

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

**September 9, 2013**

**I. CALL TO ORDER AND ROLL CALL**

A regular meeting of the Design Review Board (DRB) was called to order by Chair Helber at 7:00 P.M. in the Moraga Library Meeting Room, 1500 St. Mary's Road, Moraga, California.

Present: Boardmembers Escano-Thompson, Kirkpatrick, Zhu\*, Chair Helber  
\*Arrived after Roll Call

Absent: Boardmember Glover

Staff: Shawna Brekke-Read, Planning Director  
Ellen Clark, Senior Planner  
Pierce Macdonald Powell, Senior Planner  
Rebecca Atkinson, Temporary Planner

**A. Conflict of Interest**

There was no reported conflict of interest.

**B. Contact with Applicants**

There was no reported contact with applicants.

**II. PUBLIC COMMENTS**

There were no comments from the public.

**III. ADOPTION OF THE CONSENT CALENDAR**

- A. July 8, 2013 Minutes**
- B. July 22, 2013 Minutes**
- C. July 29, 2013 Minutes**
- D. 1540 School Street, DRB 12-13, Design Review of the installation of two new windows on the rear elevation at 1540 School Street, CEQA Determination: Categorically exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines ("Existing Facilities").**
- E. 350 Park Street, New Rheem Movie Theatre, DRB 3-13, Consider removing Condition of Approval #13. CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities") because the elevator addition will not increase the intensity of**

the existing land use and the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less.

- F. **722 Augusta Drive, DRB 17-13, Expansion of master bedroom, remodel of front porch and addition of bay windows and expansion of new kitchen, requiring a Variance. CEQA Determination: Categorically exempt pursuant to Section 15301 and 15305 of the CEQA Guidelines ("Existing Facilities" and "Minor Alterations in Land Use Limitations," respectively).**

On motion by Boardmember Kirkpatrick, seconded by Boardmember Escano-Thompson to adopt the Consent Calendar, as shown. The motion carried by the following vote:

Ayes: Escano-Thomspon, Kirkpatrick, Zhu, Helber  
Noes: None  
Abstain: None  
Absent: Glover

#### IV. ADOPTION OF MEETING AGENDA

On motion by Boardmember Kirkpatrick, seconded by Boardmember Zhu to adopt the Meeting Agenda, as shown. The motion carried by the following vote:

Ayes: Escano-Thomspon, Kirkpatrick, Zhu, Helber  
Noes: None  
Abstain: None  
Absent: Glover

#### V. DESIGN REVIEW

##### A. **1928 St. Mary's Road (UP 5-11)**

**Applicant:** Ron Tapper, 1184 Ross Circle, Napa, CA 94558

**Proposed Application:** Consider Modification of Design Review (UP 05 11) approved by the Design Review Board on July 23, 2012 and October 29, 2012 for new recreation facilities at Saint Mary's College. Proposed modifications to the approved plans include, changes to skylights, exterior lighting, roof color, parking lot, tree removals, project landscaping, and other minor changes. The proposed changes are consistent with the Initial Study and Mitigated Negative Declaration (MND) prepared pursuant to CEQA adopted by the Planning Commission on July 2, 2013. (Institutional/College, PMP)

Senior Planner Pierce Macdonald Powell presented the request for modification of Design Review (UP 05-11) approved by the DRB on July 23, 2012 and October 29, 2012 for new recreation facilities at Saint Mary's College (SMC). Proposed modifications to the approved plans included changes to skylights, exterior lighting, roof color, parking lot, tree removals, project landscaping, and other minor changes. The

proposed changes are consistent with the Initial Study and MND prepared pursuant to CEQA adopted by the Planning Commission on July 2, 2013. She advised that the purpose of the agenda item was to review final plan check items associated with the construction of the Joseph Alioto Recreation Center, which item did not include the review of the playing field lights or other uses on the SMC campus.

Ms. Macdonald Powell reported that staff had received letters and calls regarding these proposed changes from nearby residents who expressed concern that the pool lights and skylights may impact the neighboring properties creating light spillover..

Ms. Macdonald Powell recommended that the DRB consider the changes proposed by SMC and how they relate to the approved landscape plan. She suggested that the DRB could require the Dark Sky versions of the International Dark Sky Association (IDA) Type "A" light fixtures or substitute some small evergreen trees to screen the Type "A" light fixtures and pool lighting without having to require the IDA Dark-Sky version. Ms. Macdonald Powell stated that there could be an opportunity to turn off some of the lights around the pool area and still meet the Building Code requirements for emergency exits. Staff noted that the Action Memorandum included in the September 9, 2013 staff report state that all prior conditions of approval would remain in effect; and that compliance with DRB conditions 7, 8, 11, and 12 are satisfied for the new recreation building by the October 2012 meeting and the current meeting. She also noted that staff had prepared a revised draft resolution in the event the DRB wished to consider it. (No revised resolution was distributed.)

## PUBLIC COMMENTS OPENED

Tim Farley, SMC Director of Community and Government Relations, thanked staff for its work and cooperation and in bringing issues to the attention of SMC. He was satisfied with the submittal from SMC at this time, introduced the members of the development team present in the audience, commented on the length of time expended on the review process, and noted that SMC was in the process of updating its Master Plan at which time more details would be addressed, although he expressed his hope this was the final plan check for the Alioto Recreation Center.

David Gow, 239 Fernwood Drive, Moraga, commented that his home had views of the SMC campus. He was pleased to have seen SMC's previous pledge to use Dark Sky compliant lighting, but was disappointed that SMC would not use lighting fixtures that would meet that standard. He urged the DRB to require SMC to consider the use of Dark Sky compliant light fixtures or as an option, light fixtures in a similar style which were available from a number of different manufacturers. If SMC was allowed to use the style of light fixtures that had been proposed, he asked the DRB to require SMC to mitigate the impacts from the lights by plantings and lowering the light level on selective fixtures. He pointed out that many areas of the SMC campus were well, if not excessively illuminated, for a facility that was not located in a Commercial zone, with the minimum standards for safety and security in the two (2) candle range. He also expressed concern with the swimming pool lights that would be very visible and along with the exterior lighting would be the source of many neighbor complaints if left on all night. He sought alternative lighting for the emergency pathways in the pool area to the roadway and parking areas.

Mr. Gow otherwise acknowledged that SMC's overall lighting levels appeared to have been somewhat reduced this year. He was uncertain how that had been accomplished, but congratulated SMC for the effort and expressed concern with the potential to reverse that trend. He again urged the reduction of light levels where possible to meet the minimum levels rather than going beyond what was required.

## PUBLIC COMMENTS CLOSED

Ron Tapper, SMC Project Manager for the Alioto Recreation Center, emphasized the intent of SMC to comply with the Dark Sky compliant lighting.

Bryan Hair, Delta Electrical Construction Inc., 4305 Pacheco Boulevard, Martinez, spoke to the concerns with the Type "A" fixture on the pole, and clarified it would have a horizontal cutoff and a down component in the light that would meet the Dark Sky compliant requirement. He detailed the specifications of the lights, with the intent to have minimum foot candles for safety for SMC, to be supplemented with bollards which would have no light above 90 degrees in and around the campus and in the area of the new building. On the back side of the building, facing the existing dormitories, 100 percent down light would be used on the buildings with no light bleed on those fixtures. Around the pool, light fixtures would be on fence posts with a Dark Sky component, with no fixtures on the Recreation Center or in the north parking lot that were not Dark Sky compliant. He clarified, when asked, that all lights under the approved permit would be Dark Sky compliant. He added there were light levels, as required by code, for the swimming pool to ensure that anyone could be seen in the pool and for water clarity whereby minimum standards were required. The project met those requirements and was not in excess of what was required.

Pam Anela-Messenger, Landscape Architect, added that the County had required that no trees be planted around the perimeter since it could create ladders allowing people to climb into the pool area. The basin above that area could also not have any trees since it was used as a detention area.

Steve Connelly, Oculus Architects, explained that the roof membrane had been identified in the technical data as required by the state, and pursuant to Green building requirements, a cool roof was required. Planning staff provided samples of the roof membrane to the DRB. Mr. Connelly noted that the roof color could be white, gray, or tan; all existing roofs on the campus were a white color, the highest energy efficient color and the preferred choice in terms of the energy profile for the building. He pointed out that the roof of the Recreation Center would be obscured by an existing parapet on adjacent buildings. As to the elevation of the existing homes and the height of the parapet as compared to the height of the roof of the Recreation Center, he acknowledged that portions of the subject roof would be visible.

Ms. Macdonald Powell, in response to a question from the Board, acknowledged that staff had visited properties along Fernwood and Joseph Drives but not from Del Monte Drive.

Boardmember Zhu recommended a beige color as opposed to the white color for the roof given the potential visibility to the adjacent residents.

Chair Helber recognized that the neighbors would appreciate any opportunity to minimize impacts to their homes. He understood the applicant had proposed that all exterior lighting fixtures be Dark Sky compliant, although that had not been outlined in the previous Draft Action Memorandum. He asked for clarification from staff.

Ms. Macdonald Powell explained that the Dark Sky compliant lighting condition of approval had been a statement made by the applicant, and had not been formalized in the Draft Action Memorandum as a condition of approval; however, it could be added as a condition of approval. She recommended citation of the Type "A" light fixture which staff understood to be Model ALN-440-H3-150-HPS, or that the DRB provide a standard for Dark Sky compliance.

The DRB, staff, and the applicant discussed the issue of the Dark Sky compliant lighting and the different types of Dark Sky compliance. On the discussion, it was recommended that Condition 2 of the September 9, 2013 Draft Action Memorandum be revised to read: *All light fixtures shall follow the standards of the industry used with no upward light visible from any angle*; Condition 4 to be revised to read: *Conditions of Approval Nos. 8, 11, and 12 have been satisfied for the purposes of the Joseph L. Alioto Recreation Center*; with the roof color to be the most pleasant for the residents looking down upon it; and that the landscaping around the swimming pool be consistent with the County Health and Safety Code, with no trees around the perimeter nor around the detention basin. DRB Members discussed these possible amendments and questioned the applicant's design team.

On motion by Boardmember Kirkpatrick, seconded by Boardmember Zhu to adopt the Draft Action Memorandum dated September 9, 2013 approving Modification of Design Review UP 05-11 for Saint Mary's College at 1928 St. Mary's Road, subject to the findings and conditions as shown, and as further modified as follows:

- Condition 2, as shown, to be stricken and replaced with a condition to read: *All non-submerged exterior lighting proposed under this permit to (shall) be compliant with the IDA Dark Sky with a 90-degree cut off*;
- Condition 1 to be revised to show that the roof membrane to be a tan color (RS-8674); and
- Condition 4 to be revised to read: *Conditions of Approval Nos. 8, 11, and 12 have been satisfied for the purposes of the Joseph L. Alioto Recreation Center*;

The motion carried by the following vote:

Ayes:	Escano-Thompson, Kirkpatrick, Zhu, Helber
Noes:	None
Abstain:	None
Absent:	Glover

Chair Helber identified the 10-day appeal process of a decision of the DRB in writing to the Planning Department.

**B. 1399 Moraga Way, Wells Fargo Bank (SGN 2-13)**

**Applicant:** David Ford & Signtech, 124 Allimore Court, Roseville, CA 95747

**Proposed Application:** Design Review of signage in the Moraga Way scenic corridor, including approval of illuminated wall and under-canopy signs, a modification to sign standards to allow an illuminated wall sign to face Moraga Way, and retroactive approval of existing illuminated ATM signage. CEQA Determination: Categorically exempt pursuant to Section 15311 and 15301 of the California Environmental Quality Act (CEQA) Guidelines ("Accessory Structures" and "Existing Facilities," respectively). (CC, RA)

Temporary Planner Rebecca Atkinson presented the request for design review of signage in the Moraga Way scenic corridor, including approval of illuminated wall and under-canopy signs, a modification to the sign standards of the Moraga Municipal Code (MMC) to allow an illuminated wall sign to face Moraga Way, and retroactive approval of existing illuminated ATM signage.

Ms. Atkinson reported that staff had received no comments from the public on the application. The applicant had provided material samples for DRB review and had provided a set of plans to be included in the staff report, identified as Attachment D, and additional sign design options for DRB consideration. She explained that all of the proposed signs had been outlined in detail in the September 9, 2013 staff report. The applicant had worked with staff to create a project that addressed all of the different MMC triggers for the application, with the application representing one of the first opportunities to review signage along Moraga Way under the Moraga Design Guidelines.

Boardmember Kirkpatrick commented on the fact that the parking lot lights in the center had been illuminated in the early morning hours on a random basis and that the light standards for the project were not uniform.

Boardmember Escano-Thompson clarified with staff the area of allowable signage for each elevation, sign height restrictions, and wall location, as well as the Design Guidelines as outlined in the MMC.

Ms. Atkinson noted that the applicant had proposed a wall sign facing Moraga Way which had been reduced in size to be compliant with the MMC. The applicant had also placed the same sized sign underneath the canopy. Given the requirements of the MMC, modification to the sign standards would be required to allow the approval of the illuminated wall sign facing Moraga Way with retroactive approval of existing illuminated ATM signage. The applicant had provided information on the company branding in the project plans, with Wells Fargo signage to be a certain size, dimension of letters, and colors. The applicant had proposed the largest signs possible while remaining complaint with the MMC. She also clarified the requirements for a monument sign, and spoke to the fact that the applicant had originally proposed a monument sign although the property owner had not supported said sign and it was not part of the application. There was no existing monument sign serving the business.

## PUBLIC COMMENTS OPENED

David Ford, Signtech, 124 Allimore Court, Roseville, thanked staff for its cooperation on the application. He cited the options provided to the DRB and identified Option 1 as the preferred option for Wells Fargo Bank, explaining that the sign modifications were part of a national rebranding effort by Wells Fargo Bank moving away from the typical stagecoach design with black and red letters, to be replaced with red and yellow lettering and with a trademark logo, which was proportional to the sign. Two existing signs in the same location would be replaced, with the new signs to be slightly smaller in size.

As to the site lighting, Mr. Ford commented that he had spoken with the Site Manager for Wells Fargo Bank who had indicated a willingness to work with staff to ensure the existing glare from the ATM signs was reduced. The internally illuminated ATM signs were not part of his work with Wells Fargo Bank, had been installed by a separate sign company, although he understood permits had not been obtained for those signs. He asked that the ATM signs be allowed to remain in place, noted they were consistent with similar signage at Union Bank and Bank of America located across the street, and stated those signs did not result in additional glare. He presented Option 1 consisting of halo illuminated letters, creating the least amount of glare, with all aluminum letters and background, and with yellow and red lettering, as the preferred option.

An unidentified individual with the sign contractor explained that she had met with the property owners on-site to discuss a monument sign location, although the property owners were not supportive of the scenic corridor becoming a row of monument signs even if the wall sign was removed. She noted that the existing monument sign for Bank of America was appropriate given existing landscaping and trees which may obscure the building signage. Wells Fargo Bank had a wall for signage which enjoyed public views on each side of the road which was necessary given that the property owner opposed a monument sign.

## PUBLIC COMMENTS CLOSED

Responding to the DRB, Ms. Atkinson commented on the ATM internally illuminated signs and her understanding that such signage differed depending on the bank branch. She commented that she had not viewed the Bank of America site to determine whether its ATM signs were internally illuminated. Her impression from driving in the area was that the Bank of America sign was less illuminated.

Mr. Ford added that the background for the red and yellow lettering of the halo illuminated letters would be opaque with essentially a silhouette around the yellow letters when illuminated. He noted the signage for the Lafayette Wells Fargo Bank location was face lit, the Orinda location was going through the same rebranding effort, and the closest Wells Fargo Bank branch with halo lit signs was located in Martinez.

Chair Helber expressed discomfort with the fact that the park had already set a precedent with internally illuminated lights, and the shopping center had internally illuminated lights, although there had been an effort for restaurants and gas stations along the scenic corridor to reduce the use of internally illuminated lighting. He

supported the application although he suggested there could be some internal conflicts with the shopping center.

Boardmember Escano-Thompson sought a better clarification of the definition of internally illuminated versus face lit, or halo illuminated letters, at such time as the sign standards were updated.

Ms. Brekke-Read understood the applicant had initially proposed an internally illuminated channel letter sign, which in working with staff, had led to Option 1, which was consistent with the Moraga Center Specific Plan Area (MCSP) Design Guidelines which called for halo lit signs.

Boardmember Kirkpatrick found that the halo lit signage offered a softer presentation and effect.

Mr. Ford affirmed he had read the Draft Action Memorandum and acknowledged the conditions of approval. He noted the applicant had acknowledged there was a glare from the lighting above the ATM signage, and in speaking with the Site Manager for Wells Fargo Bank that issue needed to be resolved. He understood that a condition of approval required the submittal of a site lighting plan and working with the Design Review Administrator to reduce the glare. He reiterated the desire to retain the existing ATM signs as shown.

The unidentified individual with the sign contractor commented that she too had a discussion with the Site Manager for Wells Fargo Bank regarding the lights around the ATMs, and understood that the lights could be adjusted to reduce the glare. The Site Manager planned to review all of the lighting to determine what could be revised, consistent with the banks and the Town's standards. She understood the lights were consistent with the Town's standards although they did glare, which needed to be addressed. She too was aware a lighting plan would be required to be submitted to the Town, expressed the willingness to speak with Wells Fargo Bank and her counterparts immediately, but was uncertain how long it would take to submit a lighting plan.

Chair Helber recommended a revision to Condition 8 (e), to read: *A lighting plan deemed acceptable by the Design Review Administrator shall be submitted prior to issuance of a building permit.*

Boardmember Kirkpatrick noted that the shroud light offered working light while a person was standing at the ATM although he emphasized the importance of appropriate lighting for a person at the ATM, which should be considered as part of the lighting plan.

On motion by Boardmember Zhu, seconded by Boardmember Kirkpatrick to adopt the Draft Action Memorandum dated September 9, 2013 approving SGN 2-13 for Wells Fargo Bank at 1399 Moraga Way, subject to the findings and conditions of approval, as modified as follows:

- Condition 8 (e) to be revised to read: *A comprehensive lighting plan shall be submitted to the Design Review Administrator to address ATM lighting and all site lighting including glare, prior to issuance of a building permit, and*

- Strike Condition 9.

The motion carried by the following vote:

Ayes:	Escano-Thompson, Kirkpatrick, Zhu, Helber
Noes:	None
Abstain:	None
Absent:	Glover

Chair Helber identified the 10-day appeal process of a decision of the DRB in writing to the Planning Department.

**C. 3744 Campolindo Drive (DRB 16-13)**

**Applicant:** Dariush Mojahed, 3744 Campolindo Drive, Moraga, CA  
**Proposed Application:** A 130 square foot residential addition and accessory building visible from a Scenic Corridor, and exception to Design Guidelines for near level clearance. CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"). (3DU-Acre, MC)

Senior Planner Ellen Clark presented the request for design review of a 130 square foot residential addition and accessory building visible from a scenic corridor, and exception to Design Guidelines for near level clearance. The project is located on the northeast corner of Campolindo Drive and Moraga Road accessed off of Campolindo Drive, with Moraga Road designated a scenic corridor, and in this vicinity a two-lane roadway with turn pockets at the signalized Moraga Road and Campolindo Drive intersection. Two rows of redwood trees were located between the property boundary and Moraga Road, with a large oleander bush planted at the street corner and a low stone wall located approximately mid-slope at the southwest corner of the property. An approximate 6-foot solid wood fence was located at the top of the slope and surrounded the yard.

Ms. Clark explained that since the preparation of the staff report, the property owner had retained the services of a surveyor to conduct measurements of the site to determine the flood and ground elevations.

The surveyor had concluded the shed would be elevated above the floodplain more than two feet. A condition of approval pursuant to the requirements of the MMC would require the property owner to request a development permit within the floodplain.

Due to the project's consistency with the Zoning Ordinance, General Plan, and with minimal impact to the scenic corridor and the surrounding property, Ms. Clark recommended the adoption of the Draft Action Memorandum dated September 9, 2013 recommending Planning Commission approval of DRB 16-13 pursuant to the draft findings and conditions of approval.

In response to the DRB, Ms. Clark clarified that the accessory structure would be placed on elevated footings.

From the audience, the property owner noted that the highest level of footing recommended would be utilized.

## PUBLIC COMMENTS OPENED

Dariush Mojahed, 3744 Campolindo Drive, Moraga, identified the modest addition to make the master bedroom more functional and the modern shed to be used as an office, with a current bedroom being used as an office to be converted back to a bedroom. He commented that he had spent a great deal of time on the design himself in working with the architect and the designer to create a design that would be aesthetically consistent and uniform with the existing neighborhood, and at the same time try to be mindful of the California Ranch and mid-century Modern style. He wanted the addition to be a good example of a design that was consistent while still keeping the spirit of the design of the neighborhood.

Mr. Mojahed explained that he had retained the services of a surveyor to identify the Base Flood Elevation (BFE) and location of the yard elevation. He had reviewed the staff recommendation to provide something in writing from the surveyor clarifying what was in the surveyor's report, although the surveyor had informed him that in 30 years of doing business he had not been asked to clarify in writing what was in the site plan. The surveyor was of the opinion that what was in the Federal Emergency Management Agency (FEMA) map and the additional information informally provided to him when making his revision to the site plan was straightforward. He asked whether there could be some misinterpretation between the floodplain and the BFE.

Mr. Mojahed reported that he had reached out to FEMA this date, had submitted a request for clarification, and had provided FEMA a digital copy of the revised site plan. He had been informed he would have a response within 48 hours. He understood in speaking with FEMA that the Floodplain Administrator should be able to clearly draw a distinction of what was being asked of him. He clarified that the BFE for his property was 621, and the elevation of his property was outside of the floodplain by four feet, and therefore it may not be necessary for the surveyor to do additional work.

Ms. Clark explained that the condition she had referenced had come from a review of the Town's Floodplain Regulations which appeared to require any property within an active flood zone to obtain a development permit.

Ms. Clark explained that she would be willing to work with building staff and the applicant to address the concern. It would also be possible to amend the condition if determined by the Floodplain Administrator (Town Engineer) that there was a need to do so, however, the condition as written allowed for the Town to determine if a floodplain development permit was or was not required.

Mr. Mojahed expressed his hope to determine that the development permit would not be required in that there was only a misinterpretation that required clarification. He otherwise asked that the DRB consider the application and render its approval.

Ms. Clark further clarified that Condition of Approval 12 had been included in error, and could be stricken.

## PUBLIC COMMENTS CLOSED

Responding to the DRB, Mr. Mojahed clarified that 625 feet was been the existing grade in the yard along the building line, with the finished floor post tension slab around six inches above grade. The finished floor of the shed would be approximately a foot above grade, at 626 feet. He added that since he had reviewed the preliminary staff report for this meeting, the surveyor had been asked to revise the site plan to show the location of fence and delineate the BFE north in the middle and south of the property for the accessory structure. He understood as long as he was outside of the drainage easement he should be clear of the requirements of the easement. He confirmed that he was willing to comply with the conditions of approval, particularly Condition 8.

Mr. Mojahed also clarified the existing siding on his home consisted of T1-11 wood material, west facing, and subject to a substantial amount of light. He desired to use material more resistant to the elements. He proposed the use of brick material and the same type of rock facing as found on the existing home to the overall design of the addition since he felt it to be aesthetically pleasing and consistent with existing materials. He identified the sample material and color board of the brick material that had been proposed, and clarified it would be full brick and not veneer.

Chair Helber understood the property owner was willing to move the accessory structure outside of the drainage area. He found that the project had been well designed tastefully with true brick siding, and appeared to be very nice. He encouraged the application to move forward.

On motion by Chair Helber, seconded by Boardmember Zhu to adopt the Draft Action Memorandum dated September 9, 2013 approving DRB 16-13 for Mojahed at 3744 Campolindo Drive, subject to the findings and conditions as shown, with the elimination of Condition 12. The motion carried by the following vote:

Ayes:	Escano-Thompson, Kirkpatrick, Zhu, Helber
Noes:	None
Abstain:	None
Absent:	Glover

Chair Helber identified the 10-day appeal process of a decision of the DRB in writing to the Planning Department.

## **VI. ROUTINE AND OTHER MATTERS**

### **A. Study Session: Discuss Issues Associated with Signage in Multi-Tenant Commercial Buildings and Centers, Including the Pending Application for a Freestanding Monument Sign for Union Bank in the Moraga Center.**

Ms. Clark explained that the item was a study session to allow the DRB to discuss issues associated with signage in multi-tenant commercial buildings and centers, including a pending application for a freestanding monument sign for Union Bank in the Moraga Center. She noted that the Planning Department was currently processing several sign applications including two located in multi-tenant buildings or centers and a

monument sign for Union Bank. She characterized the Town's sign regulations as complex and regulatory requiring DRB approval of nearly all signs and allowing only one freestanding sign per premises. The process also allowed the DRB to approve variations from the sign regulations but did not give applicants a procedural advantage to following the approved sign programs.

Ms. Clark reported that Union Bank had submitted an application for a monument sign within the Moraga Center to allow better visibility along Moraga Road. Staff understood the importance of the signage to the tenant, although staff expressed concern with an overabundance of monument signs and the precedent that could be set with future tenants.

Ms. Clark commented that the staff report had reviewed the Town's regulatory requirements related to multi-tenant signage, with an analysis of the pros and cons of requiring multi-tenant signage, and suggestions for topics for future discussion if multi-tenant signage was addressed more comprehensively in the Sign Code update. The DRB would not be commenting on the design or making a decision regarding the Union Bank sign at this time. She identified the applicable sign regulations for multi-tenant buildings and structures, the Town of Moraga's Design Guidelines, and the key issues related to the Union Bank monument sign, as outlined in the September 9, 2013 staff report.

Ms. Clark asked that the DRB consider the key issues, noted that staff would likely bring forward a discussion on the pros and cons of the advantages/disadvantages of requiring a Master Sign Program for multi-tenant buildings in the future, and asked that the DRB raise any issues and have a general discussion of what the DRB determined were the issues that staff could address, and weigh in on the concept of a monument sign for Union Bank as to whether that application should be processed and brought to the DRB as an application.

Chair Helber understood that new development could and should require a Master Sign Program to be submitted as part of the overall review of a project. He clarified with staff when a Master Sign Program could be required for an existing development and understood there was no current standards for existing developments although there was language in the MMC encouraging Master Sign Programs.

Ms. Clark clarified that the Rheem Valley Shopping Center was the only shopping center in the Town which had a Master Sign Program, which is incorporated into the Town's Design Guidelines. The Moraga Center appeared to have a uniform sign plan for its tenants, since most signs reflected the same size, dimension, and shape. However, the center did not have an official Master Sign Program that had been approved by the Town.

Boardmember Escano-Thompson wanted to know whether existing shopping centers in the Town already complied with the existing sign standards. She clarified the location of the Union Bank site owned by the Bruzzone family, and understood pursuant to the public testimony for the Wells Fargo Bank sign application, that the Bruzzone family had not supported a monument sign for that business. She questioned why the Bruzzone family would permit a monument sign for Union Bank and not Wells Fargo Bank, and

was informed by Robin Esquivel, Coast Sign Installations, from the audience that the Union Bank monument sign application was part of its lease negotiations.

As to the status of signage for an office building located at 533 Moraga Road, Ms. Brekke-Read acknowledged the applicant had spoken with planning staff over a year ago having proposed potential placement of signs, although there had been some miscommunication regarding all the involved parties. She understood that a sign application submittal was anticipated.

#### PUBLIC COMMENTS OPENED

Robin Esquivel, Coast Sign Installations, explained that she had been involved with the Union Bank monument sign application since January 2013, having been contracted to install the sign for Union Bank at which time she had been informed that DRB review and approval would be required. She reported that planning staff at that time had expressed a preference for signage that would be more natural and appear more aesthetically pleasing to the area. Based on the MMC and the sign regulations, she understood one monument sign would be allowed per shopping center. The landlord for Union Bank had made an agreement with the bank during lease negotiations to allow a monument sign. She was uncertain why the landlord had not supported a monument sign for Wells Fargo Bank although that site had more visibility than Union Bank.

Ms. Esquivel explained that a more natural sand blasted sign with rock face with lighting to be located underneath the sign had been proposed and the applicant had resubmitted the application; however, new planning staff has asked for additional details and there was a question whether the Town would allow a monument sign. Willing to comply with the Town's sign regulations, she questioned whether the Town would now permit a monument sign. She emphasized that Union Bank wanted the sign and was willing to comply with whatever the Town requested, had a contract signed with a landscaper to ensure that new foliage would remain maintained, and had done everything that had been requested by the Town. She was uncertain what more could be done to show that the applicant was willing to beautify the area of the monument sign and ensure that the sign would be appropriately illuminated. She expressed concern with the time involved with the sign application for Union Bank and asked for consideration from the DRB. She suggested that multi-tenant signs and sign programs were appropriate for some shopping centers, making it easier for the city/town and the customer.

As an aside, Ms. Esquivel commented on the fact that she had been unable to locate restaurant/food related businesses in Moraga, other than fast food sites, given the lack of signage.

Edy Schwartz, Moraga, commented on her involvement as the Past President of the Chamber of Commerce, and her efforts five years ago working with Town staff on the development of a sign ordinance. Having read the staff report, she suggested the sign ordinance be considered in a much broader way than had been done in 1981 given that the Town, its population, and business climate had changed. She suggested that a monument sign could prove beneficial for the Moraga Center, understood why it had not been allowed up to this point, but asked the DRB to consider the importance of this

issue. She cited, as an example, the new Café Hacienda at the Hacienda de las Flores, which had proven to be successful, a desired business in the community, but one which may suffer since there was no signage to identify its location. She emphasized that had been proven to be a general problem for the business community. She suggested that other communities be considered in terms of how they had addressed similar sign problems.

Ms. Schwartz emphasized that pursuant to the MMC, the vitality of local businesses was an important factor in the general welfare of the Town and the reasonable support of local commerce was in the public interest. She pointed out the passage of Measure K, intended to beautify the Town's roadways, necessitated people to shop in the Town to generate that tax revenue. She was confident the definitions in the sign ordinance could be broadened to allow for beautiful and attractive signage.

Ms. Schwartz also recommended the formation of a committee to work with the Moraga Chamber of Commerce to conduct research on signage and what was needed in the community. She encouraged consideration of equitable signage for local tenants, and questioned allowing only one freestanding sign. She also suggested that basic marketing should be considered when considering allowable signage, and questioned the amount of time and money small local businesses must expend in order to obtain approved signage from the Town if located within the scenic corridor. She asked that this process be prioritized and expedited.

#### PUBLIC COMMENTS CLOSED

Boardmember Kirkpatrick found the sign plans for Bruzzone-owned centers to be non-existent, with the Moraga Center in need of a marquee or tenant location map while the Rheem Valley Shopping Center allowed major tenants signage visibility. He was not a fan of using the scenic corridor for signage, sought concise direction from staff to consider a path that made sense while also assisting the tenants and satisfying landlords, and expressed a willingness to work on a sign committee. Citing the existing monument sign for the building located at 533 Moraga Road, he found that signage to be appropriate given that it was a single building.

Chair Helber understood that a Master Sign Program was being prepared for the building at 533 Moraga Road.

Boardmember Escano-Thompson agreed with the need for the preparation of a basic Master Sign Program, with the Rheem Valley Shopping Center having existing sign regulations, which could be used to formulate a plan for the Moraga Center. She was confident a basic plan could be prepared, with a review of what worked for other shopping centers. She asked staff whether a timeline had been identified for this work.

Chair Helber wanted to see the property owner of the centers who were more knowledgeable of the property to prepare a Master Sign Program to be considered by staff and the DRB, suggested that a subcommittee was not needed, and suggested that the work done by the property owners in cooperation with their tenants would be more comprehensive and efficient. He understood that if a Master Sign Program was in

effect, signage could be approved at the staff level and would not require DRB review and approval.

Ms. Clark affirmed that the DRB and the Planning Commission could choose to allow for a process whereby the Town may adopt a Master Sign Program that once approved would allow individual signs to be reviewed and approved by staff.

Ms. Brekke-Read understood the Chair's recommendation for the property owner to submit a Master Sign Program requiring DRB review and approval, which would include any regulations the DRB determined appropriate. Once approved, all other signs that complied with a Master Sign Program would be approved at the staff level. In the event a property owner did not want to come forward with a Master Sign Program, the Town may develop the sign standards for consideration, and if a sign application met certain criteria, administrative approval could be achieved.

Ms. Brekke-Read described the background of the Union Bank monument sign application and acknowledged the applicant had been working with staff and had revised the initial application to meet certain criteria. She also acknowledged the time involved with the application and the fact that other issues had been raised, leading to the current discussion. She asked the Chair whether his intent was that a Master Sign Program be submitted prior to consideration of the sign application for Union Bank.

Chair Helber affirmed his opinion that a Master Sign Program must be submitted prior to consideration of the application for a monument sign for Union Bank given the fact that the Town had allowed, in other circumstances, one-off signs to be installed with a promise that a Master Sign Program would follow but which had not occurred. He understood the concerns with the time involved with the Union Bank sign application, and he wanted Union Bank to succeed. He considered Union Bank to be an anchor tenant in the Moraga Center and suggested that a Master Sign Program would not be developed unless it was demanded now and the Town was consistent in applying its policies for multi-tenant commercial tenants.

Ms. Brekke-Read asked whether the Chair would consider a premises or monument sign program to be individual to the property owner, whereby the Master Sign Program would deal with the individual businesses and wall signage.

Chair Helber suggested that doing half of the effort would likely take just as much time as the entire effort.

Ms. Schwartz asked that the viability of local businesses be taken into consideration; sought creative options that were not expensive and that could be forwarded to the individual tenants as a possible vision; emphasized the work that needed to be done but no one wanted to do it; commented on the time involved for Union Bank to obtain monument signage while Wells Fargo Bank had been approved for signage; and sought equitable signage for local businesses. She emphasized that the current process was not working.

Chair Helber expressed his hope that the property owner of the Moraga Center would prepare a Master Sign Program in conjunction with the applicant for Union Bank. He

suggested the property owner also consider consulting Ms. Schwartz when preparing the Master Sign Program. He reiterated that this was a study session only and no action was being taken by the DRB, with direction to staff that a comprehensive Master Sign Program be prepared by the property owner of the Moraga Center.

Boardmember Zhu strongly advocated the formation of a committee to study the changes that needed to be made to the sign code in order to resolve the concerns with respect to signage in the Town.

Ms. Brekke-Read clarified that a two- to three-year overhaul of the Town's Zoning Ordinance, including the sign code, was part of the Town's Capital Improvement Program (CIP), and had been identified as a priority with a work program to be presented to the Planning Commission at its next meeting.

**B. Receive Update on the Livable Moraga Road Project and Appoint Design Review Member to Town Advisory Committee (TAC) for the Project**

Ms. Clark updated the DRB on the Livable Moraga Road Project with the Town Council also having been updated on the project during its August 28 meeting, which had served as the formal kick-off for the project. She reported that in working with the project consultants, significant public outreach efforts had commenced, with a project webpage having been launched and in-depth planning for public workshops scheduled for October 3 at the Hacienda, and October 5, a community walking/biking/tour starting at Campolindo High School. A series of public workshops would commence in the fall.

Ms. Clark explained that staff had gone to the Town Council with the concept of a Town Advisory Committee (TAC) for the Livable Moraga Road Project, to serve as a panel to work with staff and the consulting team to provide a sounding board on concepts and ideas, with the Town Council having determined the TAC was to consist of members of the Town's various Boards/Commissions. She asked that the DRB consider the appointment of a member to serve on the TAC, with six to seven meetings over a one year period anticipated during the course of the project, and with a tentative schedule of workshop activities outlined in the September 9, 2013 staff report. She emphasized the extensive public outreach process planned, noted the TAC would be publicly noticed, and there would also be work with local stakeholders.

On motion by Boardmember Escano-Thompson, seconded by Boardmember Zhu to appoint Chair Helber to serve as the Primary and Boardmember Kirkpatrick to serve as the Alternate on the Town Advisory Committee (TAC) for the Livable Moraga Road Project. The motion carried by the following vote:

Ayes:	Escano-Thompson, Kirkpatrick, Zhu, Helber
Noes:	None
Abstain:	None
Absent:	Glover

**C. Planning Commission Liaison Report - Commissioner Schoenbrunner**

No Planning Commission Liaison Report was presented.

**VII. REPORTS**

**A. Design Review Board**

There were no reports from the Design Review Board.

**B. Staff**

Ms. Brekke-Read reported that the next meeting of the DRB had been scheduled for September 23, 2013. She anticipated a full agenda.

Ms. Schwartz extended an invitation to the DRB for a multi-generational Leadership Symposium scheduled for September 26, October 10, and October 24, sponsored by the Leadership Center at SMC, Town staff, and the Moraga Citizen's Network.

**VII. ADJOURNMENT**

On motion by Boardmember Zhu, seconded by Boardmember Kirkpatrick and carried unanimously to adjourn the meeting at approximately 9:45 P.M.

A Certified Correct Minutes Copy



Secretary of the Planning Commission

