

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

October 27, 2014

1. 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 Crews, Escano-Thompson, Glover, Zhu, Chair Helber

Absent: None

Staff: Ellen Clark, Planning Director
Ella Samonsky, Associate Planner
Brian Horn, Associate Planner

A. Conflict of Interest

Boardmember Zhu reported that he would recuse himself from agenda Item 4B, Rancho Laguna II, due to a potential conflict of interest.

B. Contact with Applicants

There was no reported contact with applicants.

2. PUBLIC COMMENTS

There were no comments from the public.

3. ADOPTION OF THE CONSENT CALENDAR

A. August 25, 2014 Minutes

B. Adoption of Meeting Agenda

On motion by Chair Helber, seconded by Boardmember Escano-Thompson to move consideration of the minutes of the August 25, 2014 meeting to Item 4C. The motion carried by the following vote:

Ayes: Crews, Escano-Thomson, Glover, Zhu, Helber
Noes: None
Abstain: None
Absent: None

4. DESIGN REVIEW

A. 472 Center Street, TJ Maxx

Applicant: Sign & Services, 10910 Boatman Avenue, Stanton, CA 90680
Consider Design Review (DRB 20-14) to install one halo illuminated wall sign and a shingle sign on the east elevation of an existing building.

Associate Planner Brian Horn presented the staff report dated October 27, 2014, for design review approval to install one halo illuminated wall sign and a shingle sign on the east elevation of an existing building located at 472 Center Street for TJ Maxx. Due to the project's consistency with the Town's Design Guidelines, Zoning Ordinance, General Plan, Rheem Shopping Center Uniform Sign Program, and given that the project would have minimal impact on surrounding properties, he recommended that the DRB approve the Draft Action Memorandum dated October 27, 2014, approving Sign Application DRB 20-14 pursuant to Moraga Municipal Code (MMC) Section 8.88.060-C, subject to findings and conditions of approval.

Mr. Horn explained that around the weekend of July 13, 2014, the approved TJ Maxx wall sign was replaced with a new internally illuminated wall sign. Condition 6 has been recommended to ensure that the unapproved sign is replaced in a timely manner with the proposed sign.

In response to the Commission, Mr. Horn advised that the current sign had been installed by TJ Maxx to replace the previous sign, and is slightly lower on the face of the building. The proposed sign would be more consistent with TJ Maxx's trademark colors consisting of a brighter red color and the applicant proposed a halo illuminated sign. Staff had recommended a black return on the sign consistent with signs for CVS Pharmacy and HomeGoods, and in based on a previous Action Memorandum from the DRB requiring a dark color for the returns. The return on the previous sign was black in color. He clarified that the sign would be halo illuminated, offset two inches from the wall, and be pointed towards the wall.

Planning Director Ellen Clark explained the purpose of the halo illumination is to contrast the light by using light behind the signs, with some light around the edges of the sign.

Mr. Horn stated that the Rheem Shopping Center Uniform Sign Program allowed for the placement of signs below the eave of the roof.

Ms. Clark clarified that the standards in the Rheem Shopping Center Uniform Sign Program to some extent superseded the Town's new Sign Ordinance.

Mr. Horn added that the proposal for aluminum letters rather than wood would be more modern and durable and were similar to other major tenant signs within the Rheem Shopping Center. In addition, the new sign logo proposed by TJ Maxx did not include a black outline but red returns on the sides. He further explained that Condition 6 had been worded in such a way to allow the applicant an extra 90 days from the 30 days of

the effective date of the approval to obtain a Final Building Permit from the Contra Costa County Building Department given that the signs currently on the building had been installed absent approved permits. He added that 90 days should allow sufficient time to obtain permits from Contra Costa County although the Planning Director would have discretion to extend that time period if necessary.

PUBLIC COMMENTS OPENED

Scott Marcum, representing Signs and Services, 10980 Boatman Avenue, Stanton, CA, clarified that the lighting around the face of the sign had a light glow around it with a black silhouette in the evening and the sign would be red in the daytime. As to the black returns, the drawing that had been submitted included red returns because of the sign manufacturing process. He noted that the plastic face letters, which had aluminum returns, were always red for TJ Maxx as well as for the signs used by HomeGoods.

PUBLIC COMMENTS CLOSED

Boardmember Escano-Thompson clarified with Mr. Marcum that the red returns had been painted on the aluminum material. If black returns were desired, it would have to be painted on the aluminum which would represent a separate step. The black returns had also been used on channel letters with plastic faces. Mr. Marcum suggested that TJ Maxx corporate would likely prefer the red returns since in his experience that was what had always been used.

In response to Boardmember Glover, Mr. Marcum clarified that the sign would be centered rather than above center on the building parapet.

Mr. Horn advised that 15 feet above ground was the maximum height for a wall sign per the Moraga Municipal Code.

Ms. Clark reiterated that the Town's 15-foot high sign standard would not apply in this case given that the project complied with the Rheem Shopping Center Uniform Sign Program.

Boardmember Escano-Thompson recommended that the Draft Action Memorandum be revised with the elimination of Condition 7.

On motion by Boardmember Escano-Thompson, seconded by Boardmember Zhu to adopt the Draft Action Memorandum dated October 27, 2014, approving DRB 20-14, to install one halo illuminated wall sign and a shingle sign on the east elevation of an existing building at 472 Center Street for TJ Maxx, subject to the findings and conditions as shown and with the elimination of Condition 7. The motion carried by the following vote:

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

Absent: None

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

B. Rancho Laguna II

Applicant: SummerHill Homes, 3000 Executive Pathway, Suite 450, San Ramon, CA 94583

Consider Design Review of New Single-Family Homes and Landscaping for the Rancho Laguna II Project, a 27-Unit Single-Family Residential Subdivision

Associate Planner Ella Samonsky presented the staff report dated October 27, 2014, for design review of new single-family homes and landscaping for the Rancho Laguna II project, a 27-unit single-family residential subdivision. Given the project's consistency with the Town's Design Guidelines, the development standards of the Planned Development District and General Plan, she recommended that the DRB approve the Draft Action Memorandum dated October 27, 2014, approving the subdivision design pursuant to MMC Section 8.72.040, and subject to the recommended findings and conditions of approval.

Responding to the DRB, Ms. Samonsky explained that the trailhead path had been discussed at length during a Joint Planning Commission, Park and Recreation Commission, and DRB meeting on October 21. At that time, the Parks and Recreation Director had made a recommendation for a connection from the homes to the trailhead from "E" Street although staff had not yet been able to discuss that recommendation with the applicant. In response to concerns with the orientation of solar panels, she recognized they must be angled towards the sun although that had not been a focus in the staff report. The homes are required to demonstrate roof space to accommodate solar panels. She cautioned that pursuant to State requirements, the Town could not deny the use of solar panels based on aesthetics.

Ms. Clark clarified that the homes would be designed to be "solar ready."

Ms. Samonsky also acknowledged that there was no path or trail connection in between the trailhead and the start of the homes along "E" Street. She affirmed a trash receptacle had been proposed to be placed near the parking area, as discussed during the joint October 21 meeting, although staff had discussed the recommendation with the applicant and the Parks and Recreation Director and there had been concerns and questions as to who would actively maintain the trash receptacle. She recommended that issue be addressed further with the applicant. She also noted that the below street level grade at Rheem Boulevard would be raised; there was a grade change between the home pads and the greenbelt adjacent to Rheem Boulevard ; and the homes would be on a flat pad a bit higher than the grade at Rheem Boulevard, with the riparian channel lower than the grade at Rheem Boulevard.

Ms. Samonsky clarified that the DRB was being asked to review and consider design review, the architecture of the homes, and landscaping for the 27-lot single-family residential subdivision. The Planning Commission had previously approved the Vesting Tentative Map, General Development Plan (GDP), Hillside Development Permit (HDP) and Grading Permit (GP), and had reviewed the grading for conformance with the Town's Grading Ordinance and Design Guidelines.

PUBLIC COMMENTS OPENED

Kevin Ebrahimi, Vice President of Development, SummerHill Homes, 3000 Executive Parkway, Suite 450, San Ramon, presented a PowerPoint presentation on the 27-lot Rancho Laguna II subdivision.

Mr. Ebrahimi reported that in August 2014, the DRB had held a study session to review the architecture and conceptual landscaping and had provided input. The architecture and landscaping had been revised to address the DRB's comments and concerns. The 27 single-family homes would be clustered on 17 acres of a 179-acre site. The remaining 162 acres would be conserved as open space with public trails in perpetuity.

Mr. Ebrahimi stated that an attractive mix of floor plans and elevations had been developed to complement the site and appeal to future homebuyers. Renderings of views of the homes from Rheem Boulevard with landscaped greenbelt were displayed to show that the proposed use of rear solid wood with lattice-top fencing for privacy purposes would be screened by appropriate landscaping, and the rear yards of the homes would be livable and pleasant with solid rather than wire fencing, as staff had proposed. A thick screen of trees, bushes, and grasses would be planted along the rear of the fence line to screen the fence from of Rheem Boulevard.

A slide of the homes from the upper section of the development was presented. The project had been designed where none of the homes on the hilltop would be visible from Rheem Boulevard, with open views of the adjacent valley and Mt. Diablo in the distance. The homes would be clustered as close to each other as possible to preserve as much open space as possible. Three new trail paths would be provided on the site to benefit the public, and would connect to the Palos Colorados trail system and eventually the Lafayette-Moraga Regional Trail system.

No sidewalk had been proposed along "E" Street. During the Conceptual Development Plan (CDP) stage, the Town had requested the applicant reduce the grading impacts on-site as much as possible. The developer at the time had met with the Public Works Director and the Moraga-Orinda Fire District (MOFD) to review the site, and had removed sidewalks from the plan to reduce the grading impacts along the ridgeline. The same issues had arisen during the Tentative Map stage, and since the plans must be consistent with the CDP and the direction to limit grading impacts had been part of the CDP, sidewalks had been left out.

Mr. Ebrahimi explained that during the Joint meeting on October 21, there had been a discussion and recommendations to revise the layout and the design of the parking area

and the map kiosk, and a revised layout and design had been developed in response to those comments. The map kiosk would be reduced from seven to a maximum three feet in height with the surface area correspondingly reduced to create the least visual impact. The trail parking lot area would be defined with White Pine Landscape Timber, which had a water-based wood preservative, would be environmentally friendly, and had been designed for outdoor use.

In response to a recommendation for the placement of a trash receptacle in this area after extensive conversations with the project Homeowner's Association (HOA) management company, trash bins had been highly discouraged since it could encourage littering in an uncontrolled area, which could become an aesthetic and maintenance issue.

Mr. Ebrahimi identified Sheet L2, the proposed front yard landscaping, which would offer the opportunity for future homebuyers to customize their homes. The developer proposed front yard landscaping as an option, to later be designed and installed at the close of escrow.

The homeowners would then be required to install the landscaping within the first year of move-in, which had been called out in the project Covenants, Conditions and Restrictions (CC&Rs), to be enforced by the HOA. This option provided an opportunity for the high-end homebuyer to customize the front yard landscaping.

Sean Reynolds, Dahlin Group, Architecture and Planning, identified revisions to the architecture in response to input from the DRB during its August meeting, and while he did not identify the specific plan in each case, he reported that windows had been added to the kitchen area to add variety to break the massing of a wall for Plan 3; paneling which felt odd had been removed with the siding brought all the way through to clean up and simplify the elevation; emphasis on the entry with the roof pulled lower to allow the gable to read stronger; concerns with a flat roof over the garage had been addressed with the gable pulled all the way forward over the garage; and the California Ranch elevation had been revised in response to comments with respect to the siding treatment, and straight siding had been proposed to simplify the elevation.

For Plan 5 on Lot 6, the roof plan had been redesigned with hipped roofs which would not break the roof line, and the tower element had been pulled back on the corner. The developer would like to preserve the design of the tower element and was opposed to removing it. Plan 6, the casita option, had been revised to relocate the door to the side elevation to avoid its dominance on the front elevation.

In response to a recommendation to use roof tile throughout the project, Mr. Reynolds asked that that such materials not be required. He provided examples of homes in Moraga which had used composition and a combination of composition and metal roofing. In this case, metal roofing had only been proposed on four elevations and would not be dominant. The split between composition and concrete roof tile would be 60/40 which would maintain a variation and semi-custom appearance for the project. He identified an example of the elevation for Plan 6, which had used a metal roof, and reiterated that the use of metal roofs would not be dominant.

Ms. Sampson, 500 Rheem Boulevard, Moraga, asked whether the story poles that had been installed reflected only homes that would be visible from Rheem Boulevard. She also asked of the number of homes that would be visible from her residence on Rheem Boulevard.

Ms. Samonsky identified the homes along “D” Street that would be visible from Rheem Boulevard, and that story poles had been erected specifically on Lots 10 and 26.

Ms. Sampson asked whether the homes along Rheem Boulevard would be diversified; the volume of grading that would be needed to reach the story pole height; and expressed concern with impacts to her property value as well as the speed of traffic along Rheem Boulevard.

Ms. Samonsky advised that there would be 6 different floor plans and 3 architectural styles used for the homes and that the finished grade had been marked on the story poles with a grade elevation. The single-story homes would be no higher than 18 feet along Rheem Boulevard.

Jan Blumer, 1963 Joseph Drive, Moraga, a resident of The Bluffs neighborhood, expressed concern with the size and scale of the homes. He asked that more story poles be installed to allow the public a better idea of the scope of the project, particularly for the homes on the lower ridge. He suggested the story poles had shown that some of the homes on the lower ridge would be disproportionate to the area. He requested a reevaluation of that component and noted that some of the homes would be up to 5,882 square feet in size with the only home in the area close to that square footage located at 500 Rheem Boulevard at 4,000 square feet, while the homes at the lower end of Rheem Boulevard ranged from 1,200 to 2,600 square feet. He asked that the DRB reevaluate the homes over 5,000 square feet in size in the context of the neighborhood and their location within the scenic corridor.

Cheryl Tibals, Moraga, a resident of Rancho Moraga, stated that several in the community were concerned with the height of the homes and the impacts to the ridgelines. She asked for more information on what the story poles represented.

Renata Sos, a resident of Birchwood Drive, Moraga, understood that the DRB was being asked to find design conformity with the Town’s Design Guidelines and with the General Plan. She suggested there was insufficient evidence for the DRB to find conformity with the Design Guidelines related to Guideline SC16.1, with the DRB to find that the design and location of each building created a compatible, visual relationship with the surrounding development. She suggested there had been no consideration of that guideline or consideration of the relative size of the homes in the valley vis-a-vis the modest ranch homes already located on Rheem Boulevard. There was also insufficient evidence in the record to find conformity with SC16.2, the location of buildings to avoid a walled-in effect along Rheem Boulevard. She suggested there was also insufficient evidence that the structures under review would be limited in scale and siting to reduce visual dominance, or obstruction of existing land forms or adjoining structures. She

emphasized the need to consider the potential visual impacts given the proximity of the project to the scenic corridor.

Ms. Sos suggested that in order for the DRB to make the findings in conformity with the Town's provisions, the DRB would have to require the placement of story poles for each of the structures in the valley to reflect the maximum allowable size of the homes on each of the sites. She suggested that additional story poles, as recommended, would allow the DRB, the public, the Planning Commission and the Town Council the ability to assess any visual effects, potential walled-in effects, and whether the scale and siting of the buildings created visual dominance or impacts.

REBUTTAL:

Mr. Ebrahimi reported that the project had gone through three to four years of design with Town staff, the Planning Commission, and the Town Council. The approval of the CDP and Tentative Map had approved each pad and the home on each pad. He noted that Rheem Boulevard would have anywhere from five to 27 feet of fill next to it, with the pads up to 27 feet of fill. The area would be re-graded and the pads would stabilize Rheem Boulevard and keep it from moving. The existing story poles reflected an approximation of where the grade would be located, which was why the story poles appeared so tall.

Mr. Ebrahimi added that in working with Town staff, they had determined which story poles to erect to offer a good representation of the project. Referring to the home located at 500 Rheem Boulevard, he explained that the Multiple Listing Service (MLS) had shown the size of that home a little over 4,000 square feet in size, and with the garage that home would be over 5,000 square feet, the same square footage of the homes in the development including the garage space. The Floor Area Ratio (FAR) conditioned for the project in the CDP and Tentative Map stage had identified the sizes of the homes and had been discussed as part of the public review process. He explained that the project was approximately 1,600 square feet less on average than the maximum square footage allowed for the homes in the projects development standards.

Mr. Reynolds clarified that the homes ranged from 2,600 square feet up to a little over 5,000 square feet when fully optioned out, including garages, volume spaces, and stairs.

Mr. Ebrahimi added that during the CDP and Tentative Map stage, a condition had been added to pre-wire the homes for solar, which was typically done for most SummerHill Homes communities. It would then be up to the homeowner whether to install solar panels. Pursuant to State law, the location of the solar panels could not be dictated by the Town.

An unidentified resident of Birchwood Drive, Moraga, expressed concern with the status of Rheem Boulevard and wanted to see the roadway be repaired. He enjoyed living in

Moraga, welcomed the development, and suggested the existing 4,000 square foot home at 500 Rheem Boulevard had not impacted other homes along Rheem Boulevard.

Another unidentified resident of Moraga, echoed the comments from the previous speaker and suggested that the homes would not be visible other than when first constructed.

PUBLIC COMMENTS CLOSED

Boardmember Glover understood the landscaping would also be part of the project CC&Rs. As a resident of a neighborhood on an east/west street, one of the homes in his neighborhood had installed solar panels on the south side of the home possibly impacting the property values of the surrounding homes. Not opposed to solar panels, he expressed concern with the visual effects to the scenic corridor and asked the applicant whether the solar panels could be moved to a western as opposed to an eastern face without reducing efficiency.

Mr. Ebrahimi acknowledged that similar issues had been raised in other communities; however, pursuant to State law, the developer could not dictate the location or type of solar panels in the project CC&Rs.

Boardmember Crews asked why the neighborhood streets fronting the new homes had not included a sidewalk for the residents, particularly to serve children in the community.

Mr. Ebrahimi reiterated that the issue of sidewalks had been raised two and a half years ago, when SummerHill Homes had become involved with the project.

Mr. Ebrahimi stated that SummerHill Homes had met with Public Works, MOFD, and Planning Department staffs, with the project's Environmental Impact Report (EIR) and a condition of project approval stipulating how much grading was to occur on the project site. At the time the CDP had been approved, there had been an emphasis on reducing the impacts of the project. The MOFD Fire Marshal and Public Works Department had reviewed all streets, and the Tentative Map had been approved with the same concept as the CDP, absent sidewalks to be able to limit grading.

Boardmember Crews spoke to the homes along Rheem Boulevard, which had a lack of mature trees and where the vegetation had been kept low along that elevation. He was uncertain that would be favorable and suggested oftentimes homes along streets that were busy needed to screen vehicle headlights. He suggested it would be reasonable for the trees to be taller.

Mr. Ebrahimi commented that any development along a major roadway had included a lot of trees and high shrubs. In this case, there would be a lot of shrubbery that would grow six to eight feet in height. The project included a condition related to the planting of trees along Rheem Boulevard and the need to protect the skyline. A visual analysis had been prepared to ensure that the skyline would be protected, with the landscaping between the homes and Rheem Boulevard to be low enough so as to not block the view

of the skyline. The planting of trees would obscure the skyline. He explained that the trees in the mitigation area closest to Rheem Boulevard would be estimated to grow up to 20 feet.

Boardmember Crews understood the objective to protect the views of the skyline. He was impressed with the developer and Planning Department's work to create a sensitive development, clustering the homes and preserving as much open space as possible. He also liked the homes clustered in the lower areas with landscaping to screen the homes from view, and was pleased that the driveways of the homes would not front Rheem Boulevard as had the existing homes along Rheem Boulevard.

Boardmember Crews suggested that the least favorable aspect of the new development was how the development would be handled as one large project, and suggested one way for the development to feel closer to a high-end custom neighborhood would be to create a community with a higher degree of variation in terms of architecture. He offered an example of a development project in Berkeley where the developer had involved different architects doing different parts of the project, which had as a whole offered a community with more vitality and variety. He commended the work done thus far, suggested it had merit, but would have liked to have seen the project use different architects which would have provided a semi-custom neighborhood.

Chair Helber commented that the plans had shown the use of Anderson Series 400 doors and windows, and Anderson Series 400 French Doors. He clarified with the architect the supplemental information on proposed materials that had been included in the DRB packets. He also referenced Sheet A1.3 and the architectural design that included a flat roof which he found worked really well. He clarified with the architect and developer that they were committed to the design of the flat roof. As to the space in the garages, he commented that the plans had not shown the hot water heater in the garage, and while that was a level of detail that might not be identified at this time, expressed concern with the limited space for a water heater.

Mr. Ebrahimi identified the intent for the installation of tankless water heaters for all of the homes, to be placed on the wall on the garage side yard.

Chair Helber clarified the sideyard setbacks at five and ten feet. As to Sheet A5.2, he commented that the open space would view onto the rear of the homes, and noted the use of a stone element which had not been shown elsewhere on the rear portion of the Bay Classic right elevation, which appeared to be lacking. He asked whether stone could be added elsewhere to that elevation. He also asked that any type of veneer treatment terminate in a place that made sense.

Mr. Reynolds explained that for the Bay Classic elevation, as shown on Sheet A5.2, there was a lot of stone on the front elevation which would be wrapped around the porch at the entry and from there would be primarily plaster.

Chair Helber referenced Sheet 6 of 10, which had shown a culvert under Rheem Boulevard and an Emergency Vehicle Access (EVA) somewhat along Rheem Boulevard, with an existing line of drainage with a ladder or bridge. He was informed by

the Project Civil Engineer that there was a culvert under the EVA. A creek channel would be filled with the water from the open space which would travel into the culvert under the EVA and flow into the natural drainage.

Chair Helber spoke to the proposed materials for paving and a brick pattern that had been shown in several locations. He asked how that would be achieved, to which Mr. Ebrahimi explained that originally the area was to be customized, at one point had been stamped asphalt, with the intent for an enhanced appearance. All options would be considered with the intent for something that would be an enhancement with color. He clarified that aspect had not yet been finalized.

Chair Helber also spoke to the proposed installation of steel wrapped mail boxes and asked the developer to clarify that design element.

Mr. Ebrahimi advised that the developer had been working with the U.S. Postmaster on the mail box designs, which had been a challenge. The mail box design that had been proposed had not yet been approved by the U.S. Postmaster.

Chair Helber understood that the U.S. Postal Service was pushing for ganged mail box designs. He hoped the developer would succeed with the design proposed and asked what other design option would be considered if the steel wrapped mail boxes were not approved.

Mr. Ebrahimi reiterated that the developer was working with the U.S. Postmaster on the potential mail box design. The developer was not proposing a ganged mail box design for such a high end development.

Chair Helber added that the landscaping design had shown a 2 x 4 top rail for the top of the fence, and for a wire fence and 2 x 6 lattice. He noted that a 2 x 4 top rail did not last long, and recommended the use of a 2 x 6 top rail.

As to the kiosk design, Chair Helber appreciated the efforts for an alternative design in response to the comments raised during the October 21 Joint meeting, which allowed the opportunity for the developer to work with local organizations.

As to the phasing of the kiosk improvement, Mr. Ebrahimi explained it would be part of Phase One of the development including the roadway, Rheem Boulevard, internal roadways, and parking trail, and once there was access to the homes the construction of the homes would commence. He described the timeframe for the infrastructure as approximately a year for the roadways and eight to ten more months for the homes.

Chair Helber also referenced the Vesting Tentative Map and an area of grading, with a detailed plan for every portion with the exception of the portion of "E" Street north of Lot 7, and stated it appeared that the area of grading would be far away from the street. As such, he suggested there appeared to be room to accommodate a sidewalk or access from the residences to the community. He wanted to see a sidewalk included on one side of the street and noted that a 4-foot sidewalk had already been proposed along "D"

Street. He suggested it would be a reasonable request and not an alteration to the existing Vesting Tentative Map.

Mr. Ebrahimi emphasized the time spent on the CDP and Vesting Tentative Map and reiterated that sidewalks had been an issue that had involved several meetings with Public Works and MOFD staff. Once a decision had been made that sidewalks would not be included, all of the designs had been based on that determination. He emphasized that the improvement plans were 90 percent complete and in the second phase of Final Plan Check Approval. He felt this was not the time in the phasing of the approval process to design and incorporate a sidewalk on one side of the street based on all of the work that had been done to date. He suggested it was a late stage to incorporate such an improvement into the working drawings.

Chair Helber recognized the work done thus far but also noted that once the design review was done, it would be done with no further opportunity. He suggested the issue of sidewalks should be discussed by the DRB. He acknowledged the additional information provided for the public parking area and the use of White Pine Timber versus railroad ties, which he considered an improvement to the design. He still preferred the area be paved but understood the developer's preference for an impervious surface.

Chair Helber also addressed the developer's proposed concept for the front yard landscaping, to be sold as an option for future homeowners. He was uncertain how continuity would be preserved with that concept, which could place the HOA in a difficult position if the homeowner did not install front yard landscaping, as required, and the HOA had to step in. He recognized the concept had been implemented in other SummerHill Homes developments but found it would be difficult to enforce.

Mr. Ebrahimi explained that the front yard custom concept had been done in other SummerHill Homes developments and had been done well. The front yard landscape designs for this development would be upscale as opposed to what had been done in other developments. He was open to direction from the DRB on this design element.

In response to the Chair as to the next steps of the project, Ms. Samonsky stated once the subject DRB review was complete and the architecture and landscaping approved, approval of a Precise Development Plan (PDP) would be required of the Planning Commission. She described the PDP as folding all of the approvals into one design, with the final design to be shown to the Planning Commission along with any recommendations from the DRB. Following the PDP, the next step would be the Final Map. The project would not come back to the DRB.

Chair Helber liked the project and the contemporary architecture the developer had proposed; supported the project but struggled with the completeness of the package given that this was the final review by the DRB; again expressed concern whether a sidewalk should be included along "E" Street; suggested the material for the paving on the street should be asphalt, pavers or stamped concrete; and noted that Landscaping Sheet L3.1 had shown a planned view of the parking with a detailed cross section

showing entry monuments into "E" Street, although it had not identified the actual location.

Mr. Ebrahimi identified the location of the entry monuments on the plans and explained that a split rail fence would continue approximately 20 feet on both sides. The distance between the common area and the parking was defined at approximately 40 feet to the first column. He explained that Sheet L3.3 had shown a better scale of that improvement.

Chair Helber suggested the distance discussed might be too close together.

Mr. Reynolds reiterated that the parking was approximately 60 feet from the common area. He walked through the details of the plans with the Chair and pointed out some changes on the plans related to the trail which required the movement of the monumentation.

Boardmember Crews liked the adjustments that had been made to the hiking trail monument. He suggested the sidewalk issue was important for child safety but he did not want to make the process more difficult for the developer. He suggested the project was strong and he was comfortable taking action on the project at this time.

Boardmember Escano-Thompson was also ready to move forward on the project after sorting through the conditions of approval.

Boardmember Glover agreed with the need for a sidewalk given the development of a community with young families, and there was a need to move safely in the neighborhood. While he wanted a sidewalk to be part of the design, he was uncertain how that could be achieved.

Ms. Clark reiterated that the issue of sidewalks had previously been discussed and a decision had been made much earlier in the review process, after which the developer had proceeded with the plans and with the improvement plans. As the grading became more refined and prior to the completion of the improvement plans, she suggested it might be possible for the Planning Commission to consider the sidewalk as part of the PDP and recognized the applicant's concerns given the work with the improvement plans and given that sidewalks had not been included in the GDP and Vesting Tentative Map.

Boardmember Glover suggested if the project did not return to the DRB, the Planning Commission could discuss the issue of sidewalks, although he saw the sidewalks as a design issue. He was otherwise comfortable moving forward with the project with the exception of the sidewalks.

Chair Helber acknowledged the DRB's consensus to move forward which he was willing to do subject to conditions to achieve the design intent.

Mr. Ebrahimi stated he had read the conditions of approval and was amenable to the conditions, as shown, although he found the recommendation contained in Condition 2 for two to three feet of lattice to be a bit excessive.

Chair Helber recommended that Condition 2 be eliminated from the conditions. He also clarified with Mr. Ebrahimi that SummerHill Homes would be amenable to complying with Condition 3, as shown, although he would have preferred to replace the fruitless olive trees with another tree.

The Landscape Architect reported that SummerHill Homes had a conversation with Suzanne Jones with Preserve Lamorinda Open Space (PLOS). SummerHill Homes and PLOS had reached agreement on a palette of trees for "E" Street with the removal of the fruitless olive trees although those trees would continue to be used in the front yards of the single-family homes. All trees chosen were from the Town's traditional plant palette. He noted that Ms. Jones had reviewed the palette on October 26, 2014 and that PLOS and SummerHill Homes had reached an agreement on the trees for the streetscape. Red horse chestnut, manzanita, toyon, and silk tassel tree species had been recommended by PLOS. All trees selected met the height guidelines to preserve the ridgelines, although all tree species selected had not been identified on the landscaping plans given the recent discussions with PLOS.

Suzanne Jones, PLOS, stated that the mountain mahogany tree species had already been shown on the plans as was buckeye. PLOS objected to the use of the western red bud, which would create a long line of blooming pink trees along the ridgeline. The applicant had agreed with the removal of the western re buds from the plans. The trees were otherwise natives that would blend in with the native landscaping in Moraga.

Ms. Samonsky clarified that the applicant would remove the fruitless olive and western red bud trees, and add silk tassel and toyon species to the enhanced streetscape palette.

Chair Helber asked for the following modifications to the Conditions of Approval:

Condition 4 to be revised to read:

Front yard landscaping shall be as proposed. The option for enhanced front yard landscaping shall be eliminated so as to maintain consistent character and continuity as reviewed by the Design Review Board at the time of this action.

A new condition to be included to read:

The paving material as shown on Sheet L3 shall be inset pavers or stamped concrete as approved by the Planning Director.

Condition 5 to be revised to read:

The height of the trailhead kiosk on Fay Hill Road shall be designed per revised sheet L3.2 dated October 27Ad, 2014.

And add the following new conditions to read:

The trailhead parking lot landscaping timber shall be white pine landscape timber and not creosote treated railroad ties.

The applicant shall revise the landscape plans and improvement plans to include a four-foot sidewalk throughout the project.

Mr. Ebrahimi asked that the last condition be worded in such a way where the applicant would not have to go through the entire appeal process to allow consultation with Town staff and the Town Attorney.

Chair Helber understood the applicant's concern although he noted it was the duty of the DRB to push for what it believed were appropriate designs in the community. He understood the history of the improvement plans, although he noted that design review included the landscape plans which included sidewalks and how they were treated. He understood the Vesting Tentative Map did not preclude the DRB from adding sidewalks in the community, and suggested the addition of sidewalks was the right thing to do for the community and for the development.

Mr. Ebrahimi reiterated his request given the other conditions that could be effected by the requested action.

Chair Helber understood the Precise Development Plan for the project would go back to the Planning Commission and the applicant would have the opportunity at that time to address any concerns with the conditions. He suggested the cost to install the sidewalk over the course of the project and the amount of proposed public improvements was not out of line.

Mr. Ebrahimi clarified, when asked, that the utilities would all be underground with no overhead lights. He again reiterated his concerns with a condition that would make it difficult for the project to move forward and expressed concern a condition for sidewalks could affect the grading limits and possibly require grading beyond the ridgelines which would be visible from Rheem Boulevard, and which had not been supported by the Town.

Ms. Clark asked that the condition for sidewalks be crafted in such a way that would allow the project to move forward and allow that issue to be investigated further and return to the DRB. She referenced the 250 plus conditions involved with the project, many of which were sensitive to the grading and visual impacts, and recommended that the DRB take action on all but that aspect of the project, to return for additional consideration.

Chair Helber suggested it was wise to bifurcate the sidewalk from the landscaping and design review approval.

Chair Helber clarified with the developer that there was a four-foot wide pedestrian path along Fay Hill Road, and along "D" Drive there was a four-foot wide decomposed granite path on the opposite side of the homes.

As to whether a four-foot decomposed granite pathway could be accommodated on the uphill northeast side of "E" Street to Lot 7, as recommended by the Chair, Mr. Ebrahimi suggested the developer could grade for such a path but he was uncertain of the impacts. He suggested there could be additional grading; reiterated the meetings with the Public Works, MOFD, and Town Council staff, and the direction to limit grading; and did not want to agree to consider something that would stop the design and possibly affect the conditions that had already been imposed. He noted that past Lot 7 there was no room for a sidewalk since it would push the homes out into the open space area.

Chair Helber rephrased his recommendation for an additional condition to read:

A four-foot decomposed granite or concrete path similar to that currently proposed on Drive "D" shall be included from the trailhead parking lot area to Lot 7 on the northeast side of "E" Street, unless deemed by the Director of the Public Works Department to be infeasible or in conflict with other conditions of approval for the project.

In response to Boardmember Crews as to whether the decomposed granite path could cross the street at Lot 7 and go along the undeveloped side of "E" Street farther into the neighborhood, Chair Helber noted that area was sensitive and the project had been designed to visually buffer the homes, which had been part of the multi-year process to reach a consensus.

Chair Helber declared a recess at 9:20 P.M. The DRB meeting reconvened at 9:25 P.M. with Boardmembers Escano-Thompson, Glover, Zhu, and Chair Helber present.

Chair Helber, offered a motion, seconded by Boardmember Glover to approve the Draft Action Memorandum dated October 2, 2014, subject to the conditions of approval as modified, and as read into the record by staff as follows:

- Eliminate Condition 2;
- Revise Condition 3 to replace them with toyon and silk tassel trees and remove the western red bud and fruitless olive trees from the enhanced streetscape palette;
- Revise Condition 4 to read: *Front yard landscaping shall be as proposed. The option for enhanced front yard landscaping shall be eliminated so as to maintain consistent character and continuity as reviewed by the Design Review Board at the time of this action;*

- Add a new Condition 6 to read: *The paving material as shown on Sheet L3 shall be inset pavers or stamped concrete as approved by the Planning Director;*
- Revise Condition 5 to read: *The trailhead kiosk shall be as shown on revised Sheet L3.2 dated October 27, 2014, and shall be three feet in height or less. The trailhead parking lot shall use white pine landscape timber and not pressure treated creosote railroad ties;*
- Add a new Condition 7 to read: *The applicant shall revise all project plans to include a four-foot decomposed granite or concrete path similar to that currently on "D" Drive from the trailhead to Lot 7 on the northeast side of "E" Street, unless deemed by the Public Works Director to be infeasible or in conflict with other conditions of the project.*

In response to Planning Commissioner Comprelli as to whether the Planning Commission should approve some of the changes to the conditions, Ms. Clark described changes to the project plans between the DRB and the Planning Commission as a gray area but that the DRB approval must be in conformance with PC approved conditions.

Chair Helber pointed out that the decision of the DRB could be appealed to the Planning Commission. It had not been his intent to forward this portion of the project to the Planning Commission. He suggested the concerns with respect to Condition 7 could be addressed as part of the Planning Commission's review of the PDP.

Ms. Clark reiterated that the Planning Commission would be approving the PDP and the Town Council would be approving the Final Map. She recommended that Condition 7 be further modified to read:

The applicant shall revise all project plans to include a four-foot decomposed granite or concrete path similar to that currently on "D" Drive from the trailhead to Lot 7 on the northeast side of "E" Street, unless deemed by the Public Works Director to be infeasible or in conflict with other conditions of the project. The Public Works and/or Planning Director shall have the ability to refer this condition to the Planning Commission for discussion if there is any doubt as to the conformance with the conditions of approval.

Ms. Clark suggested that given the sensitivity of the ridgeline issues for the road and the project over the years, it would be better for staff to have the discretion to bring the matter to the Planning Commission rather than create the potential for an appeal that would result in a de novo hearing.

Chair Helber recommended a further modification to Condition 7 to read:

The applicant shall revise all project plans to include a four-foot decomposed granite or concrete path similar to that currently on "D" Drive from the trailhead to

Lot 7 on the northeast side of "E" Street, unless deemed by the Public Works Director to be infeasible or in conflict with other conditions of the project. If the intended four-foot wide decomposed granite or paved trail cannot be included within the existing defined limits of civil grading and the Directors of the Public Works and Planning Departments cannot find this addition consistent with the existing conditions of approval, the addition of the decomposed granite or paved trail may be taken to the Planning Commission.

Ms. Samonsky read Condition 7, as further modified into the record again as follows:

The applicant shall revise all project plans to include a four-foot decomposed granite or concrete path similar to that currently on "D" Drive from the trailhead to Lot 7 on the northeast side of "E" Street, unless if the intended four-foot wide decomposed granite or paved trail cannot be included within the existing defined limits of civil grading and the Directors of the Public Works and Planning Departments cannot find this addition consistent with the existing conditions of approval, the addition of the decomposed granite or paved trail may be referred to the Planning Commission.

On motion by Chair Helber, seconded by Boardmember Glover to adopt the Draft Action Memorandum dated October 27, 2014, approving Rancho Laguna II Design Review of New Single-Family Homes and Landscaping for the Rancho Laguna II Project, a 27-Unit Single-Family Residential Subdivision, subject to the findings and conditions of approval as shown, and subject to the modifications of Conditions 2, 3, 4, 5, 6, and the final modification to Condition 7, as shown. The motion carried by the following vote:

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

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

Chair Helber declared a recess at 10:08 P.M. The DRB meeting reconvened at 10:13 P.M. with all DRB Boardmembers present.

C. August 25, 2014 Minutes

Boardmember Glover requested an amendment to the fifth paragraph of Page 4, as follows:

Boardmember Glover understood that the sign would be manufactured off-site and then installed on the building as a single unit. The restaurant operators expressed their understanding that a background would allow the wires for the sign to be hidden behind the background.

On motion by Boardmember Glover, seconded by Boardmember Escano-Thompson to approve the minutes of the August 25, 2014 meeting, as modified. The motion carried by the following vote:

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

5. ROUTINE AND OTHER MATTERS

A. Review and Provide Comments on a Draft Story Pole Policy for the Town

Ms. Clark identified a request to consider a Draft Story Pole Policy which had been made a few months ago by a member of the DRB in light of the number of larger development projects under consideration. The intent for a Story Pole Policy had been a desire for a more consistent and formal policy for applicants to understand the expectations regarding the installation of story poles. Staff had reviewed the policies of neighboring Lamorinda cities and other communities in the County in order to form a Draft Story Pole Policy for the Town of Moraga.

Ms. Clark identified how the Town currently regulated the use of story poles; how story poles had been executed in the Town; displayed examples of story poles; the use of different story pole materials; and identified how visual simulations had been used for larger projects including the Camino Ricardo and Rancho Laguna II developments; and presented an overview of the Town's Draft Story Pole Policy. She asked that the DRB review and provide input on the policy. Based on the feedback from the DRB, the Draft Story Pole Policy would be presented to the Planning Commission for its consideration and approval.

In response to the DRB, Ms. Clark stated that the recommendation for story poles for accessory buildings and structures greater than twelve feet tall could be clarified to reflect its application to new accessory buildings and structures.

Chair Helber suggested the vast majority of the public had difficulty reading story poles although they offered a lot of attention to a project. He suggested the benefits outweighed the costs and he supported a Draft Story Pole Policy, particularly for larger projects. For the smaller projects, such as a 500-foot addition to a home, he recognized it would be a financial burden to a homeowner particularly if a civil engineer was required to prepare a survey to ensure that the story poles were in the right location. He questioned why in certain circumstances an architect could not install story poles.

Ms. Clark explained that the policy had been written in such a way to allow flexibility, such as allowing alternate certification. Generally the Town had required a certified civil engineer to provide certification although exceptions could be made for smaller projects.

Chair Helber spoke to the use of woven plastic netting, and commented that although it might make sense for larger projects, he wanted to allow staff the flexibility to allow someone to use flags or twine as story poles. He otherwise liked the Draft Story Pole Policy and the comparison of what other jurisdictions required, and the fact the policy allowed for the use of visual simulations where appropriate.

Boardmember Glover liked the Draft Story Pole Policy and clarified with staff the reference to a datum, as shown in the third paragraph of Page 2, Item 3. He noted the Town did not have an official datum and clarified for the benefit of those present that a datum was the horizontal control but could also be vertical as well. He recommended the elimination of the word datum, to be replaced with the term “established control point.” He also clarified with staff the reference to Attachment 1 was to the Story Pole Measure Certification Form, which had been provided as an example.

Boardmember Glover spoke to Page 3, Item 5, and clarified the reference to public hearing date was intended to be open, whether a Planning Commission or DRB hearing.

Boardmember Glover asked that the recommendation under Item 5 be tied to within 10 days from the time the Planning Department approved the project to be brought to the Planning Commission and the DRB. He emphasized the importance for the community to see what the development would be about and suggested the story poles not be removed until such time as the Town Council approved the project.

Ms. Clark agreed that the installation of story poles a reasonable period of time prior to a public hearing was important although that could prove to be a difficulty given unforeseen delays in the public hearing process and the intent that story poles not be installed for weeks at a time. She recommended the installation of story poles no less than 15 days prior to a public hearing consistent with public noticing requirements. She recommended that the last sentence under Item 5 be revised to read: *Story poles shall remain in place until expiration of the appeal period or until the Town takes final action on an appeal or subsequent approval.*

Boardmember Glover also commented that cross sections on the drawings were not always provided, which he found to be important since they offered a more accurate story than an architectural rendering. He wanted to see applicants for larger projects, such as the Rancho Laguna II subdivision, be required to include cross sections.

Ms. Clark suggested that request could be added to the applicant form used by the Planning Department.

Boardmember Escano-Thompson clarified with staff that story poles were typically installed once. The Draft Story Pole Policy allowed the latitude to require multiple story poles, as needed.

Ms. Clark recommended the second sentence of Item 6 be revised to read: *Changes that will increase visual impacts include increased building height, increased building size, and relocation of building elements on the site.*

Boardmember Crews liked the Draft Story Pole Policy but had reservations requiring woven plastic material because of the stress it placed on the poles. He expressed concern requiring story poles that did not illustrate roof ridgelines and how the project would be better communicated with some type of linear element horizontally. He had no issue with the use of lighter weight material and suggested there were areas where flexibility should be allowed. He otherwise urged that the 2 x 4s being used for the story poles would be recycled or reused, and not dumped.

Ms. Clark advised that some cities required all new material. The Town could not dictate how the contractor reused the materials and the Town of Moraga did not require the use of new materials.

Boardmember Zhu suggested there should be a mandate for story poles for larger projects.

Boardmember Zhu clarified with staff the requirement for accessory buildings applied to new accessory buildings, and the requirement for story poles for 500-foot additions were for projects subject to administrative design review with noticing to neighbors. He raised concern with the fact that the policy could be a financial burden for the smaller additions.

Ms. Clark explained that the recommendation for story poles for 500-foot additions had attempted to strike a balance between very small projects and the more substantial additions. A different threshold could be considered based on floor area or percentages and the requirement could be revised from 500 to 750 square feet, or as the DRB directed.

Chair Helber suggested if the architect for a 500-foot addition was allowed to sign an affidavit with his license to certify accuracy that would not require an architect and civil engineer to do an addition.

Boardmember Crews suggested it was common in many jurisdictions for architects to sign off on such work.

Ms. Clark suggested the language as shown on Page 2 of the Draft Story Pole Policy allowed some flexibility, with examples of how the Town could be more lenient in terms of the requirements.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Ms. Clark summarized the revisions to the Draft Story Pole Policy as follows:

- Revise Item 1, bullet 2 to read: New accessory buildings and structures greater than 12 feet in height;
- Revise the third sentence in the fourth paragraph of Item 3 to read: Elevations must be tied to established controls;
- Revise the third paragraph of Item 4 (without parentheses and highlighting) to read: Wire twine, ropes and poles may be used as an alternate to woven netting;
- Retain the reference to 15 days in Item 5;
- Revise the last sentence of Item 5 to read: Story poles shall remain in place until expiration of the appeal period or until the Town takes final action on an appeal or subsequent approval; and
- Revise Item 6 to read: If the project design changes in a manner that will increase visual impacts, the Planning Department will require modifications to installed story poles to reflect these project changes. Changes that will increase visual impacts include increased building height, increased building size, and relocation of building elements on the site.

By consensus, the DRB accepted the Draft Story Pole Policy, as amended.

B. Selection of Vice Chair

Chair Helber identified the duties of the Vice Chair of the DRB.

Boardmember Glover volunteered to serve as the Vice Chair of the Design Review Board with a term to run through March 2015.

On motion by Chair Helber, seconded by Boardmember Zhu to appoint John Glover as the Vice Chair of the Design Review Board through March 2015. The motion carried by the following vote:

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

C. Planning Commission Liaison Report – Comprelli

Planning Commissioner Comprelli highlighted the October 21, 2014 Joint meeting and expressed his appreciation to the DRB for its participation. He looked forward to future joint meetings with the Town's Commissions/Boards.

6. REPORTS

A. Design Review Board

Boardmember Glover reported that the Hillsides and Ridgelines Steering Subcommittee would next meet on November 19, 2014.

B. Staff

Ms. Clark affirmed that the Hillsides and Ridgelines Steering Committee would meet on November 19, to review recommendations on the scope of the next phase of the project, to be presented to the Town Council in January 2015. She was pleased with the discussion during the Joint October 21 meeting for the options for the Livable Moraga Road Project, with a recommendation to be presented to the Town Council in January 2015. She also reported that staff was in the process of recruiting another Planner for the Planning Department. There had been no reduction in planning applications at this time. She added that the Town Council had approved a policy and funding to require biennial training for all Commissions/Boards. The next meeting of the DRB had been scheduled for November 10, but may be canceled if there were no applications. The second meeting of the month had been canceled. The next meeting thereafter had been scheduled for December 8. She commented that a reduction in the number of DRB meetings over the past year had benefitted staff's ability to provide a better level of service to applicants. A similarly reduced meeting schedule would likely be proposed for 2015.

Chair Helber congratulated Ms. Clark on her position as the new Planning Director. He also welcomed new DRB Boardmember Crews to the DRB.

7. ADJOURNMENT

On motion by Boardmember Glover, seconded by Boardmember Escano-Thompson and carried unanimously to adjourn the meeting at approximately 11:15 P.M.

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Secretary of the Planning Commission

