

**TOWN OF MORAGA
DESIGN REVIEW BOARD SPECIAL MEETING
MINUTES**

January 31, 2011

I. CALL TO ORDER AND ROLL CALL

A regular meeting of the Design Review Board (DRB) was called to order by Chair Sayles at 7:02 P.M. in the Moraga Library Meeting Room, 1500 Saint Mary's Road, Moraga, California.

Present: Boardmembers Glover, Kline, Kuckuk, Sayles, Zhu
Absent: None
Staff: Senior Planner Richard Chamberlain

Conflict of Interest

Chair Sayles reported that he had a conflict of interest with respect to item VII.-A. and would need to recuse himself. But since he was the owner of the adjacent property he would be able to sit in the audience and participate.

II. ADOPTION OF MEETING AGENDA

On motion by Boardmember Kline, seconded by Boardmember Glover and carried unanimously to approve the January 31, 2011 meeting agenda, as presented.

III. PUBLIC COMMENTS

There were no comments from the public.

IV. PLANNING COMMISSION LIAISON REPORT – Commissioner Richards

No Planning Commissioner was present therefore no report was given.

V. ADOPTION OF THE CONSENT AGENDA

A. APPROVAL OF MINUTES for December 13, 2010

On motion by Boardmember Kline, seconded by Boardmember Glover to approve the minutes of the December 13, 2010 meeting, as presented. The motion carried by the following vote:

Ayes: Boardmembers Glover, Kline, Kuckuk, Sayles, Zhu
Noes: None

Abstain: None
Absent: None

VI. DESIGN REVIEW

- A. **DRB 12-2010 – A&J Fencing (Applicant), Barry Eckhouse (Owner) 1075 Country Club Drive:** Design Review of a proposed 7-foot high wood fence along the northwest rear property line at 1075 Country Club Drive. The proposed fence will have a horizontal 2-inch by 8-inch pressure treated board under the fence with vertical 1-inch by 8-inch redwood boards between 2 by 4 top and bottom rails. The project requires Design Review Board approval because the fence height exceeds 6-feet. Zoning: 3-DUA (Three Dwelling Units per Acre) (APN 258-492-003).

Senior Planner Richard Chamberlain reported that the application was continued from the December 13th DRB meeting because there was no one representing the applicant or owner at that meeting. There was no quorum of the Board at the January 24th meeting; therefore notices were mailed again on January 26, 2011, when staff determined that there would be a quorum for this special meeting.

Fences between 6 feet and 7.5 feet in height required approval by the DRB under Moraga Municipal Code (MMC) Section 8.68.040-B.2. According to the statement from the property owner, the fence was already built prior to the owner becoming aware that a building permit was required for fencing higher than 6-feet. Building setbacks did not apply to fences, but the Building Department could require a surveyor to verify that the location of the fence did not encroach onto an adjacent property. The fence was not located close to any adjacent home and did not block light or create a walled-in effect. The property owner stated that the pine trees shown in the aerial photo at the rear of the property were cut down and the purpose of the fence was to restore privacy that was previously provided by the trees.

Most of the design guidelines pertained to buildings or landscaping and few of the guidelines were applicable to fences. If any neighbor had reasonable objections to the proposed 7-foot fence, the Board had the authority to require the fence to be lower. A 6-foot fence was allowed without any Town approval and a minimum 4.5 foot fence was required around the applicant's swimming pool. A 7-foot fence could be mitigated to some extent with a partially open top section, such as lattice.

The proposed lapped board design had been commonly used throughout the community. The location of the fence did not create any sight obstructions because there were no driveways or street intersections near the fence. If approved, the fence would be inspected by the Building Department for

compliance with applicable building codes and would not be expected to create any health and safety problems.

The Permit Streamlining Act required the application to be approved or disapproved by February 5, 2011 unless both the Town and the applicant agreed to a one time 90-day extension. After testimony from the applicant and the public, the DRB should consider staff's recommendations for approval in accordance with the findings required by MMC Section 8.68.040-B.2, Planning Commission Resolution 16-2001 and the conditions of approval listed in the Draft Action Memorandum attached as Exhibit D.

Boardmember Kuckuk commented that when she looked at the property she had no problems with a fence higher than 6-feet because it was not in the scenic corridor. It would be hard for passersby to tell the difference between a 6-foot fence and a 7-foot fence in that particular location. She was inclined to approve the application.

Boardmember Kline assumed that since the neighbors were not in attendance that they had reached an agreement with the property owner. He, too, was inclined to approve the application.

Chair Sayles stated that a fence was a common property line and if the neighbors on both sides were in agreement about the fence then he was fine approving it.

On motion by Boardmember Glover, seconded by Boardmember Kline, to adopt the Draft Action Memorandum approving DRB 12-2010 at 1075 Country Club Drive, subject to the findings and conditions as presented.

The motion carried by the following vote:

Ayes:	Boardmembers Glover, Kline, Kuckuk, Sayles, Zhu
Noes:	None
Abstain:	None
Absent:	None

Mr. Chamberlain identified the 10 day right of appeal for anyone wishing to appeal the decision of the DRB to the Planning Commission by filing a letter stating the grounds for the appeal and through the payment of the appeal fee, through the Planning Department.

VII. OTHER MATTERS

Boardmember Sayles recused himself and Boardmember Glover assumed Chair of the Board.

A. Study Session – Former Bowling Alley site, next to 5A Rent-A-Space, Moraga Road, Galen Grant (Applicant), Mike and Jim Knuppe (Owners):

The property owners are proposing development of a residential subdivision on the former bowling alley site. According to the proposal, “The owner/applicant is proposing to develop this site with 36-40 apartments and townhomes to meet the housing needs of the local workforce and St. Mary’s students, professors, visiting staff, etc. A concept site plan has been created to explore a potential land use option wherein a central core of housing, pool, spa, green space, etc. is surrounded by housing which front on the four property lines.” The property is zone LC (Limited Commercial). All uses, other than agriculture, require a conditional use permit.

Mr. Chamberlain reported that the owners were proposing development of 36 to 40 apartments/townhomes to meet the housing needs of the local workforce and St. Mary’s students, professors, and visiting staff. The proposed conceptual plans included a central space with a pool, spa and green space surrounded by the housing units. The project included four types of units: there were four type A units that had 3 bedrooms, 2 ½ baths and a 2 car garage; twenty type B units that had 2 bedrooms, 2 ½ baths and a 2 car garage; eight type C units that had 1 or 2 bedrooms or flex rooms, 1 ½ baths and a 1 car garage; and eight type D units that had 2 bedrooms, 1 ½ baths and a 2 car garage.

All the units were three levels, with the garage and entry hall on the first level; living room, kitchen and dining on the second level; and the bedrooms on the third level. The elevations presented some two-story elements at the corners of the B units, but the two-story areas were not apparent on the floor plans. An exception or variance would be required to allow the three story development. Assuming the reduced plans were drawn at a scale of 1/16-inch equals 1-foot, the building heights appeared to be about 26 to 27-feet high, which was within the 35-foot building height limit. The purpose of this meeting was for the DRB to hear a presentation by the applicant and to give direction to the applicant.

Jim Knuppe, owner of the former bowling alley site, stated that he started 5A Rent-A-Space 22 years ago and that it has been good for the community. He introduced his entourage which included his wife Barbara, partner Michael Knuppe, son Marty Knuppe, architect Galen Grant, traffic engineer Steve Abrams and staff member Jenny Reed.

Michael Knuppe added that they bought the abandoned bowling alley site in September of 2002. For years they went through many different designs for the property. The Town favored a hotel but 72% occupancy was needed and it was determined that only 50% would be expected since there was not much foot traffic in that area. After the idea for 18 single-family homes was discarded, they decided the site was best suited for an urban infill development since it was within a short distance from the shopping center.

Galen Grant, Lynn-Craig & Grant Architects, explained that they had had a study session with the Planning Commission where the plan had been well received. The Commission believed the development was an appropriate use for the site. He gave a power point presentation to the Board.

Boardmember Kline was concerned about the height of the three story development and the proximity of the storage building along the rear east side.

Boardmember Kuckuk appreciated the 10-foot side setbacks but was concerned that a three story building had the effect of high density housing. A pedestrian would be well aware of all three stories which created a visual impact on the Moraga Road scenic corridor. She wanted the development to look less busy.

Mr. Grant explained that the development would appear less dense from Moraga Road than what was shown on the elevation drawings. He proposed scaling down the ends of the building and adding more landscaping.

Boardmember Glover said that he did not want to see a major departure from the architecture of 5A Rent-A-Space. He wanted clarification on the car spaces and the guest parking.

Boardmember Zhu thought that the overall design was good. He suggested holding a study session with St. Mary's College and discussing the housing needs of the students and faculty.

Mr. Knuppe replied that he had contacted Tim Farley, Housing Director for St. Mary's College, who preferred to see dormitories on the property. Dorms would look pedestrian and would not be an appropriate use for the scenic corridor. The college had a well to do economic make up and demographic studies have found that parents would buy the proposed units for their kids. Two years ago he offered to donate the property to the college and go joint venture with them and split the profits but they were not interested.

Planning Director Lori Salamack inserted that the Planning Commission was interested in how circulation would work. They wanted to know specifically how the driveways would function and how pedestrians would access the site.

Boardmember Glover commented that many of the drivers on Moraga Road were not pedestrian friendly and there seemed to be a lot of foot traffic to the shopping center. Someone needed to study how people could get safely across Moraga Road.

Boardmember Kuckuk said that adding planted medians would give pedestrians fewer lanes to cross and offer refuge before they completed their journey across Moraga Road. Medians would also help slow traffic because they brought pedestrians closer in to view.

Steve Abrams, Abrams Associates Traffic Engineering, explained that the best solution would be to install a center median. He did not recommend a flashing light crosswalk as people were more likely to get hit. The location did not meet the requirements for a traffic signal especially since the shopping center had other access points. A median would prohibit some turning movements so in order for all the business to have better access Moraga Road could be left as a two way left turn lane. But since people were going to cross the road no matter what a median would be the better and safer approach.

Even though he supported the project, Allen Sayles, was concerned that if students ended up occupying the units then bedrooms would be shared creating a greater parking demand. Each unit could potentially have 3 to 5 cars which would impact the surrounding properties. A fence could be installed to prevent entry onto his property and signs could direct cars into the overflow parking area. He liked the idea of installing a median and a connecting crosswalk since it was easier to cross two lanes instead of four. He also thought that the landscape elements were excellent.

Boardmember Kline liked the project but saw four issues with it. The first was street traffic which had been discussed. He, too, favored a median strip. Second, parking which was also covered except that some people used garages as storage which could contribute to the overflow parking. Third, was the scenic corridor. Moraga Road currently did not have three story buildings and all second story buildings were second story setback across the whole facade. He also believed the proposed modern style alternative design contrasted with the existing Spanish style architecture and that it would not look favorable in the scenic corridor. Fourth, landscaping including the rear where units facing the storage facility had terrible views which should be softened with more trees.

Boardmember Glover concluded the study session and Boardmember Sayles returned as Chair.

VIII. STAFF REPORT

Mr. Chamberlain reported that the February 14, 2011 DRB meeting was cancelled. The next DRB meeting on February 28, 2011 had three agenda items: the revised landscaping plan for 120 Moraga Road, the revised landscaping plan for the new home at 226 Rheem Boulevard, and improvements to the PG&E gas line pressure system at St. Mary's Road near Bollinger Canyon. PG&E wanted to relocate the system to the parking lot by the trail on St. Mary's Road to make access easier for maintenance trucks. He also reported that the Planning Commission was going to make a recommendation to the Town Council on whether they should subdivide the 21 acre Town owned property at St. Mary's Road and Rheem Boulevard into 1 lot or 2 lots. The Park and Recreation Commission did not care for the proposed skate park parking lot plan that the

DRB had recommended for approval last November. Thus the parking plan would mostly likely be decided by the Town Council.

IX. BOARDMEMBER REPORTS

Boardmember Kline mentioned that he would not be going to Egypt so he would be able to attend the next DRB meeting.

Chair Sayles announced that he attended the Mayor's Breakfast last Friday where he was informed that both Rich and Lori were retiring later this year.

X. ADJOURNMENT

On motion by Boardmember Glover, seconded by Boardmember Kline to adjourn the meeting at approximately 8:44 P.M. to a regular meeting of the DRB on Monday, February 28, 2011 at 7:00 P.M. in the Moraga Library Meeting Room located at 1500 Saint Mary's Road, Moraga, CA 94556.

A Certified Correct Minutes Copy

Secretary of the Planning Commission