

1 maintenance agreement for optimum planting results. Commissioner Hertel seconded the motion, which
2 carried by unanimous consent. (4-0-0)

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5 **8. NEW PUBLIC HEARINGS:**

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7 **A. TR7978 AND HDP82-03 SOHRAB NAZARI (APPLICANT), JAMES W. MOORE**
8 **(OWNER); LR ZONING AND H-O-D:** Request for 1) a subdivision of 65.16± acres into six lots pursuant
9 to Part 6, Lafayette Municipal Code (LMC), 2) a hillside development permit pursuant to Chapter 6-20,
10 LMC, and 3) an exception to development within a class 1 ridgeline pursuant to Section 6-2026, LMC,
11 located at 788 Glenside Drive, APN 238-080-036.

12 **Recommendation:** Conduct scoping meeting and provide input to staff regarding issues related to
13 aesthetics, site planning, and building design.

14 **Project Planner:** Christine Sinnette. **CONSIDERATION OF THE SCOPE FOR AN**
15 **ENVIRONMENTAL IMPACT REPORT**

16
17 Ms. Sinnette reported that the development project was before the Design Review Commission for its
18 input on the potential environmental impacts of the proposal as they relate to aesthetics, site planning,
19 and building design. The proposed project is the subdivision of a 65.16-acre parcel into six residential
20 lots. The current zoning designation of LR allows a maximum density of six lots.

21
22 In January, 2005, Planning Division staff completed an environmental checklist evaluating potential
23 effects of the current proposal. On the basis of that evaluation, staff determined that the project may
24 have a significant effect on the environment and that an environmental impact report (EIR) was required.

25
26 In February 2005, the Planning Commission held a public hearing and reviewed the environmental
27 checklist. The checklist form lists sixteen environmental factors that may potentially be affected by the
28 proposed project. Aesthetics and land use are two of those factors. The Planning Commission agreed
29 with the conclusions presented in the environmental checklist and directed staff to move forward with the
30 preparation of the EIR.

31
32 The applicant requests subdivision of 65.16 acres into six lots ranging in size from 1.13 acres to 30.28
33 acres. The application included preliminary development plans for six housing sites, roads and
34 driveways. Access to the six lots would be from Glenside Drive, roughly following an existing fire road.
35 The road would be regraded to achieve a maximum 20 percent grade. Retaining walls varying in height
36 from 2 to 7 feet would be required in several locations.

37
38 The proposed building sites average 10,000 -sq.ft. in size. Parking for at least three vehicles would be
39 provided on each lot. Grading would be required to create house pads and driveways. Retaining walls
40 would be freestanding or incorporated into foundations and vary in height from 1 to 6 feet.

41
42 As identified in the checklist, potential impacts of the project include the following:

43
44 Aesthetics

- 45 ■ The project site is located on Burton Ridge, a locally designated Class I ridge; some homesites,
46 particularly those on lots 3, 4 and 5 may be visible from sites listed in the City's Viewing
47 Evaluation Map. The EIR shall contain a detailed visibility analysis of proposed lots and
48 homesites through the use of cross-sections, photomontages, or other equivalent graphic
49 methodology. Project evaluation shall include erection of story poles to identify building height
50 and mass.
- 51 ■ Development would introduce a new source of light that could adversely affect nighttime views.
- 52 ■ Visual impacts from grading and landslide repair.

53
54 Land Use

- 55 ■ Development within the setback of a Class I ridge.
- 56 ■ Development of building sites with slopes of 30 percent or greater.

57

1 The applicant has submitted site cross-sections and prototype building designs. The house plans are one
2 and two story and have been designed to step up the hillside to minimize grading and reduce their visual
3 appearance. The houses exhibit varying rooflines, offset wall planes, a mixture of window sizes, and
4 horizontal siding. The purpose of the prototype building designs is to help define the potential bulk and
5 mass of the building sites and to aid in the visual and aesthetics analysis of the EIR. If the subdivision is
6 approved, hillside development and design review applications specific to the development of each lot
7 would be submitted for review and approval by the Design Review Commission.

8
9 Staff recommended that the Design Review Commission conduct a scoping meeting and provide input to
10 staff regarding issues related to aesthetics, site planning, and building design.

11
12 Commissioner Cleaver asked what the focus of the Commission's review should be at this meeting. Ms.
13 Sinnette responded that the aesthetics and land use issues, as listed in the staff report, would be
14 addressed in the EIR. Although the Commission was welcome to comment on those issues, she
15 suggested the Commission review the general design of the prototypes and comment on the general
16 architectural style. She noted that the EIR will include alternatives to the six sites proposed that would be
17 out of the ridgeline setback areas, and the Commission could also comment on locations for alternative
18 sites.

19
20 Commission Chair Lee asked if the development was a Planned Unit Development (PUD), or six separate
21 lots configured to meet the LR zoning requirements but clustering the houses. Ms. Sinnette stated that
22 the lots are zoned LR, allowing 1 house per 10 acres. There will be 6 distinct lots, but less than 10 acres
23 as encouraged by the hillside development standards. She noted there is no minimum lot size for any
24 development in the Hillside Overlay District.

25
26 Commissioner Hertel commented that in suggesting alternative sites, he would need to know what the
27 property boundaries are and have adjacent development identified. Ms. Sinnette identified the
28 parameters of the property and stated that the project encompasses the full 67 acres. However, there
29 would be limited potential for future development because the project would include an open space and
30 conservation easement.

31
32 Peter Golze, Architect, stated that he was present at the meeting to answer questions and take notes.
33 However, he had not been involved in the exhibit preparation for this meeting.

34
35 Commissioner Blodgett asked for Mr. Golze's ideas on footprint, bulk and mass of the homes. Mr. Golze
36 would like to see more articulated shapes and less blocky mass. He didn't care for the home styles
37 shown on the exhibits.

38
39 Commission Chair Lee asked about the size of the homes. The home size was described as 5,000-6,000
40 -sq.ft. including garages.

41
42 Commissioner Hertel asked about Fire District review of the turnaround and driveway access. Ms.
43 Sinnette responded that a general review has been made but fire access and grades are issues to be
44 addressed in the EIR. Ms. Sinnette reported that the road now provides access to the Liviakis property
45 to the north and will be regraded to reduce some of the grades. Some new retaining walls will be
46 required.. The Circulation Commission suggested cutouts for guest parking and guest parking will also
47 be reviewed in the EIR.

48
49 Commissioner Ward asked if there were any provisions being made for trails from Glenside to Burton
50 Ridge. Ms. Sinnette stated that the Parks, Trails and Recreation Commission went out and walked the
51 site, along with personnel from the East Bay Regional Parks District, to look at the alignment along Burton
52 Ridge and identify areas for feeder trails.

53
54 Commissioner Ward asked if the proposed sites were selected by the developer only, or if there was input
55 from other sources. Ms. Sinnette responded that the sites were primarily developed by the applicant, but
56 the developer had several meetings with BurtonValley.com, which resulted in an adjustment being made
57 to Lot 5. Staff also provided design criteria for hillside development that included clustering of the homes,

1 and to make the homes as substantially concealed as possible, and that is why the developer has located
2 the lots within the ridgeline setback area.

3
4 Commission Chair Lee noted the steepness of the lots and asked if the grades exceeded 30%. Ms.
5 Sinnette thought two of the lots might exceed 30% grade.

6
7 Commission Chair Lee asked if a slope study would be completed. Ms. Sinnette said that a study was
8 not done, but it did appear that one or more of the sites would not comply with the 30% slope limitation.
9 That issue will be reviewed in the EIR.

10
11 Commissioner Cleaver asked if the zoning allowed accessory structures such as barns, stables, horse
12 paddocks, etc. Ms. Sinnette said that those types of structures were not part of the proposal now, but
13 future homeowners could apply for those types of accessory buildings, subject to hillside development
14 regulations. She noted that the LR zoning designation does allow the keeping of livestock.

15
16 Commissioner Ward asked if future structures in this Class I ridgeline area would be provided a lenient
17 position because of the clustering of the homes. Ms. Sinnette noted that all six of the lots are within the
18 ridgeline setback area, so an exception is being asked for all of the lots. One of the major findings to be
19 made by the Planning Commission to allow development in the ridgeline area is whether all economic
20 viability of the property is being eliminated. So, the issue at hand would be the primary structure, and
21 anything else would probably be subject to a higher level of scrutiny. She suggested that the
22 Commission could look at the total building site and make recommendation that the total development
23 area be defined in the EIR or by the developer. Currently the developer is only defining the driveway, the
24 house pad and minor exterior living space (decks and patios).

25
26 The hearing was opened to public comment.

27
28 Brad Kisner, 3159 Lucas Drive, representing BurtonValley.com. He stated that, at the landowner's
29 request, a group met on the subject property to try to identify potential home sites that might be relatively
30 hidden, regardless of the hillside development regulations. The submitted proposal was the result of that
31 meeting. Mr. Kisner stated that they are somewhat concerned with the visibility of Lot 5 and also an area
32 to be graded. He felt there were other more hidden potential sites; however, that would make the
33 development less clustered. BurtonValley.com's position was that the siting and massing be such that
34 visibility is minimal. He thought that might be difficult to achieve with the two-story 5,000 and 6,000--sq.ft.
35 homes, and suggested that the home sizes should be adjusted to make them less visible.

36
37 Planning Commission liaison Tom Chastain recalled that the Planning Commission had requested
38 alternative sites. Ms. Sinnette envisioned that the alternatives in the EIR would show a less dense project
39 and one that could possibly meet all criteria of the hillside development ordinance. An environmentally
40 superior 6-lot alternative would be looked at as well.

41
42 Commission Chair Lee asked Mr. Kisner if he considered landscape mitigation to be part of concealing a
43 home site. Mr. Kisner commented that landscape could be a potential tool but noted that in some parts of
44 Burton Ridge there are soils issues that make it difficult to get things to grow.

45
46 Commission Chair Lee closed the public hearing and called for Commission comment.

47
48 Planning Commission liaison Chastain advised that the Planning Commission's discussion of the
49 development focused on the findings required for the ridgeline development and that clearly exceptions
50 would need to be made. The Planning Commission was interested in alternative sites. The specific
51 house designs were not reviewed.

52
53 Commissioner Ward commented that, on first review, the grading on Lots 1 and 2, and to some extent Lot
54 4, seemed severe and unnatural. He noted that Lot 5 looms on the knoll, and felt that an alternative site
55 might be appropriate for that particular lot. Commissioner Ward felt the grades on Lot 4 may be much
56 steeper than shown on the submittal. He commented that the retaining walls shown are a little heavy-
57 handed. Commissioner Ward stated that further up on the property there are some fairly hidden sites and
58 he would like to see some alternatives developed. Architecturally, he thought it would be nice to see

1 something reminiscent of the old farmhouses. He stated that the 3-car garages shown needed to be
2 broken up, suggesting alternatives such as staggering the doors or using double-deep garages. Overall,
3 he was not impressed with the architecture shown. Commissioner Ward would like to see some
4 alternatives offered to the massive grading on Lots 1 and 2, and an alternative site to Lot 5.

5
6 Commissioner Cleaver supported Commissioner Ward's comments. While only preliminary drawings, he
7 didn't feel the architecture shown was a good massing solution for these hillside lots. He noted that on
8 Lot 1 the driveway and garage are hidden behind the house, and that kind of attention to detail would be
9 good for Lot 6, which is right on the street. He felt that the houses needed to better fit the hillside terrain,
10 suggesting that rooflines and roof heights could be changed to address that issue. Commissioner
11 Cleaver noted on Lots 3 and 4 there appears to be a flatter area deeper into the lot that may be a better
12 landscape zone. He was most concerned with Lots 1, 2 and 6. Lots 1 and 6 are closest to the street and
13 Commissioner Cleaver would like to see them spread apart a little bit so they don't appear as one mass.

14
15 Commissioner Hertel commented that this is a unique situation in that it involves a huge tract of virgin
16 property rather than an infill development in an existing environment. As such it will require a different
17 level of care and direction, and the Commission's charge will be to retain as much of the property in its
18 natural state as possible. Commissioner Hertel felt consideration of alternative less visible sites was
19 worthwhile. He would like the EIR to address what an appropriate design style should be, and felt this
20 was a situation where the Design Review Commission needed to manage the direction of the design.

21
22 Commissioner Hertel commented that the number one issue raised by the applicant's current submittal
23 was grading. He noted that the houses on Lot 4 and Lot 2 cantilever 90 degrees to the topography and
24 felt that was the wrong direction to take. He would like to see the houses to work with the contours using
25 multiple floor levels. The applicant's computer generated presentation shows padded homes that are
26 contrary to the hillside ordinance. He agreed with Commissioner Cleaver's suggestion that the homes on
27 Lot 1 and 6 be moved farther apart, but added that the homes should be moved closer to the road to be
28 on more level terrain. He noted that there was only one yard area acknowledged and that was on Lot 6,
29 and commented that every home needs a yard or some acknowledgement of outdoor space.

30
31 Commissioner Hertel commented that the consolidation of mass in the unbroken two-story designs, and
32 the monolithic footprints were rather shocking. He felt there were ways to creatively break down that
33 mass. He was concerned about driveways and thought the grading should be limited. Looking at house
34 sizes, Commissioner Hertel commented that although Lots 1 and 6 may be the most visible to public view,
35 they are the two lots that are most suitable to larger homes given their topography and proximity to
36 existing development. He was not sure that a 6,000-sq.ft. home should be proposed in the other
37 locations proposed. He stated that the home size should be related to the true available building site, not
38 a graded, over-managed pad.

39
40 Commissioner Blodgett supported the comments made thus far. He stated his initial concern in reviewing
41 the proposal was the over-manipulation of grades on Lots 1 and 2, in particular. He would like to see
42 alternatives sites explored for Lots 1, 2 and 6. He felt there were opportunities to tuck the houses on Lots
43 3, 4 and 5 away. He would like to see more information on the driplines of the native tree grove because
44 that will have an impact on how successfully the road will work as well as some of the building sites. He
45 didn't feel he could comment on the building sites without the tree and dripline information. He would like
46 to see the developer minimize the grading and work with the existing contours. He would like to see
47 public access to the open space above. Landscape mitigation will be an important part of the
48 development plan, using native vegetation. Commissioner Blodgett stated that the homes needed to
49 relate to the site, in plan, elevation and materials.

50
51 Commission Chair Lee agreed that the EIR would need to help the Design Review Commission
52 understand where the trees are, because that will identify the developable portions of the land.
53 Commission Chair Lee was concerned about creating lots that cannot meet or conform to the guidelines
54 created by the City in terms of slope control and ridgeline development. He commented that the
55 Commission would need more than the footprint of a building. He would want to see the entire
56 developable area, including yards, showing the full impact on each of the six lots. He noted that Lots 1, 2,
57 6, and to a certain extent Lot 4 require manipulation to get into the homes, rather than creating a home
58 that fits the site. He agreed with Commissioner Hertel that the lot has to support the size of the home and

1 meet the guidelines in place. Commission Chair Lee did not want to create a situation where the
2 development violates the guidelines because there is no other choice.

3
4 Planning Commission liaison Chastain suggested that, without looking at specific plans for each lot that
5 the site strategy and organization needed to be examined by the EIR.

6
7 Commission Chair Lee questioned the 6,000--sq.ft. house sizes proposed. He noted a rendering showing
8 a gate and fence, and commented that is a direction the Commission has tried to discourage. He
9 questioned the manipulation required between Lots 1 and 2 for the garage. Commission Chair Lee
10 pointed out a lack of turnaround area for fire trucks on Lot 5. Drainage information needs to be provided.
11 He could not endorse the project as shown today and asked that if the Design Review Commission were
12 going to bend the rules to build these six houses, how will future development on these lots be
13 addressed.

14
15 Ms. Sinnette advised that one of the purposes of an environmental review is to analyze the defined
16 project. A secondary purpose of the review is identifying whether there is an environmentally superior
17 project, and whether the project can be modified to make it better. She anticipated that a series of home
18 sites might be identified and then lot lines would be built around them. She stated that the project could
19 be conditioned with design guidelines. Commissioner Blodgett liked the concept of specific design
20 guidelines. Ms. Sinnette suggested that a condition of approval could be recommended that a set of
21 master plan and design guidelines be developed prior to filing of the subdivision map. Commissioner
22 Blodgett suggested a study session format to discuss general design development guidelines with the
23 developer.

24
25 Ms. Sinnette stated that design guidelines are not typically a part of an EIR. However, she suggested
26 that the developer could provide a better prototype so the EIR could provide a better analysis.
27 Planning Commission liaison Chastain commented that the developer could provide an organizational
28 strategy for each lot, from which design guidelines could be developed.

29
30 Commissioner Ward commented that the better subdivisions have set design guidelines that provide rules
31 of the road for future development.

32
33 Commission Chair Lee felt some decisions would need to be made regarding concessions given by the
34 City in terms of the development ordinances in order to produce a project that is acceptable.

35
36 The Commission agreed that:

- 37 ▪ Design guidelines need to be developed.
- 38 ▪ The Commission is comfortable with development where previous development has occurred, but
39 is interested in exploring other potential building sites on the property.
- 40 ▪ The driplines of the trees need to be identified, as well as an evaluation of the health and viability
41 of the oak trees, in determining the building sites.

42
43 The Commission returned to agenda item 7B.

44
45 **B. TR6569 AND HDP86-04 GREG WOEHRLE (APPLICANT), SOLDIER FIELD**
46 **PARTNERS, LLC (OWNER); LR ZONING AND H-O-D:** Request for 1) a subdivision of 87.9 acres into
47 eight residential lots and one remainder open space lot pursuant to Part 6, Lafayette Municipal Code
48 (LMC), 2) a hillside development permit pursuant to Chapter 6-20, LMC, and 3) an exception to
49 development within a class 1 ridgeline pursuant to Section 6-2026, LMC, located at 3148 Lucas Drive,
50 APN 238-080-019.

51 **Recommendation:** Conduct scoping meeting and provide input to staff regarding issues related to
52 aesthetics, site planning, and building design.

53 **Project Planner:** Christine Sinnette. **CONSIDERATION OF THE SCOPE FOR AN ENVIRONMENTAL**
54 **IMPACT REPORT**

55
56 Commissioner Ward recused himself from this agenda item. Ms. Sinnette advised that the proposed
57 project is the subdivision of an 87.9-acre property into eight residential lots. The project was referred to
58 the Design Review Commission to solicit input on the potential environmental impacts of the proposal as