

**DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
March 25, 2009
6:00 p.m.**

BOARD MEMBERS

Vacant, Chair
Diane Bloom
Eileen Whitty

Don Woodrow, Vice Chair
Andrew Butt
Mike Woldemar

The meeting was called to order at 6:10 p.m.

ROLL CALL

Present: Vice Chair Woodrow, Board Members Bloom, Butt, Whitty and Woldemar

Absent: None

INTRODUCTIONS

Staff Present: Hector Rojas, Jonelyn Whales, Richard Mitchell, and Carlos Privat

APPROVAL OF MINUTES - None

APPROVAL OF AGENDA

Vice Chair Woodrow 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, April 6, 2009 by 5:00 p.m. and he repeated the appeal period after each affected item.

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

CONSENT CALENDAR

Vice Chair Woodrow noted Consent Calendar Items consisted of Items 1, 2 and 3. Items requested for removal were Item 2 (public), Item 1 (Whitty), and Item 3 (Butt).

The applicant for Item 1 discussed issues that have come up and agreed for the Item to be continued to April 22, 2009. Board Member Woldemar suggested opening up the public hearing on the item, allow for public comment and then continue the item.

Items Heard:

- 1. PLN 08-066 – Dakini Temple, Windows Replacement on Washington Street** - Design Review Permit to legalize the replacement of seven stained glass windows on the Dakini Temple, located at 235 Washington Street (APN: 558-101-025), a contributing structure to the Point Richmond National Register Historic District. MFR-1 (Multi-Family Residential)

Zoning District. Dharmata Foundation, owner; Lerner + Associates, applicant. Staff Contact: Lina Velasco. Tentative Recommendation: Conditional Approval.

Vice Chair Woodrow opened the public hearing and confirmed there were no public speakers.

ACTION: It was M/S (Whitty/Bloom) to hold over PLN 08-066 to April 22, 2009; unanimously approved.

Vice Chair Woodrow welcomed former Design Review Board Members Whitty and Woldemar, and welcomed Board Member Butt to the Board. He announced that he must leave at 7:00 p.m. to attend a neighborhood council meeting, at which time the meeting will be taken over by another Board Member.

2. PLN 09-039 – Castle Principles LLC, Country Club Villas at Atlas Road & Horizon Drive - Design Review Permit for architectural changes to Country Club Villas Plan 2 and 6, reducing both residences from three (3) stories to two (2) stories. The project is located near the intersection of Atlas Road and Horizon Drive in the Country Club Villas Subdivision (APNs: 405-660-012 thru 405-660-021 and 405-660-113 thru 405-660-134). PA (Planned Area) Zoning District. Castle Principles LLC, owner; Dan Boatwright of Castle Companies, applicant. Staff Contact: Hector Rojas. Tentative Recommendation: Conditional Approval.

Dan Boatwright, Castle Companies, spoke of the economic downturn impacting home sales, and as a result they have had an extremely hard time selling homes. The first subdivision was sold out a couple of years ago and they were still selling homes in the second subdivision. The remaining 36 homes have a total of 6 different floor plans. Plans 1, 2 and 6 are three story homes; the other homes are two-story homes. They have found it extremely difficult to sell the three-story homes and request a reduction from three-story on Plans 2 and 6 to two-story homes. There are only two Plan 1's remaining to be built and we are not requesting these three-story homes be modified. All architectural detailing in Plans 2 and 6 would be retained with the elevations.

The alternative to not doing this is that they can have a vacant portion of the subdivision remain, as they cannot move forward and must logistically build clusters of homes at one time. He said some are opposed to reducing the square footage especially on the smaller house, which goes down to 1150 square feet when reduced to two stories. They brought the item to the homeowners association where people voiced opposition. However, they would like to have a product available that will sell. He said if homes are not built, the vacant lots will affect property values. In addition, homeowner association dues would be reduced somewhat due to the fact there will be more people living in the subdivision once the remaining homes are built.

He acknowledged the concern about the lower square footage having a lower property value; however, the lower values are not necessarily transferred to the larger units. They are also not reducing the bedroom count and the bathroom count is reduced slightly from 2.5 to 2.

Mr. Boatwright said people are not purchasing the three story homes, and therefore, asked for the Board's support in order to begin construction of the homes.

Board Member Whitty questioned and confirmed that the applicant did not discuss possibly leaving the lot open and seeding it at the homeowners meeting, as Mr. Boatwright felt this was not a feasible solution. Mr. Boatwright said he believed it was over a year ago that the last phase sold, and they were talking about 8 remaining units which are 8.5% of the overall subdivision and about 22% of the remaining units.

Board Member Woldemar said notwithstanding the statement that additional home designs would require review by the DRB, he noted this was a Planned Area Development, and when originally approved, it went through a Planning Commission and City Council process as well. He felt the architecture and style is compatible with what exists, all remaining homes would be built at the same time, so from a pure design point of view, there is nothing to grapple with. His question would be the issue of whether square footage was the purview of the DRB.

Mr. Rojas said the Planning Commission reviews the land use, setbacks, density of any given development, and in this case, it would be the same density regardless of the change, except a slight reduction in the bathrooms. Therefore, there is no significant land use change. Regarding square footage, he deferred to the City Attorney. Mr. Privat said the Board's purview is to consider the design of the exteriors and building. He believes the matter had to come before the DRB because what is being proposed is something different than what was originally approved.

Vice Chair Woodrow referred to the colored drawing #1, and asked the applicant to connect it to the map that shows the site. He felt what is shown in the colored drawing will only be something that can be built fronting Links Drive. Mr. Boatwright agreed and said there are two clusters on Links Drive that are not in the center island area. Plan 6 is also not within those clusters, but only within that island area. Vice Chair Woodrow questioned whether all homes within the center block would be the Plan 6 homes and Mr. Boatwright said there are other homes of Plan 4's, 5's and 2's as well in the area. There are no Plan No. 1's which is the three-story homes.

Board Member Bloom questioned whether or not it was true that reducing the number of stories would reduce the size of the footprint. Mr. Boatwright confirmed that the footprints remain the same.

The public hearing was opened.

Public Comments:

Marcos Ocegüera believed it would be hard for owners to be able to refinance or sell their homes in the future when the section of the neighborhood is worth \$200,000 to \$300,000 less than the current value of his home. He said secondly, he bought into a community he thought would be a middle class community.

Board Member Whitty questioned and confirmed that Mr. Ocegüera did not review the proposed designs, and Mr. Ocegüera agreed to review them and let her know whether he had any problems with them.

Carol Reeves said she is a realtor, encouraged her buyer to purchase the home which was represented as a country club neighborhood, questioned compatibility, and voiced concern that the proposed 1149 square foot unit which is more like a condominium. She felt if the homes were 1500 or 1600 square feet, not as much value would be lost and she would not have a problem with it.

Board Member Whitty said only one of the homes has been reduced to 1149 square feet, and she confirmed that Ms. Reeves' concern is only with the one smallest home and none of the others. Vice Chair Woodrow confirmed this was a Plan 2 home and he confirmed that 10 Plan 2's are planned.

Alicia del Prado said she lives across from the vacant lots, live in one of the three-story properties and in three month, their property value has decreased by \$60,000 in three months. She is very concerned about the proposed design changes which will further decrease their property values, care a lot about the community and success of Bay Village, and they want to

see the rest of the community built-out and completed. She attended the homeowners meeting and believed it was not discussed or voted on. She is worried that the designs are not up to par with the community they were informed that they were buying in. She and her husband looked at many communities and chose to live in Richmond, but said now they are worried about it being jeopardized with the new design plan. While she knows that the housing market and the economy is poor, they still want Castle Company to think about the long term impacts its decision will have on the community.

Board Member Whitty questioned if Ms. del Prado looked at the new designs for the smaller homes, and Ms. del Prado said yes and her primary problem is with Plan 2 and who would be attracted to those homes.

Vice Chair Woodrow commented that his home is exactly the size of the homes and people are happy living in them.

Rhys Ludlow said; however, when Vice Chair Woodrow purchased his home, he was aware of what he was purchasing and those types of homes around him. He echoed concerns of Plan 2, said they liked the fact they were buying in a community of homes ranging in square footage from 1959 to 1596 and only 8 homes were going to be built with 2 bedrooms. He understands the applicant's position and his desire to sell the homes quickly, but existing residents will be stuck with it in the long-term. He voiced concerns with 10 remaining homes of the same style out of the 35 to be built, which is 28% or 1/3 of the homes that will be substantially reduced. When the entire subdivision is completed, the diminished homes will comprise of 7% of the 134 units and all neighbors are worried that relatively, it will diminish the value of the homes in their neighborhood to have the smaller homes built.

Board Member Whitty confirmed Mr. Ludlow was in one a three-bedroom, two story homes.

Geoffrey Gabriel, HOA Board Member, said he and his wife purchased one of the Plan 2, three-story home in December 2006. Since that time, he has lost almost \$200,000 of home value, learned that Castle Company stated changes to Plan 2 and 6 were unanimously supported at a HOA meeting in February, which is false. The plan changes were not agendized, not details, plans or pricing were ever presented at the HOA meeting, and he opposed the applicant's proposal to Plan 2 to 1149 square feet stating it was too drastic of a change to the community. The applicant is planning to build 10 of the homes from the 35 lots, which represents 33% of the homes, and this will drastically change the dynamics of their community. He referred to the site map which shows the smaller home will be built next to very large homes with only a 4 foot setback. Contrary to staff's statement, the proposed changes will not satisfy 3 of the 4 criteria specified in the DRB findings and he read them into the record and he requested the DRB deny the request, requests Castle Company provide better alternatives reflective of their community and home values.

Catherine Puckett said she purchased her home at the end of January 2008, felt the resale potential would be fair to good, was told the community would be built out within a year, but not one additional house was built a year later while other subdivisions continued to build and sell homes as planned. She opposed the applicant's plan which targets a price point that may or may not generate a sale and will be done without regard to those who invested in the subdivision's vision and paid higher prices. She believes that the Plan 2 and 6 homes as originally designed are interesting, attractive and well constructed, felt they will be sellable as the economy improves, but the proposed 1149 square foot house does not fit within the rest of the community by size or price. She felt the change will drive prices down further, asked that Castle maintain their course or provide a more suitable alternative.

Karl Perry said he owns a Plan 4, two-story home, feels adamant about not allowing the developer to move forward with their proposal, said his background is in finance, he monitors the markets carefully, said he recently attended a meeting with a Wells Fargo analyst where he learned that in October 2008, units have sold at 58%, in November 2008 up 92%, and now only 6,000 units need to be sold in California. There is another probability of a second wave of foreclosures and with a developer selling units at a lower price, this would affect homeowners and would push short sales of homes. He is currently going through a loan modification because his next door neighbor is selling their Plan 4 home at \$360,000, and he paid \$620,000 for his home. He said there is strong evidence that the market is recovering and asked that the developer be made to continue to develop the same homes.

Board Member Woldemar said the applicant stated earlier that one alternative was to do nothing for the time being, or wait it out. He questioned how Mr. Perry felt about vacant lots for the time being. Mr. Perry felt revenues need to be generated and possibilities need to be made on behalf of either the City and/or developer, recommended the developer to continue to pay the parcel taxes and wait for the economy to recover or build the current Plan 2 as is and market it at a competitive price. He also said he would not have a problem with waiting a couple of years with vacant lots in the neighborhood.

Mr. Boatwright said their point is not to lower the prices of the homes, but to omit the third story home plan, which is not desirable. He said he was not sure about where the price of \$200,000 came from the proposed 1149 square foot home plan, felt there should be a way to work out the proposal, and asked to defer action on the item until the next meeting in order to meet with the homeowners.

Board Member Whitty did not feel the numbers added up correctly; out of a 134-lot subdivision, 98 have been built, which leaves 32 homes to be constructed. However, Mr. Boatwright refers to 35 homes needing to be built and questioned if more homes were proposed to be built. She supported the notion that the applicant leave the land vacant and build once the economy improves.

Mr. Boatwright said this is a possibility, but not one the bank would like. Regarding the housing count, there are 22 in the center island and 12 of the cluster homes, which totals 34. He felt the discrepancy might be a couple of units which are model homes, which is reflected as a parking lot.

Board Member Whitty confirmed with Mr. Boatwright that 10 units are proposed to be reduced as Plan 2 and 7 units are planned to be Plan 6.

Board Member Woldemar referred to Mr. Boatwright's suggestion to continue the matter to speak with property owners. He observed that in the original plan, the center island area had the original three-story homes book-ended in each block by what are two-story homes. At that time, a scale of massing was created. With Mr. Boatwright's current proposal, it would be consistent, two-story rooflines. He suggested that perhaps modifications could be made to the proposed two-story plans that might include some loft space that would increase the square footage, which would increase the value slightly, and that in turn would increase the skyline, which was probably part of the original intent of the Planned Unit Development. He said Mr. Boatwright indicated it was not necessarily a value issue, but the cost of building three stories. As an observation, Board Member Woldemar said Plan 2 at its current square footage could be increased, as all of the lots are large enough for an added footprint. He suggested alternative design methods but if asked to vote tonight, would be concerned about the mass that would not be there in the future and what this does to the streetscape and other things which are considered in a Planned Unit Development.

Vice Chair Woodrow questioned what dates in April would best meet Mr. Boatwright's needs and Mr. Boatwright said he would be available for the April 8th meeting.

Board Member Butt referred to a rendering and the staggered heights and from a design standpoint; he questioned what it would look like with similar two-story structures. He requested that if and when Mr. Boatwright returns in April that a photo-simulation or montage be done to determine what the design would look like.

Board Member Bloom said she would not be at the April 8th meeting, but commented that if there are empty lots as part of the outcome decided upon at the meeting, she suggested that they be planted as vegetable gardens which avoid blight and visually improve the community.

ACTION: It was M/S (Woldemar/Whitty) to hold over PLN 09-039 to April 8, 2009; unanimously approved.

NOTED ABSENT

Vice Chair Woodrow announced his departure and appointed Board Member Whitty to serve as Acting Chair.

- 3. PLN 09-020 – Jay Fenton, Atlas Foundry Office Building on Collins Avenue - Design Review Permit to allow façade improvements to the exterior of the former Atlas Foundry office building located at 3701 Collins Avenue (APN: 408-060-001). Some of the proposed improvements would be relocation and addition of entry doors and windows and the installation of roll-up doors. M-2 (Light Industrial) Zoning District. Jay Fenton, owner/applicant. Staff Contact: Jonelyn Whales. Tentative Recommendation: Conditional Approval.**

The public hearing was opened.

Jay Fenton, owner/applicant, said Atlas Foundry was started on Collins Avenue in 1947, ceased operations in 1988, an investment company divided up the properties into small rental units and they purchased the property in 1999. He dismantled what was done and re-built structures to bring them up to seismic standards, replaced electrical and plumbing and exteriors, paved the roads, and the complex looks brand new. He said the last time they were before the DRB, they were addressing phases 5 and 6 which was for the removal of a 10,000 square foot, 42 foot high track shed or crane way where rail cars used to go in and dump cast iron. This was removed and replaced with three, two-story buildings of 2400 square foot footprints. He is now dealing with the last phase of construction; phase 7, and he was asked to have specific plans regarding landscaping, parking, lighting for the DRB.

He said the last remaining building is 3600 square feet. The front 1600 square feet was the administrative offices and the back 2,000 square feet was washrooms, locker rooms, and lunch rooms for foundry employees. He said the building is 18 feet high, a wood framed stucco box with a flat roof, a 3-foot high parapet which surrounds the top and skylights which cannot be seen. The building currently is two rental units; the intent is to turn it into three, small rental units; a 1600 square foot unit to the front, and two 1000 square foot units to the back.

Mr. Fenton said Collins Industrial Park, when built out, has 19 separately metered light industrial rental units. Currently all are rented out, typical tenants are wine/food importer, and the largest tenant is Snyders of Hanover, and there are a number of loading docks for shipment and importation of products.

In the packet, he provided a summary of items to be done to the building as well as finishes. They will be removing the stucco exterior, windows are being replaced with vinyl clad, low e-glass, dual glazed windows, all windows are awnings and operable for good light and air circulation and although the majority is shop space, the shop space is thoroughly insulated to keep buildings cool in the summertime. Offices are very small and highly insulated as well. There are five color photos showing what the building looks like, landscaping which will be enhanced, on the western side, there will be three garage style sectional doors for drive-in access and a canopy to keep rainwater out. On the eastern side, there is a 40 foot canopy, 5'6" in depth, and he was informed he would need to sprinkler it, so they will cut back the canopy to 3'10". The pitch on the canopies will be 4:12, they will be clad with metal used throughout the development, and there will be two entry doors and windows for the bathrooms for all three units which will be under the canopies.

He felt the most dramatic change will be awning windows and the fireplace room will be gone, but on the other side, the electrical service panel will be replaced with a totally enclosed electrical service on the corner of the building. In keeping with the rest of the project, items will be cleaned up visually and brought up to standards. Asphalt will be replaced with concrete. There is very little landscaping to be completed for the project, as it is about 98% complete to finish off planters with irrigation lines.

Board Member Bloom referred to landscaping to be completed, and Mr. Fenton pointed out remaining landscaping on the plans of approximately 200 square feet, which was approved in 2005. Board Member Bloom questioned how to handle the fact that the City has changed many of its requirements over the years.

Mr. Mitchell said if someone comes in to complete a phase of an approved project, the City does not obligate them to revamp or further change the plans that were approved. He said the project was on the Consent Calendar and he questioned whether the question about the project was answered. Next steps might include what the DRB would want to consider.

Board Member Butt said he removed the item from the Consent Calendar, as his primary reason was that he had a hard time understanding what the project proposed. He acknowledged Mr. Fenton's quality of work and what the property looked like in the past. He sees nothing on plans calling out new awnings or the materials used, which was not provided to the DRB. He specifically asked that the vinyl windows match the existing windows of other project buildings, questioned the color and material of the awning, it looks like the top of the building has an enhanced or new parapet versus the sheet metal parapet, and many details are not reflected.

Board Member Woldemar said he was on the DRB when the project was originally approved and he felt this is a good example of someone transforming the property to much higher quality. He referred to the east elevation, right side, and something that looks like a tower, but there is no explanation in the documents as to why it is there and what it is. In the packets there are also original paint samples that show green in four different fashions, and he questioned which one(s) are used. Also, regarding the applicant saying he would be taking all stucco off and re-sheet the building from a structural and seismic point of view. He questioned if the applicant considered putting metal back over the plywood instead of stucco which would be much more consistent and use the green as accent as used in other buildings and use Gun Metal grey color of the galvanized siding to tie the project together.

Mr. Fenton said there is a five-page summary that went over all items, and he questioned whether or not the Board Members read it. Board Members said they were missing 3 pages of the 5 pages, and Ms. Whales apologized for the error. Mr. Fenton referred to page 4 which indicates roofing and canopy materials. He said it took him also six months to put together a

landscape plan, lighting plan, parking plans and a simplified site plan, which he said was approved in 2005 by the Board.

Board Member Butt said he did not see a title sheet and a large enough (legible) site plan, and Mr. Fenton said this was the problem in 2004 and this is why he dissected plans and returned with plans that could be read. He said he provided artistic renderings of the buildings, noted roll up doors will be sectional and paneled. They are different in that they are insulated and sectional because of the western exposure and heat.

Acting Chair Whitty suggested the applicant provide a rendering of the roll up doors. Board Member Butt asked for a full set of drawings for the exterior lighting. He said he understood from staff that buildings were basically getting re-painted and a couple of new windows added; however, the project it is being completely torn down to studs, re-sheeting, residing it, and it is pretty much a total remodel, and he finds it difficult to approve without substantial information. He acknowledged everything looks nice, but there is a better opportunity to make the stucco "box" look nicer.

Mr. Fenton said he has explored replacing it and has done cost analysis, and he has had prepared a fully engineered replacement building in wood and one in metal, but he cannot justify double the cost for this with rental properties, and he did not want to add any additional square footage on the property, as well as requiring additional parking. Regarding lighting, it is frustrating because there are no street lights at all. They have severe crime and dumping problems, and he lights the property up pretty thoroughly. He is frustrated, as there were objections using both the yellow and white lights, but the bulbs last only 3-4 years and they are very expensive exterior lights and they have made them homogenous.

Board Member Butt questioned the tower structure, and Mr. Fenton presented a photograph and confirmed it was more or less an electrical closet with a structural feature. Mr. Fenton said he also must run a stand pipe up to the attic for the building to be sprinklered, and he will try to bring the standpipe within the electrical closet enclosure so that it cannot be seen.

Board Member Butt agreed with Mr. Fenton's intent but the plans do not reflect what is actually being done. His main frustration is with the lack of detail and completeness in the submittal, and he suggested returning with a submittal that meets the criteria of the checklist in order to fully evaluate it. Mr. Fenton was opposed to this, stating he waited 7 weeks for the hearing, he questioned whether or not the Board would have another quorum soon, and he asked and confirmed with Ms. Whales and Mr. Thompson that nothing more was needed in the way of drawings. He apologized also that the Board did not receive all of the 5 page submittal which described the proposal.

Acting Chair Whitty referred to the concrete pad and said the Board wants poured concrete and not slabs in order for what to move through it and not off of it, and she confirmed he was not sure whether or not he could incorporate percolating concrete into the plan, especially on the western exposure where the drive in doors were located.

Mr. Mitchell said the applicant is required to meet the C-3 storm water standard. The concrete is an option but not yet a requirement, as there is no guaranteed formula available. He said staff typically requires applicants to work with those specializing in the storm water standards, but this is an existing and approved project with some modifications. He said staff would review this prior to it if it comes back to the Board.

Mr. Fenton acknowledged standards have changed, and he is down to the last phase, and is trying to be consistent with materials.

Board Member Woldemar said in all refinements and clarifications, he did not hear a good response to replacing the stucco with corrugated metal siding like the other buildings on the block have, and he believed cost would not be a factor, as stucco cost more. Mr. Fenton said he has not yet priced it out, but on Building No. 2, if he extracts the roof element and just did the walls, metal siding would be approximately \$50,000. The quotes on the stucco are \$50,000 and \$40,000 and he has a third quote coming. Therefore, stucco seems to be less expensive than the metal, the project's budget is tight, he acknowledged it is an ugly stucco box but hopes to have it visually improved and cleaner. He also looked at wainscoting along the front of the building, and he could agree to go up a certain percentage which might tie in.

Board Member Woldemar said he would like the Board to approve the building tonight not from the point of the view of the application being complete; however, there is a lot of history in the project, and at least three Board Members have some background on it. He thinks the Board can depend on the project being completed properly because of existing evidence out there today. He asked to approve it based upon the 5 page description, with one exception that the building be metal rather than stucco due to consistency and what the Board wanted long ago.

Board Member Butt said he could not support it, felt it sets a bad precedent, thinks the applicant has done a great job and acknowledged the hearing delays, but principally, he read a list of items required for submittal into the record. He said he did not see how the Board can evaluate or approve a project without any of the details which exclusively relate to the building design. He felt the Board's purview is to evaluate building design, which is based on detail, materials, massing and he thinks the submittal is lacking information in all of these things.

Acting Chair Whitty questioned if the applicant could provide the missing pieces of the package in two weeks, and Mr. Fenton said what has been asked for is contained in the drawings, which he was told not to supply.

Ms. Whales said the previous planner Mr. Fenton worked with did tell him not to supply those materials to the Board because of the fact that this was a previously reviewed application. Mr. Fenton did what was asked of him.

Board Member Butt questioned whether a commercial building needed to be stamped and signed by a registered architect, and Mr. Mitchell said a good deal of projects that come to the City are not done by licensed architects, and staff has not made this as a requirement. Staff is in the process of reviewing requirements and can address this.

Mr. Privat said what is actually required in a Design Review Permit is identified in Zoning Code Section 15.04.930, and he read those into the record. Depending on the complexity of the project, the Planning Department can request additional information. Board Member Butt said he wanted to set a precedent for complete applications, and felt that the submittal was significantly lacking and hard to approve without detailed information.

Mr. Mitchell questioned whether the Board wanted the applicant to return to the Board or not, as he wanted to make comments afterwards about what the Board will address in the upcoming year.

Board Member Woldemar referred to the staff report, Condition 2 and read it: "All previous conditions of approval shall be part of this approval and incorporated into this design approval by reference. He suggested that for this application, this is the Board's "out" because it is based upon all prior submittals. Whether the Board all saw it or not is not the issue but staff has record of this. Board Member Butt accepted this suggestion, but would like to highly encourage metal siding. Board Member Woldemar felt discussions with the Planning Director relating to

submittal criteria should occur over the next coming months. Acting Chair Whitty apologized to Mr. Fenton, stating the issue has continued for some time.

The public hearing was closed.

Board Member Bloom said she remembers the project, but could not imagine she approved placement of the redwood tree, as they are placed too close to the building. She also asked to continue the lawn as bunch grass, which would take less water and maintenance.

ACTION: It was M/S (Woldemar/Butt) to approve PLN 09-020, with the staff's recommended design review findings and with staff's recommended conditions of approval 1-7, and with the addition of Condition 8 that the stucco material proposed be revised to be metal siding to match the other adjacent existing buildings. Vote: 4-0-2-1 (Woodrow and Avellar absent; Woldemar abstained).

Any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, April 6, 2009 by 5:00 p.m. and he repeated the appeal period after each affected item.

Mr. Fenton confirmed that the requested metal was corrugated gavalume, which is the predominant material used for the other buildings. Board Member Woldemar confirmed with the applicant that he should also utilize the white color band, as well.

BOARD BUSINESS

4. Reports of Officers, Board Members, and Staff

Mr. Mitchell welcomed back previous and new members of the Design Review Board, said staff had an all hands meeting regarding the Civic Center building and staff will leave the building by the middle of next month and will be back into the main City Hall building. The Hall of Justice Building is where the Council Chambers will be located, which is trailing the renovation of the main building by a few months. Until that building is completed, the Design Review Board will continue to meet at this location. Staff is also looking at other venues other than the Council Chambers, such as the Bermuda Room at the main City Hall building in order to find a workable space for meeting and discussing design.

He said staff is working on a process and procedure for design review. The Council determined they are not moving forward with combining the Design Review Board with the Planning Commission but staff received a list of modifications they wanted to see implemented and staff is working through these details. He said a lot had to do with thresholds for machinery and things in view or sight and staff will raise the threshold for review of these types of visual items.

Mr. Mitchell noted the housing market has changed and people have been caught between value issues and design issues. Staff hopes to conduct some field trips of projects built, identify what was right and wrong with them, staff wants to hold a retreat and discuss legal issues, there are upcoming items for the Board to address such as bio-fuels, telecommunications, green building ordinance, 23rd Street Civic Plan and various phases and work with El Cerrito, infeasibility issues with podium buildings and the way to deliver density objectives, foreclosure issues and stimulus funding, streamlining of elements of the General Plan, shoreline areas and their future review due to economy, the California Endowment and work on circulation issues relating to pedestrian-friendly, bicycle paths, access to fresh food, community gardens, and design standards, the narrow lot issue, corner lot standards, live/work standards, multi-family design standards, industrial buffer standards, design guidelines for community gardens, and work on the City's approval package for design review applications.

Acting Chair Whitty suggested staff at the counter indicate to applicants to submit more rather than less, and Mr. Mitchell said during the retreat, this would be addressed. He noted that the volume of projects would be reduced.

Board Member Butt questioned what would go on with form-based codes, and Mr. Mitchell discussed an expert consultant firm, Opticos, who is working on a form-based code for 23rd Street. The Redevelopment Agency would be working with them and Barrett Avenue, from 23rd to San Pablo Avenue, should be discussed as there is some of the City's best architecture.

Board Member Woldemar suggested the following:

- Utilizing the \$50 the Council wanted to pay Board Members for the public access television budget in order to broadcast meetings;
- Discussing the updates and potential amendments to the zoning ordinance at a retreat;
- Conducting AB 1234 and Brown Act training for Board Members;
- Request the City Council liaison attend the DRB and Planning Commission meetings;
- Hold Planning Commission/DRB study sessions;
- Continue working on the Design Guidelines;
- Update of the City's website;
- Update of information required for complete applications;
- Asked staff to hold a landscape review meeting for larger projects;
- Requested that staff provide water for Board Members at meetings.

Mr. Privat reminded Board Members to contact staff to appropriately agendize items under Reports of Officers, as the item was not a proper forum for questions, answers, and interactions between staff.

Board Member Butt requested staff provide PDF documents in the future to Board Members, and the Board briefly discussed future capabilities.

Acting Chair Whitty confirmed with Mr. Privat that if agendized, the Board could hold discussion on items, which would allow the public to attend meetings if interested in agendized topics.

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

Acting Chair Whitty suggested the Nominating Committee comprise of herself and Board Member Butt for Election of Design Review Board Officers, and the Board would vote on this at the next meeting.

BROWN ACT – Public Forum – No speakers.

The Board adjourned the meeting at 8:30 p.m.