TOWN OF MORAGA
DESIGN REVIEW BOARD AND
PLANNING COMMISSION STAFF REPORT

DATE: March 9, 2009 for the March 16, 2009 MEETING

ITEM: VII.A.

SUBJECT: **PRECISE DEVELOPMENT PLAN FOR THE PALOS COLORADOS PROJECT SUBDIVISION 8378 Richfield Investment Corporation (Applicant), Bigbury Company (Owner). Consideration and approval of the Precise Development Plan for the 123-lot Palos Colorados residential development project. The project is located on a 460-acre site with access from the east side of Moraga Road and 600-feet feet south of Sky-Hi Drive adjacent to the City of Lafayette. The Precise Development Plan is the third step in the three step process for approval of a planned development in the Town of Moraga. On May 7, 2007, the Planning Commission approved the Vesting Tentative Subdivision Map and Hillside Development Permit for the Palos Colorados project. The property is zoned 1-DUA (One Dwelling Unit per Acre), OS (Open Space) and OS-M (Open Space- MOSO). APNs: 256-370-004, 005, 006, 007 and 008.**

REQUESTED ACTION:
Adopt the attached draft resolution (EXHIBITS C) conditionally approving the Precise Development Plan.

BACKGROUND:
On February 23, 2009, the Planning Commission and Design Review Board considered the Precise Development Plan for the Palos Colorados Project. A copy of the meeting minutes is attached as EXHIBIT A. Also attached as EXHIBIT B, is a copy of additional information from the applicant in response to issues raised at the joint meeting.

As indicated by the meeting minutes, staff was asked to address the following topics:

- Public right-of-way and common area landscaping including a detailed landscape plan to include size, species and spacing of proposed landscaping material, water usage calculations, hardscape materials and color;
- Descriptions of driveways, proximity of driveways to one another, plans for retaining walls, location and height, information related to bio-filters and swales, potential to retain water and streetlight details;
- Trails to be constructed on the site, the width of the trails, the construction details, the trail locations, status of the Palos Colorados Design

Guidelines relative to the Town's approvals (approving the document or including portions of the document in the conditions of approval);
- Calculate a hypothetical FAR for lots over 20,000 square feet in area;
- Feasibility of pedestrian access to Campolindo;
- Review standard conditions of approval for all home approvals; and
- Review traffic signal.

Furthermore, the Design Review Board was asked to address the following:
- Chapter 3 of the Palos Colorados Design Guidelines;
- Plan prototypes;
- Landscaping;
- Fit matrix; and
- Massing, color and architectural features.

DISCUSSION:
Following is information regarding each issue that staff was directed to address:

1. Public right-of-way and common area landscaping including a detailed landscape plan to include size, species and spacing of proposed landscaping material, water usage calculations, hardscape materials and color

This issue is addressed in the applicant's letter of March 4, 2009 and the proposed landscape plans. This issue is further addressed in condition D.I.14 as follows:

D.I.14. The Applicant shall prepare a detailed landscape plan that includes a combination of native plants and trees in sensitive biological habitats (see Section 4.4 of the EIR) and native and ornamental plants and trees in non-sensitive locations. Common landscaping in the area of the project entry (Lots 1 through 16 and 111 through 123) facing Moraga Road and Sky-Hy development shall be completed as soon as practicable after rough grading of these lots is completed, and no more than 6 months, following completion of grading, unless approved by the Town. Species shall be selected in the non-sensitive habitat areas that favor more rapid growth and dense coverage, while still meeting the character of the Town. **The common area landscape plan shall be approved by the Design Review Board prior to the issuance of any grading permits.** (Mitigation Measure for IMPACT 4.9-2)

As noted in bold above, this issue is already addressed as a condition of approval and will require town approval prior to issuance of a grading permit.

2. Descriptions of driveways, proximity of driveways to one another, plans for retaining walls, location and height, information related to bio-filters and swales, potential to retain water and streetlight details

These issues are also addressed in the applicant's letter of March 4, 2009. Because the side yard setbacks are a minimum of 10 feet, driveways will be separated by at least 20 feet.

3. Trails to be constructed on the site, the width of the trails, the construction details, the trail locations, status of the Palos Colorados Design Guidelines relative to the Town's approvals (approving the document or including portions of the document in the conditions of approval);

The required trails are identified on the subdivision plans, East Bay Regional Parks District has agreed to accept the trails for public use. Construction of the trails must meet East Bay Regional Parks District standards. The 1999 Settlement Agreement condition regarding trails is as follows:

GDPSA.2-R-VTM. Trails
Settlement Agreement General Development Plan Condition No. 2
Easements on the Project site consistent with the trail locations shown on the General Development Plan for pedestrian dirt hiking trails and a combination pedestrian/bicycle trail shall be formally offered for dedication at the time of approval of the first final subdivision map for future public ownership, maintenance and use. The easement on the Project site shall be for use as a future public pedestrian hiking trail and combination pedestrian/bicycle trail system which shall generally connect with the East Bay Municipal Utility District (EBMUD) trail system of the Lafayette reservoir area and the East Bay Regional Park District (EBRPD) Lafayette/Moraga Regional Trail, and a north-south hiking trail on the western portion of the property along the existing fire road leading to the Rheem-Saratoga property line. The offer for dedication and its acceptance shall be contingent on the Town of Moraga identifying a public entity that is prepared to accept the easement and maintenance of the trails on or before approval of the Precise Development Plan. Richfield shall be required to make the improvement to the public combination pedestrian/bicycle trail and the dirt hiking trails only if the improvements and specifications for the trails are set forth by the Town of Moraga at or before approval of the Precise Development Plan.

Minor modifications to the final trail easement alignments may be proposed by the Applicant during construction of the Project, subject to the approval of the Town and the public entity accepting the easements for maintenance and liability purposes.

Prior to dedication of the trail easement to East Bay Regional Parks District, the Town will need to approve a plan for Town funding of the maintenance of the trails.

4. Calculate a hypothetical FAR for lots over 20,000 square feet in area;

The floor area ratio declines .002 for every 200 square foot increase in lot size. As a result, the maximum allowable dwelling unit size decrease as lot sizes increase for lots greater than 20,000 square feet. The maximum allowable floor area for lots of 21,400 square feet and 21,600 square feet is the same. For lots larger than 21,600 square feet the maximum allowable floor area actually decreases. The Town's FAR was not designed to be used on lots greater than 20,000 square feet. See attachment 1.

5. Feasibility of pedestrian access to Campolindo

The feasibility of this access is demonstrated in the attachment to the applicant's March 4, 2009 letter.

6. Review standard conditions of approval for all home approvals

Standard conditions for single-family residences in Moraga have been incorporated into the draft resolution.

7. Review traffic signal

A decision regarding installation of the traffic signal is not required until prior to occupancy of the 50th residence. The prior condition of approval reads as follows:

L.III.3. Prior to occupancy of the 50th residence, the Applicant shall install a signal at the Moraga Road/Project access intersection. With signalization this intersection would operate at LOS A (V/C 0.45) during both the a.m. and p.m. peak hours. Signalization would also aid northbound traffic flows on Moraga Road by providing, in conjunction with the signal at Campolindo Road, an increased number of gaps in traffic which would improve intersection operations north of the Project, including Sky-Hy Drive. The impact would remain significant without signalization. (Mitigation Measure for IMPACT 4.8-1, Project Access (westbound)/Moraga Road). *Compliance with this condition will be required prior to occupancy of the 50th residence unless the applicant can demonstrate that installation of the signal is not required due to elimination of the golf course.*

The applicant has provided information to the Town that indicates that the signal is not required but the Town is not obligated to make a determination with respect to this matter at this time. Rob Rees of Fehr and Peers, the Town's traffic engineer will be at the March 16, 2009 joint meeting to discuss this issue.

On March 9, 2009 the Design Review Board discussed the following issues as requested by the Planning Commission:

Chapter 3 of the Palos Colorados Design Guidelines
The Design Review Board discussed the relationship between Palos Colorados Design Guidelines and the Town of Moraga Design Guidelines. The Board may recommend specific revisions to the Palos Colorados Design Guidelines as appropriate if they are to be incorporated into the conditions of approval as recommended by staff. The Board discussed the possibility of discrepancies between the Town's guidelines and the project guidelines and recognized that the Town's guidelines should prevail in case of a discrepancy.

Plan prototypes
The Design Review Board discussed the sizes of the various prototypes and received information from staff about the inapplicability of the Town's floor area ratio (FAR)

guidelines for lots over 20,000 square feet (see attachment 1). The Design Review Board generally favored the 8 prototypes but had some reservations regarding the siting of Plan 7 and possibly Plan 6. The Design Review Board discussed the possibility of a condition of approval that would approved all 8 prototypes as semi-custom residences but require Design Review Board approval of the siting and landscape design for Plan 7 but only staff approval of the landscaping for Plans 1 through 6.

Landscaping

The Design Review Board discussed the condition D.I.14 (above) that requires Design Review Board approval of the common area landscaping prior to approval of the grading permit. The Design Review Board discussed the possibility of having different processes for different landscape installations such as DRB approval for the common area; staff approval for prototypes 1-6 and DRB approval for Plan 7.

Fit matrix

The Design Review Board discussed the fit matrix and the possibility of limiting the opportunities to site Plan 7. The Board also discussed the suggestion of Board Member Kline which is described in the email attached to this report. The Board briefly considered the difference between staff proposed plotting plan A and plan B.

Massing, color and architectural features

The Board recognized the work that went into the preparation of the Palos Colorados Design Guidelines. They generally found the guidelines useful but not a substitute for the Town Design Guideline. The Board again reiterated its thinking that the Town's Design Guidelines should govern in instances where there is a discrepancy between the project guidelines and the Town Guidelines.

On March 16, 2009, the Design Review Board should make recommendations to the Planning Commission on all of the issues identified above as requested by the Planning Commission.

RECOMMENDATION:

The Design Review Board should make a recommendation to the Planning Commission as requested by the Commission. If recommended for approval by the Design Review Board, the Planning Commission should adopt the attached draft resolution with revisions as appropriate.

RECOMMENDED PROCEDURES FOR THE MEETING:

Staff recommends that the Planning Commission and Design Review Board:

1. Hear the introduction from staff;
2. Ask questions of staff;
3. Receive a presentation from the applicant;
4. Ask questions of the applicant;
5. Receive public testimony;
6. Close the public portion of the meeting and discuss the issues as requested by the Planning Commission;

7. Have the Design Review Board make the requested recommendations to the Planning Commission
8. Have the Planning Commission consider the recommendation of the Design Review Board and adopt the attached draft resolutions (if appropriate) or continue the matter to a future meeting date.

ATTACHMENTS:
EXHIBIT A - February 23, 2009 joint meeting minutes
EXHIBIT B - Applicant information
EXHIBIT C - Draft resolution
EXHIBIT D - Plans
Prepared by: Lori Salamack, Planning Director

Attachment 1

Net Parcel Area (sq.ft.)	Floor Area Ratio (FAR)	Maximum floor area (sq. ft.)	Net Parcel Area (sq.ft.)	Floor Area Ratio (FAR)	Maximum floor area (sq. ft.)
20,000	0.230	4,600	28,000	0.150	4,200
20,200	0.228	4,605	28,200	0.148	4,173
20,400	0.226	4,610	28,400	0.146	4,146
20,600	0.224	4,614	28,600	0.144	4,061
20,800	0.222	4,617	28,800	0.142	4,089
21,000	0.220	4,620	29,000	0.140	4,060
21,200	0.218	4,621	29,200	0.138	4,029
21,400	**0.216**	**4,622**	29,400	0.136	3,998
21,600	**0.214**	**4,622**	29,600	0.134	3,966
21,800	0.212	4,621	29,800	0.132	3,933
22,000	0.210	4,620	30,000	0.130	3,900
22,200	0.208	4,617	30,200	0.128	3,865
22,400	0.206	4,614	30,400	0.126	3,830
22,600	0.204	4,610	30,600	0.124	3,794
22,800	0.202	4,605	30,800	0.122	3,757
23,000	0.200	4,600	31,000	0.120	3,720
23,200	0.198	4,593	31,200	0.118	3,681
23,400	0.196	4,586	31,400	0.116	3,642
23,600	0.194	4,578	31,600	0.114	3,602
23,800	0.192	4,569	31,800	0.112	3,561
24,000	0.190	4,560	32,000	0.110	3,520
24,200	0.188	4,549	32,200	0.108	3,477
24,400	0.186	4,538	32,400	0.106	3,434
24,600	0.184	4,526	32,600	0.104	3,390
24,800	0.182	4,513	32,800	0.102	3,345
25,000	0.180	4,500	33,000	0.100	3,300
25,200	0.178	4,485	33,200	0.098	3,253
25,400	0.176	4,470	33,400	0.096	3,206
25,600	0.174	4,454	33,600	0.094	3,158
25,800	0.172	4,437	33,800	0.092	3,109
26,000	0.170	4,420	34,000	0.090	3,060
26,200	0.168	4,401	34,200	0.088	3,009
26,400	0.166	4,382	34,400	0.086	2,958
26,600	0.164	4,362	34,600	0.084	2,906
26,800	0.162	4,341	34,800	0.082	2,853
27,000	0.160	4,320	35,000	0.080	2,800
27,200	0.158	4,297	35,200	0.078	2,745
27,400	0.156	4,274	35,400	0.076	2,690
27,600	0.154	4,250	35,600	0.074	2,634
27,800	0.152	4,225	35,800	0.072	2,577

Hypothetical FAR for Palos Colorados Lots > 20,000 square feet

Lot #	Lot Size	FAR factor	Sq. ft. residence	Lot #	Lot Size	FAR factor	Sq. ft. residence
1	24,773	.152	3,765	73	20,706	.222	4,597
3	21,786	.212	4,619	74	24,684	.182	4,492
4	23,790	.192	4,568	76	23,594	.194	4,577
6	26,897	.160	4,304	77	20,536	.224	4,600
7	27,050	.158	4,274	88	40,776	No calc	TBD
9	21,222	.216	4,584	103	27,685	.152	4,208
11	20,784	.222	4,614	107	23,142	.198	4,582
12	22,054	.208	4,587	108	24,529	.184	4,513
13	20,881	.222	4,636	109	23,996	.190	4,559
15	28,311	.146	4,133	110	21,148	.218	4,610
33	23,215	.198	4,597	111	21,152	.218	4,611
34	24,029	.190	4,566	112	21,607	.212	4,581
40	22,016	.208	4,579	113	23,632	.192	4,537
41	21,659	.212	4,592	114	25,273	.176	4,448
42	20,836	.220	4,584	115	25,281	.176	4,449
48	20,480	.224	4,588	116	25,055	.178	4,460
65	22,436	.224	5,026	117	23,877	.190	4,537
70	20,799	.222	4,617	118	22,794	.202	4,604
71	23,718	.192	4,554	119	22,613	.202	4,568
72	22,299	.206	4,594	120	20,984	.220	4,616

Palos Colorados Rev 3/2/08 Email from Jim Kline

The DRB recommends authorizing the Planning Dept. to permit the house plan prototypes shown on Richfield drawings A2, A3, A4, A5, A6, A7, A8, A9 and A10 all dated 4/22/2008 and A11 dated 2/18/2009 for PDP lot numbers in the table below, provided:

1. They do not exceed the maximum allowable floor area in the table below, and
2. They comply with GDP and VTM conditions of approval, and
3. They comply with the following sections of the Town of Moraga Design Guidelines: SRC, L1, L2, ID, SFR1 and SFR2. If there is a conflict, conditions already set during prior approvals shall apply. *(Should section RH be included?)*

PDP lot numbers are as shown on Richfield drawing A1 dated 4/22/2008. The DRB is not recommending approval or disapproval for anything else on drawing A1 or for the Palos Colorados Design Guidelines.

Where are the setbacks specified?

PDP lot #	Max. allowable floor area
2	4578
8	4150
14	4578
35	4533
36	4230
37	4159
39	4404
43	4599
44	4481
45	4418
46	4502
47	4614
49	4470
50	4192
51	4255
52	4226
53	4254
54	4206
55	4206
56	4255
58	4122
59	3947
60	4109
61	4229
62	4254
63	4226
64	4485
66	4378
68	4486
69	4578
75	4531
78	4600
79	4483
81	4246
83	4207
84	4293
85	4336
86	4314
87	4206
89	4440
90	4347
91	4287
92	4573
93	4369
94	4570
95	4212
96	4547
97	4467
98	4313
99	4318
100	4512
101	4467
102	4483
104	4435
105	4467