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Private Letter to Regional Authority May Delay Approval of Housing Element

By Sophie Braccini

In a letter dated July 17, 2009, Dick Loewke asked the Department of Housing and Community Development (HCD) not to certify the housing element filed by the Town of Moraga. The Housing Element is a 7-year plan that details how the town will fulfill its regional obligation to build 307 new housing units. Loewke was writing on behalf of Joan Bruzzone, the owner a significant portion of the property in Moraga.

"It is not uncommon to have individuals write such letters," said Moraga Planning Director Lori Salamack, "it is called a 'third party comment' and the town's obligation is now to work with the third party to resolve the issue." Salamack added that the letter surprised her because her department had worked so well with that property owner during the process of establishing the housing plan.

In his letter to HCD Loewke stressed how Moraga had consistently failed to fulfill its regional obligation for producing housing within its boundaries, especially in the very low to moderate income categories. He strove to demonstrate that governmental and economic constraints which limit any developer's ability to work were not realistically identified in the draft housing element that the Town submitted to HCD. Loewke suggested that in order to produce a realistic housing element plan, the town should first study the entire feasibility of the Moraga Center Specific Plan, because most of the proposed housing is located within that plan. He concluded that the plan of building 307 new dwellings was infeasible in the 2007-2014 timeframe.

In her response to HCD Salamack defended the plan and the town's policy. She believes that Loewke's allegations were misleading and she invited Janet Miles, Housing Policy Division of HCD to visit the town on August 26 to get an accurate picture of the local possibilities and constraints. Salamack is establishing a working group composed of staff, planning commissioners, design review board members, and consultants that will work with the main property owners, the Bruzzone and Chi families, to finalize the ordinances for the specific plan area and the housing element over the next six to eight months.

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