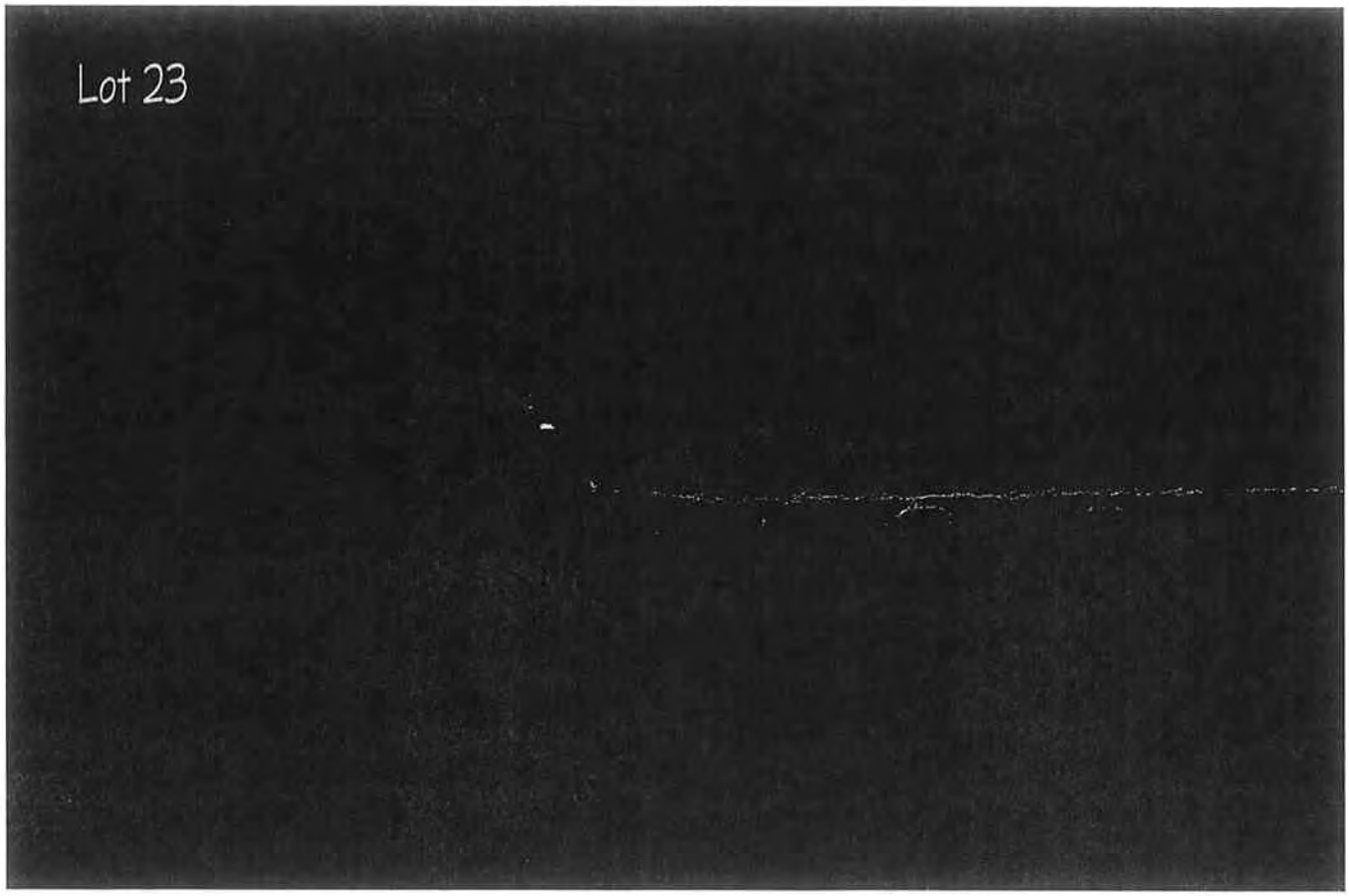

Lot #	elevation	visibility	break Hz	BG Obs	FG Obs
12	706.0	2 n	u	y	
13	708.0	2 n	y	n	
14	710.0	2 n	y	y	
15	712.0	2 n	y	n	
16	754.0	2 y	y	n	
17	758.0	2 y	y	n	
18	758.0	2 y	y	n	
20	754.0	2 y	y	n	
21	751.5	1 y	y	n	
22	748.0	1 y	y	n	
23	751.7	2 y	y	n	
24	756.0	2 y	y	n	
25	774.0	1 y	y	n	
83	768.8	1 y	y	n	
106	748.0	3 n	n	n	

City of Lafayette Staff Report

For:	City Council
By:	Niroop K. Srivatsa
Date Written:	September 5, 2008
Meeting Date:	September 8, 2008
Subject:	**Palos Colorados Precise Development Plan: Review of the photo simulations submitted by Richfield Investment Corporation**

Purpose

To evaluate the visual impacts of the proposed houses in the Palos Colorados project as viewed from the Lafayette BART station.

Background

In 2007, when the General Development Plan for the Palos Coloradis project was under review, Lafayette entered into a settlement agreement with the Town of Moraga and Richfield Development Corporation. Exhibit C of that agreement listed the following conditions relating to the visual impacts of the project:

> GDP.2. The maximum building height for General Development Plan Lots 13, 14, 15 and 16 shall be 19 feet provided that the elevation of the lots is between 706 and 712 feet. If the elevation of the lots is lowered then the building height can increase equal to the lowering of the lots. The maximum building height for General Development plan Lot 83 shall be 19 feet provided that the elevation of the lot is 780 feet. If the elevation of the lot is lowered, then the building height can increase equal to the lowering of the lot. The maximum building height for General Development Plan Lot 106 shall be 19 feet provided that the elevation of the lot is 748 feet. If the elevation of the lot is lowered, then the building height can increase equal to the lowering of the lot. At the design review stage, story poles shall be installed by the applicant on Lot 106 to evaluate visual impact from the Lafayette BART station. If the proposed residence is visible from the Lafayette BART station, modifications to the design shall be required to fully mitigate the visual impact or screening landscaping shall be installed to eliminate the impact.
>
> Condition 3 for Conditional Use Permits for Lots 22, 23, F and G which establish the Site Development Standards for the construction of single-family residences on Lots 22, 23, F and G in the Palos Colorados subdivision: The following Site Development Standards shall be adhered to: Maximum Building Height: 19 feet (one story) unless it can be demonstrated to the satisfaction of the Town of Moraga that a higher building height (up to a maximum of 25 feet) is not visible from the Lafayette BART station

The General Development Plan (GDP) was subsequently approved and contained the following conditions of approval:

> C.VTM.37 The Precise Development Plan Submittals shall demonstrate that the rooflines of homes on Lots 22 through 27, E, F, G and 29 do not protrude above the elevations of the existing skyline behind them as viewed from the platform of the Lafayette BART Station. The detailed Precise Development Plan and guidelines provide the means by which to eliminate potential visual impacts of the proposed residential structures as viewed from the platform of the Lafayette BART Station. In order to meet this requirement, each lot shall have a home elevation limit of one story and each home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.
>
> C.GDP.2-R-VTM. Prior to approval of the Precise Development Plan (PDP) and subsequent design review applications, the Applicant shall demonstrate compliance with the limitations on building height set forth in this condition. The maximum building height for General Development Plan Lots 13, 14, 15 and 16 shall be 19 feet provided that the elevation of the lots is between 706 and 712 feet. If the elevation of the lots is lowered, then the building height can increase equal to the lowering of the lots. The maximum building height for General Development Plan lot 83 shall be 19 feet provided that the elevation of the lot is 780 feet. If the elevation of the lot is lowered, then the building height can increase equal to the lowering of the lot. The maximum building height for General Development Plan lot 106 shall be 19 feet provided that the elevation of the lot is 748 feet. If the elevation of the lot is lowered, then the building height can increase equal to the lowering of the lot. At the design review stage, story poles shall be installed by the Applicant on lot 106 to evaluate visual impact from the Lafayette BART station. If the proposed residence is visible from the Lafayette BART station, modifications to the design shall be required to fully mitigate the visual impact or screening landscaping shall be installed to eliminate the impact. The maximum building height for lots 22, 23, F and G shall be 19 feet (one story) unless it can be demonstrated that a higher building (up to a maximum of 25 feet) is not visible from the Lafayette BART Station Platform.

Richfield Investment Corporation, developers of the Palos Colorados project, has submitted an application for Precise Development Plan approval to the Town of Moraga. This is the last of the three-phased planned unit development process in Moraga. To develop the photosimulations, Richfield's engineers installed storey poles on these lots. It is unfortunate that Lafayette was not informed when the storey poles were installed.

To determine whether the plans met the conditions in the settlement agreement and GDP, staff retained Bob Staehle, the visual consultant hired by Lafayette in 2006 during the settlement agreement negotiations to analyze the recent submittals.

Analysis

The attached table lists the lots specified in the settlement agreement and GDP and evaluates the visual impacts of the proposed homes on those lots as viewed from the Lafayette BART station. The findings are:

1. The houses on nine of the lots (2007 Lot #s 22, 23, F, 24, 25, 26, 27, 29, E) will break the horizon and therefore do not meet the requirement of the GDP that "the rooflines of homes do not protrude above the elevations of the existing skyline behind them as viewed from the platform of the Lafayette BART Station."

Recommendation: Staff recommends that these lots be graded to a lower elevation to prevent the rooflines from breaking the horizon.

2. One lot - Lot 106 - is visible from the BART station. This lot was also cited in 2007 as being the most visible lot.

   Recommendation: Staff recommends that the lot be relocated away from the view corridor. If that is not possible, storey poles must be installed on Lot 106 during the design review stage to analyze and fully mitigate the visual impacts.

Recommendation

Authorize staff to forward comments to the Moraga Planning Commission.

Attachments

1. Lot analysis table
2. Staehle evaluation: graphics
3. Documents submitted by Richfield Development Corporation

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
13*	12 706'	Maximum height: 19' Elevation: between 706 and 712 feet	Maximum height: 19' Elevation: between 706 and 712 feet	Roof and walls visible. Does not break horizon. Unknown if the unit is obstructed by background vegetation. It is obstructed by foreground vegetation. Lot meets the condition of approval.
14*	13 708'	Maximum height: 19' Elevation: between 706 and 712 feet	Maximum height: 19' Elevation: between 706 and 712 feet	Roof and walls visible. Does not break horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. Lot meets the condition of approval.
15*	14 710'	Maximum height: 19' Elevation: between 706 and 712 feet	Maximum height: 19' Elevation: between 706 and 712 feet	Roof and walls visible. Does not break horizon. The unit is obstructed by background vegetation. It is also obstructed by foreground vegetation. Lot meets the condition of approval.
16*	15 712'	Maximum height: 19' Elevation: between 706 and 712 feet	Maximum height: 19' Elevation: between 706 and 712 feet	Roof and walls visible. Does not break horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. Lot meets the condition of approval.
83*	83 768.8'	Maximum height: 19' Elevation: 780 feet	Maximum height: 19' Elevation: 780 feet	Roof is visible. Unit does break the horizon. Unit is obstructed by both the background vegetation but not the foreground vegetation.

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
				Lot meets the condition of approval.
106	106 748'	At design review stage, install storey poles to evaluate visual impacts from Lafayette BART station. If house is visible, modify design to fully mitigate visual impact or add screening landscaping to eliminate the impact.	Maximum height: 19' Elevation: 748 feet At design review stage, install storey poles to evaluate visual impacts from Lafayette BART station. If house is visible, modify design to fully mitigate visual impact or add screening landscaping to eliminate the impact.	Entire unit is visible. It does not break the horizon and is not obstructed by either foreground or background vegetation. Lot does not meet the condition of approval. Recommend relocation of the lot. Alternately, recommend that at design review stage, storey poles be installed to evaluate ad fully mitigate visual impacts from Lafayette BART station.
22	16 754'	Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher building height up to a maximum of 25' is not visible from the Lafayette BART station.	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit. Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher building height up to a maximum of 25' is not visible from the Lafayette BART station.	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
23	17 758'	Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher building height up to a maximum of 25' is not visible from the Lafayette BART station.	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit. Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher building height up to a maximum of 25' is not visible from the Lafayette BART station.	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
F	24 756'	Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher bui8lding height up to a maximum of 25' is not visible from the Lafayette BART station.	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
G	n/a	Maximum height: 19' (one storey) unless it can be demonstrated to the Town of	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the	No unit at this location.

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
		Moraga that a higher bui8lding height up to a maximum of 25' is not visible from the Lafayette BART station.	Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit. Maximum height: 19' (one storey) unless it can be demonstrated to the Town of Moraga that a higher building height up to a maximum of 25' is not visible from the Lafayette BART station.	
24	18 758'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
25	20 754'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
			the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
26	21 751.5'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	Roof is visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
27	22 748'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	Roof is visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
29	25 774'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall	Roof is visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation.

Lot # (2006)	Lot # and Elevation (2008)	Settlement Agreement Requirement	General Development Plan Requirement	Staehle Verification
			not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.
E	23 751.7'	None	The roofline must not protrude above the elevations of the existing skyline behind the house as viewed from the platform of the Lafayette BART Station. Lot to have a home elevation limit of one story and home shall not exceed 19 feet or 25 feet in height from the approved subdivision lot grade to the highest point of the roofline, excepting chimneys in accordance with the Conditional Use Permit.	Roof and walls visible. Unit does break the horizon. The unit is obstructed by background vegetation. It is not obstructed by foreground vegetation. By breaking the horizon, lot does not meet the condition of approval. Recommend that the lot be graded down to a lower elevation to prevent the roofline from breaking the horizon.

*: If the elevation of the lot is lowered, then the building height can increase equal to the lowering of the lot.