

# City of Lafayette Staff Report

For: Design Review Commission

By: Catarina Kidd, Contract Planner  
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Meeting Date: December 15, 2014

Subject: **DR13-14, GR04-14, TP18-14, TR 9377** Lennar Homes (Applicant), "C" Zoning: Request for: (1) Design Review for three, three-story, mixed use buildings (totaling 93,754 sq.ft. of residential, 5,400 sq.ft. of commercial and 169 on-site parking spaces); (2) Grading Permit for movement of 40,689 cu.yds. cut and 546 cu.yds. fill; (3) Tree Permit for the removal of 50 protected trees; and (4) Vesting Tentative Subdivision Map for 66 residential units on a commercial property located at 3666, 3672 and 3682 Mt. Diablo Boulevard (APNs 241-020-005, 241-020-008, 241-020-013).

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## **Background**

Lennar Homes ("applicant") has submitted an application to construct a mixed use project at the northwest corner of Mt. Diablo Blvd. and Dolores Drive. Prior to the formal application, the applicant presented its design concepts in two study sessions in 2013: the first before the City Council, Design Review Commission and Planning Commission, and the second before the Design Review Commission and Planning Commission. The applicant additionally met with concerned residents from the neighborhood located north of the proposed development.

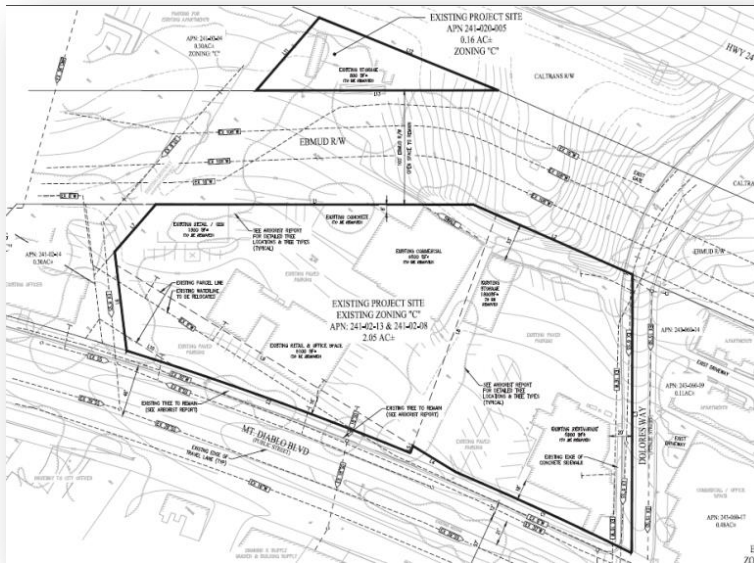
The Circulation and Design Review Commissions will review the project and provide their comments based on their respective areas of expertise and forward recommendations to the Planning Commission. The Planning Commission will take final action on this application. The Planning Commission's decision may be appealed to the City Council.

On December 1, 2014, the Circulation Commission reviewed the application as a recommending body to the Planning Commission on matters pertaining to traffic safety, on-street parking, and bicycle and pedestrian paths of travel. Additionally, work proposed in the public right-of-way has been reviewed by the Downtown Street Improvement Master Plan Implementation Committee. The recommendations of these two boards are summarized in the comments section of this report.

Given that additional information has been requested by the Circulation Commission, the application will likely need to return to the Design Review Commission for final action before proceeding to Planning Commission. If approved, the project would also be required to return with a public art application to be reviewed by the Public Art Committee.

## Project Description

The subject application assembles three parcels into one proposed development. The project's property lines are adjacent to Highway 24 to the north, Mt. Diablo Boulevard to the south, multi-family residential to the west and Dolores Drive to the east. Two of the parcels are comprised of existing surface parking and approximately 22,000 square feet of a variety of existing commercial uses, including Celia's Restaurant at the corner of Dolores Drive and Mt. Diablo Boulevard. The third parcel is a remnant, land-locked triangular shaped lot north of the East Bay MUD access trail; a pool for the residents of the property is proposed on this parcel, along with adjacent trail improvements.



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The site plan includes a complex of three, three-story structures with underground parking. The structure at the corner of Dolores and Mt. Diablo Boulevard is a residential building with proposed restaurant space and a plaza at the ground floor. Behind the restaurant, adjacent to the Dolores Drive garage access point, there is a trash pick-up area and 47' deep loading dock; this is where trucks can provide daily deliveries to the restaurant and exit the property without driving through the adjacent neighborhoods to turn around. The structure at the center of the site is a residential building with a retail/flex commercial space at the ground floor, adjacent to a residential amenity lounge. Both commercial spaces face Mt. Diablo Boulevard. A loading zone is proposed parallel to the Mt. Diablo Boulevard frontage. This space is

The site plan includes a complex



envisioned as a location for passenger drop-off, delivery trucks and moving trucks. The third structure at the west side of the parcel is a residential-only building. The sidewalk connects to the proposed 12' wide bike trail and native landscape improvements within the EBMUD easement, north of the proposed residences, which would complete another section of the Lafayette/EBMUD Aqueduct Bicycle & Pedestrian Pathway ("Aqueduct Trail"). A pedestrian path connects the semi-public residential courtyard areas to the pool. The project proposes two parking garage access points: one mid-block, right-in, right-out only on Mt. Diablo Boulevard and one on Dolores Drive with full access. The applicant provided a traffic impact analysis by Fehr & Peers. The analysis and data were verified and evaluated by a third party traffic engineering firm, TJKM, selected by the City. The City Engineer additionally worked with a traffic consultant, Chuck DeLeuw, to evaluate various design options regarding parking and circulation.

Key aspects of the proposal are summarized as follows:

<b>Residential Units total</b>	66
One bedroom, 958-1,058 s.f.	7
Two bedrooms, 1231 - 1,477 s.f.	50
Three bedrooms, 1,771 - 1,816 s.f.	9
<b>Commercial space</b>	
Restaurant	4,000 s.f.
Retail/flex	1,400 s.f.
Parking, on-site	169 spaces, lower level garage
Parking, on-street	15 spaces total; 10 net new spaces
<b>Total parking spaces</b>	184
Proposed accesses to garage	Mid-block, Mt. Diablo Blvd., right-in/right-out only
	Dolores Drive, full access
Maximum building height	35'
Number of stories	3

The property is located within the C (General Commercial) zoning district and it conforms to the development standards established for that district.

**Staff Comments**

**I. General Plan and Downtown Specific Plan objectives**

**a. Land Use**

The subject property is located in the West End District. The City's General Plan and Downtown Specific Plan establish a height limit of 35 feet and three stories, and a residential density of 35 dwelling units to the acre. Residential and commercial uses are permitted by right in the West End.

The General Plan encourages mixed use developments as cited below:

Policy LU-8.3 Mixed Uses: Support mixed-use developments in the Downtown that do not conflict with the primarily retail focus of this area.

The Downtown Specific Plan's (DSP) vision for the West End is that it will "remain as the place for larger office developments." It also states that "the other predominant use will continue to be multifamily residential. The West End provides opportunities to live within walking distance of workplaces and transit."

#### Staff Comments

The application complies with these policies and established standards. The corner of the parcel is anchored by a full service restaurant and provides opportunities for nonresidential uses fronting the boulevard.

#### **b. Site access**

The General Plan emphasizes the need to consolidate driveways as stated in the policies and programs below:

Policy C-1.6: Traffic Safety: Improve the safety of the roadway system.

Program C-1.6.3: Minimize the number of driveway accesses to arterial streets in the core area. Encourage shared access where appropriate. Require that all new proposals for access be reviewed for safety by the city traffic engineer.

Program C-11.5.3: Include "Complete Streets" considerations in all circulation improvement projects when planning, reviewing, and implementing capital improvement plans, major roadway rehabilitation and development review applications. When appropriate, these design considerations may include, but are not limited to, the following:

1. Minimize the number of driveway accesses (Consistent with Program C-1.6.3)

#### Staff Comments

The project calls for a mid-block access on to Mt. Diablo Boulevard and in doing so, it misses the opportunity to consolidate driveways as called for in the General Plan. Staff believes that there is significant merit from a site planning standpoint in locating the project's Mt. Diablo Boulevard access point at the far western end of the project, where it can be consolidated with an already-existing driveway on the adjacent parcel.

Staff concurs with the recommendations of the City Engineer relating to project access (see attached report from the City Engineer to the Circulation Commission). Regarding the proposed mid-block driveway on Mt. Diablo Boulevard, the City Engineer opines that it breaks up the project visually and poses as an impediment to pedestrian circulation. Moving the driveway to the westernmost boundary of the project will mitigate these issues and will also allow for a continuous and

uninterrupted planting plan. This would require the developer to acquire an easement from the adjacent parcel owner for this purpose, but would appear to better organize the traffic, deliver a more aesthetically pleasing project, and reduce the potential for car/pedestrian conflicts on the sidewalk in front of the project.

On December 1, the Circulation Commission directed the applicant to submit a revised site layout to include access point at far west end of project with traffic control, and supporting traffic analyses. The applicant is currently working on this task.

### **c. Street Improvements**

The DSP states that the boulevard will have “intermittent landscaped medians with turn pockets. The landscaping will be heavier with more native species than in the Downtown Core to reflect the transition between the more rural area to the west of the downtown and the Core. Walkways, including those areas where there are gaps, will be improved to accommodate the variety of pedestrians that walk along Mount Diablo Boulevard every day.”

#### Staff Comments

If a controlled intersection is provided at the far western boundary, median segments will be needed to establish turn lanes. The 1988 Downtown Street Improvement Master Plan does not provide guidance for this segment of the boulevard but designates it as an “area needing further study.” Staff suggests that it is time to update the 1988 Downtown Street Improvement Master Plan for the length of Mt. Diablo between Risa Road and Dolores Drive. As evidenced by recent applications, the West End is ripe for redevelopment, and rather than reacting to what is proposed in each development application, the City should proactively engage the community in a conversation about desired streetscape, pedestrian and bicycle improvements for this area.

DSP Policy 2.5: West End - Pedestrian Experience. While this district is more auto-oriented, safe and continuous pedestrian access is a priority.

Program 2.5.1: Eliminate walkway gaps, and improve walkways so they are accessible to all people.

#### Staff Comments

The project provides continuous sidewalks along the boulevard and Dolores Drive with landscaping and other amenities to enhance the pedestrian experience. In staff’s opinion, the pedestrian experience will be further enhanced if the midblock driveway on the boulevard is relocated to the western project boundary. An additional pedestrian amenity that the applicant will construct is the multipurpose pathway on the EBMUD aqueduct ROW.

## **II. Downtown Design Guidelines objectives**

In addition to General Plan policies and applicable zoning, the Commission’s evaluation of the proposed design is guided by the Downtown Design Guidelines (DDG), summarized below as applicable to the subject application, and which supports the Downtown Specific Plan.

- a. **Building Placement**. Building placement should be varied to create visual interest, allow views, complement the natural environment, and enhance Lafayette’s informal and distinctive character.

### Staff Comments

The buildings are located to provide a semi-public space and promote use of the public realm through creation of plazas at the corner of the property, activated spaces between the buildings, and connecting through to the trail between buildings. The building placement allows all units to have access to natural day lighting. The restaurant takes advantage of its south facing orientation by providing outdoor dining areas on the boulevard.

- b. **Outdoor Space.** Outdoor space should foster social interaction and embrace natural features to enhance Lafayette's small-town character.

### Staff Comments

The outdoor spaces are linked to one another, to the sidewalks, and to the Aqueduct Trail. Upper story decks provide a face on all elevations and eyes on the outdoor spaces. The spaces will use pavers to increase filtering of runoff; water features are incorporated into three areas: the corner plaza and two interior court yards.

- c. **Landscape.** Landscaping should enhance the aesthetic quality and design of the downtown, create an inviting environment for pedestrians, and mitigate impacts related to noise, privacy, and environmental quality.

### Staff Comments

The landscape plan proposes significant planting and use of mostly native species, which serves to soften the built environment, mitigate freeway impacts especially to residential uses, enhance the pedestrian experience by providing shade, and reinforces the visual identity of the district as welcoming both residential and commercial uses.

- d. **Circulation.** Parking and circulation should provide a continuous flow of motorized vehicles, enhancing safety, and maintaining the pedestrian and bicycling experience. Bicycle parking & circulation should be easily accessible, convenient, safe, and visible to encourage bicycling in the downtown. Pedestrian circulation should be easily accessible, direct, safe, and aesthetically pleasing to encourage walking in the downtown.

### Staff Comments

The application proposes two garage parking access points: Mt. Diablo Boulevard (mid-block, right-in/right-out only) and Dolores Drive (full access). Planning staff's position regarding access is informed by the Downtown Design Guidelines (DDG), the Downtown Specific Plan (DSP), the General Plan and the technical review provided by multiple and independent transportation experts. Planning staff finds the Dolores Drive entrance to be consistent with the DDG, DSP and the General Plan. From a design perspective, "maintaining the pedestrian experience" is diminished by the mid-block access on Mt. Diablo Boulevard. Mid-block access breaks the public pedestrian continuity. From a technical perspective, mid-block access is also problematic. Conflicting traffic movements were identified at this location. Preventing illegal turns would require a median, which disrupts the operation of Diamond K. A more extensive evaluation for both Dolores Drive and Mt. Diablo Boulevard is provided within the City Engineer's staff report in Attachment 1.

Based on the Circulation Commission’s request for an analysis of a driveway at the west property line (whether shared or side-by-side driveways), there might be revisions that impact the project’s design. In that case, the application will return to the Design Review Commission with the same information.

The project meets the DDG in other aspects under circulation goals. DDG advises projects to incorporate dedicated passenger pick-up & drop-off points near building entries and outside the path of travel for an uninterrupted vehicular circulation. The project incorporates a dedicated loading zone on Mt. Diablo Boulevard near entry points and a garbage/truck service dock behind the restaurant area on Dolores Drive. These elements facilitate “a continuous flow of motorized vehicles” by providing space necessary for routine functions of both residential and commercial uses.

- e. **Parking.** Parking and circulation should provide a continuous flow of motorized vehicles, enhancing safety, and maintaining the pedestrian and bicycling experience. Bicycle parking & circulation should be easily accessible, convenient, safe, and visible to encourage bicycling in the downtown.

Staff Comments

Bicycle parking is provided in two secure locked rooms in the parking garage and with proposed bike racks in the courtyard areas.

The on-street parking proposed is angled, back-in parking, with the original intent of increasing bicycle safety through increasing visibility for the driver. Further evaluation identified issues with back-in, front-in and parallel parking. In weighing both interests of creating more downtown parking and promoting the safest alternative, Planning staff supports angled parking in either direction and does not support parallel parking for two reasons: (1) Parallel parking does not create needed additional on-street parking spaces and (2) The movement that drivers must make to stop and then drive in reverse to enter a parallel space would be the same movement, or more, required to use angled parking.

There are five existing on-street, parallel parking spaces. With the angled design and loading zone, there are now 15 on-street spaces, resulting in a net of ten new spaces created. Previously-approved projects (Lafayette Mercantile) have been allowed to apply on-street spaces to total parking demand when new spaces are created.

Land Use	Required	Proposed	Conforms?
Residential	94	119	Yes
Restaurant	53	53	Yes
Retail	6	6	Yes
On-street	n/a	15 (10 net)	Yes

Total parking spaces	153	184 (179 net)	Yes
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The project provides one hundred and seventy nine net new spaces; one hundred and sixty nine are provided in the garage and ten new spaces are on the street. This exceeds the required number of parking spaces required by the Lafayette code by twenty six spaces. Given the project’s proximity to the downtown and the BART station, the need to provide more parking than what is required by code should be evaluated and discussed.

- f. **Height and Scale/Building Design.** Height and scale of buildings should enhance diversity in building form and relate to the character of surrounding development. Buildings on Mt. Diablo Boulevard should have a two-story scale. DDG advises “Step-back second or third stories with enough dimension to allow for actual uses and related amenities.”

Staff Comments

There were comments in prior study sessions that the proposed buildings seem linear or too uniform, and that the western end of the site must be softened, providing a transition from the commercial corner toward the more semi-rural west end. In considering this comment, the residential building to the west needs to be distinctly different from the other two on site. Staff requests direction from the Design Review Commission regarding how to accomplish the goal of being distinct yet unified. Moving the access would provide the opportunity to vary the massing of the elevation as viewed from Mt. Diablo Boulevard.

Staff is generally supportive of the project’s architecture, height and scale. Along the way, the applicant has been receptive to making changes to the plans to address staff’s comments. The one area of concern is the scale of the building when viewed from sidewalk on Dolores Drive. Staff suggests that the upper stories along Dolores Drive be stepped back to mitigate the building’s height. The step backs should be of sufficient dimension as to allow for actual uses and amenities such as balconies.

During the 2013 study sessions, commissioners and members of the public stated concerns regarding the loss of commercial space and balancing that use with residential uses that are allowed in the C zoning district. The currently proposed commercial spaces – a full-service restaurant and a flex commercial space - represent about 5% of the entire development. It is critical that these commercial spaces represented are viable and successful. The Commission may recall that it was the City that asked for a full service restaurant to anchor this important corner of the downtown. Staff gathered some cursory square footage data from successful restaurant locations within Lafayette:

- Chow at 5,000 SF,
- Yankee Pier at 3,625 SF, and
- Pizza Antica at 3,900 SF.

The proposed gross square footage of the corner restaurant space is 4,000 SF. While this number is within the range of other restaurants, the City should evaluate the proposed restaurant’s layout, dimensions, accesses, façade, loading areas and visibility to ensure that they work for a successful,



full-service restaurant. Likewise, the City should ensure that the midblock “flex space” is viable and is not designed to only attract marginal businesses. The commercial spaces should have a clear identity of its own, visually separate from the residential buildings. Staff suggests that the applicant engage the services of restaurant and retail consultants or potential operators during this entitlement process to assist in the finalizing the design of these spaces.

Designs for signage, public art, and utilities will be conditioned to be reviewed at a later phase.

### III. Other Issues

#### a. Trees

The City’s landscape architect has provided a landscape review and advice regarding tree removal mitigations, transplanting of trees and tree care. The report in its entirety is included in this packet. Highlights of the recommendations for discussion include:

1. Tree #40, an 18” London plane, should be transplanted on site due to its tolerance of transplanting.
2. Plans show tree #42, an existing 17” magnolia street tree to be relocated to the vehicular entry at Mt Diablo Blvd. Given the species’ noted “poor” rating relative to root disturbance, the tree is recommended for removal (no transplantation). To ‘balance’ the entry feature, plant one (1) 36” box Magnolia grandiflora at the location of the relocated magnolia. The new magnolia would qualify as part of the mitigation.
3. Proposed coast live oaks are noted as “street trees in tree grates”. This species prefers ample root space and well-drained soil. If specified as a street tree, consider the best management practices as an alternative to the typical 4x4 tree well to support and sustain the oaks, as outlined in the landscape architect’s review, including linear trenching, structural/engineered soil under adjacent pavement, permeable pavers porous concrete, Drainage out-flows, and suspended pavement/structural cell system.
4. Consider mitigation plantings along the southern portion of the EBMUD right-of-way would help nestle the proposed buildings into the landscape and may qualify as mitigation trees.
5. Consider additional trees for shade at the plaza at the intersection of Mt Diablo Blvd and Dolores Drive.

#### b. Emergency/Fire evacuation concerns

Residents have expressed concerns that in the case of a wild land fire, vehicles from this project will clog the intersection of Dolores Drive and Mt. Diablo Blvd and block the path of travel of the residents to the north. The City’s transportation consultant and City Engineer have advised of the following mitigating circumstances and management measures that are activated in case of an evacuation:

- First, there is the potential secondary route via the EVA at the end of Quail Ridge Road.

- Second, if the aqueduct trail could be designed to mitigate any vehicle load on the aqueducts below, EBMUD would be willing to allow its use as a secondary emergency evacuation route.
- Third, an evacuation plan would likely involve a police officer or other trained official conducting traffic control at the Mt. Diablo Boulevard and Dolores intersection, as well as other intersections throughout the downtown, to ensure orderly movement.
- Fourth, if the project is approved with a Mt. Diablo Boulevard driveway, its residents are more likely to use that exit point, rather than to go on Dolores Drive and stack up behind the intersection. Finally, depending on the Circulation Commission's final recommendation to the Planning Commission, the project could also be conditioned to have an emergency plan that closes the Dolores Drive exit and force vehicles to go out onto Mt. Diablo Boulevard directly.

c. **Affordable Housing**

While the matter of requiring affordable housing is not within this Commission's purview, it is being raised because the placement of the affordable units may impact the buildings' designs. The applicant is aware of the City Council's goal to see affordable units in new downtown developments and has expressed a willingness to work with the City to achieve said goal.

**Circulation Commission Recommendations**

On December 1, 2014, the Circulation Commission took the following action:

1. Accepts analysis regarding overall traffic Level of Service.
2. Regarding Dolores Drive frontage:
  - a. Recommends project condition of approval to stipulate dock on Dolores Drive for trash/recycling services only on weekdays, allowing other loading/unloading on weekends for vehicles up to 40 feet total length.
  - b. Approve staff recommendation regarding trail crossing enhancements, specifically to augment the trail crossing with a rapid-flash beacon system with advance warning devices.
  - c. Is concerned about emergency access, does not support a Dolores Drive access driveway to project.
3. Regarding Mt. Diablo Boulevard frontage:
  - a. Requires applicant to submit revised site layout to include access point at far west end of project with traffic control, with supporting traffic analyses.
  - b. Prefers head-in angled parking with metered regulation.
  - c. Supports staff recommendation to require all guest parking to be in the garage.
  - d. Supports staff recommendation regarding redesign of loading area and 30-minute active loading regulation between 9a-6p weekdays.
4. Other actions:
  - a. Requests staff to investigate feasibility of emergency evacuation using EBMUD trail.
  - b. If Dolores Drive is allowed in the approved project, recommends analysis of widening Dolores Drive to create second southbound lane.
  - c. Recommends including Deer Hill Road and Happy Valley Road as a study intersection.

## **DSIMPIC Recommendations**

DSIMPC made the following recommendations regarding frontage improvements:

1. Street tree species along the Mt. Diablo Boulevard frontage: *Quercus schumardii*
2. Street tree species along the Dolores Drive frontage: *Quercus agrifolia*
3. Street tree species along the west property line: three (3) *Pistache chinensis* and two (2) *Quercus agrifolia*
4. *Magnolia grandiflora* along the Mt. Diablo Boulevard frontage should be removed due to construction impacts and its intolerance to being transplanted.
5. The proposed pavers are too busy of a pattern. While the Committee appreciated the sense of movement and visual direction that pavers give to the outdoor space (and articulating what might have otherwise been large expanses of concrete), the paver pattern area should be limited to the area within the property line. The remaining frontage should match other frontages within the downtown. The applicant should return to DSIMPIC when the new pavers and patterns are selected.

## **Environmental Review**

For the Design Review Commission's review, where the final action is a recommendation to the Planning Commission, no environmental review is required under the California Environmental Quality Act (CEQA). When the application is scheduled for the Planning Commission hearing in 2015, the CEQA Initial Study will be submitted at that time for public comments and consideration of adoption.

## **Required Findings**

Following are the findings necessary to approve this application. Staff will provide responses to these findings at the next meeting.

### **6-275, Findings required for Design Review**

1. Every provision of this chapter is complied with;
2. The approval of the plan is in the best interest of the public health, safety and general welfare;
3. General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;
4. General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings; and
5. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

### **3-701, Findings required for approval of grading exceeding 50 cubic yards**

1. The grading will not endanger the stability of the site or adjacent property or pose a significant ground movement hazard to an adjacent property. The decision making authority may require the project geotechnical engineer to certify the suitability of the project supported by appropriate technical studies, including subsurface investigation;
2. The grading will not significantly increase erosion or flooding affecting the site or other property and will not cause impacts to riparian habitats, stream channel capacity or water quality that cannot be substantially mitigated;
3. The grading, when completed, will result in a building site that is visually compatible with the surrounding land;
4. The grading is sensitive to the existing landforms, topography and natural features on the site; and
5. The design of the project preserves existing trees on the site and trees on adjoining property to the extent possible.

### **6-1707, Findings required for approval of Tree Removal Permit**

In acting on the application, the Design Review Commission shall consider the following:

1. Health, condition and form of the tree;
2. Number, size and location of other trees to remain in the area;
3. Relationship of the property to riparian corridors, a scenic or biological resource area or a restricted ridgeline area;
4. Role of the tree in a tree grove or woodland habitat;
5. Value of the tree to the neighborhood in terms of visual effect, wind screening and privacy;
6. Damage caused by the tree to utilities, streets, sidewalks or existing private structures or improvements;
7. Role of the tree in mitigating drainage, erosion or geologic stability impacts; and
8. Health and condition of the area within the protected perimeter.
9. Necessity for the pruning or removal in order to construct a required improvement on public property or within a public right-of-way or to construct an improvement that allows reasonable economic enjoyment of private property;
10. Extent to which a proposed improvement may be modified to preserve and maintain a protected tree; and
11. Extent to which a proposed change in the existing grade within the protected perimeter may be modified to preserve and maintain a protected tree.

### **6-215 and 6-216 Findings required for approval of a subdivision:**

1. The proposed subdivision will not be detrimental to the health, safety and general welfare of the city.
2. The proposed subdivision will not adversely affect the orderly development of property within the city.
3. The proposed subdivision will not adversely affect the preservation of property values and the protection of the tax base within the city.

4. The proposed subdivision is consistent with the general plan and each element of it and will not adversely affect the policies and goals set forth in the general plan.
5. The proposed subdivision will not create a nuisance or enforcement problem within the neighborhood.
6. The proposed subdivision will not encourage marginal development within the neighborhood.
7. The proposed subdivision is consistent with the purpose section of the zoning district in which it is located.

### **Staff Recommendations Summary**

Staff appreciates the cooperative spirit in which this applicant has developed this project. The project meets the height and density standards established by the General Plan and Downtown Specific Plan. It seeks no variances to the zoning ordinance. It establishes a strong commercial anchor at the corner of Mt. Diablo Boulevard and Dolores Drive. It provides housing close to BART and downtown amenities. It improves pedestrian circulation and adds the amenity of the multipurpose pathway on the EBMUD easement. To continue the positive effort, staff believes that some changes are needed in order to make this a better project. Following is a summary of staff's recommendations:

1. Provide direction regarding design and scale of the residential-only building at the west end of the site.
2. Require the upper stories along Dolores Drive to be stepped back to mitigate the project's scale and height.
3. Require additional analysis to confirm the viability of the proposed design for commercial spaces, specifically for (a) the corner commercial space to accommodate a full-service restaurant and (b) the mid-block commercial space identified as "retail/flex space". Recommend that the applicant engage potential operators/tenants during the planning process so that viability can be evaluated. Provide direction regarding architectural and design techniques to give the commercial spaces a clear identity of its own, easily identifiable as a restaurant or retail space, and visually separate from the rest of the residential building.
4. Support the City Landscape architect's recommendations for conditions of approval regarding mitigation plantings, transplant options and tree care practices within the report dated May 21, 2014.
5. Require the project's Mt. Diablo Boulevard access be relocated to the west property line. Support the Dolores Drive access. Do not support the mid-block Mt. Diablo Boulevard access. Require the project to return to the Design Review Commission with an analysis of a west property line driveway access and any related resulting design impacts, prior to proceeding to Planning Commission.
6. Support angled on-street parking configuration; do not support parallel parking configuration, except for the proposed drop-off and loading zone on Mt. Diablo Boulevard.
7. Support the other recommendations of the City Engineer.

As a separate matter, staff suggests that the Commission recommend to the Planning Commission and City Council that the City proactively engage the community in a conversation about desired streetscape, pedestrian and bicycle improvements for the West End.

#### **ATTACHMENTS**

1. City Engineer's staff report to the Circulation Commission
2. Landscape architect's review
3. Letters received
4. Applicant Statement
5. Project Plans
6. Study sessions minutes ( 2 sets)