

# MINUTES APPROVED AT THE DRB MEETING ON DECEMBER 9, 2020

## DESIGN REVIEW BOARD SPECIAL MEETING Richmond, CA 94804

November 18, 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 special meeting to order at 6:01 P.M.

### ROLL CALL

**Present:** Chair Jonathan Livingston, Vice Chair Michael Hannah, and Boardmembers Kimberly Butt, Brian Carter, Jessica Fine, Karlyn Neel, and Macy Leung

**Absent:** None

### INTRODUCTIONS

**Staff Present:** Planners Hector Lopez, Emily Carroll, Jonelyn Whales, and Roberta Feliciano, and City Attorney Shannon Moore

### APPROVAL OF AGENDA

Chair Livingston recommended that the agenda be reordered to consider the items in the order of Item 2, 5, 1, 3 and 4, to better accommodate those participating.

### Public Forum

CORDELL HINDLER: *Good evening Chair Livingston, Board members and city staff, I have some comments for the record. 1. The Fairmede Hilltop Council was not pleased that the applicant did not communicate with the group about the concerns in regarding the Aspire Academy. 2. According to the Brown Act Handbook, anytime when projects are being considered by any appointed body, the applicant MUST communicate with the neighborhood council to provide any input on a specific project. Sincerely, Cordell.*

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**City Council Liaison Report:** None

**CONSENT CALENDAR:** None

**APPEAL DATE:**

Chair Livingston announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, November 30, 2020 by 5:00 P.M. and he announced it after each affected item.

**APPROVAL OF MINUTES:** October 14, 2020 and October 28, 2020

**ACTION: It was M/S/C (Fine/Livingston) to approve the minutes of the October 14, 2020 meeting, as submitted; approved by voice vote: 7-0 (Ayes: Butt, Carter, Fine, Hannah, Leung, Neel and Livingston; Noes: None; Abstain: None; Absent: None).**

The minutes of the October 28, 2020 meeting were continued to the next meeting given that the DRB was not provided with a full and complete copy of the document.

**PUBLIC HEARINGS:**

As earlier reported, the agenda had been reordered to consider agenda items in the following order: Item 2, 5, 1, 3 and 4. As such, Item 2 was considered at this time.

<b>2.</b>	<b>PLN17-029</b>	<b>ZHAO SINGLE-FAMILY RESIDENCE</b>
Description	<b>(CONTINUED FROM OCTOBER 14, 2020)</b> PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A NEW 2,800 SQUARE FOOT SINGLE-FAMILY RESIDENCE ON A VACANT 6,795 SQUARE FOOT VACANT PARCEL.	
Location	BARTH AVENUE	
APN	419-192-021	
Zoning	RH, SINGLE-FAMILY HILLSIDE RESIDENTIAL DISTRICT	
Applicant	MIN YU ZHAO (OWNER)	
Staff Contact:	ROBERTA FELICIANO	Recommendation: <b>CONDITIONAL APPROVAL</b>

Roberta Feliciano presented the staff report dated November 18, 2020, and reported that the item had been considered by the DRB at its October 14, 2020 meeting when additional comments and questions related to materials and construction details had been communicated. The applicant had responded to the comments and staff had recommended that the end gable be stucco instead of siding, and that the overhang of the front elevation balcony be centered.

Chair Livingston opened the public hearing.

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

In response to Boardmember Neel as to the color scheme, Ms. Feliciano advised that the applicant had provided three color scheme options for the DRB's selection.

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Boardmember Fine suggested the entry porch overhang was still top heavy and the pathways to the entryway had not been clearly defined, and there still appeared to be some discrepancy in the material preference for the gable ends. She asked for the client's preferences for all materials.

ZHIHUI HUANG, the architect, identified a preference for Scheme 1 of the color scheme options and noted that the massing of the porch had been revised to be lower.

Vice Chair Hannah recommended the addition of a belly band on the side elevation to separate the siding and stucco as shown on Sheet A-3.5, to be started at the base of the deck and continue straight across to receive the stucco reveals, and Mr. Huang stated he would revise that detail.

Boardmember Carter recommended that the control joints come off the head, the jamb, or the sills for durability purposes.

Boardmember Leung referred to the transition on Sheet A-3.6 and suggested it would be nice to have some transition between the Hardie plank and below. She verified with Ms. Feliciano that the width of the Hardie plank was 6.25 inches wide with a 5-inch exposure.

Boardmember Neel sought a clarification of the colors, and Mr. Huang reported that with Scheme 1 the stucco could be Jogging Path, the siding would be Arctic White, the roof would be Estate Gray, the frame and trim around the windows would be Extra White, and the trim and accent, fascia and gable ends could be Portabello brown. The DRB verified that the Green Sprout and Brevity Brown colors included in Scheme 1 would be eliminated.

Chair Livingston closed the public hearing.

**ACTION: It was M/S/C (Livingston/Carter) to approve PLN17-029, Zhao Single-Family Residence, subject to the four Findings and Statements of Fact with 9 Conditions of Approval and additional DRB conditions as follows: 10) The entry roof to be as shown to the DRB from staff's computer at this meeting, which is a smaller roof overhang in better proportion to what had previously been identified; 11) Replace Detail 3.1 with a stronger belly band, 12-inch minimum height to protrude further than the siding and the stucco; 12) Control joints should come off the head, sill or jambs in a coordinated manner; and 13) The colors to be those shown in Scheme 1, with the deletion of Green Sprout and Brevity Brown; approved by voice vote: 7-0 (Ayes: Butt, Carter, Fine, Hannah, Leung, Neel and Livingston; Noes: None; Abstain: None; Absent: None).**

<b>5. PLN20-043</b>	<b>GARBELMANN NEW RESIDENCE</b>
Description	CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT AND CONDITIONAL USE PERMIT TO CONSTRUCT A NEW TWO-STORY SINGLE-FAMILY DWELLING ON A 6,000 SQUARE FOOT VACANT PARCEL
Location	357 WESTERN DRIVE
APN	558-185-006
Zoning	RL-1, SINGLE-FAMILY VERY LOW DENSITY RESIDENTIAL AND SHORELINE OVERLAY DISTRICTS
Owner	RUDI GARBELMANN
Applicant	BRAD GUNKEL (ARCHITECT)
Staff Contact	HECTOR LOPEZ
	Recommendation: RECOMMENDATION TO THE PLANNING COMMISSION

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Hector Lopez presented the staff report dated November 18, 2020, and described the 6,000 square foot vacant parcel on Western Drive where a two-story 2,300 square foot structure had been proposed. The DRB had reviewed the application at its October 14, 2020 meeting and the DRB had provided recommendations and feedback to the applicant on the design.

The DRB had recommended that the applicant use a graphic tool to model the topography and show the building height envelope relative to the grade and the neighboring properties. A section study had also been recommended to understand the various masses of the building. In addition, the clear anodized aluminum fascia was also considered to be too reflective and it was recommended to be removed.

While there was no general consensus regarding the dynamic form of the residence and the butterfly roof, it was suggested that the design incorporate the general Sea Ranch principles of making the structure disappear and a sketch was presented to the applicant to bring the building lower to be able to retain views. The DRB had also recommended that the steep slope of the entryway be broken up slightly, a framework or planting trellis be provided along the side of the building, and the design consider the angle and massing in relation to the site constraints.

Mr. Lopez reported that the applicant had submitted revised plans that had reduced the width of the foyer, reduced the pitch of the roof over the stairs, changed the fascia to mitigate reflectivity, and provided additional information to address expressed concerns, although the modifications had not fully responded to the DRB's requests.

Mr. Lopez recommended that the application be recommended to the Planning Commission for approval subject to the removal of the roof deck in the rear of the dwelling and subject to a change of the butterfly roof form to a roof that was more compatible in form to the surrounding properties. When asked, he clarified that a topographical survey had been prepared of the site but it had not shown the adjacent neighbors' rooftops.

BRAD GUNKEL, the architect, displayed the current design after the revisions from the DRB's study session to show the reduction of the width of the foyer and a reduction of the slope of the roof of the foyer. He pointed out the specific shading on the plans that represented the buildable envelope, the design that had originally been submitted to the Point Richmond Neighborhood Council, and the current proposed design that had been approved by the Neighborhood Council after the home had been lowered by four feet. He described the constraints of the site and the specific limitations involved, and presented view studies to show the proposed design and size relative to the neighboring homes. The topographical study used had been prepared as part of the Planning Commission's creation of the lot.

Vice Chair Hannah commented that the most controversial aspect of the project was the context in the neighborhood that the revised proposal had not identified.

Noting that another comment from the last meeting related to the Shoreline Overlay, Mr. Gunkel clarified that the Shoreline Overlay covered only about half of the property and it pertained to public views and not to private views.

Chair Livingston opened the public hearing.

Emily Carroll described the format of the web-based meeting and the public's ability to speak during the meeting.

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SIMON WINER, Western Drive, Point Richmond, expressed concern for impacts to the views; suggested that the building envelope was so completely filled by the proposed structure that there was no space for any architectural design or aesthetic in harmony with the structure or with neighboring structures; objected to the butterfly roof and suggested it provided no utility while impacting the public and the neighbors; and stated the proposal did not follow the requirements of the Shoreline Overlay District. He recommended that the roof deck be removed.

CLAIRE ARBOUR, Western Drive, Point Richmond, stated the proposal for the live wall on the north side of the home was impractical, and reported that the owners of the uphill home had expressed concern about the privacy of the back of their property with the overhang and the high deck on the back of the proposed building.

ALLISON LEHMAN, Point Richmond, referred to the story poles that were significantly higher than the adjacent uphill home and suggested the proposal would offer a massive presence in the neighborhood, did not fit in with the style of the homes in the area of wood and discreet architecture, and suggested it would be hard on the eyes. She concurred the uphill neighbor had been concerned with the design and what that would do to the value of that uphill property.

MIKE BURNS, Point Richmond, who lived across the street from the proposed building, did not understand the relation of the home in comparison with the homes to the north and south, and while he understood revisions had been made he stated that the proposal, as submitted, remained a concern.

Boardmember Leung suggested there was some similarity with the architectural language of the proposal and what existed in the neighborhood. She liked the design, suggested it was not too stark in terms of the wood and other materials, and the use of wood tied into some of the other homes in the neighborhood. She had some concern with the stylistic presentation with the perspective and the lines but suggested that would be flushed out in the approval process. She liked the proposal.

Boardmember Butt agreed that the green wall was impractical and was pleased that it had been eliminated, she was pleased to see that the size of the entry had been decreased, and she remained concerned with the glare from the roof reflecting back to the neighbors across the street and wanted to know how that reflectivity would be addressed. She supported the revisions that had improved the project.

Boardmember Carter verified with Mr. Lopez that whenever a parcel touched within 100 feet of the shoreline, the entire parcel was subject to the requirements of the Shoreline Overlay District. He also verified with Mr. Gunkel that the safety railing in the front was for safety purposes given the change in elevation.

Boardmember Carter agreed with the need to understand the context of the building within the site and the surrounding neighborhood, agreed that the context would have to be extended from the Bay to the neighbor across the street, and that the north/south elevation would have to be expanded to show the context with the neighboring properties. He requested that the human scale be identified in the plans, expressed concern for the corrugated metal roof and asked for an identification of the metal to be used, recommended a standing seam roof system with wider panels and less texture, and agreed with the concerns related to the reflectivity of the roof. He was not a fan of clear anodized aluminum and preferred something more subdued.

Boardmember Fine commented that while she appreciated the truncation of the sloped stairway roof she suggested it was a volumetric question with the various roof forms that did not feel good

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with the massing of the structure or the neighborhood. She suggested it was too dramatic and recommended that the slope be reduced. She sought some site context of the existing topography in the context of the height limit and how it fit within the limit and the views of the neighbors and what the site would look like from a human scale from the street, from an aerial view, and from the Bay.

Vice Chair Hannah understood the desire to maximize a proposed property but suggested that the proposal went too far at every level.

Vice Chair Hannah described the lots on either side of the proposal and explained they were very different in nature with a separate carport or garage, set forward and down, and wide to the view, while the proposed home seemed to occupy the entire length of the lot and its buildable width, be at the front of the lot and be aligned with the upper home, and travel all the way down the hill. He suggested for the benefit of the project that the applicant secure a topographical survey of the subject lot and shoot from the corner of the adjacent homes, particularly given the sloped site on the shoreline.

When asked, Mr. Gunkel explained that the envelope the Planning Commission had created for the buildable area of the lot included a 17-foot setback from the edge of slope at the shoreline and the home could therefore not be excavated down the hill.

Vice Chair Hannah offered some suggestions of what could be done to address the design issues that he suggested had been created because from every aspect the home was either too tall, too high up, did not stagger, and wanted to go from the front right down the hill, which created an expensive building. He had no trouble with the architecture or the aesthetics but asked what metal would be used and emphasized that the metal to be used should not rust. He added that proper gutters needed to be identified. He could not support the proposal.

Boardmember Neel asked for a verification of whether to recuse herself given that she lived 1,000 feet from the subject site.

City Attorney Shannon Moore verified for Boardmember Neel that she could participate in the discussion.

Chair Livingston explained that staff and the subcommittee had reached out to the applicant to create a design change although the applicant had determined to retain the design, as submitted. He suggested the home could use a more traditional roof to avoid the prominence and be more subtle and blend in more with the context of the shore. He also agreed with the question of the survey and the need to show context.

Boardmember Neel spoke to the visually compatible topic and the desire to hold all architects accountable to the same rules. She referenced the Sea Ranch model that had been referenced in documentation for the area where homes were to be built into the hillside, be in harmony, and be integrated into the landscaping. She liked the modern design and commented that the view should be the focus and there should be no competition with the view. She suggested the roof, with the butterfly aspect visible only from the side was an inappropriate design; she recommended the use of Bridge Steel for the roof to address the reflectivity issue; did not support four decks; asked if a geographical survey had been prepared for the lot; and emphasized the need for a good drainage plan.

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RUDI GARBELMANN, the property owner, stated that there was a geotechnical report for the property. With respect to the contextual views in relation to the neighbors, he pointed out that the Shoreline Overlay District required photos from the street, which had been provided.

Chair Livingston kept the public hearing opened.

Chair Livingston stated that given the number of unresolved questions, he could not make the required findings and could not move the application forward at this time.

Vice Chair Hannah advised that the design, as shown, was out of context and out of scale, the presentation did not respond to those concerns, and he could not make the required findings. Vice Chair Hannah clarified that the DRB's requirement to address the subjective issues that everything else did not capture related to the neighbors and the public view to determine whether or not the proposal was appropriate. In his opinion, the proposed building was attempting to take more than the contextual neighbors.

Boardmember Fine also agreed but sought recommendations and clear direction to the applicant to address the DRB's concerns.

Boardmember Carter stated he did not have sufficient information to make a recommendation at this time. He liked the direction of the architecture but emphasized the need to understand the full context of the home in the neighborhood as was required with every other project. He encouraged the applicant to continue to build his case that the proposal represented the best and highest use of the site.

Boardmember Leung had no issue with the design and suggested issues related to life safety, geotechnical report, and drainage plans. She also suggested that some of the perspective shading needed to be clarified to show that it had already been done before and had been incorporated into the design as well as how it had been incorporated into the slope and the hillside, the structure, the foundation and the overall perspective. She sought a more detailed comprehensive set of plans than a schematic presentation.

Boardmember Neel noted that the lot was one of the last on Western Drive. She liked the stylistic direction but suggested it had to be more harmonious with the neighborhood, the use of some of the building materials had to be resolved, and more details had to be provided for good design that was more harmonious with the neighborhood and that would provide more longevity.

Boardmember Butt emphasized the need for more concrete recommendations. She did not see the home as overwhelming and asked the DRB for its recommendations design wise such as bringing down the butterfly roof and addressing the internal height of the ceilings.

Chair Livingston stated that the DRB had made comments at the last meeting which had been provided to the applicant, the same comments had been made at this meeting, and the applicant had not responded to those comments.

Mr. Garbelmann stated that he had heard the comments, respected the feedback, and had made the foyer smaller, but the design was what the applicant preferred and he asked for the DRB's vote on that design. He sought a vote with conditions, with the structure to remain in its current design and size.

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On the discussion, Chair Livingston stated if the DRB denied the application or made no recommendation, the Planning Commission could approve a design that the DRB had not supported.

Ms. Moore confirmed that the application could be denied but it would still be forwarded to the Planning Commission without the DRB's approval.

Chair Livingston made a motion not to recommend approval of PLN20-043 to the Planning Commission.

On the motion, the DRB discussed the reasons for not making a recommendation to the Planning Commission and offered the following statements of fact:

- 1) The application did not provide enough context to make a judgment.
- 2) The building height, mass and location was critical relative to the property and the neighboring context, and that information had not been provided.
- 3) Whether the proposal was going down the hill, going up in height, in every direction it seemed to be overdeveloped.
- 4) The DRB requested that the staff findings be included in the statements of fact.

Boardmember Butt suggested that a requirement to see a home in the context of a block had never previously been requested and she raised an issue of fairness.

**ACTION: It was M/S/C (Livingston/Hannah) not to recommend approval to the Planning Commission of PLN20-043, Garbelmann New Residence subject to the statements of fact as shown; approved by voice vote: 7-0 (Ayes: Butt, Carter, Fine, Hannah, Leung, Neel and Livingston; Noes: None; Abstain: None; Absent: None).**

Chair Livingston declared a five-minute recess.

<b>1. PLN18-059</b>	<b>MOGHADAM RESIDENCE</b>
Description	<b>(CONTINUED FROM OCTOBER 28, 2020)</b> PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO CONSTRUCT A ±2,400 SQUARE FOOT SINGLE-FAMILY RESIDENCE ON A 4,200 SQUARE FOOT VACANT PARCEL.
Location	2439 FOOTHILL AVENUE
APN	549-140-014
Zoning	RL-2. SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT
Applicant	AL GUGGEMOS, ALTECH DESIGN GROUP (ARCHITECT)
Owner	DARAN MOGHADAM
Staff Contact	JONELYN WHALES
	Recommendation: <b>CONDITIONAL APPROVAL</b>

Jonelyn Whales presented the staff report dated November 18, 2020, and explained that the application had been considered by the DRB at its October 28, 2020 meeting and had been continued for additional information. She described the history of the application that had been initiated in 2011 after a fire. After some time and an expired building permit, the damaged structure had been demolished. Two Design Review permits had been requested since 2012; one withdrawn and the second submitted in 2018 to build a dwelling on top of the existing foundation. The DRB had reviewed the project in study session in June 2018 when the DRB had

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requested photos of adjacent properties to identify the height of those structures. While there had initially been a question of the allowed height of the structure, it was clarified that the RL-2 Zoning District allowed a height of 30 feet. She described the changes that the applicant had made in response to DRB comments, and added that there was a perpetual easement at the rear of the site that allowed vehicular access from Cutting Boulevard. She noted that the plans had been refined several times.

Vice Chair Hannah described the recommendations from the DRB subcommittee two years ago, and noted that some of those recommendations had now been incorporated into the proposal. He spoke to the context of the proposal within the outstanding issues related to the internal aspects of the home and noted there were no landings in the home.

In response to the Chair who had raised the question of the prohibition to paving wall to wall, DARAN MOGHADAM, the applicant, explained that the neighbor had offered one additional foot to the driveway to make it ten feet wide, allowing one foot of extra space.

Mr. Moghadam explained that he had purchased the property in 2007, had demolished the home, and had built the foundation but given a subsequent medical issue the building permits had expired. His reapplication had requested the second story. He also explained in response to the Chair's concern that a bathroom in the garage encroached on one of the parking spaces in the garage that he was a tow truck driver with a hobby for cars and had expanded the garage to allow the inclusion of a bathroom with a shower to allow him the ability to clean up before going into the home. He clarified that he would be able to park his tow truck and one car, in tandem, in the garage.

Chair Livingston opened the public hearing.

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

Boardmember Fine commented that the applicant had not provided a color board or an elevation in terms of materials and call outs to be able to evaluate the application.

Boardmember Carter agreed with the need for information to identify the proposed materials. He had no issues with the proportions of the massing and fenestration but requested details on the color of siding, the type of roof, the railing materials and the like.

Boardmember Butt stated the application was greatly improved from what had previously been submitted and she too wanted to see the materials, with clear elevations. She asked about the roof, particularly the gable peak and the cross, and about the structure of the balconies.

Vice Chair Hannah described his understanding of the roof element and noted that the roof was the way it should be to minimize the impact from the street. He displayed a 3-D sketch from the DRB's review of the application three years ago.

Mr. Moghadam explained that he had the story board to present and that the roof would be composition shingles.

Boardmember Neel referred to the north and south elevations and suggested the windows on level 2 above the garage appeared to be out of balance with the story above, there were some harmony issues, and the three casement windows appeared to be a little tight. She suggested the wider three casements should be next to the single slider and vice versa to create a better balance and harmony. She requested the presentation of a colors and materials board, asked

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about the rooftop garden rails which would be a code requirement, stated the lighting specifications would also have to be provided, and wanted to see the back of the yard and the landscaping.

Vice Chair Hannah stressed the need for the whole package of trim, siding, the railing system, and all other details.

Chair Livingston requested a more detailed site plan and a landscape plan with the site drainage identified, along with a clarification of whether the driveway would require retaining walls, which would have to be shown on the plans. He also requested fencing details, asked that the plans be submitted in an enlarged scale, stated the site plans would have to identify existing conditions, and encouraged the applicant to consider a landscape screen between neighbors.

Mr. Moghadam explained that the driveway was flat, and Vice Chair Hannah confirmed that after a site visit he had found there would be no need for a retaining wall.

Mr. Moghadam added that the neighbor had just installed a new good-neighbor fence.

The DRB encouraged the applicant to hire a landscape architect to create a landscape plan that would include drainage.

The DRB requested that staff provide examples of all the required submittal requirements for single-family dwellings to Mr. Moghadam.

The DRB requested that the applicant return to a future meeting.

<b>3. PLN20-061</b>	<b>ST. JOHN MISSIONARY BAPTIST CHURCH</b>
Description	CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT AND CONDITIONAL USE PERMIT TO CONSTRUCT A ±10,000 SQUARE FOOT RECREATIONAL FACILITY AND ASSOCIATED PARKING LOT IMPROVEMENTS TO SERVE AN EXISTING BAPTIST CHURCH..
Location	29 8 <sup>TH</sup> STREET
APN	538-410-027
Zoning	RM-2, MEDIUM-HIGH MULTI-FAMILY RESIDENTIAL DISTRICT
Owner	ST. JOHN MISSIONARY BAPTIST CHURCH
Applicant	ABDUL ESMAIL
Staff Contact:	HECTOR LOPEZ                      Recommendation: CONTINUE TO DECEMBER 9, 2020

It was recommended that the application be continued to the meeting on December 9, 2020.

**ACTION: It was M/S/C (Livingston/Hannah) to continue PLN20-061, St. John Missionary Baptist Church to the meeting scheduled for December 9, 2020; approved by voice vote: 7-0 (Ayes: Butt, Carter, Fine, Hannah, Leung, Neel and Livingston; Noes: None; Abstain: None; Absent: None).**

<b>4. PLN19-264</b>	<b>RICHMOND COUNTRY CLUB RESIDENTIAL PROJECT</b>
Description	<b>(CONTINUED FROM OCTOBER 28, 2020)</b> PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT TO CONSTRUCT

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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: RECOMMENDATION TO THE PLANNING COMMISSION

Emily Carroll presented the staff report dated November 18, 2020, for a 25.5-acre undeveloped parcel bounded to the west by a branch of the AT&SF Railroad and to the east by the Richmond Country Club golf course, with requested entitlements for a General Plan Amendment, Rezoning, Vesting Tentative Subdivision Map and a Design Review Permit to construct 94 single-family dwellings. The DRB would be making a recommendation to the Planning Commission for the design.

Ms. Carroll stated the proposal also included the construction of a 48-foot wide road with associated improvements including speed tables to slow traffic on the street and a bump out to serve as a turnaround. There would also be construction of an emergency vehicle access (EVA) road on the western side of the property and a maintenance road on the eastern side of the golf course. A community garden space and a common area were also identified. The project included a sound wall abutting the property lines of the residential lots on the side of the property adjacent to the railroad line. The applicant proposed a mix of one- and two-story homes in three design types and nine different color schemes. The colors and material board was available for DRB review.

Ms. Carroll presented the background to the project, stated a number of modifications had been made since the DRB had held its study session on August 26, 2020, one of which was a change in the rezoning request to RL-2 Zoning District (Single-Family Low Density Residential District) rather than the original request for a Planned Area District. The DRB Subcommittee had met on October 16, 2020 and had identified key recommendations, which she presented at this time and noted that the applicant had included most of them in the revised plans.

Ms. Carroll added that an Initial Study (IS)/Mitigated Negative Declaration (MND) had been prepared for the project, the public comment period had ended on September 21, 2020, and the IS/MND would be approved by the Planning Commission. The Mitigation Monitoring and Reporting Program (MMRP) was presented to the DRB to identify the mitigations proposed.

Ms. Carroll identified the off-site improvements that would include the installation of murals on the sound wall abutting Parchester Village right on Giant Highway, offsite transportation improvements for existing and future residents, sidewalks from Griffin Dive to the access to the San Francisco Bay Trail, and a bike lane to allow access to the Hilltop District area.

Ms. Carroll also advised that one comment had been received after the distribution of the agenda from Goretha Johnson, Parchester Village Neighborhood Council. She added, when asked, that the applicant had hoped to have secured all entitlements by the end of the year.

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KEVIN FRYER, MLC Holdings, the project architect, explained that Richmond Country Club had been a long-time fixture in the community and some years ago the club had identified the need to create some financial stability. As a result, a decision had been made to sell off some excess land converting private open space into a new residential community adjacent to that open space.

Chair Livingston opened the public hearing.

KEVIN CROOK, MLC Holdings, spoke to the changes that had been made to the project, most since the DRB Subcommittee meeting, to enhance the community experience by adding fenestration through the site through window trim, mullions, shutters and belly bands; enlarging some of the windows on the front elevations; playing with roof slopes and massing; adding porches and enlarging others; enhancing garage door styles and offering different garage door styles with each elevation style as with the front door, window trim, mullions, light fixtures, a deeper, richer color palette, and more detail to the front. Most recently more fenestration had been added to the street scenes with stone veneer, railings to porches, and column changes.

KATY MENDENHALL, LSA, identified the improvements to the landscape plan and stated the main change was adding a community garden area, some picnic tables and benches along the circular path, a community space with turf and a walking path with benches and picnic tables to provide community gathering spaces. Benches had been added along the EVA to make it a pedestrian feature of the site, as had a connecting path to create a full loop. Imagery had been added to the pilasters at the entry to offer a community identity and some community signage. Pedestrian connectivity and the completion of a mural project would be done outside the community. The connections would enhance connectivity in the community in general and to the Bay Trail in particular, and to the Hilltop area.

Chair Livingston commented that the city's public art community was excited with the public art possibilities associated with the project.

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

Boardmember Neel suggested a shift in color palette could help make the homes more contemporary and attractive to prospective buyers and avoid the need to change the garage doors, for instance. She referred to the Carneros Inn in Napa as an example and submitted a number of written recommendations for the color palette. She referred to the Farmhouse style and recommended simple colors with strong contrasts to enhance the curb appeal and suggested that changing the colors of front doors offered attractive options. She suggested the Coastal style could be more aged, with a driftwood, beachy feeling, and stated the garage doors for that style were too busy and should be simplified. For the Santa Barbara style there was a lot of brown and she recommended the use of white with the classic reds and dark browns.

Vice Chair Hannah stated that the proposal was an extremely well developed, comprehensive design package and he supported the recommendations to the color palette. He stated the elevations and plans were good, the mix and addition of 94 homes to the city would be a huge boon to the economy, and the help to what had been an underfunded art project would also be a benefit.

Boardmember Fine supported the speed tables, the connectivity to the site, the improvements to the design, and particularly the improvements to the Farmhouse design, and the community garden. She recommended that the drawings be perused in a detailed way to correct several errors, and she supported Boardmember Neel's recommendations to the color palette.

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Boardmember Leung also supported the revised plans, expressed her appreciation for the Accessory Dwelling Units (ADUs) in the backyards of each of the lots, the public art effort, recognized that some of her former comments had been incorporated into the plans, and requested consideration of a tot lot as opposed to the community garden.

Mr. Fryer stated there was limited space available to include a tot lot as well as a community garden, and Ms. Mendenhall explained there was only a limited amount of flat space available. She pointed out a turfed area where children could run around and referred to the entire loop where children could be taken on a bike ride. She added that the community garden would appeal to all homeowners whether they had children or not.

Chair Livingston referred to the Vesting Tentative Map and the grading plan, the 2:1 slope from the EVA up to the street, the 11 feet between the face of curb and top of bank, and the 43 feet between the face of curb and the sound wall on the landscape plan, which had to be six feet above the nominal grade of the front yards. He noted that the grading plan did not match the landscape plan. He suggested that through the use of a sound wall there could be a way to create a flat area for a tot lot within that 43-foot area.

Mr. Fryer did not support a sound wall in that location in that the sound study did not obligate a sound wall in between the homes as a mitigation measure pursuant to the sound study commissioned by the city. He stated the mitigation measures were specific to the homes that backed to the railroad. The submitted site plan had been reviewed and included in the California Environmental Quality Act (CEQA) review.

Mr. Fryer suggested the sound was intermittent and more impactful on the experience in those spaces than it was beneficial in sound attenuation for those people standing in those areas.

COLT ALVERNAZ, Carlson, Barbee & Gibson (CBG), explained that the community garden was preferential to the tot lot in that the community garden would provide the most benefit to the community as a whole. With respect to the comment from the Chair that the grading plan did not match the landscape plan, he explained that the landscape plan did not show the contours needed to create the street above the railroad.

Ms. Carroll commented that the Parchester Village Community Center and Park were relatively nearby the project site.

Boardmember Leung verified with Ms. Mendenhall that the signage on the entry monuments would be visible from afar.

Boardmember Carter noted that the community garden scheme was formal and he suggested that it be simplified and be clustered to allow a bit more tot lot space, or that some of the planters be shifted to the south to allow an opportunity for play equipment in the more northern area.

Boardmember Butt was pleased with the additional porches, the community spaces, the vehicle turnout, and for including some of the DRB's other recommendations. She too supported a tot lot along with a community garden, supported a more attractive sound wall, and supported the color recommendations.

On the continued discussion of the sound study, Mr. Fryer clarified that there would be compliance with the requirements of the sound study, conformance with the General Plan standards and the CEQA analysis, and sound walls would be installed as necessary. He suggested it might not be necessary along some of the public spaces especially where the sound walls could create a visual

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barrier that could obstruct views. He added that if the sound walls had to be built they would be built and if there was an opportunity to create additional space to consider a tot lot that would be done as well, although in areas where sound walls did not have to be built and would be more impactful rather than beneficial, there was no desire for a sound wall in those areas.

By consensus, the DRB determined that the applicant should be allowed to strike the balance of where to provide sound walls in compliance with General Plan standards, sound study requirements, and with sound consultant concurrence.

Ms. Carroll clarified that the mitigation in the MND did not require sound walls in the public areas in that sound walls were only required to be along the rear property line of the lots fronting the railroad.

Chair Livingston referred to the bubblers shown in the grading plan along the EVA path and questioned whether the bubblers would impact the railroad property.

Mr. Alvernaz explained that the bubblers would be appropriately sized in the final design to produce a dispersed flow to avoid massive impacts to the railroad property. He stated the project would not change any of the historic drainage patterns. The watersheds would be captured from the existing golf course channelizing them in a V-ditch at the top of a slope into the pipes sized for the flow, and be directed around the lots and into the railroad property, which would actually reduce existing flows affecting the railroad property.

Chair Livingston remained concerned with those flows affecting the railroad property and expressed concern for liability issues, and Mr. Fryer acknowledged the concern and explained that the hydrology analysis and a Stormwater Management Plan would go through final design to ensure compliance with local and state stormwater requirements.

Ms. Carroll clarified that the Wastewater Resource Department would review the plans in conjunction with their review of the Stormwater Management Plan.

Chair Livingston stated with respect to lighting that the specified light should be 3,000 K, and include shields. He also verified with the applicant that his previous concern for the creation of a buffer area of redwood trees to address errant golf balls along the 18<sup>th</sup> tee had been addressed in the landscape plan where a solid dense screening of trees, not necessarily redwood trees, had been proposed.

Chair Livingston closed the public hearing.

**ACTION: It was M/S/C (Livingston/Carter) to recommend to the Planning Commission the approval of PLN19-264, Richmond Country Club Residential Project, subject to the four Findings and Statements of Fact with 19 Conditions of Approval and additional DRB conditions as follows: 20) Applicant to work with staff and Boardmember Neel to consolidate the color palette; 21) Add redwood trees into the rear of the homes in the impact zone of the 18<sup>th</sup> tee; 22) Applicant to work with staff on an appropriate location for a tot lot; 23) Applicant to work with staff on an appropriate location of a sound wall and work with the sound consultant to determine applicability and in conformance with the General Plan; 24) Applicant to work with staff and the landscape architect to potentially reconfigure the community gardens per Boardmember Carter's comments; 25) Light standard shall be no more than 3,000 K and shall be shielded; and 26) Staff to work with the civil engineer and the City's Engineering Department to ensure that all site drainage is handled in a professional way; approved by voice vote: 7-0 (Ayes: Butt, Carter, Fine,**

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**Hannah, Leung, Neel and Livingston; Noes: None; Abstain: None; Absent: None).**

### **Board Business**

#### **A. Staff reports, requests, or announcements:**

Ms. Moore referred to AB 1234 Ethics Training and explained that could be done through an on-line course with the Fair Political Practices Commission (FPPC), with the certificates of completion to be submitted to the City Clerk prior to the end of the year.

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

Boardmember Butt recommended that the DRB review the submittal requirements for items submitted to the DRB.

Ms. Carroll provided a link to the Planning Department's submittal requirements.

### **Adjournment**

The meeting was adjourned at 10:46 P.M. to the next regular Design Review Board meeting on Wednesday, December 9, 2020.