EXHIBIT C

DESIGN ASPECTS TO BE CONSIDERED FOR LAMORINDA GAS FOR HIRT THERMAL OXIDIZER INSTALLATION AT 1410 MORAGA ROAD IN ACCORDANCE WITH MMC SECTION 8.72.080-A

1. **Maximum height, lot coverage and setbacks:**
The maximum allowed building height is 35-feet. The existing height of the building will not be changed. The height of the Hirt Thermal Oxidizer Unit will be 7-feet to the top of the exhaust air vent and 6-feet to the top of the sheet metal box around the unit. The picture below shows the northwest side view of the existing 5-foot 6-inch fenced enclosure where the Hirt unit will be located.

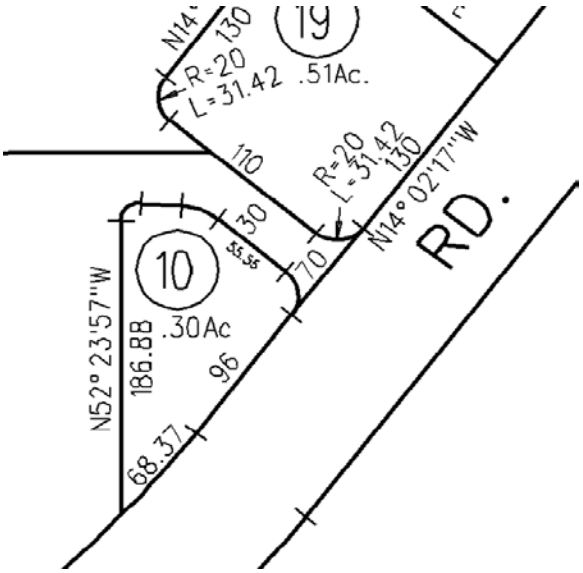
Northwest side view of Lamorinda Gas Station with existing fenced enclosure

There are no lot coverage limits in the Community Commercial zoning district. The existing service station building was built in accordance with Contra Costa County requirements prior to the Town's incorporation. The building conforms to the Town's 50-foot front building setback for the Community Commercial District, but the canopy structure over the pump islands is legally non-conforming as shown in the table below.

CC (Community Commercial) Site Development Standard	Required	1410 Moraga Road	
		Existing	Compliance
Minimum front yard	50 feet	50 feet for building 10 feet for canopy	Legal Non-conforming
Minimum side yard	None	10-feet to building 4-feet to fence	Complies
Minimum Exterior side yard	50 feet	10-feet	Not Applicable *
Minimum rear yard	None	Zero **	Complies

* Shopping Center entrance at north side is a private driveway and not a public road.
** Property lines on site plan (Sheet C-1) do not correspond with assessors map.

The term “exterior side yard” is not defined in the Moraga Municipal Code. Generally, it is understood that a property on the corner of two public streets will have a front yard on one street and an exterior side yard on the other street. However, we do not require an exterior side yard setback from private driveways. The site plan on sheet C-1 incorrectly labels the shopping center entrance driveway as “Alta Mesa Drive”. Although this entrance driveway to the Moraga Shopping Center aligns with Alta Mesa Drive across Moraga Road, it is not a public dedicated street right-of-way. Technically the north side property line is not an “exterior side yard”.



The applicant’s site plan shows the rear property line about 85-feet southwest of the actual location. The excerpt at right from the assessors parcel book shows that the southwest property line is actually at the back wall of the service station. Since the Community Commercial district allows a zero rear yard setback, the existing service station building conforms to this requirement.

2. **Overall mass and bulk of structures:**
   The proposed installation of the Hirt Thermal Oxidizer Unit enclosure will not change the existing mass and bulk of the building.

3. **Special features of the development, such as walls, screens, towers and signs:**
   New hanging hardware will be installed at the gasoline dispensers. There will be a new vapor pipe on the northwest wall of the station to connect between the existing vertical vent pipes and the new Hirt Thermal Oxidizer unit. The plans do not specify the location for the indicator panel. If it is similar to the “diagnostics vapor pressure sensor” that was installed with the other EVR systems in Moraga, then it would be located at the gasoline dispenser nearest the buried tanks. These changes are relatively minor and are not expected to have any significant visual impact to the existing service station.

4. **Effective concealment and sound attenuation of exposed mechanical and electrical equipment:**
   The Hirt Thermal Oxidizer Unit does not include any motors or pumps that would generate noise.

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:**
   The colors and materials on the existing building will not be changed. The Moraga-Orinda Fire District may require the enclosure around the Hirt Thermal Oxidizer Unit to be made of a non-combustible material. Note #3 on sheet C-1 requires crash protection around the unit, which may involve two of three bollards around the unit. Note #6 and #7 describe required signage, including a “no-smoking” warning sign. There is an existing large sign on the southwest side of the fence enclosure that reads “Caution Slow”. This

hand painted sign is shown in the photograph below. The unprofessional looking sign is not very attractive, but it probably does serve a necessary safety function due to the blind curve around the fenced enclosure. Staff would recommend that it should be replaced with a standard Caltrans "Yellow" caution sign. The copy could read "Caution SLOW – Cross Traffic Ahead" or perhaps "Caution REDUCE SPEED – Stop ahead".

The existing building has beige painted slump block walls and a terra-cotta red tile roof. The proposed sheet metal cabinet around the Hirt Thermal Oxidizer Unit will project about one foot above the existing fence because it has to be elevated at lease 4-feet above the ground. If the unit can be painted, then it should be painted to match the color of the building.

6. **Avoidance of repetition of identical entities whenever possible:**
The propose equipment installation is required by a State regulatory agency. The existing wood fence enclosure at the northwest side of the building has seen better days and perhaps the installation of the Hirt Thermal Oxidizer presents a good opportunity for replacement of the fence. If the Moraga-Orinda Fire District requires non-combustible construction around the new EVR unit, then staff would recommend a slump block wall to match the walls of the building.

7. **Harmonious relationship with existing adjoining developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted*:***
The application is for a required piece of mechanical equipment at an existing service station and has no architectural design value to the existing building or to adjoining developments.

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:**
Under MMC Section 8.36.050-B, the project site shall contain landscaped areas in accordance with a plan approved by the Design Review Board, with at least 75 percent

of the landscaped area maintained with growing plants. The Lamorinda Gas station does not have the 10-foot wide landscape strip adjacent to Moraga Road as required by MMC Section 8.76.050-E as follows:

> MMC Section 8.76.050-E: A planter or landscaped strip adjacent to a street right-of-way shall be at least ten (10) feet in width depending upon site constraints and an approved design concept for the project. Within this planter or landscaped strip, an irrigation system shall be installed and maintained in an operational condition. Such a landscaped strip or planter shall be provided to create the necessary visual and physical break between the pedestrian traffic utilizing the sidewalks along the streets and the vehicular traffic in the parking area, and by this means, substantially reduce the traffic hazard to the pedestrian. Dead corners and other waste areas shall be landscaped to provide a visual break in the paved area. Parking areas of more than five parking spaces shall provide, in addition to the required parking areas, an area equal to not less than ten (10) percent of the total parking area devoted to landscaping.

When the use permit was amended for the mini-food mart (see **EXHIBIT B**) the Design Review Board reviewed and approved additional landscaping at the Lamorinda Gas station, but the areas available for landscaping on this relatively small site were very limited by the maneuvering area required for the gasoline tank trucks. The pictures below shows some of the landscaping as viewed from the Moraga Road scenic corridor.

View looking north along Moraga Road

View looking south at fenced enclosure

There is an existing planting island that is almost devoid of any landscaping located northeast of the fenced enclosure. This planting area can be seen in the photo on the right above with a bit of grass growing in it. This would be a very good location to add additional landscaping to help screen the view of the fenced enclosure from the scenic corridor. Staff would recommend at minimum one 15-gallon evergreen broadleaf tree and three large 5-gallon shrubs. It also appears that some of the landscaping has either died from frost or lack of water. Any dead plants in the existing planting areas should be replaced.

9. **Compliance with Chapter 8.132 (scenic corridors)*:***
The subject property is located within 500-feet of the Moraga Way scenic corridor. The Hirt Thermal Oxidizer unit will be mostly hidden behind the fence enclosure and should have a minimal impact as viewed from the scenic corridor. Nevertheless, the impact would be further reduced by the installation of the landscaping in the existing planting island as discussed above under item 8.

10. **Impact on neighboring properties:**
The installation of the Hirt Thermal Oxidizer Unit and enclosure should not have any impact on neighboring properties. The new equipment will not be a source of noise. If the planting island at the northeast side of the fenced enclosure is refurbished with a new tree and large shrubs it will effectively screen the Hirt unit from the view of the townhomes and apartments on the east side of Moraga Road. The adjacent property that is northeast of the service station is currently vacant.

11. **Impact on Public Safety*:***
The purpose of the new Hirt Thermal Oxidizer Unit is to reduce hydrocarbon vapor emissions from the gasoline and fuel storage tanks. The proposed project should have a positive impact on public safety by reducing air pollution.

12. **HARMONY WITH THE GENERAL PLAN AND DESIGN REVIEW GUIDELINES:**
Compliance with the design guidelines is discussed in **EXHIBIT C**. Since the new design guidelines have been linked to the applicable General Plan policies, there are no other design related General Plan issues to discuss.