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Rancho Laguna Project Moved Forward by Commission but Appealed by Residents

By Sophie Braccini

On August 17 a unanimous Planning Commission approved the Conceptual Development Plan (CDP) and Conditional Use Permit (CUP) of the Rancho Laguna II project, 6 years after the process began. Residents questioning the impact of the plan both visually and environmentally have filed an appeal of the decision. The Town Council will have to make the decision to either approve the CDP and CUP, or send the project back for more study.

The plans call for 27 homes located on 169 acres of empty land along Rheem Boulevard, north of Saint Mary's Road. Six of the homes would be built along the boulevard and 21 on a southern plateau.

Planning Commission Chair Margaret Goglia was the last of the Planning Commissioners to voice her opinion at the meeting and she concurred with her colleagues in approving the project, adding "(Rancho Laguna) would be an asset to the community."

Speaking earlier, Planning Commissioner Bruce Whitley recalled the past 6 years during which he watched the project evolve. "It's my opinion that it is essentially a good project," he said "we've come a long way in the six years and I will approve the project."

He nonetheless highlighted the fact that the project is highly controversial, and that whether the impact was 'below significant' was a tough judgment call.

Two of Whitley's main concerns had been voiced in the years before and were presented again by Moraga residents during the hearing. One issue is whether or not the development is located on a ridge line. The elevation of the southern plateau could be high enough to be considered a minor ridgeline.

The homes proposed for the southern plateau would not be seen from Rheem Boulevard, but Birchwood Drive residents would overlook it, and they could also be seen from part of the Bluffs and some Lafayette residences. Birchwood resident Suzanne Bare expressed her concern with the value of the home her family recently purchased. "This project would have a new adverse visual impact for current residents," she said, "and it will affect the property values along the street." She recognized that the development had positive benefits, but she was disappointed that the developer was not being sensitive to the visual impact of the project for those residents who have a direct view of it.

The other concern is with the creek that runs along the property. The developer proposes to fill up the existing creek, and re-engineer a new one that, according to him, would be more efficient. A benefit would be to stabilize the very unsafe Rheem Boulevard for a fraction of the cost of the other solution: a long retaining wall. But, as Whitley pointed out, it would still destroy a natural water way.

In 2006, the California Regional Water Quality Control Board wrote, "the Water Board has serious reservations about the ability of the Project Sponsor to mitigate for the magnitude of such losses (creek and riparian corridor)...Further, we do not support the concept of creating a water course on top of engineered fill in the manner proposed by the Project Sponsor due to the high risk of failure and potential for downstream water quality impacts."

Planning Commissioner Allison Daniels reminded the commission that the valley buttress needed the approval of the Department of Fish and Game and that if declined, the only option left for fixing Rheem Boulevard would be a retaining wall. That option had been priced at around \$3 million by Town Engineer Jill Mercurio, and the Rancho Laguna developer has only agreed to pay less than a quarter of it.

These elements were not sufficient to stop the Commission from approving the project, but they are the basis of the appeal filed on August 27 by a group of 30 residents. The Town Council should hear the matter at its regular meeting on September 23rd.

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