

# MINUTES APPROVED AT THE DRB MEETING ON OCTOBER 13, 2021

## DESIGN REVIEW BOARD REGULAR MEETING Richmond, CA 94804

September 22, 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 6:02 P.M.

### ROLL CALL

**Present:** Chair Jonathan Livingston, Vice Chair Brian Carter, and Boardmembers Kimberly Butt, Jessica Fine, Michelle Hook, and Macy Leung

**Absent:** None

### INTRODUCTIONS

**Staff Present:** Planners Roberta Feliciano, Jonelyn Whales, Alex Vega, and Hector Lopez, and City Attorney Shannon Moore

**APPROVAL OF MINUTES:** August 25, 2021

**ACTION:** It was M/S/C (Fine/Carter) to approve the minutes of the August 25, 2021 meeting, as submitted; approved by voice vote: 6-0 (Ayes: Butt, Carter, Fine, Hook, Leung and Livingston; Noes: None; Abstain: None; Absent: None.)

### APPROVAL OF AGENDA

#### Public Forum

Planning Interim Alex Vega identified 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 offered his comments on Zoom and by email, as follows: "Good evening Chair Livingston, Boardmembers and staff, I have some comments for the record. 1. I must remind the Board that any projects that are pending, the applicant must communicate with the neighborhood council to provide feedback. 2. I have someone in mind to fill the last vacancy for the Board. 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 Monday, October 4, 2021 by 5:00 P.M.

### **PUBLIC HEARINGS:**

<b>1. PLN21-021</b>	<b>NEW COMMERCIAL BUILDING</b>
Description	PUBLIC HEARING TO CONSIDER A REQUEST FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A 5,000 SQUARE FOOT PREFABRICATED BUILDING ON A VACANT PARCEL.
Location	600 SOUTH 31 <sup>ST</sup> STREET
APN	549-204-002
Zoning	IL, INDUSTRIAL LIGHT DISTRICT
Owner	JOHNNY SILVA
Applicant	GUSTAVO OROZCO (DESIGNER)
Staff Contact	JONELYN WHALES Recommendation: <b>CONDITIONAL APPROVAL</b>

Jonelyn Whales presented the staff report dated September 22, 2021 and clarified that she had circulated an addendum/memo to the Planning Commission to report that the parcel size for the subject site was 8,308 square feet in size instead of the reported 9,770 square feet, as shown in the staff report. She also clarified that the owner had a hardscape business that specialized in landscaping material such as pavers, bricks and concrete stones instead of just a landscape business. The maximum floor area ratio (FAR) was also changed from what had been shown in the staff report to 5,400 square feet, well below the 65 percent FAR allowed by the IL District. In addition, Condition 5 was changed to 830 square feet of landscaping instead of the 970 square feet referenced in the staff report. She explained that an email from the adjacent neighbor of a residential dwelling had identified the inconsistencies in the staff report as a result of the change in project square footage.

Referring to the IL District where there were zero front, rear and sidewalk setbacks, Ms. Whales stated that given the abutting single-family dwelling, a 15- to 19-foot sideyard setback had been requested by staff adjacent to that dwelling. She noted that the applicant had offered 10 percent of the lot size for the landscaping proposed for the prefab building.

Ms. Whales advised that staff had other concerns for the overall proposal. As shown on the plans, there were 2.5 parking spaces required for the warehouse based on the square footage, although the two spaces that had been shown on the drawings did not meet the minimum required parking spaces and there would have to be an additional space in the rear or the side of the building to comply with the parking requirements for the zone. She recommended the elimination of the large roll-up garage door on the south elevation, to be replaced with a window to offer natural light to the building, and suggested the design of the warehouse building would preserve the style of the

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surrounding industrial buildings along 31<sup>st</sup> Street.

Given the inconsistencies in the plan, including the lack of one parking space, Chair Livingston suggested that comments should be taken, the design discussed, and the application be returned to be considered formally, although Ms. Whales noted that the inconsistencies were staff's error and not the applicant's error.

Boardmember Fine asked how the staff's inconsistencies would affect the staff recommended conditions and the DRB's review and identification of those conditions as well as the notification process.

City Attorney Shannon Moore advised that the memo circulated by Ms. Whales had not been part of the original package and the public had no opportunity to review that document. As such, to ensure that all the mistakes had been corrected, she recommended that the application be continued to be able to start again.

Vice Chair Carter agreed that the changes would affect the site plan and the ability to include an additional parking space along with all the other changes that would be required as a result of the inconsistencies.

Boardmember Leung concurred, as did Boardmember Hook who pointed out that the landscape and parking appeared to be the biggest issues to be resolved.

GUSTAVO OROZCO, the designer representing the property owner, understood the issue with respect to parking and explained that the warehouse was over 4,465 square feet in size with open space, and the parking was inside. Two parking spaces had been added to the site plan but he explained that there was sufficient space outside to add additional parking spaces without disturbing the proposed landscape area. Inside and out there would be sufficient area for parking. He added that the FAR was within the 65 percent requirement for the IL District.

Boardmember Fine requested that the project address be clarified in the staff report. She noted a discrepancy in the staff report in the description of the fence to the south. In what had been proposed in the drawings, there was a redwood fence and not a chain link fence with slats to the south. She understood that would be replaced with a redwood fence on the south and north sides. There was also a discrepancy in the colors of the downspouts and she sought some consistency throughout and expressed a preference for the "desert sand" color. She also wanted to see what the replacement of the roll-up door with a window would look like.

The format of the web-based meeting and the public's ability to speak during the meeting was again identified.

MANOOCH KHAJEH, the owner of the single-family home on the south side of the property, stated he had received a recent letter that had offered little information, which was a repeat of a similar situation related to a nearby application. He objected to the fact that the public was not being properly notified. He stated the inaccurate and underreported lot size and the nature of the business he had earlier identified to staff presented a situation that deserved a second look to ensure there were no further inconsistencies than those that had been reported. As to parking, he expressed concern that there was no circulation on site to allow vehicles to navigate the site. The site was currently a vacant lot and the applicant was currently parking heavy equipment on the street. He requested mitigation with trees, noted that his concerns had been included in a letter submitted to the Planning Department, expressed concern for the proposed curb cut and suggested that multiple curb cuts might be required.

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With no time remaining for his public comments, Chair Livingston asked Mr. Khajeh to identify any further comments by letter.

MOLLY STONE and MICHAEL CONE, 560 South 31<sup>st</sup> Street, the owners of a business on the north side of the property, expressed concern that they had only heard about the application a couple of days ago, had been reviewing the plans, and asked if there had been a licensed surveyor identify the property lines for the site, and whether there was a record of that survey. Their building had been built close to the property line and the plan only allowed 18 inches between the buildings. She was concerned how the integrity of the building would be able to be maintained with only 18 inches between and she requested more space so that both buildings could be maintained in the future. In addition, a replacement of the fence had been shown on the property line and they had never been notified of that proposal. She commented that the building was very large in height in comparison to her building and would shadow her building and the garden on her property.

Boardmember Fine reiterated the concerns related to a lack of notification.

Vice Chair Carter asked about the curb cuts and the City's requirements related to curb cuts, asked about a stormwater plan and a bio-swale, suggested the building could be pulled back from the 31<sup>st</sup> Street property line, asked the purpose of the parking, the circulation for the parking, recommended landscaping out front with landscaping that could serve as a bio-swale, wanted to add some windows to add to the character of the building particularly along the 31<sup>st</sup> Street façade, and asked to articulate the front façade if possible.

Boardmember Hook expressed concern that the neighborhood had not been made aware of the application, asked for a verification of the requirements for stormwater and landscaping, and noted that while there may be parking in the building three spaces would still be required based on the square footage. She questioned whether the landscaping would be reduced as a result. She also asked about the requirements for street trees.

Boardmember Leung commented that it would be great if the owner could coordinate with the neighbor in terms of the fence removal or replacement. With respect to the east and west elevations, she suggested there were discrepancies in terms of tree height and the height of landscaping, and sought the proper treatment of the landscaping and whether it could be an appropriate height to shield the corrugated metal or the use of some other treatment to address that concern.

Boardmember Butt referenced the situation where industrial uses were situated adjacent to residential properties with no transition. She agreed with the need for a redesign to accommodate the three parking spaces, suggested the height of the proposed unit would be higher than the adjacent properties, and asked if there was an opportunity to reduce the height somewhat. She liked the fence proposed adjacent to the residential property and wanted to know what the removal of the garage door and replacement with a window would look like and how that would appear to the adjacent neighbor. She urged the applicant to work with the neighbor to address potential impacts.

Chair Livingston stated with respect to noticing that he had not seen a placard at the site and he clarified that 10 days prior to the meeting notices had to be provided and something had to be posted on the site 10 days prior. He referred to big LED lights high on a building unshielded that broadcast into a neighborhood that would, in this case, impact the adjacent neighbor with three big LED lights unshielded on the south elevation. He stated the lights had to be shielded and if

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within 20 feet of the property line could be no more than 15 feet high. He requested that the lighting plan be reconsidered. With respect to the height issue, he agreed with the need to reduce the height somewhat at least two feet or no higher than the structure next door unless there was some functional requirement for the height that had been proposed.

Chair Livingston suggested the door only needed to be 15 feet high as opposed to the 16 feet that had been proposed. He wanted to see how the parking would be addressed, suggested the door was not needed on the side, although he supported the doors in the front and back and supported the Vice Chair's suggestions. He wanted to see at least a six-foot planting bay on the neighboring side to create a buffer between the residential and industrial uses.

Mr. Orozco explained that the parcel map was from the County Assessor's Parcel Maps recorded data, the operation of the business was hardscaping and landscaping, and the owner needed vertical clearance for forklifts and storage. He stated the vehicles would enter through the gate and loop around to the rear rolling gate and exit through the front. He re-emphasized the need for vertical clearance for the roll-up door for forklifts and commented that if much shorter at 12 feet the upper header could be hit and there would be damage to the building.

Mr. Orozco stated that for the workers and their trucks there would be plenty of space to park sideways and loop around. He did not see that parking would be an issue. With respect to the planters, three feet had been proposed with front clearance at 15 feet. A requirement for six-foot planters would reduce the entrance for vehicles, although he stated that four-foot planters could be supported. He clarified that the height of the lighting could be reduced to 15-foot standards, and he advised that the curb cuts would be consistent with Public Works requirements with two curb cuts proposed at the main entrance gate and at the rolling doors, and street trees could be planted at the sidewalk. He also stated the fence on the north side could be coordinated with the adjacent property owner on the north side and the fence had been proposed for replacement for security purposes and for privacy.

When asked, Mr. Orozco reiterated there had been no boundary survey in that the bearing distances had been retrieved from the County Assessor's Parcel Maps and from dimensions on site, although the Chair suggested that the boundary issues could be resolved with a boundary survey from a licensed surveyor. Mr. Orozco stated that would be pursued after the approval of the application.

**ACTION: It was M/S/C (Livingston/Butt) to continue PLN21-021, New Commercial Building to the October 27, 2021 meeting; approved by voice vote: 6-0 (Ayes: Butt, Carter, Fine, Hook, Leung, and Livingston; Noes: None; Abstain: None; Absent: None.)**

- 2. **PLN21-129**      **DOLLAR TREE RETAIL STORE**  
Description      **(CONTINUED FROM AUGUST 25, 2021)** CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION OF A DESIGN REVIEW AND A CONDITIONAL USE PERMIT FOR EXTERIOR BUILDING RENOVATION AND SITE IMPROVEMENTS. 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 DISTRICT  
Applicant      KEVIN KIM AND JENNIFER YU (OWNERS)  
Staff Contact:      HECTOR LOPEZ      Recommendation: RECOMMENDATION TO THE

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### **PLANNING COMMISSION**

Hector Lopez presented the staff report dated September 22, 2021, and presented the application for a Design Review Permit that had been continued from the August 25, 2021 DRB meeting for building renovation and site improvements at 12300 San Pablo Avenue for a Dollar Tree retail store.

A Conditional Use Permit was also required to operate and establish a retail store greater than 3,000 square feet in size. The proposed renovations were described and the application had been continued to address three major concerns.

One of those concerns was to preserve the amount of storefront glazing to create transparency to the street corner at Barrett and San Pablo Avenues, a designated node in the General Plan. The applicant had modified the plans to preserve the existing glazing and overhang on the San Pablo Avenue building elevation and the storefront glazing had been increased in height one to nine inches to accommodate a store fixture pattern within and increase the total area of street facing storefront glazing. The applicant had also proposed an opaque window film that would screen equipment, shelving, and merchandize inside the store. The window film design would be representative of the City of Richmond and local industry.

Mr. Lopez advised that it had also been recommended that all equipment be screened from public view that matched the underlying structure in proportion, architectural style, and finish. He explained that a roof plan showing existing skylights and proposed HVAC equipment and screening had been added and cut sheets for the equipment screens had been provided.

Mr. Lopez also referred to the issue of traffic given the proximity of the site to a busy intersection that was congested at peak times. The applicant had retained a traffic engineer, Mark Spencer with W-Trans, to provide a response to comments concerning site access and traffic and a letter with a detailed traffic analysis had been provided. The proposed project would generate an average of 604 net new daily trips including 14 new trips during the am peak hour and 55 new trips during the pm peak hour. The traffic engineer had indicated that the existing driveway provided the best location from a traffic engineering perspective in that sight distances at the driveway were more than adequate with proper spacing from Barrett Avenue.

Mr. Lopez stated that the Board had requested that the applicant provide accurate drawings and submit additional information including the name of the architect of record, relabel the elevations, and show the canopy on the north elevation. The Board had also requested a truck turn study to address accessibility to the site and had requested that the applicant consider a number of changes that had been identified in the staff report.

Chair Livingston thanked the applicants, the applicants' team and the neighbors for working with the DRB.

ARIELLE HARRIS, Miller Starr Regalia, representing the landowners Kevin Kim and Jennifer Yu, presented the project redesign and stated that almost everything the Board had requested had been accomplished. The development team had also considered the recently filed letter from the Richmond Heights Neighborhood Council. She reported that the comments in the letter had already been addressed by the redesign. She noted that the whole project team was available at this time to respond to questions.

KEVIN KIM, the property owner, stated the building had been vacant for more than four years and he had been pleased to work with Dollar Tree to fill the space. He provided an overview of the changes that had been made to the plans to address the DRB's comments.

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H. WESTON DRUMHELLER, Architect, also highlighted the design changes that had been summarized in a written report to the DRB dated September 7, 2021, and included as Exhibit A to the staff report. He advised that revised drawings had also been attached to the staff report.

Mr. Drumheller explained that eliminating the mezzanine had affected the roof which had impacted everything else, and to make the building safe the structural engineer had recommended sheer support on the west side of the building, which had required a redesign that had ultimately resulted in new taller glazing with a sheer wall behind the glass.

Mr. Drumheller presented a placeholder for the opaque film that had been recommended to ultimately include images of Richmond. He described the changes to the storefront glazing to conform to current requirements, stated the fence along the parking lot had been removed, the sidewalk pattern would be addressed as the sidewalks would be replaced, stucco score lines had been added to the project, and the corner would be accelerated by creating a different concrete pattern in the sidewalk with a darker washed pattern all the way around the corner to continue up along the front entry porch of the Dollar Tree store.

Another aspect of concern was the interface with the neighbors on the east where the trucks would load and upload and an eight-foot fence had been proposed along the property line to the north and along the back of the loading area, to include landscaping in the form of a new hedge eight feet or higher to help mitigate sound and visibility to the neighbors along the east side. The garbage enclosure would have more detail with materials to somewhat match the canopy on the front of the store and in colors compatible with the colors of the store, the roof plan had been added to the drawings to show the rooftop equipment that would be screened from the sidewalk, the transformer had been proposed in the landscape area next to the ramp off the sidewalk and on the property, to be screened by bushes and trees, the canopy had been shown consistently, and the sign package had been submitted among other changes.

Mr. Drumheller clarified the photometric plan and stated the Dollar Tree store had a standard of five lumens at parking lot level and the electrical engineer had set up the area lights in the parking lot in a pattern to achieve that standard while shielding to keep the lumens as low as possible in the neighboring properties. The locations of the lamps had been based on a different standard that were 16 feet high, 16.5 feet from the property line and could be lowered to the 15-foot height required by the City.

MARK SPENCER, Senior Principal/VP with W-Trans, had evaluated the traffic circulation, safety, egress and ingress with respect to the proposed project. He referred to the location of the driveway itself which had been evaluated, and from a traffic engineering perspective stated that moving or relocating the driveway had been evaluated and the primary issue was safety. The driveway was located where it was to meet sight distance criteria from Barrett Avenue and moving it further north would be detrimental in general in that it would be in the right turn only lane for I-80 requiring a merge over. Currently it was close but was just prior to those lanes.

Mr. Spencer explained that the second issue was the way trucks would move over for delivery on site which would allow the completion of movements on site into the loading area without affecting traffic on San Pablo Avenue. If moving the driveway north the trucks would not have maneuverability on site to get into the loading zone and be able to pull straight out. Another concern had to do with left turns from southbound San Pablo Avenue into the site. He noted that the signal acted as a meter to make left turns or U-turns at the site. It was important to have that left turn inbound. There would be no left turn outbound traffic. All the traffic would be directed to

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leave the site and make a right turn on San Pablo Avenue. He also pointed out that they had considered how much traffic would be generated, and had taken no credit for the prior use recognizing that the site had been vacant for some years.

Mr. Spencer advised that deliveries could be scheduled to moderate traffic during off-peak hours. He stated there could be a net increase of 600 trips a day with only 14 projected in the morning and 55 in the afternoon, which did not meet the threshold for a traffic impact study.

Boardmember Fine clarified that the DRB was not allowed to discuss the use or occupancy of the project and only discuss the design components, and the DRB's action would only relate to design review approval.

Chair Livingston opened the public hearing.

BARBARA WHITE wanted to make sure that the crosswalks would be Americans with Disabilities ACT (ADA) compliant.

JIM HANSON, President of the Richmond Heights Neighborhood Council, asked that the DRB consider the 7-foot tall and almost 20-foot wide Dollar Tree illuminated sign on the front of the building and the 30-inch 2.5-foot lettering on the San Pablo Avenue facing side. He requested that those signs be reduced by one third or more. As to the south side of the building, the DRB had recommended the removal of the tall plastic Dollar Tree sign on the Barrett Avenue side of the building and incorporate Richmond themes, and he stated that Dollar Tree had agreed to that. He wanted that to be carried through with something friendly, attractive, welcoming and something that would blend with the neighborhood. He also recommended the removal of the sign with the green stripe and include a Richmond-themed mural. He noted there were already three other prominent signs including a monument sign facing San Pablo Avenue.

Mr. Hanson had questions about the brightness of the parking lot lighting and sought more information on the actual brightness to make sure that it would be the brightness of an automobile sales lot. With regard to the neighborhood on McLaughlin Street, he asked about truck noise and diesel exhaust and fencing opportunities for the neighbors up to eight feet tall at their preference. He was concerned about the driveway and whether cars slowing down to enter the parking lot might get rear-ended given the traffic intensity of the area. With respect to delivery trucks, he was concerned about safety in the parking lot. He also asked Dollar Tree to fund the cleaning (removal of graffiti) of the mural under the I-80 freeway. He asked that the other points in the letter from the Neighborhood Council also be incorporated into the plans.

MARJORIE PAGE, Richmond, emphasized the traffic congestion that impacted the neighborhood, particularly the dangerous traffic conflicts with those traveling north on San Pablo Avenue with those exiting I-80 and crossing over to Roosevelt Street into the neighborhood. She suggested the increased congestion as a result of the Dollar Tree would further exacerbate that situation. She also objected to the large sign.

Chair Livingston verified in response to JENNIFER McKAY that the applicant would be limited to 3,000k maximum lighting.

In response to the public comments, Ms. Harris referred to the size of the Dollar Tree sign on the San Pablo Avenue frontage and stated it was critical to the use. As to the parking lot lighting, the proposal would be in compliance with the City's requirements for lighting and the lighting had been reduced to the 3,000k limit. In terms of delivery truck noise and diesel exhaust, the trucks would not be idling during deliveries and there should be no concern. The fence had been heightened to eight feet along with landscaping to add additional screening, concern with conflicts

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with trucks and bicycle parking would not be a concern since a gate would be maintained to prohibit parking in the parking lot after hours when deliveries would occur. With respect to cleaning a nearby mural, which was not related to a project impact, she requested that not be imposed as a project condition. As to the Barrett Avenue elevation on the south side and the comments related to a mural, she suggested that would conflict with the elements of the opaque window film on the San Pablo Avenue side and conflict with the design intent.

SCOTT KIPNESS, Dollar Tree, spoke to the Dollar Tree signage size and the location on Barrett Avenue, and explained that the signs had been discussed at the last meeting. He stated the signage was key to Dollar Tree's business, advertisement was its signs, and given the impulse at the time of purchase signs were key to a successful business. Dollar Tree had agreed to a limit of the lighting of the sign on Barrett Avenue with a discussion of moving the location of that sign to the corner of San Pablo and Barrett, which would be unlit as requested by the Neighborhood Council. He stated the lights on the signs would go off when the store was closed, which was a corporate decision that could not be overridden by the store. The lighting would go off 15 minutes after the store closing for public safety, as would the parking lot lighting, which was intended to create a safe experience for the customer. He added that the total lumens produced would be below that which the city dictated at the foot level in the parking lot for safety purposes.

The Planning Department received emails from CORDELL HINDLER, SUMALI TUCHRELLO, SHELLEY TRASK, JENNIFER McKAY, HARRIET WELSH, NICK DESPOTA, and MICHAEL COHN expressing concerns with the proposed project.

Vice Chair Carter asked if there was an art requirement for the project, and Mr. Lopez explained that the art requirement related to new projects and did not apply to this project.

With respect to the exit stair at the east/southeast corner of the building in response to the Vice Chair, Mr. Drumheller described the need to add an additional exit for egress requirements and he displayed that portion and component of the plans.

Vice Chair Carter suggested that element encroached on the residential nature of that corner and he referred to a sketch he had made to adjust the stair so that it was not a switchback and recommended that a landscape buffer be provided around the stair. Noting the need for an area of refuge for those in a wheelchair, he suggested that access could be provided more to the south. He supported a landscape strip between the sidewalk and the stair to conceal it a bit more and to integrate it less obtrusively into the neighborhood. He had also included an image of a more detailed guardrail than what had been proposed.

When asked if the configuration proposed could work, Mr. Drumheller explained that the wheelchair refuge would be pushed off to the east of the landing in front of the door. He agreed if there was a ramp (36 feet long) that configuration might be possible, although he expressed concern with the visibility of that element and explained that hiding it could create an area of refuge for lurkers and other things the neighborhood might not want. He suggested therefore that having it exposed would be the safer way to go and if there was a ramp it would just be bigger, especially if the landscaping along the ramp was specifically intended to hide it.

Vice Chair Carter referred to the signage plan, did not see a sign for the east elevation, and Mr. Drumheller stated there would be no signage on the east elevation. He confirmed that the green stripe wrapped around the south and east elevations.

In response to the Vice Chair's request to eliminate the green stripe on the McLaughlin Street side of the project, Mr. Kipness stated that the green stripe could be eliminated on the east side.

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He also agreed in further response to the Vice Chair that the sign on the Barrett Avenue side of the building could be moved a bit closer to San Pablo Avenue.

Mr. Drumheller added that the ramp took up a lot more space than the stairs and he was concerned it might cut into the landscaping that might make it impossible to meet the minimum landscape requirements.

Vice Chair Carter liked the Dollar Tree graphic as the sign rather than the letters.

Boardmember Butt expressed her appreciation to the development team that had addressed most of the comments. While she did not like the color scheme, she understood that could not be changed, although she was pleased that the screens on the roof had been changed from green to beige, and that the awnings and windows had been added.

Chair Livingston referred to the opaque images that he had provided for consideration to represent thematic images of Richmond.

Boardmember Butt and Vice Chair Carter supported the direction of the thematic images and recommended a splash of color, as did Boardmember Leung who encouraged more light and shadow and who also supported some color to replace the gray tone.

Boardmember Hook also supported the concept and general direction of the images and agreed with the need for color to keep it vintage without the need to be photo realistic. With respect to the landscaping, she supported the plant palette and asked about the screening plant. Having been advised that the screening planting was *viburnum lagarde*, she was hesitant to opine whether it would work well as a good hedge plant. As alternatives, she recommended *pittosporum crème de menthe* or *podocarpus*.

In response to Boardmember Hook as to the need for C.3 planting and bio-retention, Mr. Lopez advised that the application was exempt from C.3 planting and bio-retention.

Ms. Harris confirmed that the amount of impervious surface on site would be significantly reduced and there were no drainage requirements.

Mr. Kipness explained in response to Boardmember Hook with respect to the garbage enclosure that the store would have a bailer and would generate no more trash than a regular household. As a result, the garbage to be manipulated would be minimal.

Boardmember Hook spoke to the size of the trees and recommended 36-inch box trees in the parking lot, and if moving the sign along Barrett Avenue to the corner closer to San Pablo Avenue suggested there may be an opportunity to add a tree in that location to screen more of Barrett. As to planting in the wider street tree location on the east along McLaughlin Street, she recommended a double rows of trees 15-gallon in size at the corner, and recommended that the species of street trees to be added match the species of the existing street trees.

Boardmember Fine liked the monotone of the opaque images that fit well with the vibrancy of the green to create simplicity and avoid becoming over busy. She sought more clarity on the transparency and capacity and whether shadows of the interior would show through and impact the quality of the design itself. She recommended some light filtration but not total transparency. She also recommended that the stucco joints line up with the storefront panels.

In terms of the stair, Boardmember Fine liked the idea of landscaping to buffer that space but was

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also concerned about safety and lighting and had no strong feeling either way. She deferred to the applicant in that context. She had no problem with the guardrail.

The DRB discussed the proposed guardrail that satisfied code requirements but generally supported Vice Chair Carter's recommendation for a more refined design that would blend in better with the adjacent residential uses. Mr. Drumheller suggested that the more refined guardrail design could work in that the guardrail to avoid landing in the "pit" was horizontal and only the handrail needed to be on the stairs.

Chair Livingston thanked the applicants for listening to and responding to the Board and for their quick turnaround with the recommended revisions. He also thanked the applicants for the durable layer of slate at the bottom of the windows next to the street and for repaving the sidewalks front and back. He also verified with Mr. Kipness that the condensers for the freezer and refrigerator units in the building were internal and were self-contained.

Chair Livingston closed the public hearing.

**ACTION: It was M/S/C (Livingston/Carter) to recommend to the Planning Commission the approval of PLN21-129, Dollar Tree Retail Store; subject to the four Findings and Statements of Fact with 10 Conditions of Approval and additional DRB conditions as follows: 11) No stripe on the east elevation; 12) Move the Dollar Tree sign on Barrett Avenue closer to San Pablo Avenue; 13) Add a splash of color to the graphic concept; 14) Use *pittosporum* or *podocarpus* as the hedge between the loading zone and the adjacent property owner; 15) Trees to be 36-inch box in lieu of 24-inch in the parking area, and in the back along the east elevation two rows of 15-gallon deciduous tree species to match existing street trees on the street side and 15-gallon evergreen trees to be placed against the building; 16) Sign to be opaque to avoid complete transparency; and 17) Guardrail to be per Exhibit A submitted by Vice Chair Carter; approved by voice vote: 6-0 (Ayes: Butt, Carter, Fine, Hook, Leung and Livingston; Noes: None; Abstain: None; Absent: None.)**

Chair Livingston advised that he and the Vice Chair would attend the Planning Commission meeting and he requested that staff facilitate their inclusion.

### **Board Business**

#### **A. Staff reports, requests, or announcements:**

There were no staff reports, requests, or announcements.

#### **B. Boardmember reports, requests, or announcements**

Chair Livingston referred to a building at the corner of San Pablo Avenue and Cutting Boulevard that had been allowed due to the restrictions associated with SB 330, and urged a workshop or other format to allow the DRB to establish objective standards/design guidelines for adoption by the City Council to avoid similar buildings in the City in the future. He also sought legal help in that process.

Chair Livingston updated the status of the former Terminal One project.

### **Adjournment**

The meeting was adjourned at 8:58 P.M. to the next regular Design Review Board meeting on Wednesday, October 13, 2021.