


Civic News Moraga



Public Meetings	
Town Council	Wednesday, September 22, 7:30 pm Joaquin Moraga Intermediate School, 1010 Camino Pablo
Planning Commission	Tuesday, September 20, 7:30 pm Moraga Library, 1500 Saint Marys Rd
Design Review	Monday, September 27, 7:00 pm Moraga Library, 1500 Saint Marys Rd
Liaison	Friday, October 8, 8:00 am Fire Station, 1280 Moraga Way

Check online for agendas, meeting notes and announcements
 Town of Moraga online: www.moraga.ca.us
 Chamber of Commerce: www.moragachamber.org
 Moraga Citizens' Network: www.moragacitizensnetwork.org

• Police Report •



surprise here, the Computer Technology Center. Estimated loss \$3,000. Sadly no leads at this time.

No seat belts, 9/02/10 Police pulled over a 48-year-old Moraga resident with six children in the bed of a pick up truck, along with three children in the front seat not wearing their seat belts near Moraga Road and Corliss Drive. Although none of the kids had a seat belt on, the mature driver was wearing one. The subject told cops she was providing a quick lift to the pals of her daughter. She was ticketed for nine violations of parental duties to have a child between 7 and 14 securely fastened in a seat restraint system. While the cop remained at the scene of the crime with the kids, the mom went home and retrieved a van to transport the kids home.

Movie money taken, 9/05/10 Officers responded to a burglary at the New Rheem Theatre that occurred just past midnight when the theater was closed. Unknown suspects entered the building by forcing open a second story window. Not one, but two cash registers were taken from the front counter – estimated loss \$150 in cash and \$500 in equipment.

Computers swiped, 9/02/10 At 2:30 in the afternoon police were dispatched to Saint Mary's College. SMC Public Safety Officers said someone had stolen two Apple Desktop iMac computers from, big

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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.

Kimco Realty Came To Town

By Sophie Braccini

When John Walter, Director of Real Estate for Kimco Realty, introduced himself during the public comment period of a Moraga Planning Commission meeting in late August, there was a moment of stunned silence in the room. Kimco, which owns and manages hundreds of shopping centers and was said to have purchased the Rheem Center a few years ago, had never been represented at a public meeting.

Kimco was viewed as the distant evil that kept raising rents and driving small businesses away. Communication between the Town and the corporation were marginal at best; there were certainly no discussions of retail strategy. When not one, but three, Kimco representatives came to the public meeting on the Dollar Tree store, many were taken by surprise. Kimco was there to defend its choice and present its retail strategy for the Center.

According to Armand Vasquez, Kimco's Regional Vice President of Leasing, the reason why his company has not been very present in the Town of Moraga until recently was because Kimco did not own the Rheem Center. "Until a few weeks ago we were the manager and not the owner of the Center," he said, "we would make a proposal for a tenant and a rate and it would be approved or rejected. Now we are co-owners with 'Big' and are making those decisions."

Kimco representatives explained their strategy for the Center and how they have tried to attract the right tenants. "We had a liquor store contact us, we had a comic book store that sold drug paraphernalia, and we rejected them," said Walter, "We've tried to attract a Radio Shack, a phone company, and a men's clothing store; but for the retailers the demographics of Moraga do not add up."

Walter confirmed that a produce store is coming to the Center. The store belongs to a company that owns two others, one of them nearby at the corner of Tice Valley and Olympic Blvd. "That's where Rossmoor residents get their organic produce," said Walter. (Dropping by that store a few months ago, this reporter noticed a wide variety of produce, some of it organic, and such items as milk products, grains and snacks.)

He also confirmed that a Mediterranean restaurant and a frozen yogurt shop would be opening at Rheem. "We are building momentum and traction in the Center," said Vasquez, "This center has always been treading water and been challenging, but we wanted to get it in our portfolio and make things work."

The Dollar Tree store would fill 9,000 square feet of empty space for Kimco. Vasquez would not release the details of the deal, but he stated during the Council meeting, "It's not a deal that we'd be proud of economically."
(Editor's note: OOPS! This article was originally the missing sidebar from last issue's Dollar Tree article, and can be viewed online in both issues.)


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