

**DESIGN REVIEW BOARD MEETING
CIVIC CENTER MULTIPURPOSE ROOM, BASEMENT LEVEL
440 Civic Center Plazas, Richmond, CA
May 25, 2011
6:00 p.m.**

BOARD MEMBERS

Andrew Butt, Chair
Otheree Christian
Michael Woldemar

Raymond Welter, Vice Chair
Eileen Whitty
Don Woodrow

Chair Butt called the meeting to order at 6:10 p.m.

ROLL CALL

Present: Chair Butt, Vice Chair Welter, Boardmembers Whitty and Woldemar

Absent: Boardmembers Christian (arrived after roll call) and Woodrow

Staff Present: Shasa Curl, Hector Lopez and Jonelyn Whales

APPROVAL OF MINUTES - None

AGENDA:

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

STUDY SESSION

- | | |
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| 1. PLN11-047 | ELM PLAY LOT IMPROVEMENTS ON 8TH AND ELM AVENUE |
| Description | (Held Over from 5/11/2011) STUDY SESSION TO PROVIDE COMMENTS TO STAFF REGARDING DESIGN OF PROPOSED IMPROVEMENTS TO ELM PLAY LOT IN THE IRON TRIANGLE NEIGHBORHOOD. |
| Location | INTERSECTION OF 8 TH STREET AND ELM AVENUE |
| APN | 534-192-005 |
| Zoning | CRR (COMMUNITY REGIONAL RECREATIONAL) |
| Owner | CITY OF RICHMOND |
| Applicant | CHRIS CHAMBERLAIN |
| Staff Contact | HECTOR LOPEZ Recommendation: COMMENTS ONLY – NO ACTION |

Hector Lopez gave the staff report, stating that the Elm Play Lot is an existing 22,000 square foot playground that has suffered a lot of vandalism and there is a current proposal to improve the playground. There are two planning issues concerning the improvement; 1) the single family R3 building that will be demolished, and 2) the proposed nine foot fence.

Shasa Curl, City Manager’s Office and staff liaison working with Pogo Park. The City wants to finalize the entitlements in order to submit concept and plans to the State to procure proposition 84 funding. She stated that they wanted to have the landscape architect, Susan McKay, walk the Board through the design concept for the park and get feedback from them regarding the single family residence. The City was awarded this grant because the park expansion resulted in additional ranking points from the Pogo Park community process. They would like guidance

from the Board as to whether the house should be demolished or whether other options should be explored, as well as additional guidance with respect to fence height.

Chair Butt inquired whether anyone had questions for staff. There were none.

Susan McKay, Landscape Architect with MIG in Berkeley, indicated they have been retained to assist with the concept design planning approximately a year-and-a-half ago. Ms. McKay indicated that there had been a lot of conceptual design work before MIG came on board and were hired by the City to help formalize some of the ideas that Pogo Park had developed with the community. Starting with the site, she referred to the aerial photograph and indicated reference points.

Ms. McKay stated that there was not much on the current site, but there were five very large, beautiful London Planetrees and that in the center of the trees there is a composite play structure about three years old, a couple of benches and an old concrete walk. Ms. McKay stated that the plans for the park were developed through community planning workshops and that they evolved from some of the drawings that were before the Board. Referring to the plans, she showed the exterior promenade and mentioned that the community was hoping to have the current play equipment taken out so there would be a central gathering area in the middle of the park. Ms. Curl noted that they have received authorization from the State to relocate the play equipment consisting of the composite structure and one swing to another park. She stated that Chris Chamberlain is helping to determine the most appropriate relocation.

Ms. McKay indicated that the plan lays out most of the elements that are planned for the park comprising an international play village, community constructed play elements including a slide and swings, lots of seating, an office for the Red Cross, restrooms, trike path, community garden, and a picnic area. She indicated that the plans were refined to incorporate the plan titled the, "Elm Park Community Vision", which took the development of the office further and placed all of the major elements including a zip line. Ms. McKay indicated that the next plan involved a group called Urban Ecology, with further refinements that included the walk around trike path, keeping the play equipment in the center, and ideas regarding crosswalks and art pieces. She stated that the Urban Ecology design group subsequently disbanded, resulting in the next plan being a compilation of MIG working with Pogo Park and the Redevelopment Agency. This further defined plan took into account initial concepts and added safety areas, planting and irrigation, a bigger form tot lot, prefab buildings for the office and restrooms, the zip line, and turf. Ms. McKay indicated that the Redevelopment Agency asked MIG to do construction drawings which determined drainage, grading, planting, and building equipment specifics.

Referring to the drawing, the large area on the southern portion of the site defines the play village that the community would build, still keeping the play equipment in the center with an added swing. She stated that during the time MIG was doing the construction documents, the community and Pogo Park built a highly detailed and to scale model showing people, landscape, and artwork. Subsequently, the current phase has the construction documents and the model overlaid to determine any differences and allow for a finalized concept. Ms. McKay indicated that today's plan consists of the play equipment gone in the center, a promenade around the entire park perimeter, the residence removed with that area a community garden and storm water retention area, the play village on the south end, the zip line in the middle, picnic tables, the office and restroom building on the south edge, a hill slide for toddlers, and a toddler area. She stated that the plans also spell out the community desires of a fence around the park perimeter with two entrances that can be locked, planting around the base of the

existing trees, bike parking, and a welcoming porch construction for the office/restroom building that expands the interior to the exterior with a nice community gathering focus gathering.

Vice Chair Welter asked that if the adjacent residence is “savable”, was it considered that it could become the park office instead of adding a new building. He questioned if there was any study regarding reusing the house as the office and inquired as to the viability, safety, and accessibility.

Ms. McKay answered that as the plans progressed to the current state, the possibility of using the house became an option.

Boardmember Whitty mentioned documentation of March 20, 2011 indicating the possibility.

Tudy, Richmond resident with Pogo Parks, stated that they considered in detail using the house for the office, but there were several issues. First, the key entrance location is far away from the house. Second, they considered moving the house, but felt that with the size of the park only being half an acre, the house was too large of a structure for the small office and restrooms required for the park. They thought that since the house was historical in nature that it might be appropriate to design the office/restroom building as a historical Richmond house.

Vice Chair Welter questioned if the main entrance that she was referring to was off 8th Street and not Elm Avenue. Tudy answered that was correct.

Ms. McKay stated that when the use is changed from residential to public, there is extensive work required, and that although they had not specifically evaluated that, it would be substantial. Vice Chair Welter echoed that accessibility issues were a concern and questioned whether the cost issues associated with demolishing and rebuilding versus renovating had been addressed, even though the building was not in the best location.

Boardmember Woldemar asked who currently owns the building. Tudy answered that the building is currently owned by an LLC, Friends of the Ellen Playbox and that friends of hers purchased the property specifically to obtain the \$2 million grant which improved the chances for the City.

Boardmember Woldemar, following along the line of Vice Chair Welter’s questions, wondered if throughout all the meetings and plan evolutions, if anyone had ever thought about the house working into the security aspect by being a caretaker’s house, perhaps abolishing the need for a perimeter fence. He stated that this might be an option to consider because an eight foot perimeter fence would make the park look like a jail.

Ms. Curl clarified the funding issue, stating that the Redevelopment Agency made a small financial contribution in terms of development of the plans but most of the work completed has been through funding provided by the California Endowment as part of the health and wellness pilot implementation for the General Plan Health and Wellness element and the subsequent planning work will be paid for by the property grant. Boardmember Woldemar asked how the project got so far that MIG did construction drawings. Ms. Curl answered that the work was performed as part of the deliverables paid for by the California Endowment before the proposition 84 grant was received.

Boardmember Woldemar continued, stating that a survey and topography map was required to outline all the details for a project of this nature. He questioned the health of the old trees, stating that as planned, both old and new trees cover 90% of the site and asked specifically how healthy the London Planetrees were. Ms. McKay answered that the old play equipment was outside the trees and when the City relocated the existing play equipment in the middle of the trees, they dug a large hole and poured cement which caused the trees to start dying. The City had top arborists come in to evaluate the health of the trees, the trees were aerated, and the prognosis is good. She reiterated that the trees are very old growth and are truly jewels.

Boardmember Woldemar questioned whether there was lighting on the interior or around the site perimeter. Ms. McKay answered that there is pedestrian scale lighting and 12 foot poles with light fixtures. Boardmember Woldemar questioned if the entire facility will be accessible. Ms. McKay answered yes.

Boardmember Woldemar questioned if disabled parking would be provided around the site and Ms. McKay answered that it had not been delineated. Boardmember Woldemar indicated that the law states that there should be curbside disabled spaces. He also questioned the height and configuration of the current planned fence. Ms. McKay answered that the number one community issue is protecting the park at night, stating that currently nighttime vandalism is a huge problem, with weapons commonly fired. She stated that the community vision is a substantial perimeter fence with a lockable gate, with City presence during the day and the park locked at night. She stated that this has been a "hot button" issue with the City and the community and that they thought about having a caretaker presence but there were issues with individuals living on public land. Ms. McKay reiterated that the community was open to anything as long as the end result was park safety and nighttime protection of the park so it was not trashed.

Chair Butt wondered if the answer was a combination of a caretaker and video surveillance.

Vice Chair Welter questioned what the current lighting situation was at the park and whether part of the problem was because it was not well lit. Ms. McKay answered that there were currently "prison-type" lights. She indicated that the main way of keeping the park safe was eyes on the park and that the mission was to weave that goal into the community.

Boardmember Whitty asked about the plans and location of a trash bin, whether it would be next to the offices. Ms. McKay answered that they would recommend that trash containers be located throughout the park. Boardmember Whitty inquired about a dumpster and Ms. McKay answered that they had not planned for one, but they could. Boardmember Whitty asked her to think about it because the 8th Street entrance would enable easy access to one. Boardmember Whitty also suggested that a tall canopy be planned over the picnic area with perhaps a growing roof. She stated that people would like to have one, especially in rainy weather.

Boardmember Whitty, referring to the park office, liked the porch idea but questioned whether there was room. She stated that it should be inviting, encouraging people to congregate. Boardmember Whitty also felt that the wood fence was not appropriate as it would be a maintenance issue. Ms. McKay stated that the reason that the wood fence was called out in that area was that it was next to neighbors and it was solid. She stated that Elm Avenue and 8th Street were shown as steel picket fences. Boardmember Whitty stated that lighting needed to be well balanced and questioned if park hours would be similar to a regional park, 7:00am-7:00pm. She also requested outdoor LED lighting stating that there were great designs. Ms. McKay indicated that they had looked at LED lighting during the construction document phase and stated that they were committed to energy and path efficient lighting. Boardmember Whitty

also stated her desire that since it was a neighborhood park to see an area where art and other things could be displayed, maybe inside the office or on the exterior office walls or porch. She also questioned whether growing edibles would be appropriate, but thought they might be problematic. Ms. McKay said they were working closely with people to develop a community garden and Farmer's Market for the park.

Chair Butt stated that he did not have too much more to add but felt that handicapped access was important, and that as a part of this project City curb cuts could be a priority. Referring to the existing house being too big, he felt that the park office/restrooms did not appear large enough, questioning whether the plans called for one or two restrooms. Ms McKay answered that there were two restrooms on the plans, one where the storage area was shown. Chair Butt suggested that the wood fence be composed of various concrete precast finishes that approximated wood boards, noting that this would also provide acoustic insulation. He noted that there was an opportunity for something really unique like what they are trying to achieve with the head cutouts on the other fence and that perhaps neighborhood children could participate in the casting process using their handprints or homemade tiles. He indicated that he was torn regarding the head cutouts on the other fence, noting that he understood the security intent, but worried about the prison-like aesthetic. He indicated that they should work with the police department with respect to video surveillance and work on the lighting aspects. Chair Butt also stated that he felt that historic preservation of older homes was very important and that there was again a unique opportunity with respect to the circa 1912 on-site residence potentially being a showcase with display areas and a victory garden. He felt that through community restoration this was a great potential showcase with beautiful materials that are no longer available. He indicated he understood that they were eager to move forward and not go back to the drawing board, but that they should seriously consider the DRB input. He also stated that the existing structure had water, power, and sewer and by using those existing utilities there could be a savings of \$30K-\$40K.

Boardmember Woldemar questioned staff whether this project would come back to the DRB for final approval. Hector Lopez answered that if the house is preserved, it would be outright permitted. If the house is demolished, it would have to go before the Planning Commission. Boardmember Woldemar affirmed that if it goes before the Planning Commission, it comes to the DRB for recommendation. The consensus was that it would come back to the DRB either way for further review. Chair Butt questioned whether there would be potential impacts if it was demolished. Boardmember Woldemar stated that he asked the question because of the ongoing issue regarding whether the DRB approves public projects, stating that he would treat it as he would treat any project, public or private. He stated that the handicapped parking and access needs to be looked at.

Boardmember Woldemar indicated that he felt that green walls would go a long way in helping the fencing issues against the residential, whether it was masonry with vines or a wire fence with vines, he thought it would make a good joint between the park and neighboring residences. He stated that with respect to the public edges at the streets, he felt it was important that no matter what fencing material was used, the fence be setback from the sidewalk enough so something "nasty" or thorny could be grown in front of the fence to deter access.

Chair Butt questioned the issue of visibility if there were thorny vines growing on the fence and Boardmember Woldemar thought that landscape and maintenance personnel would have ideas on what might work as a deterrent, yet provide visibility. He also felt that with the fairly long lengths of fences, they should be backset and move back and forth creating pockets for planting purposes with the two entry areas easily back-setting to create visual offset to decrease the magnitude of the long length of fencing.

Boardmember Woldemar strongly felt that the City can do much better than typical iron picket fences with top spears and that many other cities do not support that type of fence solution. He cited examples of alternative fence solutions such as a chain link fence woven with alternative materials and colors and an 18-inch high solid wall with a picket style fence on top of it. He stated that any fence should reflect residential scale and character and that anything with vertical bars should be avoided. Boardmember Woldemar also felt that integration of perimeter lighting into the fence design was good both from a visual and security standpoint, feeling that light poles could also have security surveillance features. He stated that he felt it was important that these factors be coordinated.

Chair Butt questioned staff regarding the fence ordinance and how high fences could be on the property. Mr. Lopez answered that the maximum height would be between four and six feet and so a zoning variance would be required.

Boardmember Christian, who joined the meeting late, stated that he was aligned with the other members and he was looking forward to the project being a reality and would like to see the house become a type of community center. He stated that overall the project looked good.

Chair Butt questioned what the next step was. Ms. Curl indicated that the intent of the City is to have the project be a little unconventional and referred everyone back to Tudy with Pogo Park. Tudy introduced Carina Guadalupe, part of the Elm Play Lot Action Committee (EPAC) made up of mostly single mothers. She stated that EPAC consists of a group of residents who live around the park and they have been the community visionaries for the project. EPAC working with the City and MIG has been a wonderful involvement and partnership for this public space. Chair Butt commended Tudy on the partnership process. Ms. Guadalupe expressed that their main concern now was when the changes might be implemented and the project started.

Boardmember Whitty inquired as to what the next step was. Ms. McKay stated that they had wanted to get feedback from the DRB on specific issues such as the house and the fencing. Then, depending on the feedback, go back to MIG and Pogo Park and revise the plan to reflect the comments. The revised plan would then be presented before City Council to start the contracting process for the next steps of the project which would then go before the State. She indicated that it would be helpful for them to some direction regarding the major concerns. She indicated that she felt from the Board's comments that the major concerns were the height of the fence and the potential opportunity to reuse the existing structure. The Board reminded her that it was less the height of the fence as it was the overall design character of the fence.

Chair Butt suggested an overall concept similar to that at Berkeley Aquatic Park with adaptive use and a resident family, stating that the father is a metal smith that has done steel wire in unique shapes that are 8-10 feet high. He indicated that the Board's major area of concern is the jail type fence aesthetic that creates a wall rather than celebrating a community gathering area and believes that the fence functionality can be achieved in a much more visually interesting manner. He indicated that the Board would likely be amenable to the height variance if the fence aesthetics were uniquely good.

Ms. McKay commented that some of the parks in New York City have beautiful ten foot fences and that the intent of the Elm Play Lot fence is supposed to be an art piece. She stated that the head design was to represent the silhouettes of the residents. Ms. McKay indicated that it was their goal for residents and the City to come together regarding the fence design. She stated they would like to create a smaller six foot sample of the fence design and place it in the park for review and comments, hoping to spur dialogue between the City and the residents.

Tudy asked if it would be appropriate if one of two of the DRB members would like to be part of the continued planning process where ideas regarding the fence and the house could continue to be feted. All agreed that would be welcomed. Chair Butt stated that it was correct that the two biggest issues were the fence and the house.

Boardmember Woldemar stated that in a time when the City and the Planning Department had more budget, it would be beneficial to hire consultants that would really evaluate better fence materials and design. Ms. McKay indicated that they had many examples and understood Chair Butt’s point that is should have an artistic character. Chair Butt stated that he thought they had the right idea with the silhouettes, but that it may not be exactly what they want. Boardmember Woldemar thought the silhouettes might act as targets. Vice Chair Welter suggested that there are metal workers in Richmond that would be happy to give guidance as to design. Ms. McKay stated that Scientific Art Studio, the company that built the coke bottle at Pac Bell Park, is a key partner helping with the fence design.

Vice Chair Welter stated that he hates to see a historical structure torn down and that designing around a historical object is exciting. He agreed with chair Butt regarding the current structure utilities and cost savings. Chair Butt offered to do some pro bono assistance with designing and keeping the existing structure.

Chair Butt and Vice Chair Welter agreed to be part of the continued planning process. Chair Butt expressed some concern regarding any potential delays this might cause. Ms. Curl indicated that they would update the grant officer, determine how to move forward, and keep the Board apprised. Chair Butt thought it would be nice to pull Sal Vacca’s crew and get kids from the Iron Triangle into the house restoration.

CONSENT CALENDAR:

CC 2. PLN09-161 LE NEW SINGLE-FAMILY RESIDENCE ON TREMONT AVENUE

Description REQUEST FOR DESIGN REVIEW APPROVAL FOR A ±2,400 SQUARE FOOT, TWO-STORY, RESIDENCE IN THE TISCORNIA ESTATE PLAN AREA.

Location 500 TREMONT AVENUE

APN 558-282-020

Zoning TISCORNIA ESTATE SPECIFIC PLAN AREA

Owner ROBERT CLEAR

Applicant TUAN LE

Staff Contact JONELYN WHALES

Recommendation: **HOLD OVER TO 6/8/2011**

BOARD BUSINESS:

A. Staff reports, requests, or announcements

1. Continue discussion on landscape bond procedures

Jonelyn Whales stated that they had made considerable progress and that they had been talking to the Parks Director today and they have a meeting scheduled in the upcoming week to discuss the Landscape Bond. Chair Butt asked what his name was. Ms. Whales stated it was Chris Chamberlain and mentioned that they just recently adopted the park plan and staff wanted to run their ideas by them first before bringing it

back to the Board. Chair Butt asked and confirmed the meeting with Mr. Chamberlain related to Item 1.

Boardmember Whitty inquired about the Landscape Bond. Chair Butt indicated that it would be where the developer pays a sum of money to guarantee maintenance of the landscape for a fixed period of time after installation of the project. Boardmember Whitty stated that it should be clarified to reflect that it is actually a Landscape *Maintenance* Bond.

2. Review and discuss possible amendments to RMC 15.04.810.030 (Fencing and Landscaping Standards, Residential Properties) and RMC 15.04.820.010 (Fencing and Landscaping Standards, Commercial Properties).

Ms. Whales indicated that they are still waiting for some type of direction as to what the Board wants to see changed from the current codes. Boardmember Woldemar stated that the minutes from two meetings ago defined the possible amendments, stating that the whole point is to get consistency throughout the ordinances and remove things like the ability of the DRB to grant variances. He stated that the amendments are basically to clean up the fencing and landscaping discrepancies between the ordinances. He stated that he knows these will be addressed when the zoning ordinance is rewritten, but when will that happen? Ms. Whales stated that the zoning ordinance will be updated in conjunction with the General Plan.

Boardmember Whitty stated she thought the General Plan was going to the City Council in June. Ms. Whales indicated that date will change, as there are areas of the City that are still being looked at due to outside interests.

3. Review and discuss possible amendments to RMC 15.04.930 (Design Review) to include DRB jurisdiction over City projects.

Chair Butt asked about Item 3 and Boardmember Woldemar reiterated that was why he asked tonight about the park project coming back to the DRB, indicating that as things stand now, he is not sure it would come back when other Redevelopment Agency projects never show up again. Ms. Whales indicated that staff was trying to work on that because they realized there were so many projects being built around the City that never went through any advisory boards. Boardmember Woldemar thought that other department heads would be against the further bureaucracy, yet the harbor folks keep coming back. He stated that as it is now it is inconsistent.

Ms. Curl stated that the Elm Play Lot project would come back to the Board because of the fence variance or the house, but that if it was a garden variety City project, as it stands now, it might not come back. The point was made that some projects come back as a courtesy, not a requirement. Boardmember Woldemar stated that there is no consistency, some items come back as review items for comments, not approval and some do not come back at all. He felt that the Board should do all or none. Ms. Whales stated that staff found that they were benefiting from the DRB project inputs.

Chair Butt stated that at the last meeting the DRB formally recorded that there should be a session with other departments for an open discussion about what the DRB would like to see versus what the City decides they are able to review and to what degree they have discretionary or courtesy review. Boardmember Woldemar indicated that it involves people above department head levels, clearly involving the City Manager.

Chair Butt asked if there is a current ordinance that governs what DRB reviews. Ms. Whales answered that it does not explicitly discuss city projects. Boardmember Whitty stated that it should include permitted projects and Mr. Lopez stated that the current ordinance states that design review is required for any exterior alteration that requires a building permit or any type of discretionary review. Ms. Whales stated that City projects do not require permits or discretionary review and that the Building Department may review them but not issue permits. She thought it would be appropriate to ask the City clerk to look at the Charter. Boardmember Woldemar reminded everyone that the DRB reviewed the City Hall.

Boardmember Woldemar requested that an Item 4 be added regarding the prior discussions about a joint Planning Commission/DRB retreat. He stated that he thought it was an appropriate time for this type of meeting and that several years ago they leased the Kennedy building for this purpose and have also in the past used the Huntington Senior Center. He believes it is important to get the decision makers around the same table and that the DRB is willing to contribute to an agenda list.

Boardmember Woldemar also inquired about a new DRB member.

B. Board member reports, requests, or announcements - None

Adjournment:

The meeting adjourned at 7:26 p.m.