

Town of Moraga

PLANNING DEPARTMENT
2100 Donald Drive
MORAGA, CA 94556

DESIGN REVIEW BOARD ACTION MEMORANDUM

On April 10, 2006 the Town of Moraga Design Review Board considered the application described below:

SUB-8444 – RMR Design Group (applicant), Michael Olson (owner), Los Encinos Subdivision Revised perimeter landscaping plan for the Los Encinos Subdivision adjacent to the northeast rear property lines at 1091 to 1103 Larch Avenue and the southeast property lines at 30 Baitx Drive and 4 Kettlesen. The landscaping improvements are required by condition number 14 of Town Council Resolution 3-2002. (APN 258-600-005)

DESIGN REVIEW BOARD ACTION:

DESIGN REVIEW BOARD APPROVAL is hereby granted in accordance with the following findings required by Planning Commission Resolution 16-01, and subject to the conditions listed below:

Findings:

1. The proposed perimeter landscaping plan conforms with good design as set forth in the Town of Moraga Design Guidelines, and in general contributes to the character and image of the town as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality for the following reasons:
 - a. The proposed landscaping will help to screen the view of new homes to be built on the hillside above the existing homes on Larch Avenue.
 - b. The proposed landscaping complies with the requirements of conditions 14 and I.7 in Town Council Resolution 3-2002.
 - c. The landscaping improvements are designed in accordance with the Moraga Design Guidelines.
2. The proposed improvement will not have a substantial adverse affect on neighboring properties or the community due to poor planning; neglect of proper design standards; or the existence of building and structures unsuitable to and incompatible with the character of the neighborhood and the character of the community for the following reasons:
 - a. The purpose of the new perimeter landscaping is to help provide privacy from the new homes in Subdivision 8444.

- b. The new landscaping will be maintained by the subdivider until the homeowners association assumes the maintenance responsibility.
3. The proposed improvement will not lower property values; discourage the maintenance and improvement of surrounding properties; or preclude the most appropriate development of other properties in the vicinity because the proposed landscaping improvements are intended to reduce the visual impact of the new homes on the existing homes to maintain the privacy of the rear yards for the homes on Larch Avenue.
4. The proposed landscaping improvements will not impair the public health, safety or welfare because the landscaping and irrigation will be installed in accordance with the California Building Code and the plant list will be reviewed by the Moraga-Orinda Fire District to adhere to their fire safe landscaping standards.

Conditions:

1. "Performance Standards" for the tree planting shall be included as required by condition #7 of Town Council Resolution 3-2004. The performance standards shall specify that the trees (species that would have a mature growth over 40-feet) shall be expected to grow at least 1-foot per year and 5-feet total in the first 5 years after they are planted. If a tree fails to grow to the specified height in the first five years, then that tree or shrub shall be replaced.
2. The new trees, shrubs and irrigation system shall be maintained by the subdivider until the maintenance is assumed by the future property owners of the respective lots. The irrigation system shall have a "rain sensor" on the irrigation controller. An addition ¾-inch line is recommended in order to supply enough water for the number of trees and shrubs proposed.
3. The perimeter planting plan shall be reviewed by the Moraga-Orinda Fire District prior to receiving Planning Department approval of the Final planting plans to make certain that none of the proposed trees or shrubs are on the list of plants that are considered highly combustible by the Fire District.
4. The "tree planting on slope detail" on sheet 3 shall include a small 1-foot high retaining board on slopes steeper than 2:1 to make sure that an adequate watering basin is maintained.
5. The retaining wall in the 20-foot strip of land proposed for the lot line adjustment at 30 Baitx Drive shall be moved to the southeast so that it is located on Lot 1 of the Los Encinos Subdivision.
6. The four (4) Sequoia sempervirens shall be changed to a non-deciduous tree/shrub species with a mature height between 15 and 20 feet, such as Strawberry Trees. In addition five (5) 15-gallon tree/shrubs shall be planted in the 20-foot wide strip of land

to be transferred to the owner at 30-Baitx Drive. The species of the tree/shrubs shall be subject to approval by the owner of 30 Baitx Drive. The purpose of the five additional tree/shrubs is to prevent a linear row of trees along the southeast property line. Every attempt shall be made to save the existing Oak trees in this area. If the grading requires the removal of the Oak trees, they shall be transplanted as agreed between the applicant and the owner of 30 Baitx Drive.

7. The planting shall be done as soon as the final grades have been established, so that soil is not pushed down the hill after the plants have been set into the ground.
8. Where there is a conflict between the erosion control plan approved for the subdivision and the perimeter landscape plan, the perimeter landscape plan shall prevail, since the erosion control plan is intended as a temporary measure until final landscaping is completed.
9. Dead branches and litter from under the existing trees should be removed in accordance with Moraga-Orinda Fire District regulations.
10. The hours of "construction" for the irrigation system and planting shall be from 8:00 a.m. to 5:00 p.m. in accordance with the Town of Moraga Noise Ordinance.
11. The applicant and their contractors shall be responsible for preventing spills of any soil and planting materials on Town streets. If any spills of debris occur, then the applicant will be held responsible for the immediate cleanup of the spill and repair of any damage that may have been done to the street. The correction of the problem shall be made to the satisfaction of the Town Engineer.
12. If there is no appeal, Design Review Board approval will be valid for one year from the date of approval. You must obtain a building permit for construction of your project within one year or you may request an extension of design review approval for one additional year. The request must be in writing to the Planning Director and should show good cause as to why the design approval should be extended.

Design Review Board Action can be appealed to the Planning Commission within 10 calendar days after the date of the decision. If you have any questions regarding the action of the Board, please contact the Moraga Planning Department at (925) 376-5200.