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Palos Colorados Project: If You Snooze, You Lose

By *Sophie Braccini*

Moraga's Planning Commission and Design Review Board (DRB) met jointly on February 23rd to approve the precise development plan for the Palos Colorados project subdivision. The document contains the plans of the semi-custom homes that could be built on the site by Richfield Investment Corporation, without the DRB's approval. As they examined the details of the plan, both the Commission and the Board raised more questions than could be answered by the documents at hand and residents in attendance expressed serious concerns as well.

At its previous meeting on February 2, the Planning Commission was asked to approve the plan. The Commissioners felt then that they needed to have the input of the Design Review Board, in particular regarding architectural design issues and about the project's design guidelines.

At this point, the developer has presented eight different semi-custom home designs that need approval. Rick Sabella, Richfield's president, explained to all in attendance that he expects that most property owners will want to custom build their homes; however, about 20% of the 123 residences could be, according to his experience, built using the models included in the plan. These representations were accompanied by the project's design guidelines, a set of rules that will ensure a certain harmony in the development. These internal guidelines are subject to compliance with the Town's guidelines.

The public expressed three main concerns: First, the size of the homes far exceeds the original 2800- 4800 square feet(sqf) that was originally planned. The lots exceeding 20,000sqf (half of the total) are eligible to see construction in excess of 5000sqf, in fact the biggest semi-custom home is 6700sqf, not including the garage and a potential secondary unit.

Second, when the vested tentative map was approved, all parties were told that green building elements would be included in the plan later in the process. It has now been determined that the law applicable is what was in effect at the time the document was approved, which was before the town passed its green building ordinance.

Third, residents asked why secondary units should be included in the plan if their acceptance as affordable housing by the State was dubious.

Planning Director Lori Salamack easily explained the size matter. Per an agreement between the town and Richfield, Moraga will not get half a million dollars from the developer if the size of the home is limited below 5000sqf. The developer said he was prepared to limit the size and not pay the monies; this suggestion did not thrill the Commission. Vice-Chair Bruce Whitley insisted that a ratio between lot size and floor area for lots above 20,000sqf be calculated. At this time the Town does not have such ratios and does not impose size limits.

When the green building element came up for discussion, Richfield's attorney explained that the town green building ordinance couldn't apply to the project since the vested tentative map was approved before the Council passed a green building ordinance. She added, "If you snooze, you lose."

Whitley promised, "We will apply the highest scrutiny to your project."

When Chair Margaret Goglia asked the Town's attorney, "Has the train left the station?" He replied, "Partially," adding the areas in which the Town could impose conditions were now limited.

When it came to looking at the different home designs Scott Rivers, the

architect for the developer, made a compelling presentation and everyone on the DRB agreed that the homes seemed very well thought out. However they indicated that they did not have enough time to thoroughly review all the aspects of the documents and asked for more time.

Commissioner Lee Hayes, who was sitting on the Commission for the last time and has a background in landscape architecture, made a point to raise all the elements that, in his view, were missing in the document from that vantage point. He asked the next version include elements on water usage, size of the trails, hardscape in public areas, color palette, type of permeable surface used for walkways, type of retaining walls, type of drainage and more.

The Planning Commission and DRB agreed to reconvene at a later session to continue their scrutiny of the project.

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