



Moraga Civic News

Public Meetings

Town Council

Wednesday, March 27, 7 p.m.
 Wednesday, April 10, 7 p.m.
 Joaquin Moraga Intermediate School,
 1010 Camino Pablo

Planning Commission

Monday, April 1, 7 p.m.
 Moraga Library, 1500 Saint Marys Rd.

Design Review

Monday, April 8, 7 p.m.
 Moraga Library, 1500 Saint Marys Rd.

School Board Meeting

Moraga School District
 Tuesday, April 9, 7:30 p.m.
 Joaquin Moraga Intermediate School Auditorium
 1010 Camino Pablo, Moraga
 www.moraga.k12.ca.us
 See also AUHSD meeting page A2

Check online for agendas, meeting notes and announcements

Town of Moraga:

www.moraga.ca.us
 Phone: (925) 888-7022

Chamber of Commerce:

www.moragachamber.org

Moraga Citizens' Network:

www.moragacitizensnetwork.org



Police Report

False alarm, 3/18/13 It was the house cleaning crew who set off the alarm on a Paseo Linares residence. Cops check out the crew, who happened to be waiting on the driveway, along with the exterior perimeter of the house. Actual burglars wouldn't have waited for the police to arrive, looks like they were "clean."

Somebody's watching me, 3/17/13 A woman parked near Starbucks was upset that someone was parked in front of her car and watching her. The reporting person did not know the eye-baller, but was afraid to get in her car to go home in case the watchful individual followed her. Turns out she was a 47-year-old from Danville who had been shopping at T.J. Maxx. With a police escort the reporting person was able get in her car and safely get out of the parking lot. Crisis averted.

Turkey versus window, 3/17/13 A Devin Drive homeowner called police to report that something had just shattered her front window. Upon arrival, police located a dead turkey vulture that appeared to have had an unfortunate collision with the glass. The deceased bird was not ticketed.

Noise violation, 3/16/13 A home on Wandel Drive received a noise violation for having a loud party at 11 p.m. on St. Patrick's weekend. It's unclear how much ruckus the 20 guests and music caused, but police politely suggested the neighbors would prefer the sound of silence.

Harassing the party people, 3/16/13 Chalk it up to St. Patrick's day mischief, an intoxicated subject on Ascot Drive was yelling at people through a megaphone. The fellow was upset with a large group of college students at an adjacent complex who were having a loud party. Megaphone man was persuaded by police to stop harassing the students and stay inside his place for the balance of the evening.

Domestic Violence, 3/16/13 A 27-year-old male broke a window to enter a Donald Drive apartment and assault his girlfriend. He was arrested for domestic violence and residential burglary. The victim was taken by the fire department to John Muir Hospital in Walnut Creek.

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Town Seeks Ways to Help Theater

By Sophie Braccini

Over the past seven years the Rheem Theatre has changed operators numerous times as one business owner after another threw in the towel. Every time, the community rallied in support; but in the words of the current operator, an independent movie theater in a small town cannot be a for-profit business. There are many people who want the historic building to be preserved and operated as a theater; they view it as a community building and 'defining place' for Moraga. The support is so widespread that the Moraga Town Council included looking for ways to support the private business, within the confine of its limited abilities, among its goals for 2013. The council began its discussion March 13. Council members agreed on small first steps, but more significant town engagement may follow.

"We have to ask two questions," said Parks and Recreation Director Jay Ingram as he presented the staff report to the council. "Is the building worth saving? Is its use as a movie theater important enough to the community?" He suggested possible ways the town could support the theater, including waiving planning fees, giving it historical landmark status, signing a sub-lease agreement with the parks and recreation department for classes and camps that could be

held there when movies aren't playing, and financing some of the theater's equipment needs with low interest loans.

Residents came to testify about the importance of the Rheem Theatre to the cultural and recreational life of Moraga—many community events are held at the theater.

"People have asked why the chamber of commerce has been supporting the movie theater more than it does any other business," said past chamber president Edy Schwartz. "The Rheem Theatre is a foundation of our community and of our business community and needs to be supported in a very different way." Schwartz demonstrated the level of community support by pointing out that it took only six weeks to raise money for a new elevator, and offered information about growing attendance at the theater at a time when general attendance nationwide is decreasing.

The theater's importance was not challenged by the council. The four members present agreed with the residents and answered yes to Ingram's two questions. However, they had reservations stemming from the fuzzi-ness of the figures and a process of using public money to support a private venture.

The theater has major needs—in addition to the new elevator, second

bathrooms must be made accessible to disabled patrons and expensive digital projectors have to be purchased; it's unclear what the life span of these projectors would be.

Another major hurdle is that the current lease between property owner Mahesh Puri and the theater's operator, the California Annual Independent Film Festival Association, is expiring within a year.

"This is mostly a problem between a tenant and a property owner," said resident Maureen Freeman, who added that she supports the theater but believes that the town should not mingle in a private business venture.

Puri and his wife, Minoo, attended the meeting. They confirmed their support for their tenant but explained this piece of property, that comprises five other adjacent businesses, was not a profitable investment and had not been for years.

CAIFFA's Leonard Pirkle substantiated that support by explaining that Puri had reduced the rent, but he added that the Rheem Theatre would never make a profit. "Why not just put a stake through it then? Because it's a work of passion," he said.

CAIFFA also operates the Orinda Theatre. "Things are easier there because the movie theater is part of a larger business pool to draw from and the property owner was able to invest

and buy all the digital projectors," said Pirkle.

The council decided that all it can do for now is to waive fees for the theater when it applies for permits and encourage discussions about designating the theater a historical landmark. "That would help with some of the state requirements," explained the town's planning director, Shawna Brekke-Read. "We did it for the Pavilion (at the Hacienda de las Flores) and were authorized to build only one unisex ADA bathroom instead of two in order to preserve the interior." A historic landmark designation protects the physical features of a building, not its usage.

The council felt it could not use public funds to support the theater at this time. Town Manager Jill Keimach indicated that in order for a public entity to support a private venture, it had to demonstrate public benefits beyond its primary business function, and have a complete financial picture.

Staff was directed by the council to work on those findings. CAIFFA and Puri are starting their negotiations for a long term lease and working to clarify the financial elements. Planning staff will also meet with Puri to discuss possible historical landmark status.

Planning Commission Favors Free Enterprise Approach for Rheem Zoning

By Sophie Braccini

The Moraga Planning Commission convened March 18 to start making decisions about potential new zoning for the Rheem Center area, with the ultimate goal of making it easier for desirable businesses to set up shop. Its first decisions indicate that a majority of commissioners do not want the town to interfere with the free market.

According to commercial real estate broker Dave Schnayer, this discussion has been ongoing for 15 years and has included many meetings, town-funded studies and community outreach.

Despite the fact that several of the planning commissioners are newly appointed, only a handful of residents came to share their thoughts with the

commission; although many citizens participated in previous public meetings regarding the commercial zoning and revitalization of the Rheem area.

Planning Director Shawna Brekke-Read had prepared questions for the commissioners to answer so she could draft an ordinance that she will bring back for the commission's review.

The ordinance will spell out what commercial uses should be approved over-the-counter (permitted use) in order to provide a fluid and business-friendly process to prospective owners, and what types of uses would continue to need to go through a formal review process (conditional use), a longer and costly system that gives more control to the town but is a source of uncer-

tainty for business owners.

"What is your position on 'formula' businesses?" asked Brekke-Read. "Should they go through a review process in order to favor locally-owned ventures?" Most commissioners declared their support for free enterprise and refused to give preferred treatment to locally-owned businesses, although commissioners Tom Marnane and Jim Kline noted that the lack of charm of the current commercial scene could be attributed to chain or formula-based businesses.

The commissioners were also not inclined to set a limit on the concentration of similar businesses in close proximity.

They agreed that restaurants should be a permitted use, that out-

door sitting should be encouraged, and that outdoor display of merchandise was fine.

The commission decided that size could trigger a conditional use process, but wondered if the 2,000-square-foot limit proposed by the Economic Development and Action Committee was too constraining. It agreed that banks and other financial services should be permitted on the second floor of the center, but be conditional on the ground floor.

The only type of business the commission agreed to prohibit was manufacturing.

The discussion will continue when the planning director presents a draft zoning ordinance to the commission.

Share your thoughts, insights and opinions with your community. **Send a letter to the editor:** letters@lamorindaweekly.com

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