

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In The Matter Of:

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

Resolution No. 41 - 2019

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 public hearings 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 April 17, 2019, the project applicant submitted an application to the Town requesting a one-year extension of the Vesting Tentative Map and associated entitlements, 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 May 7, 2019, public hearing notices were mailed to all property owners within 300 feet of the subject property, and

WHEREAS, on May 22, 2019 the Town Council held a public hearing and heard testimony from the applicant and interested parties.

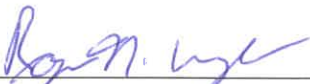
NOW, THEREFORE, BE IT RESOLVED, based on the staff report for this item, all attachments thereto, the oral and written testimony and any evidence presented at the hearing and any other relevant evidence considered by the Council that:

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 Subdivision (Sub 9051), a Seven-Lot Single Family Residential project 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 Plan. The Vesting Tentative Map expiration date shall now be May 21, 2020.

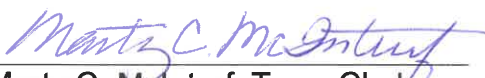
PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on May 22, 2019 by the following vote:

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



Roger N. Wykle, Mayor

Attest:



Marty C. McInturf, Town Clerk