

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

**January 12, 2015**

**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.

**A. ROLL CALL**

Present: Boardmembers Crews, Escano-Thompson, Glover, Zhu\*, Chair Helber  
\*Boardmember Zhu arrived at 7:05 P.M.

Absent: None

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

**B. Conflict of Interest**

There was no reported Conflict of Interest.

**C. Contact with Applicants**

Boardmember Glover reported that he had visited the property at 128 Devin Drive, Agenda Item 4A.

**2. PUBLIC COMMENTS**

There were no comments from the public.

**3. ADOPTION OF THE CONSENT AGENDA**

**A. December 8, 2014 Minutes**

**B. Adoption of Meeting Agenda**

On motion by Chair Helber, seconded by Boardmember Escano-Thompson to adopt Consent Agenda Item B and to move the minutes of the December 8, 2014 meeting to Design Review as Item C. The motion carried by the following vote:

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

Absent: None

#### 4. DESIGN REVIEW

##### A. 128 Devin Drive

**Applicant:** Susan Wootan, Oikos Architecture, 4400 Davenport Avenue, Oakland, CA 94619

Design Review (DRB 25-14) for the modification of parking requirements under Moraga Municipal Code (MMC) Section 8.76.130 for the conversion of an existing family room into a garage and review of an 859 square foot addition to an existing residence that encroaches into the side yard setback, requiring a Variance.

Associate Planner Brian Horn presented the staff report dated January 12, 2015 for DRB 25-14 for the modification of parking requirements under MMC Section 8.76.130 for the conversion of an existing family room into a garage, and review of an 859 square foot addition of an existing residence that encroaches into the side yard setback, requiring a Variance. He recommended that the DRB recommend Planning Commission approval of the design review for the project subject to the findings and conditions of approval as contained in the Draft Action Memorandum dated January 12, 2015.

In response to the DRB, Mr. Horn explained that there are not setbacks from utility easements but that a structure foundation must be out of the easement area. He also defined a padded lot, which was a lot that has a level graded building pad.

#### PUBLIC COMMENTS OPENED

Susan Wootan, Oikos Architecture, Oakland, explained that she had no presentation to make.

#### PUBLIC COMMENTS OPENED

There were no comments from the public.

#### PUBLIC COMMENTS CLOSED

Boardmember Glover requested that future applications include more detail, for the design of a project. In this case, the project would be close to the existing sewer easement and no details had been provided for the perimeter wall. He expressed concern that the foundation could be vulnerable if any digging was done in that area in the future.

Chair Helber clarified with Ms. Wootan that Sheet A1-2, which had shown the setback dimensions at 7 feet, 3 3/8 inches for the finished wall, would be certified by a surveyor as required by a condition in the Draft Action Memorandum.

Ms. Wootan explained that the dimensions shown in Sheet A1-2 had come from the surveyor's exterior lot line and the new construction would be extended onto that lot line.

Chair Helber identified Conditions 12 and 13 of the Draft Action Memorandum and wanted to ensure that the applicant had taken into consideration the depth of the siding.

Ms. Wootan advised that the proposed siding at the corner would be stucco and she would take the Chair's comments into consideration. She suggested a dimension of 7 feet, 2 inches for the finished wall.

Chair Helber also recommended that Conditions 12 and 13 be combined. As written, the conditions required the applicant to have a California Licensed Surveyor visit the property on more than one occasion. He recommended that a letter from the California Licensed Surveyor be provided to confirm that the footings and additional walls were not located closer than 7 feet, 3 3/8 inches from the south property line at the time of the foundation inspection.

Planning Director Ellen Clark suggested that the dimensions could be confirmed based on the visibility of the footing from the exterior of the property with the wall not to project beyond the footing. She noted that there would be a planning inspection at that point.

Boardmember Zhu suggested that the California Licensed Surveyor could be asked to visit the site prior to the backfill to view the footing and the exterior.

Chair Helber also referenced Condition 7 and clarified with the Planning Director that the condition had been imposed by the Building Division.

Boardmember Escano-Thompson referenced Design Guideline SFR2.14, which required the installation of a bio-filter, sand filter, or plant box, and which had not been identified in the Draft Action Memorandum.

Ms. Clark explained that Design Guideline SFR2.14, had come from a Design Guideline required by the Town in the past, and it would not be difficult for the project to comply with that Guideline if added as an additional condition of approval.

Mr. Horn clarified that the project would not trigger compliance with C.3 requirements, and that this had been included in error. He did not recommend Design Guideline SFR2.14 as a required condition.

Ms. Wootan clarified her understanding that Devin Drive had been repaved in the last year.

Ms. Clark explained that there would be no new driveway cut as part of the project with no modification to the driveway to the street. As such, no street damage was anticipated.

Chair Helber recommended that Condition 12 be revised to read:

12. *Prior to Planning Department sign-off on building permit final, a letter from a California Licensed Surveyor shall be provided to the Planning Department that confirms the footings nor addition walls are not located closer than 7 feet 2 inches from the south property line.*

Ms. Clark added that Condition 13 would be eliminated and Conditions 14 through 17 would be re-numbered.

On motion by Boardmember Escano-Thompson, seconded by Boardmember Glover to adopt the Draft Action Memorandum dated January 12, 2015, approving Design Review (DRB 25-14) for 128 Devin Drive, subject to the findings and conditions of approval, and subject to the modification to Condition 12, the elimination of Condition 13, and the renumbering of Conditions 14 through 17. The motion carried by the following vote:

Ayes:	Crews, Escano-Thompson, Glover, Zhu, Helber
Noes:	None
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. 489 Moraga Road, Via Moraga Subdivision**

**Applicant:** Signature Homes, Inc., 4670 Willow Road, Pleasanton, CA 94588

Consider Grading Permit for the Via Moraga Project (Subdivision 9317), a 17-Unit Single-Family Residential Subdivision

Ms. Clark presented the staff report dated January 12, 2015 for the consideration of a Grading Permit for the Via Moraga Project (Subdivision 9317). She recommended that the DRB approve the Draft Action Memorandum dated January 12, 2015, approving the Grading Permit for the Via Moraga Project subject to the findings and conditions.

Boardmember Glover referenced Condition 1 of the Draft Action Memorandum and questioned some of the language used in that condition. He expressed concern the language in the condition allowed some flexibility and he sought a better level of comfort that the condition would be met.

Ms. Clark commented on the difficulty in providing more specificity in the condition and explained that if there were any changes to the grading plan, storm drain plan, or removal of a berm, DRB review would be triggered. She also clarified that the good neighbor fence design, as shown on Sheet 3, consisted of a solid wood privacy fence and that the DRB had reviewed the different fencing types when it had reviewed the project a few weeks ago.

PUBLIC COMMENTS OPENED

Gary Galindo, Signature Homes, 4670 Willow Road, Pleasanton, explained that there would be no chicken wire fencing as part of the project. He advised that the grading plan would be submitted in the next day and would reflect what had been shown, with no alteration of the plan. Signature Homes had no plans to alter the grading plan. He otherwise expressed his appreciation to staff for the scheduling of the item. He added that retaining walls would be minimal, less than one foot, and on the boundary walls, adding to the project and that the backyards would be a minimum of 10 feet.

Jane Russell, Moraga, stated she had not seen the details for the project. She expressed concern with the number of homes in such a small area, the closeness of the homes, and the adequacy of parking for the residents. She understood that once the grading had been established it would be difficult to make any modifications to the project.

Chair Helber explained that the DRB was only considering the Grading Permit for the project. The project had previously been considered through the Town's entitlement process for the approval of the subdivision, which identified the number of homes on the site. The architectural details had also been previously reviewed and approved by the DRB.

#### PUBLIC COMMENTS CLOSED

Planning Commissioner Woehleke understood that manholes or on-site hookups for sanitation and storm drain would be provided and other utilities for power lines, cable, and natural gas, as examples, would be underground as part of the grading process.

Mr. Galindo affirmed that the undergrounding work would be done at one time and would be part of the grading process given the small size of the site, which work would likely be completed within an eight-week period. Hookups to the sewer and storm drain systems would be required. He described the process that would be followed for that work, with as few intrusions as possible into the street. A Traffic Management Plan and would be in place when work commenced and would also be part of the improvement plans.

Boardmember Zhu asked whether the top of the landscaping berm could be lowered in height since the bio-retention area would primarily be dry, with the area from the bottom of the bio-retention area and the top of the berm at six feet which could create a man-made hill appearance on the driveway.

Ms. Clark advised that the site would be extensively landscaped. The berm had been intended to screen the sightline across the ditch and into the site, with the goal of shielding vehicles. The retention of the height of the berm, as is, was recommended.

Mr. Galindo described the use of a green screen with a mesh which would also screen the area from view.

Boardmember Zhu reiterated his recommendation to lower the height of the berm, particularly given the views along Moraga Road. He questioned whether the landscaping would minimize the height concerns.

Ms. Clark explained that the DRB had previously reviewed and approved the landscaping plan and had found the berm height to be appropriate. A similar cross section had previously been provided as part of those discussions.

Boardmember Glover asked the applicant why the berm had been placed where located, to which Ms. Clark explained that Town staff had not required the berm at that height.

Ms. Clark added that the applicant had proposed the berm feature at the height presented and it appeared the height of the berm would do an adequate job screening, which had been a concern of the Planning Commission given the potential impacts from views of parked vehicles within the property.

Chair Helber added that the site plan was reflective of the DRB recommendation to the Planning Commission to revise the plan with a single driveway in an attempt to mitigate the potential visual impacts straight down into the subdivision itself, which the applicant had proposed to the Town Council at the time of the approval of the Vesting Tentative Map. He did not support a lowering of the berm height at this time, did not find the height of the berm to be dissimilar from other areas of the Town including the Sonsara development, and stated the berm would provide a landscaped buffer from the homes and from the sidewalk. He added that Lots 1 and 2 were closest to the street and Lot 11 had been pushed farther away, 75 feet or more from the sidewalk, mitigating the walled-in effect from the scenic corridor.

Ms. Clark added that as part of the reconfiguration of the driveway, some parking spaces had been relocated to the frontage behind the landscape berm, which also addressed the desire to provide more screening of those vehicles in that the height of the berm would partially screen views of vehicles.

In response to the Chair, Ms. Clark affirmed that the Department of Public Works had reviewed a preliminary Stormwater Control Plan, and the applicant would submit a technical grading plan which would be further reviewed by the Department of Public Works.

Chair Helber clarified with the applicant that an existing catch basin and an existing sanitary sewer line that traveled down the south side of the property would be removed; an existing extension of that line running to a catch basin directly under Parcel B for the bio-retention area would remain; and a new proposed storm drain line, 42-inches in size, would run into the same catch basin.

Mr. Galindo affirmed that if the catch basin were to overflow, it would overflow into the bio-retention area and into the street, although he did not have the cross sections to clarify that information, which would be clarified and reviewed by staff as part of the underground work.

Chair Helber also spoke to the existing drainage condition from the hillside behind, particularly from the Moraga Place property, which water he understood flowed onto the subject site. He cited Sheet 5, which had shown a steep slope on the subject property between the Moraga Office site and the 5-A Rent-A-Space facility along the southern property line, and asked where that water would go.

Mr. Galindo advised that the water from that area would hit the retaining wall. He reiterated that he did not have a copy of the sewer plan before him at this time and had only brought a copy of the grading plan under discussion.

Ms. Clark identified a ditch on the Moraga Place property which conveyed the drainage off to the south, and Chair Helber thanked staff for the clarification.

On motion by Boardmember Glover, seconded by Boardmember Zhu to adopt the Draft Action Memorandum dated January 12, 2015, approving the Grading Permit for the Via Moraga Project at 489 Moraga Road, subject to the findings and conditions of approval.

The motion carried by the following vote:

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

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

### **C. December 8, 2014 Minutes**

Boardmember Glover requested a modification to the motion shown on Page 4 of the December 8, 2014 minutes, as follows:

*On motion by Boardmember Glover, seconded by Boardmember Zhu to adopt the Draft Action Memorandum dated December 8, 2014, approving DRB #1-13, to install an externally illuminated monument sign, 1460-A Moraga Road, Union Bank, subject to the findings and conditions, and with modification to Conditions 7, 11, and 12. The motion carried by the following vote:*

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

In terms of the process, Ms. Clark affirmed that in the future the DRB may make minor modifications to the meeting minutes, as needed, without having to pull the item from the Consent Agenda.

On motion by Boardmember Escano-Thompson, seconded by Boardmember Glover to approve the minutes of the December 8, 2014 meeting, as modified. The motion carried by the following vote:

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

**5. ROUTINE AND OTHER MATTERS**

**A. Consider Approval of Tentative Design Review Board Meeting Schedule for 2015 Calendar Year**

The DRB acknowledged receipt of the Tentative Design Review Meeting Schedule for the 2015 Calendar Year.

Ms. Clark acknowledged that there were some typographical errors in the Tentative Meeting Schedule which would have to be corrected. She noted that staff had become more vigorous in setting the deadline for applicants to present submittals. In terms of the future work volume anticipated for the DRB, she did not foresee a number of items coming forward at this time in that much of the work for some of the larger projects had been completed. A new batch of larger projects was being processed and could be submitted to the DRB in the next few months.

**B. Planning Commission Liaison Report – Woehleke**

Planning Commissioner Woehleke reported that the Planning Commission had met on January 5, 2015 and had considered a resolution to adopt the Initial Study/Mitigated Negative Declaration (MND) for the Housing Element; had received an update and provided comments on the Hillside and Ridgeline Project and the Steering Committee recommendation regarding the scope of the next project phase and the Planning Commission had forwarded a recommendation to the Town Council for consideration. He commended the work of the public and the Steering Committee on this effort.

**6. REPORTS**

**A. Design Review Board**

Chair Helber reported that an appeal of the DRB's approval of the landscape plan for the Rancho Laguna II subdivision had been withdrawn. He understood that the Town Council would receive a presentation and recommendation from the Town Advisory Committee (TAC) and staff for the Livable Moraga Road Project during its meeting on January 14. He also understood that the recommendations to be presented were consistent with the direction offered by the Planning Commission, DRB, and Park and Recreation Commission during the joint meeting on October 21, 2014.

**B. Staff**

Ms. Clark affirmed that the appeal of the DRB's decision on the landscape plan for the Rancho Laguna II subdivision had been withdrawn although based on the Town's appeal process the appeal period remained open until January 15, 2015. An appeal of the Planning Commission's approval of the City Ventures project would be heard by the

Town Council on January 28, 2015; and the Town Council would consider the recommendation for the next phase of the Hillsides and Ridgeline Project on that same date. Additionally, the first reading of the Historic Preservation Ordinance would be considered by the Town Council on January 15, and she was pleased that the Livable Moraga Road Project would also be considered by the Town Council on the same meeting date after extensive work by the TAC, with a recommendation staff hoped the Town Council would support.

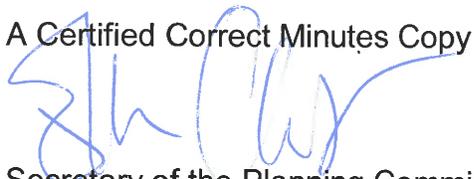
Ms. Clark also reported that there would be two vacancies on the DRB in that Boardmembers Escano-Thompson and Glover's terms would expire. She noted that staff had received few applications from those interested in serving on the Town's Commissions/Boards.

Boardmember Escano-Thompson reported that she would be absent for the February and March DRB meetings.

## 7. ADJOURNMENT

On motion by Boardmember Glover, seconded by Boardmember Zhu and carried unanimously to adjourn the meeting at approximately 8:09 P.M.

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Secretary of the Planning Commission

