EXHIBIT E

DESIGN ASPECTS TO BE CONSIDERED IN ACCORDANCE WITH PLANNING COMMISSION RESOLUTION 16-01 FOR 6 LUCIA LANE

1. **Maximum height, lot coverage and setbacks:**
   Decks are not defined as "buildings", therefore, the building setbacks and lot coverage do not apply to decks. Nevertheless, the decks at 6 Lucia Lane do comply with the required building setbacks for the 3-DUA (Three Dwelling Units per Acre) zoning district as shown in the table below:

3-DUA Zoning Development Standards	Required Building Setbacks	6 Lucia Lane	
		Proposed	Compliance
Minimum front yard	20 feet from the front property line	21 feet to garage	Existing Conforms with requirement
Minimum side yard	10-feet	11-feet 8-inches to garage at south side. 17-feet 11-inches to second floor deck.	Project complies with required side setbacks
Side yard Sum	20 feet	34-feet 1-inch	Project complies
Minimum rear yard	15 feet	46-feet 8-inches to rear of home 36-feet 6-inches to second floor deck 21-feet to deck at south side of swimming pool	Project complies

2. **Overall mass and bulk of structures:**
   The decks are both located at the back of the home. Decks are not included in floor area ratio calculations and they do not contribute significantly to the overall mass or bulk of the home.

3. **Special features of the development, such as walls, screens, towers and signs:**
   The second floor deck at the west rear side of the master bedroom required the installation of a sliding glass door for access to the deck. The sliding glass door replaced a bedroom window at the same location. The project also includes a staircase to connect the second floor bedroom deck with the deck at the south side of the swimming pool.

4. **Effective concealment and sound attenuation of exposed mechanical and electrical equipment:**
   No new mechanical or electrical equipment is proposed with this application.

5. **Colors and materials on the exterior face of the building or structures, striving for a limited number of colors and materials for each project:**
Since the redwood decks and staircase have already been built, the photographs below show the color of the wood, which appears to be a clear wood stain on the redwood.

View of staircase between the lower and upper decks.

View of second floor deck with new glass sliding door at master bedroom.

6. **Avoidance of repetition of identical entities whenever possible:**
The second story deck would not be a repetition of any identically designed deck in the neighborhood. The applicant has provided a couple of photographs of decks on nearby homes that are located on the second floor level. These photographs are shown below.

View of deck at rear of home at 136 Natalie Drive and at the north side of the applicant's property.

View of deck at rear of home at 128 Natalie Drive located about 200 feet northwest of the applicant's property.

7. **Harmonious relationship with existing adjoining developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted*:***
   The architectural design of the decks and staircase is simple and functional. From an aesthetic design perspective, the decks are not unusual and would appear to fit into the neighborhood.

8. **Pleasing landscaping which incorporates existing landscaping and terrain as a complement to the structure, using plants which thrive in the Moraga climate and which are large enough in size to be effective:**
   The front yard at 6 Lucia Lane is landscaped but the rear yard is only partially landscaped. Some additional landscaping may be necessary to help reduce visibility of the decks to adjacent neighbors and help maintain their privacy.

9. **Compliance with Chapter 8.132 (scenic corridors)*:***
   The project site is not within 500-feet of any designated scenic corridor roadway.

10. **Impact on neighboring properties:**
    The neighbor at 26 Wimpole Street, Tom LaBasco, submitted a letter (**Exhibit D**) and some photographs showing the impact of the decks on their property. Apparently, there was a large Monterey Pine tree that helped screen the view of the new decks, but the tree recently fell over and the view is now unobstructed.

View from rear yard at 26 Wimpole Street submitted by adjacent neighbor

The neighbor at 34 Wimpole Street, James Weil, was the first neighbor to register a complaint when the decks were constructed. Mr. Weil's property is directly behind the applicant's property. The birds-eye aerial view of the properties on the next page shows the relationship of these adjacent properties to 6 Lucia Lane.

11. Impact on Public Safety*:*

If the decks are approved by the Design Review Board, the plans will then be submitted to the building department for plan checking. The building department will review the structural plans for the decks and make sure that they are constructed in accordance with the California Building Code and all applicable safety codes.

12. Harmony with the general plan, design review guidelines and floor area ratio guidelines:

Compliance with the Town's Design Guidelines is discussed in **Exhibit C**. As previously stated under item 2, the proposed decks are not considered "floor area" under the floor area ratio guidelines. The Moraga 2002 General Plan contains many goals and policies relative to land use issues, community design, and public safety concerns. The following General Plan goals and policies are relevant to single family residential additions:

LU1.1 Neighborhood Preservation. Protect existing residential neighborhoods from potential adverse impacts of new residential development and additions to existing structures.

The new sliding glass door at the master bedroom replaced an existing window at the same location; therefore, the view impact from the glass sliding door would not be considered significantly different from the window. The view impacts from the decks to the two neighbors below the property on Wimpole Street could be mitigated by additional landscaping to help screen views from the decks.

CD4.3 Infill Development. Ensure that new residential development in existing neighborhoods reflects the size, scale, height, setbacks, and character of existing development. While new homes, home additions, and remodels should be allowed, they should not create adverse impacts on adjacent properties or detract from overall neighborhood character.

The architectural design of the decks is not incompatible with the neighborhood character because there are other decks on homes in the vicinity that impinge upon the privacy of adjacent lots. Nevertheless, the view from the new decks into the rear yard of the homes below the applicant's property could easily be mitigated with additional landscaping to reduce the adverse impacts to the privacy on the adjacent properties.