

DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
May 9, 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 6:10 p.m.

ROLL CALL

Present: Chair Whitty, Boardmembers Bloom, Livingston, Smith (arrived late) and Woodrow

Absent: Vice Chair Avellar

INTRODUCTIONS

Staff Present: Lina Velasco, Lamont Thompson and Mary Renfro

MINUTES FOR APPROVAL - 4/11/07

Boardmember Bloom referred to page 5, 8th paragraph, to read, "**Boardmember Bloom** asked for saturated colors, stating many different ethnic groups respond to darker colors and said landscaping is changing a lot in neighborhoods for that reason. The City would do well to recommend saturated colors because it appeals to the wide diversity of people in Richmond."

ACTION: It was M/S (Whitty/Livingston) to approve the minutes of April 11, 2007 as amended; Vote: 3-0-2-1 (Avellar and Smith absent; Woodrow abstained).

NOTED PRESENT

Boardmember Smith was noted present at 6:18 p.m.

APPROVAL OF AGENDA

Boardmember Bloom requested removing Item 8 from the Consent Calendar. **Chair Whitty** requesting moving Item 1 to the Consent Calendar.

ACTION: It was M/S (Whitty/Livingston) to approve the agenda, as amended by adding Items 1 and removing Item 8 from 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, or by Monday, May 20, 2007 by 5:00 p.m.

Chair Whitty noted the Consent Calendar currently consisted of all items on the agenda; Items 1, 4, 5, 6, and 7. Staff noted speakers were signed up for Items 1, 2, 3, 6, and 8. Item 7 was requested for removal by **Boardmember Livingston**.

ACTION: It was M/S (Livingston/Woodrow) to approve the Consent Calendar Items 4 and 5; unanimously approved.

Consent Items Approved:

4. **DR 1103829 – Addition to Existing Light Manufacturing Facility on Potrero Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±6,000 square foot addition to an existing ±10,000 square foot manufacturing building located 1130 Potrero Avenue (APN 544-351-004, -005, and -026). Knox Cutting Specific Plan Area (Mixed-Use) and Light Industrial Zoning District. Bill Cygan, owner; Eric L. Cox, applicant. Tentative Recommendation: Hold Over To 5/23/2007.
5. **DR 1103836 – Addition to Existing Residential Dwelling Unit on Roosevelt Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±594 square foot two-story addition to a ±1,511 square foot existing single-family dwelling located at 4220 Roosevelt Avenue (APN: 517-060-021). SFR-3, Single-Family Low Density Residential Zoning District. Steven Martinucci, owner; Leticia Estrada (Architect), applicant. Tentative Recommendation: Conditional Approval.

Items Discussed:

1. **DR 1103731 – Construct New Two-Story Residence on Virginia Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a new ±1,818 square foot two-story residence located on Virginia Avenue (unaddressed, APN: 544-162-020) and to allow uncovered parking on the front half of the lot. SFR-3, Low Density Residential Zoning District. RRP, LLC, owners; Pete Peterson, applicant. Tentative Recommendation: Conditional Approval.

Chair Whitty briefly described the project and noted receipt of a letter from one of the speakers. She confirmed with staff this was the first time the project came before the Design Review Board and opened the public hearing.

Pete Peterson, applicant, discussed his property search efforts, due diligence to determine the ability for building, met with their architect and staff on applying for design review.

Boardmember Woodrow confirmed the applicant did not provide photographs of the homes adjacent to the property, did not speak to neighbors about the project, he did try to attend the March Coronado Neighborhood Council meeting, was not able to present the project and he missed the April meeting but was amenable to presenting it to them.

Chair Whitty said the applicant was sliding the building off to one side; that instead of putting a 5 foot setback on each side, a 3 foot and a 7 foot setback was proposed. Mr. Peterson said this would enable him to provide more side to enjoy the home and yard, and the access would be provided from the rear. **Chair Whitty** suggested adding a door to the east elevation or larger setback side area. She clarified the applicant was proposing having one garage and tandem parking in front, and she asked Mr. Peterson if he considered moving the house back on the lot so there would be more parking space in front of the one garage. Mr. Peterson said they tried to and agreed to do this if requested by the Board.

Chair Whitty referred to the rear upper elevation with two bedrooms and a roofline, and asked the applicant if he considered putting in an upper deck or porch, and Mr. Peterson said they did not consider this.

Chair Whitty referred to the overhang and asked that heavier porch columns and the applicant agreed.

Boardmember Livingston referred to the neighbor's letter and asked the applicant to consider flipping the house, with the garage to the right. If the home was flipped the larger rooms would look onto the wider area, and the views from the windows would not affect privacy of the neighbors. Mr. Peterson said he could check with his architect. **Boardmember Livingston** questioned why **Chair Whitty** wanted to move back the house on the lot, as it was 20 feet to the property line. **Chair Whitty** said the applicant was proposing a 29 foot setback in the rear and only 20 is required in the rear, and this would provide more space to get the car off of the sidewalk in front, but she agreed with Boardmember Livingston this was not needed.

Boardmember Smith questioned where the refuse bins would be located, and Mr. Peterson said refuse bins would be located in the garage and not outside the house.

Boardmember Bloom referred to the landscaping plan and felt some of the plants would not grow well and suggested speaking to the applicant to make appropriate changes.

Chair Whitty confirmed the applicant submitted a color and materials board and staff distributed it to the Board.

Public Comments:

Guy Moore, said he was the neighbor on the west side, voiced concerns with privacy, confirmed with Chair Whitty the Board was proposing the applicant flip the house, obscure glass could be put on windows, discussed grading and the high water table which would be addressed by the Public Works Department.

Boardmember Livingston confirmed with Mr. Moore that his privacy issues would be addressed by flipping the house.

Chair Whitty confirmed with the applicant he was amenable to putting obscure glass on the new west side second floor window.

The Board discussed the need for shutters, and **Boardmember Livingston** felt the design was fine the way it was and felt shutters did not need to be required.

The public hearing was closed.

ACTION: It was M/S (Livingston/Whitty) to approve DR1103731 based on staff's 4 findings and conditions, with the following additional conditions: to add 6x6 foot minimum sized posts for the roof and for the porch, that house be flipped so the garage is on the right, that there be a sidewalk installed on the garage side to the house, that obscure glass be installed on the second floor window looking to the west, and delete staff recommendation # 4; unanimously approved.

2. DR 1103864 – Construct New Single-Story Second Dwelling Unit on Kern Street - PUBLIC HEARING to consider a request for Design Review approval to construct a new

detached ±637 square foot single-story second dwelling unit located at 936 Kern Street (APN: 523-093-018). SFR-3, Low Density Residential Zoning District. Sedigheh Forbati, owner; Brenda Munoz, applicant. Tentative Recommendation: Conditional Approval.

Lamont Thompson read a letter of a neighbor in opposition to the second dwelling unit, noting it would alter the historic character of the neighborhood, and said 25 neighbors signed a petition who oppose the second dwelling unit. **Chair Whitty** referred to page 2 of the staff report and asked Mr. Thompson to read the excerpt which indicates second dwelling units are allowed by state law and what was in the City's purview was only design of the structure, with review of compatibility, parking, setbacks, and design. He said the maximum square footage for second dwelling units was 640 square feet.

Boardmember Livingston questioned if both cars needed to access the parking area, and Mr. Thompson said there is a provision that allows for paving to be placed in the front yard for parking.

Chair Whitty noted there were 3 uncovered parking spots, 3 more are being added to the plan and she confirmed that one was required to be covered. She referred to the backyard and said she could see only one structure and Mr. Thompson said there were two others behind the first structure, all in a line.

Boardmember Woodrow felt the plan looked like several cottages that exist in Pt. Richmond, and he felt this design has been put to use in Richmond for decades.

Brenda Munoz, applicant, said they were attempting to match materials of the existing house, she briefly discussed the project and noted concrete pavers would be used.

Boardmember Livingston referred to the site plan, and said if the one car was parked in front, it would be impossible to park a car on side of it and he felt the parking needed to be moved back in the lot about 6 feet and add an angle piece added on the sidewalk. Ms. Munoz agreed.

Public Comments:

Gina Swirsding, Vice President of Richmond Heights Neighborhood Council, said the proposal was not heard at a neighborhood council meeting, many neighbors opposed the excessive parking the unit would add to in the neighborhood, debris, bad renters, crime and poor police response.

Wendy Brasfiern, voiced concerns with excessive parking of renters in front of her house and there was no enforcement available unless cars were parked over 72 hours.

Ed Shelden, Jr., presented the diagram of the house and noted errors in property lines, voiced concerns of parking, voiced impacts of water and sewer, and City Attorney Renfro noted the City had approved a second dwelling unit ordinance which was approved in 2003 that pertained to water and sewer impacts.

Marine Ham, said she lived across the street from the project, said the street was highly congested, the home at 751 Kern Street has 7 vehicles and parking was a problem and felt that approval of the project would exacerbate those problems.

Gary Tenbrock, said he arrives home at 3:30 p.m., he cannot park in front of his house and must park down the street, voiced concerns with sewage at the location, and felt surrounding homes would have problems, voiced concerns with additional power requirements and the need for the installation of speed bumps.

Lora Baird, said she lives behind Kern Street, voiced opposition to second dwelling units and they caused increased crime.

Sedigheh Forbati, owner, said she owns two cars; one which has problems was parked in the back side yard and the other car is parked in her driveway. An elderly woman who lives alone in the three-bedroom house, a friend of hers just moved in two weeks ago who has one car and who was told not to park the car anywhere except for the front of her house. She did not know what type of renters would live there, and said a car was vandalized last week in the neighborhood.

Chair Whitty confirmed that the owner concurred and understood all recommended conditions in the staff report and would be amenable to moving the parking back six feet to allow more parking.

Boardmember Bloom urged the owner to plant shrubs and flower beds instead of planting lawn areas due to water requirements, and Ms. Munoz, applicant agreed. She confirmed the applicant was proposing to remove 3 small trees and encouraged her to replace them in the yard.

Mr. Thompson briefly discussed fence setbacks and property lines and noted staff could work further to clarify the property line with the applicant.

The public hearing was closed.

ACTION: It was M/S (Whitty/Smith) to approve DR 1103864 based on staff's recommended 4 findings, staff's recommended 10 conditions, with an additional condition; 11) that Exhibit A parking area to be increased a minimum of 6 feet and concrete be added to facilitate car maneuvering; unanimously approved.

3. DR 1103787 – Addition to Single-Family Residence on Lowell Avenue - PUBLIC HEARING to consider a request for Design Review approval to add ±994 square feet to an existing ±1,002 square foot residence located at 2639 Lowell Avenue (APN: 527-160-016). SFR-3, Low Density Residential Zoning District. Juan Rodriguez, owner; Brenda Munoz, applicant. Tentative Recommendation: Conditional Approval.

Chair Whitty briefly described the project, acknowledged that Condition 3 required the applicant to submit a landscape plan.

Brenda Munoz, applicant, gave a description of the addition, said landscaping would be placed in the backyard, colors, materials, and confirmed no additional parking was required.

Boardmember Smith questioned if the project was seen before the neighborhood council, and **Chair Whitty** noted they were unable to attend the meeting in the staff report prior to the meeting.

Boardmember Woodrow confirmed with the applicant that the large tree in the rear yard would remain.

Public Comments:

Sandi Genser-Maack, North & East Neighborhood Council, discussed the council's schedule due to the holiday, but said the applicant contacted her last week but they have not yet reviewed the project.

Gerald Rasmussen, North & East Neighborhood Council, noted the addition would double the size of the dwelling, noted it would be the only two-story structure on the block, there was only a one-car garage and parking would be increased, and asked that it be held over.

Chair Whitty noted that there were two, two-story homes in the neighborhood. Mr. Rasmussen said he read the staff report only this afternoon and felt the addition would cause a parking problem as well.

Boardmember Livingston questioned that if the applicant could provide one more parking space, would it make a difference to the neighborhood council, and Mr. Rasmussen and the Board questioned how this could be achieved.

Chair Whitty noted the addition would bring the home up to 25 feet in height; with 9 feet representing the addition. She asked if the height could be reduced by reducing the space between the floor and changing the roof style. **Boardmember Livingston** felt the roof pitch should not be changed; however, the floor space and addition could be reduced by one foot.

Chair Whitty noted there were concerns with massing, parking, garage redesign, and the project not being seen by the neighborhood council. She confirmed the applicant was amenable to making some small design changes to the plans and returning to the Board. Mr. Thompson noted there was only one parking space required and noted it was at the applicant's discretion as to whether or not they could amend their plans to add parking.

Brenda Munoz, applicant, said the home meets the minimum height and she was amenable to reducing the second floor ceiling height by one foot to 8 feet. **Chair Whitty** suggested the applicant also consider changing the exterior materials and colors to minimize the massing, and Ms. Munoz agreed.

The public hearing was left open.

ACTION: It was M/S (Whitty/Livingston) to hold over DR 1103787 to June 13, 2007; unanimously approved.

6. DR 1103872 – Construct Detached Garage & Second Dwelling Unit on Esmond Avenue - PUBLIC HEARING to consider a request for Design Review approval to construct a ±484 square foot detached garage with a ±506 square foot second dwelling unit in the rear yard of the single-family residence located at 2337 Esmond Avenue (APN: 528-162-013). The exterior materials and colors of the proposed accessory structure will match those of the existing residence. MFR-1, Multi-Family Residential Zoning District. Noe Beltran, owner; Brenda Munoz, applicant. Tentative Recommendation: Conditional Approval.

Chair Whitty confirmed with Ms. Velasco that the neighborhood council had not yet reviewed the project, and opened the public hearing.

Brenda Munoz, applicant, briefly described the project and noted the exterior materials and colors would match those of the existing residence.

Public Comments:

Sandi Genser-Maack, North & East Neighborhood Council, said once again, this project has not been reviewed and asked the Board to hold it over.

Gerald Rasmussen, North & East Neighborhood Council, questioned the close siting of the project to the property line, voiced concerns with parking, said two families were using the same interior yard space and felt the design should be amended.

Chair Whitty questioned setbacks and roof heights, and confirmed the unit was 13 feet in height. She suggested porous paving, drought resistant plants, and slight redesign of the back yard space.

Boardmember Woodrow questioned why the sidewalk parallel with the garage on drawing AA extend to the rear property line fence and a large concrete slab next to the garage, and Ms. Munoz said the sidewalk was used for a walking path out to the front, and she said it provides a patio area next to the shed.

Boardmember Bloom questioned the drawing's long strip of lawn and fence around the property. Ms. Munoz said the existing fence was made of wood and confirmed there was a long strip of lawn. She said the owners wanted to keep the lawn area and **Boardmember Bloom** suggested more landscaping and questioned the slab next to the garage. Ms. Munoz said the rectangle on the plan was an existing concrete slab and **Boardmember Bloom** suggested landscaping and groundcover be used and felt there was too much hardscape in the backyard.

Chair Whitty left the public hearing opened and confirmed with the applicant and Board that the item would be held over.

ACTION: It was M/S (Livingston/Whitty) to continue the public hearing and hold over DR 1103872 to June 13, 2007; unanimously approved.

7. **DR 1103928 – Roof Modifications & Addition to Single-Family Residence on Ocean Avenue** - PUBLIC HEARING to consider a request for Design Review approval to modify the roof and convert area of the existing 3rd floor structure, windows, and deck of the residence located at 841 Ocean Avenue (APN: 558-233-006) to capture ±254 square feet of additional living space. SFR-2, Very Low Density Residential Zoning District. Deborah Reynolds, owner; Anne-Catrin Schultz, applicant. Tentative Recommendation: Conditional Approval.

Chair Whitty briefly described the project request.

Boardmember Livingston thanked the applicant and said the home has come a long way, asked if a structural analysis had been done.

Anne-Catrin Schultz, applicant, said she they had a preliminary structural recommendation, but they have not yet done the soil borings and **Boardmember Livingston** discussed what might need to be done, and confirmed with Ms. Schultz that any alteration of the site with grading or excavation would be approved by a structural engineer and could be provided to the Board.

Boardmember Livingston noted the lateral on the entire three floors would be affected and suggested steel framing. Ms. Schultz said there were steel in the building was mainly in the front of the bedroom, steel columns and I beams that are inset and hold up that side. She had the same questions of the structural engineer who indicated no additional steel framing was needed and would agree with whatever the engineer recommended in the analysis.

Boardmember Livingston referred to photograph #4 and its context with the building mass of the second floor design, and its stepping back. He suggested mitigating the large, uninterrupted wall of glass, as per the design guidelines, and use street elements. He also suggested stair

step back a portion of the upstairs large family room on the south side to achieve some articulation, and keeping the steel behind the glass to address structural issues.

Boardmember Woodrow felt the applicant should keep the massing down but said he liked the project.

The public hearing was closed.

ACTION: It was M/S (Livingston/Woodrow) to approve DR 1103928 based on staff's recommended findings and conditions, with the additional condition that the west façade's two upper floors receive a shading element consistent with architecture subject to review; suggest that the upper floor be stepped back on the south side of two or more feet to address mass and bulk and for articulation purposes; unanimously approved.

8. DR 1103503 – Construct Mixed-Use Complex on Humphrey Avenue - PUBLIC HEARING to consider a request for Design Review approval to construct a mixed-use complex, consisting of five (5) apartments on the second and third floors of the proposed ±5,592 square foot building above ±4,072 square feet of commercial space on a ±9,512 square foot corner lot located at 2300 Humphrey Avenue (APN: 528-010-005, -006, -007, & -008). MFR-1, Multi-Family Residential and C-2, General Commercial Zoning District. David Townsend, owner; Darryl Debor (Architect), applicant. Tentative Recommendation: Conditional Approval.

Chair Whitty gave a brief description of the project and opened the public hearing.

Boardmember Woodrow questioned the need for architectural and design goals for the project.

Darryl Debor, applicant/architect, said he spoke with staff and received feedback on design, said they were trying to create something complex and this was why the façade was placed on the front which he felt went a long way. They have discussed where money should be spent on the project, they want to put the money into the areas where residents will be living, confirmed there would be no elevator but instead, a stairway leading up to the second level. They would like to find a use for the tower, but noted it would be expensive and did not believe the two facades needed to be integrated.

Boardmember Woodrow said he liked the 23rd Street façade, but a lot of the stores and shops on 23rd were being put in and he suggested the façade match the theme or materials of those shops.

Chair Whitty voiced concerns with the exterior, said it was not undercoated, only the top cornice pulls together, but felt it was still out of context. She suggested setting up a subcommittee of the Board to meet with the applicant to come up with a more conducive design.

Boardmember Livingston agreed and felt the project could be reviewed by the subcommittee and returned to the Board. The applicant agreed to meet with a subcommittee.

Boardmember Bloom briefly discussed landscape material, the roof garden and lighting.

Chair Whitty confirmed the subcommittee would consist of Boardmember Livingston, Bloom and Avellar, the Board discussed the need for improvement, and staff agreed to arrange a meeting with the applicant and subcommittee as soon as possible.

Public Comments:

Angela Cox, voiced concerns with the residential entrance defined on Humphrey, did not like the architecture of the project, parking access, felt nearby liquor stores were a concern and they were trying to reduce crime in the area.

Ken Fuhrman, Fuhrman Printing, opposed the structure, the lot size and configuration, said there was no room to plant trees, concerned about the sewers plugging up and sewage over flow.

Sandy Genser-Maack, asked that the project be presented to the neighborhood council and did not support the project as currently designed.

Gerald Rasmussen, requested the subcommittee review design features, said the bay windows were hanging over the property line, voiced concerns about the width of the entry into the units, requested entry features, concerned about the 3-4 story scale, felt the architectural style does not allow for the building to hang together, questioned the cost benefit of having a second floor roof garden, requested a specific landscape plan for the roof garden and the parking lot's eastern property line.

Boardmember Woodrow suggested Mr. Rasmussen also meet with the subcommittee. Assistant City Attorney Renfro briefly discussed noticing and subcommittee meeting requirements.

ACTION: It was M/S (Whitty/Bloom) to continue the hearing on DR 1103593 to June 13, 2007 and for the Subcommittee and applicant to meet prior to the meeting to discuss design elements of the project; unanimously approved.

BOARD BUSINESS

9. Reports of Officers, Board Members, and Staff

Boardmember Woodrow questioned when the Board would cease to hold meetings, and Assistant City Attorney Renfro said since the direction from the Council remains unclear and the ordinance has not yet been brought forward, that the Board continue to meeting as usual.

Chair Whitty noted an urban awards ceremony and event would be held on May 18, 2007 in San Francisco and asked Boardmembers to attend.

Boardmember Livingston said he had sketches of live/work project and asked if he confirmed with the Assistant City Attorney that he could provide a brief subcommittee report. **Boardmember Livingston** noted the sketches were complete, felt the idea of the massing and the project was supported, and now what remained were the details. He was optimistic about the architecture.

Public Forum – Brown Act - None

The Board adjourned the meeting at 9:30 p.m.