

**DESIGN REVIEW BOARD MEETING**  
**COUNCIL CHAMBERS, RICHMOND CITY HALL**  
1401 Marina Way South, Richmond, CA  
April 11, 2007  
6:00 p.m.

**BOARD MEMBERS**

Eileen Whitty, Chair  
Ted J. Smith  
Diane Bloom

Jonathan Livingston  
Don Woodrow  
Robert Avellar

The meeting was called to order at 6:00 p.m.

**ROLL CALL**

**Present:** Chair Whitty, Board members Avellar, Bloom, Livingston, Smith and Woodrow

**Absent:** None

**INTRODUCTIONS**

**Staff Present:** Lamont Thompson and Hector Rojas

**MINUTES FOR APPROVAL**

Minutes of August 9, 2006, August 23, 2006, September 21, 2006, September 27, 2006, October 18, 2006, October 25, 2006, February 28, 2007, March 14, 2007:

**Boardmember Woodrow** questioned the difference between accepting and approving minutes, and **Chair Whitty** said minutes have typically been accepted when Board members are not able to remember what was actually said at any given meeting; that more recent minutes are able to be approved.

**ACTION: It was M/S (Avellar/Smith) to accept the minutes of August 9, 2006, August 23, 2006, September 21, 2006, September 27, 2006, October 18, 2006, October 25, 2006; unanimously approved.**

**Boardmember Livingston** requested amendment to the minutes of February 28, 2007, page 10, last paragraph, and asked that the first sentence of the last paragraph be deleted; "Boardmember Livingston said if any allegations were true, he questioned what actions would be taken by the applicant."

**Boardmember Woodrow** questioned what B.O. and D.O. mean in the minutes during discussion of the Civic Center Renovation and **Boardmember Livingston** noted this was the exhibit numbering system for the project. **Boardmember Woodrow** asked that a sentence be added to describe what the terms mean. He then referred to page 9, 5<sup>th</sup> paragraph, replace the word, "ashamed" with "a shame".

**ACTION: It was M/S (Woodrow/Avellar) to approve the minutes of February 28, 2007 and March 14, 2007, as corrected; unanimously approved.**

## **APPROVAL OF AGENDA**

**Chair Whitty** noted the Consent Calendar currently consisted of Item 5. She requested placing Items 2, 3 and 4 on the Consent Calendar.

**ACTION: It was M/S (Whitty/Livingston) to approve the agenda, as amended by adding Items 2, 3 and 4 to the Consent Calendar; unanimously approved.**

## **CONSENT CALENDAR**

**Chair Whitty** gave an overview of the Consent Calendar, procedures for speaker registration and public hearing functions and procedures. She said any decision approved may be appealed in writing to the City Clerk within ten (10) days, by Monday, April 23, 2007 by 5:00 p.m.

**Chair Whitty** noted the Consent Calendar currently consisted of Items 2, 3, 4 and 5. Item 3 was requested for removal by a member of the public.

**ACTION: It was M/S (Whitty/Avellar) to approve the Consent Calendar Items 2, 4 and 5; unanimously approved.**

### **Consent Items Approved:**

- 2. DR 1103246 – 16 Building Trade Studio Live/Work Units on Ohio Avenue - PUBLIC HEARING** to consider a request for Design Review approval of 16 live/work units, 27 parking spaces, a driveway, and landscaping on five parcels (Parcels A through E) totaling ±46,250 square feet. Parcel A is located on the northwest corner of Ohio Avenue and Eighth Street (APN: 538-410-021), and the contiguous Parcels B, C, D, and E are located on the north side of Ohio Avenue between Eighth Street and Harbour Way South (APNs: 538-420-004, 538-420-022, 538-420-001, and 538-430-018). Light Industrial (Knox Cutting Specific Plan) Zoning District. Raymond Knox, Helga Gruber, Kathy Rogers, Alexa Wilkie, Beth Gerstein, Karen Bowen, Tom Lawrence, Karen Sprague, and Kyle and Natalia Reicher, owners; Kathryn A. Rogers, applicant. Tentative Recommendation: Hold Over To 4/25/2007.
- 4. DR 1102583 – Construct Detached Second Dwelling Unit on Humphrey Ave. - PUBLIC HEARING** to consider a request for Design Review approval to construct a new detached ±638 square foot second dwelling unit above a new ±714 square foot garage located at 2886 Humphrey Avenue (APN: 528-180-024). SFR-3, Single-Family Low-Density Residential Zoning District. Jorge Ruiz, owner; Hector De Leon, applicant. Tentative Recommendation: Conditional Approval.
- 5. DR 1103747 – Addition to Existing Single-Family Dwelling - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±973 square foot two-story addition to an existing single-family dwelling located at 2217 Carlson Boulevard (APN 507-200-014). SFR-3, Low Density Residential Zoning District. Walter J. Clegg & Mary V. Reid, owners; Ron Bogley (Architect), applicant. Tentative Recommendation: Conditional Approval.

### **Items Discussed:**

- 1. DR 1100433 – Target Store at Macdonald 80 Shopping Center - PUBLIC HEARING** to consider a request for Design Review approval of the Target Store/Macdonald 80 Regional

Shopping center building architecture for Pads A, B, C, and F, landscaping, and parking field configuration located at 4500 Macdonald Avenue (APNs: 517-280-003, 517-280, 517-280-004, 517-280-007, 517-290-011, 517-290-004, 517-290-010, 517-310-001, 517-310-002, 517-310-003, 517-320-028, 517-320-029, 517-320-016, 517-320-017, 517-280-006). C-3, Regional Commercial Zoning District. Peter Meier, SPI Management, owner/applicant. Tentative Recommendation: Conditional Approval.

**Chair Whitty** gave a brief description of the project, noted the Board would review the project in five areas; landscaping, Shop C, Pad F, Pad A, and Pad B. She referred to page 4 of 5 where earlier approved drawings were included and conditions were outlined.

Peter Meier, SPI Management, said they were bringing forth modifications to the Shop C building, some additional revisions to the Pad F building and a new Pad A building. They have reached a settlement agreement with the neighboring property owner, Mr. Lompa, and the project could now move forward. He noted that the Shop C building was a larger, 26,000 square foot building which had been reduced by 14,000 square feet in the easterly direction. So, the Shop C building terminated just behind the main drive aisle at 42<sup>nd</sup> Street coming into the site.

Mr. Meier said they have completed demolition of all buildings on the site, including the Montgomery Wards building and were in the process of commencing site work, with the goal of completing building pads by the end of August/beginning of September. They are hopeful they can receive approvals tonight which would allow them to move into construction drawings and be able to commence construction as soon as the pads are completed, with stores opening in early 2008.

He presented a pro forma subdivision of the spaces, noted pad spaces were evenly spaced out at present as they did not know who the tenants would be for Pads B and C. But, as retailers move forward, they hope to slightly modify the building elevations so that their widths adhere to their tenant's needs. He therefore asked the Board to allow staff to approve minor modifications to accommodate specific tenant size and resulting frontages and widths, providing the architecture is kept substantially the same and harmonious and compatible with the approved style of building architecture, and noted Pads A and F would not require adjustment.

#### **NOTED ABSENT**

**Boardmember Woodrow** was noted absent at 6:30 p.m.

Mr. Meier described the minor modifications from the center floor for Shop C. **Chair Whitty** noted the project was currently over-parked because the applicant was providing parking for a project that was not before the Board and was not part of their purview tonight. She therefore questioned the Board accepting the parking plan because it contains part of an un-named project. Mr. Meier said all of the parking was on their property, they were parked greater than 4:1000 and they meet all of the landscape requirements for interior and exterior.

**Chair Whitty** questioned whether the applicant was providing a porous parking surface and C3 requirements, and Mr. Meier said they were providing an asphalt non-porous parking surface and were noted they were meeting all City requirements.

Mr. Meier referred to Pad F, said changes included finishes at the entry, the building would be similar to the architecture of the approved Target building, would incorporate special colored, textured and raised paving in specific areas, planting, berming and trees, handicapped access parking, steel black bench seating. Regarding Pad B, Mr. Meier stated there were minor architecture modifications.

Regarding conditions, Mr. Meier referred to page 3 and asked that it be changed to “accept as modified by condition number 1 above.” Regarding number 1, he submitted the landscape area analysis to confirm square footages and landscape percentages, and this would be added to the plans. Regarding number 2, there are approved elevations and plans which were submitted 6/1/06. Regarding item 6, he requested adding, “accept as modified by condition number 1 above. Structure on retail Pad B shall be shown on previous approved plans.”

**Boardmember Livingston** noted at the last meeting, there was a suggestion to consider differentiating the Pad B and Pad F buildings from the other buildings, especially on the MacDonald corridor. He said they put some slate on some of the columns and asked if Mr. Meier would be amenable to changing the face color of the buildings and an appropriate awning color to match a slightly different color on the two buildings to help differentiate them in order not to get a big “mall” appearance. He felt the red awning was a dominant element and the buildings are not really Target.

Mr. Meier said there would be the possibility for allowing tenant colors to differentiate it. **Boardmember Livingston** then suggested a different face building color, feeling a sage green might be a nice color. **Boardmember Bloom** said rather than sage green, she suggested using forest green and saturate colors for the awnings.

**Chair Whitty** referred to Item 1, and asked if there were any Shop C changes. There were none.

**ACTION: It was M/S (Whitty/Livingston) to accept Shop C changes; unanimously approved (Woodrow absent).**

Regarding Item 2, Pad F changes, **Boardmember Livingston** said his original comments came from the MacDonald Avenue Economic and Revitalization Plan and the Design Guidelines and they talked about street environment framework, about the vision of MacDonald Avenue, and urban design framework relating to the I-80 Regional Center. The area is the gateway and they talked a lot about trying to include active pedestrian areas and hold the public there as much as they can to make it as vibrant areas as possible. He encouraged the design team to return with Pad F specifically relate to the site and what has returned fell short of that. He specifically wanted Pad F to relate to an outdoor area adjacent to the Pad F Building. He said the floor plan incorporates a lot of solid walls adjacent to what is supposed to be an outdoor use area and he felt it was inconsistent if a restaurant came in and wanted to use the area, the plan does not relate to that.

Mr. Meier noted they currently had a contract with a financial services company and it would not be a restaurant and said they expect some of those amenities to be put in the Pad B building.

**Boardmember Avellar** confirmed the location of the benches, trees that provide shade and questioned lighting in the plaza area. Mr. Meier described locations of high and low level lighting for the project.

**ACTION: It was M/S (Whitty/Avellar) to accept the presentation with suggestions placed in the conditions for Pad F changes; unanimously approved (Woodrow abasent).**

**Boardmember Bloom** questioned the applicant’s work with other tenants, and Mr. Meier noted a financial institution has waited 2.5 years for development of the space and other potential regional and national tenants were currently being marketed, but not yet selected. He noted there would most likely be a coffee retailer, a restaurant, and smaller shop space retailers.

**Boardmember Bloom** questioned if there were any green or local businesses to be more appealing, as she wondered if people would want to pay Starbuck's prices for coffee. She felt there was discussion also about areas for children, which she felt would be a draw as well as a food establishment of high quality.

Regarding Item 3, Plaza changes, **Chair Whitty** questioned building 8, noting they created a cozy area between B and A that was turned into parking and she wondered if this was good planning. Mr. Meier said Building A was new and has a hardscape around it so pedestrians would circulate around A to B buildings. Parking is to the east side and he felt it would create some synergy. He discussed the parking in the area on the plans to better understand their reasoning.

**Chair Whitty** felt there should be a larger seating area of to the east of Pad A instead of so much parking, and **Boardmember Livingston** suggested angling it to create a larger outdoor dining area in the sun, which would be a great opportunity for people not being so close to automobiles. He drew a sketch and presented it to Mr. Meier, who agreed with the suggestion and noted the parking count was still high.

**ACTION: It was M/S (Whitty/Avellar) to approve Item 3 with the additional idea by Boardmember Livingston; unanimously approved (Woodrow absent).**

Regarding Pad A, there was no further discussion.

**ACTION: It was M/S (Whitty/Avellar) to accept Pad A with the cyst of the east parking area per the drawing; unanimously approved (Woodrow absent).**

Regarding Item 5, Pad B, **Boardmember Livingston** questioned the color palette and asked that the Board give the Planning Director clear direction for Pads A, B, and F. Mr. Meier said they wanted it to be complimentary and so the entire center has some consistency. **Boardmember Livingston** said Pads B and F work together as a unit, but they were differentiated from Target in Pad C.

**Boardmember Bloom** suggested that the City would do well to recommend saturated colors because this appeals to the wide diversity of people in Richmond.

Regarding Pad B, **Boardmember Livingston** referred to the end unit, or Tenant 6 and said there is a nice use area adjacent on the plaza and felt there was an opportunity to open Tenant 6 up to the plaza as opposed to the window being there. He also said the awnings keep repeating themselves where there are use areas, and he provided a sketch to Mr. Meier to ensure that the architecture relates to the plaza. **Chair Whitty** noted there was a trash container directly west of Tenant 6, and Mr. Meier said it was difficult to locate it too far away and **Boardmember Avellar** suggested moving two spaces to the east and shift it a little and Mr. Meier agreed.

**Chair Whitty** summarized changes for Pad B, stating they would put Tenant space 6 onto the plaza, put an awning on the plaza, and shift the trash enclosure further to the east.

**ACTION: It was M/S (Whitty/Avellar) to approve Item 5, Pad B changes; unanimously approved (Woodrow absent).**

**Chair Whitty** confirmed there were no public speakers.

Regarding landscaping, **Boardmember Bloom** asked why they were using blackberries to be planted in 5 gallon containers and Mr. Meier agreed this could be changed. She asked for a specific species name to be changed due to it not being a California native, said she was concerned with the Chinese Elm trees and said it was extremely messy, the branches tend to break off and in wind there could be major problems. She suggested another species and asked the applicant to ensure they check drainage of the holes for the species' success.

The public hearing was closed.

Regarding conditions, she confirmed comments were provided for conditions 1-5 and presented them to staff. She noted the applicant had made minor changes to conditions 1, 2, 3 and 6.

Regarding condition 1, the applicant simply wants to add the landscape plan into Item 1 with the corrections of Boardmember Bloom. "The project shall be approved in conformance with Site Plan T1, dated March 13, 2007, New Building Elevations and Pad A, B, C and F configurations as shown on page B1, B2, B6, dated March 13, 2007 and Drawing LAA dated March 13, 2007, and Wall and Trash Enclosure, page 5, dated March 31, 2006.....March 14, 2007."

### **BREAK**

The Board took a five-minute break to confer and thereafter reconvened the regular meeting.

**Chair Whitty** said the Board wanted to strongly encouraged, but did not require, the applicant to attract and market green businesses and green products and that food activities focus on healthy foods, encourage they attract local business into the project and incorporate a kid's structure.

**Chair Whitty** read the modified conditions into the record:

- Condition 1: Third line down, after the word B.6, add in "LAA".
- Condition 2: Line 2, removing pages A4, A5, A6, and A6-1, and adding in A6R and FZ1; changing the date from June 22, 2004 to June 1, 2006.
- Condition 3: The item will begin with, "Accept as modified by Condition Number 1 above, as indicated...."
- Condition 4: Okay as is.
- Condition 5: Okay as is.
- Condition 6: Begin with the words, "Accept as modified by Condition Number 1 above, the structure on retail Pad B..."
- Condition 7: (Added) Various different saturated awning colors be used on all buildings and not red, as approved by the Planning Director or designee;
- Condition 8: Outdoor plaza lighting to be lighted at knee-high level for safety, as approved by the Planning Director or designee;
- Condition 9: The color palette for Buildings A, B, C and F shall use saturated colors and Buildings B and F shall use Sage Green mid-range saturation and can be the same color palettes but they should be different from Target and from Building C, as approved by the Planning Director or designee;
- Condition 10: Boardmember Livingston's drawing of Pad A shall incorporate a larger east plaza side, with the parking change and trash enclosure moved to the east (as included with the approval of Item 5);

Added

Condition: No blackberry shrubs in 5 gallon cans and suggested species and tree changes as suggested by Boardmember Bloom.

Added

Condition: The Planning Director is authorized to approve minor modifications to the building elevation so the applicant can more easily work with customizing tenant spaces.

The public hearing was closed.

**ACTION: It was M/S (Avellar/Whitty) to approve DR1103169 with the staff's 4 findings and staff's 10 recommended conditions, with the addition of 5 conditions and modifications of Conditions 1, 2, 3, and 6; unanimously approved (Woodrow absent).**

**3. DR 1103081 – Construct Two-Story Addition to Single-Family Dwelling on Chanslor Ave.** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±1,884 square foot two-story addition to an existing single-family dwelling located at 2514 Chanslor Avenue (APN: 515-380-020). SFR-3, Single-Family Low Density Zoning District. Larry White, owner/applicant. Tentative Recommendation: Conditional Approval.

**Chair Whitty** gave a brief description of the proposal, stating the Board reviewed the item on February 28, 2007, noted the applicant received four requests and complied with three, and it appears there was concurrence with the final plan. **Mr. Rojas** stated staff was recommending that changes be made after the meeting and be subject to staff approval.

The public hearing was opened.

Larry White, owner/applicant, noted they made changes to the roof, the window and driveway, that a 10x20 uncovered parking space be accommodated, and that the plan was consistent with a drawing by Boardmember Livingston dated February 28, 2007 as Attachment 3.

Public Comments:

Elmer J. Silver, President of the Metro Richmond Neighborhood Council, said the neighborhood council did not approve of the proposal to construct and add 828 square feet. He said most homes in the neighborhood are approximately 1,057 square feet and the proposal was not in character with the neighborhood; that most residents who want a third bedroom develop up to a second story and seek a variance. He noted the applicant did not present the item before the neighborhood council and they feel that legalizing the garage conversion construction required a variance. The Municipal Code calls for two parking spaces for a two-bedroom home, he said there is no garage, there are many substandard lots, and felt the construction was not in keeping with the homes in the area. He asked the Board not to move forward due to a variance being required.

**Boardmember Livingston** confirmed Mr. Silver read the staff report. He felt the parking conforms with the Municipal Code.

**Chair Whitty** confirmed with Mr. Silver he was the president of the neighborhood council, said the property backs up against a manufacturing zone and on the front side was Chanslor Avenue. She confirmed no other neighbors were present to discuss the project and that a letter was not submitted opposing the project.

**Chair Whitty** asked what the covered and uncovered parking requirement was for the area, and **Mr. Thompson** said the applicant has requested a deviation from the covered parking requirement which typically goes to the Zoning Administrator and is reviewed; however, the Zoning Administrator has the ability to move the item forward to the Design Review Board for

consideration. What typically has happened is that staff has allowed garage conversions to take place.

**Boardmember Avellar** confirmed that staff did not take into consideration parking requirements, and the Board may want to do this if needed, and **Mr. Thompson** said there was no requirement for a variance.

**Chair Whitty** confirmed the applicant was within the allowable height limit of 35 feet, as they were at 27 feet. She confirmed that 2 cars could be parked in the driveway if the applicant paved a landscape area to the right of the driveway. **Mr. Rojas** noted the applicant would require an encroachment permit from the Public Works Department.

**Chair Whitty** felt if landscaping were removed, two parking spaces could be maintained to eliminate the need for spaces on the street.

**Boardmember Avellar** asked if Mr. Silver felt the issue was one of massing of the building and Mr. Silver felt there was a change in design of the neighborhood and noted the lot was substandard.

Mr. White said he was amenable to widening the driveway to park two cars and could plant additional landscaping as requested and noted there was a nice Apricot tree in the front.

**Chair Whitty** recommended having the walkway to the stairs curve to the side.

**Boardmember Livingston** reviewed a drawing of changes to the pitch of the house which reduced the height of the project, and more conforming to the neighborhood. **Chair Whitty** confirmed with the applicant he was amenable to staff's conditions as written, as well as those discussed.

There were no other public speakers, and the public hearing was closed.

**ACTION: It was M/S (Avellar/Livingston) to approve DR 1103081 with the staff's 4 findings and 10 recommended conditions, with the additional condition to state that landscaping be removed to the east, curve and move the western walkway to the steps further west, that the roof pitch be changed to match the drawing provided by Boardmember Livingston; unanimously approved (Woodrow absent).**

## BOARD BUSINESS

6. Reports of Officers, Board Members, and Staff
  - a. Nominate and Elect Vice Chair

**ACTION: It was M/S (Smith/Livingston) to nominate Boardmember Avellar to serve as Vice Chair; unanimously approved (Woodrow absent).**

There were no other nominations

**ACTION: It was M/S (Smith/Livingston) to elect Boardmember Avellar as Vice Chair; unanimously approved (Woodrow absent).**

**Boardmember Livingston** reported the Subcommittee had met on a live/work project on Marina Way, said sketches were forwarded to some Boardmembers, comments were forwarded to the architect and David Spatz, and he recently received responses back. He recommended a



model be built to get a better feel of its massing and felt it was a critical project because it was the gateway to the new Transit Village.

A second project included a 99-unit double loaded condominium next to Chevy's at Hilltop which would require some work involving massing and aesthetics, and the third project under subcommittee review was the Canyon Oaks II project. He said comments had been provided, hillside ordinance issues were still being worked out, and noted the project was getting closer.

**Boardmember Livingston** reported meeting with City officials, developers, community members, the Mayor and Boardmember Woldemar in a workshop setting on the subject of design review and the City's permitting process, and noted a follow-up meeting would be held next week.

**Public Forum – Brown Act Speakers**

Ronnie Wimberly, Richmore Village

Elmer J. Silva, Richmore Neighborhood Council

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The Board adjourned the meeting at 8:30 p.m.