

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

September 28, 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, 1500 St. Mary's Road, Moraga, California.

Present: Boardmembers Escano-Thompson, Crews, Chair Helber

Absent: Boardmember Glover

Staff: Ellen Clark, Planning Director
Coleman Frick, Assistant Planner

A. Conflict of Interest

There was no reported 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 CONSENT AGENDA

- A. September 14, 2015 Minutes**
- B. Adoption of Meeting Agenda**

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

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

4. DESIGN REVIEW

- A. 10 Moraga Valley Lane
Applicant: Moraga Presbyterian Church, 10 Moraga Valley Lane, Moraga**

Design Review (DRB 11-15) to install two (2) new sign faces on an existing off-site monument sign at the corner of Moraga Way and Moraga Valley Lane (APN 255-840-036) (3-DUA, ENS)

Planning Director Ellen Clark presented the staff report dated September 28, 2015, for consideration of Design Review (DRB 11-15) to install two (2) new sign faces on an existing off-site monument sign at the corner of Moraga Way and Moraga Valley Lane. Due to the project's consistency with the Design Guidelines, Zoning Ordinance, and General Plan, and with minimal impact on surrounding properties, she recommended that the DRB approve the Draft Action Memorandum dated September 28, 2015 approving DRB 11-15 pursuant to Moraga Municipal Code (MMC) Section 8.88.060-C.1, subject to the findings and conditions of approval.

In response to the DRB, Ms. Clark stated that no lighting had been proposed for the sign at this time and the applicant would be required to apply for such a request.

PUBLIC COMMENTS OPENED

Bob Bratton, representing Moraga Valley Presbyterian Church, 10 Moraga Valley Lane, Moraga, explained that the existing sign had been in place for some time. The church was in the process of rebranding the church logo. Depending on lighting conditions, the existing sign was not clearly visible during certain portions of the day. Since the church was a Red Cross designated shelter, and there was no frontage to the church from the street, he asked that the DRB allow the sign to be modified, as proposed, to ensure its visibility.

Joseph Weinstein, Moraga, a resident of the Sonsara development on whose land the sign had been placed on an easement, questioned whether the DRB had received any feedback from homeowners in the Sonsara development related to the design of the sign.

Chair Helber affirmed that the DRB had been provided correspondence from the Sonsara Homeowner's Association (HOA) regarding the sign application as part of the staff report.

Mr. Weinstein understood the need for the sign to be more visible, although he found the aesthetics of the sign to detract from the scenic corridor. He commented that the original sign had gravitas, beauty, stone, and a classic full sign copy. The replacement sign copy would consist of a flat, two-dimensional sign, with acronyms, which appeared similar to an industrial park entrance. He objected to the sign copy that had been proposed.

PUBLIC COMMENTS CLOSED

Mr. Bratton clarified that the recessed niche was recessed half an inch where the brass letters were located. A shadow line/relief would remain even based on the use of the thin aluminum commercial sign product that had been proposed.

Boardmember Crews found the proposed sign to be a step down in quality, going from cut brass letters to a painted sign. While he had no issue with the intent of the proposal, he found that the revised sign would not have the substantial feel of the existing brass letters.

Boardmember Escano-Thompson clarified with Mr. Bratton that the letters would be painted, not raised. She agreed that if there was some dimension to the letters it would improve the appearance of the sign.

Mr. Bratton referenced a photograph of the sign where it was clear that even with the existing brass letters the sign copy was not clearly visible.

Boardmember Escano-Thompson noted the lack of contrast in the coloring between the sign and the monument itself, to which Mr. Bratton described the contrast between color and background, with the intent to stay with a grey background and white letters to blend with the concrete. He understood that most signs had white letters which offered greater visibility during the daytime.

Boardmember Escano-Thompson suggested the sign would be more visible with a greater contrast and it would be much better if the letters *MVPC* were dimensional and raised not unlike the brass letters now including the sign copy reading *Nurtury Preschool*.

Chair Helber commented that he had been ready to move forward with the sign application as is, although he agreed that the existing sign appeared to be more substantial and classic than the aluminum insert. While he acknowledged the overall concrete base of the sign would not change, the aluminum frame fit within the recession, and the sign complied with the Town's Sign Ordinance, given the sign's location within the scenic corridor he asked whether the applicant would be willing to raise the sign letters. He cited other signs that had been presented to the DRB in the past that included raised aluminum letters.

Mr. Bratton suggested it would depend on the materials for the sign given his desire to have a sign that would appear nice for a long time and based on a mock-up he suggested the sign would be attractive. He noted that the sign had been designed by a graphic designer who had experience with branding and other signs. The sign would be manufactured by a sign company located in Concord.

Boardmember Crews clarified that his comments were not intended as a vote against the sign but comments on the aesthetics of the sign. He offered a motion to adopt the Draft Action Memorandum subject to raised lettering as an option to be administered at a staff level.

Ms. Clark recommended a revision to Condition 1, as shown on Page 2 of 3 of the Draft Action Memorandum, to insert the following language between the first and second sentences:

The applicant shall investigate the possibility of including raised lettering as part of the sign design for staff review.

Boardmember Escano-Thompson clarified with Mr. Bratton the use of the term *MVPC* on the sign copy was part of a new modern style of branding, which was why the church wanted it placed on the top of the sign, with the lettering to pop enough to be visible.

Mr. Bratton explained the church was also a polling place, and emphasized that its location and lack of clear signage made the church difficult for many to locate.

On motion by Boardmember Crews, seconded by Boardmember Escano-Thompson to adopt the Draft Action Memorandum dated September 28, 2015, approving DRB 11-15 for the Moraga Valley Presbyterian Church Sign Amendment at 10 Moraga Valley Lane, subject to the findings and conditions as shown, and subject to a revision to Condition 1 to insert the following language between the first and second sentences:

The applicant shall investigate the possibility of including raised lettering as part of the sign design for staff review.

The motion carried by the following vote:

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

B. 287 Rheem Boulevard

Applicant: Gwan (Richard) W. Yu, 287 Rheem Boulevard, Moraga Design Review (DRB 04-15) for a major residential addition and remodel including the construction of first and second story additions adding 3,290 square feet of living area and a new 788 square foot three-car garage to the existing residence, within a scenic corridor. (1-DUA/R-15, CMF)

Assistant Planner Coleman Frick presented the staff report dated September 28, 2015 for DRB 04-15 for a major residential addition and remodel including the construction of first and second story additions adding 3,290 square feet of living area and a new 788 square foot three-car garage to the existing residence within a scenic corridor. Noting that the item had been continued from the DRB meeting on September 14, 2015, he explained that staff had provided a Draft Action Memorandum substantially in the form included in the September 14, 2015 staff report based on a recommendation for approval of the project. He advised that the DRB may approve the Draft Action Memorandum as written, including additional conditions of approval based on comments received, or to better comply with Design Guidelines and findings. He suggested the applicant be provided an opportunity to hear such direction and proposed modifications and return to the DRB with revised plans. In that case, staff would prepare a revised analysis and Draft Action Memorandum for the DRB's consideration at that time.

Responding to the DRB, Ms. Clark affirmed the property's location within the scenic corridor was the initial reason the application required design review. Any exception to the Town's Design Guidelines also triggered DRB review.

Mr. Frick clarified that the project complied with the Town's development standards, as defined in the MMC, although some design guidelines related to neighborhood compatibility, impacts on neighboring residences, and the semi-rural character could also trigger DRB review.

Mr. Frick clarified the site plan and project plans had included some elements, such as the covered porch, entryway, and garage that would not be counted in the living area, creating some discrepancies in the square footage calculations in the project description. When asked, he was unaware that the discussions of the Hillsides and Ridgelines Steering Committee would affect the project since nothing had yet been adopted as part of that effort.

Ms. Clark explained that a comparison table of what the Floor Area Ratio (FAR) would have allowed had not been done since the regulations did not apply. Rather, staff had suggested that issue be considered in the context of neighborhood compatibility and impacts on neighboring residences, rather than applying a quantitative number for this application which would not be based on a clear standard.

Mr. Frick clarified that the numbers in the staff report related to lot coverage and the lot coverage requirement of 33 percent; the property was not considered to be located in a hillside area based on the slope; the property was on an existing padded lot; most grading would be done to mitigate impacts on existing vegetation and topography related to the building itself; and there would be no significant raising or lowering of the existing building pad with the exception of the three-car garage to make it level which would reduce the setback on the east side of the property line from 66 to approximately 30 feet although the setback from the two-story element would remain at approximately 60 feet.

Mr. Frick explained that staff had determined a walled-in effect would not be created in the front yard along Rheem Boulevard. In addition, he suggested the property comparables that had been included in the staff report, which had been provided by the applicant's attorney, should be clarified by the applicant. While some of the comparables included other two-story homes, the home was above the average home size of homes in the area, excluding the garage, and staff had not prepared a comparative analysis of other homes that could be similar beyond number of story and square footage.

Ms. Clark added the staff report had acknowledged that some effects to the ridgeline could be addressed through design. Staff was in agreement that there were few comparable residences in that area of Rheem Boulevard, as reflected in the staff report.

PUBLIC COMMENTS OPENED

Steve Chang, 287 Rheem Boulevard, Moraga, speaking for the property owner who was present in the audience, explained that the property owner had been working with the Town's Assistant Planner since March 2015, that numerous compromises and revisions had been made, and all concerns raised had been considered as part of the design. A shadow study had been performed, story poles had been erected, and

setback designs for the second floor had been provided. Neighbors had been approached from the beginning and the property owner had worked with the neighbors to accommodate many of their concerns. The project designer and architect was also present to address the DRB.

In response to neighborhood concerns, particularly for the three-car garage and its extension, Mr. Chang identified a large wall of trees between the subject and neighboring homes and stated the impact from the garage to the neighbor's view was limited.

Mr. Chang presented photographs from 287 Rheem Boulevard of the neighbor's yard from the position where the new proposed garage would be located.

Jimmy Fong, 2929 School Street, Oakland, identified how the second floor windows from the west side addition would be blocked by the roofline on the first floor on the east side of the addition. The neighbor's home was four feet below the level of the existing home, illustrating that the window would not be visible.

Mr. Chang added that the property owner had a large family and three generations were living in the home. The property owner hoped to build his dream home and given the number of occupants, a three-car garage was needed by family members. He introduced the family members present in the audience in support of the application.

Gary Hutnik, 283 Rheem Boulevard, Moraga, expressed concern with the characterization of the view given the proximity of high tension wires in the area. He supported the ability of a homeowner to upgrade a home and noted that a 60-year old home was not up to code. While he recognized the existence of the scenic corridor, he would rather there be attention to the roadway. He supported the project and recognized the property owner's growing family and attempt to help the community. He suggested the bulk of the construction would be his view, although that would not bother him; he would rather see properties be improved, and cited a number of large homes in the area. He noted that some homes were allowed to block the ridgelines while others were not; noted the homes in the area dropped approximately five feet and he had views into three separate rear yards from his property; and given the way the homes had originally been built, suggested that few had privacy.

Bob Buhl, 292 Rheem Boulevard, Moraga, opposed the size of the home as compared to the existing homes in the neighborhood, with the exception of one home that had been remodeled ten years ago. He suggested the proposal would be out of character with the existing neighborhood and while he recognized that improvements were nice he noted that many improvements had not been well preserved. He stated the only home of comparable size was located at 226 Rheem Boulevard which involved a very large home which had significantly impacted views of the scenic corridor. He questioned how that home had been approved, spoke to the impingement of the home on the adjacent neighbor [Hollingsworth], and while the encroachment may be incremental and not greatly visible in photographs, suggested the psychological impacts of the closeness and shading to the adjacent neighbor was a concern.

Hester Wesselmann, 3871 Campolindo Drive, Moraga, expressed concern maintaining the charm and semi-rural character of one of the main entrances into the Town, and

potential negative impacts to the adjacent neighbors. While she supported property improvements, pride, and care of homes, and did not begrudge the property owner the ability to enjoy his home, she expressed concern with the size, scale, and design of the home she suggested was out of character with the existing neighborhood. She also expressed concern with the potential negative impacts to the adjacent neighbor and that neighbor's property value. She suggested the Town's Design Guidelines had taken those concerns into consideration and she hoped the DRB, and the homeowners could work together to develop a design that complied with the Town's Design Guidelines.

Mike Hollingsworth, 291 Rheem Boulevard, Moraga, presented photographs of different perspectives of the property to the DRB. He noted the DRB had been provided with correspondence that had spoken to the project's incompatibility with the neighborhood and its conflicts with the scenic corridor. If the DRB were to approve the project, he understood it must find that the project would not have a substantial adverse effect on neighboring properties, would not lower property values, and would not impair public health. He suggested those findings could not be made given the impacts to his property and to the quality of his family's life. He suggested the project would degrade his rear yard and family room privacy given that the proposed south facing windows from a second floor balcony would decrease the amount of sunlight received directly into his front sitting and master bedroom areas due to the three-car garage addition, which would extend over 35 feet beyond his elevated sitting room. The addition would compromise the privacy of his sitting room because the three-car garage included an outside side door and lighting; the location of the A/C units within a grandfathered substandard 10-foot setback area would further impact his privacy; the project would decrease his property value due to the cumulative effects of the impacts identified and would result in a walled-in effect with a 75-foot long wall, 10 feet off of the common property line, and on ground approximately four feet higher than his home's building pad, as supported by a letter provided by a professional Realtor that had been included in the DRB packet.

Mr. Hollingsworth commented that the rear yard privacy noise issues could be addressed with elevated window sills, such as clerestory windows or skylights. He noted that the story poles had not matched the angle shown to the DRB, in that he could see from his family room a portion of the master sitting room area. He suggested noise shielding should be provided for the A/C units, and while the second story sightlines could be mitigated through vegetation, stated it would be difficult for the vegetation to grow to a sufficient height and maintained in a shady area where it would have to be placed and could be removed by a future property owner. He was willing to accept the balcony with the knowledge that people could see him and he could see them, and noted the three-car garage would block the late afternoon sunlight indirectly and underneath the shrubs, and commented it would degrade the ambience of his sitting room and decrease the sunlight to the master bedroom. He recommended that the three-car garage be relocated to the west side of the property, be rotated, and be pushed back into the property which would address the walled-in effect and privacy issues.

Mr. Hollingsworth suggested that change, while complicated, would not increase construction costs or the size of the project. He asked that the DRB deny the proposal,

as presented, and direct the applicant to revise the proposal to be compatible with the neighborhood.

Jane Hollingsworth, 291 Rheem Boulevard, Moraga, explained that her family had only been made aware of the application in mid-May when the property owner had provided her husband with a set of plans. While her husband had made some suggestions, they had not heard back from the property owner. In mid-June, she and her husband had contacted the Town to determine how to participate in the process, hoped to work with the applicant and the Town to find a suitable compromise, and had viewed revised plans in early July which had involved no changes to reflect their concerns. There had been further communication with Town staff to address their concerns. The full impact of the project had been revealed when the story poles had been erected on August 29.

Ms. Hollingsworth stated they had later approached the property owner to advise of their concerns, had been informed the project architect would look at their concerns, and with no response had submitted a letter to the Planning Department to officially express their concerns. She referenced her family's own home addition which had been done in consideration of the neighbors and explained that the proposal would take away the sunlight from that addition.

Andy Hollingsworth, 291 Rheem Boulevard, Moraga, also expressed concern with the project given the impacts to his family's views, privacy, and violations of the Town's Scenic and Design Guidelines. He questioned why the project was not subject to the FAR size limits, suggested the project should be subject to the FAR goals pursuant to the MMC, and the project was not consistent with the design and character of the existing and established ranch style home neighborhood. He stated the proposed home would be 42 percent larger than the largest home on the north side of Rheem Boulevard and the only home with bold Spanish style architecture and a full second story; it would be difficult to mitigate through vegetation; out of scale and incompatible with the appearance of the existing homes in the neighborhood; and the applicant had other options to achieve his desire for a comfortable home that would not be limited to an extensive and oversized rebuild. He offered a copy of a spreadsheet that listed the homes in the area including address, size, style, and number of bedrooms and bathrooms along with the square footage of each home.

Steve Woehleke, 4001 Campolindo Drive, Moraga, identified himself as a Moraga Planning Commissioner speaking as a private citizen. He cited the required findings to approve the project and suggested the story poles had shown the scenic view would be blocked, suggested the proposed home size and scale would be inconsistent with the Scenic Corridor Guidelines, and screening the home with vegetation would also be inconsistent. He suggested if approved as proposed, the project could set a precedent and could block the entire scenic corridor along Rheem Boulevard. He suggested the Draft Action Memorandum had included generic rationale to address Finding 3, and had not considered that the project could lower nearby property values. He noted that he had provided information on that issue and there had also been an opinion provided by a professional Realtor.

Mr. Woehleke suggested that significant changes to the project were needed. He opposed the potential precedent of allowing a 10-foot setback for a home of the size

proposed regardless of whether it was grandfathered. As to Finding 4, he suggested the shadow study results were not valid and should have included shadow impacts from all four seasons, and although he had requested the study be verified that had not occurred; there was no evidence the difference in pad elevations had been accounted for; the relative size of the two homes appeared out of proportion; the study had not taken into account the effects of the surrounding ridgelines on the light; and the required findings were expectations for the semi-rural character of the Town. While the property owner had rights, so did the Town and its residents. He suggested there was no reason the project could not be redesigned to achieve alignment, meet the scenic corridor guidelines, and still provide the property owner with a magnificent new home.

Mr. Woehleke also understood that interaction protocol between the neighbors and the property owner required the neighbor to sign one of the design drawings, which had not occurred. He asked the DRB to ensure it had complete data to make a quality decision.

The following individual did not speak but offered comments on a speaker card:

Patrick E. Brunelle, 1 La Salle Drive, Moraga, *"I am concerned that this will set a pattern for future problems. Moraga is and has been a beautiful small community. Measure A has protected our community and yet allowed reasonable growth. I do not consider this proposal reasonable. Patrick E. Brunelle."*

Richard Yu, 287 Rheem Boulevard, Moraga, explained he had three generations living in the home which had been built in the 1950's and which was outdated. His family continued to grow and was in need of privacy which was the reason the plan had been proposed. His family loved living in Moraga, liked the Moraga School District (MSD), and would like to remain in the community and be a part of Moraga.

Mrs. Yu, 287 Rheem Boulevard, Moraga, stated that she had lived in Moraga since 2007, and was proud to live in the community. Her parents also lived with her family, were getting older, the home was small and older, and she would like her parents and family to have the opportunity to live in a beautiful, nice home. She explained when she had first come to the Town she barely spoke English but had worked hard to speak English given her love for the Town. She commented that people in the area helped each other, helped to improve her English, which was the reason they did not want not move out of the Town, or remodel the home and sell it. She wanted to build a larger home to accommodate her growing family and enjoy their home for years to come. She hoped the neighbors who rejected the project would consider her family's needs for a larger home.

PUBLIC COMMENTS CLOSED

Boardmember Crews clarified with staff the DRB's jurisdiction over the project design, as outlined in the staff report, included the compatibility with the neighborhood, impacts to neighbors' privacy in terms of the size and scale, light and air; and the definition of the scenic corridor and viewpoints looking from or traveling or walking along the scenic corridor. It was noted that the definition of scenic corridor was vague in terms of the specific impact thresholds. The scenic corridor could be a vegetated buffer road on

either side, or views of the entire ridgeline, and would depend on what direction one was traveling.

Staff referred to the definition of the scenic corridor pursuant to the Town's Design Guidelines. In this case, the predominant view was of a lushly vegetated corridor with glimpses and views of homes beyond, and in places some ridgeline views.

Mr. Woehleke read into the record Scenic Corridor Guideline 17 for the benefit of the DRB.

Boardmember Crews commented that portion of Rheem Boulevard was consistent with the observations made by staff, with a tree line section of road which had a rural feel.

Boardmember Crews noted that a large part of the scenic corridor was the trees, with few front yards empty of trees. The few that had some gaps in the trees had a glimpse of the ridgelines on the side, which was a fraction of a second from a stopped position. The development had also involved large setbacks to begin with. In his opinion, it was not the job of the DRB to regulate the size of the home. He found the height and low pitch of the roof at 4:12 to be reasonable; the floor and ceiling heights at nine feet were also reasonable; and the massing of the building had been well considered, which he assumed had been helped by the process with assistance from staff.

Boardmember Crews understood and heard the concerns from the neighbors, and if there would be a wall where one was not there before, it would not be welcome. He suggested the applicant had gone some distance to make considerations and the amount of vegetation between the homes would benefit everyone and offer a fair amount of privacy with the large lots. For the size of home that had been proposed, he suggested the applicant had done a good job breaking down the mass and scale fairly well.

Boardmember Escano-Thompson suggested the approach taken for the expansion and remodel of the home had not been unreasonable, by building above the footprint of the home, adding the second story, and step backs on the massing. In reviewing the table that had been prepared by staff, the only issue she had was with the east side setback on the second story. She would rather see the second story comply with a 20-foot setback. With respect to the Spanish architecture, while not compatible with the immediate neighborhood, down Rheem Boulevard in the City of Orinda side there were some homes with Spanish architectural elements. Speaking to the three-car garage, she asked whether the applicant would consider a three-car garage with tandem parking on one and single parking on the other, which would set the garage back more.

Mr. Yu reiterated the application had been submitted to the Town in March, the plans followed the Town's Design Guidelines, and at this point he would prefer not to minimize the proposed three-car garage which he suggested was consistent based on the size of the home.

Boardmember Escano-Thompson suggested a modification to the three-car garage would allow a greater setback from the street and address the issues of blocking the sunroom at 291 Rheem Boulevard. She asked the applicant to consider her

recommendation to ensure a project everyone would be happy with and suggested there needed to be some compromises on both sides.

Mr. Chang acknowledged they could look at that recommendation.

Chair Helber spoke to the recommendation from Boardmember Escano-Thompson regarding the three-car garage, although he noted that pursuant to the plans the existing garage was 10 feet from the side yard of the east property, which ten feet was now proposed to be a kitchen, and then a new garage and new bedroom and family room. He suggested there would be a precedent to have a 10-foot sideyard for that length, and had concerns with the proximity of that mass to the property line. He agreed the home had been well designed for a 5,000 square foot home, although he had concerns fitting that mass and volume into a neighborhood without impacting other neighbors.

Chair Helber wanted to see the home pulled back a bit, and pursuant to the overall site plan there was more than enough room for a turnaround on the motor court, to be shortened a bit, with the garage pulled a bit more into the interior of the overall lot, which would affect the design of the covered porch but provide a dramatic benefit. He noted the proposed kitchen, while the footprint of the foundation of the garage, would be the closest area to the neighbor's concerns with the sitting room and pulling the garage back would help to address those concerns.

In response to the staff concerns with the second floor windows, Chair Helber referenced Bedroom 2 and suggested there was no privacy encroachment in that the other windows were substantially set back on the second floor. He was concerned with the massing and the proximity of the massing to the property line, and for the lot size he would have expected to see a larger sideyard setback. He suggested there was room on the lot to massage the overall footprint in the new built areas to pull them more inward, and room to pull the massing away from the side property line and keep that massing from looming over the neighbors. While he was not an architect, he wanted to see the home massing be moved at least a few feet.

Boardmember Crews suggested moving it a couple of feet would line it up with the guest bedroom wall, with some extra room in the depth of the garage, and the work space could go on the wall towards the guest bedroom. He suggested the articulation of that wall would benefit the neighbor of that side and not necessarily line the walls up or it could go the other way and left to allow a reveal. He acknowledged the jog was there for good intent, to break up the massing of the building and to benefit the neighbor's view of that mass.

Chair Helber suggested the work bench area could be moved up against the guest bedroom pulling the garage slightly away from the guest bedroom, leaving a substantial front yard setback, and the mass could be moved away from the property line. The slope in the front yard was existing and not substantial, and the grading would not be that impacted if pushed away from the building a bit. He otherwise agreed that the articulation of two feet added some relief to the façade, although he recognized the neighbors were more interested in distance than articulation.

Planning Commission Liaison Kovac acknowledged that much of the ridgeline was not visible given the existing vegetation, which could come and go with the seasons while a home would be in place forever.

Boardmember Crews again suggested the DRB was not in a position to tell the property owner that there could not be a second story on the home. He was not sure if there could be some compromise on the height of the second story or the roof, which would take away from the appearance of the building.

Planning Commission Liaison Kovac suggested if the top of the home was stepped back, the ridgelines and line of vision from the street would not be as obstructed. He commented on individual tours Planning Commissioners had of the Carroll Ranch property where the builder of that land had suggested minimizing visual impacts could be achieved by stepping the homes back.

Chair Helber pointed out that making the building stepped would make it appear taller, and terracing on the lot would result in the home raising up and being higher

Boardmember Crews found that the proposed architecture offered a nice balance, and if brought down to a more uniform height it would not be as architecturally pleasing. Based on the views of the home from the public viewpoint, as provided by staff, it had shown only one section of the roof poking above the ridgeline and not the entire home.

Mr. Woehleke urged the DRB to get all the data to make a decision. He noted that the photographs he had provided were not doctored, had been taken from another position staff had not taken, and from the perspective of someone riding a bike, walking, or being a passenger in a vehicle, and was a valid photograph from the scenic corridor along Rheem Boulevard. He encouraged the applicant to work through staff to involve the neighbors, in particular the Hollingsworths, to reach alignment before the project was returned to the DRB.

Boardmember Crews clarified his comments on the photographs were related to the views from the public, from the street level. He was okay with the application, and suggested if the massing of the garage could be shifted would be a positive gesture to the most impacted neighbor, and he encouraged that consideration.

Boardmember Escano-Thompson wanted to see the architect consider the comments presented and consider a solution that would be somewhat of a compromise to address the concerns of the neighbor on the east side. She spoke to the proximity of the first section of the garage to the road and wanted to see the three-car garage be pulled back and reduced somewhat. To address the second story looming over the property at 291 Rheem Boulevard, and recognizing that the requirements of the Town's setbacks had been met, she noted there was an exception of the second story portion which was two feet less than the 20-foot 1-DUA requirement.

Boardmember Crews referenced the Perspective 4 photograph of the site where the story poles were visible, and based on that illustration his impression was that it only protruded above the ridgeline where the ridgeline sloped down, maybe two feet or more.

He suggested a way for that side of the roof to be shaved down a bit as another gesture of giving a bit back for the ridgeline view.

Chair Helber asked the architect to look at the location of the garage and consider what could be done dramatically to change it; what could be done incrementally to change it; and consider the best proposal including possibly a detached garage or a garage with an attached breezeway to move the massing away from the side yard property line to address the overall massing of the home and the proximity to the adjacent neighbor. He had no issues with the overall height of the design and found the ridgeline view to be very intermittent, although he clarified with staff that many determinations had been made based on the existing foliage. He supported a condition of approval that would protect the views, such as bonds for particular trees which had importance in scenic corridors or other conditions, to ensure the preservation of the existing foliage.

Boardmember Crews clarified with the applicant the relocation of the A/C compressor.

Mr. Chang suggested revised plans could be provided in a week and expressed his hope that a continuation could be scheduled as soon as possible given the time already expended on the application and the financial burden on the property owner.

Ms. Clark suggested the application could be continued to the second meeting of October given the time needed for staff to prepare a staff report; or the item could be continued to a date uncertain which would require public re-notification of the application.

On motion by Boardmember Crews, seconded by Boardmember Escano-Thompson to continue DRB 04-15 for 287 Rheem Boulevard to a date uncertain, with the applicant to consider the design changes as identified by the DRB and with staff to re-notice the item once rescheduled. The motion carried by the following vote:

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

Chair Helber declared a recess at 9:13 P.M. The DRB meeting reconvened at 9:19 P.M. with Boardmembers Crews, Escano-Thompson and Chair Helber present.

C. 1928 St. Mary's Road

Applicant: Saint Mary's College, 1928 St. Mary's Road, Moraga
Design Review (DRB 09-15) to remodel the entry of the McKeon Pavilion, including construction of a new lobby and spectator seating and associated landscape and pedestrian improvements (College, CMF)

Planning Director Clark presented the staff report dated September 28, 2015 for DRB 09-15 to remodel the entry of the McKeon Pavilion, including construction of a new lobby and spectator seating and associated landscape and pedestrian improvements. Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommended that the DRB approve

the Draft Action Memorandum for DRB 09-915 pursuant to Section 8.72.060 of the MMC, and subject to findings and conditions of approval.

Ms. Clark stated the DRB had been provided with copies of an e-mail from a local resident questioning whether the proposed lighting fixtures were Dark Sky compliant. Meeting minutes from a past DRB meeting when the lighting fixtures for the Alioto Recreation Center had been discussed and a response from SMC providing additional detail on the specifications of the proposed lighting fixtures had been provided to the DRB.

Responding to the DRB, Ms. Clark clarified the Town's Tree Removal Ordinance which required a permit for the removal of trees over five inches in size, classes of protected and trees of historic significance, and reported that twelve native trees were to be protected, and some replanting of trees would be required. A separate tree removal permit would not be required for the project. The landscape plans identified all new trees including the row of elms on either side of the driveway, an olive tree as part of the pedestrian plaza, and replanted landscaped areas with water tolerant plant material. Also, the Moraga-Orinda Fire District (MOFD) had worked closely with SMC and had reviewed and approved the plans.

PUBLIC COMMENTS OPENED

Members of the development team present in the audience introduced themselves to the DRB.

Tim Farley, Director of Community and Government Relations, SMC, explained that the building was 1970's vintage and as SMC moved forward with its Master Plan, the thought was that SMC needed to provide upgrades and considerations as part of the proposal.

Charles Jennings, Architect, Polytech Associates, Inc., 235 Pine Street, 17th Floor, San Francisco, identified the existing building which was screened with redwoods on the right, Monterey pines in the center, and redwoods to the left, with the intent to open up views towards the entrance. The existing building had tile roofs on either side which were pitched and a pitched roof in the center, falling toward the entry creating a porch. The roof would be removed and rather than pitching toward the door and a slope, it would be raised to create a two-story space, allowing light into the lobby, and creation of space for seating to extend up and over the lobby to enhance the seating inside. The monument sign would be relocated towards the right side of the plaza, be reduced in scale, and provide a more appropriate scale to the building identity and be closer to La Salle Drive offering more visible orientation.

The treatment of the stairway with planters on either side were displayed with the existing signage on the building with decorative light fixtures consistent with other buildings on the SMC campus. All lighting would be low level, path and wall lighting, with pole lights for the street as part of the Master Plan Design Guidelines for SMC. Views of the interior of the lobby were presented, rising to two stories, with the seating up and over, and then dropping one level. The existing stairs would then go up to a mezzanine on either side, to drop again to a corridor adjacent to the basketball court.

The structure would consist of wood, a heavy timber structure that was fairly large, 12 to 16 inches and 8 to 12 inches in width, with the roof structure exposed wood until it reached the seating area on the inside of the court, which would also be wood framed.

The views of the door from the corridor and access to the court level of the arena were also provided. Columns in the lobby would be removed to open the flow and access to the mezzanine level. The new seating area would extend up and over the lobby and the existing functions would be replaced, with a net gain of two occupants.

PUBLIC COMMENTS CLOSED

Boardmember Crews found the proposed changes to be reasonable and good; the entry wall to the arena to be more appropriate than what was there before; the lobby to be elegantly designed; the approach to the arena; the sign to be subtle and clear, and while he winced at the removal of the trees, he understood with the public coming to the games the building needed to be visible from some distance.

Boardmember Escano-Thompson found the design to be a great improvement to the McKeon Pavilion and liked the fact it would match the other buildings on the SMC campus. She otherwise requested more detail on the recess for the windows and glass doors.

Mr. Jennings identified a four-foot overhang of the roof with the doors set in similar to a storefront, four to six inches in depth and no recess other than the volumes for the door.

Boardmember Escano-Thompson suggested a deeper recess similar to the other buildings on the SMC campus and articulation in the windows as opposed to a standard storefront, more in keeping with the remainder of the college architecture. She inquired of the construction schedule and whether SMC planned to address the parking needs for campus events.

Mr. Jennings pointed out there would be more articulation with some louvers above the window sill level of the upper window, to be three feet to provide natural ventilation and to operate on a thermostat with air flow coming through and taken out and exhausted. The lobby depth would allow the creation of more of a portal for the doorway.

Diane Hardy, Director of Project Management, SMC, explained that SMC planned to commence the project when the basketball season ended.

Mr. Farley commented that parking was not triggered as part of this project, although SMC was working with staff as part of its future Master Plan to address ways to enhance the parking.

Ms. Clark affirmed that SMC was in the process of comprehensively updating its 1990 Master Plan. SMC had initially considered more extensive changes as part of this project although staff had expressed concern that such expansion without also addressing the parking would be problematic. She described it as a two-part project, with the exterior improvements and non-capacity increasing changes that would not

trigger the existing parking to be considered first, leading to consideration of the future updated Master Plan which would also review the parking needs for the college.

Pete Michell, Vice President of Finance SMC, added that there were existing special event parking protocols during games on-site.

Planning Commission Liaison Kovac again clarified with the architect the seating occupancy and the location where seats would be lost near the VIP seating area. He also clarified that the glass wall was facing neither east nor west but was in between with SMC built at 45 degrees facing northwest; the sun would not reach its orientation during games until late in the afternoon; high performance insulated glass would be used and the louvers would be like a window sill, would open on a thermostat where any heat build-up would open them to outside air, which would be cooler and rise when the heat rose inside and would be exhausted to the sides like a convection system; and the arena would not be air conditioned.

Mr. Jennings reiterated the location and type of down lighting fixtures for the pathway and lobby interior.

Mr. Jennings also advised that Americans with Disabilities Act (ADA) seating was currently accommodated at the court level and with assistance one could reach the mezzanine level as part of the new improvements. An elevator had been anticipated to be part of a future phase of the project.

Chair Helber found the architecture to be an improvement. He otherwise asked for clarification of the hardscape improvements and the number of trees to be removed.

Pam-Anela Messenger, Landscape Architect, 3341 Victoria Avenue, Lafayette, explained that most of the trees to be removed were required for Fire Marshal required access to the building. Existing redwood trees surrounding the building were native and in very poor condition, overcrowded, and the root systems made it impossible to provide ADA access up to the front of the building. There were also conflicts with utilities. The newer trees would be selected to provide a visual orientation to the new entry and beyond that had been kept minimal since there was no other place to place them. Hardscape was needed for a larger gathering space for those patrons who came to see the games; a podium level was needed for tickets, and a lower plaza space for gathering and functions. While the number of replacement trees had been limited at this time, as part of the long-term next phase for the Master Plan that would be the point to augment the planting in the entire sports area with more trees to make up for the loss. At this time, the replacement trees would total 14 while there would be a loss of 41 trees. An arborist report had been provided on the quality and condition of the existing trees, and while they had met the over five-inch requirement none were landmark or historic trees. The intent was also to replace those trees with more drought resistant trees in the future.

Mr. Michell noted that the arborist had recommended the removal of more trees than had been proposed for removal as noted on the plans. SMC had decided to keep some of those trees, although they were not the best specimens, in an effort to reduce the number of removed trees as much as possible. A future area had been designated as

part of the Master Plan future phase for a tree replanting area adjacent to the sports arena.

Chair Helber referenced Landscape and Planning Plan Sheet L1.0 which had shown the main pathway with an inlaid brick pattern which ran perpendicular to the path and more diagonal once it reached the plaza, and was informed by Ms. Messenger that there was a precedent on the campus for that design element. She had spent a great deal of time on the campus inventorying that aspect and going along with the draft Master Plan on the recommendations that had been made. Also, based on the design aesthetic, once the diagonal was introduced it would be less obtrusive than illustrated on the plan.

Chair Helber liked the concept of the bio-filtration areas although he was concerned with the appearance in reality and suggested if done poorly it would appear like a bathtub.

Ms. Messenger explained the intention and goal was for the grassy area to blend with the bio-filtration area, although the Town and the Town's Consultant had recommended a distinct boundary.

Representatives of Schell & Martin, Inc., Civil Engineers, 3377 Mount Diablo Boulevard, Lafayette, understood that it was a matter of aesthetics. Some preferred a defined boundary for the bio-filtration area retaining walls to distinguish where the landscaping began and ended, and the intent was for that area to be subtle and to ensure that people did not walk into the bio-filtration basin.

Ms. Clark suggested some degree of separation seemed necessary to delineate between the bio-filtration area and the pedestrian pathway.

Chair Helber preferred to allow the landscape architect the flexibility to design the area between the boundary of the bio-filtration area and the vegetated area, and if it could be blended in all the better, although he understood the need for some flexibility to address the functional requirements of the design. He recognized the bio-filtration areas served a purpose but did not need to be completely called out or visually celebrated. He suggested the project had a fair amount of seating, the lighting fit in with the overall character of the entire campus, and he liked the attention to detail on the copper gutters.

Planning Commission Liaison Kovac clarified with SMC that an existing portable structure located in the northwest area and which currently served as a ticket office was a paved temporary parking area, and as shown on the plans would be removed in the future with the ticket office to be introduced into the building. Also, that an access road by the gymnasium would be widened in the future to allow access by television trucks after this first phase, and the television trucks would not block access by the MOFD. He expressed concern waiting until a future period for the planting of replacement trees given the size of the campus.

Mr. Michell reiterated that the guidelines being developed for the updated Master Plan to include the expansion at the rear of the campus, which would allow SMC to follow all of the discussions of campus life and standards. SMC was concentrating on the subject phase as a standalone project.

Boardmember Escano-Thompson recommended the addition of a condition for recessed windows to provide better articulation.

Boardmember Crews agreed and suggested if the stucco folded back the storefront and window would have a more substantial feet.

Ms. Clark recommended a new Condition 6 to the Draft Action Memorandum to require the front windows to be recessed, with the remaining conditions under that section to be renumbered. The new condition to read:

The plans shall be revised to show a more substantial recess for all front windows and doors of the entry plaza.

Ms. Clark also recommended Condition 13 be revised to add the following sentence:

There shall be additional replanting as identified through the Master Plan process.

Further discussing tree replacement, Ms. Clark recommended a revision to Condition 13 to add the following sentence:

A balance at a 2:1 ratio between 24 and 10 trees could be planted elsewhere as part of the locations identified as part of the campus Master Plan.

Boardmember Escano-Thompson supported a net zero with replacement of only the native protected trees.

Ms. Clark noted that would be covered by what was being replanted, and clarified that 12 trees would be replaced by 14 trees offering a balance.

Boardmember Escano-Thompson suggested if that was the case the additional condition was not needed.

On motion by Boardmember Escano-Thompson, seconded by Boardmember Crews to adopt the Draft Action Memorandum dated September 28, 2015, approving DRB 09-15 for Saint Mary's College at 1928 St. Mary's Road, subject to the findings and conditions as shown, subject to the new Condition 6, and subject to the modification to Condition 13, as identified by staff. The motion carried by the following vote:

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

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

5. ROUTINE AND OTHER MATTERS

A. Planning Commission Liaison Report – Kovac

Planning Commission Liaison Kovac reported that the Planning Commission meeting of September 22 had been canceled; the next meeting had been scheduled for November 2. He advised that he planned to attend the 2015 American Planning Association (APA) Conference from October 3 to 6; had attended the Hillsides and Ridgelines Public Workshop on September 17; a Wayfinding and Bicycle and Pedestrian Safety Committee meeting on September 22; a bicycle and public transportation workshop had been scheduled for September 29 at the La Sala Building at 7:00 P.M. to solicit input from the public, with a follow-up meeting scheduled for October 14; and a Walk Bike Moraga Group bike ride had been planned for October 3.

B. Design Review Board

Boardmember Escano-Thompson had also attended the Wayfinding and Bicycle and Pedestrian Safety Committee meeting on September 22.

C. Staff

Ms. Clark reported that Boardmember Zhu had resigned from the DRB due to personal and work commitments although she hoped to persuade him to reconsider and serve another six months to complete his term. Staff would otherwise start the recruitment process for a new DRB member. She reiterated the upcoming public workshop scheduled for September 29 at the La Sala Building at 7:00 P.M. to solicit input from the public on transportation planning; the Livable Moraga Road Project Steering Committee was moving towards getting a survey out to the public in early October; the Hillsides and Ridgelines Public Workshop had been held on September 17 with preferred options to be identified and presented to the Planning Commission and Town Council in the new year; the Moraga Center Specific Plan (MCSP) Steering Committee hoped to hold a joint DRB and Planning Commission meeting at the end of October to review the concepts and solicit comments; and staff continued to recruit for a new Senior Planner with ten applications received to date.

Ms. Clark further reported on the status of the City Ventures project, with a court date scheduled for October 14 to determine the legality of placing the item on the ballot. Also, the SMC lights were complete and post construction light measurements had been completed, with a report to the Town Council at its next meeting.

Chair Helber expressed his hope that staff would be successful in persuading Boardmember Zhu to reconsider his resignation. If not, he emphasized he would be missed from the DRB.

6. ADJOURNMENT

On motion by Boardmember Escano-Thompson, seconded by Boardmember Crews and carried unanimously to adjourn the meeting at approximately 10:40 P.M.

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Secretary of the Planning Commission

