



## STAFF REPORT

Approved and forwarded to City Council

A handwritten signature in blue ink, appearing to read "B. Montgomery", is written over a horizontal line.

Bryan H. Montgomery, City Manager

**Date:** May 26, 2015  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kenneth W. Strelo, Senior Planner  
**SUBJECT:** Prescott at Cypress Grove Design Review (DR 03-15)

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### Summary

This is a request by Candace Hatch of DeNova Homes for design review approval of house plans and architecture, and a development plan (neighborhood plotting plan) for 40 entitled lots located within the Cypress Grove subdivision, specifically subdivisions 9080 and 9391, north of Ironhouse Elementary School and Delta Vista Middle School (4901 Frank Hengel Way) off of East Cypress Road and Frank Hengel Way. The site is zoned P-1 (Planned Development) District. Portion of APN 037-192-024.

Staff recommends the City Council adopt the resolution approving Prescott at Cypress Grove Design Review (DR 03-15), as conditioned.

### Background and Project Description

#### General Plan and Zoning

The General Plan Land Use Designation for the project site is Single Family High ("SH") as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram). The SH designation allows for a maximum density of 5.5 dwelling units per gross acre, per General Plan Table 2-1 (Land Use Designations Densities and Intensities). The site is zoned P-1 (Planned Development) District for the purposes of detached single family residential development.

#### House Floor Plans

Complete design review plans are attached for reference. Subdivisions 9080 and 9391 included 26 lots and 14 lots, respectively. When subdivision 9391 was proposed, the applicant included slight modifications to the final map for 9080 to the north in order to allow the two subdivisions to function as one loop road rather than two long cul-de-sacs. The two subdivisions will be marketed as one development, and the applicant has submitted one design review application for both.

Four floor plans and three architectural types are proposed for the 40 lots. One plan is proposed as a one-story home and the remaining three plans are proposed as two-story homes. The table below provides a summary of the four proposed floor plans.

	<b>Livable Square Feet</b>	<b>Max. Beds/Baths (w/ options)</b>	<b>No. of Floors</b>	<b>California Room/Living Suite Option</b>	<b>Garage Spaces</b>
<b>Plan 1</b>	2,036	4/2	1	Yes/No	2
<b>Plan 2</b>	2,402	5/3	2	Yes/No	2
<b>Plan 3</b>	2,733	5/3	2	Yes/Yes	3 (2 side loaded) or 2 side loaded w/ living suite option
<b>Plan 4</b>	2,968	5/3	2	Yes/No	3 (2 tandem)

### House Elevations

All four floor plans share the same three options for architectural elevations, which all feature Stucco siding, Stucco over foam trim, theme specific garage doors, and cultured stone veneer. The elevation-specific elements are summarized below:

<b>Elevation A Tuscan</b>	<b>Elevation B Craftsman</b>	<b>Elevation C Farmhouse</b>
Decorative foam outlookers <sup>1</sup>	Wood trim overlap siding at gable ends	Board and batten at accent areas
Plank and batten shutters	Wood outlookers w/ kickers	Wood trim at board and batten siding
Concrete tile roofing - low profile "S"	Concrete tile roofing – shake profile	Concrete tile roofing – slate profile

Also present in each elevation type are different style window muntins. The Tuscan plan has the least number of muntins, with the Craftsman plan showing the second most, which are confined mostly to the upper half of each framing, and the Farmhouse shows full framed muntins. Matching muntins styling is proposed on the second floors of each respective plan.

<sup>1</sup> The "decorative foam outlookers" are non-structural and replicate exposed extensions of roof beams or rafters.

The proposed street scene is inserted below for reference. It can also be referenced on the first page of the applicant's design review plans. From left to right, the plans are as follows: Plan 3C (Farmhouse), Plan 4B (Craftsman), Plan 1C (Farmhouse), and Plan 2A (Tuscan).



When considering the applicant has proposed four plan types, three elevations, and three color-material schemes for each elevation type, there are a total of 36 possible combinations of floor plan/elevation type/color-material scheme available for the 40 lots. Also, with the ability to flip homes to a left or right orientation, there should be very few, if any, exactly similar homes within the subdivision.

### **Environmental Review**

The request for design review approval does not constitute changes to the physical impacts associated with, and falls within the scope of, the CEQA analyses previously conducted for Subdivision 9080 (Negative Declaration SCH# 2006062088) and Subdivision 9391 (Exempt pursuant to CEQA Guidelines section 15332 – In-Fill Development Projects).

### **Analysis**

The project plans were analyzed for consistency with the adopted [City of Oakley Residential Guidelines](#) ("Guidelines"). Since, the Vesting Tentative Maps were previously analyzed and approved, the focus of this analysis is on residential siting and lot design of the neighborhoods, and architectural character and details of each house.

### **Residential Siting and Lot Design**

Lot sizes associated with this project allow for adequate variation in setbacks for front yards and between adjacent homes on side yards. The home footprints are designed in a manner that provides front yard setback variations starting at 20 feet for living areas and 15 feet for porches and side loaded garages. This variation in front yard setbacks and house footprint designs will help avoid long, straight "walls" of buildings along the street frontages and create visual interest within the front yards. The proposed Development Plan shows at least a 15 foot setback between adjacent homes and in some cases, as much as 30 feet between adjacent homes. Large side yard setbacks provide for ample space between adjacent footprints and compliance with the Residential Guideline that adjacent two-story elements be at least 15 feet apart.

The Oakley Residential Guidelines require at least 20% of a subdivision's homes and 50% of the corner lots be one-story designs. The proposed development plan includes 25% one-

story homes (Plan 1), which makes up 10 of the 40 lots. Only one of the five corner lots is proposed with the one-story home, which does not sufficiently implement the 50% requirement. In order to comply, the applicant would need to replace two of the four two-story corner lots with the one-story home. Since, the Development Plan currently shows 25% of the homes as one-story, the applicant could switch out two of the non-corner one-story homes with two of the two-story corner homes. This switch which would maintain the same overall balance of homes types, and satisfy the corner lot requirement.

Building mass is an element of lot siting and design. The covered porches, projecting architectural elements, and slight variations in roof designs within the same footprint all add to the diversity of the house styles. Plan 3, which has the side loaded, two-car garage will add to the distinctions in building mass by placing the main home entry and street-facing, single-car garage door at least 45 feet from the street line. The proposed homes combined with the proposed Development Plan result in a diverse and interesting streetscape.

### Architectural Character

The architectural character and design of the proposed homes have several consistencies with the guidelines. The homes include window muntins, different exterior siding or veneer for gables, porches, and some garage elements, and false shutters on some windows. There has been a trend by some home builders to enhance only the front elevations of homes with some of those enhancements carried over to "visible" sides or the rear of the home. The applicant has worked with staff to provide some enhancements on all elevations, with additional enhancements on some highly visible lots. When enhancements are present on all four sides, it is referred to as "360 degree architecture." A couple of examples of 360 degree architecture proposed with the project include:

- Window muntins that match the front elevation muntins to be provided on all elevations of second stories; and
- Matching siding and outlookers for front, side and rear facing gables, as applicable.

The applicant is proposing to add matching false shutters to most of the side and rear facing second story elevations. In order to provide 360 degree architecture in relation to false shutters, the following second story elevations should also include shutters on at least one window:

- Plan 2 and Plan 4 (Tuscan), and Plan 4 (Farmhouse) – Right elevation.
- Plan 2 (Craftsman and Farmhouse), and Plan 4 (Farmhouse) – Rear elevation window where gable, outlookers and shutters would otherwise be installed go for enhanced lots.
- Plan 2 (Craftsman and Farmhouse) – Right and left elevations.
- Plan 4 (Tuscan) – Right Elevation

An additional architectural element in the form of a rear elevation gable with enhancements is proposed for "community edge lots" (as defined by the applicant). This enhancement is

shown on Plans 2 and 4 on the Craftsman and Farmhouse architectural types only. Staff recommends the lots for which this enhancement will be present include: Lots 1, 27, 28, and 31-40. This would include corner lots adjacent to Picasso Drive and those lots backing up to Escher Circle or the existing park. If applied to the proposed Development Plan and applicable house plans, the enhancement would only be required on lots 27, 32, 35, 36, 38 and 40. A couple more of those lots could apply if they were proposed as single-story and switched out with a Plan 2 or 4 on a corner to satisfy the corner lot single-story requirement. At most, it appears 8 lots could be impacted, but probably less since the Tuscan architectural type is not affected.

Although the project as proposed is mostly consistent with the Oakley Residential Guidelines, the proposed resolution includes conditions of approval that require false shutters as described above, as well as calling out the "enhanced lots." With implementation of the proposed conditions, the house designs will better meet the intent of the Residential Guidelines. These additional design elements will increase the architectural interest of the homes not only from all public view angles, but also to residents within and adjacent to the new development, resulting in a higher quality product design. Plus, there will be no discrepancy in defining what a "community edge lot" between staff and the developer.

### **Findings**

Draft findings are included in the attached resolution.

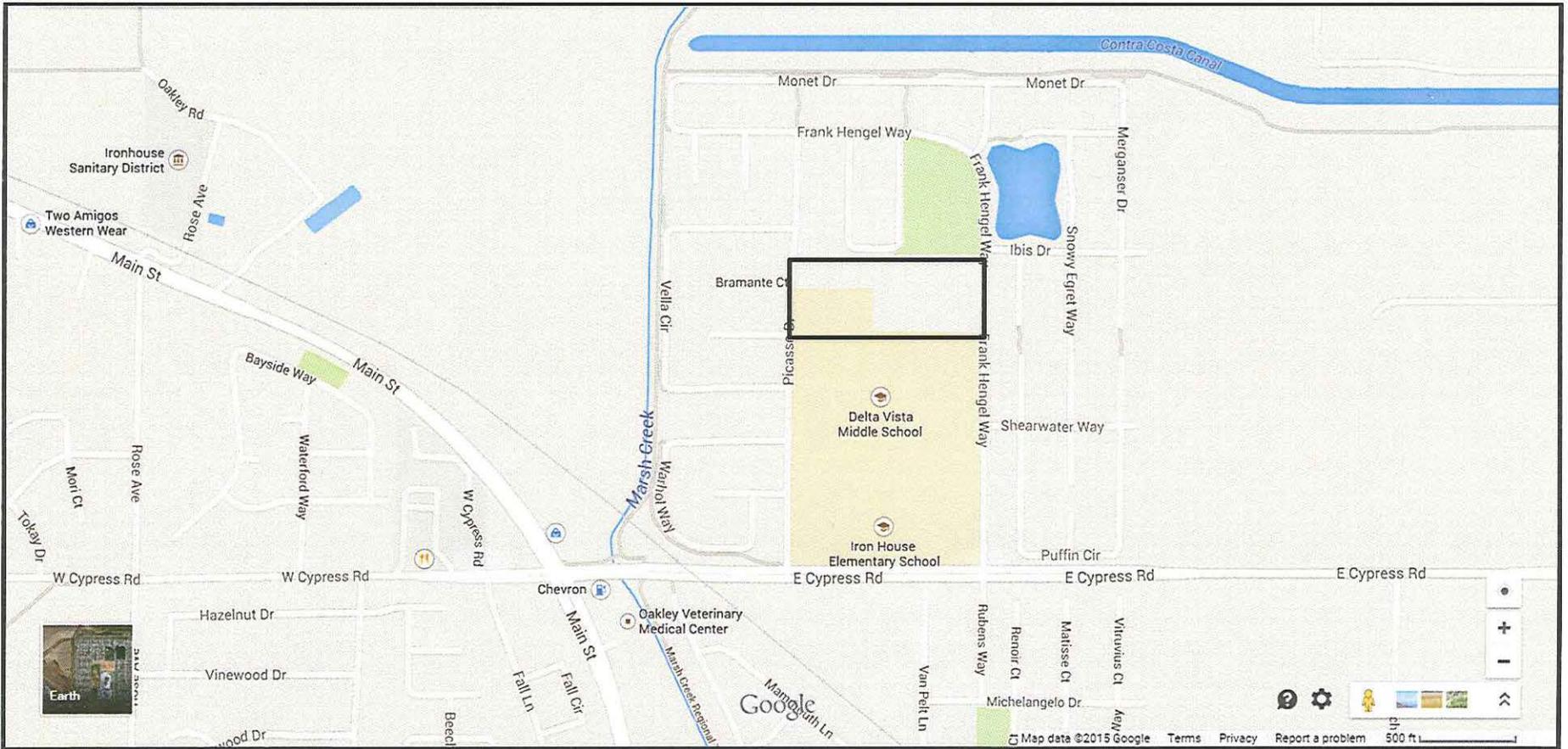
### **Recommendation**

Staff recommends the City Council adopt the resolution approving Prescott at Cypress Grove Design Review (DR 03-15), as conditioned.

### **Attachments**

1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. Draft Resolution

VICINITY MAP  
Prescott at Cypress Grove (DR 03-15)  
(APN portion of 037-192-024)





City of Oakley  
3231 Main Street  
Oakley, CA 94561  
[www.oakleyinfo.com](http://www.oakleyinfo.com)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on **May 26, 2015** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a residential **Design Review** approval.

**Project Name:** Prescott at Cypress Grove Design Review (DR 03-15)

**Project Location:** Within the Cypress Grove subdivision, specifically subdivisions 9080 and 9391 north of Ironhouse Elementary School and Delta Vista Middle School (4901 Frank Hengel Way) off of East Cypress Road and Frank Hengel Way. Portion of APN 037-192-024.

**Applicant:** Candace Hatch of DeNova Homes, Inc., 1500 Willow Pass Court, Concord, CA 94520; [candace@denovahomes.com](mailto:candace@denovahomes.com)

**Request:** This is a public hearing on a request for Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) for 40 entitled lots within approved Subdivisions 9080 and 9391. The site is zoned P-1 (Planned Development) District.

**California Environmental Quality Act (CEQA):** The project does not constitute changes to the physical impacts associated with, and falls within the scope of, the CEQA analyses previously conducted for Subdivision 9080 (Negative Declaration SCH# 2006062088) and Subdivision 9391 (Exempt pursuant to CEQA Guidelines section 15332 – In-Fill Development Projects).

The Staff Report and its attachments will be available for public review, on or after May 22, 2015 at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City's website [www.oakleyinfo.com](http://www.oakleyinfo.com).

Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Ken Strelor, Senior Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to [strelor@ci.oakley.ca.us](mailto:strelor@ci.oakley.ca.us).**

**NOTICE IS ALSO GIVEN** pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Council Secretary at, or prior to, the Public Hearing.



**PLAN 3C  
FARMHOUSE**

**PLAN 4B  
CRAFTSMAN**

**PLAN 1C  
FARMHOUSE**

**PLAN 2A  
TUSCAN**



**PRESCOTT  
Oakley, California**

CITY OF OAKLEY  
Planning Department  
MAR 13 2015  
RECEIVED

940 Tyler Street #19  
Benicia, CA 94510  
Phone: (707) 746-6586



1416 3-4-15



**FRONT ELEVATION "A"**  
**(TUSCAN)**



**FRONT ELEVATION "B"**  
**(CRAFTSMAN)**

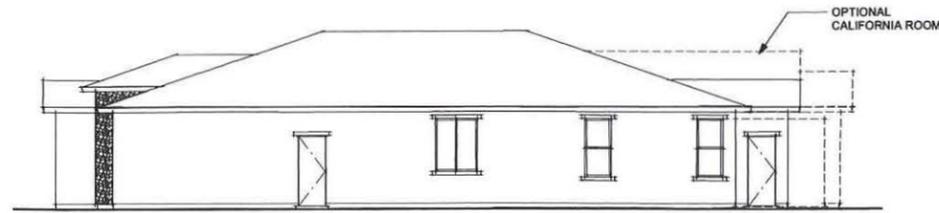


**FRONT ELEVATION "C"**  
**(FARMHOUSE)**

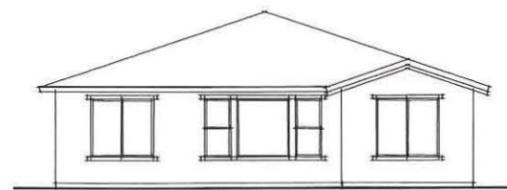


FIRST FLOOR PLAN (2036 S.F.)

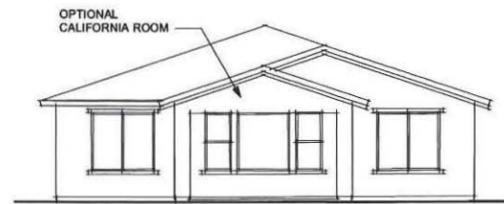
PLAN 1  
**PRESCOTT**  
 Oakley, California



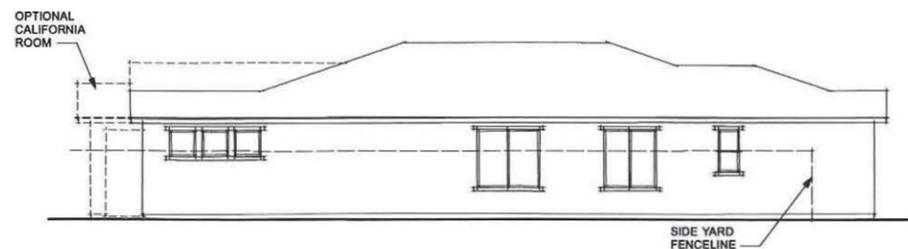
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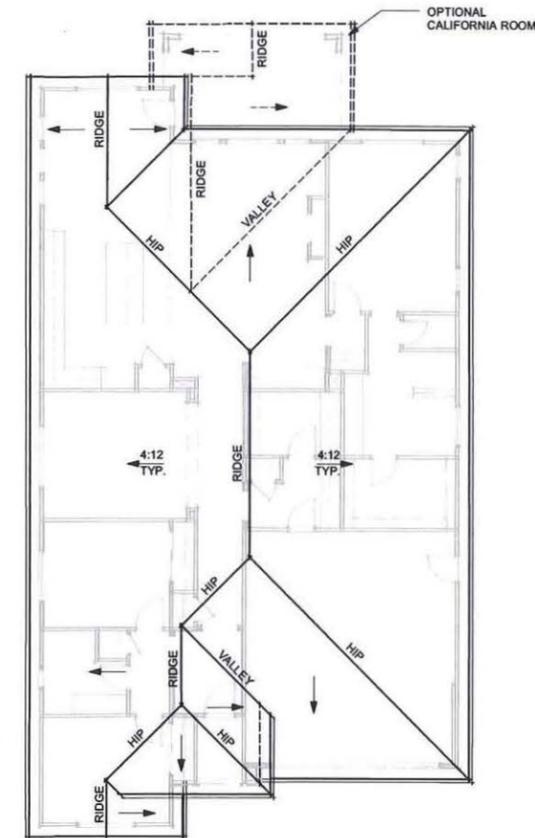
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**REAR "A"**  
(OPT. CALIFORNIA ROOM)



**LEFT SIDE "A"**



**ROOF PLAN "A"**

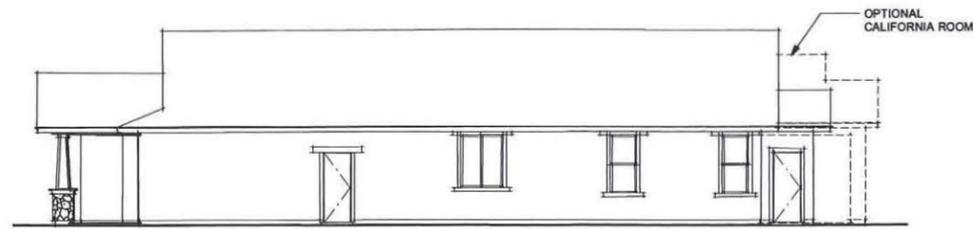
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- STUCCO OVER FOAM TRIM
- DECORATIVE FOAM OUTLOOKERS
- PLANK AND BATTEN SHUTTERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - LOW PROFILE "S"

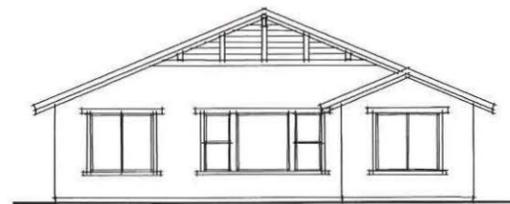
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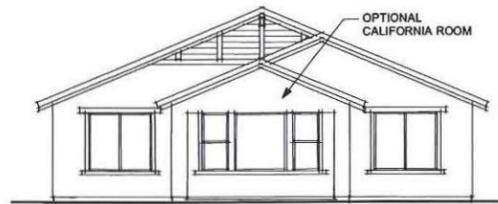
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(TUSCAN)



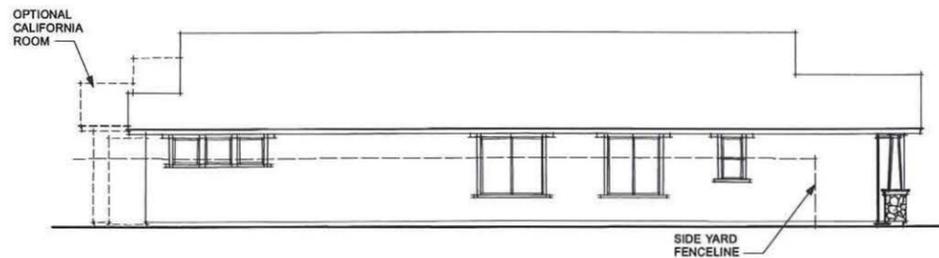
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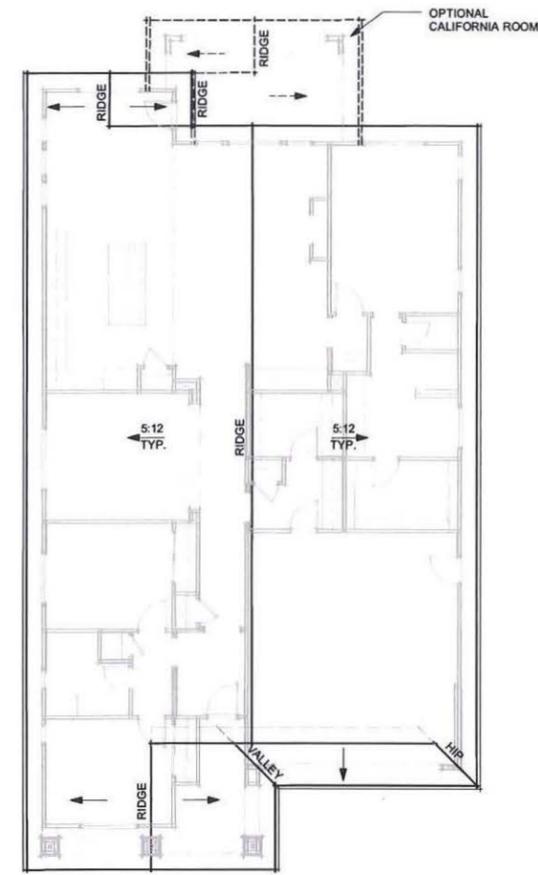
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**REAR "B"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "B"**



**ROOF PLAN "B"**

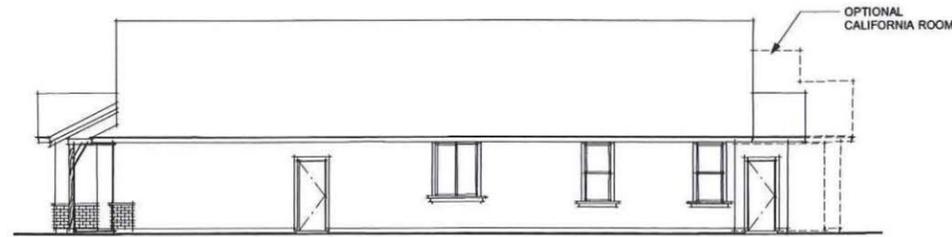
**CRAFTSMAN**

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- WOOD TRIM OVER LAP SIDING AT GABLE ENDS
- WOOD OUTLOOKERS W/ KICKERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

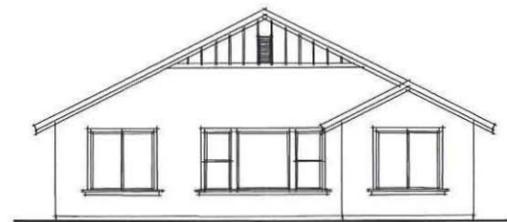
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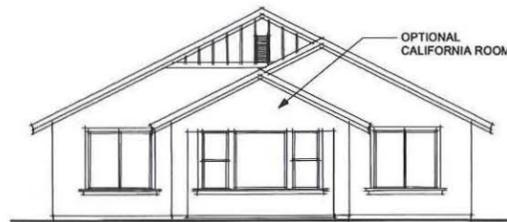
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(CRAFTSMAN)**



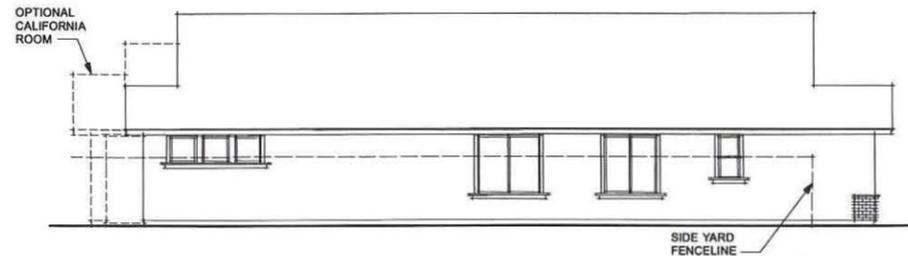
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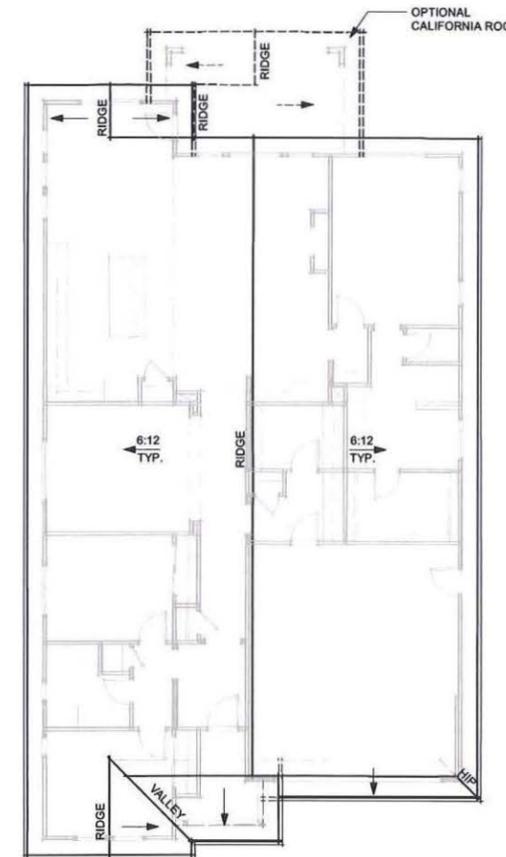
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**REAR "C"  
(OPT. CALIFORNIA ROOM)**



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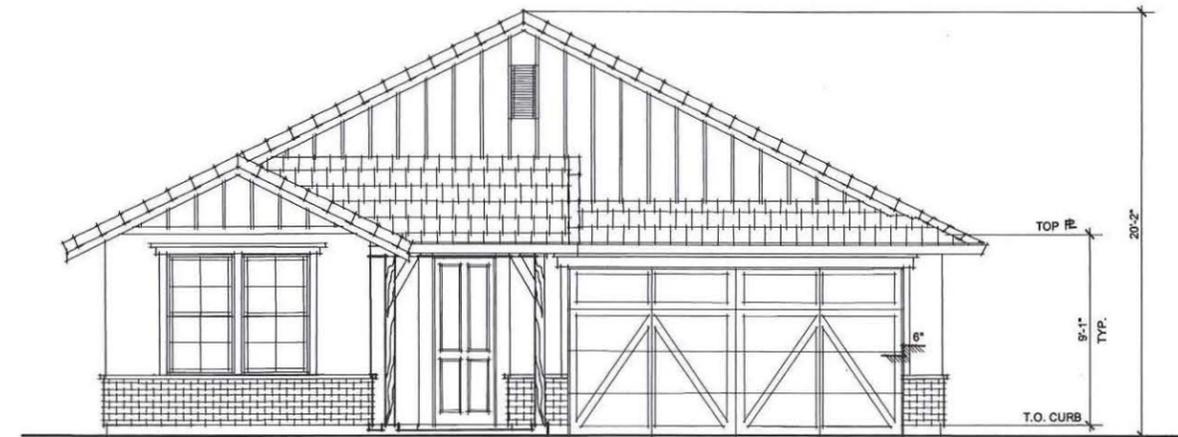


**ROOF PLAN "C"**

**FARMHOUSE**

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- STUCCO SIDING
- BOARD AND BATTEN AT ACCENT AREAS
- WOOD TRIM AT BOARD AND BATT SIDING
- WOOD POSTS WITH KICKERS
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SLATE" PROFILE

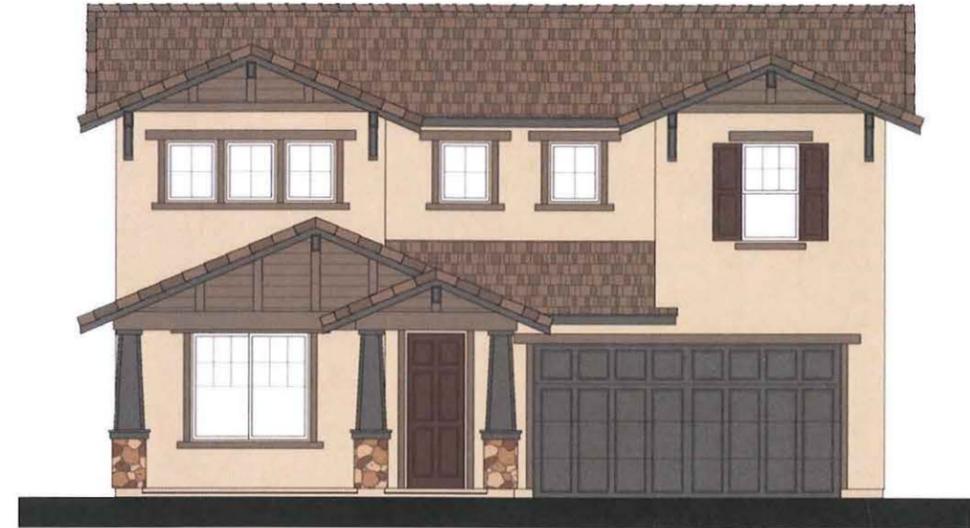
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**FRONT ELEVATION "C"  
(FARMHOUSE)**



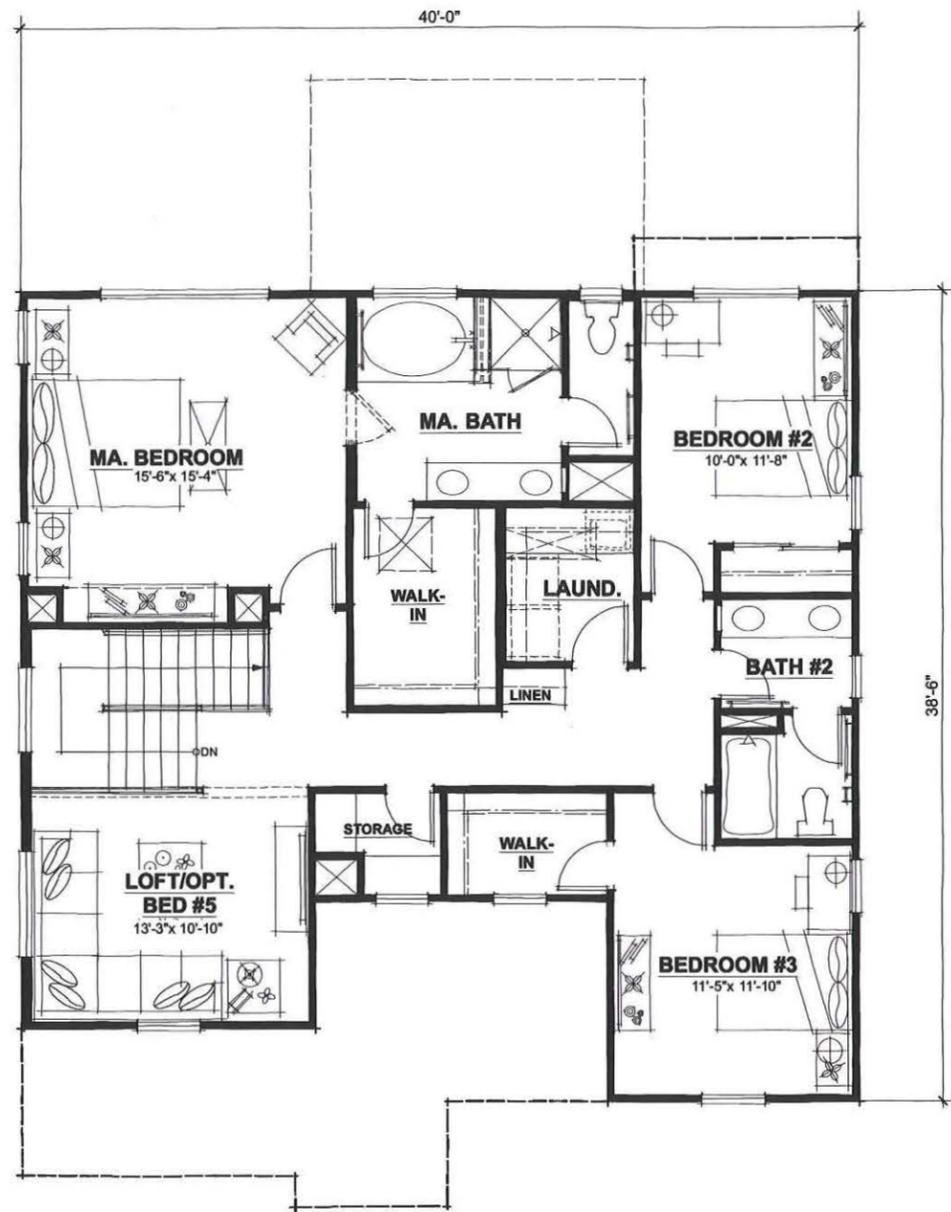
**FRONT ELEVATION "A"**  
**(TUSCAN)**



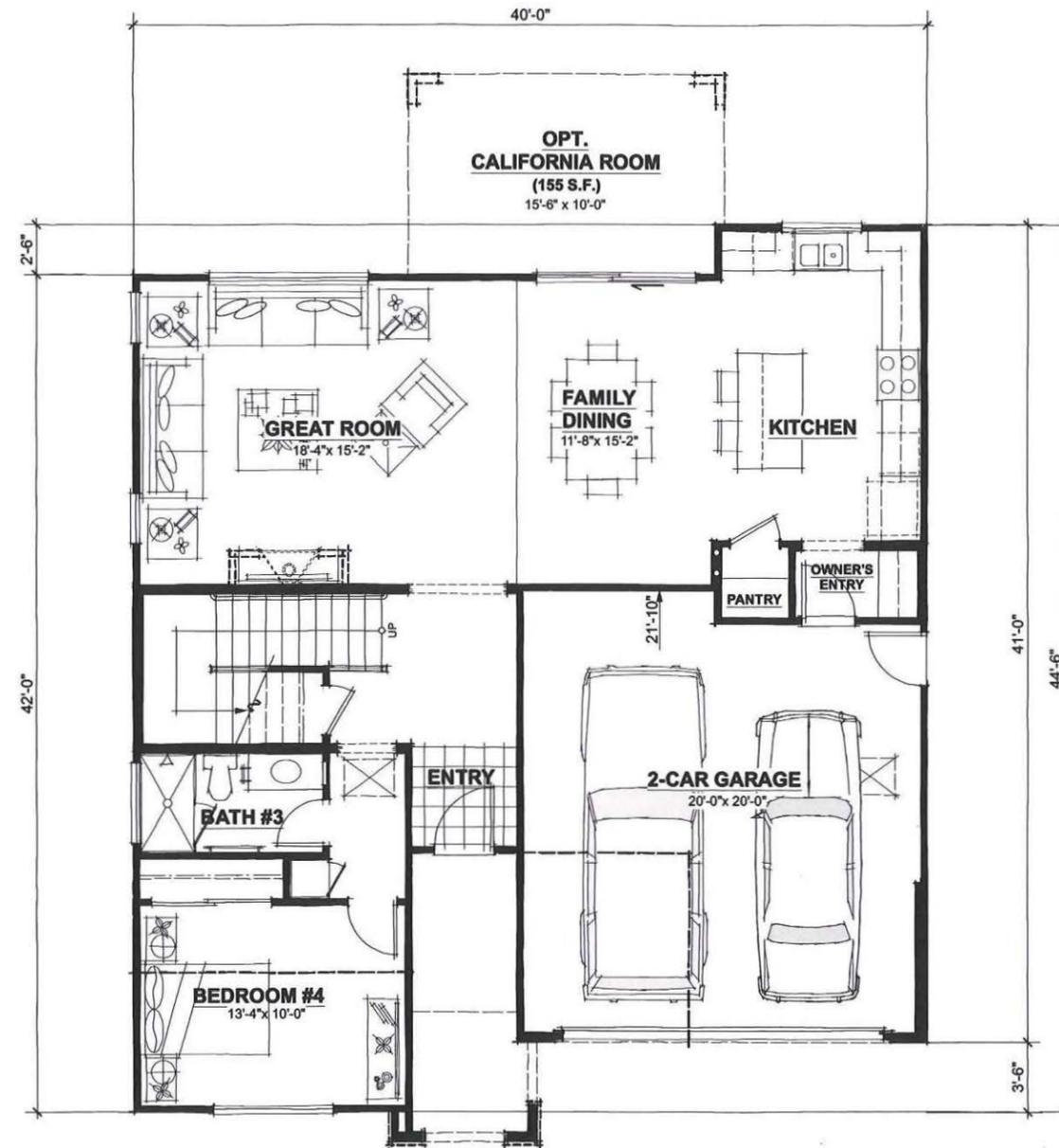
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**(CRAFTSMAN)**



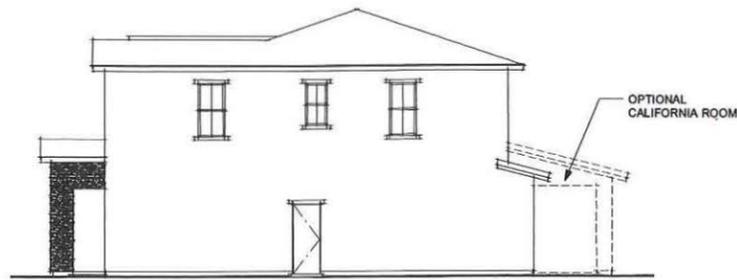
**FRONT ELEVATION "C"**  
**(FARMHOUSE)**



**SECOND FLOOR PLAN (1284 S.F., 2402 TOTAL S.F.) 1/4"**



**FIRST FLOOR PLAN (1118 S.F.; 2402 TOTAL S.F.) 1/4"**



**RIGHT SIDE "A"**



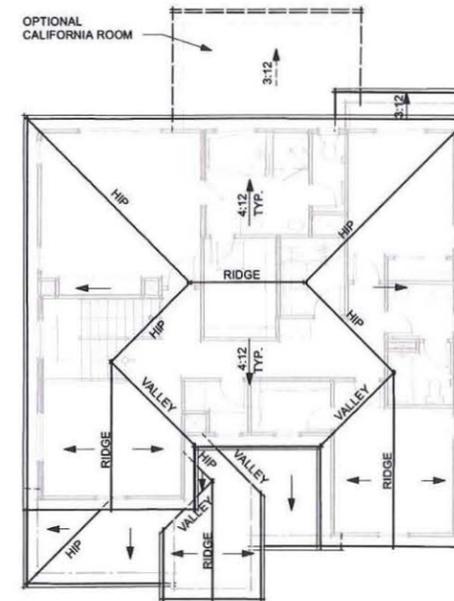
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**REAR "A"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "A"**



**ROOF PLAN "A"**

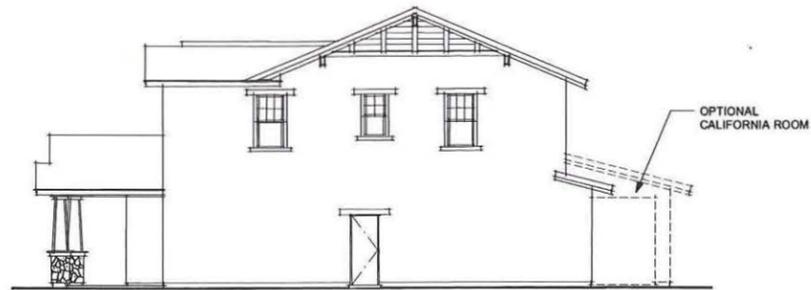
**TUSCAN**

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- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - LOW PROFILE "S"

INDICATES RECESS



**FRONT ELEVATION "A"  
(TUSCAN)**



**RIGHT SIDE "B"**



**REAR "B"**

**REAR "B"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "B"**



**ROOF PLAN "B"**

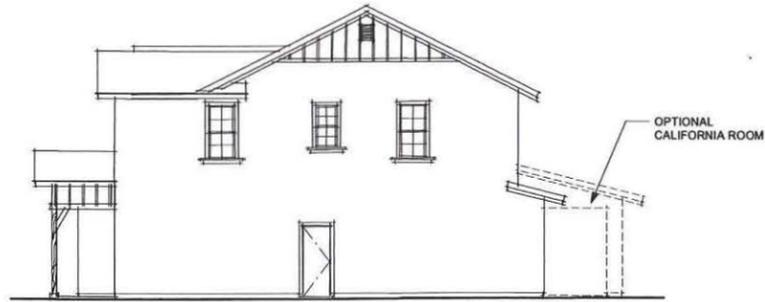
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- CONCRETE TILE ROOFING - "SHAKE" PROFILE

INDICATES RECESS



**FRONT ELEVATION "B"  
(CRAFTSMAN)**



**RIGHT SIDE "C"**

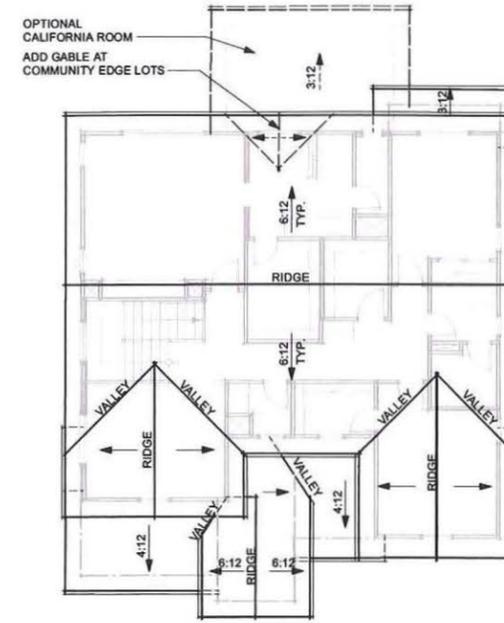


**REAR "C"**

**REAR "C"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "C"**



**ROOF PLAN "C"**

**FARMHOUSE**

- STUCCO SIDING
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 INDICATES RECESS



**FRONT ELEVATION "C"  
(FARMHOUSE)**



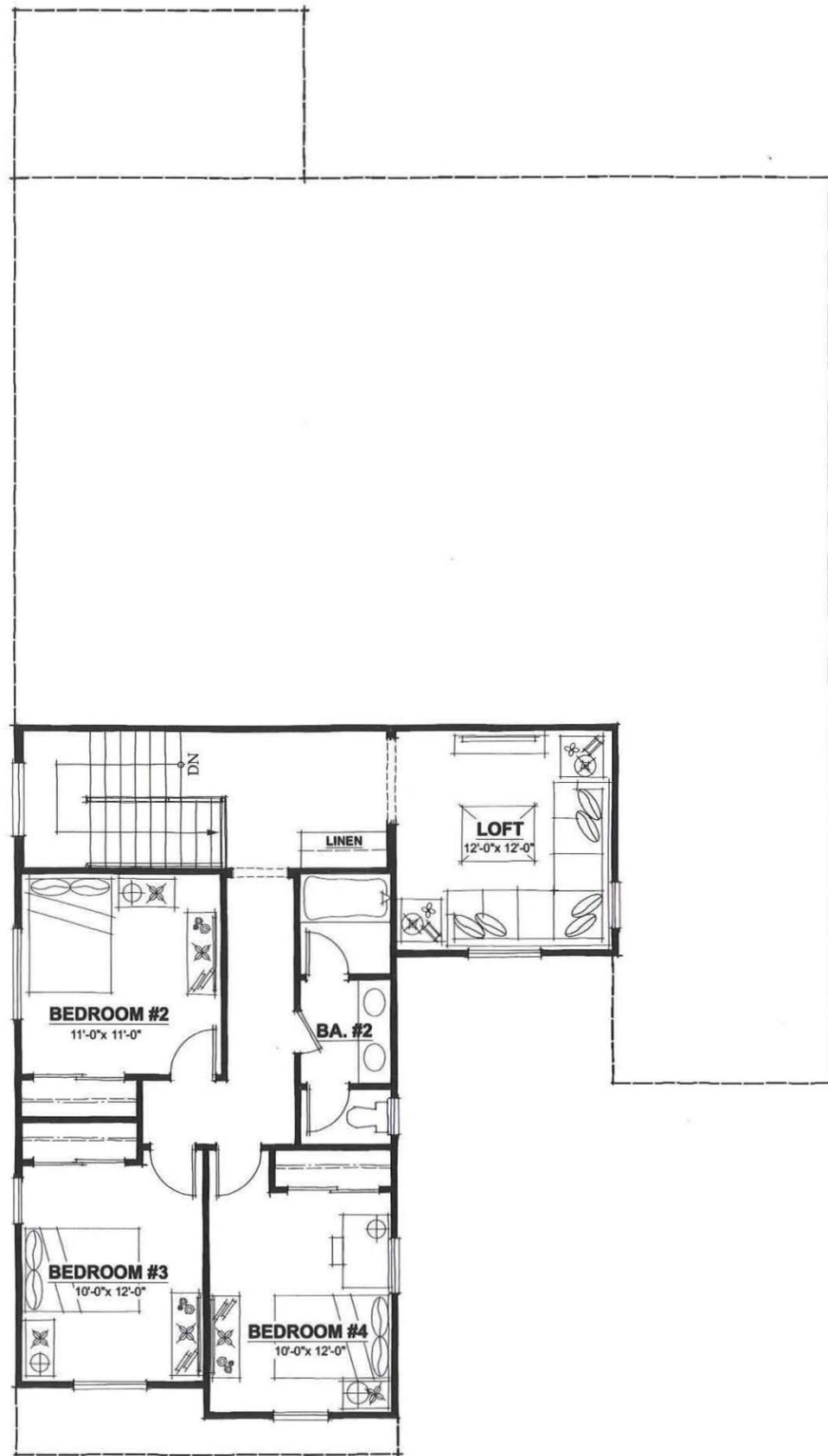
**FRONT ELEVATION "A"**  
**(TUSCAN)**



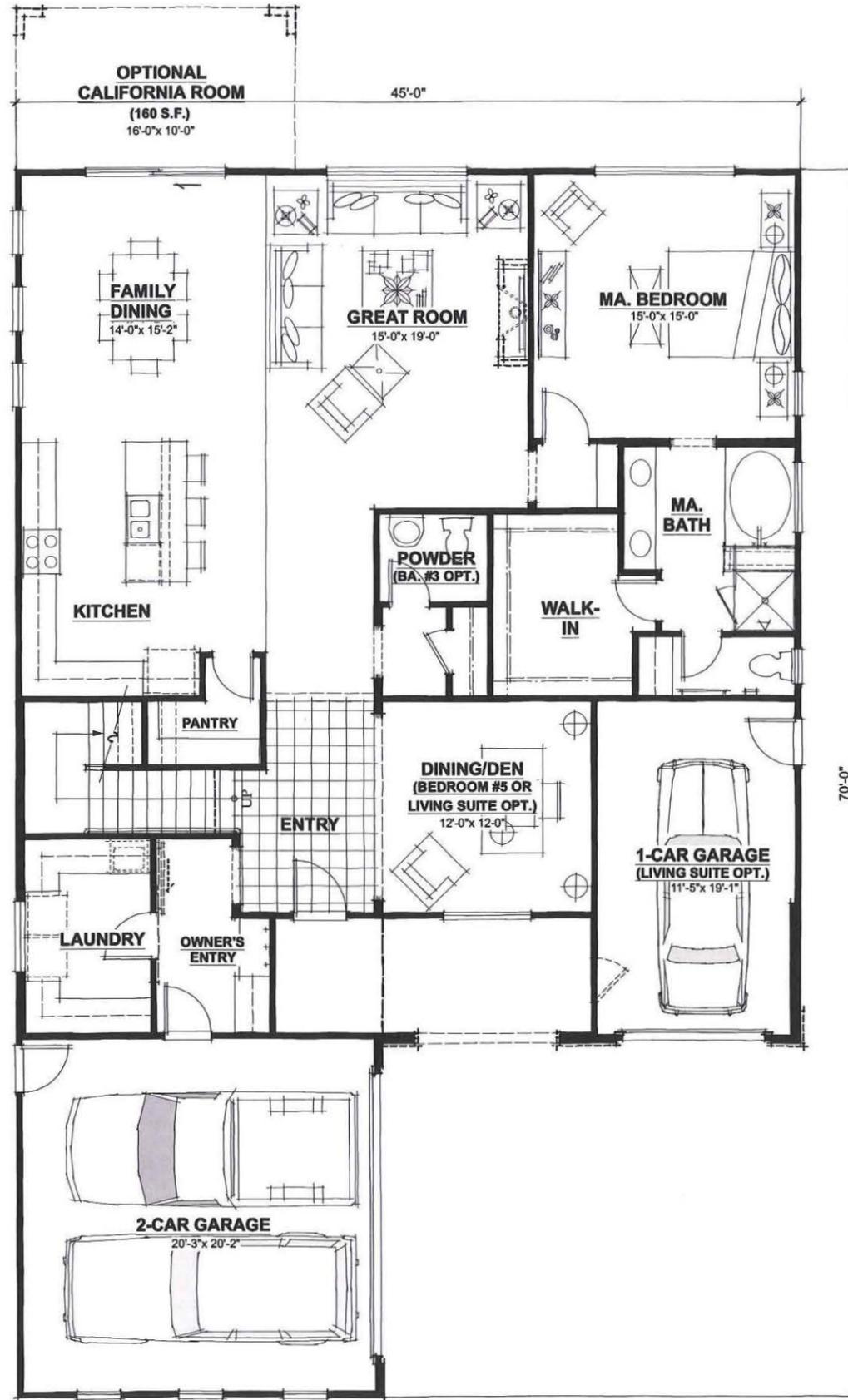
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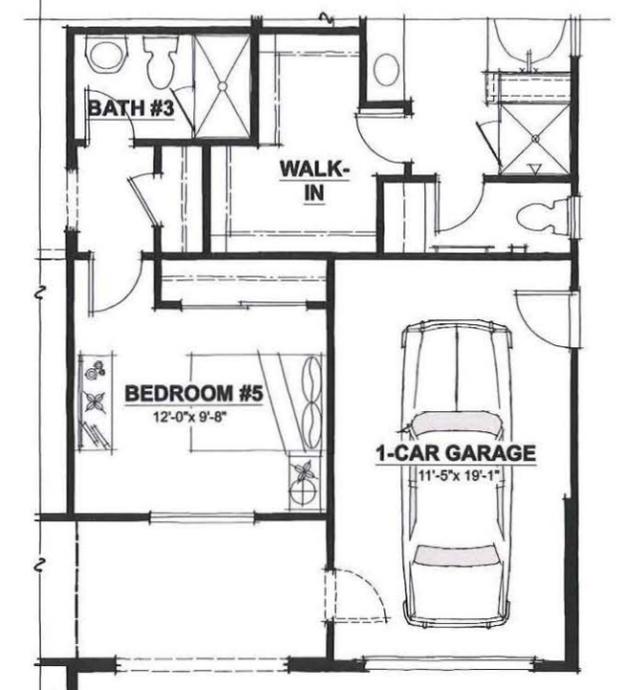
**FRONT ELEVATION "C"**  
**(FARMHOUSE)**



SECOND FLOOR PLAN (857 S.F.)



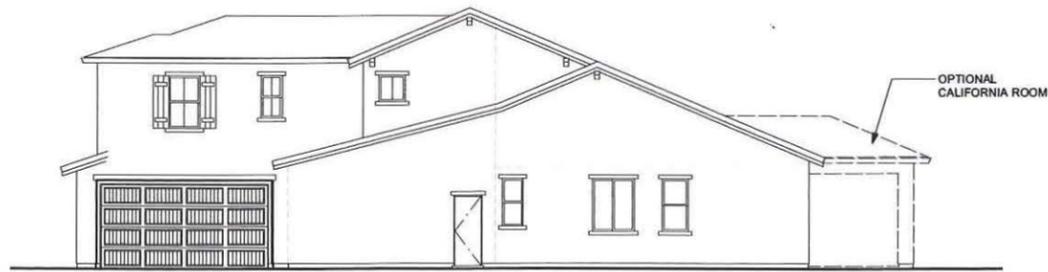
FIRST FLOOR PLAN (1876 S.F.; 2733 TOTAL S.F.)



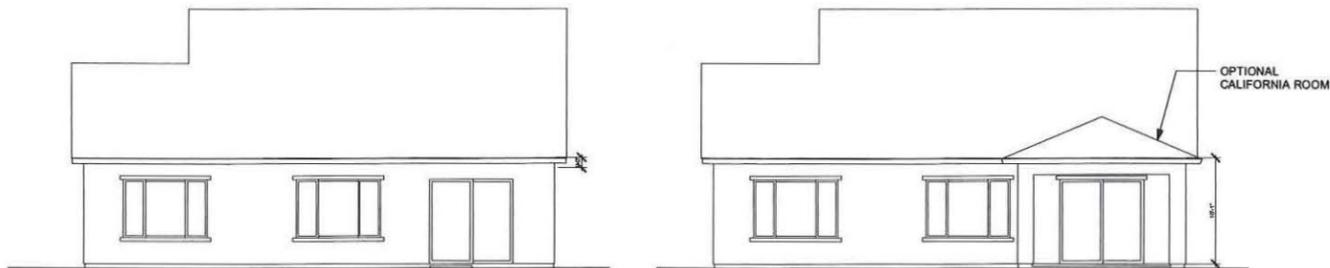
BEDROOM #5/ BATH #3 OPTION



LIVING SUITE OPTION (229 S.F.)

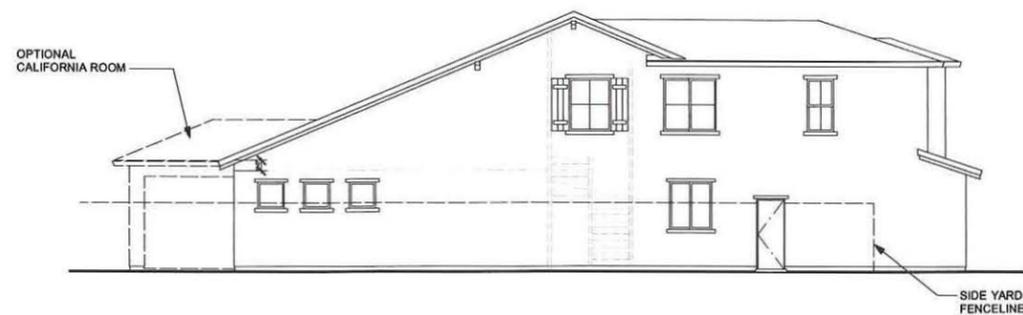


**RIGHT SIDE "A"**

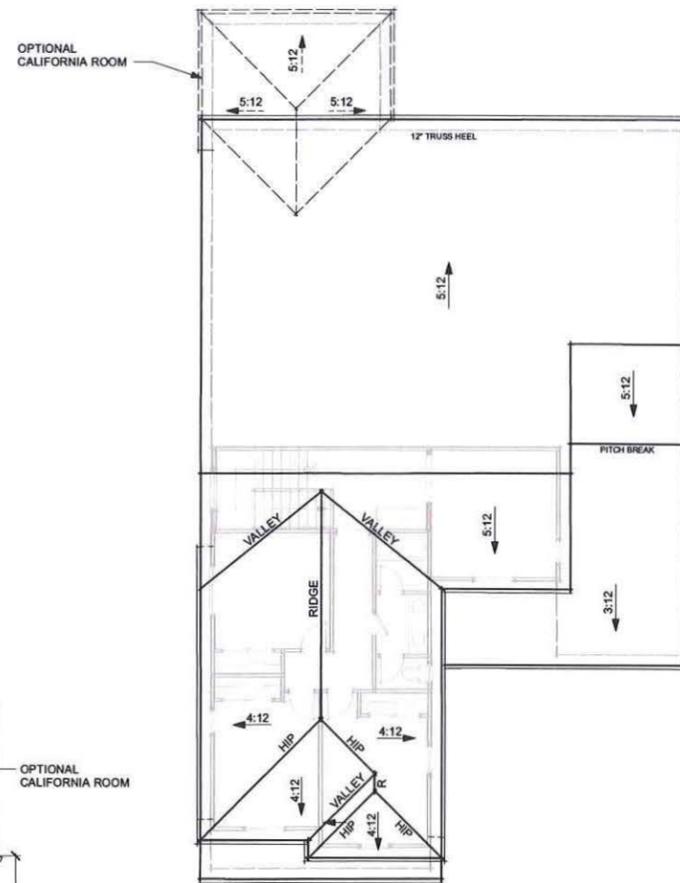


**REAR "A"**

**REAR "A"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "A"**

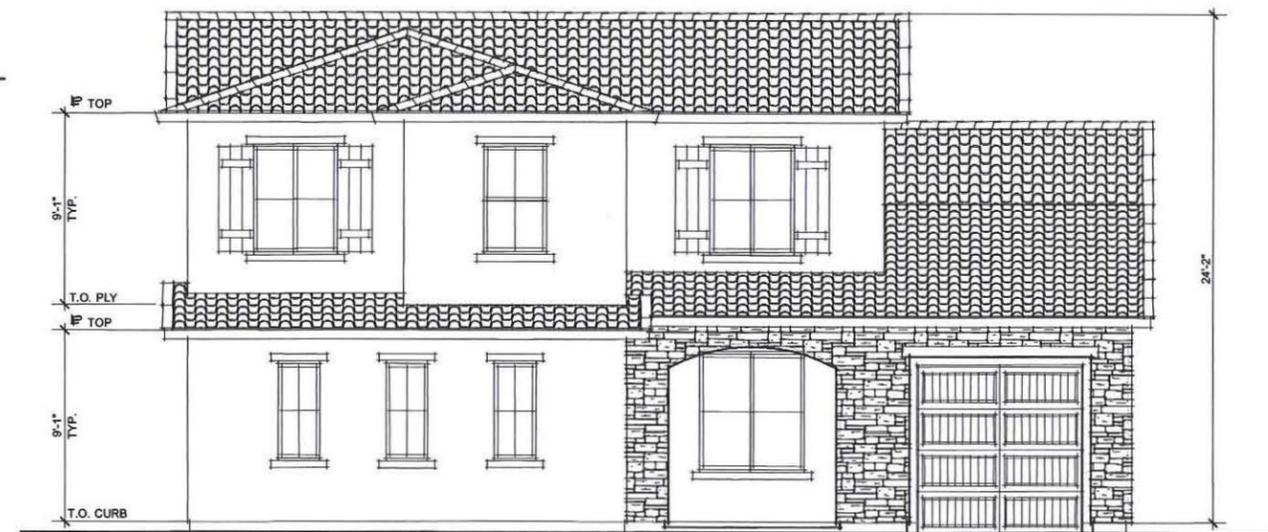


**ROOF PLAN "A"**

**TUSCAN**

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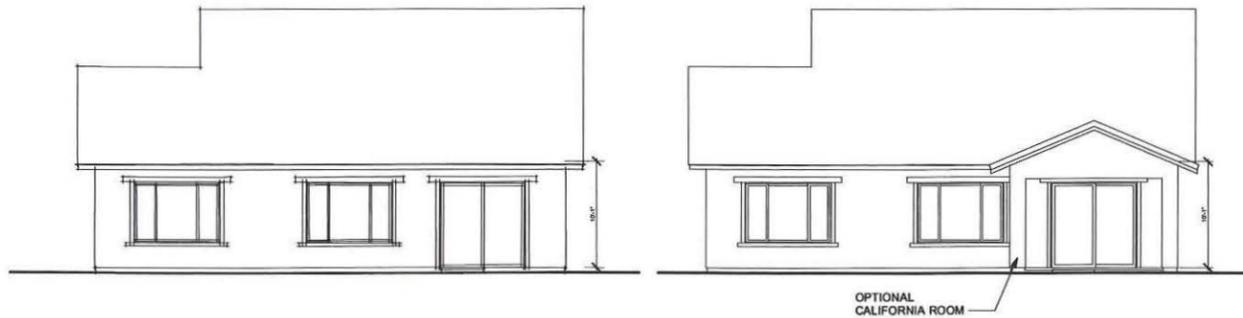
▬ INDICATES RECESS



**FRONT ELEVATION "A"  
(TUSCAN)**



**RIGHT SIDE "B"**

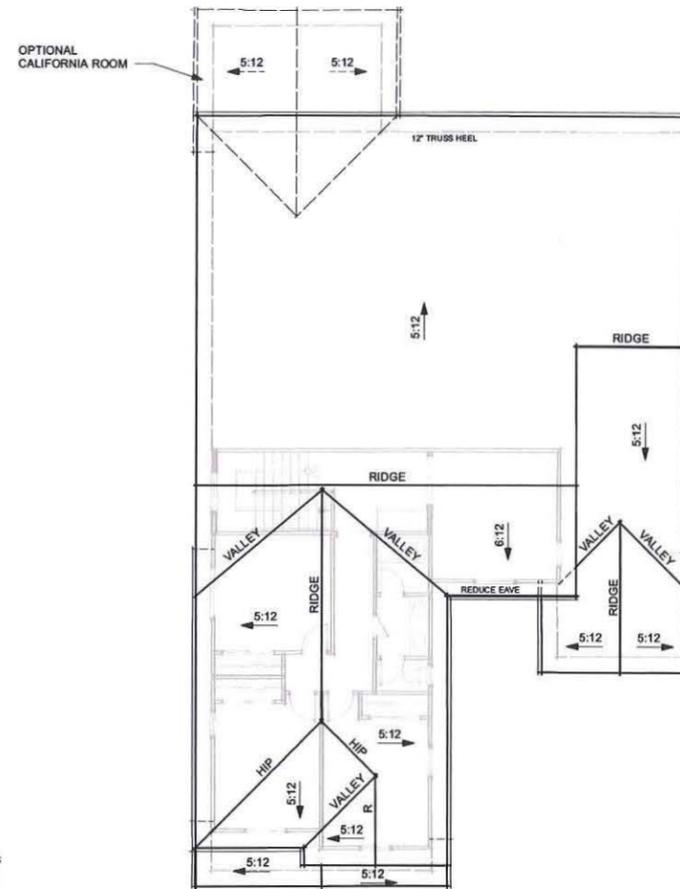


**REAR "B"**

**REAR "B"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "B"**



**ROOF PLAN "B"**

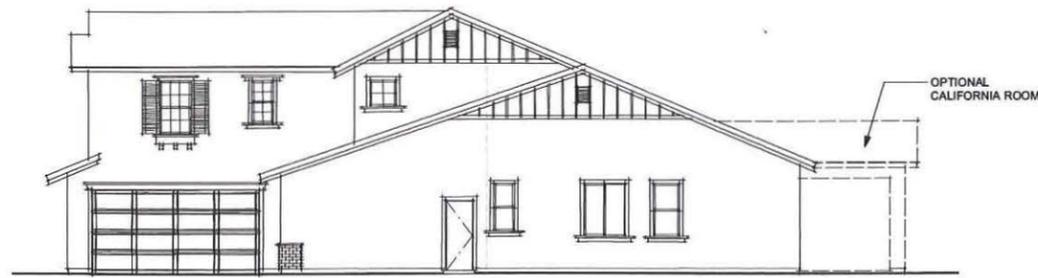
**CRAFTSMAN**

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- WOOD TRIM OVER LAP SIDING AT GABLE ENDS
- WOOD OUTLOOKERS W/ KICKERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

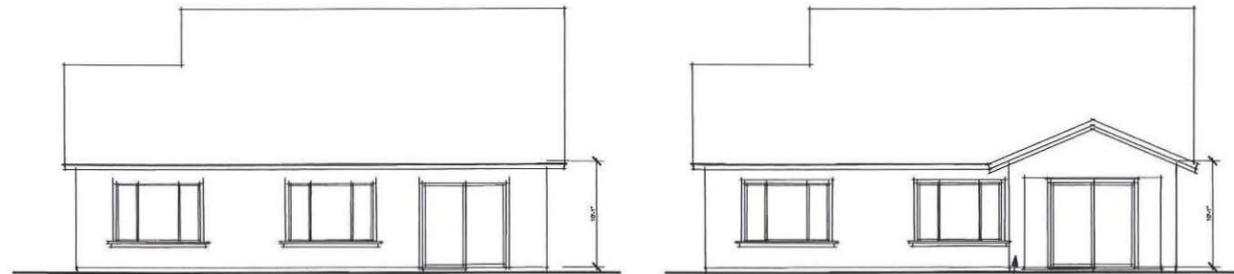
 INDICATES RECESS



**FRONT ELEVATION "B"  
(CRAFTSMAN)**

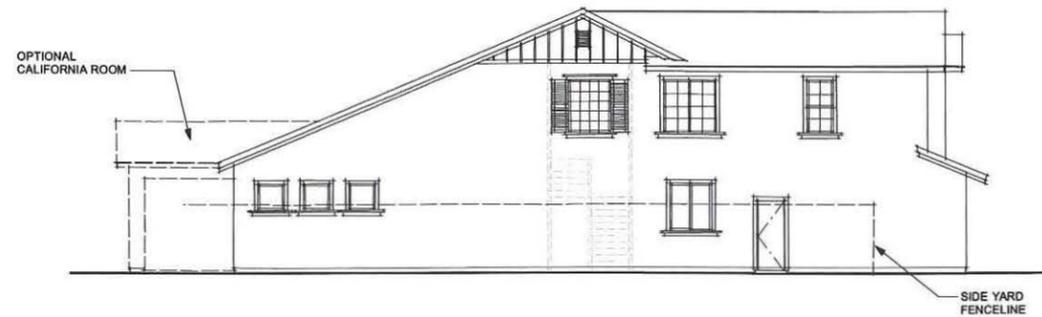


**RIGHT SIDE "C"**

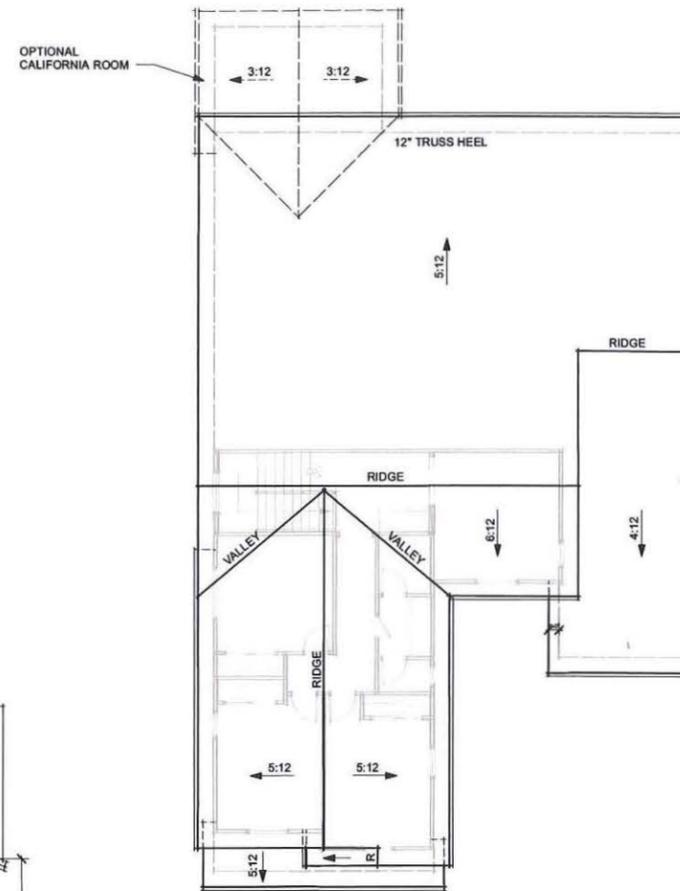


**REAR "C"**

**REAR "A"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "C"**



**ROOF PLAN "C"**

**FARMHOUSE**

- STUCCO SIDING
- STUCCO OVER FOAM TRIM AT
- STUCCO SIDING
- BOARD AND BATTEN AT ACCENT AREAS
- WOOD TRIM AT BOARD AND BATT SIDING
- WOOD POSTS WITH KICKERS
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SLATE" PROFILE

INDICATES RECESS



**FRONT ELEVATION "C"  
(FARMHOUSE)**



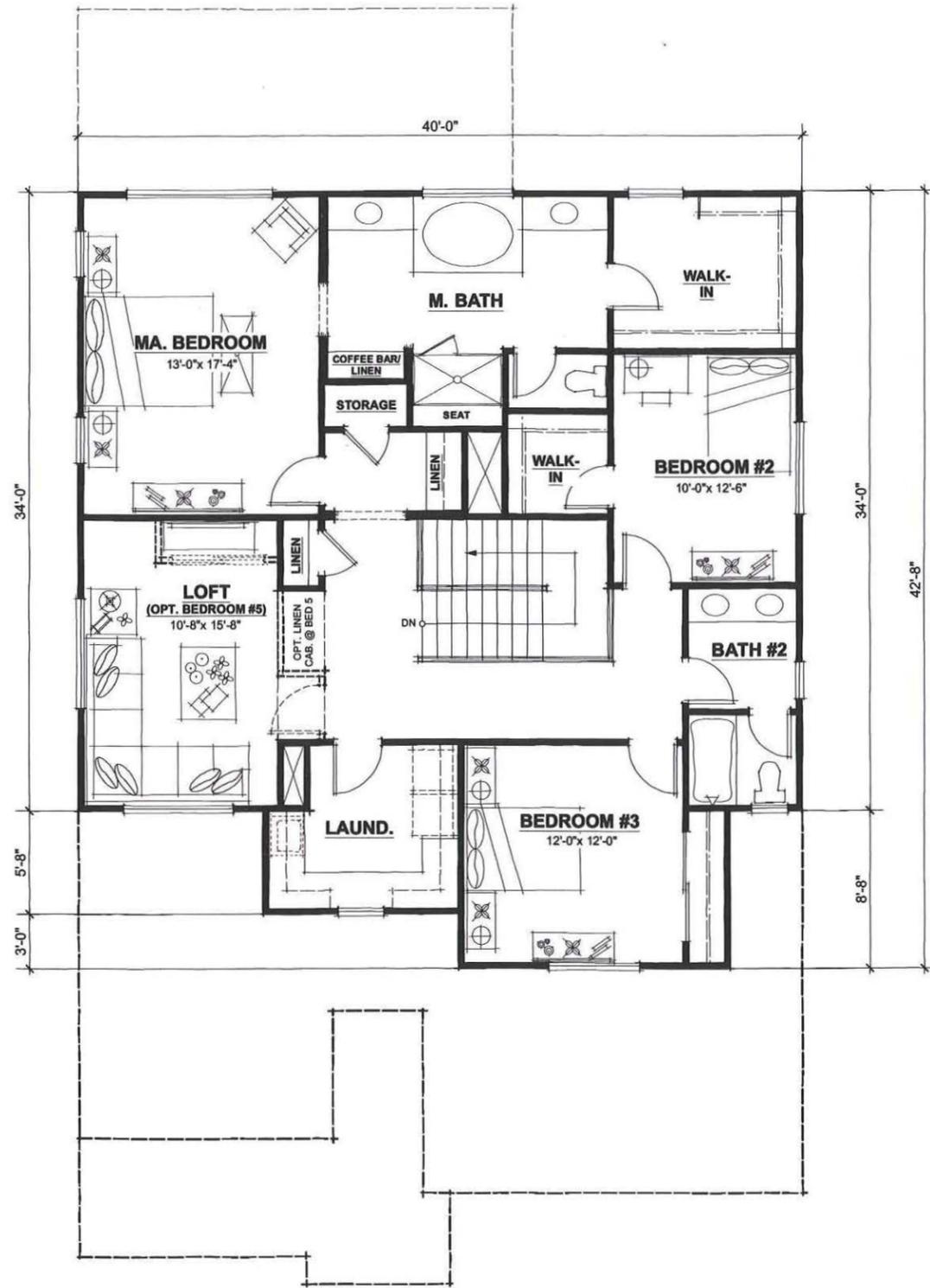
**FRONT ELEVATION "A"**  
**(TUSCAN)**



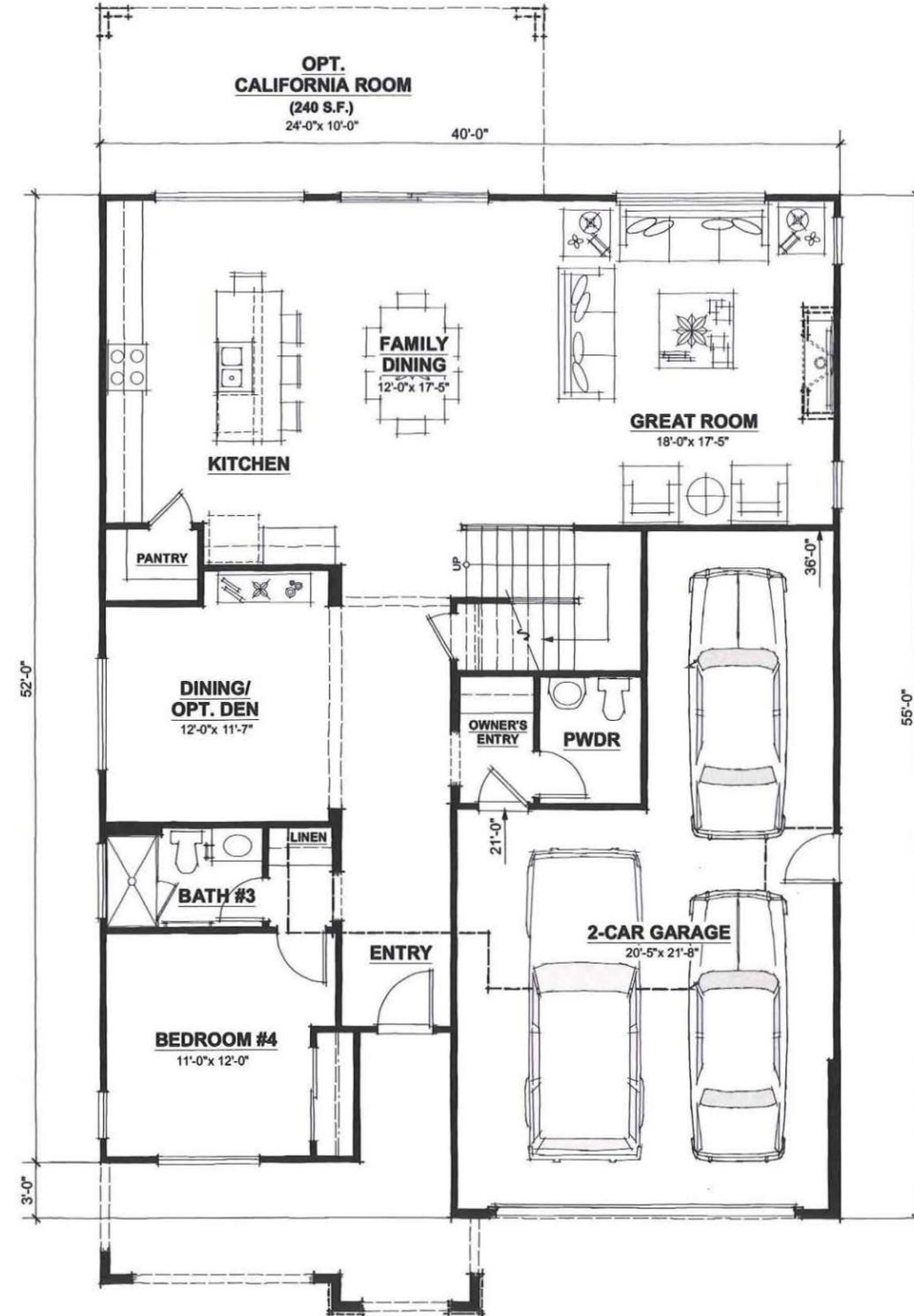
**FRONT ELEVATION "B"**  
**(CRAFTSMAN)**



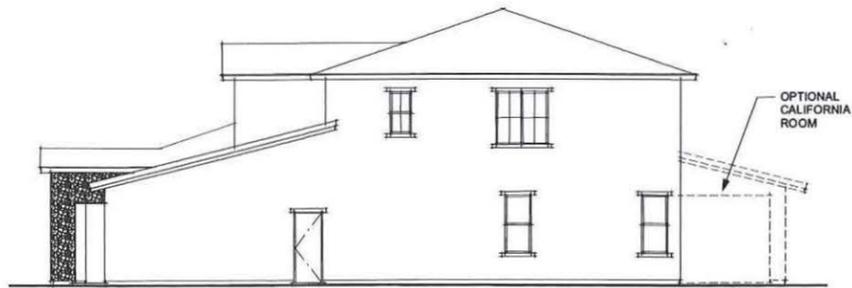
**FRONT ELEVATION "C"**  
**(FARMHOUSE)**



SECOND FLOOR PLAN (1475 S.F., 2968 TOTAL S.F.) 1/4"



FIRST FLOOR PLAN (1493 S.F.; 2968 TOTAL S.F.) 1/4"



**RIGHT SIDE "A"**



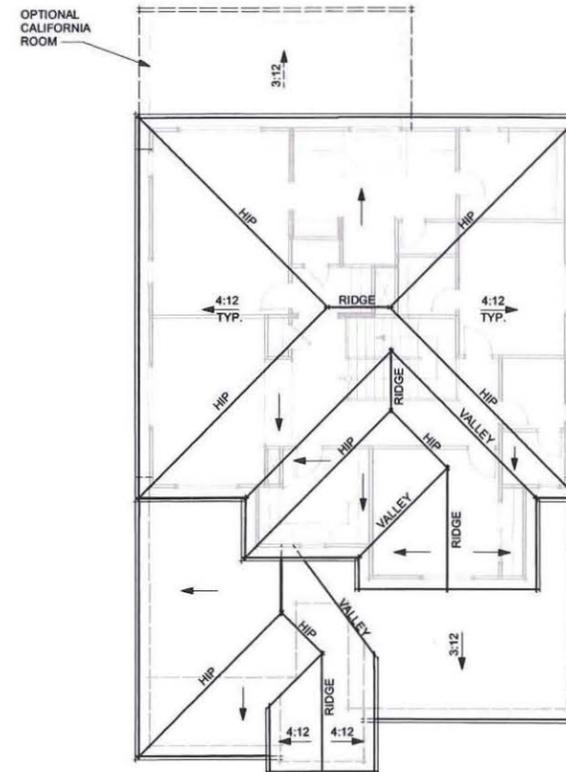
**REAR "A"**



**REAR "A"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "A"**



**ROOF PLAN "A"**

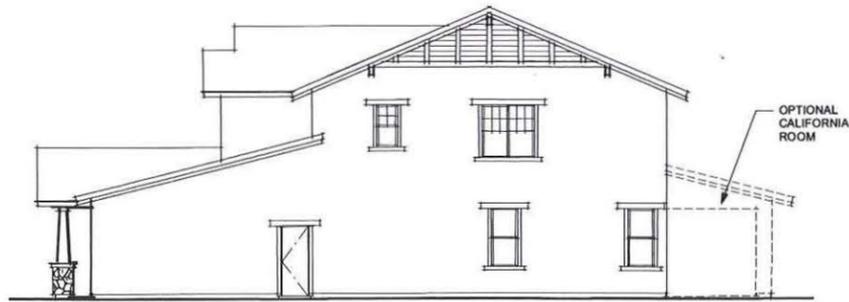
**TUSCAN**

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- DECORATIVE FOAM OUTLOOKERS
- PLANK AND BATTEN SHUTTERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - LOW PROFILE "S"

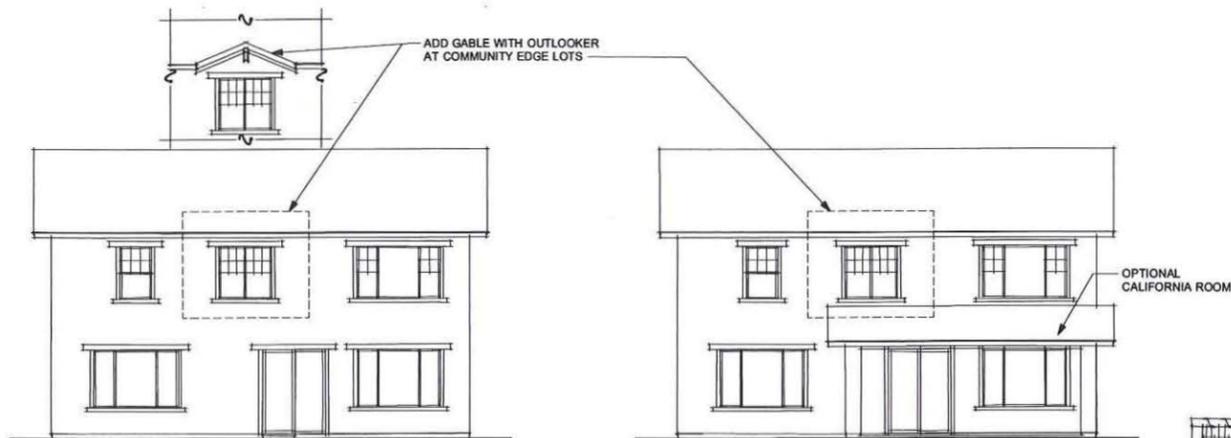
INDICATES RECESS



**FRONT ELEVATION "A"  
(TUSCAN)**



**RIGHT SIDE "B"**

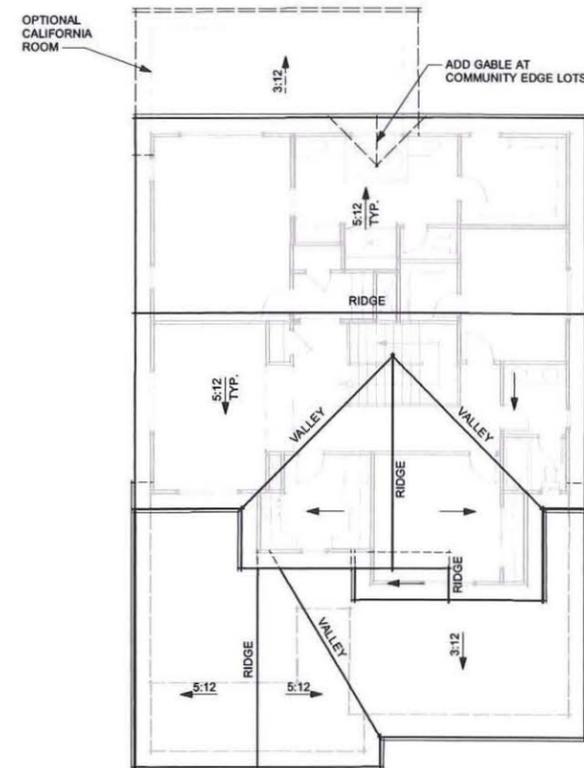


**REAR "B"**

**REAR "B"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "B"**



**ROOF PLAN "B"**

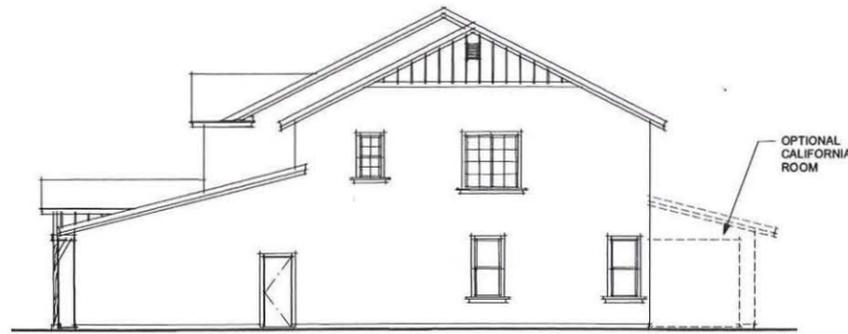
**CRAFTSMAN**

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- WOOD TRIM OVER LAP SIDING AT GABLE ENDS
- WOOD OUTLOOKERS W/ KICKERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

INDICATES RECESS



**FRONT ELEVATION "B"  
(CRAFTSMAN)**

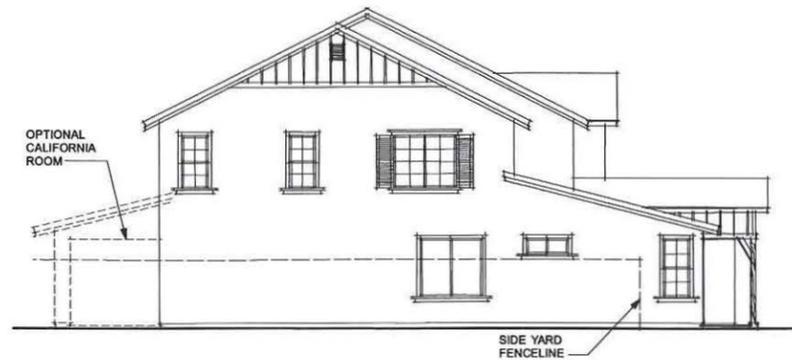


**RIGHT SIDE "C"**

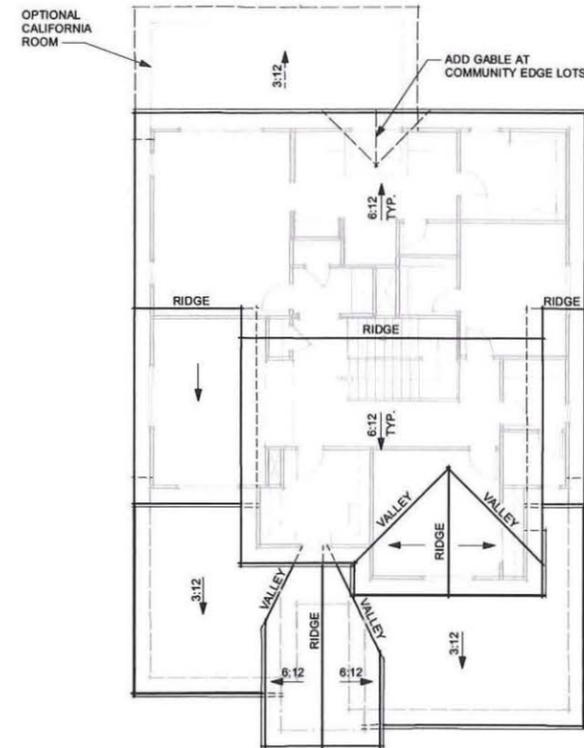


**REAR "C"**

**REAR "C"  
(OPT. CALIFORNIA ROOM)**



**LEFT SIDE "C"**



**ROOF PLAN "C"**

**FARMHOUSE**

- STUCCO SIDING
- STUCCO OVER FOAM TRIM AT STUCCO SIDING
- BOARD AND BATTEN AT ACCENT AREAS
- WOOD TRIM AT BOARD AND BATTEN SIDING
- WOOD POSTS WITH KICKERS
- THEME SPECIFIC GARAGE DOOR
- CONCRETE TILE ROOFING - "SLATE" PROFILE

 INDICATES RECESS



**FRONT ELEVATION "C"  
(FARMHOUSE)**

LAKE

PARK

ESCHER CIRCLE

SUBDIVISION 8680

SUBDIVISION 8679

BRIMANTE CT

FRANK HENGEL WAY

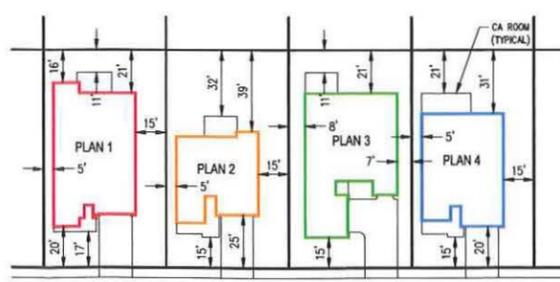
PICASSO DRIVE

VINGNOLA CT

'A' CIRCLE

'A' CIRCLE

OAKLEY UNION SCHOOL DISTRICT  
037-192-018



TYPICAL LOT SETBACKS

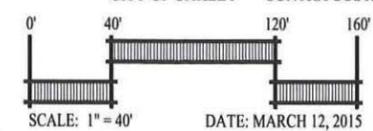
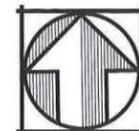
LEGEND

- PROJECT BOUNDARY
- PROPOSED LOT LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED TOP OF CURB
- MODEL HOME

PRODUCT MIX		
PRODUCT TYPE	LOT COUNT	% OF TOTAL
PLAN 1	10	25
PLAN 2	10	25
PLAN 3	10	25
PLAN 4	10	25
TOTAL	40	100

**DeNova Homes**  
**PRESCOTT**  
**DEVELOPMENT PLAN**

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



SCALE: 1" = 40'

DATE: MARCH 12, 2015

**cbg** Carlson, Barbee & Gibson, Inc.  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 2533 CAMINO RAMON, SUITE 350  
 SAN RAMON, CALIFORNIA 94583 (925) 668-0322

**RESOLUTION NO. XX-15****A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING DESIGN REVIEW FOR "PRESCOTT AT CYPRESS GROVE DESIGN REVIEW" FOR SUBDIVISIONS 9080 AND 9391 (DR 03-15)****FINDINGS**

**WHEREAS**, on March 13, 2015, Candace Hatch of DeNova Homes, Inc. ("Applicant") filed an application for design review approval of house plans and architecture, and a development plan (neighborhood plotting plan) for 40 entitled lots located within the Cypress Grove subdivision, specifically subdivisions 9080 and 9391 north of Ironhouse Elementary School and Delta Vista Middle School (4901 Frank Hengel Way) off of East Cypress Road and Frank Hengel Way. The site is zoned P-1 (Planned Development) District. Portion of APN 037-192-024; and

**WHEREAS**, on April 13, 2015 the project application was deemed complete per Government Code section 65920 et. seq; and

**WHEREAS**, the project site is designated Single Family High (SH) on the Oakley 2020 General Plan Land Use Map, and zoned P-1 (Planned Development) District; and

**WHEREAS**, The project does not constitute changes to the physical impacts associated with, and falls within the scope of CEQA analyses previously conducted for both Subdivision 9080 (Negative Declaration SCH# 2006062088) and Subdivision 9391 (Categorically exempt pursuant to CEQA Guidelines section 15332 – In-Fill Development Projects); and

**WHEREAS**, on May 14, 2015, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 300-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

**WHEREAS**, on May 26, 2015, the City Council opened the public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

**WHEREAS**, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

**WHEREAS**, these Findings are based on the City's General Plan, the City's Zoning Ordinance, approved projects for Vesting Tentative Maps 9080 and 9391, and the information submitted to the City Council at its May 26, 2015 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

**NOW, THEREFORE, BE IT RESOLVED THAT**, on the basis of the above Findings and the entire Record, the City Council makes the following additional findings in support of the recommended approvals:

- A. Regarding the application requesting design review approval for project titled, "Prescott at Cypress Grove Design Review (DR 03-15)", the City Council finds that:
1. The proposed design review plans are consistent with the applicable General Plan designation and approved Vesting Tentative Maps 9080 and 9391. The vesting tentative maps were approved on August 14, 2006 (Resolution 112-06) and March 10, 2015 (Resolution 34-15), respectively; and
  2. The proposed design review plans comply with project's P-1 District zoning regulations; and.
  3. The proposed design and materials of the single-family home are compatible with the applicable adopted City of Oakley Residential Design Guidelines standards, as modified through implementation of this resolution's conditions of approval.
- B. The Project complies with Measure J Growth Management requirements.

**BE IT FURTHER RESOLVED THAT**, on the basis of the above Findings and the Record, the City Council approves the applicant's request for design review approval of "Prescott at Cypress Grove Design Review (DR 03-15)", subject to the following conditions:

Applicant shall comply with the requirements of the Municipal Code, unless otherwise stipulated in this resolution. Conditions of Approval are based on the plans received by the Planning Division and made a part of the City Council's meeting packet for May 26, 2015.

**THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):**

## Planning Division Conditions

### General:

1. This Design Review is approved, as shown on the plans, date stamped by the Planning Department on March 13, 2015, and as conditioned below.
2. This approval shall be effectuated within a period of one (1) year from the effective date of this resolution and if not effectuated shall expire on May 26, 2016. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on May 26, 2015 and conditioned herein.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
6. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.
7. All mitigation measures contained in Mitigated Negative Declaration adopted for Vesting Tentative Map 9080 and associated entitlements (available at City Hall, 3231 Main Street, Oakley, CA 94561) shall be implemented, as applicable.
8. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).
9. Any model home complex shall have a copy of the City of Oakley's General Plan Land Use Map posted within the sales office or included with the informational material provided to prospective home buyers.

### Architecture:

10. In order to provide at least 50% of the corner lots with one-story homes, the applicant shall replace two of the four two-story corner lots with the one-story home.
11. The applicant shall add shutters to at least one window on the following second story elevations:
  - Plan 2 and Plan 4 (Tuscan), and Plan 4 (Farmhouse) – Right elevation;
  - Plan 2 (Craftsman and Farmhouse), and Plan 4 (Farmhouse) – Rear elevation window where gable, outlookers and shutters would otherwise be installed go for enhanced lots;
  - Plan 2 (Craftsman and Farmhouse) – Right and left elevations; and
  - Plan 4 (Tuscan) – Right Elevation
12. The additional architectural element in the form of a rear elevation gable with enhancements proposed for “community edge lots” on the applicant’s plans and shown on Plans 2 and 4 of the Craftsman and Farmhouse architectural types only shall be required on the applicable homes on Lots 1, 27, 28, and 31-40, as indicated on the Development Plan.

### Development Regulations:

13. Development of the subdivision shall be subject to the applicable P-1 District, which follows the R-6 (Single family Residential) District regulations.

### Landscaping:

14. Front yard and right-of-way landscaping shall conform to the Oakley Landscape Guidelines and the City’s Water Conservation Landscape Ordinance 82-26 and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City’s Water Conservation Ordinance.
15. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of 15-gallon and 24-inch box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.
16. All landscaped areas not covered by shrubs or groundcover shall be covered with bark or acceptable alternative as reviewed and approved by the Community Development Director. On slopes greater than 3 to 1, the applicant shall use an alternative to bark per the review and approval of the Community Development Director.
17. The applicant shall maintain all private landscaping until occupancy.

Energy Efficiency:

18. Air conditioning condenser units shall be located to take advantage of natural shade. Condensers should not be placed on the west or south elevation of a home, unless shade is provided. The location of the condenser shall be added to all plot plans for review and approval of the Community Development Director.
19. Design and site units so as to take advantage of natural heating and cooling, sun and wind exposure, and solar energy opportunities.

Waste Management Plan:

20. The applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

**Building Division Conditions**

21. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy requirements from the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625-7005.
22. Prior to requesting a Certificate of Occupancy from the Building Division, all Conditions of Approval required for occupancy must be completed. When the Public Works Division and the Planning Division place Conditions of Approval on the project, those divisions will sign off on the project prior to the request for a Building division final inspection. Similarly, if the Health Department and/or Fire Department reviewed and approved the original plans, those departments must sign off on the project prior to the request for a final inspection by the Building Division.

**Public Works and Engineering Conditions**

All Public Works and Engineering Conditions of Approval adopted with City Council Resolution Nos. 112-06 and 34-15 (Subdivisions 9080 and 9391 approvals) shall apply, as applicable.

***Advisory Notes***

The following Advisory Notes are provided to the applicant as a courtesy but are not a part of the conditions of approval. Advisory Notes are provided for the purpose of informing the applicant of additional ordinance requirements that must be met in order to proceed with development.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.
- E. Comply with the requirements of the East Contra Costa Fire Protection District.
- F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the May 26, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Doug Hardcastle, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date