

**MINUTES APPROVED AT THE DRB MEETING ON MAY 08, 2024**

**DESIGN REVIEW BOARD REGULAR MEETING  
Multi-Purpose Room, Community Services Building, Basement Level  
440 Civic Center Plaza, Richmond CA 94804**

April 10, 2024

6:00 P.M.

**BOARD MEMBERS**

Kimberly Butt - Brian Carter - Vita Rey

Chair Brian Carter called the regular meeting to order at 6:01 P.M.

**ROLL CALL**

**Present:** Chair Brian Carter, and Boardmembers Kimberly Butt and Vita Rey

**Absent:** None

**INTRODUCTIONS**

**Staff Present:** Planners Hector Lopez, Emily Sanchez-Resendiz and Pete Srivarom, and Christopher Dykzeul from the City Attorney's Office.

**APPROVAL OF MINUTES:** None

**APPROVAL OF AGENDA:** None

**MEETING PROCEDURES:** None

**PUBLIC FORUM**

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

**CITY COUNCIL LIAISON REPORT:** None

**CONSENT CALENDAR:** None

**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, April 22, 2024.

**PUBLIC HEARINGS**

- |                                    |   |
|------------------------------------|---|
| <b>1. PLN24-009</b><br>Description | <b>MONTGOMERY RESIDENTIAL ADDITION</b><br>DESIGN REVIEW PERMIT TO CONSTRUCT A <u>±</u> 1,050 SQUARE-FOOT TWO-STORY ADDITION IN THE REAR OF THE EXISTING DWELLING, INCLUDING A DECK GREATER THAN 4 FEET IN HEIGHT. |
| Location                           | 5861 KNOBCONE COURT   |
| APN                                | 435-300-016   |
| Zoning                             | RH, SINGLE-FAMILY HILLSIDE RESIDENTIAL DISTRICT   |

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Applicant MONICA MONTGOMERY (OWNER)  
Staff Contact HECTOR LOPEZ Recommendation: **CONDITIONAL APPROVAL**

Hector Lopez advised that the applicant was not available for this item and the DRB moved to Item 2.

**2. PLN23-140 VENTO RESIDENTIAL ADDITION**  
Description DESIGN REVIEW PERMIT TO RAISE THE EXISTING RESIDENCE TO A NEWLY CREATED UPPER LEVEL, CONSTRUCT A  $\pm$ 970 SQUARE-FOOT LOWER-LEVEL ADDITION FOR A TOTAL BUILDING FLOOR AREA OF  $\pm$ 1,960 SQUARE FEET.  
Location 934 35<sup>TH</sup> STREET  
APN 524-040-020-5  
Zoning RL-2, SINGLE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT  
Owner JEANETTE VENTO  
Applicant JARVIS MOORE  
Staff Contact HECTOR LOPEZ Recommendation: **CONDITIONAL APPROVAL**

Hector Lopez presented the staff report dated April 10, 2024, for approval of a Design Review Permit to raise the existing dwelling and construct a lower level where the living room, kitchen and service areas would be located. The structure on the upper floor would contain three bedrooms and two bathrooms. The current total area was 970 square feet and the addition and the renovation on the second floor would increase that to approximately 1,960 square feet.

The project had been reviewed by the DRB in Study Session in September 2023, with concerns expressed about the design, although the DRB had been comfortable with the contemporary style and provided initial design feedback to the applicant. That feedback included that the half-floor level projection over the second floor should be lighter and include more glass; the half-floor level should be broken up and pulled back a foot or so on the left side to avoid the flat look and to provide a break to the mass and scale of the structure, which with the larger windows would make the design more exciting to the eye; a suggestion to take the fascia off the roof around the side of the building; a suggestion to consider sliding windows for the porch window since the swing doors would take up a lot of living room space when opened; and a suggestion to add a subtle taste of the Tudor elements of the original design in an accent window, a light fixture, or a three-panel door system.

Some of the changes had been incorporated by the applicant but the majority had not. Based on the fact that there were a variety of designs on the street, staff recommended some changes to the building and that the projection over the second floor be eliminated, with the entire second floor to be at the same height.

Mr. Lopez stated the project met all requirements and staff recommended approval based on that condition and those included in the staff report.

Chair Carter verified that he and Boardmember Rey had been present for the study session on the item, although Boardmember Butt had not.

In response to Boardmember Butt, Mr. Lopez explained that the area in question had no historic designation but it had been studied and could be considered as such in the future given the number of buildings that had been constructed in the early 1900s to 1940s.

Chair Carter opened the public hearing.

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JARVIS MOORE, the Designer, explained when asked that the style was client driven and the applicant had desired a specific look. He had considered the surrounding buildings and noted the variety of styles involved. The comments from the DRB at the study session had asked that the bulkiness of the upper floor in the initial design be addressed and he had reduced the height of the fascia of the roof and the width of the overhang to make it less bulky. There was no desire to manipulate the upper floor and there was a desire to maintain the floor upstairs. Instead of breaking up the massing at the top, the materials at that level had been left horizontal (for the vertical structure) to alleviate the verticalness of the design. Some more contemporary elements material-wise had been incorporated to keep it simple but clean, and to line everything up to make it efficient. To address the DRB's concern for the height, the streetscape shown on Sheet A0.0a had shown the height relative to the surrounding structures.

In coordination with Mr. Lopez, Mr. Moore added that they had made some adjustments with the setback of the building to meet the 20-foot setback and had worked with everything to make it comply with all the regulations and to satisfy the client's desires.

Boardmember Butt suggested the building would not be eligible to be historic itself and the City had not designated the site as historic. She expressed surprise with the dramatic change of architecture.

Chair Carter verified with Mr. Moore that there were other contemporary examples in the North and East neighborhood. He also verified that the plan was to jack up the house itself and pull it back. He added that removing the roof would not add interior space since the upper plate at 8 feet 3 or 4 inches would be maintained. The flat roof would offer a more modern appearance. The back portion of the house had a flat roof anyway. The front gable would be removed, and the height of the flat roof was essentially at the eave of the old part of the gable.

ANDREA LATHAN, a neighbor, verified her support for the application as long as the removal of the half story would be a condition of project approval, which would result in a 5-foot shorter height than the drawings had shown.

Chair Carter asked the applicant to describe the added glazing at the front elevation and Mr. Moore noted that the front facing elevation originally had a centered French door element that had been expanded to a wider folding door, and the window on the right had been centered over the entry area up the stairs.

Mr. Moore described the owner's intent to use the existing bedroom and convert it to an office space/"eagle's nest" for western views and a more functional space, with the intent to maintain the upper level as much as possible without altering the layout and walls, with storage below.

Chair Carter verified that there would be a roof gutter on the driveway side of the building to accommodate roof drainage.

Boardmember Butt asked if the maintenance of the gable roof had been explored, and Mr. Moore stated that had not been done. The intent was to maintain as much as possible the upper level as it existed and changing the layout and walls would be financially counterproductive.

Mr. Moore clarified that there was a 5-foot difference between the floor height of the proposed upper office area (the existing bedroom) and the main floor level of the upper floor. As it now existed, the garage was below that massing, and when lifting the home maintaining the floor level

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to build underneath it the residual space would be used as storage.

Boardmember Butt stated the modern design was a concern to her, and she would have preferred the preservation of the structure's shape and form. She understood that raising the home with the gable would have created a 5-foot higher home, which Mr. Moore clarified would have exceeded the height limit.

JEANETTE VENTO, the owner, explained that the foundation had to be redone given a rat problem and the house had to be lifted to fix the foundation.

Boardmember Rey liked what the applicant had done with the changes in the roofline, the overlapping, pulling it in and with the siding.

Boardmember Butt asked why there were multiple roofs and she asked why just one roof would not have sufficed in the back, and Mr. Moore described the flat roof with eaves and a small parapet to show variation and to provide a variety of roof type for the massing. He stated there was a sauna on the back massing. He verified the roof area would all drain the same, with scuppers in the parapet.

Chair Carter asked if the windows in the front had moldings and Mr. Moore confirmed there would be no trim given the modern look. The same in the lower stucco.

Chair Carter asked if the horizontal siding was the same and Mr. Moore stated it was not in that the lower part of the siding was 1x8, with the upper siding at 1x6 to break up the higher massing and some of the verticality with a variation in the horizontal siding. The line between the two would be in the middle of the windows but it could be at the bottom of the windows.

When asked, Mr. Moore stated he had proposed a wall planter element for the blank wall but it had not been supported. That had been replaced with a score line and a call-out line. He was open to suggestions. He identified the proposed siding as dark Hardie siding.

The DRB discussed a Hardie wood grain product and Mr. Moore expressed a preference for the natural wood.

Boardmember Rey supported the two sizes of siding, and Boardmember Butt agreed with the siding and asked about the height.

Chair Carter commented that he respected the staff comments about the roofline and he found it intriguing to preserve the upper/lower aspect because it used to have that and was more in the original context of the street. He liked the idea of utilizing the existing structure from a sustainability and economical standpoint. He sketched out what would happen taking the roof of the pop-up and making it into a bit of a shed roof that had an angle to it side-to-side, to give a bit more of a nod to the original gables given the horizontal parti.

Mr. Moore suggested that be done somewhere else as well and Boardmember Butt suggested that might mitigate the height a bit and give a nod to the original angles of the building.

Chair Carter recommended that the floor height of 8.0 feet be dropped on one side to 7 feet 6 inches.

The DRB discussed the fascia color, originally proposed to be white, and Chair Carter recommended a bronze fascia.

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As to the entry, Chair Carter suggested the blank wall felt stark and if nothing else recommended a bench or something. The DRB discussed the guardrail and the need to wrap it.

Andrea Lathan, the neighbor, reiterated that she did not support the half story and the height it would impose that would look out over the neighbors.

Chair Carter asked Mr. Moore if he would be willing to eliminate the storage space, and after discussions and sketching, it was recommended that the raised roof at the office be dropped by 18 inches on the west sloping down to the east at a 3:12 pitch.

Chair Carter closed the public hearing.

**ACTION: It was M/S/C (Carter/Rey) to approve PLN23-140, Vento Residential Addition, subject to the four Findings and Statements of Fact with the staff recommended 10 Conditions of Approval, along with additional DRB conditions as follows: 11) Drop the raised roof at the office by 18 inches on the west sloping down to the east at a 3:12 pitch; 12) The fascia to be a bronze color and the window frames to be a dark color, black or bronze; and 13) The blank wall adjacent to the entry to be treated with an accent feature such as a welcoming mural or tiles; approved by a Roll Call vote: 3-0 (Ayes: Butt, Rey and Carter; Noes: None; Abstain: None; Absent: None.)**

The applicant for Item 1, PLN24-009, Montgomery Residential Addition, was still not present at the meeting and the application was continued to the next meeting on April 24, 2024.

<b>3. PLN23-316</b>	<b>YES, NATURE TO NEIGHBORHOODS OFFICE PROJECT</b>
Description	STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED DESIGN OF A NEW TWO-STORY $\pm$ 4,480 SQUARE-FOOT OFFICE BUILDING ON A 7,500-SQUARE-FOOT PARCEL.
Location	3029 MACDONALD AVENUE
APN	516-172-019
Zoning	T5, MAIN STREET OPEN (T5MS-O)
Owner	YES, NATURE TO NEIGHBORHOODS
Applicant	MAURICE LEVITCH
Staff Contact	EMILY SANCHEZ-RESENDIZ      Recommendation: <b>PROVIDE COMMENTS</b>

Emily Sanchez-Resendiz presented the staff report dated April 10, 2024, and pointed out two minor typos on the compliance table related to parapet height shown at 2 feet 2 inches, which should have shown 2 feet and a half inch; and the framework at 2 feet which should have shown 2 inches.

Ms. Sanchez-Resendiz referred to the 7,500-square foot parcel at 3029 MacDonald Avenue on which a 2,218-square-foot building with a detached 531-square-foot garage and 95-square-foot shed was located. She explained that the building and shed would be demolished and the garage would remain and be expanded and used for parking and storage. She added that the existing primary unit had been built in 1940 and was subject to a Historical Resource Evaluation to comply with the California Environmental Quality Act (CEQA).

Ms. Sanchez-Resendiz explained that the zoning under the Form-Based Code of T5MS-O was intended to allow more diverse uses. The site was also located within the North and East Neighborhood Council jurisdiction and was surrounded by residential, commercial and open space uses such as Nicholl Park located directly across the street.

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The current building was occupied by the owner and was the site of Yes, Nature to Neighborhoods activities.

The redevelopment proposal would expand on that operation and allow larger activities, and include the construction of a new two-story 4,480 square foot building and a 345 square foot addition to the garage structure, and also include frontage improvements such as the replacement of the existing planters along the east and south faces of the building, with an additional 894-square-foot interior courtyard to be used for open space with interior landscaping.

Ms. Sanchez-Resendiz described the standards required by the Form-Based Code under the Transect Zone, Building Type, Frontage Type and Architectural Style. She reported the project was in compliance with the majority of those standards. The Board was being asked for comment on those items that were non-compliant with the code, where an exception, waiver or variance would be required for specific non-compliant items. She detailed the non-compliant items and how they differed from the standards identified by the Form-Based Code related to ceiling height, setback in the parking area, and fences for the Transect Zone; and parapet height, windows, storefront, landscaping, refuse, sign and lighting regulations under Architectural Style. The project was also subject to a Historical Resource Evaluation.

Ms. Sanchez-Resendiz advised that the owner had conducted public outreach within 300 square feet around the project site and there had been no objections to the project.

Boardmember Butt verified that the Historical Resource Evaluation would be conducted by a cultural resources' expert on staff.

Ms. Sanchez-Resendiz verified that if the site was historically designated that aspect of the application would be considered by the Historic Resources Commission. She added that all Architectural items under the T5MS-O would require design exceptions while the rest would require variances from the Planning Commission.

In response to Boardmember Butt, Ms. Sanchez-Resendiz and Hector Lopez clarified the particulars of the Form-Based Code and the Transect Zone and the areas where that zoning applied. There would also be a One Percent for Art component to the project.

ERIC AAHOLM, Executive Director, Yes, Nature to Neighborhoods, described the program as a non-profit outdoor access and youth leadership development working with youth, adults, and families. He stated they had been in the building for over ten years.

MAURICE LEVITCH, Levitch Architects and Builders, explained that they had looked at the existing building to see if it could be remodeled. He corrected a minor error to the site plan to clarify the property involved and explained that in the process of redevelopment, it was the intention to make the site more connected to the adjacent Nicholl Park. With the condition of the existing building, he stated the only thing salvageable would be the floor level, and in order to make the building more accessible it would be lowered by 10 inches to create more accessibility. He described the phases of the proposal and pointed out where the entrance on Macdonald Avenue would be better identified. The two stories would be for office space to accommodate programming.

Mr. Levitch presented the floor plan and expressed the desire to bring some natural elements into the building and to use durable materials. He pointed out the various uses involved including the multipurpose room, which would have a higher ceiling. He described the proposed architecture

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which included a flat roof and parapets and pointed out the major elements involved. He expressed hope that the Transect Zone would allow some of the exceptions being requested given the extra costs that could result and the non-profit involved.

Mr. Levitch also pointed out particular aspects of the proposal, and responded to comments, as follows:

- Preferred to maintain the height proposed given that the 9 feet based on the trusses to be used would create a pleasing space for offices.
- The fence identified as a staff concern had actually been conceived as a wall intended to offer some privacy from the street and separation from the open parking area.
- The window sill height for two windows referenced by staff had been brought down, as recommended, but there was a request that those two windows be allowed at the height originally presented due to break-ins along the street.
- The green and orange “fins” on the building would be hung banners used as some form of advertisement to identify the programming and services, and on the other side would be vertical awnings in an anodized steel frame with wood spaced about 4 inches on center. The projecting awnings on Macdonald Avenue would be on a curved steel I-beam wrapped around, projecting out and following the line of the porch. The windows, a Marvin-type commercial product in bronze clad aluminum, would be segmented. The awning over the entrance would be transparent but a solid awning and the front edge would be the same as the others. The main entrance would be located a bit away from the corner for safety reasons.
- The circular corner element would be somewhat higher than the level parapet.
- The floor-to-floor at the ground would be 9 feet, the plate height 8 feet and the trusses 12 inch-open web trusses. The bottom of the trusses would be at 8 feet.
- The colors were as shown in the packet.
- The proposed mural would have to be coordinated directly with the Richmond Arts & Culture Commission.
- The building would be elevated and not at grade because the site was sloped about one foot north to south. It was recommended to be elevated about a foot (10 inches) on the north, and the building would be dropped 10 inches to address the slope.
- The entry doors would be 8 feet tall and the outside steps would allow those exiting the building, particularly children, to exit on the side without coming out directly to the street for safety reasons.
- The double height space was identified at 17 feet with a mezzanine at the top of the stairs. The multipurpose room was identified at about 18 feet.

Ms. Sanchez-Resendiz clarified that for the T5MS-O Form-Based Code, the ground floor to ceiling height for residential would have to be a minimum of 10 feet and a minimum of 12 feet for retail or service. The subject proposal was an in-between category most similar to service.

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Chair Carter liked the variation in height of the dynamic design that invoked the use, the parapet height was not a huge issue to him and he commented that raising the parapet was a moot point. He recommended rather than a mural on the gates that a weather-proof laser cut decoration be installed on the gates to offer more durability.

Boardmember Butt struggled with the Macdonald Avenue elevation, noted that the ramp felt like a side elevation, and the entry did not feel like an entry. She liked the idea of a visual connection to the park, and suggested there might be a way to make the windows reflect the entry more. She emphasized the need to activate the Macdonald Avenue entry and suggestions were discussed as to how to do that.

Chair Carter suggested bringing the height of the storefront up above the datum to bleed up above at the entryway. He saw the façade informed by the interior use of spaces. He suggested bringing the glazing up would allow the banners to be visible from the inside as well as out. He suggested roller shades for the windows in the multipurpose room.

The DRB agreed that the windows could be made larger, even if they were kept high.

Boardmember Rey suggested flipping the Americans with Disabilities Act (ADA) ramp with the stairway on the other side, and provide additional green plantings between the building and the sidewalk. The DRB supported that recommendation. She also recommended that the windows of the multipurpose room be a bit bigger.

Mr. Aaholm described the proposed use of the multipurpose room that would also be used for screening, meetings and other activities. He emphasized the need to protect the privacy of those using the facility, especially if the ramp was flipped to that area. He also acknowledged that a mural had been proposed for the blank exterior wall of the multipurpose room.

Boardmember Butt liked the interior elevations she described as similar to Sea Ranch. She remained concerned with the lack of identifiable entry from the main street.

The DRB discussed the proposed ceiling height and raising that height given Mr. Levitch's desire to have a greater presence in the building beyond the 8-foot height.

Chair Carter referred to the variances related to the Transect zone floor height, the parapet height, the parking setbacks and the driveway.

Ms. Sanchez-Resendiz verified that four minimum parking spaces were required. It was also verified that in-house staff had yet to evaluate the historic nature of the building.

Mr. Levitch suggested the driveway could be made narrower. He referred to the approval for tandem parking and noted he had just recently learned about the setback for the parking. He wanted to keep the wall where it was and would need an exception for parking. He asked if there was a roof over the "wall" if that would turn the staff-identified "fence" into a wall.

Mr. Aaholm pointed out a drop-in site on the property and the need for access to that site by the older youth to provide secure access during business hours to be able to do their homework, for instance, before the programming began.

Mr. Levitch explained that the gate for access went directly to the courtyard and the back entrance. The fence height at 6 feet was needed to allow that to occur. He emphasized the importance of security.

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Boardmember Rey verified that the required parking overlapped about 17-feet into the setback. It was also clarified there was no covered parking requirement.

Mr. Levitch reported that the garage was the only area that had been improved, and would be retained.

There was a brief discussion of whether covered parking out of the garage would be possible to help meet the setback requirements.

Chair Carter encouraged the applicant to extend the elevation to the neighboring house to see the context a bit more, where the DRB could offer more feedback on height and materials.

Boardmember Butt liked that the datum went all the way across on the side elevation. She recommended going up two feet, a foot on each floor.

Chair Carter agreed that keeping the datum had a more cohesive massing architectural parti.

Ms. Sanchez-Resendiz stated there were findings required to grant a variance, which related not only to appearance but also the intent, and under the Form-Based Code the intent was to look to the future as to how long the building would last and the function it would perform over time. She explained that for a variance to be granted there had to be a physical hardship, a limitation on the site where the strict application could not be applied to the property.

Mr. Lopez emphasized that precedence was also an important factor and recommended additional research as to whether exemptions or a variance was required in this case.

Ms. Sanchez-Resendiz stated the thing to keep in mind was the number of projects that had been reviewed under the Form-Based Code keeping precedence in mind.

Boardmember Butt was troubled by fence height and did not want to set a precedent to allow fences over 8 feet tall, although Mr. Lopez stated there was a provision in the Zoning Ordinance that allowed fences over 8 feet subject to approval by the DRB and the Planning Commission. The issue in this case was the location of the parking.

Boardmember Butt clarified that ceiling height, for instance, would be a hardship. Referring to the storefront module, she suggested the only thing that looked like a storefront was the entry.

The DRB reviewed the other aspects of the application that did not conform to the Form-Based Code such as bike parking.

As to whether the DRB wanted to see some of the changes that had been recommended, Chair Carter urged the applicant to keep in contact with the Planning Department if there was a need for further clarification of the variances and other changes involved. He noted that the members of the DRB were available if the applicant wanted more feedback.

Boardmember Butt asked about the 6-inch parapet, and Mr. Lopez noted that higher parapets were the norm.

### **Board Business**

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

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**B. Boardmember reports, requests, or announcements:** None

### **Adjournment**

The meeting was adjourned at 8:43 P.M. to the regular Design Review Board meeting on Wednesday, April 24, 2024.