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Palos Colorados Back on Track

By *Sophie Braccini*

During a long and detailed Moraga Town Council meeting on April 22, the council members reached a quasi-consensus among themselves and with the developer to amend the Precise Development Plan (PDP) of the Palos Colorados project. The development process will move forward, after final administrative tasks are completed.

The Planning Commission approved the PDP on March 16; the decision was appealed by Vice-Mayor Ken Chew and sent for review to the Town Council. As he explained it during the meeting, Chew was concerned with the absence of mandatory green building guidelines incorporated in the project, with the possibility for property owners to build homes of any size they wanted on some of the lots, with an insufficient definition of the integrated pest management policy, and no precise use of native plants in the landscaping.

The members of the Moraga Town Council are a politically diverse group, ranging from trust in market forces and opposing over-regulation to wanting Moraga to assume a leadership role in the county in the enforcement of green policies. The potential was high for a heated argument as they debated one of the major developments in town. Mayor Dave Trotter managed the discussion, avoiding direct confrontation between the different sides and obtaining the buy-in of the Palos Colorados developer, Richfield Investment Corporation, on each issue.

The project as defined by the amended PDP now appears very "green." New homeowners will have to demonstrate to a third party that their plan reaches 90 points in the "Built it Green" system before the issuance of their building permit. As a comparison, many developments considered green in the area simply demand 50 points on the green scale. Richfield architect Scott Rivers considers this requirement reasonable. "All of the lots can accommodate 90 points," said the architect, "at this level home owners will need to use technology, but it is doable and we provide a whole menu of green options to choose from in our guidelines."

Chew and many of the members of the public who spoke that night were concerned that these points were just a recommendation. "The text says the applicant will make his best effort to reach 90 points," said Chew, "but good intentions just don't give anything measurable."

Town Attorney Michelle Kenyon and Planning Director Lori Salamack suggested language that reconciled opponents and proponents to an enforcement of the green points. "The property owner shall demonstrate through the verification by a third party, that his plan achieves 90 points or that enough efforts were made to reach that goal, before the issuance of the building permit," proposed Kenyon.

The developer also agreed to a 5500 square feet cap for the larger homes. During the Planning Commission's discussion, the concern about oversized mansions had been resolved by accepting plans for semi-custom homes no greater than 5300 square feet and by limiting the size of custom homes on all lots, except the lots that are designated Open Space land (MOSO and non-MOSO). These lots were of concern for Chew, who believed that not capping the size could result in mansions out of character with the town and the development itself. Trotter and Council Members Karen Mendonca and Howard Harpham concurred, but the four couldn't agree on the size of the cap.

This discussion of size was labeled "capricious" by Council Member Metcalf, who favored no cap at all.

When Debi Chung, representing Richfield, said she had no problem with a cap of 5500 square feet of habitable space, that figure was used in a motion that carried 4-1 (Metcalf opposed.)

The Council unanimously agreed that the other issues of integrated pest management, use of native plants, use of permeable concrete, and secondary units were adequately addressed by Richfield. The final document, summarizing the decisions, will be up for final approval on the Council's consent agenda at a future meeting.

"I am quite satisfied with the Council's decisions," said Chew, "I appreciated the fact that my fellow Council Members and I were able to come together again this time in making sure that Palos Colorados is a healthier, and more energy and resource efficient project."

The developer has completed the planning phase of the project and will now work on a series of approvals from the Engineering department. Richfield will need a grading permit, a Resource Agency approval (State and Federal permit), a final subdivision map and will have to fulfill financial requirements. This process is expected to take at least one year.

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