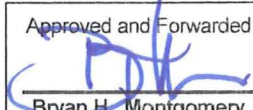




STAFF REPORT

Date: Tuesday, March 25, 2014
To: Bryan H. Montgomery, City Manager
From: Joshua McMurray, Senior Planner
Subject: Celebration Christian Preschool - Conditional Use Permit (CUP 02-13), Design Review (DR 06-13) and Tentative Parcel Map (TPM 02-13)

Approved and Forwarded to City Council:

Bryan H. Montgomery, City Manager

Summary

The applicant is requesting approval of a Conditional Use Permit (CUP 02-13) to operate and Design Review (DR 06-13) for the construction of a new 14,351 square foot preschool with an administration building/multipurpose room, classrooms, outdoor play area, parking lot and associated site development. The project also includes a Tentative Parcel Map (TPM 02-13) to subdivide the 2.2-acre site into two parcels totaling 31,709 square feet (Parcel A) and 65,123 square feet (Parcel B). The project site is located at 3410 Empire Road. The site is designated Commercial in the General Plan and is zoned General Commercial (C) District.

Staff recommends the City Council adopt the Resolution approving Conditional Use Permit (CUP 02-13) to operate and Design Review (DR 06-13) for the construction of a new 14,351 square foot preschool building and Tentative Parcel Map (TPM 02-13) to subdivide the 2.2-acre site into two parcels for a project located at 3410 Empire Road, as conditioned.

General Plan/Zoning Compliance

In 2002 the site was designated "Commercial" in the Oakley 2020 General Plan. The "Commercial" designation allows for a broad range of commercial uses. The project site was rezoned General Commercial (C) in May 2009 as part of the Citywide Rezone project. The C District is compatible with the "Commercial" General Plan Land Use designation. The proposed use is defined as a "Child Care Center", which is allowed in the General Commercial District with the approval of a Conditional Use Permit.

Project Description

The property is approximately 2.2-acres in size. The site is currently developed with an existing legal non-conforming single-family residence and associated accessory structures and site improvements. The project site is rectangular in shape, fronting both Empire Avenue and Neroly Road. The frontage improvements consisting of curb, gutter and sidewalk have already been constructed along both project frontages as part of the Magnolia Park subdivision.

Subject: Celebration Christian Preschool

Date: March 25, 2014

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The project consists of three different components as follows:

Tentative Parcel Map

The existing site is currently developed with a single-family residence and associated residential accessory structures and site improvements. The current use of the property is considered legal non-conforming, meaning that it was constructed legally at one point in the past and does not currently conform to the current zoning code. In this case the residential uses on the site were legally established in 2001 prior to the adoption of the City of Oakley 2020 General Plan in 2002 and the subsequent adoption of the Oakley Zoning Code in 2005. Typically a non-conforming use loses its legal status once it is replaced by a conforming use. In order for the applicant to keep the existing single-family residence and construct the proposed preschool, a Tentative Parcel Map has been proposed in order to keep the single-family residence on one lot and the proposed preschool use on a separate lot. It is anticipated in the future the parcel with the single-family residence would be developed with a conforming commercial use. At that time, a new project would need to be submitted for review and approval by the City Council.

Conditional Use Permit

The proposed use is defined as a "Child Care Center", which is allowed in the General Commercial District with the approval of a Conditional Use Permit. The purpose of a Conditional Use Permit is to allow for uses that are not allowed by right, and to ensure, through conditions, that the proposed land use is compatible with the surrounding land uses in the neighborhood.

Design Review

The Design Review Ordinance has different levels of Design Review procedures for review and approval of a Design Review Permit. Oakley Municipal Code section 9.1.1604(c)(2)(i) requires that any new commercial structure be heard and approved by the Planning Commission¹. The proposed new preschool building and site development fit the criteria above and require a Design Review approval.

Analysis

Land Use Compatibility

The project site is bound by vacant and undeveloped land to the north, Empire Avenue and undeveloped land to the west, the La Grande wedding and event center to the east, and the Diamond Hills Sports Club and Spa to the south. The General Commercial District would allow for the "Child Care Center" use with the approval of a Conditional Use Permit.

The proposed project site is in a small commercial core located along Neroly Road, east of Empire Avenue. This area of the City is beginning to see signs of development with the construction of the Diamond Hills Sports Club and Spa and the recent approval of the La Grande wedding and event center. The proposed Celebration Christian Preschool project would be consistent with the types of development in a commercial area and, as conditioned, would be compatible with the surrounding area. The project would also

¹ City Council acts as the Planning Commission per Ordinance No. 06-09

Subject: Celebration Christian Preschool

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bring an added benefit and amenity to the City of Oakley by means of new jobs and property tax as well as the residents of Oakley and its surrounding areas who are looking for child care options.

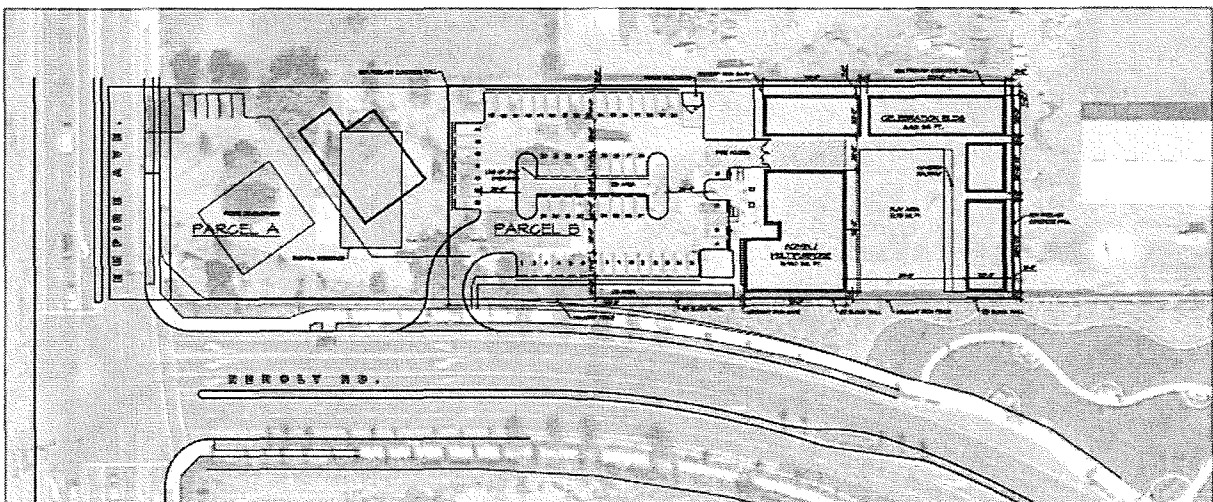
Circulation/Parking

The proposed project will be accessed off Neroly Road. The proposed driveway location is located in between to the proposed parcels and is approximately 200 feet east of the intersection of Neroly Road and Empire Avenue. The driveway access is located in the right hand turn pocket of Neroly Road (westbound). Although the driveway location is off a turn pocket, the City's Traffic Engineer has reviewed the proposed location and finds it to be acceptable.

The project is proposing a total of 60 parking spaces, which includes 3 ADA compliant spaces. All of the parking spaces are full size, meaning no compact spaces have been proposed. The 60 parking spaces exceed the requirement of 47 parking spaces which breaks down as follows:

- 5,590 square feet of an Administration Building @ 1 parking space per 250 square feet of floor area totals 23 parking spaces
- 8,401 square feet of classroom buildings @ 1 parking space per 7 students totals 23 parking spaces

The propose project meets all of the code requirements in terms of parking and circulation. The image below shows the proposed layout of the project site.



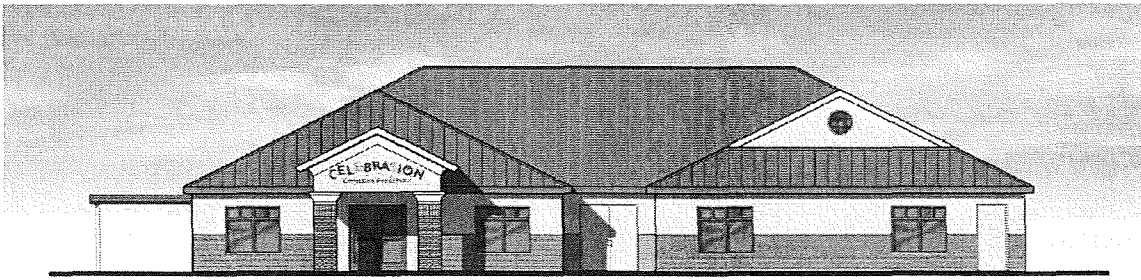
Building Design

The building has been designed to look like some of the newer schools that have been constructed in the area. The architecture is highlighted by the brick veneer and stucco façade with the standing metal seem roof. The red brick and green roof seem to be common materials used on schools. A rendering of the project is provided on the next page.

Subject: Celebration Christian Preschool

Date: March 25, 2014

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The applicant has provided details of the trash enclosure that has been designed to match the proposed buildings. A new precast wall will be constructed along the east, north and west property lines of the new preschool site. The attached resolution contains a condition that requires the applicant to submit a detailed plan of the wall to the Planning Department prior to construction to ensure the wall meets the intent of the Commercial Design Guidelines. In addition to the new walls, an existing CMU block wall exists along the entire Neroly frontage. This wall was constructed with the Magnolia Park project to the east. The project proposes to remove a section of the wall in two places. The first section is at the new driveway entrance off Neroly. This section will be removed in order to allow for ingress and egress to the project site. The second section will be further east in front of the proposed Preschool play area. Staff has reviewed the request to remove the wall and finds that based on the proposed use of the site and the fact that play areas for these types of uses are usually fenced and not walled-in, that the removal of the wall is appropriate.

Operational Characteristics

The applicant has provided a project description, which is attached to this Staff Report. The project will be licensed to have the capacity for 168 children at one time. In addition to the regular hour preschool and future K-5th grade children, the facility will also be licensed to run an after school program for 50 K-5th grade children. Future plans might include a 30 person senior program. The facility as a whole will be a community amenity as there is going to be an expanded need for childcare options as the City grows.

The facility will be open Monday through Friday, 6:30 AM to 6:00 PM. In addition to the normal operating hours of the preschool, the facility will also offer weeknight programs, parent seminars, and seasonal program associated with the Celebration Christian Preschool.

Environmental Review

The project proponent had Abrams Associates (traffic consultants) analyze the potential traffic impacts both on and offsite that could result as a result of the proposed project. The traffic analysis was reviewed and approved by the Public Works and Engineering Department. The traffic analysis concluded that there would be no significant transportation impacts according to established standards and no off-site traffic or transportation mitigations would be required as a result of the project. Since there was no mitigation required for this project, Staff has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA

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Date: March 25, 2014

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Guidelines Section 15332 – In-Fill Development Projects. No further environmental review is required for this project.

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the Resolution approving Conditional Use Permit (CUP 02-13) to operate and Design Review (DR 06-13) for the construction of a new 14,351 square foot preschool building and Tentative Parcel Map (TPM 02-13) to subdivide the 2.2-acre site into two parcels for a project located at 3410 Empire Road, as conditioned.

Attachments

1. Vicinity Map
2. Project Plan Set
3. Project Description from the Applicant
4. Proposed City Council Resolution

Celebration Christian Preschool
Conditional Use Permit (CUP 02-13), Design Review (DR 06-13) and
Tentative Parcel Map (TPM 02-13)
Vicinity Map
APN: 034-030-005





PROJECT DATA

PROJECT DESCRIPTION: PROJECT INCLUDES A NEW PRESCHOOL AND ADMIN BUILDING WITH A PARKING LOT.

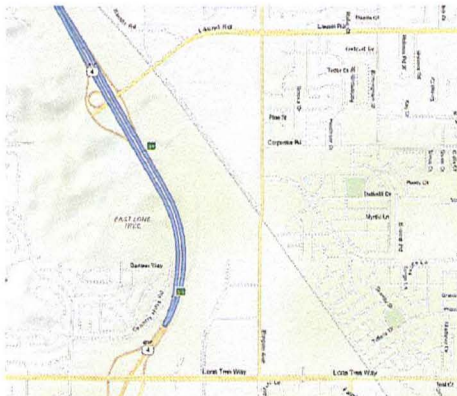
PROJECT ADDRESS: 3410 EMPIRE ROAD OAKLEY, CA 94561

APN: 034-030-005

ZONING: (C) GENERAL COMMERCIAL

VICINITY MAP

NOT TO SCALE



PROJECT TEAM

OWNER
 CELEBRATION CHRISTIAN PRESCHOOL
 624 ANDERSON AVE.
 BRENTWOOD, CA 94513
 PH: (925) 240-5437
 FX: (925) 240-5435
 CONTACT: JAMIE OLSON/SHERMAN BALCH

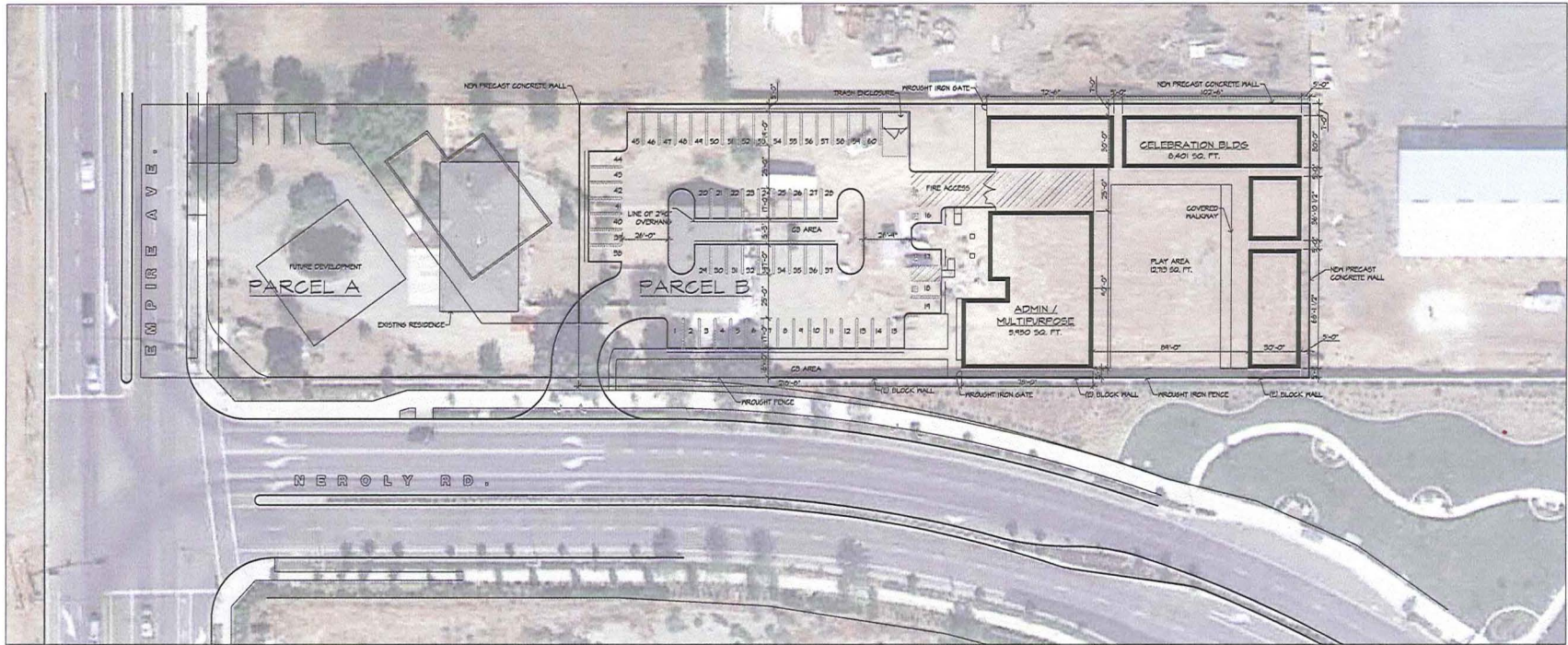
ARCHITECT
 STIRLING ARCHITECTS, INC.
 1145 SECOND STREET SUITE 108
 BRENTWOOD, CA 94513
 PH: (925) 634-0095
 FX: (925) 226-4816
 CONTACT: DON STIRLING, AIA

CIVIL ENGINEER
 DeBolt CIVIL ENGINEERING
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 SONORA, CA 95370
 PH: (209) 532-2856
 FX: (209) 532-9510
 CONTACT: TOM HOLLOWAY

SHEET INDEX

1. COVER SHEET
- ARCHITECTURAL DRAWINGS
2. ARCHITECTURAL SITE PLAN
3. ADMIN. & CLASSROOM BLDGS - FLOOR PLAN
4. SITE ELEVATIONS- FROM STREET & PARKING LOT
5. ADMIN. BLDG. ELEVATIONS
6. CLASSROOM BLDG. ELEVATIONS
7. ADMIN & CLASSROOM BLDGS - ROOF PLAN
8. TYPICAL TRASH ENCLOSURE
9. TYPICAL TRASH ENCLOSURE COLOR ELEVATIONS
- CIVIL DRAWINGS
10. PRELIMINARY GRADING PLAN EAST PORTION
11. PRELIMINARY GRADING PLAN WEST PORTION
12. EROSION CONTROL PLAN
13. STORM WATER CONTROL PLAN
- LANDSCAPE DRAWINGS
14. CONCEPTUAL LANDSCAPE PLAN
15. CONCEPTUAL COURTYARD PLAY AREA DESIGN



SITE PLAN
SCALE: 1" = 30'

PROJECT SUMMARY

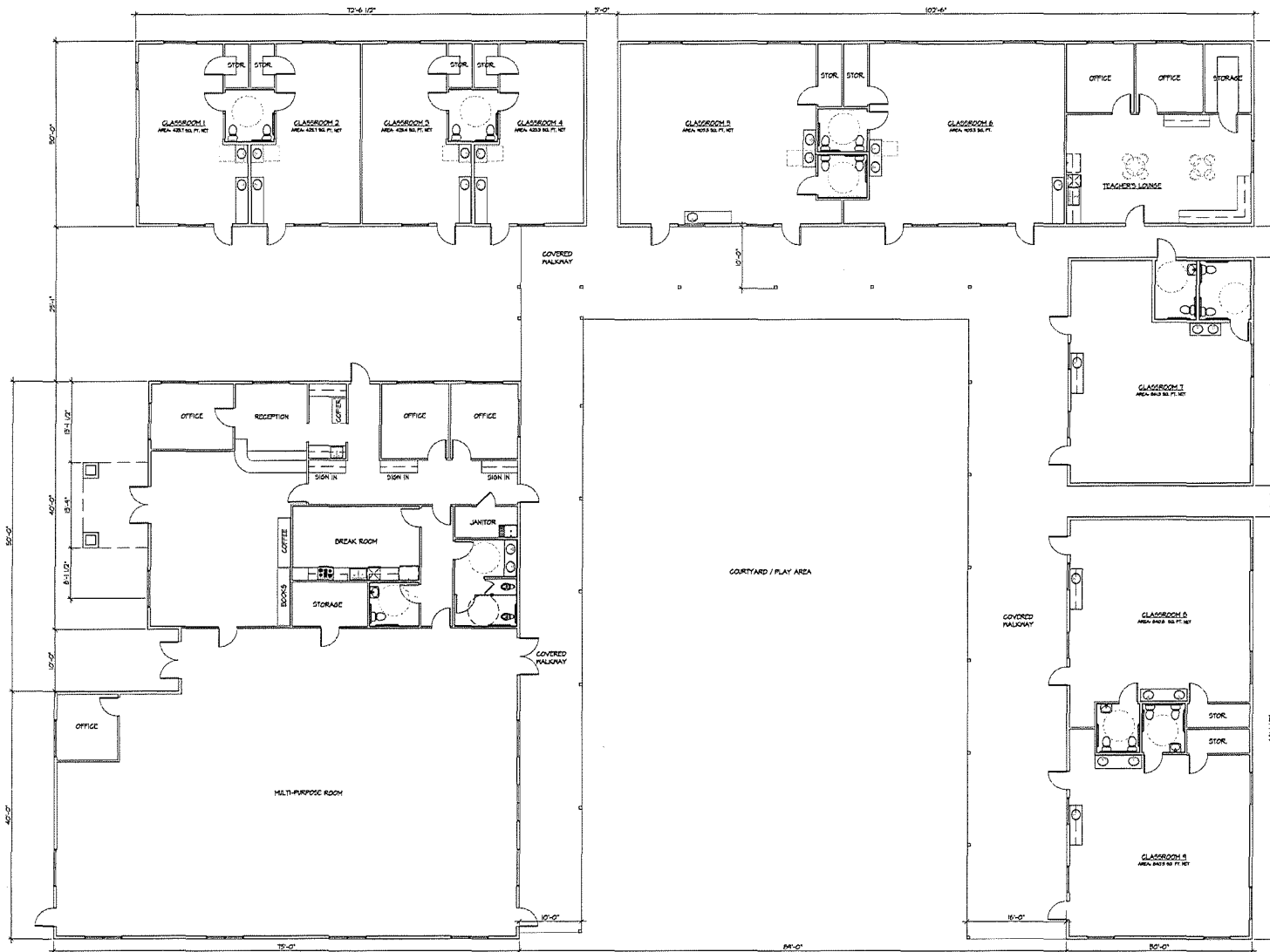
TOTAL LOT:			
PARCEL A:	91,109 S.F.		FUTURE DEVELOPMENT
PARCEL B:	65,123 S.F.		EXIST.
		COVERAGE	PARKING
ADMIN. BLDG:	5,450 S.F.	9.1%	23 REQ'D (1 PER 250 S.F.)
CLASSROOM BLDG:	8,401 S.F.	12.9%	24 REQ'D (1 PER 1 STUDENT)
TOTAL:	14,351 S.F.	22.0%	47
TOTAL PROVIDED:			60 (3 ACCESSIBLE, 0 COMPACT)

SEE CIVIL DRAWINGS FOR EXACT PROPERTY LINE LOCATIONS.

STIRLING
ARCHITECTS INC.
1145 Second St. Suite 188
Brentwood, CA 94513
Tel: (925) 634-0095
Fax: (925) 226-4816

C E L E B R A T I O N P R E S C H O O L
3410 EMPIRE ROAD, OAKLEY, CA
11/04/13





FLOOR PLANS
 SCALE: 1/8" = 1'-0"
 0 2' 4' 8' 16'

MULTIPURPOSE/ADMIN BLDG.: 5,950 SQ. FT.
 CLASSROOM BLDG.: 8,401 SQ. FT.
 TOTAL: 14,351 SQ. FT.



C E L E B R A T I O N P R E S C H O O L
 3410 EMPIRE ROAD, OAKLEY, CA
 11/04/13





WEST ELEVATION (VIEW FROM PARKING LOT)
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION (VIEW FROM STREET)
SCALE: 1/8" = 1'-0"



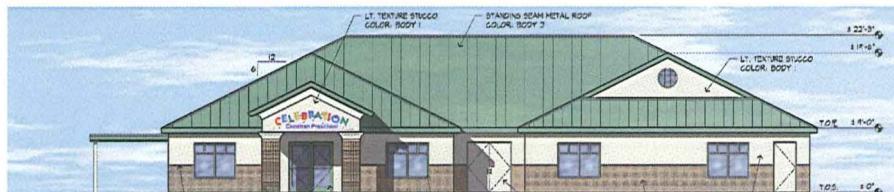
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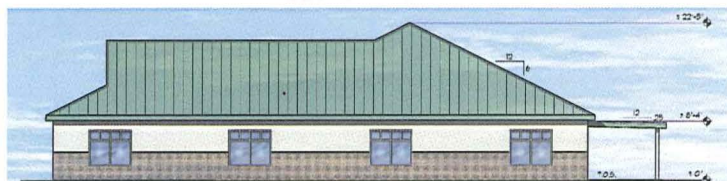
EAST ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



WEST ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



SOUTH ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



NORTH ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
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EAST ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



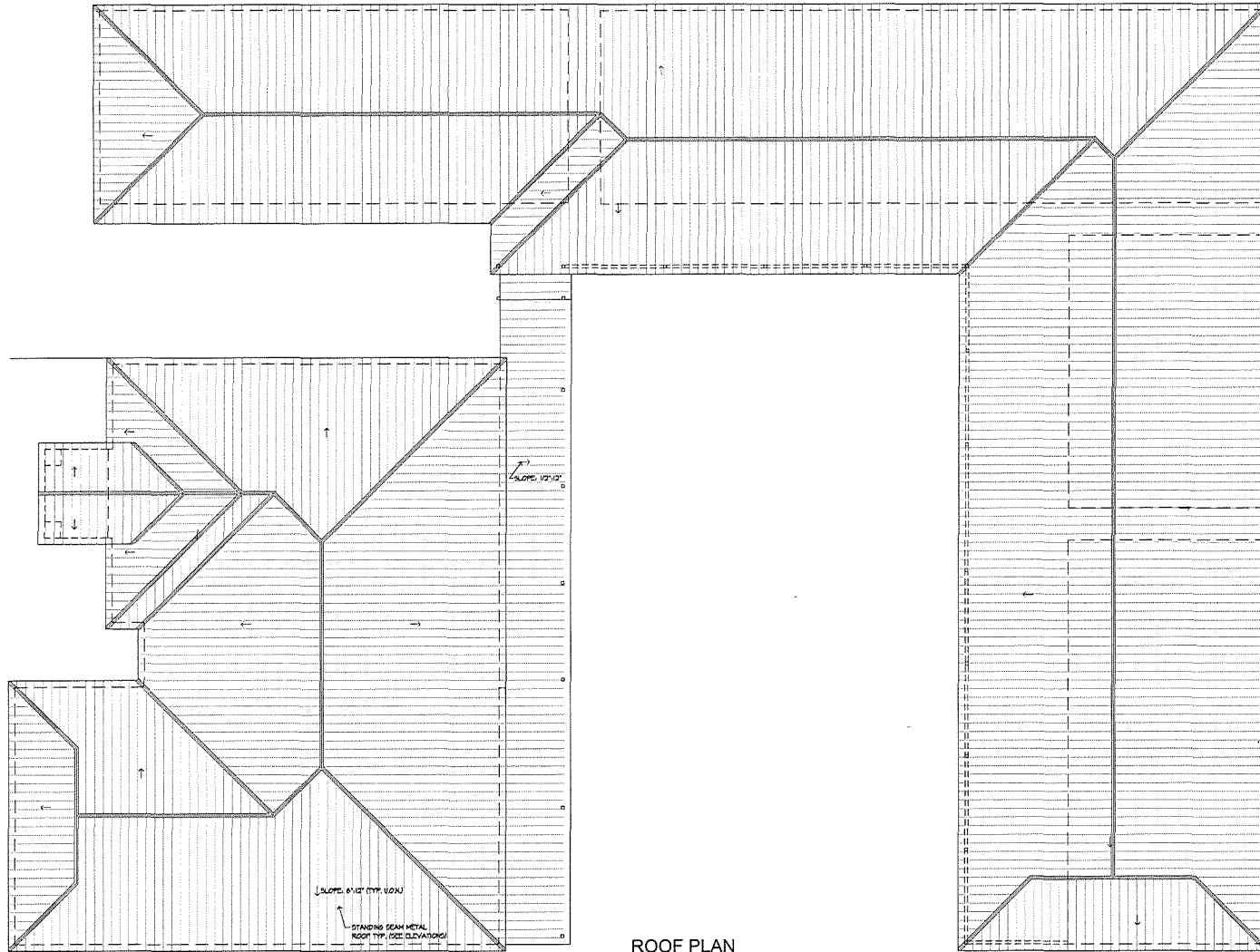
WEST ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
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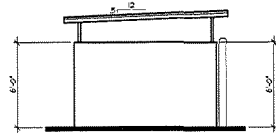
SOUTH ELEVATION (CLASSROOM BLDG.)

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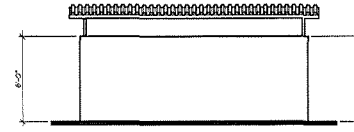


ROOF PLAN
 SCALE: 1/8" = 1'-0"
 0 2' 4' 8' 16'

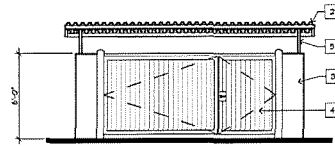




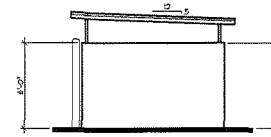
EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

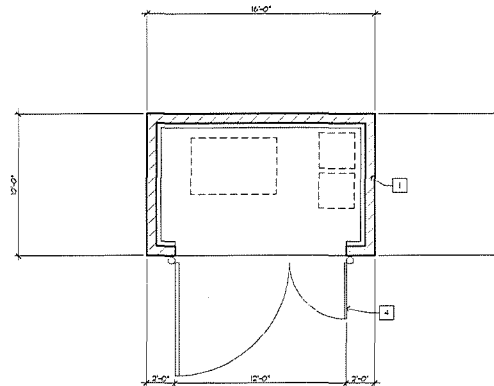


NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

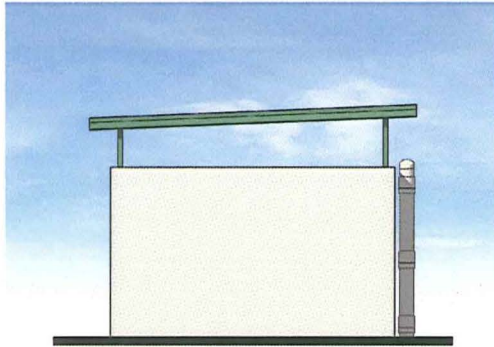
KEYNOTES	
1	CMU WALL
2	METAL ROOF, COLOR TO MATCH BUILDING (BODY 2)
3	STUCCO FINISH OF CMU WALL, COLOR TO MATCH BUILDING (BODY 1)
4	METAL DOORS, COLOR TO MATCH BUILDING (BODY 1)
5	TUBE STEEL POST, COLOR TO MATCH BUILDING (BODY 2)



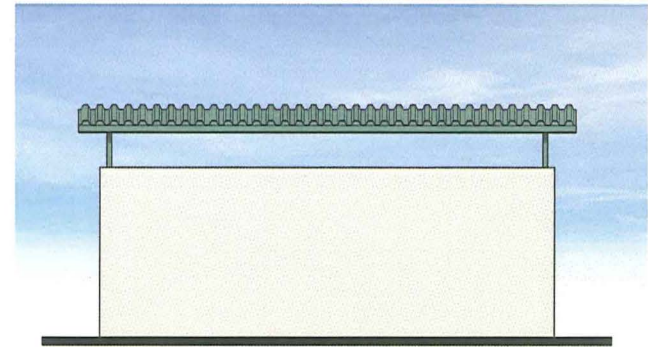
FLOOR PLAN
SCALE: 1/4" = 1'-0"



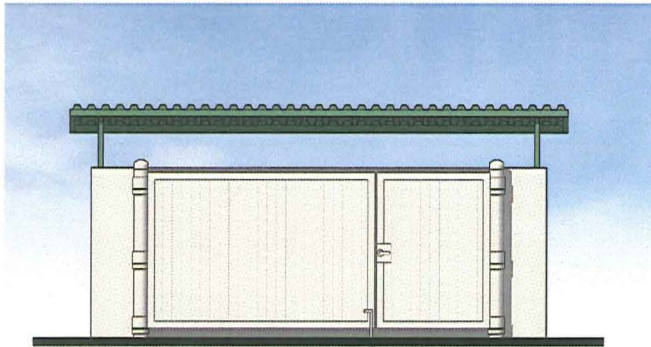
TYPICAL TRASH ENCLOSURE
C E L E B R A T I O N P R E S C H O O L
 3410 EMPIRE ROAD, OAKLEY, CA
 8/9/13



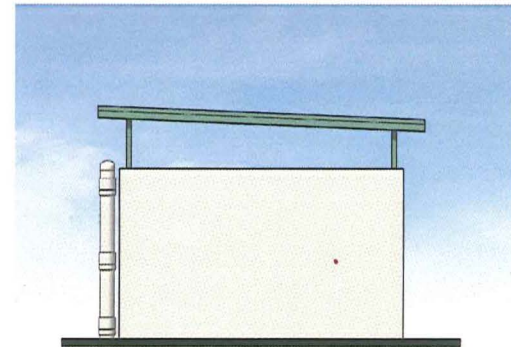
EAST ELEVATION
SCALE: 1/2" = 1'-0"



SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



NORTH ELEVATION
SCALE: 1/2" = 1'-0"



WEST ELEVATION
SCALE: 1/2" = 1'-0"

TYPICAL TRASH ENCLOSURE
 C E L E B R A T I O N P R E S C H O O L
 3410 EMPIRE ROAD, OAKLEY, CA
 August 18, 2011



PROJECT DATA

PROJECT DESCRIPTION: PROJECT INCLUDES A NEW PRESCHOOL AND ADMIN BUILDING WITH A PARKING LOT.

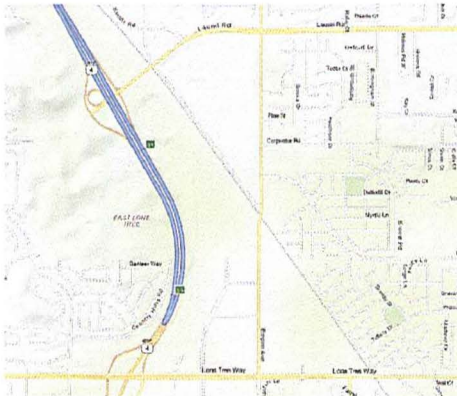
PROJECT ADDRESS: 3410 EMPIRE ROAD
OAKLEY, CA 94561

APN: 034-030-005

ZONING: (C) GENERAL COMMERCIAL

VICINITY MAP

NOT TO SCALE



PROJECT TEAM

OWNER
CELEBRATION CHRISTIAN PRESCHOOL
624 ANDERSON AVE.
BRENTWOOD, CA 94513
PH: (925) 240-5437
FX: (925) 240-5435
CONTACT: JAMIE OLSON/SHERMAN BALCH

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FX: (209) 532-4510
CONTACT: TOM HOLLOWAY

SHEET INDEX

1. COVER SHEET

ARCHITECTURAL DRAWINGS

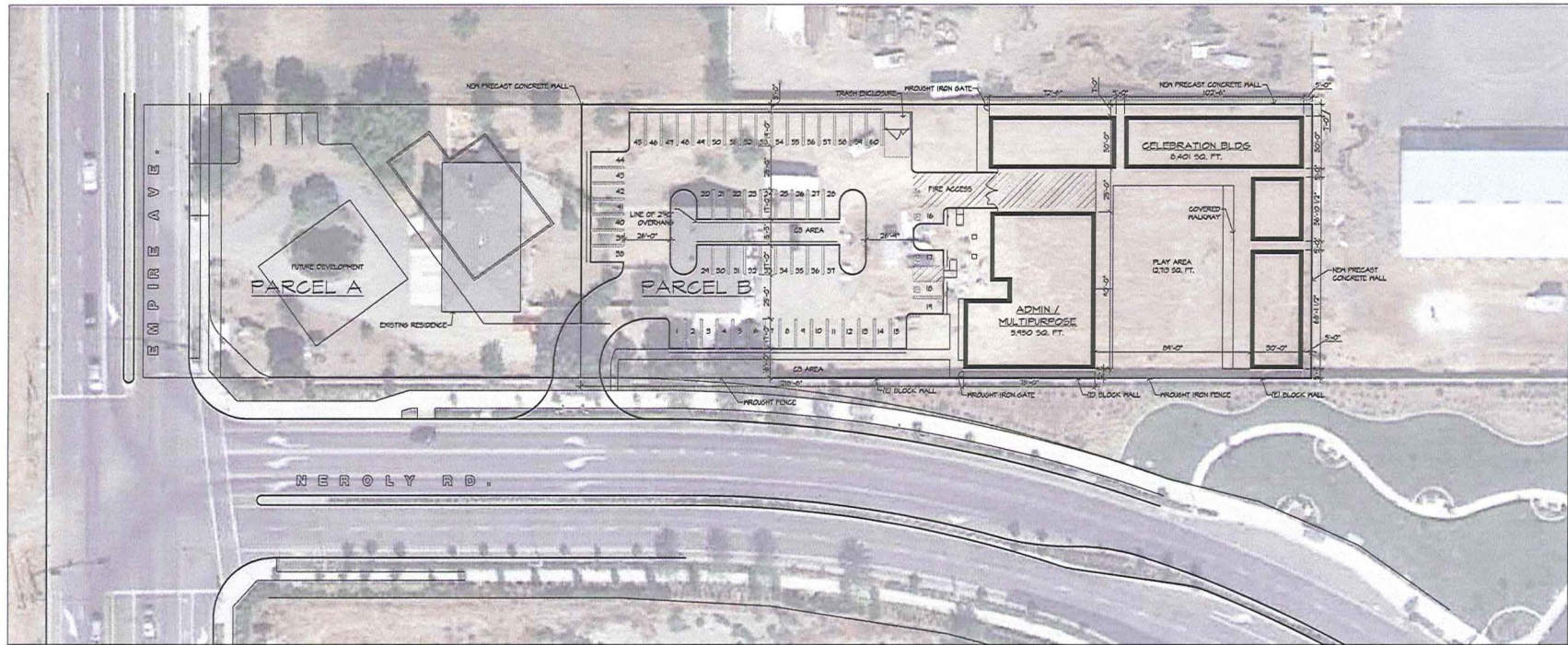
2. ARCHITECTURAL SITE PLAN
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CIVIL DRAWINGS

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12. EROSION CONTROL PLAN
13. STORM WATER CONTROL PLAN

LANDSCAPE DRAWINGS

14. CONCEPTUAL LANDSCAPE PLAN
15. CONCEPTUAL COURTYARD PLAY AREA DESIGN



SITE PLAN
SCALE: 1" = 30'

PROJECT SUMMARY

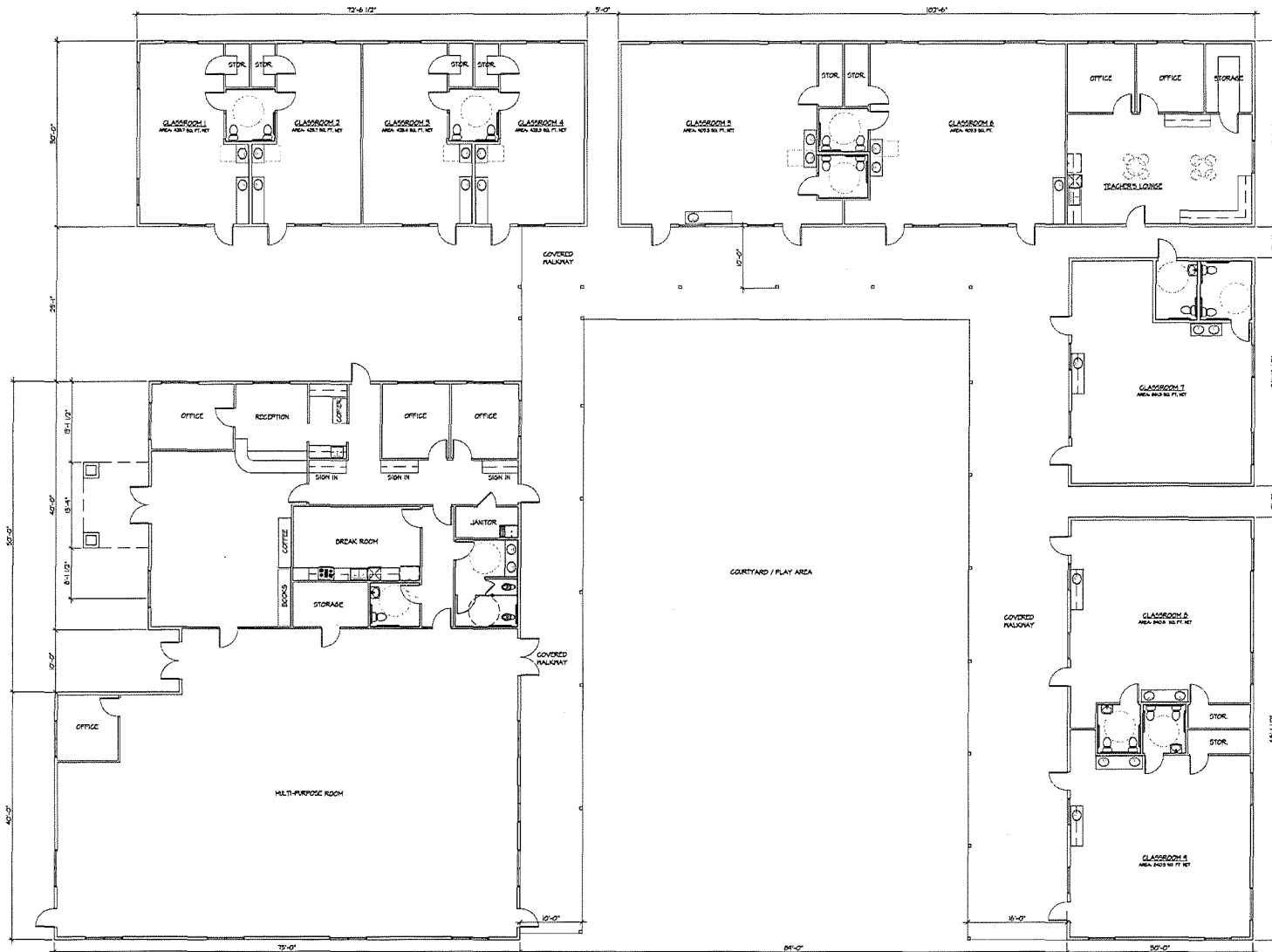
TOTAL LOT:			
PARCEL A:	91,704 S.F.		FUTURE DEVELOPMENT
PARCEL B:	65,223 S.F.		CRP
COVERAGES			
ADMIN. BLDG:	5,450 S.F.	9.1%	23 REG'D (1 PER 250 S.F.)
CLASSROOM BLDG:	6,401 S.F.	12.9%	24 REG'D (1 PER 1 STUDENT)
TOTAL:	14,351 S.F.	22.0%	47
TOTAL PROVIDED:			60 (3 ACCESSIBLE, 0 COMPACT)

SEE CIVIL DRAWINGS FOR EXACT PROPERTY LINE LOCATIONS.

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1145 Second St. Suite 188
Brentwood, CA 94513
Tel: (925) 634-0095
Fax: (925) 226-4816

C E L E B R A T I O N P R E S C H O O L
3410 EMPIRE ROAD, OAKLEY, CA
11/04/13





FLOOR PLANS
 SCALE: 1/8" = 1'-0"
 0 2' 4' 8' 16'

MULTIPURPOSE/ADMIN BLDG.: 5,950 SQ. FT.
 CLASSROOM BLDG.: 8,401 SQ. FT.
 TOTAL: 14,351 SQ. FT.



C E L E B R A T I O N P R E S C H O O L
 3410 EMPIRE ROAD, OAKLEY, CA
 11/04/13





WROUGHT IRON FENCE (AND GATES)
COLOR: BLACK

WEST ELEVATION (VIEW FROM PARKING LOT)

SCALE: 1/8" = 1'-0"



12" CMU BLOCK WALL

WROUGHT IRON FENCE (AND GATES)
COLOR: BLACK

SOUTH ELEVATION (VIEW FROM STREET)

SCALE: 1/8" = 1'-0"

STIRLING
ARCHITECTS INC.
1145 Second St. Suite 188
Brentwood, CA 94513
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Fax: (925) 226-4816

C E L E B R A T I O N P R E S C H O O L
3410 EMPIRE ROAD, OAKLEY, CA
November 15, 2013



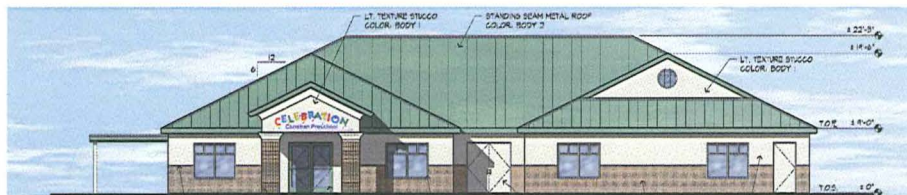
NORTH ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



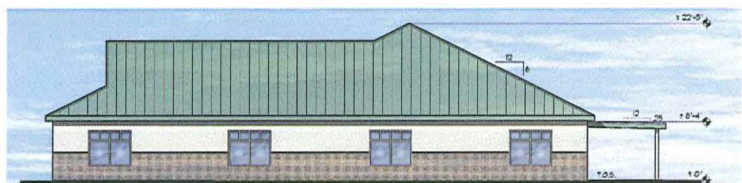
EAST ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



WEST ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



SOUTH ELEVATION (ADMIN BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



NORTH ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



EAST ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



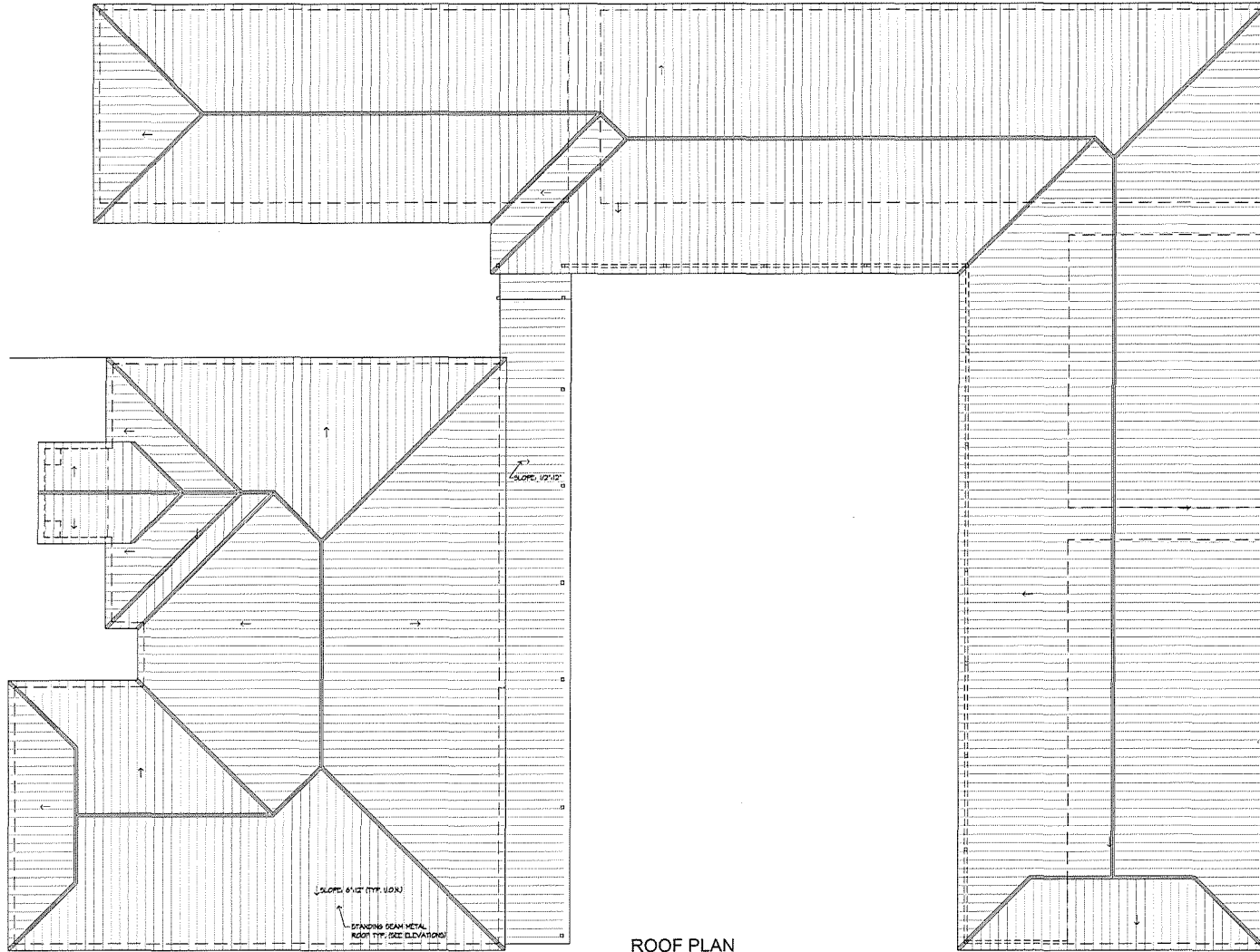
WEST ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'



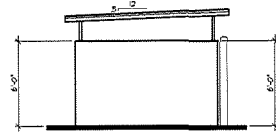
SOUTH ELEVATION (CLASSROOM BLDG.)

SCALE: 1/8" = 1'-0"
0 2' 4' 8' 16'

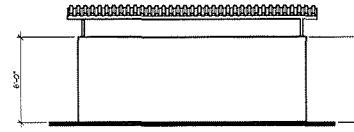


ROOF PLAN
 SCALE 1/8" = 1'-0"
 0 2' 4' 8' 16'

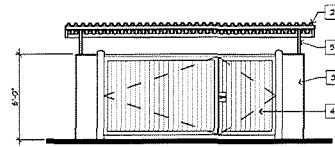




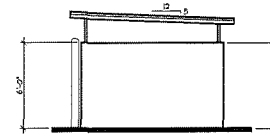
EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

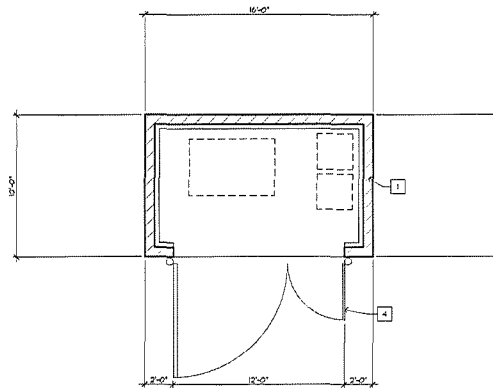


NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

KEYNOTES	
1	CMU WALL
2	METAL ROOF, COLOR TO MATCH BUILDING (BODY 2)
3	STUCCO FINISH of CMU WALL, COLOR TO MATCH BUILDING (BODY 1)
4	METAL DOORS, COLOR TO MATCH BUILDING (BODY 1)
5	TUBE STEEL POST, COLOR TO MATCH BUILDING (BODY 2)



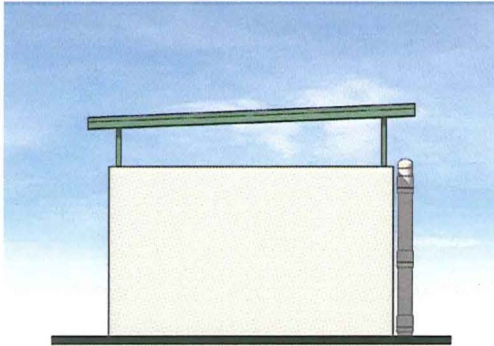
FLOOR PLAN
SCALE: 1/4" = 1'-0"



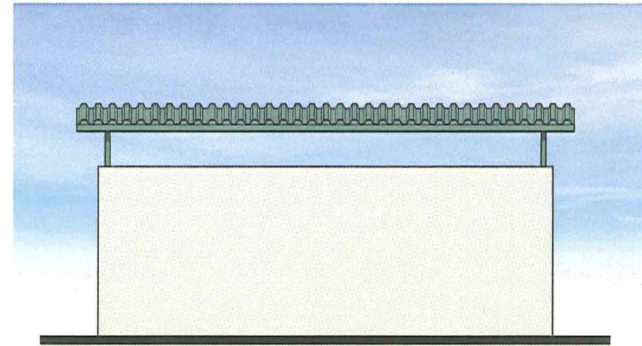
TYPICAL TRASH ENCLOSURE
C E L E B R A T I O N P R E S C H O O L

3410 EMPIRE ROAD, OAKLEY, CA

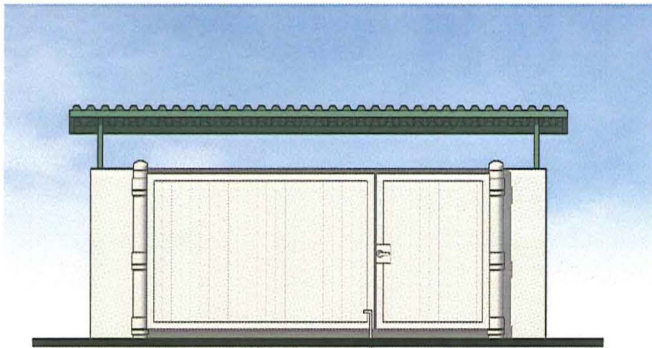
8/9/13



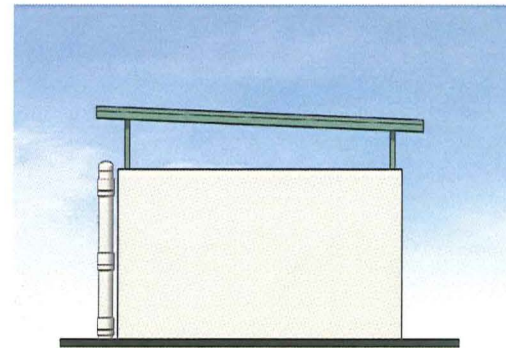
EAST ELEVATION
SCALE: 1/2" = 1'-0"



SOUTH ELEVATION
SCALE: 1/2" = 1'-0"

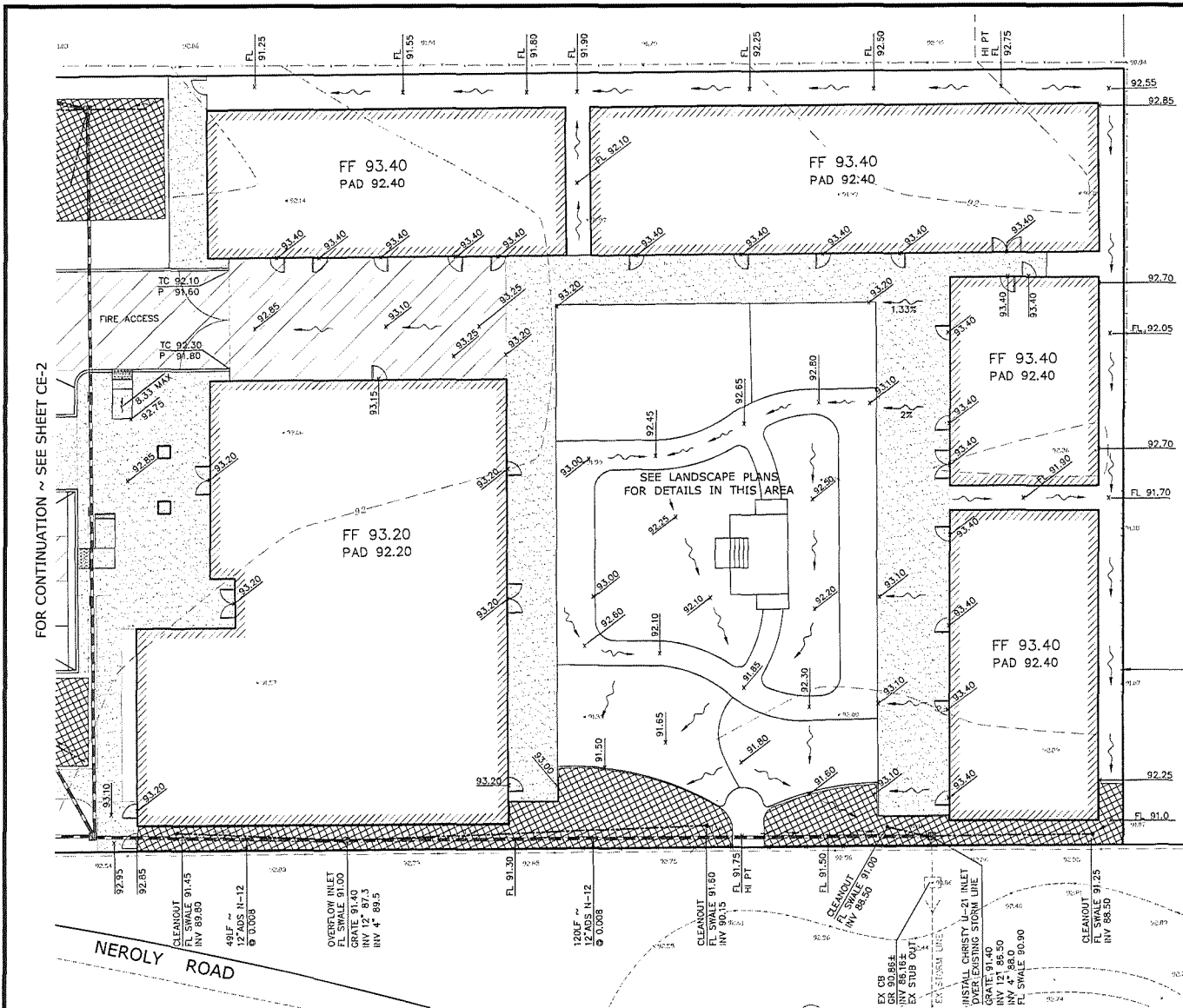


NORTH ELEVATION
SCALE: 1/2" = 1'-0"



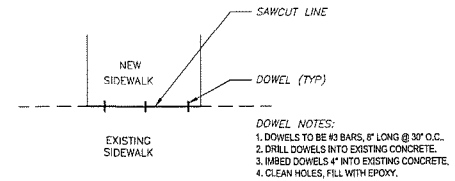
WEST ELEVATION
SCALE: 1/2" = 1'-0"

TYPICAL TRASH ENCLOSURE
C E L E B R A T I O N P R E S C H O O L
3410 EMPIRE ROAD, OAKLEY, CA
August 18, 2011

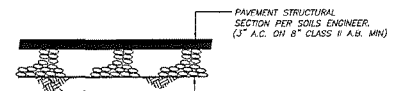


CURB DETAIL
NO SCALE

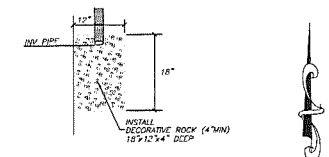
CURB & GUTTER DETAIL
NO SCALE



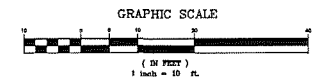
DOWEL DETAIL
NO SCALE



TYPICAL ASPHALT PARKING SECTION
N.T.S.



DETAIL
N.T.S.



FOR CONTINUATION ~ SEE SHEET CE-2

PROPOSED BUILDING GRADING and DRAINAGE PLAN

3410 EMPIRE ROAD

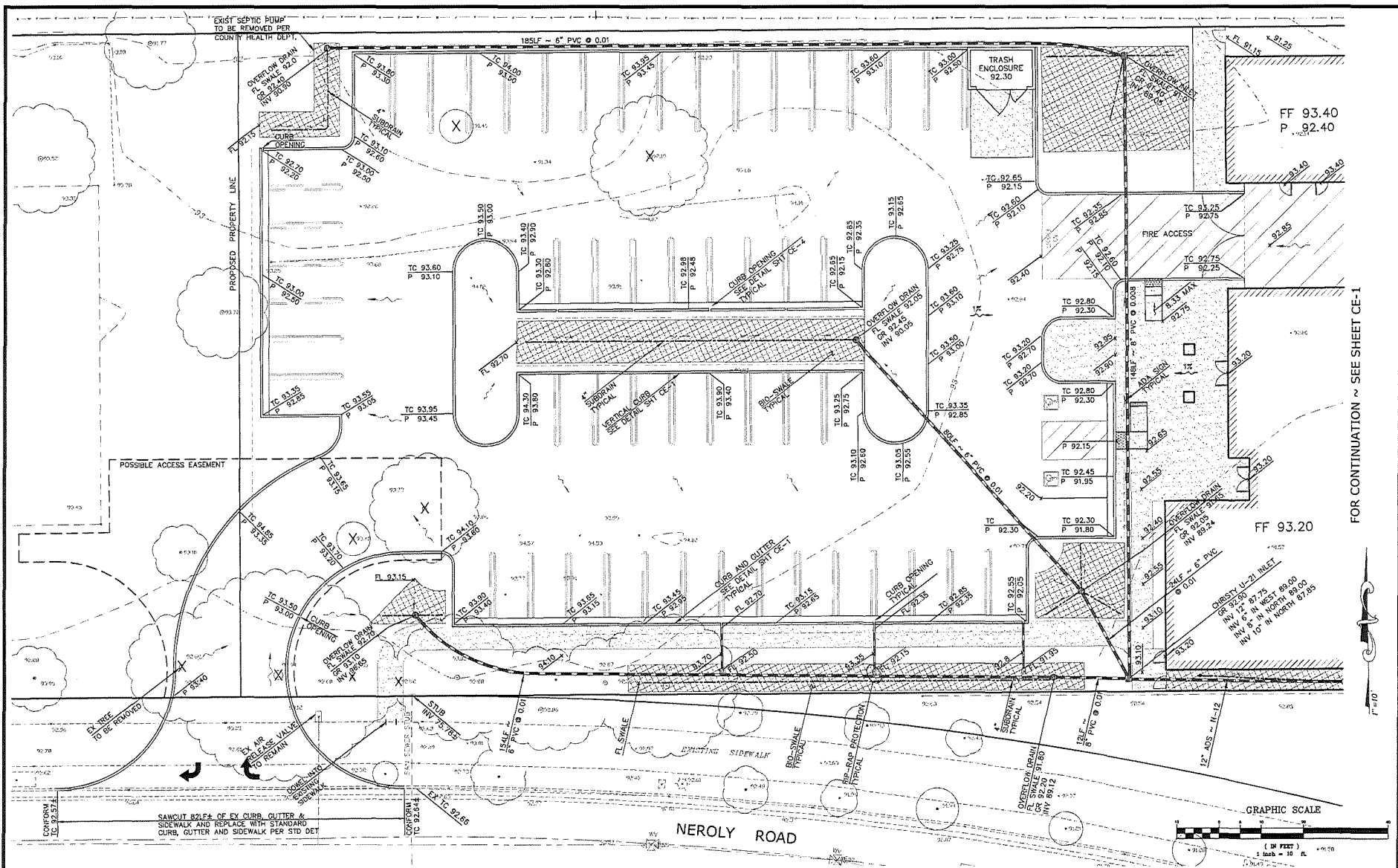
OAKLEY CONTRA COSTA COUNTY CALIFORNIA

JAMES E. DIGGINS RENEWAL DATE: 03/31/14 R.C.E. 27010

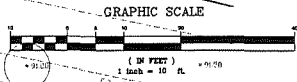
#	REVISIONS	DATE

DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780 Fax: 925/837-4378

Date: 11/14/2013
Scale: 1" = 10'
By: JED / JJ
Job No: 1118



FOR CONTINUATION ~ SEE SHEET CE-1



**PROPOSED SITE PARKING
GRADING and DRAINAGE PLAN**

3410 EMPIRE ROAD

OAKLEY CONTRA COSTA COUNTY CALIFORNIA

JAMES E. BIGGINS R.C.E. 2768
RENEWAL DATE: 03/31/14

#	REVISIONS	DATE



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780 Fax: 925/837-4378

Date: 11/14/2013
Scale: 1" = 10'
File: EID / 14
Job No.: 13181

EROSION CONTROL NOTES:

1. THE EROSION CONTROL MEASURES ARE TO BE OPERABLE DURING THE RAINY SEASON, OCTOBER FIRST TO APRIL FIFTEENTH. EROSION CONTROL PLANTING IS TO BE COMPLETED BY OCTOBER FIRST. NO GRADING OR UTILITY TRENCHING SHALL OCCUR BETWEEN OCTOBER FIRST AND MAY 1 UNLESS AUTHORIZED BY THE COUNTY GRADING DEPARTMENT.

2. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED AND CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DIRECTION OF THE DIRECTOR OF THE COUNTY GRADING DEPARTMENT.

3. DURING THE RAINY SEASON, ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIAL AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT-LADEN RUNOFF TO ANY STORM DRAINAGE SYSTEM.

4. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY DURING THE RAINY SEASON.

5. A CONSTRUCTION ENTRANCE SHALL BE PROVIDED AT ANY POINT OF EGRESS FROM THE SITE TO ROADWAY. A CONSTRUCTION ENTRANCE SHOULD BE COMPOSED OF COARSE DRAIN ROCK (3" MINIMUM DIAMETER) AT LEAST EIGHT INCHES THICK BY FIFTY (50) FEET LONG FOR THE FULL WIDTH AND SHALL BE MAINTAINED UNTIL THE SITE IS PAVED.

6. TEMPORARY EROSION CONTROL DEVICES WHICH INTERFERE WITH THE WORK SHALL BE RELOCATED OR MODIFIED ONLY WHEN THE PROJECT EROSION CONTROL SPECIALIST DIRECTS THE DEVELOPER/OWNER PER THE REQUIREMENTS OF THE NPDES (GENERAL PERMIT)/SWPPP.

7. ALL LOOSE SOIL AND DEBRIS SHALL BE REMOVED FROM THE STREET AREAS UPON STARTING OPERATIONS AND REMOVED DAILY AND AS DIRECTED BY THE EROSION CONTROL SPECIALIST AND REQUIRED BY THE NPDES (GENERAL PERMIT)/SWPPP. NOTE: REMOVE 40% CHANCE OF RAIN FROM ALL NOTES. INSTALLATION OF ADEQUATE BMPs AND COMPLIANCE TO THE GENERAL PERMIT IS REQUIRED IN THE EVENT OF ANY CHANCE FOR RAIN (SMALL, MEDIUM, OR HEAVY). THE DISCHARGER IS REQUIRED TO COMPLY TO THE GENERAL PERMIT.

8. AFTER SEWER LATERAL AND UTILITY TRENCHES ARE BACKFILLED AND COMPACTED, THE SURFACES OVER SUCH TRENCHES SHALL BE MOUNDING SLIGHTLY TO PREVENT CHANNELING OF WATER IN THE TRENCH AREA. CARE SHALL BE EXERCISED TO PROVIDE FOR CROSS FLOW AT FREQUENT INTERVALS WHERE TRENCHES ARE NOT ON THE CENTERLINE OF A CROWNED STREET.

9. EXCEPT AS OTHERWISE DIRECTED BY THE INSPECTOR, ALL DEVICES SHOWN ON THESE PLANS SHALL ALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE FORECAST FOR RAIN PROBABILITY EXCEEDS 40%. THESE DEVICES MUST BE MAINTAINED DURING THE RAINY SEASON (OCTOBER 1 TO MAY 1).

10. STRAW WATTLES AND SANDBAGS SHALL BE STOCKPILED AS SHOWN ON THE PLAN AND PUT INTO PLACE WHEN THE FORECAST FOR RAIN EXCEEDS 40% OR WHEN DIRECTED BY THE INSPECTOR OR EROSION CONTROL SPECIALIST.

11. SANDBAGS REFERRED TO IN THE PRECEDING ITEMS MUST BE FULL APPROVED SANDBAG FILL MATERIALS ARE SAND, DECOMPOSED GRANITE, AND/OR GRAVEL OR OTHER MATERIALS APPROVED BY THE INSPECTOR OR EROSION CONTROL SPECIALIST.

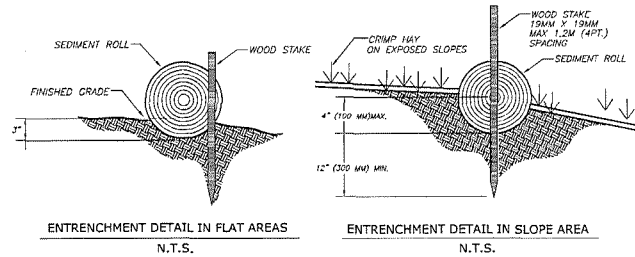
12. THE DOWNSTREAM STORM SYSTEM SHOULD BE INSPECTED TO VERIFY THAT THE SYSTEM IS CLEAR OF OBSTRUCTIONS AND FUNCTIONING PROPERLY.

13. AS PART OF THE EROSION CONTROL MEASURES, THE UNDERGROUND STORM DRAIN FACILITIES SHOULD BE INSTALLED COMPLETE AS SHOWN ON THESE PLANS.

14. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THESE PLANS IN THE FIELD, SUBJECT TO APPROVAL OF THE EROSION CONTROL SPECIALIST AND IN COMPLIANCE TO THE GENERAL PERMIT REQUIREMENTS.

15. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PROVISIONS OF THE NPDES (GENERAL PERMIT) AND INSTALLATION OF BMPs IS UNDER THE DIRECTION OF THE DISCHARGERS EROSION CONTROL SPECIALIST.

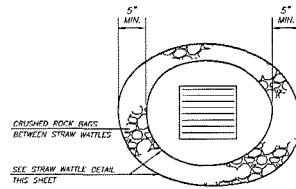
16. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES IN COMPLIANCE WITH THE NPDES (GENERAL PERMIT) AND INSTALLATION OF BMPs IS UNDER THE DIRECTION OF THE DISCHARGERS EROSION CONTROL SPECIALIST.



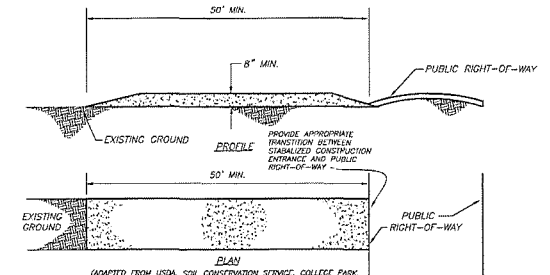
ENTRENCHMENT DETAIL IN FLAT AREAS
N.T.S.

ENTRENCHMENT DETAIL IN SLOPE AREA
N.T.S.

STRAW WATTLE DETAILS
N.T.S.



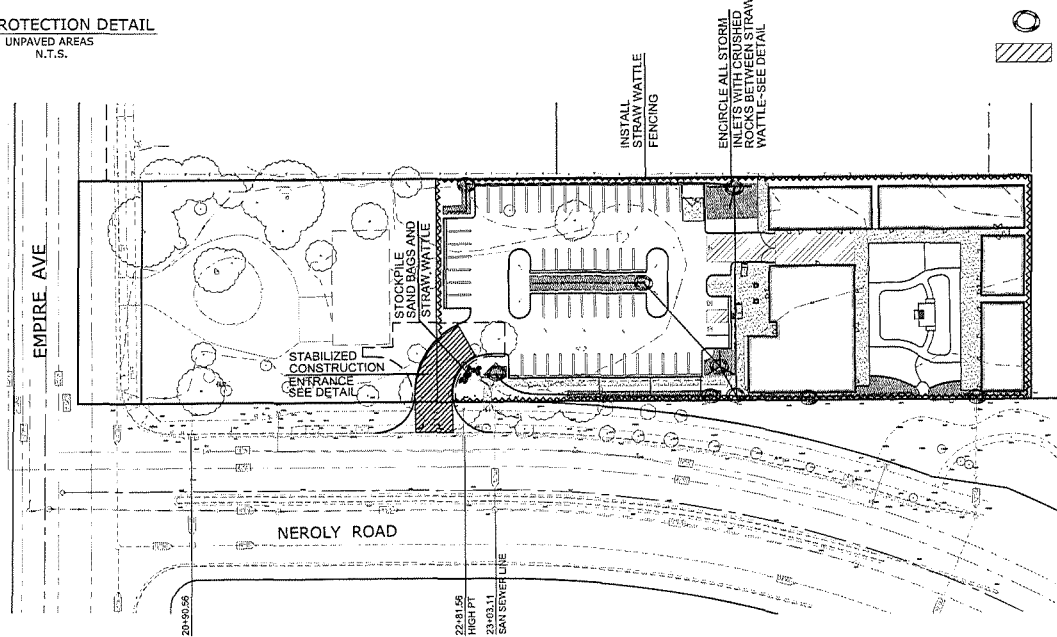
INLET PROTECTION DETAIL
UNPAVED AREAS
N.T.S.



STABILIZED CONSTRUCTION ENTRANCE DETAIL
N.T.S.

NOTE:
ELEVATIONS, GRADES AND IMPROVEMENTS SHOWN ON THIS SHEET ARE FOR GENERAL INFORMATION ONLY. CONTRACTOR SHALL REFER TO THE GRADING AND DRAINAGE PLAN FOR ALL WORK OTHER THAN EROSION CONTROL DEVICES.

- LEGEND**
- STRAW WATTLE
 - STRAW WATTLE FENCING
 - CRUSHED ROCK BETWEEN STRAW WATTLE
 - STABILIZED CONSTRUCTION ENTRANCE



EROSION CONTROL PLAN

3410 EMPIRE ROAD

OAKLEY

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIOGNIS
RENEWAL DATE: 03/31/14

R.C.E. 2718

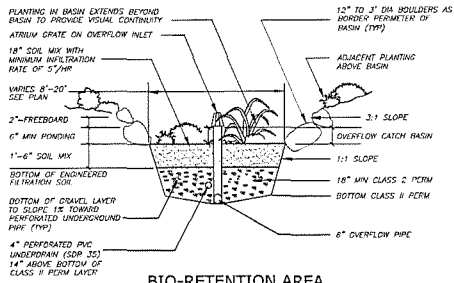
#	REVISIONS	DATE



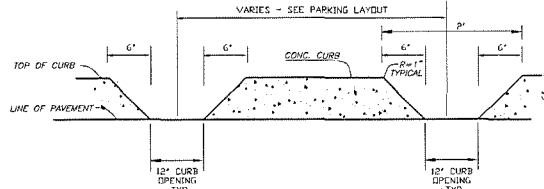
DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

Date: 11/14/2013
Scale: 1" = 40'
By: JED
Job No.: 1181

NOTE: SOIL MIX TO CONFORM TO SPECIFICATION
IN APPENDIX "B" OF THE LATEST C.J. GUIDEBOOK



BIO-RETENTION AREA
N.T.S.

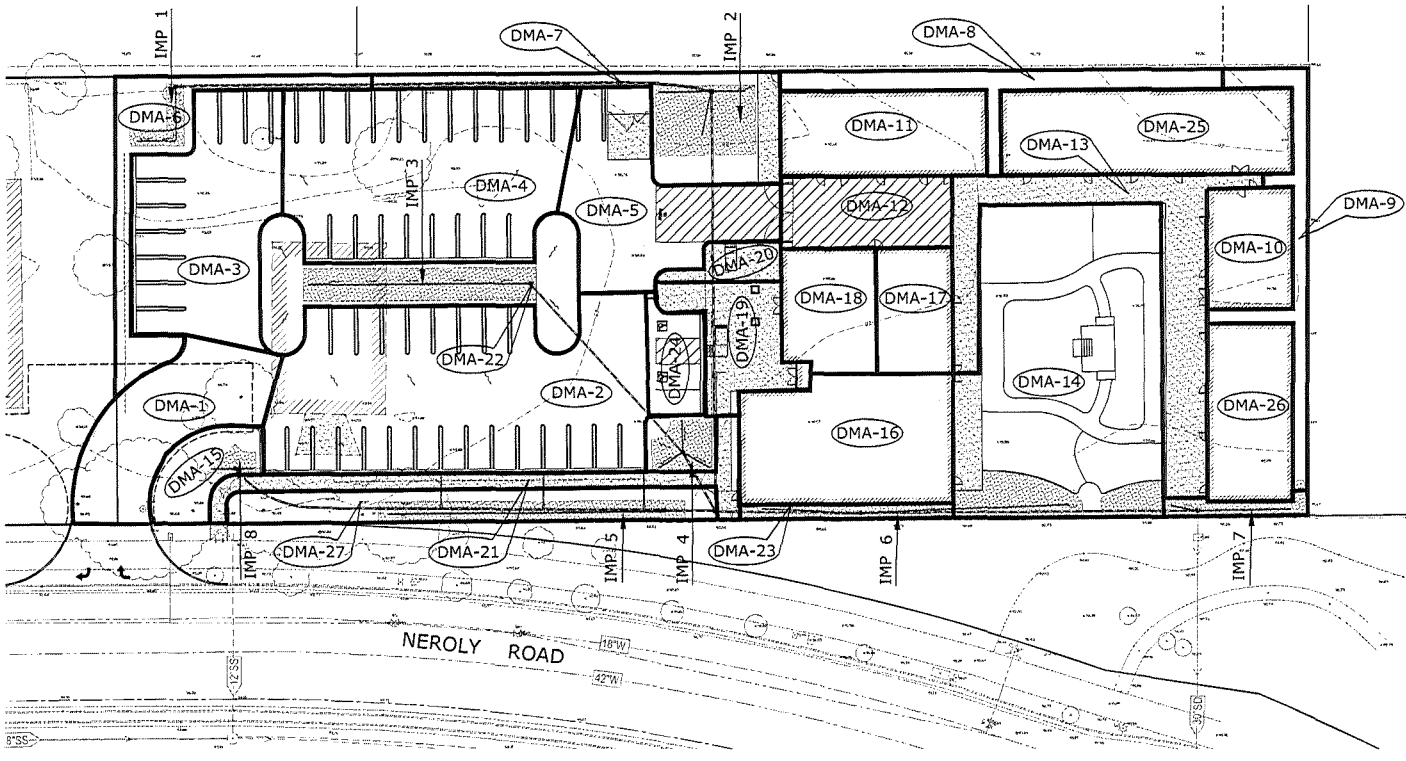
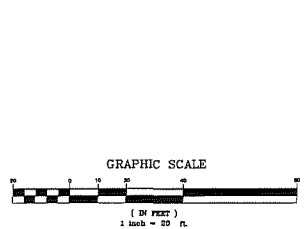


CURB OPENING
N.T.S.

DMA	AREA	SURFACE
DMA-1	2,410 SF±	ASPHALT
DMA-2	7,480 SF±	ASPHALT
DMA-3	3,810 SF±	ASPHALT
DMA-4	5,825 SF±	ASPHALT
DMA-5	3,120 SF±	ASPHALT
DMA-6	1,735 SF±	LANDSCAPE
DMA-7	2,275 SF±	LANDSCAPE
DMA-8	1,245 SF±	LANDSCAPE
DMA-9	3,940 SF±	LANDSCAPE
DMA-10	1,275 SF±	ROOF
DMA-11	2,170 SF±	ROOF
DMA-12	1,520 SF±	CONCRETE
DMA-13	3,115 SF±	CONCRETE
DMA-14	7,530 SF±	LANDSCAPE
DMA-15	810 SF±	LANDSCAPE
DMA-16	3,300 SF±	ROOF
DMA-17	1,190 SF±	ROOF
DMA-18	1,415 SF±	ROOF
DMA-19	1,410 SF±	CONCRETE
DMA-20	455 SF±	CONCRETE
DMA-21	1,370 SF±	CONCRETE
DMA-22	2,045 SF±	LANDSCAPE
DMA-23	410 SF±	LANDSCAPE
DMA-24	750 SF±	ASPHALT
DMA-25	3,045 SF±	ROOF
DMA-26	1,880 SF±	ROOF
DMA-27	1,960 SF±	LANDSCAPE

IMP	SIZE
1	395 SF
2	840 SF
3	830 SF
4	350 SF
5	690 SF
6	900 SF
7	510 SF
8	200 SF

- LEGEND**
- BIO-RETENTION / PLANTERS
 - CATCH BASINS
 - STORM DRAIN LINE
 - DENOTES AREA (DMA)
DRAINAGE MANAGEMENT AREA
 - IMP-2
INTEGRATED MANAGEMENT PRACTICE



STORM WATER CONTROL PLAN

3410 EMPIRE ROAD

OAKLEY

CONTRA COSTA COUNTY

CALIFORNIA

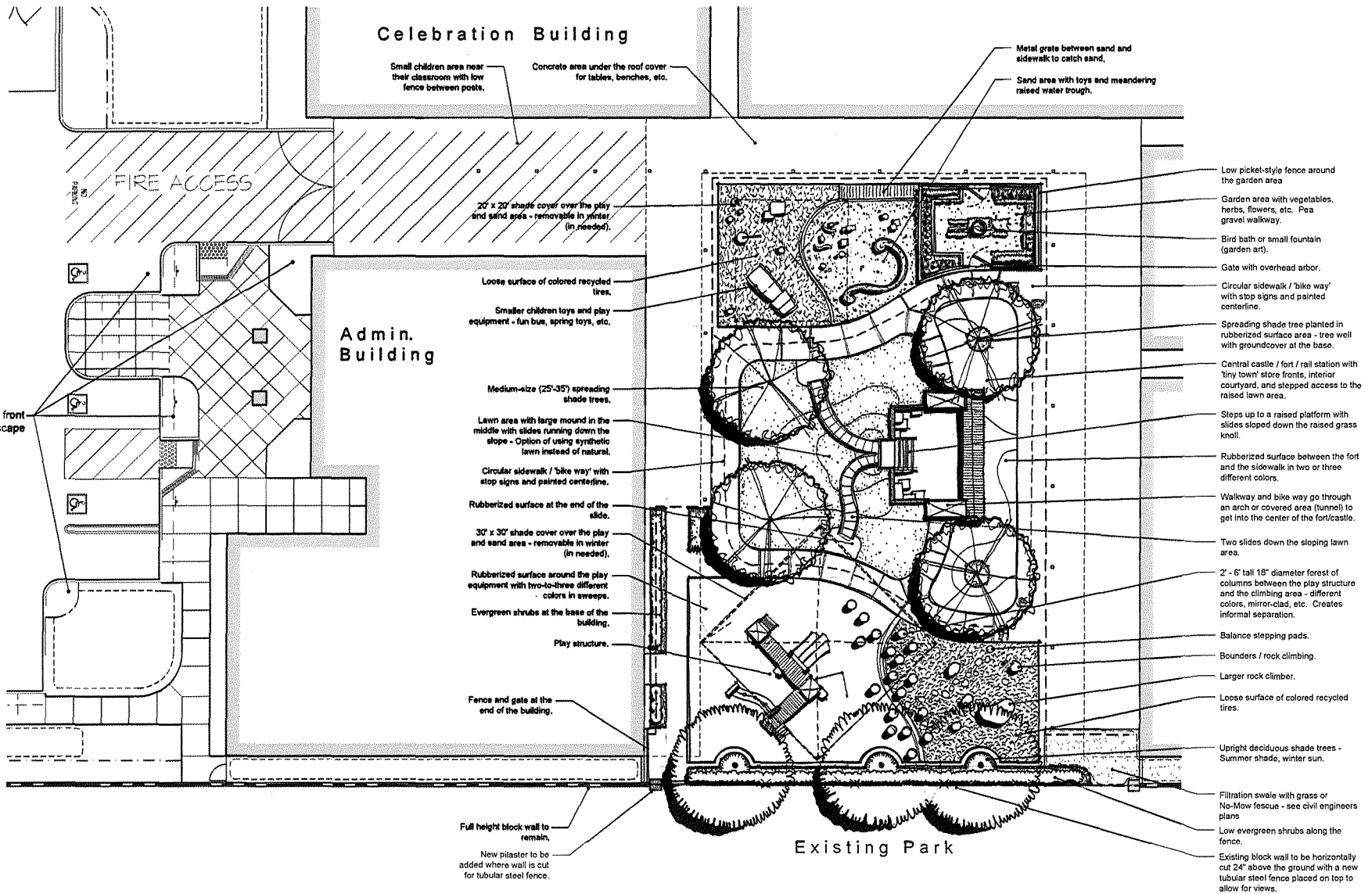
JAMES E. OGDINS R.C.E. 27818
RENEWAL DATE: 03/01/14

#	REVISIONS	DATE



DeBolt Civil Engineering
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Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

Date: 11/13/2013
Scale: 1" = 30'
By: JEO / U
Job No.: 11181



Conceptual Courtyard Play Area Design
C E L E B R A T I O N P R E S C H O O L

3410 Empire Road, Oakley, CA 15 November 2013



www.kla.com
 1515 Broadway, Suite 110
 Berkeley, CA 94704



1210 Central Blvd, Suite 111
 Encinitas, CA 92024
 Tel: (760) 441-4099
 Fax: (760) 441-4116



Celebration Christian Preschool

*A Ministry of Christian Education Development Co
An ACSI Accredited School*
624 Anderson Avenue, Brentwood, CA 94513
www.celebrationschools.com
925-240-KIDS (5437)

CITY OF OAKLEY
Community Development Dept

AUG 15 2013

PLANNING DIVISION
RECEIVED

Project Description

Celebration Christian Preschool purchased 3410 Empire Ave., Oakley, CA. in 2010, in preparation to open a new facility by 2014. For the past thirteen years the preschool has successfully operated a site at 624 Anderson, Avenue, Brentwood, CA and has been recognized in the community for its best practices in education, and winning Best Preschool in Brentwood for the past seven years. The school has been highlighted in trade publications and featured in the book *Supporting Families Thru Meaningful Ministry* where the executive director and director were asked to share the design of their exemplary outreach to the parents.

The staff is required to complete all early childhood courses and the majority of the teachers have California teacher permits. Many of them qualify for site supervisor level. Recognized as a leader in early childhood education, the local community college, Los Medanos, has enlisted three of the CCPS staff to serve as mentor teachers with LMCC students. This involves students from the college spending a semester working at the school mentoring under these accredited teachers.

As an outreach into the community, for the past ten years, CCPS has offered a free summer program for low-income families whose children have not had a preschool experience. These children come five days a week to learn English and prepare for kindergarten. This program is fully funded through grants and the program is open to the public. The preschool has also adopted a project in Haiti and regularly sends teams made up of teachers at the school, parents, grandparents, and others in the community, to help build schools, train Haitian teachers, and work with the children in the orphanage.

Celebration Christian Preschool has been accredited through Association of Christian Schools International since 2004, with the executive director and director serving on the national and regional accreditation commissions.

The future site (Celebration Center) will expand the vision to include not only a preschool, but also an afterschool program for school age children (K-5th grade) and at some point in the future a senior day care center. When fully implemented the three programs will function distinctly yet cross-generational in their approach.

It is estimated that by 2015 the region will have a shortage of 635 preschool spaces and over 1,500 spaces for children in afterschool care. (Contra Costa County Licensed Child Care Supply, Demand, and Gaps Report). Bridging this gap is the goal of this new facility. While the communities of Oakley, Brentwood and Antioch have continued to grow with young families, the supply of quality preschool and afterschool programs has not met the demand.

At the new site, plans provide for the preschool to be licensed for 168 children at one time; a fun and exciting after school program will be licensed for 50 children (K-5th grade) at one time; and eventually a possible senior program would serve 30 active seniors. Future plans include expanding the afterschool care program by providing a building exclusively designated for that use.

Operating hours will be Monday through Friday, 6:30am-6:00pm. In addition to the operating hours Celebration Center will provide weeknight programs, parent seminars, seasonal programs, etc. The facility will also be utilized on weekends for school programs, community and parent events.

Celebration Christian Preschool has a strong track record in the community for providing excellent care for young children, a great workplace for a growing staff and an attractive state of the art facility. We believe Oakley would be an excellent destination for the Celebration Center; many of our families live in your city and it would be a privilege to be part of such a thriving community.

RESOLUTION NO. XX-14

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING TENTATIVE PARCEL MAP (TPM 02-13) FOR THE SUBDIVISION OF A 2.2-ACRE PARCEL INTO TWO PARCELS, CONDITIONAL USE PERMIT (CUP 02-13) FOR THE ESTABLISHMENT OF A NEW PRESCHOOL USE, AND DESIGN REVIEW (DR 06-13) FOR THE CONSTRUCTION OF A NEW 14,352 SQUARE FOOT BUILDING AND ASSOCIATED SITE IMPROVMENTS LOCATED AT 3410 EMPIRE AVENUE (APN 034-030-005)

FINDINGS

WHEREAS, on August 15, 2013, the Christian Education Development Company ("Applicant"), submitted an application Conditional Use Permit (CUP 02-13) to operate and Design Review (DR 06-13) for the construction of a new 14,351 square foot preschool with an administration building/multipurpose room, classrooms, an outdoor play area, parking lot and associated site development. The project also includes a Tentative Parcel Map (TPM 02-13) to subdivide the 2.2-acre site into two parcels totaling 31,709 square feet (Parcel A) and 65,123 square feet (Parcel B) located at 3410 Empire Avenue (APN 034-030-005) ("Project"); and

WHEREAS, on February 10, 2014, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Commercial* in the Oakley 2020 General Plan, and zoned (C) General Commercial District; and

WHEREAS, on March 14, 2014, the Notice of Public Hearing for the project was posted at the project site, Oakley City Hall, Freedom High School, and at 204 2nd Street (City Annex). The notice was also mailed out to all owners of property within a 300-foot radius of the subject property's boundaries, and to parties requesting such notice, and published in the East County Times newspaper; and

WHEREAS, the project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, "Class 32 – In-Fill Development Projects"; and

WHEREAS, on March 25, 2014, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, 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 conditioned, 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 upon the City's General Plan, the City's Zoning Ordinance, the City's Commercial and Industrial Design Guidelines, and the information submitted to the City Council at its March 25, 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 project (hereinafter the "Record"); and

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

- A. Regarding the application requesting approval of a Tentative Parcel Map to subdivide the 2.2-acre site into two parcels totaling 31,709 square feet (Parcel A) and 65,123 square feet (Parcel B), the City Council finds that:
1. The proposed Tentative Parcel Map, together with the provisions of its design and improvements, is consistent with the Zoning Ordinance, and applicable portions of the Commercial General Plan Land Use Designations, as approved by City Council for the Project, in that it allows for orderly commercial development in a commercial area that meets the General Plan in terms of the uses allowed and complies with the minimum lot size, lot width, and lot depth and all other applicable regulations set forth in the project's General Commercial (C) District;
 2. The site is physically suitable for the type of development in that the proposed Tentative Parcel Map meets all of the applicable development standards in the Project's General Commercial (C) District and is compatible with surrounding commercial and agricultural uses;
 3. The site is physically suitable for the proposed project in terms of the proposed lot sizes and the proposed development and use;
 4. The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 – In-Fill Development Projects. No further environmental review is required for this project.
 5. The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the proposed subdivision consists of two (2) commercial lots. Construction and grading of the

project are subject to building or grading permits, and violations of any such permits are subject to appropriate enforcement;

6. The design of the subdivision includes the previously constructed improvements within public right-of-way constructed by the Magnolia Park Subdivision; and
7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. The Tentative Parcel Map does not conflict with easements acquired by the public for access and utilities.

B. In regards to the application requesting approval of a Conditional Use Permit (CUP 02-13) to operate and Design Review (DR 06-13) for the construction of a new 14,351 square foot preschool with an administration building/multipurpose room, classrooms, an outdoor play area, parking lot and associated site development located on a 2.2-acre site located at 3410 Empire Avenue (APN 034-030-005):

1. The site for the proposed use is adequate in size and shape to accommodate the use in a manner complementary with the land and uses in the area in that the site is approximately 2.2-acres and the General Commercial (C) District allows for the proposed development with the approval of a Conditional Use Permit and Design Review. The new building and site improvements will provide a significant aesthetic upgrade to the property, and help facilitate the economic development activities of the City.
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use in that the site is accessible by public rights-of-way such as Neroly Road, which is designed to handle project generated traffic;
3. The proposed use will be arranged, designed, constructed, operated, and maintained so as to be compatible with the intended character of the area and will not change the essential character of the area that is intended by the General Plan and the applicable zoning ordinances in that the

proposed use is permitted in the General Commercial (C) District with the approval of a Conditional Use Permit. The use will comply with the noise standards set forth in the Oakley Municipal Code, will provide all parking on-site, and will bring a new business into the City. Additionally the project will be bringing a portion of the site into compliance with both the General Plan and the zoning code consistent with the General Commercial (C) District; and

4. The proposed use provides for continued growth and orderly development of the community and is consistent with the various elements and objectives of the General Plan in that it provides a new business which will bring jobs to the City. The site is currently improved with a non-conforming single family residence and associated site improvements. The use and site are a result of Oakley's zoning that allows for commercial lots that can accommodate this type of use.
5. The proposed design and materials of the building and site improvements are compatible with the surrounding area and are similar in both color and materials to some of the newer development in Oakley including school buildings.

C. 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 of the Applicant's request for a Conditional Use Permit, subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Community Development Department on **November 21, 2013**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ESTABLISHMENT OF THE USE UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This **Tentative Parcel Map (TPM 02-13)**, **Conditional Use Permit (CUP 03-13)**, and **Design Review (DR 08-13)** is approved, as shown on the revised plans, date stamped by the Community Development Department on **November 21,**

2013, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on **March 25, 2017**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning 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 **November 21, 2013**.
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. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.
8. The development of Parcel A is not approved with this application and shall require a separate application at the time of development.

Site Plan:

9. All parking stall striping shall be double striped. Parking stalls shall be 9 feet wide by 19 feet deep and all drive aisles shall be a minimum 24 feet in width as reviewed and approved by the Community Development Director.

10. A lighting and photometric plan shall be submitted prior to the issuance of building permits. The minimum requirement shall be one foot of candle light within public parking areas and pedestrian pathways.
11. Light poles shall be a maximum height of 20 feet and shall provide glare shields where adjacent to existing residences per the review and approval of the Community Development Director.
12. A trash enclosure shall match Oakley Disposal and City standards and shall provide adequate space to accommodate both trash and recycling. Also, trash enclosures shall be constructed with a roof to match the building design and materials, have metal gates, and when appropriate be surrounded by landscaping with climbing vines on three sides per the review and approval of the Community Development Director.
13. Storage shall be contained inside the building. Storage containers are not allowed and pallets, boxes, cardboard etc. shall not be stored outside.
14. The concrete wall and wrought iron fencing shall be approved by the planning Department prior to construction.

Architecture:

15. Roof-mounted equipment shall not be allowed.
16. The light fixtures on the commercial building shall be decorative fixtures per the review and approval of the Community Development Director.

Landscaping Requirements:

17. A landscaping and irrigation plan for all areas shown on the site plan shall be submitted for review and approval of the Community Development Director prior to the issuance of building permits. The landscaping plan shall include the project's frontage and side yards. Landscaping shall conform to the Oakley Water Efficient Landscape Ordinance and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance 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.
18. California native drought tolerant plant or shall be used as much as possible. All trees shall be a mix of fifteen-gallon, 24-inch box and 36-inch box, all shrubs shall be a minimum five-gallon size, except as otherwise noted.
19. Parking lot trees shall provide 50 percent shading of the parking areas at tree maturity.

20. Prior to occupancy, an on-site inspection shall be made of privately owned lands by a licensed landscape architect to determine compliance with the approved landscape plan. A signed certification of completion shall be submitted to the Community Development Director for review and approval.
21. If occupancy is requested prior to the installation of the landscape and irrigation improvements, then either a cash deposit or a letter of credit shall be delivered to the City for 125 percent of the estimated cost of the uncompleted portion of the landscape and irrigation improvements. If compliance is not achieved after six months of occupancy as determined by the Community Development Director, the City shall contract for the completion of the landscaping and irrigation improvements to be paid for by the held sum. The City shall return the unused portion within one year of receipt or at the completion of all work.
22. Landscaping shall be maintained as shown on the landscape plan in perpetuity.

Signage:

23. The proposed signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage shall be reviewed by the Planning and Building Divisions.
24. All signs shall be on permanent structure and of design and material to compliment the proposed commercial building. No signs on the premises shall be animated, rotating or flashing. No flags, pennants, banners, pinwheels or similar items shall be permitted on the premises, with the exception of a United States flag and California state flag.
25. Temporary signage for such things as special events and grand openings shall require a Temporary Use Permit per the review and approval of the Community Development Director.

Waste Management Plan:

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

Building Division Conditions

27. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy Requirements per the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625 – 7005.

28. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.

Public Works and Engineering Conditions

General:

29. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in accordance with the Municipal Code and these conditions of approval. The plans shall be consistent with the Stormwater Control Plan for the project, include the drawings and specifications necessary to implement the required stormwater control measures, and be accompanied by a Construction Plan C.3 Checklist as described in the Stormwater C.3 Guidebook.
30. Submit grading plans including erosion control measures and revegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Municipal Code and these conditions of approval.
31. Submit a parcel map prepared by a licensed land surveyor or qualified registered civil engineer to the City Engineer and pay appropriate fees in accordance with the Code and these conditions of approval.
32. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
33. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.
34. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.
35. Applicant shall only be allowed one additional access to the project site from Neroly Road at the location shown on the approved site plan.

On-Site Improvements:

36. Provide a minimum outside turning radius of 45 feet and a minimum inside turning radius of 28 feet within the parking lot.

Landscaping in the Public Right of Way:

37. Enter into an agreement with the City that requires the right of way landscaping adjacent to the site to be maintained as part of the on-site landscaping at the property owner's expense to a standard acceptable and agreed upon by the City.

Grading:

38. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the project including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.
39. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
40. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
41. Grade all pads so that they drain directly to the public street at a minimum of one percent without the use of private drainage systems through rear and side yards.
42. Grade any slopes with a vertical height of four feet or more at a slope of 3 to 1. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
43. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.

44. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.
45. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.
46. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
47. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

48. Underground all new and existing utility distribution facilities, including those along the frontage of Neroly Road. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.
49. All utility boxes shall be installed underground and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.
50. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

51. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area 30C and Drainage Area 130 as prepared by the Contra Costa County Flood Control and Water Conservation District.

52. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.

53. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

National Pollutant Discharge Elimination System (NPDES):

54. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley - Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org.

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm water drainage:

- Utilize pavers or other pervious materials for driveways, walkways, and parking areas wherever feasible.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Install filters in on-site storm drain inlets.
- Sweeping the paved portion of the site at least once a month utilizing a vacuum type sweeper.
- Use of landscape areas, vegetated swales, pervious pavement, and other infiltration mechanisms to filter stormwater prior to entering the storm drain system.
- Provide a sufficient amount of on-site trash receptacles.
- Distribute public information items regarding the Clean Water Program to customers.
- Other alternatives as approved by the City Engineer.

Fees/Assessments:

55. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 00-85 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

- A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
- B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
- C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
- D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);
- E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- F. Fire Facilities Impact Fee, collected by the City (adopted by Ordinance No. 09-01);
- G. South Oakley Infrastructure Master Plan Fee (adopted by Resolution No. 52-03);
- H. General Plan Fee (adopted by Resolution No. 53-03): and

The applicant should contact the City Engineer prior to constructing any public improvements to determine if any of the required improvements are eligible for credits or reimbursements against the applicable traffic benefit fees or from future developments.

- 56. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.
- 57. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for citywide landscaping and park maintenance, subject to an assessment for maintenance based on the assessment methodology described in the Engineer's Report. The assessment shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. Any required election and/or ballot protest proceedings shall be completed prior to issuance of a certificate of occupancy. The Applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.
- 58. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for citywide street lighting costs and maintenance, subject to an assessment for

street light maintenance based on the assessment methodology described in the Engineer's Report. The assessment shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. Any required election and/or ballot protest proceedings shall be completed prior to issuance of a certificate of occupancy. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.

59. Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. Should the building be occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rata share for the remainder of the tax year prior to the City conducting a final inspection.
60. Participate in the formation of a mechanism to fund the operation and maintenance of the storm drain system, including storm water quality monitoring and reporting. The appropriate funding mechanism shall be determined by the City and may include, but not be limited to, an assessment district, community services district, or community facilities district. The funding mechanism shall be formed prior to issuance of a certificate of occupancy, and the project proponent shall fund all costs of the formation.
61. Applicant shall comply with the drainage fee requirements for Drainage Area 30C and Drainage Area 130 as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of building permit issuance. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.
62. Participate in the City's South Oakley Infrastructure Master Plan both by cooperating with the City's consultant team in the design and implementation of specific infrastructure projects and by providing this project's fair share contribution to the costs of preparing the study. The fair share contribution shall be paid in accordance with Resolution 52-03.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.
- D. Comply with the requirements of the East Contra Costa Fire Protection District.
- E. Comply with the requirements of the Diablo Water District.
- F. Comply with the requirements of the Building Inspection Department. 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 Game. It is the applicant's responsibility to notify the Department of Fish and Game, PO 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.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 25th of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Randy Pope, Mayor Date

ATTEST:

Libby Vreonis, City Clerk Date