

**TOWN OF MORAGA  
PLANNING COMMISSION SPECIAL MEETING**

Via teleconferenced locations

August 24, 2020  
7:00 P.M

**MINUTES**

**THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20, WHICH SUSPENDED CERTAIN REQUIREMENTS OF THE BROWN ACT, AND PURSUANT TO THE SHELTER IN PLACE ORDERS OF THE HEALTH OFFICER OF CONTRA COSTA COUNTY, INCLUDING THE MOST RECENT ORDER DATED JUNE 16, 2020, WHICH PERMITTED THE TOWN TO CONDUCT ESSENTIAL BUSINESS UNDER THE ORDER AS AN ESSENTIAL GOVERNMENTAL FUNCTION.**

Consistent with the Executive Orders from Governor Gavin Newsom and the Contra Costa County Health Officer's Shelter-in-Place Orders, the August 24, 2020 Special Meeting was not physically open to the public. Planning Commissioners and essential Town staff teleconferenced into the meeting.

**1. CALL TO ORDER**

Chairperson Stromberg called the Special Meeting of the Planning Commission to order at 7:00 P.M.

**A. ROLL CALL**

Present: Commissioners D'Arcy, Helber, Hillis, Lueder, Vice Chair Luster, Thiel, Chairperson Stromberg

Absent: None

Staff: Afshan Hamid, Planning Director  
Steve Kowalski, Senior Planner  
Brian Horn, Associate Planner  
Mio Mendez, Assistant Planner  
Raquel Seqovia, Administrative Assistant

**B. Conflict of Interest**

Commissioner Hillis reported he had a potential conflict of interest with Consent Agenda Item 3B and Public Hearing Item 5C since he lived within 500 feet of the project boundaries.

**C. Contact with Applicant(s)**

Commissioner Thiel reported he had received an e-mail from Steve Hammond, the applicant for Public Hearing Item 5B, which he had forwarded to Town staff and the

Planning Commission, and he had discussed the applicant's previous application to the Design Review Board (DRB) in January 2019 prior to his appointment to the Planning Commission.

Chairperson Stromberg reported he too had received an e-mail from Mr. Hammond and had responded that he had not reviewed the Planning Commission packet at that time.

Vice Chair Luster also reported she had received an e-mail from Mr. Hammond and had spoken with the property owner regarding Item 5B.

## 2. PUBLIC COMMENTS

No public comments for items not on the agenda had been received via e-mail.

## 3. ADOPTION OF CONSENT AGENDA

A. July 6, 2020 Regular Meeting Minutes

B. Amendment to the Town of Moraga Design Guidelines Deleting Guideline CC3.11

Proposed Amendment to the Town of Moraga Design Guidelines Deleting Guideline CC3.11 in its Entirety in Order to Allow a Master Sign Program to be Proposed for the Rheem Shopping Center  
(Project Planner: Steve Kowalski, Senior Planner)

C. 361 Rheem Boulevard

Design Review Board Application DRB-06-20 Allowing the Remodel of the Façade of the Existing Commercial Building Located at 361 Rheem Boulevard Along the Rheem Boulevard Scenic Corridor.  
(Project Planner: Brian Horn, Associate Planner)

D. 125 Westchester Street

Variance Application VAR-03-20 and Design Review Board Application DRB-07-20 Allowing a 111-Square Foot Deck Addition within the Rear-Yard Setback and Reconstruction of a 571-Square Foot Deck within its Previous Footprint Behind the Existing Townhome.  
(Project Planner: Brian Horn, Associate Planner)

Commissioner Hillis turned off his screen and microphone given the potential conflict of interest with Consent Agenda Item 3B.

On motion by Vice Chair Luster, seconded by Commissioner D'Arcy to adopt the Consent Agenda, as shown. The motion carried by the following vote:

Ayes: D'Arcy, Helber, Lueder, Luster, Thiel, Stromberg  
Noes: None  
Abstain: None  
Recuse: Hillis

Commissioner Hillis returned to the teleconferenced meeting at this time.

**4. ADOPTION OF MEETING AGENDA**

On motion by Vice Chair Luster, seconded by Commissioner Hillis to adopt the meeting agenda, as shown. The motion carried by the following vote:

Ayes:	D’Arcy, Helber, Hillis, Lueder, Luster, Thiel, Stromberg
Noes:	None
Abstain:	None
Absent:	None

**5. PUBLIC HEARING**

**A. 9 Archer Circle (Continued from July 6, 2020)**

Design Review Board Application DRB-01-20 and an Accompanying Hillside Development Permit Application Allowing the Construction of a New 3,344-Square-Foot Two-Story Single-Family Residence and 618-Square-Foot Attached Garage on a Vacant Lot in the 3-DUA Zoning District.  
(Project Planner: Assistant Planner, Mio Mendez)

Assistant Planner Mio Mendez provided a PowerPoint presentation of the staff report dated August 24, 2020, and recommended due to the project’s overall consistency with the Zoning Ordinance, General Plan, and Design Guidelines and the significant changes made to the design by the applicant in response to the Planning Commission’s July 6, 2020 feedback, the Planning Commission approve Design Review Application DRB-01-20 and the accompanying Hillside Development Permit (HDP) as conditioned in the draft Planning Commission resolution shown as Attachment A to the staff report.

Responding to the Commission, Mr. Mendez clarified the arborist had recommended a 1:1 ratio for replanting of the trees to be removed, although the Town of Moraga’s Tree Preservation Regulations had not clearly provided a replanting ratio. Town staff, including the new Planning Director, had agreed that replanting based on a 1:1 ratio would mitigate any tree issues that could be seen on site and still provide more privacy. Staff did not anticipate any issues in the future. The location of the trees would be determined by the landscaper for the project.

In terms of the square footage of the home, due to a break-up of the top roof line of the second story with bump outs, 10 feet had been added to the square footage of the residence. Staff recommended the applicant, who was present via teleconference, provide additional clarification. Also, based on the plans that had been provided to the Planning Commission the applicant had proposed the use of board batten siding material, which would not be solid, although the photo depiction in the PowerPoint presentation appeared to be more of a solid exterior. The applicant was also asked to clarify the building materials to be used.

Planning Director Afshan Hamid explained that typically renderings were used for illustrative purposes only and in this case the rendering was not to scale. She referenced the materials and colors board and material call outs for the project. As part of the review

of the permit drawings, staff had reviewed the specifications as shown on Sheet A-3, which had called out the use of a Hardie Board and Batten exterior.  
PUBLIC HEARING OPENED

Flavio Morais, 1945 Contra Costa Boulevard, #2327, Pleasant Hill, via teleconference emphasized the time and consideration to address the privacy, drainage, and potential hazards to the rear property as part of the redesign of the home. He had also met with his neighbors on both sides of the property.

Ms. Hamid read into the record the following public comment received via e-mail:

*Dear Planning Commissioners and staff. Thank you for the opportunity to review and comment on the revised application. We again welcome the possibility of returning to normalcy and safety in our relatively quiet neighborhood. Here are some current issues that came up as you review the on-line documents. Even though some attempts have been made to reduce massive north elevation the current two-story front is still a visual affront that should be reduced, architecturally softened, and or screened. 2) One major issue that was voiced by the DRB, PC and the neighbors that of the inappropriate size of the proposed structure was not only ignored but actually made worse as the size of the new proposed structure is actually larger. Granted that the lot is large, but a very large portion of it is not usable making the look and feel of the proposed structure not a good fit from neither the usable lot nor the neighborhood. Should we consider a reduced version of the second story as an ADU application in consideration to the applicant and the future of the neighborhood? 3) The 30 trees that are scheduled for removal should be replaced not on a 1:1 as the proposed plans states but, as the Town required on a 2:1 replacement removed basis. Some of those replacement trees could be planted elsewhere on public property as deemed by the Town. All trees should follow the fire safe selection by use of native fire resistant and drought tolerant species (GPCD 1.6). 4) Given the current heightened fire danger the 30 trees identified for removal should be removed before any approval or construction starts for the sake of the surviving souls surrounding the property. There was a June 15, 2020 MOFD Fuel Mitigation deadline. No? We look forward to welcoming new neighbors and an appropriate new addition to our neighborhood. Thank you for your consideration and please stay healthy. The Kovacs, 34 Woodside Drive, Moraga.*

PUBLIC HEARING CLOSED

In response to Commissioner Hillis, Ms. Hamid again clarified a tree replacement ratio had not been written into the Moraga Municipal Code (MMC).

Senior Planner Steve Kowalski explained that the tree replacement ratio was at the discretion of the Town. Typically, staff leaned on the recommendations of the project arborist. Also, the Town typically did not require an applicant to plant trees off-site, because doing so could be problematic.

Ms. Hamid explained that a nexus finding would be required to require the applicant to plant trees off-site and it could be an exaction. In this case, the applicant was building a single-family home on a private lot and it was only appropriate to require any new trees to be planted on the project site.

Mr. Kowalski commented that removal of a large oak tree, as an example, would likely require greater mitigation to replace the loss of a mature tree. He added that the Planning Commission and the Planning Director had discretion in each case with regard to the appropriate tree replacement ratio.

Ms. Hamid referenced Sheet A-10, Landscape Plan, and noted the tree sizes had been proposed to be 24-inch box coast live oak, with a number of olive trees throughout and six, 24-inch cherry laurel trees, with the trees to be replanted to be of significant size and investment. The Planning Commission may specify the replacement of redwoods if the Planning Commission so determined.

Vice Chair Luster thanked the applicant for meeting with his neighbors to address the privacy and drainage concerns and to take into consideration the Planning Commission's comments as part of the home redesign.

Commissioner D'Arcy continued to find the home to be overlarge for the neighborhood but she acknowledged the applicant had worked with his neighbors on both sides, including the neighbor located up the hill, which spoke to the applicant's willingness to mitigate some of the neighbors' fears with the size of the home. While the home remained too large, if properly screened and if the applicant had worked out trust with his neighbors she found that was a good thing.

On motion by Vice Chair Luster, seconded by Commissioner D'Arcy to adopt Resolution next in number for the consideration of a Single-Family Residential Design Review Board Application and Hillside Development Permit Application to Allow the Construction of a New 3,962-Square-Foot, Two- Story Single-Family Residence on a Vacant Lot in the 3-DUA Zoning District, subject to the findings and conditions as shown. The motion carried by the following Roll Call vote:

Ayes:	D'Arcy, Helber, Hillis, Lueder, Luster, Thiel, Stromberg
Noes:	None
Abstain:	None
Absent:	None

Chairperson Stromberg identified the 10-day appeal period of a decision of the Planning Commission in writing to the Town Clerk.

**B. 1325 Moraga Way – Bay Area Ballplayers**

Permitted Use Determination Application UP-06-20 for a Proposed Temporary Outdoor Sports Training Facility, Including a Batting Cage, a 10,000-Square-Foot Artificial Turf Area, and a Portable Toilet and Handwashing Station in the Community Commercial District.  
(Project Planner: Mio Mendez, Assistant Planner)

Assistant Planner Mendez presented a PowerPoint presentation of the staff report dated August 24, 2020, and recommended due to the project's temporary duration, along with its general consistency with the provisions of MMC Chapter 8.36 – Community

Commercial District, and the Moraga Center Specific Plan (MCSP), the Planning Commission make the Permitted Use Determination subject to the conditions contained in the draft Planning Commission resolution, as shown in Attachment A to the staff report.

Mr. Mendez asked the Planning Commission to consider the staff report, allow the applicant to make a presentation, answer any questions from the Planning Commission, take public testimony, and close the public hearing upon completion of public testimony. Following the public testimony, he recommended the Planning Commission deliberate regarding the project issues.

Responding to the Commission, Mr. Mendez reiterated a prior application from the same applicant had involved an unapproved tent structure which the Planning Commission, acting as the Design Review Board, had voted 4-3 to deny on the grounds it did not comply with the Town's Design Guidelines for a new structure in the Community Commercial District. The current application involved an outdoor sports and recreation facility intended to remain outdoors.

Ms. Hamid clarified that staff had analyzed the project based on the written project description which clarified that the structure would be an open air turfed area, and where the conditions of approval had been specific to prohibit alterations or modifications to a permanent structure or otherwise. The conditions of approval could be modified to require that no permanent or temporary structures, including tents, would be allowed.

#### PUBLIC HEARING OPENED

Steve Hammond, 1460-H Moraga Road, Moraga, via teleconference, commented that the project description had covered the application. He spoke to the need and desire for outdoor recreation, particularly in light of COVID-19, and circumstances other than the current poor air quality. Pursuant to COVID-19 restrictions, he had taken his business outdoors since April, operating summer camps at Rancho Laguna for the past eight weeks starting in June. The proposed use would be similar to what he had been providing indoors. As COVID-19 restrictions eased and indoor facilities were allowed to re-open, he intended to potentially have both indoor and outdoor services. During inclement weather, the outdoor use would have to be shut down since it would be dependent upon weather conditions. The types of uses to be provided included baseball activities and fitness for all ages, with all COVID-19 restrictions and safety protocols to be followed.

The outdoor facility would be used for one hour at a time with up to 12 children and at the end of the hour the facility would be sanitized and the next group would start. The use would be temporary in nature and was intended to accommodate the inability to operate the business as usual indoors.

In response to the Commission, Mr. Hammond emphasized the facility equipment would be sanitized based on COVID-19 protocols. The baseballs themselves had been discussed at length by the State of California Sports Federation and the Acalanes Union High School District (AUHSD), which had set guidelines for sports. There was no recommendation to directly sanitize every baseball in between each use. He suggested there would be a low risk for COVID-19 to spread on a baseball being hit and thrown back

and forth multiple times. Baseball gloves would be required to be worn at all times to ensure no direct skin contact with the baseballs.

Ms. Hamid reported no public comments had been received via e-mail for this item.

#### PUBLIC HEARING CLOSED

Commissioner D’Arcy was pleased the project had come up in this way since it addressed the need for youth athletics in the community. She found the applicant had come up with a better solution than the prior application for tents and she recognized the applicant had experience with other sports camps and compliance with COVID-19 restrictions. She suggested the applicant had been doing a good job and was pleased with the way the application had been presented to the Planning Commission.

Commissioner Hillis asked the applicant’s intention for the use to be authorized, as proposed, and asked him to clarify whether or not he planned to utilize any tent structures or temporary shelters.

Mr. Hammond confirmed his project description was as presented, with everything to be located outdoors. He would still like the opportunity to present a new project to include a tent structure potentially in the winter, but if so, he understood it would be a new proposal to the existing use and he had no intention of installing a tent within the framework of the current proposal.

Ms. Hamid clarified that staff could only analyze the project description that had been presented. New information or possible new information must be transparent to the public and the Town could not anticipate any changes or any impacts those changes may have.

Chairperson Stromberg stated he had previously expressed concern with the applicant over the fact the applicant had a terrific business to satisfy a large need but he had not gone through the proper channels for approval. He was pleased the applicant had followed the proper process this time and was grateful the proposal would fill a significant need of budding athletes in the area. He looked forward to the facility’s operation.

Mr. Mendez clarified that since the project was subject to the 10-day appeal period it could not operate until September 4, 2020. As such, the resolution would have to be modified with the start date of operation to be *September 4, 2020*, not September 1, 2020.

On motion by Commissioner Helber, seconded by Commissioner D’Arcy to adopt a Resolution next in number for a Permitted Use Determination Application for a Proposed Temporary Outdoor Sports Training Facility, Including a Batting Cage, a 10,000-Square-Foot Artificial Turf Area, and a Portable Toilet and Handwashing Station, that would Operate at 1325 Moraga Way in the Community Commercial District for a Period of 180 Days from September 4, 2020 through February 28, 2021, subject to the findings and conditions as shown, and as modified to reflect the start date of operation as *September 4, 2020*. The motion carried by the following Roll Call vote:

Ayes:	D’Arcy, Helber, Hillis, Lueder, Luster, Thiel, Stromberg
Noes:	None

Abstain: None  
Absent: None

Chairperson Stromberg identified the 10-day appeal period of a decision of the Planning Commission in writing to the Town Clerk.

Commissioner Hillis again turned off his screen and microphone given the potential conflict of interest with Public Hearing Item 5C.

**C. Rheem Valley Shopping Center (Portion)**

Design Review Board Application DRB-08-19 Allowing a New Exterior Paint Color Scheme and Master Sign Program (MSP) for a Portion of the Rheem Valley Shopping Center.

(Project Planner: Steve Kowalski, Senior Planner)

Senior Planner Kowalski presented a PowerPoint presentation of the August 24, 2020 staff report, and recommended the Planning Commission adopt the resolution contained in Attachment A to the staff report approving the proposed paint color scheme and Master Sign Program (MSP) subject to the following revisions to the MSP:

1. Allow only a maximum of three Tenant ID monument signs instead of five, with one near each main driveway entrance leading into the shopping center;
2. Allow all businesses to display one portable sign in accordance with applicable regulations in MMC Section 8.88.090 (B)(8); and
3. Require a minimum 4-foot radius or ornamental, drought-tolerant and fire-resistant landscaping around bases of each of Project ID and Tenant ID monument signs.

**PUBLIC HEARING OPENED**

Milton Solomon, Vice President, Architectural Design & Signs, Inc., 1160 Railroad Street, Corona, appreciated the effort of Town staff and while he agreed with much of the staff recommendations, the applicant requested the approval of four Tenant ID monument signs on Moraga Road. He noted that the size of the Rheem Valley Shopping Center was unique, detailed the thought process for the MSP and the desire for appropriate signage given the tenants were set back far from the road, stated the number of tenants had also been taken into account, many of whom wanted their name up along the street, and explained that could only be achieved through the installation of multiple monument signs. Since the Town only allowed a maximum of 70 square feet per face for each monument sign, which was challenging, that had led to the request for four monument signs along Moraga Road.

Mr. Solomon explained that the proposal for four monument signs would be well situated, well apart from each other, with the developer to control the tenant's signage on each one. The developer had also agreed that all backgrounds would be a dark brown color to match the proposed color scheme of the Rheem Valley Shopping Center. All the letters for the tenants' sign copy would have white copy and no individual logos, creating a

uniformity which had been very successful in other locations where the same types of signs had been installed.

Mr. Solomon implored the Planning Commission to consider the number of tenants who had asked for monument signage and the fact the sheer length of the Rheem Valley Shopping Center along Moraga Road necessitated the request for four monument signs along that street frontage. He suggested it would be an injustice not to allow the tenants to have signage on the street frontage along Moraga Road and suggested it would be in the Town's and the tenants' best interest to allow such signage, particularly given the importance of signage to prospective tenants. He clarified that all tenants would not be situated on all of the monument signs and the developer would select those tenants to be identified on the signs.

Mr. Kowalski referenced Sheet 9 of Exhibit C, Proposed MSP, and identified the two driveways along Moraga Road, one of which was not under the applicant's ownership (the HomeGoods/Luna Gymnastics driveway) and where the applicant was unable to place signage. The applicant could only place signage on its property unless another property owner grants it permission to place a sign on their property. The applicant had proposed four monument signs, one in close proximity to the Home Goods/Luna Gymnastics property which the applicant did not own.

Mr. Solomon acknowledged he had not personally visited the Rheem Valley Shopping Center because he was based in Southern California and the exact location of the monument signs may vary based on staff's comments, although the placement would be critical to the developer and would not encroach upon existing signage. He clarified the signage proposed for the Rheem Boulevard entrance would be restricted since there was only a lawn area for its placement at that location.

As to whether the developer had attempted to negotiate with other owners of the shopping center to allow the placement of signage in more desirable locations, Sang Park, representing the property owner/applicant, PWRP - Moraga GP, LLC, 5743 Corsa Avenue, #215, Westlake Village, confirmed there had been no conversations with other property owners. The preference was to focus on the tenants in the Rheem Valley Shopping Center with a little sign face for all of the tenants in the center to be placed on all of the monument signs being proposed. It was also difficult to prepare an agreement between different property owners.

Mr. Solomon noted the monument signage being proposed would be eight feet in height and be internally illuminated given the amount of maintenance typically needed for exterior lights. The preference was for internal illumination since the sign cabinet acted as a protectant for the Light Emitting Diodes (LEDs). During the evening, only the white letters of the sign copy would be visible. The hours of operation for the illumination could be optioned with a photocell or the Town may require the signage to be turned off at a certain time, such as at midnight. He also clarified the branding signage was not intended to be illuminated, with the letters for those signs to sit on a ledge with LED lights directly underneath the letters, illuminating them from below.

Ms. Hamid referenced Sheet 9 of the MSP which had shown the multi-tenant monument and Project/Tenant ID signage and the existing Taco Bell sign, for a total of eight signs for the project site; two signs along Rheem Boulevard and six signs along Moraga Road.

Mr. Kowalski commented that the existing Taco Bell and 10-foot high *The Park in Rheem Valley* signs would be required to be removed as a condition of approval prior to the new monument signage being installed.

Mr. Park explained that Taco Bell had a right to keep its existing sign pursuant to its lease agreement with the landlord and that the removal of that sign was not possible.

Mr. Kowalski identified Condition of Approval #7 of Attachment A which would be required to be modified if the Taco Bell signage were to remain.

Mr. Solomon emphasized that the point staff was making on the number of monument signs would be well taken if the shopping center were half its size along Moraga Road. He recognized the Town's restrictions but stated the size of the frontage of the shopping center must be taken into account. It would be detrimental to the tenants if the applicant was restricted to only two monument signs that would be sparsely spaced apart. For that reason and in his opinion, the situation was more unique and concessions should be made. He suggested the Town would be in good stead with the signage being proposed. He detailed the sign programs he had designed for other communities which also had challenges but that had ultimately proven to be successful. He suggested the MSP, as proposed, would set a precedent for other developers.

Chairperson Stromberg understood the comments but explained that Moraga residents were generally more in favor of one form of architecture, Spanish with tile roofs, than in others. He stated the applicant's arguments had merits given that the business community was desperate to have their names and the nature of their businesses displayed to attract business and be able to survive in this difficult time.

Mr. Solomon understood the concerns, recognized that Moraga was a small town, but again emphasized the number of companies that had phenomenal signage but still went out of business. He could not guarantee the new signage would result in more business but it would at least allow the tenants to have the recognition they needed. He again noted the need to take into account the distance of the tenants from the street and the fact tenants only had a 24-inch strip of façade on which to place signage. He emphasized the effort to propose an MSP that complied with the MMC as far as the size of the signs and with the signs so far apart they would work well in the shopping center.

Commissioner Lueder found the design of the signs to be tasteful, modern, and in accordance with the best interests of the tenants to have uniform signage. He confirmed with staff there had been no public comments received for this item to be read into the record. He also clarified with staff the second-floor tenants consisted of office uses, not retail establishments or restaurants, and would have no wall signage for themselves.

Messieurs Solomon and Park both confirmed the intent for the second-floor tenants to only have identification in the stairway on a directory-type sign.

Ms. Hamid reported no public comments had been received via e-mail for this item.

#### PUBLIC HEARING CLOSED

Vice Chair Luster found the MSP, as proposed, to be a good and simple design contrary to a prior proposal which had included new architecturally tower elements. She liked the signage and the fact it would be minimal and consistent. As an example, she cited signage for In-N-Out Burger located in Westlake Village, which signage consisted of neutral, mostly beige colors and not the standard bright yellows and reds of its company colors. She suggested the MSP would be consistent with the Spanish architectural style and semi-rural character of Moraga, and the signs would be visible but not an eyesore as people drove by. She recognized that the tenants were set back far from the street, but that they could still have colorful signs on the façade.

Vice Chair Luster suggested before the white band continued through the Dollar Tree façade, the portion of the fascia where the white "Dollar Tree" sign letters are installed should remain a brown color and the rest should be a continuation of the white line, which brightness would update the area. In terms of the number of tenant ID monument signs, she could support three along Moraga Road and one along Rheem Boulevard, with the one nearest the Rheem Valley Shopping Center sign along Moraga Road to be removed. She agreed the Town should support the businesses in getting their names visible, particularly since the tenants were set back so far from the street.

In response to the three staff recommendations, Vice Chair Luster supported four tenant ID monument signs and otherwise agreed with the other staff recommendations to allow all businesses to display one portable sign in accordance with applicable regulations in MMC Section 8.88.090 (B) (8), and require a minimum 4-foot radius or ornamental, drought-tolerant and fire-resistant landscaping around bases of each Project ID and Tenant ID monument signs.

Commissioner Helber liked the MSP, because it would bring some uniformity and attractive contemporary signage to the area, which he felt was needed; however, he had concerns with the scenic corridor and asked of the setbacks from the signs from the back of the sidewalk, and whether there would be impacts to existing trees given the location of some of the signs that could impact some trees. He also had concerns with the potential for impacts from illumination to the scenic corridor during the evening.

As to the number of signs, if the existing Taco Bell sign were to be retained along Moraga Road, Commissioner Helber supported the staff recommendation for three total tenant ID monument signs, and one Rheem Valley Shopping Center sign along each street.

Commissioner Lueder commented that there had been large and prominent *For Lease* signs placed along Moraga Road throughout the year, which he found detracted from the character of the proposed MSP and added to the clutter. He was uncertain that could be discussed or changed. He also found that the second-story office tenants had been poorly served by the design and layout of the center but recognized that was something the owner and tenants must mutually address.

Commissioner D'Arcy liked the modernity of the signs which she found to be elegant. She pointed out the existing monument sign for the shopping center was very dated and agreed that there should only be three tenant ID monument signs along Moraga Road, leaving their placement to the sign developers. She suggested the MSP would help in terms of steering traffic into the center.

In response to the Chair, Mr. Kowalski explained that he had reached out to the Chamber of Commerce at the time the Town's Sign Code had been updated but had not reached out to the Chamber regarding the proposed MSP for the Rheem Valley Shopping Center.

Chairperson Stromberg suggested input from the Chamber of Commerce as to the number of proposed monument signs would have been helpful. He agreed the applicants had designed some attractive signs and he liked the appearance of the MSP, with the signs to be unique and distinctive for the Town. He shared the concerns with the impacts to the scenic corridor and had some reticence about overkill on what was the most important street in the Town. He recognized the applicant's testimony that the signage would help to attract business to the Rheem Valley Shopping Center, which he agreed needed an infusion of excitement and vitality to assist the businesses through these difficult times.

Chairperson Stromberg understood there was Planning Commission consensus to reduce the number of tenant ID monument signs along Moraga Road.

Mr. Kowalski advised that Condition #5 of Attachment A would be required to be modified, to read:

*The Master Sign Program shall only allow for a maximum of four Multi-Tenant Identification Monument signs, with three allowed along Moraga Road and one allowed along Rheem Boulevard.*

As to Condition #7 and the Taco Bell signage, Mr. Solomon explained that there had been a commitment to Taco Bell to retain its signage which they had not been made aware of. Since the sign was old, he requested a condition requiring the Taco Bell sign to be refurbished and brought to current standards with the lamps changed out to LED lights. He confirmed, when asked, that the current lease with Taco Bell required the tenant to have an independent sign. He could not say whether or not Taco Bell would be willing to have signage consistent with what had been proposed as part of the MSP.

Mr. Park reported as part of major renovations Taco Bell had completed around a year ago, Taco Bell had submitted a proposal for a new monument sign which had been rejected by the Town. He would be willing to approach Taco Bell to learn of their willingness to construct a new sign consistent with the MSP.

Chairperson Stromberg suggested if the Taco Bell sign were revised to be consistent with the proposed MSP, it would enhance the scenic corridor and still provide Taco Bell with visibility.

Mr. Kowalski recalled the owner of Taco Bell had preferred an internally illuminated monument sign which had been rejected since it had not been allowed by the Town's

Sign Code at that time. Ultimately, the business had retained what it had since that was the easiest solution. The proposed MSP featured internally illuminated signs and Taco Bell could take this opportunity to upgrade its sign as long as the lease agreement between the landlord and the tenant allowed such a revision.

Vice Chair Luster recommended Condition #7 be revised to read:

*The existing freestanding Taco Bell and “The Park in Rheem Valley” signs shall be updated or removed prior to the completion of installation of the new Project Identification and Multi-Tenant Monument signs allowed along Moraga Road.*

There was Planning Commission consensus to accept the revision to Condition #7.

The Planning Commission and applicants also discussed Condition #8 at length, and ultimately revised it to read:

The sources of internal illumination in all approved Multi-Tenant Monument signs shall be turned off by 10:00 P.M. every night. All internally-illuminated signage at each business establishment shall be turned off each night at the close of the establishment’s business.

As to Condition #9, Mr. Solomon advised that the required landscaping would not detract from the signs because it would be of a low profile.

Ms. Hamid explained that the intent was that the landscaping be low and at the base of the sign to avoid covering the signs. She recommended Condition #9 remain as written since it allowed flexibility for the landscaping.

Chairperson Stromberg clarified with Mr. Park that if the MSP was approved by the Planning Commission, the property owner hoped to have something moving forward by the first or second quarter of 2021.

On motion by Chairperson Stromberg, seconded by Vice Chair Luster to adopt Resolution next in number to approve Design Review Board Application allowing a New Exterior Paint Color Scheme and Master Sign Program for a Portion of the Rheem Valley Shopping Center, subject to the following revisions:

- Condition #5 revised to read:

The Master Sign Program shall only allow for a maximum of four Multi-Tenant Identification Monument signs, with three allowed along Moraga Road and one allowed along Rheem Boulevard.

- Condition #7 revised to read:

The existing freestanding Taco Bell and “The Park in Rheem Valley” signs shall be updated or removed prior to the completion of installation of the new Project Identification and Multi-Tenant Monument signs allowed along Moraga Road.

- Condition #8 revised to read:

The sources of internal illumination in all approved Multi-Tenant Monument signs shall be turned off by 10:00 P.M. every night. All internally-illuminated signage at each business establishment shall be turned off each night at the close of the establishment's business.

- Condition #1 revised to read:

This approval of the new exterior paint color scheme and master sign program for a portion of the Rheem Shopping Center, and each condition contained herein, shall be binding upon the applicant and any transfer or successor in interest. Sheet 13 shall be revised to show the strip along the Dollar Tree portion of the fasciato also be painted white (Sherwin Williams SW-7049 Nuance) with the exception of the bump-out where the Dollar Tree sign itself was located..

The motion carried by the following Roll Call vote:

Ayes:	D'Arcy, Helber, Lueder, Luster, Thiel, Stromberg
Noes:	None
Abstain:	None
Recuse:	Hillis

Chairperson Stromberg identified the 10-day appeal period of a decision of the Planning Commission in writing to the Town Clerk.

Commissioner Hillis returned to the teleconferenced meeting at this time.

## **6. ROUTINE AND OTHER MATTERS**

There were no Routine and Other Matters.

## **7. REPORTS**

### **A. Planning Commission**

Chairperson Stromberg reported the last Liaison Meeting had occurred via Zoom in July with no meeting scheduled for August.

### **B. Staff**

Ms. Hamid advised that staff had previously announced two Town Hall Community Meetings that had been scheduled for public input on the Moraga Center Specific Plan Implementation Project (MCSP-IP). The first meeting had been scheduled for September 1, 2020 (in-person) at the Hacienda de las Flores and a second meeting scheduled for September 2, 2020 to be a Zoom webinar, however due to ongoing concerns with COVID-19 and pursuant to the Contra Costa County Health Officer's Orders, no in-person meetings could be held. As a result, the September 1 meeting has been canceled and only a Zoom webinar would be held on September 2, 2020 at 6:00 P.M. The Chief of

Police, Moraga-Orinda Fire District Fire Chief and legal counsel had been invited to participate. Information was available on the Town website and registration was not required.

**8. ADJOURNMENT**

On motion by Vice Chair Luster, seconded by Chairperson Stromberg to adjourn the Planning Commission meeting at 9:31 P.M. The motion carried by a Roll Call Vote.

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Secretary of the Planning Commission