



STAFF REPORT

Approved and forwarded to City Council


Bryan H. Montgomery, City Manager

Date: January 28, 2014
To: Bryan H. Montgomery, City Manager
From: Kenneth W. Strelo, Senior Planner
SUBJECT: **Renewed Life Church Color Change (DR 12-13)**

Summary

This is a request by Scott LeBoeuf of Renewed Life Church ("Applicant") for design review approval of previously made and unapproved exterior color changes (from white to green and brown hues) to an existing church located at 1435 Main Street. The project site is zoned "C" (General Commercial) District: APN 037-090-019.

Staff recommends the City Council adopt the resolution approving the Renewed Life Church Color Change (DR 12-13), as conditioned.

Background and Project Description

The 0.7 acre project site is located on the southwest corner of Main Street and Live Oak Avenue and is designated "Commercial" in the Oakley 2020 General Plan. Surrounding uses include the Pocahontas Hall next door to the west, a self-storage facility across Live Oak Avenue to the east, an elementary school to the south, and various light industrial uses to the south and southwest. Main Street runs along the northern property line with the approved, but undeveloped, River Oaks Crossing Specific Plan commercial project north of Main Street.

Renewed Life Church was formerly known as Live Oak Community Christian Church. The applicant included a letter (attached) written by the "Elders Board of Renewed Life Church" that explains how a new congregation was formed and how that resulted in a new look for the church. The letter also provides an explanation of how the colors for the church were chosen (from white to green and brown hues). As part of the color change, the congregation researched the Victorian building architecture and historic color schemes for those building types. As presented by the applicant, the colors chosen for the building are from Kelly-Moore Paint Company's "Historic Lifestyles of the West." Specifically, the church was chosen to be painted in a color theme used as an example in the color guide for a Victorian building built in the period between 1850 and 1900. To preserve the integrity of the

colors used, the original color chart and brush cut outs included with the application will be distributed to the City Council at the time of the hearing.

Figure 1. Google Street View of Previous "White" Church



Environmental Review

The request for design review approval is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301, "Existing Facilities." The repainting of building results in a minor alteration with no expansion of use.

Analysis

The design review request was analyzed for consistency with the adopted [City of Oakley Commercial and Industrial Guidelines](#) ("Guidelines"). While the guidelines address building colors, they are reserved to the quality of the paint and that colors should be compatible, subdued and not garish. Notwithstanding subjective color choices, the colors chosen for the church meet the intent of the guidelines.

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the resolution approving the Renewed Life Church Color Change (DR 12-13), as conditioned.

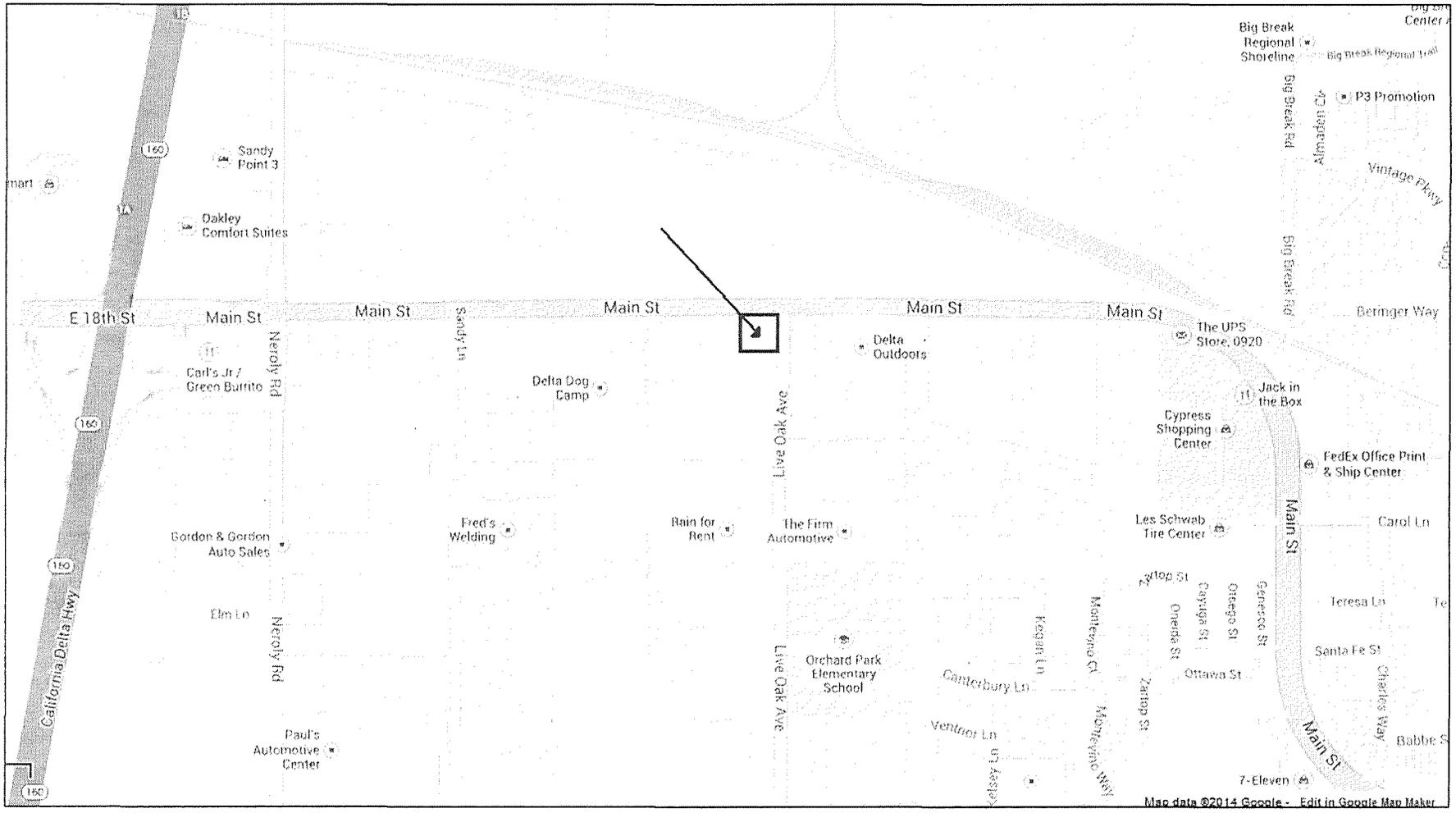
Attachments

1. Vicinity Map
2. Letter from Elders Board of Renewed Life Church received 12-19-13
3. Public Hearing Notice
4. Draft Resolution

Vicinity Map

1435 Main Street

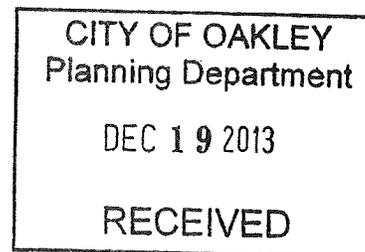
Renewed Life Church Color Change (DR 12-13)



Renewed Life Church 1435 Main St Oakley

RE: Painting the Exterior of Building

To Whom It May Concern:



I would like to start this letter off by apologizing for painting the exterior of our church without seeking a permit or permission of the city of Oakley. As a privately owned building we were unaware that permission is needed to paint the outside of our building.

For many years our building has been known as “Live Oak Community Christian Church”. The address was on live oak dr. The building was all white. In the fall of 2011 two congregations came together as one. In the merging of the 2 churches the congregation that emerged was “Renewed Life Church”.

As “RLC” we wanted to distance ourselves from the previous congregation. We have a new senior Pastor, a new Elders Board and many new members. We felt painting the church a color would tell the community that something was different about the congregation and people would notice us, possibly for the first time.

The church building has been in disrepair for many years. For the past 2 years we have been trying to repair the building which included painting the interior and exterior of building. In the painting of the exterior we could not afford to do all the repairs needed to return the building to a pristine condition, but we did the best we could do with limited resources.

To come up with the color selections of the building we took in consideration of the age of the building and what type of architecture the building is. We also contacted Kelly-Moore Paint company sales representative Greg Morgan to help us with colors that would have been used when our building was first built. Kelly-Moore Paint Company has done extensive research in its historical colors. It has developed the color chart “Historic Lifestyles of the

West”. These are the specific colors used on the west coast during the time period that our building was first built.

On this color chart they have colors from 1850-1900 in the Victorian style building like we have. We picked a color scheme from this part of the color chart. It was a suggested color scheme from the chart itself. On the color chart used there is an actual picture of the color scheme used on a Victorian style building.

We have included the color chart and color brush outs used on the building. We have also included a photo of our building showing it was NOT just white in the days gone by. The photo was copied from the “City of Oakley” web site.

Thank you,
Elders Board of Renewed Life Church

Further questions should be directed to Scott LeBoeuf of Accent Construction Services, 925 980-3220



City of Oakley
3231 Main Street
Oakley, CA 94561
www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **January 28, 2014** 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 **Renewed Life Church Color Change (DR 12-13)**.

Project Name: Renewed Life Church Color Change (DR 12-13)

Project Location: The project is located at 1435 Main Street on the southwest corner of Live Oak Avenue and Main Street: APN 037-090-019 (see enclosed vicinity map).

Applicant: Scott LeBoeuf of Renewed Life Church

Request: This is a public hearing on a request for design review approval for previously made and unapproved exterior color changes (from white to green and brown hues) to an existing church located at 1435 Main Street.

The Staff Report and its attachments will be available for public review, on or after Friday, January 24, 2014 at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City's website 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.**

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.

RESOLUTION NO. XX-14

**A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS
AND APPROVING DESIGN REVIEW OF COLOR CHANGES TO AN EXISTING
CHURCH LOCATED AT 1425 MAIN STREET FOR RENEWED LIFE CHURCH
COLOR CHANGE (DR 12-13)**

FINDINGS

WHEREAS, on December 19, 2013, Scott LeBoeuf of Renewed Life Church filed an application requesting Design Review (DR 12-13) approval of previously made and unapproved exterior color changes (from white to green and brown hues) to an existing church located at 1435 Main Street ("project"). The project site is zoned "C" (General Commercial) District: APN 037-090-019; and

WHEREAS, the applicant's plans include a letter from the Elders Board of Renewed Life Church, Kelley-Moore Paints "Historic Lifestyles of the West," and brush cut outs of the proposed colors ("plans"); and

WHEREAS, on January 7, 2014 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated Commercial (C) on the Oakley 2020 General Plan Land Use Map, and zoned C (General Commercial) District; and

WHEREAS, the request for design review approval is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301, "Existing Facilities." The repainting of building results in a minor alteration with no expansion of use; and

WHEREAS, on January 17, 2014, the Notice of Public Hearing for the project was posted at Oakley City Hall, Freedom High School, at 204 2nd Street (City Annex) 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; and

WHEREAS, on January 28, 2014, 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, the City of Oakley Commercial and Industrial Design Guidelines, the applicant's plans, and the information submitted to the City Council at its January 28, 2014 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 Subdivision (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 the Renewed Life Church Color Change (DR 12-13), the City Council finds that the proposed color changes (although already made) are consistent with the applicable Commercial and Industrial Design Guidelines. The proposed colors use quality paint (Kelley-Moore Paints) and are compatible, subdued and not garish.
- 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 Renewed Life Church Color Change (DR 12-13), subject to the following conditions:

- 1. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the plans received by the Community Development Department and made a part of the City Council's meeting packet for January 28, 2014.

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 Department Conditions

General:

- 1. This Design Review is approved as shown on the plans approved by the City Council on January 28, 2014, and as conditioned below.
- 2. 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.
- 3. 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).

4. The applicant understands that any future modifications to the main church, accessory buildings, or site require prior approval from the City of Oakley. Modifications include changes to paint colors, building materials or windows, ground disturbance or paving, the addition of buildings or square footage to existing buildings, or change to landscaping, (i.e. any physical alteration of the site or buildings).

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 28th of January, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Randy Pope, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date