

Meeting Location
Library Auditorium
26 Orinda Way
Orinda, CA 94563



City Hall
22 Orinda Way
Orinda, CA 94563
(925) 253-4210
www.cityoforinda.org

PLANNING COMMISSION AGENDA

APRIL 25, 2017

7:00 P.M.

ALL DOCUMENTS RELATING TO THE FOLLOWING AGENDA ITEMS AND STAFF REPORTS ARE AVAILABLE FOR PUBLIC REVIEW AT THE ORINDA CITY HALL IN THE PLANNING DEPARTMENT OFFICE, LOCATED AT 22 ORINDA WAY, AS WELL AS IN THE GOVERNMENT SECTION OF THE ORINDA PUBLIC LIBRARY, LOCATED AT 26 ORINDA WAY. **AGENDA AND STAFF REPORTS ARE ALSO AVAILABLE FOR PUBLIC REVIEW ON THE CITY'S WEBSITE AT WWW.CITYOFORINDA.ORG. SELECT CITY MEETINGS AND SCROLL DOWN TO PLANNING COMMISSION.**

ANY PERSON INTERESTED IN ADDRESSING THE PLANNING COMMISSION SHOULD COMPLETE A "REQUEST TO SPEAK" FORM AND PLACE IT IN THE SPEAKER CARD TRAY NEAR THE SPEAKER'S PODIUM. THESE FORMS ARE PLACED NEXT TO THE SPEAKER'S PODIUM AT THE FRONT OF THE MEETING ROOM. WHEN YOUR NAME IS CALLED, PLEASE GO TO THE SPEAKER'S PODIUM AND STATE YOUR NAME BEFORE MAKING YOUR COMMENTS. AS A COURTESY TO ALL, COMMENTS MADE FROM THE AUDIENCE DURING TESTIMONY OR COMMISSION DELIBERATION ARE NOT PERMITTED AND ARE NOT INCLUDED AS PART OF THE PUBLIC RECORD. A CUMULATIVE TIME LIMIT OF 3 MINUTES PER SPEAKER FOR ALL AGENDA ITEMS, EXCEPT PUBLIC HEARINGS, WILL BE OBSERVED.

1. CALL TO ORDER:

2. ADOPTION OF AGENDA:

3. PUBLIC FORUM:

This section of the agenda is provided for the public to express comments on items for which there is no other opportunity for public comment on this agenda and for items which do not appear on the agenda. Comments should be restricted to items of interest to the public that are within the subject matter jurisdiction of the Commission. Public comment offered during the public forum which are addressed to an agenda item will be considered by the Commission and made part of the public hearing record only if the comments are also offered at the time and place scheduled for the public hearing or submitted in writing prior to the close of the public hearing. Public speakers are encouraged to summarize their comments and limit presentations to three (3) minutes.

4. CONSENT CALENDAR:

The Consent Calendar section of the agenda consists of items that are acted on in one motion; unless a Commissioner or a member of the public requests that the Commission remove an item from the consent calendar for discussion. By approval of the consent calendar, the Staff recommendation will be adopted. If this item is removed from the consent calendar, the Commission will follow the procedures described in the agenda for new public hearings.

A. Adopt Draft Action Minutes of March 14, 2017 Meeting

B. Adopt Draft Action Minutes of March 28, 2017 Meeting

5. CONTINUED PUBLIC HEARINGS:

Following a project report by staff, interested members of the public are encouraged to comment. The project applicant will speak first and will be allocated up to ten (10) minutes to present the project, including any time he or she wishes to reserve for rebuttal. The applicant shall inform the Chair at the outset of his or her presentation of the amount of time to be allocated for rebuttal. Following the applicant's presentation, speakers in favor of the project may speak, followed by speakers in opposition to the project. Speakers are asked to summarize their comments and limit their presentations to three (3) minutes. After all other speakers make their presentations; the applicant will be allowed to present a rebuttal in the amount of time he or she requested at the outset of his or her presentation.

6. NEW PUBLIC HEARINGS:

Following a project report by staff, interested members of the public are encouraged to comment. The project applicant will speak first and will be allocated up to ten (10) minutes to present the project, including any time he or she wishes to reserve for rebuttal. The applicant shall inform the Chair at the outset of his or her presentation of the amount of time to be allocated for rebuttal. Following the applicant's presentation, speakers in favor of the project may speak, followed by speakers in opposition to the project. Speakers are asked to summarize their comments and limit their presentations to three (3) minutes. After all other speakers make their presentations; the applicant will be allowed to present a rebuttal in the amount of time he or she requested at the outset of his or her presentation.

- A. A public hearing to consider Commercial Use Permit application (CUP-2017-001) for a proposed 3,000 square foot fitness facility. This facility is proposed for the ground floor of the approved 18,100 square foot mixed-use development at this site. A CUP is required because the proposed use is classified as a Class B service use as defined by Orinda Municipal Code Section 17.8.5, and is proposed within a Type I ground-floor location facing Orinda Way.

PROJECT SITE:	25A Orinda Way
APN:	265-170-039
Applications:	Commercial Use Permit (CUP-2017-001)
Zoning Designation:	DC (Downtown Commercial)
Lot Size:	19,456 square feet
Owner:	Bella Oaks of Orinda, Paul Ugenti
Project Planner:	Derek Farmer, Senior Planner
CEQA Status:	Categorically Exempt: CEQA Guidelines §15332 (In-fill Development Projects)
Staff Recommendation:	Approve Commercial Use Permit Application (CUP-2017-001) and Adopt the Statement of Official Action (SOA-2017-011).

- B. A public hearing to consider Commercial Use Permit application (CUP-2017-002) for a proposed 3,000 square foot banking facility. This facility is proposed for the ground floor of the approved 18,100 square foot mixed-use development at this site. A CUP is required because the proposed use is classified as a Class B service use as defined by Orinda Municipal Code Section 17.8.5, and is proposed within a Type I ground-floor location facing Orinda Way.

PROJECT SITE:	25A Orinda Way
APN:	265-170-039
Applications:	Commercial Use Permit (CUP-2017-002)
Zoning Designation:	DC (Downtown Commercial)
Lot Size:	19,456 square feet
Owner:	Bella Oaks of Orinda, Paul Ugenti
Project Planner:	Derek Farmer, Senior Planner
CEQA Status:	Categorically Exempt: CEQA Guidelines §15332 (In-fill Development Projects)
Staff Recommendation:	Conduct a public hearing and receive testimony, consider the project, and direct staff to prepare a draft Statement of Official Action reflecting the Commission's decision.

7. OTHER COMMISSION MATTERS (NON-ACTION ITEMS):

8. PLANNING COMMISSIONER'S REPORTS:

Planning Commissioner's announcements or brief reports.

9. PLANNING DIRECTOR'S UPDATE:

Planning Director's announcements or brief updates and status of appealed projects.

- 10. ADJOURNMENT:** The next regular meeting of the Planning Commission will be Tuesday, May 9, 2017, at 7:00 pm, in the Public Library Auditorium located at 26 Orinda Way.

I, Tiffany Fabiani, declare under penalty of perjury under the laws of the State of California that this agenda has been posted at least 72 hours in advance at the Orinda City Offices to include: Orinda City Hall, Orinda Community Center and Orinda Public Library. Additional copies of Agendas and Staff Reports, are available in the Orinda Planning Department, the Orinda Public Library (government section) and on the City's website at www.cityoforinda.org.

Tiffany Fabiani, Senior Administrative Assistant - Planning Department

If you wish to provide any document longer than 3 pages to the Planning Commission for its consideration, you must submit fifteen (15) copies to the Planning Department no later than 4:30pm, three business days prior to the meeting. Documents containing 3 or fewer pages may be submitted to the Planning Department by 12:00PM (noon), the day of the meeting, prior to the meeting, or at the meeting (15 copies required).

In compliance with the Americans with Disabilities Act, the City of Orinda will provide special assistance for disabled citizens. If you have a request for a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Planning Department's Senior Administrative Assistant, Tiffany Fabiani at (925) 253-4261 or tfabiani@cityoforinda.org. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR 35.102-35.104 ADA Title II]

APPEALS: A decision of the Planning Commission is final unless a written notice of appeal, specifying the grounds for appeal, is submitted to the City Clerk during normal business hours (Monday through Friday, 8:00 AM – 12:00 PM and 1:00 PM - 5:00 PM) within ten (10) calendar days, with appropriate fees. The appeal will be considered by the City Council. If you challenge any actions on this agenda 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. The time to file action to challenge the decision is governed by the Code of Civil Procedure, Section 1094.6.