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APPROVED MINUTES

TREE/DESIGN REVIEW BOARD
 CITY OF SEBASTOPOL
 MINUTES OF December 09, 2020
 4:00 P.M.

The notice of the meeting was posted on December 03, 2020.

DESIGN REVIEW BOARD:

1. CALL TO ORDER: Chair Luthin called the meeting to order at 4:00 P.M. and read a procedural statement.

2. ROLL CALL:

Present:	Ted Luthin, Chair Lars Langberg, Vice Chair Christine Level, Board Member Ron Hari, Board Member
Absent:	Gregory Beale, Board Member (excused) Cary Bush, Board Member (excused)
Staff:	Kari Svanstrom, Planning Director Alan Montes, Associate Planner

3. APPROVAL OF MINUTES: November 18, 2020

Vice Chair Langberg made a motion to approve the minutes as submitted.

Board Member Level seconded the motion.

AYES: Chair Luthin, Vice Chair Langberg, and Board Members Level and Hari
 NOES: None
 ABSTAIN: None
 ABSENT: Board Members Beale and Bush

4. PLANNING DEPARTMENT UPDATE ON MATTERS OF GENERAL INTEREST:

Associate Planner Montes provided updates on the following:

- Upcoming appointments to the Planning Commission
- A vacancy on the Design Review Board
- Upcoming appointments to the Design Review Board

Associate Planner Montes asked Chair Luthin if he would be willing to continue his role until appointments to the Design Review Board occur.

Chair Luthin responded in the affirmative.

Associate Planner Montes continued his updates as follows:

- Upcoming Council items

There were no questions of staff.

5. COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THE AGENDA: None.

6. STATEMENTS OF CONFLICTS OF INTEREST: Board Member Bush and Board Member Beale were absent due to a conflict with item 7A.

7. REGULAR AGENDA:

A. DESIGN REVIEW – 6950 Burnett Street, The Livery – Project #2020-10 –
This is a Design Review application, requesting approval to modify an existing commercial structure at the corner of Burnett and South Main Street. The existing two-story, mixed use building is proposed to be completely renovated (interior and exterior). The first level is proposed to house a food hall / marketplace with shared seating including an indoor-outdoor covered porch. The second level is proposed to be one or more standalone tenants, potentially restaurant(s) and/or retail/offices. The roof level is proposed to be developed as an outdoor patio / roof deck with beverage services and access to menus from restaurants on lower levels. An elevator/stair tower is planned for access to all levels. (Not, Use Permits, if any, that may be required for uses, will be reviewed as separate applications.) This item first came before the Board on May 06, 2020. This item was continued from the Board meeting on November 18, 2020.

Chair Luthin introduced this item.

Associate Planner Montes presented the staff report.

Chair Luthin asked for questions of staff.

Lars Langberg, Vice Chair

The drawings still say landscape is a deferred submittal, but that is not correct, we are reviewing that for approval today too, right?

Alan Montes, Associate Planner

I believe the intention is that the landscape plan can be reviewed as part of the submittal.

Grace Meeks, Applicant

The complete landscape package has been submitted. The intention is to make sure you had all the information on the trellises, that is where we have been showing all of the trellis information. That was information that you wanted to make sure was complete and clear. We have submitted it for that. Because we were submitting it, we wanted to bring you the entire landscape package, if it's possible to get it all approved today, that would be great. You did catch it on the front page, that was my mistake, I just did not change that from deferred submittal.

Lars Langberg, Vice Chair

Okay. How does the City review that whole landscape submittal with the water efficient ordinance, and so on? That is not something I know very well, and our landscape expert is not on this project. I assume that various City departments will review it.

Alan Montes, Associate Planner

Yes, that is correct. I believe it is initially reviewed as part of the Planning review, then as part of the formal reviews, and then it is reviewed as part of the formal review for issuance of the Building Permit.

Lars Langberg, Vice Chair

Yes, okay, that is it. Thank you for clarifying.

Hearing no further questions of staff, Chair Luthin invited the applicant to present.

Grace Meeks gave a presentation and was available for questions.

Chair Luthin asked for questions of Ms. Meeks.

Lars Langberg, Vice Chair

Can you describe the floor plan change related because it looked like in the last iteration that there was a floor at the second level?

Grace Meeks, Applicant

The floor plan did not change much at all.

Lars Langberg, Vice Chair

I did not notice a floor plan change, but the elevation with the gray stucco makes it sort of feel like there is a floor there.

Grace Meeks, Applicant

Referred to the plan, explained the difference that Vice Chair Langberg observed, and reiterated that the floor plan did not functionally change.

Lars Langberg, Vice Chair

Okay, great, thank you.

Grace Meeks, Applicant

You're welcome.

Lars Langberg, Vice Chair

We are looking at the trellises. It was your choice to leave that corner without a trellis? You have it back further on that side to the east, but not at the corner.

Grace Meeks, Applicant

That is correct. The trellises have remained where they were showing before.

Christine Level, Board Member

A trellis technically would be open if I understand trellis correctly.

Grace Meeks, Applicant

That is fine, the structure of it is layered like a typical trellis. We are covering it, so it is protected underneath.

Christine Level, Board Member

Is it an open structure, or are you going to have doors?

Grace Meeks, Applicant

No, it is open below. There are no walls on it, but there is a kind of sliding fabric that you can move over to help protect you a little bit. It is a sliding material, not a door. There are no walls on it but there are sliding partitions so it can be closed off on all four sides, but there is no actual door or structural walls. Does that make sense?

Christine Level, Board Member

It surprised me that it would end up looking like this because if you have got a solid roof on it, and you have no lateral bracing whatsoever on the structure, I am suspicious that will end up looking different in reality once this thing is designed.

Grace Meeks, Applicant

Instead of putting a kicker on there, an angled brace, we will put angled metal to create the shear that we need in order for this. Just like any trellis or structure we have, if you do not put a kicker or an angled brace on there, then you can typically handle it with a structural metal that is custom for it.

Christine Level, Board Member

What do you mean by structural metal?

Grace Meeks, Applicant

A plate, like an L bracket, a plate.

Ron Hari, Board Member

That is engineering, not design.

Christine Level, Board Member

But if you had to put a real lateral system on it, it would look different than this.

Grace Meeks, Applicant

Our engineer has reviewed this and is confident that it can look like this.

Christine Level, Board Member

Okay. Can you please describe the other trellis, trellis A, to me?

Grace Meeks, Applicant

Described referred to page L3.6 and described trellis A which is shown in the upper left-hand corner.

Christine Level, Board Member

You are just going to have these arches at certain spacing going down the trellis, these 2x2 HSS arches?

Grace Meeks, Applicant

Right, so that they create a framework for the landscape to hang from.

The Board continued discussion of the trellises (A,B,C, and D) and asked questions of Ms. Meeks.

Hearing nothing further, Chair Luthin asked if members of the public wished to speak on this item.

There were none.

Chair Luthin asked for Board deliberation.

Christine Level, Board Member

The Board asked them to make some revisions to the to the project and I think that they did that. I am satisfied with the revisions, however, I would like to add a caveat, which is me generally speaking, because I do not know if we ever really addressed this. One of the issues that we have had with the Design Review Board in the past is, we approve one thing, and then something else gets built. Sometimes, you can hardly recognize the building that got built. If we are going to approve this, I would like to see that if changes are made to this, that it gets brought back to the Board. It should go without saying, but it happens all the time. How do we deal with that?

Alan Montes, Associate Planner

In my experience, primarily elsewhere, minor changes can sometimes be handled by staff, unless it was something specifically touched on by the Board, in which case the changes would be brought back to the Board. I see no issue with adding that as a condition of approval.

Lars Langberg, Vice Chair

Thank you for making the changes in relatively short order. I think the "water tower" is much better. As you work on it further, it could still use a level of detail, it changed material, which looks much nicer, but it is still sort of a big unarticulated volume, but I think it is much better and I am fine with that. I still think the corner of the building needs more. I am a little surprised there is not a sunshade structure there, which you did have, I think, even a while back. That corner seems it will get the most sun of any of them. Besides that, helping reinforce the corner, which I brought up before, but it is nothing I would hold up the project for. I am glad the column bases have changed. The landscape, which I made a comment about earlier, I have reviewed it as best I can. It seems fine, but it is not my expertise.

Ron Hari, Board Member

I think it looks great.

Ted Luthin, Chair

I will echo what everybody else said. I really appreciate the response to the comments and how quickly you turned around the changes that were made. I like what you have done with the water tower feature. I was not adamant about the concrete bases, but it does look better without them. I appreciate the landscape, although similar to Vice Chair Langberg, it is not my area of expertise. The landscape looks good to me and I appreciate you coming back with information about the trellises. I do also echo what Board Member Level was saying as that has been an issue in the past. What we think we are going to get, and what we get can sometimes be two different things. I appreciate her comments on that. I am all for approval of this project to move it further down the road.

Lars Langberg, Vice Chair

Moved to approve this application as submitted.

Ron Hari, Board Member

Seconded the motion.

Ted Luthin, Chair

Invited discussion of the motion.

Christine Level, Board Member

I want to add in the caveat about project revisions. If anything changes, it should return to the Board. Associate Planner Montes brought up minor changes, I do not know where you draw that line. I think that, since it is in a prominent location, we want to keep our eyes on it. A lot of things can happen with a project when you start to look at the budget, see what it is really going to cost, and so on. I think we should keep our eye on this project because it is in a prominent location. I do not know how to word that, and I do not know how to draw the line between minor and not minor.

Alan Montes, Associate Planner

In my experience, that's director discretion. Typically, when I see a minor change, what I am looking at is, 1) did the Board previously look at or discuss this item, 2) does it change the actual physical appearance of the building, for example, if you are going from slate gray to dark gray, if it was not discussed, wasn't an issue, and wasn't a major concern of the Board, that could be a staff level modification or approval. If it is something significant that changes the look and aesthetics, such as, going from clear cedar to a redwood or something like that, that is something I would want to bring back to the Board. Anything that was previously discussed or identified as an issue by the Board in the past is something I'd want to get the Board's feedback on. I would review the minutes to make sure that the changed item was not discussed previously. That is how I would process it. It could also be phrased to require that changes return to the Board for review and consideration.

Christine Level, Board Member

I would think that changes like color changes, material changes, the shapes of the structures, any kind of change like that, would be significant, not minor.

Ted Luthin, Chair

Are you proposing to add that as a condition of approval?

Christine Level, Board Member

Yes, that is what I am suggesting.

Ted Luthin, Chair

Associate Planner Montes, can you craft a condition of approval to that effect?

Alan Montes, Associate Planner

Yes.

Lars Langberg, Vice Chair

That seems like something that we should just have as a blanket conditional approval for every project.

Christine Level, Board Member

I think so too. Absolutely. I am trying to protect against the surprise building that shows up.

Lars Langberg, Vice Chair

Right. This project is more prominent than many, so you have to be extra careful. But it seems like any project, because when it goes for plan check it goes back to Planning for another look and if they see something that is quite different, they should bring it back to the Board.

Christine Level, Board Member

We should be more specific because we have that building next to the Peter Lowell's building which changed substantially from what we approved, just as an example.

Lars Langberg, Vice Chair

If there is this standard condition, maybe we should revisit that at another meeting just to review that condition moving forward.

Ron Hari, Board Member

I agree with Vice Chair Langberg on this but as a separate issue, not pertaining just to this particular project at all.

Christine Level, Board Member

I am going to be particular. If the colors change, the shapes change, the materials change, it comes back to the Board. I am not anticipating that this will happen, but I think we should look at it, if that's the case.

Ron Hari, Board Member

That should be on any application, not just this one.

Christine Level, Board Member

I am being specific here as opposed to having nothing. Yes, it should be, but it is not.

Ted Luthin, Chair

Yes. This could be the first moving forward. I think that makes sense.

Members of the Board concurred.

Lars Langberg, Vice Chair

I think that is fine. Except, I like what Associate Planner Montes said on minor changes. Not every color change, as an example, should need to come back to the Board.

Christine Level, Board Member

That is where you get to that line in the sand. I do not know how to draw that line. I do not want it to be so vague that it could be anything, like if it goes from gray to orange. I agree if it is a shade of gray, but if it goes from gray to orange, as an example.

Ron Hari, Board Member

You guys are making this way too complicated. Why don't we just go ahead and vote, and we can talk about this some other time?

Lars Langberg, Vice Chair

Because one of the members of the Board wants to amend the motion.

Alan Montes, Associate Planner

I was just reading the findings, and I noticed that the condition that references approval of the plans references the wrong date, it should read December 1, not November 10.

The Board noted the correction.

Lars Langberg, Vice Chair

While we are waiting, we still have deferred submittals to review at some point for signage and exterior lighting, right?

Grace Meeks, Applicant

Yes, that is right.

Ron Hari, Board Member

I think we should have a separate meeting about the issue on changes to projects after approval.

Ron Hari, Board Member

Members of the Board concurred.

The Board continued to discuss potential changes to a project after approval and how that should be handled amongst themselves and with staff.

Grace Meeks, Applicant

We totally understand and, if there is any kind of change like you are talking about, we do plan on bringing it back to the Board.

Ted Luthin, Chair

Thank you. Our discussion has no reflection on you, or this particular project.

Christine Level, Board Member

I know you would do that, and I appreciate that.

Alan Montes, Associate Planner

Here is the language that I have used in my prior planning life:

The building techniques, materials, elevations, and appearance of this project as presented for approval by the Design Review Board on this date shall be the same as required for the issuance of a building permit. Any modifications to the approved plans shall be submitted to the planning department, in writing detailing the changes prior to submitting to the building division. Any future additions, expansions, remodeling shall be clearly detailed and submitted to the Planning Department, subject to review and approval of the Planning Director and the Design Review Board if necessary. That is kind of how I previously handled these types of situations. That gives us the ability to either do it in house or take it to the Design Review Board.

Lars Langberg, Vice Chair

That sounded good to me.

Christine Level, Board Member

That sounds reasonable to me.

Alan Montes, Associate Planner

I can bring that language over if the Board thinks it is appropriate. I can modify it to fit with Sebastopol.

Ted Luthin, Chair

That sounds reasonable. Vice Chair Langberg, are you amenable to that change?

Vice Chair Langberg amended his motion to include the language provided by Associate Planner Montes.

Board Member Hari seconded the amended motion.

The Board voted on the amended motion as follows:

AYES: Chair Luthin, Vice Chair Langberg, and Board Members Level and Hari

NOES: None

ABSTAIN: None

ABSENT: Board Members Beale and Bush

- 8. ADJOURNMENT:** Chair Luthin adjourned the meeting at 5:02 p.m. The next regularly scheduled Tree/Design Review Board meeting will be held on Wednesday, December 16, 2020 at 4:00 p.m.

Respectfully Submitted By:

Kari Svanstrom
Planning Director