TOWN OF MORAGA
DESIGN REVIEW BOARD MEETING
MINUTES

January 30, 2013

I. CALL TO ORDER AND ROLL CALL

A special meeting of the Design Review Board (DRB) was called to order by Chair Helber at 7:00 P.M. in the Mosaic Room, Hacienda de las Flores, 2100 Donald Drive, Moraga, California.

Present:	Boardmembers Escano-Thompson, Kirkpatrick, Sayles, and Chair Helber
Absent:	Boardmember Zhu
Staff:	Planning Director Shawna Brekke-Read

Conflict of Interest

There was no reported conflict of interest.

Contact with Applicants

Chair Helber reported that he had spoken with the applicant prior to the commencement of the meeting.

II. PUBLIC COMMENTS

There were no comments from the public.

III. ADOPTION OF THE CONSENT AGENDA

A. Approval of Minutes for October 29, 2012
B. Approval of Minutes for December 10, 2012

Boardmember Escano-Thompson requested an amendment to the second paragraph of Page 13, of the October 29, 2013 Design Review Board (DRB) meeting minutes:

> *Vice Chair Escano-Thompson asked for an explanation of the cistern and expressed concern with the interior lighting and its visibility at night.*

On motion by Boardmember Sayles, seconded by Boardmember Escano-Thompson to adopt the Consent Agenda, as amended, with Boardmember Kirkpatrick abstaining from Consent Agenda Item B, and Chair Helber abstaining from Consent Agenda Item A, due to absence.

IV. PLANNING COMMISSION LIAISON REPORT - Commissioner Levenfeld

Planning Commissioner Levenfeld reported that the Planning Commission met in January to provide feedback on the proposed SummerHill Homes project off of Camino Ricardo. There had only been four members of the Planning Commission present during that meeting and no consensus on the appropriateness of the plan. Two Commissioners liked the project and two thought the project did not work. She outlined the changes the developer had made to the project, noted her opinion the project was as good as it could get given the zoning in the Moraga Area Specific Plan and it would appear similar to the Sonsara development and the existing neighborhood. The landscaping would make the project appear that the homes were custom built. She reported that the applicant had chosen to continue to work on the project.

Planning Director Shawna Brekke-Read advised that the next step for the SummerHill Homes project would be Park and Recreation Commission review on February 11, 2013, to discuss the park area and programming. Once the Environmental Impact Report (EIR) was released, the project would be presented to the DRB for elevations, floor, and site plans with a recommendation to the Planning Commission.

Planning Commissioner Levenfeld also described the views of the neighbors who had been involved with the process. Concern included the retention basins, preference for wider streets, concerns for views, and one resident's preference for a home in the area planned for the park.

V. ADOPTION OF MEETING AGENDA

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

VI. DESIGN REVIEW

A. DRB 18-12 - Roy Murphy, Knowles & Murphy Landscape Design & Construction (Applicant), 74 Warfield Drive: Design Review to construct a mailbox pillar within the public right-of-way and two new retaining walls in the backyard and sideyard areas. A Hillside Development Permit is required.

Mary Knowles, Knowles & Murphy Landscape & Design Construction, Walnut Creek, explained that the property owner had purchased the home in 1996 and had recently remodeled and expanded the home. The current landscaping was old and tired and she had worked with the property owner to prepare a plan to solve all the landscape issues.

Ms. Knowles described the project site at 74 Warfield Drive and the plans to construct a mailbox pillar within the public right-of-way and two new retaining walls in the backyard and sideyard areas. She noted the backyard already had a patio in place and the existing backyard was narrow because of the extension. The existing slope dropped off and the proposal was to move an existing retaining wall out four feet to allow for a small lawn, planting, and a small patio. The four-foot extension would be 32 inches at the deepest point in the middle, parallel to the home across the back of the yard, and tapered to a foot at one end and 4 inches at the other. An existing wooden staircase down the slope, which was currently hazardous, would be replaced with a small landing and landscaping on either side, leading down a level area on the slope where an ornamental tree was located. Evergreen shrubs had been proposed on the down side of the retaining wall to screen it from view of the neighbors but not block the property owner's views. An 8-inch high retaining wall on the side yard served as a header board and defined the edge of a crushed rock surface and would not affect the slope.

An existing deer fence, which had been in place for some time, had recently been removed to allow removal of some diseased pine trees. It would be replaced where it was located with the same type of fence although the angle of the fence would be modified to accommodate the topography and would appear more graceful than before.

Ms. Knowles described the front yard, which had junipers along the curb and old grass, which was dated and unattractive. She described the existing lamppost well set back from the curb with a light fixture matching the light fixture attached to the home by the front door. The property owner wanted a mailbox pillar with the lamp placed on top by the curb, consistent with many mailbox pillars in the neighborhood, and she offered a drawing of the preferred lamppost to the DRB. The intention was that the wiring for the lamppost be brought out to the street with the lamp function from a switch in the home.

In response to the DRB, Ms. Brekke-Read commented that the location of the public right-of-way depended street-to-street and could vary in width nine to ten feet behind the curb. The area captured the utilities within that portion behind the curb, and accommodated the curb, gutter, sidewalk, and utilities. An encroachment permit and license may be required for this project.

As to the life expectancy of the retaining wall, Ms. Knowles commented that had been discussed early in the project with the intent to use pressure treated wood and good stout posts in the ground, backing the wall with a moisture barrier and use of rain rock with no soil contact against the back of the wall offering the longest life possible for the material. She also identified the two drainage channels, one on the property and one at the base of the property outside of the property line, which served all of the neighbors.

Roy Murphy, Knowles & Murphy Landscape & Design Construction, Walnut Creek, identified three downspouts into the channel itself, with an existing header board in front of the channel to remain, and with the drainage pipe through that header board to empty into the channel itself. Where the channel did not exist on the other side of the property, all of the drain pipes would run all the way down to the end of the property and open up at that point to allow water to flow onto drain rock preventing an erosion problem.

Ms. Brekke-Read noted that the location of the mailbox and lighting may be an issue given the sight obstructions which would require a 15-foot clearance from an intersection of a street and driveway. Construction was not allowed in that area and may require a minor relocation pursuant to the Moraga Municipal Code (MMC).

Ms. Knowles pointed out there was no intersection near the home which was located on a residential street which traveled up a hill into a cul-de-sac and then back down again.

PUBLIC COMMENTS CLOSED

Chair Helber referenced Conditions 3 and 7 of the Draft Action Memorandum which required the applicant and contractor to be responsible for certain items. He asked that the conditions be amended with all references to applicant to read: *Applicant and Owner*. He also spoke to Condition 8 and asked for clarification whether a new arbor was part of the plans.

Ms. Brekke-Read understood that the new arbor was not a part of the plan and that Condition 8 could be modified with the elimination of the reference to the new arbor. She recommended that Condition 8 be revised to read:

> 8. *The property owner shall be responsible for maintaining all landscaping.*

Ms. Brekke-Read also recommended that Condition 9 be revised to read:

> 9. *Any new exterior lighting is subject to staff review and approval. Cut sheets and specifications shall be submitted prior to issuance of a permit. Any new fixtures shall be dark sky compliant.*

As to the landscaping lighting, Ms. Brekke-Read commented that when the plans were submitted to staff, they would have to show all of the electrical with any new lighting requiring the submittal of specifications. She recommended an additional condition of approval to read:

> 12. *Prior to issuance of a permit applicant shall obtain encroachment permit and encroachment license.*

Ms. Knowles explained that she had submitted a packet of photographs of the light fixture they planned to use, a neighbor's pillar her client liked, with a drawing prepared of the light fixture her client liked on the top of that pillar. The only change to the mailbox pillar had been the use of bull nose Idaho Quartz material as opposed to cut brick, to consist of a warmer color palette which would harmonize with the existing colors and which was a refinement the property owner admired from a number of existing mailbox pillars in the neighborhood.

Ms. Brekke-Read recommended modification to the first sentence of Condition No. 1, to read:

> *The plans submitted for a new mailbox pillar within the public right-of-way, two new retaining walls, a fence and landscaping at 74 Warfield Drive shall be substantially in accordance with the plans approved by the Design Review Board on January 30, 2013, including the mailbox with the lamp pillar drawing received January 24, 2013, and this Design Review Board Action Memorandum. The lampost and mailbox pillar shall comply with Town regulations regarding sight obstructions.*

Ms. Brekke-Read clarified that a Grading Permit was not required in this instance since the project would move less than 50 cubic yards but would require a Hillside Development Permit (HDP). Design review was required in this case because of the improvements over a certain height in the front yard and public right-of-way and because of the 20 percent or greater slope triggering the HDP. She clarified that all of the improvements triggered DRB review, including the retaining wall and mailbox pillar because of the height of the lamp. The HDP required the applicant to obtain approval from the Town Engineer which could be added as a condition of approval if the DRB so directed.

Boardmember Escano-Thompson recommended an additional condition to read:

> *Plans for the new drainage to be reviewed and approved by the Town Engineer to ensure that the existing and proposed drainage facilities are adequate.*

Ms. Brekke-Read again summarized the proposed amendments to the conditions contained in the Draft Action Memorandum, as discussed, including any references to the applicant to be modified to read *Applicant and Owner,* and a further modification to new Condition 13, to read:

> *13. Prior to issuance of a permit applicant shall submit plans to the Town Engineer for approval to ensure current and proposed drainage facilities are adequate and compliant.*

On motion by Boardmember Sayles, seconded by Boardmember Escano-Thompson and carried unanimously to adopt Draft Action Memorandum dated January 30, 2013 approving DRB 18-12 for Murphy at 74 Warfield Drive, subject to the findings and conditions as shown, and the amendment and addition of conditions, as discussed.

Chair Helber identified the 10-day appeal period of a decision of the Design Review Board in writing to the Planning Department.

Ms. Knowles clarified after the motion that the staff report had listed the applicants as Gary Murphy, Knowles & Murphy, which should be corrected to read Roy Murphy. It was also noted that the footer shown on the bottom of the Draft Action Memorandum contained the wrong address and should be corrected. As to the dark sky requirement, in this case she suggested the opaque glass would have been acceptable.

Ms. Brekke-Read commented that the opaque glass light fixture was not dark sky compliant since the light source was visible. She advised of a website that listed the different manufacturers of dark sky compliant fixtures which the applicant could consult. For the applicant's benefit, she also identified the next steps in the process after the completion of the appeal period.

VII. ROUTINE AND OTHER MATTERS

A. Discuss changing the day of the week the DRB meets.

Ms. Brekke-Read explained that the DRB Chair had requested a discussion to change the day of the week the DRB met. She advised that staff had no recommendation on this request.

Chair Helber affirmed he had made the request since it would be more convenient to meet on another night. He sought input from the DRB.

By consensus, DRB members recommended meeting on Thursdays, with staff to review any potential conflicts with a change of meeting date.

VIII. REPORTS

A. Escano-Thompson, Helber, Kirkpatrick, Sayles, Zhu

There were no Boardmember reports.

B. Staff

Ms. Brekke-Read reported that Temporary Planner Nasset had accepted an employment position with the Central Contra Costa Sanitatary District.

Ms. Brekke-Read announced that a new Senior Planner had accepted a position with the Planning Department and would commence employment in March. Staff anticipated the position of Temporary Planner would also be filled in the next week, the position of Engineer Technician/Inspector had been filled, and the position of Senior Civil Engineer had also been filled and that individual would start within the next couple of weeks. She reported that staff anticipated additional design review, variance applications, and plan checks in the next couple of days. She added that City Ventures had not yet submitted its application. Signature Homes' proposal for the former bowling alley site required changes to the Mitigated Negative Declaration (MND) and the next step was presenting plans to the DRB for design review and recommendation to the Planning Commission. SummerHill Homes had submitted an application for Rancho Laguna II for a Vesting Tentative Map and General Development Plan (GDP), the Conceptual Development Plan (CDP) had previously been approved.

Further, Saint Mary's College (SMC) had submitted an appeal to the Town Council of a decision of the Planning Director for modification of the operating hours of the intramural field lights. Ms. Brekke-Read reported that she had attended a meeting with a neighbor and a second meeting would be held at the Town Hall on Friday, February 1, another meeting was scheduled that evening in the neighborhood. The appeal had been scheduled for Town Council consideration on February 27, 2013.

IX. ADJOURNMENT

On motion by Boardmember Sayles, seconded by Boardmember Escano-Thompson and carried unanimously to adjourn the meeting at approximately 8:15 P.M.

A Certified Correct Minutes Copy

Secretary of the Planning Commission