

DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
September 26, 2007
6:00 p.m.

BOARD MEMBERS

Robert Avellar, Chair
Ted J. Smith
Diane Bloom

Jonathan Livingston, Vice Chair
Don Woodrow
Vacant

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

ROLL CALL

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

Absent: None

INTRODUCTIONS

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

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, October 8, 2007 by 5:00 p.m.

MINUTES FOR APPROVAL - None

APPROVAL OF AGENDA

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

CONSENT CALENDAR

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

Boardmember Woodrow requested adding Items 4, 5 and 6 to the Consent Calendar since they are being held over, and questioned why Item 9 was added to the Consent Calendar.

Mr. Thompson said any new items are automatically put on the Consent Calendar unless they are pulled off. When an item is heard, then it automatically returns as a held over item to be discussed and is not on the Consent Calendar.

ACTION: It was M/S (Livingston/Woodrow) to approve the Consent Calendar Item 4, 5, 6 7 and 8; unanimously approved.

Consent Items Approved:

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 10/24/2007.
5. **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: Hold Over To 10/10/2007.
6. **DR 1103979 – Construct Three Dwellings on Espee Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct three proposed dwellings with reduced front setbacks because of an irregularly shaped lot located at 247 Espee Avenue (APN: 540-182-008). The project applicant has also applied for a variance to reduce the front setback to allow development of the dwellings within the City Center Specific Plan Area; Urban High Density Zoning District. Napoleon Diaz, owner; Bill Brobisky, applicant. Tentative Recommendation: Hold Over To 10/24/2007.
7. **DR 1104174 – Construct Two-Story Warehouse and Office Building on Goodrick Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct a two-story ±7,520 square foot warehouse and office building located at 2780 Goodrick Avenue (APN: 408-082-020). M-3, Heavy Industrial Zoning District. Johns-Fahy, LLC, owner; Gardener's Guild, Inc., applicant. Tentative Recommendation: Hold Over to 10/10/2007.
8. **DR 1104110 – Two-Story Addition to Single-Family Residence on 30th Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±895 square foot second-story addition to a single-family residence located at 333 30th Street (APN: 516-171-005). MFR-3, Multi-Family High Density Residential Zoning District. Wayne Chang, owner; Jason Tran, applicant. Tentative Recommendation: Conditional Approval.

Items Discussed:

1. **DR 1103947 – Construct Self Storage Facility on West Ohio Street** - PUBLIC HEARING to consider a request for Design Review approval to construct an ±85,864 square foot Self Storage facility, with ±2,110 square feet of office/living space for an on-site manager, creating 618 self-storage units on 1.43 acres. The applicant is also proposing to add a second floor in the future to the front building (Bldg. B). The site is located at 300 West Ohio Avenue (APN: 550-050-021). M-2 (Light Industrial) Zoning and General Plan Designations. West Ohio Ave Land Co., Inc., owner; Chris Patchin of Cubix Construction Company, applicant. Tentative Recommendation: Conditional Approval.

Chris Patchin, Cubix Construction Company, said this was the third time they have discussed the item with the DRB, said there were some suggestions, architectural style of the building, and they feel they have addressed comments, said there was a fair amount of discussion regarding mitigating walls around their property which may face adjacent uses and the public, which have been addressed by adding a number of trees to the project, all along the railroad side of the property, behind Building J, behind Building G, added vines along the walls in several areas,

they noted the adjacent business to the east has existing trees which were shown in the plans, they have now 12.5 times more trees than what is required, they met with the neighborhood council with success of a 9-0 vote of support, they liked the idea of having a resident manager on site and a security camera across the street. They met with the President of the Santa Fe neighborhood council who is supportive, met with the owner of the Bridge Storage project who support it. They met with the local opponents of the project; Matt Welsey of Hartman Studios, some conversation with the ownership of the Interstate project who has no issue with the project, and they feel they have come up with a great project above and beyond the standards required and hoped the Board agrees.

Boardmember Livingston asked and confirmed the applicant read the conditions of approval and were in agreement. He suggested an addition to Condition 12 to add the words "Final landscape plan shall include a wetlands species of a tree specified in the landscape plan." Mr. Patchin said they did discuss this with Boardmember Bloom and they agreed for a *Tristania Verbena*, but they could write in that species.

Boardmember Livingston suggested a couple of graphic conditions having to do with flashing matching colors to the roofing. He confirmed the gutters and downspouts would be in the color of the light gray color as they are and asked if he would be amenable to having the roof, gutters and associated flashing all match the light color as suggested in the conditions of approval. Mr. Patchin said they are in disagreement with adding a coating to the roof which may become a maintenance item and may peel off in the future. We feel the light gray roof they are providing will be great and consistent with all of the galvanizing they have. **Boardmember Livingston** asked Mr. Patchin if he then did not agree with condition 8, and then bringing it down onto the gutters and downspouts. Mr. Patchin said they would prefer the wording changed and he felt adding a coating was not appropriate. **Boardmember Livingston** said they can do not have to apply spray to the items and said it simply comes from the company that way and it is a durable coating. Mr. Patchin said there is about a \$.35 per square foot cost to do this and they are doing about 90,000 square feet of roof, which it significant to them and they do not feel it will be seen from any angle of the public. He said they have a proposal that the gutters be unpainted galvanized to tie in with the theme of the project, and they specifically want to paint the downspouts to match the adjacent surface of the building because they are not an architectural feature worthy of highlighting.

Boardmember Livingston referred to all of the long tilt-up walls that are stuccoed, there is a scalf-flash specified as being galvanized. This will call attention to the top of the wall and he questioned if the applicant would be painting those out to match the color of the wall, and Mr. Patchin said they would.

Public Comments:

Matt Guelfi, said Hartman Studios, said they met with the developer and had some dialogue as to the proposal, felt they have made some headway as far as architectural elements, there is a long expanse of wall and they have volunteered to put some ivy 5 foot on center which will take years to grow. He felt that the wetlands being regarded as landscaping was hard to believe, he would like to see more landscaping on the sides and not all concentrated in the front and back. It is a cost issue for them but he wanted this addressed. In summary, they are still against it, they would love to be for it if they could get some of the walls softened and some architectural elements but it is a long, span of concrete that they must stare at every day.

Mr. Patchin said the issues of the long wall were brought up in the last meeting and in their meeting with Mr. Guelfi. He pointed on Hartman Studio's project, they have a 450 foot long wall, 31 feet high, 10 feet off the property line which towers over the adjacent self-storage, nominal landscaping, and they will unfortunately have to stare at it. He presented the view angles where

Mr. Guelfi would look at hundreds of trees and vines. Also across the railroad from them is 633 foot long, 18 foot high wall along the railroad tracks, whereas they are 10 foot high wall, 265 foot long wall 21 feet off of the property line with landscaping, so he felt there were equal protection measures that probably should come into play and he was not sure they were asking for anything but half of what has already been approved there.

Boardmember Woodrow questioned how many times the applicant met with Boardmember Livingston. Mr. Patchin said they have had numerous email exchanges, but have not met in person. He said they have met with the Sante Fe group president on a couple of occasions and have her support of the project. **Boardmember Woodrow** questioned if they met with John Monk, and Mr. Patchin said they had, and presented an email from him in support of the project. **Boardmember Woodrow** felt it was getting close to 10 meetings the applicants have met with people and felt it was enough; the Board should vote on it and be done with it.

The public hearing was closed.

Boardmember Livingston said if the roof is visible from anyone, he does not know why a color should be imposed on it and he wanted the flashing painted to match the walls which he felt would help. **Boardmember Smith** asked why these items did not come up when Boardmember Livingston was discussing the project via email, and **Boardmember Livingston** said there are many details to consider and he did not get to this one.

ACTION: It was M/S (Livingston/Smith) to approve DR 1103947 subject to staff's 4 findings and the 18 recommendations; with the deletion of Condition 8; with the additional condition that is labeled Condition 20 on his sheet which is a graphic condition he gave staff which articulates the cap flashing on the wall to be painted; and with an additional Condition 19 that all concrete columns on Building B shall be painted to match the stucco; unanimously approved.

2. DR 1103503 – Construct Mixed-Use Complex on Humphrey Avenue - PUBLIC HEARING to consider a request for Design Review approval to construct a mixed-use complex, consisting of five (5) apartments on the second and third floors of the proposed building (±5,592 square feet) above ±4,072 square feet of commercial space on a ±9,512 square foot corner lot located at 2300 Humphrey Avenue (APN: 528-010-005). C-2 (General Commercial) Zoning and General Plan Designations. David Townsend, owner; Darryl Debor (Architect), applicant. Tentative Recommendation: Conditional Approval.

Boardmember Livingston said the application seems to be devoid of many required drawings, said it is missing a survey, grading, there is no roof plan, no cross section and numerous other details. He questioned whether the Board should even review the project. Mr. Thompson said this was up to the Board and the Board may ask the applicant to supply missing items.

Darryl Debor, Architect, distributed a handout to the Board, referred to page 5 dated 11/15/05 and said they have been working on the project for two years. He felt it was probably the most difficult and frustrating process he has ever been through on any project. The suggestions provided by one DRB member have somewhat helped to shape the direction of the project, but he found it was a guessing game. He was really trying to cooperate and figure out what they can do to make the project appropriate for the site, for the City, for the client and those who will be living there and he feels he just cannot win. They met with staff probably 6 times prior to submitting their application, have met with Boardmember Livingston once and exchanged numerous emails back and forth and he just does not know what to do. He hoped what they can do is if there are a number of suggestions, he hoped they could defer to staff to make appropriate decisions because he felt many were in the category of micro-management. He

said a roof plan is a flat roof, we can show some roof vents, but he did not know how this would help them. He questioned if they were even close with the current design. He gets very difficult feedback with no instruction or direction. He noted that he was given a sketch and tried to follow the intent of the sketch; to hold the cornice up high, to bring the bays down below that, to have contrasting colors, to delineate the distinction between the commercial and residential above and there is a list of 8 different things from the last DRB meeting, which he can go through. He looked at many cities and has taken many photographs on the recommendation of Boardmember Livingston and he has tried to look at those to see what can be drawn into the project.

Mr. Debor said the application that are the most proximate to what they applied for in the current drawings was the sixth drawing in, which is a black and white perspective. On the far left hand side of the sketch, there is a balcony on the parking lot side, which was asked of Boardmember Livingston to give it a little bit of breakdown and not have one big stucco wall there. As you look through the various sketches, he tried to do it several different ways and he is still not sure what way is acceptable.

Boardmember Livingston said he sent Mr. Debor an email about his last sketch, there was a long void of time where there was no response from Mr. Debor for about one month, and putting this on him as holding him up was not quite fair. Mr. Debor said he did not believe he received that email; he got something that indicated he liked a building on Solano in Berkeley and there was some longer descriptions as to why he liked it, but it was not about this building.

Boardmember Livingston said he likes the direction where the current design is going and he questioned why the drawing was not finished. He said 47 items need to be included in the package but he was going down the right road, but more development was needed in the design before the Board can understand what is proposed to be built. Mr. Debor said 2.5 hours ago, he spoke with Planner Jonelyn Whales and got a skeleton overview of what those items are, but that was the first he had heard of them. He has a few responses to some, but did not know what they all were. He said he has not gotten paid for the project, has had to take out \$60,000 in savings in order to pay for his bills over the last year because of this project and he does not know what else to do. **Boardmember Livingston** noted the application materials indicate to supply a roof plan, material callouts, paving, no trash enclosure drawing, no cross sections, and none are included in the application and it is so incomplete.

Boardmember Woodrow said he has served on the DRB for four years, and this is the first time he has ever heard someone come in and say the things that Mr. Debor was saying. Much time has gone into this from staff, and every other applicant has had to cope with similar changes and they provided what was asked of them and completed their projects. At some time, he felt Mr. Debor must tell the Board what was so hard so they can improve. He felt it did not do any good to come in and say this is the worst experience he has ever had. He felt Mr. Debor was in debt to the DRB because you have made claims without evidence, and to be helpful, no matter what comes out tonight, the Board needs to hear how things can improve so others do not say the same thing.

Boardmember Bloom said she did not understand the plan, whether the trees were pre-existing or proposed, and Mr. Debor said they are all proposed. She referred to an area which indicates, "landscaped area" but nothing is called out, except for some trees and vines. Mr. Debor said he wanted to really show the structure; those that will last through the years, they want the trees to be the emphasis. The landscaped areas can be many different things but he did not feel this was something he had to detail out when he was not sure if the shape of the building was acceptable. **Boardmember Bloom** said for a complete plan, the Board requires all plants be specified, but acknowledged his thinking about the building. Mr. Debor said he included the number of trees required per parking space, which he felt were the crucial ones,

but **Boardmember Bloom** said there is nothing that shows what the landscaping includes. Mr. Thompson said as the plan develops, he felt the applicant would fill in those missing details.

Chair Avellar said he attended the initial meeting between the subcommittee and he felt the applicant was heading in the right direction and felt the massing was right with the current plan.

Boardmember Livingston said he reviewed the plan and said there are many architectural items, 47 missing items, and read it into the record:

1. Roof plan;
2. Survey;
3. Cross Section;
4. Trash Enclosure Drawing;
5. Many miscellaneous architectural details that are key to the design that are suggestions and not elaborate and need more detail, specifically the cornice, details on the bays;
6. No lighting specified;
7. No colors on the drawings specified;
8. Site Plan, page A.1; there is no meets and balance plotted on the site plan so it is hard to know where the other property begins and where yours begins;
9. There is no fence drawings in the parking area, so it is hard to know what is proposed;
10. No landscaping; he was not sure it was asphalt or not, parking surface to a fence, landscaping room to plant some vines;
11. There is only 23 feet of back out on spaces 1 through 3, and for the 1504850.20204c you need 25 feet, so you will need to tweak the building a little bit to make this work;
12. There is also a covered car section that is within 25 feet of the property line and this is something he talked to the planner about;
13. Number 5, leave all parking spaces away from the east property line to allow for 2 foot planting strip, and there is no planting in the whole parking area;
14. No fence notation of details, materials are mentioned and please show all fencing;
15. There is no specified plant types in landscaped areas; it just says "landscaped area";
16. Design drawings for garbage enclosures--also includes garbage area outside each unit on the courtyard. He asked how do people address garbage coming out of their individual units, from upstairs units and asked how do you get it downstairs;
17. When you come down the entry stairs to the units to go up to the second floor terrace, there is no paving or decorative paving. It is the interface within the parking surface. There is no handicapped element, no elevator;
18. What is the parking surface; aggregate, concrete, some mixture;
19. There is no drainage shown, no catch basins to show where the water is going;
20. More street trees are need on Humphreys, specify tree size, specify tree grates in the sidewalks, specify sidewalk concrete, special pavers and start and stop points for new construction;
21. On the second level, on the floor plan there are closets in front of the windows. He does not know how you would get the window demonstration you've designed when there are closets in front of it;
22. Shrink the plan to match the site constraints;
23. Provide some covered entries on the upstairs units of the front doors;
24. Focus on sense of ownership, privacy in the entryways and not just a plain door as presented;
25. Specify surface material for the playgrounds; it just says "playground" and there are a few plants in there;

26. Specify planters; use a cross section showing if it is going to be potting soil, pots, and what are the key elements to the entry environment and the success of the design will hinge on how the residents will feel in the space;
27. Number 6; needs entry work. It is hard to envision how this is going to be and what it looks like;
28. There is a storage area on the upper deck and it does not match the elevations. On the elevations it shows a rail and show whatever is right or wrong;
29. Number 8; how do each of the unit deal with garbage? Suggest individual closets for garbage and recycling, place them in the floor plan to comply;
30. Regarding elevations, in general, they should show cornice details, show size and material and color, cross sections at the bay, show all materials, colors and textures;
31. What type of windows are specified?
32. Suggest commercial storefront on street level and similar demonstration above;
33. What is the cross hatch area above the storefront system; are they windows or tiles?
34. Signage details, materials;
35. What is the sliding gate made of in and out of the building;
36. What is the color of the sliding gate. What is the fence material? Brick? What is the color?
37. What is the stucco finish?
38. What color are the steel tube trellises?
39. The major canopy on the north side needs to be detailed more to show the materials and color;
40. What is the door on the north unit made of? What materials surrounds the door? There is a big blank area around the door and is it sheet metal, tile, or is it stucco?
41. The south elevation, stucco in the second and third floor needs to be broken up. You can see it as you come down 23rd street;
42. You show the continuation of the cornice expression in a controlled zone material. It just stops and is a blank wall now;
43. Off of the entry, there is an elevation that is a stairway and at this point, you have not completed this design. There is a little roof and a couple of doors, and it is the entry element to all units as people come out of their cars and now it is not well developed. He suggested starting over on this and take a serious look on it to create more of a harmonious sense of entry, repeating with some of the same materials you have used on Humphreys. He felt it should be brought around the corner and use it for that entry;
44. When the building is presented in color, he asked to provide a couple of different choices of color other than just grey;
45. Site plan: you may need to move the gate in so that a car waiting to enter the parking area does not sit out on the street and wait for the gate to open.

Boardmember Livingston provided the list to Mr. Thompson. There were no public speakers.

ACTION: It was M/S (Livingston/Smith) to hold over DR 1103503 to November 14, 2007; unanimously approved.

3. **DR 1104032 – Construct Mixed-Use Senior Housing Development on Cutting Blvd. - PUBLIC HEARING** to consider recommending Design Review approval to the Planning Commission to construct a mixed-use development consisting of twenty-four (24) low-income senior restricted rental housing 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/applicant. Tentative Recommendation: Varies.

Boardmember Livingston said based on the staff recommendation, the Board had three options; 1) recommended approval; 2) recommended approval subject to conditions or modified conditions; and 3) recommended denial, and he confirmed with Mr. Thompson the applicant has indicated they want to move forward, regardless of the Board's action.

Boardmember Woodrow confirmed the Board was reviewing the project again because staff has determined it had changed enough to require re-review. He requested a summary of changes. Mr. Thompson referred to the staff report, said prior to going to the Planning Commission, the Planning Director determined that changes to the project were substantially different than what was recommended for approval by the Design Review Board. The Director determined that the application needed to return to the Board for review and it would probably be best for the applicant to make a presentation on the changes.

Durrelle Ali, applicant/project manager, noted there were two members of the Eastbay Community Development Corporation Board present at the meeting who could also speak on the matter. He said there have been a number of changes and the issue that primarily drove the major change is that the initial design presented in the past would be located on top of the existing building rather than to the side of the existing building. The way it is currently proposed, it would require a higher level of construction to support the additional weight, and unfortunately the previous design did not identify the additional support for weight and columns.

They also reviewed the issue of trying to incorporate the building in more with the existing design and adding features to make it more attractive; however, the main issue is the cost of the building as designed with the additional required supports.

He said the building is for very low income senior residents, it has been designed and programmed for single residence and supportive services for those who are living at 25% of the median income, or at about \$950 per month average income. Regarding issues contained in the staff report, there is a discussion about the building being out of scale with the surrounding neighborhood, and the zoning ordinance and general plan, while certainly allowing in general the use, discusses the building should be in scale with the surrounding neighborhood.

The staff report mentioned the single family, single story units that are around the project site, but he said in fact one of the dwelling units on the other side of the fence abutting the property is a two-story building higher at about 26 feet, which is slightly higher than a residential standard. There are also two-story buildings down 37th Street which are diagonally across from the project site. In addition, the project is also located on a collector and arterial street and as such, the width of the street surrounding the project, except for 36th Street, is much larger than what you would generally have between residences and an adjacent residential building, which also reduces the impact of the scale of the building. He said the building is within the 35 feet limit designated by the zone and would presumably match the scale of the building already there.

Mr. Ali said he also said he went door to door to talk to the neighbors surrounding the project to show them the plans and he did not encounter any opposition as mentioned at the last meeting. In addition, he believed there were some inconsistencies in the staff report; it refers to parking and it talks about 24 units and an on-site manager, which implies almost 25 units. He said the parking ratio is 24 units which includes the on-site manager's unit. They expect to obtain their property manager among their resident pool which is consistent with what has been done in other projects.

Finally, the staff report includes recommended options for approval of the project, and he suggested an option 4: that the DRB make a determination as how they would proceed for approval of the modified design and suggested the DRB has the ability to refer the issue of the additional unit, which falls under the conditional use permit, to the Planning Commission for review. This would allow for 24 units to get to the Planning Commission without them having to appeal or receive disapproval. He noted the 24 units are essential to the financial feasibility of the project. They only have so many options and with the costs of construction and other costs, 24 units is essential.

Boardmember Woodrow questioned and confirmed that the part of the plan shown on the drawing on 36th Street is a store and not part of the applicant's project. He asked if it was near the church which had recently been remodeled with a new stucco front and new roof on the opposite side of 34th Street, and he felt the church's steeple was taller than the project's height and would make this project fit in quite well.

Boardmember Woodrow said he had to leave the meeting early, but wanted to have this question answered.

NOTED ABSENT

Boardmember Woodrow was noted absent at 7:15 p.m.

Steve Kodama, of Kodama Diseno Architects of San Francisco, introduced himself.

Kristin Vargas, project architect, presented a PowerPoint presentation of the previous plans of the project to address massing questions and said originally there was a design presented due to structural and cost reasons. Mr. Kodama said the original design did cover the entire site so they condensed the building in the new design.

Ms. Vargas said they pulled the corner back on 37th Street as requested by the Planning Department, said Mr. Kodama met with the Fire Department and there have been a few changes to the second floor plan. Mr. Kodama said they talked about the width of the corridor and they had agreed to provide an area of refuge located just before the door to the stairwells, they eliminated a closet, and on the other side they pulled the stair up to create another area of refuge. He said normally this is not required but was asked for due to it being a high rise structure with a senior population needing a sitting area. He said the Fire Department had agreed with the changes.

Ms. Vargas presented the building elevations which differ slightly but she confirmed with Chair Avellar that the elevations in the packet were the correct ones. She said the Cutting Boulevard elevation by 37th Street has been pulled back, the units above actually cantilever over the corner but would provide ample site line for people crossing at that corner. They have also redone the lower façade windows so that they are more modern-looking than just the standard floor to ceiling storefront. They are vinyl windows with mullions down the center to accent each window. At the other end where the existing building is located, they have revised the parapet, taken away the trellis structure located above to give it a more commercial look and added some vents for accents and mullion lines. They also corrected the roof; they now have a hip roof instead of a gable roof on the end. Mr. Kodama said they also accented out the lower portion using color, which were derived from comments from Boardmember Livingston which have been incorporated.

Ms. Vargas said they also revised the 37th Street elevation to a hip roof, changed the color and added some mullion lines that relate to the bottom structure.

Boardmember Smith questioned whether or not the applicant was able to meet the parking requirements for the project and Ms. Vargas said they are requesting a variance for the parking requirements which would be reviewed by the Planning Commission.

Boardmember Livingston said one of his comments made at the last meeting related to whether or not there was enough room to get a para-transit van into the parking structure for handicapped access in picking up and dropping off seniors. He went on-line and found that an average para-transit van height measured 9'6" to 9'9", he presented a height sketch and said 10 foot clear was needed in order to take a wheel-chaired person inside the structure. He said there was no cross section in the drawings and he gathered there is a 9 foot ceiling height on the ground floor. He also reviewed the plumbing and he questioned where it all went. He could not figure out how the applicant would get a 10-foot van in a 9 foot space as well as incorporate plumbing, beams and structures to hold up the floors. He arrived at the need for an additional 12'6" plate height to accommodate a para-transit van which would add 3 feet above the height limit. So, he would like to see a cross-section that shows what will be built and that it actually can be built.

Ms. Vargas referred to the para-transit vans, they have a California state code-compliant acceptable van space inside the structure and she questioned whether the para-transit vans were operated by private companies. Mr. Kodama said they are designing it to the California State Code, and 8'2" is the clear height. They have done this with over 100 senior projects similar to this project, have built 30,000 units of housing, they are hired by the State for accessibility review and he has never heard of any requirement for heights that Boardmember Livingston was speaking to.

Boardmember Livingston said there is a facility in town where there are many disabled people. He went there and measured the height, went on-line and confirmed van heights, and felt the measurements were accurate. He questioned possibly that the other projects the applicant has developed use different vans. If you take the 8'2" as the height to be used, he questioned plumbing and structural requirements that would hang down underneath the ceiling and said there is no way with a 9' ceiling height you will get all plumbing runs, drainage, and structural beams, which was not shown on the plans. He also questioned what would be done to hold up the 25 foot beam span.

Mr. Kodama said he could display some of the other developments which were very similar to see how they deal with the structural and mechanical equipment and assured the Board they would not have to raise the building another 2 or 3 feet.

Boardmember Livingston said in the elevations, the drawing refers to a 6-inch wide floor. He confirmed the floor did not used to be a slab, said the plate heights seem to work, but he questioned the drafting. There is also a 2 foot slope of the property from front to back, which is on the grading plan and the elevation is drawn flat, so somewhere lost is 2 feet of elevation and he questioned what would be done about this.

Mr. Kodama said they will need to verify this, but they looked at it, laid out the building as it should be and they have accommodated for this. **Boardmember Livingston** disagreed it had been accommodated for as it was shown on the design drawings, he believed the project would be above the height limit and said the plan was not accurate.

Boardmember Livingston said besides not having a roof plan, it is hard to tell if there is a parapet, mechanical equipment and questioned what would go up on the roof. Mr. Kodama said it is a hip roof as requested and there is no hole.

Boardmember Livingston said there are no roof plans, no cross sections, no lighting specifications, the elevations are incorrectly drawn, it is not a straight rectangle, there is a punch out in the back of the property and the elevations behind them do not represent that, so there is a drafting error on all of the elevations relative to the back of the building. The building on 37th Street is wider than the main core of the building by 10 feet or so and this is not reflected in the roof plans. The stairway does not work the way it is proposed in the drawing. He asked who on staff directed the applicant to cantilever the entry element, and Planning Director Richard Mitchell said they have a problem on 37th Street with the sidewalk width. He said 37th Street is a route for kids to and from school, there is a narrow sidewalk there, so the recommendation was to come up with some way to get the sidewalk width up to an adequate level, particularly given the height of the building and also to give a site line onto 37th Street to Cutting, and the design solution was to cantilever.

Boardmember Livingston asked if there was a possibility that there could be a bulb-out to accommodate more room there. Mr. Mitchell said this would need to be taken up with the City Engineer. He said 37th Street and Cutting Boulevard is not quite a main intersection but is fairly close to that level, so it could be looked at but as a separate question. It would be nice to figure out some traffic calming strategies for 37th in general but he does not know if the City could commit to doing that as a way to approve the project.

Boardmember Livingston said his comment is that it appears the architecture for the corner palette is compromised by the cantilever, the two upper floors are over-powering, the ground floor architecture appears to be an after-thought and he suggested a complete re-visitation of the portion of the architecture, asked to carve the corners so that the entry of the building is there instead of on 37th Street, and suggested bulbing out 37th Street to create more room around that or eliminating the over-powering upper two floors and re-visit the issue. He felt the building on its two upper floors fails miserably on the street and the element is so clumsy and ill-conceived and he just could not see this on the street.

Boardmember Livingston said he thought the entry off 37th Street is extremely weak, the columns are not shown on the floor plan, the details do not match and it suggests a much more formidable entry mass with paving change on the sidewalk. It seems that it is miniature to the building, the tower is extremely tall and at the ground level it is lengthy and tall and needs a wider and more substantial base to it to get it there. He said there was also a grade change there and he was not sure if the applicant planned to ramp this or if there are steps, and where they would occur.

Boardmember Livingston said he would not go through all of his comments because there were so many and he did not believe the application was ready for approval. He said he no specifications or scores on the site plan, no specifications or score drawings on the columns, sidewalks or driveways, the grades do not work, there is no fence proposed along the north property line, and he confirmed the applicant plans to leave the existing fence there. He said a two-foot cut would be needed to accommodate the grades and he questioned who would build this.

He also questioned how the applicant would get the dumpsters out of the corridor and out to the street and asked if waste management had been contacted or not. Ms. Vargas said garbage would be handled by their management who would be taking the dumpsters out to the street. **Boardmember Livingston** questioned where they would sit, as the sidewalk was very narrow. He said if dumpsters were put on the Cutting side, and the garbage room is put at the end of the hallway, you could have a sliding door, drop the garbage down and then pull the dumpsters right out onto the street and not go through the maze.

Regarding the commercial section of the architecture, **Boardmember Livingston** felt that going to an aluminum storefront system would be consistent and did not know why this was not proposed. Above this, vinyl is continued up and believed you could not get the quality with a vinyl window on the street. He felt the finish on the remodel building looks much nicer than what is proposed for the main building and wanted them to be consistent. He referred to the mullion spacing, stating there is big expansion of glass but the mullion spacing is much different on the other side. The plans specify a cement plaster finish, and he asked that it be called out as to whether it is dash, smooth trowl, a sand or something else.

On the face of the building, **Boardmember Livingston** said there is a control joint and about three feet of stucco and this area is usually a high impact area where a lot of things happen; people kick it and bikes run into it. He suggested something more durable and easily cleanable be installed on the bottom. All drawings should be checked as there were numerous drafting errors, the gabled roof element on the northeast elevations do not match, information is on one elevation and not the other, and he asked these to be fixed. On the details, there is much work to be done and at this point, he felt the application was incomplete.

Chair Avellar said for the record, he wanted the applicant to know that their work is valuable and the Board appreciates it; regardless of how harsh comments may seem to appear.

Boardmember Bloom felt the landscape plan was okay and confirmed it was done partially in-house and some done by the original consultants. She asked why they chose to use the Blue Juniper with a color scheme of the building. Ms. Vargas said they wanted to provide contrast, as they have cool colors and warm colors. **Boardmember Bloom** felt it worked because the colors are strong and she just wanted to know what their thinking was about it.

Chair Avellar said he was in favor of the original plan, but understands the financial constraints. He recommended more of a horizontal break between the parking on the Cutting elevation because of the differing materials which do not show the strong difference between the two.

Public Comments:

Napolean Whit, Chair of the Economic Development Committee, said it is difficult and almost impossible to design and re-design a project in the public process. He said there was roughly \$7 million going into the project, said many things the Board is requiring and requesting requires additional funding and they are limited in funding and felt the three options made by staff took into account the fact they are limited. He felt the issue of the 24th unit has to do with funding. They have gotten 47% of the funding done, are looking for the rest of the money and must have something from the Board that it is a doable project; otherwise, the project will go down the drain and will be what it is today. He urged the Board to take into consideration with the professionalism of the architecture, felt staff could work out details with what Boardmember Livingston proposed and asked the Board to move forward.

The public hearing was closed.

Boardmember Livingston said the project will be a huge addition to the Richmond community, it will be a nice one when it happens. He just feels that the architecture is so preliminary in nature because it is not yet worked out and is at the design development stage. There are some nice ideas and elements, but did not feel the document tells the City of Richmond exactly what would be built, felt the architecture was close but it is not what he felt the Board stands for; good architecture. He was not comfortable at all with many of the missing details and felt we could do better.

Boardmember Bloom said in her area of expertise, she was sympathetic to the situation, she did not know what the hopes are for their schedule, she felt the Board should review what its options are again because from what Boardmember Livingston is saying, it does not sound like he would be comfortable with conditioning the project.

Chair Avellar said if the Board were to deny it, it goes forward without any recommendations, the applicant will appeal it. **Boardmember Livingston** hoped his comments in the record would go forward to the Planning Commission, so this will be in the record.

Mr. Thompson asked Boardmember Livingston if he was okay with the massing of the structure, and **Boardmember Livingston** said not the entry, but he was okay with the overall massing. Regarding the articulation of the roofline and the overall building, **Boardmember Livingston** said he was okay with. Mr. Thompson said Chair Finley will not want to see an incomplete project that comes back to the DRB and he suggested that the Board approve it with the list of changes done to the building and that the Board request that the Planning Commission direct the applicant to work with the Design Review Board on the finished details. He felt there was a real solid reason for doing this, it is a win-win, it gives the applicant an opportunity to move forward, address some of the parking and density issues, they would get their funding secured and then work on the finished details. He felt staff would take some heat, but he felt it was worth it.

Boardmember Livingston agreed to move forward based on Mr. Thompson's advice and made a motion.

ACTION: It was M/S (Livingston/Bloom) to recommend approval to the Planning Commission of DR1104032 with the staff's four findings, 31 recommendations and the addition of his ±37 item amendment as discussed in the record and that the item be remanded back to the Design Review Board for completion of the finished details; unanimously approved.

BREAK

Chair Avellar called for a 5-minute break, and thereafter, reconvened the regular meeting.

- 9. DR 1104245 – Construct Two-Story Mixed-Use Building on Macdonald Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a two-story mixed-use building located at 3405 Macdonald Avenue (APN 516-192-012). C-2, General Commercial Zoning District. Ramon Ramirez, owner/applicant. Tentative Recommendation: Conditional Approval.

Hector Rojas gave a brief description of the request.

Ronald Campos, civil engineer and designer of the project, said it is a mixed use building; two lower parts will be office and upstairs will be living space. They have been working with staff, drawings and plans have been provided, cross sections, there is an existing commercial retail building on the left side of the project, which is planned to be joined to the existing building.

Boardmember Livingston said the rendering on the cover sheet did not match the elevations and he confirmed this was an outdated design and in error. He asked what was the reason for

such a high parapet on the building as well as choosing a sloped metal roof behind the parapet, and Mr. Campos said they are trying to screen the equipment on the roof, said from his experience, they have problems with leaks using a flat roof and this was why they propose a sloped roof. **Boardmember Livingston** confirmed that the applicant was proposing putting rooftop equipment on a sloped metal roof which was also not exactly leak-prone either, and Mr. Campos said they have addressed this by providing a slipper on the lower end and it will be resting on the higher part.

Boardmember Livingston referred to Detail C, page A.6, the molding detail, and confirmed it would be a Styrofoam board with stucco over it and it will be site finished. He asked if he would be willing to use different roof solutions to lower the overall height, and Mr. Campos said they can lower the roof if necessary, but the building is facing the school, and there are higher buildings in the area. **Boardmember Livingston** said he felt the rendering and proportions were really great, but the elevations make it seem high. He felt the same look can be made while still covering the rooftop equipment.

Boardmember Bloom asked that more of the plant species be specified, referred to A.7, far left hand side of the page parallel to 34th Street, and Mr. Campos said the grass is existing, but it is not properly maintained at the current time. She felt a narrow strip was not advisable because it takes a lot of maintenance and she suggested using something else, such as bunch grasses or groundcover. She confirmed there were some flowering Plum trees, and noted the City would provide street trees, and Mr. Rojas said street trees were typically provided only for residential properties. She recommended not using ivy, said there are trumpet vines, passion flower vines with lots of color and big flowers which could work well.

Boardmember Bloom referred to the stamped concrete, she is seeing two different patterns and a grass crete for the parking stalls, and it seemed busy. She suggested picking one that will work, felt the grass crete would work. Regarding colors of grey and yellow indicated for the stamped concrete, and she questioned the relationship with the harmony of the colors with the building. Mr. Campos showed the color of the building outside and **Boardmember Bloom** felt a terra cotta or a brown would work, but she was not sure about the yellow. So, she confirmed the applicant needed to replace the grass, replace the vine, and change the stamped concrete colors.

Chair Avellar referred to lowering the parapet height and Mr. Campos confirmed it could be lowered to about 36 inches from the top of the lowest part of the roof. He said he liked the design.

Public Comments:

Lydia Stewart said yesterday was the first time she learned of the proposal across the street and she has a single home that expands from the corner of 34th and Macdonald to 33rd and Macdonald across the street from the project. On Fridays, there have been having meetings across the street at the recreation center which was the YMCA and she is concerned with having residential units above the additions. She understands this is the direction of the City for more residential, felt it was problematic due to the lack of parking. She has gone to fencing her parking lots because she cannot get her clients in on 33rd Street into their own spaces because of all families living in some of the residential units with numerous cars and multiple families living together. The problem extends on 34th, 33rd and Nevin. Prior to her owning the building at 3305 Macdonald, it was painted a bright yellow. She called the City about conditions about the color and she was given a façade improvement, but she wanted to make sure that all of the facades and colors compliment each other.

Boardmember Livingston confirmed Ms. Stewart did not see the proposed colors for the

project and he provided them to her, and she felt they looked nice.

Chair Avellar questioned and confirmed that noticing was sent to the surrounding property owners, confirmed that Ms. Stewart did not attend any of the neighborhood council meetings.

Boardmember Livingston referred to sheet A.3 and said the applicant called out a V-groove on the elevations on the stucco detailing and asked when this would be done. Mr. Campos said this will be done with the stucco application. **Boardmember Livingston** asked to specify a 1 inch aluminum channel and the applicant agreed. Regarding the finish on the stucco, he questioned if it would be rough or smooth.

Ramon Ramirez, owner, said the stucco is rough, but he was amenable to whatever the Board wanted.

Boardmember Livingston confirmed with Mr. Ramirez that the building's color could be changed to something other than a flat white.

Boardmember Livingston referred to window materials and said all specifications like W1 or D1 could not be found on the drawings. He confirmed with the owner that he was amenable to going with an aluminum storefront window system on the first floor along Macdonald Avenue.

Boardmember Livingston referred to the rear and front elevations, the owner was amenable to putting in more stucco control joints to break up the mass of the stucco.

Boardmember Bloom requested the building color not be white or off white, but use a beige or light terra cotta color. She noticed the fixture chosen for the outdoor lighting, which she felt was classy and she questioned the color of the surface where the lights would be hung.

The public hearing was closed.

ACTION: It was M/S (Livingston/Smith) to approve DR 1104245 with staff's four findings and 22 recommendations, with additional conditions: to lower the overall building height by 3 feet; adjust the building color of a buffed beige; specify the control joints in the stucco on the first floor façade shall be ¾ inch aluminum anodized or equal; add stucco score lines to the facades per his sketch which would be provided to Planning staff; and the windows on the Macdonald façade ground floor shall be of an aluminum storefront system or equal with the owner's choice of color; and that a single or float stucco finish be used; unanimously approved.

BOARD BUSINESS

10. Reports of Officers, Board Members, and Staff

Chair Avellar thanked Boardmember Livingston for his thorough comments on project designs.

Boardmember Livingston referred to the last couple of applications as being incomplete, and **Boardmember Bloom** agreed and said the landscaping plans were an example. He said staff is working hard to fix this, acknowledged it was difficult, and he requested staff agendaize an item for discussion of incomplete applications, and said he would volunteer to draft a letter to staff.

Mr. Thompson agreed that staff could agendaize an item for discussion as a Workshop or Board Business, suggested the Chair appoint a boardmember to write a letter to staff and include suggestions to be discussed at the meeting.

Chair Avellar requested a letter be drafted by Boardmember Livingston to be sent to the Planning Director and he requested staff agendaize the item regarding Application Submittal Requirements. Boardmembers discussed concerns regarding projects being rushed, uncooperative behavior of applicants, deadlines for submittals and what the Board would like staff to do with certain projects.

Public Forum – Brown Act - None

The Board adjourned the meeting at 8:45 p.m.