

MINUTES APPROVED AT THE DRB MEETING ON FEBRUARY 8, 2017

DESIGN REVIEW BOARD MEETING Multipurpose Room, Civic Center Building, Basement Level 450 Civic Center Plaza, Richmond CA 94804

October 26, 2016

6:00 p.m.

BOARD MEMBERS

Eileen Whitty, Chair
Meredith Benz
Tom Leader
Mike Woldemar

Ray Welter, Vice Chair
Brant Fetter
Jonathan Livingston

Chair Whitty called the meeting to order at 6:03 p.m.

ROLL CALL

Present: Chair Eileen Whitty; Vice Chair Ray Welter; Boardmembers Meredith Benz, Brant Fetter, Tom Leader, Jonathan Livingston and Mike Woldemar

Absent: None

Staff Present: Jonathan Malagon, Hector Lopez and Assistant City Attorney James Atencio

APPROVAL OF MINUTES - None

APPROVAL OF AGENDA

Boardmember Woldemar requested amending the Conditions in Items 2 and 3 so the conditions are annotated in the drawings.

ACTION: It was M/S/C (Woldemar/Fetter) to approve the agenda; unanimously approved by voice vote: 7-0 (Ayes: Benz, Fetter, Leader, Livingston, Welter, Woldemar and Whitty; Noes: None).

Public Forum – Brown Act

MIQUEL LOPEZ, Richmond, through translation said children are their lives and he hoped they have a better life here than he had and spoke of aggressions in other countries.

City Council Liaison Report - None

CONSENT CALENDAR:

Chair Whitty stated there were no Consent Calendar items. She asked if Boardmembers or the public wished to add any items to the Consent Calendar.

Chair Whitty announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, November 7, 2016 by 5:00 p.m.

Public Hearing(s):

1. **PLN16-450 AMETHOD PUBLIC SCHOOLS PLAYGROUND**
Description PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT FOR A ±24,500 SQUARE FOOT OUTDOOR PLAYGROUND AT BENITO JUAREZ ELEMENTARY SCHOOL ON 1450 MARINA WAY SOUTH.
Location 1450 MARINA WAY SOUTH
APNs 560-181-097
Zoning CM-5, COMMERCIAL MIXED USE, ACTIVITY CENTER
Owner MARINA BAY PARTNERS LLC
Applicant AMETHOD PUBLIC SCHOOLS
Staff Contact JONATHAN MALAGON Recommendation: **CONDITIONAL APPROVAL**

Chair Whitty waived presentation of the staff report.

Boardmember Leader referred to the new master plan which shows elementary play expansion area and also high school outdoor area in addition to the parking lots. He asked if this was determined because there was a parking analysis done which accounts for the number of parking spaces needed in the future.

Joanne Goochland, Project Manager for Amethod Public Schools, stated they have done a series of traffic studies for both school sites and this information is available. The purpose of the master plan was to provide their vision about the way the site might be developed in the future, and it is not absolute. The proposal assumes they have full occupancy of 1450 Marina Way South and that they receive their CUP to occupy 1402 Marina Way South. Traffic, parking and circulation would be satisfied by this diagram. Their intent was to do their circulation off of the street so they were not impacting the public way. This is why parking is far beyond what they would be required to have, but it allows more internal circulation on the site.

Boardmember Leader asked that in the future, the parking lots could be converted to open space for the students, and it depends on funds. He confirmed this was their commitment and dream.

Boardmember Leader asked about the effect of the approval of the CUP for the additional school. Mr. Malagon replied that if a playground area is a condition for the high school or in the future the applicant would have to return to the DRB.

Boardmember Fetter asked if there was a way to tie the CUP to this plan so its vision does not get lost. Boardmember Livingston suggested making a recommendation to the Planning Commission that this be included as a condition of the CUP, recognized that the applicant adhered to comments and he suggested locking it in, and Ms. Goochland concurred.

Boardmember Woldemar referred to page 3 of the staff report, first paragraph: "The proposed fence will be semi-solid with painted art illustrations on Marina Bay with plywood attached to an ornamental wood/metal fence." He asked what did semi-solid means, how many painted illustrations will be there and he asked what happened to the idea of creating a special metal fence because this is such an important point in the Richmond Bay Trail system. He had also previously suggested that the fence should have some in's and out's so it is not just one straight line and that planting be reflective of this aspect.

Marcia Vallier, Vallier Landscape Designs, clarified that one of the things they tried to do is create a metal picket fence called "pale eucalypt" or a green color. They cannot do a whole lot of ins and outs because they wanted to maximize the play area; however, it is in from the edge of the trail and behind the augmented landscape which also serves as a wind break. It is also 4' high so it will not be seen from the trail in most cases.

Boardmember Woldemar asked and confirmed that the light green color on the plans currently exists and is on City property on the outside edge, and that renovation of existing planting inside and outside the fence line is being done. Ms. Vallier will illustrate that further on the plans.

Boardmember Woldemar supported use of the metal on the fence, but suggested including wire mesh on the metal to allow plants to grow on the fence. He asked again what is semi-solid, and Mr. Malagon said there were conflicting recommendations staff received from the DRB so the applicant was trying to take a bit of what Boardmembers Woldemar and Livingston recommended for a wood and metal fence. Some of the student art installations were also part of the school at Hilltop that used the same thing. He confirmed there would be 6 panels.

Ms. Vallier explained the work of planting a hedge along the back of the fence line, installation of a metal picket fence with a double bar on the top and a double bar on the bottom, murals that would be shown as 8' sections of plywood and place 2 together or 16' each, with 3 along the new play structure edge, there will be benches with backs, installation of broad and dense trees to create a screen along the edge for the wind, and the fence will go into the planting area. Berms will be created to screen the teaching area with different levels of shrubs and groundcovers to create a nice area along with garden beds. The fence is covered along the edge and she could add a vine on the fence, but there are shrubs around it to buffer it. It then jogs back along the edge which has a very healthy existing planting. They also have murals and/or chalkboard panels as well for a teaching experience. They are not defining what the murals will look like, but they will be based on curriculum.

Boardmember Woldemar asked what the public side of the panel will look like. Ms. Vallier said she would like to paint it the same color of the fence which can also be an added condition and it will not be bare.

Boardmember Leader confirmed that the panels and shrubbery will reflect the wind and he asked and confirmed there would be about 8 foot spaced between each 16' of panel sections and therefore it would be about 66% solid.

Chair Whitty stated the additional conditions would include painting the public side "pale eucalypt", addition of an aluminum edge trim around each panel, and to make a recommendation to the Planning Commission that the vision plan be included as a condition of the overall master plan.

Chair Whitty opened the public comment period.

Public Comments:

MANELA CUELLAR supported the project and thanked the Board for letting parents of students be present and said the children will have a place to develop their motor skills which is essential.

FRANCISCO MORENO said he is a student and supported the playground for the school so kids can exercise and be ready to learn.

YORITZIA MALDONADO through translation stated she is the mother of 5 students, voiced her support for the school and playground so her kids will have a safe place to play.

ALEXIS MALDONADO said as a student he wanted to express his concerns and fear of living in a crime-ridden area of Richmond, gangs, shooting, and he and his family feel safe at the school and supported the playground.

NANCY SANCHEZ voiced her support for the project.

The public hearing was closed.

ACTION: It was M/S/C (Fetter/Woldemar) to approve PLN16-450 with staff's 4 findings and staff's 8 recommended conditions with additional conditions: 9) that the panel on the public side be painted a "pale eucalypt" color to match the fence and that the edge trim be a metal, unpainted channel so it weathers properly; that the DRB recommends to the Planning Commission that the master plan as outlined in this public submission be carried to the Planning Commission as a recommended outline for the overall master plan; unanimously approved by voice vote: 7-0 (Ayes: Benz, Fetter, Leader, Livingston, Welter, Woldemar and Whitty; Noes: None).

2. PLN16-498	SULLIVAN DECK
Description	PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT FOR A ±450 SQUARE FOOT DECK ADDITION HIGHER THAN FOUR FEET FROM GRADE (7'-6" PROPOSED), INCLUDING A PARTIAL ROOF.
Location	714 WESTERN DR
APN	558-243-017
Zoning	RH, HILLSIDE RESIDENTIAL
Owner/Applicant	MARGARET SULLIVAN
Staff Contact	JONELYN WHALES Recommendation: CONDITIONAL APPROVAL

Chair Whitty stated the item was heard on September 28, 2016 and the applicant complied with everything the Board requested, and asked for Boardmember comments.

Vice Chair Welter commented that the drawings in the packet were the old set, but the larger plans are current.

LEO EGAN, Architect, apologized for not attending the meeting in September, appreciated comments and he tried to address them.

Boardmembers thanked the architect for returning with the Board's requested revisions.

The public hearing was closed.

ACTION: It was M/S/C (Livingston/Whitty) to approve PLN16-498 with staff's 4 findings and staff's 5 recommended conditions; and as requested by Boardmember Woldemar, to amend Condition No. 1 to add in the words to indicate the applicant will put annotations on the drawings to indicate where the conditions have been met; unanimously approved by voice vote: 7-0 (Ayes: Benz, Fetter, Leader, Livingston, Welter, Woldemar and Whitty; Noes: None).

3. PLN15-596 7-ELEVEN NEW CONVENIENCE STORE

Description	PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A NEW 7-ELEVEN CONVENIENCE STORE AND FUELING STATION AT THE NORTHWEST CORNER OF HARBOUR WAY SOUTH AND CUTTING BOULEVARD.	
Location	925 CUTTING BOULEVARD	
APN	550-301-023 AND 550-301-024	
Zoning	CM-4, COMMERCIAL MIXED-USE (GATEWAY/NODE)	
Owner	SURJEET RATTU AND KULDIP SINGH RATTU	
Applicant	7-ELEVEN	
Staff Contact	HECTOR LOPEZ	Recommendation: CONDITIONAL APPROVAL

Chair Whitty stated the Board had a study session on April 27, 2016, a DRB meeting on September 28, 2016 and the applicant complied with most of the Board's requests. She asked for comments from Boardmembers and said the Board will make a recommendation to the Planning Commission.

Boardmember Woldemar apologized for not having been involved with the item earlier at the previous meetings. He cited the lack of landscaping on the site plan adjacent to the motel and said it seems as if colors of the building are rather grey. He asked if this was the appropriate architecture that should occur on this corner as a major entrance into the City and as a node in the General Plan, and therefore said he was having trouble supporting the project.

Boardmember Fetter commented that if the Board approves the design they will be setting this tone as the node for the area as being art deco. It was noted that the applicant had previously presented one style reflective of the new train overcrossing south of the freeway and one as a very crisp contemporary style which was the one chosen.

Boardmembers discussed the project's context, lack of a special color other than the green/grey color which should be reflective of a node, questioned whether this is the right kind of use for the site, asked that the stucco be the soft green color and the trim be the grey color and to maintain the awnings as anodized silver, and whether the applicant was supposed to replace all sidewalk, curb, and gutter and for it to be colored concrete based on previous discussions.

JOSE GANDARA, EBI Consulting, applicant, stated the current scope of work only reflects the areas they are improving. A condition of off-site improvements is usually attached as a determination by the Public Works Department, but they have not been out to the site for inspection.

Chair Whitty referred to Condition No. 10 and asked that the condition be amended that instead of "all damaged sidewalk" to read, "shall replace all sidewalks" so it is not patchwork.

Boardmember Livingston stated he has a list of comments, stating the applicant responded to a number of them but not all, and Boardmembers asked that they be read into the record:

1. There was an issue with the owners of the Seahorse. The question came up that the location of the current trash enclosure is where their current trash enclosure sits. They were supposed to resolve the dual use of it.

Mr. Gandara stated they decided to keep it in the same place and have access on their side and enlarge the trash enclosure, and have a man door on the Seahorse owner's side to access the same enclosure. It is identified on Sheet DR-0.1.

2. On the landscape sheet DR-0.1 there is a low concrete wall which is not parallel with the sidewalk, street or the building. He asked that it be parallel with the street and building.
3. Sheet detail 05 on Sheet DR-4.0, there is a very high wall height of 4'6" from the top of footing. It seemed out of scale and he thought it should be more like 30" from the sidewalk to be more in scale.
4. On that same detail, he thinks there should be a champ strip on the formwork so there is just not a concrete edge.
5. On the civil drawings, the planter is shown at 6' wide, but on the site plan on DR-01 it talks about having that planter 10' wide and encroaching into the sidewalk. The Board talked about moving it to the 10' number and he asked that this be shown on the civil drawings and the detail.
6. On the exterior, the applicant had art deco detailing and it is difficult to do that. They reversed the idea and put bump-outs on the stucco. He thinks the bump-outs installed are almost impossible to make straight unless channels and stops are put in. He thinks the concept might be a flop to do it with buildouts. He recommended proceeding with the applied GFRC panels as implied next to the front door, crisp and spot on as discussed at their last meeting. To deal with the upper build-outs, they will be fine if they are painted on.

Mr. Lopez said he recalled the detail was embedded into the concrete, and he asked and confirmed that Boardmember Livingston only suggests the upper ones be painted, noting it only happens in 4 areas. Boardmembers also suggested that as an alternate, 3" x 2' channel ringlets be aluminum, and Mr. Gandara agreed this could be done.

7. He asked that control joints be installed at the color separations in the top and bottom across the building, especially at the towers.
8. The gas line is still on the elevation on number 2 of Sheet 3.3.

Mr. Gandara stated there was a revised set that did not show it, but will confirm it is removed.

9. He asked for a canopy detail over the windows which are a major design element, and the applicant only provided the name of the supplier.

Mr. Gandara said it is basically a powder-coated metal canopy that is not waterproof, except for portions over the entries. When looking up, it is corrugated metal and he confirmed that water will be brought to the downspout. He said over the windows, they might leave those open.

Boardmember Woldemar recommended that when the Board does not know what details will be finalized, he suggested that prior to the construction documents being approved by the Building Department that there be a subcommittee of the Board to help review the construction documents to cover the smaller points, and Boardmembers concurred.

Mr. Gandara noted that they look at the practicality of the awnings over the windows and they are not for protection. Over the entryways they are for protection. Boardmember Woldemar suggested those along Cutting could be a series of simple louvers up inside

because it is south-facing to provide shade. Mr. Gandara said the canopies can be filled and noted it will still look the same, and Boardmember Woldemar stated he will include a condition for it.

10. The sketch from the last meeting was motivated out of discussion that the supports for the gas canopy were going to be matched. The applicant was going to match the steel column with the shroud to match the building. There was a comment by the Board that the base should be concrete up to a certain level so it would not get bashed which is not reflected on the plans. It states "stucco to match building."

Mr. Gandara said he did not receive the sketch, and Mr. Lopez noted it was emailed to him and Boardmembers, and Mr. Gandara agreed for this to be covered in the subcommittee meeting.

11. The garbage collection structure has a sloped roof and Boardmember Livingston questioned whether people can throw garbage in between the roof and the dumpster or was there another lid to protect large items from getting thrown in. Mr. Gandara said right now it is open but they can enclose it.

Vice Chair Welter stated typically they need some ventilation, and Mr. Gandara said they can enclose it with wrought iron but it would not be completely enclosed. Boardmember Livingston asked to confirm how the metal roof will look.

Boardmember Woldemar said it would be quite easy and more consistent with the building that the roof appears to be level rather than sloped. He suggested a perimeter band of fascia out of metal and then a W-panel with a tip inside the fascia to go to the back with a gutter across the back behind the fascia so the water can go down. Boardmember Livingston stated it also had grey ACMU block and the Board's intent was for it to match the building and colors are also not called out. Boardmember Woldemar suggested stating that the color palette for the trash area is to match the building with a flat roof fascia with a sloped drain behind it.

Mr. Gandara agreed and did not believe people would be throwing large items in the dumpster.

12. Boardmember Woldemar said in the site landscape plan in a couple of places, particularly on the north and west, it indicates a new perimeter screening fence and he did not find any details on that fence. Boardmember Livingston said the applicant discussed putting in a CMU fence to match the trash enclosure. Boardmember Woldemar asked to use the similar type of metal work to close the gap on the trash area. He was also not inclined to say the upper portion should be screened, and Boardmembers concurred.

Mr. Gandara said he had understood the Board as wanting a wood fence around the perimeter and not a CMU wall. Boardmember Woldemar said given the coloration of the building, he thinks whether a block wall or wooden fence it should be of the same color and painted in either case.

13. Boardmember Leader referred to the 4 tulip trees in the planter next to the pump area and them all being the same and the applicant did not catch this and he asked that they be made consistent. Mr. Lopez questioned the use of pines and the needles falling. Boardmember Leader suggested an evergreen species which he said is appropriate for this area.

Mr. Gandara said the last conversation they had was for 2 street trees adjacent to the pump area and the 3rd tree would occur up further and none on Cutting.

Boardmember Woldemar stated he wanted to comment on 3 landscape items, as follows:

- As part of the whole node discussion and setting the example for things along the street, he asked that there be some tree wells in the sidewalks and some additional trees along both the southern and eastern face of the building. There is room to miss some of the utilities.
- At the southern entrance and to the right is the two-story stucco box which is the motel. This driveway is quite wide. He asked why there is not some additional landscaping going back to the point of access into the motel portion. And further, he asked why there is not further landscaping to the south side of the refuse area to add some screening.
- Along the western side and along the residential side, there should be vines on the fence. If a wooden or block fence, it should have some wire mesh for landscaping to grow up on it.

Boardmember Livingston referred to landscaping next to the motel and asked if the applicant talked with the owner.

Mr. Gandara said the owner of the motel did not understand the request and did not want to spend money on his facility.

Boardmember Woldemar discussed his recommendations for additional landscaping and said to the west of the building is a sidewalk and a C3 area. He suggested the western edge of this area be moved east 5 feet and transfer it to the west side of the driveway, which he pointed to on the plans. Boardmember Livingston noted the sidewalk there and two parking spaces. Mr. Lopez said he did not believe the spaces were needed as there was a lot of parking along the street. Boardmember Woldemar suggested that there could be an additional 5 feet or so on the south side of the refuse area so this area could include some additional trees or shrubs.

Boardmember Fetter said he thinks the C3 swale is more of a factor than the parking spaces, but if parking was removed and the swale was compressed up against the building or sidewalk, the square footage might be achieved. Boardmember Woldemar confirmed there was some permeable paving for the project and suggested it be increased to help the C3 solution. Boardmember Livingston agreed that landscaping along the motel side would be a huge benefit.

Mr. Lopez said he needs to verify whether or not the two parking spaces are required.

Boardmember Fetter said another consideration is that there is not street parking on Cutting Boulevard and unless there were bulb-outs, he was not sure people would be interested in parking there.

Boardmember Leader said the Board is going through a lot of effort with the stucco detail and then covering it up with tulip trees and suggested they not be located in front of the store.

Vice Chair Welter referred to the survey and said on Cutting Boulevard there is only one place to put a tree because of the utilities. Boardmember Leader suggested directly opposite the tulip tree could be another tulip tree planted in the sidewalk near the corner. Mr. Gandara stated

Public Works told him not to put street trees on Cutting Boulevard, but instead, 1 tree every 50 feet on Harbour Way, and this is the basis for what they are proposing.

Boardmember Woldemar referred to the comment about being able to see the store and said on the opposite side there is a large amount of glass and a 3' base. From a store planning point of view, he asked what happens along the south wall of the store. Mr. Gandara stated it is a Slurpee machine and there will be a wall where this occurs to shield it. Boardmember Woldemar talked about glass walls and suggested that it remain open and clear and referred to bad examples in the City. Mr. Lopez confirmed that the amount of parking required for the project is 6 spaces and they have more than this.

Boardmember Fetter said he did not see this as a problem with 7-Elevens and said he sees the landscaping at the motel side as more of a concern. The majority of Boardmembers agreed that parking was more important than losing parking to trees or landscaping. Boardmember Fetter suggested some acknowledgement from the applicant that if there is some solution that is made between the store and the motel that it be cooperative.

Chair Whitty suggested it be a metal post fence with vines or a lattice wall on either side so very little footing space would be needed. Vice Chair Welter said this might be a problem with people crawling between the hotel building and fence.

Boardmember Livingston said if the street tree configuration is changed, there would be 12 Rhododendrons and 2 flowering Pear trees along Harbour Way, a planning area on the south side of the garbage enclosure of 12'x5', and vines on the perimeter wall, a pale Bougainvillea's 8' on center adjacent to CMU wall.

Boardmember Livingston provided the list of additional conditions to the applicant. The Board confirmed the applicant was amenable to reversing the color palette as well as the subcommittee's review of final drawings.

The public hearing was closed.

ACTION: It was M/S/C (Whitty/Livingston) to forward a recommendation to the Planning Commission approval of PLN15-596 with staff's 4 findings and staff's 14 recommended conditions, with an additional Condition No. 15 that the paint colors shall be switched on the building and the trim; amend Condition No. 10 to state "The applicant shall replace all sidewalk"; and add Boardmember Livingston's additional conditions as discussed and approved by the applicant and Boardmembers; unanimously approved by voice vote: 6-0-1 (Ayes: Benz, Fetter, Leader, Livingston, Welter and Whitty; Noes: None; Abstain: Woldemar).

Board Business

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

Chair Whitty reported that the Mechanics Bank project is looking very good at Hilltop, and the Westridge housing project on Hilltop has been under construction. Boardmember Livingston commented that there has been a lot of deviation from the General Plan and Chair Whitty noted it is 10 years old.

Boardmember Woldemar reported other projects underway include the Seaport Stainless is under construction. Regarding the ferry terminal, Mr. Lopez reported that he did not believe a building permit has been applied for by WETA. Chair Whitty noted WETA received federal grant monies to purchase many new ferries, and Boardmembers noted there are other private ferries who want to come to Richmond.

Boardmember Livingston stated the Terminal 1 applicants are holding mediation with homeowners on Friday. The Shea Homes site is for sale and he noted that they had to redo from an 8" to 12" water main extension from Terminal 1 down Brickyard Cove Road to their site, as the demand was more than they could supply for homes.

Boardmember Woldemar reported that EBRPD improved their park next to Terminal 1 including a place to clean fish.

Adjournment

The Board adjourned at 7:56 p.m. to the next meeting on November 9, 2016.