



STAFF REPORT

Approved and forwarded to City Council


Bryan H. Montgomery, City Manager

Date: May 13, 2014
To: Bryan H. Montgomery, City Manager
From: Kenneth W. Strelo, Senior Planner
SUBJECT: Aspen at Emerson Design Review Neighborhood 2b (DR 02-14)

Summary

This is a request by DeNova Homes ("Applicant") for design review approval of 104 single family homes within the Emerson Ranch Subdivision (TM 9032) for the project known as "Aspen at Emerson Design Review Neighborhood 2b (DR 02-14)" ("Project"). Plans include house floor plans and architectural elevations, color and material palettes, conceptual front yard landscaping, street tree selections, and neighborhood plot plan map. The project is located on the northwest corner of Sellers Avenue and East Cypress Road: APN 037-192-026.

Staff recommends the City Council adopt the resolution approving DR 02-14, as conditioned.

Background and Project Description

General Plan and Zoning

Excluding the 24 acre commercial site located on the southeast corner of the subdivision, the project site includes three residential General Plan Land Use Designations as follows:

- *Single Family Residential, High Density (SH)*
- *Single Family Residential, Medium Density (SM)*
- *Multi-Family Residential, High Density (MH)*

The site is zoned P-1 (Planned Development) District. Although the project includes land designated for multi-family residential development, the adopted P-1 District zoning blends all three residential designations in a manner that remains consistent with the net density allowed by all three. The result is all homes are detached single family residences that meet the maximum allowable combined density of the three applicable General Plan Land Use designations.

Existing Entitlements and Development

In 2010, New Urban Communities Partners, Inc. (“NUCP”) received the following entitlements for the Emerson Ranch Subdivision 9032:

- Certification of the Emerson Property Environmental Impact Report SCH 2007052073 ([City Council Resolution No. 105-10](#));
- General Plan Amendment to expand the “Commercial” designated land from 10 acres to 24 acres ([City Council Resolution No. 106-10](#));
- Rezone from A-3 (Heavy Agriculture) District to P-1 (Planned Development) District ([Ordinance No. 18-10](#));
- A Vesting Tentative Map to subdivide 140 acres into 567 single family lots, a 24 acre commercial site, a park, detention pond, trails, and other associated improvements ([City Council Resolution 107-10](#)); and
- Design Review approval of the proposed homes and commercial development plan ([City Council Resolution No. 107-10](#)).

In 2013, Brookfield Homes received the following entitlements for the Emerson Ranch Subdivision 9032:

- Amendment to the Final Development Plan ([City Council Resolution No. 35-13](#)).
- Design Review approval of Neighborhood 1 “Merritt” and 2a “Laurel” ([City Council Resolution No. 91-13](#))

Although the original applicant (NUCP) received design review approval of the proposed homes with approval of the tentative map, Brookfield Homes received new design review approval for Neighborhoods 1 “Merritt” and 2a “Laurel”, and filed for design review approval of Neighborhoods 3 “Orchard” and 5 “Willow”. DeNova Homes has filed this current Neighborhood 2b “Aspen” application, leaving only Neighborhood 4 still unfiled for new design review as of the date of this Staff Report. Below is a summary of the Emerson Subdivision residential neighborhoods:

- Neighborhood 1 – Merritt (DR 07-13), Brookfield Homes (approved)
- Neighborhood 2a – Laurel (DR 07-13), Brookfield Homes (approved)
- Neighborhood 2b – Aspen (DR 02-14), DeNova Homes (project)
- Neighborhood 3 – Orchard (DR 10-13), Brookfield Homes (pending)
- Neighborhood 4 – Not yet filed
- Neighborhood 5 – Willow (DR 03-14), Brookfield Homes (pending)

Figure 1. Neighborhood Index Map

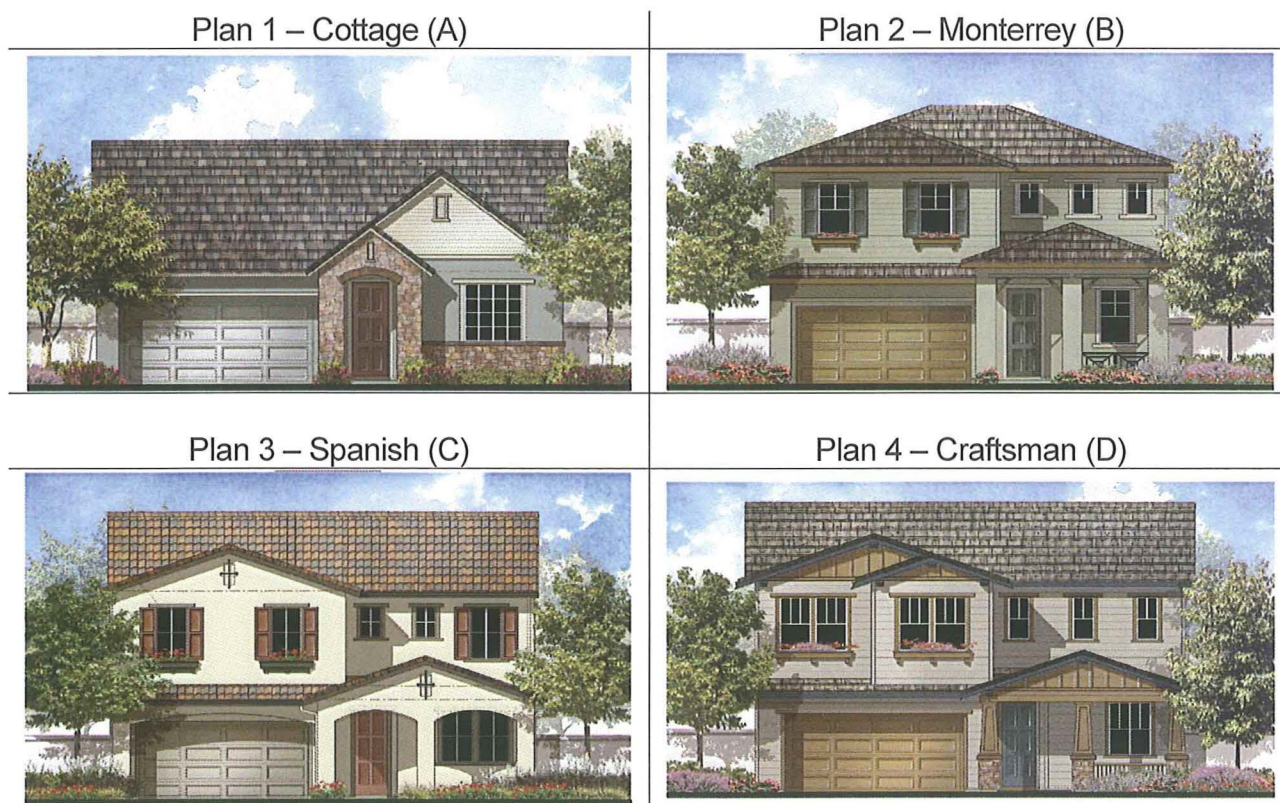


Proposed Design Review Plans

Neighborhood 2b (marketed as “Aspen”) includes 104 homes consisting of four floor plans ranging from 1,990 to 2,896 sf. of livable area, each with four elevations. Plan 1 is a single-story home with a two car garage. Plans 2, 3 and 4 are two-story homes with different garage configurations. Plan 2 offers a two car garage; Plan 3 a three car tandem garage with an option for the rear portion to be an expanded great room instead; and Plan 4 offers a standard enlarged three car tandem garage.

The applicant’s plans are attached and include color front elevations of some color schemes. Line drawings for all plans and elevations are also included. Other plans include the floor plans, roof plans, color and material sheets, and the Neighborhood 2b Development Plan (plotting plan). Figure 2 shows one example of each floor plan’s front elevation, while showing one example of each architectural style.

Figure 2. Front Elevation Examples:



Environmental Review

Approval of this design review approval would not constitute changes to the physical impacts associated with the originally approved vesting tentative map and design review, and would fall within the scope of the Emerson Ranch Subdivision 9032 Environmental

Impact Report (“EIR”) (includes the Draft EIR, Partially Recirculated Draft EIR and Final EIR) (SCH# 2007052073).

Analysis

The project plans were analyzed for consistency with the adopted [City of Oakley Residential Guidelines](#) (“Guidelines”), Emerson P-1 District, and the Final Development Plan. Since the vesting tentative map and Final Development Plan were previously analyzed and approved, Staff has focused this analysis on residential siting and lot design of the neighborhood, and architectural character and details of each house.

Residential Siting and Lot Design

Overall, the applicant has taken into account many of the residential guidelines when plotting the homes and varying setbacks, resulting in a diverse and interesting streetscape. The applicant has plotted the homes to provide adequate front yard setback variations, not only to the porch, but also to the main frontage of the homes. This variation in front yard setbacks will avoid long, straight “walls” of buildings along the street frontages. The additional variation of porch setbacks will create visual interest within the front yard setback.

Building mass is an element of lot siting and design. The covered porches, projecting architectural elements, and varying roof plans within the same footprint all add to the diversity of the house styles. Consistent with the guidelines, at least 20% of the lots and 50% of the corner lots of each neighborhood were plotted with one-story homes, which reduces the overall streetscape mass at street intersections and corners. Corner lot driveways are located on the interior side of the lots to reduce visual prominence and allow landscaping to wrap around the corner yard.

Architectural Character

The architectural character and design of the homes provide for a good mix of styles and materials. These homes feature “360 degree” architecture, which adds quality and value. Side and rear elevation windows on all plans share the same window trimming and shutters as front windows on specific windows of appropriate architectural types.

Depending on the architectural style, a variety of colors and materials are used to enhance porches, window treatments, wainscots, and gables. For example, the Cottage style (Elevation A) includes horizontal siding on gables and brick veneer on the entire front porch façade and/or base of the home; the Monterrey style (Elevation B) has no stone or brick veneer, but includes more horizontal siding on the gables and second story walls; the Spanish style (Elevation C) has no stone or brick veneer, but includes red concrete tile roofing and decorative tiles and ornamental wrought iron on the front elevations; and the Craftsman style (Elevation D) includes board and batten on gables and rock or brick veneer around the base of the porch columns.

Street Trees

Pursuant to and consistent with the Emerson Final Development Plan, Aspen Neighborhood 2b shows a minimum of one street tree per interior lot and three street trees per corner lot. The street tree plan meets the intent of the guidelines by proposing tree species included in the residential guidelines' "Street Tree List."

Findings

Draft findings are included in the attached resolution.

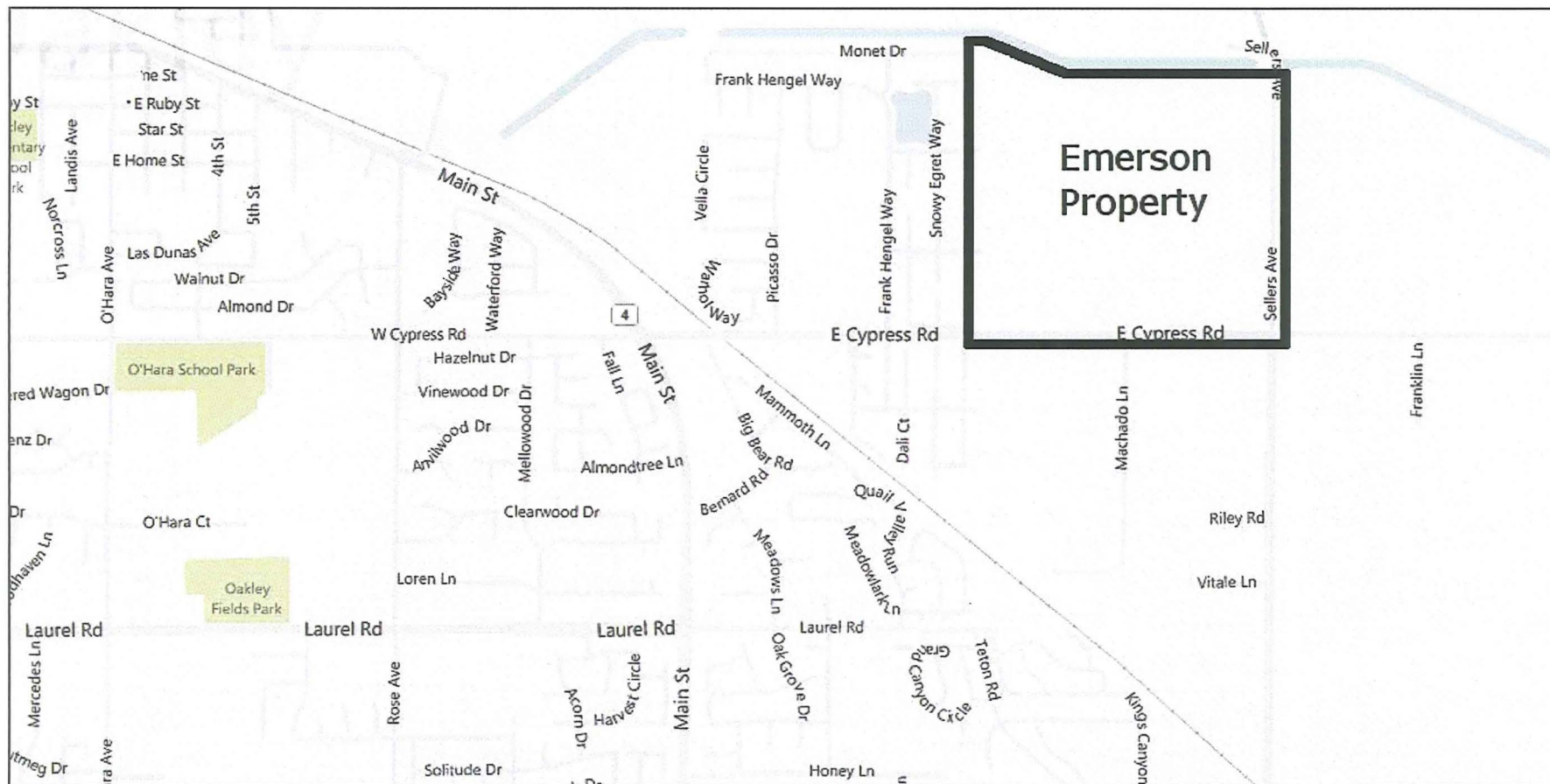
Recommendation

Staff recommends the City Council adopt the resolution approving DR 02-14, as conditioned.

Attachments

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

Vicinity Map Emerson Property Project





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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on May 13, 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 design review approval.

Project Name: Aspen at Emerson Design Review Neighborhood 2b (DR 02-14)

Project Location: Emerson Subdivision TM 9032, northwest corner of Cypress Road and Sellers Avenue, APN 037-192-026 (see enclosed vicinity map)

Applicant: Mike Evans of DeNova Homes, 1500 Willow Pass Road, Concord, CA 94520

Request: This is a public hearing on a request for design review approval of 104 single family homes within the Emerson Ranch Subdivision (TM 9032) for the project known as "Aspen at Emerson Design Review Neighborhood 2b (DR 02-14)." Plans include house floor plans and architectural elevations, including color and material palettes, conceptual front yard landscaping, street tree selections, and neighborhood plot plan map.

The Staff Report and its attachments will be available for public review, on or after May 9, 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.**

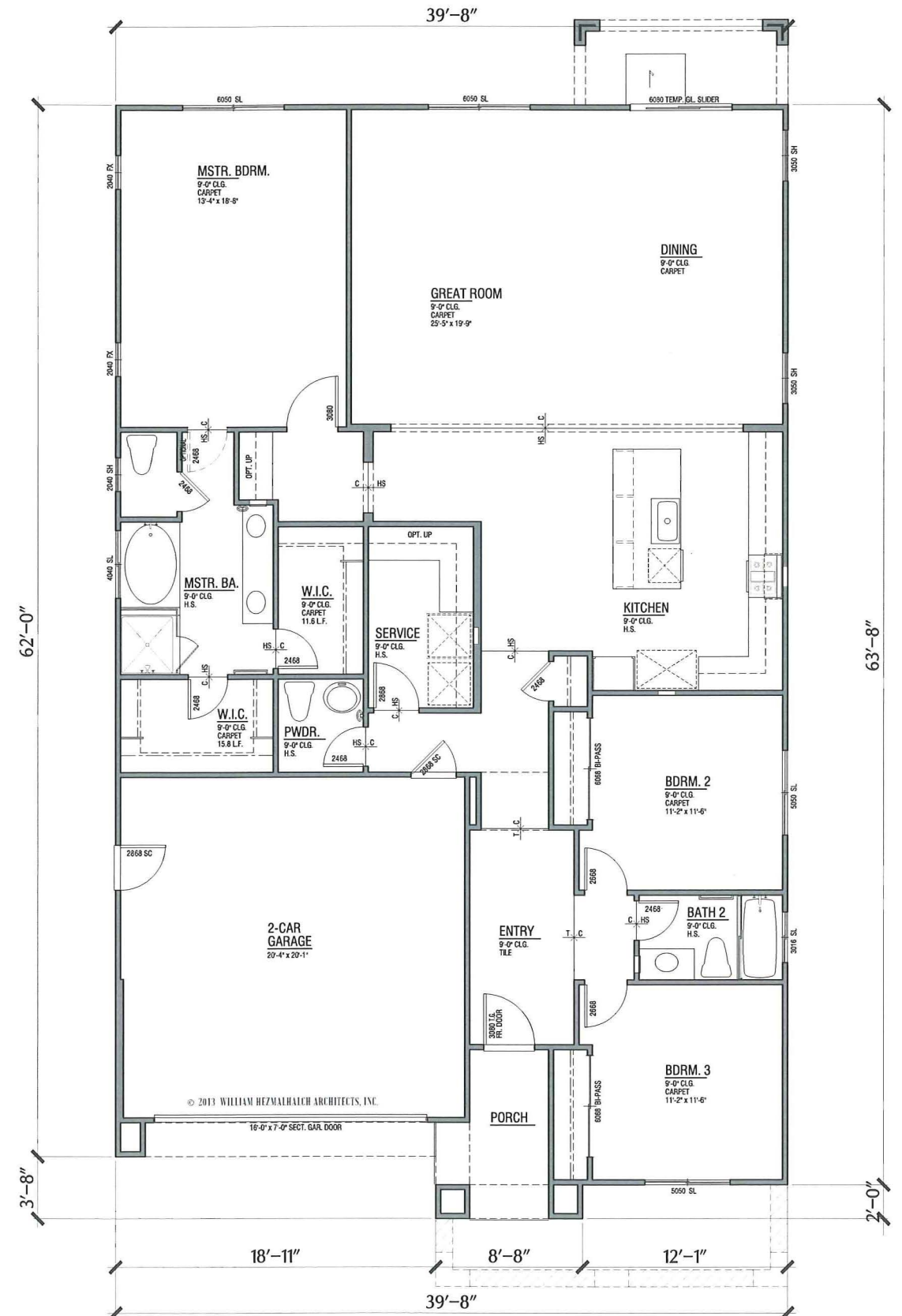
NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered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

Development Review Application
ASPEN AT EMERSON

DeNova Homes
Oakley, California

CITY OF OAKLEY
Planning Department
APR 11 2014
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Plan 1
1,990 SF
3 Bdrm/Den/2 Ba
2 Car Garage



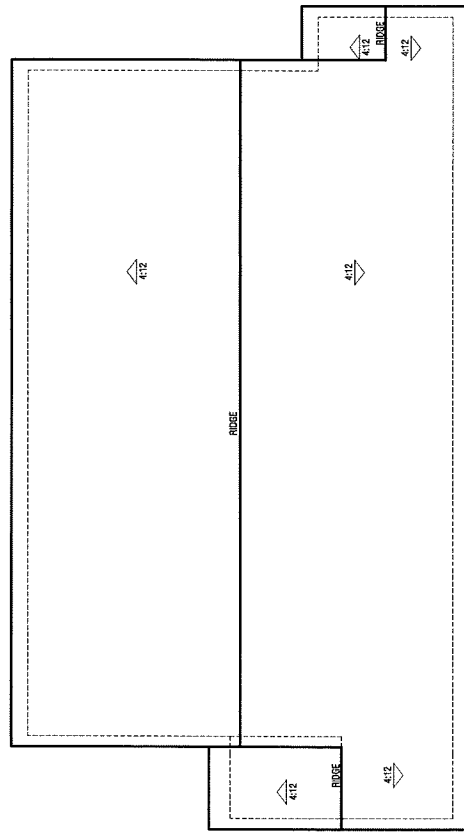
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Aspen @ Emerson
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Denova Homes

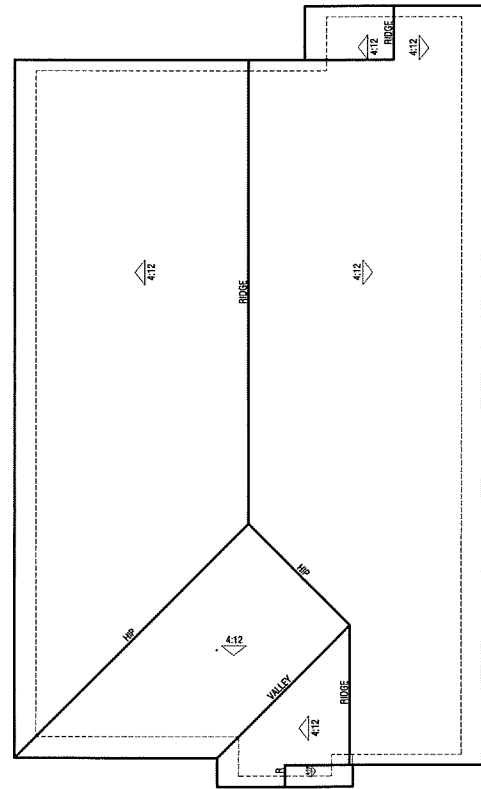
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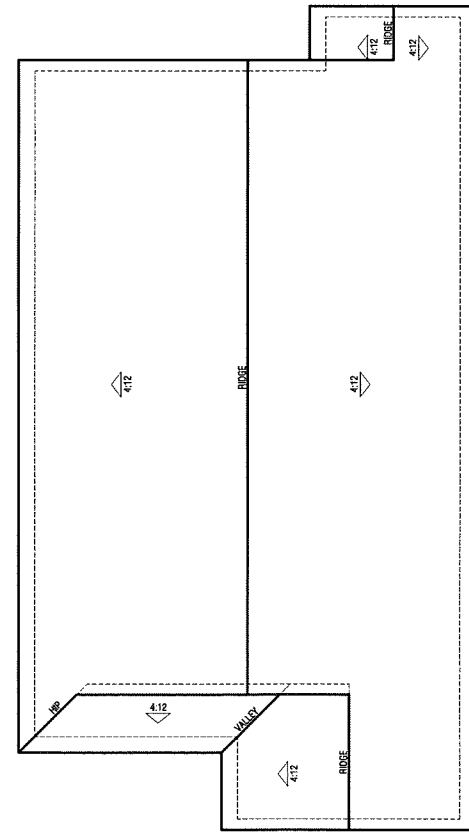
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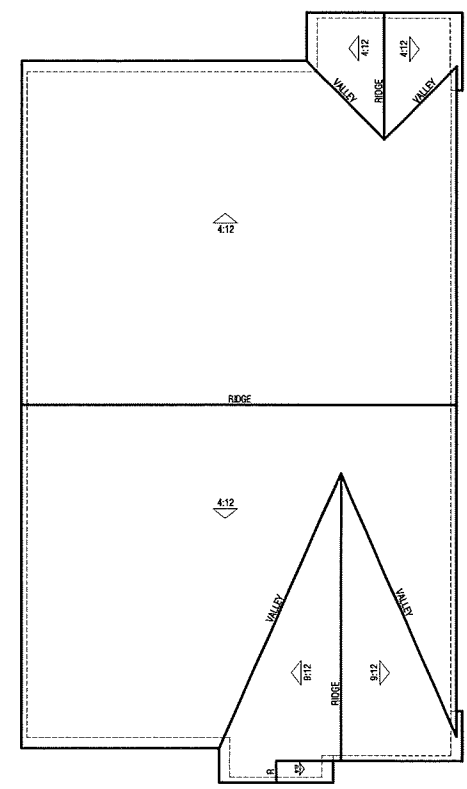
Elevation D



Elevation C



Elevation B



Elevation A



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Plan 1
Roof Plans
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Elevation D



Elevation A



Elevation C



Elevation B

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Plan 1
Front Elevations

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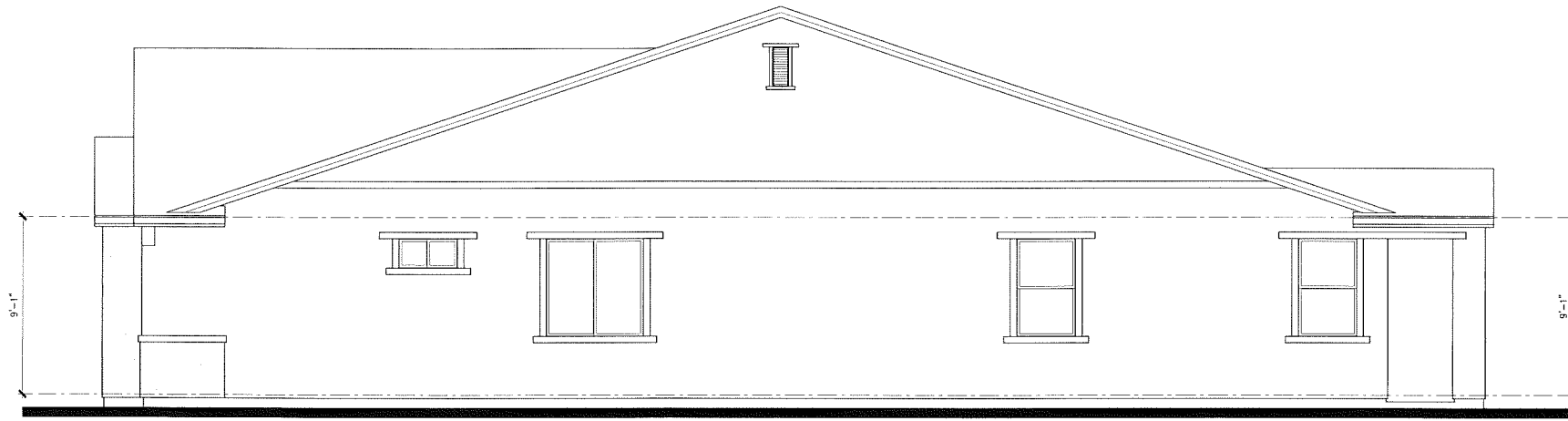


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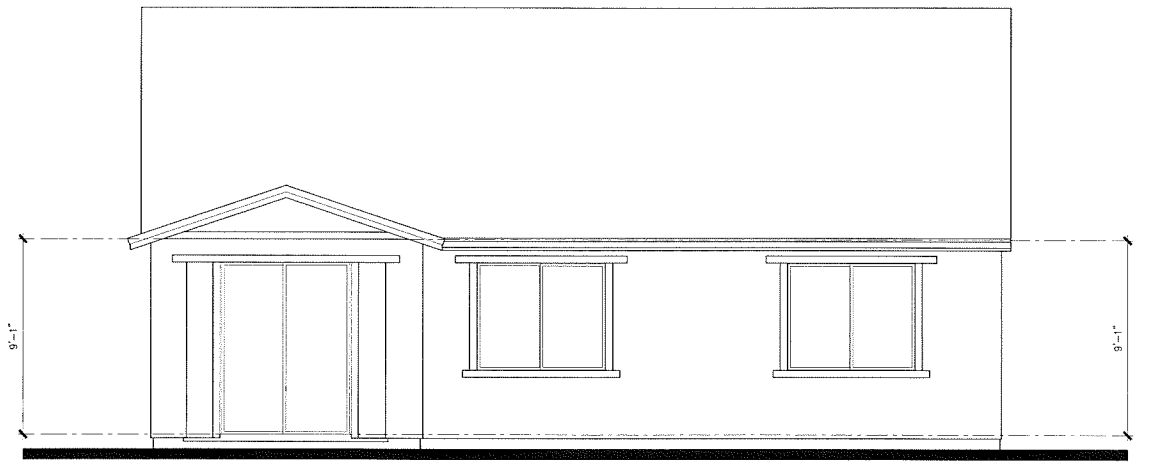


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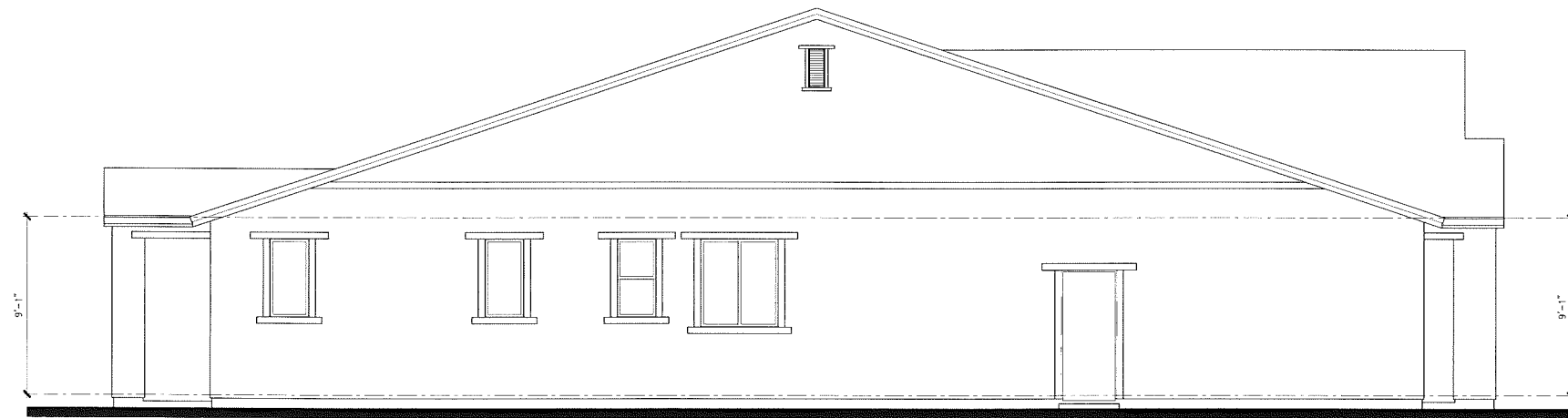
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

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Plan 1
Elevation A



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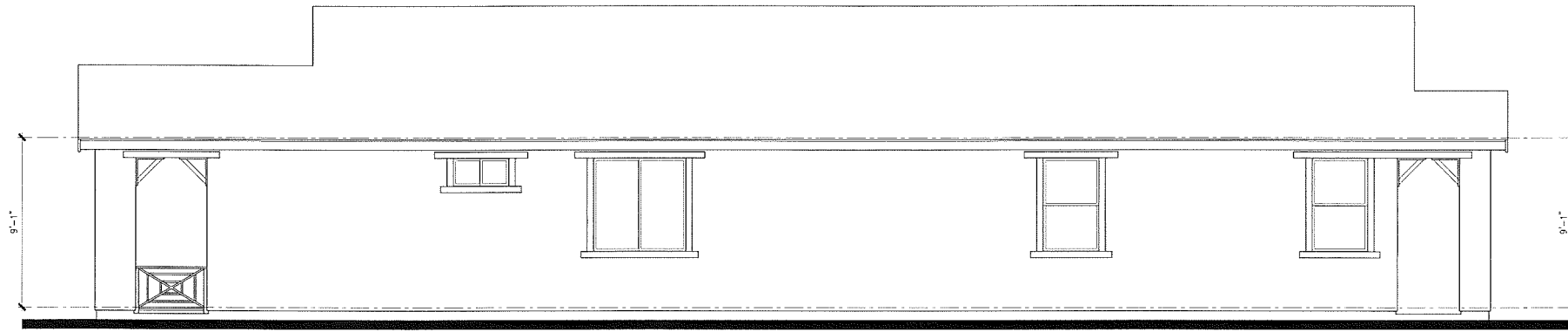
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Denova Homes



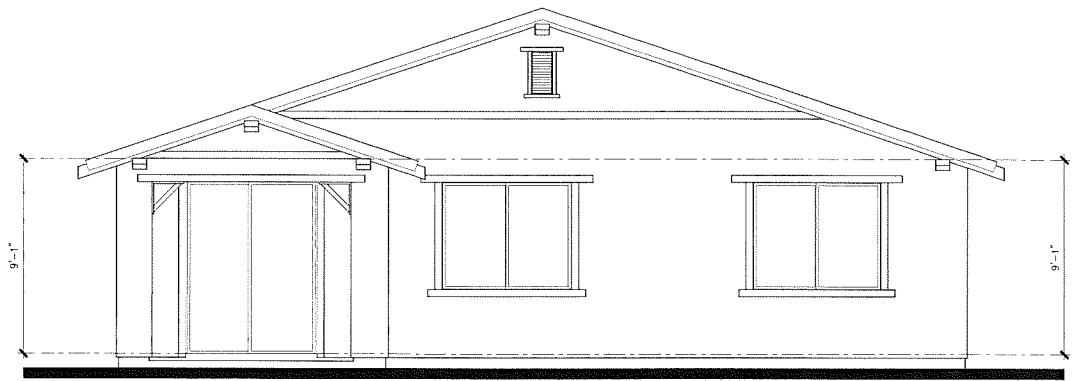
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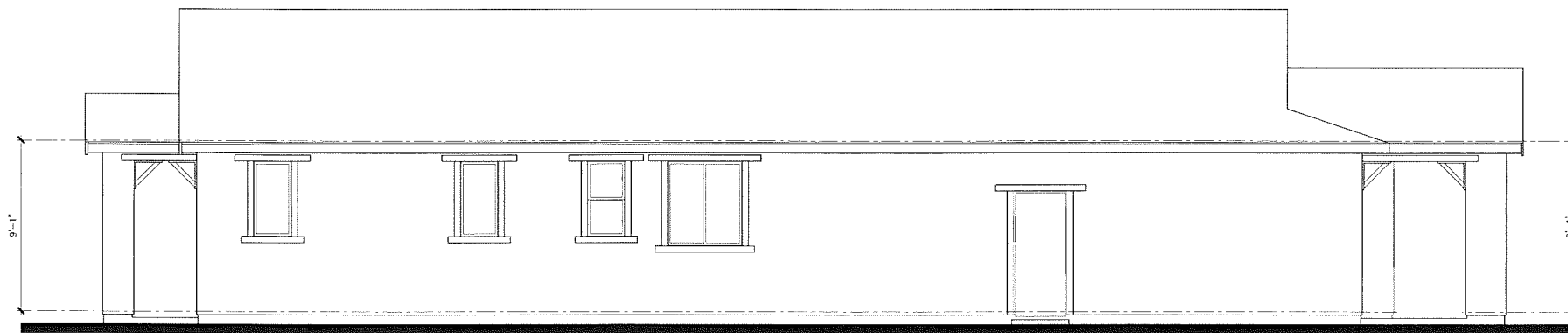
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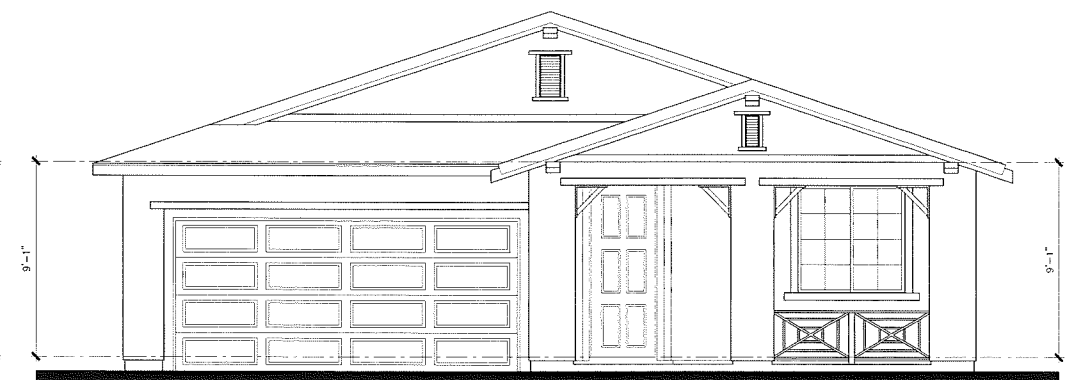
Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 1
Elevation B



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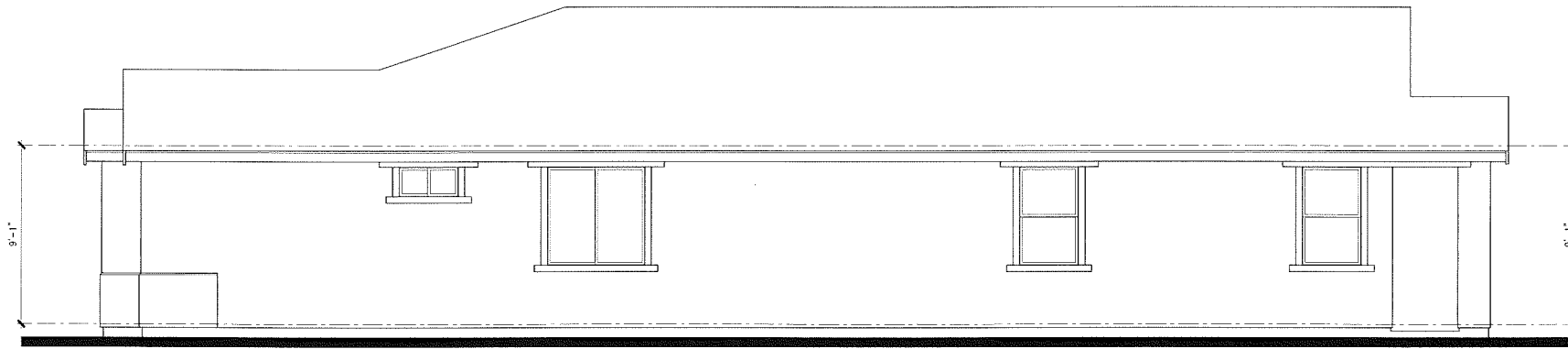
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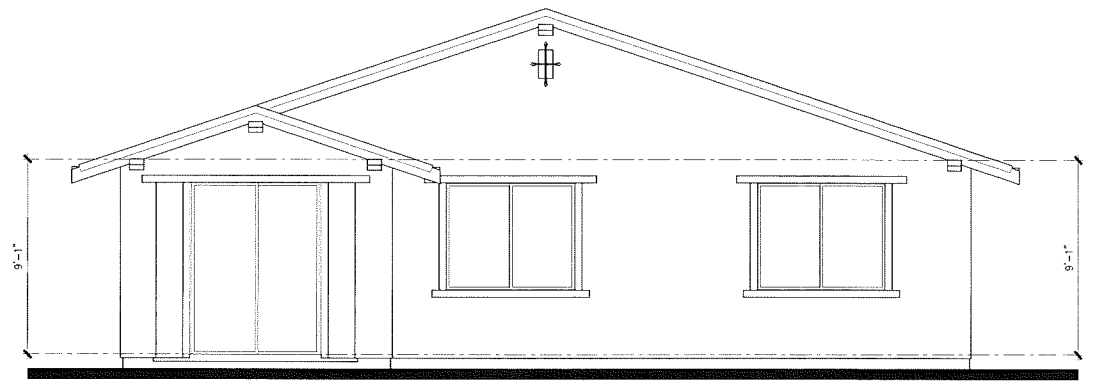
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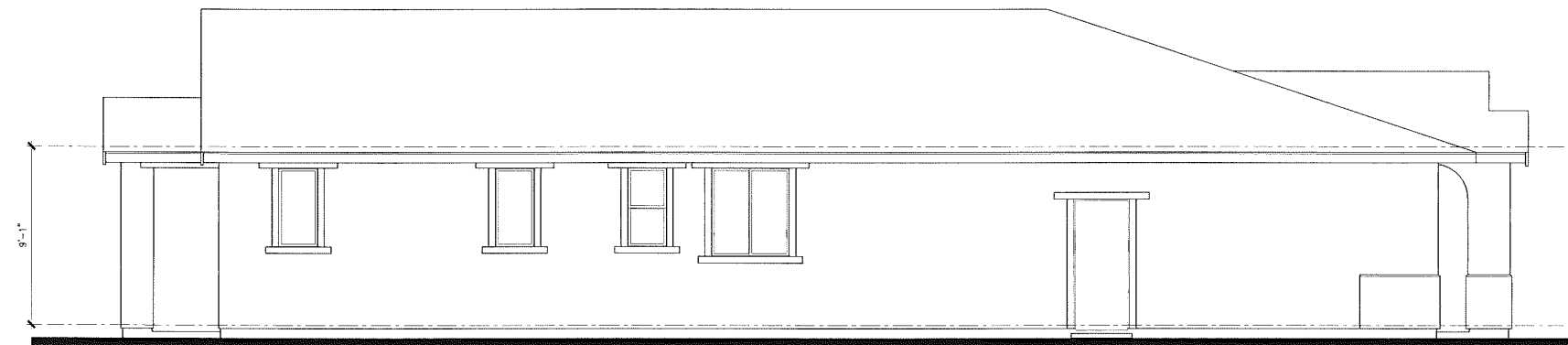
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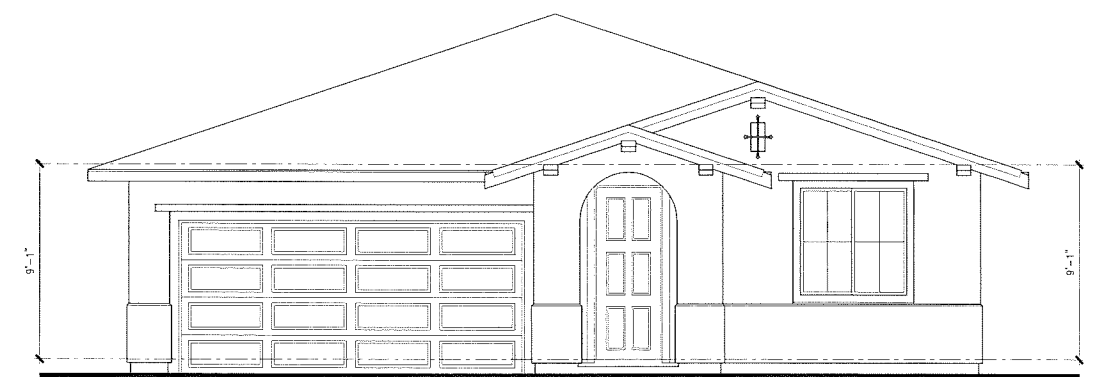
Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 1
Elevation C

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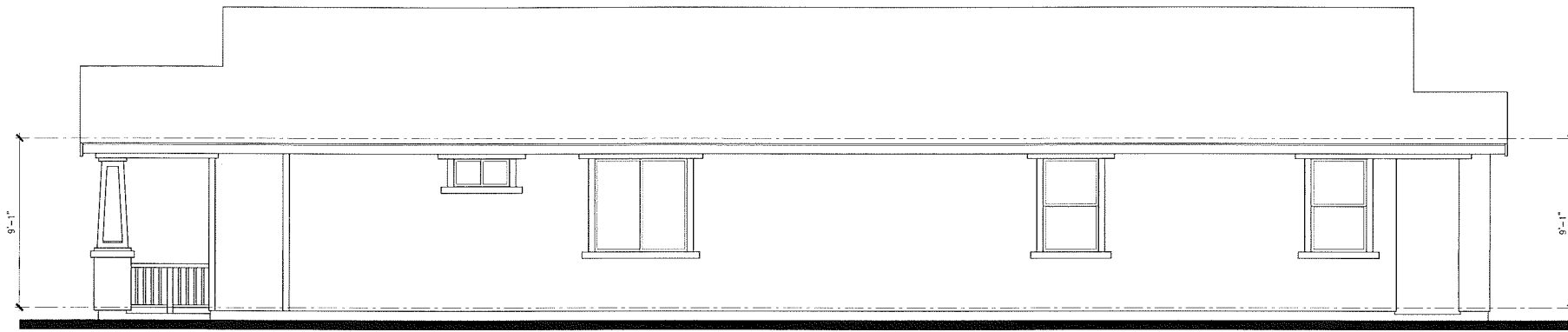
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Oakley, CA
Denova Homes

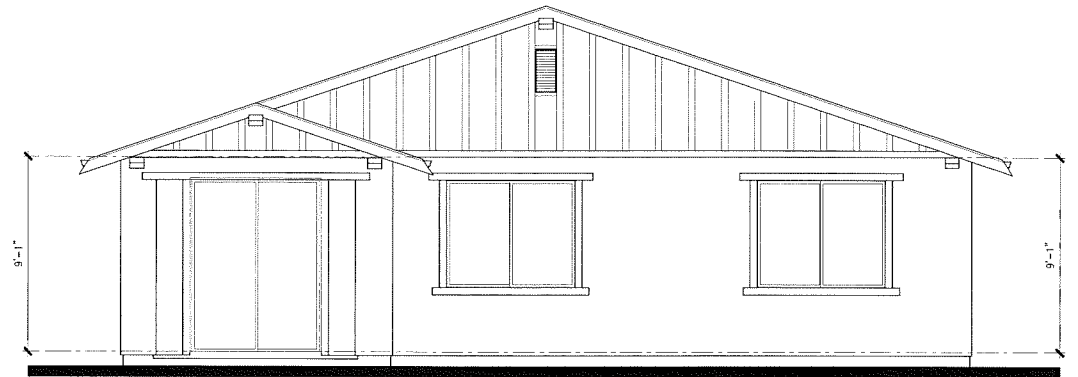
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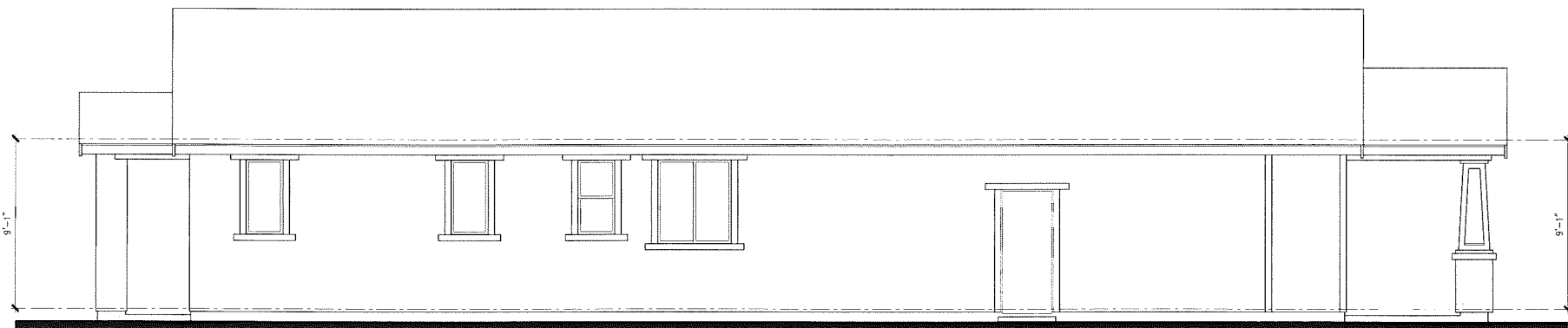
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 1

Elevation D

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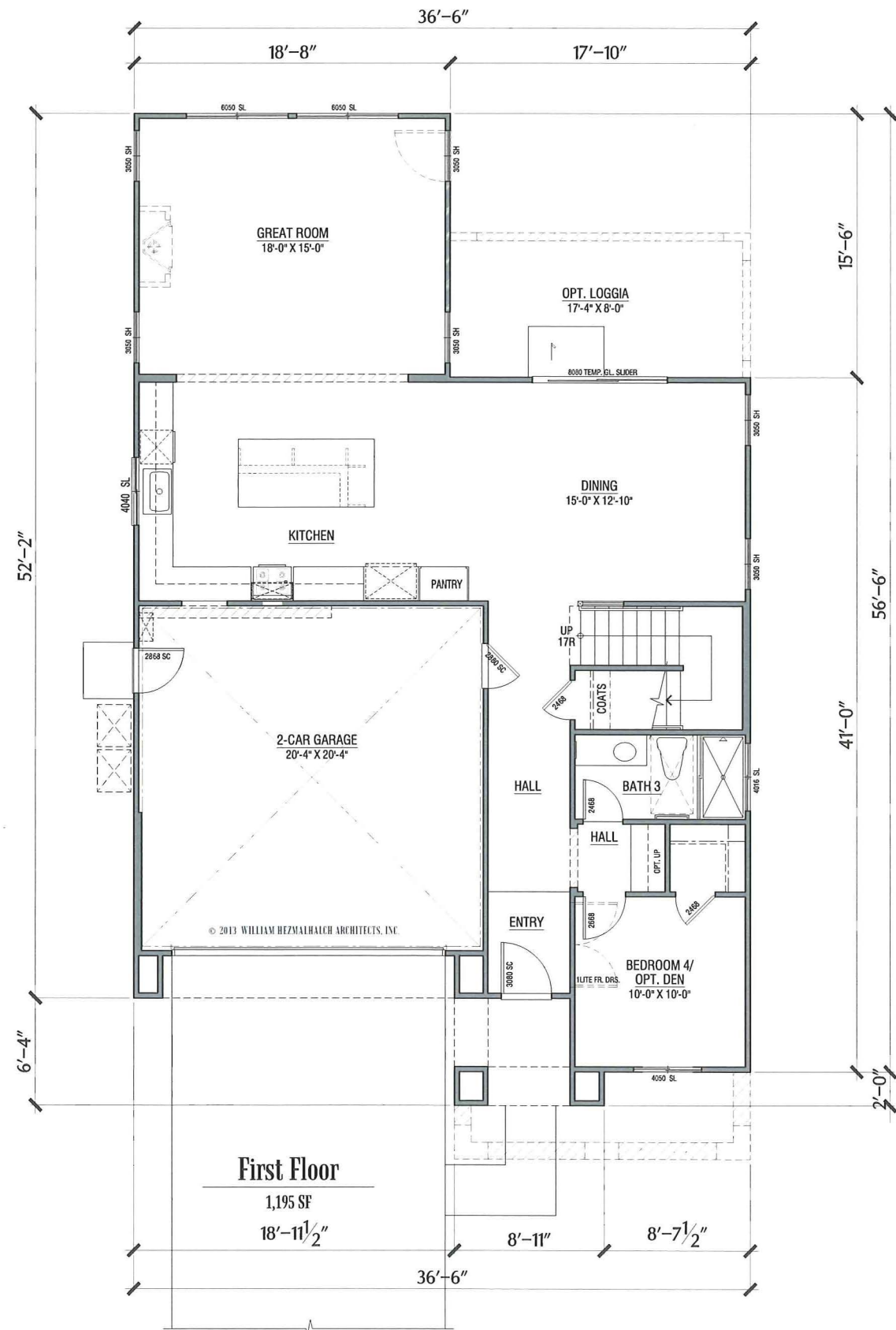
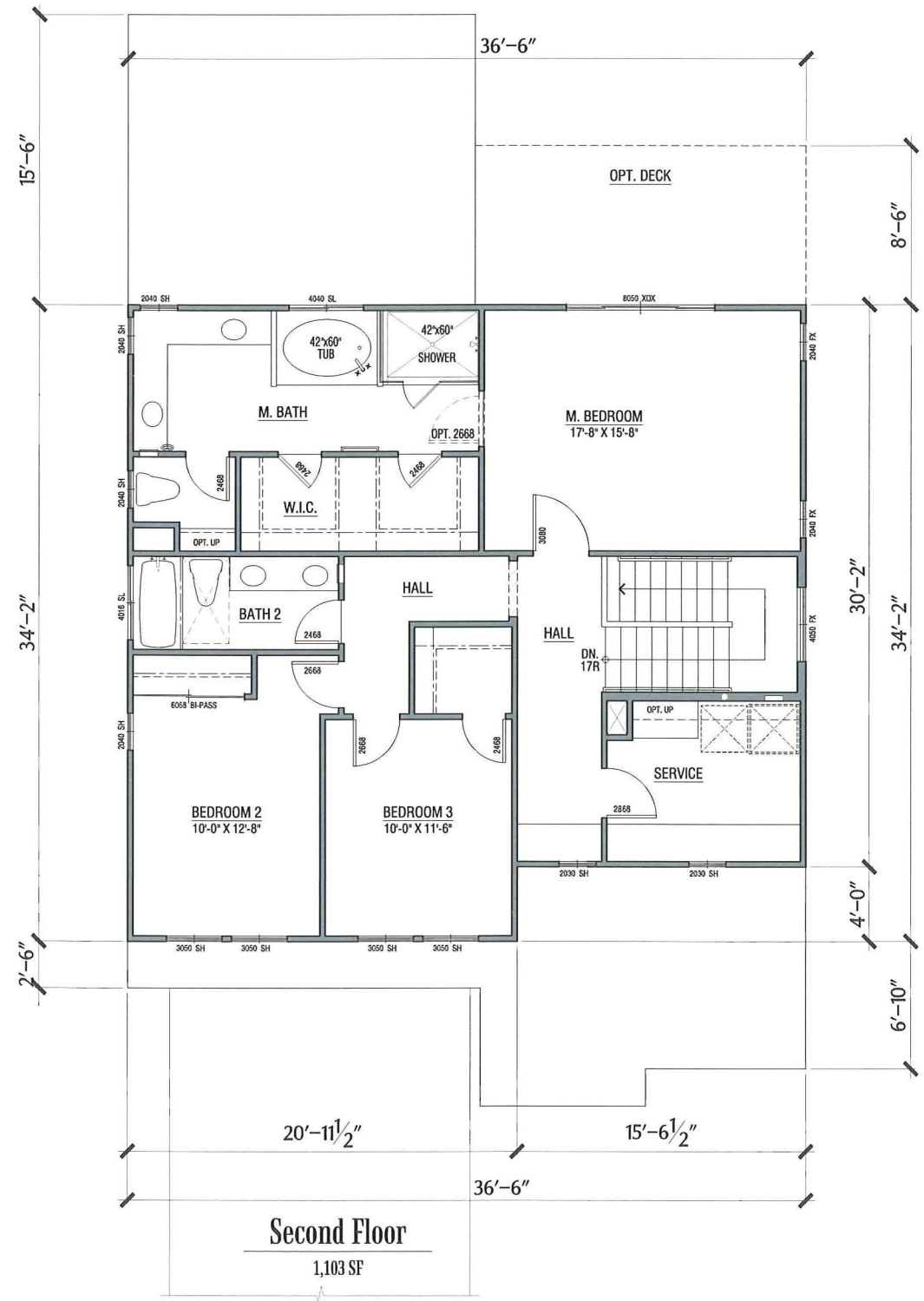
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Plan 2
2,298 SF
4 Bdrm/3 Ba
2 Car Garage



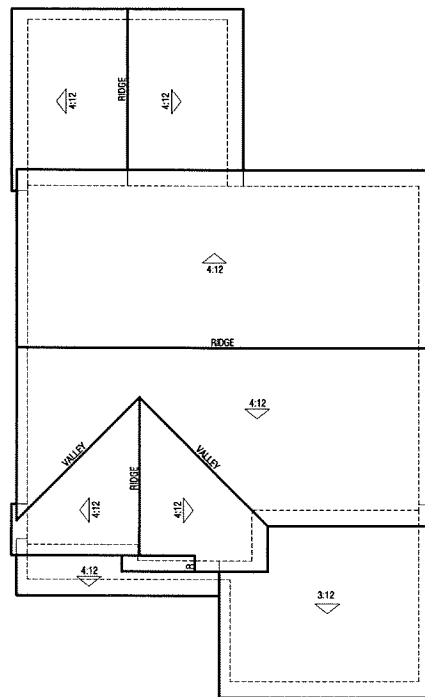
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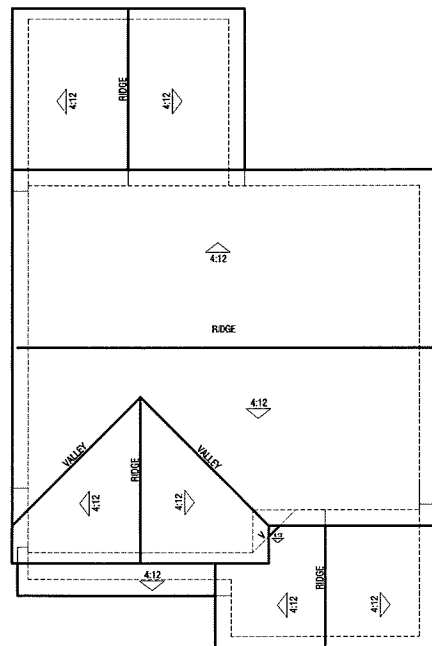
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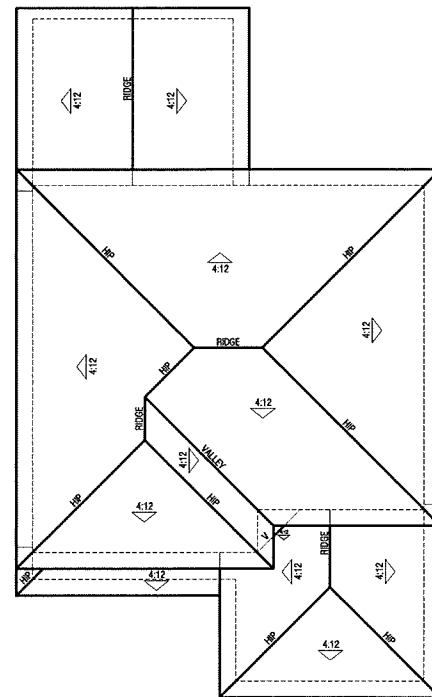
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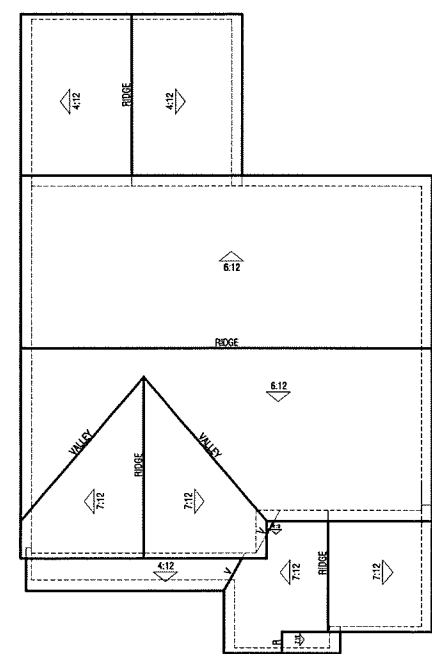
Elevation D



Elevation C



Elevation B



Elevation A

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Roof Plans
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Elevation D



Elevation A



Elevation C



Elevation B

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Plan 2
Front Elevations

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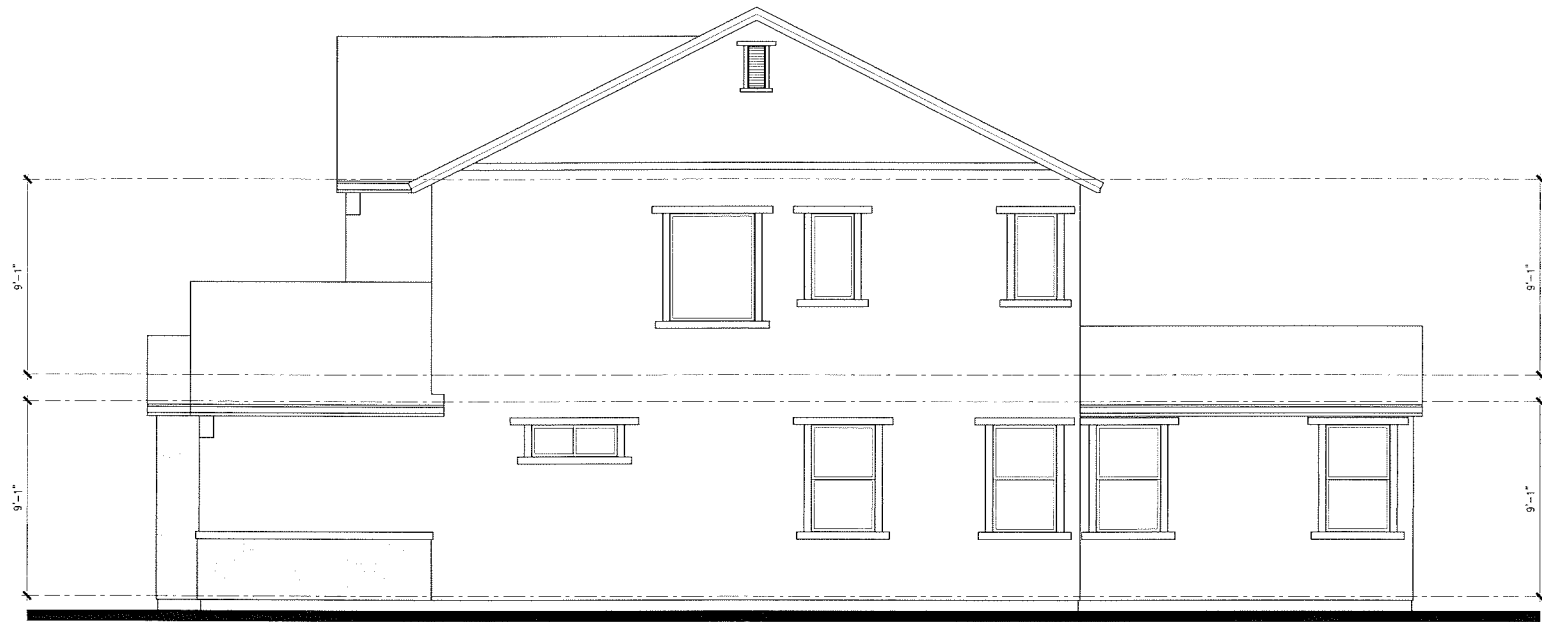
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

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Plan 2
Elevation A

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Denova Homes

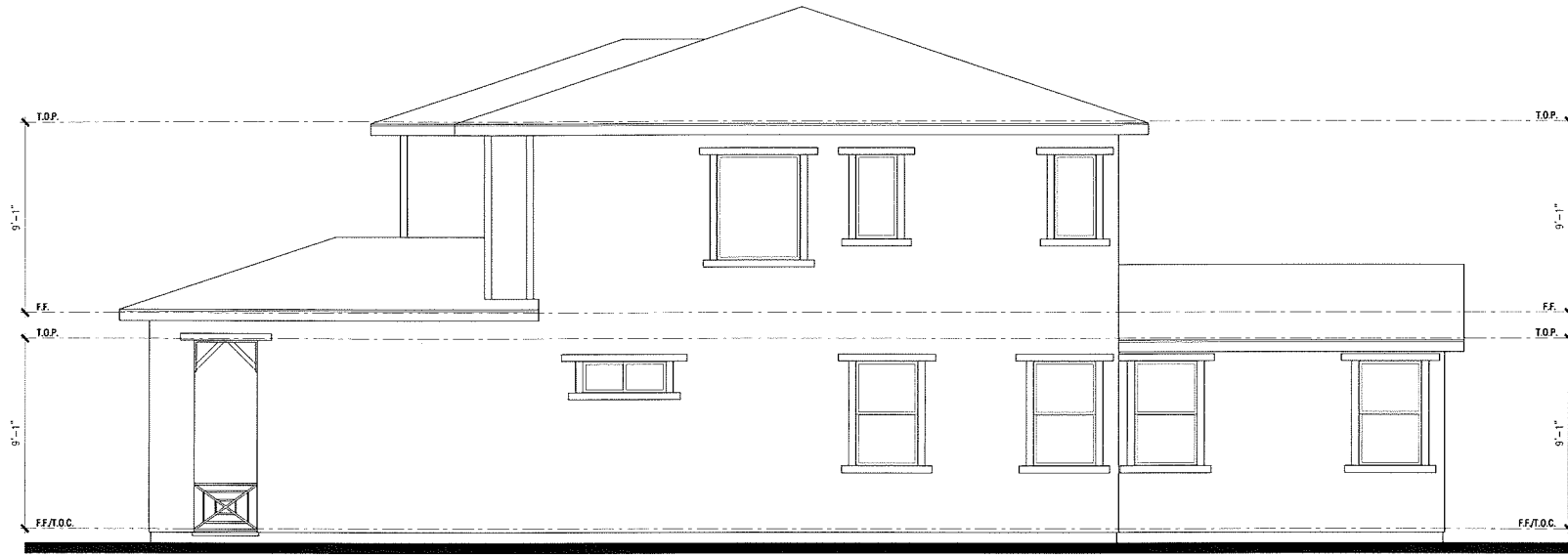


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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

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Plan 2
Elevation B

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Denova Homes

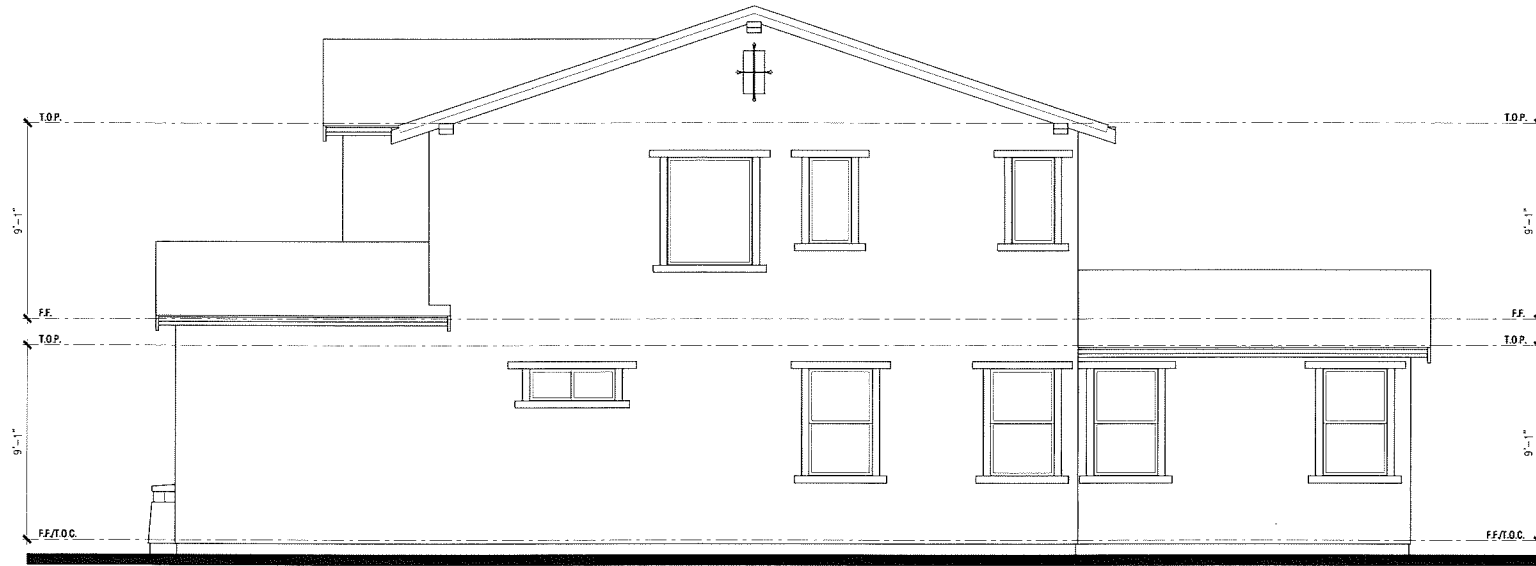


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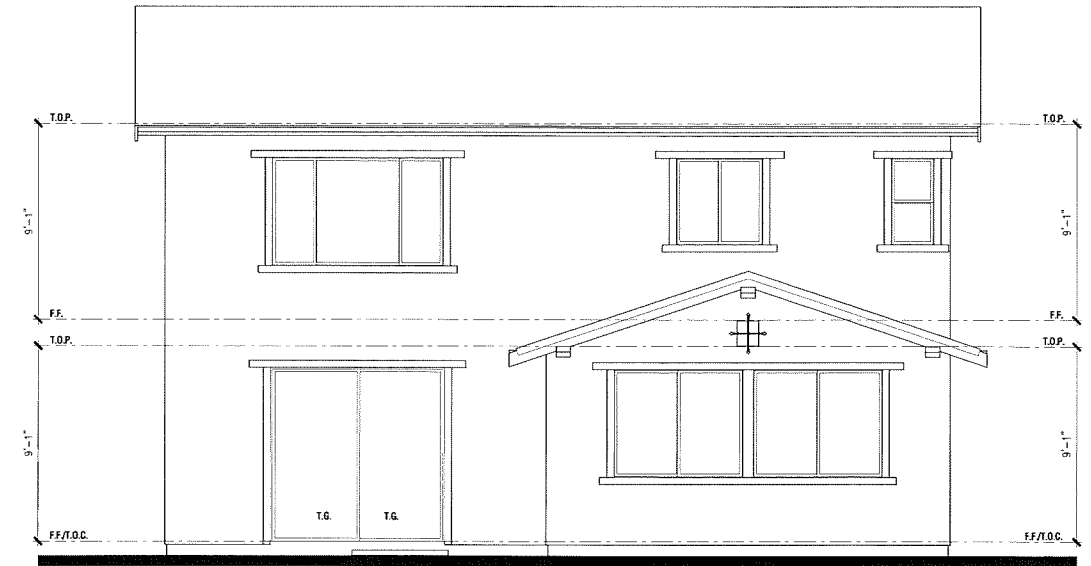
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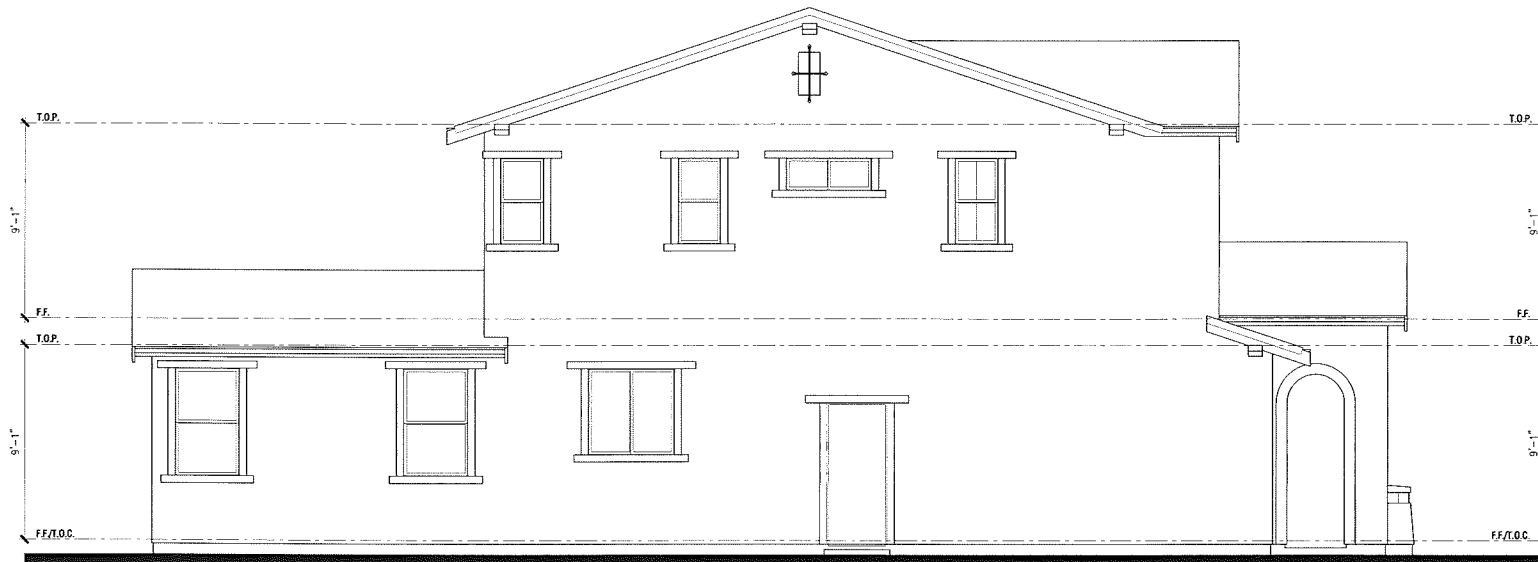
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

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Plan 2
Elevation C



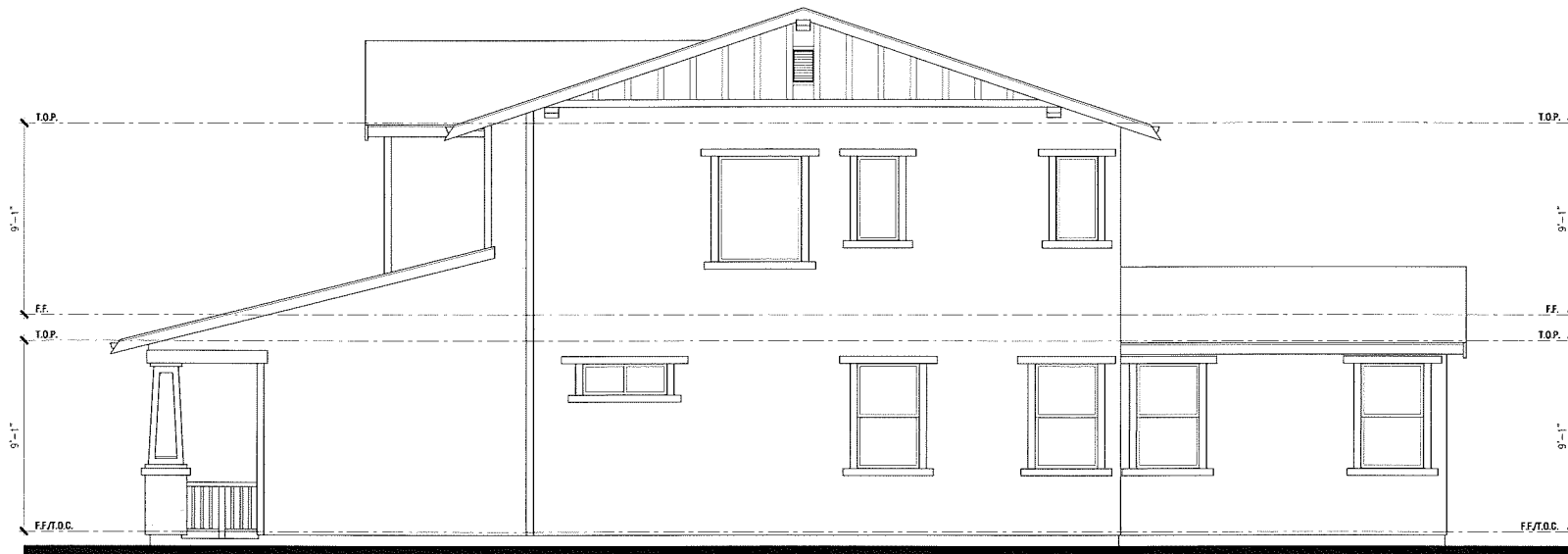
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Denova Homes

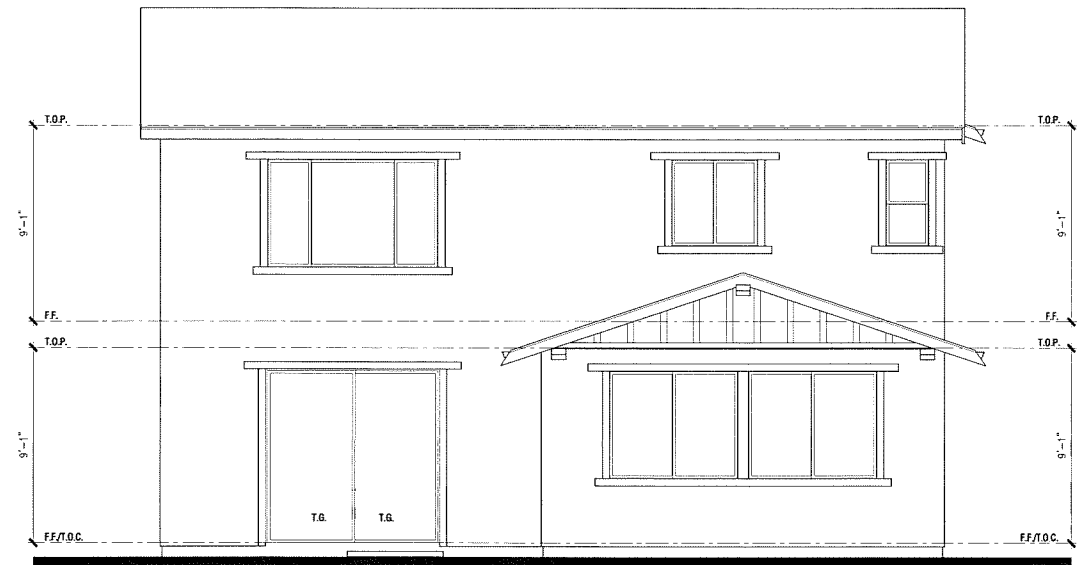
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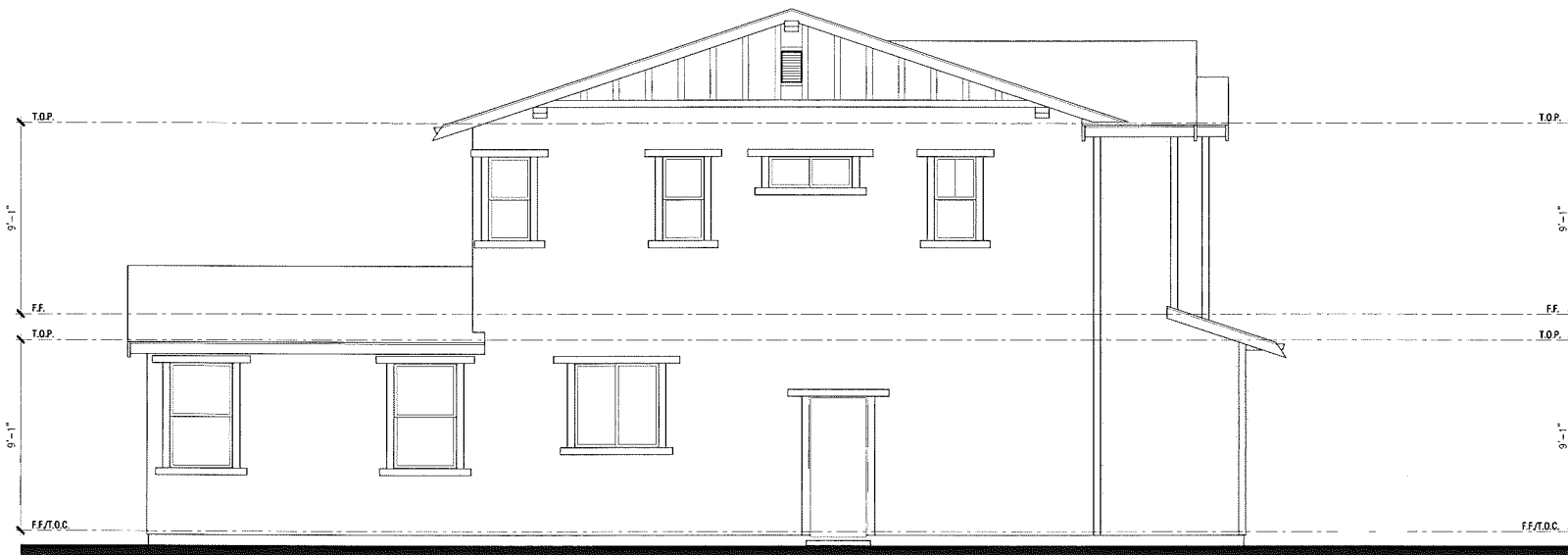
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 2
Elevation D

Aspen @ Emerson
Oakley, CA
Denova Homes

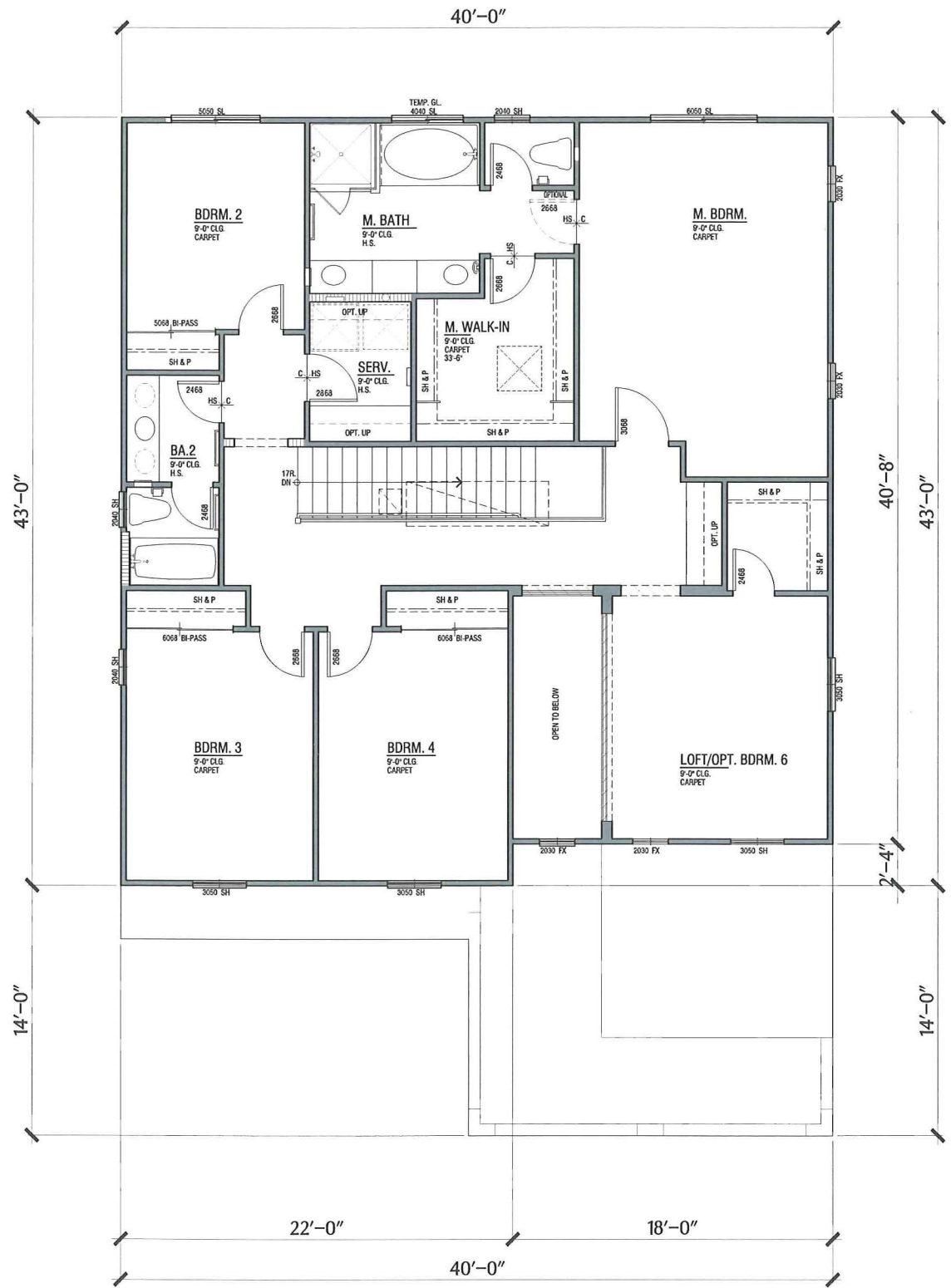


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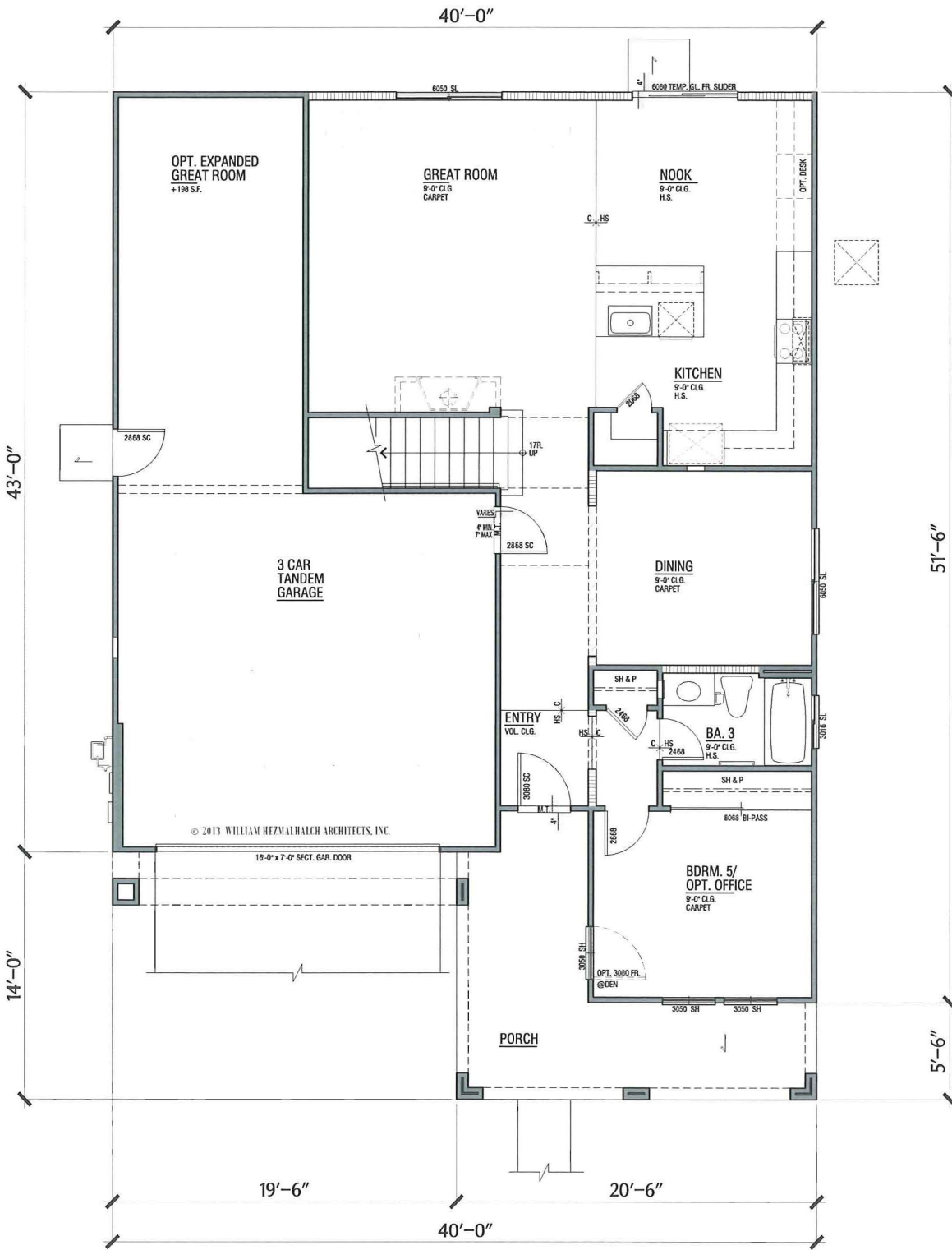
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April 8, 2014
2.7
2013258

2013258 - Aspen @ Emerson - Oakley, CA



Second Floor
1,538 SF



First Floor
1,132 SF

Plan 3
2,670 SF
5 Bdrm/3 Ba/Loft
3 Car Garage



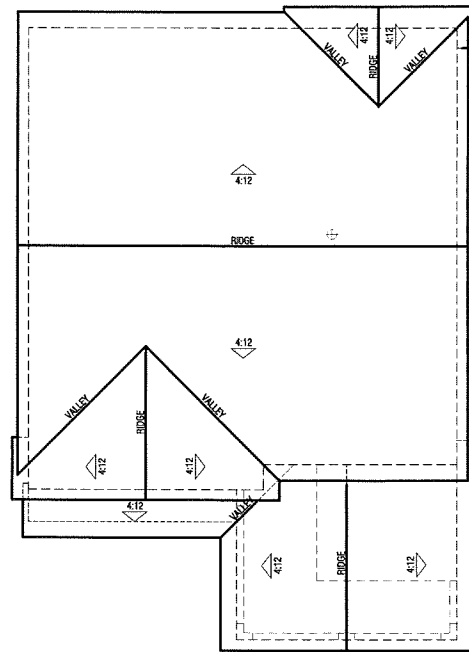
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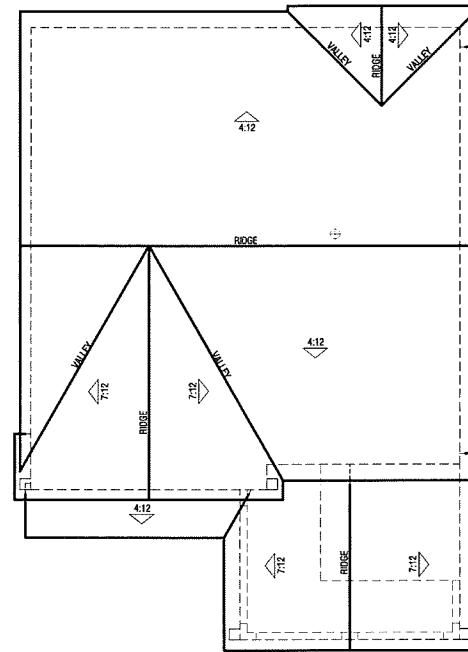
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2013258

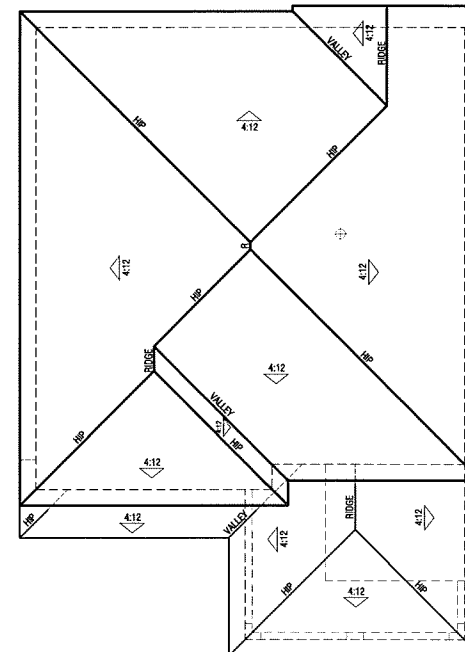
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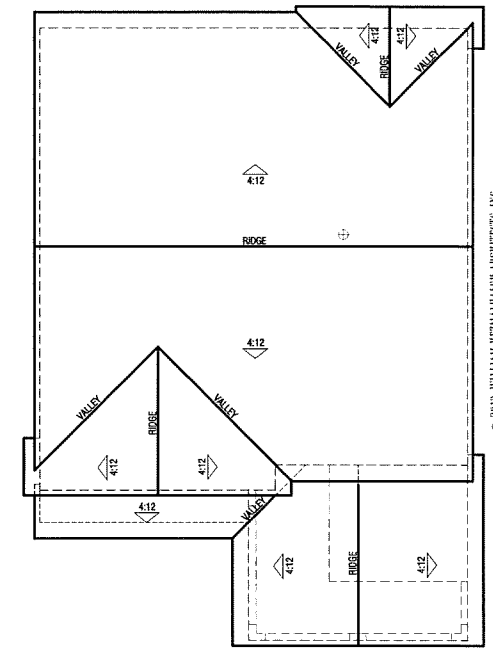
Elevation D



Elevation C

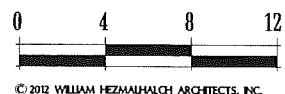


Elevation B



Elevation A

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Plan 3
Roof Plans
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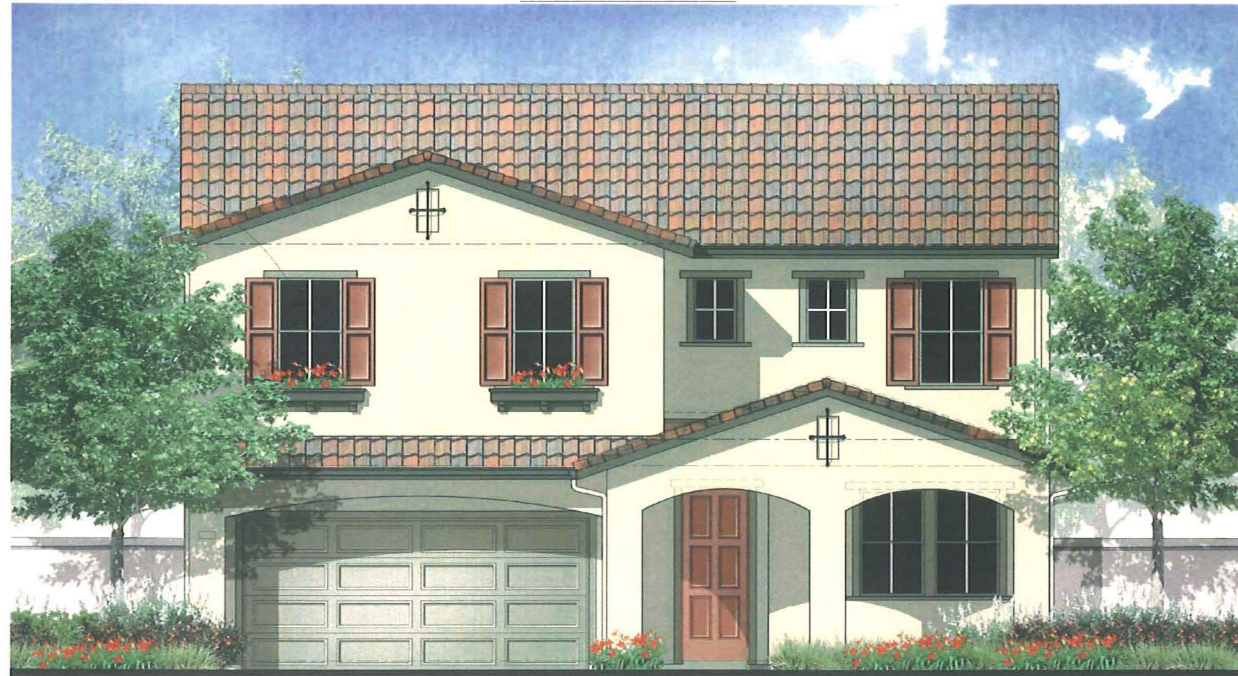
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Elevation D



Elevation A



Elevation C



Elevation B

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Plan 3
Front Elevations

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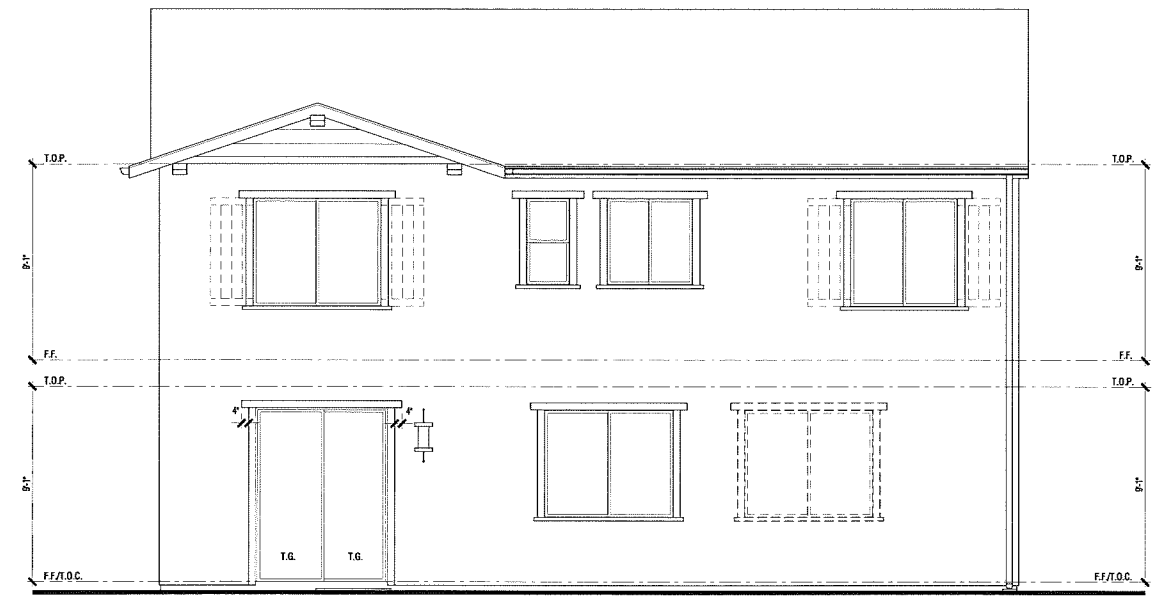
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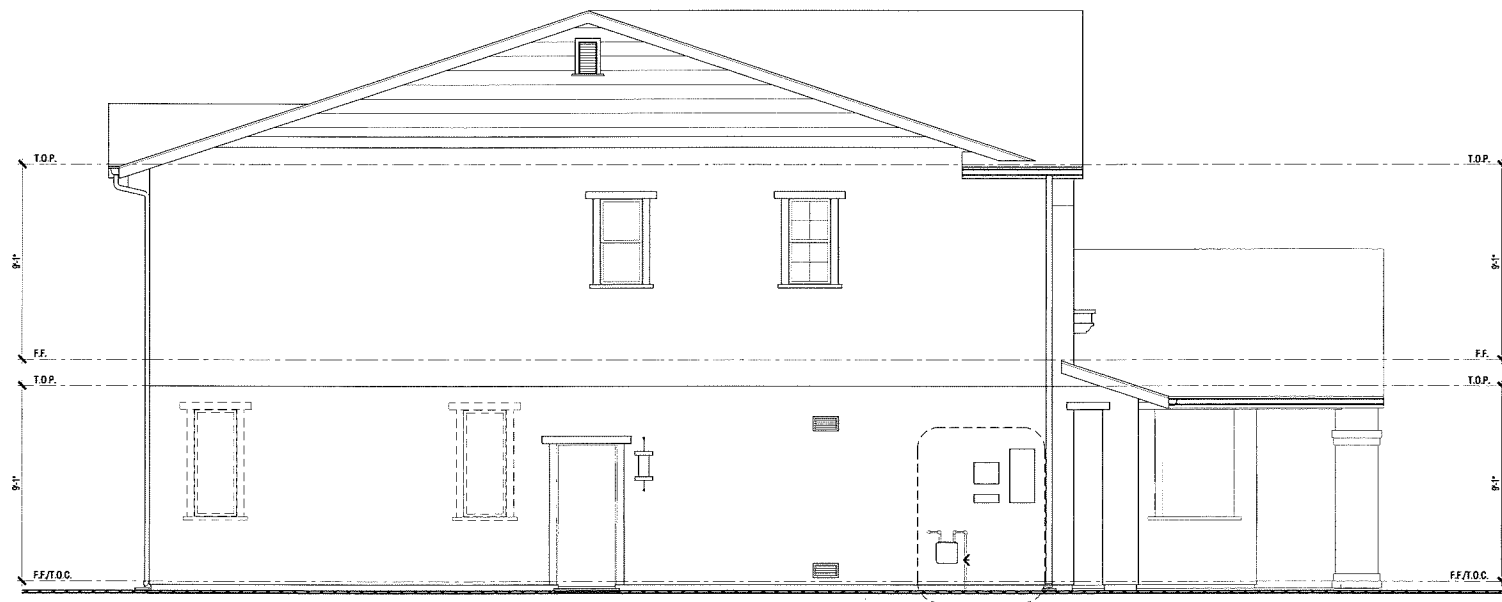
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

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Plan 3
Elevation A

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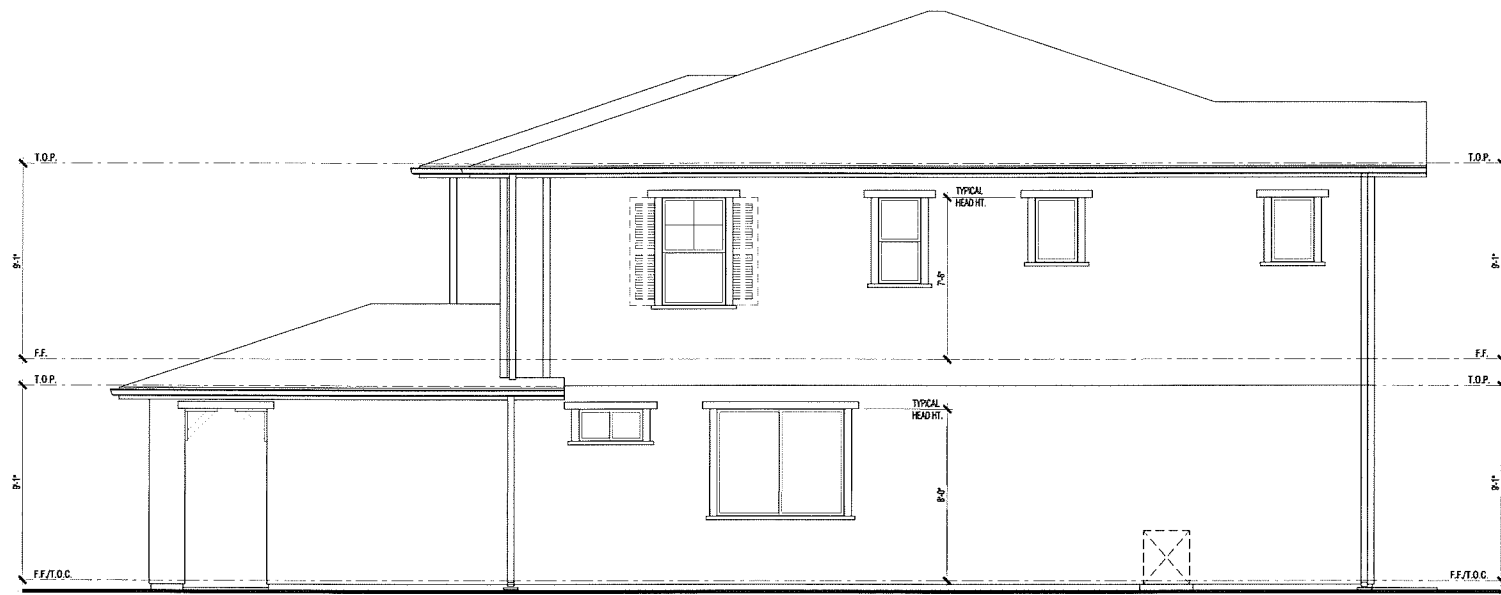


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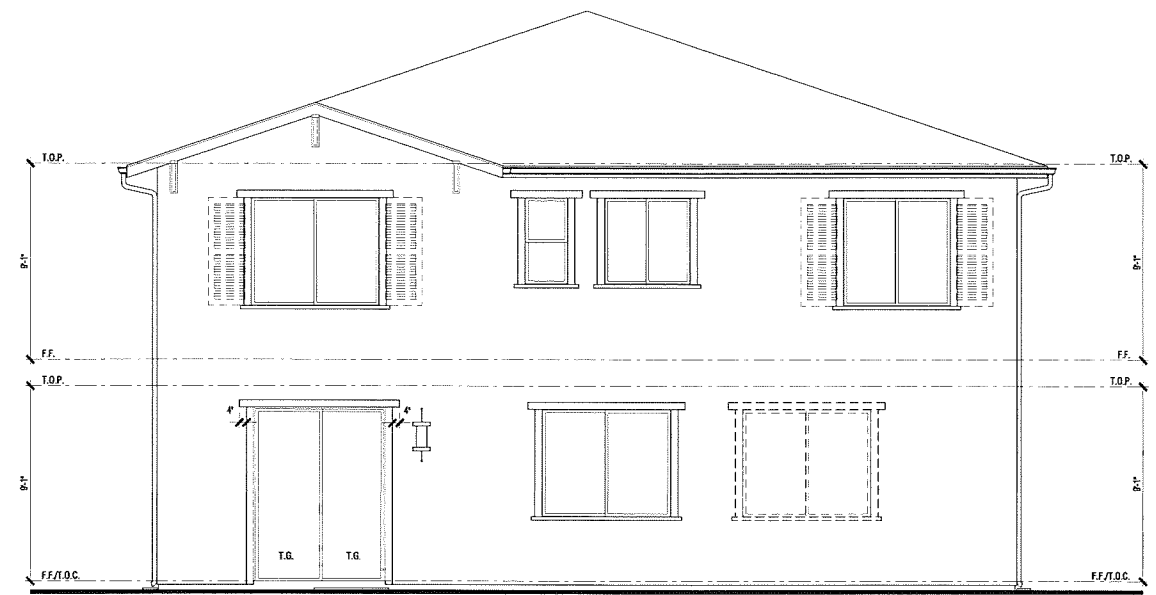
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3.4
2013258

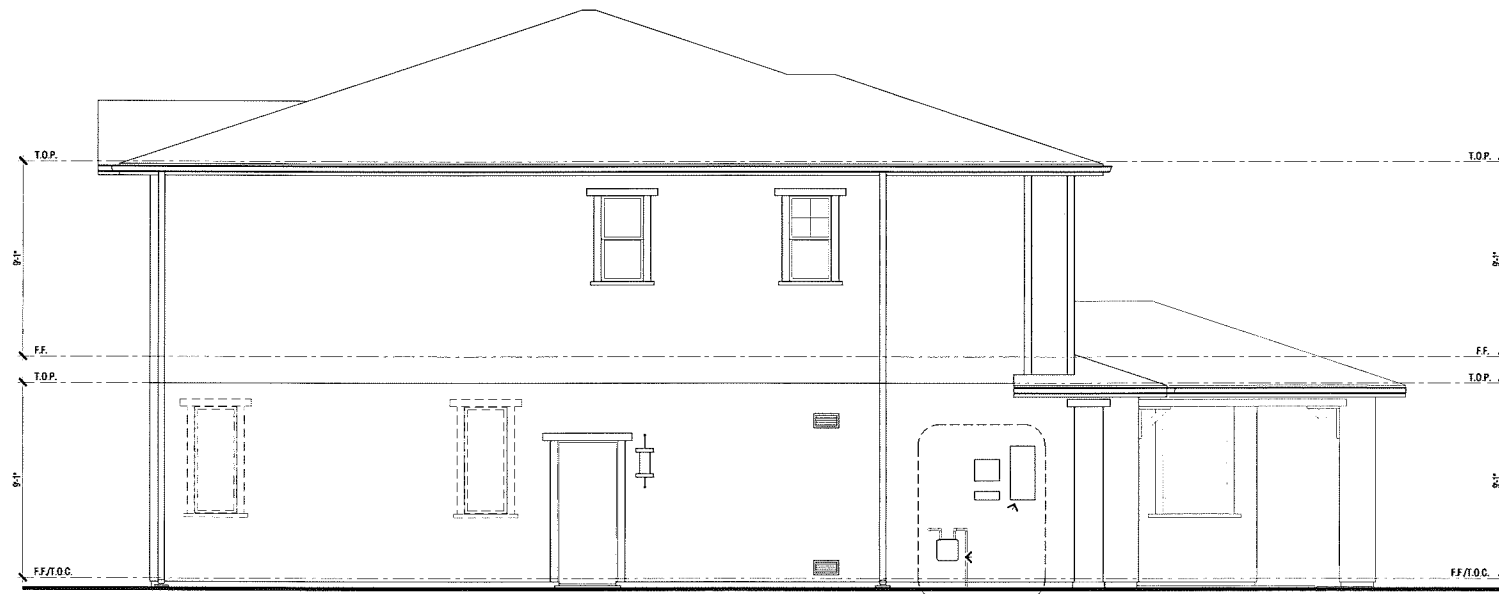
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 3
Elevation B



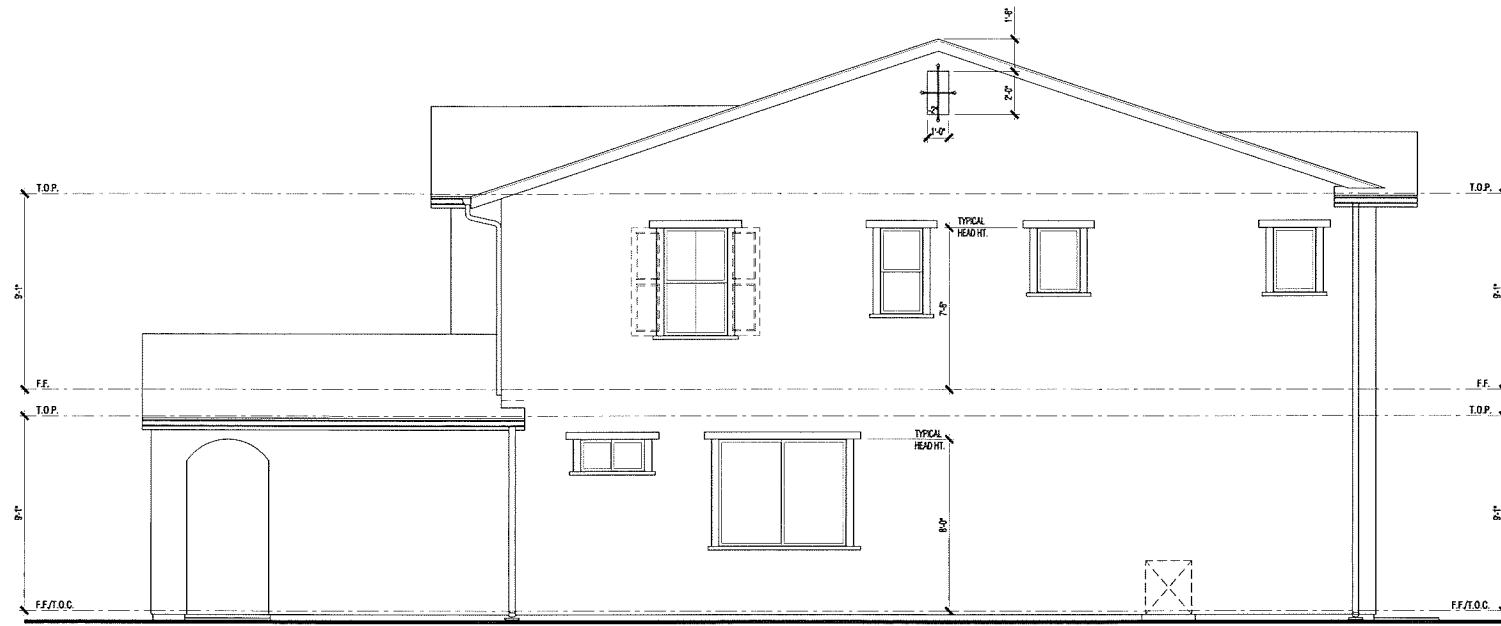
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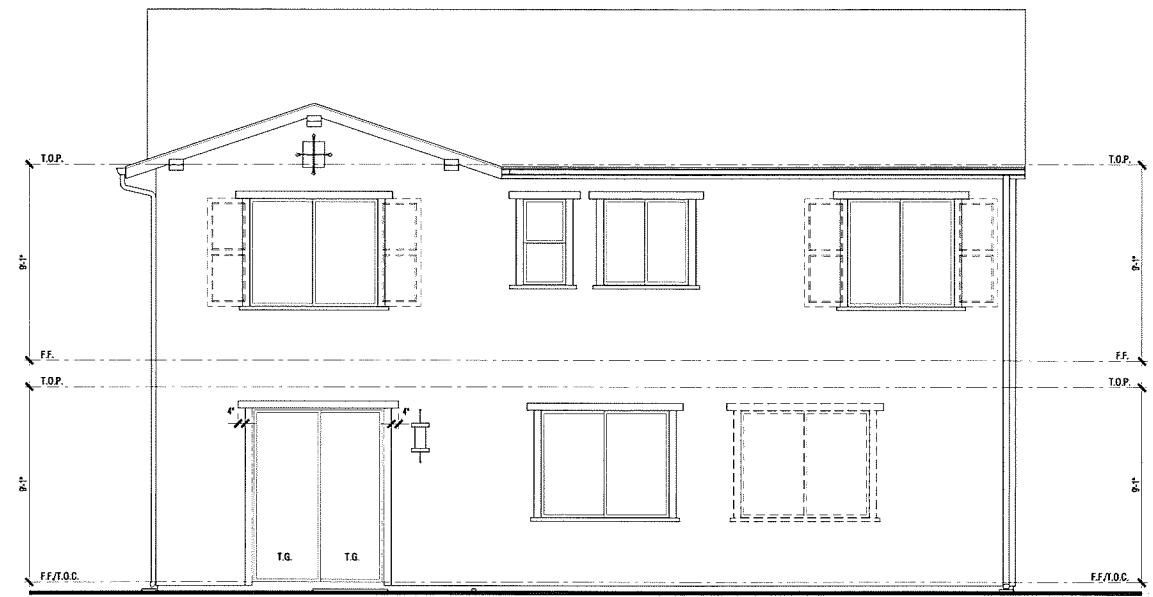
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3.5
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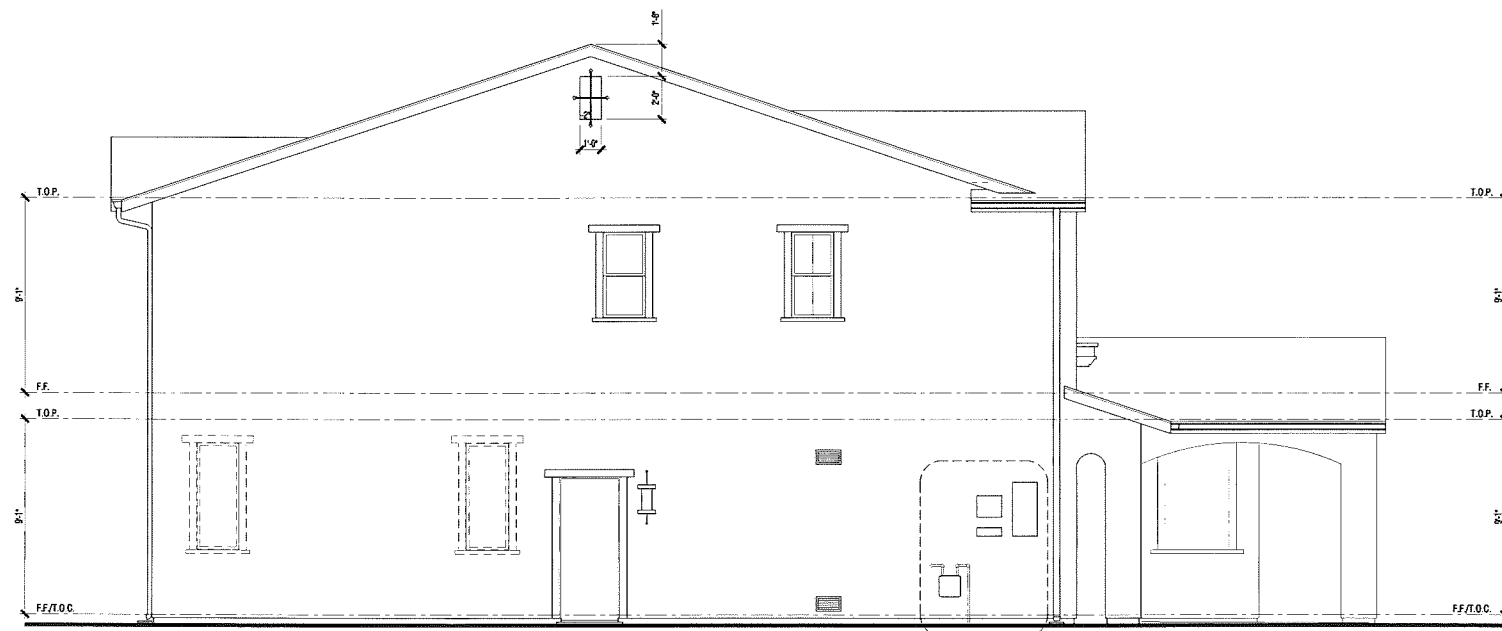
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 3
Elevation C

Aspen @ Emerson
Oakley, CA
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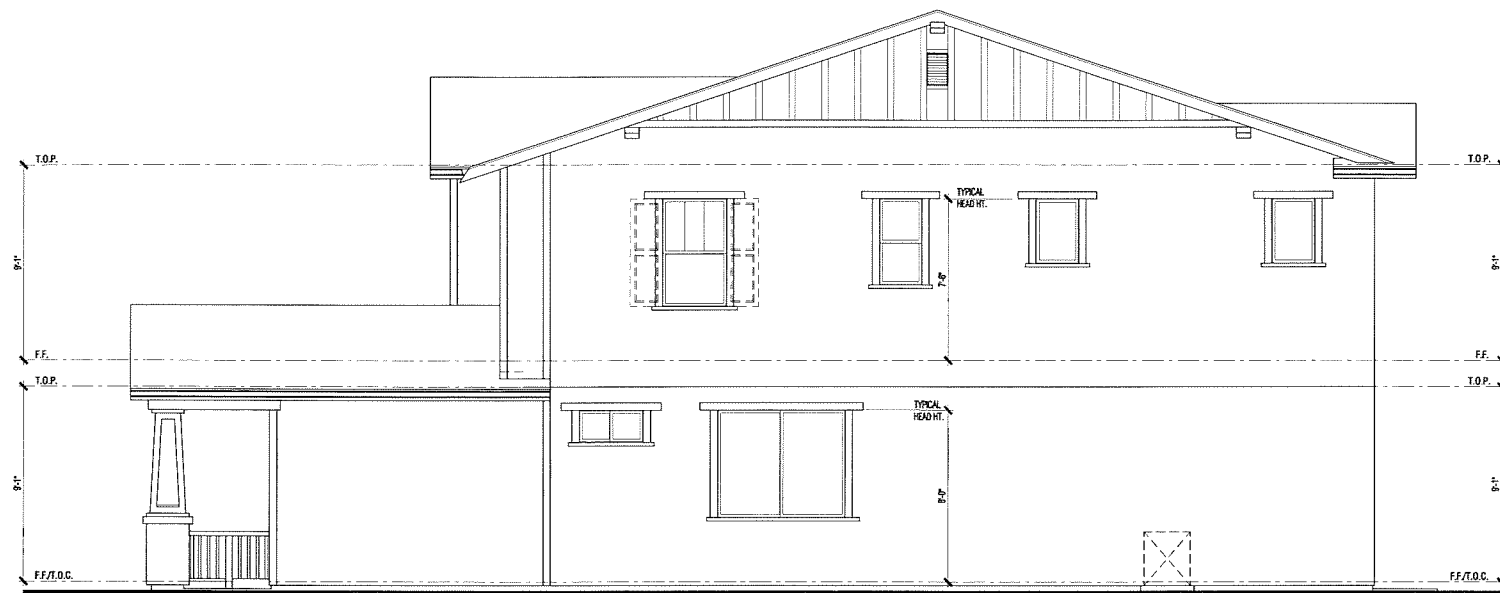


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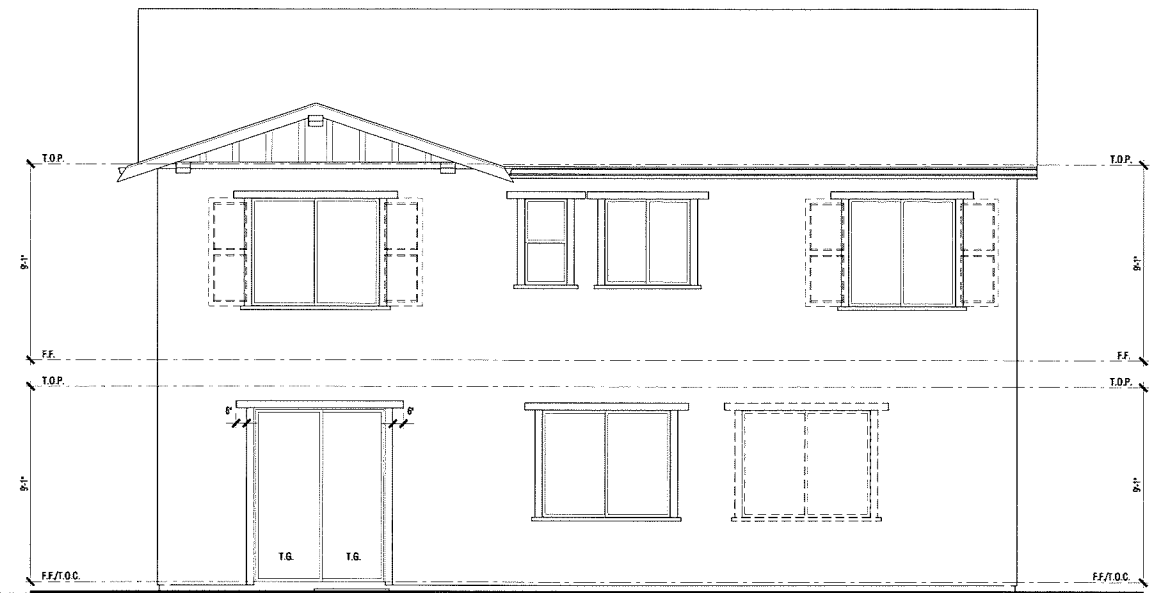


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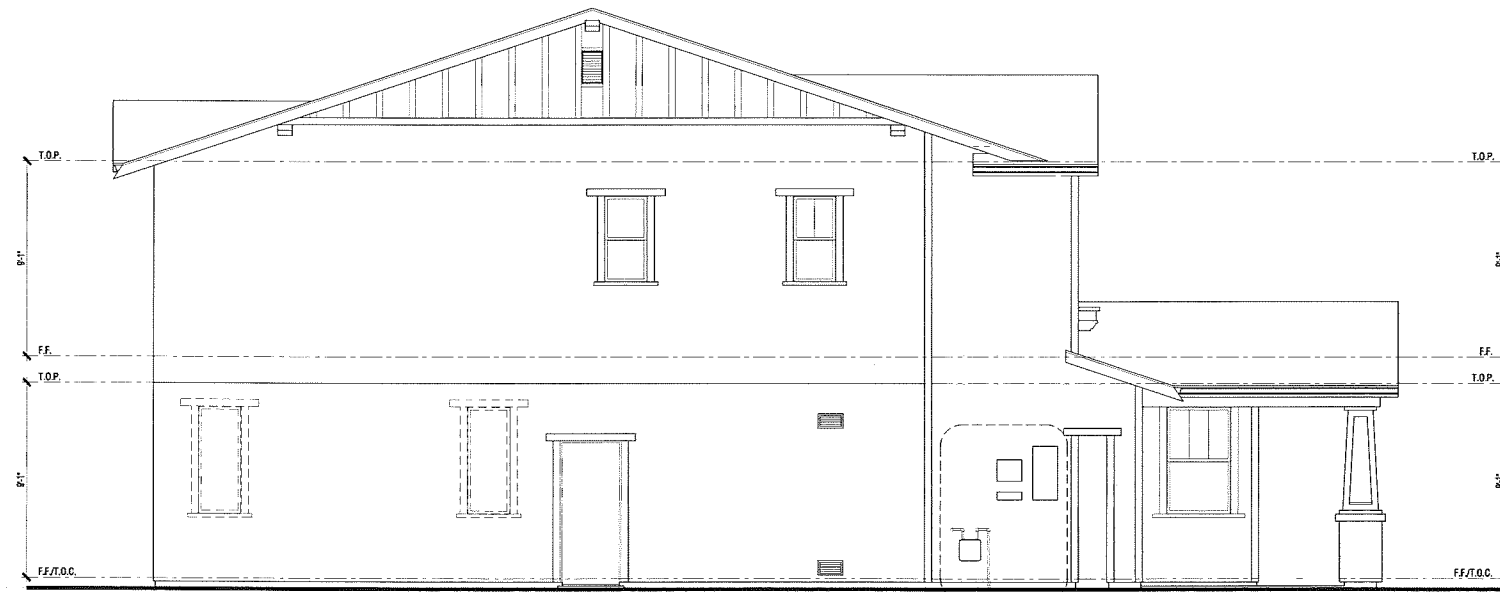
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3.6
2013258



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 3
Elevation D

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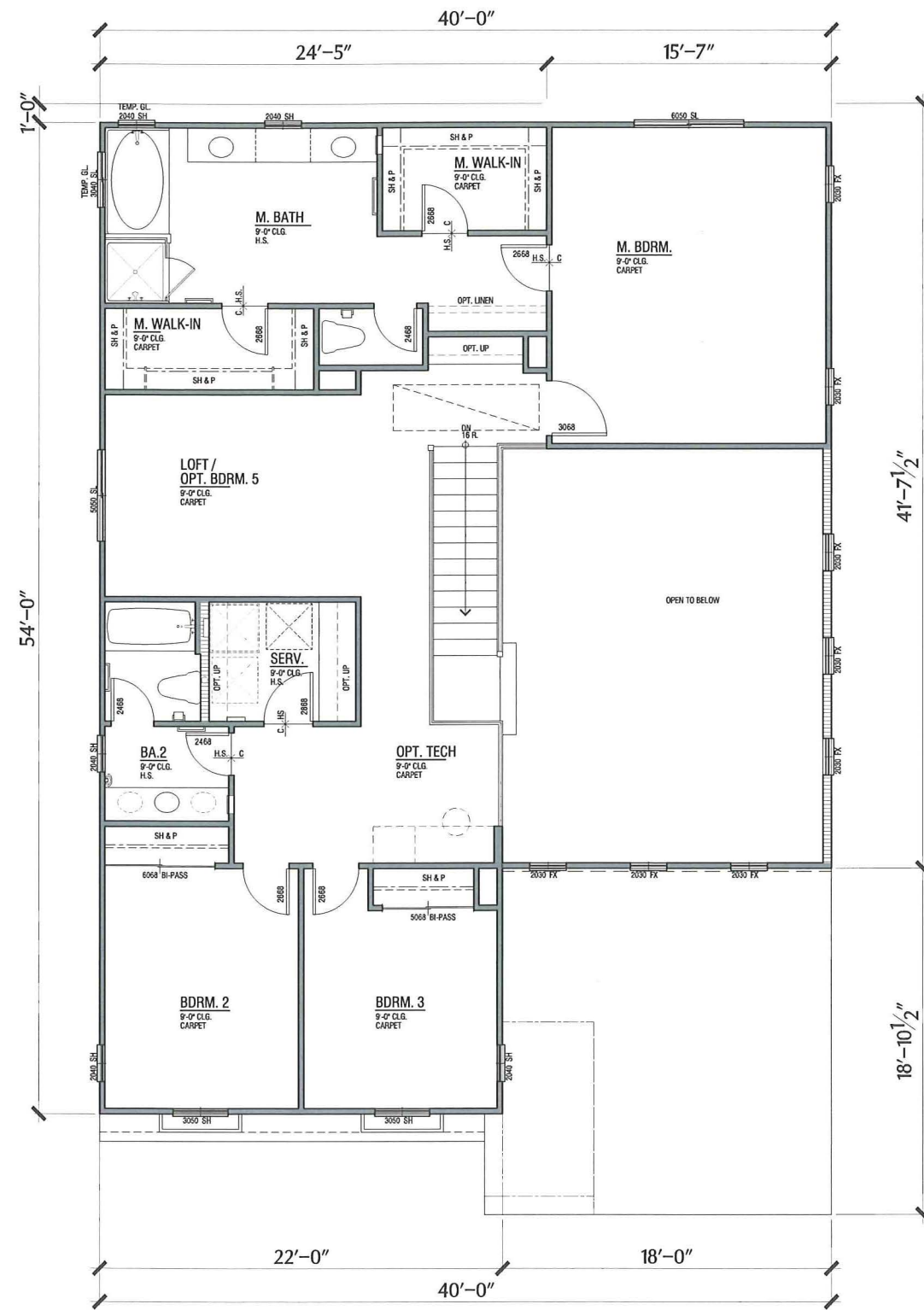
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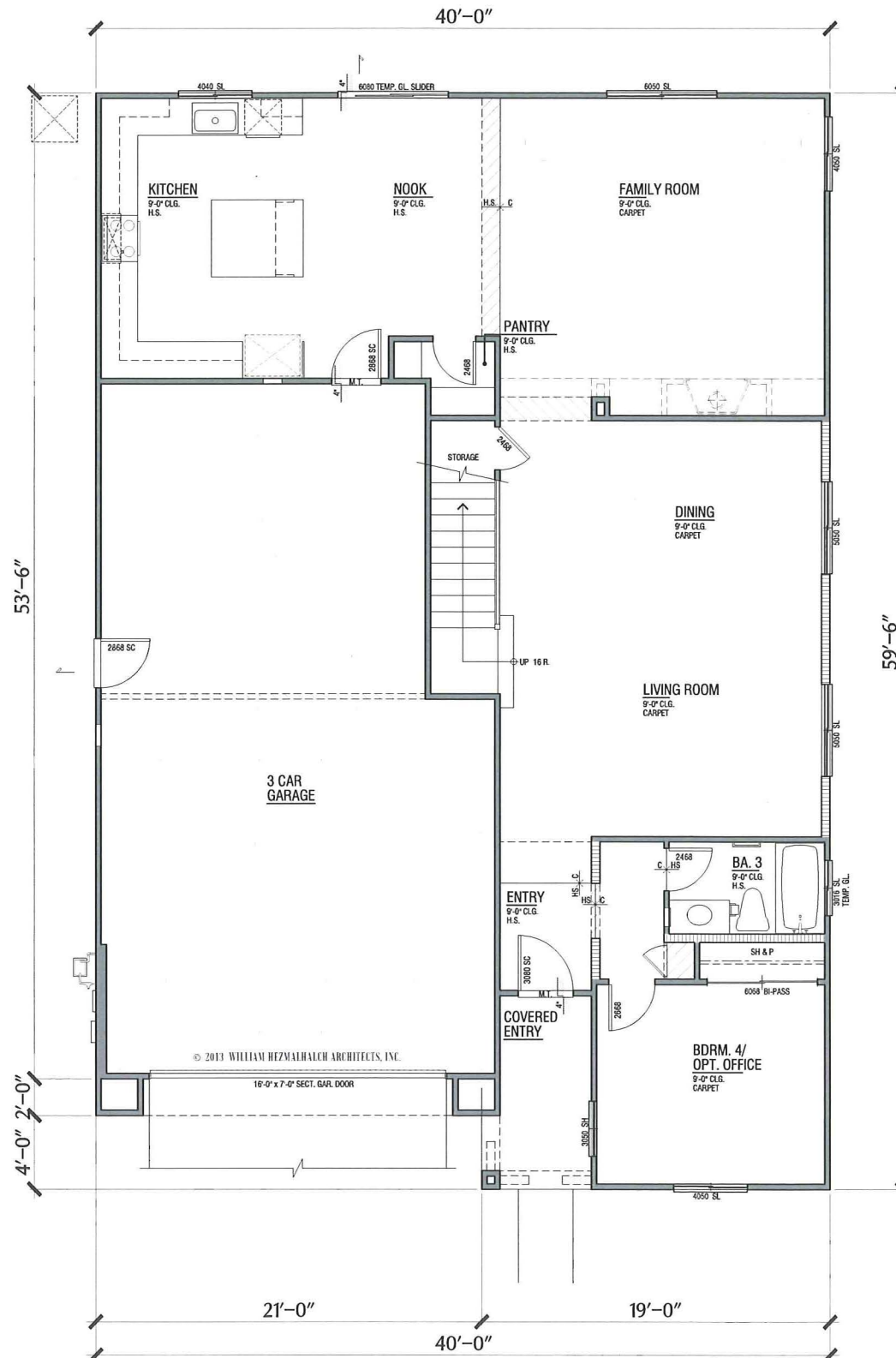
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3.7
2013258

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Second Floor
1,456 SF



First Floor
1,440 SF

Plan 4
2,896 SF
4 Bdrm/3Ba/Loft
3.75 Car Garage



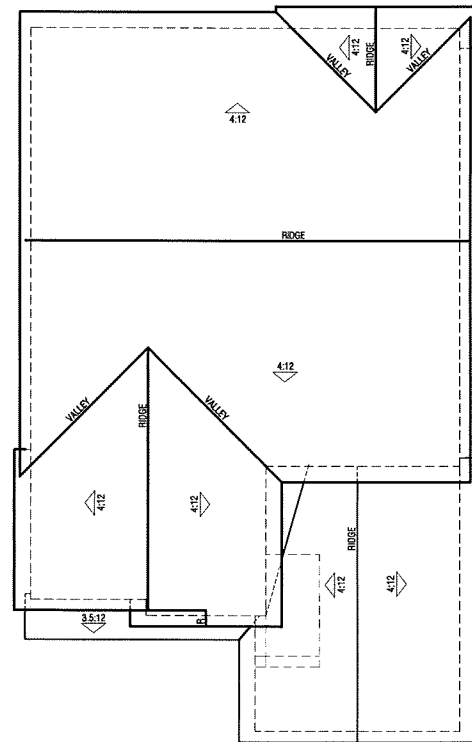
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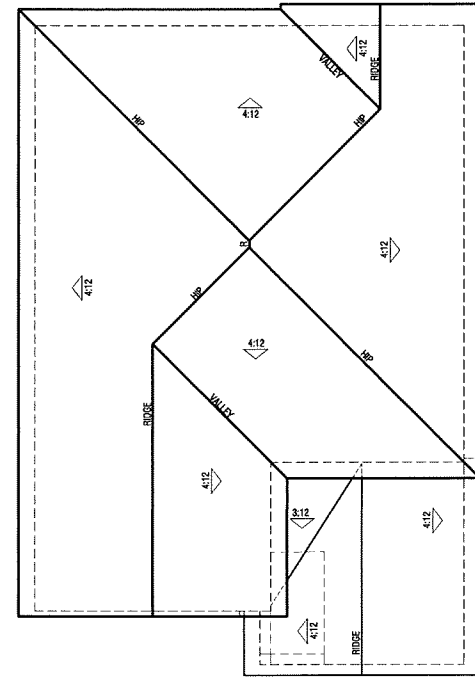
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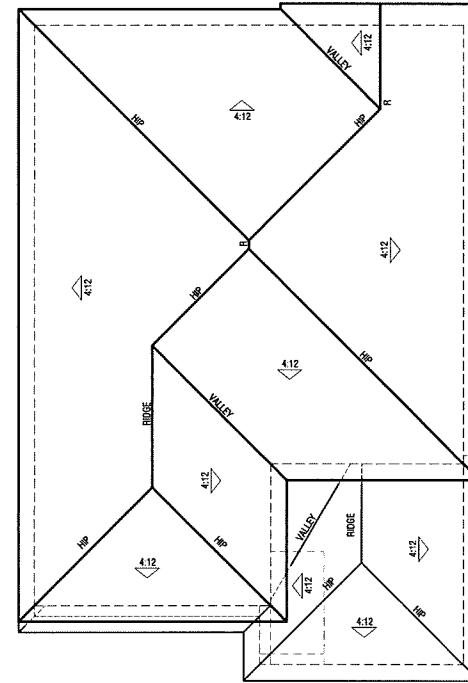
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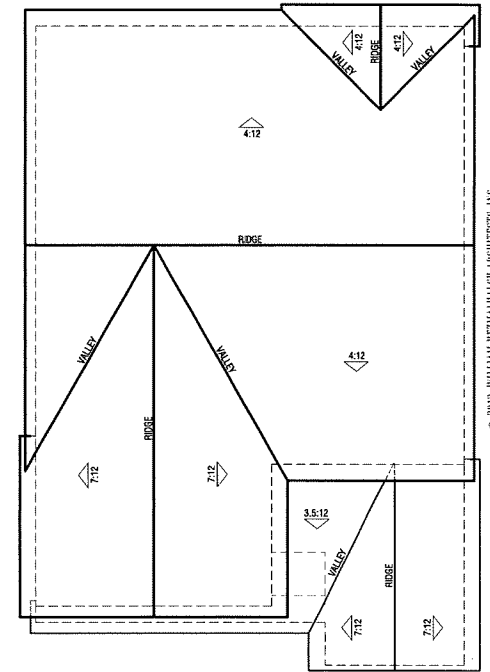
Elevation D



Elevation C



Elevation B



Elevation A

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Plan 4
Roof Plans
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Elevation D



Elevation A



Elevation C



Elevation B

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Plan 4
Front Elevations

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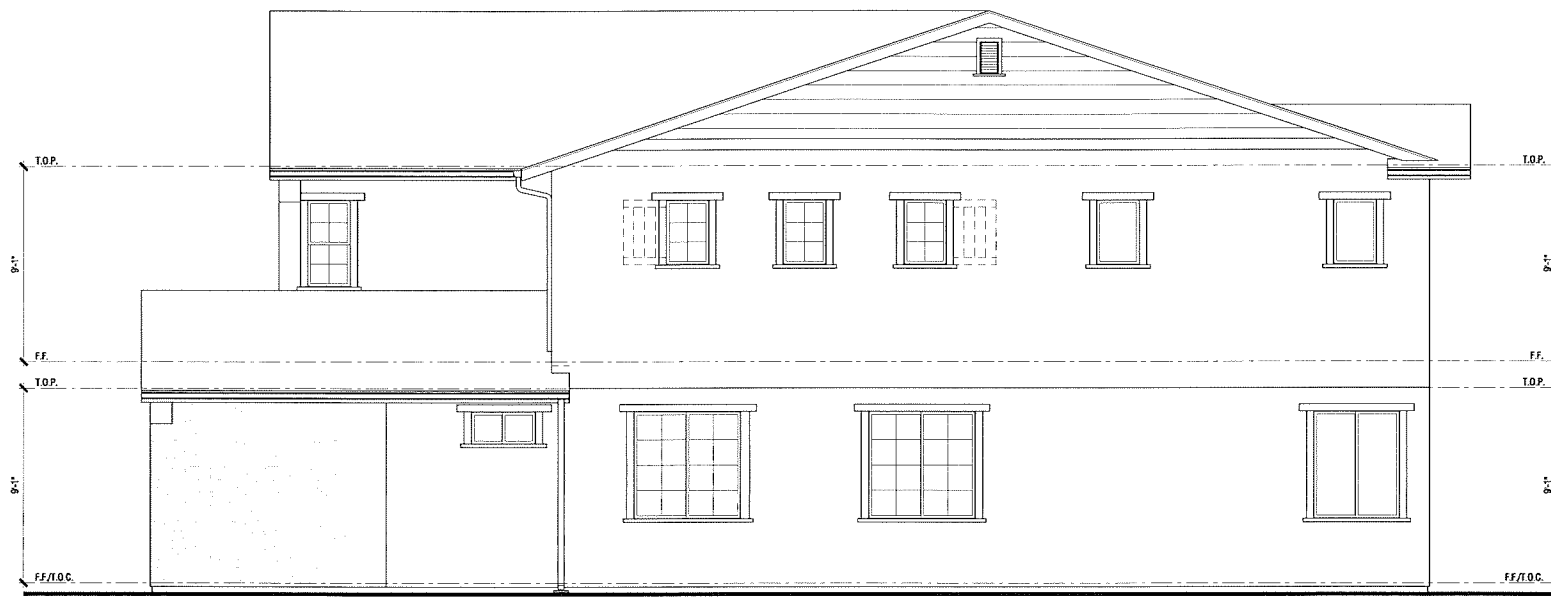


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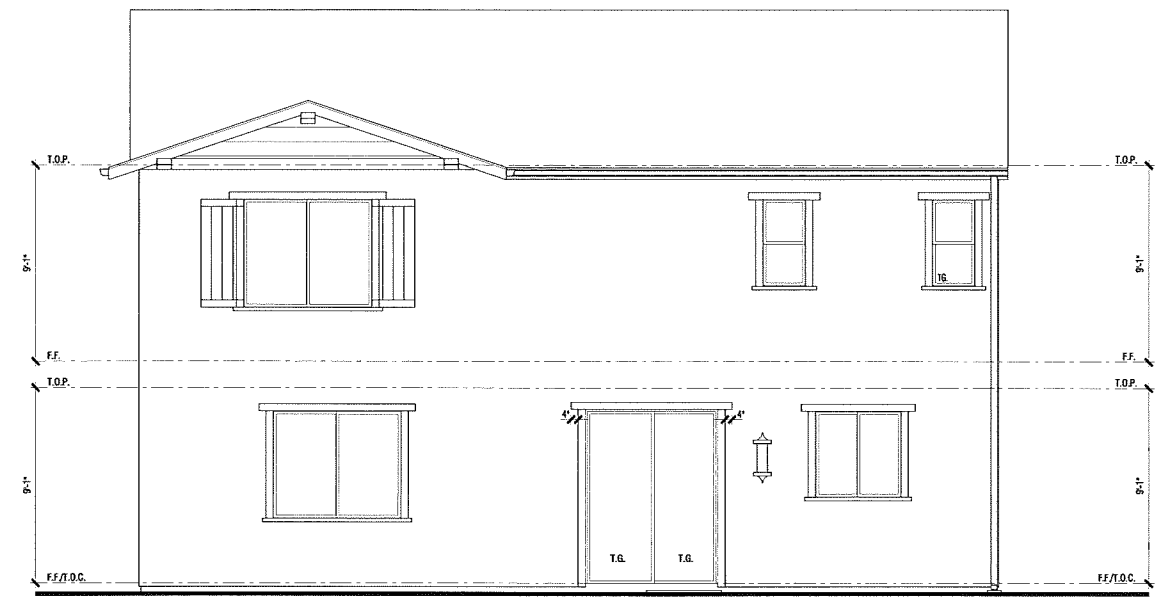
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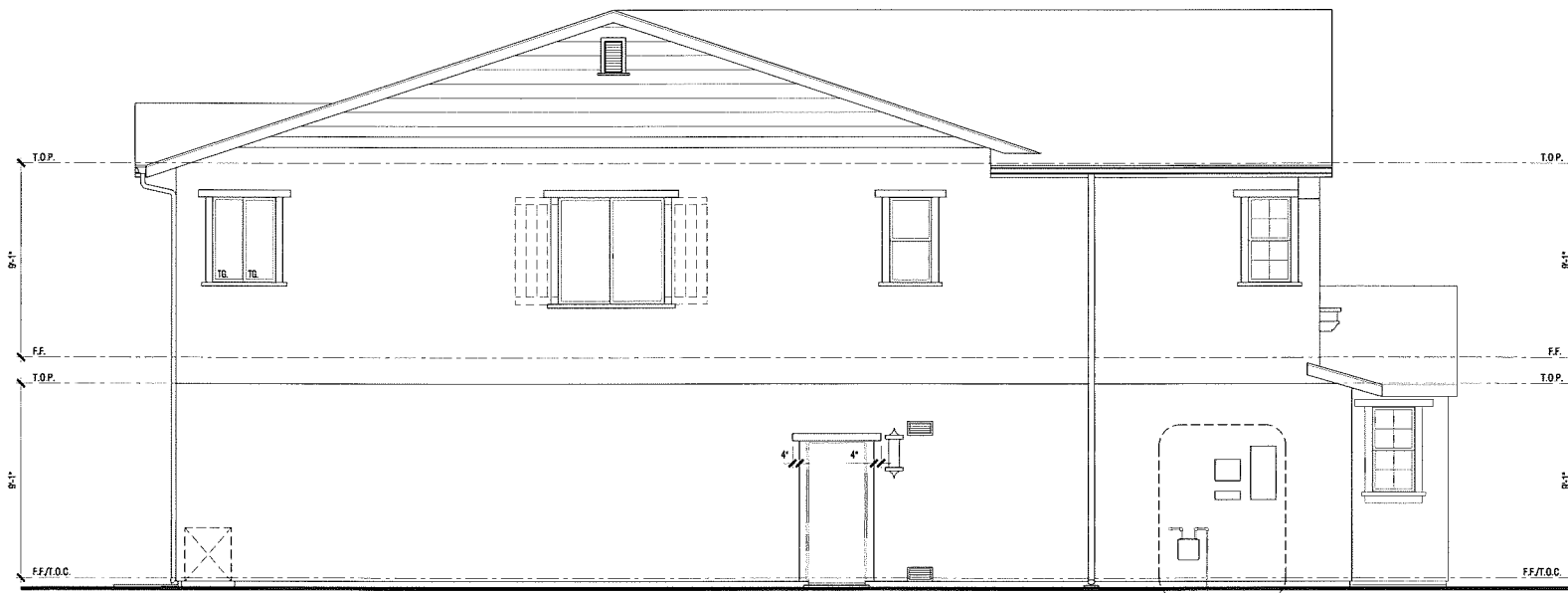
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Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 4
Elevation A



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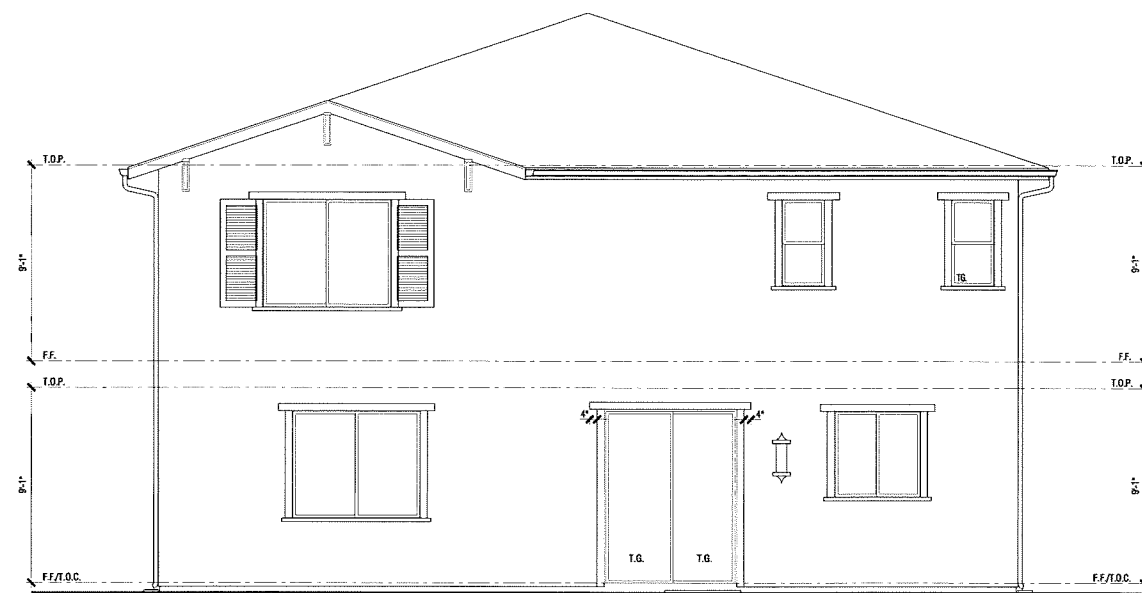


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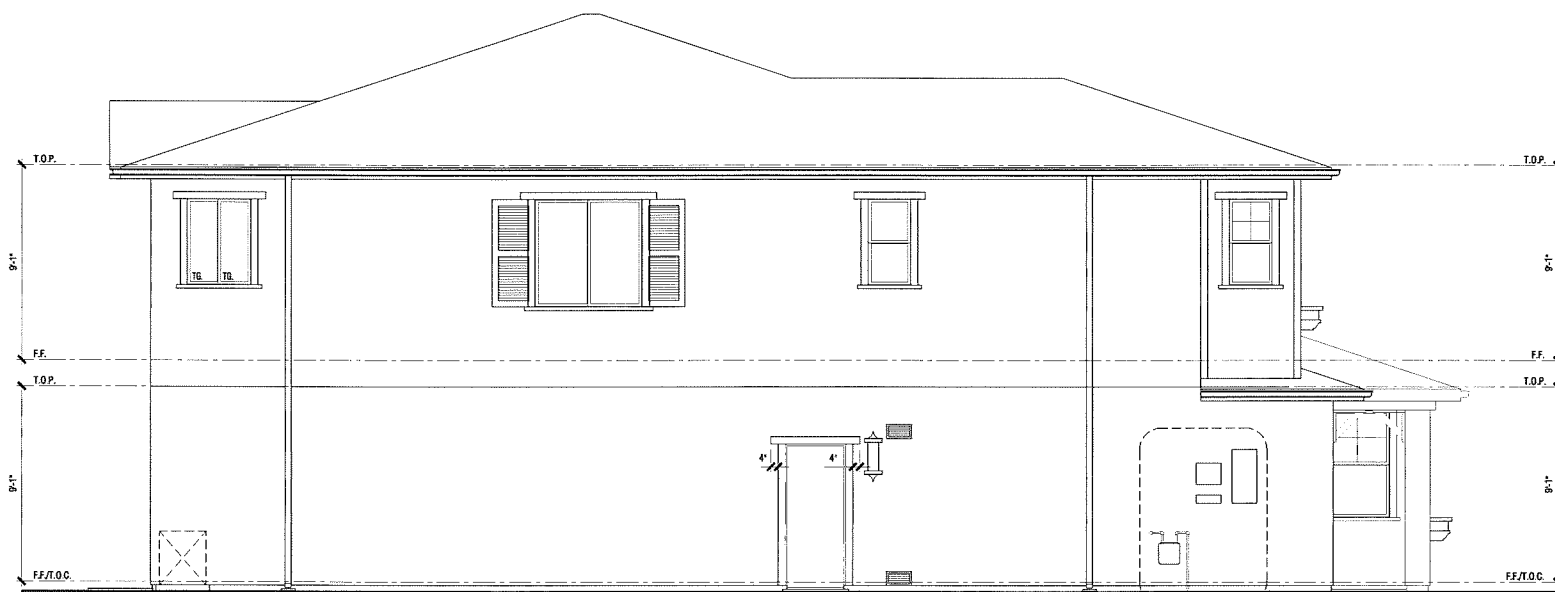
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4.4
2013258



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 4
Elevation B



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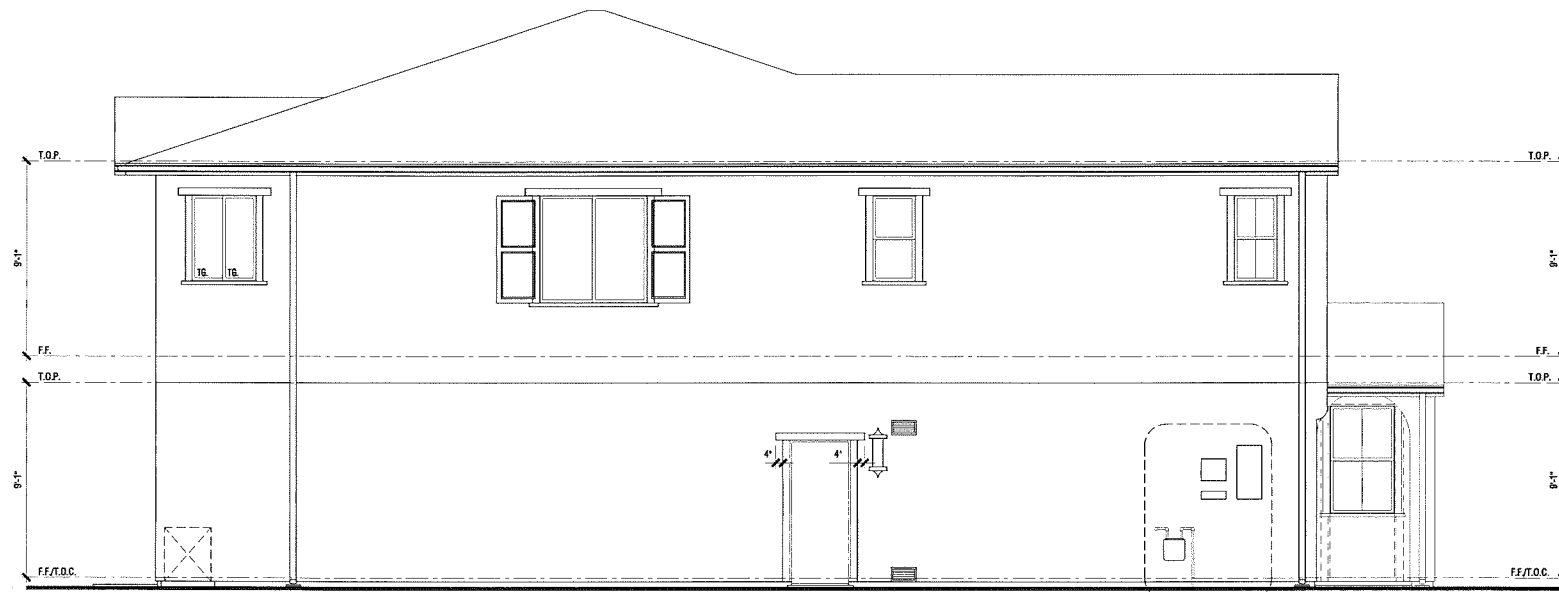
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Right Elevation



Rear Elevation



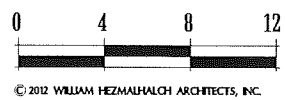
Left Elevation



Front Elevation

Plan 4
Elevation C

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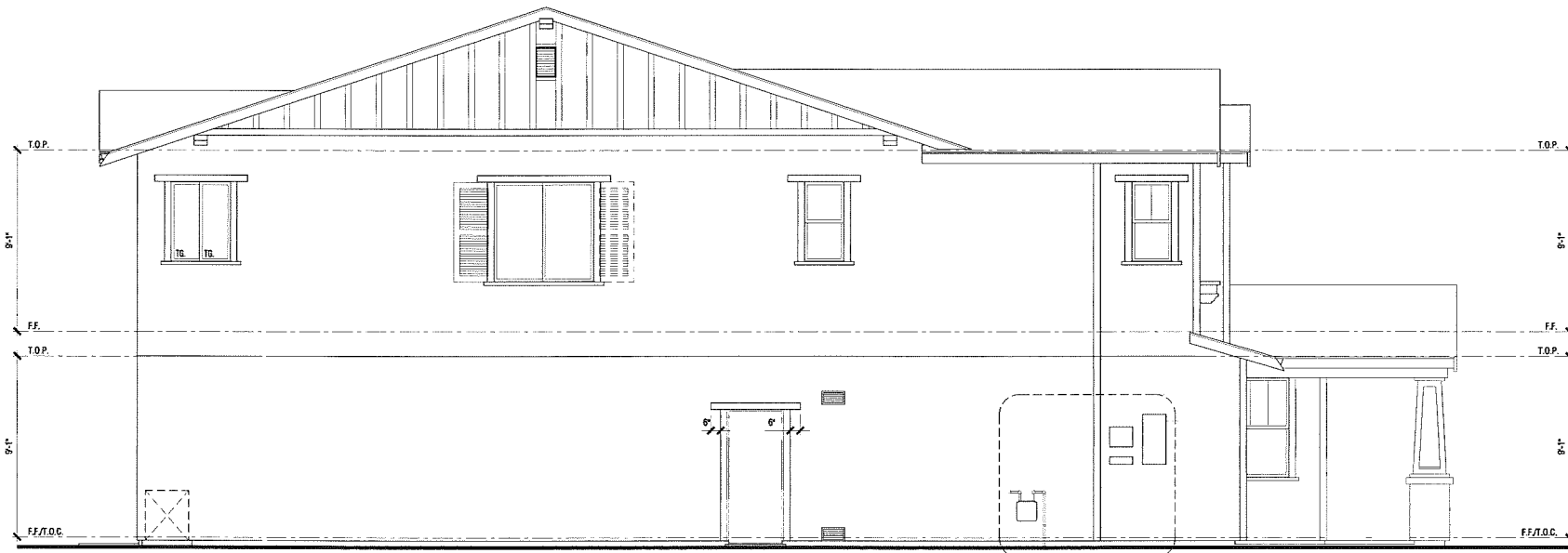
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2013258



Right Elevation



Rear Elevation



Left Elevation



Front Elevation

Plan 4
Elevation D

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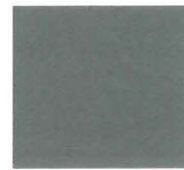
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Aspen at Emerson, Oakley

COLOR SCHEME aa
Cottage
"A" Elevations

TRIM COLOR	BODY COLOR	ACCENT COLOR
Fascia, Trim, Siding @ Gables, Garage Door @ Plan 2A, 3A & 4A, Louvered Vents, Pot Shelves, Window Surrounds Kelly Moore # KM 5764-3 Mendocino Hills	Garage Door @ Plan 1A, Stucco Kelly Moore #KM 4732-1 Cypress Grass	Entry Door, Shutters Kelly Moore #KM 4918-5 Split Rock



STONE	BRICK	ROOFING
Wolf Creek Southern Ledgestone	Handmade Rustic Manor Brick	Concrete Slate Tile Eagle Brown Range - 4689



11.18.13, 4.9.14



Aspen at Emerson, Oakley

COLOR SCHEME bb
Cottage
"A" Elevations

TRIM COLOR	BODY COLOR	ACCENT COLOR
Fascia, Trim, Siding @ Gables, Garage Door @ Plan 2A, 3A & 4A, Louvered Vents, Pot Shelves, Window Surrounds Kelly Moore # KM 4600-2 Afternoon Tea	Garage Door @ Plan 1A, Stucco Kelly Moore #KM 5745-2 Native Flora	Entry Door, Shutters Kelly Moore #KM 4505-5 Thai Teak



STONE	BRICK	ROOFING
Bucks County Southern Ledgestone	Use High Desert Brick	Concrete Slate Tile Eagle Seattle Blend - SCB 8805



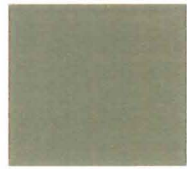
11.18.13, 4.9.14



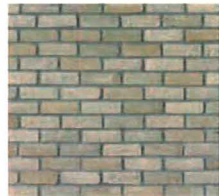
Aspen at Emerson, Oakley

COLOR SCHEME cc
Cottage
"A" Elevations

TRIM COLOR	BODY COLOR	ACCENT COLOR
Fascia, Trim, Siding @ Gables, Garage Door @ Plan 2A, 3A & 4A, Louvered Vents, Pot Shelves, Window Surrounds Kelly Moore # KM 4659-5 Tobacco Leaf	Garage Door @ Plan 1A, Stucco Kelly Moore #202 Doeskin	Entry Door, Shutters Kelly Moore #KM 5748-5 Nature's Gate



STONE	BRICK	ROOFING
Aspen Southern LedgeStone	Handmade Moroccan Sand Brick	Concrete Slate Tile Eagle Arcadia - 4502



11.18.13, 4.9.14



Aspen at Emerson, Oakley

COLOR SCHEME dd
Monterey
"B" Elevations

TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Corbels, Fascia, Pot Shelves, Trim, Window Surrounds, Wood Railing Kelly Moore #KM 5720-5 Man Cave	Garage Door @ Plan 1B, Stucco Kelly Moore #KM 4593-2 Polished Stone	Corner Boards, Gable Siding, Garage Door @ Plans 2B, 3B & 4B, Lap Siding, Louvered Vents Kelly Moore #KM 4727-3 California Roll



ACCENT COLOR
Entry Door, Shutters Kelly Moore #KM 4819-5 Forest Floor



ROOFING
Concrete Shake Tiles Eagle Arcadia - 5502







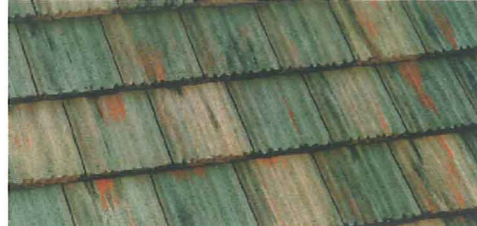
11.18.13, 4.9.14

 DeNova Homes
Aspen at Emerson, Oakley

COLOR SCHEME ee	TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Monterey "B" Elevations	Corbels, Fascia, Pot Shelves, Trim, Window Surrounds, Wood Railing Kelly Moore #KM 5751-5 Coastline Trail	Garage Door @ Plan 1B, Stucco Kelly Moore #KM 4593-2 Polished Stone	Comer Boards, Gable Siding, Garage Door @ Plans 2B, 3B & 4B, Lap Siding, Louvered Vents Kelly Moore #KM 4651-3 Earthy Pleasures
ACCENT COLOR			
Entry Door, Shutters Kelly Moore #KM A68-5 Leather Satchel			
			
	ROOFING		
	Concrete Shake Tiles Eagel Charcoal Range - 5699		
			

11.18.13, 4.9.14








 DeNova Homes
Aspen at Emerson, Oakley

COLOR SCHEME ff	TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Monterey "B" Elevations	Corbels, Fascia, Pot Shelves, Trim, Window Surrounds, Wood Railing Kelly Moore #KM A74-5 Stage Coach	Garage Door @ Plan 1B, Stucco Kelly Moore #KM 4593-2 Polished Stone	Comer Boards, Gable Siding, Garage Door @ Plan 2B, 3B & 4B, Lap Siding, Louvered Vents Kelly Moore #232 Toscana
ACCENT COLOR			
Entry Door, Shutters Kelly Moore #KM A84-5 Starlit Eve			
			
	ROOFING		
	Concrete Shake Tiles Eagel Kings Canyon Blend - 5634		
			

11.18.13, 4.9.14



Aspen at Emerson, Oakley

COLOR SCHEME gg	TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Spanish "C" Elevations	Corbels, Fascia, Pot Shelves Kelly Moore #KM 4588-5 Never Cry Wolf	Garge Door, Trim, Window Surrounds Kelly Moore #KM 5768-3 Sage Advice	Stucco Kelly Moore #KM W31-1 Frankly Earnest
ACCENT COLOR			
Entry Door, Shutters Kelly Moore #HLS 4284-5 Seville Scarlet			
	OPT DECO TILE	ROOFING	
	Tierra y Fuego Capitola 3 Santa Barbara - 30654	Concrete Low Profile Tile Eagle Adobe Blend - 2723	
			
WROUGHT IRON Factory Black			

11.18.13, 4.9.14



Aspen at Emerson, Oakley

COLOR SCHEME hh	TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Spanish "C" Elevations	Corbels, Fascia, Pot Shelves Kelly Moore #KM 4925-5 Wild Truffle	Garge Door, Trim, Window Surrounds Kelly Moore #KM 4587-3 Smoky Topaz	Stucco Kelly Moore #231 Spanish Sand
ACCENT COLOR			
Entry Door, Shutter Kelly Moore #KM 4855-5 All Nighter			
	OPT DECO TILE	ROOFING	
	Tierra y Fugo Alcora Talavera - 10375	Concrete Low Profile Tile Eagle Terra Cotta - 2522	
			
WROUGHT IRON Factory Black			

11.18.13, 4.9.14



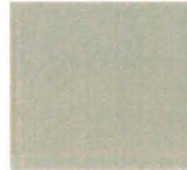



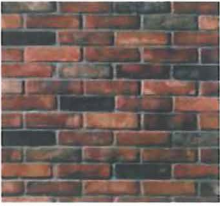

Aspen at Emerson, Oakley

COLOR SCHEME ii	TRIM COLOR #1	TRIM COLOR #2	BODY COLOR
Spanish "C" Elevations	Corbels, Fascia, Pot Shelves Kelly Moore #KM A73-5 Ginger Root	Garge Door, Trim, Window Surrounds Kelly Moore #KM 4644-3 Sierra Foothills	Stucco Kelly Moore #KM 4704-2 Dusty Trail Rider
ACCENT COLOR			
Entry , Shutters Kelly Moore #KM 4778-5 Eat Your Greens			
	OPT DECO TILE Tierra y Fugo Laberinto Talavera - 10422	ROOFING Concrete Low Profile Tile Eagle Walnut Creek Blend - 2773	
WROUGHT IRON Factory Black			

11.18.13, 4.9.14



Aspen at Emerson, Oakley

COLOR SCHEME jj	TRIM COLOR #	BODY COLOR	ACCENT COLOR
Craftsman "D" Elevations	Board & Batten @ Gables, Bolumns, Corbels, Garage Door @ 2D, 3D & 4D, Louvered Vents, Pot Shelves, Railing, Trim, Window Surrounds Kelly Moore # KM 4705-3 Kiss The Blarney Stone	Corner Boards, Garage Door @ 1D, Lap Siding, Stuco Kelly Moore # KM 4937-3 Paw Print	Fascia, Outlookers, Entry Door, Shutters Kelly Moore # KM A64-5 Riding Boots
			
	STONE Earth Blend River Rock	BRICK Used High Desert	ROOFING Concrete Slate Tile Eagle Sunrise Blend - 5645
			

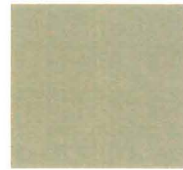
4.10.14



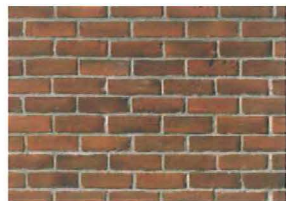
Aspen at Emerson, Oakley

COLOR SCHEME kk
Craftsman
"D" Elevations

TRIM COLOR #	BODY COLOR	ACCENT COLOR
Board & Batten @ Gables, Bolumns, Corbels, Garage Door @ 2D, 3D & 4D, Louvered Vents, Pot Shelves, Railing, Trim, Window Surrounds Kelly Moore # KM 5825-3 Not My Fault	Corner Boards, Garage Door @ 1D, Lap Siding, Stuco Kelly Moore # KM 4691-3 Texas Sage	Fascia, Outlookers, Entry Door, Shutters Kelly Moore # KM A72-5 Barnwood



STONE	BRICK	ROOFING
Lake Tahoe River Rock	Handmade Rustic Manor	Concrete Shake Tile Eagle Charcoal Range - 5699



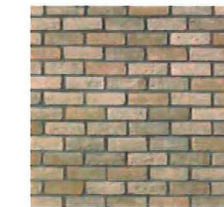
Aspen at Emerson, Oakley

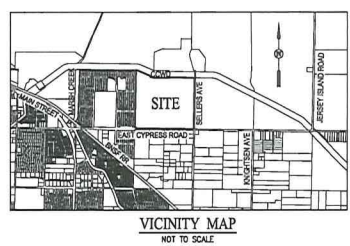
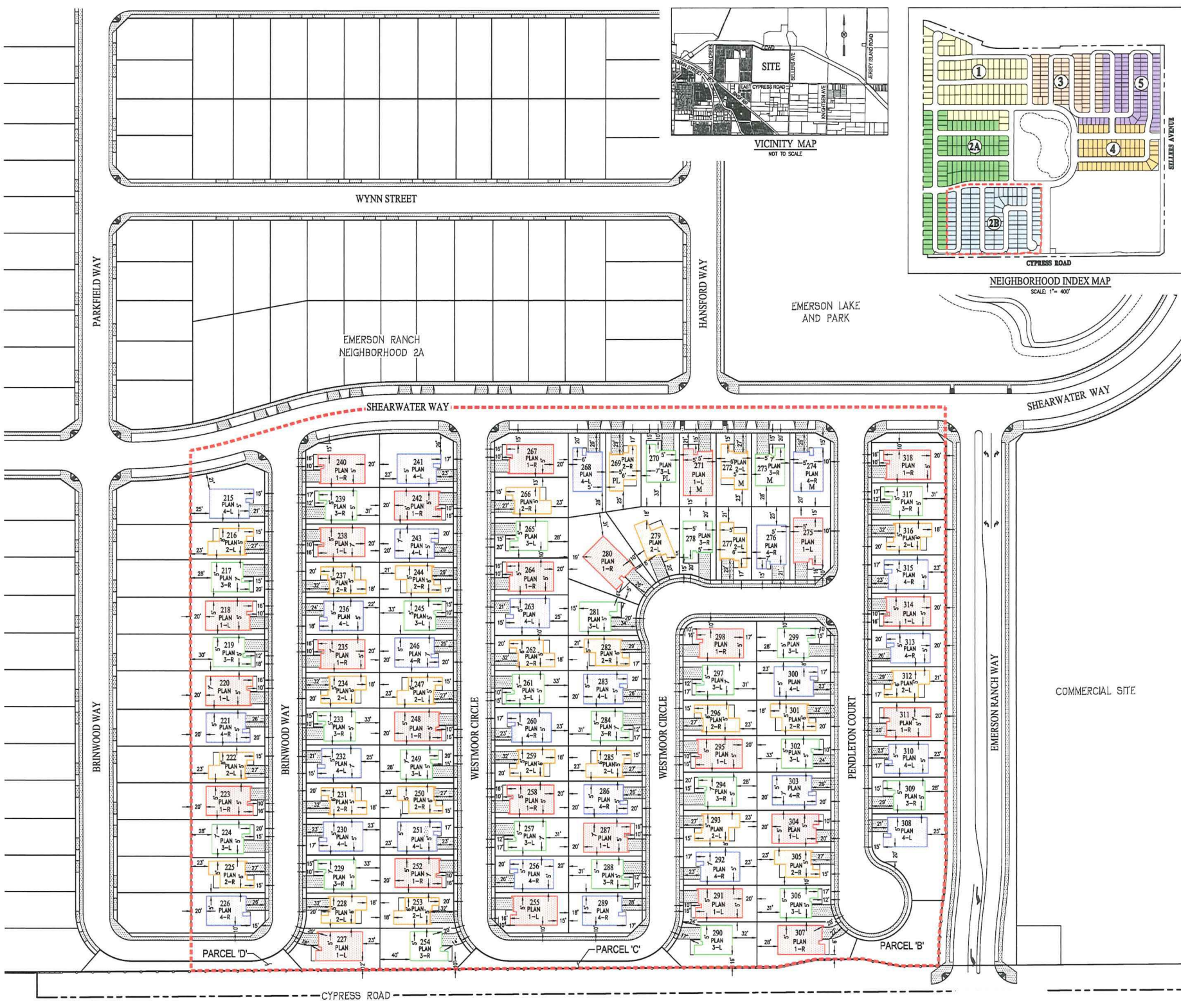
COLOR SCHEME II
Craftsman
"D" Elevations

TRIM COLOR #	BODY COLOR	ACCENT COLOR
Board & Batten @ Gables, Bolumns, Corbels, Garage Door @ 2D, 3D & 4D, Louvered Vents, Pot Shelves, Railing, Trim, Window Surrounds Kelly Moore # KM 4637-5 Eagles Nest	Corner Boards, Garage Door @ 1D, Lap Siding, Stuco Kelly Moore # KM 5760-3 Windmill Park	Fascia, Outlookers, Entry Door, Shutters Kelly Moore # KM 4848-5 Capri Isle

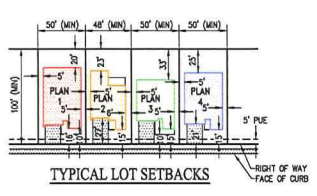


STONE	BRICK	ROOFING
Lakeshore River Rock	Handmade Moroccan Sand	Concrete Shake Tile Eagle Gray Brown Range - 5687





- GENERAL NOTES:**
- OWNER/SUBDIVIDER: DENOVA HOMES
1500 WILLOW PASS COURT
CONCORD, CA 94520
PHONE: (925) 685-0110
CONTACT: MIKE EVANS
 - CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583
PHONE: (925) 866-0322
CONTACT: ANGELO OBERTELLO
 - ACREAGE: 17.7 AC±
 - LAND USE: EXISTING - SINGLE FAMILY HIGH, SINGLE FAMILY MEDIUM, MULTI-FAMILY HIGH, COMMERCIAL
PROPOSED - SINGLE FAMILY HIGH, SINGLE FAMILY MEDIUM, MULTI-FAMILY HIGH, COMMERCIAL
 - ZONING: EXISTING - P-1 (PLANNED DEVELOPMENT) DISTRICT
PROPOSED - P-1 (PLANNED DEVELOPMENT) DISTRICT

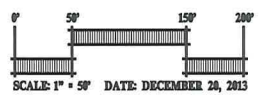


PRODUCT MIX - NEIGHBORHOOD 2B		
PLAN NUMBER	LOT COUNT	PERCENT OF TOTAL
1	26	25.0%
2	26	25.0%
3	26	25.0%
4	26	25.0%
TOTAL	104	100%

LOT COVERAGE - NEIGHBORHOOD 2B		
PLAN NUMBER	BLDG FOOTPRINT	TYP. LOT COVERAGE
1	2,415 SF±	48.3%
2	1,885 SF±	35.1%
3	1,818 SF±	35.4%
4	2,198 SF±	44.0%

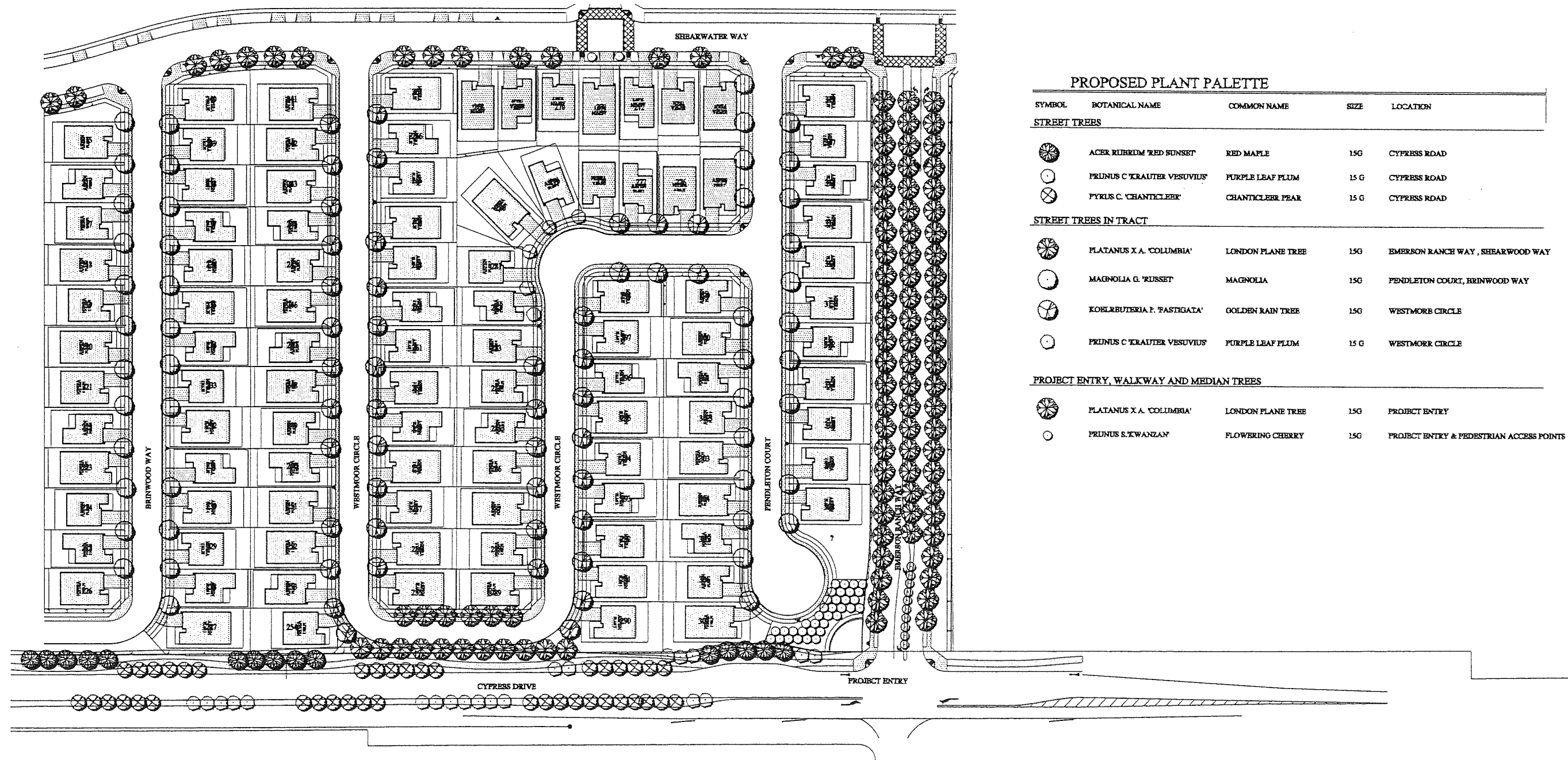
DeNova Homes
EMERSON RANCH: NEIGHBORHOOD 2B
DEVELOPMENT PLAN
SUBDIVISION 9348

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



cbg Carlson, Barbee & Gibson, Inc.
 CIVIL ENGINEERS - SURVEYORS - PLANNERS
 2633 CAMINO RAMON, SUITE 350
 SAN RAMON, CALIFORNIA 94583
 (925) 866-0322
 FAX: (925) 866-0315

© DENOVA HOMES (9348), DEVELOPMENT PLAN, NEIGHBORHOOD 2B



PROPOSED PLANT PALETTE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	LOCATION
STREET TREES				
	ACER RUBRUM 'RED SUNSET'	RED MAPLE	15G	CYPRESS ROAD
	PRUNUS C 'KRAUTER VESUVIUS'	PURPLE LEAF PLUM	15 G	CYPRESS ROAD
	PYRUS C. 'CHANTICLEER'	CHANTICLEER PEAR	15 G	CYPRESS ROAD
STREET TREES IN TRACT				
	PLATANUS X.A. 'COLUMBIA'	LONDON PLANE TREE	15G	EMERSON RANCH WAY , SHEARWOOD WAY
	MAGNOLIA G. 'RUSSET'	MAGNOLIA	15G	PENDLETON COURT, BRINWOOD WAY
	KOHLERBUTERIA P. 'FASTIGATA'	GOLDEN RAIN TREE	15G	WESTMOOR CIRCLE
	PRUNUS C 'KRAUTER VESUVIUS'	PURPLE LEAF PLUM	15 G	WESTMOOR CIRCLE
PROJECT ENTRY, WALKWAY AND MEDIAN TREES				
	PLATANUS X.A. 'COLUMBIA'	LONDON PLANE TREE	15G	PROJECT ENTRY
	PRUNUS S.'KWANZAN'	FLOWERING CHERRY	15G	PROJECT ENTRY & PEDESTRIAN ACCESS POINTS

RESOLUTION NO. XX-14

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING DESIGN REVIEW OF ARCHITECTURAL PLANS AND ELEVATIONS, CONCEPTUAL LANDSCAPE PLANS, STREET TREES AND PLOT MAPS FOR ASPEN AT EMERSON DESIGN REVIEW NEIGHBORHOOD 2B, LOCATED ON THE NORTHWEST CORNER OF SELLERS AVENUE AND EAST CYPRESS ROAD (DR 02-14)

FINDINGS

WHEREAS, on January 29, 2014, Mike Evans of DeNova Homes ("Applicant") filed an application for design review approval of 104 single family homes within the Emerson Ranch Subdivision (TM 9032) for the project known as "Aspen at Emerson Design Review Neighborhood 2b (DR 02-14)" ("Project"), located on the northwest corner of Sellers Avenue and East Cypress Road; APN 037-192-026; and

WHEREAS, the applicant's plans include house floor plans and architectural elevations, color and material palettes, conceptual landscaping, street tree selections, and neighborhood plot plan map ("Plans"); and

WHEREAS, on February 28, 2014 the project application was deemed complete per Government Code section 65920 et. seq; and

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

WHEREAS, this request for design review approval does not constitute changes to the physical impacts associated with the project and falls within the scope of the Emerson Ranch Subdivision 9032 Environmental Impact Report ("EIR") (includes the Draft EIR, Partially Recirculated Draft EIR and Final EIR) (SCH# 2007052073); and

WHEREAS, on May 1, 2014, the Notice of Public Hearing for the project was posted at 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, to outside agencies, and to parties requesting such notice; and

WHEREAS, on May 13, 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 and Subdivision Ordinances, Vesting Tentative Map 9032, the project's P-1 District and Final Development Plan, and the information submitted to the City Council at its May 13, 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 Aspen at Emerson Design Review Neighborhood 2b (DR 02-14), the City Council finds that:
1. The proposed design review plans are consistent with the applicable General Plan designations and approved Vesting Tentative Map 9032. The proposed use was anticipated in the General Plan and the overall plan for Vesting Tentative Map 9032 approved on September 14, 2010, and Final Development Plan approved May 14, 2013; and
 2. The proposed design review plans comply with all applicable P-1 District zoning regulations (City Council Ordinance 18-10) and Final Development Plan development regulations (Resolution No. 35-13), as incorporated in these conditions of approval; and
 3. The proposed design and materials of the single-family homes, as well as the typical front yard landscaping and street trees are compatible with the applicable adopted City of Oakley Residential Design Guidelines standards.
- 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 Aspen at Emerson Design Review Neighborhood 2b (DR 02-14), subject to the following conditions:

1. Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution Nos. 105-10, 107-10, and 35-13, as well as City Council Ordinance No. 18-10. 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 May 13, 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, date stamped by the Planning Department on April 11, 2014, 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 13, 2015. 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 13, 2014 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 the Emerson Ranch Subdivision 9032 Environmental Impact Report Mitigation and Monitoring Plan (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.

Development Regulations:

10. All development regulations approved with the original subdivision's P-1 District (Ordinance No. 18-10), and the Final Development Plan (City Council Resolution 35-13), shall be implemented as applicable.

Landscaping:

11. 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.
12. 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.
13. 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.
14. The applicant shall maintain all private landscaping until occupancy.

Subdivision Disclosures:

15. Where a lot/parcel is located within 300' of a high voltage electric transmission line, the applicant shall record the following notice:

"The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such a hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

16. The following statements shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area:

"This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust or blowing sand; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment such as zon guns and aerial crop dusting and certain animals, including equestrian trails as well as flies may exist on surrounding properties. This statement is again, notification that this is part of the agricultural way of life in the open space areas of the City of Oakley and you should be fully aware of this at the time of purchase.

Energy Efficiency:

17. 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.
18. 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:

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

Building Division Conditions

20. 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.
21. 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 No. 107-10 (Emerson Subdivision 9032 VTM approval) 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 Game. It is the applicant's responsibility to notify the Department of Fish and Game, 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 13th of May, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Randy Pope, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date