

1 **Vice Chair Ateljevich moved and Commissioner Chastain seconded to approve the Consent**
2 **Calendar as amended.**

3
4 **AYES: Ateljevich, Chastain, Harris, Humann, Lovitt, and Mitchell**
5 **NOES: None**
6 **ABSENT: Holt**
7 **ABSTAIN: None**
8

9 **6. CONTINUED PUBLIC HEARINGS**

- 10
11 **A. HDP70-04 Eric Strand (Applicant and Owner), LR-10 Zoning:** Request for house site
12 consideration from the Planning Commission to establish a house site pursuant to
13 Section 6-2015 of the Lafayette Municipal Code, which requires a Hillside Development
14 Permit to ultimately construct a new, one-story single-family residence on the existing
15 5.33 - acre vacant, unaddressed parcel on Burton Ridge accessed via Michael Lane, in
16 the Hillside Overlay District. Once a house site has been established by the Planning
17 Commission, the applicant will submit full design plans for Hillside Development
18 consideration by the Design Review Commission and Planning Commission. Public
19 notification will be provided again at that time. Only establishment of an appropriate
20 house site is under consideration at this time. APN 238-080-035.
21 **Recommendation:** Consider and continue to the May 5, 2005 meeting (if the applicant
22 agrees to an extension) and schedule a date when the Planning Commission will visit the
23 site to evaluate the impacts of the three potential home sites.
24 **Project Planner:** Greg Wolff, Tel. 925-299-3204; gwolff@lovelafayette.org
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26

27 Chair Humann excused himself from this agenda item and left the room. Vice Chair Ateljevich took over
28 Chair duties.
29

30 Mr. Wolff said the Commission first considered this project at their February 17th meeting. There are
31 exhibits on the board as well as a new exhibit with the current three sites staked. At the February 17th
32 meeting, Vice Chair Ateljevich, and Commissioners Holt, Chastain, and Lovitt were present and evaluated
33 the project. During discussions, it was found that the triangular site was not a desirable site, and the site
34 lower down the hill was highly visible throughout Burton Ridge. The applicant and staff were asked to
35 look at the entire property to exhaust all alternatives for a building site. The application was continued to
36 March 17th. Both staff and the applicant requested the date be postponed to allow to a meeting on site.
37 The results of that meeting are in the packet. There are three possible building sites on a parcel where it
38 is difficult to find an appropriate site. The three sites have been staked. The poles from Sites 1 and
39 2 are still standing but the poles from Site 3 have fallen down. Staff feels a field trip to the site would help
40 facilitate an evaluation and staff would like to set a date for the field trip. This would be a publicly noticed
41 meeting continued from today. Staff had taken photos of the site but did not have the necessary
42 computer cable to be able to show them to the Commission on the overhead screen.
43

44 Vice Chair Ateljevich opened the meeting to the public.
45

46 Eric Strand, applicant, said that if the meeting was going to be continued, he did not want to waste time
47 with a presentation. After the visit to the site, he would address any points.
48

49 Steve Gatti, 3210 Sharon Court, said he doesn't agree with development on the hillside. After the hillside
50 ordinance took effect, this property was redistributed to allow for one level spot. He feels that visibility is
51 there, it doesn't meet the hillside ordinance general purpose and the property may not be build able.
52

53 Vice Chair Ateljevich said that the state says they can build on the property.
54

1 Mr. Gatti continued that the new story poles are quite high on the hillside but are an improvement than the
2 previous site. He thinks the site on the hill is a workable site if they can bring the driveway in from
3 lowering below where the Lindberg driveway is.

4
5 Clifford Tong, 9 Dianne Court, said he assumed the Commission had seen the email he sent on February
6 26th. He agrees with staff regarding the visibility of the triangle site from Rosmoor is minimal because
7 most of the back of the homes at Rosmoor face the site. He looked at the story poles and has concerns
8 that both sites are very visible. He doesn't either site as feasible. He encourages the Commission to visit
9 the site for a truer feel for what is there.

10 Vice Chair Ateljevich closed the public comment period on this item.

11
12 Commissioner Mitchell asked if the triangular site was for a 1 or 2-story home.

13
14 Mr. Wolff said all the sites were for 1-story homes. All three sets of story poles are 60x90x17 ft. tall.

15
16 Commissioner Mitchell asked if like a Class III ridgeline, there were a 0° declination on the ridge, would
17 the triangular site be over the ridgeline.

18
19 Mr. Wolff answered that it would.

20
21 Vice Chair Ateljevich said she felt it would be good to get an idea of the access to Sites 1 and 2 by having
22 the access staked.

23
24 In response to a question from the Commission, Mr. Wolff said that Mr. Strand does not have access
25 rights over the Liviakis property.

26
27 Commissioner Mitchell said that if the access to the property is a fire road, then it would not be
28 appropriate to ask the applicant to spend money to stake it.

29
30 Mr. Wolff said it was staff's understanding that the Commission was discussing the access between the
31 fire road and the house site, and how would the driveway be located.

32
33 Vice Chair Ateljevich said that the driveway would not be hidden with landscaping.

34
35 Commissioner Harris asked about the trail on the ridge, and if this was a public trail could it be drawn on
36 one of these diagrams.

37
38 Mr. Wolff said staff's review of the title report shows there is no trail easement across the property. The
39 trail is on the City of Lafayette Master Trail Plan and the East Bay Regional Park regional trail plan.

40
41 Commissioner Lovitt asked if water tanks would be needed.

42
43 Mr. Wolff answered that he was unclear if tanks were needed.

44
45 Mr. Strand said that he hoped not but if needed there was a group of oak trees that could hide the tanks.
46 Commissioner Chastain asked if he could identify where this group of oak trees was on one of the
47 diagrams.

48
49 Mr. Wolff suggested the Commission take their field trip either on April 14th at 4PM or April 13th at 4PM.

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51 Commissioner Harris said that he would not be available for either day as he will be out of town.

52
53 Vice Chair Ateljevich said she would prefer Thursday, April 14th at 4PM.

54
55 Mr. Wolff said that he would make a separate appointment to take Commissioner Harris to the site.
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2 Vice Chair Ateljevich asked staff to contact Commissioner Holt to make arrangements for him to visit the
3 site.

4
5 Mr. Wolff said the Commission requested the story poles to be up, the driveway staked, and the property
6 line delineated for the visit. They would meet at San Anselm's parking lot at 4PM.

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8 **Commissioner Lovitt moved and Commissioner Harris seconded to continue this item to April 14,**
9 **2005 at 4PM and then to the next Commission meeting on April 21, 2005.**

10 **AYES: Ateljevich, Chastain, Harris, Lovitt, and Mitchell**

11 **NOES: None**

12 **ABSENT: Holt and Humann**

13 **ABSTAIN: None**

14
15 Chair Humann rejoined the meeting.

16
17 **7. NEW PUBLIC HEARINGS**

- 18
19 **A. MS502-04 Aliquot Associates (Applicant), Teri Thompson (Owner), R-10 Zoning:**
20 Application for a minor subdivision to subdivide a 0.63 acre lot into two lots pursuant to
21 Chapter 6-30 of the Lafayette Municipal Code, located at 71 Carolyn Court. APN 185-
22 112-011

23 **Recommendation:** Receive and file applicant's withdrawal of the application.

24 **Project Planner:** David Golick, Tel: 925-299-3205; dgolick@lovelafayette.org

25
26 The Commission accepted the applicant's withdrawal of the application.

- 27
28 **B. HDP06-05 Susan and Brendan McEntee (Applicants and Owners), R-20 Zoning:**
29 Request for: (1) Hillside Development Permit pursuant to Section 6-2015 of the Lafayette
30 Municipal Code (LMC); (2) Request for an exception to permit development within a
31 Class II Ridgeline Setback pursuant to Section 6-2065(b) (2), to construct a 6.5-ft. high
32 entryway gate within the Hillside Overlay District, located at 1182 Estates Drive. APN
33 247-120-001

34 **Recommendation:** Adopt Resolution 2005-09 to approve the Hillside Development
35 Permit subject to the findings and conditions in the resolution.

36 **Project Planner:** Mike Rivera, Tel: 925-299-3208; mrivera@lovelafayette.org

37
38 Mr. Rivera said the applicants propose to construct an automatic entryway gate within the property
39 upslope driveway. The proposed gate measures 6.5 ft. high by 13 ft. wide, and will be supported by two
40 stone columns each measuring 2 sq. ft. in size. The design of the proposed gate is a bi-parting wood
41 gate with internal steel frame. The applicants propose to paint the gate with a medium beige color. The
42 applicants will present to the Planning Commission for their review, a color and material sample. No
43 exterior light fixtures are proposed for the entryway gate. Staff finds the development conforming with the
44 regulations of the R-20 zoning district because the zoning designation allows accessory structures. The
45 design of the proposed entryway gate is also compatible with other structures in the neighborhood that
46 have similar scale and utilize earthy colors. The structure has interesting architectural detail that match
47 with the design of the residence. The proposed gate is fairly distanced from the roadway and from
48 adjacent properties to reduce visibility. Staff recommends adoption of Resolution 2005-09 to approve the
49 Hillside Development Permit application.

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51 Vice Chair Ateljevich said acceptance does require making the findings for the exception as it is within the
52 setback. She would like to see the ridgeline in the section and feels this should be a requirement of every
53 ridgeline application.

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55 Commissioner Lovitt asked if the gate were within the gate/fence height requirements.

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