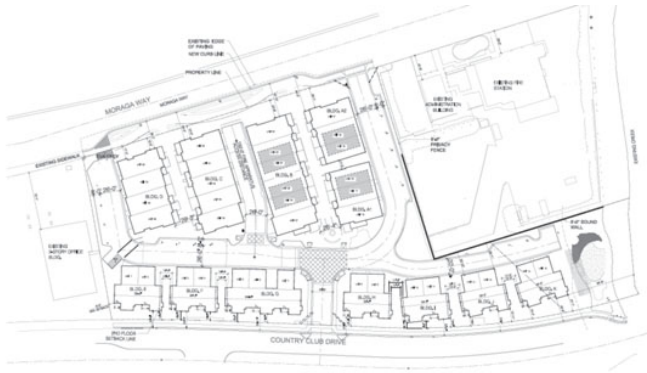


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Planning Commission Stalemate Stalls Moraga Center Homes

By *Sophie Braccini*



Map of the Moraga Center Homes. Image provided

with conditions by the council last year; the other group made of commissioners Kymberleigh Korpus, Ferenc Kovac and Suzanne D'Arcy explained that the CDP required more analyzing of the conceptual text to see if it complied with the town's regulations.

Charity Wagner of City Ventures presented a project now in its 13th public meeting. The new plan for the three-acre lot located between Moraga Way and Country Club Drive, next to the fire station, now includes a setback of at least 15 feet from Moraga Way, increases some of the setbacks buildings from Country Club Drive, splits Building A into two smaller buildings to reduce the massing, and reduces the height of units in Buildings C and D from three stories to two stories.

It can be noted that in 2014 the planning commission had approved the CDP and that it was opponents that had appealed this approval to the council. In the meantime, new members were appointed to the planning commission, tilting the balance and adding commissioners willing to see if the project complied entirely with the municipal code.

Korpus made a 30-minute presentation where she explained that in her opinion the commission should examine as this phase the development standards as required by the code. "The GDP stage is when the rubber meets the road," she said.

Korpus added that the number of units, 36, was in her opinion inappropriate on the lot, "yet it was clearly decided by town council (and) we are stuck with that," she said.

She listed several aspects that in her opinion were not compliant with the Moraga municipal code. "We can meet our obligation to the developer and still protect the town and the guidelines," she said and proposed a new plan with much smaller units.

D'Arcy noted that this development at the edge of the Moraga Center specific plan does not integrate with the neighborhood and agreed that massive units along the scenic corridor needed a

Developer City Ventures met a hurdle on its way to building 36 condominiums along Moraga Way - the Moraga Planning Commission failed to approve its general conceptual plan (GDP) and tentative map.

The highly controversial project that had led a group of residents to file an opposing referendum has not been sent back to the drawing board. City Ventures appealed the commission's action, or lack thereof, and the issue will now go in front of the town council.

With two different perspectives from commissioners, the board was not able to reach a decision. One group, made of chair Steve Woehleke, commissioners Christine Kuckuk and Tom Marnane, contended that their role was to make sure that the plan presented was compliant with the Conceptual Design Plan that was approved

wider setback; Kovac agreed that scenic corridor rules should apply to this development.

Planning commission chair Chair Steve Woehleke summarized the position of those supporting the approval, saying that the commission was not a policy making body, and that since the town council had approved the CDP, with conditions, the task of the commission was to make sure these conditions had been met, and if so approve the GDP. He, Marnane and Kuckuk said they felt the developer had complied with the council's conditions. It was noted in the staff report that this CDP had been approved with more details than is usually required because of the nature of the project at the center of town.

Phil Kerr, CEO of City Ventures, said that his company did not like to go the legal way but "the town has a legal obligation to act at this time to approve or deny (our project's) general development plan as it conforms with the conceptual development plan."

He said City Ventures would appeal the commission's decision. On July 20 Mayor Mike Metcalf requested to "call up" the planning commission's decision on this project to the town

council.

Reach the reporter at: sophie@lamorindaweekly.com

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