

**DESIGN REVIEW BOARD MEETING**  
**COUNCIL CHAMBERS, RICHMOND CITY HALL**  
1401 Marina Way South, Richmond, CA  
January 23, 2008  
6:00 p.m.

**BOARD MEMBERS**

Robert Avellar, Chair	Vacant, Vice Chair
Ted J. Smith	Don Woodrow
Diane Bloom	Vacant

The meeting was called to order at 6:00 p.m.

**ROLL CALL**

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

**Absent:** Boardmember Woodrow (excused)

**INTRODUCTIONS**

**Staff Present:** Lamont Thompson, Hector Lopez, Kieron Slaughter and Carlos Privat

**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, February 4, 2008 by 5:00 p.m.

**APPROVAL OF AGENDA**

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

**MINUTES FOR APPROVAL** - None

**CONSENT CALENDAR**

**Chair Avellar** noted the Consent Calendar currently consisted of Items 7, 8, 9 and 10. He said Items 2, 3, 4, 5 and 6 were recommended for hold over, proposed moving them to the Consent Calendar and also requested removal of Item 9.

**Boardmember Bloom** requested removal of Item 10.

**ACTION: It was M/S (Smith/Avellar) to approve the Consent Calendar as Items 2, 3, 4, 5, 6, 7 and 8; unanimously approved.**

**Consent Items Approved:**

- 2. 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. *Staff Contact: Janet Harbin.* Tentative Recommendation: Hold Over to 2/27/2008.

3. **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 (Single-Family Low Density Residential) Zoning District and General Plan Designation. Pilgrim Rest Missionary Baptist Church, owner; Zachary Hilliard, applicant. *Staff Contact: Jonelyn Whales.* Tentative Recommendation: Hold Over To 2/27/2008.
4. **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. *Staff Contact: Jonelyn Whales.* Tentative Recommendation: Hold Over To 2/27/2008.
5. **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. *Staff Contact: Jonelyn Whales.* Tentative Recommendation: Hold Over To 6/11/2008.
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. *Staff Contact: Jonelyn Whales.* Tentative Recommendation: Hold Over To 2/27/2008.
7. **DR 1104475 – Construct a Detached Garage in Front of the Residence on San Jose Avenue** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±484 square foot detached garage in the front of the residence located at 5203 San Jose Avenue (APN: 510-081-032). MFR-3 (Multi-Family High Density Residential) Zoning District. Mario Rossi, owner/applicant. *Staff Contact: Kieron Slaughter.* Tentative Recommendation: Conditional Approval.
8. **DR 1104493 – Two-Story Addition to the Residence on McLaughlin Street** - PUBLIC HEARING to consider a request for Design Review approval to construct a ±99 square foot two-story addition at the rear of the residence located at 920 McLaughlin Street (APN: 523-022-019). The project would add a laundry and storage room to a 2,390 square foot dwelling. SFR-3 (Single -Family Low Density Residential) Zoning District. Umesh Maharaj, owner/applicant. *Staff Contact: Kieron Slaughter.* Tentative Recommendation: Conditional Approval.

## **Items Heard:**

1. **DR 1104277 – Two-Story Addition to the Residence on Thunderhead Court - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±1,830 square foot two-story addition to the existing 2,034 square foot residence located at 4917 Thunderhead Court (APN: 431-411-018). SFR-3 (Single-Family Low Density Residential) Zoning District. Sal Ruso, owner; Doug Davis, applicant. *Staff Contact: Hector Lopez.* Tentative Recommendation: Conditional Approval.

Hector Lopez gave a brief description of the proposal and **Chair Avellar** opened the public hearing.

### **Public Comments:**

Robin Dune voiced opposition to the plan due to privacy and view issues.

John Lisenko said he lives across the street, was opposed to the project and its impact to views.

Gudrun Kleist said she is directly impacted from the new two-story addition, the plan is twice the size of her home, the architecture of homes in the neighborhood afford unobtrusive views and privacy and felt the plan would set a bad precedent.

Victoria Martin voiced opposition to the plan due to privacy loss, sunlight loss, natural views, and presented pictures of view obstructions.

**Chair Avellar** questioned and confirmed that the red line of the story poles shows where the upper story wall will be, not counting the roof. He indicated to Ms. Martin that the owner has the right to build a second story and said less view would be blocked if the square footage were reduced.

Jeff Martin voiced objection to the plan due to the loss of privacy, views and the loss or change in property values. He asked that the owner be considerate and make modifications to move the second story away from the garage and reduce the square footage.

### ***Rebuttal – Applicant***

Doug Davis, applicant, said they revised the second story roofline down by 254 square feet so as not to obstruct neighbor's views. He confirmed with Boardmember Bloom that neighbors have seen the revised plans, most houses in the neighborhood have 4:12 pitch rooflines and felt the plan was not out of character with the neighborhood. He confirmed with **Chair Avellar** that no addition over the third car garage was proposed, but there was a proposed room to be located over the existing garage.

**Boardmember Bloom** questioned whether reduction in the roof addressed the neighbor's concerns. Mr. Davis said this was their main concern and this was why they removed the second story over the third car garage. He said they have tried to address everyone's concerns and did not believe the house was out of character or twice the size of homes within the neighborhood.

**Boardmember Bloom** asked the applicant if he was amenable to making further revisions in order to appease the neighbor's concerns. Mr. Davis said the owner would incur more expense and they had already amended the plans per the Board and neighbors' requests.

## **BREAK**

The Board took a brief break and thereafter reconvened the regular meeting.

**Boardmember Smith** confirmed with Mr. Davis he had met with the neighbors on Friday of the previous week.

Sal Ruso, owner, said at the last meeting the only speakers were the Martin's, former Boardmember Livingston provided a sketch which would appease everyone, he spent a lot of money with the new contractor and architect, he showed the Martin's the new plan and they supported it, said now other neighbors are in opposition, he voiced frustration and asked the Board for their support and approval of the plan.

The public hearing was closed.

**Chair Avellar** said it appears that the applicant made changes which were requested at the previous hearing. **Boardmember Bloom** said she thought there were varying degrees of facts from the previous hearing and suggested continuing the matter.

MOTION: It was M/S (Avellar/Smith) to approve DR 1104277, based on staff four findings and six recommendations, with the additional condition to install a cover over the rear exit door on the right side elevation. Vote: 2-0-1 (Bloom abstained).

Lamont Thompson said three votes were needed to approve a project and therefore, the action results in a denial. He suggested continuing the matter to February 13, 2008 in order for Boardmember Woodrow to be present. Attorney Carlos Privat suggested the Board reconsider the item and thereafter take another vote.

**ACTION: It was M/S (Smith/Avellar to reconsider DR 1104277; unanimously approved.**

**ACTION: It was M/S (Avellar/Smith) to continue DR 1104277 to February 13, 2008; unanimously approved.**

**9. DR 1104304 – Two-Story Addition to the Residence on 30<sup>th</sup> Street - PUBLIC HEARING** to consider a request for Design Review approval to construct a ±1,193 square foot two-story addition at the rear of the residence located at 622 - 30th Street (APN: 518-240-022). The project would add a family room, master bedroom and master bathroom to a single-story 1,551 square foot dwelling with a two car garage. SFR-3 (Single-Family Low Density Residential) Zoning District. Mugalli & Mosleh Hugais; owner; Chuck Fields, applicant. *Staff Contact: Kieron Slaughter*. Tentative Recommendation: Conditional Approval.

The public hearing was opened.

Chuck Fields, applicant, gave a brief description of the project, said they met with the neighborhood council who provided suggestions regarding the mass and height, and therefore, they reduced the height of the roof, met setback and design requirements of the City and requested approval. He presented the letter of support and recommendation for approval with revisions from the neighborhood council and said he also met with the neighbors on both sides of the project.

**Chair Avellar** referred to the roof plan and confirmed with the applicant that the roof slopes down with gutters on the bottom, it was a 30-year roof and would match the existing roof, and he requested a porch cover be added over the sliding door on Elevation 3 on Sheet A.4. He referred to Elevation 4 and confirmed the railing material would be redwood.

**Boardmember Bloom** suggested a tree be added to the plan to scale down the vertical design.

The public hearing was closed.

**ACTION: It was M/S (Avellar/Smith) to approve DR 1104304 based on staff's four conditions and ten recommendations, with the additional condition to reflect on the second floor plan to show the lines of the roof; identify the material on the plans as redwood railings; add a porch cover over the rear sliding door; identify a 30-year roof or Class A roof; add a tree to the rear and a tree to the front; unanimously approved.**

**10. DR 1104369 – Construct New Two-Story Residential Building on Panama Avenue - PUBLIC HEARING** to consider a request for Design Review approval to construct a new two-story residential building located at 5221 Panama Avenue (APN: 510-092-038) that would include a ±1,200 square foot single-family residence and a ±625 square foot second unit. SFR-3 (Single-Family Low Density Residential) Zoning District. Mike Bepler, owner/applicant. *Staff Contact: Hector Lopez.* Tentative Recommendation: Conditional Approval.

**Chair Avellar** opened the public hearing.

Mike Bepler, owner/applicant, requested the item be held over for two weeks in order to make revisions regarding moving a door on the plans.

**Chair Avellar** suggested he describe the change, as the change may be minor and the Board could vote for its approval or continuance. Mr. Bepler briefly described the project and said he would like to move a door over 6 feet due to the architect and engineer's suggestions to save \$10,000 in the cost for a retaining wall. Lamont Thompson confirmed the door was located on Exhibit A, west elevation.

**Boardmember Bloom** said she asked that the item be removed because the landscape plan was not complete and needed more detail and more substitution of planting material. She confirmed the applicant did not identify the location of the garbage cans and asked that this be identified on the plans. The applicant proposed that the trash location be at the west side yard where there is a lot of existing cement.

**Boardmember Bloom** referred to the first page of the site plan showing the door at the north side of the drawing and asked how one would get from the door's location to the backyard. Mr. Bepler confirmed that a person would come out of the door to a landing and walk down the driveway to the backyard.

**Boardmember Bloom** voiced concern over the closeness of the front yard Redwood tree to the house and Mr. Bepler said he switched the Redwood tree to another type of tree, the species of which planning staff had suggested that this tree grows to a maximum height of 20 feet. She confirmed there was a parking strip and suggested the applicant apply for free street trees. She questioned why grass was being proposed in the front and suggested using native bunch grasses. Mr. Bepler said he was using very little grass and noted the grass pavers are about 25% grass but was amenable to revising this.

**Boardmember Bloom** referred to the backyard and the Drasina trees spaced on the periphery. She suggested not using as many because they may not be compatible with the chosen tree in the yard. She also suggested more drought tolerant plantings, borders to protect trunks from bark, and moving the Drasina away from the shade.

**Boardmember Bloom** suggesting more plantings that spread, indicated that a maintenance-free situation would not occur simply by spreading bark and suggested a weed barrier fabric with 6 inches of mulch. She did not recommend the replacement of the Redwood with a California Buckeye, as it is a wide tree and bare at times. She suggested the Sunset book in the native section to choose drought tolerant trees. Regarding changing the Iris, she suggested the applicant meet with a plant person, create a border around the edge of the backyard and the use of bark or more plantings or ground cover in the garden.

**Chair Avellar** confirmed the garbage cans would be located on the side yard which is cemented. He suggested reducing the amount of front yard concrete, and Mr. Bepler said his concern was mud coming down onto the long driveway. He said he did propose colored concrete and agreed to adding pavers versus the reduction of concrete.

**Boardmember Bloom** said if the applicant was proposing to use more concrete, more massing of plants was needed for balance. She also suggested the applicant consider having some shrubs that would run along the property line to achieve some height and color.

**Chair Avellar** requested the applicant show the front elevation of the garage and that it architecturally match the house. He also requested the applicant call out: The size and type of trim on the doors and windows, the 30-year roof, the type of gutters and railing material.

**ACTION: It was M/S (Avellar/Smith) to approve DR 1104369, based on staff four findings and six recommendations, with the following additional conditions: 1) that the applicant submit a more complete landscape plan; 2) that the plan to show trash storage along the driveway side yard; 3) reduce the amount of bark and create larger planting beds in the rear yard; 4) relocate front tree away from house; 5) replace species of trees; 6) replace and resubmit the December 26<sup>th</sup> memo which identifies California native plants; 7) that the applicant apply for City street trees; 8) consider more dense massing in the front area designated as lawn; 9) choose plants for the rear bed and create a drought tolerant native list as found in the EBMUD book or the latest Sunset book; 10) consider installing shrubs along the property line in the front yard; 11) on Exhibit A, the west elevation, move the door and architectural elements of the entry to the right by 6-8 feet; 12) show the front elevation of the garage to architecturally match the house; 13) reduce the concrete in the front of the house by using grass crete subject to the approval of the Building Department; 14) identify the roof to be a 30-year roof; 15) identify size and type of trim on doors and windows, gutters and railing material; unanimously approved.**

## **BOARD BUSINESS**

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

- a. Selection of Nominating Committee for Election of Design Review Board Officers.

**Chair Avellar** questioned the status of the Chevron project. **Boardmember Bloom** voiced concern over not having enough people and a professional architect on the Board in order to make an informed decision on the project, which she hoped could be addressed.

Mr. Thompson said staff feels confident that upon review of the project, the Board will receive all answers to its questions; however, the Board can also request more information if not clear and staff can address this at that time. He said the Board can also review the Design Review Guidelines and Zoning Ordinance, determine and make notes on what the scope of review is within the Board's charge, ask questions relating to odor, noise, vibrations and how they are addressed, said the Board was provided with the Draft EIR and he suggested highlighting areas

of question or concern. He said the hearing was scheduled for January 31, 2008; ESA, the environmental consultant, will also be present who is assisting the City in preparation of the EIR; Ellen Yarbour, an attorney from Shute, Mihaly and Weinberger, will be present, as well as consultants who were brought on specifically to work on the technicalities of the project.

**Public Forum - Brown Act - None**

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The Board adjourned the meeting at \_\_\_\_ p.m.