

MINUTES APPROVED AT THE DRB MEETING ON FEBRUARY 22, 2017

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

July 13, 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 6:02 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: Hector Lopez, Jonathan Malagon, Roberta Feliciano, and Assistant City Attorney James Atencio

APPROVAL OF MINUTES - None

APPROVAL OF AGENDA

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

Public Forum – Brown Act - None

City Council Liaison Report - None

CONSENT CALENDAR:

Chair Whitty stated there were no Consent Calendar items. She announced that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, July 25, 2016 by 5:00 p.m.

Public Hearing(s)

- 1. **PLN16-121 ENIGAMI NEW SINGLE FAMILY DWELLING**
Description PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE PLANNING COMMISSION FOR A DESIGN REVIEW PERMIT TO CONSTRUCT A NEW TWO-STORY SINGLE FAMILY DWELLING ON A ±2,500 SQUARE-FOOT VACANT PARCEL AND A VARIANCE TO THE MINIMUM LOT SIZE

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Location VACANT PARCEL ADJACENT TO 530 37TH STREET
APN 517-010-011
Zoning SFR-3 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL)
Owner ENIGAMI GLOBAL INVESTMENT LLC
Applicant ROBERT AVELLAR
Staff Contact ROBERTA FELICIANO Recommendation: **CONDITIONAL APPROVAL**

Roberta Feliciano gave the staff report and he described the scope, layout, and key elements of the request for a design review permit to construct a two-story single family dwelling unit on a 2,500 square foot vacant parcel and variance to the minimum lot size. She noted that the variance consideration will be reviewed for approval by the Planning Commission

Chair Whitty opened the public hearing and commented that the Board is aware that the project is on a narrow lot but it complies with all zoning standards and has all proper setbacks and heights.

Boardmembers voiced the following comments and questions:

- Chair Whitty confirmed that the neighborhood council voted unanimously to support the project.
- Chair Whitty questioned and confirmed that the applicant meets the minimum parking requirements of two spaces and they are tandem; one in the garage and one on the driveway.
- Vice Chair Welter referred to the neighborhood council's comment regarding ensuring the vehicle parked in the driveway does not block the sidewalk and he confirmed it does not.
- Vice Chair Welter questioned the front setbacks. Ms. Feliciano stated it is 20 feet to the garage and the zoning ordinance allows a 6 foot projection as long as they do not exclude 60% of the width.
- Boardmember Woldemar stated staff included a series of suggested design changes for the Board to discuss and he will add to that.

Chair Whitty opened the public hearing and called on the applicant, former DRB member Robert Avellar.

Robert Avellar, applicant, said he was available to receive questions from the Commission.

- Vice Chair Welter asked and confirmed that the applicant was amenable to the recommended 7 staff conditions. Additionally, he asked to have the tile detail at the eave in the front be made on the rear as well.
- Boardmember Woldemar referred to privacy intrusion issues on the second floor on page A-20 he confirmed that the two bathroom windows and the window at the top of the stairs will be made obscure glass. He referred to the master bedroom at the rear on the side and he asked that it be relocated to the rear wall in a parallel position to the existing windows there so there are no clear glass windows facing either side yard. Mr. Avellar confirmed, which he agreed makes for a good bed wall.
- Chair Whitty referred to the balcony fence and said it does not match anything else in the plan. She asked to make the entrance porch way a fancy grill to echo the details on the balcony fence. Mr. Avellar referred to page A-90, the existing neighbor's house has the same type of Romeo grill and the porch has regular metal, and agreed that it should match. He agreed to match the two sides.

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- She referred to the front and garage doors and asked to change the front door to match the style of the garage door and to use square glass at the top.
- She commented that she likes the archway in the front and has seen something similar in Alameda.
- Boardmember Livingston said he disagrees with comment 2, stating he believes the 5 and 12 roof should be maintained, given it is a small façade and in need of some height. Boardmembers concurred and suggested striking that condition.
- Boardmember Fetter referred to the fence along the property and he confirmed it was 6’ high and it is a good neighbor fence with planks on the bottom and lattice on top.
- Boardmember Fetter referred to the windows along the hallway from the front entry and asked what they look out to. Mr. Avellar said they bring light in, and Boardmember Fetter suggested more frequent clerestory windows in so those living in the house can use the walls for art or something else.
- Boardmember Fetter suggested the positioning of the windows in the master bedroom (Sheet A-30) should not look down on a neighbor and per previous comments and that they accommodate a width of a bed. He referred to the front entry and asked that the header, window and trim be aligned. Boardmember Woldemar suggested the applicant consider a door and a side light instead of a separate window by the door of the side light combination.

Chair Whitty stated the Board received a letter from the next door neighbor at 530 37th Street and she asked if Mr. Ramiro Cornejo was present and he was not. She read comments from the letter and responded that the Board’s comments have addressed privacy concerns by making windows obscure and by moving them around, that there is no view of anything but sky from the upper story, that the project does not require an EIR, that the neighbor’s property values would most likely increase, and issues raised in the letter were not necessarily the purview of the DRB but Planning Commission issues and the project will be reviewed by the Planning Commission.

The public hearing was closed.

Boardmember Woldemar proposed that the front wall by the door and window be recessed 18” so the porch in front will be a minimum of 6 feet. Boardmember Livingston asked how to recess the door and still get the stairs to work, and Boardmember Woldemar suggested a landing and a rotational stair with a couple of steps or he suggested doing an angle riser.

ACTION: It was M/S/C (Whitty/Welter) to forward and recommendation of approval for the variance to the Planning Commission and to approve PLN16-121 with the design review findings 1-4, with staff’s recommendations 1-8 and with the following additions: to remove Item 2 which talks about curb cuts and driveways and to maintain the 7 recommendations to further improve the design; obscure the two bathroom windows and the window at the top of the stairs, to relocate the master bedroom window to the rear, make the front door design containing square glass windows to match the garage, echo the balcony railing in the entry railings, that the rake tile shown on the eaves on the front of the house also be repeated on the rear of the house; that there be a concrete pad of sufficient size to indicate where the three refuse recycling bins will be in the backyard; that there shall be stucco expansion joints at 12’ minimum spacing; that the front door and side light shall be a combination door and light rather than a separate window; that the front wall by the door and window be recessed 18” so the porch in front will be a minimum of 6 feet; to modify item 2 that the painting of the trim shall be to the inside

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ACTION: It was M/S/C (Welter/Whitty) to approve PLN16-273 with staff's recommended 4 findings and staff's 7 recommended conditions; unanimously approved by voice vote: 6-0-1 (Ayes: Benz, Fetter, Leader, Welter, Whitty and Woldemar; Noes: None; Recused: Livingston).

Noted Present:

Boardmember Livingston returned to participate in the remainder of the meeting.

3. PLN15-316 JOHNSON TWO-STORY ADDITION

Description **(HELD OVER FROM JUNE 22, 2016)** PUBLIC HEARING TO CONSIDER A DESIGN REVIEW FOR EXTERIOR ALTERATION TO AN EXISTING RESIDENCE, INCLUDING A TWO-STORY ADDITION AND NEW CARPORT.

Location 716 GERTRUDE AVE

APN 561-252-001

Zoning SFR-3 (SINGLE FAMILY LOW DENSITY RESIDENTIAL)

Owner JOHNSON JACQUELINE

Applicant SIDNEY NORMAN (ARCHITECT)

Staff Contact HECTOR LOPEZ Recommendation: **HOLD OVER TO A FUTURE MEETING**

Chair Whitty announced that this item is held over to a future meeting.

4. PLN16-268 MILES SECOND STORY RESIDENTIAL ADDITION

Description PUBLIC HEARING TO CONSIDER A DESIGN REVIEW PERMIT FOR A ±470 SQUARE FOOT TWO-STORY ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE, INCLUDING A ±120 SQUARE FOOT EXTENSION TO THE FIRST FLOOR.

Location 5731 HUNTINGTON AVENUE

APN 507-210-013

Zoning SFR-3 (SINGLE FAMILY LOW DENSITY RESIDENTIAL)

Owner AMY MILES AND KENNETH MILES

Applicant DANIEL SMITH, DSA ARCHITECTS

Staff Contact JONATHAN MALAGON Recommendation: **CONDITIONAL APPROVAL**

Jonathan Malagon gave the staff report and he described the scope, layout, and key elements of the request for a design review permit for a 470 square foot two-story addition to a single family residence, and 120 square foot extension to the first floor.

He received an email today from a neighbor with a question regarding whether or not the proposed project blocked their view of the hills, and staff recommends the Board adopt the findings and 10 recommendations in the staff report.

Boardmember Woldemar stated the neighborhood council saw the project and left it up to the Board as to the roof. He referred to the neighbor's email and he suggested a hip roof on the entire upper floor which would minimize its total height. Chair Whitty said she personally likes the gable design of all roofs and did not like hip roofs.

Boardmember Fetter said he is glad the neighborhood council forwarded it to the Board as the floor plan and layout would be incredibly impacted by switching the direction of the ridgeline. A hip is acceptable but in this case he agrees with Chair Whitty and in this orientation.

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The public hearing was opened.

Chair Whitty recognized the designer was present to address questions.

Boardmember Livingston commented that he likes the gables, the massing and would not change it and Vice Chair Welter concurred. Boardmember Woldemar had no comments.

Boardmember Fetter referred to Sheet 9-.3.2 and the north elevation. He said the only question he had was the single spot where they have the panel between the two windows which is inconsistent with the rest of the house and he asked to have the consistent beam.

The designer stated the house was on the Curb Appeal show and part of their process was that they added a lot of trellising, paneling and trim work, and they were trying to think of a simple way to tie in the shabby-chic-ish elements. They are doing wainscoting on the interior and this was its impetus. She confirmed they were planter boxes underneath the windows that have a trellis element.

Chair Whitty opened the public comment period.

Public Comments:

James Li, Richmond, said he lives at 5725 Huntington and said his neighbor designed a second story that will impact his privacy, said the sun will block his home, his property values will go down and he is not opposed to his neighbor adding, but did not like the impacts given the homes were very close to each other.

He said he was planning to expand in 2009 and staff told him he would not receive approval at that time for a second story. He asked if he also could develop a second story now, and Chair Whitty confirmed he could and suggested he talk with a designer or architect.

Chair Whitty asked to display the side of the house that faces Mr. Li, and Mr. Malagon noted it is located on Sheet A-3.2. Vice Chair Welter asked and confirmed the upstairs bathroom window would be made obscure per the condition.

The public hearing was closed.

ACTION: It was M/S/C (Fetter/Welter) to approve PLN16-268 with staff's 4 findings and staff's recommended 10 conditions; unanimously approved by voice vote: 7-0 (Ayes: Benz, Fetter, Leader, Livingston, Welter, Whitty and Woldemar; Noes: None).
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Board Business

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

Boardmember Woldemar gave a subcommittee report stating he and Boardmembers Livingston and Leader met with Lina Velasco and staff from the Successor to the CRDA to meet regarding Miraflores project and it seems like the site plan is working out. There are 21 buildings, with 190+ units, the majority of it is 4 stories and currently there was a presentation done in a "Santa Barbara" style and a more contemporary style. After significant discussion, the applicant indicated they would bring the project to the DRB in a study session on July 27th.

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Boardmember Woldemar asked if there was any response at the staff level about a request for the DRB to discuss the idea that staff would represent the DRB's approval and actions, specifically for Terminal 1 and the amount of open space.

He briefly described the Terminal 1 project where the applicants did not like the conditions proposed by the DRB in the vote and staff supported them. The matter did not return to the DRB.

Boardmembers voiced significant concerns regarding this problem, questioned why staff did not alert the Board and ask the Board about their reasons for proposing the added 4 conditions, and likened it to staff taking liberties with a decision the Board already made.

Mr. Atencio stated he spoke with staff regarding this and he believes it was an oversight not to have put it in writing which might have been the ideal process. In the end, it is on the record in the meeting recording.

Boardmember Livingston commented that he requested the meeting recording and the minutes and staff stated they could not obtain either. He said it was not publicly available even after 4 months. Mr. Lopez confirmed that staff listens to the tape each time they list conditions of approval and the audio portion is always available.

Boardmember Woldemar asked Mr. Atencio to discuss the matter and that this is resolved going forward.

Chair Whitty asked if July was the month to appoint a new Chair and Vice Chair and Boardmember Woldemar stated he and Chair Whitty term out next March, and Mr. Atencio suggested staff review the terms and the date for appointing Chair and Vice Chair.

Boardmembers briefly discussed the Shea Homes project in Brickyard Cove and the fire sprinkler issue and an apartment project which they said switched to one meter versus individual meters.

The Board adjourned at 7:15 p.m. to the next meeting on July 27, 2016.