocation of the solar panels would allow the enjoyment of the architecture, potentially with their placement on top of the building. If there was an opportunity to activate that space further it would be a compelling development.

Chair Livingston stated the reason for trying to get the parcel rezoned was that under the Port Priority Overlay it could only be Port-related uses and could not be mixed-use, which was currently being reviewed by BCDC and there was also an application with the State Lands Commission. He asked the development team to update the status of that effort.

Chair Livingston thanked the development team for the presentation.

### **Board Business**

#### **A. Staff reports, requests, or announcements: None**

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### **B. Boardmember reports, requests, or announcements**

Chair Livingston stated he had submitted several requests to the City Attorney's office with respect to procedure and had yet to receive a response.

### **Adjournment**

The meeting was adjourned at 7:41 P.M. to the regular Design Review Board meeting on Wednesday, October 12, 2022.