

**TOWN OF MORAGA
SPECIAL JOINT MEETING
PLANNING COMMISSION AND DESIGN REVIEW BOARD**

Moraga Library Meeting Room
1500 St. Mary's Road
Moraga, CA 94556

May 7, 2012

7:00 P.M.

MINUTES

I. CALL TO ORDER

Chair Levenfeld called the Special Joint Meeting of the Planning Commission and the Design Review Board (DRB) to order at 7:00 P.M.

ROLL CALL

Planning Commission:

Present: Commissioners Killam, Kline, Kuckuk, Obsitnik, Wykle, Chairperson
Levenfeld

Absent: Commissioner Socolich

Design Review Board:

Present: Boardmembers Escano-Thompson, Helber, Kirkpatrick

Absent: Boardmember Zhu, Chair Sayles

Staff: Shawna Brekke-Read, Planning Director
Kelly Suronen, Assistant Planner

A. Conflict of Interest

There was no reported conflict of interest.

B. Contact with Applicant(s)

There was no reported contact with applicants.

C. Swearing in of New Members

Planning Director Shawna Brekke-Read presented the Oath of Office to newly appointed members of the DRB; Boardmembers Helber and Kirkpatrick and newly appointed members of the Planning Commission; Kline, Killam and Kuckuk.

With the absence of DRB Chair Sayles, Chair Levenfeld asked for a motion to serve as the Chair of both the Planning Commission and the DRB for the purpose of this meeting

only. On motion and second, carrying unanimously, Planning Commission Chair Levenfeld was designated to chair the special joint meeting for both the Planning Commission and the DRB.

II. PUBLIC COMMENTS

There were no comments from the public.

III. ADOPTION OF THE CONSENT CALENDAR

- A. **Hetfield Estates.** CDP 02-05 for conceptual development plan to subdivide 58.2 acres of property into six single-family residential lots plus one remainder 51.45-acre common area parcel; (MOSO [Moraga Open Space Ordinance] zoning)
CONTINUE TO JUNE 4, 2012

On motion by Commissioner Wykle, seconded by Commissioner Obsitnik and carried unanimously to adopt the Consent Calendar, as shown.

IV. ADOPTION OF MEETING AGENDA

On motion by Commissioner Kline, seconded by Commissioner Killam and carried unanimously to adopt the meeting agenda, as shown.

V. PUBLIC MEETING

- A. **489 Moraga Road - Via Moraga Subdivision.** Conceptual Development Plan to subdivide 1.96 acres into 28 lots and construct detached single-family residences; (LC zoning).

Planning Director Brekke-Read presented the request from Signature Homes for consideration of a Conceptual Development Plan (CDP) to subdivide 1.96 acres into 28 lots and construct detached single-family residences. She reported that the project had previously been presented in study session to the DRB and the Planning Commission in 2011. The property owners had offered a proposal during a study session in January 2011 to construct 40 multifamily units, and a second study session in July 2011 to consider 21 single-family detached residences. Since that time Signature Homes had reconsidered the proposal. The Town's Economic Development Action Committee (EDAC) had held visioning workshops in August 2011 and from those workshops had received feedback with a desire for residential in the Rheem Valley Planning Area.

Ms. Brekke-Read explained that while the 2002 General Plan called for a Specific Plan in the Rheem Planning Area, on November 30, 2011 the Planning Commission and the

Town Council had met jointly and had accepted recommendations from EDAC including a General Plan Amendment for the Rheem Valley Planning Area.

Since that time, Ms. Brekke-Read explained that staff had also worked with Signature Homes and encouraged more density in response to the comments from the visioning workshops and feedback from the study sessions in 2011. The project is again before the DRB and the Planning Commission with three issues to be addressed: to identify an appropriate environmental document for the project; whether it would be appropriate to amend the General Plan and if so for what; and the kind of design that would be appropriate. She advised that the Town's Contract Planner would present that portion of the discussion and explained that a General Plan Amendment and rezoning would require Town Council approval. She added that no action would be made by the DRB and the Planning Commission at this time other than providing feedback to the applicant and staff on the current proposal.

Steve Hicks, Signature Homes, presented the Via Moraga project proposed for the former bowling alley site located at 489 Moraga Road. He introduced the members of the Signature Homes development team present in the audience, and described the site as bordering on the north and east by the AAAAA Rent-A-Space, the Rheem Veterinary Medical Hospital, a parking lot adjacent to the south with open space and residential development on the uphill fringes of the valley, and situated across the street from the Rheem Valley Shopping Center. An eight-foot existing sidewalk was identified with two driveways on the north and south for the former bowling alley site. He noted that the Town's General Plan and Design Guidelines provided for large lots, low density single-family detached, and provided for attached higher density but did not provide for compact single-family detached homes. He requested that the DRB and the Planning Commission provide direction on a Planned Development zoning with standards that would apply to the project. He added that he wanted to avoid comparisons to a different project.

Mr. Hicks offered numerous examples of what could be designed for the site based on Signature Homes' products currently being built in Northern California. He noted that the Z-Lock Concept would have less garage influence in the front of the homes. He described that concept as consisting of eight units to the acre with public streets, 40 x 80 foot lots, or 40 x 80 foot lots without the Z-Lock Concept with a 20-foot wide private drive shared by four to six homes and no visible garages from the street.

The Garden (I-Court) Concept consisted of ten units to the acre, 50 x 50 foot lots and 20-foot wide private drives with the garages not facing the public street, and a landscape area in between the homes accessing the front doors with private rear yard areas typically located between the homes. The Motor (T-Court) Concept consisted of a T-shaped driveway with six homes around the driveway with certain homes fitting on certain lots, with the driveways either facing the T-Court or out on the street with private fenced rear yard areas. The Alley Load Concept consisted of eleven units to the acre

with the front doors of the homes facing the public street, with 10-foot setbacks, and elevated homes with the garages to be located on the rear side but which would be limited to ensure a clean appearance.

Mr. Hicks also offered slides of townhome project examples that had recently been built to offer a contrast between the different types of products presented. He emphasized that the applicant was not proposing to build a townhome or condominium development.

Mr. Hicks explained that in January 2011 prior to the involvement of Signature Homes, the property owners had presented a site plan for a three-story, 38-unit townhome product to the DRB and the Planning Commission. When Signature Homes had become involved, a compact single-family detached product had been envisioned; a hybrid of an I-Court Concept with 18-foot driveways. The homes would face the internal streets and the backs of the homes would have private fenced rear yards. He acknowledged that staff had expressed concern with respect to density and the desire for more units on the site and the applicant had worked on additional layouts with an increased density of 21 units with a mix of different plans and widths but with the same concept with two access points to Moraga Road.

That site plan had been presented to the DRB and the Planning Commission during a workshop on July 18, 2011. Feedback from that workshop included comments that it would be better to have one rather than two access points and more front doors along Moraga Road. A revised site plan had been proposed with the front doors facing Moraga Road as part of an Alleyway Concept, with walkways out onto Moraga Road in a six-lot design with the driveways facing towards the rear and where the rest of the homes would be front loaded with front doors onto the street and private rear yards all around. This concept consists of 26 single-family detached alley-loaded units; six units facing Moraga Road, eight guest parking spaces at the entry, and another four guest parking spaces at the rear of the project, four more alley-loaded units in the middle and an open space and water quality basin also located in the middle, and around the outside of the project the units with the front doors would face out onto the public street.

Jill Williams, KTG Architecture and Planning, presented the architectural design elements of the homes along Moraga Road with the applicant open to discuss style, solar orientation, and the like. She offered the scale of what was being proposed with all front doors in a nice width, the homes facing out and landscaping of the front area, with the use of a Spanish motif with authentic detailing, recessed windows, ironwork, scallop detail, tile roofs, and enclosed eaves.

Ms. Williams offered photo examples and elevations of the detailing that had been proposed. The homes would be visible from all angles with the design details to be run throughout. She stated that Signature Homes was experienced with high density detached homes and given that experience, with the number of units that had been proposed, the appropriate design for the density was intended to achieve the most with

what was available with parking controlling much of the design, with two-car garages attached to the homes as preferred in the marketplace.

Ms. Williams explained that the garage doors of the homes would be a main part of the façade with accent details on the garage doors, the front doors would also be embellished with accents such as through the use of arbors in the Spanish architecture, with the intent to either blend or stand out, and with existing surrounding uses also using the Spanish design elements. She noted that the different plans would involve different orientations with the first floor living space to be very open and with different bedroom counts in the upstairs two-story configuration.

Mr. Hicks added that the lot lines would run down the middle of the buildings with the side yards coming to the edge of the neighbors' homes maximizing the outdoor usable space. The outdoor usable spaces would be towards the rear and sides of the buildings for the Alley Load Concept. He commented that the essential open space would be provided with a walk to the shopping aspect important to the community, single roadway access to Moraga Road, front loaded homes and front doors facing Moraga Road, and with the single-family detached aspect important to Signature Homes regardless of the density providing attractive housing for young and new families in the community. A Homeowner's Association (HOA) would also be formed to maintain the streets within the development and the front yards along Moraga Road and throughout the development.

Mr. Hicks asked the DRB and the Planning Commission to determine whether or not the density that had been proposed was appropriate for the site. If not, he asked what density the DRB and Planning Commission would consider to be appropriate. He offered a field trip to staff, the DRB, and the Planning Commission to view examples of Signature Homes' products in the Bay Area.

Mr. Hicks also asked for input as to whether a single point access or the two driveways to the former bowling alley site were necessary and important to the design, whether it was appropriate to establish development standards, whether the guest parking ratio of .46 parking spaces per unit plus two garage parking spaces was appropriate, and whether a Mitigated Negative Declaration (MND) would be sufficient for the environmental findings. He noted that the only thing that a focused Environmental Impact Report (FEIR) would provide would be an alternative analysis.

In response to the DRB and Planning Commission, Mr. Hicks commented that of the scenarios he had presented, a 13-unit per acre combination could be a combination of the Alley Load and the I-Court Concepts. The actual square footage of the homes would be in the range of 2,900 square feet. He also clarified the intent of a Planning Development (PD) product which would establish the setbacks and would essentially involve a custom zoning ordinance typically used for projects of the subject density.

John Bayliss, Executive Vice President, Signature Homes, advised that the price point for the homes had been envisioned in the high \$500,000 to mid-\$600,000 range. He

commented on the past project iterations for the property and the original proposals for townhome/condominium development which would not be feasible economically. He noted that suburban condominiums must also have garages and from a marketability standpoint, they must be attached garages given the location and density. He commented that the homes that had been proposed would be a low maintenance alternative for those homeowners moving down and although the units had stairs, based on studies they were not an issue for most people. He added that a prior proposal for 38 condominium units had not included the C.3 drainage requirements and once applied six to eight units would have been lost with higher construction, litigation, and insurance costs but with lower unit prices making that project economically unfeasible.

Bob Pendoley, Town of Moraga Contract Planner, reported on the staff review of the project as presented by the applicant based on the Town's Design Guidelines, consistency with the General Plan, and environmental constraints. The property was located in the Rheem Park Specific Plan Area, with General Plan Policy LU3.2 calling for no development in the neighborhood until a Specific Plan had been prepared. In the meantime, the 1990 General Plan and Zoning Ordinance would apply and had designated the property for Limited Commercial which would not allow residential uses; however, the Town Council and Planning Commission had indicated an interest in doing away with the requirement for a Specific Plan. He noted that the Town may develop a vision for the Rheem Park Area with a recommendation for Mixed Use, a combination of commercial and residential.

Mr. Pendoley explained that the area was a good location for infill, retail/office, research and development, and a high-quality design with an emphasis on bicycle and pedestrian circulation. The Land Use Element of the General Plan also discussed appropriate locations for medium density development.

Mr. Pendoley asked the DRB and Planning Commission to determine whether or not there were specific concerns with respect to deleting the Specific Plan requirement and to identify the best use of the site and what could be achieved with the property. He emphasized that in terms of future zoning a Planned District zoning made the most sense to offer flexibility. He asked for input on those discussion points at this time.

When asked, Mr. Pendoley commented on the benefits of the preparation of a Specific Plan which while comprehensive to the project site would be costly, which costs would be borne by the Town and require the preparation of an EIR. The project site was a small area with less demand for a Specific Plan.

On the discussion of a Specific Plan, Ms. Brekke-Read explained that the site had been designated under the 1990 General Plan and Zoning Ordinance as Limited Commercial and something would have to change to allow new development not consistent with Limited Commercial. She cautioned against lifting that requirement altogether, and recommended a General Plan Amendment that would remove the Specific Plan

requirement for all of the Rheem Park Planning Area but leave the designation of the parcel unchanged.

On the point of General Plan consistency and land use policies, the DRB and Planning Commission offered the following comments:

- Concerns were expressed with the project's marketability to families with young children, questioning where the children would play given the lack of amenities and concerns with the speed of traffic along Moraga Road;
- As to the deletion of the Specific Plan process questions were raised on what the Town would be losing by deleting that requirement;
- Concerns were expressed with the review of the project at this stage absent a traffic study which may highlight the need for a traffic light or pedestrian crossing to the Rheem Valley Shopping Center located across the street; and
- Concerns were expressed with the potential for the Association of Bay Area Governments (ABAG) approval of a Priority Development Area (PDA) for the Rheem Planning Area subject to improved timing between bus routes.

Ms. Brekke-Read clarified that as shown in the May 7 staff report, the Town had applied for a PDA for the Rheem Planning Area which would allow the Town to be positioned to receive more grant funds in the future. ABAG had conditionally approved the application subject to the Town's requirement for 20 minutes between buses at that location. At this time, the ridership was not available to support the 20-minute headway requirement between buses although staff was working to accomplish that timeline.

Mr. Pendoley spoke to the environmental constraints and commented that the Environmental Consultant had identified two issues of focus; drainage and traffic. It was likely that the project could be approved with an MND which would be confirmed through the preparation of the Initial Study pursuant to California Environmental Quality Act (CEQA) requirements. The Town has contracted with Baseline Environmental to evaluate the drainage standards which had found that the basic design was appropriate to meet the Town's drainage requirements although further details remained to be worked out. The basic drainage plan called for permeable pavement near the entry driveway and a large bio-detention basin in the center. In terms of traffic, the basic findings found that the project would not change the Level of Service (LOS) at the two signalized intersections serving the property which operated at an LOS of C. The intersection of the driveway to the shopping center at Moraga Way met the warrants for a traffic signal and the traffic study had found that vehicular traffic would not have that much of an impact if the project was constructed, although there would be more pedestrians needing to cross Moraga Road to reach the shopping center such as through a traditional green stop light.

The Town's traffic consultants, Fehr & Peers, had offered hybrid options for pedestrian crossings such as a pedestrian hybrid beacon, pedestrian-activated lights warning oncoming vehicles of pedestrians in the crosswalk, and a pedestrian-activated Rapid Flashing Beacon.

As to who would pay for the traffic improvements, Mr. Pendoley advised that the developer would be asked to pay for those improvements as a result of the development.

Ellen Poling, Fehr & Peers, described the traffic signalized options and commented that a median could be another option that could be considered. She noted that the hybrid beacon would require a median.

A full traffic signal would be a standard installation providing pedestrians a high-quality protected crossing. The Corliss Drive traffic improvements at Campolindo Drive previously approved by the Town Council would involve the use of Rapid Flashing Beacons.

On the point of environmental constraints and traffic, the DRB and Planning Commission offered the following comments:

- Recommendation for an island in the middle of the intersection rather than the flashing light signal options;
- Recommendation for the consideration of a full traffic signal for the project;
- Recognized that Ascot and Donald Drives were on different controllers and another potential traffic light would require a controller to synchronize all lights;
- Concerns were expressed with the possible stacking of street lights along the scenic corridor along Moraga Road, with a recommendation for a less visual impact with consideration of traffic calming devices along with the flashing beacons;
- The project is considered residential and it was imperative to also consider the entire length of Moraga Road through the Rheem Valley Area and take into account the scenic corridor, recognizing the increase in pedestrian traffic with a recommendation to not use the hybrid flashing beacon option within 200 feet of a warranted traffic signal; and
- In the event the Initial Study found the requirement for a focused EIR impacts to evaluate should include traffic (pedestrian and vehicular connectivity), drainage and consistency with land use controls, General Plan and zoning regulations, and visual impacts, simulations, and aesthetics.

Mr. Pendoley commented on the design issues and explained that as outlined in the staff report staff had taken a strict interpretation of the Town's Design Guidelines although the Planning Commission, DRB, and the Town Council had the discretion to interpret those design guidelines. Staff found that the project would not satisfy many of the design guidelines for both single and multifamily housing and some of the issues included a lack of pedestrian amenities with no sidewalk separated pathways for bicycles and pedestrians, the design effect of so many garage doors close together resulting in a tunnel effect, and no common open space for gatherings and children to play.

Mr. Pendoley noted that the external design issues along Moraga Road had been outlined in the staff report. He described the project as a hybrid of the design guidelines, but acknowledged that the developer had done what he had been asked to do, to bring in a higher density development with single-family detached units providing good housing for empty nesters and those starting out, with housing across from the shopping center.

Mr. Pendoley asked the DRB and Planning Commission to consider whether or not the Town's Design Guidelines were appropriate for the hybrid design, whether that portion of Moraga Road should be in the scenic corridor, and whether a single-family detached project at this density was appropriate for the site.

Mr. Pendoley also spoke to the external views of the project in terms of hillsides, ridgelines, and setbacks, and the walled effect along Moraga Road. He noted that the design guidelines and corridor standards called for the preservation of hillsides and ridgelines along the scenic corridor with the ridgelines of the proposed homes to be 30 feet back from the sidewalk, 25.7 inches from grade, with the vertical lines 33 feet behind the sidewalks scaled against automobiles. He suggested that the setbacks along Moraga Road were an issue and identified the setbacks for the existing uses in the area; the mini-self storage, residences, office complex, and veterinary hospital. The scenic corridor guidelines called for a greenbelt along the roadway or setbacks of at least 20 feet for single-family detached homes. The mass of the buildings had been exacerbated since they would be close together most visibly as one drove down the road. He suggested that the issue could be mitigated through the movement of the setback farther back or with second-story step backs with the homes required to be significantly smaller in size.

The scenic corridor guidelines also did not want a walled-in effect and the first four buildings north to south, as designed, would create a walled-in effect on the street. The same types of mitigation measures could be considered such as increased setbacks and the changing of units to one story and also requiring a reduction in the size of the units.

Mr. Pendoley asked the DRB and the Planning Commission to consider the importance of the viewshed along this portion of Moraga Road and asked whether that part of Moraga Road should be within the scenic corridor.

On the points related to design guidelines, visual impacts, and questions regarding the scenic corridor, the DRB and Planning Commission offered the following comments:

- Opposed changing the boundaries of the scenic corridor for one project emphasizing the importance of the scenic corridor to Moraga residents;
- Suggested that the environmental documents clearly evaluate the potential visual impacts to better define the potential impacts associated with the development;
- Supported residential development on the property but not at the expense of the scenic corridor;
- Suggested that the massing of the buildings could be better mitigated with architectural design elements that better complemented the surrounding natural environment;
- Emphasized the importance of appropriate setbacks from the back sidewalks;
- Suggested that the walled-in effect could be mitigated by different elevations for different units, mitigation through the landscaping plan, or off-site improvements on the sidewalk such as through traffic calming measures or vegetation into the sidewalk with a meandering path rather than a straight sidewalk;
- While not opposed to the use of story poles, recommended the submittal of a computer rendering of the proposed design and development;
- Not all Commission or DRB members were convinced that only one entrance into the development should be considered;
- Recommended that the guest parking currently located within the setback at the entrance of the development should be considered to be relocated outside of the setback; and
- Requested mitigation measures to mitigate the views of the homes in the rear that would have views of a high, flat wall.

Mr. Pendoley referenced the circulation issues and the design guidelines for vehicles, bicycles, and pedestrians, the space constraints, and noted that all of the buildings would be set back four and a half feet from the street with the Town's Design Guidelines speaking to variance setbacks and concerns with tunneling effects **with**

narrow setbacks. There was also no ability to provide solar access given the density of the units and the only way to provide that would be through smaller or fewer units.

Mr. Pendoley reported that another issue related to limited yard area, with the architecture using faux zero lot lines with an easement on one side of the home to allow for access to the faux zero lot line, with limited yard space, and limited room in the front to soften the landscaping.

Mr. Pendoley referenced the design guidelines for the treatment of the facades of the homes which would have to be flexible with the Spanish architecture using light whites, grays, and beiges. The intent was to not allow the same elevation within 300 feet of one another. While the applicant had proposed a variation of the rooflines, that proposal was not as effective as the design guidelines had recommended. Also, two side-by-side two-story buildings were not allowed based on the design guidelines and not more than two adjacent units were to have the same setbacks. Given the limited variety with all homes the same height, the same setback, and the same color, there would be monotony and the Planning Commission and the DRB would have to consider whether or not to be flexible with the design guidelines. He added that the design must also be one of harmony and continuity, not repetition and monotony, and the design was more of a monotony given the proposed architecture and the garage doors so close together.

As to whether or not 13 units to the acre of single-family detached housing was feasible, Mr. Pendoley offered an example of a development located on Bainbridge Island, which involved smaller homes with the garages removed and with a parking lot designed to eliminate the need for a street. If applied to the subject development, the homes could be 400 square feet smaller in size and the setback and variety issues could be addressed although he recognized that such a design was not for everyone.

Mr. Pendoley asked the Planning Commission and DRB to consider the usefulness of the design guidelines for the proposed hybrid design that had been proposed, what part of the design guidelines were useful based on the first impression of the presentation, and whether some of the design guidelines should be amended.

On the points raised with respect to the Town's Design Guidelines, the DRB and Planning Commission offered the following comments:

- Concerns were expressed with respect to modification of the Town's Design Guidelines for one project possibly setting a precedent for future developments;
- Recognized similarities of the proposal to the Carroll Ranch development which had been done as a Planned Unit Development (PUD), with many of those units duets possibly addressing the concerns with respect to precedence;

- Recommended that across the board standards should be considered for development for this project and future projects of a hybrid concept;
- Concerns as to whether a single-family detached development could be too dense, noted the lack of a common space to allow a space for gathering, and noted the lack of sidewalks, with no place or amenities for children to play;
- Recognized that some of the design guidelines may need to be flexible although there was a desire to keep as many as possible that made sense acknowledging there was some room for change;
- Questions raised regarding the parking requirements for the development with limited guest parking at the front where the traffic was located;
- Suggested that the site would be better suited for senior rather than family housing;
- Supported the fact that the homes would front Moraga Road;
- Supported the concept of a hybrid single-family detached development although concerns remained with the appropriateness of the density that had been proposed; and conversely if the density could be adequately mitigated there may be support for the density that had been proposed;
- Emphasized the importance of safe pedestrian connectivity from the site to the Rheem Valley Shopping center;
- Emphasized the need to provide quality of life for those who could be residing in the development, such as the need for common space, need to address the potential visual impacts of the development from traffic along Moraga Road, ridgelines and hillsides;
- Need to orient pedestrian access within the development itself around pedestrian access and safety; and
- Noted the lack of amenities on this side of Town with no regional trail or park as provided closer to Moraga Commons.

PUBLIC COMMENTS OPENED

Dale Walwark, a resident of Camino Ricardo, Moraga, suggested that there was no need for a stop light at the entrance to the Rheem Valley Shopping Center given the separate lane for turning. With respect to the setbacks, he noted the controversy with the AAAAA Rent-A-Space facility on the setback requirements and he urged

compliance with the required setbacks particularly given its location within the scenic corridor. He questioned the lack of affordable housing as part of this development which he understood was a requirement of the State, questioned who had pushed for an increase in density, and suggested that the density may be too great for the property given the required setbacks which would make the project less desirable and result in fewer units.

Mr. Walwark recognized the challenges in developing the site given that it was zoned commercial with no interest in commercial development but stated that any residential use must address the issue with respect to safe pedestrian crossing.

H. Goldenberg, General Partner of 533 Moraga Road, the nearby office building, generally favored development and suggested that a prior 21-unit development, which had included driveways, made sense given the limited parking and density. He expressed concern with overflow parking affecting his property, sought a development that was marketable, urged the consideration of an appropriate development that would accommodate and mitigate bicycles/pedestrians and its location within the scenic corridor, and recommended fewer units where outdoor space and additional parking could be provided. He otherwise understood that the Moraga-Orinda Fire District (MOFD) would dictate whether one or two entrances/exits would be required for the development.

Emma Werner, Moraga, questioned the recommendation for the inclusion of a median at Moraga Road suggesting that there was nothing for pedestrian traffic inside the development. She questioned how pedestrians would reach the sidewalk to cross the street to the Rheem Valley Shopping Center and questioned the potential visual impacts in the scenic corridor.

An unidentified resident of Williams Drive, Moraga, was mildly in favor of some kind of project given the vacant eyesore of the site for the past three years, agreed that commercial development would not be appropriate and therefore supported residential development. As a pedestrian who walked to the Rheem Valley Shopping Center from her residence, she noted the difficulty in safely crossing the street and expressed concern with the speed of traffic in the quasi-rural environment. She supported pedestrian access and connectivity in a project with adequate parking.

Greg Miller, Civil Engineer for Signature Homes, commented that the description of the site plan was bleak and he clarified that they would have units going in both directions, roadways in opposite directions, and opposing units with garages next to one another would be in two locations and in each case two against two, otherwise a garage to a side situation and some units were against the open space. There were limited situations where there would be a tunnel effect with a continuous stretch of units on each side. He identified the ridgeline of the homes showing a clear view of the ridges noting that the nearby office building was as high or higher than the residential and in

that location there were ridges that would not be obstructed other than instances where standing right next to or viewing up to a home.

Mr. Hicks thanked everyone for their comments and he too clarified the views of the site, once constructed.

As to the appropriateness of 13 units to the acre, Mr. Hicks asked the Planning Commission and DRB if a reduced density single-family detached development would be appropriate for the site. As to whether or not single stories would be acceptable, he commented that to reduce the units to single story may not be the most appropriate use of the site given the intent to have more shoppers walk to the commercial centers although he stated that the site plan could be revised to mitigate some of the issues that had been raised.

PUBLIC COMMENTS CLOSED

Commissioner Obsitnik recommended that the project be reduced from 13 units to the acre to be viable based on the comments in terms of making the area a community where people would want to reside and walk across to the Rheem Valley Shopping Center, while recognizing that the market would dictate viability and usage.

DRB Member Kirkpatrick spoke to the adequacy of an MND and whether or not a focused EIR should be prepared. He understood that an Initial Study would determine the requirement for a focused EIR although he would like to see focus points on the pedestrian crossing, traffic, traffic speeds, and drainage issues.

DRB Member Escano-Thompson liked the project, agreed that the vacant lot had been an eyesore, suggested that medium density housing would be appropriate for the location, and agreed that a reduction from 13 units to the acre would be more appropriate.

Commissioner Killam agreed with the comments offered by DRB Member Escano-Thompson.

Commissioner Kuckuk wanted to see a medium density residential development succeed at the subject location and suggested it was in the best interests of the Town to prepare an Initial Study.

DRB Member Helber suggested that the Town should proceed with an Initial Study to determine the level of environmental analysis that would be appropriate.

Commissioners Wykle and Kline also agreed with the need to proceed with the Initial Study and follow the CEQA guidelines.

Commissioner Wykle commented on the fact that when EDAC had made its recommendations to the Town Council it did not want to lose the momentum that had been made and there was agreement that a General Plan Amendment would be faster and easier than a Specific Plan although he had thought it would be an appendix to the General Plan. He described the site as unique and the center of the Rheem Planning Area and asked staff of the various steps for the approval process for the project.

Ms. Brekke-Read commented that the project would likely be a Planned Development with the Planning Commission and DRB reviewing the project as a whole. The process staff foresaw was that the applicant would do more work. The Planning Commission would consider the appropriateness of the density and the layout from a land use point of view and how it would fit in with the neighborhood. The DRB would provide feedback and advice on the site design, architectural design, and landscape.

The Planning Commission would determine whether or not the Initial Study was adequate and the impacts mitigated or if an EIR would be appropriate. The Planning Commission would then make a recommendation to the Town Council on the environmental document and the applicant would do more work prior to DRB review.

Ms. Brekke-Read advised that staff would be recommending in the Capital Improvement Program (CIP) this year a project for Livable Moraga Road for a transportation grant expected from the Contra Costa Transportation Authority (CCTA) from Measure J funds which would be a yearlong study to evaluate the Moraga Road Corridor between Donald Drive up to Campolindo Drive including the Rheem intersection, and which would include a combination of traffic analysis, modeling and function for vehicles, pedestrians, and bicyclists.

Commissioner Wykle appreciated the developer's efforts to redevelop the site and supported more planning to confirm that residential was the highest and best use of the site.

Commissioner Wykle suggested that there could potentially be research and development on the site since Saint Mary's College (SMC) was in the process of expanding its research and development facilities. He emphasized that the development of the property would have long-lasting impacts in the Rheem Planning Area and he urged planning for the highest and best use for the Town.

Chair Levenfeld recognized that the property had been vacant for some time, that the developer had brought a proposal to the site, and that the ability to build on the site would dictate the highest and best use. She was uncertain how much more time was needed to study the potential for development on the site while potentially losing the opportunity from Signature Homes. She did not want to discount the option of further study for a Specific Plan given the amount of work already done and needed to be done for the Rheem Planning Area.

Ms. Brekke-Read asked the DRB and the Planning Commission whether or not it was appropriate for the environmental document or staff analysis to bring back the larger policy question. She asked how that process could be accomplished either through a year-long process or through another method.

Commissioner Wykle sought an alternative analysis which could be completed through a six-month discussion process. He suggested that the residential alternative could continue to mature but suggested there were other alternative uses and potential users that could be explored.

Ms. Brekke-Read commented that an EIR would require an alternative analysis and asked if that would address Commissioner Wykle's concerns.

Commissioner Wykle commented that he was not suggesting that a full EIR needed to be done at this time. He recommended that an Initial Study, CEQA sequence, and evaluation with the Town's Design Guidelines be followed, otherwise the property would remain designated for Limited Commercial with a Specific Plan or a General Plan Amendment required.

Amy Skewes-Cox, Environmental Consultant, advised that an Initial Study/MND would not provide an alternative analysis but would be part of a focused EIR which would focus on specific topics of concern. The purpose of CEQA when considering the proposed project was that the impacts be reduced and they would have to start with the proposed project and pursue a General Plan Amendment, rezoning, and specific Tentative Map for the number of units proposed for the site. The alternative analysis would have to consider fewer units.

Chair Levenfeld commented that the property owner had initially considered other commercial uses on the site including rebuilding the former bowling alley although those projects had proven not to be economically feasible.

Commissioner Wykle suggested that past history could be part of the alternative analysis. He recommended that some planning be done and he did not want to eliminate the possibility for a Rheem Center Specific Plan, with the project to have its own set of rules.

In terms of the proposed design, Commissioner Killam suggested that the idea of a lower density was worth pursuing.

DRB Member Kirkpatrick suggested that the existing setbacks established by the veterinary clinic and commercial building would be more appropriate.

Commissioner Wykle liked the renderings that had been provided by the applicant and would like to see more of those in the staff report to provide a better idea of the aesthetics of the potential development.

Commissioner Kline commented that in terms of the setbacks, landscaping and height would also affect the viewshed. The most important concern he had with the project was the protection of the scenic corridor.

Chair Levenfeld wanted to see less density to create more living space more consistent with the design guidelines, suggested that there were too many units and not enough amenities, and suggested it would be a good idea to work with the new study along Moraga Road to incorporate potential pedestrian mitigations absent a stop light to calm traffic and make it safer for pedestrians.

VI. ROUTINE & OTHER MATTERS

There were no routine or other matters.

VII. REPORTS

A. Planning Commission

There were no reports from the Planning Commission.

B. Staff

Ms. Brekke-Read reported that the DRB would meet again on Monday, May 14 to consider a single-family addition on Canyon Road within the scenic corridor.

The Planning Commission would meet again on May 21 with six agenda items including an item for SMC Recreation Center which would be another joint meeting with the DRB given the number of required entitlements. It was likely that meeting would begin earlier for that item and end at 7:30 P.M. to allow the Planning Commission to proceed with the remainder of its agenda. The other items on the May 21 Planning Commission agenda included the annual presentation of the CIP, General Plan Annual Progress Report related to Measure J, a Use Permit for the Rheem Center, and a potential approach to Moraga Municipal Code (MMC) rezoning.

Ms. Brekke-Read added that the Moraga Chamber of Commerce had reported that it would be providing Fourth of July decorations in store windows and staff would like to inform the DRB and the Planning Commission that staff defined the efforts as set decorations and not as signage required to comply with the MMC.

Commissioner Killam reported that he had attended the Planning Conference in San Jose last week which had been useful.

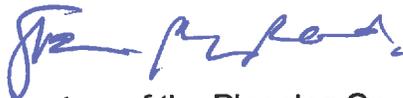
Chairperson Levenfeld reported that she had attended the April 23 meeting of the DRB which had unanimously approved an application to modify the exterior of the building and signage for a beauty salon and outdoor café, and an emergency radio equipment communications system for first responders to be placed at the top of Alta Mesa.

VIII. ADJOURNMENT

On motion and second to adjourn the Design Review Board meeting at approximately 10:00 P.M. to a regular meeting of the Design Review Board on Monday, May 14, 2012 at 7:00 P.M. in the Moraga Library Meeting Room located at 1500 St. Mary's Road, Moraga, CA 94556.

On motion by Commissioner Kline, seconded by Commissioner Obsitnik to adjourn the Planning Commission meeting at approximately 10:00 P.M. to a regular meeting of the Planning Commission on Monday, May 21, 2012 at 7:00 P.M. at the Moraga Library Meeting Room, 1500 St. Mary's Road, Moraga, California.

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Secretary of the Planning Commission