

DESIGN REVIEW BOARD MEETING
Multipurpose Room, Civic Center Building, Basement Level
450 Civic Center Plaza, Richmond CA 94804
May 8, 2013
6:00 p.m.

BOARD MEMBERS

Ray Welter, Chair	Brenda Munoz, Vice Chair
Robin Welter	Eileen Whitty
Mike Woldemar	Don Woodrow
Brant Fetter	

Chair Ray Welter called the meeting to order at 6:04 p.m.

ROLL CALL

Present: Chair Ray Welter, Vice Chair Brenda Munoz, Boardmembers Brant Fetter, Robin Welter, Eileen Whitty, and Don Woodrow

Absent: Boardmember Mike Woldemar

Staff Present: Jonelyn Whales, Hector Lopez, Kieron Slaughter, and James Atencio

APPROVAL OF MINUTES

March 13, 2013

Boardmember Woodrow referred to page 15 and asked to replace "Gail" with "Jael".

ACTION: It was M/S (Whitty/Munoz) to approve the March 13, 2013 minutes, as amended; unanimously approved.

March 27, 2013

ACTION: It was M/S (Whitty/Woodrow) to approve the March 27, 2013 as submitted; unanimously approved.

APPROVAL OF AGENDA

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

Public Forum - Brown Act - None

CONSENT CALENDAR:

Chair Ray Welter noted the agenda consists of two Consent Calendar items. He asked if any members of the Board, staff, or audience wished to remove an item. Boardmember Woodrow requested removal of Item 1.

Chair Ray Welter announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, May 20, 2013 by 5:00 p.m.

ACTION: It was M/S (Woodrow/Whitty) to approve the Consent Calendar consisting of Item 2; unanimously approved.

Items Approved on the Consent Calendar:

Public Hearing(s)

CC 2. PLN11-010 AT&T WIRELESS TELECOMMUNICATION FACILITY

Description REQUEST FOR DESIGN REVIEW APPROVAL TO INSTALL A NEW WIRELESS TELECOMMUNICATION FACILITY CONSISTING OF A 60-FOOT FAUX EUCALYPTUS MONOPOLE TREE AND ASSOCIATED EQUIPMENT.

Location 4075 LAKESIDE DRIVE

APN 405-371-010

Zoning M-1 (INDUSTRIAL/OFFICE FLEX DISTRICT)

Owner CALIFORNIA AUTISM FOUNDATION

Applicant BECHTEL COMMUNICATIONS ON BEHALF OF AT&T

Staff Contact HECTOR LOPEZ **Recommendation: CONDITIONAL APPROVAL**

Item Removed from the Consent Calendar:

CC 1. PLN13-076 MARITIME SAFETY & SECURITY CENTER (MSSC)

Description REQUEST FOR DESIGN REVIEW APPROVAL TO ALLOW CONSTRUCTION OF A NEW ±2,160 SQUARE FOOT MODULAR BUILDING AT THE GUN CLUB FIRING RANGE AND A ±6,480 SQUARE FOOT MODULAR BUILDING AT THE RECLAMATION YARD WITHIN THE CHEVRON REFINERY.

Location 841 CHEVRON WAY

APN 561-080-006 & 561-110-041

Zoning M-3 (HEAVY INDUSTRIAL) & M-4 (MARINE INDUSTRIAL)

Owner CHEVRON PRODUCTS COMPANY

Applicant MARK PIERSANTE, CHEVRON PRODUCTS COMPANY

Staff Contact KIERON SLAUGHTER **Recommendation: CONDITIONAL APPROVAL**

Kieron Slaughter gave the staff report and description of the request for design review approval. He provided an overview of the project site, zoning, landscaping, parking spaces, and the requirement for 30 parking lot trees which are proposed to be placed elsewhere. The project is in no neighborhood council area and staff recommends approval of the request.

Boardmember Whitty noted the applicant is required to install one tree in the parking lot in the gun club and they will install four. They are proposing to provide 44,000 square feet of landscaping which exceeds requirements; however, 11,000 square feet of it is going in the parking lot. She questioned how 11,000 square feet could be installed in a 7,000 square foot parking lot area. Mr. Slaughter said based on the large project site, the applicant is donating more landscaping on adjacent sites to meet the requirements.

Boardmember Whitty asked and confirmed that the process for an exception is at the discretion of the Board.

Mr. Slaughter pointed to an error in the conditions of approval and asked to strike Condition #2. Chevron does have an exemption from the C3 Regulations based on an NPDS agreement, and to change one word in Condition #1 from "residence" to "project."

Boardmember Whitty asked if they will implement Item B; best management practices and clean water storm drainage. Mr. Slaughter replied no, because they are not required to adhere to the C3 requirements which the applicant will discuss.

Boardmember Robin Welter referred to the minimum width in-between drive aisles is listed as 30 feet. She asked if this is a minimum width in the hazardous materials training area. Mr. Slaughter said he believes it is 25 feet for 90 degree parking stalls.

The public hearing was opened.

Mark Piersante, Chevron Products Company, said this is a great project for the City of Richmond, for the region and public safety. We have met with City staff that have been very helpful. He introduced Terry Plumb, Project Manager, Zane Johnson with BKF Engineers, Steve Marcus Rayon from the City's Fire Department, Bob Lining, Refinery Security Director, and Kevin McMahon, Gun Range Operations Manager, John Ostrander and Patton Bruce Clark with California Maritime Academy.

Patton Bruce Clark, California Maritime Academy, said they have been engaged with Chevron and regional partners for about 5 years developing this project. It represents a facility that is not duplicated anywhere else in the country. The site provides for an integrated maritime safety venue. The project allows the Academy to expand their footprint as they have been in the current location since 1946. The institution has been in existence since 1989. Their mission is to look at maritime and environmental training activities. They grant a 4-year Bachelor degree program and also have started a Master's program in marine sciences. Specifically for Richmond, they see this as an opportunity for additional university engagement. The components being discussed today are primarily fire related in terms of the reclamation yard and maritime focus. Eventually, the training structures being put in place there are transportation-related but with a maritime emphasis.

Marsha Vallier, Vallier Design Associates, presented the footprint of the reclamation yard and said they are proposing to do is similar with the GMG trailers at Chevron. They are providing landscape planters around modular units to screen the bottom to present a landscape edge. This will allow courtyard areas and screens for trash and utility areas on site. Much of the large site will be taken up by classrooms. She identified where the parking will be located. There are 30 trees that would have been installed in that area and we are proposing to take in-lieu contributions, similar to companies like Cemex, Simms Metal and Levine Terminals. We are requesting this because it is hard to meet landscape requirements for industrial properties except on the perimeter and around administrative facilities on site. This is why there has been in-lieu contributions approved in the past. Chevron would also like to perform volunteer work to plant landscaping at Matthew Court alley. Another place would be to put trees in the Richmond Parkway.

Chair Ray Welter asks who administers this in-lieu landscaping program. Ms. Vallier said the City administers the program. There is an agreement drawn up identifying the funding and or trees.

Ms. Vallier presented elevations showing raised planters which will be irrigated. There will be utilities in the area so they did not want to install trees in front of the HVAC units. However, we will install some trees for shading. She said Boardmembers Whitty and Woldemar should remember Chevron's paint palette which was approved while they were on the board. We are

proposing to continue to use it for other projects. The palette is blue/grey with brown colors that correspond to the surrounding hillside area. She described the plant material they are proposing, and for the AC units around the trash areas. They are proposing a chain link fence with PVC slats. We are providing 1,735 square feet of landscaping for the planters. They are supposed to be providing 7,385 square feet and we will donate this amount to another area on the site. We have some grading work to do and would like to take out growing invasive plants and re-grade/ hydro-seed the area with native vegetation. She presented the gun ranges, a small classroom area with a restroom structure, parking stalls, 4 trees, and planters around the building. She presented an enlargement of the area showing the screening at the ADA ramps, an outdoor area for breaks, an additional restroom facility, and they will preserve the rows of existing trees. Pictures in the packet show how successful the GMG trailer site has been in the past.

Boardmember Fetter referred to photographs on the materials board and said this does not show landscaping. Ms. Vallier pointed to the planters with boxwood which work well. In response to the reason of not putting trees by AC units, he noted how hot the area can get and suggested putting shade on the buildings.

Boardmember Fetter referred to "Site A" (reclamation site) and asked how the training center got put on this area. He knows there is a trade-off for the EPA especially with Chevron participating and contributing to the site. Mr. Piersante said he thinks it was a combination of factors; access from the outside with Homeland Security Act restrictions. The land is available for the project. For many years some portions of the area are used to store old equipment, hence the term reclamation. From an acreage requirement, the site met the minimum necessary requirements and all the pieces fell into place. Boardmember Fetter noted that this is Chevron's property and the site is fenced. Mr. Piersante said correct, but there is direct access off Gertrude Street. There is an existing gate at the property line which is not accessible right now. This will be moved to the guard shack area, therefore providing a direct access into the MCFC area.

Boardmember Fetter said this is a flat leveled area, and obviously Chevron can do many things inside their property, but for years he drove by the prison and they built a new gun firing range which is the same kind of structure and looks terrible. They did not landscape around the building to screen it in a high traffic corridor. He questioned site lines on any new construction along there. He then asked how tall the structures are because it is not clearly addressed in the drawings.

Ms. Vallier noted one structure is 16 feet high. She said years back, they did a fairly extensive visual analysis of the refinery property. There is a berm along Richmond Parkway and Gertrude Street is fairly set back, and there is a fence with a row of Oleanders along that edge. From a visual standpoint, individuals will not be able to see the structure due to the following: hedge height, curvature of the road, and a ± 5 foot berm along Richmond Parkway. On the corner is the City of Richmond water lift station. She said Attachment 1 in the packet describes the curvature, berming and exact location of the facility and distance from the roadway.

Boardmember Fetter referred to Site B and said he could not tell what exists and what is new based on the topography and grading. Mr. Lining said the majority of changes with the topography are on Range A and between Range B and C. To provide more screening on the access road, they have moved the berm that is about 8 feet tall to the front for more screening around the range. They are terracing it to provide better drainage above Range A and filling up the hole in the back. There is minor grading through the ranges to ensure better drainage and the other portion of the site is where the building will be placed. Once all the dirt is in the area, it will be about 10 feet tall.

Boardmember Robin Welter asked to review grading on the concrete pad. Mr. Lining said currently, it is level in this area.

Boardmember Fetter asked if there was existing shading in this area, and Mr. Lining said yes. Boardmember Robin Welter asked about vehicle access to this area. Mr. Lining identified the existing road which they would overlay in certain areas has about a 25% slope, but for the most part, vehicles do not access this. It provides pedestrian and vehicle access for officers to get into the area. He confirmed it does not have to be ADA.

Boardmember Fetter said he is curious with not just the view from the road which is public, but also the public waterway of Pt. Molate. There are plans in the future to develop this and he aesthetically these improvements would highlight the visual quality of the area. He said he has seen gun ranges in similar projects where they cut into the hill where trees will somewhat block it but then the huge cuts can be seen further down the road which are unsightly. He asked how the applicant is providing screening and how are they positioned in the landscape which he said is hard to tell from topographical maps.

Boardmember Woodrow said he did not believe there was a single public road on the map. Ms. Vallier confirmed the area's location which is the road off Pt. Molate from the Richmond Parkway. Mr. Lining described the property, stating there are no houses, residences, and he was not sure who would see the back other than from the water. Ms. Vallier said the areas exist currently. Mr. Lining said assuming improvements of raising the grade in the front, the ranges are screened from the water's side, and the site is down a ways such that the berm screens Range A. The berms are 30 feet from one range and to the other the berm is 35 feet.

Ms. Vallier said with the topography, there is a lot of foreground vegetation from sailing views. This will not be quite as visible due to a row of trees which are huge. If a berm is put closer to a viewer, it blocks long distant views better than a berm farther back.

Boardmember Robin Welter referred to the reclamation site and asked how they will be using this site, how trucks will move through, and the size of the largest truck. Mr. Lining said anything the fire department would use would access this regional training site. They expect to have fire departments from all over the San Francisco Bay region and counties as far away as Sacramento. There is a maritime focus so specific users are likely those tied to a maritime setting. Any municipalities that operate a port which there are 7 in this region have a need for this type of training and they will bring their own equipment. Also people will only see small vehicles owned by students that will participate in the training courses. Normal activities include range activities; classroom based professional development training, Phase I training in a multi-level format to approximate conditions on a ship with the idea being to give fire people search and rescue activity to simulate real world events.

Boardmember Robin Welter clarified the area where the simulations will occur and the area where large fire trucks will come through. She clarified that the classroom spaces are visible and the parking lot will not be used for large trucks. She asked if a 30 foot planting strip could be added in this area. Mr. Piersante said directionally, they want to keep combustibles out of that entire area, as they will literally be setting fires for training purposes but it will be contained in a structure. The Class A burn structure also is relatively contained which is for the primary use of the Fire Department. Its current location is South 37th and Cutting, which is a residentially developed area. It is difficult for the Fire Department to use it there because of their training needs. He then described a typical Class A fire.

Boardmember Robin Welter asked and confirmed that the heritage mix and the native hydro-seed would be used together at different rates. Ms. Vallier said she will be working with Pacific Coast Seeds to ensure they seed this correctly. Boardmember Robin Welter asked and

confirmed there were existing trees other than the eucalyptus which will provide a dense screen. Boardmember Fetter asked and confirmed the trees are mature. Ms. Vallier noted that they had James MacNear and Associates to look at the trees and prepare a report. What the refinery would like to do over the years is start to factor the eucalyptus trees over time and this is a good reason they are doing buffers out with native vegetation to expand. Pt. Molate is full of eucalyptus groves and on the other side, there is a native stand of coastal scrub so this is one of the reasons they are taking more space. Boardmember Fetter asked if they could get something closer to a native species of trees in the area to back up the eucalyptus which will over time be removed. Ms. Vallier said it is sometimes hard to plant the native species around them because they sometimes do not succeed. Ultimately, the larger plan will look at it as a whole, factor out the eucalyptus and start to do restoration projects on a project by project basis.

Boardmember Whitty said if she is traveling from the Richmond Bridge, she asked if access would only be from Chevron's back side of the hill. Ms. Vallier said it is from I-580 at the Pt. Molate exit. Go right by Pt. Molate going by the old quarry. Boardmember Whitty asked what prompted them to resurrect this site now that Pt. Molate is garnering a lot of interest. Mr. Piersante said this site has been there 60 years. They are basically looking at upgrading it because they have a great project with Cal Maritime and this is one of the components. Boardmember Whitty asked why not use the gun club off of Richmond Parkway and Mr. Piersante said our agreement is with Chevron and we will locate on their property. He noted with the additional screening and trees, it will greatly improve what is already there and not expand an existing use or hours. He thinks if Boardmembers would drive out there, they might drive right by it. It is used now and will continue to be used and improvements are being done to improve the facility.

Boardmember Whitty referred to gun range 3 with the long swale that had drainage problems, and asked what would be done with this. Mr. Lining said because it is an existing gun range, right now it has a steep slope to it. They want to contour this down to make it easy for the line of sight for officers. They are filling the hole in with excess material from the frontage area. They will gradually terrace the area.

Boardmember Whitty questioned signage, and Mr. Lining said no signage is proposed outside the site, but there may be a small blue gate sign on some of the gates with a number.

Boardmember Whitty referred to the reclamation site or fire training site, and asked if there is signage there. Mr. Lining said there is currently no signage there. Because funding for the site is federal grants they have a requirement to put a sign up. There are specific federal guidelines that specify that requirement which will say "Maritime Safety and Security Center" and they will meet whatever requirement of the City's requirements in a separate application. Boardmember Whitty said her concern is that this is a large site and she suggested a cohesive signage program so people who visit would know where to park and which direction to the training facility. Ms. Vallier said they can return to the Board with signage.

Boardmember Whitty asked if the site would be used after dark, and Mr. Lining said no, daytime hours. Ms. Vallier said there is existing lighting and there is a lighting plan in the packet. Staff referred to page RE2, and the lighting was described as the addition of new 30 foot poles, dark sky compliant with no lighting spilling out to the perimeter of the project, and the location of all lights were described as indicated on the plan. Boardmember Whitty asked and confirmed there was lighting at each building entrance.

Boardmember Whitty asked how many people the applicant anticipates driving in and parking per class. She has gone to classes before as part of the Oakland Fire Department training in Oakland. She asked if the class would total 30 or 100 students, and was not clear why there was so much parking designated. Mr. Lining noted that the classroom space is divisible. There

are 3 sections and each has a divider. When opened entirely they can support 80 to 100 people depending on the orientation of the setup. The idea is to also facilitate the use of that site as a conference or workshop venue in addition to classroom training.

Boardmember Whitty asked about the C3 variance. Mr. Piersante said the refinery has an NPDES permit which covers all areas of their property. This supersedes all C3 requirements. There will be very little alterations to the existing drainage patterns and it is working now.

Boardmember Whitty asked about the 30 trees. She referred to the senior housing project on Richmond Greenway that needed vegetation. She also suggested some trees could be located in the area. Boardmembers and staff supported this concept. Mr. Slaughter said he would prefer it on the public's side and not the private side, which is a good opportunity to fill in the area. Ms. Vallier said Chevron would like to ensure there are volunteer opportunities available. Mr. Piersante said there are always communications regarding volunteer opportunities in the City. Typically we receive 2-3 per week throughout the year. Chevron has control over key areas that need to be converted into bicycle paths. It would be nice to figure out a way to get things connected which also increases the livability in Richmond. Mr. Slaughter noted that staff could administer this and bring back the volunteer MOU to finalize the process upon agreement among stakeholders.

Ms. Vallier said their firm is drafting the Urban Forest and Green Plan for the City of Richmond and part of their task is to find greening opportunities within the City. They could provide options to Chevron and work with planning staff for a successful project.

Chair Ray Welter pointed to the City's specific needs like the senior housing project, and Boardmember Whitty said she would rather this go to bare areas, and she was thinking about the toll plaza at the Richmond Bridge or some other areas. Mr. Slaughter agreed to keep the Board updated and suggested adding a condition of approval that this return within 6-9 months to discuss the tree plan.

Mr. Piersante concurred with the volunteer and tree suggestions, but quite frankly, Chevron would defer to staff to determine the best place for tree location. Chair Ray Welter said they would look to Ms. Vallier to work with staff which all boardmembers agreed.

Boardmember Woodrow said since he removed the item, he asked if the project is reviewed by the Planning Commission. Mr. Slaughter said staff will have to evaluate whether the use is a permitted or conditional use for the training center and reclamation yard. The gun range already exists. Boardmember Woodrow said in some way, the gun range seems to be similar with what happened at the Port when they put in new tracks, new docks, which was only heard by 3 members of the DRB. Since there is some question about what other advisory boards will review, he suggested proceeding the same way as the Port. The DRB was free to ask anything within the range of the project.

Regarding Site A, Boardmember Woodrow asked about the sub-soil there and asked if the trees will be planted in the soil or in pots. Ms. Vallier said they will be planted in raised, 3 foot deep planters. The height varies depending upon how high the finished floor gets.

Boardmember Woodrow asked what will be in the long drain pipe going from the site to the bay in the reclamation yard. Mr. Lining said existing drainage patterns drains to existing discharge locations. Half the site is going towards Gertrude and half of it is goes towards the south which requires a collection point. It is basically a lift station they need to install that pumps o a pond that is currently on Chevron's property. Boardmember Woodrow asked if other firefighting products might get into the drain. Mr. Piersante said there will be specialized foam designed for training purposes. It is a bio-degradable foam and compatible with the discharge into the

refinery's effluent system. There are evaporation ponds for the foam to dissipate and eventually evaporate.

Boardmember Woodrow referred to the proposed training on site. He asked if the training will be generally focused with things that would happen on land or on board ship. Mr. Lining said the Maritime trainer is specifically designed to represent a ship. The only difference is that this one happens to be built on land to facilitate access and control the educational environment. It is designed with ladder ways, different levels and a component that approximates a galley and kitchen area on board ship, as well as machinery. The training received is immediately transferrable to an actual ship and this is why it is done this way. It is centered on fires that might occur on a ship. Boardmember Woodrow noted that Chevron has a huge dock which is as prone to fire as is the ship. He asked if training will have anything to do with what may happen on a dock. Mr. Lining said this is almost a 6 acre site and the maritime training will only take up a relatively small piece of this. The second, third and fourth phase of this potentially would be to broaden that as a transportation nexus which would include terminal-related activities that would inhabit or incorporate a wharf setting. This would also provide the potential for pipeline training and other modes of transportation that are found in the Port environment. The Port has rail and pipeline service, terminals with tanks, and from their standpoint at the Maritime Academy, their focus was always ships. What they have done over time is recognize that it is not just ships that need to be addressed, but also port and terminal operations, rail activities, and pipeline because students in the professional development programs get placed in all of those industries when they graduate and/or return as they continue their professional careers. Phase I of the project only addresses the maritime trainer piece, but the broader vision will allow them to bring in some other training aspects.

Boardmember Woodrow asked whether the thinking has changed since post-Boston. He is impressed by what somebody did with the family pressure cooker and asked if this site provides duplication of these things. Mr. Lining said yes; his area of expertise is with maritime safety and security. The security piece is very much a part of this planning and a reason why they have the range associated with the project. There is a future vision that incorporates a shoot house on the site as well, which is not yet constructed, which he briefly described. Therefore, they are keenly aware of these types of situations.

Boardmember Woodrow asked and confirmed with Mr. Lining that there are some visionary plans in the future, but currently, this project is what is being considered tonight. Boardmember Woodrow asked if this has anything to do with the large ship at the Point designed to handle spills. Mr. Lining said yes; there is a component of the main project vision plan that was put together for the federal government to support the grant that talks about a spill school, specifically an environmental think tank, state-of-the-art work site for oil spill response. They would look to leverage the partners in the area to be a part of that, but it is not specifically covered under this phase, but looking to add in the future.

Boardmember Woodrow referred to Site B and asked for an explanation of what occurs at the pad on top of the hill. Mr. Lining replied it is where the future shoot outs would be installed. It is behind trees, covered, and an isolated area to minimize impact. Boardmember Woodrow asked about whether there will be any gun fire from there, and Mr. Lining said it is very low compared to the existing topography around the area.

Boardmember Woodrow asked how far is the shoot-out site from the side of the hill by the harbor. Mr. Lining said it is about 600 yards from the water.

Lt. Louey Tronan, City of Richmond Police Department, Firearms and Tactic Instructor, said they have utilized this facility for years. Regarding distances, their SWAT team trains here and designated marksmen who need to take a shot at extreme distances. One hundred yards is not

that far for long rifles. In order to prepare their officers to engage in active shootings, an 80 or 90 yard shot is very much in the realm of possibilities for marksmen who train at this distance.

Boardmember Woodrow asked if they wouldn't want a berm that is about 15 feet high at the end of the range that would accept all the rounds. Lt. Tronan said at the back of Range A, the height of the berm is about 12-15 feet, and from that point it goes up. Range B berms are even higher.

Boardmember Woodrow commented that the road by the harbor is very bad, and he would like the assurance that there is no chance a stray shot is going to end up on the road. Mr. Lining said the direction of fire is not toward the road. There is effectively an 18-story building in front of that road and the area is safer than any other range in the area.

Boardmember Woodrow questioned what is in the drainage pipe coming from the small pond. Mr. Lining said there is one exit point designated as an NPDES discharge point before the refinery. It comes out, takes all the discharge from the site into the retention pond, which does not flow out to the bay. Boardmember Woodrow said the pond goes dry sometimes and is unsightly. He thinks the chemistry will change over time in the pond and asked if this has been taken into account. Mr. Lining said they are not changing the use of the area and therefore, chemical composition would not change. If anything, they are bettering the condition due to more landscaping and a bioswale with designated landscaping. It will filter pollutants that come off of the site, but again, this has existed for 50-60 years.

Boardmember Woodrow asked if they have approached noise and the fact that the use will expand to the Pt. Molate committee. Mr. Piersante said there is no expansion, but there have been discussions with the San Pablo Harbor Yacht folks with Councilmember Butt and he was happy with the results of that meeting. There has been at least one other correspondence from a contact person. Chevron's public affairs representatives have been in contact with them about the project and noise issues, everything is ok.

Boardmember Whitty said she is on the Pt. Molate Advisory Committee and invited Chevron to appear before the Committee which is held on the third Monday of the month at 6:30 p.m. The committee is the restoration advisory clean-up committee for Phase 2. In speaking for the committee of 19 individuals, they were unaware of the gun range being there at all, and she said she will advise the committee of this application and she asked that they contact the committee to provide a short presentation.

Chair Ray Welter said most of his questions have been covered by Boardmembers. In either case, he asked staff if there are any street improvements as part of the projects, and Mr. Slaughter said no, not at this time. If there is a use permit requirement, it may trigger conditions of approval.

Chair Ray Welter said since these are permanent sites, he asked why there is a reason they are not proposing permanent structures. Mr. Piersante said he thinks it is just the practicality of the federal grant. They are trying to focus on the function of it, the props, and they are not getting everything out of the project on their first pass that they would like. In fact, Mr. Mitchell asked the same question and agrees it is a great improvement to what exists, and to spend the money where needed for its functionality while meeting minimum requirements in terms of its aesthetic appeal.

Boardmember Fetter said many gun ranges, when sold off or moved, run the risk of on-site lead contamination. He does not recall seeing any notation about field lining or any way of preventing soil contamination. Kevin McMahon said what they do what most ranges do and mine the lead. We physically remove it from areas and generally bullet companies will remove the lead bullets

on sites. It is done based on usage, which is standard and at times companies do it or people firing remove it and sift it out and dispose of it.

Boardmember Fetter asked Mr. Slaughter if this is addressed in the permit, given water quality standards. Mr. Slaughter noted it is an existing use; however, Boardmember Fetter disagreed in that it is a new permit. Mr. McMahon said the NPDES for the refinery requires that water off the site be tested on a regular basis. Each discharge point in the permit has a unique set of analysis based on the source of the run-off for that area. Boardmember Fetter asked if that is a runoff area that is controlled, and Mr. Slaughter said yes.

Boardmember Fetter referred to sound and the Lake Merced gun club in South San Francisco. He bicycles along with his kid and he hears shots going off. Obviously, this is not located close to residential, but he asked if shotguns would be used. Lt. Tronan said yes, but they do not use them for skeet shooting. They will target shoot with shotguns which has been going on, and he confirmed that 50 caliber guns are banned. They confirm every caliber, instructors, and everything that goes on at the range. If something does not comply, it stops.

Mr. Piersante added that when they meet with Ms. Velasco and Mr. Slaughter, Ms. Velasco asked the same question. They submitted information to her which she was satisfied that addressed the caliber of the gun and how they make sure someone doesn't come in with cannon. There is a rigorous procedure for every person who uses the range.

The public hearing was closed.

ACTION: It was M/S (Whitty/Woodrow) to approve PLN 13-076 with the staff's four design review findings and staff's recommended 12 conditions, with revised Condition #2 with wording to state: "The signage program shall return to the Design Review Board as shall the tree planting MOU." Under staff recommendation number 1, change "residential" to "project".

BOARD BUSINESS:

A. Staff reports, requests, or announcements - None

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

Adjournment:

The Board adjourned at 8:00 p.m. to the next meeting on May 22, 2013.