

MINUTES APPROVED AT THE DRB MEETING ON JULY 14, 2021

DESIGN REVIEW BOARD REGULAR MEETING Richmond, CA 94804

June 23, 2021
6:00 P.M.

All Participation Via Teleconference

Due to the coronavirus (COVID-19) pandemic, Contra Costa County and Governor Gavin Newsom had issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Newsom had issued executive orders that allowed cities to hold public meetings via teleconferencing. Due to the shelter in place orders, all City of Richmond staff, members of the Design Review Board (DRB), and members of the public participated via teleconference. Public comment was confined to items on the agenda and limited to the specific methods identified on the agenda.

BOARD MEMBERS

Kimberly Butt
Jessica Fine
Macy Leung

Brian Carter
Michelle Hook
Jonathan Livingston

Chair Livingston called the regular meeting to order at 6:04 P.M.

ROLL CALL

Present: Chair Jonathan Livingston, and Boardmembers Kimberly Butt, Jessica Fine, and Michelle Hook

Absent: Vice Chair Brian Carter, and Boardmember Macy Leung

INTRODUCTIONS

Staff Present: Planners Emily Carroll and Hector Lopez, and City Attorney Heather McLaughlin

APPROVAL OF MINUTES: May 26, 2021 and June 9, 2021

ACTION: It was M/S/C (Fine/Livingston) to approve the minutes of May 26, 2021 and June 9, 2021 meetings, as submitted; approved by voice vote: 4-0 (Ayes: Butt, Fine, Hook, and Livingston; Noes: None; Abstain: None; Absent: Carter and Leung.)

APPROVAL OF AGENDA

Public Forum

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

The following email was received for public comment:

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CORDELL HINDLER, Richmond: "Good evening Chair Livingston, Boardmembers and City staff, I have a couple of comments for the record. 1. I must remind the Board that any projects coming for approval the applicant must communicate with the neighborhood councils. 2. I think that the public should be allowed to return. Sincerely, Cordell."

City Council Liaison Report: None

CONSENT CALENDAR: None

APPEAL DATE:

Any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Tuesday, July 6, 2021 by 5:00 P.M.

PUBLIC HEARINGS:

- | | |
|---------------------|--|
| 1. PLN21-063 | LOWERY SINGLE-FAMILY RESIDENCE |
| Description | (CONTINUED FROM JUNE 9, 2021) PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A NEW ±2,200 SQUARE FOOT TWO-STORY SINGLE-FAMILY RESIDENCE ON A VACANT PARCEL. |
| Location | YORK STREET (BETWEEN SANFORD AND WILLARD AVENUES) |
| APN | 561-151-021 |
| Zoning | RL-2, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT |
| Applicant | DENISE LOWERY (OWNER) |
| Staff Contact: | EMILY CARROLL Recommendation: CONDITIONAL APPROVAL |

Emily Carroll presented the staff report dated June 23, 2021, for a new single-family residence on a vacant parcel where three 2,500 square foot non-conforming lots had been combined to create two parcels of 3,750 square feet that complied with the underlying zoning standards. A 2,200 square foot two-story home had been proposed on the subject lot, with three bedrooms and two and a half baths. There would be a one-car garage with an additional parking space in the driveway. Staff had reviewed the design and had worked with the applicant to address some design issues. She characterized the design as a Craftsman style with gables facing the street and a small entry porch, with a mix of horizontal sliders and double-hung windows.

Ms. Carroll recommended additional conditions of approval that the window in the kitchen be modified to be a slider to access the sideyard and rear yard, that the siding on the ground floor be installed horizontally to be consistent with the rest of the house, and that the existing mesh fence along the northerly side of the property be removed and be replaced with a fence style more compatible with the project. She reported the applicant had prepared a conceptual landscape plan with two small lawn areas, shrubs and a patio. There had been no comments from the neighbors. She added that there would be a fence permit associated with the design.

DIANE LOWERY, the property owner, stated she had pursued the lot line adjustment because the City had recommended two conforming lots of 3,750 square feet each from three 2,500 square foot non-conforming lots. She noted that her original plan was to produce two houses of the same design in tandem. In the future, an application for the second lot would be submitted for another home with a somewhat different design consistent with City requirements.

Boardmember Fine liked the house and sought more rigor in the landscape plan with dimensions, street trees, and more clarity as to the existing mesh fence and how it would be

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replaced. She also liked the consistency of the horizontal siding. With respect to the exterior materials, Boardmember Fine referred to the color differentiation between the rooftop shingles and the siding shingles, which she suggested were too similar in color. She recommended something in the lighter tones for the wall shingles versus the darker shingles on the roof. Overall, she liked the floor plan and liked that the details in the constructability had been provided and sought that same level of detail with respect to the landscape plan.

Boardmember Butt stated the design looked appropriate from the street with the same massing and dimension of many of the adjacent properties. She agreed with the comments with respect to color and supported the lighter building color on the shingles. She clarified with Ms. Carroll that the design had already been upgraded with horizontal siding. Noting that there were iron fences on other properties in the neighborhood, she asked if any type of fence had been proposed at the street line and encouraged the applicant not to do that.

Ms. Lowery stated there would be no wrought iron fencing in the front although there would be a gate on both sides of the house. With respect to the mesh fencing, she reported she had spoken with the tenant on the north side of the property who did not speak English and who did not own the property, and she questioned whether she would be able to replace 10 to 15 feet of that mesh fence as a result.

Boardmember Butt requested that staff help Ms. Lowery get in touch with the applicable property owner regarding the good neighbor fence.

Boardmember Hook sought more detail in the landscape plan and asked the applicant to describe the plan.

Ms. Lowery explained that the right side from the street would have bark and different bushes along the fence line with a butterfly bush and trees. Currently the area was totally vacant. She stated there would be a 3.5 foot wide redwood gate 6 feet high in the 13.5 foot wide sideyard with a concrete walkway to a rear patio with fruit trees, vegetation and plants. A sod lawn would be placed after the patio going east with stepping stones to another patio and a cement berm would step up to a little picnic table/eating area surrounded by plants and bushes. There would be sod lawn on the north side that would extend to the setback line with a number of trees. The left side of the property with the existing six-foot redwood fence would be all black bark to the front entrance. There would be a cement driveway at the front entrance, with black bark, plants, bushes, and one tree in the front. She added there would also be black bark from the street to the sidewalk along with a kangaroo type of grass.

Boardmember Hook verified with Ms. Lowery that an automated drip system had been proposed for the rear but there would be no automatic irrigation system in the front.

Boardmember Hook recommended more sages and similar plants to the butterfly bush along with more native plantings. She supported planting communities and encouraged the planting of a tree in the rear. Given the need to irrigate lawn areas, she questioned the need for the lawn, and Ms. Lowery suggested that the lawns could be eliminated and replaced with decomposed granite in a light beige color to reduce the need for watering.

Boardmember Hook suggested that the decomposed granite might be the hardscape with the front plantings to be used in the rear where a no-mow lawn grass could be considered. She emphasized that the use of plant communities would be a good idea. She recommended that the landscape plan be revised to incorporate the recommendations and include the names of plant species and all required detail, particularly since it could serve as a template for the

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adjacent property, when developed. She also requested that sections be shown. Chair Livingston liked the plan and suggested the landscape plan was undercooked.

Chair Livingston opened the public hearing.

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

Boardmember Fine agreed that the landscape plan needed to be refined to be more rigorous, with more information to be provided along with information on the fencing and the fence line. Referring to the rendering shown on Sheet MB1.0, she suggested that could be used to visually identify the landscaping that had been envisioned.

Chair Livingston recommended that the front porch also be identified on the plans.

ACTION: It was M/S/C (Livingston/Butt) to continue PLN21-063, Lowery Single-Family Residence to the July 14, 2021 meeting to incorporate Boardmember Hook's recommendations into a revised landscape plan; approved by voice vote: 4-0 (Ayes: Butt, Fine, Hook, and Livingston; Noes: None; Abstain: None; Absent: Carter and Leung.)

- 2. PLN20-091 LOWERY SINGLE-FAMILY RESIDENCE**
Description **(CONTINUED FROM MAY 26, 2021)** PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A NEW ±1,700 SQUARE FOOT TWO-STORY SINGLE-FAMILY RESIDENCE ON A ±2,500 SQUARE FOOT VACANT PARCEL.
- Location 550 36TH STREET
APN 516-080-018
Zoning RL-2, SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT
Applicant DENISE LOWERY (OWNER)
Staff Contact: EMILY CARROLL Recommendation: **CONTINUE TO JULY 14, 2021**

The item was continued to the July 14, 2021 meeting.

- 3. PLN21-129 DOLLAR TREE RETAIL STORE**
Description **(CONTINUED FROM MAY 26, 2021)** PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION OF A DESIGN REVIEW PERMIT AND CONDITIONAL USE PERMIT FOR EXTERIOR IMPROVEMENTS TO THE EXISTING BUILDING AND PARKING LOT. A CONDITIONAL USE PERMIT IS REQUIRED TO OPERATE AND ESTABLISH A RETAIL STORE GREATER THAN 3,000 SQUARE FEET IN SIZE.
- Location 12300 SAN PABLO AVENUE
APN 519-200-018
Zoning CM-4, COMMERCIAL MIXED-USE, GATEWAY/NODE
Owner KIM KEVIN
Applicant TIM MEEHAN
Staff Contact: HECTOR LOPEZ Recommendation: CONTINUE TO A FUTURE MEETING

The item was continued to a future meeting.

- 4. PLN21-053 ACCESSORY BUILDING**
Description PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN

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REVIEW PERMIT TO CONSTRUCT A 650 SQUARE FOOT
DETACHED ACCESSORY BUILDING.

Location	2420 FOOTHILL AVENUE
APN	549-132-003
Zoning	RM-2, MEDIUM DENSITY RESIDENTIAL DISTRICT
Owner:	KEN YANG
Applicant	HENRY YEUNG
Staff Contact:	HECTOR LOPEZ

Recommendation: **CONDITIONAL APPROVAL**

Hector Lopez presented the staff report dated June 23, 2021, for a 650 square foot accessory structure to be used as a media room. The simple structure would include a half-bathroom and a laundry and an open area with a large screen television, computer and the like. He described the subject parcel as quite large. The existing 1,900 square foot home faced Foothill Avenue and there was currently an Accessory Dwelling Unit (ADU) under construction in the rear. The new structure would be separate from the ADU and from the primary dwelling. The structure would be designed to be compatible with the existing dwelling with a gable roof, stucco, fiber cement and composition shingle roof, and would be low profile and match the materials and color of the existing single-family home. Approval was recommended.

Chair Livingston noted that the plans included conflicting references to the materials to be used, and that fibrous cement had been identified but had not been shown on the plans. He stated the plans were not complete because all the detail had not been shown.

Boardmember Fine agreed and asked about the definition of an accessory structure. She suggested that the structure represented habitable space.

Mr. Lopez stated that the City allowed habitable spaces in accessory buildings and the only concern was that when providing a bathroom it had to be a half-bathroom, and there would be a restriction to be filed with Contra Costa County that the structure would not be an additional unit. It was his understanding that the structure could be used as an office, for instance, separate from the building and as long as it was not converted to a dwelling unit it would be allowed.

Boardmember Fine asked that the language in the drawings and the project description be consistent as to whether the accessory building was a media room or an accessory structure.

Mr. Lopez stated it was an accessory structure and it could be shown as such consistently throughout.

Boardmember Fine noted that the existing conditions needed to be documented correctly if the proposed unit was intended to match existing units. She verified that there had been no comments from the neighbors.

Boardmember Butt clarified that there was already an approved ADU that was currently under construction, which she verified had not required DRB approval. She asked why the media room required DRB approval, and Mr. Lopez explained that anything over 250 square feet in size required DRB approval.

Boardmember Hook wanted to understand the in-between spaces between the three units and asked that more information be provided related to the setbacks and areas that were currently landscaped, with the existing trees to be identified and whether they would be retained. She wanted to see a section or 3D modeling of the in-between spaces.

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Mr. Lopez explained that Exhibit B in the staff report showed the close proximity of the large trees around the site. The area of the proposed building was fairly flat. He stated the trees would be retained but had not been shown on the plan.

Neither the applicant nor the architect was available at this time.

Boardmember Fine asked that the applicant use consistent language for the description of the building, be clear about the existing conditions as related to the stucco façade and roof fascias, and if mimicking the design it needed to be represented more clearly, there needed to be more rigor in terms of getting the north arrow and alignment of the drawings correct, and a materials board and a landscape plan had to be provided to present the DRB with a complete package.

Boardmember Butt recommended that the siding be drawn onto the elevations, sought more detail on the drawing, and asked the extent of the DRB's requirements and threshold in terms of landscaping for the small accessory structure. She commented that the site looked natural and she questioned whether the large mature trees would remain. She asked about the colors and materials, material between the two buildings, the paving for the patio, and the visibility of the proposed unit.

Boardmember Hook asked about the setback areas in front of the new media room, sought clarity on the trees and what was currently on site and what would remain, which would speak to the landscaping that might be required, how the three structures would work, and the circulation of the enclave.

Chair Livingston referenced concerns about the DRB's actual purview ability where ADUs were concerned. He wanted to encourage the applicant to recast the design to be consistent with the main house to allow the ADU to disappear in the rear, to get the right roof and eave detail to match the house, and recommended that the applicant reconsider the windows in front to be more consistent, to make them the same. He identified a major drafting error where a retaining wall behind the structure had not been shown in the plans and he requested that detail. In addition, a door to an equipment room had not been shown correctly in that the equipment room was on the outside of the building and would have to be roofed, designed, and detailed. He stated the proposal needed to be drafted correctly, the siding had to be shown, the stucco needed to be detailed properly, the foundation vents had to be included, the windows rematched, stucco detail provided, and the fir tree needed to be plotted.

ACTION: It was M/S/C (Livingston/Butt) to continue PLN21-053, Accessory Building to a future meeting for a revised plan subject to the DRB's comments and recommendations, approved by voice vote: 4-0 (Ayes: Butt, Fine, Hook, and Livingston; Noes: None; Abstain: None; Absent: Carter and Leung.)

Boardmember Fine volunteered to serve on a subcommittee to discuss the application if determined to be necessary.

Board Business

A. Staff reports, requests, or announcements:

- The City of Richmond is redistricting after the 2020 Census count

Chair Livingston asked about the City Attorney's Report on Nexus and Proportionality that had been continued from the last meeting and directed staff to re-agendize the item.

Boardmember Fine asked the status of in-person DRB meetings.

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City Attorney McLaughlin reported that the Governor had extended the ability to have Zoom meetings until September 2021, and the timing of in-person meetings had yet to be determined by the City.

Ms. Carroll reported that the City Council would hold a public hearing on redistricting as a result of 2020 Census data on July 6, 2021. More information was available on the City's website.

Chair Livingston raised the issue of incomplete plans being submitted to the DRB and Mr. Lopez described the challenges involved.

B. Boardmember reports, requests, or announcements:

Chair Livingston provided the status of the Terminal One project along with other projects currently in process.

Adjournment

The meeting was adjourned at 7:30 P.M. to the next regular Design Review Board meeting on Wednesday, July 14, 2021.