

DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
February 27, 2008
6:00 p.m.

BOARD MEMBERS

Robert Avellar, Chair	Vacant, Vice Chair
Ted J. Smith	Don Woodrow
Diane Bloom	Vacant

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

ROLL CALL

Present: Chair Avellar and Boardmembers Bloom, Smith and Woodrow

Absent: None

INTRODUCTIONS

Staff Present: Lamont Thompson, Kieron Slaughter, Hector Lopez and Mary Renfro

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, March 10 2008 by 5:00 p.m. and repeated the appeal period after each affected item.

APPROVAL OF MINUTES

November 14, 2007
January 9, 2008
January 23, 2008
January 28, 2008
February 13, 2008

Boardmember Bloom referred to the minutes of January 23, 2008, page 5, third paragraph:

“**Boardmember Bloom** said she asked that the item be removed because the landscape plan was not complete and needed more detail and more substitutions of planting material.~~replacement~~. She confirmed the applicant did not identify the location of the garbage cans and asked that this be identified on the plans. The applicant proposed that the trash location be at the west side yard where there is a lot of existing cement.”

“**Boardmember Bloom** voiced concern over the closeness of the front yard Redwood tree to the house and Mr. Bepler said he switched the Redwood tree to another type of tree, the species of which planning staff had suggested, and that this tree grows to a maximum height of 20 feet.”

Boardmember Bloom referred to page 6, last sentence in the first paragraph:

“Regarding changing the Iris, she suggested the applicant meet with a plant person, create a border around the edge of the backyard and the use of bark or ~~but with~~ more groundcover plantings in a garden.”

Boardmember Bloom referred to the November 14, 2007 minutes, page 4, first paragraph, line 3:

“**Boardmember Bloom** voiced concern with drainage, said most of the plants would be fine, she was not sure about the *Catsikum*, but plants that come from the Mediterranean should be on mounds so they have some extra root depth and drain better. She said the Carobs will not fruit and Mr. Debor said they were very common in Alameda as street trees. She has never seen a Chestnut in Richmond, and she asked Mr. Debor to revisit the planting plan. Mr. Debor said he has used Chestnuts in El Sobrante, the Sudden Oak Death was a problem but they seemed to have gotten through. ~~the Chestnuts but~~ They recovered in the way the Bay trees tend to do, as well. He said it was sort of shocking because he thought he lost them.”

Next paragraph:

“He would ~~take~~ address the item today and not have it return to staff or to the Board in the future.”

Page 6, first paragraph:

“**Boardmember Bloom** questioned the accuracy of the colors of green and brown on ~~and~~ the guardrail.”

Next paragraph:

“**Boardmember Bloom** questioned if there are some plants missing in certain areas, and Ms. Vargas noted the areas proposed were actually existing concrete.”

ACTION: It was M/S (Smith/Avellar) to approve the minutes of November 14, 2007, January 9, January 23, January 28 and February 13, 2008, with corrections; unanimously approved.

APPROVAL OF AGENDA

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

CONSENT CALENDAR

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

Chair Avellar requested that Items 3 and 4 be added to the Consent Calendar because they are Hold Over items as well as Item 5, which is withdrawn and that Item 7 be removed.

ACTION: It was M/S (Smith/Woodrow) to approve the Consent Calendar as Items 3, 4, 5, 6 and 8; unanimously approved.

Consent Items Approved:

3. **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. *Staff Contact: Jonelyn Whales*. Tentative Recommendation: Hold Over to 3/26/08.
4. **DR 1103130 – Construct Two-Story Single-Family Residence on Tremont Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±2,400 square foot two-story residence located on Tremont Avenue between Contra Costa Avenue and California Street in the Tiscornia Estates planning area (APN: 558-282-020). SFR-3 (Single-Family Low Density Residential) Zoning District and General Plan Designation. Robert Clear, owner; Stuart Littell of Stuart Construction, applicant; L2 Studio of San Francisco, architect. *Staff Contact: Janet Harbin*. Tentative Recommendation: Hold Over to 4/23/08
5. **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. *Staff Contact: Jonelyn Whales*. Tentative Recommendation: Withdrawal.
6. **DR 1104437 – Two-Story Rear Addition with Understory on Merced Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±105 square foot two-story rear addition with understory on a ±916 square foot site located at 1635 Merced Street (APN: 508-221-005). SFR-3 (Single-Family Low Density Residential) Zoning District. Sondra Reinman, owner; Jason Kaldis, applicant. *Staff Contact: Kieron Slaughter*. Tentative Recommendation: Conditional Approval.
8. **DR 1101974 – Chevron Quarry Substation Replacement on Chevron Way** - PUBLIC HEARING to consider a request for Design Review approval of a proposed quarry substation building located at 841 Chevron Way (APNs: 561-040-016; 561-100-003, -001, -003, -008, -009, -010, -011, -012, -013, -017, -020, -025, -026, -029, -034, -035, -036, -036, -037, -038, -040; 561-400-008; 561-410-002; 561-410-003). The internal new electrical equipment housed in the building will replace existing equipment that is located outside in three areas around the quarry. M-2 (Light Industrial); M3 (Heavy Industrial); and CRR (Community & Regional Recreational) Zoning Districts. Chevron Products Company, owner; Bob Chamberlin, applicant. *Staff Contact: Lamont Thompson*. Tentative Recommendation: Conditional Approval.

Items Heard:

1. **DR 1104296 – Single-Story Addition to the Single-Family Residence on Garvin Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±1,200 square foot single-story addition to the existing ±1,400 square foot residence located at 1616 Garvin Avenue (APN: 529-220-007). SFR-3 (Single-Family Low Density Residential)

Zoning District. Robert and Betty Alexander, owners; Louis B. Spicer, applicant. *Staff Contact: Hector Lopez.* Tentative Recommendation: Conditional Approval.

Boardmember Woodrow referred to the drawings which show changes to the front of the house in penciled changes. He questioned and confirmed there were no complete drawings incorporating those changes and voiced concerns with the reoccurring situation.

Louis Spicer, Applicant, said the owners and neighborhood council representative was present, said he believed that normally revised and complete plans are submitted at the building permit stage after passed by design review. **Boardmember Woodrow** referred to the first drawing which was not numbered, it was penciled in with lines and the Board and applicant discussed their understanding of the submittal and review process. Mr. Spicer said they met with the Planning Department, submitted revised drawings that were agreed upon and he has not seen any further changes of staff.

Chair Avellar noted there were staff recommended changes to the front elevations, and Mr. Spicer said staff is recommending changing the orientation of the roof, which would not be sufficient due to the height and width of the building's elevation. He referred to A.3.2 and the east elevation, and said the width of the garage was 30 feet and this would cover the entire space of the exterior windows in the atrium over the kitchen and dining area. He also believed the request to change the windows to square would take away the character of the design, and they were removed from the plans. He said the time staff has taken to review plans and make changes have incurred significant cost and time to his client.

Boardmember Woodrow said the Board has seen 3 sets of plans on the house and questioned and confirmed with staff that the set of revised plans dated January 28, 2008 were the final revisions and the plans to be approved.

Boardmember Bloom said it appears there have been concerns voiced about water. Mr. Spicer said the waterproofing can be handled directly by the walls and by creating drainage in the levels which will carry water out from the areas to a downspout point, and there are various techniques they can use to ensure water is taken from the corners. **Boardmember Bloom** and **Chair Avellar** believed this should be indicated in the drawings on the site plan.

Chair Avellar said on the elevations, the roof over the garage extends up to the second floor over part of the addition, so it is one big slope there. A gable or hip can be done in the front, but the walls continue and that is the only way it will drain correctly without changing the floor plan. It also requires the elimination of windows. Mr. Spicer said the changes take the existing window out of the kitchen, it takes the existing window out of the nook which makes the area dark. So, raising the roof and putting an atrium in with windows around it brings in natural light into the kitchen. He agreed that he could put skylights in the roof.

Chair Avellar believed this changes the elevation considerably and he suggested the item return with revised drawings. Mr. Spicer questioned if it was possible if they could have the plan approved without prejudice based on the recommendations being complete and done so they can move on for the client's sake.

Public Comments:

A.J. Jelani, President of the Belding Woods Neighborhood Council, said the owners are previous residents of the neighborhood, are seeking to locate in the neighborhood again and improve the residence, asked that the Board expedite the plans in order for the construction to begin. He said their neighborhood council meets every fourth Tuesday of each month, do not

meet in December or February and he confirmed with Chair Avellar that the applicant was partly delayed by them and did not attend a meeting due to their meeting schedule.

Chair Avellar confirmed that Mr. Spicer did try to schedule a meeting and Mr. Jelani was going out of town so Mr. Jelani agreed to meet them here at the meeting.

Boardmember Woodrow said he believes the Board should have drawings that reflect what the applicant is proposing, drainage should be shown, downspouts and he was uncertain about approving the project when the Board holds all other applicants accountable for final drawings.

Boardmember Bloom agrees final drawings were needed, but she also feels badly for the applicant because the project has dragged on and the expense continues. She questioned if there was the ability for conditioning the project and taking this into account.

Boardmember Smith said he could not vote for the project. **Chair Avellar** said the applicant did submit revised drawings which were accepted by the Planning Department; however, there was some miscommunication about current revisions which the applicant is not amenable to do. He reviewed the elevations and roof lines with boardmembers and explained how drainage would work. **Boardmember Bloom** questioned if the plans could be reviewed within the month by staff, and Mr. Thompson requested the Board explain exactly what they wanted staff to do.

Chair Avellar said he could draw a sketch, confirm it is amenable to the applicant. The only other change he would suggest is a porch cover over the rear entry. Mr. Thompson suggested taking a short break in order for the chair to draw the sketch.

Chair Avellar referred to drawing A.3.1 and said the only change to be made is for the top roof to extend down over the garage, terminating at the wall between the garage and the main house. The 4 front windows on the second level, east elevation will be deleted and will be replaced with a roofline that continues and a sunroof. A cricket or a hip must be inserted so water can drain to the front to the gutter. After review of the changes, Mr. Spicer and the Alexander's confirmed with the Board they were amenable to the proposed changes.

Mr. Spicer presented a 3D drawing identified as Generic Perspective A – 212.2 issued January 28, 2008 and **Chair Avellar** made sketched changes on the drawing. **Boardmember Woodrow** felt the revisions would turn the area into a cave and was very dark, but **Chair Avellar** said the change is minor and suggested the Board act on the item.

ACTION: It was M/S (Avellar/Smith) to approve DR 1104296 with staff's four findings and eleven recommendations, with additional conditions of elevation changes to the front elevation of A.3.1 with sketch provided to the Planning Department, and a rear porch cover over the rear entry; unanimously approved.

2. **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 District and General Plan Designation. Pilgrim Rest Missionary Baptist Church, owner; Zachary Hilliard, applicant. *Staff Contact: Jonelyn Whales.* Tentative Recommendation: Conditional Approval.

Zachary Hilliard, Applicant, said they have met previously with the Design Review Board, made changes to the front elevation to help soften the massing, decreasing the square footage of the addition, and worked with former Boardmember Livingston on arriving at some of the solutions.

They removed the handicapped accessible ramp on the front and redid what they already had on the side which is close to parking for easier access. They aligned windows, put a trim around windows, they used stone veneer at the base of the building, they have taken the secondary entry and rotated it so it moves down further on the side, and the front entry is recessed with the roof and light well tower on top of it.

Boardmember Woodrow said he worked with Boardmember Livingston on the plan and arrived at very good thoughts on how to resolve some issues, but he still voiced concern about not being able to see the church from the street. He said it is hidden by street trees and trees up front which he said would most likely be damaged from construction. Mr. Hilliard said the trees are far enough in front, they would be trimmed, and they are far enough from the foundation so as not to suffer any impact.

ACTION: It was M/S (Smith/Woodrow) to approve DR 1104107 with staff's four findings and seven recommendations; unanimously approved.

7. DR 1104511 – Two-Story Rear Addition to Residence on Garvin Avenue - PUBLIC HEARING to consider a request for Design Review approval for a ±900 square-foot two-story rear addition to an existing ±1,300 square foot single-family dwelling located at 2525 Garvin Avenue (APN: 528-230-018). SFR-3 (Single-Family Low Density Residential) Zoning District. Audry Lee, owner; Kenneth W. Klemme, applicant. *Staff Contact: Kieron Slaughter.* Tentative Recommendation: Conditional Approval.

Audry Lee, Owner, said the project was presented to Mr. Klemme and the architect, and said he could answer any questions of the Board.

Chair Avellar referred to the elevations and asked that they show the exterior material, window and door trim to match what is existing on the plans on page 5 of the west elevation. He said he did not find a floor elevation of the existing front elevation and therefore, could not see the change in mass, but he noted this would not be required.

Boardmember Bloom questioned if there was a deck on the second floor in the front, and Mr. Lee said there was no deck and windows would be double-pane, double hung windows and there could be locks put on them for safety. She said the way the drawing is done, from the middle of the window would be a rectangular roof and she questioned how the drainage would work on the roof, which she felt was unusual. Mr. Lee referred to page 5, it shows where the window stops toward the roof and it looks south. He said the roof is flat but it just has the façade up front with tiles that go to the parapet wall. After that, it is all flat and that will stay that way back about 12 feet. **Boardmember Bloom** questioned where does the flat roof intersect the windows, and **Chair Avellar** explained the drawing as to where the parapet is located and from the bottom of the window, it is a similar height to the bottom of the parapet. Regarding drainage, **Chair Avellar** said normally, the roof would slope to downspouts with flashing on the sides.

Boardmember Woodrow questioned if the Code requires the chimney extend above the roofline. He said the fumes will come right out into the windows on the second floor. **Chair Avellar** said if the stack is 8 feet from a window, it must be secured by the wall.

Boardmember Woodrow said the chimney would then need to be extended up about 10 feet, and he agreed the Building Department would verify the code requirement which could be conditioned.

ACTION: It was M/S (Avellar/Smith) to approve DR 1104511 with staff's four findings and eleven recommendations, with the additional condition to check with the Planning Department to ensure the chimney is within Building Code relative to the extended wall on the second floor; unanimously approved.

BOARD BUSINESS

9. Reports of Officers, Board Members, and Staff

a. Selection of Nominating Committee for Election of Design Review Board Officers

Boardmember Woodrow said on Tuesday he talked with Assistant City Attorney Carlos Privat regarding an ordinance on how the Board could operate under a quorum of three members. Mr. Privat opined on this and this has been forwarded to Planning Director Mitchell.

Assistant City Attorney Renfro said the proposed ordinance mirrors the Planning Commission's ordinance which states exactly what a quorum is. For the Design Review Board, a quorum will be three members and an affirmative vote by three members is needed for any motion to carry. Also, the Board members' terms can be held over indefinitely, as necessary, and therefore, terms would not expire. Ms. Renfro said an ordinance was drafted and she will request the Planning Director to complete his review, it can then go to the Council for first reading on March 25, adopted in April. Due to member terms expiring, urgency or sustainable findings could be made for the ordinance to take effect immediately.

Boardmember Woodrow questioned when the Chevron renewal project will be completed and Mr. Thompson said the Planning Commission tentatively meets on March 20th, with a 10-day appeal period which must then be heard within 60 days. The Planning Commission could also hear it in one or more meetings. Ms. Renfro said the best case scenario would be April 1 if no appeal were filed.

Boardmember Smith questioned the status of Charles Duncan's appointment to the Planning Commission. Assistant City Attorney Mary Renfro said the City Council is reluctant to make changes to either the Planning Commission or Design Review Board including the proposed merger because of certain unique projects in the pipeline which they would like to get through the process before any changes are made.

Mr. Thompson said the Design Review Board chose Boardmember Bloom as the Nominating Committee and she would need to nominate an Officer for the vacant Vice Chair position, as well as all Officers.

Boardmember Bloom asked that nominations be held over to the next meeting, but would informally recommend Chair Avellar to continue to serve as Chair and for Boardmember Woodrow to serve as Vice Chair.

Public Forum - Brown Act - None

The Board adjourned the meeting at 7:50 p.m.