

**DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
August 22, 2007
6:00 p.m.**

BOARD MEMBERS

Vacant, Chair
Ted J. Smith
Diane Bloom

Robert Avellar, Vice Chair
Don Woodrow
Jonathan Livingston

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

ROLL CALL

Present: Vice Chair Avellar, Boardmembers Bloom, Smith and Woodrow

Absent: Livingston

INTRODUCTIONS

Staff Present: Hector Lopez, Lamont Thompson, Lina Velasco and Janet Harbin

Vice Chair Avellar gave an overview of the procedures for speaker registration and public hearing functions and procedures. He noted any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Tuesday, September 4, 2007 by 5:00 p.m.

MINUTES FOR APPROVAL - None

APPROVAL OF AGENDA

Lamont Thompson recommended Item 2 be relocated to be heard at the end of the agenda, due to the applicant running late.

ACTION: It was M/S (Woodrow/Smith) to approve the agenda, as amended by moving Item 2 to the end of the agenda; unanimously approved.

CONSENT CALENDAR

Vice Chair Avellar noted the Consent Calendar currently consisted of Items 7, 8 and 9.

Boardmember Woodrow requested Items 1, 4 and 6 be moved to the Consent Calendar, as they were being held over. Item 8 was requested for removal by a member of the public.

ACTION: It was M/S (Smith/Woodrow) to approve the Consent Calendar Item 1, 4, 6, 7 and 9; unanimously approved.

Consent Items Approved:

1. **DR 1102710 – Construct Single-Family Dwelling on Montana Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a new ±3,167 square foot single-family dwelling on Montana Street between Buena Vista and Nevada Avenue (APN: 556-141-002). SFR-3 (Single-Family Low Density Residential) Zoning District. Bulmare Gonzales, owner/applicant. Tentative Recommendation: Hold Over To 9/26/2007.

4. **DR 1104107 – Addition to the Church on South 43rd Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±730 square foot second floor addition to the church, renovation of the front façade, and Title 24 handicap accessibility upgrades to the parking lot located at 831 South 43rd Street (APN: 509-380-026). SFR-3 (Single-Family Low Density Residential) Zoning and General Plan Designations. Pilgrim Rest Missionary Baptist Church, owner; Zachary Hilliard, applicant. Tentative Recommendation: Hold Over To 9/26/2007.

6. **DR 1102306 – Canyon Oaks II Development on San Pablo Dam Road** - PUBLIC HEARING to consider a request for Design Review approval of the proposed residential designs for 32 homes, located on the south side of San Pablo Dam Road at its intersection with Castro Ranch Road within the El Sobrante Valley area (APN: 573-020-009). The project applicant received entitlements for a tentative subdivision map to construct 36 detached single-family dwellings, including 4 custom home sites; associated utilities infrastructure and roadways for the subdivision. The City Council approved a General Plan Amendment and a rezoning for the project. New zoning districts are SFR-1, SFR-3, and CRR (Single-Family Residential and Community and Regional Recreation) Zoning Districts. FRB Inc., owner; Tom Simonson of Eden Bridge Homes, applicant. Tentative Recommendation: Hold Over To 9/12/2007.

7. **DR 1104131 – Replace Single-Family Dwelling Exterior Siding on Lobos Court** - PUBLIC HEARING to consider a request for Design Review approval to replace the exterior siding on a single-family dwelling located at 233 Lobos Court (APN: 558-243-010). The applicant proposes to change the dwelling's existing vertical wood siding to stucco. SFR-2 (Single-Family Very Low Density Residential) Zoning District. Jose Luis Corral, owner/applicant. Tentative Recommendation: Conditional Approval.

9. **DR 1102841R – Richmond Senior Housing & Commercial Building on Macdonald Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±1,600 square foot commercial building located at 300 Macdonald Avenue (APN: 538-200-002). C-1 (Neighborhood Commercial) Zoning District. Macdonald Housing Partners, owner/applicant. Tentative Recommendation: Conditional Approval.

Items Discussed:

3. **DR 1103581 – Construct Two-Story Second Dwelling Unit on 22nd Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±390 square foot second dwelling unit above the existing accessory structure located at 759 22nd Street (APN: 529-192-007). SFR-3 (Single-Family Low Density Residential) Zoning District. Genaro Raya Sanchez, owner/applicant. Tentative Recommendation: Conditional Approval.

Genero Raya Sanchez, owner/applicant, gave a brief description of the request through translation and indicated he would comply with all conditions as identified in the staff report.

There were no public speakers, and the public hearing was closed.

ACTION: It was M/S (Avellar/Woodrow) to approve DR 1103581, based on staff's 4 findings and 17 conditions, including 3 background comments provided on the first page of the staff report; unanimously approved.

- 5. DR 1103895 – Construct Mixed-Use Building on San Pablo Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±9,000 square foot mixed-use building (residential and commercial) above a basement level 8-car garage. The project consists of five (5) residential units with ±4,700 square feet of commercial space (offices and ground level retail) on a ±5,900 square foot lot located at 10879 San Pablo Avenue (APN: 508-340-001). C-2 (General Commercial) Zoning District. Athan Magganas, owner; Sharad Lal, applicant. Tentative Recommendation: Conditional Approval.

Athan Magganas, Owner, gave a brief description of the request and said at the last hearing some boardmembers felt further refinement was needed. They met to discuss improvements and suggestions to enhance the courtyard and open up the right side of the building's architecture for better visibility for the Japanese Restaurant which is set back further, they reduced the overall height of the building from 42 feet down to 30 feet; they meet all requirements of the zoning ordinance and asked for approval.

Boardmember Smith questioned and confirmed that story poles were not erected, despite the request made by the Board at the last hearing. Mr. Mitchell felt that there was a misunderstanding regarding the requirement for story poles from the prior hearing and said story poles are not required in every instance of design review unless there was something exceptional about the particular application. He further discussed the design process, land use, and appeal process.

Boardmember Woodrow questioned and confirmed that Mr. Magganas did not receive copies of letters received by staff from neighbors.

Vice Chair Avellar noted a subcommittee meeting was held with boardmembers and confirmed the requested items were completed by the owner as requested from the meeting, such as changes to stairs, railing and columns.

Public Comments:

Mary Selva, Richmond Annex Neighborhood Council, said the Board voted and directed the applicant at the last meeting to install site poles and take photographs. They discussed this with the applicant after the meeting, explained to him how this could be accomplished, but it was never done. She presented a photograph taken by a neighborhood council boardmember, said the photo showed how views would be blocked of 6040 and 6026 San Pablo Avenue as well as other buildings' views of their vista of the El Cerrito hills. She said there were also buildings with setbacks and very nicely designed landscaping such as the El Cerrito City Hall and the El Cerrito Mill and Lumber Building, felt the 20' wide and 40' high tower did not fit the size or character of the lot and asked that it either be eliminated or reduced in height. She also requested a condition of approval to provide off-street parking.

Vice Chair Avellar questioned the accuracy of the photographs taken, and Ms. Selva disagreed and said they measured the telephone poles foot by foot and also used City records for the buildings in the area. She said Boardmember Livingston also drew a sketch at the last meeting which would assist in opening up the corner and help out the Japanese Restaurant, which was currently being remodeled and was opening soon.

Rebuttal – Applicant

Athan Magganas, owner, said they had a number of meetings with the neighborhood, another meeting with the next door neighbor, wanted to rejuvenate the area and disagreed with the letter submitted by the neighborhood council in that they do meet all zoning criteria and expectations to reduce heights.

The public hearing was closed.

The Board discussed expectations of the applicant from the previous hearing, and Mr. Thompson confirmed that the plan was revised and changes had been incorporated into the new design.

Boardmember Bloom questioned landscaping, said it was ill-advised to have a tall building that directly fronts onto concrete, felt this was not done in residential or commercial if one could help it, felt it was important to soften and scale down the verticality of the building and she strongly encouraged the applicant do this.

Mr. Thompson reported there were currently no front yard setbacks required for commercial buildings and Mr. Magganas reiterated that they were providing some landscape in the front of the building; however, they need to balance where it could be placed by the glass.

Boardmember Woodrow noted that the front of the building was glass in order to cut back the impact of the wall. Therefore, it was felt planting did not need to be done because the glass was supplying that intended effect.

ACTION: It was M/S (Avellar/Woodrow) to approve DR1103895 with the staff's 4 findings and 8 conditions. Vote: 3-1-1 (Bloom voted no; Livingston absent).

8. DR 1103130 – Construct Two-Story Single-Family Residence on Tremont Avenue - PUBLIC HEARING to consider a request for Design Review approval to construct a ±2,400 square foot two-story residence located on Tremont Avenue between Contra Costa Avenue and California Street in the Tiscornia Estates planning area (APN: 558-282-020). SFR-3 (Single-Family Low Density Residential) Zoning District and General Plan designation. Robert Clear, owner; Stuart Littell of Stuart Construction, applicant; L2 Studio of San Francisco, architect. Tentative Recommendation: Conditional Approval.

Stuart Littell, applicant, introduced owner Robert Clear, gave a brief description of the request and noted the home was intended to be listed for sale as a spec house once completed.

Boardmember Bloom questioned if there were any green building principles incorporated into the plan, and Mr. Littell said he had built green building principles into the plan, said it was a somewhat smaller home and the owner could provide more details.

Robert Clear, owner, said they plan to partially set the living room side into the hillside, there is a concrete wall from the garage level facing a large, the south-facing window will be taking heat through solar, they hope to install solar panels on the roof, use hardy plank, they have looked at a condensing water heater for hydronic heating, and they expect to build a very energy-efficient home.

Boardmember Woodrow questioned if the applicant would return with plans for solar panels and Mr. Littell said they were planning a rain-back system where water is pumped up into a flat panel, it drains back into a tank and the thermostat is set very high on the tank to reduce firing.

Boardmember Woodrow questioned the need for the applicant to return with drawings that show the roof, solar panels, etc., and Mr. Thompson said the Board could conditionally approve the project and the City could review and approve it at a staff level. Mr. Littell noted the panels would not be visible except to the neighbors above the home.

Boardmember Woodrow noted that the City has assured homeowners in the area that drainage from the hill on the proposed lot would be something the applicant would need to solve as part of building a home. Mr. Littell said they would cooperate with people and participate in improvements, but did not feel they would be responsible for putting in and paying for a system that would collect water from the current 6 homes that currently drain onto the property. However, the water from the roof could be contained on the property and not on the street. He said they have discussed installing a drain pipeline along the property line where people could connect to if they wanted. However, they would not be amenable to connecting the neighbor's homes to the pipe and determining what would happen to the water once it gets to the street.

Janet Harbin noted there were plans to put in some further drainage facilities in the area and the City Engineer was working on those plans, which would come forward soon. The applicant is required to ensure they have adequate drainage for their site which is reviewed at a later stage in the process when the City Engineer reviews it with the existing plans for the improvement.

Boardmember Woodrow said he was concerned that, depending upon what drainage might go in, it might have some effect on the character of the plan for the home; however, he did not know this. He said the City has been indicating for 30 years that something would be done for drainage, and it has not to date.

Mr. Littell noted there was a public utility easement on one side of the lot running from top to bottom, it would not pose a problem for City access to the lot for running pipe, and they understand they must move the water away from the house. There is also an existing swale by the public easement where they can install piping for drainage.

Boardmember Woodrow suggested the applicant discuss the matter with the City Engineer to ensure the drainage plan does not negatively affect the applicant's home plans.

Public Comments:

Constance Finley said she owns the two adjacent lots to the proposed development and voiced concerns that the owner and applicant have clearly stated that the project proposed is designed to take advantage of the view through her parcel adjacent to the lot rather than the view available from their own lot. It is possible for them to do this as the parcel is her yard and not built upon. She felt doing this was inappropriate, it was a violation of the use of her yard and would have a serious detrimental effect on the value of her property both in its current use and if she ever were to build on the lot. She also voiced concerns with serious drainage issues caused by lack of proper infrastructure in the area, including four houses and a large apartment building directly behind her property and adjacent to the proposed construction, stating they all drain in the direction of the proposed construction lot and onto her two parcels and to the parcel in front of both properties. She also said the lots were small--most were 5,000 feet or less, development is sensitive to privacy visually and auditory between the lots, she described her home and neighborhood window locations and said the development proposes to build 5 feet from her property line and to put 11 windows into her yard. If the current design prevails it will be the only house in the area where this was proposed or allowed. She felt the design would be completely

different if she had built a house on the lot rather than landscaping her yard, felt the construction is attempting to convert her property to its use to the severe detriment of her use and investment and should not be allowed. She said she and her neighbor had previously met with Rich Davidson to discuss the large apartment building who indicated it was the City's policy to not deal with the undeveloped areas owned by the City and suggested a temporary solution. He indicated that anyone who built on the proposed lot would have to deal with the drainage issue. Her concern remains that the proposed development is offering a six inch pipe, there has been no adequacy study to meet the amount of water coming down the hill and she questioned who would enforce this requirement. She also said her yard is a certified wildlife habitat by the National Wildlife Federation and she wanted to mitigate the damage that will be done through the construction process by first building the fence.

Boardmember Woodrow noted the Board had not received minutes of what the PRNC did and asked Ms. Finley to summarize what occurred. Ms. Finley said the Land Use Committee declined to recommend or withhold recommendation and decided to do nothing because of her serious concerns and because the developer and contractor said they were unwilling to make any concessions. The developer and owner then went to another PRNC meeting where they asked for that decision to be vacated, and she felt it was because she was not able to be present to represent her concerns.

Vice Chair Avellar questioned whether Ms. Finley was planning to build on her lot, and Ms. Finley said she was not; however, she said she is disabled and may at some point economically have to build on the lot, but prefers not to.

Robert Lane, said he lived on Golden Gate which was above and about the fourth property to the left of the proposed site, said he only received noticed of the meeting a couple of days ago from his neighbor, felt the notice was defective, said California Street is either his alley or a paper street, or does not exist at all. If California Street is below his property, there is pavement up to a point which is consistent where his property is; however, there is no pavement going forward. He questioned whether the applicant intends to access the property in any way through that paper street and if so, does he propose to pave that street or obtain permission, thereby allowing access to all other lots which are above Ms. Finley and 3 or 4 residences below. He further talked to David Karls, who was more directly above the property and he had no notice of the meeting either, and his property is closer in proximity to his. He also said the lot was in the Tiscornia Plan and the question of whether or not the lot is build able should be addressed or whether there were additional restrictions that should be applied to it. Further, he said he had no information about the altitude of the property off of Tremont's grade, he has no drainage information, and the property collects from all lots and down to a narrow portion of Tiscornia where there is often water standing at the street. He felt if solar was being put on the roof, adjacent neighbors should know this, should know what the height restriction is to be recommended to the Planning Commission because it might affect views of those above. He also felt there was either a sewer or drainage pipe at the base of his lot and he did not know where that exited, but felt it went down towards the applicant's lot and most likely impacts further where storm drain waters go off of Golden Gate, Contra Costa and directly off the hill. He felt that waiting a year and a half after going through land use to come into design review was inconsistent with the spirit of the way land use should work.

Vice Chair Avellar confirmed Mr. Lane felt he was within 300 feet of the project and he did not receive noticing. Ms. Harbin said notices were sent out according to the parcel number for the property and they included everyone within 300 feet. She also mailed additional information and materials to Ms. Finley.

Ms. Finley felt this was an on-going problem, as developments on Golden Gate directly behind her property do not notice her and she was approximately 0-20 feet from those properties.

Boardmember Woodrow noted Mr. Satre truly knows the Tiscornia plan and he was in charge of the PRNC committee that reviewed the plan about 17 months ago.

Rod Satre, said he lives within Tiscornia, knows the plan and area well, he did recall the project which came to the PRNC several times, they did take advice and improved the project, and it generally matches what they reviewed at that time. He said one could navigate from a small boat the rainfall runoff from the property, said a six-inch line would not be sufficient nor an 18 inch line, which may be overwhelmed for drainage. He felt the applicants must address this if they are developing the property and selling the home, as the City might be sued by the buyer for not having protected the interests of the purchase of the property.

Rebuttal – Applicant

Stuart Littell, applicant, said he respectfully disagreed that the windows on the side of the home would impact Ms. Finley's yard in a negative way, said they submitted their application June 27, 2006 and the house design was unchanged from its original design which was taken to the neighborhood council. He said they have 12% of the total window area on that side of house, they reduced the size and moved the windows inside the rooms and they are pushed forward so the site line would be directed away from the neighbors' yards and toward the area where the views are. He felt the rooflines and the monolithic planes all comply very well and they reviewed the drawings and designs with a number of neighbors in the spring of 2006. He said in May they made a couple of changes which were submitted to the neighborhood council—the house moved up the hill slightly, they moved windows which were now 6 feet high inside the room so people cannot look outside to the neighbor's property, they tried to minimize the total number of windows that look over to Ms. Finley's lot and he agreed they would need to deal with drainage issues.

Boardmember Woodrow said in facing the front of the house, he confirmed Ms. Finley's house was to the left or north of the proposed project. He noted they made some mistakes in moving the house up with landscaping, agreed the changes took a lot longer than they thought they would, and submitted the application in June. He noted the public right-of-way was not part of their property.

Vice Chair Avellar questioned if some planting could be put to screen the view from the window, and Mr. Littell said there is a tall hedge there now, but they could look at planting something taller.

Boardmember Bloom voiced concerns with the planting plan and owner Robert Clear said he developed it by visiting the north Berkeley Horticulture Nursery where he questioned them to determine which plants to choose for the area. He said he did not realize how severe the drainage issues were, but felt he chose plants that would survive in the area and agreed he needed to relocate the Dogwood. **Boardmember Bloom** said down slopes get a lot of water and the plants would get water logged. Certain plants become more disease-prone such as the Huckleberries; however, they were located high on the hill. Dogwood colonizes and spreads wildly and she suggested it be far enough away so that it is allowed to split out. Mr. Clear noted all trees were of a 25 foot high maximum to preserve views. **Boardmember Bloom** felt the planting plan needed a little more work and made suggestions for installing shrubs under plantings and for choosing natives with some color.

Boardmember Smith questioned what guaranteed proper drainage would be done. Ms. Harbin said conditions of approval were written such that the items will be checked when plans are submitted for building. The applicant could make revisions as needed, some reworking will be done to address irrigation, drainage, and the Engineering Department will be involved with this.

Boardmember Woodrow suggested holding over the item in order to meet with the City Engineer and the applicant's own Engineer, they need to revise drawings to show solar panels, address drainage issues, and re-notice the public hearing appropriately, as the notice was defective.

Ms. Harbin noted solar panels typically could be added at a separate time and requires only a building permit. Mr. Mitchell said the panels seen are much more sophisticated and less intrusive than those previously developed; however, for the most part, they will become a routine part of a project that staff reviews and approves. He said engineers would determine drainage issues and he agreed that if the notice was defective, the hearing should be held over.

MOTION: It was M/S (Avellar/Smith) made a motion to approve DR 103130 with staff's 4 findings and 6 recommendations and an additional condition for plant screening for the windows facing the neighbor's yard, that approved civil plans are submitted to the building department and well developed landscape plans. Vote: 2-2-1 (Bloom, Woodrow voted no; Livingston absent-motion failed).

ACTION: It was M/S (Woodward/Avellar) to hold over DR1103130 to September 26, 2007 in order for the item to be properly publicly noticed; unanimously approved.

2. DR 1104032 – Construct Mixed-Use Senior Housing Development on Cutting Blvd. - PRESENTATION AND STUDY SESSION to discuss the construction of a mixed-use development consisting of twenty-four (24) low-income senior restricted units and ±6,549 square feet of ground floor commercial at the properties located at 3601 and 3627 Cutting Boulevard (APNs: 513-152-001 and 513-152-002). The project would require approval of a density bonus and exceptions to the off-street parking requirements, floor area ratio, and site coverage. Neighborhood Commercial (Knox Cutting Specific Plan) Zoning District. Eastbay Community Development Corp., owner; Durrelle S. Ali, applicant. Tentative Recommendation: No Action – Comments Only.

RECESS

Vice Chair Avellar called for a two-minute recess for the applicants to set up a presentation, and thereafter, the Board convened the regular meeting.

Durrelle Ali, applicant/project manager for the Easter Hill Senior Housing Development Project, said the project had previously come before the Design Review Board on October 10, 2005 but the applicant did not request a study session. While they value the input of staff and residents, she repeatedly stressed to staff that they needed to be able to get to the Planning Commission on September 6th. They did not want delay because of funding contingent upon having approved entitlements in place.

The previous Design Review approval did not go to the Planning Commission for approval because the structural engineer determined that incorporation of the existing building into the project was not economically feasible. The October approval should have been forwarded to the Planning Commission long before the determination was made in September 2006, and she wanted to clarify this with the Board.

Ms. Ali said they did re-design the building at a much later point because the building could not support two additional levels of construction and they corrected this. Also, the staff report concludes that their proposal does not take into account the special needs of the proposed residents. She felt the building was designed with input from the County Agency on Aging who identified the needs of those who age in place. She said it was not an assisted living facility but

rather independent living. They also received input from the Center for Elder Independence, their management agent was well-experienced in senior living and they also have a leading architect who is in support of senior housing. So, she was not sure what staff's statement about not taking into account the needs of residents. As part of their funding requirements, they must prepare extensive plans on how to serve the residents, they serve to low income seniors and those at risk for homelessness.

Ms. Ali said the zoning ordinance has specific provisions for approval incentives and concessions for reducing development standards. They are requesting a 35% density bonus, taking them up to 23 units, but based upon the economic feasibility analysis, they truly need to get the 24th unit. The space the 24th unit would occupy has been called a lounge in the plans and there is no difference in the building itself for it being a lounge or a resident unit. If they are unable to get the 24th unit, they will lose slightly over \$225,000 in funding for the project and a minor savings to build the unit's features. The Planning Director suggested widening the lobby area to allow some residents to sit and socialize, and she said there were also other areas for seniors.

Regarding incentives and concessions included 1) providing senior housing; or 2) providing affordable housing. She said 25% of the units were designated for very low income residents. They are going for very, very low income residents and 100% of units are targeted for residents at 25% of the amount. So, she felt it made sense to allow the reduction of development standards to enable and encourage the project. They have also met with residents, received input in terms of placing plants in the lobby and design features, they were asked to sign up on a list and approximately 7 residents did not oppose the project. The project would also be located at the intersection of an arterial and a collector street, the General Plan update will increase the intensity of use around larger intersections, and effects from the project were fairly benign. They were looking to incorporate energy conservation measures within the project, such as solar water heating, solar panels, which would require additional funding.

Ms. Ali asked for the Design Review Board to provide suggestions which their architect will note and they are interested in community input.

Ms. Lina Velasco said staff met with the applicant and Architect on Thursday of last week to raise issues. Staff did not feel comfortable recommending approval and therefore, staff wanted to receive feedback from the Design Review Board as to how to proceed further with the project and this was the reason the item was agendaized as a study session.

Boardmember Smith confirmed the applicant was requesting an exception to the parking standard. Ms. Velasco said there were issues relating to parking, massing, density, and the size of the units. The applicant has gone out into the neighborhood to gain some support, and staff was looking for direction as to whether approval should be recommended. She said they are providing 5 foot wide corridors which meet the minimum building code requirement; however, staff has found this to be usually inadequate to meet the needs.

There was a Design Review Board recommendation for approval, the planner who worked on the project was no longer working with the City, the project never did get scheduled to be heard by the Planning Commission and the applicant was also making changes.

Boardmember Woodrow felt the architecture looked great to him; the colors were nice, the plan was nice and it would be a huge improvement for that area of the street. He referred to drawing A1.1 which showed the first floor plan. He asked how they planned to get garbage out to a truck.

Geraldo Sanchez, architect, San Francisco, noted the location of the trash enclosure and garbage shoot and the cans would fit in the system. **Boardmember Woodrow** questioned if a gate could be located at the parking area and indicating garbage pickup in that area and noted there was no gate on A1.1 but it shows the parking space is fenced.

Boardmember Bloom asked if the garbage truck be such that it not be a back-up situation, given senior's living in the area who may not hear the truck's beeping.

Vice Chair Avellar asked the applicant to return with more complete drawings, more sections, more details of eaves, gutters, roof details, trim around the siding, lines or configurations for parking spaces, more detailed elevations and trim or headers over garage doors, he confirmed a color board had been submitted to staff, he requested a description of what the trim around the windows would be, asked for a more dimensioned site plan and expand the corridor widths on A2.2 and A2.3.

Mr. Sanchez and Ms. Ali noted that parking was required once a project hits the 5,000 square foot threshold; however, it is 2,400 square feet and there would be no requirement for parking spaces. While they show it on the drawings, they wanted to indicate they were in compliance with parking requirements.

Boardmember Bloom questioned plant selections, asked them to reconsider the blue/green foliage color which may not be harmonious with the green. She also cited a disease-prone plant that should be substituted.

Boardmember Smith confirmed the applicants discussed the project with the neighborhood council and would receive comments. They were in the middle of three neighborhood councils and have left messages with them.

There were no speakers on the item.

BOARD BUSINESS

10. Reports of Officers, Board Members, and Staff

a. Nominate and Vote to Elect New Chair and Vice Chair

ACTION: It was M/S (Bloom/Woodrow) to nominate and elect Robert Avellar as Chair and Jonathan Livingston as Vice Chair; unanimously approved.

Mr. Mitchell reported the group hired to develop neighborhood design standards has completed a first phase of work and staff would be bringing these results to the Board. He said they first focused on the North and East Neighborhoods and identified three housing types in those neighborhoods. The idea is to identify what homeowners have and what are the ways to modify it, which should simplify additions and remodels and reduce conflicts with review of projects. The next phase will focus on similar characterization in the Annex and then in the Heritage district.

Boardmember Woodrow questioned the status of 5500 Central Avenue which was red-tagged. He said the lot had turned into a car lot and dump for gravel. Mr. Thompson said Code Enforcement was pursuing the matter and Mr. Mitchell said he met with the owner 10 days ago to let him know the two cities were unhappy about the situation, that time had run out and he felt the matter should be resolved within the next few months.

Boardmember Woodrow also noted there was a church on Cutting Boulevard and 32nd Street where work was being done, said he did not remember reviewing the project, and asked whether or not permits were even issued for reconstruction.

Public Forum – Brown Act

Robert Lane, referred to Item 8 and felt there should be some rule set forth by the City to implement tracking of land use committee and neighborhood councils and that each and every application made to the City that affects the footprint or height of an improvement to build on or develop any land in the City include findings, conditions and decisions of the applicable land use/design review committee and the associated neighborhood council; that they be in the form of the applicable portion of the minutes of the neighborhood council, and that no application should be submitted to the City without the minutes being attached. In the event the application is made for which no land use committee/neighborhood council sits then the applicant shall state in a declaration under penalty of perjury prior to the initial application's filing. Any minutes shall be no more than 180 days old from the date of the meeting from which the minutes came. This way, he felt staff would not be wasting time.

Boardmember Woodrow said several members wanted something like this done but there is nothing in City law that states that an applicant is required to go before a neighborhood council. Also, the neighborhood council's comments are only a source of advice and did not have standing in law.

The Board adjourned the meeting at 8:40 p.m.