

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

April 25, 2016

1. CALL TO ORDER

A regular meeting of the Design Review Board (DRB) was called to order by Chair Helber at 7:00 P.M. in the Council Chambers and Community Meeting Room, 335 Rheem Boulevard, Moraga, California.

A. Roll Call

Present: Boardmembers Davis, Escano-Thompson, Gregory, Stromberg, Chair Helber

Absent: None

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

2. PUBLIC COMMENTS

There were no comments from the public.

3. ADOPTION OF CONSENT AGENDA

- A. April 11, 2016 Minutes**
- B. Adoption of Meeting Agenda**

Chair Helber requested the removal of the minutes of the April 11, 2016 meeting, to be considered as Design Review Item 4D.

On motion by Boardmember Gregory, seconded by Boardmember Davis to adopt the Meeting Agenda, with Item 3A to be considered as Item 4D. The motion carried by the following vote:

Ayes: Boardmembers Davis, Escano-Thompson, Gregory, Stromberg, Helber
Noes: None
Abstain: None
Absent: None

4. DESIGN REVIEW

A. 1 Bella Vida Lane

Applicant: Ken Hertel, Hertel Architects, 857 Birdhaven Court, Lafayette, CA 94549

Design Review for the construction of a new 4,527 square foot two-story single-family residence (DRB 1-16) and 1,043 square foot three-car detached garage, 960 square foot pool house, driveway, associated landscape improvements and a six-foot high entry gate on a proposed 28,889 square foot lot (1 Bella Vida Lane), and for approval of a six-foot high fence within the front yard setback at 3 Bella Vida Lane, with both properties a portion of 1049 Camino Pablo.

Associate Planner Brian Horn presented the staff report dated April 25, 2016, and recommended due to the project's consistency with the Zoning Ordinance and General Plan, with minimal impact to surrounding properties, the DRB adopt the Draft Action Memorandum dated April 25, 2016 to approve DRB 1-16, subject to findings and conditions of approval.

Boardmember Stromberg asked staff whether the area located directly outside of the fence would include parking prohibitions to ensure a turnaround for emergency vehicles.

Mr. Horn could not recall whether that had been explicitly called out in the subdivision approval. He noted that the area was 16 feet in width and was not wide enough to accommodate parking.

Tim Cecchin, 1045 Camino Pablo, Moraga, stated from the audience that "No Parking" signs would be posted in the area referenced.

Boardmember Escano-Thompson understood that Parcel C had been subdivided into Parcels A and B, which still required approval from the Planning Commission.

Mr. Horn clarified that the subdivision of the property had received Planning Commission approval; the project was now with the Public Works Department with respect to the recordation of the Final Map. No further entitlements were required beyond the approval of the Final Map, which required Town Council approval. When asked to clarify the storm water provisions, he explained that some of the bio-retention areas were being expanded as part of the project. Storm water would have to be adequately addressed on-site through a pipe under the property located to the west where there was an existing drainage infrastructure. Parcel A must drain through Parcel B, requiring an easement from Parcel A, that was recorded as part of the subdivision approval.

The drainage retention on Parcel B would be part of Parcel A's rights through the recordation of a Maintenance Agreement, Condition 7 of Attachment A, the Draft Action Memorandum for DRB 1-16.

Planning Director Ellen Clark acknowledged that planning and Public Works Department staff shared concerns with the provisions related to adequate maintenance of the storm water facilities given that they crossed two parcels and there could be separate ownership in the future. Those concerns had been addressed in the conditions of approval.

Boardmember Stromberg commented that since the fence would cross Parcel B, in the event the lot was subdivided he asked whether the fence across Parcel B would create a substandard size lot.

Mr. Horn reiterated that the subdivision had already been approved, the applicants planned to move forward within the next year with the fencing on Parcel B since a fence was allowed on a vacant lot, and the applicants intended to use that area as an expanded yard.

Ms. Clark further clarified that the existence of the fence by itself would not make the legal lot smaller, although it would be valid to ask the property owner whether the fence could be removed by a future property owner absent the permission of the applicant.

Mr. Horn noted that fences did not require a demolition or building permit and if the adjacent lot was sold to another property owner the new owner would have the right to remove it. The fence itself would not be visible along Camino Pablo since it would be screened from view by the existing home at 1045 Camino Pablo, and although the gate at the end of the road would be visible, it would have attractive architecture.

Chair Helber spoke to Condition 8 and Sheet A1.1, which identified a test section to be constructed and tested by the Moraga-Orinda Fire District (MOFD). He clarified with staff the MOFD would approve the use of gravel as a driveway surface. The MOFD would also provide a letter to the Town to verify that it had reviewed the material, tested it, and was satisfied it would be adequate for MOFD fire trucks. He recommended that the MOFD provide verification to the Building Department for final sign-off to ensure that the gravel driveway would not have to be installed twice. He also clarified that the project would have 10-foot side yards.

PUBLIC COMMENTS OPENED

Mr. Cecchin explained that the entire project had been viewed as a cumulative effort to clean up and improve parcels he had purchased in 2012. He provided the background of the property which had been occupied by numerous vehicles in states of disrepair, concerns expressed by the neighbors as to the blighted condition of the property, and which had been used as a cut through by young people. The property was located along the scenic corridor, was within walking distance to Camino Pablo Elementary and Joaquin Moraga Intermediate Schools, and the home at 1045 Camino Pablo fronting Camino Pablo was highly visible from the street. The design of the home at 1045 Camino Pablo had previously received DRB approval and praise from the Town and the

neighbors as an improvement to the property. The home at 1 Bella Vida Lane was intended to be the Cecchin family's long-term residence and was described as the finishing touch to a multi-year effort.

Mr. Cecchin commented that while the property was significant in square footage, it was consistent in terms of the allowable Floor Area Ratio (FAR) and height as compared to other homes in the area, with the design broken up over multiple buildings. He suggested the structure would be well shielded from all sides by trees, with care taken to minimize impacts to all neighbors as noted in the staff report. He agreed with the staff recommendation for approval of the project.

Ken Hertel, Hertel Architects, 857 Birdhaven Court, Lafayette, identified himself as the architect for the residence at 1045 Camino Pablo. He highlighted the history of the application since 2012 and explained that the project had been a long-term effort by the applicants, to consist of a family compound where the applicants intended to remain for generations. The large lot had been designed with the dimensions as a penultimate project from the lot line adjustment, with the opportunity for the applicants to downsize in the future or to sell Parcel B to a family member or child in the future. By nature, any potential home on Parcel B would be smaller in size and be one story, pursuant to the Town's regulations, with as much land as possible allocated for the primary residence.

Mr. Hertel commented that in terms of the site plan and analysis of the parcel, the main home was centered on the property; the second floor was very near the dead center of the property; with setbacks at 66 feet to the south, 78 feet to the west, 42 feet to the north, and 67 feet to the east, surrounded by one story elements. Parcels A and B together had a great deal of open space around them with the northern property line having tall redwood trees providing a shady side of the property, and with much of the property exposed to sunlight and views to the south creating an outdoor living space. The design style was consistent with a casual, rural, and elegant feel of development. The roof surface concealed the second floor with porches and deep shadow lines, offering a classic semi-rural home.

Mr. Hertel reported that he and Mr. Horn had met with Kathy Leonard, the MOFD Fire Marshal, and had discussed a gravel only driveway, with a test section to be provided for the MOFD to determine whether the MOFD could drive through the existing driveway absent the removal of additional trees. The applicants had agreed to create the test section prior to the erection of vertical framing. If that was not acceptable to the MOFD, the fallback position would be to use the base and install whatever permeable paving was acceptable to the MOFD. In terms of the building footprint and FAR, the project was at 23 percent FAR consistent with all of the adjacent two-story homes.

Mr. Hertel clarified that the fencing was provisional and would allow landscaping on the public side of the fence, with a dedicated turnaround already recorded and made an easement for the parcel. The fence was removable, and when the subdivision had been approved a theoretical footprint had been identified for the logical placement of development on the parcel. He also clarified that although it appeared as if the parcel would drain through Parcel B, in reality there was a drainage easement and access that had been created, was in the process of being recorded, and was separate from Parcel B.

Mr. Hertel identified an existing rock riprap basin and depression providing access to the storm drain to follow and reflect all of the details of a specific drainage study conducted by the Town years ago for the subject area.

Jay Williams, a resident of Duarte Court, Moraga, and a neighbor of the Cecchins, commented that he had spoken with the Cecchins about the project and was aware of the zoning for the parcel as Residential. He was aware a new home would be built on the property some day and while the home was great, as a resident of Duarte Court to the west, he asked why an exception would be needed for the building height given that homes on Duarte Court complied with the Town's height restrictions. He referenced the story poles on the property which illustrated the proposed height and potential visual impacts of the home, questioned why such a large estate home with no back yard was being proposed, and urged consideration of screening on the side yard as related to the existing one-story home.

PUBLIC COMMENTS CLOSED

Boardmember Davis spoke to Table 6, as shown on Page 12 of the staff report related to comparable properties, and questioned how the subject home was comparable to neighboring homes given its size. He asked whether or not the calculation had included Parcel B.

Mr. Horn verified that Parcel B had been deducted from the calculation.

Boardmember Davis again questioned the use of Table 6 in the staff report as a reasonable means of comparison, and questioned the staff assessment that the home size would be comparable.

Mr. Horn advised that as noted in the staff report, staff had reviewed the lot size and setbacks as well as the screening, and while the home was larger than surrounding homes it would not have as much impact given its location on the lot.

Boardmember Davis suggested from the point of view of the neighbors, a 19-foot high structure ten feet from the fence would be just as visible whether occupied or unoccupied. He understood the Town's regulations and policies treated live-in space differently from a garage, although he suggested the net effect to the neighbor would be remarkably similar.

Ms. Clark clarified that the Town's regulations would allow a 19-foot high structure with 10-foot setbacks, with all accessory structures required to adhere to the required setback of the primary structure. She recognized the concerns a 19-foot high structure with 10-foot setbacks might have on a neighbor, which was a matter for the DRB to discuss and determine whether on aggregate the square footage and FAR for the home was appropriate.

Boardmember Stromberg asked whether there had been any attempt to craft a design for the lot which met the height standards without needing an exception. If the height was reduced, he questioned whether that would create insurmountable grading or drainage issues.

Mr. Horn affirmed that staff had met with the applicant who had been asked to consider a reduction in height, although the applicant had preferred to maintain the proposed height based on the architecture desired. He added that there could be some issues if the building height was reduced by excavating further into the ground.

Mr. Hertel acknowledged that a reduction in height would cause problems in that there was a very gentle downslope to the drainage facility and a reduction in height could throw everything off. He also spoke to architectural integrity and explained that if the roof was flattened too far or there was a change in relationship between the gambrel portions of the roof it could cause the architecture to be awkward. Also, the home would sit a bit off the ground which was integral to the design style, and while adjustments could be made to get closer to 28 feet, he had resisted based on architectural integrity and given the volume of open space and landscaping around the home.

Chair Helber understood the neighbor's concerns with the proposed height and that the construction on the property was a substantial change to what had been there in the past; however, he emphasized the project was within the permissible rights of the property owner absent the exceptions. He found the architecture to be elegant as compared to other developments that had come before the DRB, and while a reduction in height had been directed by the DRB for other projects, in this case he did not see that a reduction by a small amount would make that much of a difference. Based on the landscape plan, he recommended the inclusion of some 24-inch box trees to buffer the views of the neighbors. For the overall buildings, a 10-foot floor plate on the first floor, a 9-foot floor plate on the second floor, and a one-foot joist was not excessive given that most modern homes followed those floor plates, which he suggested would be comfortable. He had no issue with the height, although there were ways to provide mitigation by adjusting the landscape plan.

Boardmember Gregory agreed with the Chair. He too found that the overall design and siting of the home had made an effort to reduce the mass of the home by placing it in the center of the lot; the pool house was a single-story structure; the gambrel roof reduced the mass of the second floor by sloping the walls; and the home was well designed. He agreed there was an opportunity to review the screening along the west side with landscaping to mitigate any privacy concerns of the neighbors. He was ready to approve the project.

Boardmember Gregory offered a motion to approve the Draft Action Memorandum dated April 25, 2016, as contained in Attachment A to the staff report.

On the motion, Chair Helber requested a revision to the landscape plan for Sheet L1.0, with a new Condition 15 under the section Prior to Issuance of a Building Permit, to read:

The applicant shall resubmit the landscape plan showing adequate screening of neighboring properties particularly those along the west property line at a minimum of three additional 24-inch box trees.

And revise Condition 8 to read:

Prior to Combustible Construction:

The applicant shall obtain approval from the Moraga-Orinda Fire District provided in writing to the Planning Department for the use of gravel as a driveway surface. An alternate permeable surface may be used consistent with Town Design Guideline ID 9.2 and subject to MOFD approval.

Speaking from the audience, Mr. Cecchin stated the MOFD did not want any wood framing to go up that would be a combustible hazard until the MOFD was able to access the site.

Boardmember Gregory suggested the condition could be revised to be consistent with the site plan once the sub-floor inspection had been done, at which time the MOFD would test the roadway. As the maker of the motion, he accepted the Chair's amendments.

On motion by Boardmember Gregory, seconded by Boardmember Stromberg to adopt the Draft Action Memorandum dated April 25, 2016, approving DRB 1-16 at 1 Bella Vida Lane, subject to the findings and conditions of approval, modified as follows:

- Add a new Condition 15 under Prior to Issuance of a Building Permit, to read:

The applicant shall resubmit the landscape plan showing adequate screening of neighboring properties particularly those along the west property line at a minimum of three additional 24-inch box trees.

- Revise Condition 8 to read:

Prior to Combustible Construction:

The applicant shall obtain approval from the Moraga-Orinda Fire District provided in writing to the Planning Department for the use of gravel as a driveway surface. An alternate permeable surface may be used consistent with Town Design Guideline ID 9.2 and subject to MOFD approval.

The motion carried by the following vote:

Ayes:	Boardmembers Davis, Escano-Thompson, Gregory, Stromberg, Helber
Noes:	None
Abstain:	None
Absent:	None

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

B. 1550 Canyon Road , Orchard Supply Hardware

Applicant: Orchard Supply Company, 6450 Via del Rio, San Jose, CA 95139

Design Review (DRB 3-16) for construction of a wood fence and gates to enclose a 560 square foot storage area at the rear of the existing Orchard Supply Hardware building (APN 255-620-011/255-620-013)

Assistant Planner Coleman Frick presented the staff report dated April 25, 2016, and recommended due to the project's consistency with the Design Guidelines, Moraga Center Specific Plan (MCSP), Zoning Ordinance and General Plan, with minimal impacts to surrounding properties, the DRB approve the Draft Action Memorandum dated April 25, 2016 approving DRB 3-16, subject to findings and conditions of approval.

Boardmember Davis commented that while he was not opposed to the fence, he questioned the purpose of the fence given that most of the materials in the photographs shown during the staff presentation were not temporary items that were stored during loading and unloading, and were in place all of the time. Once a fence was installed, he did not see how the Town would be able to police the length of time the materials could be stored. As a result, he questioned the imposition of a condition to that effect.

Mr. Frick reiterated that staff had received numerous complaints about the storage of materials at the rear and side of the building and Town staff had issued administrative citations to address the issue. Staff had found it to be reasonable to allow the temporary storage of materials during loading and unloading given the reality of the space for Orchard Supply Hardware (OSH). He requested clarification as to which conditions Boardmember Davis felt would be burdensome.

Boardmember Davis clarified that he was not concerned about the conditions placing a burden on OSH but on the Town since the Town set conditions for the use of the grounds for many reasons, although OSH had not fully complied with those conditions. OSH frequently stored materials in parking spaces and held week-long events with materials stored outside to allow a customer to peruse them. Given that OSH had not adhered to conditions in the past and given the unsightliness of the stored items, he questioned allowing OSH to store items for a short period when the problems in the past had not been short term and OSH had not complied with the original conditions of approval.

Mr. Frick explained that the applicant was not allowed to block any parking spaces at any time. Staff had spoken with OSH and others in the community, and as a solution determined that a storage area at the rear, enclosed with fencing, would address the issue and would not require an amendment to the approved Conditional Use Permit (CUP). If issues continued, OSH might need to request an amendment to the CUP through the Planning Commission.

Boardmember Davis reiterated his concerns that the fence, while beautiful, had nothing to do with addressing the reason for the fence. He suggested the Town might be facilitating bad behavior.

Boardmember Stromberg referenced the photographs of the property where it was obvious that OSH had not temporarily stored materials outside, and as indicated in the photographs had, in fact, exceeded the proposed 6-foot height of the fence. He

referenced Condition 8 of the Draft Action Memorandum which required that no stored materials be visible above the top of the fence. Given OSH's failure to comply with conditions in the past, it made more sense to increase the height of the fence to a level that would make it less likely that materials would exceed the height of the fence. He recommended that the fence height be 8 or 10 feet high as opposed to a 6 feet.

Mr. Frick acknowledged that if the fence enclosure was built as proposed, it would not be able to accommodate all of the storage or pallets that OSH had used outside of the building in the past. While a higher fence could provide some mitigation, OSH might place more pallets on top of another. The intent of the approval was for the temporary storage for loading and unloading and staff felt a 6-foot high fence would be adequate for that purpose. He reiterated that the Town had issued administrative citations to OSH in the past, and the application would help Town staff, which had limited resources, to address those issues. Even with the approval of the project, OSH would have to make some changes as to how it loaded items on and off-site.

Boardmember Stromberg understood the purpose of the application was not only to beautify the site but keep the Town from having to continually monitor OSH to ensure compliance with the conditions of approval. He saw no reason why the fence height could not be increased to allow Town staff to conduct less monitoring given the limited staff resources.

Ms. Clark recognized that there might be some logic for the DRB to allow a higher fence, although the Moraga Municipal Code (MMC) set limitations on fence height without having to send the application to the Planning Commission for review and approval. She suggested it could be possible to impose an additional condition to reflect that recommendation, allowing the DRB the ability to approve a taller fence.

Boardmember Gregory clarified with Mr. Frick that the photographs of the fence in the staff report had been taken after OSH had completed a recent remodel. He also clarified with staff that OSH had misunderstood the requirements for outdoor seasonal displays which required Planning Department approval. The photographs displayed by staff had been taken as part of code enforcement conducted by planning staff. He also clarified with Mr. Frick the conditions of approval contained in Attachment A to the April 25, 2016 Draft Action Memorandum, also contained the original conditions of approval imposed by the Town Council for the building itself.

Boardmember Gregory recommended that Condition 7 be eliminated, which would allow OSH the flexibility to conceal the outdoor materials and which should not be conditioned with a time period. He liked the idea of a taller fence and recommended that Condition 8 be modified to allow that to occur.

PUBLIC COMMENTS OPENED

Roger Krause, PM Design Group, 38 Executive Park, Suite 310, Irvine, representing OSH, explained that the fence design was straightforward. He appreciated the suggestion for an 8- or 10-foot high fence which would be an outstanding approach to the design allowing OSH to address the issues and suggested that OSH would be pleased if additional fence height was allowed by the Town. He added that staff had

done a good job explaining the background and the efforts by OSH to cure the problems it had with the storage of materials.

PUBLIC COMMENTS CLOSED

Boardmember Gregory clarified the intent of Condition 12 that OSH not use the new area for recycling and trash items, which was a carryover condition from the Town Council's original approval of the building.

Boardmember Davis spoke to the size of the storage area which would be less than the size of a small shipping container and stated if the fence was allowed to be as high as 8 or 10 feet, OSH would have a good sized area for its business. If the application was approved, he strongly supported a higher fence by whatever process was allowed.

Chair Helber clarified with Mr. Krause Detail 1 of the second page of the plans, which had shown a wooden fence, to be stained a golden beige, with the gate to be a pair of wooden doors. He acknowledged that the wooden fence was an improvement over the initial cyclone fence, although the building had been improved with a stucco elevation. He affirmed with the applicant that the wooden fence material would be a new element not on the building, and that a CMU block wall had not been considered given that OSH had desired that the enclosed area be light and simple.

Chair Helber suggested that the fence would be an improvement to alleviate some of the stored materials outside, and agreed that a 6-foot high fence would be adequate to screen the materials although it was likely a vast majority of the materials would be in a state higher than 6 feet, where it would be beneficial to raise the height of the fence to at least 8 feet.

Ms. Clark advised that pursuant to her review of the MMC, the DRB may approve a solid fence height up to 7 feet, 6 inches without requiring Planning Commission approval. She noted, when asked, that the use of lattice would be considered a part of the fence if it was placed on top and would add to the height of the fence.

Chair Helber suggested that a 7 foot, 6 inch high fence would be more than adequate to honor the intent and keep stored materials lower than the height of the fence.

Boardmember Stromberg offered a motion, seconded by Boardmember Gregory to approve the item with the fence height to be increased from 6 feet to 7 feet, 6 inches.

On the motion as to whether Condition 7 should be eliminated, Ms. Clark recommended that the condition be retained since it would be good for the Town to have the ability to enforce the initial conditions of approval.

On motion by Boardmember Stromberg, seconded by Boardmember Gregory to approve the Draft Action Memorandum dated April 25, 2016, approving DRB 3-16 at 1550 Canyon Road for Orchard Supply Hardware, subject to the findings and conditions of approval, and with the fence height to be increased from 6 feet to 7 feet, 6 inches. The motion carried by the following vote:

Ayes: Boardmembers Davis, Escano-Thompson, Gregory, Stromberg,
Helber
Noes: None
Abstain: None
Absent: None

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

C. 219 Rheem Boulevard

Applicant: Antonio Prado, 2785 Whitney Drive, Fairfield, CA 94533
Design Review (DRB 7-15) for a ground floor residential addition and remodel that would add 1,555 square feet to the existing residence including a new 504 square foot garage within a Scenic Corridor.

Assistant Planner Frick presented the staff report dated April 25, 2016, and recommended that the DRB approve DRB 7-15 pursuant to Section 8.13 of the MMC, subject to findings and conditions of approval. He reported that late correspondence had been received after the distribution of the staff report from the property owner located on the east side of the subject property, who had expressed concern that the property extending along the setback was closer to the property line, and who was concerned with privacy impacts and potential impacts to the scenic corridor. He commented that staff had not changed its analysis of the impacts of the proposed home on neighborhood compatibility or views of the scenic corridor.

Chair Helber clarified with Mr. Frick that no landscaping had been proposed as part of the project given staff's finding that the property was adequately screened, and with the greatest visual impact being the garage which was located at the top of the driveway. There was little opportunity to provide additional screening in that area to mitigate the views of the garage, and the rear of the property had existing landscaping. No trees had been proposed to be removed as part of the project and the site plan served as the landscape plan. It had been over a year since the initial application had been received and there had been multiple revisions and an extensive review of the plans. A new designer had become involved with the project who was present and could provide further clarification.

Boardmember Gregory referenced Sheet A0.0, the rear yard of the property, which he suggested was not to scale. He noted there were existing trees at the rear of the property that had not been indicated on the plan.

Boardmember Escano-Thompson affirmed with staff that the property to the east was two stories in height and was the property from which staff had received late correspondence.

PUBLIC COMMENTS OPENED

Antonio Prado, 2785 Whitney Drive, Fairfield, Civil Engineer, representing the property owner, advised of the intention to maintain the scenic corridor ambience. He expressed the willingness to cooperate with whatever the DRB desired for project conditions.

Vishan Banapour, speaking on behalf of his brother Babak Banapour, the owner of 221 Rheem Boulevard who was unable to attend the meeting, read into the record a written statement from his brother whose property was located directly to the east of 219 Rheem Boulevard. Mr. Banapour expressed the following concerns: the proposal would directly impact the residence at 221 Rheem Boulevard; extension of the east wall by 2 feet, 6 inches was problematic given that the property at 219 Rheem Boulevard was at a higher elevation by 8 to 10 feet due to the existing downward slope of Rheem Boulevard, resulting in privacy impacts; requested that 219 Rheem Boulevard retain the existing footprint; opposed the placement of two windows on the east wall; and requested that no windows be allowed on the east elevation which would impact the residence at 221 Rheem Boulevard, but if windows were allowed, requested that window sills be placed at least five feet from the finished floor to ensure that the residents of 219 Rheem Boulevard would not have direct access to views of 221 Rheem Boulevard.

PUBLIC COMMENTS CLOSED

Boardmember Stromberg understood the project would be required to comply with C.3 requirements.

As to whether the project would comply with pre-drainage requirements, Mr. Frick stated that under the conditions of approval the applicant would be required to submit an application to the Public Works Department, although that had not yet occurred pending the DRB's decision.

In response to Boardmember Davis, Ms. Clark affirmed that one of the two windows on the east elevation was a garage window. The Town's Design Guidelines discouraged large expansive blank walls, and she suggested the neighbor's concern with the windows on the east side could be addressed by making the garage window more of a clerestory window or an upper level window that could provide the same effect while not impacting the neighbor.

Boardmember Gregory noted that the existing home had a garage window on the east side and the inclusion of a new garage window would repeat the existing condition. In his opinion, the kitchen/dining area window was the most intrusive since it was a new condition and in a living space. Given the lack of photographs of views of the home next door, he could not speak to the potential impacts. He had driven past the home and explained that he had viewed extensive planting and vegetation.

Mr. Frick offered Google Map views of the subject and neighboring properties with the subject property and noted significant landscaping separating the homes along the property line. Since the subject home was two stories in height, he acknowledged it was possible there could be views into the neighbor's windows if constructed as proposed.

Boardmember Escano-Thompson clarified with Mr. Banapour that the west wall of 221 Rheem Boulevard facing 219 Rheem Boulevard were not believed to have any windows.

Boardmember Davis inquired of the distance of the property at 221 Rheem Boulevard from the fence line, to which Mr. Frick explained that the property was located in the R-15 County Zoning District, where it was possible that the distance would be 10 feet on the side yard, which was the minimum absent a variance.

Chair Helber referenced Sheet C1.0 which showed the eastern side yard at 17.84 feet, and Plan A0.0, which had shown the same dimension at 15 feet. He asked staff to clarify the discrepancy.

Mr. Frick explained that staff had recognized that the applicant had proposed to reduce the setback on that side and the site plan had been amended by the applicant. The dimension at 15.34 feet included the two additional feet for the addition.

Boardmember Gregory had no concerns with the garage pushing forward. He had driven up and down Rheem Boulevard and had found a mix of frontages along Rheem Boulevard, many closer than the subject property. He had also found that the height of the home was fine and needed to extend the length of the roof to cover the new addition; however, he expressed concern with the frontage and exterior design. He referenced Sheet A2.0, the Existing South Elevation, where the front of the existing home had a shingle lower belly band across the front, three different levels of roof breaks, the front elevation broke in three different places, stepping back from left to right, and the plate line was 9 feet 4 inches above grade, essentially 8 foot 4 inches. It appeared as if the eave line was elevated higher than currently existed above the windows and the front door, with the existing elevation misrepresenting the existing home, making it difficult to determine the differences between what existed and what had been proposed.

Boardmember Gregory described the proposed addition as a stucco box with a single roofline all the way across with the exception of the garage, which had a gable roof. There were no material changes across the entire front of the home, the gable above the garage had been called out to be stucco to match the rest of the home, and he questioned whether the design fit into the neighborhood. Sheet A3.0 had shown the existing east elevation and the break-up of the elevation of the rooflines, but had not been represented on the front of the home. He encouraged the project design team and property owner to improve upon the front elevation which did not fit into the new home design or in the scenic corridor.

Chair Helber concurred with Boardmember Gregory's comments, agreed that more architectural detail was appropriate for the façade, and noted that the windows were neither recessed nor had any foam stucco trim for architectural detail. There was little to no horizontal or vertical articulation of the roofline or the building itself and a structure in the scenic corridor required more. He was also uncomfortable moving forward with the existing package which had not adequately shown the existing conditions for landscaping or provided any details for landscaping. He recommended that the application be continued to allow the applicant to revise the architecture to include additional articulation both horizontally and vertically, and to include additional architectural details such as window and eave trim to make it pop. He also

recommended an existing and proposed landscape plan to allow the DRB to adequately make the findings that the project fit within the scenic corridor.

Boardmember Stromberg shared the Chair's comments and sentiments. He explained that the footprint and building elevation were not an issue, and he had no concerns about the windows on the east elevation as to the potential impacts to the neighboring home. Given that the home was located in the scenic corridor, he agreed that the exterior finishes had detracted from what currently existed. He found the variation of the existing roof elevations to be aesthetically pleasing and what had been proposed created a straight roofline that was not as attractive.

Boardmember Stromberg agreed with the Chair on the choice of the windows and the way that had been shown on the rendering, flush with the existing stucco, with no trim or other design element to set them off, which was not what he would like to see in the scenic corridor.

Boardmember Gregory suggested that there were things that could be done simply and inexpensively with the project to add square footage such as adding horizontal trim, adding shutters on the windows, or pop out two of the front bedrooms a foot to add another gable at the front to match the garage, breaking up the roofline and offering shadows across the front, trim work, or different material up above, and a false fence or other decorative type of treatment. The current home had decorative support trim which had not occurred on the addition. He urged the applicant to take a look at simple ways to break the elevation and add character to the roof which would be more fitting for the front of the home.

Boardmember Stromberg noted that for the existing home front, the windows on the western elevation appeared to be a different size as compared to what had been proposed for the new construction, which had smaller windows. He suggested the existing windows created a better aesthetic than the proposed windows.

The DRB acknowledged that there appeared to be some internal inconsistencies on the submitted plans in terms of the proposed window sizes as compared to the existing windows.

Boardmember Gregory added that in terms of the site plan and the photographs of the site, there appeared to be a large landscaped area between the two homes. He suggested some of the privacy issues could be addressed by additional evergreen plantings along the property line to screen the window from the back yard of the neighbor.

Boardmember Escano-Thompson agreed with the suggestions offered by Boardmember Gregory. She had no concerns with the site plan, suggested this was an opportunity for the applicant to enhance the exterior of the home, and agreed that additional architectural detailing and articulation was warranted.

Chair Helber understood that the window in the kitchen had been proposed to be a slider. He sought more information as to how that would work with the kitchen cabinets if the project returned to the DRB. He reiterated his concerns with the application as

previously expressed, and supported a continuance to a date uncertain to allow the applicant the opportunity to resubmit materials based on the DRB's direction.

On motion by Chair Helber, seconded by Boardmember Gregory to continue DRB 7-15 for 219 Rheem Boulevard to a date uncertain, with the applicant to resubmit materials based on the DRB's direction. The motion carried by the following vote:

Ayes: Boardmembers Davis, Escano-Thompson, Gregory, Stromberg, Helber
Noes: None
Abstain: None
Absent: None

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

D. April 11, 2016 Minutes

Chair Helber requested the following modifications to the nominations for the selection of Design Review Board Chair and Vice-Chair as shown on Page 2 of the April 11, 2016 Minutes as follows:

*Boardmember Escano-Thompson nominated Ben Helber as the Chair of the Design Review Board. The nomination was seconded by Boardmember Stromberg. There being no further nominations, **Ben Helber** was unanimously elected the **Chair** of the Design Review Board for 2016.*

*Boardmember Escano-Thompson nominated David Stromberg as the Vice-Chair of the Design Review Board. The nomination was seconded by Chair Helber. There being no further nominations, **David Stromberg** was unanimously elected the **Vice-Chair** of the Design Review Board for 2016.*

On motion by Chair Helber, seconded by Boardmember Escano-Thompson to approve the minutes of the April 11, 2016 meeting, as modified. The motion carried by the following vote:

Ayes: Boardmembers Davis, Escano-Thompson, Gregory, Stromberg, Helber
Noes: None
Abstain: None
Absent: None

5. ROUTINE AND OTHER MATTERS

A. Planning Commission Liaison Report – Marnane

Planning Commission Liaison Marnane reported that the Planning Commission had met on April 18 to consider an application for the extension of an existing use permit for a Wireless Communications Facility for T-Mobile at the top of Alta Mesa. The item had

been continued due to a number of concerns and legal questions. The Commission had also selected a new Chair and Vice-Chair.

6. REPORTS

A. Design Review Board

There were no Design Review Board reports.

B. Staff

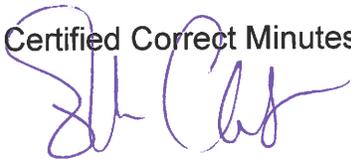
Ms. Clark reported that the Planning Commission would consider an appeal for the residential remodel at 287 Rheem Boulevard on May 2, with the DRB Chair to be present to represent the DRB on its discussion of the item; and would hold a Study Session for a new Chase Bank. The Town Council had considered the Livable Moraga Road Project Community Survey for the recommendations on the options for Segment 3 (Donald Drive to Corliss Drive) on April 13, and the Town Council had voted 3-2 to support the initial staff recommendation supported by the DRB and the Livable Moraga Road Steering Committee for Option 1, with the item to return to the Town Council in a month to integrate the concept into the larger corridor plan to allow further work on the design and California Environmental Quality Act (CEQA) regulations.

Ms. Clark added that with the departure of former DRB Boardmember Crews, the DRB must nominate a new representative to the Moraga Center Specific Plan (MCSP) Implementation Project Steering Committee, with the selection of a representative to be agendaized for the next DRB meeting.

7. ADJOURNMENT

On motion by Boardmember Gregory, seconded by Boardmember Stromberg and carried unanimously to adjourn the meeting at approximately 9:45 P.M.

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Secretary of the Planning Commission