



CITY COUNCIL

Carol Federighi, Mayor  
Mike Anderson, Vice Mayor  
Brandt Andersson, Council Member  
Carl Anduri, Council Member  
Don Tatzin, Council Member

January 12, 2007

Planning Commission  
Town of Moraga  
329 Rheem Boulevard  
Moraga, CA 94566

Re: General Development Plan - Palos Colorados

Honorable Commissioners of the Town of Moraga Planning Commission:

I am writing on behalf of the City of Lafayette to offer Lafayette's preliminary concerns with the viewshed studies submitted by Richfield Investment Corporation, dated December 15, 2006, in connection with the Palos Colorados Project ("Project") Study Session scheduled for the Moraga Planning Commission's January 16, 2007, meeting.

First, we note that Richfield's analysis makes frequent reference to the 1994 EIR for the Project and the Project's consistency with the visual analysis in that document. Since the parties entered the Settlement Agreement to address concerns with the Project and its analysis in the 1994 EIR, the operative standards for the revised Project are contained in, and should be judged against, the Settlement Agreement. Thus, the question for the Planning Commission is not whether the revised Project is "relatively inconspicuous," as noted in the 1994 EIR. Rather, the Planning Commission must ensure that the revised Project "eliminate[s] rooflines of homes protruding above the skyline behind any of those lots as viewed from the platform of the Lafayette BART Station." (Settlement Agreement, Exhibit 2, Condition 1.) Therefore, the Planning Commission must determine whether the revised Project is consistent with the requirements of section 6 of the Settlement Agreement.

Second, the viewshed analysis indicates that questions arose during the October 16, 2006, Planning Commission hearing because "an 88mm film lens equivalent digital camera inadvertently was used [in creating the photosimulations] instead of a 50 mm film lens camera" that "provides a better approximation to the naked human eye[.]" As noted above, the question is not how the homes are perceived by the naked human eye; the question is whether any rooflines protrude above the skyline as viewed from the Lafayette BART station. The viewshed analysis admits that they do.

In any event, Lafayette has retained the services of a visual impacts expert, and upon initial analysis, that expert disagrees with the characterization of the operation of the

human eye and sight perception presented in Richfield's viewshed analysis. While our expert has not yet completed his final analysis, we will provide the Planning Commission with our own visual effects analysis as soon as possible.

Thank you for considering these preliminary concerns in your Study Session and delaying any action on the Project until such concerns are adequately addressed.

Very truly yours,

A handwritten signature in black ink, appearing to read "S Falk", with a stylized flourish extending to the right.

Steven Falk, City Manager  
City of Lafayette