

**TOWN OF MORAGA  
PLANNING COMMISSION MEETING**

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

January 7, 2013

7:00 P.M.

**MINUTES**

**I. CALL TO ORDER**

Chair Levenfeld called the Regular Meeting of the Planning Commission to order at 7:00 P.M.

**ROLL CALL**

Present: Commissioners Kline, Killam, Kuckuk, Chair Levenfeld

Absent: Commissioners Obsitnik, Socolich

Staff: Shawna Brekke-Read, Planning Director  
Doug Herring, Consultant Planner

**B. Conflict of Interest**

There was no reported conflict of interest.

**C. Contact with Applicant(s)**

There was no reported contact with applicant(s).

**II. PUBLIC COMMENTS**

There were no comments from the public.

**III. ADOPTION OF THE CONSENT CALENDAR**

- A. November 5, 2012 Joint Meeting Minutes**
- B. October 15, 2012 Minutes**
- C. October 1, 2012 Joint Meeting Minutes**
- D. August 6, 2012 Minutes**
- E. July 16, 2012 Minutes**
- F. July 2, 2012 Minutes**

On motion by Commissioner Kuckuk, seconded by Commissioner Kline and carried unanimously to move the Consent Calendar to Item VI, A. Routine and Other Matters.

**IV. ADOPTION OF THE 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. Camino Ricardo Subdivision - Proposed by SummerHill Homes.**  
Discussion of the revised site plan for the Camino Ricardo Subdivision. The 27-lot subdivision includes 26 single-family residential parcels and one open space parcel.

Planning Director Shawna Brekke-Read explained that the intent of the discussion was to allow the applicant, SummerHill Homes, the opportunity to present the project. She introduced Consultant Planner Doug Herring.

Consultant Planner Doug Herring presented the revised site plan for the Camino Ricardo Subdivision based on input from the Planning Commission, the Design Review Board (DRB), and residents during a Joint Planning Commission and DRB meeting on October 1, 2012. He highlighted the project site which consisted of 14.26 acres on Camino Ricardo; 900 feet north of Moraga Way; south of Hardy Drive; located on a hilly, long, and narrow site; covered primarily by a former walnut orchard; with Laguna Creek running along the eastern boundary; and Corliss Tributary crossing over two dense riparian corridors. The project site was located in the northern portion of the Moraga Center Specific Plan (MCSP), designated Residential 3-dwelling units to the acre (DUA), and while zoned 3-DUA the project would require rezoning to Planned Development District (PD).

Mr. Herring compared the revised plan to the previous submittal with both plans intended to develop the western half of the subdivision and leave most of the eastern half permanent open space and dedicated park. Both plans would provide for single access off of Camino Ricardo via a single private internal street to terminate at a turnaround at the eastern end. The revised plan had reduced the number of homes from 28 to 26; replaced two of the units facing Camino Ricardo with a landscape buffer of rows of orchard trees; added curvature to the street incorporating undulations; oriented the homes to the internal street; shifted the internal street to the south to improve sight distance; widened the internal street width adding a landscape median to the entrance; increased lot sizes by approximately 20 percent, with new lots ranging from 7,528 square feet to 22,765 square feet and with an average size of 12,599 square feet; larger lots had been located on the north side of the street closest to the existing homes to the north; lots on the northern side of the street would range from 13,084 square feet to 22,765 square feet with varied lot widths and shapes at the front and rear, widths of the lot frontages varying from 42 to 200 feet, rear lot widths varying from 42 to 189 feet; and added variation to the front setbacks.

There would be increased separation between the homes with a minimum of 20 feet and up to 42 feet between buildings at the second story.

The revised plan also included customized front entries and landscape treatments; a future road connection to the property to the south had been shifted about 250 feet to the west and now occurs mid-block rather than at the end of the street breaking up the stretch of homes on the south side of the street with the end of the street now a traditional cul-de-sac; a continuous 4.5 foot sidewalk had been added on both sides of the street rather than only on the north side; a 38-foot street right-of-way included two 10-foot travel lanes and an 8-foot parking lane, sidewalk and 0.5 foot curbs. The right-of-way would be 56 feet at the entrance including the landscape medians, and three homes would have side entry garages (Lots 7, 9, and 20) with the majority to remain oriented where both front doors and the garages would face the private street. A combined access road and pedestrian trail had been extended south along Corliss Tributary and the open space area to the proposed outfall; the pedestrian trail continued south to the adjacent property; substantially increased grading would be required and the off-haul increased from 8,000 cubic yards to 25,000 cubic yards with the placement of fill on Parcel E to remain at 21,000 cubic yards; and there would be an increased number of retaining walls with a maximum height of 4 feet with added curvature to some of the walls, all to be screened with landscaping.

Mr. Herring explained that both the planning code and the MCSP had established a minimum lot size of 10,000 square feet, and noted that the General Plan allowed clusters on lots of less than 10,000 square feet subject to Planning Commission review and approval pursuant to General Plan Policy LU1.6, Minimum Lot Size; and Policy LU1.6 (c), Clustering on Smaller Lot Sizes. He also referred and read into the record the following policies: Policy LU3.1 (k) Creek Protection; Policy OS2.2, Preservation of Riparian Environments; Policy OS2.5, Watercourse Preservation; Policy LU5.2, Preservation of Agricultural Resources; Policy CD1.1, Location of New Development; Policy CD1.3, View Protection; and Policy CD4.4, New Residential Developments; as outlined in the January 7, 2013 staff report.

Responding to the Commission as to the average lot size uphill from the subject site, Mr. Herring understood the average lot sizes were approximately 20,000 to 22,000 square feet. The subject parcel was intended as a transition from the higher density to the south.

Denise Cunningham, SummerHill Homes, displayed an example of a hillside project, also designed by SummerHill Homes, in the Town of Los Gatos, illustrating an example of the architecture and quality intended for the subject site. She introduced the design team present in the audience.

Ms. Cunningham provided an overview of the site and identified the surrounding uses with Sonsara Development to the west, Moraga Commons, Moraga Road, Laguna Creek, and the Safeway located in the Moraga Shopping Center. She reiterated that the project was located within the MCSP and that a great deal of effort had been put into the design with community input. She reiterated that the property would be located in the northern portion of the MCSP, zoned 3-DUA, and envisioned as a transition to the higher density to the south up to 20-DUA.

Ms. Cunningham presented the initial iteration for 36 lots, with 10 lots bounding the creek located on the east side of the property, which would have required a road to take access off of Moraga Road along with the approval of an easement from the Town for property to the east. This plan had not been viewed favorably by the Town. There was a recommendation to cluster the homes on the west side away from the riparian access with no access off of Moraga Road. After meeting with the Town, a 28-lot plan had been proposed with clustered homes on the west side of the property, access off of Camino Ricardo consistent with the MCSP, future access at the eastern end of the site, and a program for the area to the north between the existing neighbors and new homes for permanent open space. Many of the design elements for that plan had been driven by a reduction of grading off-site which would have resulted in approximately 17,000 cubic yards of fill on the peninsula and 18,000 cubic yards of off-haul. Two of the homes would have been located on Camino Ricardo. That had not been well received by the Planning Commission, DRB, and the community who sought more variation in the street scene as opposed to a long stretch of homes. Drainage impacts had been addressed as a concern, sidewalks and parking on both sides of the street had been recommended, and there had been a recommendation to consider 10,000 square foot lots with 80-foot widths across the entire property although that would result in a significant amount of off-haul.

Ms. Cunningham advised that in response to input, the developer had revised the plans and recommended the cluster plan as the most appropriate for the site and which would address the majority of the concerns. This plan included the dedication of permanent open space to be maintained by a Homeowner's Association (HOA), preservation of the hillsides, a reduction in grading, and buffering and transition from the homes to the north. She advised that the site plan had been revised with curvature and a harmonious approach with the existing communities. A key component was the curvature of the road creating variation and contours with the hillside providing flexibility for varied lot sizes, frontages, and widths. The homes fronting Camino Ricardo had been eliminated from the plan and there would be a 25-foot landscape buffer in that area to be planted with ornamental orchard trees. All of the homes would have driveways fronting the new future street. The frontages of the homes would vary from 32 to 100 feet offering opportunities to design customized entries and landscape features.

In addition, the future road connection had been moved to be more central to the site, breaking up the appearance of a long stretch of homes, and improving the massing. The revised plan had resulted in more grading, off-haul, and retaining walls although the retaining walls would be screened from view and vary in height from 4 feet or less.

Ms. Cunningham identified the introduction of a landscape median which would also break up the impervious area and break up the entry. She noted that in consultation with the traffic consultant the shifting of the road to the south would improve sight visibility and would be away from the neighbors to the north. She offered artistic renderings of the revised plan including the entries, landscape median, landscaping, and a sample of the circulation that would encourage the use of alternate modes of transportation. As part of the revised plan, sidewalks would be located on both sides of the street allowing for complete circulation from Camino Ricardo to the future road connection to the south, and the open space all the way to Moraga Road and extension of the trail along the Corliss Tributary to the south would serve as an access road to the storm drain outlet and retention pond. The developer had also worked closely with a biologist and arborist on the placement of the pedestrian bridges to avoid the most mature trees on the site and there would be no biological impacts or disruption to the creek.

In response to a recommendation for parking on both sides of the street, Ms. Cunningham explained that due to the trade-offs of grading and off-haul, there would be two parking spaces for each home in the garage, two parking spaces in each driveway and one additional space on the street, for a total of five parking spaces per home. She suggested that would be adequate to accommodate the parking needs but could be discussed further. In terms of the density, she identified the existing neighborhood to the north at 3-DUA and 2-DUA units as built and stated that the subject proposal included the largest lots on the northern side to provide the greatest setbacks in keeping with the existing lots sizes. The revised plan was in keeping with the higher density planned to the south of the MCSP.

Greg Miller, CVG, Project Civil Engineer, described the project topography and terrain with 50 feet of fall from the top of the hill down resulting in a challenge to fit the homes on the lots and work through the grading issues. He described the intent for the street to get up the hill as quickly as possible with movement far to the north and as steeply as possible pursuant to the policies of the Town's Subdivision and Grading Ordinance and the Moraga-Orinda Fire District (MOFD). The curvature of the road would create visual interest and additional street length allowing the road to fit higher and more closely to the existing grades.

Mr. Miller presented cross sections of the high point of the road with 50 feet of existing setback where the hill would remain in its existing condition with grades back down to a 3:1 slope, which had shown the relationship of the highest lots to the existing neighborhood and which illustrated that no views would be impacted.

Mr. Miller spoke to the grades and the connector road extension to the south which had been shifted to the west to create more interest and which would fit better topographically. He described the effort to minimize the off-haul from the project, identified the existing park site which had a grade of 3.5 percent, and the effort to place some material to reduce the off-haul while also creating more of a level pad more conducive to park uses.

Mr. Miller identified a change in grade of eight feet and explained while visible would be set back around 50 feet from the property line. In terms of the utilities, due to the hillside on the top of the site, storm drains and sewer would be in each direction with sewer lines to connect to the Central Sanitation District on Camino Ricardo to the west and on the east side down the pedestrian trail connecting to an existing manhole on the far eastern portion of the site. He commented that in discussions with the Central Sanitation District, there would be adequate capacity. The drainage would be collected on the western half of the site with bio-retention for water quality treatment to drain the lots from the street; and from the street collect the low flows into the bio-retention areas, filter the water, and 500 feet to the west connect to the existing storm drain at Camino Ricardo. On the eastern side, the drainage would come down a storm drain in the pedestrian trail with another bio-retention at the Corliss Tributary, which would take care of the storm water quality treatment and reduce flows from various flow events. An existing 12-inch water line at Camino Ricardo located in the East Bay Municipal Utility District (EBMUD Bryant Zone) was identified, with the notation that the project would likely have an 8-inch water line in the main street to be designed by EBMUD.

Dan Hale, Hunt Hale Jones Architects, described the guiding principles for the site plan for the SummerHill Homes project. He commented that he had reviewed the MCSP and the Town's Design Guidelines, and countless successful hillside neighborhoods in the Lamorinda area identifying the Sonsara development as a successful hillside development, which had married the home design to the topography with good articulation, massing, and landscaping.

Mr. Hale identified the three different types of home sites proposed including a side-split design to be located where the streets were going up and down; upslope design flat in the front and stepped up to the back, and homes that were flat with a range of 2,750 to 3,100 square feet of living space, excluding the garage. All homes would have flex space to allow the homeowner to fit the home to one's lifestyle similar to a custom home.

Perspectives of individual lots were displayed of the upslope homes offering interesting massing, more separation between the homes, floor plans to be articulated with single-story elements projecting out of the second-story elements, 20 feet between buildings across the board and wall-to-wall, 10-foot minimum sideyards with the second floors of the upslope homes to have 35 feet between elements creating variety in the streetscape.

Mr. Hale commented that the front of the homes had been pushed and pulled to provide curvature and interest from the street and to ensure that all front setbacks were not the same providing articulation and variation. The side-split home design would have a 10-foot minimum and up to 35 feet between second-story structures and the flat lots would have 10-foot minimums and up to 45 feet between second-story structures in some instances. He offered conceptual drawings of the three different home style designs including an example for Home Site 1, to consist of a side-split home with the garage at the bottom level with living space above, and a transition to a front porch and entry in an Arts and Craftsman design incorporating plaster, shingle, siding, exposed wood detailing, corbels, detailing around the porches, railing, columns, and in some instances trimmed out windows, window boxes and masonry elements, and elements in front of the garages.

Of the 26 home sites, 22 would have physical portions of the architecture coming out in front of the home site and the other four would have outdoor living space in front of the architecture. Home Site 8, to consist of an upslope design (four of the sites would offer this style), was displayed to illustrate the living space in front of the architecture, with the home sites offering unique design opportunities with outdoor living space offering a transition from the front of the street to the higher living level in an Early California style with the use of elegant plaster primary building material, recessed windows, metal detailing, nice tile roofs, the second floor would be set back from the single-story element, and with a variety of roof shapes and forms.

Home Site 4 depicted an upslope home design to be offered in a Bay Area architectural style, consisting of lap siding, window boxes, shutters, porches with wood columns, railings depending on the home site, and would offer an opportunity to create a broad open entry courtyard to the front porch reinforcing the custom feel of the home site. An example of the flat home design was also presented consisting of the Early California style through the use of small accents, wood shutters, exposed rafter details, recessed windows and a few shutters, and three-dimensional massing offering the opportunity for unique massing and custom feel reinforcing the design goals desired. Side entry garages would be accommodated for three of the home sites in each of the three home styles. Of the 26 home sites, 13 different exterior expressions of the architecture had been proposed with 26 different entry designs.

Shari Van Dorn, Van Dorn Abed Landscape Architects, identified the generous 25-foot setback from Camino Ricardo to the first home, translating to over 35 feet from the face of the curb to the first side of the home allowing the creation of a triple row ornamental orchard, recalling the history of the site, which would cross into the median used at the entry and follow through on the other side of the street.

Ms. Van Dorn described the road meandering nicely through the project, creating a nice street scene which would allow each lot a different shape, frontage and unique landscape design, entry feature, and custom patio. Trees would be planted around the entire perimeter of the project to allow the project to be nestled into the hillside and allow buffering of views in/out of the project. Trees would be provided along the southern boundary with a dense canopy between the homes and the riparian area and also provide a strong buffer from any potential views from the Town looking up. The top of the project would allow for a dense canopy of trees from the homes above and a comprehensive tree replacement plan would be provided as part of the project working with the Town and the Parks and Recreation Department.

Ms. Van Dorn identified the main entry, views into the project with views of the triple row of ornamental trees, low stone retaining wall, split rail fence with stone pilasters providing a physical barrier from the ornamental orchard, and the water treatment area with the intent to create a consistent colored and textual blanket for the understory for the orchard to work past the split rail fence into the water treatment through a seamless design. Images of the low stone wall and split rail pilasters was offered along with the proposed ornamental orchard material, successful planting for water treatment areas that had been used in the past, including mounding grasses, and use of color and more riparian native plant material for the water treatment area at the rear. All of the lots would have custom designs. She offered concepts for custom patios, livable outdoor spaces, low picket fences or no front patios, all custom designed and unique through a variety of paving and landscaping materials.

Ms. Cunningham emphasized the effort to provide diversity in the plan in response to the comments from staff, the Planning Commission, the DRB, and the public in order to provide transition while being consistent with the policies of the General Plan and the MCSP.

#### PUBLIC COMMENTS OPENED

JOHN REED, 846 Crossbrook Court, Moraga, identified his property as being located adjacent to the park component of the project. He commented that when he purchased his home it abutted the abandoned orchard and the zoning for the property was 3-DUA.

Mr. Reed expressed concern with a potential change in zoning which would allow the area behind his home to become a park in violation of the current zoning. He expressed concern with the amount of grading that could occur as part of the development and the impacts of water runoff. He stated that he would rather see a home behind his property than the park.

PAUL KLINE, 834 Crossbrook Court, Moraga, questioned the practical reasons for the movement of earth in the potential open space/park area and expressed concern with the potential environmental impacts. He is concerned that stormwater would drain into his back yard. He was also concerned about the effect of building up the park parcel on his views from his back yard. He also expressed concern with the amount of grading to accommodate the homes and the potential impacts to the creek area. He stated he would like to see the orchards remain.

DALE WALWARK, 857 Camino Ricardo, Moraga, appreciated the changes made to the plan since the initial submittal, the proposed landscaping which would be very important, and the removal of the homes along Camino Ricardo, and agreed with the widening of the entrance at Camino Ricardo. He also appreciated the varied architecture. He questioned whether the width of the street past the entrance had been changed since he found it to be too narrow particularly for larger vehicles such as garbage trucks and emergency vehicles which could block the entrance. He was concerned that a garbage truck could break down and then a fire truck would be unable to get through. He suggested there could be room behind the homes to allow the street to be widened or the developer could consider the acquisition of a slice of property below the subject property to be able to enlarge the width of the street.

RICK SCARPETTI, 920 Camino Ricardo, Moraga, acknowledged the changes had focused on the cluster of the homes away from the riparian areas which was a benefit. He asked about the ranges of lot widths on the frontages on the southwest side of the site, questioned how the access road would be connected in the future, and asked whether another street would come in from Camino Ricardo or another street from the west to accommodate the homes on the ridge. He suggested that Lots 16, 17, and down to 11 did not have to be clustered; found the depth of the lots more than sufficient; suggested the width of the homes should be expanded; suggested there were too many lots on the southwest side; questioned how the smaller lots at 3-DUA would transition to 20-DUA; suggested the lots could be wider and less deep; questioned how the frontage along Camino Ricardo would be developed; expressed concern with the bio-retention areas which would be more visible; expressed concern with sight distance hazards and with traffic traveling north into the site given the existing traffic conditions; questioned where construction equipment would be stored during the construction period given that Camino Ricardo was not a viable option; questioned the 10,000 minimum square foot lots; spoke to the first home that had

been turned facing north and asked of the lot and home size; questioned whether the homes were compatible with the Sonsara development which had a mix of single- and two-story homes; and urged a project that was compatible with the existing neighborhood.

#### PUBLIC COMMENTS CLOSED

Ms. Cunningham reiterated that in working with the Town the plan had been revised from the initial submittal to a 27-lot subdivision with the 26 single-family homes spread across the site; and that the drainage at the peninsula would be factored into a detailed analysis with the drainage to be captured properly through bio-retention.

Mr. Miller acknowledged that both the Reed and Kline properties drained along the back property line and stated that the project would provide a swale or drainage ditch along the property line that would collect stormwater drainage from the project site and prevent it from flowing onto the adjacent residential properties.

Ms. Cunningham commented that the elevation of the creek along Moraga Road was higher than the peninsula and some of the grade was required to build up the area for the bridge and pedestrian crossing, and could be done 50 feet from the neighbor's property line. She noted that the street width was the same as previously proposed even with the sidewalk which did not reduce the standard street width. She also clarified the density along the southwest side noting the entire southern portion of the site with the smaller lots clustered on that side, and advised that the developer had reached out to the property owners of property along that southern side with no interest in coming to a mutual agreement or acquisition of the property. She added that the MCSP included a full Environmental Impact Report (EIR) which had evaluated all environmental impacts, including traffic, which had evaluated 42 homes on the site. A Focused EIR would be prepared to evaluate site specific comments when the intersection would be evaluated.

As to the 10,000 square foot lots, Ms. Cunningham advised that was in the zoning code. She reiterated that the MCSP called for clustered housing and she clarified that Lot 11 would be 15,596 square feet including the extra 25 feet of the orchard area. The home on that lot would range in size from 2,800 to 2,900 square feet and would be one of the larger lots.

Commissioner Killam understood that the MCSP called for minimum separation for single-story buildings at 25 feet, although the revised plan called for the homes to be 20 feet. As a result, the plan as revised would be in violation of that requirement. He questioned whether or not MOFD apparatus would be able to access the street even with the 28-foot standard width; clarified that parking would only be on one side of the street; and that the homes would range from

\$1.2 million in price although he understood the homes were to meet the requirements for Low Income housing. He also clarified the parking with two parking spaces inside the garage, two in the driveway, and one along the street for a total of five parking spaces available for each home. He didn't think that three guest parking spaces per unit were sufficient.

Mr. Miller reiterated that the project met the MOFD and Town requirements for street width and turnaround; the project complied with the policies of the MCSP in terms of separation from the buildings; and the project complied with the Town's Development Standards.

Ms. Cunningham explained that the cluster concept would allow for variation in lot sizes and plans. The new sizes would have a minimum of 20 feet between each home and possibly greater in other areas.

Commissioner Killam stated that he had questioned the width between the homes given that part of the charm of Moraga was that homes were farther apart which added to the rural feel of the community.

Commissioner Kline found the revised plan to be a vast improvement when compared to the first iteration although he remained concerned with the emphasis on cluster development as the objective of the MCSP citing the Executive Summary of the MCSP regarding clustered housing with minimum 10,000 square foot lots and compatibility with existing neighborhoods; and in that regard there were several policies in the MCSP which specified 10,000 minimum square foot lots, a 25-foot lot separation, 80-foot lot widths, and a Floor Area Ratio (FAR) of .25. He did not agree with the applicant's position that clustering took precedence and the other policies should be waived. He acknowledged that the guidelines were flexible, although not extensively. He could support a 20-foot home separation with a flexible minimum lot size although he could not support a minimum of 7,000 square feet. He suggested that smaller lot sizes on the downhill side away from the street would be a good idea, clarified where the MCSP called for 42 homes in the core area, and suggested the plan should be revised prior to the expenditure of funds on environmental studies.

Commissioner Kline also expressed concern with the width of the street suggesting it should allow for parking on both sides. He noted that the MCSP called for a stub road but with no clue what the next developer planned and which needed to be resolved. While the stub road may now move left to right, when homes were built it could not be moved. He also raised concern with the fact that the MCSP called for street trees on landscape strips between the sidewalk and the street which could be provided on the deeper lots; the MCSP also called for rolled curbs; and that the homes not face open space, which the project homes do. He understood that 72 percent of the existing orchard was in

poor condition and the remainder in fair condition and he therefore found the preservation of the orchard not to be an issue.

Commissioner Kuckuk suggested the revised plan was an improvement to the original iteration presented on October 1, 2012.

Commissioner Kuckuk also appreciated the undulating roadway which appeared more natural but which resulted in more grading recognizing the Town's intent had been to minimize the grading when possible. She was pleased to see the roadway access to the lot to the south moved away from the cul-de-sac; shared the concerns with lot sizes and would like to see them closer to the 10,000 square foot mark; liked the varied sizes and ability to offer those varied sizes to the market; emphasized the site had always been intended as a transition in the MCSP with the attempt to provide something between the 3-DUA north of the property built out less than that density and with the density to the south to be even greater, and she commended the effort at transition.

Commissioner Kuckuk found the greatest concern with the development to be the park. She liked the idea of clustering in general and understood the issues of building on the eastern portion of the property given the riparian corridors in that area yet the project would be a change in zoning to those who lived adjacent and the park area needed to be thought out well. She suggested the plan should move forward with the environmental review.

Chair Levenfeld commented that the MCSP had been developed as taking an entire parcel into account with the goal of creating higher density housing with this the first project presented. She found the plan to represent the best case scenario that the Town would see with the build out of the MCSP; suggested the project would not feel as dense as it appeared given the undulation of the road; and that the height differences and architecture, while not perfect, were close to or better than that envisioned in the MCSP. As to the park, she commented it made sense to be more of an open space for people to sit and she was uncertain a bocce ball court was appropriate, and suggested that issue be discussed separately. She liked the ornamental orchard trees in the front as a nice compromise to save some of the character of the area and would like to see that concept wrapped around the entire Camino Ricardo area as the MCSP was built out. She agreed that the unknown of the connection street was a concern and would like to know if it was to directly connect to the access to the parcel adjacent to the MOFD Fire Station at Moraga Way. She suggested that the revised design worked well and was better than the initial hammerhead design which went nowhere. She noted that the issue with the street width would be something the Commission would struggle with through the implementation of the MCSP and higher density development. She was comfortable with the project moving forward as submitted and with completing the EIR.

In response to Commissioner Kline as to the issue of the park, Ms. Brekke-Read advised that the Park and Recreation Commission had asked staff to present the project to the Commission which was expected in February.

The Park and Recreation Commission had requested activity in the development review process given the significant lack of parks in the Town and the concern that increased development would bring in park development impact fees although the land would be developed with no land to purchase for park land.

Ms. Brekke-Read stated that she and the Parks and Recreation Director had worked closely to ensure that parks were considered early in the process and the Park and Recreation Commission shared that concern and was pleased to see a park plan offered and dedicated to the Town. She expressed her hope that would be incorporated as part of the EIR and in terms of the grading on the site.

Mr. Herring addressed the scheduling of the project which would, in part, be determined by the direction of the Planning Commission. At this time, he saw a split in direction with two Commissioners desirous of the plan being further revised and two suggesting the plan move forward with environmental review. He suggested the Commission might need to meet again to have a fifth member present to allow clearer direction on the application. Once that direction was clear and conveyed to the applicant, the applicant could move forward with additional plans required to be completed prior to the environmental review.

Ms. Brekke-Read acknowledged that she had considered a joint Planning and Park and Recreation Commission meeting to present the project although that involved two different issues; land use and planning and whether a park was appropriate, and if so what kind of park. In this case, she sought direction from the Planning Commission prior to input from the Park and Recreation Commission.

In response to some concern with the setbacks/separation between the buildings not being consistent with the MCSP, Ms. Brekke-Read clarified that there could be a misunderstanding of the Development Standards as shown on Table 4-10, which had shown the development requirements for 1-DUA per lot with no minimum building separation. She identified the options for Commission consideration; to close the item and allow the applicant to decide the direction to take, to ask the applicant to consider continuing the item to a future meeting or to ask the applicant to allow a continuance to a date certain. She also clarified with respect to the FAR in this case, pursuant to the table notes (b), 1-DUA per lot where proposed, the maximum dwelling unit may equal 5,000 square feet.

Ms. Cunningham stated, when asked, that the developer would prefer that the meeting be closed allowing the developer to take all comments into consideration and then determine whether to return at a later date.

Chair Levenfeld declared a recess at 8:50 P.M. The Planning Commission meeting reconvened at 8:55 P.M. with Commissioners Kline, Killam, Kuckuk, and Chair Levenfeld present.

**VI. ROUTINE & OTHER MATTERS**

The Consent Calendar had been continued to this point in the meeting.

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The following changes were made to the minutes of the **November 5, 2012** joint meeting.

Commissioner Kuckuk requested an amendment to the first sentence of the fifth paragraph on Page 10, as follows:

*Commissioner Kuckuk suggested that a Residential use would be appropriate for the site, that the MOFD Fire Station Administration Offices offered a buffer from the project site, and while the proximity of the MOFD training facilities was a concern and should Alternative B be pursued, she understood that the MOFD would have to give up a portion of their unused land at the training facility which was something that must be discussed further.*

Chair Levenfeld requested an amendment to the first sentence of the second paragraph on Page 15:

*Chair Levenfeld recalled the intent of the designation during discussions on the MCSP which had been to provide a mix of Office with Residential in the land use designation.*

The following changes were made to the minutes of the **October 1, 2012** joint meeting.

Commissioner Kuckuk requested an amendment to the third sentence of the last paragraph on Page 16:

*She [Commissioner Kuckuk] stated that the layout remained landlocked with a narrow street and steep ingress/egress with limited sight distance on Camino Ricardo inconsistent with the creation of a high density pedestrian environment.*

It was also requested that the phrase "inconsistent with the creation of a high density pedestrian environment" be eliminated from the fifth paragraph.

On motion by Commissioner Killam, seconded by Commissioner Kuckuk and carried unanimously to approve the minutes of the **November 5, 2012** joint meeting, as amended.

On motion by Commissioner Killam, seconded by Commissioner Kuckuk and carried unanimously to approve the minutes of the **October 15, 2012** meeting, as shown.

On motion by Commissioner Kline, seconded by Commissioner Kuckuk to approve the minutes of the **October 1, 2012** joint meeting, as amended, as follows:

Ayes: Kline, Kuckuk, Levenfeld  
Noes: None  
Abstain: Killam  
Absent: Obsitnik, Socolich

Chair Levenfeld advised that the minutes of the **August 6, 2012** meeting would be continued to a future meeting to allow a full quorum of the Commission to be present.

On motion by Commissioner Killam, seconded by Commissioner Kline and carried unanimously to approve the minutes of the **July 16, 2012** meeting, as shown.

On motion by Commissioner Killam, seconded by Commissioner Kline to approve the minutes of the **July 2, 2012** meeting, as submitted, as follows:

Ayes: Kline, Killam, Kuckuk  
Noes: None  
Abstain: Levenfeld  
Absent: Obsitnik, Socolich

## **VII. REPORTS**

### **A. Planning Commission**

There were no reports.

**B. Staff**

Ms. Brekke-Read reported that the next DRB meeting had been canceled due to a lack of items; Temporary Planner Katherine Nasset had been hired as the new Planner; and the deadline for the Senior Planner position would end at 5:00 P.M. this date.

Ms. Brekke-Read also reported that SummerHill Homes/Rancho Laguna II Vesting Tentative Map had been submitted the week prior to Christmas and was being processed by staff; additional applications being processed included the construction of a new single-family dwelling at 1066 Larch Avenue; the SummerHill Homes Camino Ricardo project; a mono-pine cellular tower at Saint Mary's College (SMC) for AT&T; an application for 1800 Donald Drive would be heard by the Planning Commission in early February; and the application from Signature Properties for development of the former bowling alley site along Moraga Road was being processed by staff.

Ms. Brekke-Read further reported that CVS would be meeting with staff this week to discuss the pre-application for the remodel of McCaulou's Department Store for a drugstore, drive-through, and proposed 24-hour operation with the sale of alcohol. She advised that staff continued to work on the Commercial section of the Zoning Ordinance. Any updates of the Sign Ordinance had been placed on hold pending the hiring of a new Planner. She was uncertain whether a second Planning Commission meeting would be held in January. As to the status of the parcel adjacent to the movie theater, she had received interest from developers although no formal application had been received.

Commissioner Killam reported that he had taken a part-time position with the Lamorinda Weekly and would be writing articles on the MOFD. He was uncertain whether that would pose a conflict of interest while he also served on the Planning Commission.

Ms. Brekke-Read advised that both the Planning Commission and the DRB would be asked to retain their meeting binders rather than return to staff after each meeting to allow better use of staff time, with staff to deliver the meeting packets to Planning Commissioners and members of the DRB.

**VIII. ADJOURNMENT**

On motion by Commissioner Kline, seconded by Commissioner Killam and carried unanimously to adjourn the Planning Commission meeting at approximately 9:17 P.M.

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A handwritten signature in blue ink, appearing to read "J. M. ...", is written over the printed title.

Secretary of the Planning Commission

