EXHIBIT D

DRAFT MEMORANDUM OF DESIGN REVIEW RECOMMENDATION TO THE PLANNING COMMISSION

DRAFT

Town of Moraga

PLANNING DEPARTMENT
329 RHEEM BOULEVARD, SUITE 2
MORAGA, CA 94556
(925) 888-7050

MEMORANDUM OF DESIGN REVIEW RECOMMENDATION

On January 12, 2009, the Town of Moraga Design Review Board considered the application described below:

> **CUP-06-2008 – Christopher Avant (Owner) Avant Canyon Group (Applicant), Moraga Wine Bar, 925 Country Club Drive.** Consideration of a parking modification for the proposed 43 seat Moraga Wine Bar at 925 Country Club Drive in accordance with MMC Section 8.76.130-A and condition number 1 of Planning Commission Resolution 15-08. APN 257-190-048

The Design Review Board concurs with the findings made by the Planning Commission on December 15, 2008 in granting a modification to the required parking for the Moraga Wine Bar as follows:

> **Finding 1: The modification is justified based on the existing locations of building, parking areas and other access points.** The small size of the project site with the existing building configuration limits the amount of parking that can be built on site. The existing available parking was improved with the 90-degree double loaded parking layout, which achieves the maximum number of parking spaces in the least amount of space. In accordance with MMC Section 8.76.130-B, the Planning Commission has determined that a reduction of the required parking standard is adequately compensated through improved design, special landscaping and other site design features as follows: (1) The parking area has been surfaced with decomposed granite for maximum permeability; (2) All stormwater on the property is contained on-site in three large cisterns under the "courtyard" area; and the stored stormwater is used for landscape irrigation on the property.
>
> **Finding 2: Existing facilities on the same parcel are sufficient to provide adequate services.** The existing parking facilities on this parcel have never been sufficient to provide adequate parking for the size of the building. The building was previously used for about 50 years as a full service bar with only 5 or 6 parking

spaces on site depending on whether a dumpster was occupying one of the spaces In addition to the 8 parking spaces in the on-site parking lot, the Moraga Barn restoration project also improved the available street side parking by eliminating the driveway to Viader Drive

Finding 3: The design is consistent with the intent of this chapter and is complementary to and compatible with existing development on the same site. The only modification requested is for the required number of parking spaces. In all other respects, the geometry and configuration of the parking complies with the standards in the Municipal Code. The proposed parking area will complement the existing building. The elimination of the driveway on Viader Drive has provided additional area for landscaping between the parking lot and the street.

Finding 4: The modification will not have an adverse effect on other properties in the vicinity of the project. When the building was used only for office use, the project was deficient by 5 parking spaces. The project will be 14 parking spaces short of the requirement with the addition of the wine tasting bar on the first floor. Therefore, a modification is needed for an additional 9 parking spaces that will be needed on the town's streets. There are at least 4 curb-side parking spaces adjacent to the site and a total of 10 additional street side parking spaces would be needed to comply with the parking requirement. At the present time the deficiency of on-site parking is not anticipated to adversely affect other properties in the vicinity because there are many seldom used curb-side parking spaces along the east side of Viader Drive behind the Orchard Supply Hardware (OSH) store and along the north side of Country Club Drive at the south side of the OSH store. The curb-side parking behind OSH is rarely used because the main entrance to the store is on the opposite side of the building from Viader Drive

EXHIBIT E

PROJECT PLANS

LUTSKO ASSOCIATES

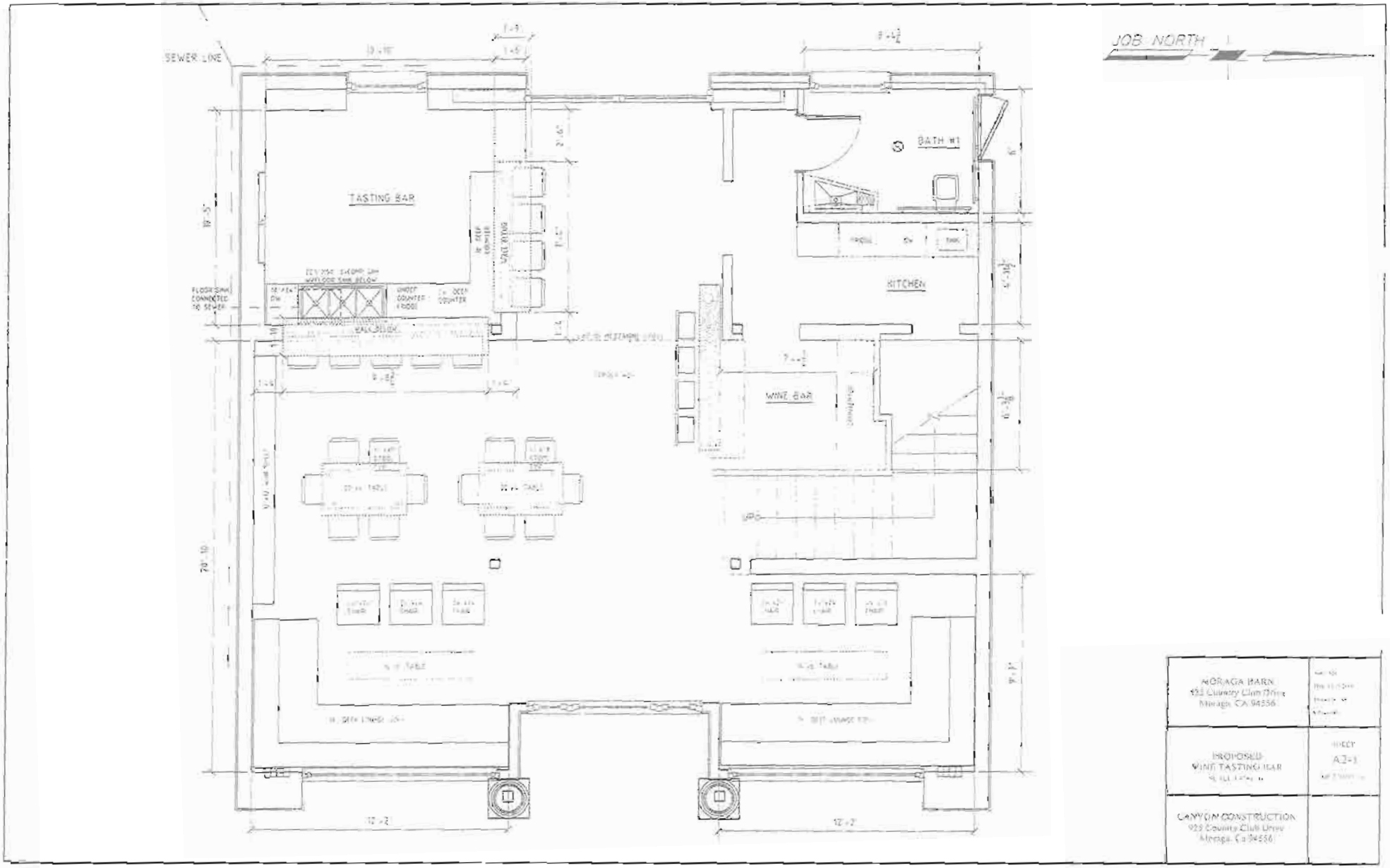
Mora Barn

1002 Viader Drive
Moraga, CA
94556

Elevation Studies

Design Development 03-06-07

L1.03



MORAGA BARN 933 Country Club Drive Moraga, CA 94556	
PROPOSED WINE TASTING BAR	SHEET A2-1
CANYON CONSTRUCTION 933 Country Club Drive Moraga, Ca 94556	