

**TOWN OF MORAGA
PLANNING COMMISSION MEETING**

Joaquin Moraga Intermediate School Auditorium
1010 Camino Pablo
Moraga, CA 94556

April 6, 2009
7:00 P.M.

MINUTES

I. CALL TO ORDER

Chairperson Goglia called the Special Joint Meeting of the Planning Commission and the Park and Recreation Commission to order at 7:04 P.M.

ROLL CALL

Planning Commission

Present: Commissioners Daniels, Driver,* Levenfeld,* Socolich, Whitley,*
Chairperson Goglia
Absent: Commissioner Obsitnik

- * Planning Commissioner Levenfeld left the meeting at 7:20 P.M.
- * Planning Commissioner Driver arrived at 7:20 P.M.
- * Planning Commissioner Whitley arrived at 7:37 P.M.

Park and Recreation Commission

Present: Commissioners Haffner, Khanna, Lucasher, Mallela,* Reed,
Vice Chair Faoro
Absent: Commissioner Crouch

- * Park and Recreation Chair Mallela arrived at 8:40 P.M.

Staff: Lori Salamack, Planning Director
Rob Brueck, Hauge Brueck Associates, Specific Plan Consultant
Rob Rees, Fehr & Peers

B. Conflict of Interest

There was no reported conflict of interest from either the Planning Commission or the Park and Recreation Commission.

II. ADOPTION OF MEETING AGENDA

On motion by Commissioner Levenfeld, seconded by Commissioner Socolich the Planning Commission adopted the meeting agenda, as posted.

On motion and second the Park and Recreation Commission adopted the meeting agenda, as amended to correct the agenda to reflect that Liz Faoro was the Vice Chair of the Park and Recreation Commission.

III. **ANNOUNCEMENTS**

Planning Director Lori Salamack announced that the Town Council meeting scheduled for Wednesday, April 8 had been canceled. The next meeting of the Town Council was scheduled for Wednesday, April 22, at which time the Town Council would consider an appeal of the Planning Commission's decision on the Palos Colorados project as well as a first reading of the Animal Ordinance.

IV. **PUBLIC COMMENTS**

There were no comments from the public.

V. **ADOPTION OF THE CONSENT CALENDAR**

A. None

VI. **CONTINUED PUBLIC HEARINGS**

A. None

VII. **NEW PUBLIC HEARINGS**

A. None

VIII. **PUBLIC MEETING**

A. **Discussion of the Moraga Center Specific Plan (MCSP) including park and recreation facilities, traffic, commercial and residential development potential, and the final Environmental Impact Report (EIR).**

Ms. Salamack took this opportunity to thank the members of the Park and Recreation Commission for meeting together with the Planning Commission to address the status of the Moraga Center Specific Plan (MCSP) and the Housing Element update in public format. She reported that the Planning Commission and the Design Review Board (DRB) had previously met jointly to discuss issues of development potential, the Town's requirements to satisfy State law with respect to affordable housing and design guidelines associated with that development. The same topics would be discussed at this time related to the level of development in the MCSP area and consideration of a community center that could include a gymnasium in the MCSP area.

Included in the project description for the Environmental Impact Report (EIR) was a 30,000 square foot facility, which size had been derived from the Park and Recreation Master Plan approved by the Town Council in 2008. That facility and alternate locations had been studied as had traffic impacts associated with a facility of that size.

Ms. Salamack advised that a 30,000 square foot facility could impact the peak traffic draw into Moraga as compared to a smaller facility. She stated that the appropriate size of the facility and the needs of the community should be discussed and if the Commissions had recommendations, suggest whether or not Sites A or B, as identified in the EIR, would be preferable. She explained that the Town's Environmental Consultant and the Consultant who had prepared the traffic analysis would be making presentations on their findings.

Ms. Salamack offered examples of the types of development the Planning Commission may support. If the Planning Commission desired the largest residential and commercial development in the MCSP area and the Park and Recreation Commission the largest recreational facility, there would be a maximum traffic scenario in the MCSP area, in the Town and outside of the Town. In the event a smaller facility was sought, that would impact siting, parking, and traffic within the MCSP area. The Commissions were asked to consider their areas of expertise and make recommendations to be forwarded to the Town Council. No final decision was being asked of the Planning Commission at this time.

Rob Brueck, Hauge Brueck Associates, whose firm had prepared the environmental document for the MCSP, explained that the Final EIR had been distributed on March 26, and had been posted on the Town's website with notification to all property owners within 1,000 square feet. A prior meeting of the Planning Commission and the DRB had been held with additional meetings planned to allow for the opportunity for additional input prior to the Town Council's input on the Final EIR.

Mr. Brueck explained that the first step was to identify the adequacy of the EIR regarding the proposed impacts and the alternatives studied. The Planning Commission would make a recommendation to the Town Council which would thereafter certify the Final EIR. Once the EIR had been certified, one of the alternatives could be adopted by the Town based on the EIR which had been prepared. If recommendations were different from the alternatives identified in the EIR, new impacts and mitigations would have to be studied and the document would have to be re-circulated before a plan could be adopted.

Mr. Brueck reported that the Town was also updating its Housing Element. The MCSP area had the potential for higher density housing which could be used for Low and Very Low Income housing allocations as designated by the Association of Bay Area Governments (ABAG). The Housing Element was to be submitted to the State by the end of June and the goal was to reach a conclusion on the review of the EIR and make a decision on a plan that could be adopted and used for the Housing Element Update.

Mr. Brueck advised that the Town had received 50 comment letters on the Draft EIR (DEIR) with the comments mostly related to transportation. Additional intersections along Moraga and Saint Mary's Roads had been studied going into the City of Lafayette to determine whether or not they would be impacted. Mitigation measures had been identified to reduce the impacts although they could not be mitigated to a less than significant level since the roads were currently over the thresholds. He noted that traffic could be reduced in the PM peak period with a smaller community center through a local rather than a regional draw.

Mr. Brueck commented on the tentative meeting schedule of the Planning Commission and the hope that a recommendation could be made to the Town Council for its meeting on May 13.

Park and Recreation Director Jay Ingram explained that the Park and Recreation Commission had conducted a facility tour in December 2008 with its findings presented to the Town Council on February 25. A copy of the report could be provided to the Planning Commission. He highlighted the facilities that had been visited as part of that tour.

When asked why a proposed 30,000 square foot community center had been proposed, Mr. Ingram noted that recommendation had come about from the consultant who had prepared the Park and Recreation Master Plan. While there were no national standards for community centers, in this case based on surveys conducted by the Master Plan Consultant, a community center of 30,000 square feet had been proposed to satisfy the population of Moraga.

Ms. Salamack stated that she had provided the Commissions and the public images of higher density residential developments. She clarified that the Town was not proposing those specific examples.

Park and Recreation Commission Vice Chair Faoro commented on the number of letters that had been received on the DEIR. She expressed her disappointment that only two of the letters had specifically mentioned the community center and both had opposed the community center. She would have liked to have seen more input from the community on a community center facility.

Vice Chair Faoro referenced a letter from the Bruzzone family which had been drafted by a consultant who had discussed the avoidance of conflicting land uses in the retail core area. She asked why the Town had not responded to the concerns of the landowner regarding the community center.

Ms. Salamack explained that the DEIR dealt with issues related to the requirements of the California Environmental Quality Act (CEQA). There were some comments in the Bruzzone letter that were not related to the impacts of development under CEQA but related to the project's merits. She stated that the concerns on the project's merits could be addressed when recommending approval of the actual MCSP.

Ms. Salamack added with respect to commercial versus recreational development that the Town had commissioned an economic analysis. Based on that analysis, the MCSP area had more land that could be developed for commercial purposes but which could not be supported by the marketplace. There was a suggestion that a community center could act as an attraction to the shopping center. There were also concerns that if the community center were primarily an exercise facility, similar to 24-Hour Fitness, parking would be used but would not result in other shopping trips. She noted that there had been arguments on both sides as to the appropriateness of the use as opposed to the environmental impacts of the facility.

Vice Chair Faoro suggested that there could be both financial and environmental impacts to the Town if a community center was developed.

Ms. Salamack advised that the impacts to public services would be addressed in terms of any financial impacts.

Commissioner Daniels asked whether or not the size of the facility had been studied.

Ms. Salamack explained that different sized facilities had been reviewed in terms of traffic mitigation. It had been suggested that to reduce traffic the community center should be reduced in size although the process had started with a 30,000 square foot facility since it had been specifically identified by the Town Council as the size of a facility to study. She added that the operational costs of such a facility had not been studied as part of the EIR and would be a decision for the Town Council to make as to whether or not to move forward with such a facility. The size, location and impacts of the facility and its impacts on traffic had been studied.

Commissioner Daniels expressed concern that a 30,000 square foot community center may be optimal for the community although the operational costs could be so high as to be infeasible. Given the Town's limited resources, she expressed concern that the costs could impact public services.

Mr. Ingram explained that the costs for such a facility had been estimated in the Park and Recreation Master Plan at \$8 per square foot for maintenance and would represent an annual cost. When asked, he stated that the capital costs had been identified in the Park and Recreation Master Plan at \$7 million based on 2007 dollars.

Ms. Salamack noted that when the other facilities had been toured by staff and Park and Recreation Commissioners, the Mill Valley facility as an example, had a program to cover the cost of operating the facility.

Commissioner Socolich asked how the various housing units in the various alternatives had been identified.

Ms. Salamack stated with respect to the project description that staff had initially considered the maximum project size that could potentially be developed in the Town without adversely impacting external traffic and had come to the conclusion on the basis of the traffic study that had been prepared for the project. There had been a separate study which had studied traffic in Lamorinda and which the Council had approved in 2007. Lesser alternatives had also been studied as possibly meeting the Town's objectives with the intent of providing affordable housing to meet State housing requirements.

The minimum level of development had also been studied and was where the 400 single-family dwelling unit alternative had originated. The 339-unit alternative had come from a study of the existing General Plan. The 560-unit alternative was between the 400 minimum and the 720 maximum unit alternatives. The level of commercial development within the MCSP had also been studied. Through that process of review, the various housing units had been identified. In each case, the 30,000 square foot community center had been studied and had not varied.

As to whether or not the alternatives met the State housing requirements, Ms. Salamack suggested that the 400-unit alternative was the minimum project which would meet the State Housing Element requirement.

When asked, Ms. Salamack noted that there was new commercial contemplated in the MCSP and the square footage proposed would be in addition to the commercial space that currently existed.

When asked if there were specific compliance numbers for Low Income housing that the Town was obligated to submit by the June 30 deadline, Ms. Salamack advised that the Town's Regional Housing Needs Allocation (RHNA) was 307 dwelling units, 62 of which would have to be market rate, 97 Moderate Income and 148 Low and Very Low Income households. She suggested that the Town had to plan for Moderate and Low Income units in the MCSP since it was unlikely that the Moderate units would develop in the community based on the numbers needed, although some could be achieved through secondary dwelling units.

Ms. Salamack reiterated that in all instances the 30,000 square foot community center had been studied. She read from the document that the MCSP area consisted of approximately 600,000 square feet of buildings and facilities on 189 acres of land with approximately 1,500 parking spaces, with the largest residential land use senior housing which contained 168 dwelling units, and a small multi-family complex of 25 dwelling units along with a few single-family units in the area.

An unidentified Park and Recreation Commissioner spoke to the various environmental factors and the range of classifications and asked if they had been split into different committees. He questioned how oversight would be addressed.

Ms. Salamack explained that the Town did not have individual committees that would monitor each topic although the appropriate environmental document would be submitted to the decision maker. A General Plan Amendment, as an example, would be submitted to the Planning Commission with a recommendation to the Town Council. The DRB would address aesthetic impacts and the Park and Recreation Commission would address recreational impacts. There had been other meetings between staff, the consultants and the commissions last year when the document had been prepared.

As to whether or not the document adequately analyzed impacts to the creek, as an example, Ms. Salamack explained that analysis had been included in the document by the appropriate professional such as a biologist. The document had then been distributed for public comment with comments received on the quality of the analysis contained in the document. Responses to comments had also been studied. Continual concerns may be expressed through consideration of the Final EIR. She described the Lamorinda committees that would also be involved. The public would continue to be engaged in the process with negotiations of availability of the Final EIR to all agencies that had provided comments in the draft stage.

When asked to define the various income household categories, Ms. Salamack explained that Low Income Housing were those households with an income 80 percent of the median income in the County.

Moderate Income was income for households between 80 and 120 percent of the median income in the County based on household size. The income level for a single income household would be different from a multiple person household.

Vice Chair Faoro referred to a comment in one of the comment letters that the existing Hacienda would be used for non-gymnasium activities and a new gymnasium facility would be constructed within the MCSP area. She questioned whether or not the Town would build a new community center/gymnasium while maintaining the Hacienda, particularly given the current economic situation.

Ms. Salamack advised that the Town Council had asked to study a project description which included the 30,000 square foot community center. Staff had not made a judgment call as to the appropriateness of the community center. The Park and Recreation Commission had been asked to provide input on that topic. If the Commission determined that such a facility was inappropriate for the Town that would be a welcome recommendation to the Town Council. If the Commission determined that such a facility was important to the vibrant nature of the community and would contribute to the MCSP area, those comments would also be welcome.

Mr. Brueck explained that if a smaller community center were selected to help mitigate traffic, that smaller community center may be the gymnasium use, the largest deficiency in the Town's recreational facilities. In that scenario, the Hacienda could take up the remainder of the community center uses identified in the plan which would leave more space in the community center site to address parking needs.

Vice Chair Faoro also understood based on the comments in the DEIR that a portion of the gymnasium parking during the daytime hours could be used for parking to reduce trips associated with the MCSP development.

Mr. Brueck commented that if the Town desired to proceed with the 720-unit proposal as a mitigation measure, a Park & Ride facility would be required to reduce traffic in the corridors. A smaller community center site, based on the acreage in the center, would allow more land area for that purpose. If the community center was smaller and primarily a gymnasium the peak period of use would likely be in the evening. During the daytime parking would be available to offer that mitigation measure. The 400-unit alternative would not require that mitigation or the Park & Ride.

Commissioner Socolich asked if the Park and Recreation Commission had any comments on the MCSP other than for the community center/gymnasium.

An unidentified Park and Recreation Commissioner commented that he was on record with the opinion that a gymnasium was not needed although a community center was needed to serve the entire community. He did not believe that a community center belonged in the MCSP and suggested it be placed elsewhere in the Town. He also suggested that a park facility should be studied and incorporated into the process.

Commissioner Socolich asked about a reasonable alternative to a 30,000 square foot community center/gymnasium.

Mr. Ingram explained that this was the second opportunity for the Park and Recreation Commission to discuss a 30,000 square foot or smaller community center/gymnasium.

Vice Chair Faoro noted that she was a Boardmember of the Lafayette/Moraga Youth Association (LMYA) and if a community center/gymnasium were to be built, the LMYA did not want one the size of the Rheem or the LP, and Joaquin Moraga Intermediate (JM) was too small. Noting that the organization served thousands in Lafayette and Moraga, she stated that a larger full sized gym for safety and liability issues should be considered. Whether or not the Town could afford a community center of the size proposed was another issue. She added that the Commissioner of CYO Basketball was also of the opinion that more gym space was not needed. LMYA served more people in Lafayette and Moraga and were of the opinion that gym space was more important than additional fields. She added in speaking with LMYA that one of the benefits of placing a community center on school property, such as at JM, was that it could be used by both the Moraga School District after school and for CYO and the LMYA.

Commissioner Socolich asked if the Park and Recreation Commission would have additional opportunity to discuss the potential community center/gymnasium, to which Mr. Ingram explained that was the purpose of the meeting at this time.

An unidentified Park and Recreation Commissioner expressed concern with the discussion of a 30,000 square foot community center given the Town's limited resources and the costs for the operation and maintenance of such a facility. He recognized the desires of community organizations and the need for an alternative meeting facility and pointed out that the Hacienda in its current configuration could not accommodate those needs.

Ms. Salamack clarified that the Commissions were not being asked to approve any specific facilities but to discuss the land use issues. The Town was not obligated to construct such a facility if it was included in the planning document.

Planning Commission Chairperson Goglia noted that the EIR was intended to provide a planning framework for the community and did not commit the Town or any of the landowners to do any of the things included in the EIR. In some cases the EIR would take the maximum size of an activity and be written with that in mind, with the knowledge it was unlikely the maximum would come to fruition. There was a need for a plan and to meet the State housing requirements as reflected in the MCSP and the environmental documents.

ROB REES, Fehr & Peers, Traffic Engineering Transportation Planning, described the history of the project, the review of the Lamorinda area, travel surveys, and Metropolitan Transportation Commission (MTC) and Contra Costa Transportation Authority (CCTA) data to identify the types of trips being made within the Town and leaving the Town. It had been found that during the peak periods, a large number of trips were commuters, social recreation and school trips. That information had been analyzed to determine the type of development that would minimize the traffic impacts. He described the methodology used to determine the number of trips in/out of Moraga and for retail uses. In developing the project in the EIR, the complement of trips that would have the minimal impacts outside of the community had been identified as to how the project had been derived. He noted that the alternatives had been derived from taking some of the elements out of the project.

An alternative of 400 units had been developed and had been found to produce less of an impact than what the General Plan had proposed on the same amount of land. By comparing the project to the General Plan, a project had been developed providing greater housing diversity and greater retail and community center activity with a diverse synergy. That had also met the Town's housing needs. The traffic had then been analyzed and determined through modeling.

Based on the traffic on Moraga Way and Moraga Road, Mr. Rees reported that there would be a two to four percent increase over existing traffic levels based on the measurement of vehicles passing a certain point and through numerous intersections in the Lamorinda area. The build out of the General Plan for Lamorinda had also been analyzed with that traffic overlaid, and depending on the location, represented a 10 to 20 percent increase in the existing traffic levels.

The level of impacts on the intersections at Moraga Way, Moraga Road and Saint Mary's Road had also been analyzed and were currently near or at capacity at commute periods. Any increase would have a significant impact on the existing traffic levels. The impacts occurred with no development or with the project at 700 plus units. The question was how to minimize traffic, which he noted was where senior housing or Saint Mary's faculty housing could be considered.

Mr. Rees commented that traffic along Highway 24 had also been included in the traffic impacts as part of the Lamorinda Action Plan and regional plans and since it was a route of regional significance. The General Plan Alternative consisted of single-family housing and would generate a lot of commute trips impacting the Highway 24 corridor as compared to a 400-unit proposal which included senior housing. He stated that the project would add half a percent to the traffic on Highway 24, which was reasonable given development in the surrounding jurisdictions also using Highway 24.

When asked if there had been consideration of bus services, Mr. Rees explained that if providing a 15-minute headway the amount of transit ridership would be doubled. He noted there would be 950 additional riders over a 24-hour period, reducing potentially 1,800 trips over the day through the Moraga Way/Moraga Road route. He commented that it was currently difficult to access bus services in Lamorinda given the limited sidewalks and the layout of housing.

Mr. Rees acknowledged that a higher density development would allow people to be closer to recreation, trails, transit and shopping.

As to whether or not there would be sufficient ridership at build out in the MCSP, Mr. Rees suggested that the transit in the MCSP would have to be highly subsidized. A successful bus system had an 80 percent subsidy as in many nearby communities. Such a transit system would have to be highly subsidized in some fashion. He noted that some developments in Lamorinda had shuttle systems to BART.

Vice Chair Faoro pointed out that the existing bus services had been reduced. She asked what would occur in the event the MCSP was built out with no bus service.

Mr. Rees explained that his analysis had included the same mediocre bus service as currently existed and had not assumed an increase in bus ridership although the project would introduce the opportunity for better service should it come about. There were also opportunities with the Saint Mary's College bus system. He acknowledged that all of the County's transit systems had to cut back on services given the current economic conditions.

Chairperson Goglia pointed out that the transportation infrastructure scenario was not accommodating given the amount of Low and Very Low Income households that were anticipated in the MCSP.

Mr. Rees noted that the MCSP included senior housing where individuals tended to have vehicles. He was not familiar with the specifics of the Housing Element.

Chairperson Goglia asked staff whether or not the numbers in the Housing Element had been challenged given the limited topography in Moraga or lacking a better transportation infrastructure.

Ms. Salamack explained that in some respects Moraga was fortunate to have Saint Mary's College since student housing tended to be low income and counted towards the housing allocation as long as it was developed as apartments or townhomes. The Housing Element had to identify the local need and identify housing to meet that local need. She explained that there were 2,500 full-time undergraduates at Saint Mary's College with housing on campus for only 1,500. Some of the students lived in Moraga although many resided outside of Moraga. She stated that was a target population for the Town. She clarified that low income did not mean that one did not have assets and seniors, for instance, could still qualify for low income housing and still have assets.

An unidentified Park and Recreation Commissioner asked whether or not people would use public transportation to reach a gymnasium, to which Mr. Rees suggested if public transportation was available it would be used. He added that any time there were group activities public transit would be a good attractor.

Vice Chair Faoro understood that a community center/gymnasium would generate more traffic. She asked if a smaller gymnasium would result in fewer traffic impacts.

Mr. Rees noted that his concern with a 30,000 square foot facility, which had greater opportunities for larger events, tended to attract people from a larger area. He recognized that a substandard facility was not desired.

Commissioner Daniels referred to the proposed project and Alternatives 3 and 4 and asked whether or not the Levels of Service (LOS) would differ and where.

Mr. Rees pointed out the mitigations that would have a positive effect as the unsignalized intersections, such as along Saint Mary's Road and the corridor through the Burton Valley. If the Saint Mary's Road and Burton Valley intersections were signalized, he stated the traffic flow would improve. The other locations at Moraga Way, Glorietta, the downtown and along Moraga Road and Mt. Diablo Boulevard had not identified any mitigation that would resolve the congestion and which the Lamorinda community had already considered and discarded, such as the extension of Gateway down into the Town of Moraga.

Commissioner Daniels asked whether or not there were any differences in the LOS between Alternatives 3 and 4 and the proposed project.

Mr. Rees suggested that there could be technical measurement changes although from the community's perspective there would not be that much of a change from the project and the 400-unit alternative. He stated there was not a big difference potential when discussing potential senior housing which would generate significantly less traffic than single-family homes.

An unidentified Park and Recreation Commissioner referred to the 30,000 square foot community center and the potential traffic impacts and asked if a gymnasium placed near JM and the Hacienda was used for the other activities whether that would mitigate some of the traffic impacts.

Mr. Rees suggested if the uses were split they would become more local given a lack of synergy by having all of the uses in one place.

PUBLIC COMMENTS OPENED

Dave Kruegel, Moraga, commented that he could foresee hundreds of new homes and thousands of new vehicles with a significant increase in traffic and where Moraga Commons would become a neighborhood park since there were only 38 parking spaces in that park. He understood that the planning goals were to consider the impact of nearby areas. He noted that the planning document included hundreds of pages devoted to traffic although there was little devoted to parking. He could not find any mention of Moraga Commons in the traffic and parking section.

Mr. Kruegel asked both Commissions to request changes in the EIR to focus on parking. He asked that there be consideration of parking in the vicinity of the Moraga Marquee area since the Town owned some of the land with the remainder in the MCSP area. He suggested that would be consistent with the Park and Recreation Master Plan which called for 102 parking spaces for Moraga Commons. He suggested that without a provision for parking, park users would park in the proposed commercial areas.

Dave Bruzzone, Moraga, stated that he had found fault with a number of issues in the EIR. He questioned whether or not a 30,000 square foot community center made sense in a retail and residential area, which would impact the development and which property paid property taxes helping the Town to pay for many amenities the Town was currently struggling to provide. He suggested that a 30,000 square foot facility would generate traffic and any plan with a proposal in a key revenue generating location would be bad news for the property owner and for the Town. He suggested that if the community center uses were split, it would affect its synergy. Given the availability of the Hacienda and the Commons areas, he questioned whether or not the Town had studied those areas and what should be provided in the Commons area which he described as underutilized.

Mr. Bruzzone pointed out that the Moraga Center had a large amount of recreational amenities with the Commons and the trail. The other side of the MCSP area had amenities and a riparian corridor through the middle of the Town. There were many areas that the Town had studied, such as the old bowling alley site and surplus vacant school land, that could accommodate many of the recreational needs. He questioned forcing those needs in the downtown.

Mr. Bruzzone also commented that single-family homes could accommodate the affordable demand with in-law units. He asked the Town to keep in mind that affordable housing and associated traffic problems did not have to be concentrated in the downtown. He otherwise noted that he had retained the services of a professional planner in 2000 when the General Plan had been updated. Correspondence had been submitted to the City on the DEIR and he asked the Town to pay attention and answer some of the questions that his consultant had raised in his correspondence.

Joan Bruzzone, Moraga, emphasized that she had repeatedly stated that she would not support a 30,000 square foot community center on her retail property. She asked who would pay for the community center building, who would staff it, who would pay for the land and where it would be sited. She emphasized the fiscal responsibility that would have to be considered in the MCSP. In terms of low cost housing, she opposed it and would not like to see the land be poorly developed. She suggested that the timing of the MCSP could not have been worse given the current economic conditions. She spoke to the history of the family's ownership of the property and expressed her hope the property could be developed with something in which the community could be proud. She emphasized that the Town must consider that the population would continue to increase. She also commented that if the Town wanted to remain viable, the Town must also consider the status of the Rheem Center as much as it had the Moraga Center.

Andrea Casher, a sixth grader at JM School, supported the creation of a Youth Center where children could have fun with their friends in a safe environment and which could provide a variety of activities. She detailed a number of suggestions in which such a center could be staffed, utilized and supported. She asked that the Commissions consider her comments. She suggested that a good place for the center would be close to the intersection of Moraga Way and Moraga Road and be 16,000 to 20,000 square feet in size.

Allen Chee, Moraga, representing C&C Equity, part of the ownership governed in the MCSP, read into the record a letter from a consultant he had retained regarding his ownership in the MCSP.

As outlined in the correspondence, Mr. Chee detailed the history of the ownership of the property and asked that the value of the current zoning be preserved and that the continuous Caltrans pieces [the Town's and the Bruzzone's] be tied together with a pedestrian connection from Camino Ricardo to Moraga and Saint Mary's Roads, regional parks trail and to Moraga Commons. He noted that vehicular access to the trail could be provided without significant impacts.

Mr. Chee also noted that throughout the planning for the MCSP, C&C Equity had not been invited to be part of the process nor had been informed of the discussion, although it was a major property owner within the MCSP area. He asked that the Planning Commission and the Town Council acknowledge that error and serve to protect the value of the C&C property as the details of the MCSP were finalized.

Mr. Chee further noted that the higher density zoning proposed for the adjacent Bruzzone property would have a negative impact on the C&C property. He asked that the Town consider the depiction of the cul-de-sac into the C&C property from Camino Ricardo as schematic only and have no significant meaning as to length or placement within the property, and that the final MCSP design provide a connection through the Bruzzone property to the south, be shown as a required connection to the south boundary of the C&C property to provide adequate emergency access to the easterly portion of the C&C property and that the final MCSP not cut off the eastern portion of the C&C property from potential development.

Mr. Chee went on to comment that in the past the Town had required that Bruzzone and CMZ Equity, the prior property owner to C&C Equity's ownership of the property, jointly plan and develop their properties. One of the results was that Bruzzone provide an easement through its property on Camino Ricardo to three isolated CMZ lots and where a similar concept applied to the C&C property. Based on official responses to prior comments on the DEIR, those issues could be addressed at the time of the adoption of the MCSP.

Mrs. Bruzzone suggested that there was no better place for a community center than the Hacienda. She questioned why the Town had to do anything other than bring that facility up to date to make it more accessible. She noted its significance in the community.

Commissioner Daniels asked staff if an alternative was approved that included the community center meant the area would be zoned for a community center and therefore there could not be another use for that portion of the MCSP area.

Ms. Salamack commented that the MCSP diagram called for the community center as an overlay and it would have a land use that would allow some type of commercial activity to take place along with the recreation overlay.

It was noted that two sites had been proposed; one on either side of the new School Street. The site in the community center was commercial with an overlay for a recreational facility. The site known as "the sign board" site was residential with up to 24 units per acre with an overlay that would allow recreational.

Commissioner Daniels understood therefore that Sites A and B could be either a recreational, commercial or housing uses.

An unidentified Park and Recreation Commissioner asked about next steps given the situation where the Town may desire a community center/gymnasium in the plan while the property owner opposed that plan.

Town Manager Michael Segrest identified himself as the new Town Manager and advised that the property owner had the right to pursue any alternative desired as entitled in the MCSP. If the Town decided to pursue the building of a recreation center, the Town would have to pursue the acquisition of the property with the property owner and would have to raise funds for such a facility since the Town currently did not have the financial resources to do that. He stated it was appropriate to include the recreational facility opportunity in the MCSP assuming that something could be worked out with the property owner and assuming that the community would like to finance such a facility.

PUBLIC COMMENTS CLOSED

Park and Recreation Commissioner Malella referred to the correspondence from C&C Equity and the statement that adequate vehicular access could be provided to the east side of the property without significant environmental impact.

Mr. Brueck explained that the land uses had been analyzed and the area setbacks that would likely be imposed had been studied. The plan had shown that area with three units per acre with limitations on providing a bridge to that property. As pointed out in the MCSP, there could be the possibility to increase the density on that land or move it to more developable land. The property owner could submit a detailed development proposal for that land with review of any impacts. Nothing precluded the use of that property in the current plan and the figure in the plan was very conceptual and was not trying to show the actual access for the site. A bridge had not been shown. He acknowledged that emergency vehicular access would have to be provided and could be provided through the property to the south.

In response to Chairperson Goglia's comment that the plan was conceptual, Ms. Salamack advised that there were no specifics in the plan, only concepts such as the extension of School Street although the road had not been designed. The land uses that could be developed were significantly known to be able to study the potential impacts. Specifically, the design of the residential and commercial areas had yet to be determined.

Chairperson Goglia understood that staff was asking for direction on which level of development to target; the base plan of 720 dwelling units, Option 4 of 560 dwelling units, or Option 3 of 400 dwelling units. She verified with Ms. Salamack that all three options would meet the constraints of the Housing Element.

Ms. Salamack clarified, when asked by the Chair, that if the Town did not meet its Housing Element deadline letters would have to be sent to the State and the CCTA indicating that progress was being made although additional consideration was needed by the community prior to its submittal. She verified that there were some financial impacts that could occur if the deadline was not met such as impacts to return to source funds to the Town for transportation. Staff was optimistic that as long as progress was being made issues could be worked out with the CCTA. The Housing Consultant had also indicated that if the Town's submittal was late it would likely not be the only jurisdiction in the nine Bay Area counties to not meet the deadline. The Town Council had directed staff during its March 11 meeting to work towards a timely submittal to the State.

Ms. Salamack asked the Commissions to consider the size and location of the community center specifically for the MCSP. Clear direction would allow staff to make more progress on that issue with the Town Council.

An unidentified Park and Recreation Commissioner expressed concern that a decision had already been made on the 30,000 square foot gymnasium in the MCSP. He suggested that the concept was overly ambitious.

Vice Chair Faoro noted that several of the letters that had been received had requested a vote of the public on the issue of the community center, although staff had responded that voter approval was not required on land use documents such as the MCSP. She asked for clarification from staff.

Ms. Salamack explained that the Town Council could, in fact, require a vote of the electorate, although it was not required. As an example, she explained that to modify MOSO [Moraga Open Space Ordinance] required a vote of the electorate although it was not required to approve the MCSP. She added that the Town Council could require a vote although that direction would not permit the Housing Element to be approved prior to the State deadline.

An unidentified Park and Recreation Commissioner reiterated his concern that the main topic was the community center. While the Town Council may make its own decision, there was a voter element that needed to be represented but had not occurred.

Commissioner Driver did not see much support for the community center or gymnasium to be included as part of the MCSP.

An unidentified Park and Recreation Commissioner disagreed that everyone had the same sentiment on the community center. As to the elements of the MCSP relating to park and recreation, he suggested that some of the important pieces that should be discussed needed context. He noted that the Hacienda and the Commons, while not part of the MCSP, should be part of the discussion. He understood the need to make recommendations on potential areas that could become a community center or gymnasium. The discussion was on the options in the MCSP and the location of such facilities. He suggested it made sense to make comments on those things relating to the MCSP and the community center and active/passive recreation facilities in those areas.

The Commissioner added that it may be determined that none of the areas were optimal although they should be considered as options for the Town in the future. As to the location and integration of the existing parks and recreation elements, he suggested that had worked well with the band shell, an integration of many activities in the same location and which was why the Commons had been well used and valued. That was important while considering a community center or gymnasium which should be closely related to the Commons.

The Commissioner suggested there was a need for a gymnasium in the community and suggested it would be 100 percent utilized by the local sport users. He suggested that a facility the size of Wagner Ranch, between 8,000 and 10,000 feet, would meet the needs of the Town. He emphasized that the community was active in sports. He referenced a May 2005 article which had listed the top sports programs in the Bay Area with the number one program located at Campolindo. He reiterated that he would like see such a facility as close to the Commons as possible. He suggested that Site B was the closest area. He recommended that site since it would integrate with the Commons, create a sense of park and recreation and have some division between retail and residential.

In terms of a community center in the MCSP, the Commissioner suggested that it should be integrated with the gymnasium although it did not have to be one building but two buildings in close proximity to one another. He suggested that could be a facility the Town could grow into.

The Commissioner further suggested that the community center could be modular and grow over time, where adjustments could be made to the plans in whatever site area was defined for the community center/gymnasium. He recognized that parking would be a challenge regardless of the size of the facility and an integrated approach would allow some parking with the community center/gymnasium. He wanted to see the orientation of the Moraga Commons be considered with a way to find more parking even at the expense of pulling away from the parking area to address the additional parking needs since that issue would continue to be a problem. He noted that the other side of the street having a highly utilized park would require a connection, protecting those walking between the two areas, while also reducing the traffic at the corner.

The Commissioner also noted that one of the landowners had commented that as the MCSP was developed one of the challenges would be around the existence of bike and foot traffic across from Moraga Way to Moraga Road via School Street, with a recommendation for passive recreation and a secure bike/walking path to support those needs. He suggested that option should be studied. He agreed that the area closest to the creek could be another opportunity for passive recreation and people walking along the creek or could be connected to the school.

The Commissioner emphasized that if more housing was built it would be judicious to have a neighborhood park for the area since the MCSP had included no details for a neighborhood park in the area. With respect to the two acres on the eastern portion of the C&C Equity property, he sought a clarification of the potential uses of that acreage. He otherwise commented with respect to the needs of the community that there would have to be a space for dog owners to be able to have a place to take their pets. He suggested that some of that two acres could be used for a potential dog park.

As to the timeline when a decision must be made on the MCSP, Ms. Salamack advised that the Town Council had directed staff to work towards meeting the June 30 Housing Element submittal deadline to the State. The Town Council meeting of June 24 would allow that to happen. In order for the Town to act on the Housing Element, it would have to know that the MCSP was in sync with the Housing Element and for the MCSP to be the foundation for the Housing Element. She would like a recommendation from the Park and Recreation and Planning Commissions by late April or early May. She advised that the Town Council would meet on May 13 and May 27.

Ms. Salamack sought guidance from the Commissions to allow staff to prepare a resolution or other appropriate documents for Planning Commission consideration on April 20.

Staff would have liked a recommendation from the Park and Recreation Commission at this time, although if the Commission was not ready to make that decision the matter could be continued to the Commission's next regular meeting on April 21, or a special meeting of the Park and Recreation Commission could be scheduled, as needed. No recommendation was being sought from the Planning Commission at this time.

Commissioner Socolich asked the Park and Recreation Commission, aside from the community center, what it would like to see in the MCSP.

An unidentified Park and Recreation Commissioner expressed a desire to see a walking trail along the riparian area as an extension to the area along with a biking element given the increase in vehicular traffic. He also wanted to see mitigation of any risk to bicyclists.

Commissioner Socolich supported a density level lower than the 720 dwelling unit option.

In response to Chairperson Goglia, Ms. Salamack advised that there was less commercial proposed with the 400-unit option although given the current economy it would be some time before new commercial was constructed.

Commissioner Driver commented that he was not ready to make a recommendation at this time. He wanted more time to consider the proposals.

Chairperson Goglia stated that she could see the proposal work for all three options that would meet the Housing Element requirement, although she was concerned with the traffic impacts in terms of impacts to the environment and quality of life. She was not encouraged by the presentation by the Traffic Consultant regarding bus service.

Commissioner Daniels understood in terms of the traffic that there would not be much of a difference between the alternatives.

Chairperson Goglia was not convinced there would not be a difference in the alternatives.

Commissioner Daniels understood that Alternative 4 would support 90,000 square feet of retail space and that the proposed project had the same amount of retail space but with 720 dwelling units. She questioned whether or not the financial study had discussed whether 560 dwelling units would be sufficient to support the retail space or whether additional units would be needed to support 90,000 square feet of retail.

Ms. Salamack explained that it was not that the new dwelling units would be the only source of support for the new commercial space since the number was small relative to the number of units existing in the community. Based on the economic impact analysis, the thought was to increase the purchasing occurring in Moraga from the existing households and capturing more from the economic activity already occurring.

Commissioner Daniels was not sure why the 720 dwelling unit project as opposed to the 560 alternative was being proposed since it would not add much purchase power and tax revenue. She asked why office space was needed given that the MCSP area was at the end of the road. She did not see that the Town would attract office space other than those already residing in Moraga or users through Lafayette or Orinda. She questioned the amount of office space being proposed.

Ms. Salamack explained that the economic consultant had reviewed that issue and had determined that the square footage being proposed could be absorbed over time. There was considerable area in the MCSP now that had been identified for office and there could be less office development than staying in the current zoning. The area near Aegis and Moraga Royale had been designated for Suburban Office. While 50,000 square feet of office development could be achieved, she stated it would take time.

Commissioner Driver asked the Commissions to consider the opportunity to develop a vision for a vibrant and successful Town Center when a recommendation was made to the Town Council. He emphasized that more discussion was needed for a vision on what the community would be excited about.

Ms. Salamack asked what additional information the Commissions would like to see in order to make a recommendation to the Town Council.

Commissioner Levenfeld requested more input from the public in terms of the community center/gymnasium and how that would relate to parking and the Commons.

An unidentified Park and Recreation Commissioner asked to reopen the discussion of the Corporation Yard at the Hacienda and opening that area for parking, although he recognized that was not part of the MCSP. He suggested that the Hacienda was not viable absent a parking fix.

Ms. Salamack advised that such direction would likely fall under the Town Engineer or the Park and Recreation Director.

Chairperson Goglia sought more detail about the traffic impact between the low and the high end and why it was counterintuitive whereby almost twice as much housing would not yield a significantly different traffic impact. She suggested that there could also be environmental impacts with additional vehicles and she requested more information on those topics. She recognized that the Commissions were struggling with all the facets of the MCSP and were not ready to make a recommendation.

Commissioner Socolich spoke to the various alternatives in the MCSP and asked for more information to demonstrate that additional retail or office space was needed for the various alternatives.

Chairperson Goglia suggested that a chart would be helpful. She wanted to see some discussion of cumulative impact with other potential developments in the Town.

IX. ROUTINE & OTHER MATTERS

A. None

X. COMMUNICATIONS

A. None

XI. REPORTS

A. Planning Commission

There were no reports.

B. Park and Recreation Commission

There were no reports.

C. Staff

1. Update on Town Council actions and future agenda items.

Ms. Salamack again reported that the Town Council meeting of April 8 had been canceled. The next meeting of the Town Council was scheduled for Wednesday April 22 when an appeal of the Palos Colorado Precise Development Plan would be considered.

XII. ADJOURNMENT

On motion and second to adjourn the Planning Commission meeting at approximately 10:00 P.M. to a regular meeting of the Planning Commission on Monday, April 20, 2009 at 7:30 P.M. in the La Sala Building at the Hacienda de las Flores, 2100 Donald Drive, Moraga, California.

On motion and second to adjourn the Park and Recreation Commission at approximately 10:00 P.M. to a regular meeting of the Park and Recreation Commission on Tuesday, April 21, 2009 at 7:30 P.M. in the La Sala Building at the Hacienda de las Flores, 2100 Donald Drive, Moraga, California.

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Secretary of the Planning Commission