

DESIGN REVIEW BOARD MEETING
Multipurpose Room, Civic Center Building, Basement Level
450 Civic Center Plaza, Richmond CA 94804
December 11, 2013
6:00 p.m.

BOARD MEMBERS

Brant Fetter, Chair
Robin Welter
Eileen Whitty
Don Woodrow

Brenda Munoz, Vice Chair
Ray Welter
Mike Woldemar

Chair Fetter called the meeting to order at 6:05 p.m.

ROLL CALL

Present: Chair Brant Fetter; Vice Chair Munoz; Boardmembers Robin Welter; Eileen Whitty, Michael Woldemar, and Don Woodrow

Absent: Boardmember Ray Welter

Staff Present: Jonelyn Whales, Kieron Slaughter and Carlos Privat

APPROVAL OF MINUTES

September 11, 2013

ACTION: It was M/S (Woldemar/Whitty) to approve the Minutes of September 11, 2013; unanimously approved (Ray Welter absent).

October 9, 2013

ACTION: It was M/S (Woldemar/Whitty) to approve the Minutes of October 9, 2013; unanimously approved (Ray Welter absent).

October 23, 2013

Boardmember Woldemar noted that he and Vice Chair Munoz were absent; however, on the action approving the Consent Calendar, it was noted he made the motion and asked that this be corrected.

ACTION: It was M/S (Woldemar/Whitty) to approve the Minutes of October 23, 2013, as amended; unanimously approved (Woldemar and Munoz abstained; Ray Welter absent).

APPROVAL OF AGENDA

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

Public Forum - Brown Act - None

Council Liaison Report - None

CONSENT CALENDAR:

Chair Fetter noted there is one item on the Consent Calendar. He requested removal of the item for discussion. He then announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, December 23, 2013 by 5:00 p.m.

ACTION: It was M/S (Woldemar/Whitty) to remove Item 1 from the Consent Calendar; unanimously approved (Ray Welter absent).

Items Approved on the Consent Calendar - None

Items Removed from the Consent Calendar:

Public Hearing(s)

CC 1. PLN13-276 MIRAFLORES GREENBELT

Description PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT TO ALLOW RESTORATION OF BAXTER CREEK AND CREATION OF OPEN SPACE TO SUPPORT A FUTURE HOUSING DEVELOPMENT.

Location 130 SOUTH 47TH STREET

APN 513-330-002, 513-321-001, 515-330-001, 510-330-003, 513-330-005

Zoning SFR-3 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL)

Owner CITY OF RICHMOND HOUSING AND COMMUNITY DEVELOPMENT (Applicant)

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

Kieron Slaughter distributed exhibits to the Board which supplements the packet, and said he emailed responses to questions asked of the Board earlier today. He then gave the staff report and a brief description of the request to consider a design review permit. He stated the project has a LEED Gold ND designated community of 336 housing units adjacent to the greenbelt. He said Baxter Creek is proposed to be day lighted for approximately 750 feet in a vegetated pre-channel of the southeast section of the greenbelt. The applicant proposes to restore Baxter Creek, create a multi-use trail that connects to the greenway, install cultural landscape and interpretative features and sleeving for future lighting electrical routing to reduce the impact of retrofitting the site during Phase 2. He spoke about the \$1.6 million urban and greening grant in 2009 from the State Natural Resources Agency.

Mr. Slaughter said there are no real development standards, setback requirements, height restrictions, or density and what the Board is reviewing is the overall site plan, the proposed landscape materials, amenities, and furniture. He pointed out; however, that the restoration of the creek brings back to life one of the key areas of resources and builds on the path and pending creek restoration up and downstream and hits on several goals and policies of the General Plan.

The project is in the Park Plaza Neighborhood Council area. The applicant met with the council the same night of the DRB subcommittee meeting and Mr. Slaughter indicated comments are attached to the staff report. There were no public comments, but the project has received significant support from various agencies.

In conclusion the project will replace a vacant lot with a restored urban creek and a greenbelt that will aesthetically improve the property, which will complement the future residential project and staff recommends approval.

Boardmember Whitty confirmed that the Vallier design is the latest landscape design for the project. She asked if work has begun on the parcel and questioned if the senior center was going to be built first on the site. Mr. Slaughter stated he was not sure. Boardmember Whitty asked about the far north BART connection and she asked if this was included in the project scope. Mr. Slaughter said the area on BART's property is not within the scope but as discussed in the subcommittee meeting, some discussions need to occur with BART to make the connection more usable. Overall, this is the first phase and adjustments will occur once the housing development occurs.

Chair Fetter stated outside of the scope of neighboring landscaping, he asked staff is the applicant is required to deal with the culvert that takes care of Baxter Creek. Mr. Slaughter noted the applicant could address this.

Boardmember Woldemar asked if the Ohlone Gap project has been designed and/or has it come before the DRB. Mr. Slaughter stated it has been designed and has not come before the Board, but it will. Boardmember Woldemar suggested a resolution be discussed under Board Business this evening which ensures that applicants know they must come to the Board. Staff indicated that the item was not agendized for the meeting.

Marsha Vallier, Vallier Design Associates, applicant, stated they are trying to successfully implement the Urban Greening grant and the Coastal Conservancy grant which totals \$2.1 million. The 220 foot greenbelt is right next to I-80 with Wall Avenue on one side, BART tracks and greenway on the other side, I-80 and then the neighborhood. She presented a PowerPoint presentation and said they developed a team of local consultants and experts to implement the project. Vallier Design is the lead. Restoration Design Group (RDG) is the technical design team lead, two local engineering firms--Ann West and Nichols Consulting. They have a hydrologist, an environmental expert, and Donna Graves to help with the interpretation, as well as Irving Gonzales Architecture who was involved in the 2009 plan. Since the downturn of the market, the housing portion of the project has been deferred and they are trying to ensure that the greenbelt integrates into the neighborhood as much as possible until such time a developer is brought back in to do the housing portion. She described proposed connections to the greenway, Cutting Boulevard and bicycle and pedestrian connections, and the creek as well. She described the work along the creek, the Ohlone Gap project, the Mira Flores project, greening opportunities, restoration, Booker T. Anderson Park, and then the area that continues onto the bay. Ms. Vallier gave an historical account of the events leading from 2009 to 2013, the grant process, and at this time, Natalia Lawrence arrived.

Natalia Lawrence spoke about the competitive grant process, the \$2.1 million grant and additional \$500,000 grant from the State Coastal Conservancy. They must have something in construction by the spring of 2015 and the state has been patient since receipt of the grant in 2011.

Ms. Vallier stated the site has rich history and they are working with Donna Graves, Irving Gonzales and RDG who has done research on families who lived on the site and greenhouses that were on the site. Ms. Graves will create an interpretive program which they will implement with a portion of the grant. She would like to talk about immigration, wartime history and the opportunity the facility gave the community. Interpretive elements hopefully can be integrated into the paving as well as interpretive signs which will return to the DRB.

Bob Birkeland, Landscape Architect, Restoration Design Group, said their charge is to look at the restoration of the creek and greater landscape through the corridor. There is interest in reconstructing some of the greenhouses on the site and their footings still exist on site and they hope some of the pieces can be reintroduced to the site to mark some of the footing locations. He presented a site analysis, stating it is closed until the month of January. There are some noise and pollution issues given the location of I-80 and he described the existing culvert which was to be the original restoration area. However, the 200 foot setback brought a unique opportunity to connect to the storm drain. They are looking at the greenhouse orientation, the main side access point, cell tower, the connection to Macdonald Plaza, and Richmond Greenway. On December 2nd, they presented two diagrams to the DRB Subcommittee to get them familiar with the project prior to an actual design. Lighting and other features could occur along the path above and beyond simple open space. He presented a series of slides showing the greenbelt, future housing, a multi-use trail, and said in their notes they focus on three zones; the knoll at the top with a flexible connection to housing, the commons and the creek.

Mr. Birkeland then presented the site plan for what is a total of a 14 acre site; 6 acres in the greenbelt and 8 acres of interim open space. He spoke about the zones which they want to be responsive to the community, to the site and program and particularly to future housing and gave a comprehensive slide show, showing sketches of the site area, proposed designs, planting plan, trees, furnishings, and site improvements. He concluded by stated in the packet is a list of DRB Subcommittee comments and their responses.

Ms. Lawrence noted that they will be going out for an RFP for a housing developer hopefully before the end of December. The timetable would be to select a developer by March 2014 to allow for an opportunity to interface with the design and spell out what might occur in the interim open spaces earlier rather than later.

Mr. Birkeland stated they wanted to obtain early feedback from the DRB Subcommittee and influence the design. He said they are here tonight to get some consensus on the plan, bring it to the public and to get on board with the project. They anticipate completion of bid drawings by late May which is a tight timeframe. Ms. Vallier said also important is design consensus so they could do the hydraulic modeling. Mr. Birkeland noted that the hydrology was completed today as the creek mandates a certain design, and they are familiar with the criteria. He said the creek has been in some sort of form prior to 2009 and there was restoration in 2005 where it crossed the site, and the site was preliminarily modeled from 2009 for the EIR process.

Boardmember Whitty stated she served on the subcommittee. She likes the design and does not have any changes she would request but wanted to hear others' comments.

Boardmember Robin Welter said she likes how the plan has developed since the subcommittee meeting. It seems like they heard what members stated and got all elements they wanted and the plan is much more detailed and dynamic. In reading through the packet and some of the EIR comments, she referred to the preservation of the greenhouse facilities and asked if anything was salvaged.

Ms. Lawrence said yes; on site they have two of the housing structures preserved and they have several containers where they have stored the dismantled greenhouses which they have catalogued. The idea is that the Sakai House would be relocated from the middle of the site. The idea is to have the greenhouses available for reuse. If there are major changes, the developer would need to go through a new process.

Boardmember Robin Welter asked and confirmed that the City will be in charge of the maintenance. She asked if they will be trained on how to maintain the creek maintenance and whether there will be a maintenance schedule for it. Mr. Birkeland said they are available for

this through the construction process and can meet with City staff. He explained that it is not terribly involved and the creek piece does not take the careful care that the ornamental landscapes take. Ms. Lawrence stated as part of their grant agreement, the City must maintain an operation and maintenance agreement for 25 years. They have already begun to meet with Chris Chamberlain, the Parks Superintendent. The City either must perform maintenance or contract out for it.

Boardmember Robin Welter questioned the grading on the knoll and she asked if the trail will need to be regarded after development comes in. Mr. Birkeland stated it is a fairly flat site and he displayed the zero contour and Florida Avenue level area and approximately 4 feet up. He displayed the greenbelt line and said the bulge just barely passes that. The earlier housing project proposal, in certain areas, went well into the greenbelt area, but they want to allow housing to cut into the space and bring the trail down into the housing area itself. He noted that there is no guarantee that the 2009 plan will be used and a new developer will look at what they like to build and the market and the opportunity to use the 2009 plan and its advantages. Mr. Birkeland further discussed the pros and cons of the design to pull in the trail which creates a demarcation between Wild Creek and the greenbelt line. They then pulled away to get away from the housing influence. He displayed the 200 foot line and Ms. Lawrence stated the housing can only cross over it slightly. They performed an extensive risk analysis to get the line created to have the minimum amount of housing which could cross it. Boardmember Robin Welter said she likes the knoll, getting to the height and then dropping back down and she asked to protect this as much as possible.

Boardmember Woldemar said he likes this project a lot. Given the historic elements, he asked if the project needs to go to the City's HPC. Ms. Lawrence said it does not at this point, as CEQA discussed historic preservation at length, and this is how they arrived at the exact number of buildings to be saved. Boardmember Woldemar suggested this be checked.

Boardmember Woldemar said while he can understand the education and construction side of maintenance, he asked if funding for maintenance be in place when construction has completed. Ms. Lawrence said they are in the beginning discussion phase of this. Boardmember Woldemar commented that many projects have been built and have not been maintained due to funds to pay for maintenance. Ms. Lawrence noted they signed an agreement for a grant which states maintenance must be performed, and Mr. Chamberlain met at length with the team.

Boardmember Woldemar asked and confirmed that the trail will be entirely ADA accessibility. When future development occurs, there will be a C3 responsibility, and Boardmember Woldemar asked and confirmed that the creek will handle some outfall from C3 mechanisms, particularly for adjacent nearby housing. Boardmember Woldemar referred to the Florida Avenue extended walkway going into the double row of trees and asked if this is being spaced wide enough such that a street could go in between it. As it turns south, the entire street is inside the 220 line and this also involves the entire trail. Also, up between Florida Avenue and Ohio Street extended, Rose Court was midway between and ending up in a turn-about or cul-de-sac with parking, which would be well into the open space south of the knoll, partially into the knoll and possibly partially into the trail. He felt no one should be depending on the site plan or they have to be sure they are making changes. He said planting, grading, irrigation, landscaping is not inexpensive and he questioned if they were paying enough attention to the edges.

Regarding tree sizes, Boardmember Woldemar said the redwoods were listed in the commons plant list as 15 gallon. The other list is the creek and Wildland areas of which there are no redwoods listed and all trees are only 5 gallon, and he questioned whether there are redwoods. Regarding 5 gallon trees, he suggested some be larger early on so as to attain different growth

rates. When the creek comes out of the freeway culvert, he asked how this would come out and questioned its design detail. Mr. Birkeland presented the culvert, which is parallel to the edge of the freeway and it shoots and bends which is the end of the box culvert. What they have done with the creek is to swing it out and bring it around by the bridge. At Wall, there is a sloped stone and a double box culvert piece for the twin.

Boardmember Woldemar said he would like the project to move forward and approved tonight with the one additional condition that the design development drawings come back to the Board prior to commencement of construction drawings so that the Board can see the detail. He would like to see colors, such as the rusting steel for the bridge, head walls of the bridge, concrete color or stone.

Vice Chair Munoz asked if the existing trees on site will be incorporated into the new design up on the Caltrans bank. Mr. Birkeland said no, as most of those trees are Acacias, and if Caltrans or the City would like them to remain, they can. However, they are a non-native invasive trees. They have sprouted all over the site while the greenhouses were being serviced, and they will invade the 6 acre greenbelt with a vengeance and cause havoc with the habitat. They will hopefully save all of the Toyon. He noted people have been dumping on the site and there is clean up that needs to occur. Admittedly, however, the Acacias create a canopy up against the wall, particularly near the cell tower, but redwoods and poplars grow fast. They also have a lot more trees for that area. In the grant they have 327 trees just in the north area from the commons up. In the creek area, there are another 180 trees.

Vice Chair Munoz asked about Face #2 and asked if lights will be incorporated. Mr. Birkeland said since lighting is not part of the team's scope they do not have a lighting person on board and have no budget for lighting. What they have done as was requested by the subcommittee is they have notes that there will be sleeving under all pathways. Pathways and other improvements will be such that lighting can be introduced when the housing project comes in.

Chair Fetter said it sounds like a lot of money will be put into taking out trees and planting trees and he confirmed it is mostly because of non-native invasive species issues. Chair Fetter stated they are also going to be removing the fence. He confirmed the wall runs along the highway and he asked if there is anything beyond that Caltrans property to the west. Mr. Birkeland said yes, the Caltrans right-of-way, and he noted that planting goes into that area which is the urban forest component. An encroachment permit must be obtained from Caltrans. They can excavate the culvert out and potentially use it as informal play equipment or an interpretive element. It may just be demolished up to a certain point. He said they have discussed with the City Engineer that they would seal both ends and make a new connection and put in a new structure. They want to be sure there is no safety issue and the City will have regulations about what to do.

Chair Fetter said another issue that comes up is security. Lighting was a big part of that, as well as sight lines for police and access across the path are big issues and he asked if the area accommodates police cars. Mr. Birkeland said it would be fully drivable by a police car with a bollard system. Ms. Lawrence stated they will be working with Planning in the next couple of weeks and this concern has come up at community meetings, and having 150 units will help. Ms. Vallier added that police informally stopped by and police will be working with them on security issues.

Chair Fetter said his only concern is that the team is indicating many options and if there are options or questionable parts of the design that may or may not go forward, he would hope the design would show what is proposed, options and features, and that the Board could understand what it is actually approving. The developers will bring their own plans and he asked if there are major elements of this that are shown as optional. Mr. Birkeland said what they

would like to see the Board approve is what is in the plan. There is no lighting in the plan and while they have not shown the bollards or determined what best surface for the bridge is, this is a detail they can work out. They would advise not doing anything other than Corten steel. The bridge is not a custom structural bridge and it will be attractive. Moving down through the path, he pointed to where they anticipate it to be and they spent a lot of time getting to the schematic design. For him and Ms. Vallier, this is the end of design and everything else is detail.

Chair Fetter asked about phasing and he asked which parts are included in which phase. Mr. Birkeland said in Phase 1, everything shown in the site plan can be constructed. They did not have benches in their budget but have incorporated them into the first phase. There are no drinking fountains or bike racks, but there is a large budget for soils work. They are hoping that the benefit of leaving it on site will be great for the contractor and that the \$630,000 slated will be reduced and will open up advantages to further refine the project. He noted they set up the site plan in Phase 1 for interpretation with a budget of \$25,000 and another \$30,000 for the community gardens.

Ms. Lawrence added that the plan is complex because it is ahead of the housing project, and while they are putting the cart before the horse, they have the hard cash for it and do not want to lose it. They have also applied for another grant which they may get which will add another \$1 million to the budget which will require them to return to the Board. They will also need to come back prior to the construction level.

Chair Fetter noted that Ms. Vallier state they will make the connection for BART to the path, and Mr. Birkeland described the trail as sweeping across and they need to create a connection, even if the developer was going to take a different approach. They are in discussions also to get the cell tower user accessed.

Chair Fetter lastly referred to the bridge and said he wants to make sure it is a bridge to nowhere. Mr. Birkeland noted there is a foot trail area beyond the bridge and it crosses some key points but it is not ADA accessible. He noted that this actually came back into the picture when the grant was received from the Coastal Conservancy. Chair Fetter asked if there is a specification and Mr. Birkeland noted it is 10 feet with one, 2-foot DG shoulder for a total width of 12 feet which can be expanded in the future.

The public hearing was closed.

Boardmember Woldemar stated the project is great, the Board needs to see it back with more layers of detail, and he proposed a motion.

ACTION: It was M/S (Woldemar/R. Welter) to approve PLN 13-276 with staff's recommended four findings, with staff's ten conditions with the following two exceptions; that Condition No. 10 (indemnity provision) be struck, add a new Condition No. 10 that this project be returned to the Design Review Board with design development drawings, including all details of the project prior to completion of construction drawings; and (as amended by staff and accepted) to remove Condition No. 3b and 3c; remove Condition No. 6; unanimously approved (Ray Welter absent).

Board Business

- A. Staff reports, requests, or announcements – None.
- B. Board member reports, requests, or announcements

Chair Fetter reported that he sent an email dated November 31st to staff with a recommended motion to include in the agenda for a resolution. Ms. Whales stated she did not receive the

email, and stated it should be agendaized in order to be discussed at the January 8, 2014 meeting. Boardmember Woldemar stated he also forwarded requests at other times that it be agendaized.

Boardmember Woldemar noted that in September in reading the minutes, there was discussion about something coming to the Board about signs. Ms. Whales stated the Director has placed this on hold because he did not know which direction the Board would take. Mr. Mitchell was supposed to come to the meeting tonight, but apologized he could not attend the last meeting of the year.

Boardmember Woldemar noted there have been discussions about a subcommittee meeting on the Key Route project, which are three residential units. He received a call from staff and announced that next Wednesday or Thursday is a scheduled subcommittee meeting on the Shea Bottoms project.

Adjournment:

The Board adjourned at 7:59 p.m. to the next meeting on January 8, 2014.