

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

April 8, 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, Glover, Kirkpatrick, Zhu,
Chair Helber
Absent: None
Staff: Planning Director Shawna Brekke-Read
Senior Planner Ellen Clark

Conflict of Interest

There was no reported conflict of interest.

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. Approval of Minutes for January 30, 2013

On motion by Boardmember Kirkpatrick, seconded by Boardmember Escano-Thompson and carried unanimously to adopt the Consent Calendar, as shown.

IV. PLANNING COMMISSION LIAISON REPORT – Stacia Levenfeld

Planning Commissioner Levenfeld reported that the new Planning Commission had been seated at the March 18 meeting. During its last two meetings, the Commission had discussed at length amendments to the Community Commercial District, specifically the Rheem Area to attract retail tenants, create the atmosphere desired by the community, and clean up language in the Zoning Ordinance that was ambiguous or contradictory to the General Plan.

The Planning Commission would again discuss the matter during its April 15 meeting and provide additional direction to staff.

V. ADOPTION OF MEETING AGENDA

On motion by Boardmember Escano-Thompson, seconded by Boardmember Kirkpatrick and carried unanimously to adopt the meeting agenda, as shown.

VI. DESIGN REVIEW

- A. Design Review 13-01 - 1392 Rimer Drive - to construct a fireplace, arbor, and outdoor living/dining/cooking area within the side yard setback. Staff recommends the item be continued to April 22, 2013**

Planning Director Shawna Brekke-Read reported that the request to construct a fireplace, arbor, and outdoor living/dining/cooking area within the sideyard setback at property located at 1392 Rimer Drive required design review approval since it was an accessory structure located in a setback area. Staff had been processing the application and determined that additional information would need to be explored. Staff had not included a staff report in the agenda packet or accompanying material to allow staff to work with the property owner to address issues with the project. Staff was working to expedite applications given the number of applications under consideration in the Planning Department. The applicant had requested the application be expedited and staff had complied as much as possible. The application would be re-noticed to the neighbors with the item continued to the DRB meeting of April 22, 2013.

PUBLIC COMMENTS OPENED

John Banister, 1392 Rimer Drive, Moraga, reported that he was unaware of any written objections to his project but was aware of one neighbor who would be most impacted by the pergola outdoor accessory structure who had submitted a letter in support. While he objected to the continuance, based on his discussions with the Planning Director, he would cooperate on the continuance and not make a presentation of the details at this time. He clarified he had pushed to be considered at the top of the list of applicants, suggested there were justifications given the long history of the project which had been with the Planning Department for months, and planned to work with the Planning Department on the request for additional information to the extent possible, and would like the opportunity to respond to any public comment on the project.

Linda Zocoli, 303 Deerfield, Moraga, commented that when the applicant was in his rear yard during the summer and children in the pool, her property sat higher and the sound carried across the creek and impacted her rear yard and bedroom

even with her windows closed. She requested some mitigation to address those sound concerns.

Mr. Banister commented that he had never met Ms. Zoccoli and this was the first he had heard of the noise issue. He acknowledged the Zoccoli property was situated higher than his property, reported he could hear their dog barking and residents speaking, and suggested the noise back and forth was inherent in the layout of the homes.

On motion by Boardmember Kirkpatrick, seconded by Boardmember Zhu and carried unanimously to continue Design Review 13-01 for 1392 Rimer Drive to the DRB meeting of April 22, 2013.

VII. ROUTINE AND OTHER MATTERS

A. Update regarding the status of landscaping at the East Bay Regional Communications System Authority (EBRCSA) Telecommunications Facility at 1180 Alta Mesa Drive

Ms. Brekke-Read took the opportunity to introduce new Senior Planner Ellen Clark.

Senior Planner Ellen Clark reported that as part of the conditions of approval for the East Bay Regional Communications System Authority (EBRCSA) Telecommunications Facility at 1180 Alta Mesa Drive for the approval of the Use Permit, Grading Plan, and Hillside Development (HDP) Permit, the landscaping plan for the equipment shelter had been approved by planning staff on September 27, 2012. Staff completed a photo site visit to inspect the landscaping on March 25, 2013, with photographs from the site visit included in Attachment F to the April 8 staff report. Based on the staff review, the landscaping had been installed as specified by the approved landscaping plan. Since the landscaping had recently been installed, she acknowledged the plants were small in size, leading to difficulties in assessing the effectiveness of screening the building. It was noted that the equipment shelter was not highly visible from the public right-of-way on Alta Mesa Road, with existing mature trees blocking most views of the north side of the shelter from the road, with the north side the only side of the building that was visible off-site.

Ms. Clark suggested the landscaping would ultimately provide additional screening of the shelter and its fencing and allow the disturbed areas to visually blend with the surrounding area. She suggested that the landscaping provided was adequate and met the conditions of approval for the project as specified by the Town Council and the DRB.

Ms. Brekke-Read explained that the item was an informational update to the DRB with no action to be taken by the DRB other than concurrence with the landscaping that had been provided.

Chair Helber was surprised that the applicant had planted only one and five gallon plants rather than a denser landscaping palette.

Boardmember Glover suggested the applicant had met the intent of the conditions of approval. Having viewed the site, he found it to be well shielded, although the health of the one and five gallon plants would be a concern in the event of inclement weather conditions.

Ms. Clark commented that the conditions of approval had not required maintenance of the plants over time, and as noted in the staff report the requirement could have been more rigorous. In the future, similar plans could be brought to the DRB for review and approval.

Ms. Brekke-Read suggested the oversight was a lack of staff, experience, and the temporary nature of staff where the landscaping had been allowed with one gallon plants and a lot of guessing of how the equipment shelter would be visible off-site. She noted that staff would be going back to a requirement for story poles to determine the potential off-site impacts and the improvements that may be necessary.

PUBLIC COMMENTS OPENED

Bill Drummond, Project Manager, EBRCSA, suggested the conditions of approval had been met, the one gallon plants had been approved, and the native species would grow over time and be larger in size, with some natural mulching of native grass seeds at the rear of the site to shield the East Bay Municipal Utility District (EBMUD) tank. He concurred with the staff report.

Responding to the DRB as to the maintenance of the one gallon plants, Mr. Drummond pointed out the absence of water service at the site and stated the plants had been planted prior to the rainy season with cows and deer having impacted some of the plant material.

Mr. Drummond was confident much of the material would return over time given that the plant material was drought resistant and hardy. When asked, he stated that the contract with the landscape contractor, which had been for a six-month period, had expired.

Chair Helber suggested the plant material had mitigated any visual impacts of the water tank from the street or from the shopping center area, and agreed that over time the native plants would root and flourish in the area. He made a motion to

provide direction to staff that the applicant had satisfied and completed Condition No. 26 of the Conditions of Approval pursuant to the Final Action Memorandum for UP 12-11 for the East Bay Regional Communications System Authority (EBRCSA) Telecommunications Facility at 1180 Alta Mesa Drive. The motion FAILED due to lack of a second.

Boardmember Glover sought a policy to ensure that the landscaping would continue to grow and not be allowed to die from lack of water.

On the discussion, Ms. Brekke-Read commented that when the DRB approved the application on April 23, 2012, the understanding was that the project would be underway quickly and the applicant had adequate time for grading and installation of the equipment and landscaping, with the DRB to review that work approximately six months later, which was the reason staff had suggested it be reviewed by the DRB. She suggested that staff could bring the applicant back to the DRB in six months to approve the final on the project. The application could be continued to a date certain, with staff to bring it back to allow review of the landscaping to ensure it had become established. In the meantime, staff must acknowledge the landscaping had been installed pursuant to the conditions of approval to allow the building permit to be issued.

Mr. Drummond expressed a willingness to comply with that condition.

On motion by Chair Helber, seconded by Boardmember Zhu, the DRB unanimously designated the authority to staff to deem Condition No. 26 of the Conditions of Approval to be complete subject to a review of the landscaping plan and conditions of the plants in six months pursuant to the Final Action Memorandum for UP 12-11 for the East Bay Regional Communications System Authority (EBRCSA) Telecommunications Facility at 1180 Alta Mesa Drive.

B. Town of Moraga Parks and Recreation Signs and Replacing the Moraga Commons Sign

Ms. Clark advised that the DRB was being asked to review the specifications for potential replacement of entrance signs at Moraga Commons Park, Rancho Laguna Park, and Hacienda de los Flores and provide input to staff. The signs had been installed a number of years ago and each of the signs was in poor condition and deteriorating. The Moraga Garden Club had offered to assist in the replacement of the Moraga Commons sign by donating funds to manufacture and install a new sign, and the Parks and Recreation Department suggested it would also be time to consider the replacement of the Rancho Laguna Park and Hacienda de los Flores signs given their age and condition. Funding to replace the signs has not yet been determined although specifications had been

developed to allow replacement when resources allowed and since approval would involve similar considerations. The Moraga Garden Club had also investigated and received specifications and bids for the signs. She walked through the specifications and staff suggestions for the signs as outlined in the April 8 staff report.

Carolyn Westhoff, Moraga Garden Club, explained that she had been taking care of the flagpole entrance, the green gate, and entrance to the Moraga Commons and the sign was in poor condition and should be updated. The Moraga Garden Club had a bid for the sign. She was uncertain adding a logo would add to the cost, and was uncertain of the Garden Club's opinion on adding the Town's logo. While she hoped all of the signs could be updated since it would make the Town look better, at this time the Moraga Garden Club had only offered to assist in the replacement of the Moraga Commons sign. The intent was to duplicate the signs exactly as they were now to make it easier to go through the replacement process, which had been reflected in the estimate cost. She noted that she personally liked the Moraga Library signs with a border and letters on gold.

Ms. Brekke-Read was uncertain of the durability of the Moraga Library sign. She explained that staff had been trying to make the replacement process as easy as possible, acknowledging the signs for the Commons and the Moraga Library had been identified in the Town's Design Guidelines.

The DRB recessed at 7:44 P.M. to allow views of the Moraga Library sign. The DRB reconvened at 7:48 P.M. with all DRB members present.

Ms. Westhoff reiterated that she liked the gold lettering on the Moraga Library signs although she acknowledged that the white was more visible and as such she favored the white lettering at this time. She questioned whether the Moraga Commons sign should be higher than its current height.

As a long-time resident, Boardmember Glover acknowledged the good work of the Moraga Garden Club over the years and appreciated the offer of donations in kind to replace the signs. He suggested that the font design should be a staff decision.

Boardmember Zhu agreed that staff should make the decision on the font for the signs.

Boardmember Kirkpatrick agreed with the suggestion that the Moraga Commons signs be a bit higher given that irrigation could deteriorate the sign over time. He suggested there was flexibility that staff could consider.

Boardmember Glover commented it was likely the irrigation would impact the sign regardless of whether it was raised or not. He asked whether the letters would be routed or sand blasted into the wood and was informed they would be routed into the wood. He added that the use of Douglas fir material would require pressure treatment and the use of Western Red Cedar would be fine.

Chair Helber also expressed his appreciation to the Moraga Garden Club, suggested that staff could work with the applicant to allow the application to move forward, and understood that staff had the jurisdiction to do so. He supported a motion to direct staff to work with the applicant and other Town Departments and encouraged consideration of uniformity for all three signs with the same font and material. He also suggested there was an opportunity for the Town to brand itself by adding a Town logo. If there was an additional cost to do that, he suggested that other funding sources could be explored. If staff and the applicant decided they liked the Moraga Library sign, he suggested that was not such a different dimension or style to require review by the DRB and it could be considered under the staff purview to what he viewed as a minor alteration.

Boardmember Glover reiterated that the Moraga Garden Club had made an offer to fund replacement signs in-kind but recognized the Town did not have the resources for branding which would have to come from other sources.

Boardmember Escano-Thompson liked the idea of a logo but understood that would depend on the cost.

Chair Helber acknowledged DRB consensus to replace the signs in-kind and as discussed, suggested the idea of branding should be up to staff working with the applicant as long as there were no cost or maintenance implications to the Town, and clarified that the project was not required to return to the DRB for approval.

C. Selection of Chair and Vice Chair

Boardmember Escano-Thompson nominated Ben Helber to serve as the Chair of the Design Review Board. Boardmember Zhu seconded the nomination. There were no other nominations and the nominations were closed. **Ben Helber** was unanimously selected to serve as the **Chair** of the Design Review Board.

Chair Helber nominated Ramona Escano-Thompson to serve as the Vice Chair of the Design Review Board. Boardmember Zhu seconded the nomination. There were no other nominations and the nominations were closed. **Ramona Escano-Thompson** was unanimously selected to serve as the **Vice Chair** of the Design Review Board.

VIII. REPORTS

A. Design Review Board

Chair Helber reported that the Livable Moraga Road Request for Qualifications (RFQ) had been distributed for the area from Moraga Road to Campolindo Drive, with three firms responding and interviewed. The best candidate was identified as Alta Planning & Design, recommended for Town Council consideration.

B. Staff

Ms. Brekke-Read and Ms. Clark also commented on the discussions with the three firms, the interview session leading to the selection of Alta Planning & Design, all relating to the Economic Development Advisory Committee (EDAC) recommendations for the Rheem Area to provide pedestrian and bicycle improvements. The Town Council would be presented with the recommendation on April 10, with a final decision to approve a contract with the firm to be made by the Town Council on April 24, 2013. She clarified, when asked, that Measure K funds would not be used for the Livable Moraga Road Project which would use only Measure J Transportation for Livable Communities funds. The project would focus on the three intersections at St. Mary's Road/Rheem Boulevard/Campolindo High School and pedestrian and bicycle improvements.

Staff was also writing two other grant applications for the OneBayArea Grant (OBAG) to be considered for Council approval on April 10, to submit applications to construct a roundabout at the St. Mary's Road/Rheem Boulevard intersection as included in the Capital Improvement Projects (CIP) for years. The OBAG must be spent in a Priority Development Area (PDA), as the Moraga Center Specific Plan (MCSP) area had been designated or in proximate access, and related to bicycle/pedestrian improvements.

The second grant application would be for bicycle/pedestrian improvements in the MCSP area, which is located within the PDA.

Ms. Brekke-Read added that during its April 10 meeting, the Town Council would be asked to consider a request to use the funded Associate Planner position and hire another Senior Planner given the need for experienced planners to review the Moraga Municipal Code (MMC), Zoning Ordinance, and Design Guidelines, all of which were in need of improvement. She reported on the applications being processed by the Planning Department and the confidence that the economy appeared to be and would continue to improve.

Ms. Clark took the opportunity to describe her planning background over the past 12 years having worked with consultants and having come most recently from the Town of Mammoth Lakes, California.

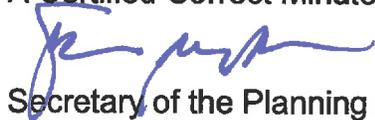
Ms. Brekke-Read reminded the DRB of two Planning Commission meetings that had been scheduled for the month of April; a regular meeting scheduled for April 15, and a special public hearing on April 17 for the Bollinger Valley Environmental Impact Report (EIR). She added that SummerHill Homes had submitted an application to develop 27 homes for Rancho Laguna II; Signature Homes had a new Project Manager who had been in discussions with the Town's Contract Planner on materials to submit; City Ventures would be meeting with staff this week to present revised plans; SummerHill Homes had made a presentation to the Park and Recreation Commission on two occasions on the programming for a passive park and trails on the peninsula area, and with an EIR planned to be released in late May or early June with the project to be submitted to the DRB around that time.

In addition, the project on Donald Drive had been scheduled for Planning Commission consideration on April 15. The DRB had recommended approval of the project to the Planning Commission and staff had requested additional information from the applicant. She anticipated the DRB would be holding regularly scheduled meetings.

IX. ADJOURNMENT

On motion by Boardmember Glover, seconded by Boardmember Kirkpatrick and carried unanimously to adjourn the meeting at approximately 8:21 P.M.

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Secretary of the Planning Commission

