

DESIGN REVIEW BOARD MEETING
CIVIC CENTER MULTIPURPOSE ROOM, BASEMENT LEVEL
440 Civic Center Plazas, Richmond, CA
October 12, 2011
6:00 p.m.

BOARD MEMBERS

Andrew Butt, Chair
Michael Woldemar
Robin Welter

Raymond Welter, Vice Chair
Eileen Whitty
Don Woodrow

Vice Chair Welter called the meeting to order at 6:01 p.m.

ROLL CALL

Present: Vice Chair Raymond Welter, Boardmembers Robin Welter, Eileen Whitty, Michael Woldemar, and Don Woodrow

Absent: Chair Andrew Butt

Staff Present: Jonelyn Whales, Carlos Privat and Hector Lopez

APPROVAL OF MINUTES

September 28, 2011:

ACTION: It was M/S (Woldemar/Woodrow) to approve the minutes of September 28, 2011; unanimously approved (Butt absent).

APPROVAL OF AGENDA

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

CONSENT CALENDAR:

Vice Chair Welter stated the Consent Calendar consisted of Items 2 and 3. He asked if the Board or public wished to remove any item.

Boardmember Woldemar asked to remove Item 2 in order to add conditions. He said he would also like to approve Item 3.

ACTION: It was M/S (Woldemar/Woodrow) to remove Item 2 of the Consent Calendar and approve Item 3; unanimously approved (Butt absent)

Vice Chair Welter noted any decision approved may be appealed in writing to the City Clerk within (10) days or by Monday, October 24, 2011 by 5:00 p.m.

Item Approved:

CC 3. PLN11-532 QUEZADA RESIDENTIAL DETACHED GARAGE ON OHIO AVENUE

Description REQUEST FOR DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW ±480 SQUARE FOOT ACCESSORY STRUCTURE (DETACHED GARAGE) AT THE REAR OF AN EXISTING SINGLE-FAMILY RESIDENCE.

Location 2715 OHIO AVENUE
 APN 513-021-015
 Zoning SFR-3 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT)
 Owner MARIA QUEZADA
 Applicant BRENDA MUNOZ
 Staff Contact KIERON SLAUGHTER Recommendation: **CONDITIONAL APPROVAL**

Item Removed from the Consent Calendar

CC 2. PLN11-534 RIGGERS LOFT REHABILITATION ON CANAL STREET

Description REQUEST FOR DESIGN REVIEW APPROVAL TO REHABILITATE THE RIGGERS LOFT, A CONTRIBUTING STRUCTURE TO THE RICHMOND SHIPYARD NO. 3 NATIONAL REGISTER HISTORIC DISTRICT.

Location 1322 CANAL STREET
 APN 560-320-016
 Zoning M-4 (MARINE INDUSTRIAL)
 Owner SURPLUS PROP AUTHORITY RICH
 Applicant PORT OF RICHMOND
 Staff Contact LINA VELASCO Recommendation: **CONDITIONAL APPROVAL**

Boardmember Woldemar said he wants to know from staff whether the exterior material of the doors and windows are galvanized and asked whether or not they be rehabilitated or replaced. He also wanted to know whether the frames on the doors and windows will be painted to match the existing condition of the building.

Ms. Velasco stated that the Department of the Interior standard requires you to repair and replace only if necessary. The intention is to save the original, but until field conditions of the building are made, they cannot make that decision.

Boardmember Woldemar pointed out that the Ford Building is an example of where everything was repaired to keep the original look of the building.

Boardmember Woldemar added for the record that he would like the original plans and drawings of this building to be preserved. He noted that these plans are art exhibits in and of themselves. Ms. Velasco responded that the plans and drawings have been scanned by the Park Service; the Park Service has them in their archives and the City has electronic copies.

ACTION: It was M/S (Woldemar/Whitty) to approve PLN11-534 with staff recommended Historic Preservation findings No. 2 and design review findings No.1-4, as well as staff recommended conditions Nos. 1 -3; and add condition No. 4; that the windows and doors that are replaced be made compatible with and match in color the existing doors and windows; unanimously approved (Butt absent).

Public Hearing(s)

1. PLN11-520 ADAMS RESIDENTIAL SECOND STORY DECK ON WASHINGTON COURT
 Description: **(Held Over from 9/28/2011)** REQUEST FOR DESIGN REVIEW APPROVAL TO CONSTRUCT A SECOND STORY DECK EXCEEDING 4 FEET FROM GRADE AT THE REAR OF AN EXISTING SINGLE-FAMILY RESIDENCE.

Location: 261 WASHINGTON COURT
 APN: 558-043-002
 Zoning SFR-2 (SINGLE-FAMILY VERY LOW DENSITY RESIDENTIAL DISTRICT)

Owner/
Applicant: MARK A ADAMS
Staff Contact: HECTOR LOPEZ

Recommendation: **CONDITIONAL APPROVALS**

Mr. Lopez gave the staff report, described the request for design review approval to construct a second story deck. Staff recommends approval of the proposal, but received letters of opposition due to its proximity to the residence located on the south portion of the lot. Mr. Adams briefly described the deck materials.

Boardmember Woldemar stated that the reason this item is before the Design Review Board is because the deck is higher than four feet off the ground. As well, the item is in the purview of the Design Review Board due to a privacy intrusion point of view, to protect the views from two adjoining lots and the view into other backyards. According to the photos, it seems that existing plant material on the north and south are sufficient to block and screen views but would like to know if Mr. Lopez noticed this was the case.

Mr. Lopez stated that he noticed the plants had been pruned and clarified with Boardmember Woldemar that he was not able to obtain access to the property.

Boardmember Woldemar questioned whether or not there were any limitations to the size of the deck or balcony based upon the ordinance and code.

Mr. Lopez stated no and that all side yards setbacks are met.

Boardmember Welter referred to screening vegetation, and the neighbor confirmed that it was on Mr. Adams' property; or the south side.

Mark Adams, Applicant, said he measured from the side of the house and it is a minimum of five feet. He is not sure where the property line is but the vegetation is tall enough. He commented that he received unanimous approval from the Pt. Richmond Neighborhood Council Land Use Subcommittee and then found that the neighbors had significantly trimmed the vegetation, which is reflected in his August 16th letter.

Boardmember Whitty questioned and confirmed Mr. Adams owns the vegetation, and that the next door neighbor trimmed the vegetation.

Vice Chair Welter opened the public hearing.

Boardmember Woldemar said in addition to maintaining the trees, the neighborhood council was proposing to do additional landscaping. Boardmember Welter indicated there is a recommendation for Pitosporum on the deck.

Mark Adams, Applicant, presented his letter of October 4, 2011 stating that he is mainly trying to enhance his living space and would like to move forward now that his children are off to college. He originally designed a full length deck extending out over his ground floor patio but scaled it back four feet on the north side because residences on north side are closer than south side residences. He worked this out with neighbors. The deck is 10 feet width in length and 12 feet wide relative to the rest of the house. The portion that is 12 feet wide is near a den/bedroom that he would, in the future, like to have access to the deck.

He states that the Levine's residence is 20 feet away from the edge of his house to a portion of their house that has no window; is near a garage, and 50 feet away from their deck. His proposed deck is essentially the same width and length as the Levine's existing deck. He

stated that the deck as designed fits within the applicable setbacks and fits in the building envelope.

He pointed out that the Levine's letter of October 6th, they include a site plan that is incorrect; that site plan was included into his plans to show the area of work which an architect normally does so the building inspectors know where to look on the rest of the plans to determine where the deck might be. He states his deck is nowhere near the size of the incorrect site plan. The plan calls for 10 to 12 feet x 40.6 feet.

Boardmember Woldemar asked for the type of deck material to be used and if the railing detail has vertical seams of glass or vertical seams of metal, and what is the on-center spacing of the gaps.

Mr. Adams says he was not sure, but believed the deck material will be redwood; the beams and column material will be a redwood pressure-treated. He confirmed there are no vertical seams and the on-center spacing will be 4 feet.

Boardmember Woldemar asked if the base piece is going to be an unfinished piece of aluminum and will it be compatible with the color of the house. He voiced concerns about pressure treated wood as one color, stucco as another color, wood siding as another color as well as decking as another color. Mr. Adams presents a photo of the house to the Board, stating the color of the home is a pale green.

Boardmember Woodrow questioned the purpose of the deck. Mr. Adams replied he is trying to expand his living space and enjoy the beautiful expansive view.

Boardmember Woodrow asked whether Mr. Adams will have a sound system on the deck or permanent grill. Mr. Adams said there will be no sound system and possibly a gas grill. He also wanted to know if Mr. Adams has talked to his neighbors and whether there was a Point Richmond Council vote. Mr. Adams said he presented his plans twice to the Point Richmond Council, there was on dissenting vote, the discussion of the issues were the same, and he agreed to the conditions.

Boardmember Welter questioned if Mr. Adams intends to keep the vegetation and shrubbery as high as possible. Mr. Adams replied he intends to maintain the existing vegetation. Boardmember Woldemar explained that the intent of having 6-foot high translucent walls is to help add to the screening effect of that landscaping.

Boardmember Whitty questioned the type of lighting to be used. Mr. Adams replied there will be down-focused lighting on either side of the doorways.

Boardmember Whitty asked if Mr. Adams considered not putting the deck underneath the bedroom window. Mr. Adams said it cuts down the space; it leaves the ingress from that room impossible to accomplish. He prefers a full length deck and that piece-mealing it on the façade of the building would not continue it, as things look better horizontally.

Vice Chair Welter suggests that Mr. Adams do the railing without the caps as it will be much nicer. Mr. Adams agreed it would be much nicer but has not yet received bids.

Public Comments:

Paula Levine, Richmond, presented and explained photos she distributed to the Board, and said her concern is that people standing on Mr. Adams' upper deck will be able to see into her house.

Boardmember Woldemar referred to the story pole and voiced confusion about existing screening. He asked if the picture was taken from the property line. Ms. Levin said no; she is 10-15 feet into her property. Boardmember Woldemar pointed out that in front of this photograph behind Ms. Levine are some shrubs. Ms. Levine said this is the reason they have done some pruning, as the plants on her side were not getting enough light. She also said there is a question as to where the property line is; however, it is on her side of Mr. Adams' fence. The only time Mr. Adams cut the vegetation back was when siding was installed.

Boardmember Whitty referred to the dining room, and confirmed that the dining room has windows on the back side of it. Ms. Levine said the deck is 8 feet and almost 28 feet in length and built over their downstairs living area and part of the existing original structure. Her house was built in 1947 and the builder then constructed the other two homes and built them so as not to compromise the privacy views.

Boardmember Whitty questioned why Ms. Levine had a privacy issue with the proposal, as it does not look like there will impinge on her home at all. Ms. Levine further explained that her privacy will be impacted and Boardmember Whitty noted that Mr. Adams is proposing an opaque screen.

Ms. Levine said she would like to see the project scaled back to and 10 feet taken off and instead of it being 10 feet, to be eight feet. She did not think good design meant building the maximum amount allowable, and this is what the applicant is doing. She is also concerned about the setback on the Bishop Street side. (40:08). The City street is 40 feet wide and a lot of it is City easements. Mr. Lopez clarified that there is a public right-of-way on Bishop which is owned by City of Richmond. However, from his understanding and based on the survey, when the building was constructed, the setback provided on the deck will be 21 feet and the requirement is 16 feet. Therefore, the applicant meets the rear setback requirement.

Boardmember Woldemar asked if that 21-foot setback is to the lower or upper deck. Mr. Lopez confirmed it is to the upper deck. Boardmember Woldemar asked that when the deck is constructed, will the building inspector require stakes to measure and assert that the required setback has been met. Mr. Lopez explained that it will not be necessary because in addition to the setback there is another section in the building ordinance that allows projection of 4 feet and allows room for variation and flexibility.

Boardmember Woldemar stated he believes that the building inspector will still require a sideyard survey to indicate that there is five feet.

Ms. Levine responded that was an issue brought up by the local design review; that a survey was needed and she had offered to share the cost. However, Mr. Adams refused.

Boardmember Woldemar reminded both parties that any discussion about the survey is not the purview of the Design Review Board but it does fall under the building department and permit requirements.

Boardmember Whitty informed Ms. Levine that this request will go back to staff and any appeals will need to be addressed to the City Council.

Ms. Levine added that she is very happy that the hot tub was moved from the property line and feels it would be a much better design if it was scaled back.

Boardmember Whitty questioned if there was a type of pitted, translucent glass that could be used. Boardmember Woldemar noted that the proposal includes a 6 foot high glass railing on the south side to be non-reflected or sandblasted and translucent in some form.

Boardmember Woldemar proposed that these kinds of issues for the Board have always been tough because there are two adjoining neighbors and frankly, the Board's interest is in the design character, but also to keep peace. He proposed that the length of the deck be reduced by 2 feet on both ends so instead of it being 40.6 foot deck, it is a 36.6 foot deck. This might mean restructuring the column spacing underneath, which would not be difficult. The deck functionally is still good, still has the 12 foot alcove end, the 10 foot end which has good chairs and circulation space, and it cuts things back. It will show less scale from down below, will be further away from the adjoining property. He also proposed to do the 6 foot wall on both ends, but this is purely from a symmetry point of view.

Mr. Adams referred to the scaling back on the north side, and noted that the window is only so far away. Boardmember Woldemar said according to the plan, it just catches the edge of the window. Mr. Adams said he sees no reason to do that side, as the neighbors have no issue with that at all. Boardmember Woldemar felt the offsets visually have more interest in them than trying to align two sets of dissimilar materials, so offsetting it always looks better in the long run.

Vice Chair Welter said he also thinks the point to the module of the glass is appropriate. They come in 4 foot lengths and it is less cutting to determine where the seam lines are.

Boardmember Welter questioned whether the applicant considered scaling the corner back a little more so it allows for gaining of extra space. Mr. Adams questioned what this does to his foundation, stating the whole idea of the 2 foot offset is that you gain that space without pushing the deck further out. This is something valuable. He did not see what effect 2 feet would have when there is a 6 foot translucent screen and 8 feet of trees to obscure views. Ms. Levine said she did not think the trees obscured the view and limbs fall over.

Boardmember Welter pointed out that a suggestion was also adding hedge material to the deck, and Mr. Adams said he could alternatively plant trees on the ground which would grow behind the other trees. He thinks it is crazy to cut a vegetative screen that has been there for several years that has not died.

Boardmember Whitty questioned if Mr. Adams would put vegetation on the deck, and Mr. Adams said yes, but he is not willing to install a 12 foot long, 2 foot wide box of bamboo that will rot his deck. He intends to put tall plants in pots on the deck. Boardmember Whitty asked him if he would be opposed to putting translucent glass at the other far end as well, and Mr. Adams said he does not see that those neighbors have any issues. They have simply asked him to move it back 4 feet, and he does not want 2, 6-foot high walls to enclose this area.

Boardmember Woldemar added that the columns and beams could remain at the existing line and the additive deck portion could cantilever. What is interesting is the visual implication of the double offset, but also added are significant costs. He knows the applicant is trying to use the existing patio wall as the foundation for the columns to support the upper level deck. Mr. Adams added that there is a break in slope at the edge of the lower patio, as well.

Boardmember Woldemar said what he liked about the 2 foot offset was that it also provided additional space for planting, and the applicant could plant something for screening.

The public hearing was closed.

Boardmember Whitty voiced support for taking 2 feet off the edge, noting there is 7 feet of space which could be landscaped. She suggested the wall be conditioned to be non-reflective or sandblasted so there is not a flash hitting the neighbors when the sun hits it. She questioned whether something be conditioned for tall plantings.

Boardmember Welter said the existing shrubs are substantial as is. She did not believe there is enough room to add more plantings, and she would rather see a blasted screen and additional planting below in case the other vegetation dies. She suggested that the shrubbery be maintained at a maximum height and if for whatever reason it is cut down or dies, that it gets replaced with similar heights.

Boardmember Woodrow said they have constantly tried to see compromise and it seems to him that the drawing proposed by Boardmember Woldemar meets everyone's needs. While he does not understand why the shrubbery was cut down, it would be wise to obtain a survey on the lot, stating that the neighbors need to know. He supported the idea that the Board support Boardmember Woldemar's proposal, as he too likes symmetry.

Vice Chair Welter said he supports the proposal, recognized the compromise by the applicant, and agrees that this will still achieve what the applicant wants.

ACTION: It M/S (Woldemar/Woodrow) to approve PLN11-520 which is a second story deck on Washington Court with staff's recommended four findings and staff's recommended seven conditions, plus the following conditions: that the forty foot, six inch long deck be reduced by two feet on each end to equal thirty-six and one half feet; that on the south end there be a six foot high non-reflective translucent screen; that the column spacing on the lower level be adjusted to reflect the new spacing; and parenthetically, in reference to the sketch dated this date, with two additional conditions: that the lighting fixtures on the upper deck be dark sky type light fixtures and that they be contained to the surface of the deck, and not overspill or shine to the sides of the deck; unanimously approved (Butt absent).

Vice Chair Welter noted any decision approved may be appealed in writing to the City Clerk within (10) days or by Monday, October 24, 2011 by 5:00 p.m.

BOARD BUSINESS:

A. Staff reports, requests, or announcements

Ms. Whales reported the Retreat is tentatively scheduled for December 2, 2011, and staff is still researching the venue location. The Historic Preservation Advisory Commission and the Design Review Board will be meeting jointly, along with staff.

B. Board member reports, requests, or announcements

1. Election of Officers

Boardmember Whitty reported that the Nominating Committee met and has proposed a Slate of Officers. Don Woodrow is recommended to be elected as Chair and Raymond Welter as Vice Chair.

ACTION: It was M/S (Woldemar/Whitty) to elect Don Woodrow as Chair and Raymond Welter as Vice Chair; unanimously approved.

Adjournment:

The meeting adjourned at 7:08 p.m. to the next meeting on November 9, 2011.