

TOWN OF MORAGA PLANNING COMMISSION MEETING AGENDA

Monday, November 7, 2011 7:00 p.m.

Moraga Library Meeting Room

1500 Saint Mary's Road, Moraga California 94556

I. CALL TO ORDER

ROLL CALL: Chairperson Driver, Levenfeld, Obsitnik, Richards, Socolich, Whitley, Wykle

II. ADOPTION OF MEETING AGENDA

III. 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.

IV. 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.

V. 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.

A. DRB 04-11 / James Phillip Wright (Applicant), Stephen Williams – Pensco Trust Co. (Owner) 1800 Donald Drive. Consider and receive comments on a draft mitigated negative declaration and Hillside Development Permit application for a new 5,132 square foot residence with an attached second unit on a vacant 13,203 square foot property on the northeast side of Donald Drive approximately 1,000 feet southeast of the intersection with Laird Drive. The project site is on the hillside above the duplex residence at 2092 and 2094 Donald Drive. The 1,207 square foot upper level would include a two-car garage and a one-car garage with access from a circular bridge driveway off of Donald Drive. The 2,647 square foot middle or mezzanine level would include the main living area, the attached second unit, and a cantilevered back deck. The 1,277 square foot lower level would include two bedrooms, two bathrooms, and shell space. Since the slope of the hillside is greater than 20% (approximately 65% or 1-foot vertical to 1.54-foot horizontal), a hillside development permit is required. The proposed grading for the building foundation is less than 50 cubic yards and the depth of cuts into the hillside has been kept to less than 3-feet deep. Zoning: 6-DUA (Six Dwelling Units per Acre) APN 255-183-011

B. UP-10-11 / Guadalupe Torres (Applicant), Dave Schnayer, Commercial Real Estate Services for Kimco Realty Corporation (Owner) 518 Center Street. Approve the operation of a retail gift shop selling toys and jewelry in the Rheem Shopping Center. Zoning: Community Commercial (CC) APN 255-160-012

C. UP-11-11 / Tim Freeman for the Moraga Valley Kiwanis Foundation (Applicant), Kimco Realty Corporation (Owner) 522 Center Street. Approve the operation of a temporary See's Candies store from November 16, 2011 to December 24, 2011 in the Rheem Shopping Center. Zoning: Community Commercial (CC) APN 255-160-012

VI. COMMUNICATIONS

A. City of Orinda letter – revision to approved 12 lot subdivision

VII. ROUTINE & OTHER MATTERS

A. Selection of Chair and Vice Chair for the Planning Commission

VIII. REPORTS

A. Planning Commission

B. Staff

IX. ADJOURNMENT

Notices of Planning Commission Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Blvd, Second Floor. **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 Town Council 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 day following the date upon which the decision becomes final. Judicial review of environment determination 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 Town Manager's office (888-7050). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.