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Referendum Petition Launched to Halt Downtown Development

By Sophie Braccini

The same residents who appealed the planning commission's approval of the City Ventures proposed development on Moraga Way have now launched a signature campaign to put on the ballot a referendum to protest the adoption of this project's zoning. The group has until June 26 to collect signatures from a little over 1,000 voters. If they succeed in gathering enough signatures, the council will have to decide whether to annul the zoning decision, or put the question to a public vote.

For Dick Olsen, Scott Bowhay and Denise Coane, the proposed 36-unit attached single family residential subdivision along Moraga Way, next to the fire station, is in contradiction with the town's semi-rural character, and, Olsen says, goes against what residents did 40 years ago when the town was incorporated to stop over-developing.

"The three of us met with legal counsel to draft this petition," explains Olsen. The Moraga three then trained others who have started to circulate around town to collect signatures from registered voters. "We have about 50 people who have volunteered to help," explains Bowhay. "All of the people who will be collecting signatures are volunteers."

The signature gatherers are advised to avoid the shopping center, a private property, but to seek large gatherings, such as swim meets, to engage fellow residents. They might also put tables in highly visible locations so people can stop and sign. The script the volunteers are given is rather simple, presenting the proposed project as a massive, high density, multi-story housing complex that could set a precedent in changing the character of the town. It is also the first parcel of the Moraga Center Specific Plan (MCSP) to be developed on an arterial.

What the group wants is to revert to the General Plan zoning of "suburban office" for this parcel.

"We would like to see on this site office buildings similar to the ones that have been built on the adjacent parcels," says Olsen. "They have deep setbacks and do not block the views on the scenic corridor." He adds that this kind of development would have minimal impact on traffic.

City Ventures Director of Development Charity Wagner said that it was a shame that there are people who don't see the benefits of revitalizing the town center. "The 36 homes that were approved by the Town Council represent the minimum density allowed by law," said Wagner.

"These homes will help to revitalize the downtown by turning a vacant dirt lot into a neighborhood of new homes. As part of that revitalization, construction of these homes will provide \$100,000 to local schools, \$350,000 to town parks, and \$155,000 to help improve traffic and transportation."

Town staff is ambivalent to the referendum. Town Manager Jill Keimach stated that a referendum is part of the democratic process, giving voice and another options to voters. "I am supportive of that process," she says, talking about referendums in general. "I am not sure, however, that a referendum against zoning, that state law requires to be consistent with specific and general plans, will assist those who don't want the City Ventures project."

The zoning the council approved is the lowest possible to still be consistent with the MCSP - 12 units per acre when the specific plan allows 12 to 20 units per acre. Planning Director Ellen Clark added that the town is required by law to align the zoning with the Specific Plan that was adopted and declared compliant with the General Plan in 2010. "Repealing the zoning amendment, which would restore the previous suburban office zoning, could put the town in a difficult position from a legal standpoint," she said.

The Moraga group said they studied the work of the Martinez Friends of Pine Meadow that recently collected signatures to stop the city of Martinez from rezoning a park from permanent open space/recreational to residential. At this time, the Martinez Friends have collected enough signatures and the Martinez council has decided that the zoning change will be a ballot question in the November 2016 general election.

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