



PLANNING COMMISSION MEETING ACTION MINUTES OF FEBRUARY 28, 2017

Adopted by majority (5-0-2) vote of the Planning Commission of March 14, 2017

1. CALL TO ORDER:

Chair Mautner called the meeting to order at 7:00pm. Commissioners in attendance include Adamson, Mautner, Parnigoni, Roberts and Smith. Vice-Chair Iverson and Commissioner McGrath are absent (excused). Staff in attendance included Senior Planner Derek Farmer, Associate Planner Daisy Allen and Senior Administrative Assistant, Tiffany Fabiani.

2. ADOPTION OF AGENDA:

Commissioner Roberts made a motion to adopt the agenda as presented. The motion was seconded by Commissioner Adamson; and the motion carried by a unanimous (5-0) vote.

3. PUBLIC FORUM:

Chair Mautner opened the floor to the public for anyone wishing to speak on items not on the agenda. Seeing and hearing no one, Chair Mautner closed the floor.

4. CONSENT CALENDAR:

A. Adopt Draft Action Minutes of February 14, 2017 Meeting

ACTION: Commissioner Roberts made a motion to approve the Draft Action Minutes of February 14, 2017 as presented. Commissioner Parnigoni seconded the motion; and the motion carried by a unanimous (5-0) vote.

5. CONTINUED PUBLIC HEARINGS: There were no continued public hearings.

6. NEW PUBLIC HEARINGS:

- A.** A public hearing to consider a request for a one year extension of the application approvals for design review and tree removal permits for a new single family residence at 84 Mossbridge Lane. The project was originally approved on April 14, 2015 and approvals expired April 14, 2016. The Zoning Administrator granted a one year extension to April 14, 2017, and also approved changes to the project including a square footage increase to the design review approval, and a new tree removal permit and hillside grading permit. The current request would extend the project approvals to April 14, 2018.

PROJECT SITE: 84 Mossbridge Lane

APN:	365-440-012
Applications:	DRA-2014-039 (Design Review), TRP-2014-016 (Tree Removal)
Zoning Designation:	PD (RL-40)
Lot Size:	27,002 square feet
Owner:	Mark and Shawna Blair
Project Planner:	Daisy Allen, AICP, Associate Planner
CEQA Status:	Categorically Exempt: CEQA guidelines §15303
Staff Recommendation:	Staff recommends approval of the extension request for a period of one (1) year from April 14, 2017.

(Minutes are summarized, not verbatim)

Chair Mautner called for any and all ex parte' communications and/or site visits. Commissioner Parnigoni & Chair Mautner both visited the site but did not speak to anyone. Commissioners Adamson, Roberts & Smith did not visit the site, nor did they speak to anyone.

Staff provided the Commission with a brief overview and answered questions of the Commission.

Chair Mautner opened the floor to the project applicant.

Mark Blair (project applicant) provided testimony to the Commission for consideration and answered questions of the Commission pertaining to the reason for the necessity of extension and whether or not the project would be completed within the proposed deadline if the extension is approved.

Chair Mautner opened the floor to the public for comment. Seeing and hearing no one, Mautner closed the floor and brought the item back to the Commission for deliberation and vote.

PARNIGONI – Supported granting the extension based on the information provided in the staff report.

ADAMSON – Is not a fan of granting an extension, unless there are extenuating circumstances. Is confident the applicant has good intention to move forward on the project and is willing to support approval of the extension.

ROBERTS – Agreed with Commissioner Adamson and is supportive of granting the extension as requested.

SMITH – Asked a question regarding future possible extension requests and made no further comment.

MAUTNER – Agreed with fellow Commissioner that the extension should be given, and is supportive of extension request.

ACTION: Commissioner Smith made a motion to approve the extension as recommended by staff. Commissioner Roberts seconded the motion; and the motion carried by a unanimous roll-call vote as follows:

Aye: Parnigoni, Adamson, Roberts, Smith, Mautner

Nay: None

Abstention: None

- B.** A public hearing to consider Design Review and Historic Landmark Improvement Plan applications for restoration of the Joaquin Moraga Adobe located at 24 Adobe Lane. The existing structure includes a 2,590 square foot main floor and a 204 square foot attic. The restoration will involve removing two non-historic additions, reducing the main floor square footage to 1,895. The original adobe structure will then be restored. Additionally, a 247.5 square foot accessory structure is proposed with two unisex bathrooms and a storage area, and parking as well as an outdoor kitchen and picnic area will be provided. Design Review is required because this project involves a major change to a non-residential structure. Additionally, since Joaquin Moraga Adobe is a City of Orinda Historic Landmark, Landmark Improvement Plan approval is also required.

PROJECT SITE:	24 Adobe Lane
APN:	271-130-003
Applications:	DRA-2017-005 (Design Review), Historic Landmark Improvement Plan
Zoning Designation:	RL-40
Owner:	J&J Ranch, LLC
Project Planner:	Daisy Allen, AICP, Associate Planner
CEQA Status:	Categorically Exempt: CEQA guidelines §15331 (Historic Resource Restoration/Rehabilitation)
Staff Recommendation:	Staff recommends approval of both Design Review Historic Landmark Improvement Plan applications as well as to adopt the Statement of Official Action.

(Minutes are summarized, not verbatim)

Chair Mautner called for any and all ex parte' communications and/or site visits. Commissioners Parnigoni, Mautner and Smith visited the site but did not speak to anyone. Commissioners Adamson and Roberts visited the site on previous occasions but not on this particular application, nor did they speak to anyone.

Staff provided a brief overview of the staff report and answered questions of the Commission pertaining to possible Home Owners Association purchase and clarification on specific project considerations as well as feasibility of renovating the dwelling to its original historic appearance.

Michael Garavaglia (project architect) and Ken Long, representative of Friends of the Moraga Adobe provided testimony to the Commission for consideration.

Charlotte Smith, neighboring resident of 24 Adobe Lane - Mrs. Smith supports the renovation of the site but opposed the adjacent outhouses as proposed. Concerned there are no plans for maintenance or upkeep of the outhouses as well as the potential for standing water and clogged latrines that will draw mosquitoes and flies that will effect surrounding environments. Noted that West Nile and other vector-borne diseases, have the ability to create a habitat between two adjacent schools from the proposed site and are creating a health-hazard.

Jim Smith, Charlotte Smith's spouse and neighboring resident of 24 Adobe Lane - States that "port-o-potties" are an option. Portable bathrooms could be brought in for the occasional uses as being proposed.

Chair Mautner called for any other members of the public wishing to speak. Seeing and hearing no one, Mautner closed the floor and called on the applicant for rebuttal.

Garavaglia provided rebuttal for Commission consideration.

Staff noted that there is a maintenance agreement established as noted on page 4 of Exhibit G to the staff report.

SMITH: Understands the issue with the facilities outside could be a concern, but also understands outdoor bathrooms exist in other park developments. Would be more comfortable if there was a policy and procedure for maintenance that was more clarified. Additional concern, having been up to the site, the property is prone to activity and security measures should be considered.

ROBERTS: Comfortable with plans for the restoration project itself, and understand the concerns, but based on personal awareness of the commitment of the Friends of the Moraga Adobe being able to restore this site and maintain it appropriately, is confident that they would come up with a plan for security and maintenance. Would be willing to consider putting conditions of security and maintenance on the approval, but is comfortable with the restoration plans as recommended by staff, and is willing to support the project as proposed.

ADAMSON: Agrees with fellow Commissioners, and is confident the concerns can be mitigated with staff and is willing to move forward with the conditions as presented.

PARNIGONI: Concerned about the potential burden that would be placed on the Friends for having to implement a robust maintenance program for rare bathroom usage. Believes it would be an unfair burden on Friends. Thoroughly happy about the project being restored and maintenance seems to be an undue burden. Would note that it may be in Friend's best interest to consider asking the Home Owners Association to provide security measures and maintenance.

MAUTNER: Tip my hat to the Friends, in the effort to restore the building. Understands concerns with bathrooms but believes concerns can be mitigated fairly easily. Supports the project as proposed.

ACTION: Commissioner Roberts made a motion to approve the applicant as presented by staff and to adopt the Statement of Official Action. The motion was seconded by Commissioner Parnigoni; and the motion carried by a unanimous (5-0) roll-call vote as follows:

Aye: Parnigoni, Adamson, Roberts, Smith, Mautner

Nay: None

Abstention: None

7. OTHER COMMISSION MATTERS (NON-ACTION ITEMS):

- A.** A study session to review preliminary designs for 13 new homes in the J & J Ranch subdivision and will provide feedback to the applicant in advance of design review submittals for these new homes. The J&J Ranch subdivision was approved in 2015 and includes 13 residential lots as

well as “Parcel A” where the historic Joaquin Moraga Adobe is located. The restoration of the Adobe is being considered under a separate design review and landmark improvement application.

PROJECT SITE:	24 Adobe Lane
APN:	271-130-003
Applications:	Pre-Design Review Study Session for 13 New Homes
Zoning Designation:	RL-40
Owner:	J&J Ranch, LLC
Project Planner:	Daisy Allen, AICP, Associate Planner
CEQA Status:	Categorically Exempt: CEQA guidelines §15303
Staff Recommendation:	As this is a discussion item only. No action will be taken by the Planning Commission.

(Minutes are summarized, not verbatim)

Chair Mautner called for any and all ex parte' communications and/or site visits. Commissioner Parnigoni and Smith visited the site but did not speak to anyone. Commissioners Roberts and Adamson visited the site previously but did not visit for this particular consideration. Chair Mautner visited the site and spoke to a stranger, not about the project itself.

Staff provided a brief overview of the staff report.

Chair Mautner opened the floor to the project applicant.

Project architects John French, Dan Hale and Allen Page provided testimony and answered questions of the Commission.

During discussion, there were noted concerns and comments from the Commission as follows:

Both Mautner and Parnigoni were concerned that proposed location of a home on Lott 11 is closest to the proposed outdoor bathroom of the Moraga Adobe site and stated that architects may want to consider relocating the proposed home.

Parnigoni was concerned that home on Lot 1 is too large. Lot 7 as presented, has a floor area ration (FAR) greater than 20% and that Lot 12 should consider lowering the proposed rear retaining wall.

Adamson believed that the applicants received quite a good road map from the staff report, particularly comments pertaining to too many finishes on a lot of the elevations as presented. Big houses, but believes this is going to be a neighborhood onto itself and given the topography, not as concerned with the size of the homes. Conceptual issue on Lot 10, has a long driveway with roughly proposed ridged planting. Landscaping should be much less formalized, more natural, rustic components. Lot 1 has floor area ration (FAR) of 90%. Considering this is somewhat a constraining lot, there is a challenging buildable space being proposed.

Roberts agreed with fellow Commissioner's comments and notes that less-formal, more natural landscape plans will be important and well as less finishes.

Smith believes the viewpoint from each home and how they impact each other will be important in considering a future application and used the elevations of Lots 9 & 10 as an example.

Mautner believes closer sections of elevations of the different sites should be presented when the application is submitted. Intrigued by the different names of the buildings. One of my reactions, the exteriors seemed like there were a lot of finishes. Privacy ideas are very important as well.

Adamson agreed that the relationship between houses when considering applications is very important.

Roberts recommended providing a better topographic layout that shows where the existing trees are, and what difference tree removal of mature trees will make on privacy should also be considered.

8. PLANNING COMMISSIONER'S REPORTS:

There were no reports made by the Commission.

9. PLANNING DIRECTOR'S UPDATE:

Farmer noted the appeal of the Planning Commission's approval of Wilder Lot 194. The project applicant, Taylor Morrison of California, LLC filed an appeal of the project approval granted which included the removal of a third car, side-facing garage. The appeal will be heard before the City Council on Tuesday, March 7th, 2017 at 7:00pm in the public library auditorium located at 26 Orinda Way.

10. ADJOURNMENT:

Commissioner Roberts made a motion to adjourn the meeting at 8:36pm. Commissioner Parnigoni seconded the motion; and the motion carried by a unanimous (5-0) majority vote. The next regular meeting of the Planning Commission will be Tuesday, March 14, 2017, at 7:00 pm, in the Public Library Auditorium located at 26 Orinda Way.