

**DESIGN REVIEW BOARD MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**
1401 Marina Way South, Richmond, CA
January 14, 2009
6:00 p.m.

BOARD MEMBERS

Robert Avellar, Chair
Ted J. Smith
Diane Bloom

Don Woodrow, Vice Chair
Vacant
Vacant

The meeting was called to order at 6:08p.m.

ROLL CALL

Present: Chair Avellar, Vice Chair Woodrow, Boardmember Smith

Absent: Boardmember Bloom

INTRODUCTIONS

Staff Present: Lina Velasco, Joe Light, Jonelyn Whales, Janet Harbin, and Carlos Privat

APPROVAL OF MINUTES

October 22, 2008

ACTION: It was M/S (Smith/Avellar) to approve the minutes of October 22, 2008; unanimously approved.

November 12, 2008

ACTION: It was M/S (Smith/Avellar) to approve the minutes of November 12, 2008; unanimously approved.

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, January 26, 2009 by 5:00 p.m. and he 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 Consent Calendar Items consisted of Items 2 and 3. Vice Chair Woodrow requested adding Item 1 to the Consent Calendar and asked to remove Item 2.

ACTION: It was M/S (Smith/Woodrow) to approve the Consent Calendar consisting of Items 1 and 3; unanimously approved.

Items Heard:

- 1. PLN08-053 – D. R. Stephens and Company, Industrial Building Remodel on Marina Way South** - Design Review Permit for remodeling an existing industrial building for tenant spaces and installing landscaping, parking, and other site improvements to the property located at 830 Marina Way South (APN: 560-190-007). R&D/Business (Knox Freeway/Cutting Boulevard Corridor Specific Plan) zoning district. D.R. Stephens and Company, owner; Dan Kirby of Arc Tec Architectural Technologies, applicant. Staff Contact: Lina Velasco. Tentative Recommendation: Hold Over To 2/25/2009.
- 3. PLN 08-047 – Curt Rocca, Roof Deck Addition on Washington Avenue** - Design Review Permit for a new ±240 square foot roof deck addition to the rear of an existing residence located at 505 Washington Avenue (APN: 558-051-002). SFR-2 (Single-Family Very Low Density Residential) zoning district. Curt Rocca, owner/applicant. Staff Contact: Hector Lopez. Tentative Recommendation: Conditional Approval.

Items Discussed:

- 2. PLN 08-071 – East Bay Center for the Performing Arts, Historic Winter’s Building on 11th Street** - Design Review Permit modification for the rehabilitation of the historic Winter’s Building located at 339 – 11th Street (APN: 540-091-011). Retail/Office/Institutional (City Center Specific Plan) zoning district. East Bay Center for the Performing Arts, owner/applicant. Staff Contact: Lina Velasco. Tentative Recommendation: Conditional Approval.

Ms. Velasco introduced the project, stating the item is a request to modify a previous Design Review approval for improvements to the Winter’s Building. She noted the project has been reviewed by the HPAC Design Review Subcommittee who recommends approval for its compliance with the Secretary of the Interior’s Standard. It meets findings for Design Review approval and staff recommends its approval with additional conditions which were added by the HPAC Design Review Subcommittee.

Laura Blake, Mark Cabanero and Associates, representing the East Bay Center for the Performing Arts, said two years ago they had to use a number of concrete sheer walls to meet seismic upgrade requirements, and since that time, they learned that the building is in much worse shape. Therefore, they are requesting modification for the rehabilitation work. She presented graphics of the existing and proposed revised elevations, modified ground floor, storefront wrapping and their hope of making it a very transparent building to the street.

Vice Chair Woodrow believed the design was a great concept, asked for something on the outside of the building which would explain what is going on inside the building, like a marquee or something that would attract the eye. Ms. Blake said they tried to utilize this when they had the concrete sheer walls and could not have the transparency, but people can stop and watch people play jazz or practice dance, and this lets the programs express themselves all the time.

Jordan Simmons, Director of the East Bay Center for the Performing Arts, said they have been working with City and Redevelopment staff for proper signage, banners along the street, he said the marquee on 11th Street will be restored, and there are also large windows for posters.

Vice Chair Woodrow referred to the facades and how they will be lit and asked to ensure there are focused lights in order to have the building seen as a place of light. Mr. Simmons agreed, and said the idea was to restore light and dignity to the building and onto the street.

Vice Chair Woodrow questioned availability for parking and Mr. Simmons noted people park along the street, at Market Square Mall and on the Corner garage on Nevin and 11th Street, which will be expanded by several floors.

Boardmember Smith discussed the time the rehabilitation has taken and voiced support for the center's opening. Mr. Simmons noted that they plan to break ground on July 1st, and the total project will have cost almost \$15 million.

Chair Avellar questioned the site plan dimension of 20 feet on Sheet A-O.7. Ms. Blake said this represents a demarcation of improvements on McDonald Avenue.

ACTION: It was M/S (Smith/Woodrow) to approve PLN 08-071, with staff's four findings and eight recommended conditions of approval; unanimously approved.

BREAK

Chair Avellar called for a 2-minute break in order for the upcoming Item to be set up; thereafter, the meeting was reconvened.

- 4. Citywide Green Building Ordinance** - Study Session to discuss a proposal to add Section 6.46 Green Building regulations of the Richmond Municipal Code, requiring the new construction or renovation of certain types of buildings to meet environmentally preferable standards citywide. Staff Contact: Joe Light. Tentative Recommendation: No Action – Information Only.

Joe Light said in July 2007, the Council adopted the Municipal Green Building Ordinance and directed staff to develop the ordinance to cover public and private development. The ordinance requires a 70 point achievement level, covers all residential building or any private development receiving subsidy from the City of \$300,000 or greater. Commercial projects which are subsidized are required to meet at least solar and a moderate level of the ordinance levels.

Goals and issues which are driving green building are prescribed in agreements like the Mayor's Climate Protection Agreement, addressing reduction of greenhouse gases, and further environmental accords the City has adopted mandates green building ordinance, green building provisions, sustainable building approaches and reduction of GHGs by 10% and energy consumption by 20% over the next 13 years. In addition, the State has adopted an energy requirement for all new residential homes by 2020. Staff has selected using the building green and LEED system which are standard metrics adopted by many efforts locally. He briefly discussed each system, and staff recommends the City also follow these patterns.

Mr. Light presented pictures of green buildings, said staff recommends a moderate level of achievement, a somewhat slower level of introduction and adherence over time, not covering any residential renovations at this time but for new residential and commercial renovations only. He presented a sample of the green building checklist. He discussed score averages for projects, stating the City would look for higher scores in certain types of projects over others, and staff recommends the minimum achievement level at 50 points. With a 750 square foot home, staff suggests moderate levels at 55 points and 2 extra points be required for every 100 square feet excess of 750 square feet. For single family additions, staff suggests that all projects not required to go to the Design Review Board be exempt from the ordinance, and

could include bedroom additions, small remodels, and other similar additions, with a multiplier of 2 points for every addition over 1,200 square feet.

For multi-family buildings of two projects or more, staff is suggesting a moderate level of achievement, with a minimum of 50 points and 60 points across the board for larger projects. Any receiving City subsidy would require meeting a score of 70 points. For new commercial buildings, staff recommends a 5,000 first tier and a 20,000 second tier. All projects under 5,000 square feet are recommended to be exempt at this time. The minimum level of achievement for those over 5,000 and for 20,000 square foot building, they are looking at a graduated level over one year, and after one year, the level of achievement would be raised to the silver level, which is a moderate level.

Chair Avellar questioned the additional cost for getting LEED certification, and Mr. Light said staff was not recommending certification be required for any private sector building, which is an onerous process. Mr. Light said for commercial renovations, staff is recommending the same tiers as new construction with the caveat that renovations often are limited in scope, and at a percentage at the silver level.

He briefly discussed inspection processes leading to certification, Built It Green and Green Building raters, and said City Planning and Building staff have been trained and have the capability to perform inspection and rating. LEED projects are more complicated; however, and staff is recommending for projects over 20,000 square feet, the project applicant is required to retain a LEED accredited professional to perform verification and inspection, but not to actually have to register the building with the U.S. Green Building Council.

Chair Avellar questioned cities with similar Green Building ordinances or regulations, and Mr. Light noted a partial listing was contained in the staff report and he briefly discussed those cities along with their specific requirements and compliance deadlines.

Boardmembers questioned and discussed with Mr. Light general qualifications for green building construction, materials used, cost, new technology, energy reduction, LEED standards, net zero energy homes, Title 24, and noted the review of the item would be heard by the Planning Commission, with the hope for adoption of the Citywide Green Building Ordinance by the City Council some time by August 2009.

Vice Chair Woodrow confirmed with Mr. Light that only a handful of green building projects have utilized green building construction and none have yet been registered with the City; however, there may be a few.

Vice Chair Woodrow referred to the example given in first slide of a single family home which is similar to the one shown on page 28; however, they would seem to be in conflict with items 1 and 2 on page 23 which are guidelines. He felt this is not a single family home one would not expect to see in any subdivision locally, and the only example not yet built is in a historic zone and there has been argument against it. He questioned if green building regulations would conflict with homes located in the historic areas because all of the designs shown would face a lot of challenge. Mr. Light referred to page 5, under Section B; Applicability, second sentence; “..green measures shall not supersede any applicable design guideline established by the City of Richmond and/or in the case of a structure 50 years in age in the State of California building code....”

Vice Chair Woodrow noted the City was currently trying to work toward a set of design guidelines and he questioned if they had been reviewed by staff to determine if something green could be built accordingly. Mr. Light said there are many styles that can be used and are compatible when building green.

Vice Chair Woodrow confirmed with Mr. Light that green building measures and projects would be reviewed by staff prior to being heard before the Design Review Board or Planning Commission for consideration. Staff will verify that checklist points are contained in the building plans, the architect sign that the building plan identify and incorporate each measure, and the City's building and plan check staff will ensure they are implemented.

Vice Chair Woodrow questioned and confirmed with Mr. Light that the U.S. Green Building Council is a private organization who developed and sponsors the LEED checklist system, are in Washington, D.C. and can be found on the Internet. He supported green building, but voiced concern that the group is self-appointed, the rules set up are of their own and they do not have to answer to any government agency. Mr. Light further discussed building practices, believed the Green Building Council was self-consciously moderate mainstream, ahead of the norm, and their work has been based upon a long period of discussion with the building industry.

BOARD BUSINESS

5. Reports of Officers, Board Members, and Staff

- a. **Next DRB meeting will be held on January 28, 2009.**
- b. **DRB meeting scheduled on February 11, 2009 will be cancelled.**

BROWN ACT – Public Forum – No speakers.

The Board adjourned the meeting at 7:45 p.m.