

DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
September 12, 2007
6:00 p.m.

BOARD MEMBERS

Robert Avellar, Chair
Ted J. Smith
Diane Bloom

Jonathan Livingston, Vice Chair
Don Woodrow
Vacant

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

ROLL CALL

Present: Chair Avellar, Vice Chair Livingston, Boardmembers Smith and Woodrow

Absent: Bloom

INTRODUCTIONS

Staff Present: Jonelyn Whales and Lamont Thompson

Chair Avellar gave an overview of the procedures for speaker registration and public hearing functions and procedures. He noted any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, September 24, 2007 by 5:00 p.m.

APPROVAL OF AGENDA

ACTION: It was M/S (Woodrow/Smith) to approve the agenda; unanimously approved.

CONSENT CALENDAR

Chair Avellar noted the Consent Calendar currently consisted of Items 5, 6, 7 and 8.

Items requested for removal were Items 5 and 8 (public). **Boardmember Woodrow** requested adding Items 2, 3 and 4 to the Consent Calendar since they are being held over.

ACTION: It was M/S (Livingston/Woodrow) to approve the Consent Calendar consisting of Items 2, 3, 4, 6 and 7; unanimously approved.

Consent Items Approved:

2. **DR 1103979 – Construct Three Dwellings on Espee Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct three proposed dwellings with reduced front setbacks because of an irregularly shaped lot located at 247 Espee Avenue (APN: 540-182-008). The project applicant has also applied for a variance to reduce the front setback to allow development of the dwellings within the City Center Specific Plan

Area; Urban High Density Zoning District. Napoleon Diaz, owner; Bill Brobisky, applicant.
Tentative Recommendation: Hold Over To 9/26/07

3. **DR 1104107 – Addition to the Church on South 43rd Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±730 square foot second floor addition to the church, renovation of the front façade, and Title 24 handicap accessibility upgrades to the parking lot located at 831 South 43rd Street (APN: 509-380-026). SFR-3 (Single-Family Low Density Residential) Zoning and General Plan Designations. Pilgrim Rest Missionary Baptist Church, owner; Zachary Hilliard, applicant. Tentative Recommendation: Hold Over To 9/26/07.

4. **DR 1102306 – Canyon Oaks II Development on San Pablo Dam Road** - PUBLIC HEARING to consider a request for Design Review approval of the proposed residential designs for 32 homes, located on the south side of San Pablo Dam Road at its intersection with Castro Ranch Road within the El Sobrante Valley area (APN: 573-020-009). The project applicant received entitlements for a tentative subdivision map to construct 36 detached single-family dwellings, including 4 custom home sites; associated utilities infrastructure and roadways for the subdivision. The City Council approved a General Plan Amendment and a rezoning for the project. New zoning districts are SFR-1, SFR-3, and CRR (Single-Family Residential and Community and Regional Recreation) Zoning Districts. FRB Inc., owner; Tom Simonson of Eden Bridge Homes, applicant. Tentative Recommendation: Hold Over To 10/10/07.

6. **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 building (±5,592 square feet) 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). C-2 (General Commercial) Zoning and General Plan Designations. David Townsend, owner; Darryl Debor (Architect), applicant. Tentative Recommendation: Hold Over To 9/26/07.

7. **DR 1104032 – Construct Mixed-Use Senior Housing Development on Cutting Blvd.** - PUBLIC HEARING to consider recommending Design Review approval to the Planning Commission to construct a mixed-use development consisting of twenty-four (24) low-income senior restricted rental housing units and ±6,549 square feet of ground floor commercial at the properties located at 3601 and 3627 Cutting Boulevard (APNs: 513-152-001 and 513-152-002). The project would require approval of a density bonus and exceptions to the off-street parking requirements, floor area ratio, and site coverage. Neighborhood Commercial (Knox Cutting Specific Plan) Zoning District. Eastbay Community Development Corp., owner/applicant. Tentative Recommendation: Hold Over To 9/26/07.

MINUTES FOR APPROVAL

Minutes of July 25, 2007:

ACTION: It was M/S (Smith/Livingston) to approve the minutes of July 25, 2007; unanimously approved.

Minutes of August 8, 2007:

ACTION: It was M/S (Smith/Livingston) to approve the minutes of August 8, 2007; unanimously approved.
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Minutes of August 22, 2007:

Boardmember Woodrow requested his name be spelled correctly and changed from “Woodward” to “Woodrow”, on page 8.

ACTION: It was M/S (Smith/Livingston) to approve the minutes of August 22, 2007, as amended; unanimously approved.

Items Discussed:

- 1. Proposed Richmond Residential Design Guidelines - PRESENTATION** of the draft Richmond Residential Design Guidelines, proposed for additions and alterations to single-family dwellings, complements the revised zoning regulations and the residential design review procedures of the Richmond Planning Code. The purpose of the Design Guidelines is to provide certainty and predictability in the design review process through the establishment of uniform citywide decision-making criteria for all residential projects within the City’s thirty-seven neighborhoods. These guidelines will provide project sponsors, neighbors, and the general public with clear documentation of the City’s design objectives and expectations. Presented by: John Miki of Opticos Design, Inc. (Consultant).

John Miki, Opticos Design, Inc., gave a PowerPoint presentation of steps taken to develop Richmond’s Residential Design Guidelines, stating they started off by doing analysis of residential development patterns in the City, said there were 3-5 buildings built during or before the 1900’s, he showed residential units built by 1915, 1930, and 1945, said the parcels shown in black were the main focus for the residential design guidelines they were working on now. Most could be classified as heritage houses, they are generally becoming looked at for additions, renovations or demolitions in some instances. He said part of their work is to look at homes built before 1945. He displayed a house found at the U.C. Berkeley Library in Richmond which showed replacement of windows, and what they want to do is bring out the heritage and character they have. This is not easily done by seeing one building at a time in a neighborhood, but many of these houses are found across the East Bay.

Mr. Miki said their work started with Spanish revival housing found in the north and east neighborhoods, built by McGregor, they looked at craftsman or bungalow houses and the details that make up that style and Richmond Annex and Richmond Heights and their Richmond Tutor style homes. Their efforts lead them to how to work with the existing housing stock within Richmond, identifying basic massing and styles of the houses, and how to look at appropriate ways to renovate them or add to them. He presented a McGregor house and questioned how to work with owners to upgrade their homes while still maintaining their heritage and original architecture or character. He said many McGregor homes have a one room addition already, so an appropriate way would be to build that addition on the second floor. There is also the possibility for additions to go in the rear yard area, or a combination of both.

Mr. Miki referred to the document and said there is an introduction on how to use the document, sections talk about massing types, appropriate places for additions, architectural styles. Details pages follow each section and said the packet is meant to be indicative of how City staff would provide the information to an applicant. There is information about how to use the document, it speaks to the regulations in the City’s zoning code and asks the applicant to refer to those, it talks about the size and placement of additions that would be appropriate, it lays out the five massing types, which will grow during their work over time with the City. It talks about how additions would look from the street, small, medium and large additions, massing, architectural styles, suggested windows and doors to use and those not to be used, chimneys, bay windows,

Boardmember Livingston said the guidelines are fantastic, felt it was well-done, a great tool and thanked Mr. Miki and his staff, and encouraged to keep refining it. He referred to the lifting concept, said a cross section was shown, but not a pictorial. He felt this would be the predominant choice because applicants will need to replace their foundations anyway, there may be lateral or structural concerns, so he encouraged him to draft a pictorial example what people may do for a two-story addition. He also did not see a contemporary example of architectural style. He said there was talk about details costing about \$300 per square foot number for doing these, which was on the high side, and he asked for a contemporary example. Mr. Miki said they will be presenting the package to the North and East neighborhoods and they would like to take comments and make another presentation.

Boardmember Smith questioned that once the guidelines are adopted by the Board, could it bypass the Planning Commission and Council and get approved at the counter. Mr. Thompson said staff has not yet determined this, but he felt it would be nice to streamline the process.

Boardmember Woodrow asked if the presentation had to do with the CD sent to Boardmembers, and Mr. Miki felt it probably matched what was presented to the Board. **Boardmember Woodrow** said he and Boardmember Livingston attended a conference, and noted the Secretary of Interior Standards insists that whatever is done to an older home, everything should blend in. Mr. Miki said the standards apply to historical and these were labeled heritage and not subject to the Secretary of the Interior's standards, which were for historic homes. Mr. Miki referred to the City of Benicia and their historic homes, which he said was difficult to replicate or improve due to the way the standards are written.

Chair Avellar asked if someone wanted to build a new home, could the guidelines be used. Mr. Miki said this has been discussed internally and with City staff, and currently, their main focus is for creating guidelines for renovations and additions and thereafter, with the hope that many of the styles could apply to new construction. However, they feel that some of the massing types may not be particularly appropriate for new construction today in the sense they may not match well with historic massing types and ideally, they envision another section will deal with new construction.

Boardmember Livingston questioned if it was possible to include in the referral guidelines for structural rehabilitations. Most people when they come in do not understand they cannot install an entire bank of windows across a building or do not know about earthquake or lateral requirements. He felt the document was beautiful, but it may mislead some people who think they can do certain things and asked that some education be provided as to the fundamentals of the City's building code. Mr. Miki said they have discussed areas for items to be inserted into the document and they have discussed whether they should remove the lifting of houses entirely from the document and create it as its own document. So, he felt more information could be included about structural information or technical egress, foundations, and adding bibliographies of good books to reference.

There were no other comments and the Board thanked Mr. Miki for his presentation.

5. DR 1103947 – Construct Self Storage Facility on West Ohio Street - PUBLIC HEARING to consider a request for Design Review approval to construct an ±85,864 square foot Self Storage facility, with ±2,110 square feet of office/living space for an on-site manager, creating 618 self-storage units on 1.43 acres. The applicant is also proposing to add a second floor in the future to the front building (Bldg. B). The site is located at 300 West Ohio Avenue (APN: 550-050-021). M-2 (Light Industrial) Zoning and General Plan Designations. West Ohio Ave Land Co., Inc., owner; Chris Patchin of Cubix Construction Company, applicant. Tentative Recommendation: Conditional Approval

Boardmember Livingston said the applicant was agreeable and met with the subcommittee and he felt the project is much more appropriate, landscaping and signage has been amended and it conforms to the general intent of what was outlined at the last meeting. He recommended adding some items to the conditions, but otherwise, supported the project's approval.

Ed Borsman, Cubix Construction Company, said the last meeting, there was a technicality in noticing and since then, they have worked closely with Boardmembers Livingston and Bloom who have been helpful, felt their refined design fits better into the neighborhood, they understand their project is a fully conforming application, has done everything the Board has asked of them, they reduced scale, changed some proportions, enhanced wetlands, reduced signage, added a significant number of trees at 7.25 times the number required, and they believe the project is something the City will approve.

Boardmember Livingston confirmed Mr. Borsman read the staff report and agrees with all of the conditions. He commented on condition 8, which is for a light colored coating for the roof, which may require some maintenance over time. **Boardmember Livingston** referred to a type of 24 gauge with a specific spray-on finish which was very durable and felt the coating was not light in color, but Mr. Borsman proposed another finish which was very similar in color and very durable.

Boardmember Smith questioned if the applicant met with the neighborhood council. Mr. Borsman said there has been discussion as to whether or not they were in a neighborhood council area, they did not because they are not identified within the mapping requirements of a neighborhood council.

Boardmember Woodrow asked about enhancing the wetlands area, and Mr. Borsman said they now have a wetlands plant-like community on the property with no actual wet lands, they will mitigate the concerns by creating a new wetlands area and enhancing the area with plants that are appropriate for the habitat. He said they are actually using some of the seasonal detention ponds to facilitate the habitat.

Public Comments:

Rhonda Harris, Santa Fe Neighborhood Council President, said she finds it offensive for the applicant to indicate he did not have to come to the neighborhood council because of the law. She said all of the businesses in the area are part of the Santa Fe neighborhood council, they have been for years, said they have welcomed businesses, and felt their community was moving in a positive direction and did not seem they should disassociate them from the beginning, and felt they were not part of Richmond. She felt there were many issues regarding the project, felt a self-storage would better the area, noted there was a storage center right around the corner, and she preferred him coming before the neighborhood council as common courtesy.

Boardmember Livingston questioned what specific concerns Ms. Harris had about the project. Ms. Harris said she just got the plans tonight, and if it were not for Hartmann Studios, she would not have known anything about the project.

James Wright, Corte Madera, said he owns four mini-storages which will total five when the project is approved. His concern is that he is the Treasurer of the neighborhood council, he did not know anything about the meeting, said he should have been sent five separate notices, only received notice on this meeting, was given a set of plans tonight which he cannot even read and noted when he built his mini-storage, they had to conform to the Knox-Cutting specific plan which requires 15% landscaping. He does not consider creating wetlands as being landscaping. There have been about 4 fires in the area and felt the area was not a wetlands area.

Matt Guelfi, Hartmann Studios, strongly opposed the project, felt the building did not fit well with the surrounding buildings and development. While there have been changes to plans, they are very small PDF's and are difficult to read, said no attempts have been made to break up the building expanse of walls and felt there was no architectural element that he could see. He is east to the building and they would look at 500 feet of wall on each side, there is no landscaping proposed for the area, the plants are all grasses and no trees, a corrugated metal roof, said it looks as though only 3% was being landscaped, said he put out three fires over the years and questioned whether there were actual wetlands. He also said he did not receive a notice for the meeting.

Boardmember Livingston confirmed with Mr. Guelfi he received no notice of the meeting, that the nearest building was east of the project, which was used for general warehouse, a gravel parking area between the two buildings, which was designated for over-flow parking if it was necessary. **Boardmember Livingston** said he went out to the site and noticed palm trees were planted which he confirmed were part of their requirements. Mr. Guelfi said he did not see the most recent landscape plan, which indicated more trees on the plans, and **Boardmember Livingston** said he felt the applicant has done a good job of screening with landscaping.

Mr. Thompson said Mr. Guelfi said one notice on one of the properties, two properties are owned under different ownership and they did not receive notice, and he was checking to determine whether those two properties were on the assessor parcel list.

Boardmember Smith suggested the applicant meet with the Santa Fe neighborhood council.

Ms. Whales confirmed that the applicant agreed to meet with Mr. Guelfi and he was copied on all emails with attached plans which were reduced versions.

Boardmember Woodrow felt it was important for correct noticing, and Mr. Thompson said two properties were missed, which was a technicality and he recommended treating the matter like a study session tonight and re-noticing the item since the neighbors are dissatisfied. He said at some point in time, a lot line adjustment was done which he confirmed with Mr. Guelfi, and the County Assessor's Office did not have the proper data on ownership. He recommended continuing the item to the next meeting date and re-notice properly. Mr. Guelfi felt there were many other property owners who were also not present and questioned the City's flawed noticing process.

Ed Borsman, Cubix Construction Company, felt it was disappointing that yet another technicality is preventing them from moving forward, said they experienced this at the last meeting which has created some hardship on their part, said Mr. Guelfi has known about the project since last April, was present at the last meeting, he was specifically contacted by Mr. Borsman and informed him of the meeting, emailed him renderings of the project, and to postpone the meeting was unfortunate and a hardship. Regarding comments about the expansive wall which would be an imposition to the views of those at Hartmann Studios, he said the proposed building was not visible from the east shore property, it would have a ten foot high fence wall behind his property that could feasibly be a 35 foot high building, but is not. They feel they have actually been sensitive to the neighbors in this regard. He said the corrugated roof was not visible from any view, they do not have 4 trees, but 29 trees on the project, the wetlands are irrigated planted areas and he agrees they are not the typical wetlands, but they are characterized as wetlands due to their plant species. So, they are mitigating this by creating an enhanced and relocated wetlands, which is 26% against the required 15%. Additionally, they have offered to meet with the neighbor and received no response whatsoever and the issue of the neighborhood council, they made several calls to the Planning Department who told them they were not in a neighborhood council area. They feel they were not disrespectful because

they were told they were not in the jurisdiction of any neighborhood council. They are not abutting the properties of the neighborhood council, as well. He felt being a good neighbor was talking to the opposition, which they have offered to do on a couple of occasions, but no response was given.

Boardmember Smith suggested meeting with the neighborhood council and with the neighbors.

Boardmember Livingston said the east and west side of the building are seen from the Hartmann Studio building and he drew a sketch of the wall, breaking it up with some trees, and Mr. Borsman questioned where the public views were from, and felt it was outside of the guidelines they read in the specific plan. **Boardmember Livingston** questioned whether the applicant could plant a few Willow trees, which were a wetlands species, along the railroad tracks in the wetlands area instead of some of the grasses. Mr. Borsman said they were open to a condition that would require Willow trees along the railroad side to soften up the area and asked that a decision be made tonight.

Chair Avellar said the applicant requested a vote be taken tonight, but due to the noticing technicality, he questioned if the project could be voted on tonight. Mr. Thompson said the Board could take action tonight. The risk that the applicant runs is that the item would be appealed to the City Council, but this is the applicant's choice. **Boardmember Woodrow** asked if the applicant were to return, he confirmed the next meeting they could be agendized would be September 26, 2007 and if appealed, it would take another month to the City Council.

Mr. Borsman agreed with the solution to plant trees to the wetlands area, plant trees along the railroad side to soften up the area. Mr. Wright cited his concerns about fire dangers in the wetlands area. Mr. Borsman said the back of the property in question was currently dry brush, not irrigated, and they will irrigate it and do plantings.

Mr. Thompson suggested voting to close the public hearing and vote to see if an action should be taken on the matter.

A speaker questioned whether it was the City's policy to notify one person of multiple properties, and Mr. Thompson said he looked on the list and the property was not on the list. He has no information about how the title of the property reads or its address, so given this he would be cautious and indicate the notice is defective because the property was not clearly on the City's mailing list. For Mr. Wright, the planner crossed off the mailer as she sent off the notices. The neighboring property was not on the mailing list, which makes the notice defective.

Boardmember Woodrow questioned if Sante Fe and Atchinson Village neighborhood councils were also mailed notices, and Mr. Thompson said he has one for Atchinson Village neighborhood council, one for their president, but said Santa Fe neighborhood council was past the 300 foot required radius for noticing.

Mr. Borsman said they would like to return as early as possible versus taking a vote on the matter tonight, and questioned if there was enough time to conduct a proper noticing. Mr. Thompson said they sent notices to the newspaper at 12 noon, but tomorrow he will contact the newspaper to see if they have room for an additional notice for scheduling the item on September 26, 2007.

8. DR 1104205 – Construct Two-Story Addition on Lincoln Avenue - PUBLIC HEARING to consider a request for Design Review approval to construct a ±1,115 square foot two-story addition at the rear of the residence located at 2707 Lincoln Avenue (APN: 528-110-

017). SFR-3 (Low Density Residential) Zoning District. Geardo Ortega, owner; Brenda Munoz, applicant. Tentative Recommendation: Conditional Approval.

Mr. Thompson introduced Kieron Slaughter, the City's newest planner. Kieron Slaughter said he has been with the City approximately two months and was happy to be working with the Board and City staff. The Board welcomed him.

Brenda Munoz, applicant, briefly described the project as a two-story addition, said the architectural details and materials would match the existing house, said the propose new landscaping, a concrete walkway leading to the backyard and said the neighborhood council voiced their support with changes that have been incorporated into the plans.

Boardmember Livingston thanked Ms. Munoz for her work, which he felt was improving each time before the Board.

Boardmember Woodrow referred to the photographs showing the site, and he confirmed there was a large tree at the rear of the lot, which has been trimmed away from the neighbor's yard and is being retained. Regarding the back door leading to the backyard, he confirmed a small porch and roof overhang would be installed and she directed him to where this was located on the plans.

Public Comments:

Omar Henriquez, voiced his support for the project and said he was the next door neighbor, but was concerned with the height and blockage of sunlight. He noted the plans were already moved by 4 feet but he asked if it could be moved more.

Chair Avellar questioned the setback on the side of the property, and Mr. Slaughter said the current setback is 5 feet, and with the changes proposed by the designer, it was pushed over an additional 4 feet, so it is a total of 9 feet. She has also lowered the height by 2 feet and also a sloped roof that goes into the new porch which would allow for additional light to come to the south side to the neighbor's home.

Ms. Munoz said she did not feel there would be any sunlight problems with the neighbor's home with the adjustments made and said she did discuss the plans with Mr. Henriquez.

The public hearing was closed.

Boardmember Livingston noted the adjustment of the plans to preserve the natural sunlight to the south, thinks the applicant did a great job in making the two-story addition work, and **Boardmember Woodrow** agreed.

ACTION: It was M/S (Livingston/Woodrow) to approve DR 1104205, subject to staff's recommended 4 findings and 10 recommended conditions; unanimously approved.
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BOARD BUSINESS

9. Reports of Officers, Board Members, and Staff

Boardmember Livingston asked that Boardmembers review the live/work project currently before the Planning Commission, felt the project provides for a nice entrance to Harbour. He said there was a house on Terrace in Pt. Richmond which was very contentious, the applicants have completely redone their drawings, said the plans provided a major change, said they were

either to go back and redesign the floor plans to match a traditional style of architecture or try to make it look more of a contemporary design, and they did a good job of taking more of a contemporary turn. He said the drawings are difficult to read, but better plans will be provided and felt the design was great.

Boardmember Woodrow asked staff that the applicant on Vine Street be urged to return to the PNRC with their new plan because the old one was very difficult.

Mr. Thompson referred to the residential design guidelines and said Pt. Richmond has a historic character which creates an additional level of compliance and review that makes it more time consuming; that staff was trying to marry the guidelines with the merger of the Planning and Design Review Commission and hoped this would be done by November.

Public Forum – Brown Act - None

The Board adjourned the meeting at 7:45 p.m.