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Dollar Tree Still Undecided

By Sophie Braccini

The Moraga Planning Commission tried hard on September 7 to find common ground to either accept or reject the application of the Dollar Tree store, but could not. Agreeing to disagree, a sub-committee was created that will work on a text acceptable to a majority of commissioners. At stake is 9,000 square feet of retail space in the Rheem Shopping Center, formerly occupied by Blockbuster and small businesses.

"It is a matter of policy-making," said Commission vice chair Russell Driver, "the town is being taken off guard; it does not have a framework set to really reflect what most people who live in our town want to see happen."

In neighboring Lafayette, the city has established a set of references, defining a retail business district (RB) and a special business district (SRB). The regulation specifies elements such as "...to foster development of an especially attractive, high-quality retail shopping area, emphasizing pedestrian convenience (SRB)," or "...to create, preserve and enhance areas with a selective range of retail and personal service establishments in attractive, compact locations oriented toward pedestrian comparison shopping (RB)."

In the absence of such a vision for Moraga, the commissioners struggled to interpret the Municipal Code and General Plan.

Although attendance was thinner than at the previous meeting, some powerful statements were made by members of the public.

Bill Snider, owner of Moraga Hardware in the Moraga Center, admitted that the commission probably couldn't do anything but approve the Dollar Tree's application, but he added, "You, as the planning commission, should be tired of big retailers that misrepresent themselves. Local business owners are the ones who give to MEF, to Kiwanis, to Rotary, etcetera. With this kind of retail, the money is not reinvested in the community."

Resident Hollie Lucas-Alcalay stated that she refused to roll over. "Having this store here will change the perception of potential home buyers coming to our community," she said, "and perception is everything."

Another speaker, Lynn Davis, researched the retailer and presented evidence of poor quality and even risks to the community. She cited the Consumer Product Safety Commission (www.CPSC.gov) that lists two pages of items recalled from Dollar Tree stores during the month of July, including such things as counterfeit extension cords recalled due to shock hazard, glue guns recalled due to fire hazard, and toy jewelry recalled for a lead poisoning hazard to children.

Commissioner Roger Wykle said that he could not support the application because, in his judgment, the store would not enhance existing usage and strengthen the character of the town and commercial centers, as is required in the General Plan.

Commissioner Stacia Levenfeld reached the same conclusion, stating that store would have an excessive negative economic impact on the community.

Opposing Wykle and Levenfeld were Commissioners Tom Richards and Dick Socolich, who supported the Dollar Tree application - not on the store's merits, but rather because they didn't see any actual grounds on which to base a denial. "As much as I may not like it, I don't see how we can't support it," said Richards.

Commissioners Driver, Bruce Whitley, and Chair Jim Obsitnik wanted to amend the application to reach approval; Obsitnik wanted to remove all conditions of approval from the text, while Whitley and Driver looked to reinforce them so the store would be a better fit for Moraga.

Planning Director Lori Salamack, who hoped to see a resolution that night, and Commissioner Tom Richards, who said that the Commission owed it to Kimco to give them a clear response on what the Town wanted, were unsuccessful in their attempts to draw a compromise.

In the end a sub-committee was created, composed of staff and Commissioners Socolich and Whitley, and charged with crafting a text that could be acceptable to a majority of the Commission, which will next convene on September 20th.

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