



Town of Moraga

TOWN CLERK'S DEPARTMENT

MORAGA PLANNING COMMISSION MEETING JULY 20, 2020

CORRESPONDENCE RECEIVED AFTER AGENDA WAS PUBLISHED FOR ITEM:

5. PUBLIC HEARINGS

A. Moraga Center Specific Plan Implementation Project (MCSP-IP)

The Planning Commission will review the MCSP-IP for recommendation to the Town Council for the Adoption of Nine Zoning Districts within the Moraga Center Specific Plan Area and a Moraga Ranch Overlay District in Conformance with the Moraga Center Specific Plan Adopted in 2010. This will include recommendations for updates to Title 8 of the Moraga Municipal Code, Establishment of New Chapters within Title 8, and Amend the Town of Moraga Design Guidelines to include the Moraga Center Specific Plan Guidelines Adopted in 2010.

(Project Planner: Afshan Hamid, Planning Director)

NOTE: All correspondence enclosed was read into the record during the meeting in whole or in part.

From: [Holly Hartz](#)
To: [Afshan Hamid](#)
Cc: [Raquel Segovia](#)
Subject: Question about upcoming July 20th public hearing
Date: Monday, July 13, 2020 2:02:26 PM

Hello,

My name is Holly Hartz and I live at 800 Country Club Drive. I received the hearing notice and have a question. I heard that there are 600+ housing units planned for the land adjacent to Safeway. Is this true? And, if so, is this something that will be voted on in the upcoming July 20th hearing? I should ask, are there 600+ housing units planned for anywhere in Moraga?

Thank you for your time. I'm much obliged.

Best,
-Holly Hartz

From: [Holly Hartz](#)
To: [Raquel Segovia](#)
Subject: Question for the July 20th public hearing
Date: Wednesday, July 15, 2020 7:21:05 AM

Hello,

Unfortunately, I am unable to attend the upcoming July 20th meeting, but I have a question. I have heard that there are plans for 600+ housing units near or adjacent to the Safeway property here in Moraga. Could you please comment on the validity of that statement? Could you tell me if there are plans for any housing units near the Safeway, and if so, how many?

And, could you please tell me how I can access your answer? Am I able to access the recorded minutes of the meeting?

Thank you for your time.

Sincerely,
-Holly Hartz
800 Country Club Drive

Commissioners, Town Staff:

I am Barbara Preston and I request that before you read my previous email letter to you into the meeting record, I would like to preface it with a brief comment.

I like most Moragans came here because of, and cherish, the natural beauty of Moraga and wish fervently to maintain it. But I also realize the difficult strictures Senate Bill 330, effective January 1, 2020 has placed on our Town, as well as every other municipality in California. The goal of SB 330 was to increase affordable housing in California, a dire need. Be careful what you wish for; the unintended consequence has been that local governments, such as the Town of Moraga cannot control housing density or change zoning or codes for previously approved developments. That, of course, applies to the development of Moraga Center, approved in 2010. And so, if we wish to maintain Fire and Traffic Safety and the beauty of the scenic corridor entrance to Moraga on Moraga Way and Moraga Road, the Town needs to be creative in the approach to this development. A referendum or a law suit to eliminate this development or curtail it is not the answer; that boat sailed in 2005 when this development was approved after lengthy public comment ...SB 330 is State Law. But the citizens have made clear they want to minimize the impact of this development on Fire and Traffic Safety and on the Visual beauty of the Town. I urge the Commission and Town Council to creatively manage this within the strictures of this law.

Please read this message and my recent email into the record.

Respectfully, Barbara Preston, MD

1307 Larch Avenue, Moraga

For Planning Commission, July 20, 7 PM

Chairman Stomberg, members of the Planning Commission

My name is Barbara Preston and I live at 1307 Larch Avenue, in Moraga

I am addressing you this evening to express my concerns about the Moraga Center Specific Plan Implementation Project (MCSP-IP). Several aspects of the Implementation Project of the planned development concern me:

1. Fire Safety. I am deeply concerned about the impact on Fire Safety for the community and for residents who would populate this development. Police Chief King has said we can't evacuate the current population today; adding more residents will create and even greater health and safety issue. This development would increase the population of the Town by approximately 1500 people, which will further exacerbate the challenge of safe evacuation in event of a fire or other general emergency.

I would strongly urge the inclusion in the Town of Moraga Building Code the Enhanced Fire Standards recommended by MOFD Fire Chief Winnacker:

- Ember Resistant Building materials
- Sprinklers under Eaves
- Ember-resistant roofing materials

Health and Safety are top priorities of our residents as documented in the 2002 General Plan and Municipal Code.

2. Traffic. The current traffic density in Moraga is already a problem and seriously impacts the quality of life in Moraga. This development and all other approved developments and approved zoned developments are projected to increase our population by over 2600 residents. This would result in a maximum population of over 20,200 assuming a population of 17,600 today. With these additional residents we will exceed the maximum number of allowable residents (19,100) as stated in the General Plan of 2002
 - The original traffic MSCP plan assumed 300 senior units with travel trips 65% lower than single families. The proposed units are not restricted to Seniors, so if single families move in to these 300 units instead, approximately 2000 additional trips will be added to Moraga traffic.
 - Additionally, many zones within the development are retail/residential and office/residential. If these massive retail and office are not built but rather become residential units, hundreds of residential units not considered in the traffic study could be built, far exceeding the maximum traffic requirement defined in the original 2010 MCSP Traffic Study.

- Further, ADUs (Accessory Dwelling Units, AKA “Mother-in-Law” units,) were not considered in the original plan and may add thousands of new cars.

The culmination of all these items will create a traffic gridlock beyond manageable proportions and beyond that defined by the original, approved Moraga Center Specific Plan Traffic Study. I implore you to find ways to mitigate this traffic issue.

3. Visual Beauty, Town Character.

The residents of Moraga have complained about the 36- and 39-foot high City Ventures development across the street on Moraga Way; these residences were the first phase of the MCSP development and resulted in a petition of over 2,000 people complaining about the development encroaching on the scenic corridor and resulted in a lawsuit by Moraga residents suing the town.

- The visual beauty and character of this town is at risk by the placement of 45' buildings throughout this development, potentially within 40 feet of Moraga Way. How many other 45' buildings could be placed within Moraga Center and what would be their location and visibility from Moraga Way and Moraga Road? Today are no 45-foot buildings in our town anywhere. It is the overwhelming desire of the community that the visual beauty of our Town be maintained, particularly along the scenic entrance corridors to town. The visual entrance corridors as they exist define the nature of the Town that the residents wish to maintain. Please adopt zoning to restrict these buildings to areas avoiding a visual blight.

Commissioners, a premise of the Moraga Center Specific Plan when adopted in 2010 was that the type of development called for in the MCSP — smaller/higher density units, in a walkable, transit-friendly environment — will inherently have lower vehicle trip generation rates than traditional single-family or multi-family residential development. As currently proposed, the development of the Moraga Center does not match this promise.

I realize that this development was approved in 2010, but times have changed as the Town has grown, as we have suffered worsening traffic and ever worsening fire danger and lost orchards and scenic corridors. I ask the Planning Commission and Town Council to find options to mitigate these impacts.

I ask that my statement be read into the record of the July 20, 2020 Planning Commission Meeting.

Respectfully Submitted, Barbara

Preston, MD

From: David Trotter <david.trotter@dtrotterlaw.com>

Date: July 16, 2020 at 3:59:55 PM PDT

To: Marty McInturf <mmcinturf@moraga.ca.us>

Cc: "stromberg@stromberglaw.com" <stromberg@stromberglaw.com>, Cynthia Battenberg <cbattenberg@moraga.ca.us>, "haciendare@gmail.com" <haciendare@gmail.com>, Giora Beerli <beerig@gmail.com>

Subject: Moraga Center Specific Plan Implementation and Rezoning Project - 1550 Viader Drive Property

Hi, Marty. Below please find my public comments on the MCSP implementation and rezoning project which will be considered by the Moraga Planning Commission at its Monday, July 20 meeting. I have copied Planning Commission Chair David Stromberg on this e-mail, and respectfully request that my e-mail also be forwarded to other Planning Commissioners in advance of the Monday meeting. Thank you.

Hon. David Stromberg
Chair, Moraga Planning Commission and Honorable Planning Commissioners

Dear Chair Stromberg and Planning Commissioners:

The Commission will be considering adoption of a new Zoning Map for the Moraga Center Specific Plan (MCSP) area at its July 20 meeting. In that connection, I urge the Commission to take a closer look at the proposed zoning for the one-block area bounded by Viader Drive, Country Club Drive, School Street and Moraga Way.

Figure 4-2 splits this block into two proposed zones: (1) Mixed Office / Residential (12-20 dwelling units/acres); and (2) Community Commercial. The former post office building at 1545 School Street, now occupied by the *Joy in Motion* dance studio, is located in the Mixed Office / Residential area, and appropriately should continue to carry that designation.

The remainder of the block is in the Community Commercial area. This area includes the property at 1550 Viader Drive, which abuts and is contiguous to the Mixed Office / Residential zone. Consistent with the proposed development standards for that zone, 1550 Viader Drive is currently occupied by a two-story office building. Mike Miller of Hacienda Real Estate manages the 1550 Viader Drive building for its owner. It is located right next door to another office building located at 925 Country Club Drive at the corner of Viader Drive. 925 Country Club Drive is the former "Moraga Barn" property, and it also abuts the former post office building at 1545 School Street.

There is no compelling case for 1550 Viader Drive to remain in the Community Commercial zone. (The same logic would also apply to the office building located at 925 Country Club Drive.) The Community Commercial zoning designation for this area dates back more than 30 years – to a different time when the projected population of Moraga at build-out was significantly higher than it is now.

The Planning Commission has the opportunity, as part of the ongoing MCSP

Implementation Project, to take a fresh look at the land use designations in this area. Maintaining the Community Commercial zoning designation for the remainder to the block located to the northeast of 1550 Viader Drive and oriented toward the Moraga Way retail corridor and linking with the existing Moraga Shopping Center, is logical and makes good sense from a planning standpoint.

By the same token, the incremental expansion of the Mixed Office / Residential zoning to encompass both the former post office building and the properties on Viader Drive immediately adjacent to it would also be an appropriate course of action, and would also provide for more beneficial flexibility in the future in terms of allowing a small multi-family residential development as part of Moraga's response to the regional housing / jobs imbalance.

For all of these reasons, I request that the Planning Commission recommend to the Town Council that 1550 Viader Drive be including in the Mixed Office / Residential zone on the new Zoning Map to be adopted for the MCSP area.

I have spoken about this with Mike Miller and can confirm that Mr. Miller and the property owner are fully supportive of this requested rezoning.

Thank you for your attention, and the opportunity to comment on this matter.

Respectfully,

Dave Trotter

Law Offices of David W. Trotter 119 Allen Court
Moraga, CA 94556
E-mail: david.trotter@dtrotterlaw.com

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From: [Geoff Forner](#)
To: [Planning](#)
Cc: [Walter Braun](#)
Subject: Public Comment for 7/20/20 PC Hearing
Date: Thursday, July 16, 2020 4:28:37 PM

Good Evening,

We operate Aegis of Moraga at 950 Country Club Dr.

It is understood that certain parcels in the Town of Moraga are determined to contain solely residential 'dwelling units' due to pressures from the State and other agencies to meet RHNA numbers.

One common misconception is that by building a senior assisted living facility to care for the community's elderly, we are not providing new housing supply to the community.

In fact, by adding 80 new senior care units to a neighborhood, 80 seniors from the immediate community will vacate their single family homes, condos, townhomes, apartments or ADU's to move into this care community. These previously-occupied residences are now available to younger generations as 'unlocked' housing units. Due to the nature of the care facility, our residents stay an average of two years. Therefore, our care communities create a recurring pipeline of newly available/'unlocked' dwelling units within the community.

Residential care facilities are designed significantly different from traditional housing. There are numerous amenities included which are not included in traditional housing such as community dining rooms, kitchens, movie theaters, bistros, beauty salons, activity rooms, laundry service, etc. Therefore, the units themselves can be smaller, and are not regulated by density in >95% of California municipalities.

The R-20 Zoning allows for dependent care units but only in a very limited proportion to residential dwelling units due to the Town's desire for 'dwelling units.' As mentioned above, dependent care units allow for hundreds of unlocked housing units, and should be considered as such in the assessment of proposed projects and housing supply. Furthermore, because of the size of the apartments in our communities a Senior Housing Bonus of up to 100% should be allowed. (40 RCFE apartments per acre). This point has been shared with State legislators, and we hope there can be some clarity around contributions to housing supplies.

Geoff Forner

Aegis Living
1 Belvedere Place
Mill Valley, CA
94941
geoff.forner@aegisliving.com

From: [Terez Hanhan](#)
To: [Planning](#)
Subject: Fwd: Moraga Center Specific Plan - Resident Question
Date: Thursday, July 16, 2020 4:47:01 PM

Hi All,

Please see below.

I do not need my comments read at next week's meeting, but I just wanted to pass along my questions, in the hopes that you can direct me to the answers, or perhaps my questions were already scheduled to be answered in the meeting.

Thank you!

Best,
Terez Hanhan
180 Willowbrook Ln

Begin forwarded message:

From: Terez Hanhan <terezh@gmail.com>
Date: July 16, 2020 at 3:37:53 PM PDT
To: mmcluer@moraga.ca.us, mmcinturf@moraga.ca.us
Subject: Moraga Center Specific Plan - Resident Question

Dear Mr. McCluer,

Thank you for posting on NextDoor, soliciting questions from the community about the Moraga Center Specific Plan. We have been following the potential construction on the town's web site, and a letter was in our mailbox about the upcoming meeting.

We are new to Moraga -- moved from Texas a few weeks ago -- and we live on Willowbrook Ln, which backs up to the empty hill along Camino Ricardo.

I apologize if my questions are quite basic, or if they've been answered many times in the past. As new residents, we're still getting up to speed, and in the middle of a pandemic, it's all a bit of a blur. I do plan to listen in to the meeting on July 20th. I don't necessarily need our questions entered into public record, per se, but I wanted to reach out and begin communication with you.

As homeowners who back-up to the hill where construction might take place, we would like to know:

- 1) Has the Bruzzone family sold the land to a developer?
- 2) Will houses back-up to those of us who have backyards on the empty pear

orchard field, or will there be a greenbelt or space in between their yards and our current backyards?

3) What is the public safety study outcome for adding so many new residences and/or businesses to the Town, as far as the impact on evacuations during an emergency?

4) Are there noise ordinances and specific construction times in place, to alleviate disruption to those who live nearby?

5) What effect, if any, will there be on those of us on Willowbrook Ln, as far as drainage concerns or obstruction of a view?

6) What is the timeline for construction to begin for the entire project?

Thanks again for soliciting feedback from the community. Thank you for all that you do and have done for the community, and I hope that you and your family are as safe and comfortable as possible during these unprecedented times!

Best regards,
Terez & Alex Hanhan 180
Willowbrook Ln
Moraga, CA 94556

From: [Muriel Amsden](#)
To: [Planning](#)
Subject: MCSP-IP
Date: Thursday, July 16, 2020 9:40:16 PM

For the Planning Commission, July 20, 2020

I want to add my name to the letter submitted by Barbara Preston, MD, which I copied below. I share her concerns with the MCSP-IP and urge the planning commission to seriously consider them all.

Thank you,
Muriel Amsden
791 Crossbrook Dr.
Moraga, CA 94556

For Planning Commission, July 20, 7 PM Chairman Stomberg, members of the Planning Commission My name is Barbara Preston and I live at 1307 Larch Avenue, in Moraga I am addressing you this evening to express my concerns about the Moraga Center Specific Plan Implementation Project (MCSP-IP). Several aspects of the Implementation Project of the planned development concern me: 1. Fire Safety. I am deeply concerned about the impact on Fire Safety for the community and for residents who would populate this development. Police Chief King has said we can't evacuate the current population today; adding more residents with create and even greater health and safety issue. This development would increase the population of the Town by approximately 1500 people, which will further exacerbate the challenge of safe evacuation in event of a fire or other general emergency. I would strongly urge the inclusion in the Town of Moraga Building Code the Enhanced Fire Standards recommended by MOFD Fire Chief Winnacker: • Ember Resistant Building materials • Sprinklers under Eaves • Ember-resistant roofing materials Health and Safety are top priorities of our residents as documented in the 2002 General Plan and Municipal Code. 2. Traffic. The current traffic density in Moraga is already a problem and seriously impacts the quality of life in Moraga. This development and all other approved developments and approved zoned developments are projected to increase our population by over 2600 residents. This would result in a maximum population of over 20,200 assuming a population of 17,600 today. With these additional residents we will exceed the maximum number of allowable residents (19,100) as stated in the General Plan of 2002 • The original traffic MSCP plan assumed 300 senior units with travel trips 65% lower than single families. The proposed units are not restricted to Seniors, so if single families move in to these 300 units instead, approximately 2000 additional trips will be added to Moraga traffic. • Additionally, many zones within the development are retail/residential and office/residential. If these massive retail and office units are not built but rather become residential units, hundreds of residential units not considered in the traffic study could be built, far exceeding the maximum traffic requirement defined in the original 2010 MCSP Traffic Study. • Further, ADUs (Accessory Dwelling Units, AKA "Mother-inLaw" units,) were not considered in the original plan and may add thousands of new cars. The culmination of all these items will create a traffic gridlock beyond manageable proportions and beyond that defined by the original, approved Moraga Center Specific Plan Traffic Study. I implore you to find ways to mitigate this traffic issue. 3. Visual Beauty, Town Character. The residents of Moraga have complained about the 36- and 39-foot high City Ventures development across the street on Moraga Way; these residences

were the first phase of the MCSP development and resulted in a petition of over 2,000 people complaining about the development encroaching on the scenic corridor and resulted in a lawsuit by Moraga residents suing the town. • The visual beauty and character of this town is at risk by the placement of 45' buildings throughout this development, potentially within 40 feet of Moraga Way. How many other 45' buildings could be placed within Moraga Center and what would be their location and visibility from Moraga Way and Moraga Road? Today are no 45-foot buildings in our town anywhere. It is the overwhelming desire of the community that the visual beauty of our Town be maintained, particularly along the scenic entrance corridors to town. The visual entrance corridors as they exist define the nature of the Town that the residents wish to maintain. Please adopt zoning to restrict these buildings to areas avoiding a visual blight.

Commissioners, a premise of the Moraga Center Specific Plan when adopted in 2010 was that the type of development called for in the MCSP — smaller/higher density units, in a walkable, transit-friendly environment — will inherently have lower vehicle trip generation rates than traditional single-family or multi-family residential development. As currently proposed, the development of the Moraga Center does not match this promise. I realize that this development was approved in 2010, but times have changed as the Town has grown, as we have suffered worsening traffic and ever worsening fire danger and lost orchards and scenic corridors. I ask the Planning Commission and Town Council to find options to mitigate these impacts. I ask that my statement be read into the record of the July 20,2020 Planning Commission Meeting. Respectfully Submitted, Barbara Preston, MD

From: [Audrey Odonnell](#)
To: [Planning](#)
Subject: Ditto...
Date: Thursday, July 16, 2020 5:59:39 PM

Bobbie Preston...
Audrey and Jim O'Donnell

Sent from my iPhone

From: [David Long](#)
To: [Planning](#); [Tom Preston](#); [Barbara \(Bobbie\) Preston](#)
Subject: Moraga Center Specific Plan Implementation
project **Date:** Thursday, July 16, 2020 7:26:20 PM

Members:

I have been a Moraga resident for over 50 years, and have raised 3 children here (with my wife's assistance) and we want to very strenuously oppose the Moraga Center Specific Plan at your meeting on July 20, 2020.

Unfortunately we will be unable to personally attend your meeting of July 20, 2020 but want to make known to each of you our very strong feelings against further expansion and more residents living in the town of Moraga and the dangers to the present residents of Moraga in case of further forest fires or severe earthquakes. We have very limited evacuation routes available to us as it is now.

Our Fire Chief has already made it clear that in the event of either a severe forest fire in or near the Town, or severe earthquake on either the Hayward or San Andreas faults we can expect severe damage and loss of life because of our inability to safely evacuate our present residences in the town of Moraga. We saw what happened in Paradise, California several months ago and we don't need that problem because of our inability to safely evacuate our homes because of the very limited and restricted evacuation routes available to us now and possibly even then.

Very truly yours;

DAVID A. LONG
1259 Larch Ave.
Moraga, California
94556

From: [Alberto Montelatici](#)
To: [Planning](#)
Subject: MCSP
Date: Friday, July 17, 2020 2:24:22 PM

My wife and myself strongly object and say no to the MCSP Implementation Project comprising 187 acres of land along the Moraga Road and Moraga Way roadways and their intersections.

Leave Moraga the way it is and do not turn it into another traffic and pollution congested Lafayette or Walnut Creek. In the last 10 years we have already seen far too many constructions and developments.

Alberto and Angela Montelatici
1476 Camino Peral, D
Moraga, CA 94556

From: [Arun Saha](#)
To: [Planning](#)
Subject: Moraga Center Specific Plan Implementation project
Date: Friday, July 17, 2020 5:18:33 PM

I agree with Barbara Preston.

Please include my comment into record.

Arun Saha
1 Whiting Court
Moraga

Sent from my iPad

From: [Jacqueline Barnes](#)
To: [Planning](#)
Subject: MCSP-IP
Date: Friday, July 17, 2020 5:14:52 PM

For Planning Commission, July 20, 7 PM

Chairman Stromberg, Members of the Planning Commission

My name is Jacqueline Barnes and I live at 1785 School Street, in Moraga

I am addressing you this evening to express my concerns about the Moraga Center Specific Plan Implementation Project (MCSP-IP). I share Barbara "Bobbie" Preston's concerns re the Implementation Project of the planned development; fire safety, traffic, and visual beauty.

Additionally, I am deeply concerned about the development of the parcel bounded by Hazlewood Place, Country Club Drive, Canyon Road, and School Street. This parcel has been designated R20B, and is adjacent to Hazelwood and School Street, which are zoned 3DUA, and were developed in 1963. The Hazlewood parcel is the only R20 parcel in the MCSP abutting an existing low density development. Today, there are no 45-foot buildings in our town anywhere. Yet the MCSP-IP appears to allow 45' buildings feet from our back yard fences.

I implore the Planning Commission to be mindful of the Multi-Family Residential Site Planning Guidelines starting at page 130 of 396 in the packet. In particular:

- MFR2.6 Large building masses should be avoided.
- MFR2.7 Architectural style should reflect and enhance the character of surrounding neighborhoods.

I ask the Planning Commission and Town Council to find options to mitigate this impact on our existing neighborhood.

I ask that my statement be read into the record of the July 20,2020 Planning Commission Meeting.

Respectfully submitted,

Jacqueline Barnes, JD

From: [David Williams](#)
To: [Planning](#)
Cc: [Lisa B. Koltun](#)
Subject: Moraga Center Specific Plan
Date: Friday, July 17, 2020 6:15:05 PM

It is our understanding that the Town of Moraga along with the property owners have invested years of effort into crafting the plans for this development. In a different era, we would have strongly encouraged this development, as the thoughtful use of high density combined with office/retail and open space would have been an ideal use of this space. However, times have changed, and we are now faced with the reality of global warming, and the threats to life safety that this brings to rural areas, specifically the “wildland urban interface”.

It is well documented that we have limited ingress/egress issues for our valley, and the addition of approximately 1,200 additional vehicles in our valley would further hamper the safe evacuation of residents in the event of a wildfire. We live in a place that is as close to paradise as we have come, so let us not become another Paradise.

We ask that our statement be read into the record of the July 20, 2020 Planning Commission Meeting.

Respectfully,

David Mark Williams
Lisa B. Koltun
97 Brookfield Drive
Moraga, Calif. 94556
dmwcons2014@gmail.com

From: [Nelson Axelrod](#)
To: [Planning](#)
Subject: Moraga Center Specific Plan Zoning Implementation - Comments from the Axelrods
Date: Saturday, July 18, 2020 12:05:36 PM

To Moraga Planning Commission

Hi commission and neighbors,

My name is Nelson Axelrod, and I live at 1125 Larch Ave with my wife, Jennifer, and our two kids. I would appreciate you reading my comments into the record.

I am writing to share our family's support for the concerns that Bobbie Preston clearly articulated in her letter to the Commission. We share the same concerns: 1) fire safety, 2) traffic, and 3) visual beauty and our town character. Let me elaborate on the first concern since that is top of mind for our family.

Fire safety - In the event of an emergency, our lives depend on a safe and efficient passage from Canyon Road to Moraga Way. We experienced this firsthand in the October 10th, 2019 fire in the Sanders Ranch area. Our family awoke thanks to the sounds of our neighbors who drove down Larch Avenue and yelled out of their vehicles to evacuate immediately. We grabbed our kids, our pets, left our possessions behind, and raced to our car knowing the danger that a fire in Moraga poses for us. The air was smoky, cars and people seemed to pile into the street chaotically, and we wondered out loud if we would be able to get out. How long did we have before everyone would be stuck on Canyon Rd? Or Moraga Way? The comfort and security of our one way in, one way out small town is scary in a fire. As we turned onto Moraga Way and looked back towards Sanders Ranch, we watched the fire appear to grow over the hills. Luckily, as it turned out, it was a small fire that was quickly contained. The public safety communication systems didn't work, but lucky for us, there was no need for a wide evacuation order in Moraga.

What would happen in the event of a major fire in our neighborhood? How can we ensure our safety with the added density in the Moraga Center Plan? We would like to hear a fire evacuation plan presented by the Commission. We had a glimpse of it last year, and it was chaos.

We love Moraga just the way it is. It's small town character is why we live here.

Respectfully yours,
Nelson and Jennifer Axelrod

From: [Lisa T.](#)
To: [Planning](#)
Subject: Comment re Moraga Center Specific Plan
Date: Saturday, July 18, 2020 4:13:37 PM

Dear Planning Commission,

Our family recently moved to Moraga to escape the congestion and non-stop traffic of Berkeley. We have found the open spaces, freedom of movement, friendliness and overall "slower pace" so refreshing-a true oasis in the Bay Area. We were not residents here when the Moraga Center Plan was approved, so I can only comment on the situation now in the reality of 2020 and the COVID pandemic.

It appears that in 2010 Moraga was trying to increase tax revenue and build out open space through this large development. Ten years ago, I'm sure the planning board looked at this plan as exciting and brimming with possibilities. But since then, the world has truly changed. Here is why I am requesting that the development plan be re-examined and revised and/or put on hold for a period of at least 5 years.

1. COVID economic effects. The elephant in the room is COVID and the unknown economic and public health effects we will feel for years to come. Economically, we only know that the future is uncertain. Right now, we cannot utilize the many good dining and retail opportunities we currently have, and jobs related to those industries are fading away. How can adding more of these businesses in such uncertain times be prudent? With job uncertainty, many homeowners are unable to pay mortgages. Local landlords of retail and office space are worried- we may never return to using office spaces or restaurants in the same manner in which we have up until the pandemic. Adding more retail/office space at this time seems imprudent and unwise.
2. COVID health impact. In addition to the economic impact of the pandemic, health concerns for our town residents must be foremost in our planning. While much is unknown about the virus, we do know that some of the only safe zones are outdoor spaces. Here in Moraga, we are so lucky to have local trails and wide sidewalks utilized by not only our Moraga population, but now residents from other parts of Lamorinda and beyond come here to hike around our town. This plan removes much open space and does not replace it. I was shocked to see that no parks were required as part of the plan. Rather, the plan seems to rely on all of the new residents utilizing Moraga Commons. As we have seen of late, Moraga Commons is well used on a daily basis. With social distancing as a possible part of our future for years, how can adding hundreds more residents to the area be safe? All of these health and safety issues relating to COVID must be factored into a relevant and updated plan for development.
3. Fire safety. My husband and I recently participated in the CERT (Community Emergency Response Team) training to help our neighborhood in emergency situations. What we learned from this series of classes as well as from our local Fire Chief is that fires (and obviously earthquakes) are a part of our future, and evacuation is a key component of our town's safety. What makes Moraga so beautiful and unique is that it's surrounded by open space. Moraga is not a town you drive through to get somewhere. In effect there are only a few routes in/out of our beautiful corner of Contra Costa County which makes evacuation more challenging. Adding 630 "housing units" which translates into possibly thousands more residents adds an enormous burden

to keeping people safe in a large scale fire situation. Perhaps 10 years ago, we weren't thinking about the annual threat of fire, but it is now our reality. This plan's addition of so many more residents is a true concern for safe evacuations in fire and earthquake scenarios.

4. School burdens. We have one child at Campolindo, and he is having an amazing educational and social experience. When registering him at the school, we were told that there are several grade levels at Campolindo that are considered a "larger" class, meaning they have many more students than typical classes have had in the past. From what we have heard, this larger class size which was once an occasional phenomenon is now becoming a permanent situation. Adding to this pressure is the call for reinstating inter-district transfers. While I am not completely familiar with the inter-district transfer system, many of those who commented at the AUHSD Town Hall meeting last week are seeking to bring in students from outside the AUHSD for the sake of diversity. If that occurs, even more students will attend Campolindo. At this point, you have to ask: how can the addition of more families to the school system from this development plan actually work out? We are at risk of overburdening an already stretched school district, much of which gets funded by the generosity of its residents giving donations. Perhaps in 2010 there was space in the school system for many new families, but a new assessment has to be made to get current capacity figures to see if that is still the case.

I hope you will consider all of the above issues when re-examining the 2010 Moraga Center Specific Plan. Moraga and the world are in a very different time, facing different risks and burdens. What makes Moraga special is that it has maintained a close-knit community unplagued by the traffic, overcrowding and lack of natural resources that many other parts of the Bay Area suffer from. I urge you to reconsider whether the ten year old Moraga Center Specific Plan really fits our 2020 reality.

Thank you, Lisa
Tucker Moraga,
CA

From: hillberrys1315@aol.com
To: [Planning](#)
Subject: re: Planning Commission
Date: Saturday, July 18, 2020 8:39:05 PM

My husband and I fully agree with Barbara Preston. We are deeply concerned with the Moraga Center Specific Plan Implementation. We have been Moraga residences for 50 years and have seen many changes. Please read this at the meeting.

respectfully, Carmen and Peter Berryhill, 1315 Larch Ave.

From: [Ashley Hemkin](#)
To: [Planning](#)
Subject: Change to Housing Density in Moraga
Date: Sunday, July 19, 2020 5:53:07 PM

Dear Planning Commission,

I would like the following message read into the record regarding your discussion on the update of the Moraga Plan tomorrow, July 20th.

Chairman Stomberg, members of the Planning Commission,

My name is Ashley Hemkin and I live at 1068 Country Club Drive in Moraga.

I'm addressing you this evening to express my concerns about the Implementation Project planned development. I currently live directly across the street from Area 15 on Country Club Drive and am concerned for the following reasons:

- 1. Moraga is in a high fire risk zone.** As you are aware, Moraga only has a few streets in and out of town. Police Chief King has said we currently are unable to evacuate our current Town population. In 2010, fire risk was not a significant issue in Moraga, but it is now. What is the plan to make sure these 630 additional housing units AND Moraga's current residents will be able to evacuate Moraga safely and successfully if a large fire breaks out?
- 2. Traffic is already a problem in Moraga.** Realizing that this plan is several years old, how will these hundreds of units affect our Town's traffic problem in 2020? With these additional residents I believe we will exceed the maximum number of allowable residents (19,100) as laid out in the General Plan of 2002.
- 3. Wildlife is why many residents love Moraga.** I live across the street from "Area 15" and every morning our resident Gray Fox heads to "Area 15" to find it's food. This Gray Fox has pups and relies upon "Area 15" for survival. Multiple herds of deer, owls, hawks, turkeys and quail utilize "Area 15" daily. I plead with you to let these beautiful animals keep their home and not displace them for the sake of development. So much of Moraga includes its wildlife and being close to nature.

I appreciate your time and hope you think about why YOU originally moved to Moraga and if this current plan reflects the soul of our beautiful little town.

Thank you,
Ashley Hemkin

From: jnykodym@gmail.com
To: [Planning](#)
Subject: Requested rejection of resolution to increase development density of Area 16.
Date: Sunday, July 19, 2020 7:38:04 PM

Dear Moraga Planning Commission Members,

Please read into the record and/or include this comment into the official record. On behalf of my wife Patty and my sons Robert and Marco, I wish to express our opposition to the proposed increase in development density to Area 15 as depicted in Figure 4-2: MCSP Illustrative Land Use and Circulation Plan, found at page 4 of the Staff Report for the July 17, 2020 meeting.

We reside across the street from Area 15. We moved to our home because of the lower density by Area 15. The area is one of the few remaining pear orchards. It is a beautiful reminder of our community's history. This area also provides shelter and nutrition to a variety of wildlife that are an integral part of Moraga's semi-rural character. The area is a visual anchor for Moraga, as it is at a major cross-road.

We are also concerned about high density development of this area as it is adjacent to a egress path, likely used by the majority of the town's population during an emergency. It appears imprudent to load development at a choke- point, which could easily trap our community's residents during an urban fire event. Moreover, increasing the density of Moraga would put an undue burden on our schools, police and physical infrastructure. As to this last point, our town is faced with costly deferred maintenance of our sewers. Added development density will only exacerbate this problem.

Finally, we are concerned that development along the lower section of Country Club Drive poses an unreasonable hazard to vehicles driving down this very steep street. Country Club Drive curves to a driver's right as a vehicle drives down the street. This curvature reduces the line of site for vehicles entering Country Club Drive from the proposed development, thereby creating a collision hazard. Thank you for your consideration of our concerns.

A handwritten signature in blue ink that reads "Joe Nykodym". The signature is written in a cursive style with a large initial "J" and "N".

Joe Nykodym
1064 Country Club Drive Moraga,
CA 94556-1924

From: [Annie Frederick](#)
To: [Planning](#)
Subject: Please read at meeting July 20th
Date: Sunday, July 19, 2020 8:52:16 PM

Dear Planning Commission,

I would like the following message read into the record regarding your discussion on the update of the Moraga Plan tomorrow, July 20th.

Chairman Stomberg, members of the Planning Commission,

My name is Annie Browne and I live at 197 Corliss Drive in Moraga.

I'm addressing you this evening to express my concerns about the Implementation Project planned development.

1. Moraga is in a high fire risk zone. As you are aware, Moraga only has a few streets in and out of town. Police Chief King has said we currently are unable to evacuate our current Town population. In 2010, fire risk was not a significant issue in Moraga, but it is now. What is the plan to make sure these 630 additional housing units AND Moraga's current residents will be able to evacuate Moraga safely and successfully if a large fire breaks out?

2. Traffic is already a problem in Moraga. Realizing that this plan is several years old, how will these hundreds of units affect our Town's traffic problem in 2020? With these additional residents, I believe we will exceed the maximum number of allowable residents (19,100) as laid out in the General Plan of 2002.

Thank you,
Annie Browne

From: [Mark Hatch](#)
To: [Planning](#)
Subject: FW: Resident comment on Zoning Change on Country Club drive (correction)
Date: Monday, July 20, 2020 8:07:23 AM

Please use the following email, I was under the incorrect impression this was a rezoning request. The following has corrected this.

From: Mark Hatch <markjhatch@gmail.com>
Date: Monday, July 20, 2020 at 7:40 AM
To: <planning@moraga.ca.us>
Subject: Resident comment on Zoning Change on Country Club drive

My wife (Sue Ma) and myself (Mark Hatch) own 243 Sandringham Dr N, Moraga, CA and as possibly impacted by this proposed implementation of the Moraga Center Specific Plan and would like this email read into the record.

Our specific concern is the implementation of the plan permitting the "Old Pear Orchard" to be used for medium density housing. A lot has changed since 2010 and these changes need to be carefully considered. We are not in favor of the implementation of this portion of the plan for the following reasons:

1. Safety: There is only one egress for the residents of Country Club area that live up the street from Canyon Rd. Adding additional residents on this single egress situation will create an unsafe situation in the case of emergencies. With this area backing up to a dry foothills, this is a very real possibility during fire season. Indeed, some insurance companies have already either cancelled service in this area or have greatly increased their premiums because of this possibility.
2. Country Club Traffic: Although not visible during this unique Covid-19 period, the intersection of Country Club and Canyon is already very busy during morning and afternoon commute because of the day care business that is in the industrial park off of Country Club. It is very common to see cars backed up Country Club while waiting their turn to enter Canyon. This situation has actually been better the last several years because of the restriction of traffic over the bridge to one lane. Once that issue is addressed, the morning traffic on Country Club will be much worse.

As a frequent morning and evening pedestrian that crosses Canyon from Country Club, I have found it difficult, and often unsafe to cross Canyon. The addition of medium density housing in the old Pear Orchard, will make this much worse. We strongly encourage that this rezoning be delayed at the very least until after the Covid-19 crisis and the repair of the Canyon bridge. At that point, the traffic impact can be more clearly investigated and if appropriate, traffic control be planned for this increasingly busy intersection and included as part of the re-zoning.

This is a major change since the adoption of the plan in 2010.

3. Moraga Way Traffic: The failure of the medium density housing near the fire station to sell out has limited our insight into the real traffic impact on the critical path between Moraga Rd and Rt 24. We should wait to see the full impact of that prior decision before significantly adding to our housing stock. Again, another change since 2010.

4. Environmental: Although the Pear Orchard is private land, it is increasing one of the few open spaces in Moraga. We are sympathetic with the owners wanting to put this land to practical use. However, as a resident of Moraga, we also think we need to more fully consider the value of our open spaces before taking steps to further eliminate them.

We appreciate your consideration of these issues as you address what I am sure will be a difficult and divisive issue. We would be in favor of a low density (i.e. single family homes) zoning for this area.

Mark Hatch and Sue Ma
243 Sandringham Dr N
Moraga, CA, 94556

From: [Cathy Reaves](#)
To: [Planning](#)
Subject: MCSP Zoning
Date: Monday, July 20, 2020 9:45:59 AM

Chairman Stomberg, members of the Planning Commission My name is Cathy Reaves and I live at 1750 Spyglass Lane in Moraga. I am addressing you this evening to express my concerns about the Moraga Center Specific Plan Implementation Project (MCSP-IP).

Several aspects of the Implementation Project of the planned development concern me: 1. **Fire Safety.** I am deeply concerned about the impact on Fire Safety for the community and for residents who would populate this development. Police Chief King has said we can't evacuate the current population today; adding more residents will create an even greater health and safety issue. This development would increase the population of the Town by approximately 1500 people, which will further exacerbate the challenge of safe evacuation in event of a fire or other general emergency. **The planning commission should require any developments to adopt the Town of Moraga Building Code the Enhanced Fire Standards recommended by MOFD Fire Chief Winnacker: • Ember Resistant Building materials • Sprinklers under Eaves • Ember-resistant roofing materials** 2. **Traffic.** The current traffic density in Moraga is already a problem and seriously impacts the quality of life in Moraga. This development and all other approved developments and approved zoned developments are projected to increase our population by over 2600 residents. This would result in a maximum population of over 20,200 assuming a population of 17,600 today. With these additional residents we will exceed the maximum number of allowable residents (19,100) as stated in the General Plan of 2002 • The original traffic MSCP plan assumed 300 senior units with travel trips 65% lower than single families. The proposed units are not restricted to Seniors, so if single families move into these 300 units instead, approximately 2000 additional trips will be added to Moraga traffic. • Additionally, many zones within the development are retail/residential and office/residential. If these massive retail and office units are not built but rather become residential units, hundreds of residential units not considered in the traffic study could be built, far exceeding the maximum traffic requirement defined in the original 2010 MCSP Traffic Study. • Further, ADUs (Accessory Dwelling Units, AKA "Mother-in-Law" units,) were not considered in the original plan and may add thousands of new cars.

The planning commission should set the maximum number of units to be developed to be no more than what is currently approved. In addition, as each new developer applies, an updated traffic study must accompany the application.

3. **Visual Beauty, Town Character.**

The planning commission should set maximum building height to be no more than two stories to keep in character with the town. Additionally, the planning commission should require setbacks to be a MINIMUM of 40ft. Finally, all developments should require two parking spaces per unit ON SITE. 4. **Times have changed in the last decade.** Commissioners, a premise of the Moraga Center Specific Plan when adopted in 2010 was that the type of development called for in the MCSP — smaller/higher density units, in a walkable, transit-friendly environment — will inherently have lower vehicle trip generation rates than traditional single-family or multi-family residential development. As currently proposed, the development of the Moraga Center does not match this promise. From a practical perspective, **Moraga is not a "transit-friendly" environment.** The county bus comes once every 40 mins. This does not meet even the state bar to be considered "transit-friendly". **Wild fires have proven to be devastating, especially in communities such as Moraga where there is limited egress.** Further, **traffic in the community has significantly increased since 2010,** likely the result of many families becoming dual-income households due to the cost of housing. Allowing this project to go through without mitigating these very real issues will be devastating to the character of Moraga. I ask that my statement be read into the record of the July 20,2020 Planning Commission Meeting.

Cathy Reaves

From: [Robin Siefkin](#)
To: [Planning](#)
Subject: Endorsement of Mark and Sue Hatch's letter to the Planning Commission re: development of the pear orchard at the bottom of Country Club Drive, cross street Canyon Road
Date: Monday, July 20, 2020 11:22:58 AM

We write to add our support of the positions stated in Mark Hatch and Sue Ma's letter, submitted for reading into the record at the 7/20/2020 meeting.

Respectfully,

Robin & Jim Siefkin
340 Glen Alpine Street

Sent from my iPhone

From: [cindy.abel](#)
To: [Planning](#)
Subject: Country club drive potential development - please read at meeting tonight
Date: Monday, July 20, 2020 1:41:12 PM

Dear Planning Commission,

I've lived next to the property (Pear orchard on Country Club Dr.) on the north border for 30 years and am opposed to the proposed housing development.

Moraga doesn't need any more housing developments. Aside from the aesthetics of too many houses crowded on hillsides and open spaces surrounding our downtown, it's a huge safety issue.

We are a high fire danger area (evidenced by large increases in homeowners insurance). Our roads can't handle any more traffic, especially if we need to evacuate. The traffic coming from Canyon to Moraga Rd. is now a popular thoroughfare, thanks to traffic apps. I can attest to how fast cars drive and how many near misses I have witnessed at many intersections throughout our town, especially during commute hours.

Housing in that lot would block many spectacular views and disrupt the open feel of our lovely town.

The orchard is home to many different species of wildlife that contribute to the special feel of our town. On any given day numerous deer, red tail hawks, owls, blue herons, turkeys, coyotes and many other creatures can be seen thriving in that orchard.

We risk losing so much of what makes Moraga special with too much housing. Please do not allow this development.

Thank You,

Cindy Abel
1069 Country Club Drive
Moraga, CA

I

Sent from my iPhone

From: [C.E. PIVACEK](#)
To: [Planning](#)
Subject: Planning Commission Project MCSP-IP
Date: Monday, July 20, 2020 1:43:00 PM

Chairman Stromberg, member of the Planning Commission,

Moraga Center Specific Implementation Project(MCSP-IP)

Please read my concerns into the record

I am not in favor of the above mentioned project for the following reasons:

1. Fire Safety and Evacuation
2. Traffic impacted by additional residents
3. High Density dwellings may increase the spread of diseases such as Covid-19
4. Change the character of the Town of Moraga in a negative manner

Thank you,

Christine

Pivacek

From: [Cathy Durden](#)
To: [Planning](#)
Subject: Comment for the record
Date: Monday, July 20, 2020 1:45:17 PM

I am requesting these comments be read into the record for the planning meeting tonight.

I believe safety for current residents should be priority number one and then growth once safety measures are achieved. The current infrastructure does not allow for the current population of Moraga to evacuate the town if there is a wildfire.

Evacuation routes must be GREATLY enhanced first before approving any significant increases to housing units.

Please do this in the correct order. God forbid we do it the wrong way and we end up like the town of Paradise, CA.

Thank you for your consideration.

Respectfully,
Cathy Durden
111 Merion Terrace
Moraga 94556

Sent from my iPhone

From: [Kathleen Petto](#)
To: [Planning](#)
Subject: Moraga Center Specific Plan Implementation Project
Date: Monday, July 20, 2020 1:57:50 PM

To The Planning Commission,

Living at 1271 Larch Avenue was terrifying last year when in the early morning hours we had to be evacuated to the OSH and Safeway parking lots. The wind from the fire was blowing the ash horizontal and the red glow behind our house made us fear that we would loose our house.

From attending the fire safe meetings we knew to not leave town but to stay in our cars in the parking lot and if necessary a fire truck would be assigned to the lot to put up a curtain of water for our protection.

There are not enough open parking lots without trees or enough fire trucks to fight the fire and protect us in our cars as it is. To add hundreds of more cars to an already inadequate plan is not a plan but a recipe for disaster.

It might be more prudent to work backwards, see what our available resources are and use that as a limiting factor as to what project if any is more feasible for safety. Please read my comments into the record at the meeting on July 20,2020.

Thank you,

Kathleen Petto

DAVID R. BRUZZONE
PO BOX 97 • MORAGA, CA • 945 56

July 14, 2020

SENT VIA EMAIL

Ms. Cynthia Battenberg
Moraga Town Manager Town
of Moraga
329 Rheem Blvd.
Moraga, CA 94556

Re: Request Continuance for the noticed Planning Commission Meetings (July 20 and August 17, 2020) pertaining to MCSP-IP.

Dear Cynthia:

As you are aware my family is the principal owner of property within the Moraga Center Specific Plan area, and as a key stakeholder we require proper time to review, analyze and comment on what you are presenting to us and the Town. We have not seen this information before and it is incumbent upon the Town to present a fair, honest and fully transparent, and open process. As such, we respectfully request a “Continuance” of these two proposed Planning Commission (PC) meetings and also a more appropriate “review forum” to vet/discuss the changes proposed before the draft changes are forwarded to PC for approval.

The Covid pandemic with its’ health and safety concerns, is conflicting and interfering with an already complicated issue. There is a tremendous amount of information to be analyzed here, all of which require that all decision makers have a thorough understanding and knowledge of technical information they are acting on. If the Town hopes to approve implementation for a viable and successful specific plan then we will need thoughtful interaction and cooperation amongst the key stakeholders. This “review forum”, maybe something along the lines of multiple study sessions and preceded by us meeting directly with staff, would help insure a viable and successful specific plan.

Sincerely,
David Bruzzone

From: sf
To: [Planning](#)
Subject: meeting July 20 2020 MCSP
Date: Monday, July 20, 2020 3:13:32 PM

To: The Planning Commission of the Town of Moraga

From: Gosia and Les Kossakowski
chopinsf@aol.com

residents of Moraga for 20 years since July 2000

We are writing regarding the Moraga Center Specific Plan, which will be discussed at the meeting tonight, July 20, 2020.

1. We are asking the Commission not to make any decisions due to the unusual circumstances of the meeting due to COVID-19.

Residents do not have a chance to show up, state their concerns. This is a matter of a great magnitude for our town.

Please do not approve it without a fair and wide input of the public.

2. The MCSP assumes 630 housing units, of which 120 can only be affordable housing units (20 workforce housing and 100 senior housing).

Please do not approve the number of 630 units, since Moraga does not have an affordable housing ordinance for new developments. I brought it to the attention of the Town Council almost one year ago, when the citizens meetings and Town Council's meetings regarding MCSP took place.

The state mandates construction of affordable housing units, giving a privilege of higher density to the builder if affordable housing units are included in the builders' projects. We did not produce any affordable housing units in our allocation from the state. Therefore before any construction projects, especially the dense MCSP should be stopped until Town of Moraga creates an ordinance governing the rules of affordable housing. All local towns and cities have such ordinances: Orinda, Lafayette, Walnut Creek, Danville, Emeryville, Oakland, Emeryville.

3. Please look carefully at the plans of building a workforce housing over retail (area 8, off Moraga Rd at St. Mary's Road. Please do not approve such an idea. It does not fit the character of our town.

4. At the moment area 15 (at Moraga Way and Moraga Road) does not have a correct zoning for the proposed Compact Residential Condo/Townhouse housing.

5. Please consider and learn from the botched, horrific, and ugly projects that just provide large profits for the builders, but change the character of Moraga from semi-rural to a regular city: houses at Rheem next to self storage, Willowbrook Lane, the still empty houses on Rheem hills, and the compact townhomes between Moraga Way and Country Club Drive (near the fire station). Please remember that there was a Moraga citizens action to stop the townhomes near fire station, since the rezoning from commercial to residential did not happen legally, but the legitimate protest and petition which collected required amount of signatures, was squashed in court by the Bruzzone family lawyers. Every project can look great on paper, but in reality it will be something else. So please, we urge you, check these built already projects to get a picture what awaits Moraga.

6. Fire safety: there is MCSP and other approved projects, over 1000 homes more in Moraga. We have one lane roads leading to and from Moraga, therefore bringing at least 3000 or more residents will create unsafe situations in various emergencies.

7. The COVID-19 is opening everybody's eyes to the dangers of overcrowding. Moraga will become less safe place healthwise if we allow indiscriminately to build all this planned housing. Please delay your decision, so we can have more time to deal with this unprecedented situation.

At the moment there is not enough space in schools for kids to go safely to school every day. I think there has to be a study how many more residents Moraga can accept so children of Moraga can attend Moraga schools.

Thank you so much for your attention.

Sincerely,

Gosia and Les Kossakowski



July 20, 2020

Chair Stromberg and
Members of the Moraga Planning Commission
335 Rheem Boulevard,
Moraga, CA 94556

Subject: Agenda Item 5, July 20, 2020 Planning Commission Meeting – Moraga Center Specific Plan Implementation Project

Dear Chair Stromberg and Members of the Planning Commission,

We are pleased the Town is continuing its efforts to implement the Moraga Center Specific Plan (MCSP) and respectfully request the Town accept input provided by the Bruzzone family to establish meaningful land use regulations that will facilitate development consistent with the objectives of the MCSP, the Housing Element and State law. P/A Design Resources is a Civil Engineering and Land Planning firm that has worked with the Bruzzone family in Moraga for over 25 years. On behalf of our client, we offer the following preliminary suggestions and initial comments on the extensive draft revisions proposed to the Moraga Municipal Code.

1. In isolation, the proposed standards may appear to facilitate development consistent with the policies and goals of the General Plan and MCSP; however, there is no analysis of the implications of the aggregated standards as they would apply to an actual development site. Our preliminary review and analysis shows that the proposed standards will result in a reduction in development allowed and it would not be possible to develop the overall number of dwelling units envisioned in the General Plan, Specific Plan and Housing Element, possibly in violation of State law.
2. The development standards proposed for the R6 Zone have the unintended consequence of precluding compact detached residential development. As proposed, the only way to achieve the density planned for the R6 zone is through development of duplexes. However, the MCSP envisions both attached and detached housing units in sub-areas designated for medium density housing. Furthermore, as noted in the Planning Commission Staff Report (at p. 2 lines 37 - 39) the MCSP calls for "smaller/higher density units" rather than "traditional single-family residential development." As proposed, the 10,000 square foot single family lot sizes do not result in "smaller/higher density units."

The MCSP states that "...sub-areas 15 and 16 should accommodate medium density (6-12 du/ac) housing, designed to achieve compatibility to existing office and residential uses to the north, south and east." (MCSP p. 37). In addition, in reference to sub-areas 3, 15 and 16, the MCSP states that "[i]t is envisioned that these sub-areas could accommodate compact (attached or detached), residential dwellings..." (MCSP p. 33) (emphasis added)

As proposed, the R6 standards require a minimum lot size of 10,000 square feet for single-family development which would yield a maximum of 2 to 3 dwelling units per net acre, depending on the configuration of the land to be subdivided.

Sub-area 15 is approximately 6.37 acres and if developed at the density envisioned in the MCSP, it would yield 38 detached units (6.37ac X 6 du/ac=38.22 du). In contrast, the proposed 10,000 square foot minimum lot size would yield approximately 12 to 18 detached units in Area 15.

We recommend the Planning Commission consider revising the draft proposed R6 standards to allow greater flexibility in development of housing types by including an option of developing Compact Detached Residences. In addition to the standards proposed in section 8.32.065, we propose the following standards be added to the zoning code:

Table 1-Proposed Development Standards for Compact Detached Residential Subdivisions in R6 Zone

| Standard | Compact Detached Dwelling Units |
|--|---------------------------------|
| Density range | 4 to 6 du/gross acre |
| Minimum lot area | 3,600 square feet |
| Minimum lot width | 50 feet ⁽¹⁾ |
| Minimum lot depth | 70 feet |
| Minimum front yard setback to street facing garage | 20 feet |
| Minimum front yard setback | 10 feet ⁽²⁾ |
| Minimum side yard setback | 5 feet |
| Minimum building separation | 10 feet |
| Minimum private open space | 300 square feet |
| Maximum lot coverage | 60% |
| Maximum building height | 35 feet |
| Maximum building stories | 2.5 |

- 1) The front width of a lot is the shortest possible straight line between the side property lines measured at the point closest to the front property line where the straight line is both: (1) tangent to the minimum front yard setback of the subject lot in at least one point; and (2) either tangent or behind the minimum front yard setback of the subject lot for all points along that line.
- 2) Covered porches may encroach 5 feet into setback.

Limiting the type of development in the R6 zone that can achieve the intended density of 6 dwelling units per acre to duplexes is an unnecessary government constraint on the development of housing and serves no land use planning purpose.

Over the course of about five years, we cooperatively worked with Town staff on the design of a single-family home subdivision for Area 15. Our initial design (consisting of 36 single-family dwellings) was modified several times through an iterative design process with Town staff and ultimately reduced to 29 single-family dwellings (plus two on an adjacent parcel). We were ready to submit the plans along with a Planned Development application to the Town in 2019 and were instructed by staff that the Zoning changes to implement the MCSP were underway and that our proposed subdivision would be consistent with the approved Specific Plan. In good-faith we held off submittal of our application to the Town. We respectfully request the Town include development standards that accommodate detached single-family homes at 6 dwelling units per acre in the R6 zone.

3. Without an adequate customer base, development will not be possible if required to meet the requirement in Section 8.41.050 that all first-floor areas facing School Street in the Mixed Retail/Residential Zone have retail, restaurant personal service use or other uses that “provide a sense of activity.” We request the proposed requirement be modified to allow flexibility in the use of the spaces that could be changed over time to commercial or other “active” use spaces as the MSCP area is developed and demand for such uses materializes.

4. It is not possible to achieve the density and number of dwelling units planned for the MCSP area, in part, due to the excessive width of the proposed rights-of-way. For example, the 52-foot wide right-of-way proposed for the R3, R6 and R12 zones (p. 49 of proposed code amendment) is an inefficient use of land and the same objectives of the proposed right-of-way section can be accomplished in a much smaller area. As an alternative to the 52-foot right-of-way proposed, we offer the following alternative. The suggested changes in the table are in **bold typeface**.

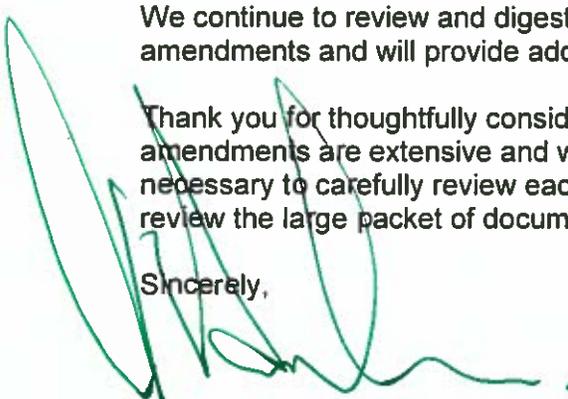
40-FT RIGHT-OF-WAY STREET STANDARDS

| | Details | Figure Key |
|------------------------------------|---------------------------|------------|
| A. Application | | |
| Design Speed | 25 mph | |
| B. Overall Widths | | |
| Right-of-Way (ROW) Width | 40 feet | A |
| Pavement Width | 28 feet | B |
| C. Lane Assembly | | |
| Traffic Lanes | Two (2) at 10 feet each | C |
| Bicycle Lanes | None | |
| Parking Lanes | One (1) at 8 feet, marked | D |
| Medians | None | |
| D. Public Frontage Assembly | | |
| Drainage Collection Type | Curb and gutter | |
| Walkway Type | 5-ft sidewalk | F |
| Curb Type | Square | |

We continue to review and digest the large volume of information in the proposed code amendments and will provide additional comment throughout the public input process.

Thank you for thoughtfully considering our preliminary comments. The proposed code amendments are extensive and we respectfully request the Planning Commission take the time necessary to carefully review each section and to provide the public additional time necessary to review the large packet of documents.

Sincerely,



Ross Avedian, PE, PLS, QSD/P
Principal
P/A Design Resources, Inc.

From: leahsaroni@aol.com
To: [Planning](#)
Subject: Proposed Change to Housing Density in Moraga
Date: Monday, July 20, 2020 4:25:50 PM

Dear Planning Commission,

I would like to have the following remarks read and on record regarding your discussion on the update of the MCSP Implementation Project.

My name is Leah Saroni and I live at 296 Sandringham Drive North.

My family and I are extremely concerned with the proposed change in zoning within the MCSP and how that would negatively affect many aspects of our lives and those of our fellow citizens of Moraga. We live on the hill above Area 15 and would be impacted daily by the influx of people were the proposed 630 additional housing units be approved.

Firstly, in the event of a **wildfire**, we would be the last people off the hill and evacuation traffic might quite possibly be backed up to the top of Country Club Drive, jammed behind the occupants of the proposed condensed housing units at the base of Country Club Drive.

Next, people are drawn to Moraga by the **schools**, which would be negatively impacted by extremely over crowded classrooms and overworked teachers.

In addition, cramming more residents into the MCSP area will further burden the **infrastructure** that is already bursting. Through traffic has temporarily decreased due to the bridge closure(s) but once complete, people from outside our town will resume using WAZE and our town as a shortcut to Walnut Creek and points East from Oakland. It's nearly impossible to cross Canyon at the bottom of Country Club Drive because of the number of cars passing through and the speed they are traveling.

Lastly, many of us moved to Moraga because of the tranquil environment and the inherent **wildlife** we are blessed to live among. If you destroy their habitat, where will the red tail hawks, quail, fox, bobcats, wild turkeys, deer, turkey vultures, and countless species of birds reside??

We, the Saroni family, implore you to reconsider adding to the Town's population which would in turn decimate the qualities of our Town that drew all of us here in the first place.

Thank you for your time and service to our much loved community,

Leah, Al, and Jack Saroni

From: [Kate Bekins](#)
To: [Planning](#)
Subject: Changes to 8.124 to be discussed at tonight's meeting?
Date: Monday, July 20, 2020 4:32:22 PM

Hello –

I received the notice of this evenings planning commission meeting.

At No “2)” of the notice, there is a reference to changes to the MMC. At the end a reference is made to Chapter 124- Accessory Dwelling units. I have reviewed the agenda, but I can not see where I would access exactly what in the chapter would be changed. Can you point me to the changes proposed?

Also – does the change only apply to the MCSP?

Thank you

Kate Bekins

**Scott Bowhay 1671
Camino Pablo Moraga,
CA 94556**

July 20, 2020

Dear Members of the Moraga Planning Commission,

I am sorry for this late comment for this evening's Planning Commission consideration of the MSCP Implementation Plan, but I would like it to be read into the record, so I will be brief, and save more expansive comment for when the Plan goes before the Town council at some point.

Unfortunately, the staff report itself, released last Friday, runs 396 pages, and that does not include a copy of the MSCP itself! That is a lot of information to absorb over a weekend, even for accomplished Planning Commissioners! There have been about a half dozen Town Managers involved in the formulation of the MSCP, along with a similar number of Planning Directors, perhaps fifteen different Town Council members on and off the Council since the plan was initially formulated, not to mention umpteen Design Review Members and Planning Commission members! Those who read the staff report will recall that the MSCP saw its first formulation in 2003, then was finally approved in 2010. That was a long time ago! One thing 2020 has shown us, is that a lot can change very quickly! And, over a decade or two, what once seemed like a good idea, can become outdated and irrelevant. To belabor the point, remember these events from 2003: Sky Marshalls were rushed into service to protect American Passenger Aircraft; the Space Shuttle Columbia disintegrated over Texas; Martha Stewart was indicted for insider trading; Gray Davis was recalled as Governor of California, ushering in "The Governator", Arnold Schwarzenegger, and Barnes and Noble was a great place to go browse through books, and to buy CD's.

Things from 2010 (like the MSCP) also are "old news"; that was the year the "Tea Party" was founded, and held its first convention; the BP Deepwater Horizon suffered an explosion, initiating the biggest offshore oil spill in U.S. history; another disaster was the PG&E Natural Gas Explosion in San Bruno; and for some of us, another sad day was when the Website "Limewire" was shut down by a Federal Judge, declaring "music sharing" to be illegal. But, on the bright side for that year, the San Francisco Giants defeated the Texas Rangers to achieve their first World Series win in 56 years...remember Cody Ross and Tim Lincecum? And Barnes & Noble was on the ropes...with Amazon.com firmly in control of both book and music CD sales and distribution.

2010 was also a very difficult year financially, there were even several foreclosures here in Moraga, and reserves were lean for the Town! It seemed an especially good time to get some growth going here in Town! Let's get some retail, so we'll have more sales tax revenues here in Town! But now, with the rise of "E-Commerce", the bricks and mortar retail environment is more difficult than ever! Those housing over retail units contemplated, would now likely be just another empty storefront below a high density set of apartments. In light of Covid-19,

those “cozy” apartments don’t seem like such a good idea. OK, I’ve belabored my point, though this plan has been long in formulation, it has fatal flaws (as we saw in the approval of the Moraga Town Center Homes Project....think “Setbacks”), and needs to go back to “the White Board” for some “freshening up”.

Even if we need to pay back the MTC for it’s latest grant, having time to “get it right” would be money, and time...well spent!

Thank you.

Scott Bowhay