

1 Vice Chair Ateljevich said they were considering rezoning for parcels under 10 acres because the change
2 would make them more conforming to the minimum lot area standard and there was no chance that they
3 could be further subdivided.

4
5 Mr. Tong said that reclassifying parcels under 10 acres to RR5, he hoped staff had considered exposure
6 relative to lot combinations and the ability to get more units out of combining with other parcels. He
7 wanted to know if they would still be subject to subdivision requirements and any exposures to lot line
8 adjustments.

9
10 Ms. Srivatsa said the lot line adjustments between 2 undeveloped lots have to conform to both the zoning
11 ordinance and General Plan. If one or other lot is undeveloped the application will go before the Planning
12 Commission.

13
14 Dave Bruzzone, 11 Moraga Way, Moraga, turned in a packet to staff and the Commission consisting of a
15 letter from Richard Loewke, Urban & Environmental Planning. They own a group of seven undeveloped
16 lots of 189 acres. Before the process started, they were able to develop the property up to a density of 1
17 unit in three acres. The Hillside Ordinance and General Plan, which classified their property as LR10,
18 significantly limited their ability to do anything with the property. They have been working with staff,
19 Council, and legal attorneys to reach a resolution. They have had multiple field trips to the property and
20 studies performed. They hope this process will be expedited and are hoping for a quick resolution.

21
22 Linda Madden, 345 Shire Oaks Court, said according to the land use plan in the Bruzzone handout, she
23 could not identify the two parcels in white.

24
25 Ms. Srivatsa said this was a conceptual plan given to staff and the Commission during the site visits
26 indicating potential building sites. This plan would not be approved with the residential reclassification. If
27 the Planning Commission and Council agree with staff's recommendations, staff will work on a
28 development agreement with the Bruzzones to identify where the lots would be located.

29
30 Vice Chair Ateljevich closed the public comment period on this item.

31
32 Vice Chair Ateljevich said she didn't see how parcels #13 and 14 could be further developed and agrees
33 with Mr. Atwood that there were not enough sites accessible and should be excluded from
34 reclassification.

35
36 Commissioner Lovitt said he agreed and appreciated the patience of property owners throughout this
37 process. He would support the exception of #13 and 14.

38
39 **Commissioner Lovitt moved and Commissioner Chastain seconded approval of staff's**
40 **recommendations with the exception of parcel #13 and 14, and recommends adoption of the**
41 **addendum to the General Plan.**

42
43 **AYES: Ateljevich, Chastain, Holt, and Lovitt**

44 **NOES: None**

45 **ABSENT: Harris, Humann, and Mitchell**

46 **ABSTAIN: None**

47
48 **7. NEW PUBLIC HEARINGS**

- 49
50 **A. TR6569 Greg Woehrle (Applicant), Soldier Field Partners, LLC (Owner); LR Zoning**
51 **and H-O-D: Request for a subdivision of 87.9 acres into eight residential lots and one**
52 **remainder open space lot pursuant to Part 6, Lafayette Municipal Code and California**
53 **Government Code Sectors 66410 et seq., located at 3148 Lucas Drive. APN 238-080-**
54 **019.**
55

1 **HDP86-04 Greg Woehrl (Applicant), Soldier Field Partners, LLC (Owner); LR**
2 **Zoning and H-O-D:** Request for (1) a hillside development permit for a subdivision of
3 87.9 acres into eight residential lots and one remainder open space lot pursuant to
4 Chapter 6-20, Lafayette Municipal Code (LMC), and (2) an exception to development
5 within a Class I ridgeline pursuant to Section 6-2026, LMC, located at 3148 Lucas Drive.
6 APN 238-080-019.

7 **Recommendation:** Review the environmental checklist, conduct the public hearing, and
8 direct staff on what to include in the scope of the environmental impact report.

9 **Project Planner:** Christine Sinnette, Tel: 925-299-3241; csinnette@lovelafayette.org

10
11 Ms. Sinnette said this project would subdivide an 87.9-acre project site into 8 residential lots. Parcel A
12 consists of 59.62 acres of open space including existing telecommunication facilities. Lots 1 through 7
13 would be located at the southern end of the project site with access off Lucas Drive and the new Lucas
14 Ranch Road. An eighth lot would have access from the eastern extension of Lucas Circle. The
15 application also includes requests for exceptions to development within setbacks.

16
17 This meeting is for the Planning Commission and the public to review the environmental checklist, which
18 staff prepared. Staff is recommending that an EIR be prepared. Although the EIR would examine
19 planning, construction and operation of the project, it should focus primarily on the changes in the
20 environment that would result from the proposed project. Based on the checklist, the EIR will focus
21 primarily on the effects that have been identified as Potentially Significant Impact or Less than Significant
22 with Mitigation Incorporated.

23
24 The EIR will focus on the aesthetics of the project since it is located on Burton Ridge and may be visible
25 from other sites. The evaluation will include the use of story poles to identify building height and mass.
26 Short-term noise, potential soil erosion from earthwork, drainage, water quality, impervious surfaces, and
27 traffic impacts would be examined. The site is within an area of documented prehistoric and
28 archaeological sensitivity. The applicant has submitted a series of biological resource studies, which will
29 need to be peer-reviewed by the City's EIR consultant. There is also potential for increased traffic
30 congestion and hazards. The Circulation Commission will review the scope of the EIR as it relates to
31 traffic issues at their February 22nd meeting and their comments will be included in the scope of the EIR.

32
33 The EIR will also describe and evaluate a range of feasible alternatives including a lower density
34 alternative, an alternative for which no exceptions and variances would be needed, and another
35 alternative identifying other building sites. Based on the direction provided this evening, staff will prepare
36 a scope of services for the City's EIR consultant. The applicant pays for the services of the consultant,
37 which the City will hire. The document will then become a City document. It is expected that the
38 complete EIR will not be available until late summer at which time staff will bring the document back to the
39 Planning Commission and hold another public hearing.

40
41 Allan Moore, 279 Front Street, Danville, is a land use attorney representing Solider Field Partners. He
42 believes this is the best possible project with the least amount of environmental impacts. This meeting is
43 not to determine the merits of the project but to develop the scope of the EIR. He agrees with the scope
44 of the EIR as proposed by staff and any reasonable additions. Soldier Field had proposed more dense
45 alternatives for the site, first 28 sites, then 25, then 17, and finally, the 8 houses proposed on almost 90
46 acres. He feels the greatest point of this site is that the greatest part will remain open space. They are
47 not asking to amend their General Plan for a higher density or rezoning or variances. They are here
48 mainly because of the hillside ordinance, which is very strict and established a hillside overlay district.
49 They are asking for exceptions to the HOD ordinance. Because of the restrictions they couldn't put
50 anything on the site without exceptions being granted. These are clustered homes in the southern area
51 of the property with reduced visibility.

52
53 Vice Chair Ateljevich opened the meeting to public comment on this item.

54
55 Ginny Glavinovich, 3164 Lucas Drive, said her home borders the backyard of the proposed homes. Her
56 major concern is homes being placed in the area where the natural fold of the hill comes together.

1 Movement of the earth could affect drains and maintenance of the drains, which could have an affect on
2 her home. The health of several oak trees could be impacted by the earth movement. She is also
3 concerned with traffic as children play up and down Lucas Drive.

4
5 Bill Nagle, 3172A Lucas Drive, said he has gone over the EIR proposal. He said that traffic travels down
6 Lucas Drive extremely fast, commonly known as the luge. He is concerned about traffic safety with
7 increased development. Drainage is a huge issue and he is concerned whether the EIR addresses all
8 types of drainage problems. He will have to build a retaining wall where he lives. There could also be
9 oak tree issues because the area is impacted by the drainage of the hillside. Some species are being
10 considered by the EIR because of their native habitat. The EIR mentions 2 of these. Mr. Nagle
11 questioned why the other 8 species are not being considered. There are significant slopes and there are
12 exceptions sought for Lot 8, which is behind his house. This will also impact his home because of
13 drainage problems.

14
15 Vice Chair Ateljevich said that the soils studies will examine the whole site and will look at potential
16 landslide areas but will not do any drilling. The drilling will be confined to the areas that are being
17 proposed to be developed.

18
19 Mr. Nagle said he was concerned that the scope of the EIR does not contemplate enough conservation
20 easements.

21
22 Vice Chair Ateljevich said the Commission could ask to know more about the handling of the open space.
23 There will be a 30-day comment period on the draft EIR and they will have to respond to all comments.

24
25 Mr. Nagle said he was concerned about how the visual impacts of the project would be conducted.

26
27 Vice Chair Ateljevich said this would require staking including netting. The Planning Commission will
28 request a field trip with the consultant and the public will be invited to that meeting.

29
30 Kenneth Kisner, 3188 Camino Colorados, has been a resident of Lafayette since 1971 and represents the
31 Rancho Colorados Swim Club, a 250-member swim and tennis club located near the end of Laurel Drive.
32 The club has very few neighbors. At their Board of Directors meeting last night, he was asked to come to
33 the meeting and express their concerns. They are concerned with losing the natural beauty of the
34 hillside, the impacts on their privacy, and drainage issues, which could impact the club.

35
36 Brad Kisner, 3159 Lucas Drive, representing burtonvalley.com, thanked Allan Moore and the Solider Field
37 Partners for meeting with neighbors on the site. He concurs with the concerns regarding visibility
38 especially lots 2, 3, 5, and 8. He would like them staked so they could see them better. He would like the
39 EIR consultant to analyze the entire property for potential sites that would minimize visibility. He would
40 like an alternate project with the same size homes existing on Lucas Drive. He would like Lot 8 on Lucas
41 Court to be brought down to the end of the street. Lucas Drive residents are also concerned with
42 construction up and down the road, which could destroy the road.

43
44 David George, 2730 Oak Canyon Road, has several concerns regarding staff and the Commission even
45 approving the go-ahead for an EIR when a number of houses in the conceptual design are in clear
46 violation of the ridge setback ordinance. The houses along the south ridgeline are in plain view. There is
47 a landslide potential due to the steep slopes and the swim club is in danger of movement, as well as the
48 horse center at the bottom of the slope. At the bottom of the map there is a cluster of trees, which is a
49 sensitive zone. A very long road planned to be constructed to the homes and will be in plain visibility.

50
51 Karen Morison-Knox, 3 Lucas Court, said that Lucas Court is not on the maps and there are 3 homes on
52 Lucas Court that would be directly impacted by this project. She would like these homes to be included
53 on the map as they could be seriously impacted. She shares the same concerns as the other speakers
54 regarding the danger of landslide potential to their homes.

55

1 Mr. Moore said he would not have any rebuttal to the comments made at this evening's meeting, as this
2 was not the time to discuss the merits of the project. He did respond to Mr. George's comments
3 regarding why they are going forward with this EIR and that was because there was nowhere to build on
4 this property without asking for exceptions.

5
6 Vice Chair Ateljevich closed the public comment period on this item.

7
8 The Commission discussed each page of the Evaluation of Environmental Impacts Issues and where
9 each issue was placed in either the Potentially Significant Impacts, Less than Significant with Mitigation
10 Incorporated, Less than Significant Impact or No Impact columns.

11
12 Pages 4 - 6: No changes.

13 Page 7: Move Item a) from Less than Significant with Mitigation Incorporated to Potentially Significant
14 Impacts.

15 Page 8: Move Items b), c), and d) from Less than Significant with Mitigation Incorporated to Potentially
16 Significant Impacts.

17 Pages 9 - 10: No changes.

18 Page 11: Move Items b) and d) from Less than Significant with Mitigation Incorporated to Potentially
19 Significant Impacts.

20 Pages 12 - 15: No changes.

21
22 Responding to a question from Vice Chair Ateljevich regarding management of the open space, Ms.
23 Sinnette said she preliminarily discussed this with the applicant. Their position at this time is they do not
24 show the open space and conservation easement plotted yet and will wait until all the environmental
25 studies are performed in the process of the EIR and then create it.

26
27 Page 16: Move Item c) from Less than Significant Impact to Less than Significant with Mitigation
28 Incorporated.

29 Pages 17 - 20: No changes.

30
31 In response to a question from the Commission regarding the trail, Ms. Sinnette said the Parks, Trail and
32 Recreation Commission is looking at this now. There will be some coordination between the Regional
33 Park District and the Lafayette Park District who would like to walk Burton Ridge, and evaluate the trail.
34 Ms. Sinnette has asked them to do this within the next month and provide comments to be included in the
35 EIR.

36
37 Page 21: Move Item c) from Less than Significant with Mitigation Incorporated to Potentially Significant
38 Impacts.

39 Page 22: No changes.

40
41 Vice Chair Ateljevich said they should explore the site for better places for potential home sites.

42
43 **Commissioner Lovitt moved and Commissioner Chastain seconded to terminate the public**
44 **hearing on this item and to advertise the field trip as a public meeting as well as the next formal**
45 **hearing after the draft EIR is ready.**

46
47 **AYES: Ateljevich, Chastain, Holt, and Lovitt**

48 **NOES: None**

49 **ABSENT: Harris, Humann, and Mitchell**

50 **ABSTAIN: None**

- 51
52 **B. DR31-04 Lafayette Hidden Oaks, L.P. (Applicant and Owner), R-20 Zoning:** Request
53 for approval pursuant to Planning Commission Resolution 2003-27 of the following: (1)
54 per condition of approval D-2: peripheral landscaping north of Samantha Drive; and (2)
55 per condition of approval D-3: (a) peripheral project site landscaping; (b) project entryway
56 plans at the entrance to the subdivision and the intersection of Hidden Oaks Drive and