

**TOWN OF MORAGA PLANNING COMMISSION
SPECIAL MEETING AGENDA
Monday, August 17, 2009
7:30 PM**

**JOAQUIN MORAGA INTERMEDIATE SCHOOL
1010 Camino Pablo, Moraga, California 94556**

All documents relating to the following agenda items are available for public review in the Planning Department of the Town of Moraga at 329 Rheem Blvd. between the hours of 9 to 12, Monday, Tuesday and Thursday (other times by appointment). Staff reports will normally be available on the Monday afternoon one week preceding the meeting. It is recommended that you contact the Planning Department at 925-888-7040 for availability.

I. CALL TO ORDER AND ROLL CALL

Planning Commission

- A. Daniels, Driver, Goglia, Levenfeld, Obsitnik, Socolich, Whitley**
- B. Conflict of Interest**

II. ADOPTION OF MEETING AGENDA

III. ANNOUNCEMENTS

IV. PUBLIC COMMENTS

This part of the agenda is to receive public comments on matters that are not on this agenda. Comments received will not be acted upon at this meeting and may be referred to a subcommittee for response. Comments should not exceed three minutes.

V. ADOPTION OF THE CONSENT CALENDAR

Items on the Consent Calendar are believed by staff to be non-controversial. Staff believes that the proposed action is consistent with the commission's instructions. A single motion may adopt all items on the Consent Calendar. If any commissioner or member of the public questions any item, it should be removed from the Consent Calendar and placed in part IX of the Regular Agenda.

- A. 6/15/09 Minutes**
- B. 7/6/09 Minutes**
- C. Amendments to the Conditional Use Permits for the MOSO and Non-MOSO Open Space Lots in the Palos Colorados Project Subdivision 8378 and approval of a new Conditional Use Permit for Lot 121. Richfield Investment Corporation (Applicant), Bigbury Company (Owner).**

VI. PUBLIC HEARINGS

Opening remarks by an applicant shall not exceed ten minutes. Comments by others shall not exceed three minutes. The purpose of a public hearing is to supply the Planning Commission with information that it cannot otherwise obtain. Because of the length of time that the Planning Commission meetings frequently consume, please limit testimony and presentation to the supplying of factual information. In fairness to the Commission and others in attendance, please avoid redundant, superfluous or otherwise inappropriate questions or testimony. Thank you. Moraga Planning Commission.

- A. 2099 Ascot Drive SUB. 9207– Parwin W. and M.Taher Sarwary (Applicant and Owner): The Planning Commission will consider a request for a two year extension of the tentative subdivision map for conversion of an 8-unit apartment complex at 2099 Ascot Drive to condominiums. The tentative map for the condominium conversion will expire on August 17, 2009 unless it is extended. The subdivision was approved subject to conditions listed in Planning Commission Resolution 32-07. The applicant has decided not to add the three new bedrooms to the existing units; therefore, a use permit will not be required as specified under condition A-10. In response to the May 11, 2009 recommendations from the Design Review Board, the applicant is also requesting amendment of conditions C-2 and D-3 to allow a parking modification to have 2 parking spaces less than required under MMC Sections 8.76.100-A and C. The applicant is**

requesting a total of 18 parking spaces, with 10 covered spaces and 8 uncovered spaces. The Design Review Board acknowledged that only 17 parking spaces would be available if an ADA parking space is required by the building department. The property is zoned 6-DUA (six dwelling units per acre). APN 255-471-003

- B. Rancho Laguna II Final Environmental Impact Report (EIR), Conceptual Development Plan (CDP) and Conditional Use Permit (CUP) for the proposed 35 lot residential development on Rheem Boulevard between Via Barcelona and Fernwood Drive, Riverwest Investment (owner/applicant) –** Public hearing and consideration of the draft resolutions for certification of the EIR and approval of the Conceptual Development Plan and Conditional Use Permit. Staff recommends approval of a mitigated plan consisting of 27 lots in the non-MOSO open space area. APN 256-040-024

VII. NEW PUBLIC HEARINGS - None

Opening remarks by an applicant shall not exceed ten minutes. Comments by others shall not exceed three minutes. The purpose of a public hearing is to supply the Planning Commission with information that it cannot otherwise obtain. Because of the length of time that the Planning Commission meetings frequently consume, please limit testimony and presentation to the supplying of factual information. In fairness to the Commission and others in attendance, please avoid redundant, superfluous or otherwise inappropriate questions or testimony. Thank you. Moraga Planning Commission.

VIII. PUBLIC MEETING

IX. ROUTINE & OTHER MATTERS

The following items do not require a public hearing, although the Chair or staff will indicate why each item is on the agenda. Public participation will be limited and the Commission may decide to reschedule the item as a public hearing. Discussion of administrative matters, such as adoption of findings, may be limited to the Planning Commission.

- A. Appointment of Subcommittee for Specific Plan Development Standards**

X. COMMUNICATIONS – None

XI. REPORTS

A. Planning Commission

1. Margaret Goglia, Chair
2. Bruce Whitley, Vice Chair
3. Allison Daniels
4. Russell Driver
5. Stacia Levenfeld
6. Jim Obsitnik
7. Dick Socolich

B. Staff

1. Update on Town Council actions and future agenda items.

XII. ADJOURNMENT

To a special meeting of the Planning Commission on **Monday, August 31, 2009** at 7:30 P.M. at the Moraga Library, 1500 Saint Mary's Road, Moraga, California. Notices of Planning Commission meetings are posted at 2100 Donald Drive, the Moraga Commons, and the Moraga Public Library.

NOTICE: If you challenge a town's zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior, to the public hearing. Judging review of any town administrative decision may be had only if petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The Town of Moraga will provide special assistance for disabled citizens upon at least 24 hours advance notice to the Planning Department (888-7040). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to disabled.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection the 5th day before each regularly scheduled Planning Commission meeting at the Planning Department, located at 329 Rheem Boulevard, Moraga, CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Town Council regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at 329 Rheem Boulevard, Moraga, CA during regular business hours.