



Independent, locally owned and operated!

www.lamorindaweekly.com 925-377-0977

Published November 11th, 2009

Rancho Laguna Development Appeal

By Sophie Braccini

A few weeks ago, Moraga residents appealed a Planning Commission decision that approved the Rancho Laguna II residential subdivision located along Rheem Boulevard, including a Conceptual Development Plan and the Conditional Use Permit. The Council started hearing the appeal on October 28, continued the hearing on November 4, and will pursue it into January, 2010.

Applicants and appellants presented pages of arguments to a three-member Council since two Council Members, Vice-Mayor Ken Chew and Council Member Mike Metcalf, residing less than 500 feet from the proposed development, had to recuse themselves. The three remaining council members asked for technical clarification from Town staff and a visual simulation from the applicant in order to make their decision. The appeal should be heard again on January 23.

Renata Sos, Suzanne Jones and Bill Vaughn presented for the group of appellants. Their argument rested on four legs: The Project's proposed ridgeline development and elimination of a natural creek would be contrary to the Moraga General Plan; the project would have significant visual impact contrary to the General Plan; elimination of a creek is contrary to the California Environmental Quality Act (CEQA); and finally the group said that alternatives to the developer's plan were not sufficiently studied because of a perceived benefit by the Town.

In its proposal, the developer said it would build a valley buttness that would eliminate the creek as it is and stabilize Rheem Blvd for a fraction of the cost of any other solution. However, the appellants argued that the Water Board was likely not to approve the plan, leaving the area with a development and no solution for Rheem Blvd.

Mark Armstrong spoke for the developer, Rancho Laguna LLC, and stated that the project complies with Moraga's General Plan, that the visual impact from anywhere other than Rheem Blvd. would be barely noticeable to the public and that on Rheem itself the homes will be well camouflaged by landscaping. He explained that most of the property will remain open space, and that establishing a new creek is a very well known and safe process that should in fact improve the outcome for adjacent residents. He added that the valley buttness is the only economically feasible way to repair a Rheem Blvd that's desperately leaning toward that old creek. He reminded the Council that in working with the Planning Commission, the developer made significant changes to the original project.

At the November 4th meeting resident Chuck Treat, who lives right across from the Rancho Laguna proposed development, spoke in favor of the project. One of his concerns is the possible litigation that would be brought upon the Town if it approved the appeal. "The applicant has done everything that the planning commission asked them to do," said Treat, "if the town upheld the appeal now it would be what is legally referred to as an 'illegal taking'."

At that meeting, the three participating council members asked staff to check the geological impact of the development. They asked the developer to provide a simulation of the visual impact with and without landscaping, with different building heights, including the maximum allowed of 35 feet, as well as what the development would look like along Rheem Blvd.

Reach the reporter at: sophie@lamorindaweekly.com

Copyright © Lamorinda Weekly, Moraga CA