

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

**May 26, 2015**

**1. CALL TO ORDER AND ROLL CALL**

A special meeting of the Design Review Board (DRB) was called to order by Chair Helber at 7:00 P.M. in the Moraga Library Meeting Room, 1500 St. Mary's Road, Moraga, California.

**A. Roll Call**

Present: Boardmembers Escano-Thompson, Glover, Zhu, Chair Helber

Absent: Boardmember Crews

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

**B. Conflict of Interest**

There was no reported Conflict of Interest.

**C. Contact with Applicants**

There was no reported contact with applicants.

**2. PUBLIC COMMENTS**

There were no comments from the public.

**3. ADOPTION OF THE CONSENT AGENDA**

**A. April 27, 2015 Minutes**

**B. 1800 Donald Drive** – Consider Design Review (DRB 3-15) for an approximate 3,652 square foot single-family residence with two attached single-car garages totaling 541 square feet

**C. 533 Moraga Road** – Consider Revised Design Review (DRB 1-15) to install one wall sign with halo-style illumination on the west elevation of an existing building

**D. Adoption of Meeting Agenda**

Given the number of people desiring to speak to Consent Item B, the item was pulled from the Consent Agenda.

On motion by Boardmember Glover, seconded by Boardmember Escano-Thompson to adopt Consent Agenda Items A and C, as shown. The motion carried by the following vote:

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

On motion by Chair Helber, seconded by Boardmember Zhu to move Consent Item B to Design Review as Item A, with existing Item A to be renumbered as Item B. The motion carried by the following vote:

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

#### **4. DESIGN REVIEW**

##### **A. 1800 Donald Drive**

**Applicant/Architect:** James Phillip Wright, 5 Greenvalley Court, Lafayette, CA 94549

Consider Design Review (DRB 3-15) for an approximate 3,652 square foot single-family residence with two attached single-car garages totaling 541 square feet

Associate Planner Ella Samonsky presented the staff report dated May 26, 2015, for design review of an approximate 3,652 square foot, single-family residence with two attached single-car garages totaling 541 square feet. Due to the project's consistency with the Zoning Ordinance, the General Plan, and the Design Guidelines along with approved Conditional Use, Hillside Development, and Tree Removal Permits, she recommended that the DRB approve the Draft Action Memorandum dated May 26, 2015 approving Design Review DRB 3-15 pursuant to Section 8.72.060 of the Moraga Municipal Code (MMC), and Condition 14 of Town Council Resolution 6-2014, subject to findings and conditions of approval.

In response to the DRB, Ms. Samonsky stated the roof was previously shown as a slate material; the applicant could clarify whether solar panels had been proposed; the Cindy Waxman Trail was located farther up Donald Drive not immediately adjacent to the property; and the reference to Table 4 in the second paragraph on Page 7 of 9 of the staff report should be corrected to read *Table 3*. She added that parking provided would be for two covered and two guest parking spaces, and the parking layout had been considered and approved by the Town Council; a geotechnical report had been prepared as part of the Grading Permit and previous use permit, which had been reviewed by the Town Geotechnical Consultant and Public Works Department; and the action before the DRB was for the final design review and lighting plan.

## PUBLIC COMMENTS OPENED

James Phillip Wright, Architect, 5 Greenvally Court, Lafayette, explained that he had been working on the project for the past three years and had satisfied the direction from the Town Council and the Planning Commission. The purpose of the action before the DRB was to clarify that the construction documents were in compliance with the design drawings that had been submitted. The only new issues were the lighting and landscape plan as requested by the Planning Commission and Town Council.

Sandy Reed, 1750 Donald Drive, Moraga, explained that her neighborhood was close to the gate to Mulholland Ridge and consisted of four homes. While she and her neighbors continued to object to the home, she understood the Town Council had denied an appeal of the project. She presented correspondence to the DRB that would also be presented to the Town Council, referenced the long history of the project, and questioned how many DRB members had actually visited the lot. She was unaware whether the applicant had received a Grading Permit given concerns with the steepness of the lot. The narrow and winding road is almost impossible for more than one vehicle to reach the area given park users who park on the uphill side of the road. She expressed concern whether sufficient consideration had been given to staging and the safety of residents during the construction period, particularly the ability for emergency response personnel to reach the area, and asked whether residents would be privy to the staging plan.

The owner of 1758 Donald Drive, Moraga, questioned whether the Town Council had recognized that the road had shifted over the years based on photographs illustrating the steepness of the hill, particularly given that the road was the only way in and out of the neighborhood.

Greg Sutton, Moraga, questioned whether a soils report had been prepared for the project and whether the Town had any liability in terms of the road.

Ms. Samonsky reported that a Grading Permit had been issued for the project and the foundation design had not changed. As a condition of the Grading Permit, the Town Council had required a soils report, which had been peer reviewed by the Town's Geotechnical Engineer.

## RESPONSE:

Mr. Wright emphasized the three-year process; stated the applicant had satisfied all requests; soils and engineering reports had been provided; and the site had been considered to be stable with no movement whatsoever on the street, an issue that been raised several times over the years with documentation on file. He described the road as 35 feet in width; not narrow or winding. He questioned the correspondence that had just been submitted, with no notice, inconsistent with the standard practice for all public hearings and asked the DRB to allow the project to move forward.

## PUBLIC COMMENTS CLOSED

In response to the DRB, Mr. Wright clarified that the building would have no solar opportunities, and while a heat cistern system had initially been proposed, it had been eliminated from the design in response to fears from the downhill neighbors. As a result, many of the green attributes had been removed from the building design.

Planning Commissioner Carr, a new member of the Commission, commented that she had followed the application over the past three years and was aware of the numerous meetings between the Planning Commission, DRB, and the Town Council. While acknowledging the residents' concerns, she noted that the Moraga-Orinda Fire Department (MOFD) had affirmed that fire apparatus could maneuver the roadway even with vehicles parked on the road. She found it commendable that the applicant had worked so hard with the public to address the concerns that had been raised, and expressed her hope there would continue to be an open discourse.

Chair Helber clarified with Mr. Wright that pursuant to Sheet A3.2, the redwood bark veneer siding would be from redwood lumber, planks would average two to three inches in thickness and be milled to ten-inch wide planks, which would be vertical, the material had been approved by the MOFD, and it would be fire retardant. The intent of the material was to blend in with the natural setting of the forest. A rain screen consisted of suspended wood siding which would be held three quarters of an inch away from the envelope of the building, the plywood would be waterproof with channels over the top of the waterproof, and the rain screen would protect the waterproofing from ultraviolet light degradation.

Chair Helber also clarified the square footage calculations with Mr. Wright as well as the understory area, half of which was unusable, with no flooring and only sloping soil.

Boardmember Glover clarified with staff that the Grading Permit had been a condition of Town Council approval.

Boardmember Zhu verified some of the exterior materials with Mr. Wright, who noted that he had initially recommended a glass railing although that had been changed to metal for budgeting reasons; the location of the bio-retention basin, which would filter particulates out of the storm water; and the process to filter the storm water consistent with stormwater practices. He emphasized the intent to put as much stormwater as possible back into the earth. In this case, they would be taking all of the impervious surfaces of the roof and motor court to be filtered through the bio-filter and exit at the curb through the utility easement below the home. While that method was not required, it had been imposed on the application.

Boardmember Zhu suggested that element of the design could be a potential heavy weight which could push the structure downward, although he recognized the Town's Engineer had reviewed that element of the design. He further clarified with Mr. Wright that while a very small portion of the roof would protrude above the street level, the majority of the building would be substantially below the street.

Boardmember Escano-Thompson also clarified with Mr. Wright that the bio-retention basin was located in the front of the home between the building and the street, above grade, with the building used to buttress it.

Mr. Wright stated the bio-retention basin would pass, not hold, any water and was a bio-filter not really defined as a basin. In addition, a construction staging plan had been required and submitted as part of prior approvals.

In response to the Chair, Ms. Samonsky affirmed that the proposed lights would be shielded and downward directed, consistent with the Design Guidelines.

Steven Williams, the property owner, Pleasant Hill, added that there had also been a requirement for a construction sign to be posted on the property during construction with a contact phone number in the event of any neighbor concerns.

Ms. Reed stated that neither she nor her neighbors had received a copy of the construction plan.

Ms. Samonsky acknowledged that information could be provided once submitted.

Chair Helber pointed out as part of the Town Council approval that a Traffic Control Plan had been required, to be submitted to the Town and the Chief of Police prior to the issuance of a Grading Permit.

Planning Director Ellen Clark stated that once the Traffic Control Plan had been submitted to the Town, it would be available for public review.

Boardmember Zhu expressed disappointment that sustainable design features were no longer part of the proposal, and that the home would not be the first net zero design that had initially been proposed. He suggested the siding and roof material would blend into the natural surroundings and the home would disappear from view over the years. He also recognized that many issues had been discussed and addressed over the many times the project had been reviewed.

Boardmember Escano-Thompson was also disappointed the design no longer included green building features with a cistern system, although it would not prevent her from approving the project.

Mr. Wright clarified that the home would still offer a 70 percent energy reduction as compared to a typical building.

Boardmember Glover shared the neighbor's concern with the width of the roadway and the ability for ready access in an emergency. He expressed his hope that the Traffic Control Plan would address the need to have a contact person in the event the roadway was obstructed during the construction period.

Chair Helber recognized the concerns with traffic control but stated that would be addressed through the conditions of approval. The action before the DRB was the final design review to determine compliance with the original design review, landscaping, and lighting plan. He acknowledged the plan had not varied from the original design review, with the siding and parking the same, although there had been a minor revision to the railing, from glass to a metal railing. He stated therefore that the project was compliant with the original design review.

On motion by Boardmember Zhu, seconded by Boardmember Escano-Thompson to approve the Draft Action Memorandum dated May 26, 2015, approving DRB 3-15 for 1800 Donald Drive, subject to a correction of the street address as shown in the first paragraph under Design Review Board Action on Page 1 of 3, and subject to the findings and conditions of approval. The motion carried by the following vote:

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

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

**B. 63 Vista Encinos**

**Applicant:** Branagh Development, 100 School Street, Danville, CA 94526 Design Review (DRB 24-14) for the construction of a new 4,172 square foot stepped, split level two-story single-family residence with a 509 square foot attached two-car garage

Associate Planner Brian Horn presented the staff report dated May 26, 2015, for design review for the construction of a new 4,172 square foot, stepped, split level, two-story single-family residence with a 509 square foot attached two-car garage. He recommended that the DRB approve the Draft Action Memorandum dated May 26, 2015, approving DRB 24-14 subject to findings and conditions of approval, and clarified the recommendation was contingent upon the DRB's determination that the floor above the split level would not be considered more than two stories in conformance with General Plan Policy LU1.3.

Responding to the DRB, Mr. Horn clarified that the overall grading plan had previously been approved by the Town; identified the site grading pursuant to Plan Sheet G.1; and clarified the numerous conditions of approval as part of the initial approval of the subdivision, specifically related to Lots 1 through 5. Specific conditions for the upper lots relating to building height had not been imposed, although the DRB had the authority to determine whether the structures were too tall. In general, he noted that the trees that had been provided to screen the lower lots had not been maintained since 2005.

Ms. Clark further described the history of the project, explained that the applicant had originally come forward with a plan and architecture for all homes in the subdivision, but had then decided to proceed with the subject lot, with additional lots to come forward in the future. The subdivision had previously been approved and there was a Final Map on the property. The purpose of the hearing was to find that the application was in conformance with the previous subdivision approval, approved development standards, and any other conditions that might apply as part of the subdivision approval. Since the applicant had not wanted to move forward with all designs at this time, staff had come forward with the one application for the lot at 63 Vista Encinos.

Mr. Horn also clarified that before a building permit could be issued for any lot, the applicant would have to install plantings to replace the planting that had initially been planted but not maintained, with staff to verify that planting.

Ms. Clark further clarified that there was nothing in the approval of the subdivision to prevent the submittal of an application for one lot. She agreed it would have been helpful to understand the design in the context of the designs for the remaining lots.

## PUBLIC COMMENTS OPENED

Bob Pickett, Senior Development Associate, Branagh Development, Inc., Danville, explained that the developer had teamed with the landowner to design and build the homes. He introduced the design team present in the audience. Speaking to the staff report, he corrected some of the statements included therein by stating that the retaining wall would be three, not five feet in height; the end wall located on the left side of the building would be 20 feet with the yard area at 1,200 square feet; Design Guideline Conformance Analysis IB.10.6 should reflect that the retaining wall would be three not five feet in height; and the slope at the rear of the home had been increased to a 2:1 slope to lower the retaining wall from five to three feet. While they could go back to a 3:1 slope, he suggested the 2:1 slope offered a better solution. He also referenced Design Guideline Conformance Analysis IB11.2, which related to the retaining wall and slope and noted that the lower back corner of the lot would be 2:1, a small area that would be landscaped.

Dan Hale, Hunt, Hale, Jones Architects, 444 Spear Street, Suite 105, San Francisco, explained that the site was currently graded at a 4:1 ratio with the flat area on the top. He stated the site had a nice gentle slope, faced south, and the home had been designed to step up the hill taking advantage of the views over the front with private space at the rear of the home. The garage would be located at the lower portion of the site and be buried into the hillside. The main living level would be located above the garage with a great room, informal living, and a dining room; above that and stepping back would be the bedrooms. In between that area would be a den in the split level area used as an internal transition between the garage and the upper level. Outside, the front door would take one all the way to an outdoor courtyard off the great room, which would have glass to the back and the front.

Mr. Hale clarified that the finish grading at the rear of the home was a bit below the finished floor; the east elevation had a larger outdoor flat area; the side elevations showed how the home would step up the hill, back from the street; there would be single-story elements on the front and two-story elements on the back; articulation on the front and side elevations; and materials and colors would be used to break up the scale of the home. There was an overall vision for the entire streetscape for the homes, with each home designed on either side of the proposed home to appear a bit different in that the homes on either side would have hipped roofs and a change in roofline offering a unique look and different architecture. A three-dimensional rendering of the home was presented to illustrate the details involved. The home would also be a Bay Area Traditional style, not stylistically Craftsman or Ranch.

Vince D'Alo, Aliquot Associates, Inc., 1390 South Main Street, Walnut Creek, clarified that the retaining wall in the rear yard would be three feet in height, with a three-and-a-half foot high retaining wall on the left side of the home. All other retaining walls would be less than three feet in height.

Mr. Hale added that the site retaining wall had been pushed back and was to have been four-and-a-half feet high to provide access to garbage and utilities, although the retaining wall had now been brought forward and would be three feet high.

Clark Lemaux, Moraga, identified his residence at the corner of Larch Avenue and Lynch Court across the street from the project site, which he could view from his rear yard. He commented that he had watched the grading of the site ten years ago, had read the staff report, and referenced the findings required to be made for design review approval. He suggested the home would be out of scale with the surrounding neighborhood given that the largest home in the surrounding neighborhood on Ketelsen Court was 3,800 square feet in size. He added that the recommendation for tree screening was a concern given the few existing trees on the property, and more trees would result in the obstruction of views, visual impacts would impact the neighborhood, and while the developer's homes were beautifully done, they were too large and out of scale with the rest of the neighborhood.

Nancy Sandlund, 30 Baitx Drive, Moraga, submitted copies of the original conditions of approval for the original subdivision to the DRB. She read into the record Design Guideline Conformance Analysis SFR 2.9, and questioned the staff assessment that the project complied with the Design Guideline given that the home was twice as large as most homes in the neighborhood and would be visible and loom over the surrounding neighborhood. She asked whether the definition of surrounding neighborhood was limited to new cul-de-sac neighborhoods in the area.

Ms. Clark explained that due to the cost of land, the trend was for larger homes than those built in the 1960s and 1970s. She acknowledged that the existing ranch style homes in the Town were in the 2,500 square foot range, with most recent developments proposing somewhat larger homes. She noted that during the subdivision review, the size of the homes had been discussed at length, with a decision to limit the size of the homes based on square footage or Floor Area Ratio (FAR) per the existing . She acknowledged that neighborhood compatibility was a difficult question, and limiting the size of new homes to 2,500 square feet in terms of the current market and the cost of land was a difficult proposition for many developers. In other recent approvals, the Planning Commission and the Town Council had found it reasonable to limit home sizes to some degree, although the current conditions of approval for this project had not done so. She added that whether the home was out of scale with the neighborhood should be a discussion point for the DRB.

Mr. Horn further clarified the history of the original zoning for the property which had involved a Moraga Open Space Ordinance (MOSO) designation. However it was determined that this was a mapping error and the property was rezoned to 3 dwelling units per acre as a condition of the Los Encinos Project.

Carl Sandlund, 30 Baitx Drive, Moraga, agreed that the project was incompatible with the surrounding neighborhood and suggested there could be a compromise between a 2,500 and 4,000 square foot home. He pointed out that tree screening had failed on three occasions and he hoped there would be strict regulations for the approvals of the homes in the subdivision. He questioned the process of approving the home designs individually and expressed concern for how the project would ultimately appear.

Mike Larkin, 1099 Larch Avenue, Moraga, stated he had previously submitted comments to the Town. He questioned the lack of cross sections and visuals to show the potential effects of the home on the surrounding neighborhoods and suggested the proposal represented a three-story structure. He noted there had been no discussion as to whether the retaining walls would have an impact on adjacent properties; whether the fences and walls along the front of the home would impose any impacts; whether the end walls would have any effect on the views and privacy of the adjacent homeowners; there had been no visuals provided of the homes with installed landscaping other than four trees which he assumed were at full growth; and the approved CDP had shown the homes between 3,300 and 4,100 square feet in size including the 500 square feet of garage space, although the subject home was 200 to 600 square feet larger in size. He added that minutes from the Planning Commission meeting at the time the original subdivision had been approved had also referenced the approved size of the homes.

Mr. Larkin advised that he and his neighbor would be delivering a letter to the Planning Director in the next few days with suggestions regarding the Monterey pines on Lots 2, 3, and 4, which had been cut down a few years ago. The conditions of approval for the subdivision had stipulated that if the trees were cut down the Planning Director was to decide on appropriate replacement.

George Steffner, Ketelsen Court, Moraga, expressed concern with the height of the proposed home as well as the other homes yet to be evaluated, which could create a wall of houses. He emphasized the bucolic nature of the neighborhood and noted that the project would urbanize the area. He was disturbed by the development that could occur in the future, and while he found the architecture to be pleasing, the building size was a concern to him.

Amy Fabo, 1101 Larch Avenue, Moraga, stated she had previously submitted correspondence to the Town. She emphasized the visibility of the story poles and noted that other cul-de-sac development in the Town had occurred on flat land. She too found it difficult to consider the home in isolation given that several other homes would be constructed. While she recognized the intent of the design considerations, she questioned whether the privacy and views of adjacent residents had been considered.

## PUBLIC COMMENTS CLOSED

## RESPONSE:

Mr. Pickett recognized the neighbors' concerns with the scale and height of the building and the compatibility with the neighborhood. He emphasized that compatibility and impacts to the neighbors had been considered in the proposal for the ten homes.

Mr. Pickett explained that the subject lot would not have a neighbor but would be visible from off-site. While the developer had initially considered building all ten homes at one time and had prepared preliminary designs for all homes with a variety of architecture, there had been design issues pointed out by staff for a number of the homes requiring significant redesign to comply with some of the conditions of approval. As a result, the developer had proceeded with the few lots that required no redesign. He clarified that this was not a planned development project and the developer could have up to ten different builders build the homes, although there was value having one builder who had experience building in Moraga. He acknowledged that some landscaping had died and the developer had been conditioned to replant landscaping prior to issuance of a building permit. He also clarified that the proposed home was two stories only, stacked, with the home to be stepped up the hill with a 4:1 slope, with off-set floors on multiple levels that would not be in excess of the two-story limitation.

Mr. Pickett also clarified that neither the current property owner nor the developer had been involved in the prior failures of the landscaping. He acknowledged there were spots where the home would be visible between existing homes and trees, although the scale of the home and its views would be significantly reduced by the distances from the neighboring homes. He suggested overall compatibility was not an issue, and commented that some of the issues with respect to size were that the home was stair stepping up the hill. He suggested that ultimately the custom homes would be knit together to offer an attractive neighborhood with consideration to the overall visual impact and the adjacent neighbors.

Boardmember Zhu requested in the future to be provided a section cut to display the entire site and show the content of the entire slope.

In response to Boardmember Glover, Mr. Pickett advised that the project would be required to comply with dust control requirements; some builders used reclaimed water or other creative solutions although that detail had yet to be determined for the project. He explained that the developer and the property owner controlled the entire site; the developer had experience with similar developments that were not built out in an orderly sequence; and there would be an on-site superintendent. The developer recognized the need to please buyers and address construction that may be going on around a completed residence. He suggested the fact the project would be stretched out, with one to three homes under construction at one time, would be more advantageous than if all the homes were under construction at one time.

Mr. Pickett added that the project involved a private street with a shared access easement through the middle of the development; a Homeowner's Association (HOA) would maintain the street and include Covenants, Conditions and Restrictions (CC&Rs); the HOA may be responsible for a portion of the off-site hiking trail; homeowners would be responsible for the private yards; the HOA would not maintain the front yard landscaping; and rear yard landscaping would be installed by the homebuyer. He was uncertain whether there would be any restrictions on the timing of the installation of the rear yards given that the CC&Rs had yet to be defined.

In response to the Chair, Mr. Hale described the materials to be used which included Hardie lap siding, vinyl windows yet to be selected; high grade composition shingle roof; carriage style metal roll up garage doors; white trim; wood detailing to be painted an accent color; OG gutters and round downspouts. The front door would be recessed around some exterior foam detail; windows would not be recessed; the front door would be fiberglass and decorative in appearance; the carriage style garage door would be different for each home in response to the aesthetic of the architecture; the usable deck off the dining room would have a wood railing; the low sloped standing seam metal roof over the bay window would be painted, with the gable ends inspired by old bungalows which had true vents, although it would not work as a true vent.

Boardmember Zhu characterized the home design as very bulky with a three-story height resulting in a very tall building. He recognized the constraints and limitations of the design but recommended that the roof be reconsidered. He recommended a steep roof with the plates on the second floor down, the elimination of the wall on the second floor, and suggested the steepness of the roof could offer better height and eliminate the two-story appearance of the home, resulting in a smaller footplate on the second floor.

Mr. Hale asked the DRB to opine on the interpretation of three stories. He understood there were no limitations on three stories and that the Design Review Guidelines encouraged homes to step up the hill. He wanted to understand the Design Guidelines and sought guidance on that issue since it would affect the designs of the other uphill lots.

Ms. Clark affirmed that the General Plan included policies regarding stacking levels directly above each other creating three levels.

Boardmember Zhu again recognized the constraints with the project. In this case, the project had not included the same level of detail. Absent information for the home on Lot 2, as an example, he did not have the entire context for the development, particularly if the homes would be one or two stories.

Boardmember Glover noted that the architectural rendering was a view from a certain direction, which was distorted with views of the hill behind. While he appreciated the concerns of those who lived across from the subject site, he clarified that the views would not be as depicted in the rendering.

Responding to the Chair, Ms. Clark explained that the Design Review Guidelines had addressed the issue of adjacency in terms of two, two-story homes adjacent to one another, with all of the lots in the vicinity including those that had adjoining property lines. She clarified the intent to prevent a row of two-story homes down the street, and stated the DRB could consider what may occur across the street with respect to compliance with the Design Review Guidelines.

Boardmember Glover referenced a large project currently under construction in the Town which involved dust management but had also involved the washing down of equipment using potable water pumped out of a fire hydrant. He recommended a

condition of approval that Title 22, reclaimed water, be used for dust control and be contained within the site.

Planning Commissioner Carr clarified with staff how the stories of a home had been defined and the requirements of the Design Review Guidelines in terms of two-story adjacency.

Ms. Clark explained that in this case, the Planning Commission had left it up to the DRB, in accordance with the Design Review Guidelines, to determine whether to allow more than two, two-story homes in a row.

Boardmember Zhu suggested the information provided had not been sufficient to convince him to move forward although he did not necessarily disagree with the architectural package. He found the design to be acceptable for the individual application, and as a result would abstain from the vote.

Boardmember Escano-Thompson understood Boardmember Zhu's concerns with the bulkiness of the home, was uncertain there was a way to mitigate the massing and reduce the overall height of the home, and recommended that the architect consider solutions to reduce the bulkiness of the home.

Chair Helber liked the overall architectural style, and found that the protrusion of the living space was not that different from a traditional split level ranch style home in Moraga. He commented that pulling everything forward would create a much larger mass while pushing the home back and taking advantage of the split level would achieve habitable square footage in something that would terrace back up the slope. He suggested the proposal offered a better design solution than not having a split level; however, the massing of the front downstairs bedroom was too blocky. While the roof broke it up a bit and the bay window would pull out, something else could be done to help that part of the design transition up the hillside.

Chair Helber suggested the overall lap siding of the home, shingle, and architectural detail of the windows all looked great and offered a good quality home, but suggested that some of the architectural specification level could be brought up a bit to offer improvement. He noted that some of the larger developments in the Town had committed to a slightly higher specification level which added up cumulatively and made the entire neighborhood look elegant. He suggested there was an opportunity to do that in this case.

Chair Helber had no issues with the three-foot retaining walls or the length of the side yard retaining wall which helped to create the livable areas of the home, or the rear yard split into two separate areas which was common for homes in the Camino Pablo Valley. He also had no issue with the side yard retaining wall coming down to create the two separate yards which, in his opinion, created a better neighborhood. He struggled with the possibility of having to require the applicant to come back to the DRB again.

Mr. Pickett explained, when asked, that the developer planned to use the same floor plan but with a different exterior style for other lots in the development. A single-story home had not yet been designed. The plan had initially called for all two-story homes

although that direction had changed. The single-story element was a difficult design challenge since it must be located on a sloped lot and since it would require stair stepping up the hill. He anticipated two to three single-story homes in the development. The subject floor plan would be the largest in the development. The downhill side Lots 1 through 4 would be considerably smaller in size since there would be an FAR limitation.

Chair Helber suggested that his concerns could be addressed in the conditions of approval. He saw no benefit requiring the applicant to return to the DRB.

Boardmember Zhu was unconvinced of the current design approach.

Chair Helber re-opened public comment at this time, but ultimately did not close public comment.

Mr. Steffner reiterated that the height of the home was a concern but suggested the color of the home could subdue its presence.

Chair Helber commented that the architecture with the floor coming out read as a tall element, and suggested that if a stone siding veneer was placed on that area it could create a strong foundation with siding treatment to strengthen the base and break up the architecture visually.

Mr. Hale suggested that could be an idea to help bring the scale of the front element down or break it up to offer a stronger base. The use of masonry could also be considered.

Mike Branagh, Branagh Development, explained that the developer had a standard for using wood front doors and did not install metal garage doors. The developer also used wood custom garage doors and took pride in their concrete flat work as well.

Boardmember Zhu suggested regardless of what was done at the base, it would still project out and be a box in front of the home, with everything visible in front of the panel and the window. He agreed that a strong base, like an anchor down to the ground, could help although the box window remained overstated.

Mr. Pickett suggested the ceiling height could be dropped in the front projection a couple of feet.

Chair Helber noted that based on the discussion, it was clear the issues could be addressed through a refinement of the architecture through the conditions of approval as opposed to a redesign of the project. He noted the DRB's use of subcommittees in the past to review architecture at a staff level. Interested in improving the architecture but not to delay the project, he asked the DRB to opine on whether a subcommittee should be formed.

Boardmember Zhu did not suggest a redesign or a refinement, but wanted to see the entire development.

Chair Helber concurred although he noted the DRB did not have the right to require the applicant to come in with a plan for all of the lots at one time.

Ms. Clark asked the applicant if the DRB decided the project should return for future review, whether an updated site plan with the surrounding homes in a contextual level could be provided.

Mr. Pickett explained that the developer needed to move something through the process to allow the issuance of a building permit. He acknowledged that the developer had three other home applications in process; the four design applications involved Lots 4, 5, 7, and 8, two downhill and one uphill lot.

Mr. Branagh clarified that the developer could not proceed with more than four homes at one time.

Mr. Pickett also clarified that applications for those four lots had been submitted to staff and were currently under review.

Boardmember Zhu reiterated his concerns with the approach to approve one home absent the knowledge of the other home designs, and he remained concerned approving each home individually.

Ms. Clark clarified that individual approval of each home had always been a possibility for the project since each of the lots could be sold to an individual builder. Given that context, the Town was unable to condition the developer to present the entire project at one time.

Mr. Branagh added that prior to the current ownership, the prior property owner had considered selling each lot to ten individuals, which could have resulted in ten different architects and style of homes with no relationship to one another.

Responding to a member of the audience, Ms. Clark advised that the conditions of approval that applied to the entire subdivision would be applied to the subject application.

Also responding to a member of the audience, Mr. Horn identified Attachment C, Status of Los Encinos Subdivision Conditions, Condition 7, which addressed the requirements for tree screening, and Ms. Clark affirmed it would be under the purview of the DRB to require a return of Condition 7 to the DRB.

Mr. Pickett advised that the developer was required to replant and restore the vegetation that had originally been approved for the subdivision in general. With the design of the individual homes, individual impacts to a neighbor could be further assessed with the potential requirement for supplemental planting.

Further responding to a member of the audience, Ms. Clark described the process used by the arborist to tag trees on the property as part of the plans, although that would not necessarily mean all those trees would be removed. The arborist's report identified the trees to be removed or preserved.

Sunny Chen, Moraga, urged the DRB to consider the comments from the public and the neighbors' desire to reside in a semi-rural, quiet neighborhood.

Boardmember Escano-Thompson was not opposed to approving the item and forming an architectural subcommittee to review the design of the building.

Based on a straw poll, DRB members had no concerns with the landscape plans and retaining walls, as proposed, and found the interpretation of the Design Guidelines for three stories and a terraced home to be an acceptable approach.

Boardmember Glover spoke to the design and architecture and stated he did not want to see four of the same shadows in one row, but suggested that surface treatments could do a lot to address that concern.

Boardmember Zhu agreed that architectural changes could be employed to mitigate the height and character of the home, and he recognized a three-story appearance would be allowed, although he remained concerned with how it would be mitigated.

Chair Helber understood the architect would be able to reduce the front mass, the front bedroom overall floor plate to 10.1 feet, with the rear element at 10 feet for the main floor, and one foot subfloor, and a 9-foot second story and 10-foot attic space.

Mr. Hale suggested the main gable could be lowered to 4:12, which would bring it at least one foot if not more to the ridgeline silhouette of the home, and if not applied to the subject home could be applied to the others. He emphasized the change must be evaluated overall and the front to back roof could be lowered a pitch. He was willing to investigate Boardmember Zhu's recommendations for the home and reiterated that if not applied to this home the recommendations could be applied to the others as the designs were refined. He noted that lowering the plate in front would not lower the overall height of the home.

Boardmember Zhu supported the Chair's recommendation for the creation of a DRB subcommittee and sought mitigations to address his concerns.

Boardmember Glover requested the following revision to Page 5 of 9 of the Draft Resolution, to add the following statement to the beginning of Condition 20, to read:

*Dust control and equipment wash down shall be done with Title 22 recycled water and be contained on-site. Runoff from these procedures shall not be allowed to flow onto adjoining properties or into the Town's storm drain system.*

Chair Helber requested an additional condition that would require the applicant to return to a DRB subcommittee comprised of two members of the DRB, with revised architectural plans to meet the intent of the overall direction of the DRB, as clarified on May 26, 2015, as follows:

- Front downstairs bedroom overall floor plate height to be reduced by two feet from 12.1 to 10.1 feet;

- The siding of the home to be reconsidered with either a stone veneer siding or some other base course that would visually strengthen the foundation and visually split up the massing of the home;
- The top ridgeline of the second floor to be reduced from 5:12 to 4:12;
- The revised plans to specify the architectural details and specifications, such as the front door, garage door, windows, and flatwork; and
- The revised plans to return to a DRB subcommittee consisting of Boardmembers Zhu and Chair Helber.

Boardmember Escano-Thompson requested that Conditions 16 and 45 be consolidated since they said the same thing.

Mr. Horn explained that Condition 45 was a standard condition of approval. He suggested that Conditions 16 and 45 be maintained as is.

On motion by Boardmember Glover, seconded by Boardmember Escano-Thompson to approve the Draft Action Memorandum dated May 26, 2015 approving DRB 24-14 for 63 Vista Encinos, subject to findings and conditions of approval as shown, and subject to:

- Revise Condition 20 to add the following statement to the beginning of the condition, to read:

*Dust control and equipment wash down shall be done with Title 22 recycled water and be contained on-site. Runoff from these procedures shall not be allowed to flow onto adjoining properties or into the Town's storm drain system.*

- Front downstairs bedroom overall floor plate height to be reduced by two feet from 12.1 to 10.1 feet;
- The siding of the home to be reconsidered with either a stone veneer siding or some other base course that would visually strengthen the foundation and visually split up the massing of the home;
- The top ridgeline of the second floor to be reduced from 5:12 to 4:12;
- The revised plans to specify the architectural details and specifications, such as the front door, garage door, windows, and flatwork; and
- The revised plans to return to a DRB subcommittee consisting of Boardmembers Zhu and Chair Helber.

The motion carried by the following vote:

Ayes: Escano-Thompson, Glover, Zhu, Helber

Noes: None  
Abstain: None  
Absent: Crews

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

Chair Helber declared a recess at 10:20 P.M. The DRB meeting reconvened at 10:24 P.M. with Boardmembers Escano-Thompson, Glover, Zhu, and Chair Helber present.

## **5. ROUTINE AND OTHER MATTERS**

### **A. Planning Commission Liaison Report – Carr**

Planning Commissioner Carr reported that the latest Planning Commission meeting had been canceled. She had nothing further to report.

Chair Helber asked Commissioner Carr to report to the Planning Commission the DRB's concerns for subdivisions where a developer had the ability to submit an application for one home at a time, which made it difficult for the DRB to review the overall architecture of a development.

## **6. REPORTS**

### **A. Design Review Board**

Boardmember Glover spoke to the number of current development projects in the Town and the use of excessive water for purposes of dust control. He sought a condition for all single-family homes, residential subdivisions, or commercial development which required the on-site import/export of ten or more cubic yards of earthen material to comply with Title 22, reclaimed water, and that containment occur on-site. He also reported the next meeting of the Hillsides and Ridgelines Steering Committee had been scheduled for Thursday, May 28.

Chair Helber asked staff to look into Boardmember Glover's recommendation and report back to the DRB, although he was uncertain how such a requirement would be applied.

Ms. Clark stated that staff would return with suggestions as to the threshold that could be considered for such a requirement.

Chair Helber reported that there had been no action on the Livable Moraga Road Project Committee, and the first meeting of the Moraga Center Specific Plan (MCSP) Implementation Project Steering Committee had been scheduled for June 3.

### **B. Staff**

Ms. Clark reported that there had been little activity with the Planning Commission although applications had been coming forward. The Town Council had considered the appeal but approved the Moraga Town Center Homes project subject to modifications,

with the parking improvements to be considered by the Planning Commission at a later date as part of the General Development Plan (GDP) approval; and had approved an appeal from Saint Mary's College (SMC) to allow the intramural field lights to be on until 10:00 P.M., subject to modifications to the lighting plan and with noise control measures.

The Town Council had also approved an agreement with SummerHill Homes, the developer of Rancho Laguna II, for the cost sharing of the Rheem Boulevard Reconstruction.

## **7. ADJOURNMENT**

On motion by Boardmember Zhu, seconded by Boardmember Glover and carried unanimously to adjourn the meeting at approximately 10:40 P.M.

A Certified Correct Minutes Copy

Secretary of the Planning Commission