

Notice of Public Hearing

Consideration by the Town Council of the Town of Moraga of an appeal of the Planning Commission's decision on August 17, 2009, to approve the Rancho Laguna II - residential subdivision project by adopting resolutions to certify the Final EIR and approve a Conceptual Development Plan (CDP) and Conditional Use Permit (CUP)

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Moraga will hold a public hearing on the project described above on **Wednesday, October 28th, 2009 at 7:30 pm**, or as soon thereafter as the matter may be heard, at the Joaquin Moraga Intermediate School Auditorium, 1010 Camino Pablo, Moraga, CA 94556.

PROJECT DESCRIPTION: The Rancho Laguna II project as approved by the Planning Commission is a single-family residential subdivision of 27 lots on a 180.2 acre site located on the east side of Rheem Boulevard between Via Barcelona and Fernwood Drive in the Town of Moraga. The project site was formerly part of a larger landholding known as "Rancho Laguna de Los Palos Colorado." Access to the project will be from Rheem Boulevard at two locations. The proposed project clusters 6 residential lots paralleling Rheem Boulevard (15,000 sq. ft. minimum), and, by separate access, 21 residential lots on the eastern facing slope of the site (ranging in size from 18,988 sq. ft. to 32,714 sq. ft.). The 27 lots and accompanying private roadways encompass approximately 18 acres, 10% of the project site. A total of approximately 160 acres of project open space will be managed by a Geologic Hazard Abatement District (GHAD) or other approved Town entity and preserved in perpetuity. The open space area includes Coyote Creek and the rest of the Moraga Open Space Ordinance (MOSO) designated portion of the project property, as well as the minor ridgeline and the recreated wetland swale and intermittent drainage in the Rheem Valley area in the Non-MOSO portion of the property. At no cost to the Town, the GHAD or other approved Town entity would be responsible for the management and maintenance of the open space in all respects, including the trails, as well as the stormwater peak flows and water quality, geotechnical stability improvements and biological resources throughout the project site. As part of the project as approved by the Planning Commission, the applicant will be responsible to stabilize, repair and improve Rheem Boulevard along the project frontage.

ENVIRONMENTAL REVIEW: A Draft EIR was prepared for the proposed Rancho Laguna II project of 35 lots to assess potential environmental impacts and was made available and circulated for public review and comment pursuant to the provisions of the California Environmental Quality Act (CEQA). It also examined environmental impacts for alternatives to the project as required by CEQA. The DEIR document was available for public comment for a 76-day public

review period from July 11 until September 25, 2006. The Town also held two public hearing on July 17 and August 7, 2006, to receive public comment on the Draft EIR.

A Final EIR was prepared and made available to the public on August 19, 2008. It included and responded to the comments received on the Draft EIR and included text revisions to the Draft EIR in response to some comments. Pursuant to direction from the Planning Commission, Town staff updated the environmental documentation to address the 27 lot project recommended to the Planning Commission. The approved project has 8 fewer lots than previously analyzed in the Draft EIR and all project impacts have been mitigated to less than significant. The Mitigation Monitoring and Reporting Program was also updated to reflect the recommended 27 lot project.

All testimony must either be given in person at the time of the public hearing or received in writing by the Planning Department prior to the date of the public hearing. Testimony cannot be given over the telephone. If you challenge any of the foregoing described actions in court, an appeal first of said actions to the Town Council within the time period established in the Municipal Code is required and 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, said public hearing.

You are invited to submit comments in writing or orally at the Public Hearing. In any challenge to the Town's decision on this matter 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 at, or prior to, the Public Hearing. Copies of written communications received by the Town will be forwarded to the Town Council and will be considered before a decision is reached. For additional information contact the Planning Department at (925) 888-7040 or planning@moraga.ca.us.

CONTACT PERSON: David A. Storer AICP
Project Planner
Town of Moraga
(925) 888-7040