

A P P E N D I X Q

CHRONOLOGY FOR EASTERN DEER
HILL ROAD AREA



Chronology for Eastern Deer Hill Road Area

April 19, 2001 – September 12, 2011

- April 19, 2001 Based on a recommendation from GPAC, the Planning Commission voted 4-2 to recommend to the City Council that the General Plan designation for the Eastern Deer Hill Road area be changed to Rural Residential.
- January 2002 As part of the discussion about the revised General Plan in January 2002, the City Council approved staff's recommendation that the eastern Deer Hill area be the subject of further planning before a decision on land use designations was made.
- February 2002 The Council confirmed that further planning should be done for this area by including the adoption of an Eastern Deer Hill Road Specific Plan in its FY2002/2003 goals.
- July 2002 Planning staff sent out requests for proposals to consultants for the preparation of the specific area plan.
- September 2002 Planning staff recommended to the Council that WRT be selected for preparation of the specific plan. WRT's cost to prepare the specific plan for Eastern Deer Hill Road and the East End of Mt. Diablo Boulevard was \$146,213. The Council subsequently asked staff to look at less expensive options which were presented to the Council later that month.
- October 2002 After reviewing seven options ranging from modifying the consultant's scope of work for the specific plan, hiring a contract planner, to removing the specific plan as a Council goal, the Council decided to defer consideration of the specific plan to their goal setting session for 2003/2004.
- October 28, 2002 City Council adopts the revised General Plan including the following:
- Goal LU-13: Ensure that the Eastern Deer Hill Road area near the section of Pleasant Hill road is developed, where development is appropriate, in a manner consistent with Lafayette's community identity.
 - Policy LU-13.1: Preserve and enhance the semi-rural single-family residential character north of Deer Hill Road where not adjacent to Pleasant Hill Road.
 - Policy LU-13.2: Consider options for development south of Deer Hill Road and north of Deer Hill Road where adjacent to Pleasant Hill Road.
 - Program LU-13.2.2: Prepare through community planning process as Eastern Deer Hill Road Specific Plan.
- February 2003 At its goal setting session for 2003/2004, the Council decided not to include preparation of the Deer Hill Road Specific Plan as a goal due to budget constraints and other significant projects taking staff's time. However, staff was asked to bring back an agenda item to discuss whether the land use designation within the planning area should be changed.

At the City Council meeting of February 24, 2003, staff offered three options for the Council to consider; 1) Do nothing now and reconsider preparation of a specific plan next year, 2) Initiate a General Plan amendment to change the current APO designations to LR and revise the General Plan goals, policies, and program to support this change in density, and 3) Direct staff to prepare a specific plan. The City Council voted to pursue option 2 and have staff return with a specific proposal for a General Plan Amendment.

August 2003

Staff began preparation of the General Plan Amendment but asked for clarification from the City Council on which specific properties to include. The minutes of the City Council meeting of August 11, 2003 state the following:

City Manager Falk said staff would prefer a motion, and said the question before the Council was how many and which lots would the Council like studied, not what zoning the Council would like them to be.

Mayor Federighi said it is clear they are looking at all seven parcels, but the Council disagrees on what the ultimate zoning designation should be. Ms. Merideth suggested directing staff to look at all seven parcels. Staff can bring back options to be heard by the Planning Commission who can then make a recommendation to the Council. A first scenario could be every parcel is LR. Another scenario could be a suggestion for Parcel 1 depending upon its size, something for Parcel 4 where the line is, how many potential single-family units should be on the property, etc.

Councilmember Tatzin confirmed it would be a Council-initiated General Plan amendment. Ms. Merideth said the Council was initiating a General Plan amendment change tonight, sending it onto the Planning Commission, and that staff would do an analysis. However, she clarified that staff has not concluded on how it would be presented, either with options or with a proposal with alternatives, or some other way.

She [Ms. Merideth] said staff would like a General Plan amendment for all seven properties, with the Planning Commission to make a recommendation, and with a view toward changing the APO parcels to residentially zoned parcels.

ACTION: It was M/S/C (Tatzin/Horn) to direct staff to initiate a General Plan amendment for the seven parcels as outlined in the Eastern Deer Hill Road area and that parcels with APO zoning be changed to residential zoning. Vote: 4-0-1 (Samson absent).

November 18, 2004

Planning Commission conducts first public hearing on GP03-04/RZ02-04 as described below.

GP03-04, CITY OF LAFAYETTE (APPLICANT): Amendment to General Plan Map I-1 to reclassify three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Single Family. The Planning Commission may also consider an amendment to General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021)

located on Deer Hill and Pleasant Hill roads from Low Density Single Family Residential to Rural Residential Single Family.

RZ02-04, CITY OF LAFAYETTE (APPLICANT): Change of zoning designation for three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or R-20. The Planning Commission may also consider rezoning four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from R-20 to L-R-10.

After taking public testimony, the Planning Commission continued the public hearing to their meeting of January 6, 2005 so staff could provide additional background information and exhibits on the proposed General Plan Amendment and rezoning and the seven subject properties.

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| January 6, 2005 | Planning Commission conducts a public hearing. At the meeting, a majority of the Commissioners expressed concern about moving forward with GP03-04/RZ02-04 without additional information on the physical characteristics of the properties and an assessment of their development potential. The Commission directed staff to prepare a preliminary scope of work and budget for a consultant to prepare an opportunities and constraints analysis (OCA) for the seven Deer Hill Road properties. |
| February 3, 2005 | Planning Commission holds a public hearing where staff presents a scope of work and budget for a consultant to prepare an OCA. The Commission votes to forward the Commission's recommendation to the City Council for preparation of an OCA prior to any further action on GP03-04/RZ02-04. |
| March 15, 2005 | City Council conducts a public hearing to consider preparation of an OCA. The City Council votes to provide \$40,000 from the General Fund for the preparation of the OCA. |
| September 7, 2006 | Planning Commission conducts a public hearing where it reviews the OCA prepared by MHA Consulting and considers staff's request to decide which specific properties within the Eastern Deer Hill Area should be included in the General Plan and rezoning applications and what the designations should be. Further discussion on GP03-04/RZ02-04 is continued to allow staff to respond to Planning Commission requests for more information related to a scope of work and estimated cost for a consulting civil engineer to calculate the average slope of specific properties in the study area and a scope of work for conceptual design studies for parcels 27 and 28 (1175 Pleasant Hill Road and 3233 Deer Hill Road, respectively), including bulk and mass studies and circulation and traffic constraints. |
| October 19, 2006 &
November 16, 2006 | Staff provides scopes of work for average slope calculations and conceptual development studies to the Planning Commission at a public hearing. On November 16, the Commission directs staff to proceed with requests for proposals for the two studies. (The \$30,000 needed to prepare the studies is included in the Planning Services Division consulting services budget.) |

November 15, 2007 As directed by the Planning and Building Services Manager, staff provides the Planning Commission with a copy of the proposal by Design, Community & Environment to prepare conceptual development studies for parcels 27 and 28. The Planning Commission votes to rescind its prior direction to staff for preparation of conceptual development studies.

November 21, 2007 Martin Lysons of Gagen McCoy files a letter on behalf of Anna Maria Dettmer appealing the Planning Commission's November 15 decision.

January 14, 2008 City Council conducts a public hearing on the appeal by Anna Maria Dettmer and votes to deny the appeal and uphold the Planning Commission's decision to rescind the preparation of conceptual development studies.

February 21, 2008 Planning Commission conducts a public hearing where it reviews the results of the average slope data prepared by Schell & Martin, Inc. at the request of the Planning Commission. Staff suggests that the Commission consider LR-5 zoning for the properties with split zoning and MRP – Multi-family Residential/Professional Office, One-story District for properties fronting on Pleasant Hill Road. The Planning Commission continues discussion to March 20 and asks staff to prepare an LR-5 analysis and provide more information for the properties fronting on Pleasant Hill Road.

March 20, 2008 Planning Commission conducts a public hearing where it considers LR-5, LR-10, and MRP zoning. A straw vote is conducted on the possible zoning designations for parcels 4, 10, 16, and 21. On a vote of 4 to 3 in favor, the Commission settles on no change to the R-20 zoning of parcel 4 and that a zoning change of LR-10 for parcels 10, 16, and 21 be considered. The Commission continues discussion on parcels 14, 27, and 28 to the meeting of April 17.

April 17, 2008 Planning Commission conducts a public hearing where it considers LR-10, MRP and MRT (Multi-family Residential Townhouse District) zoning. By a majority vote, the Commission proposes no change to the R-20 zoning of parcel 4 and proposes a zoning change of LR-10 to parcel 21. After numerous other motions for possible zoning designations fail to carry, the Commission leaves General Plan and zoning amendments for the remaining five parcels unresolved.

October 9, 2008 City Council and Planning Commission hold a joint public meeting on the matter. By unanimous vote of the City Council, staff was directed to initiate a change of zoning for parcels 232-140-004, 232-140-010, 232-140-014, 232-140-016, and 232-150-021 to LR-10 (with corresponding General Plan designations) and to work with the property owner of parcels 232-150-027 and 232-150-028 on the terms of a development agreement and return to the City Council in three months with a status report.

March 23, 2009 City Council conducts a public hearing where it considers General Plan and zoning designations for the Eastern Deer Hill Road properties so a project description for GP02-08 and RZ02-08 can be developed. Staff reports that no progress had been made with the owner of Parcels 27 and 28 regarding a development agreement or submittal of a preliminary development plan. By a vote of 4-0, the Council directs staff to return on June 8 to initiate proceedings to amend the General Plan and zoning designations.

June 8, 2009

City Council conducts a public hearing where it considers General Plan and zoning designations for the Eastern Deer Hill Road properties so a project description for GP02-08 and RZ02-08 can be developed. By a vote of 4-0, the Council directs staff to initiate proceedings to amend the General Plan and zoning designations for six properties (no change to the seventh property, APN 232-150-028) and to proceed with environmental review based on the following project description.

Project Description: Amend General Plan Map I-1 to reclassify six properties located on Deer Hill Road as follows: 1) APN 232-140-004 from Low Density Single Family Residential to Rural Residential Single Family, 2) APN 232-140-010 from Low Density Single Family Residential to Rural Residential, 3) APN 232-140-016 from Low Density Single Family Residential to Rural Residential Single Family, 4) APN 232-150-021 from Low Density Single Family Residential to Rural Residential Single Family, 5) APN 232-140-014 from Administrative/Professional/Office/Multifamily to Rural Residential Single Family, and 6) APN 232-150-027 from Administrative/Professional/Office/Multifamily to Low Density Multi-Family Residential and Rural Residential Single Family and rezoning of six properties located on Deer Hill road as follows: 1) APN 232-140-004 from R-20 to LR-10, 2) APN 232-140-010 from R-20 to LR-10, 3) APN 232-140-016 from R-20 to LR-10, 4) APN 232-150-021 from R-20 to LR-10, 5) APN 232-140-014 from APO to LR-10, and 6) APN 232-150-027 from APO to MRA and LR-5.

To be considered along with the proposed project description would be an alternate zoning of LR-10 for the upper portion of 232-150-027 and R-65 for the lower portion.

November 19, 2009

Planning Commission conducts a public hearing where it considers General Plan and zoning amendments as initiated by the City Council on June 8, 2009 and an addendum to the General Plan Revision Final EIR. Upon close of the public hearing, the Commission adopts Planning Commission Resolution 2009-17 recommending to the City Council adoption of an Addendum to the General Plan Revision Final EIR for and approval of GP02-08 and RZ02-08 subject to, 1) the removal of Assessor's Parcel 232-140-004 from the Project with no change to the General Plan or zoning designations for the parcel and 2) substitution of MRT, Multiple-Family Residential Townhouse District zoning designation for MRA, Multiple-Family Residential District A for the 1.76± acre portion of Assessor's Parcel 232-150-027 ("Lower Portion") adjacent to Deer Hill and Pleasant Hill roads.

January 25, 2010

City Council conducts a public hearing where it considers the Planning Commission recommendation per PC Resolution 2009-17 and proposed City Council Resolution 2010-02 to adopt an Addendum to the General Plan Revision EIR and approve an amendment to City of Lafayette General Plan Map I-1 reclassifying five properties (GP02-08) and Ordinance No. 594 for a change of zone for five properties (RZ02-08). The matter is continued to the meeting of February 8, 2010.

February 8, 2010

City Council conducts public hearing, closes public hearing, and continues to April 12, 2010. The purpose of the continuation is to allow staff to, 1) study single-family housing options for the lower portion of Parcel 27, 2) study an

option of R-40 for the upper portion of Parcel 27, 3) study an option of LR-5 for Parcel 10, and 4) study an option of LR-5 for Parcel 21.

April 12, 2010

Due to time constraints, the City Council continues the matter without discussion to meeting of April 26, 2010.

April 26, 2010

As requested by the City Council, staff provides a report studying 1) single-family housing options for the lower portion of Parcel 27 which include R-6, R-10, R-15, R-20, R-40, and R-65, 2) an option of R-40 for the upper portion of Parcel 27, 3) an option of LR-5 for Parcel 10, and 4) an option of LR-5 for Parcel 21. City Council directs staff to revise the project description including removing Parcel 4 from the Project, perform environmental review and conduct public hearings before the Planning Commission.

Revised project description:

Amendment to General Plan Map I-1 to reclassify five properties located on Deer Hill Road as follows: 1) APN 232-140-010 from Low Density Single Family Residential to Rural Residential Single Family-5 2) APN 232-140-016 from Low Density Single Family Residential to Rural Residential Single Family-5, 3) APN 232-150-021 from Low Density Single Family Residential to Rural Residential Single Family-5, 4) APN 232-140-014 from Administrative/Professional/Office/Multifamily to Low Density Single Family Residential and 5) APN 232-150-027 from Administrative/Professional/Office/Multifamily to Rural Residential Single Family-5. An amendment to the General Plan to revise the text of Policy LU-13.2 to remove the preparation of an Eastern Deer Hill Road Specific Plan and all other references to the specific plan.

Rezoning of five properties located on Deer Hill road as follows: 1) APN 232-140-010 from R-20 to LR-5, 2) APN 232-140-016 from R-20 to LR-5, 3) APN 232-150-021 from R-20 to LR-5, 4) APN 232-140-014 from APO to R-65, and 5) APN 232-150-027 from APO to LR-5.

Properties	Current General Plan	Current Zoning	Proposed General Plan	Proposed Zoning
232-140- 004	Low Density Single Family Residential	R-20	Remove from project	
232-140- 010	Low Density Single Family Residential & Rural Residential Single Family	Split R-20 & LR-10	Rural Residential Single Family-5	LR-5
232-140- 014	Administrative/Professional/Office/Multi-family	APO	Low Density Single Family Residential	R-65
232-140- 016	Low Density Single Family Residential & Rural Residential Single Family	Split R-20 & LR-10	Rural Residential Single Family-5	LR-5
232-150- 021	Low Density Single Family Residential & Rural Residential Single Family	Split R-20 & LR-10	Rural Residential Single Family-5	LR-5

232-150-027	Administrative/ Professional/Office/ Multi-family	APO	Rural Residential Single Family-5	LR-5
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- May 9, 2011 City Council directs staff to include an amendment to the General Plan to revise the text of Policy LU-13.2 to remove the preparation of an Eastern Deer Hill Road Specific Plan and all other references to an Eastern Deer Hill road Specific Plan in the project description for GP02-08. At this meeting, the City Council also directs staff to publish notice of GP02-08 and RZ02-08 pursuant to Section 66474.2 of the Subdivision Map Act.
- August 15, 2011 Planning Commission conducts a public hearing where it considers GP02-08 and RZ02-08. Upon close of the public hearing, the Commission votes 3-2 with two members absent to adopt Planning Commission Resolution 2011-14 recommending approval of the General Plan and zoning amendments and adoption of an Addendum to the General Plan Revision Environmental Impact Report.
- September 12, 2011 City Council conducts a public hearing where it considers GP02-08 and RZ02-08 and an Addendum to the General Plan Revision Environmental Impact Report prepared for the Project. Upon close of the public hearing, the City Council votes to continue the matter to a future date to allow staff to prepare responses to public comments.

