Dear Members of the Moraga Town Council:

I urge you to **REJECT** the approval of the 4-story, 49-foot tall, 66-unit luxury apartment building proposed for the 1600 School Street site for the following reasons:

**I. The impact of this project on wildfire evacuation capacity has NOT been adequately studied.**

Adding significant population density near the terminus of the 2-lane Moraga Way evacuation corridor, on a site that is 5 miles away from SR-24, **will** **further complicate wildfire evacuation efforts for all Moraga and Orinda neighborhoods that are reliant on the Moraga Way evacuation corridor**. Moraga residents living in neighborhoods South of the project - Country Club, School Street, Sonsara, Aegis/Moraga Royale, Larch, Rimer, and Sanders Ranch - are **particularly** **imperiled** by increasing population near the Moraga Way/Moraga Rd evacuation pinch point.

To fully understand the impacts of hundreds of new residents and their vehicles on evacuation capacity, the Town Council **MUST REQUIRE** a site-specific Environmental Impact Report for this project, along with updated evacuation analysis, modeling,and traffic studies. This analysis **MUST BE COMPLETED** and reviewed *before* Town Council can give due consideration to this project. In 2024, Contra Costa Superior Court ruled in favor of the Orindans for Safe Emergency Evacuation (OSEE), requiring the Town of Orinda to decertify its Plan Orinda Environmental Impact Report (EIR) for failing to adequately address wildfire evacuation and emergency response. Orinda must now revise its EIR and Housing Element.

**DO NOT PUT LIVES AT RISK BEFORE YOU HAVE ALL THE FACTS!** The decisions that **YOU MAKE** about where to increase population density in our Town may have life or death consequences for your neighbors – **AND** expose the Town to costly and protracted litigation.

**II. Based on the plans for the 1600 School Street Project submitted to the Moraga Planning Commission, this project DOES NOT QUALIFY for the density bonuses and height/story waivers it is requesting.**

The 1600 School Street Project is a prime example of a Luxury Highrise Apartment Project **ATTEMPTING TO MANIPULATE** affordable housing laws to maximize developer profit. Because 5 units in the 66-unit apartment building have been reserved as “Very-Low Income Units” (VLI Units), the developer is attempting to exploit state and local laws that award incentives and concessions to **affordable housing developments** to secure **density bonuses** (allowing them to build **more** than 48 units on a 2-acre parcel) **AND** to obtain a **waiver of the height and story requirements** (allowing them to **exceed** the Town of Moraga’s 3-story, 45-foot height maximum).

Moraga’s Affordable Housing Ordinance mandates that all inclusionary units (affordable housing units) in a residential building meet certain **design requirements**, including that they:

* Be **reasonably dispersed** throughout the entirety of the residential development.
* Be **comparable** in terms of bedroom count to the market-rate units.
* Have access to **all amenities** available to the market-rate units.

The 1600 School Street Project **DOES NOT COMPLY** with these affordable housing design requirements in several important respects. The project includes 16 1-bedroom units, 35 2-bedroom units and 15 3-bedroom units. **However, the 5 VLI Units are limited to 4 tiny 1-bedroom units and 1 tiny 2-bedroom unit (and no 3-bedroom VLI Units).** Furthermore, the 5 VLI Units are located in the least desirable parts of the complex (e.g. near elevators, trash rooms or the lobby, or with windows facing the building or the busy street). And while all the market-rate units include in-unit laundry, **none** of the VLI Units offer this amenity.

The developer has failed to comply with design requirements for affordable housing established by the Moraga Affordable Housing Ordinance and is **NOT ENTITLED** to the bonuses, waivers and concessions it seeks from the Town of Moraga. **DO NOT APPROVE UNEARNED GIVEAWAYS TO DEVELOPERS!**

**III. This Luxury Apartment Project DOES NOT help the Town of Moraga make meaningful progress toward meeting its RHNA for affordable housing units.**

Out of the 66 units in the 1600 School Street Project, **ONLY 5 units** have been designated as affordable housing units. Under the California Housing Mandate, the Town of Moraga is required to demonstrate to the State Department of Housing and Community Development (HCD) that it has the capacity to add at least 1,118 new housing units by 2031**. Of the 1,118 units, 673 must be “affordable housing units” reserved for residents who meet very low income, low income, and moderate-income thresholds**.

If this high-rise is built, Moraga will still need to plan for the development of **an additional 668 “affordable housing units” on the remaining infill sites in Town.**

**APPROVING LUXURY HIGH-RISES WILL NOT HELP MORAGA MEET ITS RHNA AFFORDABLE HOUSING ALLOCATION. THIS IS THE WRONG PROJECT FOR MORAGA!**

Thank you for your attention to these serious concerns.