

MINUTES APPROVED AT THE DRB MEETING ON DECEMBER 9, 2020

DESIGN REVIEW BOARD REGULAR MEETING Richmond, CA 94804

October 28, 2020
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
Jessica Fine
Macy Leung
Karlyn Neel

Brian Carter
Michael Hannah
Jonathan Livingston

Chair Livingston called the meeting to order at 6:00 P.M.

ROLL CALL

Present: Chair Jonathan Livingston, and Boardmembers Kimberly Butt, Brian Carter, Jessica Fine, and Macy Leung

Absent: Vice Chair Michael Hannah, and Boardmember Karlyn Neel

INTRODUCTIONS

Staff Present: Planners Hector Lopez and Roberta Feliciano, City Manager Office Thomas Omolo; and City Attorney Shannon Moore

APPROVAL OF MINUTES: October 14, 2020

Roberta Feliciano advised that the minutes from the October 14, 2020 meeting would be presented at the next meeting.

APPROVAL OF AGENDA

Public Forum

CORDELL HINDLER: *Good evening Chair Livingston, Board members and city staff, I have some comments for the record. 1. I had spoken with the Fairmede Hilltop Council and they were not happy when the applicant did not communicate with the group in regarding the concerns that was raised in regarding the Aspire Project. 2. My recommendation is to delay the projects until the virus gets lifted. Sincerely, Cordell.*

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City Council Liaison Report: None

CONSENT CALENDAR: None

PUBLIC HEARINGS:

Chair Livingston advised that Public Hearing Items 1 and 2 had been recommended to be continued to the meeting on November 18, 2020.

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| 1. PLN18-059 | MOGHADAM RESIDENCE |
| Description | PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±2,400 SQUARE FOOT SINGLE-FAMILY RESIDENCE. |
| Location | 2439 FOOTHILL AVENUE |
| APN | 549-140-014 |
| Zoning | RL-2. SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT |
| Applicant | DARAN MOGHADAM (OWNER) |
| Staff Contact | JONELYN WHALES Recommendation: CONTINUE TO NOVEMBER 18, 2020 |

ACTION: It was M/S/C (Livingston/Fine) to continue PLN18-059, Moghadam Residence, to the DRB meeting on November 18, 2020; approved by voice vote: 5-0 (Ayes: Butt, Carter, Fine, Leung, Livingston; Noes: None; Abstain: None; Absent: Hannah and Neel).

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| 2. PLN19-264 | RICHMOND COUNTRY CLUB RESIDENTIAL PROJECT |
| Description | PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT TO CONSTRUCT 94 SINGLE-FAMILY DWELLINGS ON 94 NEW PARCELS RANGING IN SIZE FROM 4,750 SQUARE FEET TO 7,023 SQUARE FEET. THE PROJECT INCLUDES A GENERAL PLAN AMENDMENT, RE-ZONING, AND VESTING TENTATIVE MAP, WHICH MUST BE APPROVED BY THE PLANNING COMMISSION AND CITY COUNCIL. |
| Location | MARKOVICH LANE |
| APN | 405-050-006 AND 405-050-019 |
| Zoning | PR, PARKS AND RECREATION DISTRICT |
| Owner | RICHMOND COUNTRY CLUB |
| Applicant | MLC HOLDINGS |
| Staff Contact | EMILY CARROLL Recommendation: CONTINUE TO NOVEMBER 18, 2020 |

ACTION: It was M/S/C (Livingston/Fine) to continue PLN19-264, Richmond Country Club Residential Project, to the DRB meeting on November 18, 2020; approved by voice vote: 5-0 (Ayes: Butt, Carter, Fine, Leung, Livingston; Noes: None; Abstain: None; Absent: Hannah and Neel).

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| 3. PLN18-321 | 12TH STREET AND MACDONALD AVENUE STUDY SESSION |
| Description | STUDY SESSION TO PROVIDE AND RECEIVE COMMENTS ON THE PROPOSED DESIGN FOR NEW COMMERCIAL MIXED-USE BUILDINGS WITH 361 RESIDENTIAL UNITS AND 54,831 SQUARE FEET OF COMMERCIAL SPACE |
| Location | VACANT PARCELS ON THE CORNER OF 12 TH STREET AND |

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	MACDONALD AVENUE, BETWEEN 11 TH AND 13 TH STREETS	
APN	540-092-016, -018, 540-081-001 TO -005, 540-081-020, -021, -024 TO -026	
Zoning	CM-5 COMMERCIAL MIXED-USE, ACTIVITY CENTER, AND IS-1 FORM-BASED CODE	
Owner	CITY OF RICHMOND	
Applicant	ERNST VALERY, SAA EVI	
Staff Contact	ROBERTA FELICIANO	Recommendation: PROVIDE AND RECEIVE COMMENTS

Roberta Feliciano presented the staff report dated October 28, 2020, for the study session to provide and receive comments on the 12th and Macdonald Avenue project on a three plus acre site in the Iron Triangle Neighborhood. She explained that the site was bounded to the south by Macdonald Avenue, to the west by 11th street, the east by 13th Street, and to the north by Nevin Avenue. Surrounding uses included a shopping center to the south, the Social Security building to the north, Contra Costa County Social Services to the east, and the East Bay Center for the Performing Arts to the west. There was an existing parking structure on the site that was otherwise vacant. She advised that the City Council had approved an Exclusive Right to Negotiate (ERN) on December 6, 2016 with Ernst Valery, SAA|EVI and the ERN was executed on January 19, 2017. She reported that the development proposal for four new mixed-use buildings was in compliance with the development standards in the CM-5 Zoning District and the T6C Core zone of the Form-Based Code.

STEFAN PELLEGRINI, Opticos, the City's Consultant, stated that Opticos had been working closely with the applicant. He referred to an October 15, 2020 memo in the staff report where some concerns had been raised with respect to the most recent submittal. He identified those issues for discussion. The first issue was around the two courtyard spaces that the project had created and the concern with the rear elevations of the storefronts lining the interior courtyards. He stated on the ground floor many of the storefronts had a primary orientation to Macdonald, 11th Street and 13th Street in particular. The courtyard was envisioned as a semi-public space during daylight hours to allow folks to pass through. He pointed out where certain areas of the courtyard space should be prioritizing transparency at the ground floor as well as uses that could spill out into the courtyard space at the rear that could be useful for restaurants, eating spaces, or retailers that could manage two frontages. The memo had identified those areas that Opticos recommended be prioritized. A series of photo images had been provided to identify some solutions to how those things could be incorporated, particularly in the landscape plan.

Mr. Pellegrini stated the second item had to do with the fence used to articulate the public spaces within the project and the memo described the components of the fence that could be shiftable when the public spaces could be open as well as closed during off-hours. The code did not provide guidance as to the design of the fence and questions had been asked as to the recommendations that the fence would be welcoming and less imposing when closed. He recommended the DRB consider the design, height, scale, materials, and their appropriateness.

With respect to the third item as to the architectural styles, Mr. Pellegrini noted that the applicant had presented elements from California Contemporary styles on the upper floors, and Main Street Traditional styles that generally applied to the ground floor of the building. The contemporary style was established with less direction in the guidelines and he suggested the DRB might want to provide special input into the architectural category that the applicant had prepared.

ERNST VALERY, Director, SAA|EVI, supported the thriving small businesses in the downtown and suggested the proposal would be a model for how to develop without displacement and exercise inclusion in the display.

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Mr. Valery stated the East Bay Center for the Performing Arts was a critical piece of the design and they had taken the strength of downtown Richmond to make sure they had a place on site. The proposal would also tell the story of Richmond, including the history of Dormitory O.

MARTIN BRUCKNER, Director, IBI Group, presented slides to show the context of the site driven by its transit orientation and close proximity to BART, and employment producing space related to the surrounding uses. He presented the site plan, described the relationship of the open space to the building, pointed out the retail space and the three street frontages, the paseo that traversed the site from east to west, an innovation center, the existing garage to be used to provide the required parking for the number of units on the site, using the 12th Street right-of-way to access the site from the north, the plans for the upper floors, and the roof plans where the roofs of the buildings would be accessible to the residents as outdoor living space. He noted the options for the various styles that could be used and the Main Street Traditional street design theme to be used on the ground and second floor with the California Contemporary style on the upper floors to break down the massing to a manageable scale, which related to the historic building. He also presented a brief video to show the articulation of the buildings with the residential entries and the activation of the courtyard.

PROFESSOR AUSTIN ALLEN, Director, Design Jones, presented the intent of the development to offer multiple experiences to pull people into and through the middle of the development on 12th Street, to spill over into Macdonald Avenue; the tree plaza that would offer a chance for people to congregate without losing wayfinding and a buildup to the fountain experience; to the middle area on 12th Street where the artwork and directional signage would take over; the innovation center to offer a more intimate space as well as for people passing through; and the East Bay Center for the Performing Arts using landscape elements there and throughout the site that would include sustainable planting. He also presented the elevations and described the materials that would change the mood throughout the development.

MARIO CHIODO, Mario Chiodo Art, described the Dormitory O Tribute, a local story that had national implications, a story kept hidden where eight African American defense workers lost their lives in a fire. He suggested it could be a symbol to not only recognize the eight from Dormitory O but also to recognize all defense workers who had lost their lives and who never got the credit for their work. The bronze sculpture would be placed on a pedestal to reflect the sacred geometry laid on the center to identify what it was all about. He stated the figures would be turned slightly so that the sculpture could be viewed from all angles.

PUBLIC SPEAKERS

CORDELL HINDLER: *Good evening Chair Livingston, Board members and staff, I have some ideas for the 12th and Macdonald project. I was thinking along the lines of a hotel that would generate revenue for the City. Sincerely, Cordell.*

Ms. Feliciano identified the process for public comment either through the computer or by phone.

KIERON SLAUGHTER recognized the improvements to the project that he suggested still had a ways to go for the 12th and Macdonald site that he described as a major activity site. He stated that the proposal did not conform to the General Plan policies, specifically given that Policy LU2.2 prohibited gates and gated communities. He also stated the walkway on 12th Street was awkward and should be redesigned; directing traffic to bisect the project took away all the improvements on Nevin Avenue and the desire to have people on the street without creating conflict; the commercial storefronts had an institutional look and should have more variety; and the project did

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not utilize enough of the site and should go upwards, potentially to eight stories. Given the high number of studios, Mr. Slaughter asked how the proposal was being marketed. He also encouraged the City to make all plans accessible without having to disclose email addresses or set up a program just to get attachments.

JOHN DALRYMPLE, Richmond, representing electricians, plumbers, sheet metal workers, and sprinkler-fitters stated he had followed the project for years. He noted the applicants had responded to the concerns raised, and he emphasized the importance of creating inclusive communities. He looked forward to more discussions with the developer.

NISAIAH PERRY, Richmond, liked the comments related to the gate but was also security conscious and wanted to be mindful of aesthetics and the ability to move around the site after hours, particularly given the adjacent East Bay Center for the Performing Arts. He loved the plan and asked about the housing and whether low-income units would be included. He liked the ability for residents to use the rooftop as extra outdoor space and suggested the architecture could be designed to create the social distancing space currently needed. He also suggested that some of the commercial ground floor space should be used to address social issues.

In response to Boardmember Leung as to the access to retail and parking availability, Mr. Bruckner explained that the retail faced the three streets. There was a desire that the retail be primarily oriented towards the street, vehicles would come in from the north to enter the site and leave at the west side. Cars would be able to park in the existing garage and walk into the site, drive through the site, or go down the street; however, he emphasized the desire to enhance the pedestrian experience and not encourage cars.

As to what retail would be included, Mr. Valery identified types of uses that could be included in the commercial space. Discussions with the community had urged no big box retail and the innovation hub would be a big driver for retail and cafés, potentially a brewery, and other retail currently in Richmond would be invited to the downtown. Neighborhood-serving retail and expanding on current retail footprints would be encouraged and to that end pick-up and drop-off spaces were being considered.

Boardmember Leung asked about the residential component and the affordability component for Richmond residents and encouraged more affordable units if feasible.

Mr. Valery noted that one-bedroom studios and two bedroom units would be provided to target some of the young professionals in Richmond and offer opportunities to live downtown close to BART and the transit centers, provide an option for Richmond residents to remain in their own community, and use density as a tool to bring more people downtown. He emphasized that the fencing had never been considered as a barrier but a movable arrangement he had seen in Turin, Italy for an art gallery, which could be used to create small classrooms outside in the plaza where the East Bay Center for Performing Arts could have different practice areas. He emphasized that the fencing was a movable living thing that would help address any safety concerns about living downtown and would allow the community to transition. He had committed to at least 25 percent affordable housing, and for 20 percent of that housing applicants could make less than 60 percent of median income instead of the 120 percent in the Disposition and Development Agreement (DDA).

Boardmember Leung liked the landscape design so far and the architecture. She asked if there could be some sort of innovation in front of the innovation center in the plaza experience outside, something reactive as opposed to static, and something congregated rather than just isolated to start with and leading up to the BART station to celebrate that a bit more. She requested amongst

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the pathway and throughout that the function and experience differ in the different plazas.

Mr. Bruckner stated the design could be developed with more variety in the walking area of the space and relate that space to the adjacent uses inside for more meaningful indoor/outdoor experiences.

Boardmember Leung suggested the relationship from the inside access point of the buildings walking out to the plazas could be celebrated better with some direct connections to allow residents to be a part of the community. She also asked if the buildings would be LEED [Leadership in Energy and Environmental Design]-certified, and Mr. Bruckner explained a more recent consideration was looking at the absolute energy use of a building and creating appropriate limits on energy use throughout the year as opposed to the cost of energy. He described the buildings as more smart buildings based on usage.

Boardmember Leung encouraged sustainability. In addition, given that the site was wedged between the BART station and the historic district, she urged consideration of historical references on the ground floor retail space to pay homage to the historical district.

Chair Livingston referred to the discussion of front and rear access to the ground floor retail in the subject project and spoke to the city's previously approved Macdonald 80 project where transparency on both sides of the lower floor retail had been specified for that project. He explained that the experiment had failed in that case because only one access prevailed.

Boardmember Carter referred to the master plan and asked about the residential passages at the retail level from the street front to the courtyard, noted as residential only, which he clarified with the applicant had come from the reviews of the Form-Based Code. He suggested it would be important to reconsider that layout to better activate that area.

Boardmember Carter referred to the walkway to BART and the connection to Nevin Plaza, and asked if the massing could be carved out to create a more direct connection to Nevin Plaza. It was explained that had also been based on dictates from the Form-Based Code, which might also need to be reconsidered.

Boardmember Carter also suggested the storefront massing proportions could be better articulated; there might be an opportunity for a community garden space and he requested that the development team define the areas that could be occupied beyond what was needed for utility spaces; and some of the end caps of the buildings had staggered checkered window elements, which he liked, but asked how that would work in the footprint of a residential unit.

Mr. Bruckner stated the checkered windows had been proposed given the desire to create visual interest in those walls. He would work on that element. He also verified, when asked, that the amount of water coming off the site would have to be assessed to figure out ways to clean the water going to and down Macdonald Avenue. He noted that they were evaluating whether the water could be collected and dissipated from the fountain.

Boardmember Butt was pleased with the proposal and the direction the project was going to provide housing in the downtown. She commented that not all the buildings had to be the same height and recommended some variation to add to the design and to the downtown with different building heights to reduce the monolithic effect. She suggested there were too many pergolas or canopies on the roof that felt additive and not integrated into the design, particularly on the street side. To address that issue, she suggested those elements remain off the street front. She also suggested the historic base was not working and recommended a more modern material such as terra cotta cladding. She liked the warmth and the heaviness but stated the materials were not

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tying together holistically. She supported keeping the language and the materiality more on the modern end.

Boardmember Butt also questioned the viability of the digital screens, and while she recognized the connection to the East Bay Center for the Performing Arts she questioned whether the screens would be sustainable. She also asked if the proposal would contribute to the activation of Nevin Avenue, did not like gated communities but suggested there might need to be some protection during the evening, and stated the gated design and the parameters of the gate would have to be discussed. She characterized the pedestrian passages as odd and wanted to work with the city on that element and the code requirements, and she did not feel that the lobby to the residences had a sense of entry, and supported more celebration of that element. She was otherwise excited where the proposal was going.

Mr. Pellegrini explained that the code established a provision to set a 100-foot maximum distance between entrances to upper floors so the path that had emerged was the intent to move folks who lived in the upper levels of the building down to the street space.

Boardmember Fine loved the impetus for pedestrianism in the plan but asked about bicycles and asked how bicyclists would traverse through the site. She also asked about other transportation alternatives such as car share and charging stations, which should be carefully considered given the prominence of the project. She questioned the benefit of placing all the studios on Level 2 and all the one-bedroom units on Levels 2 and 3.

Mr. Valery stated the floor plan was flexible and different sized units could be placed on any floor.

Boardmember Fine encouraged the applicant to explore the mix of unit sizes, asked about the size of the roof space, saw no parapet more than three feet in height, and wanted this to feel safe; she wanted to hear more about carrying through the landscape and pedestrianism throughout the building and what that would feel like for the residents. She had no issue with the design schemes and architectural styles and was curious how the verticality might be interpreted from the base to the upper levels. She asked about the materials board, loved the homage to brick and asked if the brick would be a veneer or a masonry wall, whether it would be seismically sound, and whether it would be a safe material. She noted references to things like composite paneling and masonry and wanted to see more about the materials, the colors, and the textures, which would be a big component of the next step. She was impressed with the engagement with a public artist and wanted to see where the art would be in the site plan, wanted to see it be further developed. She also questioned the screens.

Mr. Valery stated that in working with the East Bay Center for the Performing Arts, there was a desire for what was being done inside to spill over outside and provide outdoor performance space and outdoor practicing space, which was the first and foremost motivation for the screens, with livestreaming when students practiced in different sessions or classrooms.

Chair Livingston confirmed with Mr. Valery that the screens could be accessed by the public. He also asked whether audio/visual rooms should be provided.

Boardmember Fine asked whether there were seating areas and the number of people who might be able to congregate around the screens. She suggested there were a number of things to resolve with respect to the screens.

Boardmember Fine suggested the screens were challenging and she sought clarity on that issue and how they would be used. She commented that there was an opportunity to explore a broader

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landscape palette beyond the conventional plants and trees that had been proposed, and suggested the site was ripe for thinking outside the box.

Chair Livingston referred to The Campanile at UC Berkeley and suggested a similar architectural massing symbol for the site to demarcate what could be the cultural epicenter of Richmond. He wanted to see something like The Campanile somewhere in the massing, which he suggested wanted to be on 12th Street where there was a crosswalk and paving, and where nothing had been shown in the plan. He suggested there was no access and the sculpture was off-access, and an opportunity had been missed to pull the public into the middle of the project.

Mr. Allen suggested that more would be done with the artist's shaping of the sculpture and the beauty was the alley of trees that would remain. He agreed that as the design evolved with that integration of the artist into the space it might be easier to shape the design.

Chair Livingston noted that the street fronts on 12th and 13th Streets, and Nevin and Macdonald Avenues were the fronts for retail and dining, although the building facades did not provide a lot of outdoor gathering spaces for outdoor dining, particularly during COVID-19. He suggested the building might need to be stepped back a bit in certain areas to provide that function to ensure that the streets could be activated, which might also help break up the long line of building. He recommended raising the sidewalk between the East Bay Center for the Performing Arts and the plaza so that the pedestrian could dominate. With respect to Macdonald 80 and the two sides of retail, he did not think that the two-sided retail worked and recommended that the design team find a way to activate and make sure that the internal courtyard did not die from lack of participation with the public. He also noted that there was no day care center and suggested there might be a number of children living in the project and day care might be needed, potentially on 12th Street, with the courtyard in the middle to integrate some play areas for children.

On the subject of gates and to provide security, Chair Livingston noted that in the dense downtown core there might need to be a security office, a police substation type that would operate around the clock which could eliminate the need for the gates, and encouraged the development team to look into that possibility. He referenced discussions in the subcommittee meetings, and a mention in the General Plan, for a grocery store. He referred to a space off of Nevin Avenue and suggested if it was all one retail space an anchor tenant could provide that function at some point. He agreed with a bike-sharing hub, particularly given the close proximity of BART. He added that on 12th Street there was a paved portion that intersected with a private driveway and if that street was treated and paved like a paseo in human scale it would read more like what it had been envisioned to be, particularly since it was the main corridor from the Social Security building to the dining establishments. As to the East Bay Center for the Performing Arts, he suggested that an AV room needed to also be considered, particularly if the screens were to be viewed by the public.

With respect to the architecture, Chair Livingston agreed that the Main Street Traditional base was a good idea and there was no desire to go full on Traditional. He suggested a better job could be done to be stronger, heavier, more like a base. He also commented that there was no place for retail signage and recommended an alternative place for signage.

Chair Livingston liked the overall composition but suggested there needed to be something higher in the middle, some vertical modulation, and that the functions at the bottom of a higher section might need to be changed to pull people into the inner plaza. He also commented that some units had decks while others did not, and while he liked that it was not all exactly the same he questioned the livability of the units without private open space and requested more open space. He also commented that only four units in the entire project were two bedroom and recommended more of a mix of unit types with more two-bedroom units. He added that the studios on the ground

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floor were all glass in front which was too transparent so close to the street, and urged a reconsideration of those studio apartments to address privacy concerns.

Boardmember Fine asked that spandrel versus vision glazing be differentiated on the elevations.

Chair Livingston asked for the details on the composite panels that had been proposed and that the differentiation be shown between the storefront glass on the bottom and the residential glass on the top, the architectural concrete pre-cast in place or cast and placed later, and the width of the corridor. He recommended the creation of recessed entries to the front door, suggested there should be more variation in the metal canopies and more creativity in the canopy design, and with respect to the plant materials urged a reconsideration of the recommended oak trees.

Boardmember Leung reiterated her support for the direction of the proposal, loved the design, and suggested the connectivity was wonderful, liked the reference to the neighborhood context, the robust program, the plentiful public spaces and amenities, and how it had been broken up in smaller blocks and plazas.

Boardmember Carter suggested the gate along with the beautiful landscape and architecture would be critical in the interface with the community, and he asked who would be responsible for closing everything up and reopening it in the morning. He liked the recommendation for more camera/digital observation and having a security guard on site, and he encouraged the applicants to think outside the box and provide that level of needed security while being sensitive to the fact that the gates would be tricky with respect to integration with the community.

Boardmember Butt referred to the gate and fence and suggested four gates at the pinch points rather than having to also deal with a fence, which would better integrate into the site. She supported the need for childcare and a play structure for children, supported California native plants, and with respect to the digital screen, particularly the one near the innovation center, recommended that screen be integrated into the façade to become part of the building. She liked the idea of raising the plaza level and supported some seating at the East Bay Center for the Performing Arts plaza. She added that materials were something that would have to be addressed and with respect to the metal panels on the lower level asked what they would be, how reflective they would be, and suggested porcelain or terra cotta material. She took a straw poll to verify that the DRB supported varied building heights.

Chair Livingston thanked all those involved in the project individually for their contributions to the plan.

Mr. Valery acknowledged the comments and explained that he would edit the design to provide clarity in the drawings and address all the comments.

Board Business

A. Staff reports, requests, or announcements: None

B. Boardmember reports, requests, or announcements: None

Adjournment

The meeting was adjourned at 8:30 P.M. to the next regular Design Review Board meeting on Wednesday, November 18, 2020.