

Civic News

Moraga



Public Meetings	
Town Council	Wednesday, June 23, 7:30 pm Joaquin Moraga Intermediate School, 1010 Camino Pablo
Planning Commission	Monday, June 21, 7:30 pm Moraga Library, 1500 Saint Marys Rd
Design Review	Monday, June 14, 7:00 pm Moraga Library, 1500 Saint Marys Rd
Liaison	Friday, June 11, 8:00 am Fire Station, 1280 Moraga Way

Check online for agendas, meeting notes and announcements
 Town of Moraga online: www.moraga.ca.us
 Chamber of Commerce: www.moragachamber.org
 Moraga Citizens' Network: www.moragacitizensnetwork.org

• Police Report •



Car burglary, 5/15/10 A parent was attending a soccer game from 9:30 a.m. to 11:20 a.m. at J.M. and parked her car on Rimer Drive. An unknown person smashed out the front passenger window of her Honda Pilot and removed her purse with over \$200 in cash, a digital camera and several credit cards. A new low – a Saturday soccer game in broad daylight.

Watermelon attack, 5/15/10 A Deerfield resident's car was parked in front of the home, at approximately 11:30 p.m., when the homeowner heard a loud bang outside and a car drive away. A watermelon was thrown at the car from a moving vehicle. Watermelon mess was on the trunk and on the street. Damage estimate was unknown at the time of the report. Hopefully it will all come out in the wash.

Watermelon attacker strikes again, 5/15/10 Sometime between 6:00 p.m. on 5/15 and 7:30 a.m. on 5/16, an unknown person damaged the windshield of a Nissan Altima parked on Larch Avenue near Shuey with a watermelon. There were several smashed watermelons on the 1000 and 1100 block of Larch – but those vehicles weren't damaged. Estimated loss from the cracked windshield \$350.

Possession of Tobacco, 5/18/10 Moraga Officers were dispatched to the Commons Park on a report of two male juveniles skateboarding on the stage and possibly pointing a paint ball gun at a passerby. Turns out the gun was a broken air-soft gun. Cops smelled the distinct odor of tobacco on the kids. Five packs of Camel 99's were in one of the youth's backpack, two of the packs were open and missing cigarettes. The subject was cited for minor in possession of tobacco and released to the custody of his step-mother. The cigarettes were taken away and disposed.

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- Help the Town's chances of winning a \$10,000 grant for our 4th of July celebration. Take an 8 question survey at www.bringbackthe4th.com, put in the zip code 94556.
- Summer is here, have you signed up for a camp or program with us yet?

Donate money to the 4th of July Buy a Rocket Campaign
www.moraga.ca.us
 Click on the 4th of July flyer on the homepage and select a donation level on line.

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Rancho Laguna II Appeal

Uncertainty surrounds ridgeline development

By Sophie Braccini
 Photo simulation provided by the Towns web site can be found at: http://moraga.ca.us/production/moraga_Rancho_Lagunall.php



Final house configuration with no trees, view northwest from Joseph Drive



Final house configuration with no trees, view southeast from Rheem Blvd.



Final house configuration with mature screen trees, view southeast on Rheem at the crest



Existing view north from trail



Final house configuration with mature trees, view north from trail

May 26th was yet another long night in Moraga. 106 people, who came to that evening's Town Council meeting to hear whether or not the Planning Commission's approval of the 27-home Rancho Laguna II project would be upheld or not, waited until past midnight to hear the Council's decision. The appeal was neither granted nor rejected. Two of the three sitting members of the Council asked staff and the applicant to produce a new version of the project that would minimize the visual impact from public roads, but did not prohibit ridgeline development.

Malcolm Sproul summarized in one sentence what was at stake that night: "This discussion provides you with the opportunity to articulate your vision for the town," he said to Vice-Mayor Karen Mendonca, and Council Members Howard Harpham and Dave Trotter. Mayor Ken Chew and Council Member Mike Metcalf live too close to the development and had to recuse themselves. The decision hinged on the interpretation of ridgeline protection as defined in the Moraga General Plan, and the right of property owners not to be deprived of all economically viable uses of their property.

Trotter agreed with the appellant that the General Plan prohibits construction on ridgelines. "I have concluded that the Rancho Laguna project, in one very important respect – its proposal to place 12 homes on the ridgeline – is not consistent with the principles and text of the 2002 Moraga General Plan," said Trotter. He cited the prime principle of the text, which gives direction to preserve open space and undeveloped ridgelines, and cited article CD 1.5, which states, "Protect ridgelines from development." Trotter explained, "I firmly believe that one cannot 'preserve' or 'protect' undeveloped ridgelines by approving a major subdivision that allows homes to be built on this ridgeline." Instead he proposed eliminating the 12 homes slated to be built on a ridgeline and concentrate the development of the property on less environmentally sensitive areas such as along Rheem Boulevard or another part of the upper valley, if the appropriate and site-specific geotechnical findings supported such development.

Harpham disagreed with Trotter, suggesting that the right place to start the analysis of the question was in fact with the prop-

erty rights of the owner. He indicated that staff's opinion was that the proposed development was consistent with the General Plan, and that that was enough for him. He further indicated that requiring the developer to start over with new plans after years of work was not the right action to take. "We are going to set so many road blocks that in fact (the property owner) can't do it, and that's simply an injustice," said Harpham, who said that he would reject the appeal.

Mendonca's interpretation of the protection of the ridgelines did not include forbidding development. "Protect versus prohibit is one of the corner stones of this debate," she said. "Protect can mean prohibit, it can mean relocate, it can mean camouflage, screen, limit." She recommended that staff and the applicant work together on a solution that would guarantee that no home could be seen from any scenic corridor and the Lafayette-Moraga Trail, "If it means moving some of the homes to the lower portion of the development (along Rheem Boulevard) that is fine with me," she said.

Mendonca's position surprised residents who had been supporting her. "I was very sad to see Council Member Mendonca go against the core values that she espoused so enthusiastically in her election campaign of 2008," said Frank Comprelli. "Trotter's comments were very well thought out, and Harpham didn't run on an open space platform," said Malcolm Sproul, "I am very disappointed in Mendonca's comment, the rationale she used. Ridgelines are physical topographic features with a different value." Sproul agreed with Trotter's position that a decision by the Council to allow development on a ridgeline would set a dangerous precedent in the interpretation of the General Plan.

Mendonca later explained, "I actively supported it (Measure K) and I wish that it had passed; unfortunately, it did not. The will of the people still speaks in Moraga, and the will of the people in the November 2008 election was not to pass Measure K. It is entirely inappropriate, unethical, and illegal for me to use the language contained in Measure K to make land use decisions for the Town of Moraga. Therefore, I must use the current language of the General Plan to guide my decisions," said Mendonca.

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