

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

November 9, 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 8:00 P.M. in the Council Chambers and Community Meeting Room, 335 Rheem Boulevard, Moraga, California.

A. ROLL CALL

Present: Boardmembers Crews, Glover, Chair Helber

Absent: Boardmember Escano-Thompson

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

B. Conflict of Interest

There was no reported conflict of interest.

C. Contact with Applicants

There was no reported contact with applicant(s).

2. PUBLIC COMMENTS

There were no comments from the public.

3. ADOPTION OF CONSENT AGENDA

A. October 26, 2015 Minutes

B. Adoption of Meeting Agenda

Boardmember Glover requested that Item 3A be removed from the Consent Agenda to be considered as Design Review Item 4C.

On motion by Boardmember Glover, seconded by Boardmember Crews to adopt Consent Agenda Item B and move Item A to Design Review Item 4C. The motion carried by the following vote:

Ayes: Crews, Glover, Helber
Noes: None
Abstain: None

Absent: Escano-Thompson

4. DESIGN REVIEW

A. 144 Cypress Point Way

Applicant: Bachir Benkirane, J. Allen Sayles Architect, Inc., 1196 Boulevard Way, Suite 17, Walnut Creek, CA 94595

Design Review (DRB 14-15) for the construction of a rear covered patio addition that encroaches into the side yard setback and an accessory shade structure 11 feet in height encroaching into the rear and side yard setbacks at an existing residence. (3DUA, CMF)

Assistant Planner Coleman Frick presented the staff report dated November 9, 2015, for consideration of design review for the construction of a rear covered patio addition that encroaches into the side yard setback and an accessory shade structure 11 feet in height encroaching into the rear and side yard setbacks at an existing residence located at 144 Cypress Point Way. Due to the project's consistency with the Zoning Ordinance and General Plan, and with minimal impact to surrounding properties, he recommended the DRB approve the Draft Action Memorandum dated November 9, 2015, approving DRB 14-15, subject to the findings and conditions of approval as shown.

Planning Commission Liaison Kovac clarified with Mr. Frick that the request for the variances was due to the encroachment into the side yard setback, and with exceptions to certain Town Design Guidelines.

Chair Helber affirmed with Mr. Frick that the Moraga Country Club Homeowners Association (HOA) had reviewed and approved the project. There had been no comments from the public with the exception of late correspondence that had been provided to the DRB. The HOA required neighbors to sign off on the project and the HOA's Architectural Review Commission (ARC) had also signed off on the project.

PUBLIC COMMENTS OPENED

J. Allen Sayles, the Architect, 1196 Boulevard Way, Walnut Creek, congratulated the Town on the new Council Chambers and Community Meeting Room. He described Cypress Point Way as the sunniest street in the Moraga Country Club, with direct western exposure in the afternoon. Homes facing west had rear yards with French doors or sliders. The project area was affected by heat in the afternoon, and due to the drought some of the existing riparian trees had died off. The massive amount of fairway also affected direct sun exposure. He commented that many other homes faced the same issue and had a rear covered patio. The subject project had been reviewed and approved by the Moraga Country Club HOA and had received the support of the neighbors.

Mr. Sayles clarified that the open space would remain the same; the covered patio addition would provide shade to allow the use of the open space in the afternoon; provide a rain cover during inclement weather; and provide some protection from errant golf balls that had become an issue given the loss of the trees. The structure itself

continued the line of the existing home on the north side and it would be difficult to move the covered patio addition in due to an existing bay window and sliding doors.

Mr. Sayles explained that the same structure had been set back 15 feet from the rear and the roofline sloped down to the neighbor on both sides with gables out the back and with views of the open space. In each of the two structures, there were a total of four posts sitting on the existing patios with no increase in the impervious surface or change in landscaping.

Mr. Sayles explained that the Moraga Country Club had been developed prior to the Town's incorporation and each home in the Planned Unit Development represented about half an acre of the total acreage of the project, approximately 22,000 square feet. The subdivision consisted of clustered homes, fairways, and large landscaped areas, with most lots reduced from 8,000 to 4,000 square feet. In the case of the subject parcel, approximately two thirds of the half an acre had gone into other open spaces, as evidenced by the views from the rear of the fairway, creek, and riparian corridor.

PUBLIC COMMENTS CLOSED

Boardmember Crews clarified with Mr. Sayles the function of the accessory structure, the smaller of the two structures, to be used as a permanent gazebo.

Planning Commission Liaison Kovac clarified with staff the allowable impervious surface for buildings and structures pursuant to the Town's Guidelines, with the total impervious area to be increased by less than one percent given the location of the two structures on existing concrete pads.

Chair Helber also clarified that the accessory structure and patio would have gabled ends towards the golf course, and Mr. Sayles explained the gable had been the dominant architecture of the existing home and the project was meant to be consistent architecturally with the existing home.

On motion by Boardmember Glover, seconded by Boardmember Crews to adopt the Draft Action Memorandum dated November 9, 2015, approving DRB 14-15 for 144 Cypress Point Way, subject to the findings and conditions as shown. The motion carried by the following vote:

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

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.

B. 287 Rheem Boulevard

Applicant: Gwan (Richard) W. Yu, 287 Rheem Boulevard, Moraga, CA 94556

Design Review (DRB 04-15) for a Major Residential Addition and Remodel including the Construction of First and Second Story Additions Adding 3,224 Square Feet of Living Area and a New 674 Square Foot Three-Car Garage to the Existing Residence, within a Scenic Corridor. (1-DUA/R-15, CMF) *(Item continued from September 28, 2015)*

Assistant Planner Coleman Frick presented the staff report dated November 9, 2015, for DRB 04-15, a major residential addition and remodel including the construction of first and second story additions adding 3,224 square feet of living area and a new 674 square foot three-car garage to the existing residence, within a scenic corridor for property located at 287 Rheem Boulevard. The item had been continued from the DRB meeting of September 28, 2015. He identified the project revisions based on the DRB's direction at that meeting.

- Second floor setback increased by one foot, 9.75 inches for a total setback of slightly over 20 feet, resulting in a 62 square foot reduction to the second floor;
- East facing window on Bedroom 4 (located on the eastern side property line) had been removed;
- A/C unit previously located on the eastern property line (nearest 291 Rheem Boulevard) had been relocated to the rear of the residence; and
- Garage design changes included a reduction of the total square footage of the garage by 114 square feet; side yard setback on the eastern side of the property increased by 4.6 feet; and the front yard setback had been increased by 1.5 feet.

Mr. Frick acknowledged that the applicant's most recent revisions had not been extensive, although they had been to some degree responsive to the DRB's comments and suggestions. Based on staff's previous recommendation and the Board's previous input which was generally supportive of the overall project size, design, and massing, staff continued to recommend approval of the project.

Mr. Frick recommended that the DRB adopt the Draft Action Memorandum dated November 9, 2015, which included additional conditions of approval based on DRB direction during the meeting of September 28, but which had not been significantly altered from the version included in the September 28 staff report. In the event the DRB desired more substantial revisions to the garage design or other aspects of the project, staff sought more guidance to the applicant as to the options that should be further explored.

Mr. Frick also reported that public notices for the project had been mailed on three separate occasions. Staff had received four new public comments which had not been analyzed as part of the staff report because of the late date of which they were received, and which had raised concerns related to the Floor Area Ratio (FAR), differentiation between new construction and the remodel, findings for DRB approval, and neighborhood compatibility.

Boardmember Glover clarified with Mr. Frick that a landscape plan had been included in the project plans, identified as Sheets L-2, L-3, and L-4.

Mr. Frick acknowledged that the landscape plan was not detailed and a condition of approval required a more substantial landscape plan, to be provided and approved by the Planning Department prior to issuance of the building permit.

Boardmember Glover suggested the application was incomplete given the absence of a substantial landscape plan, which was typically part of the submittal process.

Mr. Frick reiterated that the landscape plan, while insubstantial, had been provided, and while the project would substantially change the size of the existing residence, it would require very little grading, no tree removal, and maintenance of all existing vegetation, which was why the original landscape plan had not included many trees. As noted and as a condition of approval, staff sought more detail on the landscape plan, particularly the screening to be provided, to be reviewed and approved by the Planning Department prior to building permit issuance.

Planning Commission Liaison Kovac referenced correspondence dated November 4, 2015 from resident Michael Hollingsworth, 291 Rheem Boulevard. He asked whether staff had verified the factual accuracy of some of the comments in the letter.

Mr. Frick noted the letters from Mr. Hollingsworth dated November 4, had been received after the preparation of the staff report and as a result had not been analyzed in the report. He acknowledged the concerns in the letter regarding the FAR, the role of the DRB, recommendation to reduce the mass or size of the project, increase in setback, and the like. He verified the shadow study had not been revised in response to the most recent revisions made by the applicant, and he reiterated that the applicant had responded to the direction from the DRB on September 28, which mitigated certain issues raised to some extent, and had been addressed in part in the staff report.

Planning Commission Liaison Kovac also referenced photographs of the story poles that had been installed and which had shown that the ridgeline would be blocked. He clarified with Mr. Frick that the height of the structure had not been reduced, a reduction in height had not been the direction of the DRB, and there was an attachment of scenic corridor views showing different perspectives in the staff report.

Planning Director Ellen Clark explained that staff had no way to verify the position the photograph provided by the applicant had been taken, or the lens length and the like. The information provided to the DRB was the set of photographs taken by staff that had shown various perspectives and views. Information provided by the neighbor had been information introduced into the record that the DRB could also consider.

Mr. Frick noted that views of the story poles from different perspectives had been provided with the staff report and had shown how the ridge was partially obscured from various perspectives, as noted in the September 28 staff report.

PUBLIC COMMENTS OPENED

Jimmy Fong, Project Designer, reported that he had carefully considered the design of the project and had quite a few meetings with the neighbors throughout the design phase, particularly with the property owner who had conducted the meetings and had

provided feedback to him for the design. He spoke to the effort to reduce the impacts to the east side neighbors through a reduction of the size of the garage in the hope of being able to satisfy the DRB. He asked the DRB to find the design acceptable and to approve the project.

Steve Woehleke, 4001 Campolindo Drive, Moraga, speaking as a private citizen, read into the record written comments dated November 5, 2015. He asked that the DRB address each of the four findings required for the approval of the project and read into the record each of the four findings. He presented a photograph of the nearer side of Rheem Boulevard and noted the staff photographs had been taken primarily from the far side of Rheem Boulevard or in front of screening foliage, which in reality represented the minimal impact case and had not accounted for the range of views. Much of the foliage lost its leaves in the winter and the project's elevated position on Rheem Boulevard exacerbated impacts to the scenic views. While the entire ridgeline would not be crossed at every angle, parts of the ridgeline would be crossed and much of the hillside was blocked. As a result, as designed the project would substantially block the scenic view. He emphasized the validity of the photograph he had provided supporting his opinion. Given the impacts to the scenic corridor, he questioned whether Finding 1 could be made.

Mr. Woehleke questioned whether Finding 2 could be made given the impacts to the surrounding properties based on the information provided that the project was inconsistent with that finding. He suggested Finding 3 regarding property values, could also not be made given the information provided to the DRB and staff from a licensed Real Estate agent. In his opinion, Finding 4 could not be made since shadowing light was a public health issue. He understood the shadow study provided at the September 28 meeting was for one day only and had not accounted for the difference in pad elevation. He urged the DRB to discuss carefully each of the four findings prior to making a decision. He also suggested the staff report photographs were inconsistent with the Town's Design Guidelines, and he would be more than happy to establish, if needed, why his photograph was drastically different.

Andy Hollingsworth, 291 Rheem Boulevard, Moraga, stated that during the DRB meeting of September 28, he had provided statistics about the size of homes on Rheem Boulevard and along the scenic corridor to the Orinda border, which had shown that the proposed home would be out of scale and not architecturally harmonious with existing homes. Based on his research, he found only 50 homes in Moraga that had more square footage, all but seven were located on lots greater than one acre, with lots sizes often two acres and larger. Larger homes were found in the Sanders Ranch and Paseo Linares subdivisions. The subject home would be nearly 99 percent larger than most homes in Moraga. The homes on Rheem Boulevard were some of the smallest homes in Moraga and the subject home would be incompatible in terms of scale. He also questioned the FAR for the home, the fact the FAR was undefined for homes on lots over 20,000 square feet, and asked how a home of the proposed size would be exempt. He urged the DRB to ensure that the home was in scale with the Town's Guidelines, and suggested an FAR of .20 was more compatible with the existing neighborhood based on a prior approval for another residence in Moraga which was located on a lot greater than 20,000 square feet.

Mike Hollingsworth, 291 Rheem Boulevard, Moraga, opposed the project given the negative impacts the project would have on his family's lives, home, property values, and impacts to the Town and its residents. He emphasized he had no contact with the applicant, and his interaction with his neighbor had only been on two occasions, when he learned of the project in mid-May after the applicant had submitted plans to the Town. While he had provided comments to the applicant, there had been no response to those comments.

Mr. Hollingsworth suggested the minor revisions to the garage, at the direction of the DRB did not solve the problems inherent with the project. The DRB had asked the applicant to consider a broad range of options including the relocation of the garage.

Mr. Hollingsworth referenced a letter from Mr. Yu dated October 15, 2015, which had spoken to the relationship of the existing garage to the existing home entrance, precluding the placement of the new garage on the west side of the property, although that would have solved his issues with respect to light obstructions. Pursuant to correspondence he had provided to the DRB on September 8, 2015, he had provided a layout of the garage on the west side to illustrate that it would not block the existing or proposed home entrances, although it would separate it from the current proposed kitchen location.

Mr. Hollingsworth emphasized that he and his wife had educated themselves on the applicable Town Design Guidelines and the Moraga Municipal Code (MMC), inventory of home sizes, and styles. He stated the home, as proposed, would be out of scale with homes in the neighborhood and approval of the home would place it in the top one percent of homes in the Town. He found the home to be too large and architecturally incompatible with the neighborhood, obstruct too much of the Campolindo Ridge, needlessly impact his residence, and minor modifications and measures masking the deficiencies would not cure project incompatibility. He urged the DRB to ensure the project met the goals and objectives of the Town. Based on the information he had provided including letters from a professional Realtor, he urged the DRB to deny the applicant's request.

Mr. Hollingsworth also asked the DRB to consider the issue of remodel versus new construction, and as a condition of approval require the applicant to provide concrete proof the reuse of foundations and walls would be realistic and could be permitted. If found unacceptable or impossible, the project should be considered new construction subject to current zoning setbacks.

Jane Hollingsworth, 291 Rheem Boulevard, Moraga, spoke to the family's loss of their 24-year old son, her inability to continue working for the Moraga School District (MSD), and her time spent at home trying to deal with the loss, where privacy, light, and relative quiet were extremely important. She emphasized the sitting room area of her home would be one of the spaces most affected by the project, and the area would remain impacted even with the applicant's minor revisions.

Mrs. Hollingsworth commented that her family had previously provided a photograph to show the existing light that currently passed through to their sitting area, which would be lost. The proposed home would also alter the enjoyment of her rear yard with no area

that would not have a sightline from either the windows or balcony of the new structure. She emphasized the windows would also view into not only her rear yard but into her residence itself, and the sheer mass of the home would tower over her residence. She too spoke to the fact the home would be larger than other homes in the neighborhood, and would block a major ridgeline, which must be taken into consideration since the home was not consistent with the Town's Design Guidelines.

Richard Immel, 299 Scofield Drive, Moraga, explained that his home faced Rheem Boulevard and was located across the street from 287 Rheem Boulevard. He reported that he had provided a letter to the DRB.

Based on the materials received, Mr. Immel suggested the applicant had been largely unresponsive to the DRB's direction with no significant changes made to the plans. The applicant had also stated in correspondence that he was unwilling to do any major redesign of the home. The home remained massive, out of character with the neighborhood, and encroached onto the neighbor's property. While he appreciated the staff report and analysis, he disagreed with the staff conclusion; and while staff had pointed out a number of options the DRB could consider, as outlined in the staff report, the DRB had not seriously considered those options. He questioned why the DRB had not discussed the issue of incompatibility since the proposal could set a precedent. Also, if approved, the application would likely be considered by the Planning Commission. He urged a discussion of the rationale for approval.

Gary Hutnik, 283 Rheem Boulevard, Moraga, understood that the DRB was not the appropriate body to discuss the issue of FAR. He questioned the statement provided by a local Realtor that property values would decrease if the proposal was approved, as proposed, particularly since property values in the State had increased, not decreased. He suggested property values would only continue to increase.

Mia Zhang, 287 Rheem Boulevard, Moraga, commented that the homes in the neighborhood were older. Her family consisted of her parents and an older sister, with a total of seven people in the household, necessitating a larger home. She spoke to the differences between Chinese and American cultures, emphasized the project met the Town's requirements, and noted that although their designer had not met with the Hollingsworths, her family had spoken with the neighbors.

PUBLIC COMMENTS CLOSED

Boardmember Crews suggested the applicants had done their due diligence, had responded to the DRB's comments from September 28, and had made a fair effort of compromise to address the issues raised by the neighbors. He was satisfied with the adjustments that had been made to the plans.

Boardmember Glover commented that although he had not been present during the September 28 meeting, he had read all the reports on the project. He was concerned that Campolindo Ridge could be blocked from the scenic corridor as a result of the massing of the home. He found the application to be incomplete from the standpoint of landscaping given that the structure would block the ridgeline, and sought greater changes to reduce the massing from Rheem Boulevard. He also found that the color

scheme made the home stand out more. He was not prepared to approve the application at this time.

Planning Commission Liaison Kovac suggested the changes to the plan had not addressed the needs and concerns of the neighbors, particularly with respect to sunlight and particularly if one was inside their home all day. He suggested the home was on the wrong lot. He also recognized that many other cultures had expanded families in one home and recognized the cultural importance of keeping the family unit together. He stated the home, while beautiful, did not fit on the lot.

Planning Commission Liaison Kovac also questioned the actual square footage of the home given the discrepancy in the numbers reported by the applicant, as shown in the staff report, and as reported by the Hollingsworths. He suggested there would be an adverse impact on the neighborhood, and agreed the home would be incompatible with the neighborhood since the home would block the scenic corridor, which was to be protected.

Boardmember Crews found that the designer had done an excellent job breaking the mass of the building given the size of the proposed home, which had been done with a great deal of skill. Based on his experience along Rheem Boulevard, he could not find the home would diminish the views of the ridgeline or the street but would improve the neighborhood.

Chair Helber also found that the building mass had been well designed. He suggested there was both horizontal and vertical articulation of the structure, high quality design materials had been used, and the architectural detailing had improved since the prior iteration. He remained concerned with the massing as related to the side property, and recognized that the architect had pulled the building back from where it had previously been located, although he questioned whether that would be adequate. If the garage was pulled closer to the street, it would increase the impact on Rheem Boulevard itself since it was now 35 feet back from the right-of-way (ROW).

Mr. Frick identified the existing setback from the nearest point from 287 Rheem Boulevard to 291 Rheem Boulevard pursuant to Sheet SP-1, at 10 to 15 feet at the proposed garage from the property line, which complied with the County's R-15 regulations although not the current 1-DUA zoning.

Boardmember Crews spoke to the scale of the drawings from the dimension of the new garage to the property line at 15 feet, which was roughly to the corner of the neighbor's property line and noted that the wall of the garage would be one story.

Chair Helber again verified the setback from 287 Rheem Boulevard to 291 Rheem Boulevard, the Hollingsworth property, pursuant to Sheet SP-1, at 10 to 15 feet from the property line, and clarified with Mr. Hollingsworth, who spoke from the audience, that the approximate setback from his home to the side property line was 15 feet, and four feet below the neighboring residence.

Boardmember Crews pointed out the neighbors would not encounter a two-story wall right on the edge of the applicant's building since the second story wall had been placed 20 feet from the property line.

Boardmember Glover reiterated that he would like to see a reduction of the frontal massing of the structure. He agreed with the Chair that the setback was acceptable but wanted to see some screening as opposed to an agreement of maintenance between the Town and the applicant associated with the new structure. He found that the home, as designed, was a large two-story structure screened by nothing with current landscaping blocking the views of Campolindo Ridge. He suggested the reduction of the frontal massing was important.

Chair Helber affirmed with staff and stated for the record that the perspectives labeled 1 through 12, as included in the staff report, had been prepared by staff.

Boardmember Glover pointed out that story pole photographs labeled 3, 4, 6, and 10 taken by staff clearly showed that the ridgeline would be blocked by the proposed structure as seen from Rheem Boulevard.

Chair Helber agreed with Boardmember Glover that the landscape plans were not to the level of what the DRB had seen in the past. Based on the staff presentation and conditions of approval, a maintenance agreement or recorded notice would be required although it had not called out the specific trees on site.

Mr. Frick explained that the agreement had not been included in the staff report but had been added as a condition of approval. Something could be recorded on the deed or the landscape agreement similar to Design Guidelines SFR 2.12 related to decks, with those options and the new conditions, based on conversations between Planning staff and the Public Works Department, this agreement would be consistent with prior approvals for larger projects.

Chair Helber spoke to Sheet L-2, the Landscape and Drainage Plan, and clarified that three substantial trees included a plum tree and two other unidentified species. He wanted the agreement to cover those three trees since they provided the visual buffer that would help establish the scenic corridor existing conditions. With the presence of those three trees, he disagreed the home would have a substantial impact on views of the ridgeline given that many of the homes would fall under that category based on the definition of views of ridgelines.

Boardmember Glover agreed that the design had been well thought out but reiterated his concern with the massing and its location. He offered a MOTION that the frontal view of the structure be reduced to some point where it would not block the ridgeline, as shown in perspectives 3, 4, 6, and 10. He disagreed that the three trees would mask the existing structure adequately, and he directed the applicant to return with a design to reflect his stated concerns. There was no second to the motion and the motion DIED due to a lack of second.

On motion by Boardmember Crews, seconded by Chair Helber to adopt the Draft Action Memorandum, dated November 9, 2015, approving DRB 04-15 for Yu at 287 Rheem

Boulevard, subject to the findings and conditions as shown. The vote on this was a follows:

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

Given that there were only three DRB Boardmembers present, Ms. Clark advised that a unanimous vote from the DRB was required for the motion to pass.

Boardmember Glover affirmed that a single-story structure would result if the frontal massing was reduced as he preferred.

On the discussion, Ms. Clark suggested that if the DRB was of the opinion the landscaping was not sufficient to mitigate the impacts of the views of the ridge, a change in the massing of the project would be necessary.

Boardmember Glover reiterated that the design while well thought out although the massing remained a concern, and while it would be difficult to take the square footage of the second story and place it elsewhere on the lot that could be done. He suggested more thought be given to that option. He reiterated that the frontal view of the structure should be reduced to some point where it would not block the ridgeline, as shown in perspectives 3, 4, 6, and 10.

Boardmember Crews commented that the frontal mass of the building from the center to the right side had a number of one-story elements, and on the left two-story elements. He clarified with the designer speaking from the audience that the ceiling height for the first and second floors was at nine feet. He also noted his understanding that the DRB could not deny the applicant a second story to the residence.

Ms. Clark explained that the DRB had the authority to request design modifications necessary to mitigate impacts to make the project consistent with the Town's Design Guidelines. A modification to the second story element was under the purview of the DRB.

Chair Helber understood the options before the DRB were to discuss the project to possibly reach a unanimous decision, a denial of the application allowing for an appeal to the Planning Commission, or a continuance with a request for further revisions.

Chair Helber allowed for additional public comment at this time.

Mr. Woehleke spoke to the discussions of the Hillsides and Ridgelines Steering Committee as related to the requirements for Wilder Ranch located in the City of Orinda, to step the homes into the hillside. In this case, the second story could be moved east to the swimming pool area and still retain the swimming pool. He noted the home was elevated above Rheem Boulevard and the angles worked with them if the home was stepped. The home could otherwise be moved back towards the hillside as was done at 226 Rheem Boulevard, but which he recognized did not address other issues such as shadowing impacts.

Stephen Chang, speaking on behalf of the property owner, Richard Yu, commented that during the September 28 DRB meeting, the homeowner had explained all of the steps taken to reduce the massing of the design when many design changes had been made. He emphasized that the planning phase had been ongoing for many months, pointed out the absence of sidewalks on Rheem Boulevard whereby views of the ridgeline would be fleeting, and based on the perspective from the Hollingsworth property, there were no views of the ridgeline. The ridgeline was also not visible when standing directly under the home looking up. He reiterated that the property owner had tried to accommodate all of the requests and meet the Town's regulations including the DRB's earlier requests. The changes, while minimal, had been made at the request of the DRB.

Boardmember Glover reiterated that while he had not been present for the September 28, 2015 DRB meeting, he had the opportunity to review the September 14, 2015 submittal which reflected the original submittal and the staff report from the September 28 meeting, and was aware of the changes that had been made to the plans.

Chair Helber noted that if the home was stepped it would impact the master bathroom area of the first floor.

Ms. Clark advised that the next meeting of the DRB would be on December 14, 2015.

Chair Helber offered a motion to postpone the item until the next available DRB meeting, and request that the applicant conceptually prepare an alternative for consideration by the DRB to mitigate the visual impact on the ridgeline, and by doing so to potentially push the existing master bedroom portion of the structure back further along the rear yard area to help mitigate the visual impacts along the ridgeline. In addition, to reconsider the new garage to be a detached structure closer to Rheem Boulevard and possibly include a breezeway to connect the two.

Boardmember Glover second the motion.

On the motion, Boardmember Crews suggested not much could be done to the height of the building to make it significantly different. The 4:12 roof slope was not that steep, was appropriate for the type of roof proposed, and reducing the ceiling height would not significantly change the views. The topography was difficult given that the site was higher than the road, and anything built would have some perspective effects on views of the ridgeline. He otherwise found the facade of the home would benefit by having some vertical elements on the left side of the building. While the home had been perceived as a larger mass with the two-story element, in his opinion, it had an architectural value.

Boardmember Glover could not see or visualize with the graphics before him how a reduction in the ceiling height and setback of the second story from Rheem Boulevard would affect the visual mass. He asked the designer to present something to reflect that scenario. He was also uncertain whether some of the square footage from the second story could be added to the rear of the ground floor level.

Chair Helber clarified with Ms. Clark that his motion, as stated, could be done, and that action to continue an item could be appealed; i.e., only the action to continue the item.

Ms. Clark explained that an appeal of a decision was a de novo appeal although she was uncertain whether or not the scope of the action being appealed would be limited solely to the continuance of an item or whether it would allow for the reconsideration of the entire project.

On motion by Chair Helber, seconded by Boardmember Glover to postpone DRB 04-15 for 287 Rheem Boulevard until the next available DRB meeting, and request the applicant to conceptually prepare an alternative or two for consideration by the DRB that would mitigate the visual impact on the ridgeline, and by so doing, to potentially push the existing master bedroom portion of the structure back further along the rear yard area to help mitigate the visual impacts along the ridgeline.

In addition, to reconsider the new garage to be a detached structure closer to Rheem Boulevard and possibly include a breezeway to connect the two. The motion carried by the following vote:

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

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.

Chair Helber declared a recess at 9:08 P.M. The DRB meeting reconvened at 9:10 P.M. with Boardmembers Crews, Glover, and Chair Helber present.

C. October 26, 2015 Minutes

Boardmember Glover requested an amendment to the fourth paragraph of Page 5:

Boardmember Glover asked the applicant to submit specifications for the wrought iron fence to be reviewed and approved by the Planning Department. If the Planning Department was uncomfortable with that direction, that element could be brought back to the DRB for review and approval.

Boardmember Glover also provided staff with written corrections to the fifth paragraph of Page 7 to better reflect his comments about stormwater concerns and the use of cross sections.

On motion by Chair Helber, seconded by Boardmember Glover to approve the minutes of the October 26, 2015 meeting, subject to the revisions proposed by Boardmember Glover. The motion carried by the following vote:

Ayes:	Crews, Glover, Helber
Noes:	None
Abstain:	None

Absent: Escano-Thompson

5. ROUTINE AND OTHER MATTERS

A. Planning Commission Liaison Report – Kovac

Planning Commission Liaison Kovac reported that the Planning Commission meeting of October 19, 2015 had included consideration of amendments to the Small Farm Animals and Bee Keeping Ordinance.

6. REPORTS

A. Design Review Board

Chair Helber reported that the DRB's decision to approve 68 Vista Encinos (Lot 4) had been appealed to the Planning Commission.

Ms. Clark affirmed the Town's policy for the DRB Chair to attend the appeal hearing before the Planning Commission to speak on behalf of the DRB. The item had been tentatively scheduled for Planning Commission consideration on December 7, 2015.

B. Staff

Ms. Clark affirmed that an appeal had been filed by a neighbor of the DRB's decision to approve 68 Vista Encinos (Lot 4). The appeal letter had been forwarded to the DRB. A joint Planning Commission and DRB meeting had been scheduled for November 30, 2015 to discuss the recommendations from the Moraga Center Specific Plan (MCSP) Steering Committee. She added that the Hillsides and Ridgelines Steering Committee continued to meet with additional meetings planned to review the various recommendations and options.

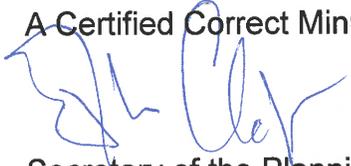
Mr. Frick reported that the appeal period for the approval of the Orchard Supply Hardware project had expired. One of the conditions of approval had been for the DRB Subcommittee to review design details of the fencing and mesh materials, with samples of the materials available at the Planning Department. Once the designs had been received, they would be presented to the DRB Subcommittee for review.

Ms. Clark added the Parks and Recreation Director had announced that a Subcommittee would be formed for the Public Art Program, with a request for a representative from the DRB to serve on the Subcommittee which would be addressed on a future agenda. In addition, all meetings in the new Council Chambers and Community Meeting Room would be web-streamed with links available on the Town's website.

7. ADJOURNMENT

On motion by Boardmember Crews, seconded by Boardmember Glover and carried unanimously to adjourn the meeting at approximately 10:25 P.M.

A Certified Correct Minutes Copy

A handwritten signature in blue ink, appearing to be "J. H. O'Leary", is written over the text "A Certified Correct Minutes Copy".

Secretary of the Planning Commission

