DRAFT

Town of Moraga

PLANNING DEPARTMENT
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MORAGA, CA 94556
(925) 888-7050

DESIGN REVIEW BOARD ACTION MEMORANDUM

On December 14, 2009, the Town of Moraga Design Review Board considered the application described below:

DRB-16-08 Gus and Lisa Triggas (Applicant and Owners), 6 Lucia Lane
Review of rear yard landscaping and lighting plans in accordance with Design Review Board conditions of approval dated December 8, 2008. The plans also include a new 5-foot high fence at the west side of the pool deck and an increase in height from 54-inches to 6-feet for the remainder of the fence at the top of the slope across the rear of the property. The Design Review Board approved a 165 sq.ft. wood deck at a second floor bedroom and a 362 sq.ft. replacement wood deck at the south side of the swimming pool on December 8, 2008 and the purpose of the additional landscaping and fencing was to screen the view of the decks from adjacent homes at the rear of the property. (APN 256-194-010)

DESIGN REVIEW BOARD ACTION:

The DESIGN REVIEW BOARD hereby grants approval of the project in accordance with the following findings, design guideline exceptions and conditions of approval:

PART 1: DESIGN REVIEW FINDINGS:

1. ***The proposed improvements conform with good design as set forth in the Town of Moraga Design Guidelines, and in general contributes to the character and image of the town as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality*** because the deck at the rear of the master bedroom does not increase the height of the home or the total floor area and there are other homes in the vicinity that have decks on the second floor level. The additional trees proposed at the rear of the property will fill in the gaps between the existing trees and enhance the view of the hillside below the decks.

2 ***The proposed improvement will not have a substantial adverse affect on neighboring properties or the community due to poor planning; neglect of proper design standards; or the existence of building and structures unsuitable to and incompatible with the character of the neighborhood and the character of the community*** because both the decks comply with the required building setbacks and the additional landscaping and increase in fencing at the rear of the property will substantially screen the decks from view of the neighbors. The design of the light fixtures at the rear of the home will prevent direct glare or view of the lighting source from the adjacent properties.

3 ***The proposed improvement will not lower property values; discourage the maintenance and improvement of surrounding properties; or preclude the most appropriate development of other properties in the vicinity*** because the deck and landscaping improvements at the rear of the home at 6 Lucia Lane should increase the value of the home, which generally helps to increase the value of surrounding properties.

4 ***The proposed improvement will not impair the public health, safety or welfare*** because the structural building plans for the two decks will be submitted and reviewed by the Lamorinda Building Department for conformance with the California Building Code.

PART 2: DESIGN GUIDELINE EXCEPTIONS:

An exception to Design Guideline SFR2.10 is hereby granted to allow the overall height of the master bedroom deck to exceed six feet because the master bedroom deck is setback 36-feet 6-inches from the rear property line and there is ample area to add landscape screening to augment the 6 existing pine trees and 5 small Oak trees on the rear slope of the property. A skirt wall around the master bedroom deck would not be appropriate because it would block access to the patio under the deck and to the family room.

An exception to Design Guideline SFR2.10 is also granted to allow the maximum height for the exposed posts supporting the deck at the south side of the swimming pool to exceed four feet because the view of the posts will be blocked by the fence and new Hedge Row trees along the top of the slope at the rear of the property.

PART 3: CONDITIONS OF APPROVAL:

1. The plans submitted for a building permit for the decks shall be substantially in accordance with the plans previously approved on December 8, 2008 and shall not use diagonal bracing between the deck posts and joists in compliance with Design Guideline SFR2.12-d. In lieu of diagonal or cross-bracing, plywood shear panels shall be considered below the deck at the south side of the pool and steel connections capable of resisting the bending moments shall be used for the master bedroom deck if the existing shear bracing is not acceptable to the Contra Costa County Building Department.

2. The applicant shall submit a bond to guarantee installation of the landscaping within 6-months of the date of approval of the landscape plan.

3. A landscape maintenance agreement shall be recorded within 6-months of the date of approval of the landscape plan to guarantee maintenance of the required landscaping by the current and future owners of the property.

4. The proposed landscaping is approved with the following trees:
   a. 2 new Arizona Cypress trees on the slope near the southwest rear property line
   b. 8 new Hedge Row trees (Thuja Arborvitae Occidentalis Smaragd) along the top of the slope on the lower pad between the south property line and the pool deck.
   c. 2 new 15-gallon trees (Need to fill in the species) on the rear slope of the property west of the stairs between the pool deck and lower pad.

5. The landscaping plans shall comply with the following requirements:
   a. The planting size of the new trees and shrubs shall be 15 to 20 gallon size to have an immediate visual impact.
   b. The trees shall be an evergreen variety to effectively screen views during the winter months.
   c. An irrigation system shall be provided for the landscaping in accordance with Design Guideline L1.3.
   d. All new plants shall be drought tolerant in compliance with Design Guideline L2.4.
   e. The proposed landscaping shall comply with the Moraga-Orinda Fire District's fire-safe landscaping list in accordance with Design Guideline RH7 and L1.2.

6. The proposed fencing is approved with the following requirements:
   a. The new 6-foot high fence along the top of the bank at the west side of the lower pad shall be maintained by the current and future owners of the property.
   b. The proposed 5-foot high fence at the west side of the swimming pool shall comply the Contra Costa County Building Department's requirements for enclosures around swimming pools.

7. The lighting fixtures at the rear of the home shall comply with Design Guideline ID6, with the light fixtures designed and mounted so that the source of light has minimal impact off site and the lighting directed inward toward the property to avoid spillage onto adjacent properties.

8. Prior to the issuance of the building permit, the applicant shall pay a fee of $125.00 for a landscape inspection by the planning staff.

9. Prior to the issuance of a building permit, the applicant shall submit a $137 design review fee to the Moraga-Orinda Fire District and confirmation to the Planning Department that the Fire District has reviewed and approved the plans in accordance with Design Guideline RH11.

10. The applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.

11. If any additional construction work on the decks is required in order to comply with the CBC or Fire District requirements, then the hours of operation shall be limited to the hours from 8 a.m. to 5 p.m. Monday through Friday to minimize potential disturbance of adjacent residents. No construction shall occur on weekends or holidays unless an emergency situation develops. In an emergency situation, the Planning Director may authorize extended work hours on weekdays or on weekends until the situation is no longer deemed an emergency.

12. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.

13. If the building permit is not obtained within one year from the date of final action, the Design Review Board approval becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

Design Review Board action is appealable to the Planning Commission within 10 calendar days after the date of the decision. If you have any questions regarding the action of the Board, please contact the Moraga Planning Department at (925) 888-7040.