

City of Lafayette Staff Report

For: Planning Commission
By: Lindy Coburn, Assistant Planner
Date Written: May 24, 2004
Meeting Date: June 3, 2004
Subject: **HDP34-04 TIM WARD, WARD-YOUNG ARCHITECTS, . (APPLICANT), BARRY HAJI (OWNERS), LR-10 ZONING:** Request for approval for a 1) Hillside development permit per section 6-2067, 6-2027, of the Lafayette Municipal Code (LMC); 2) Design Review for structures over 17' and for development over 6,000 sq. ft. per sections 6-1903 and 6-275 LMC; 3) Grading Permit for grading to exceed 50 cubic yards per Ord. 536 to construct a new two-story single-family residence on Site "F" located on a vacant, un-addressed parcel at the top of Peaceful Lane. APN 175-060-006.

Statutory Deadline: July 18, 2004

Summary of Request

The applicant requests hillside development permit approval to construct a new single-family residence exceeding 17 ft. in height and 6,000 sq. ft. in gross floor area on a vacant lot, located at the end of Peaceful Lane. At this time, the applicant is seeking direction on the building site location based upon a sites constraints analysis and bulk and mass study, prepared by the applicant; however, the applicant has indicated preference to Site "F." The subject parcel is located within the Hillside Overlay District; portions of the lot are within a mapped Class II ridgeline and 250-ft. setback area.

Hearing Authority

The Planning Commission will take final action on the application per Section 6-2015 of the Lafayette Municipal Code, with referral to the Design Review Commission. Prior to submission for consideration by the Design Review Commission, staff and the applicant request that the Planning Commission determine the appropriate building site on the subject parcel. Once established, the applicant will proceed with preparation of full design drawings for the house for consideration by the Design Review Commission and Planning Commission.

Project Status

The subject application was reviewed by the Planning Commission as HDP42-03 for determination of a building site. At the Commission's request, the applicant prepared six

potential building sites, labeled A through F. After three public hearings, the Planning Commission eliminated sites A, B, and C as it was unable to make the required findings, and directed the applicant to prepare further analysis of sites D, E, and F.

The subject application, HDP34-04, provides further analysis of sites D, E, and F. The applicant suggests preference for site F; however conceptual plans, access, and bulk and mass studies have been prepared for each site.

Public Hearing Summary

August 14, 2003 (Planning Commission):

The applicant had prepared two building sites for the Commission's review, labeled as sites A and B. Subsequent to noticing the public hearing, the applicant requested that the matter be continued to allow time to meet with the neighborhood. The Commission suggested that the applicant prepare a more detailed slope analysis and provide other potential building sites.

September 25, 2003 (Planning Commission):

The applicant had prepared three additional potential building sites for the Commission's review, labeled as sites C through E. The Commission stated that it desired to protect the ridges and therefore could not support sites A, B, or C. The Commission requested that additional building sites be identified that are lower in elevation that additional information be provided on Site E to determine its feasibility, including pursuing obtaining an access easement.

December 11, 2003 (Planning Commission):

The applicant had prepared one additional potential building site for the Commission's consideration, labeled site F. The Commission was unable to make the required findings for building sites labeled A, B, and C and therefore denied HDP42-03, requesting approval of building site A. The Commission also eliminated sites B and C from further review and requested that the applicant prepare further analysis of sites D, E, and F.

Applicant's Response

The applicant has responded to the Commission's request through the following:

- Sent letters to property owners located on Barrot Road and Plymouth Road requesting an access easement to Site E offering compensation at fair market value. All who responded rejected the request. As such, the applicant has prepared two access drives within the subject property. Both access drives measure at 1150 feet in length and have a 20 percent slope.
- Provided additional information for sites D, E, and F including
 - Slope, length, and cross sections of access drives including alternative drives for sites E and F
 - Conceptual house plans, including approximate building footprint, site section, square footage, and height

Building Sites Analysis

The information shown below is based upon the plans submitted by the applicant, the site's constraint analysis prepared by the applicant, and the city's zoning regulations.

Issues	Site D	Site E	Site F
PAD elevation	620±	440±	640±
Site cross slope	22 %	20%	36%
Driveway length	300 ft.	1150 ft.	300 ft.
Driveway slope	15%	20%	10%
Vegetation	most directions	Very little	most directions
Ridgeline exception required	no	no	no
Variance requested	no	no	no
Access easement	<input type="checkbox"/> access without easement	<input type="checkbox"/> access with or without easement <input type="checkbox"/> no easement granted	<input type="checkbox"/> access with or without easement <input type="checkbox"/> easement may be granted

Public Response

Property owners within 500 ft. from the subject property were re-noticed of public hearing due to the number of extensions requested by the applicant, and the immediate area was posted at least ten days prior to the scheduled public hearing. Attached are the comments received for inclusion in the staff report.

Staff analysis

Site D:

The applicant submitted plans locating site D at both higher and lower elevations, labeled as D and D1. Staff suggested to the applicant that the Planning Commission requested further analysis of site D1; however it is staff's understanding that the applicant is amenable to either D or D1. This site has existing vegetation to provide some screening, is located uphill from adjacent neighbors, and requires a 300 ft. driveway. The site is located on a knoll and is distanced from the surrounding development within the established neighborhoods. Staff suggests that this option would not promote the clustering of development and the preservation of knolls open space and would have offsite visibility impacts for both the residence and access to the residence. Staff suggests that site "D" is not a preferable building site location.

Site E:

Site "E" is the lowest in elevation of the proposed building sites at approximately 440 ft. It has a large building envelope that is under 30% in slope. The building site appears to be in compliance with the hillside regulations and with the low density zoning regulations. The building site is within closer proximity to existing development, thus clustering development

and preserving more open space. However, the open space is divided and scarred by the driveway required to access the site. While the building site can support a larger building envelope, the conceptual house plan is not compatible in character and scale with the surrounding established neighborhood.

Access to the site appears to be the most evident problem with this option. The applicant sent letters requesting an access easement and was not successful in his attempts. Thus the applicant has provided two potential access drives within the subject site, both of which are 1150 ft. in length and have a 20 percent slope. One access drive option snakes down the hill with a series of switchbacks. The other option utilizes the proposed access used for site D with one large switchback and one small switchback. Staff suggests that the second option is better than the first in that it provides a more direct route that may be partially screened by the existing vegetation. Neither access option is a good solution that responds to the hillside regulations. Staff suggests that the applicant provide sections for the alternative access drive to better illustrate the visual impacts of the road.

Site F:

Site F is tucked up against the hillside closest to Peaceful Ln. As such, the proposed building site is clustered with the existing developed neighborhood and preserves the remainder of the site as open space. The building footprint is on a 36 percent slope, which follows the contours around the hill. Of the three potential building sites, this site is the highest in elevation. The access may be obtained onsite or with an access easement through 140 Peaceful Ln. The applicant has spoken with the property owner at this location, who verbally indicated a willingness to grant an access easement. Nothing has been submitted in writing to the city. The access to this site appears to be the least obtrusive of the three potential building sites. Site F affords screening through existing vegetation, and may be more compatible in scale with the immediate established neighborhood than the other potential building sites. Staff suggests that this site could be a viable option but would like more information on the alternative access, including written consent from the property owner of 140 Peaceful Ln and sections through the road to better understand the visual impacts of the road.

Staff Recommendation

Staff recommends that the Planning Commission review the building sites, take public testimony, and continue review of the matter to June 17, 2004 to allow the applicant to respond to additional requests by the Commission, staff, and the community.

The Design Review Commission will be a referral agency for the new application and will provide a recommendation to the Planning Commission. The Planning Commission will take final action on the application.

In providing direction to the applicant, staff recommends that the following issues be addressed in the house design:

1. Reduce size, bulk and mass of residence to be compatible with the topography of the site and the building pad as appropriate
2. Mitigate offsite visibility of residence and access through incorporating more natural elements into the design and bunkering more into the hill

3. Address key issues pertaining to grading, drainage, and soil stability

Attachments

1. Maps and aerials prepared by the city
2. Required findings for HDP34-04
3. Planning Commission meeting minutes dated August 14, 2003
4. Planning Commission meeting minutes dated September 25, 2003
5. Planning Commission meeting minutes dated December 11, 2003
6. Letters sent to surrounding neighbors requesting an access easement
7. Public comment from Oyama residence located at 244 Tiburon Ct. received May 26, 2004
8. Public comment from the Secluded Valley Homeowner's Association received May 26, 2004
9. Public comment from the Secluded Valley Homeowner's Association received May 27, 2004
10. Site photos prepared by the applicant
11. Site Analysis Plans received May 10, 2004