

**DESIGN REVIEW BOARD MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL  
1401 Marina Way South, Richmond, CA  
July 25, 2007  
6:00 p.m.**

**BOARD MEMBERS**

Vacant, Chair  
Ted J. Smith  
Diane Bloom

Jonathan Livingston  
Don Woodrow  
Robert Avellar, Vice Chair

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

**ROLL CALL**

**Present:** Vice Chair Avellar, Boardmembers Bloom, Livingston and Woodrow

**Absent:** Smith

**INTRODUCTIONS**

**Staff Present:** Hector Lopez, Lamont Thompson and Mary Renfro

**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 Monday, August 6, 2007 by 5:00 p.m.

**Boardmember Woodrow** confirmed that a \$150 fee would need to be paid for filing an appeal.

**MINUTES FOR APPROVAL**

**June 13, 2007**

The Board requested the minutes of June 13, 2007 be returned for approval.

**APPROVAL OF AGENDA**

There were no changes to the agenda

<b>ACTION: It was M/S (Livingston/Woodrow) to approve the agenda; unanimously approved.</b>
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**CONSENT CALENDAR**

**Vice Chair Avellar** noted the Consent Calendar currently consisted of Items 1, 2, 3 and 4.

Items requested for removal was Items 1 and 2 (Livingston) and Item 3 (public).

<b>ACTION: It was M/S (Livingston/Woodrow) to approve the Consent Calendar Item 4; unanimously approved.</b>
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### **Consent Items Approved:**

- 4. DR 1104032 – Construct Mixed-Use Senior Housing Development on Cutting Blvd.** PUBLIC HEARING to consider a request for Design Review approval to construct a mixed-use development consisting of twenty-three (23) low-income senior restricted units and ±4,235 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 exception to the off-street parking requirements. Neighborhood Commercial (Knox Cutting Specific Plan) Zoning District. Eastbay Community Development Corp., owner; Durrelle S. Ali, applicant. Tentative Recommendation: Hold Over To August 8, 2007

### **Items Discussed:**

- 1. DR 1103581 – Construct Two-Story Second Dwelling Unit on 22<sup>nd</sup> 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

**Boardmember Livingston** said the existing garage would be added onto and reconditioned, and therefore, the setbacks were allowed to be non-conforming, with the new section as conforming. He questioned if tearing down the garage would trigger the classification of the project being a remodel. Mr. Thompson concurred, felt the item could receive testimony, hold it over and staff could return with an answer.

The public hearing was opened.

Chuck Fields, designer for the owner/applicant, said they had met with staff several times on the project, staff recommended using the existing building in order to achieve the setbacks. He disagreed that the building was being torn down completely, said his structural engineer was reviewing the project and sees no problem in using the current structure because the garage will now become the shell and everything around it would be supported on a beam system.

**Boardmember Livingston** referred to the submitted foundation plan, there is a saw cut line basically cutting out the perimeter of the building and then pulling a new footing and doweling into the old one, etc. In order to do this, the structure must be supported and remove the walls or lift them up to pull underneath it. Mr. Fields said they were going to raise the building, take the roof and siding off, removing the slab, pour the new foundation and set it back down. **Boardmember Livingston** said he would basically be left with some studs, there is no structure remaining, felt the amount of work by saving three walls could be subject to rules involving a certain percentage of a building.

Mr. Lopez said he was familiar with the project, said the existing garage was a non-conforming structure. At the time the garage is demolished, it will be a different new building and will conform to setback requirements and height requirements for secondary units. **Boardmember Livingston** disagreed and noted the structure would be a couple of feet from the property line.

Mr. Thompson suggested the item be held over and staff will return with a better answer or re-designed project.

**Boardmember Livingston** said assuming the finished garage is completed, only 17 feet will be cleared for the interior of the garage.

**Vice Chair Avellar** questioned the rules involving tear down versus new construction, and Mr. Thompson said it was based on a percentage, the rules were contained in the non-conforming ordinance, and he suggested staff be able to determine this, work with the applicant, and return. The applicant will also need to have in place the interior garage dimensions, as well.

**Boardmember Livingston** said he noticed the gabled roof could be reversed and felt it would conform better to the shape of the building and asked the designer to turn it 90 degrees. The overhangs and rake rafters were not consistent and he suggested they also match the existing house.

City Attorney Mary Renfro confirmed that staff will need to determine if the amount of work exceeded the thresholds outlined in the non-conforming ordinance.

There was no public comment.

**ACTION: It was M/S (Livingston/Woodrow) to hold over DR 1103581 to August 22, 2007; unanimously approved.**

2. **DR 1104107 – Addition to the Church on South 43<sup>rd</sup> 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, Low Density Residential Zoning and General Plan Designations. Pilgrim Rest Missionary Baptist Church, owner; Zachary Hilliard, applicant. Tentative Recommendation: Conditional approval

**Boardmember Livingston** referred to the second page of the staff report, finding number 3; “The overall design will be of quality, preserve the integrity of and upgrade the existing neighborhood.” He said staff’s statement indicates, “Criteria not satisfied.” It goes onto say that the proposed post-modern design is a marked upgrade to the existing structures within the vicinity and staff believes the building’s new design is a better fit for the architectural style and character of the street.” He felt the wording did not conform to the statement of criteria not satisfied. Mr. Thompson felt it was a typographical error and staff could strike the word “not” to indicate the criteria are satisfied.

**Boardmember Bloom** said she could not locate the landscape plan which was indicated as being submitted. Mr. Thompson said he did not believe a landscape plan was submitted, it did not trigger a threshold for a landscape plan; however, the applicant could be questioned.

Zachary Hilliard, applicant, said he did not submit a landscape plan, and Mr. Thompson confirmed a landscape was not required. Mr. Hilliard said the project currently looks like two buildings stuck together and they were trying to make a uniform front to the façade and facilitate some accessible ramps, as well as a remodel of the interior bathroom.

**Boardmember Woodrow** confirmed with staff that a parking variance had been approved in 1975, and confirmed that variances ran with the land and did not expire.

**Boardmember Livingston** referred to the existing floor plans of the dining hall, he confirmed with Mr. Hilliard that it was one large open room, the room is used for parties, church functions,

and the ceiling height was approximately 20 feet. Mr. Hilliard said the only functions they are providing with the submitted changes are audio/visual rooms above the bathroom areas.

**Boardmember Livingston** questioned if the applicant had considered putting the audio/visual rooms over the dining area, and Mr. Hilliard said they discussed this, but they were already located to the rear of the dining area and their function was to have a better view of the congregation area for audio/visual purposes. He confirmed there would be enough room to have two floors, but they were not proposing this.

There were no public comments.

**Boardmember Livingston** said he had problems architecturally with the design in that it takes a church building and completely changes the look and feel of the building from the street. The original proposal has a single story profile from the street. A letter was contained in the packet from 1975 and they may have granted the variance for a number of reasons, but he felt the single story profile played into this. If the current design were submitted with a two-story straight façade, it would have a looming effect on the street, and he did not think the variance would be granted. He felt the proposed design was out of context with the street, it destroys the existing integrity of the architecture there, requested the applicant and himself to possibly entertain other ideas to handle the massing on the street in a different design, look at alternative designs over the dining hall, and could not make findings for approval due to massing, the variance and neighborhood inconsistency.

**Boardmember Woodrow** said he felt churches are allowed a wide range of planning and usually do not conform to the areas in which they are found. He agreed with Boardmember Livingston, but was not sure it had any bearing and would be interested in more discussion. However, this was a stronger plan than they had before. **Boardmember Livingston** referred to the strength in the front door façade, said the highest part of the building was the entrance which is typical of churches, and in the new proposal there are two identical elements; one has a door and one has nothing below it. He questioned what that element was doing to strengthen the sense of entry. He also felt it also had to do with the human scale when walking up—this has a single story profile and this one is a 30 foot high solid stucco wall and it has fake stone on the front of it. He felt it takes a handsome building and destroys it.

**Boardmember Woodrow** felt height in church fronts' goal was to make humans feel small so that when one enters the church, you knew it was "God's" house. He referred to Christ Church at the top of the hill in San Francisco and the entire structure is poured concrete, and people do not complain about that or feel it is the wrong choice, but he felt it is there because they want possibly want it to survive an earthquake. He sees Boardmember Livingston's point, but they do not drive him on it.

**Vice Chair Avellar** said he had no problem with the two story massing and Boardmember Livingston's comments and he felt a stronger entrance was needed, but he did not feel it was a reason to deny the project.

**Boardmember Woodrow** suggested holding the item over one month in order for Boardmember Livingston to meet with the applicant. Mr. Hilliard said the single story street front was only on the left hand portion. The right hand portion was all the way out at the street front and it is a tall mass. In order to try and get a unified look across the front, bringing it out was the only way to achieve uniformity. He noted there were a number of setbacks, they put the light wells to help strengthen the entries and a light well at the older portion would help illuminate the interior stairway and door to the right. He said he would like to go for a vote and move forward with the project.

**Boardmember Livingston** made a motion to deny DR 1104107. **Boardmember Bloom** seconded the motion. Vote: 2-2-1 (Woodrow and Avellar voted no; Smith absent). The motion failed due to not receiving a majority vote.

**Boardmember Woodrow** made a motion to approve DR 1104107 as submitted with the staff findings and recommendations by staff. Vote: 2-2-1 (Livingston and Bloom voted no; Smith absent). The motion failed due to not receiving a majority vote.

**ACTION: It was M/S (Avellar/Livingston) to hold over DR 1104107 and direct the Vice Chair to appoint an ad hoc subcommittee to meet with the applicant prior to a date certain; unanimously approved.**

**ACTION: It was M/S (Avellar/Livingston) to appoint Boardmember Livingston to the ad hoc subcommittee to meet with the applicant and hold over DR 1104107 to August 22, 2007; unanimously approved.**

3. **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) over 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, briefly described the project, said the property was located across from the El Cerrito City Hall which was under construction and previously there was a mixed use building of two commercial spaces and three residential units on the upper level. They are proposing 5 residential units with a mix of independent offices and ground level retail, they believe the project will add to the revitalization of San Pablo Avenue and the immediate neighborhood, he described surrounding structures and zoning, height limitations, and proposed architectural elements. They have tried to address minimizing impacts from the street, a small driveway leads into the first level which is for parking and the requirement for parking is exceeded by one space, and they meet the requirements of all zoning codes, the General Plan and other regulations of the City.

Mr. Magganas said he met four times with the neighbors, they are very excited about the proposal, they are anxious to discuss parking in the neighborhood which he felt had nothing to do with them, as well as the height of the project.

**Boardmember Livingston** confirmed the architect was present, who introduced himself as Sharad Lal. He questioned the finished floor heights, said on the basement plan there were three columns and he confirmed there would be a post tension slab on top 8 to 10 inches thick. He asked if the Board were to limit the height of the finished floor dimension in the plaza, could the applicant still build the project and Mr. Lal said they may be adding the top slab on the first level to work with drainage and height, but he wanted enough height for a vehicle in.

**Vice Chair Avellar** confirmed a color and materials board was received.

**Boardmember Livingston** noticed there are eleven different materials called out on the front façade, and Mr. Lal said he was sensitive to having a lot of different materials and felt it would assist in seeing what the result is. Prior to adding materials on the floor level, they found that adding one material was overwhelming and this was why they introduced on the inset another

set of materials, but predominantly there are four materials. There are two materials on the lower level which is a slate and ceramic tile and on the upper level it is siding and stucco. He has also simplified some of the color range.

**Boardmember Livingston** felt the basic form of the front façade was nice, the proportions were good, but he wondered if the amount of materials proposed would strengthen the architecture or take away from it. Mr. Lal felt that if the Board looked at it three-dimensionally, it would reinforce it was not very busy or monotonous, and the colors were subtly chosen.

**Boardmember Livingston** said there is a diagonal shot of the building coming south on San Pablo Avenue, and he felt there was an influential piece of architecture, and he felt there was a large blank façade with no windows. Mr. Lal noted there was wrap-around coloring at the first 20 feet from the restaurant.

Mr. Magganas said the Japanese restaurant next door was presently closed and he hoped a new business would relocate there.

**Boardmember Livingston** felt the project would help strengthen the civic arrival at the site, questioned if the applicant talked to staff or the citizenry about the courtyard plaza on the first floor and whether to connect it visually with the street. Mr. Lal said they have done this by using glass and a transparent gate going into the garage. While walking on the street, pedestrians will see into the courtyard. Mr. Magganas noted there was previously a solid wall and after discussions with neighbors, the issue was raised and they provided railing and a transparent gate.

**Boardmember Woodrow** said the area is in an earthquake zone, the area was subject to very strong shaking, and he only sees three pillars on the ground floor that is in a garage, which he felt was far too few. He questioned the applicant how this was justified in terms of the design. Mr. Lal said they have done several buildings with even taller structures above and the standard is that every three spaces, a column must be located. He said the block walls on the side were also load-bearing, so he was fully confident that the structure would work.

#### Public Comments:

Mary Selva, President, Richmond Annex Neighborhood Council, said they held a couple of meetings, learned of the project mid-June, the neighborhood council has been involved for many years and involved with changes of the previous zoning ordinance, and said when a building abuts residential it should be no more than 35 feet. She asked that the Commission ensure the building is 35 feet in the front as well, which they were unsure of. They have extremely shallow commercial lots on the Richmond side shaded in red of a map she distributed to the Commission. El Cerrito lots were shaded in yellow and much larger lots. She said they made the conclusion several years ago that they cannot have uniform heights on both sides of the street and therefore, the modified commercial is in place when it abuts residential. They discussed lowering the tower, said it is fairly wide and takes up 1/3 of the width of the building, and it is 43 feet high. She asked it be reduced down to 35 feet and suggested the upper design be brought across the entire building. She said the Nolan Lumber lot is larger at about 9,000 square feet and the building is 7,000 square feet and they have provided 18 parking spaces. She also noted the 1949 parking requirement was outdated and she noted her letter identified additional concerns.

**Boardmember Livingston** questioned which adjacent property owners would be impacted by the height of the building. Ms. Selva said there are some sloping hills, said Wink Avenue was fairly steep and dead ends with homes on the street and those would be impacted.

Shigeo Sekine said he is the owner of the Kumasa Building, lives above the building next to the developer's lot, he believes the development is too large for the lot, is three times what their building consists of, covers almost the entire area, leaving only 10 foot setbacks and will eliminate all of his direct and indirect sunlight. He said there is also a single family home of 2,500 square feet behind his property as well as other homes on the street. He said the parking requirements were outdated, other cities require additional parking, especially if it is a new building. There is a parking limit also on San Pablo Avenue and all cars will park on Wink Avenue and Bayview, which are residential streets. The design of the building will create impacts and come up to the edge of the sidewalk, will shield his business negatively, said his building was set back by 24 feet and wanted the same setback for the applicant.

Miyoko Sekine echoed all comments of her husband, the previous speaker.

Tatsuyuki Wakabayashi said he is the owner of the Japanese restaurant next to the new building, said his concerns were similar to Mr. Sekine's comments, felt the building did not provide enough parking, voiced concerns about building heights, density, shadowing effects, shielding of his business and questioned why the 1949 regulations had not been changed.

**Boardmember Woodrow** questioned where Mr. Wakabayashi's patrons parked, and he said the building has one insurance office where they can park and in front of the building there are 6 parking spaces.

**Boardmember Livingston** confirmed Mr. Wakabayashi understood that the cities of San Pablo and Richmond were trying to encourage denser and more attractive development around City Hall.

**Vice Chair Avellar** questioned if the project would have a restricted use to commercial parking areas, and Mr. Thompson said the building complies to the current parking requirements; however, if a restaurant or other higher parking use were to open in the area, additional parking would be required. He felt allowed would be retail sales and office uses.

#### **NOTED ABSENT**

**Boardmember Woodrow** was noted absent at 7:20 p.m. and there remains a quorum because the Board now has 5 members and three were still present.

Joan Aiken said she lives on Bayview, disagreed that the project would need minimal parking, said Broadway Truck Rental was located on one corner and Midas on the other corner and all employees park on Bayview. She has had people park in front of her house over a period of several days, has had people park in her driveway that she has had to have towed in the past, agreed the building is very nice looking and meets what the City is trying to accomplish, but felt it would have an impact on Wink and Bayview residents, there would be additional parking and traffic impacts with the new City Hall going in across the street and was opposed to the height of the building.

Rollin Coville said he lives two blocks from the new building, voice concerns over parking and the precedent set by creating a dense line of buildings all the way down San Pablo Avenue. He referred to the Village at Town Center across the street and said they had a 1.5 car per unit limit and there are now both sides of the street lined with parked cars and felt the parking requirement was obsolete. He agreed the structure was nice looking but was packed into the lot, and felt additional planning was needed so as not to impact residential areas. He also felt it would be nice to require some setback from the sidewalk.

Garland Ellis said he lives one block off of San Pablo Avenue, was familiar with the history of the area, was on the Richmond Annex Neighborhood Council, voiced concerns with locating an

8 foot tower in the middle of a block, felt it was utilized for corner lots and incentives for housing, and noted there were no incentives for the project and no reason for a tower that obstructs views. He said Fairview is the hill to El Cerrito, they can see above the BART tracks, from the bottom to the top of the hill and if 5-10 feet are added to the top of a 35 foot structure, all that could remain to be seen is the ridgeline and top of the hill. He said this was why residents fought for the 35 foot limit 10 years ago and he helped write the zoning ordinance and this was the compromise residents made with the commercial district. Regarding parking, parking goes back one to two blocks on San Pablo Avenue and it is more on the Richmond side due to there being no parking limits. Regarding zoning, C-2 Commercial zoning, Section 15.04.220.050 requires that if a building abuts residential, it is supposed to have a setback, least of all due to the fact there is residential within the project which would require a setback. He said there is also a land study requirement for new developments and this does not have that. There should be at least one tree, which is found in Section 15.04.820.012. Regarding impacts to residents who live behind the project, there is a residence to the side and behind who has a two-story commercial building in front of him, and a new 3.5 story commercial behind him and on the side. Above him, there is also a two-story apartment complex, and he felt the resident would be in darkness and shadows the entire day.

**Boardmember Livingston** noted that behind the property there is a two-story apartment building and said there were no windows on that side. He questioned if Mr. Ellis had any pictures of the views that might be blocked further up the hill, and Mr. Ellis said he submitted many to El Cerrito. He said in going halfway up Orchard, this is the distance one would have to go to look at the building on the El Cerrito side.

Theresa Lopez said she owns a property on Bayview Avenue, echoed all speaker comments, said they are already impacted by the businesses; said people who work in San Francisco will park their cars there the entire day. Because of construction, Manila and San Pablo Avenue will be closed; some cars are parked for days. She also acknowledged the project was nice looking, but parking was her main concern and felt it would be total chaos.

Mashariki Kurudisha spoke in support of the project, said it conforms to the zoning codes and General Plan of the City of Richmond, hears concerns raised by residents and suggested they consider going before the City as it works on its general plan in making changes to the ordinances, and asked that the Board hold the developer only responsible for the ordinances and codes that are currently in existence. She also pointed out that in meeting with the neighbors; the developer has reduced the height of the building on the back side to 35 feet to reduce the impact to the one residential building that abuts the back of the building. The front of the building is actually a commercial area and the City has a higher requirement for commercial spaces and even then, the building is below that figure at 42 to 43 feet in the front. She said they have worked with City staff to put forth a tower and front façade that actually lends an architectural element that is pleasing and adds to the urban condition of the street and is in conformity with the direction of both the City of Richmond and El Cerrito as they have planned this new urban area.

### *Rebuttal*

Athan Magganas, owner, said the Richmond neighborhood has been involved in previous years with reducing heights on the El Cerrito side, he wants to address impacts, felt the issue of height was not relevant, they meet required setbacks, there is a setback in the rear, they created a courtyard and space, and felt there were some inaccuracies stated. He felt the project allows for parking throughout the day and night, felt parking was important for businesses, and there is parking available along San Pablo Avenue all the time. He acknowledged people live on Wink and Bayview Avenue and people park along those streets, but parking for residences will be in place and they assume the businesses to be located will be able to share parking.

**Boardmember Livingston** questioned if the owner would be amenable to taking photographs of the effects of residents in the rear area and then superimpose the building silhouette to determine any impacts. Mr. Magganas said the 2.5 story building behind them and its climbing elevation was approximately 35 feet or less from the building; however, he said he was amenable to taking pictures.

**Vice Chair Avellar** questioned if the owner erected story poles for the project, and Mr. Lal said there is an existing structure now, they reduced the size of the tower further down and tried to match the architecture, but story poles were not erected.

**Boardmember Livingston** said there was a comment made about a height requirement of 35 feet if abutting residential property and there must be a front setback and asked to clarify how this is interpreted in the zoning ordinance. Mr. Lopez said it is a commercial property which is subject to the front setback requirement. The two adjacent properties were also commercial and not residential and the rear lot abuts a residential district, as well as a portion of the side property. The building will provide more than a 5 foot setback along that area, as well.

**Vice Chair Avellar** questioned the requirement for street trees, and Mr. Lopez said street trees are required. Mr. Magganas said the City of El Cerrito was the lead agency for the revitalization of improvements on San Pablo Avenue and they have two street trees to be planted for the project and they simply did not show this in the current plan.

The public hearing was closed.

**Boardmember Bloom** questioned how the outdated parking regulations get dealt with and Ms. Renfro said for this project, it needs to conform to whatever the current published parking standards are. If those standards seem to be inadequate, the solution would be to have the standards heard by the Council and update those standards. However, regarding concerns of residents regarding all-day parking, there were other solutions as well as competing interests. She said merchants want parking to be available at all times for 2-4 hour increments of time and employees working in San Francisco want both off-street and on-street parking all day. Until such legislation has been enacted to change development standards if the Board feels not enough off-street parking is provided, staff would work through the engineering department to stripe and install time limits along the street, coordinated between the two jurisdictions, and similar to what is present in El Cerrito around the BART station.

**Boardmember Bloom** acknowledged it was not the Design Review Board's jurisdiction to make changes to the standards and it would be appropriate for those concerned to approach the City Council. Regarding setback frontage, street trees and planting, she questioned whether it was possible to increase planting that faces onto San Pablo, as the planting areas were more located facing Wink Avenue.

**Boardmember Livingston** felt potted plants could be located along the frontage. He said he read through the goals and policies in the General Plan, thought about this project, contacted several people on the Joint Task Force of the Richmond/El Cerrito boards who dealt with the entire corridor to identify what the fabric of the street would look like in 10-20 years. He said they just began meeting, have not developed published standards, but the general intent was to take areas like BART stations and City Halls and dense them up, change the plantings, change the streets and make them a special spot. Therefore, he looked at how this building would conform to that future vision, and he noticed the potential jewel which was the plaza inside the building. The General Plan talks about pedestrians being able to use these places, the plaza is not accessible and cannot be seen southbound, and currently it is closed off and not connected visually. He felt the design characteristic was not quite developed enough in the current design,

acknowledged the parking cannot be changed and he sketched out an idea for the plaza/courtyard that he distributed to Boardmembers, which he felt was more consistent with the goals and policies as well as for those who live there. He felt it also helps the corner and blank wall. The Board reviewed the sketch and briefly discussed changes proposed to the building.

**Boardmember Livingston** asked that the applicant take a photograph and superimpose the tower, he felt his sketch reduced the massing from the tower, and was not sure it was going to be that much of a view impediment.

**Vice Chair Avellar** felt story poles would also be a good suggestion, as well. **Boardmember Bloom** questioned the façade's number of materials and revisions. **Boardmember Livingston** felt the architect adequately addressed the materials and color rendering and they were thoughtfully composed.

**Vice Chair Avellar** questioned the applicant's thoughts of Boardmember Livingston's sketch, and Mr. Lal said from a design point of view, it was not recommended. The buildings should be on the edge of the street and felt its presence would be lost, the view to the courtyard was provided basically as open space for the residents in the project, he felt it would not be what other cities are doing with the fabric along the edge of the street and frontage.

**Boardmember Livingston** felt there were ways of achieving both policies or goals, questioned if there might be a better solution, felt continued dialogue would make the project better and suggested continuance.

**Vice Chair Avellar** questioned if the applicants would be amenable to meeting with one or two Boardmembers and further discuss the project. Mr. Magganas questioned the future meetings of the Design Review Board, and Ms. Renfro said the dissolution of the Design Review Board would most likely not occur before October at the earliest, and **Vice Chair Avellar** confirmed the Design Review Board was the deciding body for the project. Mr. Magganas said they had some limitations, wished they could have dealt with changes before this meeting, and was amenable to continuance and meeting with a boardmember.

**ACTION: It was M/S (Livingston/Bloom) to hold over DR 1103895 to August 22, 2007. Vote: 3-1-2 (Avellar voted no; Smith and Woodrow absent).**

**ACTION: It was M/S (Avellar/Bloom) to direct Boardmember Livingston to meet as an ad hoc committee to discuss the project with the applicant; unanimously approved.**

## **BOARD BUSINESS**

### **5. Reports of Officers, Board Members, and Staff**

- a. Vice Chairman's appointment of Nominating Committee

**Boardmember Livingston** discussed his participation on ad hoc meetings with applicants on projects. He noted he reviewed a house in Pt. Richmond on Terrace and Vine and they were not quite ready to come before the Board.

**Boardmember Bloom** confirmed future dates in August, and Mr. Thompson said the regular August meetings were scheduled for August 8 and August 22.

Ms. Renfro confirmed a quorum was met and if everyone to be appointed to the nominating committee was present, it could be acted on. She said a nominating committee is appointed and that committee chooses who they want to be Chair, and **Boardmember Bloom** volunteered to

serve as the nominating committee if Vice Chair Avellar would nominate her.

Ms. Renfro noted the rules say the nominating committee shall be comprised of three members of the Board and shall formulate a slate to be presented to the Board at least 10 days prior to the election. It also states that the Chair of the Board may create committees to find their powers and duties, so under the present circumstances, with a 5-member board, it was her ruling that it was okay for the Chair to create a nominating committee of one. **Boardmember Bloom** noted she would not be present at the next meeting. Ms. Renfro said a nominating committee could also appoint an alternate, and Vice Chair Avellar nominated Boardmember Livingston as the Alternate nominating committee, and **Boardmember Bloom** will relay her nomination to Boardmember Livingston.

<b>ACTION: It was M/S (Avellar/Bloom) to appoint Boardmember Livingston as the Alternate nominating committee; unanimously approved.</b>
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#### **Public Forum – Brown Act - None**

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