

**TOWN OF MORAGA
PLANNING COMMISSION REGULAR MEETING**

Via teleconferenced locations

March 1, 2022
6:30 p.m.

MINUTES

THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953 (AS AMENDED BY AB 361), WHICH AUTHORIZED TELECONFERENCED MEETINGS UNDER THE BROWN ACT, DURING CERTAIN PROCLAIMED STATES OF EMERGENCY. THE GOVERNOR OF CALIFORNIA PROCLAIMED A STATE OF EMERGENCY RELATED TO COVID-19 ON MARCH 4, 2020. THIS TELECONFERENCED MEETING WAS NECESSARY SO THAT THE CITY COULD CONDUCT ESSENTIAL BUSINESS AND WAS PERMITTED UNDER GOVERNMENT CODE SECTION 54953 IN ORDER TO PROTECT PUBLIC HEALTH AND THE SAFETY OF ATTENDEES.

Consistent with Government Code Section 54953, this meeting was held via teleconference only, and was not physically open to the public. Town Councilmembers, Planning Commissioners and staff teleconferenced into the meeting by audio and/or video. The meeting was conducted via Zoom Webinar.

Chairperson Luster described the Zoom Webinar format and identified the available Town of Moraga website links allowing the public to participate with the Planning Commission in order to provide public comment.

Due to technical difficulties the meeting included no video but audio only and some Planning Commissioners experienced audio difficulties. As a result, all comments were not clearly audible.

1. CALL TO ORDER

Chairperson Luster called the Regular Meeting of the Planning Commission to order at approximately 7:10 p.m.

A. ROLL CALL

Present: Commissioners Bode, Davis, Helber, Polsky, Thiel, Vice Chairperson Hillis, Chairperson Luster

Absent: None

Staff: Afshan Hamid, Planning Director
Mio Mendez, Assistant Planner
Brian Horn, Associate Planner

Chairperson Luster welcomed new Planning Commissioner Nick Polsky.

B. Conflict of Interest (if any)

There was no reported conflict of interest.

C. Contact with Applicants

There was no reported contact with applicants.

2. PLEDGE OF ALLEGIANCE

Commissioner Davis led the Pledge of Allegiance.

3. PUBLIC COMMENTS

Chairperson Luster reported there were no public comments for this item.

4. ADOPTION OF CONSENT AGENDA

A. February 1, 2022 Planning Commission Meeting Minutes

On motion by Commissioner Davis, seconded by Commissioner Helber to adopt the Consent Agenda, as shown. The motion carried by the following Roll Call vote:

Ayes: Bode, Davis, Helber, Hillis, Thiel, Luster
Noes: None
Abstain: Polsky
Absent: None

B. Consideration of Consent Items Removed for Discussion

No Consent Items were removed for discussion.

5. ADOPTION OF MEETING AGENDA

On motion by Commissioner Bode, seconded by Commissioner Davis to adopt the meeting agenda, as shown. The motion carried by the following Roll Call vote:

Ayes: Bode, Davis, Helber, Hillis, Polsky, Thiel, Luster
Noes: None
Abstain: None
Absent: None

6. PUBLIC HEARINGS

A. Saint Mary's College to Approve a Permitted Use Determination (UP-01-22) and Design Review Permit (DRB-01-22) to Allow for the Construction of a 4,324 Square-Foot, 21-Foot, 10-Inch Tall New Baseball Stadium, New Entry Plaza, and Residential Landscaping at 1928 St. Mary's Road (APN: 258-150-005)

Planning Director Afshan Hamid introduced the item and reported that Saint Mary's College (SMC) had been working with staff on a significant project for its campus for a new baseball stadium, which had been anticipated as part of the 2017 SMC Campus Master Plan, and which had a previously adopted Environmental Impact Report (EIR). Since the adoption of the SMC Campus Master Plan, a lot had changed at SMC including staff changes and the pandemic. The project was now much smaller than anticipated but remained much needed for the SMC campus. Staff suggested the project would add to the functionality of the SMC campus, improve aesthetics and allow more efficiency for the SMC athletics team.

Assistant Planner Mio Mendez presented a PowerPoint presentation of the SMC Baseball Stadium Upgrade, as detailed in the March 1, 2022 staff report. He recommended the Planning Commission approve the Permitted Use Determination and Design Review application for a 4,324 square-foot, 21-foot 10-inch-tall new baseball stadium, new entry plaza, and redesigned landscaping at 1928 St. Mary's Road consistent with the SMC Campus Master Plan, Campus Plan Design Guidelines, General Plan, and Zoning Ordinance. He recommended approval of the proposed new baseball stadium project as conditioned in the draft resolution contained in Attachment A to the staff report.

Responding to the Commission, Mr. Mendez clarified the submitted plans had no indication of more amplified sound beyond what was already found on the SMC campus.

Ms. Hamid added that the new baseball stadium had been analyzed as part of the EIR for the SMC Campus Master Plan. No amplified sound nor lighting had been proposed as part of the new baseball stadium.

Sarah Speron, Vice President of Facilities, SMC introduced the SMC Team present including Mike Matoso, SMC Director of Athletics; Jim Vieira, Owner, Cal Mill Construction Inc.; Sam Harned, Landscape Architect; and Corey Viray, Senior Project Manager Cal Mill Construction.

Ms. Speron provided a PowerPoint presentation of the SMC Baseball Stadium Upgrade which had been scaled back based on donor funding. SMC was only able to fund 662 seats in the stadium and currently had no plans to increase the number of seats. She also clarified that no additional lighting or changes to sound had been proposed. The baseball games would occur as before with the only exception of raising the height of the nets to a height of 65 feet in order to prevent foul balls into the Recreation Center, and the addition of permanent bleachers.

Ms. Speron explained that SMC had been renting bleachers each season and was looking to have the bleachers in place permanently to allow the feel of a Division I Team. The second phase of the project would include the addition of a ticket booth, fencing and the completion of landscaping at the front of the project, with the funding remaining to be reached for that work at this time.

Mike Matoso, SMC Athletics Director, described the plans as a 16-year concept and highlighted the achievements and accomplishments of SMC's Athletics Department. He also referenced the number of new stadiums built in other colleges/universities with SMC trying to compete at a higher level in order to bring in top recruits, improve the student experience and improve safety by increasing the height of the nets. The project would be wholly donor funded with the intent to keep that competitive level across the board and improve the sustainability of SMC into the future.

Responding to the Commission, Ms. Speron reiterated the reason for the reduction in the number of stadium seats had been due to donor funding and SMC had no plans to increase the number of seats at this time. While SMC had the funds for the permanent bleachers and nets, it was working on the donor funding for the ticket office and landscaping, and while it was possible an expansion request may be considered in the future, SMC had no immediate plans to expand beyond 662 seats in the stadium. She also clarified the number of parking spaces as part of the original SMC Campus Master Plan and the analysis in the EIR for the project which had identified adequate parking for over 900 people. Given the reduced scale of the baseball stadium she suggested parking would not be an issue.

Ms. Speron also clarified pursuant to the campus site plan that a small gravel and dirt access road off of St. Mary's Road, which had been locked for the past two years, was to remain locked pursuant to the EIR. SMC had an easement with the East Bay Municipal Utility District (EBMUD)

and at times EBMUD could be parked in the area, had a key for the gate and had the ability to access the area.

Mr. Matoso also clarified how SMC had settled on the 662 seats in the stadium which was more than adequate for their needs. As to whether SMC would consider facility rentals, that had been provided during the summer months when SMC facilities had been rented out in the past.

Ms. Hamid stated she had discussed the gravel dirt access road off of St. Mary's Road with the Moraga Chief of Police and the area was intended for Emergency Vehicle Access (EVA) only.

As to the gravel paved-semi-permanent lot located at the northwest area of the campus and northwest of Rheem Boulevard, Ms. Speron explained that the lot was closed to student access but SMC had an issue with people moving the barricades and accessing the lot. SMC had an agreement with PG&E which had been permitted by the Town to access the area for work on the utility lines, but it had been closed since that time and the community had been asked not to use the lot.

Ms. Speron also provided an overview of the current campus conditions and temporary fencing, with the intent for more permanent bleachers, ticket office and landscaping. A small rendering of the seating was provided which would ensure adequate sight lines down the first and third baselines, and a depiction of the seat design was provided along with overhead views of the new bleachers and a perspective of where the bleachers would be located. She also noted the roof on the dugouts would be lowered and additional fencing and landscaping would be added. Again, the nets would be raised to 65 feet in height to prevent foul balls into the Recreation Center and offer improved safety to bystanders.

Ms. Matoso explained that the 65-foot height for the new netting had been based on the trajectory of where foul balls landed. Raising the nets would solve the vast majority of the issues with foul balls and was a standard height. No lighting had been proposed at this time for the baseball stadium but it may be entertained in the future and would require additional funding efforts. He pointed out that SMC was one of few college campuses which did not have stadium lighting.

Ms. Speron stated, when asked, that she was unaware whether the approved EIR had addressed stadium lighting since it was not part of the original scope of work and was not being proposed at this time. She also clarified that SMC had been working on providing outdoor seating on the campus for students due to the pandemic. There were already seating bleachers and a parking lot within the project area and SMC did not want to take out any more spaces and did not have space for individual bench seating. In addition, it was clarified that the material for the roof of the baseball stadium would be corrugated metal, not a standing seam metal roof, to match the color of the roof of the Recreation Center.

PUBLIC HEARING OPENED

Chairperson Luster reported there were no comments for this item.

PUBLIC HEARING CLOSED

Commissioner Davis reported he was an alumni of SMC.

On motion by Commissioner Helber, seconded by Vice Chairperson Hillis to adopt Resolution ___ - 2021 Approval of a Permitted Use Determination (UP-01-22) and Design Review Permit (DRB-01-22) to Allow for the Construction of a 4,324 Square-Foot, 21-Foot, 10-Inch Tall New Baseball Stadium, New Entry Plaza, and Residential Landscaping at 1928 St. Mary's Road (APN: 258-

150-005), subject to the conditions of approval contained in Attachment A. The motion carried by the following Roll Call vote:

Ayes:	Bode, Davis, Helber, Hillis, Polsky, Thiel, Luster
Noes:	None
Abstain:	None
Absent:	None

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

B. Review Annual General Plan and Housing Element Implementation Report for 2021 for Recommendation to the Town Council and Provide Input on Planning Department 2022/23 Work Program Priorities

Ms. Hamid introduced the item and advised that pursuant to state law each jurisdiction must prepare an annual progress report on the jurisdiction's status and progress in implementing its Housing Element. The State Housing and Community Development Department (HCD) tracked the data provided by the Town and the number of housing units built. When the information was submitted to HCD the Town would be aligned for transportation and other potential grants. She also clarified the agenda description asking the Planning Commission to provide input on Planning Department 2022/23 Work Program Priorities was actually a Town Council objective, and the Planning Commission was asked to only make a recommendation on the policies, programs and actions already set forth in the General Plan and those items already completed.

Associate Planner Brian Horn provided a PowerPoint presentation for the item as detailed in the March 1, 2022 staff report. He asked the Planning Commission to adopt the resolution contained in Attachment A to the staff report, recommending the Town Council accept the Annual General Plan and Housing Element Implementation Reports and authorize staff to submit those reports to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

Commissioner Davis requested the first sentence of the second whereas clause, as shown on Page 2 of the resolution contained in Attachment A, be amended to include an action verb. He was otherwise disappointed that Area 14 under the Moraga Center Specific Plan (MCSP) had gone from senior units to commercial housing, which significantly changed any impact reports the project would require. He suggested that was not the best use.

Ms. Hamid advised that the project referenced was not on the agenda, not before the Planning Commission for consideration, and comments could not be provided at this time on the applicant's intent.

Chairperson Luster understood that the American Rescue Plan Act (ARPA) funds could be used to backfill revenue loss and expenses due to COVID-19, including businesses and broadband and storm drain infrastructure. She asked whether the Town Council had considered other options for ARPA funding in addition to what had been listed in the staff report.

Ms. Hamid stated the Town Council was evaluating the allocation of ARPA funds and one of the options was working with the Moraga Chamber of Commerce.

Chairperson Luster clarified with staff the differences between the Minor Traffic Safety Program, Local Road Safety Plan and Safety Improvements – HSIP Cycle 10, as shown on Page 22 of the Implementation Report.

Chairperson Luster also pointed out that the Central Video Surveillance System (Carryover from FY 20-21) as shown on Page 31 of the Implementation Report had been shown on the list of projects twice, was a typographical error, and the final number would be clarified by staff prior to submittal to the state.

PUBLIC HEARING OPENED

Chairperson Luster reported there were no comments for this item.

PUBLIC HEARING CLOSED

Commissioner Helber was impressed with the amount of work staff had been able to facilitate in any year but particularly given the obstacles of the pandemic and he congratulated staff on its efforts.

On motion by Commissioner Helber, seconded by Commissioner Bode to recommend the Town Council Accept the Annual General Plan and Housing Element Implementation Reports and Authorize Staff to Submit These Reports to the Governor's Office of Planning and Research and the State Department of Housing and Community Development along with the Town's work program priorities related to implementation of the General Plan for the 2022-2023 Fiscal Year, subject to

- The first sentence of the second whereas clause, as shown on Page 2 of the resolution contained in Attachment A, to be amended to include an action verb.
- Staff to correct the typographical error on Page 31 of the Implementation Report which had duplicated the Central Video Surveillance System (Carryover from FY 20-21) in the list of projects, with staff to correct the total figure on Page 31 prior to submittal to the state.

The motion carried by the following Roll Call vote:

Ayes:	Bode, Davis, Helber, Hillis, Polsky, Thiel, Luster
Noes:	None
Abstain:	None
Absent:	None

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

7. ROUTINE AND OTHER MATTERS

A. None

8. REPORTS

A. Planning Commission

There were no reports.

B. Staff

Ms. Hamid reported the Planning Commission Academy had been scheduled for March 16 through 18, 2022 in San Ramon with Planning Commissioners encouraged to register with staff. The Town Council and Planning Commission would be holding a Special Joint Meeting on March 2, 2022 at 6:00 p.m. to discuss the Housing Opportunity Sites and Rezoning Options. Commissioners were encouraged to contact staff prior to the hearing if they had any questions.

Ms. Hamid also took the opportunity to recognize the services of former Planning Commissioner Andrew Lueder and thanked him for his service to the Town.

Commissioner Davis emphasized the benefits of the Planning Commission Academy and encouraged Planning Commission attendance, particularly given it would be held in-person this year.

Chairperson Luster also expressed her appreciation to Commissioner Lueder for his service to the Town, encouraged Planning Commissioners to attend the Planning Commission Academy, and clarified with Ms. Hamid the academy was a networking opportunity for Planning Commissioners but Commissioners were asked not to discuss any work-related items. She also thanked staff for trying to work out the technical difficulties during the meeting and again welcomed new Planning Commissioner Nick Polsky.

9. ADJOURNMENT

On motion by Vice Chairperson Hillis, seconded by Chairperson Luster and carried unanimously to adjourn the Planning Commission meeting at approximately 8:41 p.m.

A Certified Correct Minutes Copy

Secretary of the Planning Commission