

**From:** sf  
**To:** [Planning](#)  
**Subject:** RE MCSP  
**Date:** Wednesday, September 2, 2020 3:52:12 PM

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From: Gosia and Les Kossakowski  
651 Moraga Rd. Apt 11  
MORAGA CA 94556  
ph 925 247 0894

Dear Moraga Planning Commissioners,

We are writing to you regarding MCSP.

We are very concerned about driving out of Moraga in emergency.

There is MCSP and more other housing planned. The roads are serving to capacity with current amount of residents. Many Bay Area drive through Moraga for commute.

The climate changed a lot after the work on MCSP started. There is also more housing planned besides MCSP. Adding thousand of residents will add thousands of cars.

There are more and more fires in California and a third of a year is a fire season (July through October).

Having many housing units clustered in the MCSP area will be really unbearable for Moraga residents.

Perhaps the land buying was based on the speculation that there will be a highway connected to Moraga, but that did not happen. People make money on their investments or they loose money on their investments all the time.

The rationale of the Moraga government seems to be that landowners who want to build on their properties have to squeeze

the maximum of profits at the expense of our community. Please take a look at this project with fresh eyes, please think of the Moraga community and our semi-rural character. Please consider the emergency movement in and out of Moraga

and help people be free to make decisions to shelter in Moraga or leave Moraga if they wish.

With the climate changing at a rapid pace, we might have to reconsider implementing MCSP as it is.

Would anyone care that we cringe every time we pass the development next to fire station on Moraga Way, the Willowbrook homes,

houses next to storage at Rheem? Please use your Planning Commission powers to stop monster homes in Moraga, especially in small, infill areas.

Thank you for your attention.

Sincerely,

Gosia and Les Kossakowski



September 18, 2020

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

Delivered Via Email

Subject: Moraga Center Specific Plan Implementation – Design Guidelines

Dear Chair Stromberg and Members of the Planning Commission,

In our prior four letters regarding the proposed amendments to the zoning code intended to implement the Moraga Center Specific Plan (MCSP), we advised the Commission how the proposed amendments could be improved to better implement the MCSP, that many of the proposed development standards are inconsistent with the MCSP and would counter the objectives of the MCSP, and that many of the proposed standards violate State law, specifically the Housing Crisis Act of 2019 (SB 330).

The Planning Commission’s August 17, 2020 recommendation to the Town Council includes recommendations that are in direct violation of Government Code Section 66300(b)(1)(A) and (C). The law prohibits a city from enacting “...anything that would lessen the intensity of housing.” The pertinent provisions of the law state (with emphasis added):

*(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:*

*(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). For purposes of this subparagraph, “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.*

*(C) Imposing or enforcing design standards established on or after January 1, 2020, that are not objective design standards.*

Many of the new proposed MCSP Design Guidelines presented to the Planning Commission at its prior meetings were also in violation of SB 330 in that they contained new requirements that reduce the amount of land area available for residential development and thereby reduce the intensity of housing.

We appreciate the changes included in the most recent draft, attached to the September 21, 2020 Planning Commission Staff Report, and urge the Commission to recommend additional revisions and to direct the staff and consultant team to carefully study the implications of the proposed guidelines in the context of Moraga's land use values and the overall objectives of the MCSP and the requirements of SB 330.

### Street Guidelines

Guidelines proposed for the School Street extension are an improvement over the previously proposed guidelines, however, additional study is necessary to determine how the existing utility easements line up with the School Street extension and regional trail, how the proposed guidelines would interact with the MOFD standards, and balancing the amount of hardscape with the area available for landscaping. Modifications to the proposal might be necessary after analysis of these factors is complete to ensure the objectives of the MCSP can be accomplished, including the level of development envisioned in the MCSP. Examples of downtown roads in Bay Area communities (such as E. Prospect Ave in Danville) could provide a model for right-of-way widths at or less than 60 feet.

Section 8.2(C) needs to be revised to make it consistent with the sidewalk width contained in the guidelines for School Street Extension in Section 8.3.

Section 8.2(G) should be revised to refer to the roadway standards found on page 49 of the MCSP rather than the Town of Moraga Subdivision standards.

The School Street guidelines need to be clarified to apply to the extension of school street only.

For the existing segments of School Street, a guideline that the School Street Extension guidelines should only be implemented along the existing developed portions of School Street, to the extent feasible without removing existing off-street parking.

As drafted, it is unclear whether the Appendices to the Guidelines apply only to the Moraga Design Guidelines or to the Moraga Center Specific Plan Design Guidelines. Roadway, pedestrian and bicycle standards of Appendix C conflict with the proposed MCSP Design Guidelines and it should be made clear that they do not apply to the MCSP area.

### School Street Vehicular Bridge

The proposed requirement for a vehicular bridge over Laguna Creek is in excess of the requirements of the MCSP. Section 8.4 of the proposed guidelines require a "...vehicular and pedestrian bridge over Laguna Creek..."

The MSCP does not mandate both and rather states that the:

*“potential exists and that the linkage could be either with a vehicular or pedestrian bridge.”*

It also states that:

*“The potential for providing at least one linkage between the north side of the MCSP area and the south side over Laguna Creek has been identified in the plan diagram. These linkages, which would require one or more new bridges over the Creek, could be lowspeed, local roads to connect these two areas or they could be restricted to pedestrian, bicycle, golf carts and/or service and emergency vehicles in order to enhance opportunities for non-vehicular circulation in the heart of the MCSP area.”*

The guidelines need to be revised to require at least one linkage over the creek that is a pedestrian bridge or a vehicular bridge and allows, at the discretion of the property owner, both.

#### Town Square – Design Guidelines

With regard to a “Town Square,” the MCSP states:

“The ‘Town Square’ should include a fountain, public art or other prominent visual element, and will serve to slow traffic (through use of a plaza or similar facilities) entering the downtown area from Moraga Way and Moraga Road.”

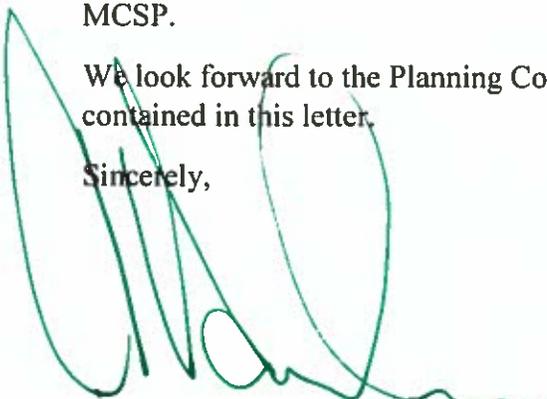
The proposed Town Square Design Guidelines drastically expands the scope envisioned in the MCSP and states that:

“The Town Square should be designed to serve as a community-wide focal point, primarily for civic purposes, with secondary commercial activities that are subordinate to civic activity.”

The design parameters specified in the draft design guidelines do not reflect the purpose of the “Town Square” as stated in the MCSP and need to be scaled back to be consistent with the MCSP.

We look forward to the Planning Commission’s thoughtful consideration of the comments contained in this letter.

Sincerely,



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



Emmanuel Ursu  
Principal Planner  
P/A Design Resources, Inc.