

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In The Matter Of:

Granting of a One-Year Extension of a )  
Vesting Tentative Map, General Development )  
Plan, Conditional Use Permit and Hillside )  
Development Permit for the Hetfield Estates )  
Project (Subdivision 9051), a Seven-Lot )  
Single-Family Residential Development on a )  
58.2-Acre Property )

Resolution No. 27 - 2020

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**WHEREAS**, on July 16, 2012, the Planning Commission certified an Environmental Impact Report, and approved a Conceptual Development Plan (CDP) and Conditional Use Permit (CUP) to develop seven (7) single family residential lots for the Hetfield Estates Project; and

**WHEREAS**, on October 8, 2013, an application was filed for a General Development Plan, Vesting Tentative Map (Subdivision 9051), and Conditional Use Permit for the Hetfield Estates Project; and

**WHEREAS**, at the request of the Town, the application was modified to include a Hillside Development Permit; and

**WHEREAS**, a California Environmental Quality Act (CEQA) Addendum was prepared to analyze changes to the project since approval of the CDP, including the alignment of a proposed Emergency Vehicle Access Easement (EVAE), and the Addendum concluded that no new significant impacts were identified because specific measures from the adopted Mitigation Monitoring and Reporting Plan (MMRP) would apply to the EVAE to mitigate any potential impacts ("EIR Addendum"); and

**WHEREAS**, on March 3, 2014, the Planning Commission held a public hearing and took testimony and approved the General Development Plan, Vesting Tentative Map, Conditional Use Permit and Hillside Development Permit; and

**WHEREAS**, on March 13, 2014, two appeals of the Planning Commission approval were separately filed by two members of the Town Council; and

**WHEREAS**, on April 23 and May 21, 2014 the Town Council held a public hearing accepting testimony from the appellant, the applicant and the public, and discussed the appeal; and

**WHEREAS**, on May 21, 2014 the Town Council adopted Resolution 43-2014 upholding the Planning Commission decision with modifications to the conditions of approval and approving the General Development Plan, Vesting Tentative Map, Conditional Use Permit and Hillside Development Permit, which is incorporated herein by reference; and

**WHEREAS**, on February 24, 2016, the Town Council adopted Resolution 15-2016 granting a two-year extension of a Vesting Tentative Map, General Development Plan, Conditional Use Permit and Hillside Development Permit, which is incorporated herein by reference; and

**WHEREAS**, on August 22, 2018, the Town Council adopted Resolution 54-2018 granting a one-year extension of a Vesting Tentative Map, General Development Plan, Conditional Use Permit and Hillside Development Permit, which is incorporated herein by reference; and

**WHEREAS**, on May 22, 2019, the Town Council adopted Resolution 41-2019 granting a one-year extension of a Vesting Tentative Map, General Development Plan, Conditional Use Permit and Hillside Development Permit, which is incorporated herein by reference; and

**WHEREAS**, the project applicant submitted an application to the Town requesting a one-year extension of the Vesting Tentative Map and associated entitlements on May 8, 2020; and

**WHEREAS**, pursuant to Government Code section 66452.6(e), upon the application of an extension and prior to the expiration of an approved tentative map, an automatic extension is applied to extend a tentative map for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first; and

**WHEREAS**, Section 66452.6(e) also provides that the time at which the approved tentative map is set to expire pursuant to Government Code section 66452.6(a), may be extended by the legislative body for a period or periods not exceeding a total of six years, and

**WHEREAS**, on April 30, 2020, public hearing notices were mailed to all property owners within 300 feet of the subject property and a notice was posted at the entrance to the project site at the terminus of Hetfield Place on that same date; and

**WHEREAS**, on May 13, 2020 the Town Council held a public hearing and heard testimony from the applicant and interested parties.

**NOW, THEREFORE, BE IT RESOLVED**, based on the staff report for this item, all attachments thereto, the oral and written testimony and any evidence presented at the hearing and any other relevant evidence considered by the Council that:

1. The Town Council of the Town of Moraga hereby approves a one (1) year extension of the Vesting Tentative Map, General Development Plan, Conditional Use Permit and Hillside Development Permit for the Hetfield Estates Project, Hetfield Estates project (Sub 9051), a seven-lot single-family residential development based on the findings set forth in Town Council Resolutions 43-2014 and 15-2016 and subject to the conditions of approval in Resolution 43-2014 and the adopted Mitigation Monitoring Program. The Vesting Tentative Map expiration date shall now be May 21, 2021.

**PASSED AND ADOPTED** by the Town Council of the Town of Moraga at a regular meeting held on May 13, 2020 by the following vote:

**AYES:** Mayor Korpus, Councilmembers Sos, Woehleke and Wykle  
**NOES:** None  
**ABSTAIN:** Vice Mayor McCluer  
**ABSENT:** None



Kimberleigh N. Korpus, Mayor

Attest:



Marty C. McInturf, Town Clerk