

DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
1401 Marina Way South, Richmond, CA
September 24, 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 6:10 p.m.

ROLL CALL

Present: Chair Avellar and Boardmembers Bloom, Woodrow and Smith

Absent: None

INTRODUCTIONS

Staff Present: Joe Light, Hector Rojas, Jonelyn Whales, Richard Mitchell and Carlos Privat

APPROVAL OF MINUTES - None

APPROVAL OF AGENDA

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, October 6, 2008 by 5:00 p.m. and repeated the appeal period after each affected item.

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

CONSENT CALENDAR

Chair Avellar noted the Consent Calendar currently consisted of Item 2, 3 and 4. Item 3 was requested for removal by a member of the public and Item 2 was requested for removal by Boardmember Woodrow.

ACTION: It was M/S (Woodrow/Smith) to approve Consent Calendar Item 4; unanimously approved.

Consent Items Approved:

- 4. DR 1104490 – New Kohl’s Department Store on Central Ave at Rydin Road - STUDY SESSION** to provide direction on the building and site design for the Kohl’s Department Store proposed at the property consisting of 4903 Central Avenue and 2700 Rydin Road (APNs: 560-390-018 and -013). M-1 (Industrial/Office Flex) zoning district. L&S Properties and Central Spur Properties, owners; Oliver and Company, Inc., applicant. Staff Contact: Hector Rojas. Tentative Recommendation: Hold Over To 10/22/2008.

Items Heard:

- 1. PLN 08-022 – Alter Siding & Add Deck Railings & Trellises to Residence on Western Drive - PUBLIC HEARING** to consider a request for Design Review permit approval to alter the siding on the east wing of the single-family residence located at 8 Western Drive (APN: 558-012-010) and add deck railings and trellises to the north and south sides plus miscellaneous alterations. SFR-2 (Single-Family Very Low Density Residential) zoning district. Margo Peters, owner/applicant. Staff Contact: Joe Light. Tentative Recommendation: Conditional Approval.

Planner Joe Light introduced and described the request, stating the application consisted of items having to do with the remodeling of an existing home; specifically 1) forming a bath house on a wing of the existing dwelling; 2) the de facto provision of trellises that tie into the eave of the house in the front and back and includes a small addition to the front porch; 3) the replacement of a number of windows on the Western Drive facing portion of the house; and 4) replacement of siding on the Tunnel side of the house with hardy plank.

Boardmember Woodrow referred to photographs and a view of an area redone with hardy board, the color of which is a light blue/green. He confirmed the sample color was close to what is proposed, that the house will initially be two-toned with wood siding and that over time, the blue/green color is assumed to be carried through the entire house.

Margo Peters, Applicant, presented photos which show that hardy panel is installed on the shed and carport storage. In the drawing with the view to the bay, the hardy panel is also shown without any paint and she believed that some color was necessary. She felt it could be darker and grayer, but said the next block has several houses that are painted panels and she did not believe a permit was needed to paint the redwood. She said next to her house, the area is City property. The property has three or four sculptures on it that have not gone to the Design Review Board. She was not asked if she liked it and she does not and it blocks her view. Regarding before and after shots, they show the south side of the house which was the hot tub area and it has two small windows which will be a bedroom.

She said she is only trying to make the house stronger and with less glass exposed to the street and the trail. She also described the back side of the house, stating she replaced sliding glass doors with French doors and did not understand why neighbors are voicing complaints.

Ms. Whales noted the item is agendaized only to address alteration of east wing siding and adding deck railings and trellises to the residence.

Boardmember Woodrow thanked Ms. Peters for providing photographs and drawings. He asked how much of the work on the project was already finished. Ms. Peters said the trellises are completed, and the siding on the west, south and part of the east side. The north side is still without any siding, but it does have sheer wall on it.

Boardmember Woodrow said the initial hardy board was white and he questioned why the color chosen was painted to better blend with the house. Ms. Peters said she did not know she needed to apply for paint color but could blend it in with the redwood siding.

Boardmember Woodrow referred to the before and after drawings and believed that there has been major changes applied to the house, specifically all windows and doors. He said the west side before and after shows the big double window, and Ms. Peters said she wants to take out the window because it collects heat, it looks out on her neighbor's gardens and wants more wall space.

Chair Avellar questioned whether windows were part of the application and discussion, and Mr. Light said most of the elements of the application, if received individually, would be exempt from design review. The one item subject to design review is the trellises, and given the congruence of time and all remodels taking place at once, the application got rolled into one remodel category. He believed therefore that the Board did have the purview of making decisions on the aspects of the remodel. However, the applicant could, at some point in the future perform many of the items outside of any regulation.

Mr. Privat said he did not complete reading the entire agenda item. Adding the deck railings and trellises to the north and south sides is actually a part of this application, so the Board can consider siding, the deck railings and trellises.

Ms. Peters referred to the before pictures on the south side, stating there was no railing at all; it was just 2x4's and went halfway across and she believed that the deck and porch is a vast improvement in the design of the house.

Boardmember Bloom suggested having more clarity from staff as there are only three things listed in the agenda and miscellaneous alterations. She said the Board requested before and after pictures because it was clear there were many changes and while they are not finished, they have been in process for quite awhile, and she questioned how to proceed.

Mr. Privat said if the Board feels the items fall under miscellaneous alterations category, the Board can discuss them and take action on them.

Boardmember Bloom questioned before and after items and when they actually occurred. Ms. Peters said the trellises are there, smaller windows have been added into the new design and the old windows are no longer present.

Ms. Peters also said fencing is one of the four conditions and she believed this requirement may delay her project, and she believed she could take legal measures regarding fencing.

Boardmember Woodrow asked Ms. Peters if she understood that if the Board moved to get the plans approved, that the after photos are what will be approved. If Ms. Peters determines at some time that she wants to make another change, she will need to return to the City.

Public Comments:

Richard Katz, lives next to the project to the west, said Ms. Peters already built a new building, which is 20 feet long and 10 feet high and is less than 3 feet from his fence and 8 feet from her house. He must look at this everyday and it is an eyesore. The hardy board siding would not look bad all by itself, but it looked unnatural next to redwood siding on her house. He asked the Board not to encourage use of it as it cheapens the look of everything.

In response to Boardmember questions, Mr. Katz presented the location and characteristics of his home.

Boardmember Bloom requested clarification regarding the Board's purview of the design of the shed even though there were permits issued. Mr. Privat noted the shed was not within the review this date. Boardmember Bloom suggested that the shed be more unified to be more pleasing, as it incorporated several different colors and themes. She suggested that the hardy board be painted a dark forest green or darker color to better match the wood and questioned if this was amenable to Mr. Katz.

Mr. Katz asked that any construction be made from natural materials or a real wood product. Regarding the color, he had no preference.

Chair Avellar questioned the setback from Mr. Katz's home to the applicant's home. Mr. Light said the accessory structure at issue is less than 3 feet from the property line, is 9.5 feet in height, staff received a formal request for review of the appropriate legal status regarding setback of that structure which will be addressed by the City. Mr. Katz said this structure is not under consideration this evening and he was only voicing concern regarding the type of wood that should be used.

Rebuttal – Applicant

Margo Peters, owner/applicant, said she could paint the entire house the same color as the siding. She said in the next block are many painted houses, the hardy board is two inches wider and higher than the existing redwood siding, was not in favor of removing the hardy board, and did not believe a neighbor should choose what color she should paint the house.

Boardmember Woodrow said he did not believe the Board had any issue with the use of hardy board, but he was concerned with color. He thought it would be over burdensome to ask the applicant to paint the house to conform to what is on the hardy board, but he said the applicant did indicate she intended to take that color over the entire house. If the Board were to request that the applicant bring forward that painting schedule, he questioned whether Ms. Peters thought this would be a heavy burden.

Ms. Peters said she would consider painting the house instead of replacing the hardy board.

Boardmember Woodrow said if conditioned, he questioned what would work best for Ms. Peters, and Ms. Peters said she could paint all of the sides in view of the Katz's home in the color of blue. Boardmember Woodrow said he wanted to avoid a two-toned house and confirmed with Ms. Katz it would be her intent to paint it all one color.

Boardmember Smith confirmed with Ms. Peters she had worked on the project for three years.

Chair Avellar voiced concern with understanding the plans of the home and what is new and existing. Ms. Peters said the addition and front porch have been painted blue. The photographs show the redwood siding above the porch.

Boardmember Woodrow questioned Mr. Mitchell how the plan would be judged with respect to heritage homes. Mr. Mitchell said this home was changed up to the 1970's era. Heritage homes date to pre-war buildings. Eventually, the City would like to deal with a process for such homes, as there is no policy in place currently. He said; however, it is unclear as to what has started and what has been finished. Depending upon what is approved by the Board, the building staff will actually need to visit the site, identify what outstanding issues need closure, and ensure the project gets completely finished.

Chair Avellar referred to the floor plan, the existing house and existing new items, and he confirmed that siding would cover the existing cabana.

Boardmember Bloom believed it would be a good idea to have a list for the building inspector to prioritize and address making the outside of the home presentable and enclosing it off, and then looking at the inside so the neighbors do not have aesthetic displeasure. She said the trellises are not being addressed tonight. She felt there was not room on the property for trees to screen.

Clair Brown, neighbor living next door, said they planted some trees along the fence, but a lot of people walk on both sides and she believed the entire home should be looked at rather than sections of it, and asked that it be as pleasing as possible.

Boardmember Bloom believed that in order to make proper recommendations, one should visit the site and look at the overall plan and not just bits and pieces, and Chair Avellar agreed, stating the plans are a very incomplete package, and both believed that an overall plan was needed to make an accurate decision. Mr. Light said if the Board feels it does not have sufficient information to make a decision, it can use the photographs of what has already been built. However, if the combination of the two items does not provide sufficient information, the Board might not want to act on the request.

Mr. Privat said if the Board cannot make a decision due to the lack of information the item can be continued and returned to the Board with additional information.

Boardmember Bloom believed what is needed is an architect, as the approach tacks things onto the plan, and without having a site visit, it is difficult to make a decision. Chair Avellar agreed.

Boardmember Woodrow referred to Mr. Mitchell's comments regarding the City's visit to the site to determine what has and has not been done and the plans should reflect is a good suggestion. Until this is done, he does not see how the Board can vote on the item.

Ms. Peters said she would submit more complete drawings. Chair Avellar suggested what is needed is revised elevations and described items to include and not to include. Mr. Mitchell said staff will work with the applicant to clarify the final package for the Board to review.

ACTION: It was M/S (Avellar/Smith) to continue PLN 08-22 to November 12, 2008; unanimously approved.

2. PLN 08-037 – Relocate Hazardous Waste Leachate Treatment Plant to Parr Blvd. - PUBLIC HEARING to consider a request for Design Review permit approval to relocate, from the end of Parr Blvd. to 1 Parr Blvd. (APN: 408-140-009), a hazardous waste Leachate Treatment Plant consisting of a ±4,465 square foot concrete foundation and containment pad and metal tanks no higher than 19' 9" high). CRR (Community and Regional Recreational) zoning district. Republic Services, owner; Bryan Dissman of C. Overaa & Co., applicant. Staff Contact: Joe Light. Tentative Recommendation: Conditional Approval.

Mr. Light gave the staff report and brief description of the request, stating the facility was intended to be a temporary facility and the applicant's intent is to make it a permanent facility.

Chair Avellar opened the public hearing. There were no public comments.

Boardmember Woodrow questioned how far from the parkway was the project, and Mr. Light said it is very far and not visible from the road. Boardmember Woodrow noted that the area is not fenced, and those were his only comments.

Chair Avellar noted the applicant was not present. He questioned public access to the site, and confirmed it was not possible to get into the area.

ACTION: It was M/S (Avellar/Smith) to approve PLN 08-037 with the staff's four findings and two recommendations; unanimously approved.

3. Residential Design Guidelines for Additions to Heritage Homes – Citywide STUDY SESSION to review the recently adopted Residential Design Guidelines for Additions to Heritage Homes (APNs: Citywide). Various zoning districts. Staff Contact: Lina Velasco. Tentative Recommendation: No Action – Comments Only.

Mr. Mitchell said the Council directed staff to undertake the process of developing Citywide development guidelines that would assist the Design Review Board in dealing with future design issues. This is the first step of a lengthy process and Opticos will focus on is homes within the original city core districts. The priority was set around the fact that during the height of the housing boom, many people were making efforts to fix up their homes, and contractors had various ways of doing this. Opticos was charged with establishing what the specific architectural elements of homes in the various districts so that homes in the future wanting to modify their heritage home would have some design guidance. He said staff will be using this to evaluate projects at the counter to determine if proposals for modification of homes are consistent with guidelines.

John Mickey, Opticos Design, Berkeley, said he was before the Design Review Board about a year ago with a draft version of the design guidelines. He said the document covers general massing of houses found in Richmond, additions, sizes of additions, and placement of additions in keeping with that massing, architectural style, floor styles, key characteristics, illustrated drawings of houses in Richmond and how this can change, and a series of details meant to talk to the style of architecture. He discussed the various styles covered in the guidelines and examples of how the guidelines were used as a test.

Chair Avellar confirmed with Mr. Mitchell that when someone comes to the City to modify a house, staff will identify which style of architecture their home is and provide them with the associated guidelines for modification. They would take this to their contractor and ideally, the guidelines would be followed. There will be revisions to the guidelines over time which will move forward for approval and address additional housing types that are not yet included, so that people can get started in the right direction in terms of what can and cannot be done with heritage homes.

Chair Avellar suggested providing the Board of Realtors the guidelines document once finalized. He referred to the three-D elevations contained in the document which could be helpful to applicants submitting their applications. Mr. Mickey said examples of elevations and other samples could serve as an appendix to the guidelines and he said he will work with Mr. Mitchell as to how much is and is not included. In response to Boardmember Smith, Mr. Mickey discussed his background and experience and said Richmond incorporates many of the styles in other communities and regions, such as Bungalows, Spanish Revival and Tudors.

Mr. Mickey said while they have not recommended this, they have placed a large emphasis or preference for applicants to maintain back yards, open space and maintaining more permeable surfaces. Boardmember Bloom questioned if the guidelines included FAR restrictions or rules for neighborhoods, and Mr. Mickey said the zoning code currently does not have an FAR, they do not reference it. While FAR is one way of helping to control massing, the guidelines are one of many tools to be used with others, and lot coverage can also be considered.

The Board thanked Mr. Mickey for his presentation, and Mr. Mitchell said the document is a guideline and would be used in conjunction with current rules until any further recommendations are made to modify it. He said the design guidelines are located on the City's website and in the future, staff may also want to put together a series of shows for KTR-TV. He noted that Richmond has all kinds of good architecture that has survived and once identified, he felt that people will want to celebrate it. He said staff held meetings in the various neighborhoods and people are very excited about this.

Boardmember Bloom asked for a definition of heritage homes, per Boardmember Woodrow's request that had to leave earlier. Mr. Mitchell said while there are varying definitions and regulations addressing homes in historic districts, while not required, applicants would be encouraged to follow design guidelines for heritage homes which typically are homes within an identified district, of a certain age, and have a specific type of architecture.

Public Comments:

Mary Selva, Richmond Annex Neighborhood Council President, said they have been reviewing projects in their neighborhood for over 25 years, several of their boardmembers were on the committee that worked on the design review ordinance, complimented Mr. Mickey for the design guidelines and she highlighted recognizable characteristics of the Richmond Annex neighborhood. She believed accessory structures and second dwelling units should be included in the design guidelines, as well as provisions for open space, FAR and lot coverage, rules for second-story additions, and preservation policies for homes within the district.

5. Reports of Officers, Board Members, and Staff

- a. No DRB meetings will be held on October 1st, October 8th or October 15th.
- b. Next DRB meeting will be held on October 22, 2008.

Boardmember Bloom announced that tomorrow night, September 25th, there is a community meeting here from 5:00-7:00 p.m. regarding the merger of the Design Review Board and Planning Commission. Mr. Mitchell noted the Council wanted additional public meetings and he believes at the next Planning Commission meeting, the item will be discussed, as well.

Boardmember Bloom referred to Item 5 a and b; Meeting dates and times, and confirmed with Mr. Mitchell that October 8th would work for other Boardmembers, and that she could not attend the October 8 and October 22, 2008 meeting. She agreed to forward her comments on the Honda project to planning staff.

Public Form – Brown Act – There were no public speakers.

The Board adjourned the meeting at 8:25 p.m.