

City of Lafayette Staff Report

For: Planning Commission

By: Christine Sinnette, Senior Planner

Date Written: November 22, 2005

Meeting Date: December 1, 2005

Subject: **TR6569 GREG WOEHRLE (APPLICANT), SOLDIER FIELD PARTNERS, LLC (OWNER); LR ZONING AND H-O-D:** Request for a subdivision of 87.9 acres into eight residential lots and one remainder open space lot pursuant to Part 6, Lafayette Municipal Code and California Government Code sections 66410 *et seq.*, located at 3148 Lucas Drive, APN 238-080-019.

HDP86-04 GREG WOEHRLE (APPLICANT), SOLDIER FIELD PARTNERS, LLC (OWNER); LR ZONING AND H-O-D: Request for 1) a hillside development permit for a subdivision of 87.9 acres into eight residential lots and one remainder open space lot pursuant to Chapter 6-20, Lafayette Municipal Code (LMC) and 2) an exception to development within a class 1 ridgeline pursuant to Section 6-2026, LMC, located at 3148 Lucas Drive, APN 238-080-019. REVIEW OF DRAFT ENVIRONMENTAL IMPACT REPORT

PURPOSE OF HEARING

The purpose of this public hearing is to solicit input from the public and Planning Commission on the draft environmental impact report (DEIR) prepared for the Soldier Field subdivision. Pursuant to the California Environmental Quality Act (CEQA), the period of review for draft EIRs should be no less than 45 days and no more than 60 days. The statutory period of review for the Soldier Field DEIR was originally October 11, 2005 through November 25, 2005. However, since the Planning Commission has not completed its review of the DEIR, the review period has been extended to December 2, 2005. No review or determination on the project applications is being made at this time.

BACKGROUND

At the Planning Commission meeting of November 3, 2005, City staff and RBF Consulting introduced the DEIR and outlined the environmental review process. The public hearing on the DEIR was opened, members of the Planning Commission and the public provided comment, and the

public hearing was continued to the meeting of November 17, 2005. On November 17, 2005, the Planning Commission held the second of two scheduled public hearings. The Planning Commission began to comment on the DEIR but did not complete their review. The Commission continued the public hearing to December 1, 2005.

ENVIRONMENTAL REVIEW PROCESS

The Soldier Field Subdivision DEIR was prepared by RBF Consulting. This EIR is an informational document prepared to inform City decision-makers and the public of the significant environmental effect of the project, possible ways to minimize the significant effects, and reasonable alternatives to the project. The DEIR concludes that the project would result in less than significant impacts on traffic and transportation. Although the DEIR identifies that the project could result in significant impacts on land use, aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, and public services, utilities, and service systems, it concludes that all project impacts can be mitigated to less than significant levels.

Once the public comment period is closed, the City must prepare a final EIR responding to all environmental comments received on the Draft EIR. The responses to comments on the DEIR must include good faith, well-reasoned responses to all comments received. Although CEQA does not require public review of a final EIR, it is expected that the Planning Commission will hold at least one hearing on the final EIR before certifying it. The Planning Commission must certify that the final EIR was prepared in compliance with CEQA and reflects the independent judgment of the City. Pursuant to CEQA, the City shall complete and certify the final EIR by December 29, 2005, one year from the date the project application was deemed complete. The one-year time period may be extended for 90 days upon mutual consent of the applicant and the City.

Certification of the EIR does not control the City's ultimate decision on the proposed project. Public hearings on the merits of the project can take place concurrently with the environmental review process or they can occur after the final EIR is certified. Once the EIR is certified, the City has 50 days to make a determination on the subdivision and hillside development applications. The 50-day time period may be extended for 90 days upon mutual consent of the applicant and the City.

STAFF RECOMMENDATION

Staff recommends that the Commission complete the public hearing, conclude Planning Commission deliberation, and direct staff and the EIR consultant to prepare the responses to comments and final EIR for the Soldier Field Subdivision.

ATTACHMENTS

- A. Aerial Photograph of Project Site and Vicinity
- B. Site Plan/Vesting Tentative Map
- C. Correspondence received since November 18, 2005 (3)