



Moraga

Public Meetings

Town Council

Wednesday, Jan. 28, 7 p.m.
Wednesday, Feb. 11, 7 p.m.
Joaquin Moraga Intermediate School,
1010 Camino Pablo

Planning Commission

Monday, Feb. 2, 7 p.m.
Moraga Library, 1500 St. Mary's Rd.

Design Review

Monday, Feb. 9, 7 p.m.
Moraga Library, 1500 St. Mary's Rd.

School Board Meeting

Moraga School District
Tuesday, Feb. 10, 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



Moraga Police Department

Barely battery, 1/18/15 Four patrons watching a movie at the Rheem Theatre were causing a disturbance. Management and other patrons asked the vocal group to be quiet. They kept up the ruckus, but one suspect changed seats and sat next to the "victim." The suspect patted the victim's leg, which was apparently unwanted physical contact, so the victim requested an assault investigation. Police contacted the involved parties at the scene. The district attorney is now reviewing the matter.

Smashed windshield, 1/17/15 While parked on Ascot Drive, a car had its front window shattered during the night while parked on the street in front of its owner's condominium. No suspects or leads at this time.

DUI 1/18/15 Although there were no ticketed DUIs over the New Year's holiday, three occurred this week in Moraga. At 1:30 a.m. a black Honda Accord was traveling southbound on Moraga Road with a flat right front tire. When police contacted the 18-year-old driver, they noticed the distinct smell of alcohol. The driver had a blood alcohol level more than twice the legal limit, that is, if he was of drinking age. The teenager also was cited for having two fake California driver's licenses. His car was towed away.

DUI 1/17/15 The tipoff was blowing through a stop sign on Camino Pablo at Hodges Drive at 35 mph after midnight. An 18-year-old Pleasant Hill resident was driving with a blood alcohol level of 0.10 percent, just over the limit of 0.08 percent. The subject was released to a friend on his signed Promise to Appear; two male passengers and the driver's dog were released at the scene without incident. Seems like walking would have been the better option for all involved from the get go.

DUI 1/15/15 Officer #173 was hard at work on the night shift again, this time on Moraga Road at Buckingham Drive, when a black Lexus was found to be speeding at 59 mph in a 35 mph zone. The middle aged resident was arrested for DUI and was just over the legal blood alcohol limit. The subject was released to his girlfriend on his signed Promise to Appear.

Stolen car, 1/14/15 A red Honda Civic was stolen during the night from a Courter Lane driveway.

Identity theft, two incidents – 12/31/14 (on Donald Drive) and 1/05/15 (on Baltusrol) The Donald Drive New Year's Eve incident involved an unknown suspect attempting to open 10 credit/charge cards. The reporting person said she was notified of the applications and immediately reported the fraud. Only one Visa card was obtained from US Bank for the victim on Baltusrol. The bank canceled the card before it could be used.

The following incidents also occurred between Jan. 6-18:

Non-Functional Firearms to be Destroyed – Rheem Boulevard
Driving on a Restricted License – Rheem Boulevard
Violation of Court Order – Ascot
Traffic Incident – Moraga Road
False Alarm – Moraga Valley Lane, San Pablo Court
Small Dumpster Fire – Camino Peral
Package Swiped – Draeger Drive
Stolen Bicycle – Donald Drive
Annoying Phone Calls – North Sandringham
Magazine Sales – Campolindo Drive
Tree Down – Corliss Road

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Historical Designation in Moraga Will Not Require Owner's Consent

By Sophie Braccini

To the dismay of several large property owners, the Moraga Town Council adopted the first reading of the historic preservation ordinance Jan. 15 that will allow the town to declare a building or natural feature of historic significance, even if its owner does not agree.

Dave Bowie, the attorney for New Rheem Theatre owner Mahesh Puri, made the case to leave the ultimate decision to the owner. "We understand the need for a historic preservation ordinance, but we think it is critical that there be a condition requiring the owner's consent," he said. He noted that the Planning Commission had been sensitive to the owner's concerns and had asked in their recommendation to the council that the owner's approval be required. He argued that the requirement of the owner's consent will ensure a collegial and harmonious process.

David and Joan Bruzzone who own properties in Moraga such as Moraga Ranch, one of several build-

ings the Planning Commission cited as historically significant, voiced their opposition to a text that would not require a property owner's consent. Saint Mary's College Director of Community and Government Relations Tim Farley voiced opposition as well.

Councilmember Dave Trotter led the argument to remove all reference to owner's consent. "It is appropriate to give the town that tool," he said. "Whether we choose to exercise that power in the future depends on how the future plays out. But I'd rather have that tool in the town tool kit than not have it." Trotter added that if the property owner has veto power, there would not be any dialogue within the community about the best way to protect historical character.

Councilmember Phillip Arth opposed this idea. "If the town designates a property a historical landmark, (the property owner) loses some of his rights," he said. Arth also mentioned the potential economic risks included in a historic designation. "You should

not try to force a designation down the throat of anybody, because if the project is not viable as a historic asset, it's not going to be maintained," Bowie said. Arth added that the advantages that come with the historic designation, such as Mills Act property tax relief or flexibility in Americans with Disabilities Act requirements, should be offered to owners, not forced on them.

Per the new ordinance, a town councilmember, the Planning Commission, the Design Review Board, the Moraga Historical Society or the property owner can nominate a building or feature for consideration of historical status. Considerations for a proposed historical landmark include: the structure must be over 50 years old; it must have characteristics that are linked to the heritage or cultural characteristic of the town; it is in an area, place or site of historical significance; or it is identified to be the work of a master architect or builder. After nomination, all applications will

be referred to the Moraga Historical Society for comment. Then the council will conduct a public hearing and provide a reasonable opportunity for all interested parties to be heard before making a final decision.

Orinda's historic preservation code requires that the city solicit the cooperation and participation of the property owner in the designation process – the owner's approval is not required. In Lafayette, the nomination can be made by either the owner or by the historical society, especially when there is community interest in acquiring the property or otherwise arranging for its permanent preservation – in that case, the owner's consent is not required.

Mayor Roger Wykle supported Trotter's position, as well as Councilmember Teresa Onoda who asked that pear orchards be added to the list of natural features that could be designated as historic. In the absence of Vice-Mayor Mike Metcalf, the motion passed 3 to 1.

Moraga Livable Road Plan Stopped In Its Tracks

By Sophie Braccini

The Moraga Town Council decided Jan. 14 that the different options to improve connectivity, pedestrian safety and traffic flow along Moraga Road needed to be weighed by the entire community before a decision is made. Staff was asked to come back with what it would cost to set up a mail-in or an online survey.

It's been more than a year since the planning department started working on a vision for the arterial between Campolindo High School and St. Mary's Road. After multiple public and committee meetings were con-

ducted, staff recommended a plan that would create a multi-use bike and pedestrian path along the entire road, adding bike lanes and potentially reducing the number of lanes from four to three between Corliss and Draeger drives.

Residents living on Moraga Road asked for even further lane reductions and increased safety. After being reminded about the speed bumps that were built on Camino Pablo years ago without much outreach, resulting in months of heated public debate, council members decided to get more feedback from the community.

The traffic study was also of concern to the council members. It showed that with the number of developments currently on the town's drawing board, a reduction in the number of lanes between Corliss and Draeger drives could lead to heavy congestion on Moraga Road, especially if no traffic light is installed.

The council asked planning director Ellen Clark to develop a proposal for a town-wide survey. No specific date was given for when this will be completed.

Moraga Town Center Homes Project Appeal to be Considered Jan. 28

At tonight's meeting, Moraga Town Council members will consider the appeal of the Planning Commission approval of the Conceptual Development Plan (CDP) for the 36-unit Moraga Town Center Homes project located adjacent to Moraga-Orinda Fire District Station 41 on Moraga Way. The meeting will start at 7 p.m. in the Joaquin Moraga Intermediate School auditorium. The Planning Commission's decision to approve the conceptual plan of the development located next to the fire station on Moraga Way was appealed by a group of residents. The basis for the appeal includes non-conformance of the project with the General Plan, non-conformance with the town's Scenic Corridor requirements, failure to properly analyze the traffic impacts and safety issues. The Moraga Country Club board of directors sent a letter to the town Jan. 15, expressing concerns about serious traffic and safety issues on the segment of Country Club Drive that adjoins homes in the MCC and is across from City Ventures' proposed project. Additionally, at the Jan. 21 Moraga-Orinda Fire District board meeting, board members declared that a "purely residential development is incompatible with the MOFD training center." Chief Stephen Healy was instructed to attend tonight's council meeting to express the board's position. Recent communications from MOFD had stated concerns; this latest strongest statement is not part of the staff report. *S. Braccini*

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