

City of Lafayette Staff Report

For: Planning Commission

By: Christine Sinnette, Senior Planner

Date Written: October 11, 2006

Meeting Date: October 19, 2006

Subject: GP03-04, CITY OF LAFAYETTE (APPLICANT): Amendment to General Plan Map I-1 to reclassify three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Single Family. The Planning Commission may also consider an amendment to General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from Low Density Single Family Residential to Rural Residential Single Family.

RZ02-04, CITY OF LAFAYETTE (APPLICANT): Change of zoning designation for three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or R-20. The Planning Commission may also consider rezoning four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from R-20 to L-R-10.

BACKGROUND

This public hearing was continued to this date without consideration from the Planning Commission meeting of September 7, 2006. Although the Planning Commission reviewed the Eastern Deer Hill Opportunities and Constraints Analysis at the last meeting, the Commission determined they still needed additional information on the possible development potential for the study area. The purpose of the continuance was to allow staff to respond to Planning Commission requests for more information. The following items were requested.

1. A legal opinion from the City Attorney on the affect split zoning has on the development potential and allowed density of a parcel.
2. A scope of work and estimated cost for a consulting civil engineer to calculate the average slope of specific properties in the study area.

3. Conceptual development studies for parcels 27 and 28, including bulk and mass studies and circulation and traffic constraints.

STAFF COMMENTS

City Attorney Malathy Subramanian prepared the following response to the Commission's question about split zoning on a parcel.

To illustrate the result of split zoning, we will use the example of a nine acre parcel in the City that is divided by zoning districts such that 3 acres are zoned R-40 and 6 acres are zoned LR-10. If the owner pursues a subdivision of the 3 acres zoned R-40 to be divided into three lots, the remaining 6 acre parcel zoned LR-10 cannot be developed with a dwelling unit or as a separate lot under a LR-10 zoning designation, as it does not meet the minimum lot area requirement of 10 acres. It should be noted that the minimum lot area of an existing L-R parcel that is less than 10 acres on July 8, 2002 (the date when the new hillside regulations and LR-10 rezonings were adopted) is the area of the parcel that existed on that date. In this case, if the parcel existed as of July 8, 2002, a single family residence could be permitted on the 9 acres. However, because the owner has decided to subdivide the parcel, the remaining parcel will now become 6 acres and will no longer be grandfathered in with the lower minimum lot area for LR-10. Therefore, the owner can either subdivide the 3 acre lot, which will cause the remaining 6 acres to further nonconform to the LR-10 zoning or the owner can develop one single family residence on the existing 9 acres under the LR-10 zoning.

Regarding the slope analysis, staff requested that Schell & Martin, Inc., a local civil engineering firm familiar with Lafayette's hillside regulations and average slope calculation formula, prepare a proposal based on the following scope of work.

- ✓ Calculate average slope for each of the seven parcels.
- ✓ Calculate average slope of the R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021.
- ✓ Calculate square feet/acres of land with slope of 15 percent or less in R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021 and on parcels 232-150-027 and 232-150-028.
- ✓ Calculate square feet/acres of land with slope of 30 percent or less in R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021 and on parcels 232-150-027 and 232-150-028.
- ✓ Calculate average slope on 232-150-028 using the provisions of §6-2044(b) which allows for the exclusion of distinct topographical features such as ravines and steep slopes.
- ✓ Calculate average slope on 232-150-027 for the area northeast of the drainage channel.
- ✓ Calculate average slope on 232-150-027 for the area southwest of the drainage channel.

Attachment 2 is the proposal from Schell & Martin for this scope of work. They have estimated that the fee would be between \$2,000 and \$3,500.

The Commission's third request was for a program or scope of work to prepare a conceptual development plan for parcels 27 and 28. In preparing the scope of work outlined in Attachment 3, staff specified that the conceptual development studies should test different land use and density options for multi-family residential and office uses. The scope of work is an outline only; a more formal request for proposals will be prepared following the Commission's review and direction to staff. Once the conceptual development studies are completed, they will be analyzed by the City's traffic consultant.

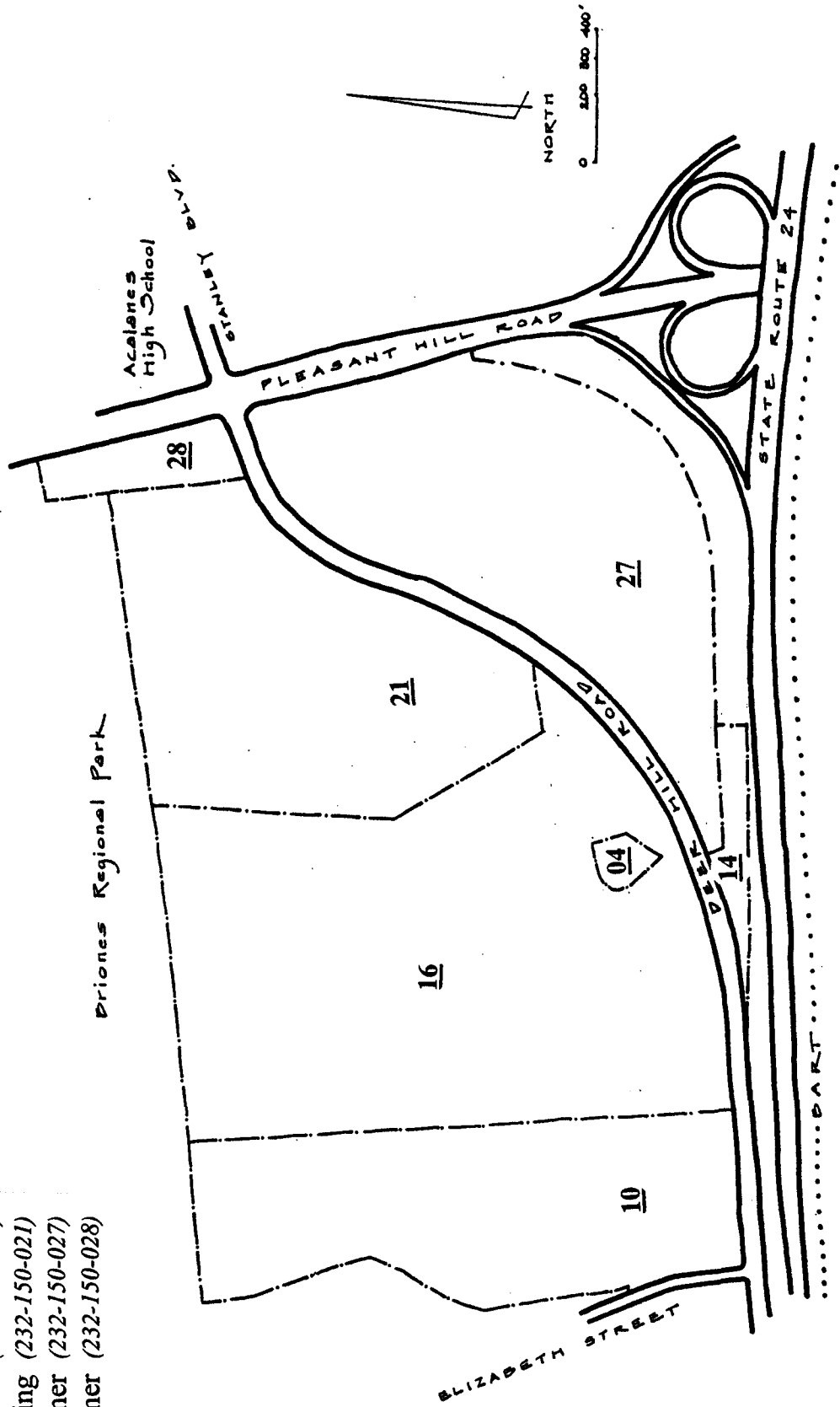
STAFF RECOMMENDATION

Staff recommends that the Commission review the scopes of work for the slope analysis and conceptual development studies. In light of the inclusion of Proposition 90 on the State ballot for November 8, staff also recommends that this item be continued to the Planning Commission meeting of November 19, 2006 because if Proposition 90 passes, the City may wish to reassess the processing of the General Plan and rezoning applications.

ATTACHMENTS

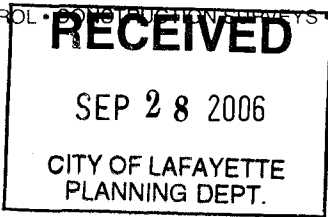
1. Eastern Deer Hill Road Parcels and Ownership
2. Proposal from Schell & Martin, Inc.
3. Scope of Work for Conceptual Development Studies

- 04 Naglicki (232-140-004)
- 10 Dettmer (232-140-010)
- 14 Caltrans (232-140-014)
- 16 Dettmer (232-140-016)
- 21 Holding (232-150-021)
- 27 Dettmer (232-150-027)
- 28 Dettmer (232-150-028)



EASTERN DEER HILL ROAD

Parcels and Ownership



SCHELL & MARTIN, INC.
CIVIL ENGINEERING & LAND SURVEYING

3377 MT. DIABLO BLVD., LAFAYETTE, CA 94549-4085 PHONE 925-283-8111 FAX 925-283-2866

PROPOSAL FOR PROFESSIONAL SERVICES

To the OWNER:

City of Lafayette
Attn: Christine Sinnette
3675 Mt. Diablo Blvd., #210
Lafayette, CA 94549

Phone: (925) 284-1968
Fax: (925) 284-3169

From the CONSULTANT:

Howard G. Martin
Schell & Martin, Inc.

Job No: TO BE ASSIGNED

Regarding the PROPERTY

Deer Hill Rd., Lafayette
APN 232-140-(004, 010,014,016,021)
APN 232-150-(027,028)

SERVICES to be provided:

Research records. Establish record property lines & add to topographic map. Conduct slope density calculations (based upon city provided contours) as per city letter, dated 9-19-06. No field work.

Estimated fee for the work described: Range \$2,000 - \$3,500

The services described above will be billed at the hourly rates shown on the attached rate schedule. The *estimated* fee for this project is based upon previous projects by the Consultant's office of similar scope. Should conditions arise which require an expansion of the estimated time, the fee will be adjusted accordingly.

A retainer in the amount of [\$ 0] will be required to initiate the work. The initial payment will be credited to the final statement. All meetings with the Owner, other consultants, contractors, and any other entity, to discuss the project, review the documents, and/or coordinate work, will be billed at the specified hourly rates and will not be included in the calculation of the estimated fee. Additional services for work not specifically described herein, but requested by the Owner, including revisions and changes, shall be billed on an hourly basis and will not be considered in the calculation of the estimated fee.

Expenses will be billed at cost x 1.15 and will not be considered as part of the estimated. Reimbursable expenses may include reproduction costs, all communications fees, postage and delivery expenses, and other out-of-pocket expenditures as may be incurred in executing the work.

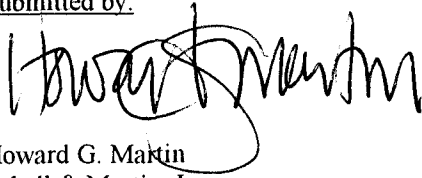
Statements for expenses and services rendered will be tendered upon completion of significant stages of the project, or on a monthly basis, and shall become due upon receipt. The Consultant reserves the right to suspend services in the event payments due are not paid within thirty (30) calendar days of the statement date. The Consultant shall not be responsible for costs or damages as a result of such suspension. An interest charge of 5% per month shall be added to overdue accounts.

The Consultant's services meet all standards of acceptable practice of the surveying and engineering professions in the community; however, as with any service, errors or omissions may occur. If actual conditions encountered appear different than shown on our drawings, the Owner shall notify the Consultant immediately so that the problem may be ascertained. The Consultant accepts no liability if not notified in a timely manner. The Owner agrees that the Consultant's liability to the Owner and to any and all construction contractors, for errors or omissions of the Consultant shall not exceed \$5,000.00 or the total fee actually paid to the Consultant for services pursuant to this proposal, whichever is greater.

This Proposal may serve as the Agreement for the services described above by the addition of the Owner's signature below. This Proposal is valid for a period of thirty (30) calendar days.

Submitted by:

Date: September 26, 2006



Howard G. Martin
Schell & Martin, Inc.
RCE 54357, LS 6690

Agreed: _____

Owner: _____

Date: _____

SCHELL & MARTIN, INC.
CIVIL ENGINEERING & LAND SURVEYING

3377 MT. DIABLO BLVD., LAFAYETTE, CA 94549-4085 PHONE 925-283-8111 FAX 925-283-2866

HOURLY RATES

EFFECTIVE 7-1-06 TO 7-1-07

OFFICE

PRINCIPALS (Court Appearance/ Special Consulting)	\$140.00 per hour
ENGINEERS	\$115.00
DESIGNERS	\$100.00
COMPUTER DRAFTSMAN	\$ 90.00
DRAFTSMAN	\$ 80.00
CLERICAL	\$ 40.00

FIELD

2 MAN FIELD CREW	\$195.00
3 MAN FIELD CREW	\$235.00

Prints/reproductions will be billed at cost plus 10%.

Computer and AutoCAD plots will be billed at \$12 per sheet (bond) and \$20 per sheet (reproducible).

AutoCAD drawing disk copies will be billed at \$25 per disk.

Conceptual Development Studies for Eastern Deer Hill Area

Scope of Work

Purpose: Prepare conceptual development studies for two properties in the Eastern Deer Hill Area. The properties are APN 232-150-027 (parcel 27) and APN 232-150-028 (parcel 29). Parcel 27 is 22.26 acres and parcel 28 is 1.91 acres. Both parcels are zoned APO – Administrative/Professional Office District.

General: The conceptual development studies shall use the existing topographical base map prepared by HJW and the Eastern Deer Hill Opportunities and Constraints Analysis. Development shall conform to the following standards.¹ Development shall assume that site grading will be kept to a minimum or would primarily constitute grading within building foundation walls. Each development concept (task) shall include the assumed number of dwelling units, square footage of office space, and number of parking spaces. The deliverables for each task shall include a site plan, appropriate number of cross-sectional drawings to illustrate potential cut and fill, and a cross-sectional drawing(s) of the mass and scale of development as seen from adjacent public rights-of-way including State Highway 24.

Height

- (a) Buildings shall not exceed the height limitations indicated in Figure 6-1006.
- (b) If any portion of a building or structure lies across the boundary line of a height limitation area, the minimum height requirement of the most restrictive area will apply.

Side yards

Side yards shall be at least 50 wide.

Rear yards

Rear yards shall be at least 25 feet wide.

Setback from public right-of-way

One-story structures shall be at least 25 feet from the right-of-way of any public street and multiple-story structures shall be at least 50 feet from the right-of-way of any public street. No parking shall be allowed in the area separating a structure from a public right-of-way and the area shall be landscaped.

Landscaping

Twenty percent of the property shall be landscaped.

Parking

Residential: 1.5 parking spaces per unit; 1 guest parking space for each 5 units
Offices: 1 space per 250 square feet of gross floor area.

¹ Excluding parking, site development standards are based on the standards of the APO district.

Tasks:

Task A

This task will study the development concept of single-story office uses for the portion of parcel 27 located northeast of the drainage channel.

Task B

This task will study the development concept of two-story office uses for the portion of parcel 27 located northeast of the drainage channel.

Task C

This task will study the development concept of single-story low density multifamily residential (17 dwelling units/acre) for the portion of parcel 27 located northeast of the drainage channel.

Task D

This task will study the development concept of two-story low density multifamily residential (17 dwelling units/acre) for the portion of parcel 27 located northeast of the drainage channel.

Task E

This task will study the development concept of two-story high density multifamily residential (35 dwelling units/acre) for the portion of parcel 27 located northeast of the drainage channel.

Task F

This task will study the development concept of single-story office uses for the portion of parcel 27 located southwest of the drainage channel.

Task G

This task will study the development concept of two-story office uses for the portion of parcel 27 located southwest of the drainage channel.

Task H

This task will study the development concept of single-story low density multifamily residential (17 dwelling units/acre) for the portion of parcel 27 located southwest of the drainage channel.

Task I

This task will study the development concept of two-story low density multifamily residential (17 dwelling units/acre) for the portion of parcel 27 located southwest of the drainage channel.

Task J

This task will study the development concept of two-story high density multifamily residential (35 dwelling units/acre) for the portion of parcel 27 located southwest of the drainage channel.

Task K

This task will study the development concept of single-story office uses for parcel 28.

Task L

This task will study the development concept of two-story office uses for parcel 28.

Figure 6-1006

HEIGHT AREAS (maximum permitted height)

- I. 11 meters (36.09 ft.)
- II. 7 meters (22.97 ft.)
- III. 9 meters (29.53 ft.)
- IV. 10 meters (32.81 ft.)

