

**DESIGN REVIEW BOARD MEETING
CIVIC CENTER MULTIPURPOSE ROOM, BASEMENT LEVEL
440 Civic Center Plaza, Richmond, CA
May 12, 2010
6:00 p.m.**

BOARD MEMBERS

Michael Woldemar, Chair	Eileen Whitty, Vice Chair
Diane Bloom	Andrew Butt
Otheree Christian	Raymond Welter
Don Woodrow	

The meeting was called to order at 6:05 p.m.

ROLL CALL

Present: Chair Woldemar, Vice-Chair Whitty, Boardmembers Bloom, Butt (arrived late), Christian (arrived late), Welter and Woodrow

Absent: None

INTRODUCTIONS

Staff Present: Jonelyn Whales, Hector Lopez, Mary Renfro, and Alan Wolken

APPROVAL OF MINUTES - None

APPROVAL OF AGENDA

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

Public Forum – No speakers.

CONSENT CALENDAR

Chair Woldemar reviewed the procedure for speakers and noted any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, May 24, 2010 by 5:00 p.m.

Chair Woldemar said the Consent Calendar consisted of Items 1 through 3. Vice Chair Whitty requested removal of Item 2 for discussion. Chair Woldemar disclosed that he had previously met with the applicant for Item 3 and had arrived at a successful design.

ACTION: It was M/S (Woldemar/Woodrow) to approve the Consent Calendar Items 1 and 3; unanimously approved.

Items Approved:

- CC 1. PLN09-125 PLUNGE LANDSCAPING AND RELATED SITE IMPROVEMENTS ON E. RICHMOND AVENUE**
- Description REQUEST FOR DESIGN REVIEW BOARD APPROVAL FOR NEW LANDSCAPING AND RELATED SITE IMPROVEMENTS FOR THE RICHMOND MUNICIPAL NATATORIUM, A CONTRIBUTING STRUCTURE TO THE POINT RICHMOND NATIONAL REGISTER HISTORIC DISTRICT.
- Location 1 E RICHMOND AVE
- APN 556-170-002
- Zoning PC (PUBLIC AND CIVIC USES)
- Owner CITY OF RICHMOND
- Applicant TODD JERSEY ARCHITECTURE
- Staff Contact HECTOR ROJAS Recommendation: **HOLD OVER TO 5/26/2010**
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- CC 3. PLN10-030 HYAMS DECK ON VAN FLEET AVENUE**
- Description REQUEST FOR DESIGN REVIEW BOARD APPROVAL FOR A NEW ±150 SQUARE FOOT DECK ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE.
- Location 5600 VAN FLEET AVE
- APN 510-041-001
- Zoning SFR-3 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL)
- Owner HYAMS JEAN K
- Applicant JASON MCDERMOTT CONSTRUCTION
- Staff Contact HECTOR LOPEZ Recommendation: **CONDITIONAL APPROVAL**

Items Removed from the Consent Calendar/Discussed:

- CC 2. PLN08-084 KAISER PARKING LOT ON MACDONALD AVENUE**
- Description REQUEST FOR DESIGN REVIEW BOARD APPROVAL FOR SITE IMPROVEMENTS TO A RECENTLY APPROVED TEMPORARY SURFACE PARKING LOT WITH 175 PARKING STALLS.
- Location 727 MACDONALD AVE (site bounded by Macdonald Avenue, 7th Street, 8th Street, and Nevin Avenue).
- APN 538-142-016
- Zoning C-B (CENTRAL BUSINESS DISTRICT)
- Owner KAISER FOUNDATION HOSPITALS
- Applicant ANITA WILLIAMS
- Staff Contact HECTOR LOPEZ Recommendation: **CONDITIONAL APPROVAL**

Mr. Lopez gave a brief staff report, described the property and request for site improvements to a temporary surface parking lot for Kaiser’s current office and laboratory uses. He described the existing parking garage on 12th Street as a lease, a description of features added to the parking lot to diminish any impacts to nearby neighborhoods, and noted that staff recommends approval of the request.

Vice Chair Whitty confirmed with Ms. Renfro that the Design Review Board’s decision is not forwarded to the Planning Commission. She referred to the 80 trees provided on site, stating that if 1 tree per 4 parking spaces is calculated, only 44 are required in the lot. She said inside the lot there are very few trees and she questioned if the street trees satisfy the City’s ordinance. Mr. Lopez noted that staff calculated 80 trees on the actual lot and within the parking area, which other Board members concurred was correct.

Vice Chair Whitty referred to historic artifacts being displayed and confirmed they would be implemented at a later time. She verified that Kaiser representatives met with the Neighborhood council and that the bench colors would be the same as the fence color. She questioned why the new proposed site would need to be fenced with a 6 foot high metal fence. Mr. Lopez said the applicant wishes to have some amount of security and the applicant could speak to this question.

Vice Chair Whitty referred to building lighting which she confirmed would be shown by the applicant. She asked why curb, gutter, sidewalk could be placed all around the site, as reflected in Condition 10 instead of only along Macdonald Avenue frontage. Mr. Lopez believed it would be around the entire site, that it was an error on the plans and that the applicant could clarify.

Noted Present:

Boardmembers Christian and Butt were noted present at 6:18 p.m. Boardmember Christian was recused from participating on the item due to a conflict of interest relating to the location of his residence.

Boardmember Welter said that along 8th Street, the landscape plans show existing tree pockets that do not have street trees in them, and he questioned the reason for this. Mr. Lopez noted this could be done.

Boardmember Welter confirmed that the project is referred to as a temporary use because it is not technically allowed in the area, and the City is considering granting an exception for a term of 5-10 years.

Boardmember Woodrow questioned how a parking lot qualifies as temporary. Mr. Lopez said the lot is proposed to be used by Kaiser for a period of 5 years. There are no rules for interim parking. At the end of the 5 years, Kaiser will have to return to the Planning Commission for an extension up to 10 years from the time of its approval date. Boardmember Woodrow questioned whether or not the City has any long term plans for the area.

Alan Wolken, Richmond Community Redevelopment Agency Director, stated the site is the old J.C. Penney's site and the City had been working with Kaiser since its purchase by them. Staff has looked at a mixed use development for the site which is what is called for in the Macdonald Avenue Economic Revitalization Plan. That plan set the standard for streetscapes, the 12th and Macdonald development that was approved, is moving forward with a different developer, and the realignment of Macdonald Avenue. Staff is working with Kaiser to do a mixed use development for ground floor retail, offices above and parking to the rear of the site in a multi-level parking garage. Because of changes in the economy, Kaiser is proposing an interim use. While staff is not happy with the parking lot, Kaiser has been supportive by proposing a high quality parking lot which incorporates public art, landscaping, and bio-swales for this interim period. He confirmed that the request would not automatically receive a 5-year extension, and Kaiser will need to return to the Planning Commission for any further extension.

Regarding the use of a parking lot in regard to the 12th Street parking garage, Mr. Wolken said staff is working with the master developer and has an exclusive with the Olson Company on the 12th and Macdonald Avenue site. They are looking at a lower density product type with a supermarket and utilizing the current parking lot with the supermarket. The lot cannot, therefore, be encumbered with Kaiser and the lease can only be extended an additional 6 months, which

would allow them time to develop the proposed lot and finalize the City's negotiations with the developer for the 12th and Macdonald site.

Chair Woldemar requested an explanation of improvements along Macdonald Avenue when the City implements the streetscape work. Mr. Wolken said as part of the Revitalization Plan, Macdonald is broken down into 5 segments. He discussed St. John's and Atchison Village projects and this project being more in character to residential streetscape elements. In the area the we just finished, there are more historical light fixtures. The next segment from 19th to 39th is more institutionalized and business-friendly, as well as having a regional retail from 39th to San Pablo Avenue. The two segments not completed from Garrard to Harbour Way will incorporate a two-tiered light fixture similar to the east end. There will be bulb outs, medians, bio-swales, enhanced crosswalks, wider sidewalks from Garrard to Harbour Way, and a gateway element off of Garrard and onto Macdonald Avenue.

Chair Woldemar questioned and confirmed with Mr. Wolken that the design drawings had begun; staff stopped on the 100% drawings at 95% because of funding issues. He asked if anyone had done a review of the plan as it relates to the 95% design and questioned when the work will be completed. Mr. Wolken said the architect for Kaiser has spoken with BKF Engineers who did the design work for this phase of Macdonald Avenue. Regarding funding for it, their engineer's estimate was \$6.5 million for the improvements. Funding was depleted due to a tax increment reduction from \$28 million to \$19 million. He said the Assessor was using foreclosure sales in the area as comparables for some of the census tracts in the area, which greatly affected funding. However, they have an earmarked \$800,000 from Congressman George Miller and two other earmarks which they have not heard back from Senators Feinstein and Boxer. He spoke also with PG&E about reworking the Rule 28 funding to have them be the trench lead on the project, which would help as well. However, they may have to break work down into segments to start at Atchison Village to 4th Street while trying to obtain additional funding. He also noted that the City's Public Works Department will be resurfacing Macdonald Avenue later this month from Garrard Avenue to Harbour Way.

Chair Woldemar said his reason for asking about design is that some projects done in the past in the area of Macdonald always showed the City what was coming, and this one does not. He asked if staff checked for compatibility of landscape design, corners, handicapped ramps, and lighting so the City can be assured that even though this is going to be in place for 5-10 years, it is compatible with what is being planned for the area.

Mr. Wolken said the process has been vetted; the public art will keep the area vibrant for at least 5 years to what now is a vacant lot, and while it is not the best use of the property, as an interim use the project has gone through many processes to get to this point of support.

The public hearing was opened.

Anita Williams, Applicant and Planning Director for Lionakis, consultant to Kaiser Foundation Hospitals, Sacramento, commended staff for their assistance with the project, hoped for a dialogue with the Board in order to respond to any questions. She presented the site plan, described the 175-space parking lot for Kaiser employees, said they anticipate returning in 5 years with future plans, and described vehicle access, exits, and crosswalks at Nevin and 8th Streets.

Chair Woldemar questioned how employees would access their vehicles in the evening from Macdonald Avenue. Ms. Williams described use of the gate access and noted that they are proposing 20-foot tall light standards. Vice Chair Whitty noted there were no pictures of lighting in the packet, and Boardmember Welter confirmed there were 6 standards with double heads only on the interior and nothing on the perimeter.

Ms. Williams said they are still developing the design of the public art components, there may be some spot and feature lighting on those, their project civil engineer is BKF who did the street improvements along Macdonald Avenue, and have been working with Robert Stevens on them. Regarding bulb outs, she said that doing the full frontage of street improvements along the one block of Macdonald Avenue would be impossible without doing full extended street improvements for a large segment of Macdonald. What might be possible are truncated bulb outs so that it does not extend as far into the center-line of the street.

Regarding bus stops, she said the Iron Triangle Neighborhood Council asked for a bus shelter. There is currently a bus stop near Macdonald and 8th Streets, and she has been in contact with Clear Channel Communications who provides bus shelters for AC Transit. There is now a bus shelter depicted on the plans which they are negotiating with them on. There is also the potential that AC Transit may want this bus stop/bus shelter moved down, which would push the stop immediately away from residents and over to the parking structure.

Boardmember Christian questioned who makes the decision to locate a bus shelter, and Ms. Williams noted that AC Transit needs to approve it and it is Clear Channel's maintenance. Mr. Wolken stated that the completed segment of Macdonald Avenue includes a different type of shelter than the one shown; it is a shed roof with recessed lighting and some seating. East Macdonald has more of this type of standard, and he pointed out that most bus stops in Richmond do not have shelters.

Chair Woldemar questioned if the shelter will be identical to what is planned for the future along that strip, or was it something temporary to be replaced later. Mr. Wolken said they would not replace the shelter, but he noted there are more issues than just the bulb outs, such as drainage. Ms. Williams stated they were also discussing this with AC Transit planners as to how they would see this in conjunction with their bus stop. It might move to the other end so as not to slow down traffic to the intersection, and she stated that all of the issues will take some time to work out.

Chair Woldemar questioned whether the truncated bulb out was in or out of the plan. Ms. Williams said it is not shown now on the plan because they have not worked out that piece of design yet.

Allen Birkett, Kaiser Permanente, Facilities Construction Manager, said if they did the bulb out, it would be an overlay in a temporary sense, just like the parking lot. They are not intending to dig out the entire street, and if anything, it would be a superficial overlay to extend the sidewalk level out to the street. Chair Woldemar confirmed that the issues involved with trying to implement the bulb out include having it project out 4 feet instead of a normal bulb out that projects out 8 feet, that it is concrete and has a curb and gutter, and drainage works around it. Mr. Birkett said they are not trying to implement the minimum, but rather recognize this is a 5 year use and provide a balance.

Chair Woldemar said from the Board's point of view, it wants to know what it is approving tonight. The way it is presented would be no bulb outs. Mr. Wolken said they have worked on

having the truncated bulb out with Kaiser and BKF for pedestrian safety. It is a way to get improvements in as well as the bus shelter, short of having the full block being a parking lot.

Regarding lighting, Boardmember Christian questioned if the people living across 7th Street have commented on the impacts of this lighting on their homes, as the lights are very tall. Ms. Williams said they are shielded as depicted in the photometric plan. She said they have talked with the Iron Triangle Neighborhood Council president, who is present, and while there might be additional lighting on the site, it was not necessarily seen as a being negative in that the site is more developed, better lit, and safer.

Public Comments:

Anthony Allen, Iron Triangle Neighborhood Council, said they did not see a problem with lighting, and agreed it would create a safer environment.

Chair Woldemar added that there are two conditions proposed that deal with keeping the light directly with the site and not off-site.

Vice Chair Whitty questioned if Ms. Williams has been to Marin Civic Center and looked at their parking lot standards. Ms. Williams said she had been there but did not focus on their lighting standard. Vice Chair Whitty said they were much lower, which she preferred.

Boardmember Christian said he was supportive of the lighting standards and height as supported by the neighborhood council.

Ms. Williams questioned if there were any other site questions.

Chair Woldemar said one page of the drawings shows a set of trees around the perimeter that do all exist. On another page of the drawings, it states there are a series of trees that are not there, and he questioned if those would be replaced. Ms. Williams apologized for not pointing out symbols around the sidewalk which represents existing street trees.

Boardmember Welter noted there is a discrepancy on Sheet L.2.1 and on the landscape planting plan regarding the number of missing trees, noting that one indicates there are only 2 trees missing. Therefore, there is a discrepancy with how many are actually missing. Chair Woldemar asked that those not reflected be replaced. Ms. Williams agreed that if there are missing street trees, they can be replaced, as the pockets are already there.

Vice Chair Whitty questioned whether pavement was pervious. Ms. Williams pointed out areas using a series of bio-retention facilities. The site has not yet been evaluated for pervious paving, but they can take a look at it but said they cannot guarantee it can be implemented. The last new major medical center she worked on for Kaiser was in Modesto and they did that site with pervious paving, but it is something they can look at. She said one reason for not designing it this way is because it is a temporary site. If permanent, the site would be a more ideal candidate for it.

Vice Chair Whitty asked for a description of the bio-swale, and Ms. Williams said her civil engineer could better describe it, but stated there are inlets that come from the parking area into the bio-retention facility. She said it is not actually a bio-swale but a bio-retention facility,

according to the civil engineer, and is designed to the Contra Costa County's Clean Water Guidelines C3 guidebook standards.

Chair Woldemar said he met with the applicant and staff 2-3 weeks ago and he raised a number of issues. One was the planting of trees in the middle of bio-retention areas. He returned to the County book and there are no trees planted in the middle. Ms. Williams said they referred to Appendix B, which she said is a list of specific trees, shrubs, hedges and groundcovers that might be appropriate for bio-swales, and they made sure their proposed trees were on the list.

Chair Woldemar questioned and confirmed that if there was a foot of water the species of tree on the list would survive. Boardmember Bloom questioned, though, how windy it was in the area. Vice Chair Whitty supported installation of male Gingko trees all along Macdonald Avenue. Boardmember Bloom then questioned how Gingko trees on Macdonald ties into what is located further up, and supported Crepe Myrtle trees for wet conditions. Ms. Williams said they cross-referenced three different documents; the C3 Storm water control guide, the City of Richmond Urban Forest Master Plan, and the Macdonald Avenue Improvement Plan for designing the landscape. Ms. Williams indicated that the site is compacted fill and she thinks ultimately, before planting trees, a drainage test should be done if required.

Anthony Allen, Iron Triangle Neighborhood Council, questioned impacts of oil from cars in the parking lot, runoff and its affect on trees. Ms. Williams noted this will tie into the City's storm water system, which is the purpose of a bio-retention facility. She said bio-swales have been done successfully in many locations throughout the City near parking lots and along frontage.

Boardmember Butt questioned if there was an ordinance or guideline that states for certain sizes of parking lots, every 4th or 5th space there be a tree or landscaped area. Chair Woldemar said there is no provision, but other jurisdictions will require peninsulas. However, he recommended that the calculations be done. He said there is a provision in the parking lot section of the zoning ordinance that states that 10% of the parking area, which is the face of curb, shall be landscaped, and 50% of that required 10% shall be interior to the parking lot. He questioned if someone had arrived at the calculations for this project.

Mr. Lopez said staff took into account the actual bio-swale as landscaped area, the trees and island. Chair Woldemar voiced concern with the specific wording in the zoning ordinance and he questioned whether the situation called for a variance. He added that one of the things that could have been done is that all parking spaces in the drawing are 18.5 feet from the face of curb to the front of the stall. The City has a provision that allows for a 2 foot overhang so the curb as the tire stop is at 16.5 feet. Therefore, this is 2 feet of additional landscape space all around the site and down the center of the site on each of the two double rows, which may help satisfy the landscape condition.

Secondly, he said at each of the four corners, the parking areas are backset from one another at about 2-3 feet. The corners could align, which would allow the applicant to increase some of the interior parking areas. He said the radius could be moved to the southeast and the parking spaces moved down which will in turn get to landscaping in and around the main and secondary entrances.

Ms. Williams stated they calculated the landscape area as 24% of the overall site area. Mr. Birkett said after discussing it further, he questioned whether they could take all of the outside landscaping and have the parking right at the side walks. Ms. Williams said the intent of the

ordinance is written for a parking lot that has a building associated with it. Vice Chair Whitty disagreed and asked the applicants to look at Hilltop Mall and the amount of asphalt.

Boardmember Butt noted there are an area of about 50 spaces with no landscaping in-between the spaces on the plan. He felt the intent was to break up the monotony of continuous rows of parking, and suggested including a landscaped area every 10th spot, 5 feet wide, with a tree in it.

Board Members reviewed plans with applicants. Chair Woldemar said he was worried the applicants would not be able to meet the code and still achieve the correct number of parking spaces. Ms. Williams said she believes they can still meet the intent of the code.

Chair Woldemar referred to percentages of landscaping and he asked Ms. Renfro if the Board was mandated to require the condition. Ms. Renfro stated it would be a recommendation from the Board to approve the design with a variance to the development standards, if not met.

Ms. Williams noted that any modifications would be reviewed by the Zoning Administrator to determine if the modifications require additional approval. Chair Woldemar and Board Members believed a variance would be needed, and noted that the project could be conditioned to require what the zoning ordinance states. Ms. Renfro stated the code states, "In a parking lot, 30% of it shall be landscaped." The condition could state, the landscaping shall be designed, including the bio retention areas, to be a minimum of a total as required by the Zoning Ordinance. There is already a condition that states the Zoning Administrator can review the plan and if a variance is determined to be needed, the Zoning Administrator will move it forward to the Planning Commission. Ms. Williams questioned whether the Zoning Administrator could conduct an administrative hearing, and Ms. Renfro said sometimes this is done but not with a variance.

Boardmember Woodrow questioned if the word "temporary" has any affect on interpretation of the code in terms of the development standards. Ms. Renfro said the temporary use is 5 years and not like a Christmas tree lot or seasonal use. Mr. Birkett said there was focus on exterior of the site with landscaping, but they are happy to change it to be interior, calculate the requirements and return.

Boardmember Woodrow also noted that if screening was done with shrubbery, it would not work for 10 years, and this should be considered based upon timing. Boardmember Bloom said the street trees are the only landscape material remaining as far as the Board knows.

Boardmember Welter referred to fences, and questioned if proposed fencing was supported by Boardmembers. He voiced concern with the finish and said he prefers powder coating which wears well over time. Ms. Williams responded that the fencing is powder coated and is a very high quality fence material.

Boardmember Welter referred to the design of the fence and while he said he would like something different, he acknowledged that it is a temporary use. Boardmember Bloom questioned how security is increased with fencing. Chair Woldemar noted that during daylight hours, there is a guard and gates are down. At nighttime, gates are up, but the site is illuminated and he had asked the same question.

Mr. Birkett said the site has had a lot of security issues. The fencing reduces the ability for people to walk through the lot, from being able to get on and off the lot without the use of the gate or from a certain zone. It also separates people transferring from the lot into the

neighborhood. He said that the police department is in discussions with them and with City staff, and he agreed there were problems with people currently breaking into vehicles.

Chair Woldemar said if the fence is warranted, he asked why the site could not be made to be secure with card access, or why a 24 hour guard couldn't be maintained. Mr. Birkett said this would eliminate parking spots and not allow the gate to work correctly. He stated there are security escorts and cameras on site that connect to the medical center security system, and Ms. Williams added that there will be blue phones at the south and north ends which connect directly to Kaiser security.

Vice Chair Whitty said in downtown Oakland, there is a post office which is near the City Hall and Library. Across from it is a parking lot without fencing. Everyone walks through it all day and night and she has never seen a police car there. She said this is why she questions the need for fencing.

Boardmember Bloom stated that although the applicants are trying to match the black, a green color for fencing is elegant-looking over black and she asked that this be considered. Boardmember Woodrow said he had no problems with the fence color, material or its justification.

Anthony Allen, Iron Triangle Neighborhood Council, said the neighborhood council has no problem with fencing, are aware of activities in the area and supported the need for it for public safety reasons.

Chair Woldemar said his concern is that the fencing is of standard quality and he thought that a project like this in this location could do better with something more upscale. He asked that the color be something other than black. He also commented that the 8th Street elevation is 250 feet of linear straight lines. He suggested that the fence could move back and forth a bit and there could be different landscape treatments to break up the linear length, such as along 7th Street west of the guard shack, where 40 or 50 feet could break up the block visually. Instead of a black picket fence, he suggested utilization of a green or other colored, powder coated, metal steel tube frame with a tight mesh grid, with perhaps some vines. Although, he agreed the police department would not be supportive of vines.

Boardmember Bloom suggested that when the Board discusses the art, it could indicate the fence as being background to it, and she suggested information in the concrete similar to Rosie the Riveter.

Chair Woldemar questioned what would happen with the site's signage and graphics. Ms. Williams stated they will only put a small Kaiser Employee Parking Only sign. Boardmember Butt questioned the need for directional signage at the crosswalk. Ms. Williams said this would be more appropriate if the lot were public. She presented three exhibits, stating that two exhibits discuss public art. She presented the first looking northeast across the site from Macdonald and 7th and noted that the bus shelter could potentially move. What is shown are placeholders and the actual objects have not yet been fully designed, but Kaiser is negotiating with Scientific Art Studio. She said the Coca Cola display at AT&T Park was done by them, as well as the Memories of Macdonald markers along Macdonald Avenue.

She described markers in Richmond telling a story about the time during WWII when the Kaiser Shipyards were full and when people came from everywhere to Richmond to work in the shipyards and the impact that had. However, the poignant piece of the story is that the

prosperity that came with the shipyards was not sustainable and went away at the end of the war. However, this is the place where Henry Kaiser began offering a pre-paid health plan to his employees at 50 cents a week, which was sustainable. She said Kaiser has three people on staff called Heritage Resources who serve as historians and who have worked closely with Donna Graves, the National Parks Service, the Redevelopment Agency to help inform and develop the content to many images as seen at the Rosie the Riveter and Memories of Macdonald plaques.

Ms. Williams said Kaiser is working with the National Parks Service to negotiate a long-term loan of an artifact from the shipyard, such as a big propeller or anchor. She said additionally, the National Parks Service knows of somebody who had many bollards used to tie up ships, and they would like several of them placed around. She also noted that the shipyard theme is one of the reasons the color black works for them in terms of the fence color.

Ms. Williams then provided a close-up of one of the panels, stating that they are about 7 feet tall and 6 feet wide. Photographs would be taken of what Kaiser has in their archives; they would be enlarged and transferred onto tile. She has done this in two locations now in downtown Lodi and in downtown Sacramento, both at AT&T buildings. She said the process is done in Italy and the tiles are then shipped to California.

In summary, she noted that it would have been easy for Kaiser to return with some small piece at one corner of the site, but she felt what is proposed is a fully formed design that speaks to the history of Kaiser and to the history of the City of Richmond during WWII, and is keeping with themes already in place in the community.

Chair Woldemar questioned if the art component would be reviewed by the Art Commission. Mr. Birkett noted that they work with Donna Graves who has worked with the Commission on the Memories of Macdonald, which ties into their theme. She noted that Scientific Art completed the propeller forms on Macdonald and they wanted to keep that consistency.

Boardmember Welter confirmed that the fence was pulled away from the street to provide a more landscaped area and the art piece would be placed about 3-4 feet back.

Public Comments:

Anthony Allen, Vice President, Iron Triangle Neighborhood Council, stated the neighborhood council approved of the project for temporary use, and asked for art work to be included as part of the project. He likes the use of a propeller or old shipyard artifacts, and they like what they have seen thus far.

The public hearing was closed.

Boardmember Bloom suggested that in forming conditions, she suggested the applicant return with revised planting plans.

Boardmember Christian stated he lives directly across the street, agreed that he could not vote on the item, acknowledged support by the neighborhood council, and noted that the plans incorporate lower lighting than what currently exists now.

Boardmember Welter believes Kaiser has done a great job with the project, and suggested approval with conditions.

Vice Chair Whitty stated she was ready to approve the request with conditions.

Chair Woldemar read his proposed list of conditions to be incorporated, as follows:

1. The plan be modified to comply with the section of the zoning ordinance regarding landscaping on parking lots, specifically dealing with 10% of the parking lot area to be landscaped, and 50% of this being within the interior of the parking area;
2. A second pedestrian access gate be added somewhere near the guard shack;
3. Lights be added to the exterior of the guard shack (Metal Halide lighting) to illuminate either side of the driveway;
4. The truncated bulb-outs be included as part of the project;
5. The missing street trees be replaced with a minimum of 15 gallon size trees matching those that are existing;
6. A parking lot security system be required to tie into the hospital security system;
7. The fence design be reworked to be a non-picket type fence and that the color be powder-coated and not black;
8. The parking lot layout be adjusted to use curbs as tire stops and to increase landscaping area;
9. The resultant landscape plan be amended to reflect site planning changes.

Boardmember Butt believed the Board should be more flexible with the fence color, stating that the applicant's argument for having it as a backdrop to the artwork is valid. He said if colored green, it should be a very dark green.

Chair Woldemar noted that he did not remember the shipyard having a lot of black, but rather having a nice gun-metal grey which he felt would be a nice color. Boardmember Bloom said if a grey background was chosen, she suggested revisiting the plant selection to incorporate silver and olive tones.

Boardmember Welter suggested taking all of the items such as landscaping, fencing and art and looking at it as a cohesive piece. Ms. Williams agreed and stated that Kaiser has the artist and landscape architect on board to coordinate all pieces.

Chair Woldemar clarified that the items proposed will be subject to staff review because the public hearing has been closed. He believes there is still a lot of flexibility given the context of conditions. He believes there is still reworking of the design that needs to be done by the applicant and he suggested staff review the plans relative to the conditions.

Ms. Whales noted that the bus shelter was not mentioned in conditions. Chair Woldemar said he assumed it would remain. Ms. Renfro stated that the City does not have control as to whether it is there, and she suggested a condition that the applicant shall use best efforts to persuade retaining the bus shelter. Ms. Williams confirmed that Kaiser would fund the bus shelter.

Chair Woldemar and Boardmembers agreed to add an extra condition that there shall be a bus shelter, with the location to be determined.

ACTION: It was M/S (Woldemar/Whitty) to approve PLN 10-084, based on the staff's recommended four design review findings, on the staff's recommended eleven conditions, with two changes to the eleven conditions: Condition 10--curb, gutter and sidewalk replacement be discussed by the Engineering Department shall apply to the entire surrounding frontage of the site and not just along Macdonald Avenue; and Condition 11 be deleted because it is covered by Condition 4. The following conditions are added:

1. The plan shall be modified to comply with the section of the zoning ordinance regarding landscaping on parking lots, specifically dealing with 10% of the parking lot area to be landscaped, and 50% of this being within the interior of the parking area;
2. A second pedestrian access gate be added somewhere near the guard shack;
3. Lights be added to the exterior of the guard shack illuminating either side of the driveway;
4. The truncated bulb-outs be included as part of the project;
5. The missing street trees be replaced with a minimum of 15 gallon size trees matching those that are existing;
6. A parking lot security system be required to tie into the hospital security system;
7. The fence design be revised to be a non-picket type fence and that the color be powder-coated and not be black;
8. The parking lot layout be adjusted in such a manner to use curbs as tire stops, with the car overhanging into the area by two feet;
9. The landscape plan be reflected conditions previously listed including parking lot layout and colors;
10. That there be a bus shelter, the location of which will be determined in either of the two locations discussed.

The Board unanimously approved PLN 10-084 (Christian recused himself).

BOARD BUSINESS

A. Staff reports, requests, or announcements.

Ms. Whales stated staff was currently working on a new vegetation ordinance with Public Works and Parks and Recreation which relates to the maintenance bond discussion. A draft should be circulated to the Legal Division next week. Chair Woldemar asked that the Board be able to review the draft ordinance.

B. Board member reports, requests, or announcements.

Chair Woldemar suggested establishing a standard format for conditions of approval in staff reports. He noted each one is different and some conditions are and are not included. He suggested five principle topics to be used as a standard form in conditions, with some being boilerplates. Some could be standard, some could not, i.e., apply to conditions prior to an application and/or issuance of a building permit, and others not apply until Certificate of Occupancy is issued. It would be very useful for project applicants and in organizing them in order of needing to be done. Ms. Renfro noted standard conditions of approval have been on staff's work list, and agreed it was something needing completion. She said ordinarily, standard conditions of approval are organized by topic. Afterwards, a chart is made and they are organized prior to the building permit being applied for.

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Chair Woldemar noted that the Board is now receiving defined comments from Engineering and Fire departments. Mr. Lopez stated there are various conditions needed for many types of projects, such as new, remodeled, and the nature of them is always changing.

Chair Woldemar asked staff not to accept any more plans larger than 24 x 36.

The Board adjourned the meeting at 8:20 p.m. to May 26, 2010.