Agenda Date: 03/28/2017

Agenda Item: 4.1



STAFF REPORT

Approved and Forwarded to City Council:

Bryan H. Montgomery, City Manager

Date:

March 28, 2017

To:

Bryan H. Montgomery, City Manager

From:

Kenneth W. Strelo, Senior Planner

SUBJECT:

Citrus at Emerson Ranch Design Review (DR 01-17)

Summary

This is an application by Brandy Schade of Brookfield Residential ("Applicant") requesting Design Review approval of one neighborhood, known as "Citrus", within the Emerson Ranch Subdivision. Citrus is made up of 60 lots of approximately 4,600 sf. The proposed homes consist of three 2-story floor plans, each with three architectural styles. Home sizes range from 2,561 – 3,115 sf. of livable area. The project site is zoned P-1 (Planned Development) District and located within the Emerson Ranch Subdivision at the northwest corner of Cypress Road and Sellers Avenue.

Staff recommends the City Council adopt the resolution approving Citrus at Emerson Ranch Design Review (DR 01-17), as conditioned.

Background

General Plan and Zoning

Excluding the 8 acre commercial site located on the southeast corner, the Emerson Ranch project site includes three residential General Plan Land Use Designations as follow:

- 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. This application does not result in any additional proposed uses.

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Existing Entitlements and Development

The Emerson Ranch subdivision has received several entitlements, including project EIR certification, general plan land use amendments, rezoning to P-1 District, tentative map approvals, and several residential design review applications for the various neighborhoods. At the time of this Staff Report, a total of four neighborhoods have come under construction by four different developers (Merritt, Aspen, Orchard, and Willow), and the Emerson Ranch Neighborhood park is fully developed. Citrus is the only neighborhood that has yet to receive design review approval. Unless there are future modifications requested, this design review application will be the last land use entitlement expected to be submitted for the residential portion of Emerson Ranch.

Project Description

Proposed Floor Plans and Architecture

The project includes a total of three different two-story house plans with three architectural styles (or "elevations"). All three plans share the same architectural styles, which are referred to as: "Farmhouse" (Elevation A), "Cottage" (Elevation B), and "Italian" (Elevation C). Floor plans for the homes range from 2,561 sf. for Plan 1 to 3,115 sf. for Plan 3. Table 1, below provides a summary of the homes specifications.

Table 1. Summary of House Specifications

House Plan	Specification	Square Feet (livable)	Bedrooms (max)	Bathrooms	Optional Outdoor Room	Garage Spaces
Plan 1		2,561	5	3	No	2
Plan 2		2,809	5	3.5	Yes	3 (tandem)
Plan 3		3,115	5	4	Yes	3 (tandem)

The applicant's plans are attached and include the floor plans, front, side, and rear elevations of floor plan/elevation combinations, conceptual landscape plans, including streets trees and fencing, development plan for the neighborhood (shows where each house type is proposed), and color and materials sheets and matrix.

Proposed Master Plotting Plan (Development Plan)

The Development Plan shows a specific plan type on each lot, as well as the expected setbacks to property lines and distance between adjacent homes. Out of the 60 lots, each plan is represented 20 times so that there is an equal mix of plan types throughout the

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neighborhood. The plotting plan shows no instance where two of the same floor plans are side by side, directly across the street, or rear to rear to each other. There are two instances where a front yard and a corner side yard of lots across the street from each other share the same plan.

Color and Materials Board

The proposed colors and materials for the homes is included in the Applicant's Plans. The color and material board includes three schemes for each elevation type. The schemes show the specific combinations or roof color and type, main body material and color, accent materials and color, trim color, fascia and garage door color, entry door and shutters color, and the type of brick or stone veneer proposed. Since there are three floor plans, each with three elevations with three schemes, a total of 27 house combinations are possible.

Neighborhood Layout

Citrus is located in Neighborhood 4 of the Emerson Ranch Subdivision. It is north of Neighborhood 6 known as "Woodbury" (the project that redesignated a portion of the commercial site for additional residential development), directly east of the park and stormwater pond, and south of neighborhood 5, known as "Willow" (See Figure 1).

Figure 1. Emerson ranch Neighborhood Layout



Environmental Review

The 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).

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Analysis

The proposed plans were analyzed for consistency with the adopted <u>City of Oakley Residential Guidelines</u> ("Guidelines"). Since the Tentative Map is already approved, the street layout, lot sizes and layout, and number of trees per lot are also already approved. Staff has focused this analysis on residential siting and lot design of the neighborhoods, architectural character and details of each house, and design of other elements discussed on the Project Description section of this Staff Report.

Residential Siting and Lot Design

Staff analyzed the variation in setbacks for front yards and between two-story elements of adjacent homes on side yards. The adopted development regulations for this neighborhood require the following minimum setbacks:

- Front: 20 foot to the garage; 15 feet to the living space or side loaded garage; 10 foot to the porch.
- Side: 5 foot interior side; 10 foot corner side.
- Rear: 15 feet.

The applicant has plotted the homes to provide adequate front yard setback variations. Garage setbacks vary and range between 20 and 25 feet from the front property line, and across all plan types (i.e. the 25 foot setback is not only used on one plan type). Interior side yard setbacks are consistently at the minimum five feet, except for a few lots that back up to Sellers Avenue, which are slightly wider than the rest. Rear yards vary depending on the plan type and how the front setbacks are laid out. The 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. Since there are no one-story plans or partial second stories, this neighborhood relies on the roof plans and varying porch designs to provide variation in design. For example, the Italian architectural style on Plans 1 and 2 has no gables, which reduces the overall height mass of the structure. Similarly, the Cottage architectural style for Plan 2 has a hip roof, which eliminates upper roof gables.

There are two guidelines commonly referenced in staff reports that are unable to be implemented with this project. First, the guideline related to the setback between adjacent two-story homes being at least 15 feet. The second is the guideline related to at least 20% of all lots and 50% of corner lots being one-story homes. Since all three plans are two story homes with a second story that occupies the entire width of the footprint, and the interior side yard setbacks are at five feet, these guidelines are impossible to implement without a significant modification to one or more of the plans. However, the Council has approved (with Staff recommendation) other design reviews in this and other P-1 District developments that have smaller than 6,000 square foot minimum lot sizes that do not meet

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these guidelines. Typically, these guidelines are more feasible with 6,000 square foot minimum lot sizes that allow for larger setbacks and a one-story home (which often requires a larger footprint of the ground). Since this neighborhood's lot are typically 4,600 square feet, Staff is recommending approval of this design review without implementation of required 15 foot setback between adjacent second stories or the requirement for 20% total and 50% corner lot one-story homes.

Architectural Character

The architectural character and design of the proposed homes is similar to what has been reviewed and approved throughout the Emerson Ranch subdivision's neighborhoods. Over the course of those projects, the Council has adopted conditions of approval to improve the appearance of the home. This project has already taken into account several of those previous conditions of approval that normally require additional materials and/or other architectural embellishments and applied them to the proposed plans. This submittal is consistent with the guidelines in that there is variety in the architectural elements, such as horizontal and vertical siding, board and batten, false shutters, and stone and brick veneer. Gable sidings and shutters are used on all four sides of the homes where applicable and feasible, and stone and brick veneer wraps to the side fence lines. Also, window muntins, which is the trimming within a window pane, is found on all four sides of the homes on the second stories.

Street Trees

The conceptual landscape plans show the species and location of the proposed street trees. The approved Emerson Ranch Final Development Plan (CC. Reso. 35-13) requires one tree per lot and three trees per corner lot. Some corner lots do not meet the three tree minimum. However, the street tree requirements will still be applicable, and there is no need to condition this design review because Reso. 35-13 is referenced in the proposed resolution's conditions of approval. Also, at the time of plan check, the specific species will be more closely analyzed to be good fits depending on distance to sidewalks and utilities.

Citizen Planning Advisors

The Oakley Citizen Planning Advisors received copies of the Project description and Applicant's Plans via email on January 26, 2017. One advisor visited City Hall to receive a hard copy of the plans. Two other advisors submitted comments on the submittal. One advisor's comment was that while the plans met the adopted guidelines, they felt all new subdivisions should include one-story designs because not everyone wants a two-story home. This issue is touched on in the Analysis section of this report. Another advisor commented that the plans were in compliance with the guidelines. That advisor also made a site visit to Emerson Ranch and made the following observations:

 No speed bumps, and an earlier discussion involved whether it would be more cost efficient for developers to install speed bumps at the time of construction rather than later.

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• The new homes will increase population. Can Ironhouse Elementary School handle the increased number of students? And are there any plans to build another school to keep a good teacher to student ratio?

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the resolution approving Citrus at Emerson Ranch Design Review (DR 01-17), as conditioned.

Attachments

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

Vicinity Map Citrus at Emerson Ranch Design Review (DR 01-17)





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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on March 28, 2017 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.

Project Name: Citrus at Emerson Ranch Design Review (DR 01-17).

Project Location: Emerson Ranch Subdivision. Northwest corner of Cypress Rd. and Sellers Ave.

Applicant: Brandy Schade, Brookfield Residential, 500 La Gonda Way #100, Danville, CA 94526. Brandy.schade@brookfieldrp.com

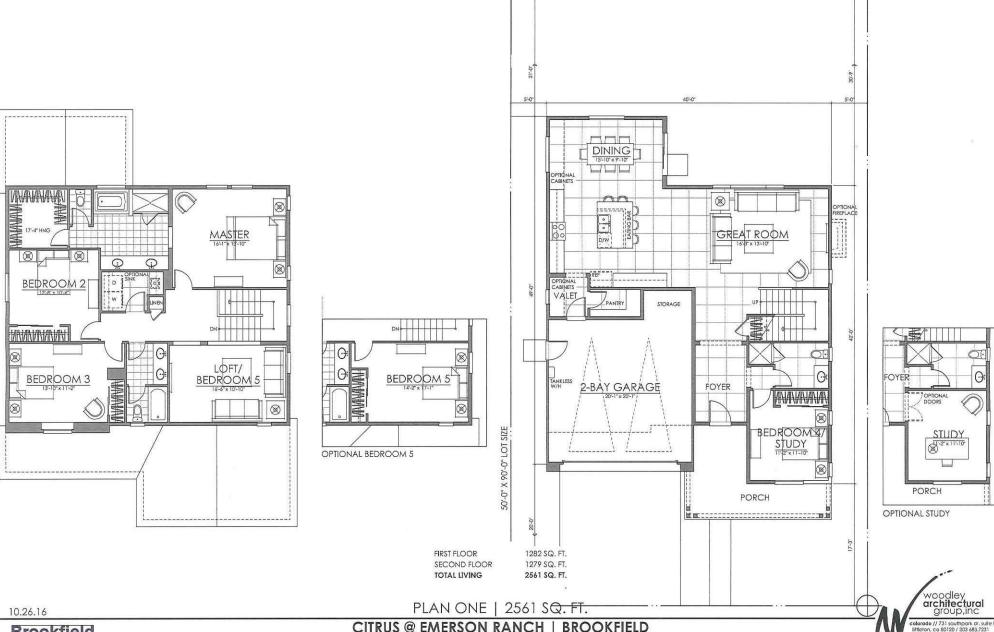
Request: This is a public hearing on a request for Design Review approval of one neighborhood, known as "Citrus", within the Emerson Ranch Subdivision. Citrus is made up of 60 lots of approximately 4,600 sf. The proposed homes consist of three 2-story floor plans, each with three architectural styles. Home sizes range from 2,561 – 3,160 sf. of livable area. The project site is zoned P-1 (Planned Development) District.

How to Review: The Staff Report and its attachments will be available for public review, on or before March 24, 2017 at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the March 28, 2017 agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month).

Interested persons are invited to submit written comments prior to and may testify at the public hearing. Written comments may be submitted to Kenneth W. Strelo, Senior Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@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 Clerk at, or prior to, the Public Hearing.

Attachment 3



Brookfield

CITRUS @ EMERSON RANCH | BROOKFIELD OAKLEY, CALIFORNIA

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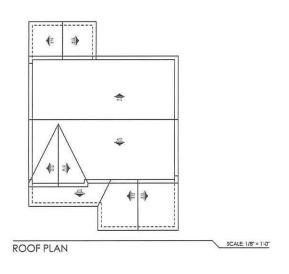
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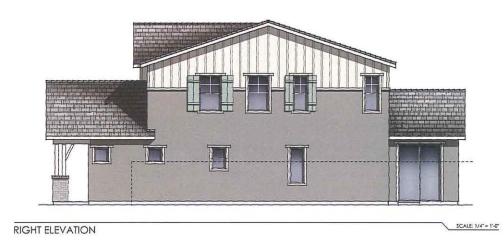
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PLAN ONE | FRONT ELEVATIONS









REAR ELEVATION

LEFT ELEVATION

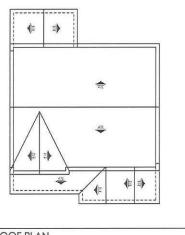
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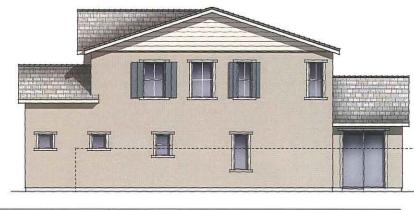
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PLAN ONE | ELEVATION A | FARMHOUSE

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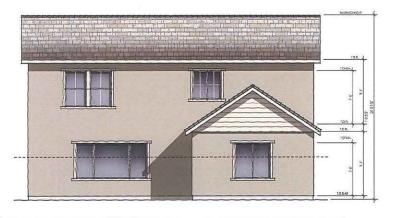


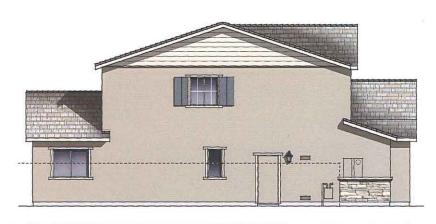


SCALE: 1/8" = 1'-0" ROOF PLAN

RIGHT ELEVATION

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





REAR ELEVATION

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LEFT ELEVATION

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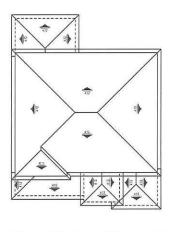
PLAN ONE | ELEVATION B | COTTAGE

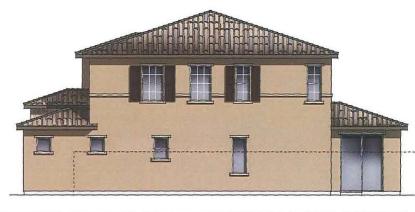
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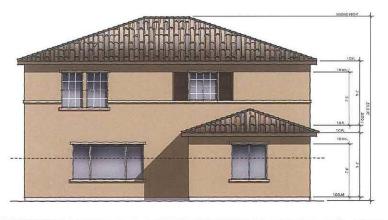




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RIGHT ELEVATION

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REAR ELEVATION

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

LEFT ELEVATION

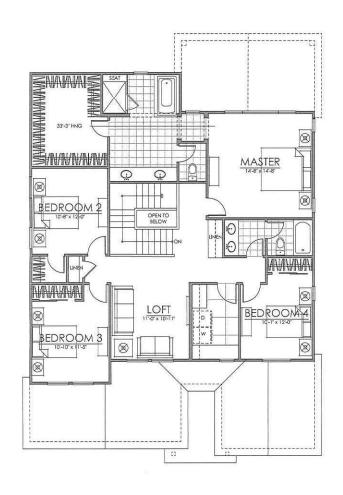
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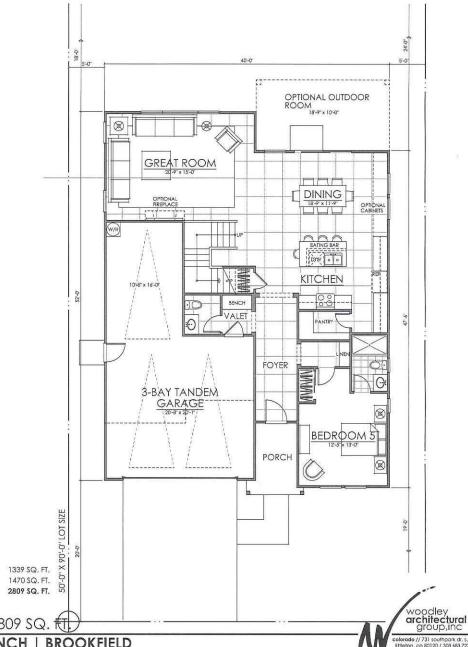
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Brookfield Residential





FIRST FLOOR SECOND FLOOR TOTAL LIVING

1339 SQ. FT.

PLAN TWO | 2809 SQ. (1)

CITRUS @ EMERSON RANCH | BROOKFIELD

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ELEVATION A - FARMHOUSE



ELEVATION B- COTTAGE



ELEVATION C - ITALIAN

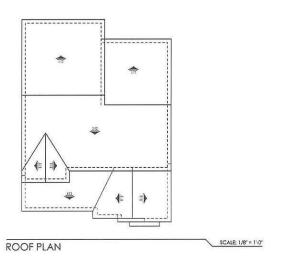
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PLAN TWO | FRONT ELEVATIONS

OAKLEY, CALIFORNIA









REAR ELEVATION

LEFT ELEVATION

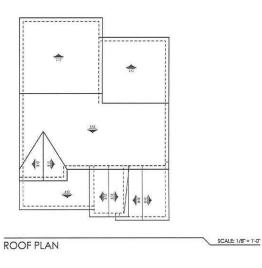
PLAN TWO | ELEVATION A | FARMHOUSE

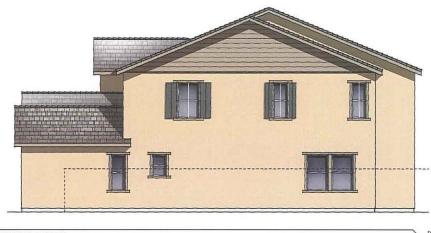
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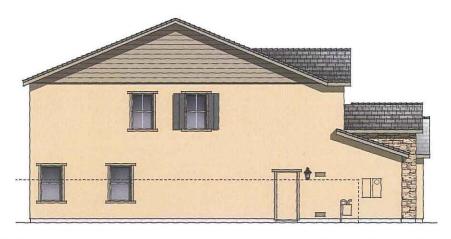




RIGHT ELEVATION

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

LEFT ELEVATION

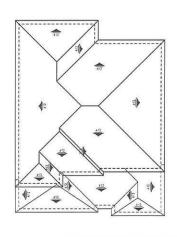
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PLAN TWO | ELEVATION B | COTTAGE

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ROOF PLAN



RIGHT ELEVATION

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



REAR ELEVATION

LEFT ELEVATION

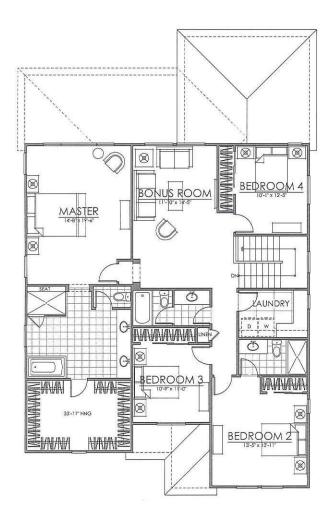
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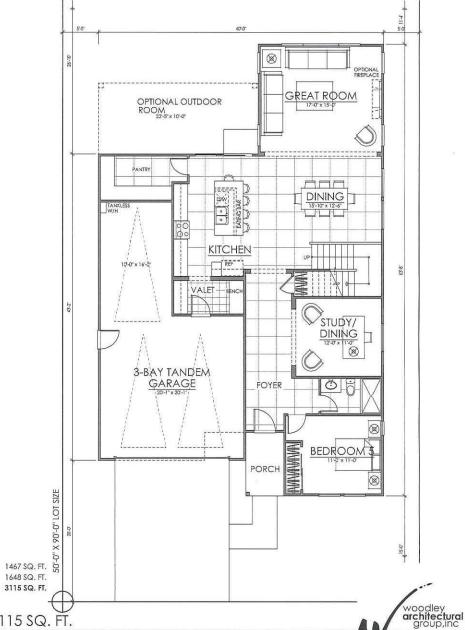
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FIRST FLOOR SECOND FLOOR TOTAL LIVING

1648 SQ. FT. 3115 SQ. FT.

PLAN THREE | 3115 SQ. FT.

CITRUS @ EMERSON RANCH | **BROOKFIELD**

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ELEVATION A - FARMHOUSE

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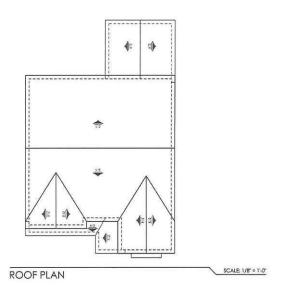
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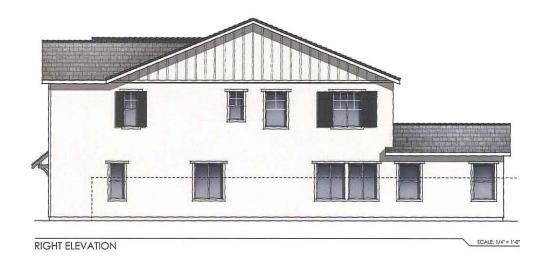
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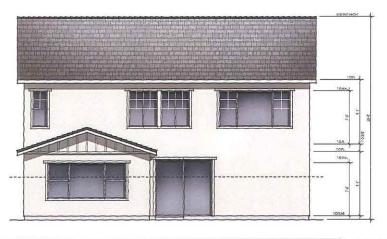
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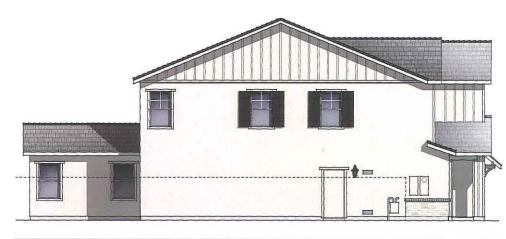
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PLAN THREE | FRONT ELEVATIONS









REAR ELEVATION

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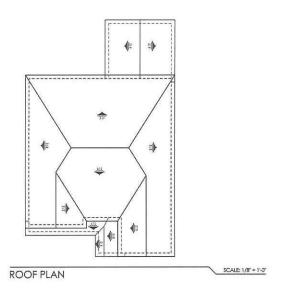
LEFT ELEVATION

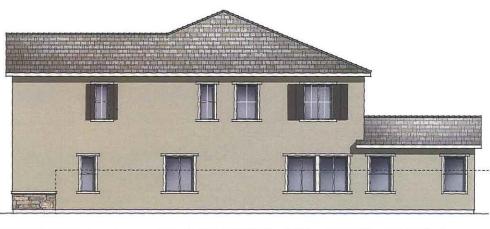
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Brookfield Residential PLAN THREE | ELEVATION A | FARMHOUSE

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RIGHT ELEVATION

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REAR ELEVATION

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LEFT ELEVATION

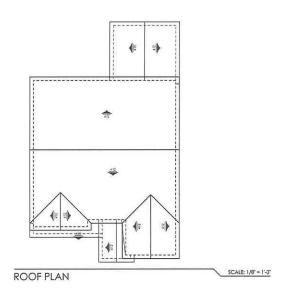
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PLAN THREE | ELEVATION B | COTTAGE

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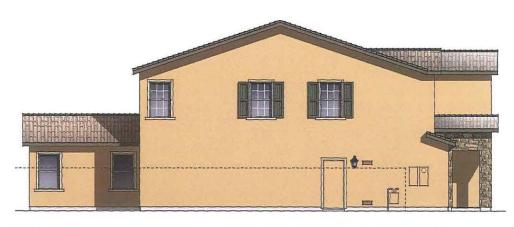
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REAR ELEVATION

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PLAN THREE | ELEVATION C | ITALIAN

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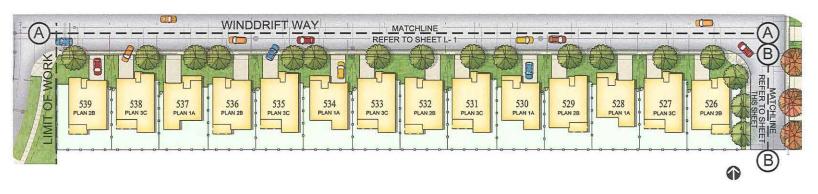
CITRUS AT EMERSON RANCH Oakley, California

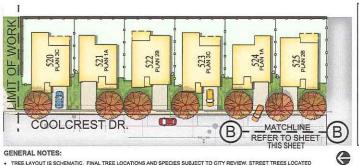
OVERALL LANDSCAPE PLAN CONCEPTUAL LANDSCAPE PLAN













- TREE LAYOUT IS SCHEMATIC. FINAL TREE LOCATIONS AND SPECIES SUBJECT TO CITY REVIEW. STREET TREES LOCATED
- TREE LAYOUT IS SCHEMATIC. FINAL TREE LOCATIONS AND SPECIES SUBJECT TO GITT REVIEW. STREET TREES LOCATED APPROXIMATELY 30° O.C. ALL LANDSCAPE AREAS THAT ARE INSTALLED BY DEVELOPER SHALL RECEIVE IRRIGATION BY MEANS OF AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM(S), THE SYSTEM(S) WILL BE DESIGNED UTILIZING BACKFLOW PREVENTION DEVICES TO MEET LOCAL AND USE COODES.





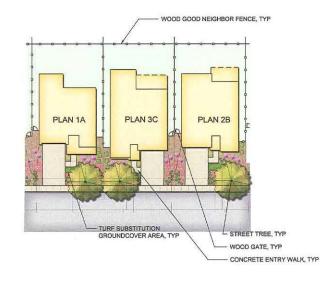
CITRUS AT EMERSON RANCH Oakley, California

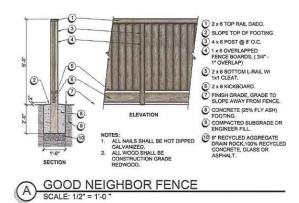
OVERALL LANDSCAPE PLAN CONCEPTUAL LANDSCAPE PLAN JANUARY 2017







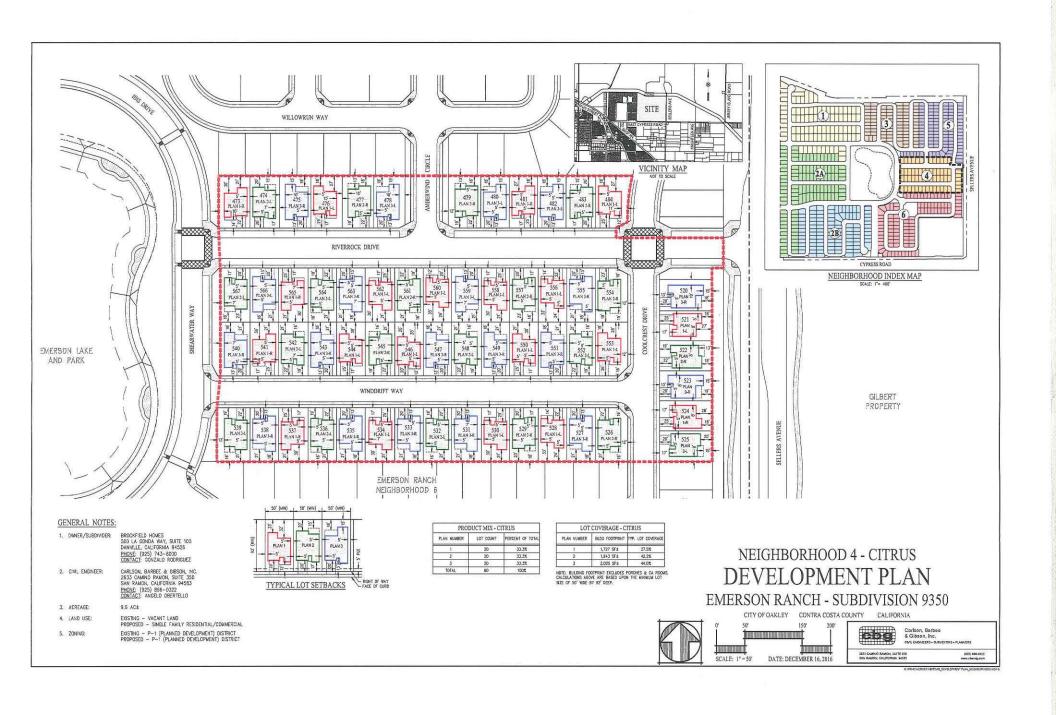












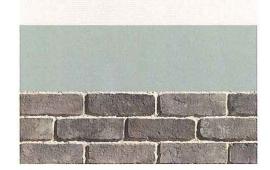
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ROOF TILE

STUCCO





ENTRY DOOR & SHUTTERS

BRICK





by BROOKFIELD HOMES



ROOF TILE

STUCCO

BOARD & BATT

TRIM ,FASCIA & GARAGE DOOR

ENTRY DOOR & SHUTTERS

BRICK





by BROOKFIELD HOMES



ROOF TILE

STUCCO

BOARD & BATT

TRIM ,FASCIA & GARAGE DOOR

ENTRY DOOR

SHUTTERS

BRICK







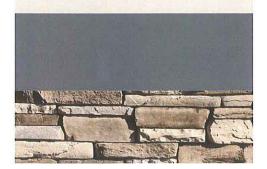
by BROOKFIELD HOMES



ROOF TILE

STUCCO



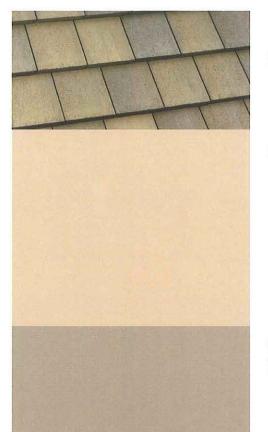


ENTRY DOOR





by BROOKFIELD HOMES



ROOF TILE

STUCCO

GABLE-ENDSIDING,TRIM, FASCIA & GARAGE DOOR

ENTRY DOOR





by BROOKFIELD HOMES



ROOF TILE

STUCCO



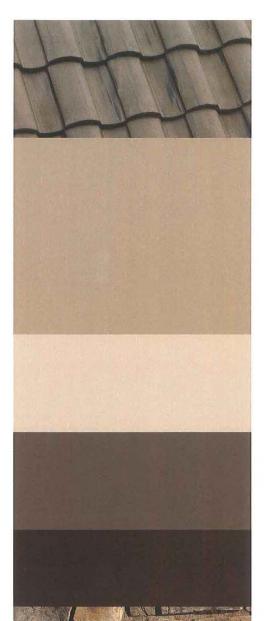


ENTRY DOOR





by BROOKFIELD HOMES



ROOF TILE

STUCCO

TRIM

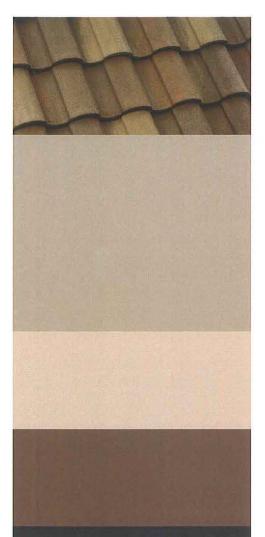
FASCIA & GARAGE DOOR

ENTRY DOOR





by BROOKFIELD HOMES



ROOF TILE

STUCCO

TRIM

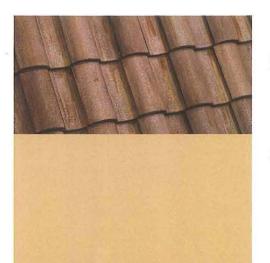


ENTRY DOOR





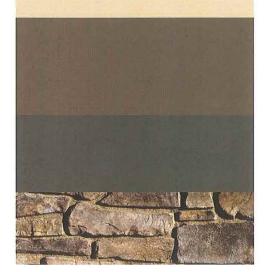
by BROOKFIELD HOMES



ROOF TILE

STUCCO





FASCIA & GARAGE DOOR

ENTRY DOOR





Paint: Sherwin Williams

Roof: Eagle Roof Tile

Deco Tile: Classic Tile & Mosaic

Metal Roof: Metal Sales

Brick: El Dorado

Stone:El Dorado/ Coronado

Grout:Orco

Date Created: 01.31.17

COLORS BY:



Farmhouse	Scheme 1	Scheme 2	Scheme 3
ROOF	5699	SCP8803	5503
	Charcoal Range	Arlington	Sierra Madre
METAL ROOF	Old Zinc Grey	Medium Bronze	Matte Black
STUCCO	SW 9170	SW 6171	SW 7008
	Acier	Chatroom	Alabaster
BOARD & BATT	SW 7008	9103	SW 7008
	Alabaster	Farro	Alabaster
TRIM	SW 7008	SW 7009	SW 7008
	Alabaster	Pearly White	Alabaster
FASCIA	SW 7008	SW 7009	SW 7008
	Alabaster	Pearly White	Alabaster
GARAGE DOOR	SW 7008	SW 7009	SW 7008
	Alabaster	Pearly White	Alabaster
SHUTTERS	SW 6212	SW 7622	SW 6990
	Quietude	Homberg Gray	Caviar
ENTRY DOOR	SW 6212	SW 7622	SW 6321
	Quietude	Homberg Gray	Red Bay
BRICK	Ashland	Brolio	Chalk Dust
	Tundra Brick	Roma Brick	Tundra Brick
GROUT	OBP Grey	OBP Tan	OBP Soft White

Cottage	Scheme 4	Scheme 5	Scheme 6
ROOF	4687	4690	4602
	Brown Gray Range	Pewter Bronze	Concord Blenc
STUCCO	SW7051	SW6120	SW 6164
	Analytical Gray	Belivable Buff	Svelte Sage
GABLE-END SIDING	SW6147	SW 7546	SW7009
	Panda White	Prairie Grass	Pearly White
TRIM	SW6147	SW 7546	SW7009
	Panda White	Prairie Grass	Pearly White
FASCIA	SW6147	SW 7546	SW7009
	Panda White	Prairie Grass	Pearly White
GARAGE DOOR	SW6147	SW 7546	SW7009
	Panda White	Prairie Grass	Pearly White
ENTRY DOOR	SW7617	SW2848	SW 7675
	Meditarranean	Roycroft Pewter	Sealskin
STONE	Boardwalk	Barley	Montecito
	Cliffstone	Cliffstone	Cliffstone
GROUT	Dry stack	Dry stack	Dry stack

Italianate	Scheme 7	Scheme 8	Scheme 9
ROOF	3581	8708	3702
	Canyon Brown	Del Oro Blend	Calabar Blend
STUCCO	SW 6108	SW6150	SW6129
	Latte	Universal Khaki	Restrained Gold
TRIM	SW6106	SW7527	SW6127
	Kilim Beige	Nantucket Dune	Ivoirie
FASCIA	SW 7515	SW6082	SW7033
	Homestead Brown	Cobble Brown	Brainstorm Bronze
GARAGE DOOR	SW 7515	SW6082	SW7033
	Homestead Brown	Cobble Brown	Brainstorm Bronze
ENTRY DOOR	SW2838	SW7625	SW 6208
	Polished Mahogany	Mount Etna	Pewter Green
STONE	Veneto	Santa Maria	Padova
	Fieldledge	Cypress Ridge	Fieldledge
GROUT	Light Khaki Light Khaki Light Kh		Light Khaki

Notes:

Roof: Please Contact Michele Morse 714.981.3605 or michelem@eagleroofing.com

Brick & Stone: Please Contact Melissa Ayers Phone: 949.275.4533 or Email: Melissa.ayers@hwstonedivision.com

All non-decreative items such as meter doors, non-decorative vents & downspouts are to be painted the same color as the surrounding color.

All metal roof vents to be painted to match the darkest color from the roofing blend.

Paint breaks to be turned and finished at inside corner unless noted otherwise.

Citrus @ Emerson Ranch Brookfield Homes

RESOLUTION NO. XX-17

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE PROJECT KNOWN AS CITRUS AT EMERSON RANCH DESIGN REVIEW (DR 01-17), LOCATED WITHIN THE EMERSON RANCH SUBDIVISION (TM 9032)

FINDINGS

WHEREAS, on January 19, 2017, Brandy Schade of Brookfield Residential ("Applicant") filed an application requesting Design Review approval of one neighborhood, known as "Citrus", within the Emerson Ranch Subdivision. Citrus is made up of 60 lots of approximately 4,600 sf. The proposed homes consist of three 2-story floor plans, each with three architectural styles. Home sizes range from 2,561 – 3,115 sf. of livable area. The project site is zoned P-1 (Planned Development) District and located within the Emerson Ranch Subdivision (TM 9032) at the northwest corner of Cypress Road and Sellers Avenue; and

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

WHEREAS, on February 16, 2017 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 March 16, 2017, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the project's boundaries, interested agencies, and to parties requesting such notice; and

WHEREAS, on March 28, 2017, 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 <u>March 28, 2017</u> 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 Citrus at Emerson Ranch Design Review (DR 01-17), the City Council finds that:
 - 1. The proposed design review plans are substantially 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), which are both incorporated in these conditions of approval; and
 - 3. The proposed design and materials of the single-family homes and the conceptual landscaping and street tree selections are compatible with the applicable adopted City of Oakley Residential Design Guidelines standards, subject to the approved Final Development Plan.
- 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 Citrus at Emerson Ranch Design Review (DR 01-17), 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 (Emerson Ranch EIR Certification), 107-10 (Emerson Ranch Tentative Map), and 35-13 (Emerson Ranch Final Development Plan), as well as regulations adopted in City Council Ordinance No. 18-10 (Emerson

Ranch P-1 District Rezone). 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 <u>March 28, 2017</u>.

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 Community Development Department on <u>February 2, 2017</u>, and as conditioned below.
- 2. This approval shall be effectuated within a period of <u>one (1)</u> year from the effective date of this resolution and if not effectuated shall expire on <u>March 28, 2018</u>. 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 March 28, 2017 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 adopted in conjunction with the Emerson Ranch P-1 District (Ordinance No. 18-10), and Final Development Plan (City Council Resolution 35-13), shall be implemented as applicable.

Landscaping:

- 11. A landscaping and irrigation plan for all front yard, right-of-way, parks, open space, and trail 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.
- 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. Areas covered with bark shall use a weed barrier.
- 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 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.

PASSED AND ADOPTED by the held on the March 28, 2017 by the follow	e City Council of the City of Oakley at a meeting wing vote:
AYES:	
NOES:	
ABSENT:	
ABSTENTIONS:	
	APPROVED:
	Sue Higgins, Mayor
ATTEST:	
Libby Vreonis, City Clerk	Date

I. The applicant shall obtain an encroachment permit for construction within existing

City rights of way.