AGENDA
REGULAR MEETING OF THE OAKLEY PLANNING COMMISSION

Tuesday, August 02, 2022
6:30 PM
Oakley City Council Chamber, 3231 Main Street, Oakley, California

MISSION STATEMENT: The City of Oakley will create a resilient future that fosters and attracts a vibrant and evolving community that welcomes and values all people.

VISION STATEMENT: The City of Oakley celebrates our unique Delta lifestyle and small-town feel where we ***Live*** in a safe, dynamic community, ***Work*** together to build the future, and ***Play*** in our own backyard.

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A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley Planning Commission meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley Planning Commission regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561.

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If you have a physically challenging condition and require special accommodations, please call the City Clerk's office at (925) 625-7013.

Please keep cell phones/electronic devices turned off during the meeting. Please be advised that Oakley Planning Commission meetings are video recorded and attendees may appear on video.

Members of the public may address the Oakley Planning Commission on items of interest that are within the City's jurisdiction. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. In compliance with State law, the Oakley Planning Commission may not take action on an item that is not specifically listed on the agenda. If you would like to speak on any agenda item, please fill out a public speaker card available in the lobby and submit it to the City Clerk prior to the agenda item being called. The Oakley Planning Commission Chair will call you by name to the podium to hear your comments and you have up to 3 minutes to speak.

1.OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

1.2 Pledge of Allegiance to the Flag

1.3 Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) Presentation (Abigail Fateman, Executive Director of East Contra Costa County Habitat Conservancy)

1.4 Presentation by Mt. Diablo Resource Recovery ("MDRR") (Sarah Davis, MDRR)

2.PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items.

3.CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. The public may request to remove an item(s) to provide input by completing a public speaker card and submitting it to the City Clerk prior to the item(s) being called by the Mayor.

3.1 Approve Minutes from the Planning Commission Meeting held June 7, 2022 (Libby Vreonis, City Clerk)

Minutes 06-07-22

4.PUBLIC HEARINGS

4.1 Golden Oak Subdivision 9580 Tentative Map (TM 02-22) and Variance (VA 01-22) – Request to Subdivide an Approximately 2-Acre Site into Eight (8) Single-Family Residential Lots and a Variance Request on Meeting the Minimum Lot Requirements for Four (4) of the Eight (8) Lots (APN: 035-090-082) (Ariana Ruiz, Planning Technician)

Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Comments from the Applicant, 5) Receive Public Testimony, 6) Close the Public Hearing, 7) Deliberate, 8) Summarize the Deliberation 9) Adopt the Resolution

Staff Report
1. Vicinity Map
2. Notice of Public Hearing
3. Applicant's Plans
4. Traffic Memo
5. Draft Resolution

4.2 Confianza Insurance Re-façade Design Review (DR 02-22) – Request for Design Review Approval to Re-Façade the Existing Commercial Building (Ariana Ruiz, Planning Technician)

Suggested Action: Suggested Action: Staff Recommendation: 1) Receive the Staff Report, 2) Receive Questions from the City Council, 3) Open the Public Hearing, 4) Receive Comments from the Applicant, 5) Receive Public Testimony, 6) Close the Public Hearing, 7) Deliberate, 8) Summarize the Deliberation 9) Adopt the Resolution

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

5.REGULAR CALENDAR

6.REPORTS

6.1 Reports from Staff Members

6.2 OAKLEY PLANNING COMMISSION
(a) Reports from Commission Members
(b) Requests for Future Agendas

7.WORK SESSIONS

8.ADJOURN

Minutes of the Oakley Planning Commission held June 7, 2022

1) OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

Chair Shannon Shaw called the meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California. Vice Chair Oleksii Chuiko and Commissioners Hugh Henderson, Leonard Price and Diego Verduzco were also present.

1.2 Pledge of Allegiance to the Flag

Chair Shaw led the Pledge of Allegiance to the Flag.

2) PUBLIC COMMENTS

An online public comment was submitted by Linda Morse Robertson. She expressed opposition to any development on Jersey Island as it would further burden existing traffic issues and auto accidents, as well as increase water usage during a time when residents are being asked to conserve water.

3) CONSENT CALENDAR

3.1 Approve Minutes from the Planning Commission Meeting held May 3, 2022 (Libby Vreonis, City Clerk)

It was moved by Commissioner Henderson and seconded by Commissioner Verduzco to approve the minutes as submitted. Motion was unanimous and so ordered. (5-0)

4) PUBLIC HEARINGS

4.1 Wireless Communication Facility at 30 Delta Road (DR 09-21) – Request for Design Review approval of an approximately 95-foot-tall public art wireless communications facility designed as a faux water tank with associated equipment; APN 033-110-005 (Ariana Ruiz, Planning Technician)

Planning Technician Ariana Ruiz presented the staff report and PowerPoint presentation.

Chair Shaw inquired about the height of the current water tower on Main Street, the height of the faux tree cellular tower, and the height of the proposed tower for the shopping center at Emerson Ranch to determine if heights are uniform throughout the city.

Planning Manager Ken Strelo indicated he would look it up and provide it.

Ms. Ruiz commented that as long as the requestors can show the height is required for the amount of coverage needed, they can move forward.

Chair Shaw opened the public hearing and called for comments from the applicant followed by public comments. Being none, she closed the public hearing. She called for deliberation or a motion.

It was moved by Vice Chair Chuiko and seconded by Commissioner Henderson to adopt the resolution as presented. Motion was unanimous and so ordered. (5-0)

5) REGULAR CALENDAR

5.1 Adopt a Resolution Appointing a Planning Commissioner to be a Representative for the Oakley Planning Commission for TRANSPLAN (Libby Vreonis, City Clerk)

City Clerk Libby Vreonis presented the staff report.

Chair Shaw expressed she is willing to be the Oakley Planning Commission representative for TRANSPLAN.

It was moved by Vice Chair Chuiko and seconded by Commissioner Verduzco to appoint Chair Shannon Shaw as the Oakley Planning Commission representative for TRANSPLAN. Motion was unanimous and so ordered. (5-0)

5.2 A Resolution of the City of Oakley Planning Commission Adopting Rules of Procedure for its transaction of Business (Derek Cole, City Attorney)

Assistant City Attorney Elizabeth Fratarcangeli presented the staff report.

It was moved by Vice Chair Chuiko and seconded by Commissioner Price to adopt the resolution. Motion was unanimous and so ordered. (5-0)

5.3 General Overview of the Fiscal Year (FY) 2022/23 Capital Improvement Program (CIP) and Budget (Joshua McMurray, City Manager, Kevin Rohani, P.E., Public Works Director/City Engineer, Tim Przybyla, Finance Director)

Public Works Director/City Engineer Kevin Rohani provided a PowerPoint presentation.

Vice Chair Chuiko inquired if Sellers Avenue is incorporated in the package for street repair and resurfacing. He mentioned it is a very well-traveled road with construction equipment coming in frequently; it is in need of future resurfacing. He also inquired what the Human Resources (HR) remodeling project entails.

Mr. Rohani responded that there are a wide range of resurfacing models in the community and Sellers requires a lot of patching because of the volume of traffic. He mentioned staff is looking at a number of roads to resurface and resurfacing treatment varies. He indicated staff is aware of Sellers Avenue and will be considering it. He also responded that the HR project will be to provide privacy for HR and configure the area behind the administrative desk for better service.

Commissioner Verduzco inquired what the Teton/Laurel expansion looks like and if it includes a traffic signal.

Mr. Rohani explained that the roadway will elevate over the railroad track and once it lands on the east side of the railroad track, there will be a 4-lane roadway to Sellers Avenue. He mentioned there will likely be traffic signals at Teton near Laurel and at Sellers.

Paul Seger provided public comment. He congratulated the Planning Commission for getting up and running. He mentioned he is pretty sure the Planning Commission would initiate changes in design guidelines and with items in the past such as the Energy Strategic Plan written by PG&E; it would be nice to open and begin conversations to get it going. He mentioned entitlements are out there and there is no room for future growth unless they get Jersey Island. He suggested the sooner they can take care of items that are climate conscientious, the better. He suggested having an open conversation with residents on Byron Highway regarding the Bethel Island to Byron Highway connection as there is a good amount of traffic on the road on a regular basis. He mentioned he hopes the Planning Commission will ensure deeper public conversation.

The Commission received the report.

6) INFORMATIONAL REPORTS

6.1 Presentation of the 2023-2031 Housing Element Update – Informational presentation on the Housing Element Update, including key requirements, schedule, and seeking feedback on the plan (Ken Strelo, Planning Manager)

Planning Manager Ken Strelo introduced Chelsey Payne, AICP, Director of Urban Design and Planning at Ascent Environment, Inc.

Ms. Payne provided a PowerPoint presentation on the 2023-2031 Housing Element Update.

Chair Shaw inquired if the City is projecting 24 units per acre and wants to increase it to 30 units per acre why that can't be projected in the numbers.

Ms. Payne explained that they can't calculate the density bonus in; they can only count the current 24 units per acre.

Chair Shaw asked Ms. Payne to explain what happens if the property doesn't get used for this purpose.

Ms. Payne shared they have included a 38% buffer, but any one or two sites taken from the inventory could be a big hit. She mentioned they are discussing some other AHO sites that could be a bank for the future and working on a strategy.

7) REQUESTS FOR FUTURE AGENDA ITEMS

None.

8) ADJOURN

There being no further business, the meeting was adjourned at 7:38 p.m.

Respectively Submitted,

Libby Vreonis
City Clerk

STAFF REPORT

DATE: August 2, 2022

TO: Joshua McMurray, City Manager

Approved and Forwarded to the Planning Commission

FROM: Ariana Ruiz, Planning Technician

SUBJECT: **Golden Oak Subdivision 9580 Tentative Map (TM 02-22) and Variance (VA 01-22) – Request to subdivide an approximately 2-acre site into eight (8) single-family residential lots and a variance request on meeting the minimum lot requirements for four (4) of the eight (8) lots. (APN: 035-090-082).**

Summary

This is a public hearing for an application by Pam Young ("Applicant") requesting approval of Tentative Map (TM 02-22) to subdivide an approximately 2-acre parcel in to eight (8) single-family residential lots, including dedication and improvement of public right-of-way and extension of West Ruby Street to the intersection of Wildcat Way and Fuschia Way. Applicant also requests approval of a Variance (VA 01-22) on meeting the minimum lot requirements for four (4) of the eight (8) lots ("Project"). The project site is located at 4960 Fuschia Way and zoned R-6 (Single-Family Residential) District. APN: 035-090-082.

Background

General Plan

- The General Plan Land Use Designation for the project site is *Residential Low/Medium (RLM)* as depicted in the Oakley General Plan Figure 2-2 (Land Use Diagram).
- This designation allows for a minimum of 3.8 dwelling units and a maximum of 5.5 dwelling units per acre.

Zoning

- The site is zoned R-6 (Single-Family Residential) District.

The proposed project is in compliance with the applicable General Plan and Zoning standards as listed within the OMC section 9.1.404 except for Lots 3,4, 6, and 7 which are discussed later in this report.

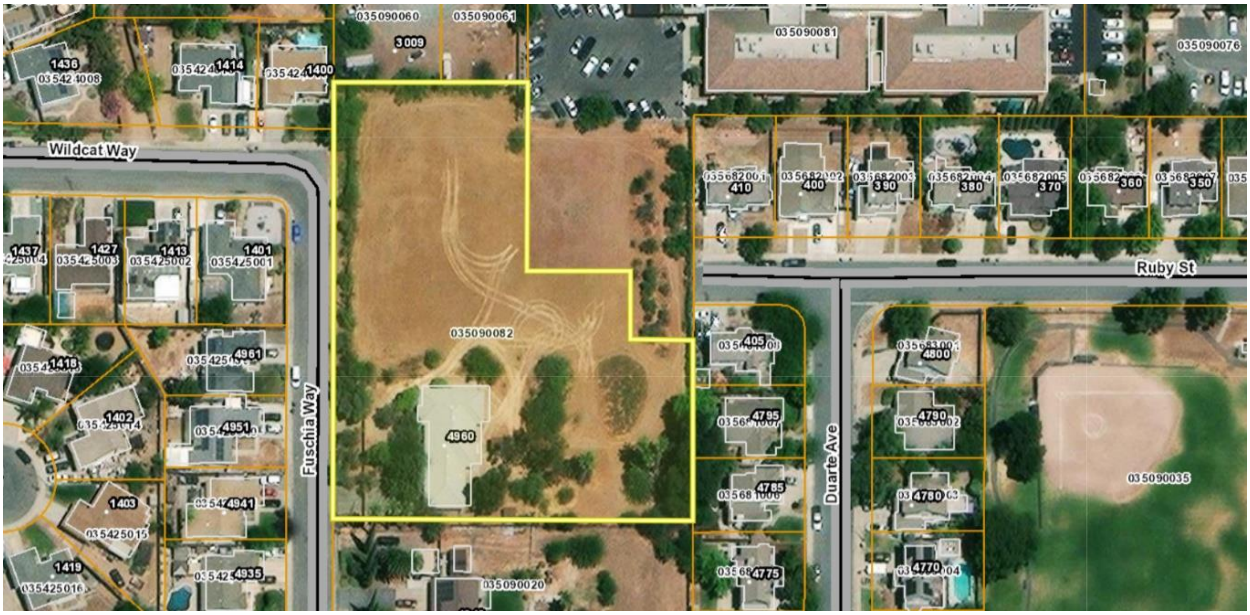
Previous History

In 2020, the property owners entered into a purchase agreement with the City of Oakley. Approximately 17,267 square-feet of the property was obtained by the City of Oakley with the intent to expand the existing Police Department parking lot to provide adequate space for the daily operations of the Police Department. The addition of the police parking lot has helped to provide direct access to West Ruby Street allowing for an alternative exit.

Location and Surrounding Land Uses:

The approximately 2-acre project site (Figure 1. Aerial of Project Site) is located within the R-6 (Single-Family Residential) District. The parcel is partially developed with an existing single-family residence on site. Properties located to the north are zoned SP-4 (Downtown Specific Plan) District. The site is currently bounded to the north by an existing non-conforming use, and police parking lot. Properties located to the east and south of the site are zoned R-6 District. There are existing single-family homes to the east and south. There is also an elementary school abutting the homes to the east. Immediately to the west of the site is a roadway, Fuschia Way adjoined by existing single-family residences. Figure 1 shows an aerial view of the site from the Contra Costa County GIS website.

Figure 1. Aerial View of Project Site (CCMaps).



Project Description

Tentative Map

The proposed tentative map is designed to create eight (8) new single-family residential within the R-6 District.

Within the R-6 District, the development regulations are as follows:

Minimum Lot Requirements	Lot Width	Lot Depth	Lot Area
R-6 District	60’	80’	6,000 s.f.

With the exception of Lot 4, the lots sizes are proposed to meet or exceed the minimum 6,000 square-foot lot size. The proposed lots range from approximately 5,326 square-feet to 15,796 square-feet.

The applicant is proposing to complete an Offer a Dedication for Roadway Purposes for the area located along the west and northern end of the parcel abutting Fuschia Way and West Ruby Street. The roadway will begin at the intersection of Wildcat Way and Fuschia Way meet. In order to connect to West Ruby, the road must curve across the parcel through proposed Lots 3, 4, and 5. This roadway area is composed of approximately 11,576 square-feet that will be used to create a 56’ wide public right-of-way area along connecting West Ruby Street to Wildcat Way. There will be approximately 5,189 square-feet dedicated to the public right-of-way along Fuschia Way. The applicant has also proposed to continue the sidewalk, curb and gutter, and street along these streets. The dedicated roadway will also allow vehicular traffic to pass through to West Ruby Street from Wildcat Way and Fuschia Way without having to navigate through Main Street or Cypress Road.

A private roadway is also proposed within the parcel to create an access point for three of the eight lots. The width is approximately 20’. This roadway is proposed to comply with the regulations and standards of the Contra Costa County Fire Protection District, as a T-shaped hammerhead is proposed.

Due to the proposed extension of West Ruby Street and dedication of land to the public-right-of-way, the lot configuration for four (4) of the eight (8) lots do not meet the minimum lot requirements. The below table summarizes the proposed lot dimensions. As demonstrated by the Preliminary Site Plan with the Applicant’s Plans (Attachment 3), all eight (8) lots can still comply with all pertinent setbacks.

Lot Number	Lot Width	Lot Depth	Lot Area
Lot 1	114.72’	146.89’	15,796 s.f.
Lot 2	61.05’	146.9’	8,968 s.f.
Lot 3[1]	92.53’	146.91’	7, 161 s.f.
Lot 4	98.17’	45.43’	5,326 s.f.
Lot 5	60’	80.79’	6,484 s.f.
Lot 6	56.10’	115’	6,451 s.f.
Lot 7	56.10’	115’	6,451 s.f.
Lot 8	63.07’	115’	6,200 s.f.

[1] Although Lot Width and Lot Depth are met, the lot is abnormally shaped. This lot is triangularly shaped where the side property line decreases to the rear property line of 4.5’ in width.

The lot layout for the tentative map shows Lots 1, 2, and 3 abutting Fuschia Way and the proposed private road. Driveways for Lots 1,2, and 3 will be accessed off of Fuschia Way. Lots 4 and 5 are shown fronting and will have driveways connecting to the extension of West Ruby Street. Lots 6, 7, and 8, front and will be accessed by the new private road.

Currently Design Review has not been proposed with the tentative map and as a result, there are no accompanying house plans or landscape plans. A condition has been placed within the resolution requiring the developer or future property owners to submit a design review application prior to construction on any new homes.

Utilities

Major utilities for the tentative map include water, sewer collection, gas and electricity, telephone, and cable. The City of Oakley requires new development to underground existing utilities that are adjacent to the project frontage to be undergrounded. Development of the project is subject to the applicable regulations and plan checks/approvals by each respective agency.

Traffic Study

The City of Oakley requires a Traffic Impact Analysis is performed for projects that generate more than 100 vehicle trips during either the weekday morning or evening peak hours. However, a Traffic Study was requested to evaluate the potential traffic congestion created by the proposed project. More detailed analysis of the conducted Traffic Study has been provided in the Analysis.

Variance

Per the OMC, a Variance may be granted to modify the zoning regulations as they pertain to lot area, lot building coverage, average lot width, side yard, rear yard setback and auto parking space, building structure or height, or any other regulation pertaining to size, dimension, shape or design of a lot, parcel, building or structure, or the placement of a building or structure on a lot or parcel. The applicant has requested a Variance on meeting the minimum lot requirements for a total of four (4) of the eight (8) lots proposed.

Environmental Review

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32 – Infill Development Projects). Section 15332 of the State CEQA Guidelines exempts projects when the proposed project is consistent with the applicable general plan designation and all applicable general plan policies, as well as applicable zoning designation and regulations. Additionally, the project must occur within City limits on a project site of no more than five acres that is surrounded by urban uses. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Lastly, the site can be adequately served by all required utilities and public services. The project meets the requirements as mentioned. Therefore,

there is no substantial evidence that the project may have a significant effect on the environment.

Analysis

Tentative Map

The tentative map has been reviewed against all applicable codes including the Subdivision Map Act, General Plan, and the Zoning Ordinance. The tentative map's gross density falls within the gross density range of the *Residential Low/Medium (RLM)* General Plan Land Use Designation of 3.8 – 5.5 du/ga. The tentative map is designed in a manner that complies with all applicable development regulations, such as minimum lot size, minimum lot width, and minimum lot depth of the R-6 District. For Lots 3, 4, 6, and 7, that do not comply with these development regulations, a Variance is being requested.

The site is physically suitable for the project in that it is accessible, not physically constrained, and near like uses, and it is also able to accommodate the proposed density of development in a manner consistent with the underlying land use designation. The subdivision is not expected to result in any serious public health problems. Public improvements are proposed and conditioned to occur as a result of the subdivision, which is a benefit to the public and surrounding residents and property owners of the vicinity. The area that will be dedicated to the public right-of-way through an Offer of Dedication to Public Right-of-Way, will comply with the Typical Street Sections for Minor Residential Standards developed by the Public Works and Engineering Division. The parking lot will also be consistent with the clean water requirements listed within the City's National Pollutant Discharge Elimination System (NPDES) permit requirements.

Traffic Study

The study conducted by Freyer and Laureta, Inc., discussed the project, referenced traffic study guidelines, findings, and recommendations. The findings and recommendations indicate the development will provide a new thoroughfare connected Wildcat Way with Duarte Way to the east of the project site. The study further analyzed the correlation between the West Ruby Street extension and new development of thirty (30) single-family residential homes to the south of the project called Cypress Estates. The study states the residents of Cypress Estates will benefit from the roadway extension. The nearby Elementary School as well as Oakley's Police Department will greatly benefit from this extension as it creates direct access from the extended parking lot to multiple directions of the City.

The study also evaluated the potential possibility that vehicular speeds may be exceeded. The proposed intersection of Fuschia Way and Wildcat Way includes bulb outs. Bulb outs are an effective way to help reduce speeds. As noted within the Circulation Element of the General Plan, the City has tried to monitor, improve, and enhance traffic safety to eliminate traffic fatalities and reduce the rate of injury collisions. Roundabouts, medians, street trees, and narrower street widths are required to slow down traffic and provide a safer pedestrian

environment. In line with the General Plan, the installation of bulb outs at the intersection of Wildcat Way, Fuschia Way, and the extension of West Ruby Street, the roadway has been reduced in width, directly maximizing safety for all uses and results in safe speeds on city streets.

Variance

A Variance is being requested for four (4) of the eight (8) lots. The extension of West Ruby Street impacts Lots 3 and 4 directly as Lot 3 and 4 will not meet the minimum lot requirements as listed within the R-6 District. Lot 3 is proposed at the corner and intersection of the three streets: Fuschia Way, Wildcat Way, and West Ruby Street. This causes Lot 3 to form a triangular shape of only three property lines. A Variance is being requested for Lot 3 as it does not meet the minimum width or depth. Lot's 4 and 5 will also be impacted by the proposed roadway. Specifically, Lot 4 requests a Variance for the minimum lot area and lot depth. The lot depth of the western portion of this lot is a total of 45.43'. The eastern portion of this lot is proposed at approximately 80'. The lot width of this lot is 98.17', resulting in a total lot area of 5,326 square-feet. Lots 6 and 7 require also require a Variance as the lot width is proposed under the minimum lot depth of 60', at approximately 56'.

There are three specific standards that must be considered and found to exist in order to approve a variance. Staff has analyzed the project with those standards in mind and provided draft findings to support the Variance request. The three standards followed by the draft finding for each are listed below, as well as within the Draft Resolution (Attachment 4). A Variance may be granted when it can be shown the project shall comply with the following:

1. That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.

   Lots 3,4, 5, and 6 exist in an area of existing properties where there are legal lots that currently do not meet the minimum lot area for the R-6 District. New construction on these lots will need to comply with the development regulations of the R-6 District and there is adequate lot area to achieve this as shown in the Applicant's plans. This shows the lots with a minimum lot size, lot width, and depth can still meet the development standards of the R-6 District;

2. That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.

   Lots 1, 2, 5, and 8 adequately meet the minimum lot requirements of the R-6 District. Parcel 3 is a triangular-shaped corner lot with frontages on

both Fuschia Way and West Ruby Street. The Variance would not affect the overall appearance of the lot size and Lot 3 will meet the minimum lot area required by the R-6 District. Due to the extension of West Ruby Street, Lot 4 has been created that will not meet the minimum lot depth of lot of 80' on one side and the minimum lot area of 6,000 square-feet. Lots 6 and 7 are restricted in that they do not meet the minimum lot width of 60'. However, the lot area and lot depth are still met. Due to the dedication of land to the roadway and lot configuration, these parcels have been designed as abnormal lots. Any structures placed on these lots will meet the minimum development standards of the R-6 District;

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.

   Lots 3, 4, 6, and 7 could still be developed in a manner consistent with the R-6 District development standards and maintain the residentially zoned district that exists today.

Council Mission / Vision / Goals Addressed

Approval of the Tentative Map and Variance will also provide consistency with the following goals and policies listed within the Oakley General Plan:

- Policy 2.2.5. Encourage higher density residential development at locations within convenient walking distance of Downtown, employment areas, services, schools, retail, transit stops, near community destinations, and/or near major streets with high access to transit and nonvehicle transportation modes.
- Policy 2.2.8. Require the establishment of lighting and landscaping districts and/or community facility districts, as appropriate, for new residential developments.
- Policy 2.2.9. Protect existing residential areas from intrusion of incompatible land uses and disruptive traffic to the extent reasonably possible.
- Goal 2.10 Corridors, Pathways, Streetscapes, and Edges - Enhance the corridors, pathways, and edges that form physical boundaries and provide transitions and connections throughout the community.

Consistency with the City of Oakley Strategic Plan 27+

In line with the City of Oakley Strategic Plan 27+, Community Health and Safety Goal emphasizes the need to protect the public and prioritize safe streets, healthy neighborhoods to benefit the residents of the City of Oakley. The proposed project includes the dedication and improvements to the public right-of-way. The inclusion of a sidewalk along the perimeter of the project is consistent with the Safe Streets Objective in that it will help provide an alternative route for pedestrians traveling to and from the elementary school and/or Downtown area. Furthermore, the Safe Street Objectives

requires the City to consider road improvements such as delineators where speed is an issue and implement traffic-calming measures as traffic grows within the City. The Applicant has submitted a Traffic Memo that addresses the potential risk of traffic violations and recommended the Applicant include bulb outs to create a better streetscape and promote traffic calming.

Fiscal Impact

The recommendation to approve the application will not impact the General Fund. This is a developer-funded account. All Staff time and City of Oakley generated materials related to the processing of this application, including reproduction of physical copies and postage for public hearing notices, are charged to the account.

Findings

Draft findings for the Tentative Map and Variance can be found within the proposed resolution.

Staff Recommendation

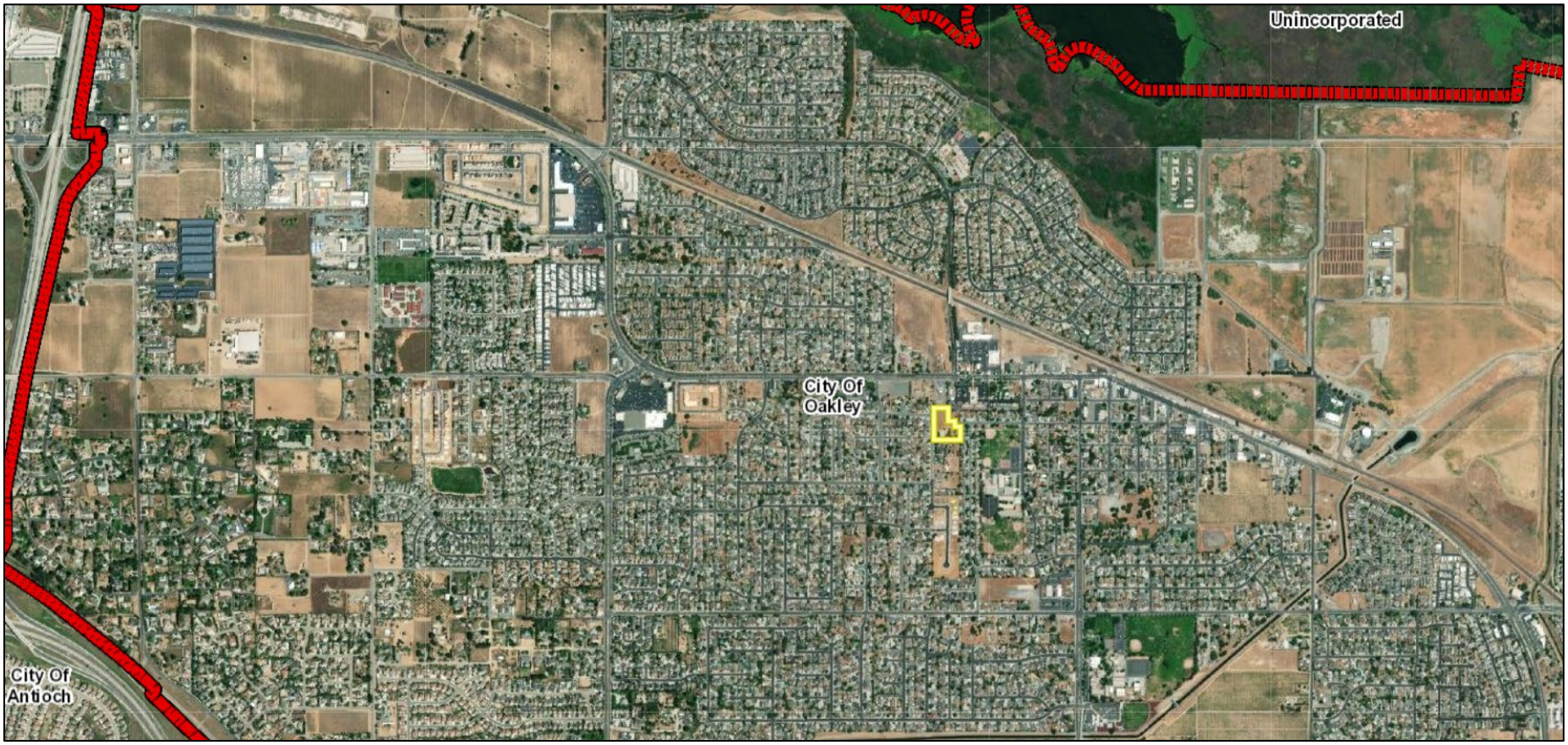
Staff recommends that the Planning Commission adopt the resolution, recommending that the City Council adopt the resolution approving the project titled “Golden Oak Subdivision 9580 Tentative Map (TM 02-22) and Variance (VA 01-22)”, as conditioned.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Applicant’s Plans
4. Traffic Memo
5. Draft Resolution

Vicinity Map

Golden Oaks Subdivision Tentative Map (TM 02-22) and Variance (VA 01-22). APN: 035-090-082



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

NOTICE OF PUBLIC HEARING

PLANNING COMMISSION

Notice is hereby given that on **August 2, 2022**, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Planning Commission of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **Tentative Map and Variance** as described below:

Project Name: Golden Oak Subdivision Tentative Map (TM 02-22) and Variance (VA 01-22)

Project Location: 4960 Fuschia Way, Oakley, CA 94561

Applicant: Pam Young (S&Y Properties), 4960 Fuschia Way, Oakley, CA 94561

Request: Application by Pam Young ("Applicant") requesting approval of a Tentative Map (TM 02-22) to subdivide an approximately 2-acre parcel in to eight (8) single-family residential lots, including dedication and improvement of public right-of-way and extension of West Ruby Street to the intersection of Wildcat Way and Fuschia Way. Applicant also requests approval of a Variance (VA 01-22) on meeting the minimum lot requirements for five (5) of the eight (8) lots ("Project"). The project site is located at 4960 Fuschia Way and zoned R-6 (Single-Family Residential) District. APN: 035-090-082.

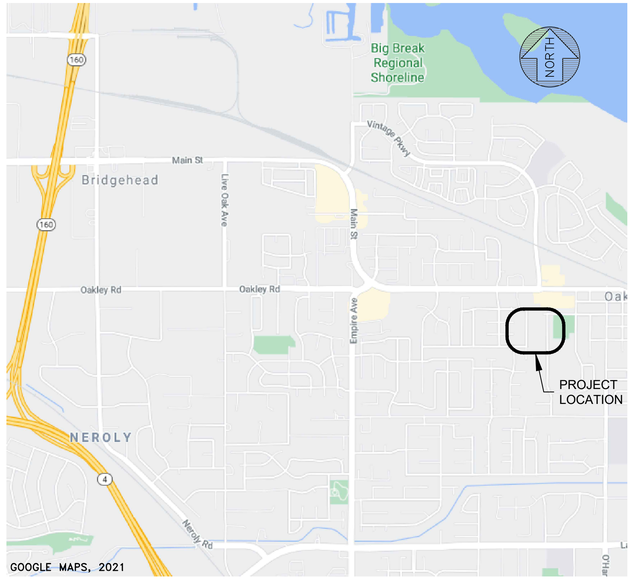
How to Review: The Staff Report and its attachments will be available for public review, on or before **July 28, 2022** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **August 2, 2022 Planning Commission Agenda** 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 Ariana Ruiz, Planning Technician at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to ruiz@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.

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

GENERAL NOTES:

1.	OWNER:	S&Y PROPERTIES, LLC. 4960 FUSCHIA WAY OAKLEY, CA 94561
2.	APPLICANT:	PAM YOUNG S&Y PROPERTIES, LLC. 4960 FUSCHIA WAY OAKLEY, CA 94561
3.	ENGINEER:	FREYER & LAURETA, INC. 825 WASHINGTON ST. #237 OAKLAND, CA 94607
4.	SUBDIVIDED AREA:	PARCEL 1 FILED JANUARY 1, 1989 IN MAP BOOK 35 AT PAGE 9.
5.	ASSESSOR'S PARCEL NUMBERS:	035-090-080
6.	SANITARY SEWER/RECYCLED WATER:	IRON HOUSE SANITARY DISTRICT
7.	STORM DRAINAGE:	CITY OF OAKLEY
8.	POTABLE WATER:	DIABLO WATER DISTRICT
9.	GAS/ELECTRIC:	PG&E
10.	TELECOMMUNICATIONS:	AT&T
11.	CABLE T.V.:	COMCAST
12.	FIRE DISTRICT:	EAST CONTRA COSTA FIRE PROTECTION DISTRICT
13.	FLOOD ZONE:	AREA OF MINIMAL FLOOD HAZARD, PER PANEL 06013C0355G DATED 3/21/2017
14.	STREET IMPROVEMENTS:	CITY OF OAKLEY
15.	EXISTING ZONING:	RESIDENTIAL
16.	EXISTING LAND USE:	RESIDENTIAL
17.	PROPOSED LAND USE:	RESIDENTIAL



LOCATION MAP - NTS

BASIS OF BEARINGS

THE BEARING OF NORTH 00° 51' 29" EAST (NORTH 00° 53' 27" EAST RECORD), BEING THE CENTERLINE OF FUSCHIA WAY, AS SHOWN ON SUBDIVISION MAP NO. 5500 ENTITLED, "ORCHARD PARK UNIT 3", FILED FOR RECORD ON NOVEMBER 12, 1980 IN BOOK 247 OF MAPS AT PAGE 28 IN THE OFFICE OF THE RECORDER FOR THE COUNTY OF CONTRO COSTA, WAS USED AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.

BENCHMARK AND DATUM

THE COORDINATES SHOWN HEREON ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983, EPOCH 2011.00 (CALIFORNIA COORDINATE SYSTEM-ZONE 3) AND WERE ESTABLISHED USING THE CALIFORNIA SURVEYING AND DRAFTING REAL-TIME NETWORK (CSDS RTN).
WWW.CSDSINC.COM/GPS-NETWORK-SERVICES/
ELEVATION = 26.69 (NAVD88).
FD BDM IN WELL.
CENTERLINE-CENTERLINE INTERSECTION OF FUSCHIA WAY AND WILDCAT WAY AS SHOWN HEREON.

ENGINEER'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION.

RICHARD J. LAURETA, PRESIDENT — DATE
P.E. C-055783

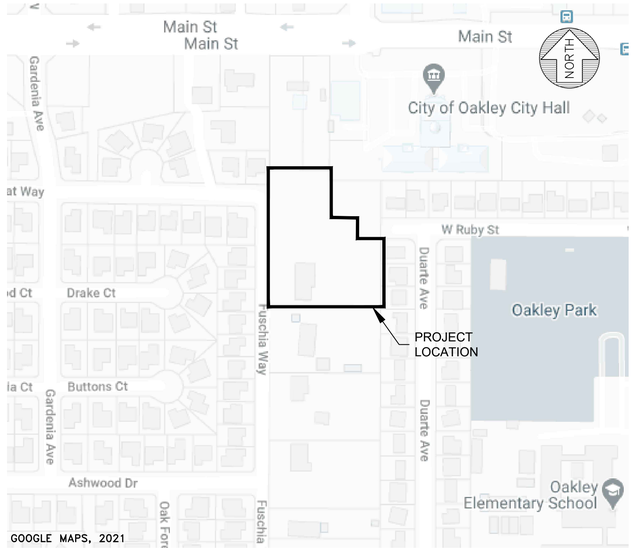
REGISTERED PROFESSIONAL ENGINEER — RICHARD J. LAURETA — No. C-055783 — CIVIL — STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

THIS TENTATIVE MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION.

CURTIS C. CHAPPELL, P.L.S. — DATE
LICENSE NO. 7992

PROFESSIONAL LAND SURVEYOR — CURTIS CROCKER CHAPPELL — No. 7992 — STATE OF CALIFORNIA



VICINITY MAP - NTS

LEGEND

- PROJECT BOUNDARY LINE
- PROPOSED PARCEL LINE
- EXISTING PARCEL LINE
- EXISTING OFFSITE PROPERTY LINE
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- PROPOSED CENTERLINE
- EXISTING CENTERLINE

PROPOSED	EXISTING	
		STORM DRAIN LINE
SS	SS	SANITARY SEWER LINE
W	W	DOMESTIC WATER LINE
GAS	GAS	GAS LINE
ELEC	ELEC	ELECTRICAL LINE
COMM	COMM	COMMUNICATIONS LINE
OH - E\COMM\TELE	OH - E\COMM\TELE	FIRE WATER LINE
CATV	CATV	RECLAIMED WATER LINE
TELE	TELE	GAS LINE
	X	FENCE
		CURB AND GUTTER
		SIDEWALK
		STRIPING
		WALL
	75	CONTOUR LINE
		BUILDING FOOTPRINT
		CONCRETE
		CONCRETE GRADE BREAK

SHEET INDEX

SHEET 1	TITLE SHEET & GENERAL NOTES
SHEET 2	EXISTING CONDITIONS
SHEET 3	DEMOLITION PLAN
SHEET 4	EXISTING PARCELS AND EASEMENTS
SHEET 5	PROPOSED PARCELS AND EASEMENTS
SHEET 6	SITE PLAN
SHEET 7	PRELIMINARY GRADING PLAN
SHEET 8	PRELIMINARY DRAINAGE PLAN
SHEET 9	PRELIMINARY UTILITY PLAN
SHEET 10	PRELIMINARY STORMWATER CONTROL PLAN
SHEET 11	TYPICAL STREET SECTIONS
SHEET 12	DETAILS

PROPOSED	EXISTING	
	ICV	IRRIGATION CONTROL BOX
		MONITORING WELL
		BENCHMARK
	EB	ELECTRICAL BOX
		FIRE HYDRANT
S	S	SEWER MANHOLE
D	D	STORM DRAIN MANHOLE
WM	WM	WATER METER
		STREET SIGN
		AREA LIGHT
		BACK FLOW PREVENTOR
		STORM DRAIN INLET
	100.00 x AC AC 100.00 +	SURVEY POINT W/ DESCRIPTION AND GRADE
		SURVEY CONTROL POINT
		TREE WITH DRIPLINE
CO	CO	SEWER CLEANOUT
		WATER VALVE
		JOINT UTILITY POLE
	DRIVEWAY	DRIVEWAY
		BIORETENTION
		UTILITY BOX
		SUBSURFACE TRANSFORMER

ABBREVIATIONS

APN	ASSESSOR'S PARCEL NUMBER
ARV	AIR RELEASE VALVE
ASPH	ASPHALT PAVEMENT
BCR	BEGINNING OF CURB RETURN
BF	BLIND FLANGE
BFP	BACK FLOW PREVENTER
BFV	BUTTERFLY VALVE
BLDG	BUILDING
BM	BENCHMARK
BO	BLOWOFF
BW	BACK OF SIDEWALK
CB	CATCH BASIN
CO	SANITARY SEWER CLEANOUT
CONC	CONCRETE PAVEMENT
CS	COMBINED SEWER
DI	DRAINAGE INLET
DIP	DUCTILE IRON PIPE
DW	DOMESTIC WATER
ESMT	EASEMENT
E/ELEC	ELECTRICAL
(E)/EX.	EXISTING
FFE	FINISHED FLOOR ELEVATION
FG	FINISHED GRADE
FH	FIRE HYDRANT
FM	FORCE MAIN
FW	FIRE WATER
G	GAS
GV	GATE VALVE
INV	INVERT OF PIPE
IRR	IRRIGATION
LT.	LEFT
M–M	MONUMENT TO MONUMENT
MH	MANHOLE
P	PAD
PVC	POLYVINYL CHLORIDE PIPE
R	RADIUS
(R)	RADIAL BEARING
RIM	RIM OF MANHOLE
ROW	RIGHT OF WAY
RT.	RIGHT
S	SLOPE
SDMH	STORM DRAIN MANHOLE
SF	SQUARE FEET
SSMH	SANITARY SEWER MANHOLE
STA.	STATION
(T)	TOTAL
TBO	TEMPORARY BLOWOFF
TC	TOP OF CURB
TYP	TYPICAL
W	WATER MAIN
WS	WATER SERVICE
WV	WATER VALVE

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

FREYER & LAURETA, INC.
CIVIL ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS
825 Washington Street • Oakland, CA 94607
(510) 937-2310 • www.freyerlaureta.com

DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

TITLE SHEET & GENERAL NOTES

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 1 OF 12 SHEETS

JOB NO. 316002

WILDCAT WAY

FUSCHIA WAY

WEST RUBY STREET

DUARTE AVENUE

LANDS OF
SEENO FAMILY TRUST
APN 035-090-080
DOC 2016-0087011-00
PARCEL ONE P.T.R.

AREA = 1.985± ACRES

EXISTING 16.50' WIDE ROADWAY, PEDESTRIAN, & UTILITY EASEMENT. PARCELS TWO AND THREE P.T.R. ALSO REFERENCED IN BK. 2774, PG. 308 (EX. 4 P.T.R.)

IRREVOCABLE OFFER OF DEDICATION PER BK. 10575, PG. 654 (EX. 6 P.T.R.)

CB
RIM: 25.52
INV 18"RCP: 22.92(E)(IN)
INV 18"RCP: 22.82(NW)(OUT)

CB
RIM: 26.16
INV 12"C: 23.56(W)(OUT)

CB
RIM: 26.37
INV 4" PVC: 24.92(E)(IN)
INV 26" RCP: 21.92(E)(IN)
INV 18"RCP: 21.67(SE)(IN)
INV 30" RCP: 21.52(W)(OUT)

CB
22.15 RIM
13.15 INV(34"CONC) IN S
13.15 INV(24" PVC) IN E
NORTH PIPE NOT VISIBLE

CB
22.39 RIM
16.44 INV(18" PVC) IN E
15.72 INV(34" CONC) OUT N

SSMH
RIM: 28.73
INV 12"PVC: 13.78(E)(OUT)
INV 10"PVC: 13.78(S)(IN)
INV 12"PVC: 13.73(N)(IN)

SSMH
RIM: 20.47
INV: 12.70

SSMH
RIM: 21.20

EXISTING FIRE HYDRANT, FURTHER DOWN WEST RUBY

(E) FIRE HYDRANT

(E) FIRE HYDRANT

STORAGE CONTAINER

6' CONC BLOCK WALL

6' WOOD FENCE

6' WOOD RETAINING WALL

STUCCO HOUSE

METAL SINGLE STORY

GARAGE DOOR

GARAGE DOOR

SHED

SHED

PUMP EQUIP

HBIB

EMITTER

NORTH

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

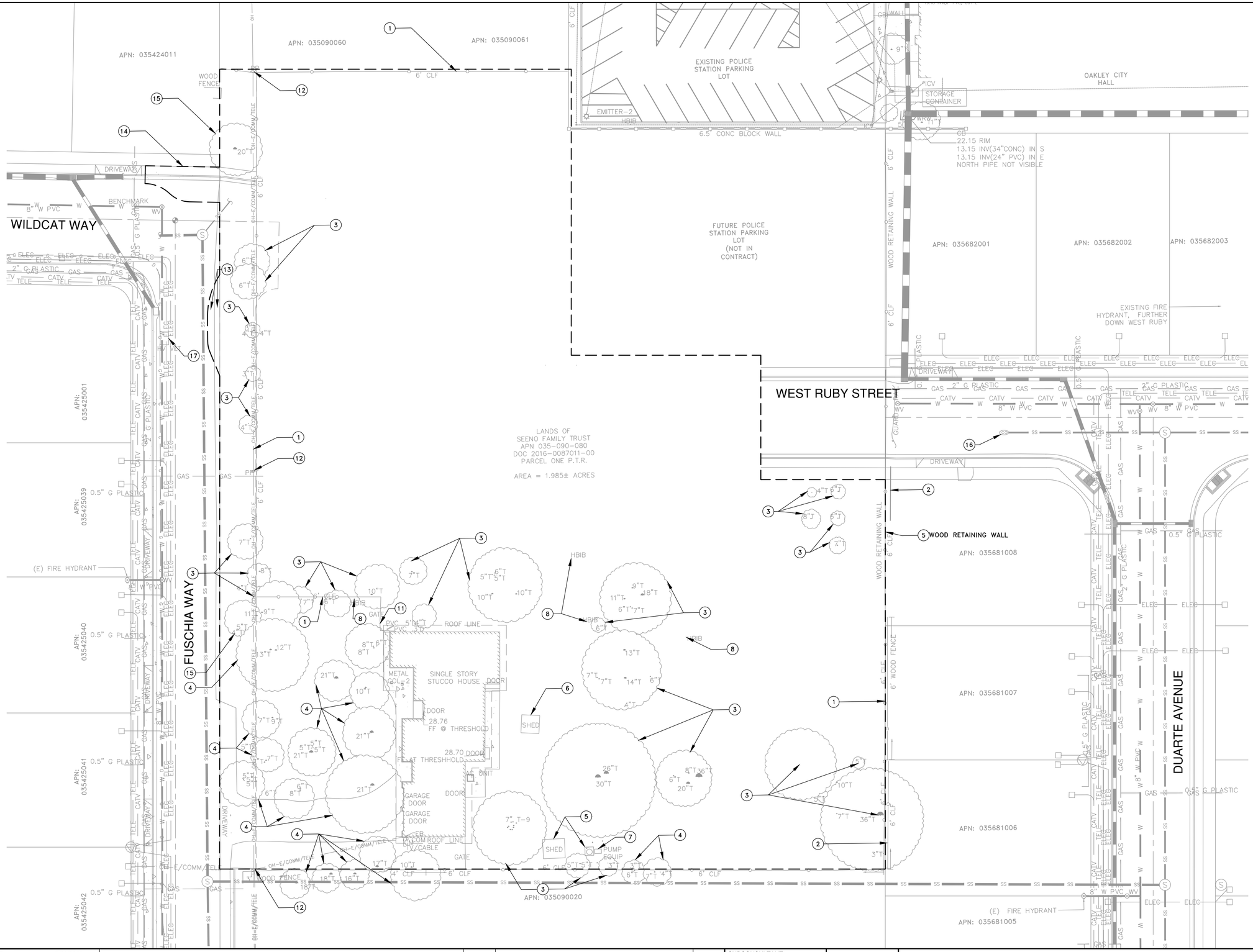
SUBCONSULTANT:

EXISTING CONDITIONS

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 2 OF 12 SHEETS

JOB NO. 316002



LEGEND

— — — LIMIT OF WORK

KEY NOTES:

1. REMOVE FENCING.
2. FENCING TO REMAIN.
3. TREES TO BE REMOVED BY ARBORIST (52).
4. TREES TO REMAIN.
5. REMOVE EXISTING STRUCTURE.
6. STRUCTURE TO REMAIN.
7. REMOVE AND SALVAGE EXISTING EQUIPMENT.
8. REMOVE HOSE BIB.
9. REMOVE AND SALVAGE EXISTING SIGN.
10. REMOVE AND SALVAGE RAILING.
11. REMOVE AND SALVAGE GATE.
12. REMOVE EXISTING UTILITY AFTER INSTALLATION OF NEW SERVICE.
13. REMOVE AND REPLACE EXISTING STORM DRAIN AND CATCH BASIN.
14. SIDEWALK TO BE REMOVED AND REPLACED WITH BULB OUTS.
15. TREES TO BE REMOVED BY OTHERS (3).
16. REMOVE CLEAN OUT.
17. EXISTING VAULT TO BE RELOCATED.

NORTH

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

DEMOLITION PLAN

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 3 OF 12 SHEETS

JOB NO. 316002

NOTES:

1. ALL EXISTING PARCEL AND RIGHT OF WAY LINES WITHIN SITE BOUNDARY TO BE REMOVED.
2. ALL EASEMENTS TO BE REMOVED UNLESS OTHERWISE NOTED.

APN: 035424011

APN: 035090060

APN: 035090061

N89° 07' 14"W 158.17'

EXISTING POLICE STATION PARKING LOT

OAKLEY CITY HALL

WILDCAT WAY

FUTURE POLICE STATION PARKING LOT (NOT IN CONTRACT)

WOOD RETAINING WALL

APN: 035682001

APN: 035682002

APN: 035682003

N0° 52' 46"E 128.76'

N89° 07' 14"W 85.31'

DRIVEWAY

WEST RUBY STREET

56.00'

N0° 52' 46"E

GUARD

DRIVEWAY

N89° 07' 14"W 56.00'

APN: 035425001

N0° 51' 29"E 360.03'

IRREVOCABLE OFFER OF DEDICATION PER BK. 10575, PG. 654 (EX. 6 P.T.R.)

EXISTING 16.50' WIDE ROADWAY, PEDESTRIAN, & UTILITY EASEMENT. PARCELS TWO AND THREE P.T.R. ALSO REFERENCED IN BK. 2774, PG. 308 (EX. 4 P.T.R.)

PARCEL : 1
AREA = 1.985 ACRES

APN: 035425039

APN: 035425040

APN: 035425041

APN: 035425042

FUSCHIA WAY

APN: 035681008

APN: 035681007

APN: 035681006

APN: 035681005

N0° 52' 46"E 175.27'

DUARTE AVENUE

28.76
FF @ THRESHOLD

28.70
FF @ THRESHHOLD

OH-E/COMM/TELE

N89° 07' 14"W 299.34'

APN: 035090020

NORTH

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
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CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

EXISTING PARCELS AND EASEMENTS

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 4 OF 12 SHEETS

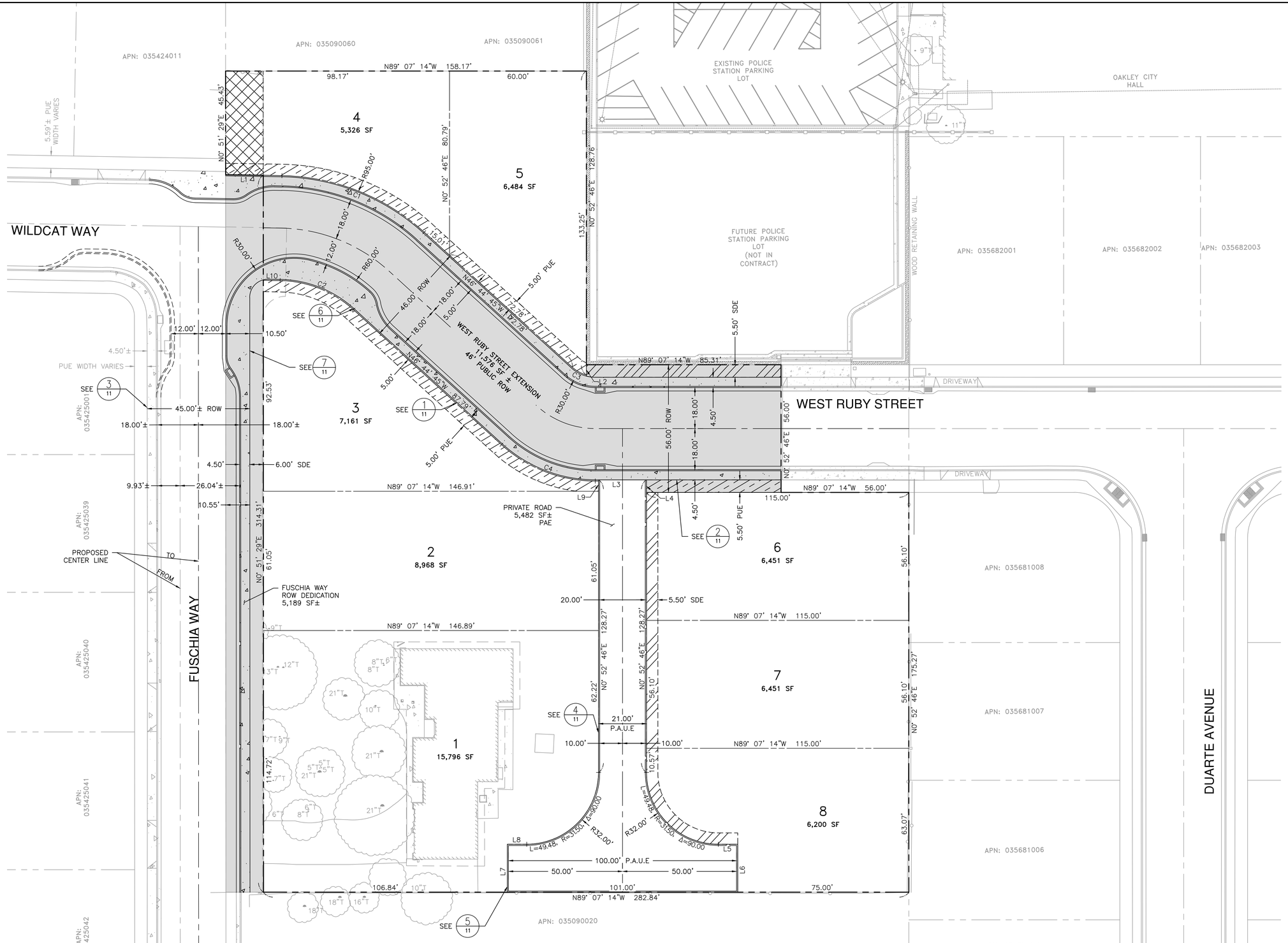
JOB NO. 316002

LEGEND

- PUBLIC RIGHT OF WAY (ROW)
- PUBLIC UTILITY EASEMENT (PUE)
- STORM DRAINAGE EASEMENT (SDE)
- EXISTING IRREVOCABLE OFFER OF DEDICATION PER BK 10575, PG 654 (TO REMAIN)

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°06'45"W	16.50'
L2	N00°52'46"E	4.49'
L3	N89°07'14"W	21.00'
L4	N00°52'46"E	5.50'
L5	N89°07'14"W	8.50'
L6	N00°52'46"E	21.00'
L7	N00°52'46"E	21.00'
L8	N89°07'14"W	8.50'
L9	N00°52'46"E	4.50'
L10	N88°06'45"W	7.38'

CURVE TABLE			
NO.	RADIUS	LENGTH	DELTA
C1	95.00'	68.59'	41° 22' 00"
C2	49.00'	35.38'	41° 22' 00"
C3	15.00'	7.17'	27° 23' 55"
C4	61.00'	45.11'	42° 22' 29"



NORTH

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)

1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

PROPOSED PARCELS AND EASEMENTS

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

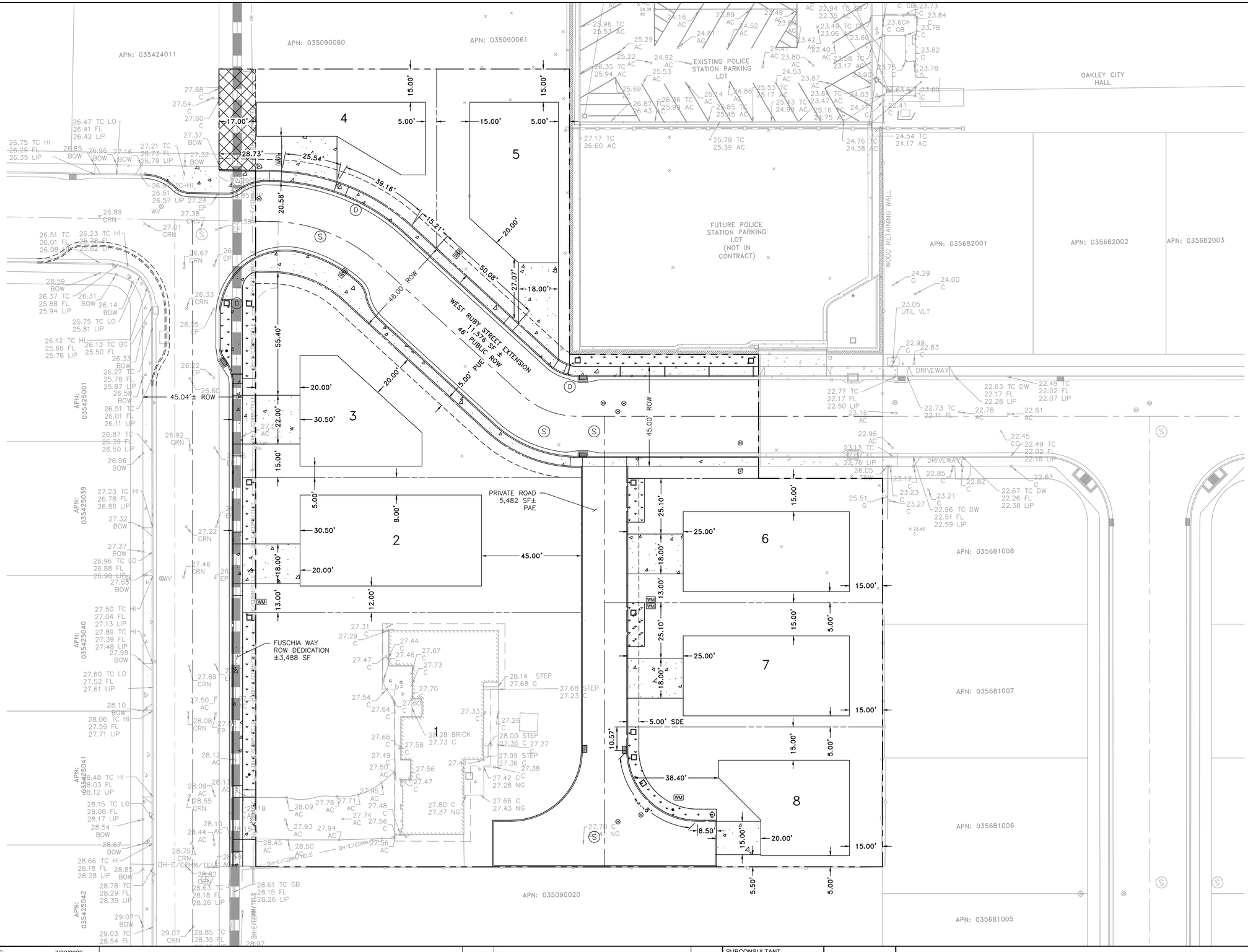
SHEET 5 OF 12 SHEETS

JOB NO. 316002

LOT BREAKDOWN			
PARCEL	ACREAGE (AC)	BUILDING (SF)	LANDSCAPE (%)
1	0.362	4,502	63
2	0.206	3,362	58
3	0.164	2,085	65
4	0.122	1,616	61
5	0.149	2,678	49
6	0.148	2,707	51
7	0.148	2,707	51
8	0.142	2,056	62

NOTES:

1. BUILDING FOOTPRINTS ARE CONCEPTUAL AND APPROXIMATED PER CITY REQUIRED SETBACKS AND DISTANCES.
2. EXISTING HOME ON PARCEL 1 TO REMAIN.



DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

SITE PLAN

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 6 OF 12 SHEETS

JOB NO. 316002

EARTHWORK SUMMARY		
CUT (CY±)	FILL (CY±)	NET CUT (CY±)
2,053	141	712

NOTES:

1. LOTS HAVE BEEN CONCEPTUALLY GRADED TO DRAIN.
2. PAD ELEVATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE.

WILDCAT WAY

FUSCHIA WAY

WEST RUBY STREET

DUARTE AVENUE

OAKLEY CITY HALL

EXISTING POLICE STATION PARKING LOT

FUTURE POLICE STATION PARKING LOT (NOT IN CONTRACT)

1 P 28.4

2 P 28.2

3 P 27.5

4 P 27.9

5 P 27.4

6 P 26.6

7 P 27.2

8 P 27.3

APN: 035424011
APN: 035090060
APN: 035090061
APN: 035425001
APN: 035425039
APN: 035425040
APN: 035425041
APN: 035425042
APN: 035090020
APN: 035682001
APN: 035682002
APN: 035682003
APN: 035681008
APN: 035681007
APN: 035681006
APN: 035681005

TIE INTO EXISTING TC 27.1±

BENCHMARK

THRU THE CURB DRAIN

MATCH EXISTING CL 24.34

SINGLE STORY STUCCO HOUSE

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

NORTH

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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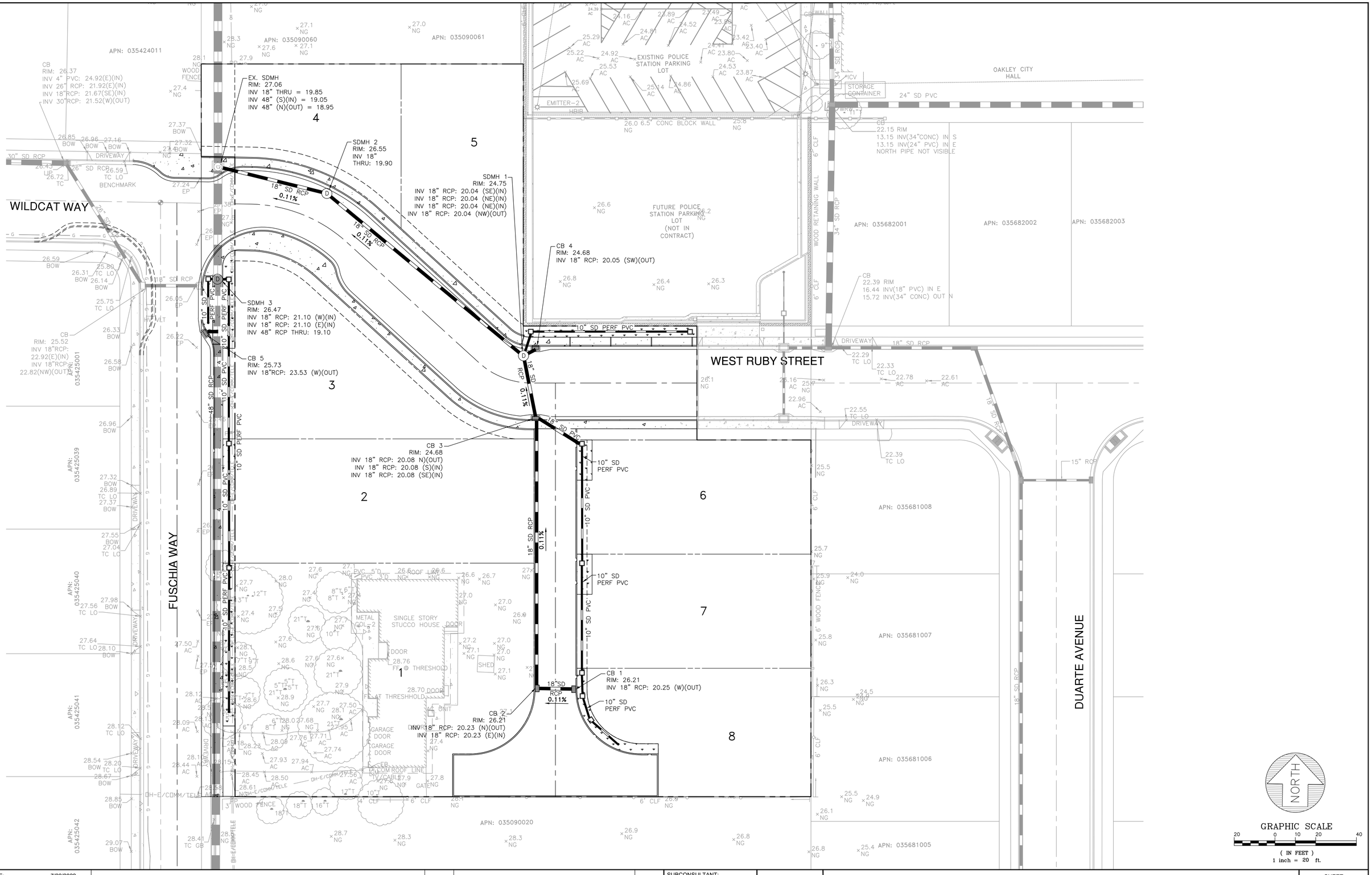
SUBCONSULTANT:

PRELIMINARY GRADING PLAN

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 7 OF 12 SHEETS

JOB NO. 316002



DATE:	7/22/2022
SCALE:	AS SHOWN
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PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

PRELIMINARY DRAINAGE PLAN

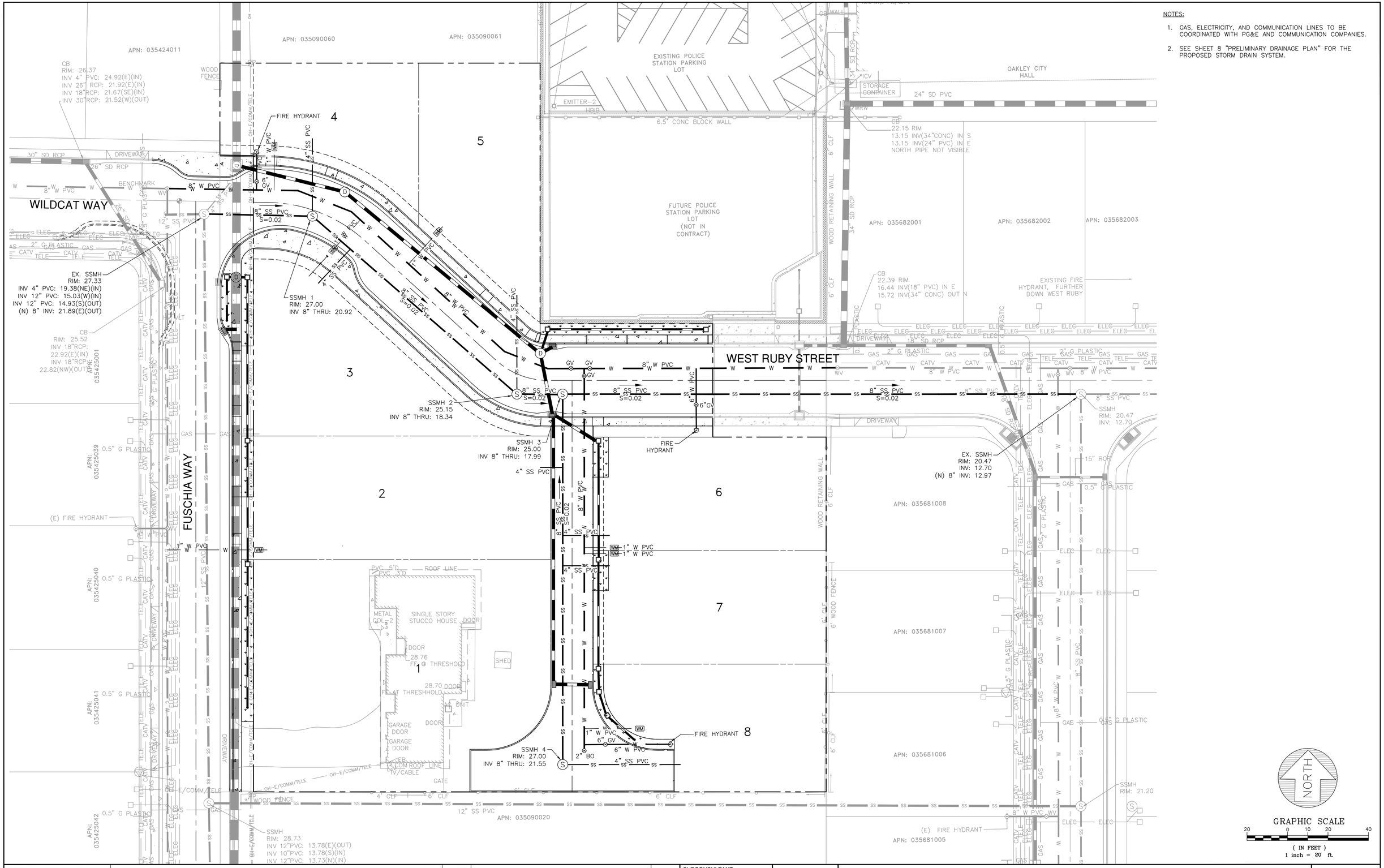
TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET **8** OF 12 SHEETS

JOB NO. 316002

NOTES:

1. GAS, ELECTRICITY, AND COMMUNICATION LINES TO BE COORDINATED WITH PG&E AND COMMUNICATION COMPANIES.
2. SEE SHEET 8 "PRELIMINARY DRAINAGE PLAN" FOR THE PROPOSED STORM DRAIN SYSTEM.



NORTH

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
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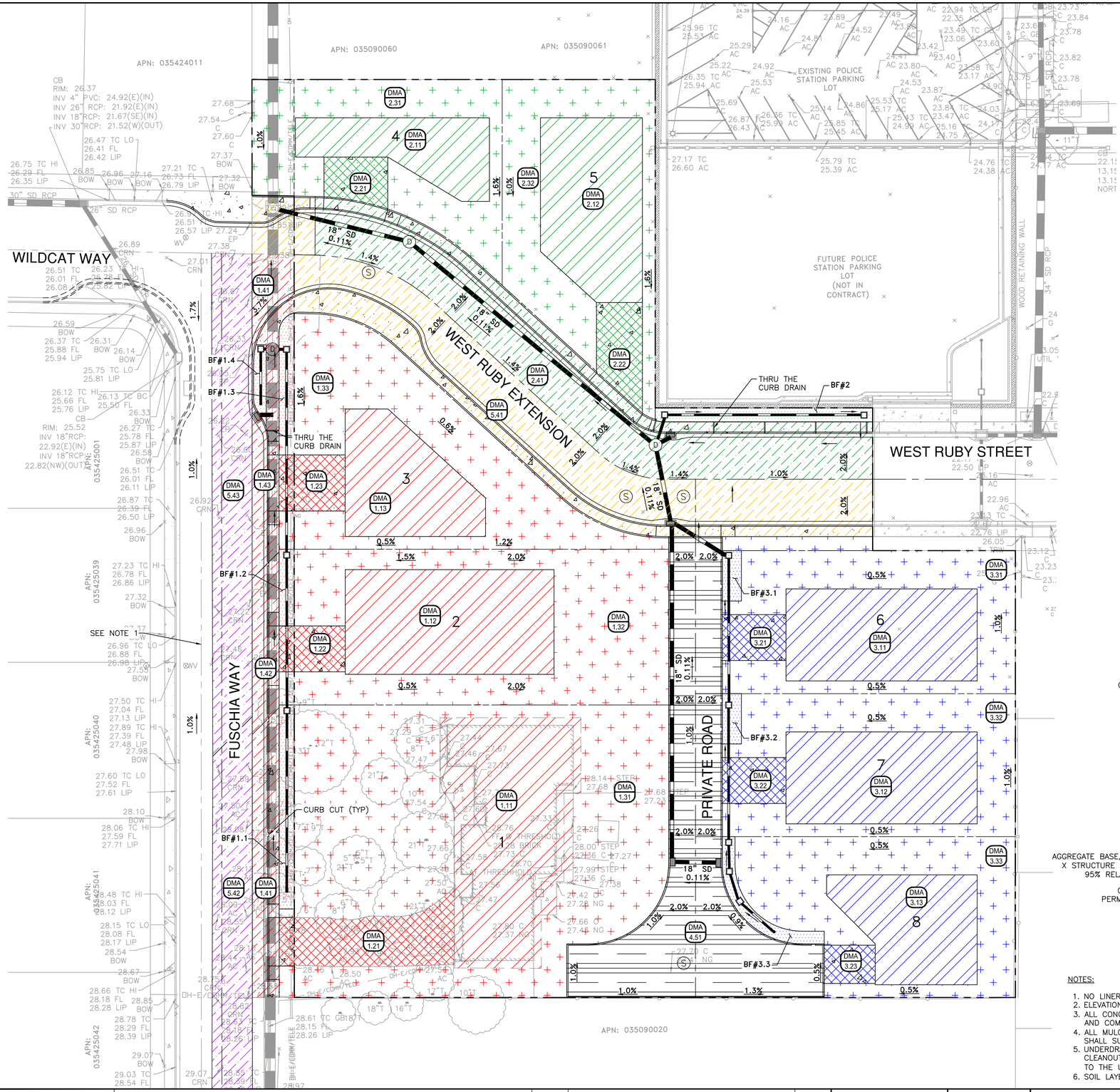
SUBCONSULTANT:

PRELIMINARY UTILITY PLAN

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 9 OF 12 SHEETS

JOB NO. 316002



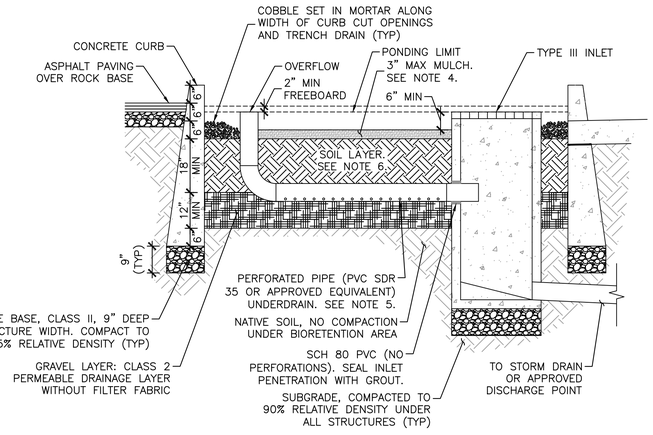
LEGEND

- BF#1 – BIORETENTION AREA
- BF#1 – SURFACE TYPE: 1 – ROOF
- BF#1 – SURFACE TYPE: 2 – DRIVEWAY
- BF#1 – SURFACE TYPE: 3 – LANDSCAPE
- BF#1 – SURFACE TYPE: 4 – ROADWAY
- BF#2 – BIORETENTION AREA
- BF#2 – SURFACE TYPE: 1 – ROOF
- BF#2 – SURFACE TYPE: 2 – DRIVEWAY
- BF#2 – SURFACE TYPE: 3 – LANDSCAPE
- BF#2 – SURFACE TYPE: 4 – ROADWAY
- BF#3 – BIORETENTION AREA
- BF#3 – SURFACE TYPE: 1 – ROOF
- BF#3 – SURFACE TYPE: 2 – DRIVEWAY
- BF#3 – SURFACE TYPE: 3 – LANDSCAPE
- BF#3 – SURFACE TYPE: 4 – ROADWAY
- TRADE OFF AREA – SURFACE TYPE: 4 – ROADWAY
- EQUIVALENT SPACE – SURFACE TYPE: 4 – ROADWAY
- SURFACE TYPE: 5 – PERMEABLE PAVEMENT
- DMA 1.11 — DRAINAGE MANAGEMENT ID
  - SURFACE ID
  - SURFACE TYPE
  - BIORETENTION FACILITY ID
- X.X% — DIRECTION AND SLOPE OF PIPE FLOW
- DIRECTION OF OVERLAND FLOW

NOTE:

1. EQUIVALENT RUNOFF FROM FUSCHIA WAY TO BE TREATED IN BIORETENTION FACILITY #1 IN EXCHANGE FOR RUNOFF FROM DMA 5.41, AS REPRESENTED BY THE PURPLE AREAS IN DMA 5.42 AND DMA 5.43.

PARCEL	DMA ID	AREA (SF)	DESCRIPTION	DMA TYPE/DRAINS TO
1	1.11	4,502	ROOF	BF#1.1
1	1.21	1,392	DRIVEWAY	BF#1.1
1	1.31	10,109	LANDSCAPE	BF#1.1
2	1.12	3,362	ROOF	BF#1.2
2	1.22	468	DRIVEWAY	BF#1.2
2	1.32	5,323	LANDSCAPE	BF#1.2
3	1.13	2,085	ROOF	BF#1.3
3	1.23	571	DRIVEWAY	BF#1.3
3	1.33	4,858	LANDSCAPE	BF#1.3
4	2.11	1,616	ROOF	BF#2
4	2.21	448	DRIVEWAY	BF#2
4	2.31	3,317	LANDSCAPE	BF#2
5	2.12	2,678	ROOF	BF#2
5	2.22	646	DRIVEWAY	BF#2
5	2.32	3,199	LANDSCAPE	BF#2
6	3.11	2,708	ROOF	BF#3.1
6	3.21	450	DRIVEWAY	BF#3.1
6	3.31	3,471	LANDSCAPE	BF#3.1
7	3.12	2,707	ROOF	BF#3.2
7	3.22	450	DRIVEWAY	BF#3.2
7	3.32	3,146	LANDSCAPE	BF#3.2
8	3.13	2,057	ROOF	BF#3.3
8	3.23	300	DRIVEWAY	BF#3.3
8	3.33	3,521	LANDSCAPE	BF#3.3
FUSCHIA WAY	1.41	1,145	SIDEWALK, FUSCHIA WAY	BF#1.1
FUSCHIA WAY	1.42	644	SIDEWALK, FUSCHIA WAY	BF#1.3
FUSCHIA WAY	1.43	1,285	SIDEWALK, FUSCHIA WAY	BF#1.3
WEST RUBY EXTENSION	2.41	5,596	SIDEWALKS, FUSCHIA, AND W RUBY EXTENSION	BF#2
PRIVATE ROAD	4.51	5,903	PERMEABLE PAVEMENT	SELF–RETAINING
WEST RUBY EXTENSION	5.41	6,345	TRADEOFF AREA	SEE NOTE 1
FUSCHIA WAY	5.42	3,374	EQUIVALENT SPACE	BF#1.1
FUSCHIA WAY	5.43	2,971	EQUIVALENT SPACE	BF#1.3,1.4



BIORETENTION DETAIL

SCALE: NTS

NOTES:

1. NO LINER, NO FILTER FABRIC, NO LANDSCAPE CLOTH.
2. ELEVATION OF PERFORATED PIPE UNDERDRAIN IS ATOP GRAVEL LAYER.
3. ALL CONCRETE STRUCTURES (VERTICAL, CURB, INLET) SHALL BE CONSTRUCTED ATOP 9" DEEP CLASS II AB AND COMPACTED SUBGRADE.
4. ALL MULCH WITHIN STORMWATER PLANTING AREAS SHALL BE 3" OF WASHED PEA GRAVEL. CONTRACTOR SHALL SUBMIT SAMPLE FOR REVIEW AND APPROVAL.
5. UNDERDRAIN SHALL HAVE OUTLET LOCATED FLUSH OR NEARLY FLUSH WITH PLANTER BOTTOM, WITH CLEANOUT PORT CONSISTING OF A VERTICAL, RIGID, NON–PERFORATED PVC PIPE. IT SHALL BE CONNECTED TO THE UNDERDRAIN VIA A SWEEP BEND, WITH A MINIMUM DIAMETER OF 4" AND A WATERTIGHT CAP.
6. SOIL LAYER SHALL CONSIST OF SOIL MIX WITH MINIMUM LONG–TERM INFILTRATION RATE OF 5"/HOUR.

NORTH

GRAPHIC SCALE

20 0 10 20 40

(IN FEET)

1 inch = 20 ft.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

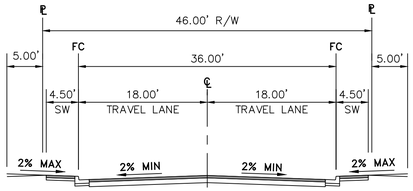
SUBCONSULTANT:

PRELIMINARY STORMWATER CONTROL PLAN

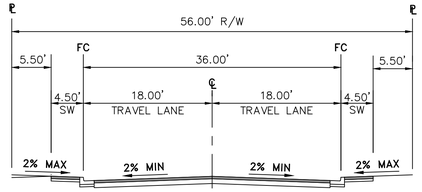
TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 10 OF 12 SHEETS

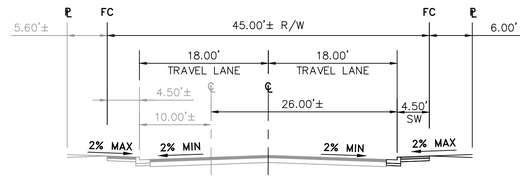
JOB NO. 316002



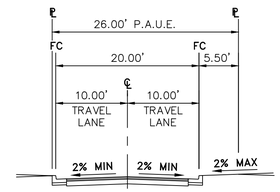
1 WEST RUBY EXTENSION WITHOUT STORM TREATMENT
SCALE: 1" = 10'



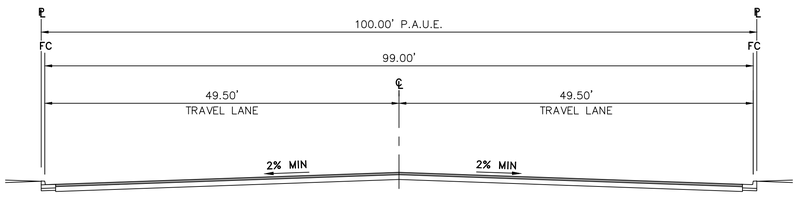
2 WEST RUBY EXTENSION WITH STORM TREATMENT
SCALE: 1" = 10'



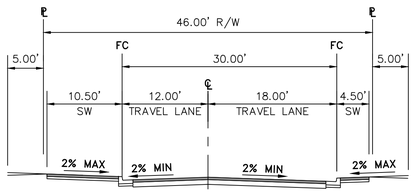
3 FUSCHIA WAY EAST SIDE WITH SIDEWALK
SCALE: 1" = 10'



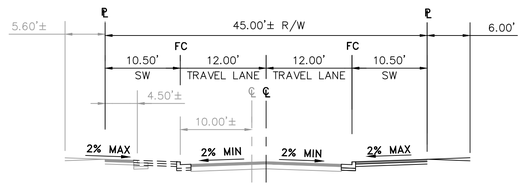
4 PRIVATE ROAD
SCALE: 1" = 10'



5 PRIVATE ROAD
SCALE: 1" = 10'



6 WEST RUBY EXTENSION WITH BULB OUT
SCALE: 1" = 10'



7 FUSCHIA WAY EAST SIDE – SIDEWALK WITH BULB OUT
SCALE: 1" = 10'

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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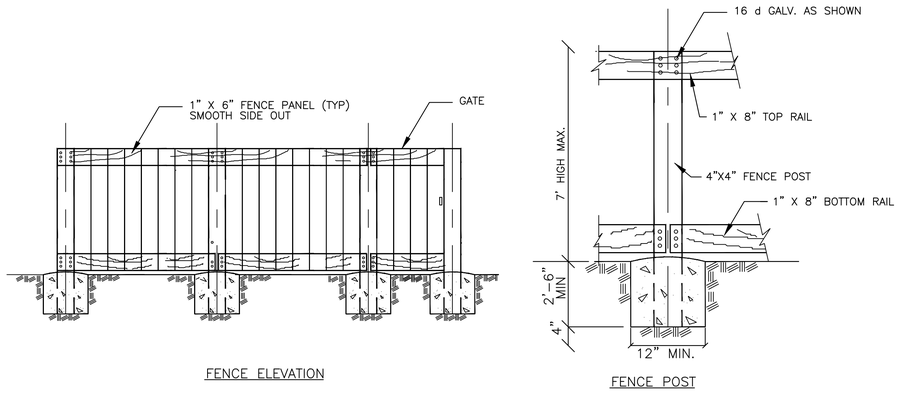
SUBCONSULTANT:

TYPICAL STREET SECTIONS

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

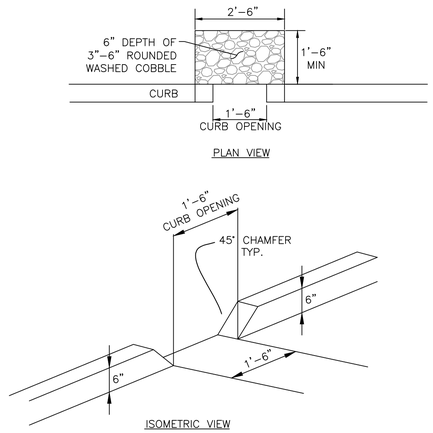
SHEET 11 OF 12 SHEETS

JOB NO. 316002



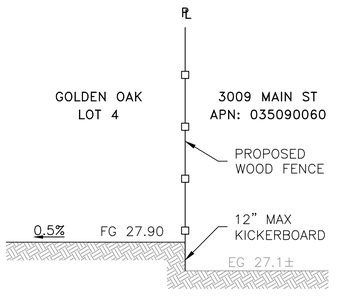
1 TYPICAL WOOD FENCE AND GATE

SCALE: NTS



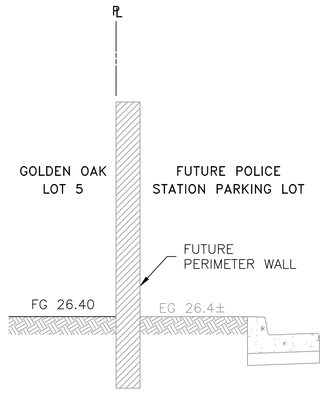
2 CURB CUT

SCALE: NTS



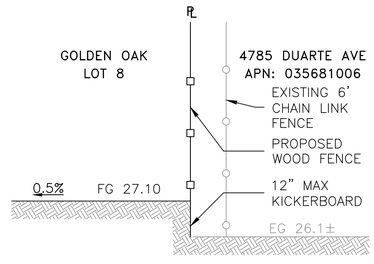
3 TYPICAL ADJOINER – LOT 4

SCALE: NTS



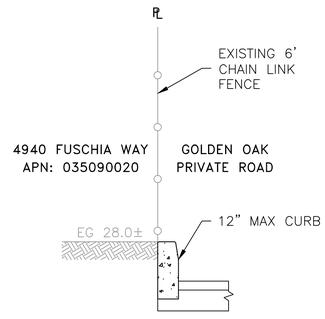
4 TYPICAL ADJOINER – LOT 5

SCALE: NTS



5 TYPICAL ADJOINER – LOT 8

SCALE: NTS



6 TYPICAL ADJOINER – HAMMERHEAD

SCALE: NTS

NOTE:
1. FENCE DETAILS AS PROVIDED ARE TYPICAL AND SUBJECT TO CHANGE AS THE DESIGN PROGRESSES.

DATE:	7/22/2022
SCALE:	AS SHOWN
DESIGNED:	CSM
DRAWN:	CSM
CHECKED:	RJL
PROJ. ENGR:	LFH

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DATE	DESCRIPTION OF REVISIONS	APP'D

SUBCONSULTANT:

DETAILS

TENTATIVE MAP NO. 9580
GOLDEN OAK SUBDIVISION
OAKLEY, CALIFORNIA

SHEET 12 OF 12 SHEETS

JOB NO. 316002

FREYER & LAURETA, INC. CIVIL ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS

MEMORANDUM

To: City of Oakley, Billilee Saengchalern, P.E.

From: Freyer & Laureta, Inc., Richard J. Laureta, P.E., Lorraine Htoo, P.E., and Camille Miculob

cc: Pam Young, S&Y Properties

RE: Golden Oak Development Traffic Memorandum

Introduction

This traffic technical memorandum is provided for the Golden Oak Development located at 4960 Fuschia Way (See Figure 1 - Location Map) and provides background information on the project, reference traffic study guidelines, findings, and recommendations.

Project Description

The Golden Oak Development site is approximately two (2) acres south of the downtown area as depicted in Figure 2 – Site Plan. The project site is mostly undeveloped with one residential structure approximately 4,500 square feet. The proposed development will divide the lot into eight (8) parcels and include seven (7) new single-family homes, a private drive, and a new public road to connect West Ruby Road in the east to Wildcat Way to the west. The existing land use will remain “Residential Low/Medium” as defined in the City of Oakley’s General Plan.

Traffic Study Guidelines

Certain types of projects are exempt from having to provide a traffic impact analysis (TIA) due to size, nature of project and/or location. For the Golden Oak Development with the addition of seven single family homes, it is not anticipated that one hundred or more A.M. or P.M. peak-hour trips would be generated. Given that one hundred trips are not generated, a TIA is not required.

Findings and Recommendations

The site will be accessed off Wildcat Way, Fuschia Way, and West Ruby Road. The development will provide a new public thoroughfare connecting Wildcat Way to the west to Duarte Road to the east. The newly constructed development to the south, Cypress

San Francisco Office:
150 Executive Park Blvd, Suite 4200
San Francisco, CA 94134
Tel: (415) 534-7070
www.freyerlaureta.com

Oakland Office:
825 Washington Street, Suite 237
Oakland, CA 94607
Tel: (510) 937-2310

Estates and its 30 single family homes would benefit from the project as it creates accessibility to their site outside of Mallard Lane, Fuschia Way and Wildcat Way alone.

The new public road provides an alternative route for the Oakley Elementary School and the City's newly expanded police parking lot. As Fuschia is a straight road, aligned North-South from Wildcat Way past Ashwood Drive for approximately 1,000 feet, there could be a potential for vehicular speed limits to be exceeded. With the proposed development providing an alternative route to Oakley Elementary, certain measures can be included to promote safer streets as the City continues to develop a "Vision Zero" policy in line with the County's goal to eliminate fatalities due to vehicular collisions. As discussed with the City, a narrowing of the intersection of Fuschia and Wildcat is proposed and depicted in Figure 3. These proposed bulb outs can help temper the speeds along Fuschia Way, Wildcat Way, and the new West Ruby Extension. Figure 3 also provides recommendations for improvements to the intersection of West Ruby Road and Duarte Road, outside of the project limits, for the City's consideration.

Figures:

Figure 1 – Location Plan

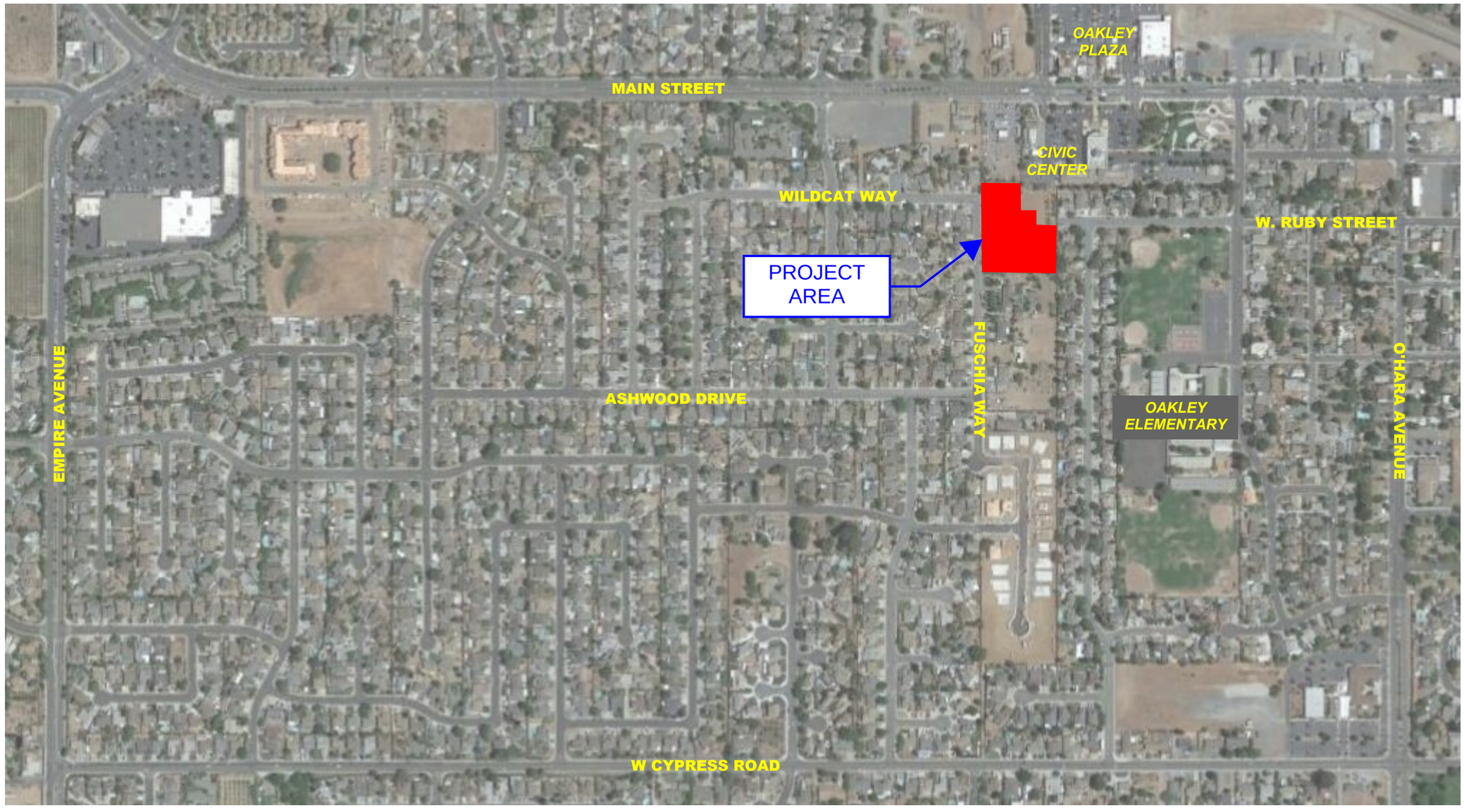
Figure 2 – Site Plan

Figure 3 – Improvements Plan

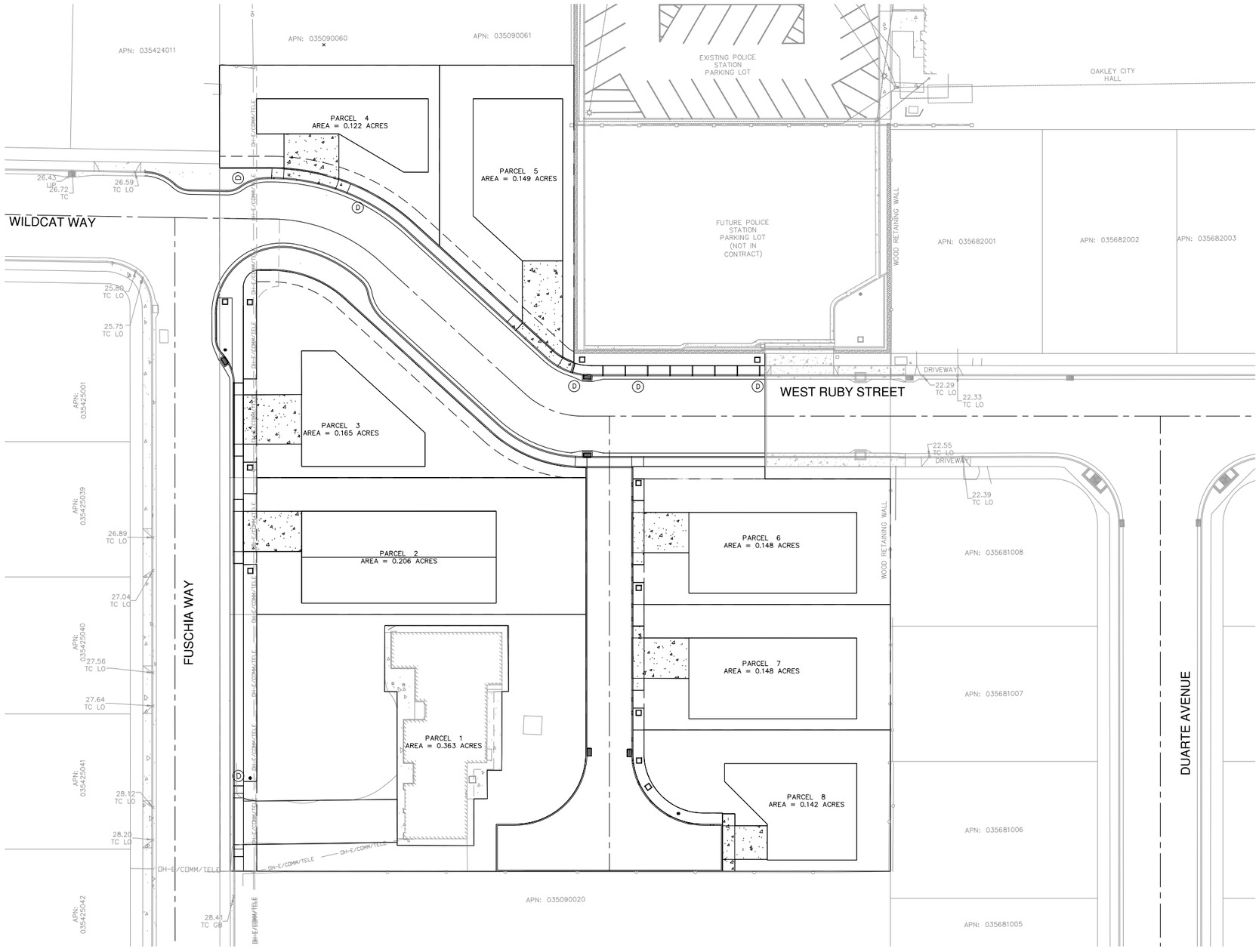
References:

City of Oakley, 2020 General Plan Adopted December 16, 2002, Amended February 2, 2016.

De Novo Planning Group, City of Oakley General Plan Public Review Draft, August 2021.



	GOLDEN OAK DEVELOPMENT LOCATION MAP	FIGURE 1
	JOB NO.: 316002 / DATE: 12/9/2021	



	GOLDEN OAK DEVELOPMENT SITE PLAN	FIGURE **2**
	JOB NO.: 316002 DATE: 12/1/2021	

PARCEL 4
AREA = 0.122 ACRES

BULB OUTS

PARCEL 5
AREA = 0.149 ACRES

FUTURE POLICE
PARKING LOT

WOOD RETAINING WALL

WILDCAT WAY

40.0'±

12.00'

RECOMMENDED
BULB OUT

10.00'

10.00'

R30.00'

12.00'

5.00'

18.00'

5.00'

18.00'

5.00'

46.00' R/W

R30.00'

W. RUBY
EXTENSION

18.00'

4.50'

5.50'

DRIVEWAY

WEST RUBY STREET

RECOMMENDED
BULB OUTS

PARCEL 3
AREA = 0.165 ACRES

5.60'±

4.50'±

4.50'

6.00'

45.0' R/W

36.0'

PARCEL 2
AREA = 0.206 ACRES

PRIVATE
DRIVE

45.00' R/W

18.00'

4.50'

5.50'

PARCEL 6
AREA = 0.148 ACRES

WOOD RETAINING WALL

R38.00'

R38.00'

DUARTE AVENUE

FUSCHIA WAY

20.50'

5.50'

PARCEL 7
AREA = 0.148 ACRES

26.00' P.A.U.E

10.00'

10.00'

PARCEL 1
AREA = 0.363 ACRES

R32.00'

R32.00'

PARCEL 8
AREA = 0.142 ACRES

100.00' P.A.U.E

50.00'

50.00'

20.00'

12.0'

76.0'

12.0'

	GOLDEN OAK DEVELOPMENT PROPOSED IMPROVEMENTS	FIGURE **3**
	JOB NO.: 316002 DATE: 12/1/2021	

RESOLUTION NO. XX-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY MAKING FINDINGS AND RECOMMENDING THE CITY COUNCIL APPROVE A TENTATIVE MAP (TM 02-22) TO SUBDIVIDE AN APPROXIMATELY 2-ACRE SITE INTO EIGHT (8) SINGLE-FAMILY RESIDENTIAL LOTS AND A VARIANCE (VA 01-22) REQUEST ON MEETING THE MINIMUM LOT REQUIREMENTS FOR FOUR (4) OF THE EIGHT (8) LOTS KNOWN AS THE PROJECT TITLED "GOLDEN OAK SUBDIVISION 9580": APN 035-090-082.

WHEREAS, on January 24, 2022, Pam Young ("Applicant") filed an application requesting approval of a of a Tentative Map (TM 02-22) to subdivide an approximately 2-acre parcel in to eight (8) single-family residential lots, including dedication and improvement of public right-of-way and extension of West Ruby Street to the intersection of Wildcat Way and Fuschia Way. Applicant also requests approval of a Variance (VA 01-22) on meeting the minimum lot requirements for four (4) of the eight (8) lots ("Project"). The project site is located at 4960 Fuschia Way and zoned R-6 (Single-Family Residential) District. APN: 035-090-082; and

WHEREAS, Design Review (i.e. home design, landscape design, entrance features, street tree plan, etc.) has not been submitted in conjunction with this Tentative Map and Variance; and

WHEREAS, on March 3, 2022, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Residential Low/Medium (RLM)* in the Oakley General Plan, and zoned R-6 (Single Family Residential) District; and

WHEREAS, the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, "Class In-Fill Development Projects; and

WHEREAS, on July 22, 2022, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On or before July 22, 2022, the Notice of Public Hearing was posted at the Project site, at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, and outside the library at Freedom High School located at 1050 Neroly Road, and the notice was mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on August 2, 2022, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote adopting this resolution, recommending the City Council adopt

a resolution to approve the project, as revised by the Planning Commission during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, and the information submitted to the Planning Commission at its August 2, 2022, meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

A. In regard to the application requesting approval of Tentative Map (TM 02-22) to subdivide an approximately 2-acre parcel in to eight (8) single-family residential lots and dedication of public right-of-way, and extension of West Ruby Street to the intersection of Wildcat Way and Fuschia Way:

1. The proposed Tentative Map ("TM"), together with the provisions of its design and improvements, is consistent with the Zoning Ordinance, and applicable portions Residential Low/Medium (RLM), General Plan Land Use Designation, in that the TM's gross density within the gross density range of the RLM General Plan Land Use Designation of 3.8-5.5 du/ga, and the TM is designed in a manner that complies with all applicable development regulations, where possible and a variance has been requested for lots where not possible; and

2. The site is physically suitable for the type of development in that the tentative map is accessible, not physically constrained, and near like uses, and it is also able to accommodate the proposed density of development in a manner consistent with the underlying land use designation; and

3. The site is physically suitable for the proposed density and number of dwelling units in that the proposed TM falls within the allowable density while creating lots compliant with the applicable Zoning District, and public and private roads to access the homes; and

4. The Project's is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332, "Class In-Fill Development Projects"; and

5. The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the proposed subdivision consists of eight (8) single-family residential lots. Construction and grading of the project are subject to building or grading permits, and violations of any such permits are subject to appropriate enforcement; and

6. The design of the subdivision includes the construction of improvements

within public right-of-way that are consistent with major subdivisions and the City's design standards. The improvements consist of widening Fuschia Way and extending West Ruby Street by providing additional roadway, sidewalks, curbs, and gutters; and

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

B. In regard to the Variance (VA 01-22) for Los 3, 4, 6, and 7 on meeting the minimum lot requirements required by the R-6 District:

1. That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.

   Lots 3,4, 6, and 7 exist in an area of existing properties where there are legal lots that currently do not meet the minimum lot area for the R-6 District. New construction on these lots will need to comply with the development regulations of the R-6 District and there is adequate lot area to achieve this as shown in the Applicant's plans. This shows the lots with a minimum lot size, lot width, and depth can still meet the development standards of the R-6 District;

2. That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.

   Lots 1, 2, 5, and 8 adequately meet the minimum lot requirements of the R-6 District. Parcel 3 is a triangular-shaped corner lot with frontages on both Fuschia Way and West Ruby Street. The Variance would not affect the overall appearance of the lot size and Lot 3 will meet the minimum lot area required by the R-6 District. Due to the extension of West Ruby Street, Lot 4 has been created that will not meet the minimum lot depth of lot of 60' on one side and the minimum lot area of 6,000 square-feet. Lots 6 and 7 are

restricted in that they do not meet the minimum lot width of 80'. However, the lot area and lot depth are still met. Due to the dedication of land to the roadway and lot configuration, these parcels have been designed as abnormal lots. Any structures placed on these lots are required to meet the minimum development standards of the R-6 District;

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.

   Lots 3, 4, 6, and 7 could still be developed in a manner consistent with the R-6 District development standards and maintain the residentially zoned district that exists today.

C. The project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission hereby recommends that the City Council grant the Applicant's request for the **Tentative Map (TM 02-22) and Variance (VA 01-22)**, subject to the following conditions of approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Planning Division dated **January 24, 2022**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE CONSTRUCTION OF THE BUILDING'S ON EITHER PARCEL UNLESS OTHERWISE NOTED:

PLANNING DIVISION CONDITIONS OF APPROVAL

General:

1. This **Tentative Map (TM 02-22) and Variance (VA 01-22)** application is recommended for approval, as shown on the plans presented as part of the packet presented to the Planning Commission at the August 2, 2022 public hearing, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.

2. This approval for **Tentative Map (TM 02-22) and Variance (VA 01-22)** shall be effectuated within a period of three (3) years from the effective date of this resolution by either satisfying conditions in the Subdivision Map Act, or pulling a building permit for construction of the homes, and if not effectuated shall expire on

that same date three years later, on _____. Prior to the expiration date, the applicant may apply for a Tentative Map Extension pursuant to the provisions of the Zoning Code and Subdivision Map Act.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the Planning Commission on August 2, 2022.

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. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.

7. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

8. The applicant shall post a copy of the City of Oakley General Plan 2020 Land Use Diagram, in a conspicuous place, within the model homes or sales office.

9. Applicant shall submit a plan addressing on-site trash, litter, and debris during all construction phases.

10. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The

storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Public Works and Engineering Division. The site shall be kept in a manner as orderly as possible, given the nature of the project. Failure to maintain the site according to this condition may result in the City issuing a Stop Work order until the issue has been resolved.

Parks and Landscaping:

11. This project is not proposing to construct any parkland. The applicant will be required to pay the full in-lieu park impact fees on each lot.

12. The applicant shall submit conceptual landscape plans with any future Design Review application.

Fences and Walls:

13. Within the subdivision good neighbor fences shall be constructed as shown on the proposed plans, but with metal posts surrounded by a wood exterior or acceptable alternative, rather than wooden posts, as reviewed and approved by the Community Development Director. Corner lots or any good neighbor fence facing a street shall provide a fence or wall constructed of a durable material such as, but not limited to, masonry, vinyl, enhanced wood, composite or other durable material as approved by the Community Development Director. All wood fencing visible from the street shall be stained or painted on both sides to prevent water damage to the satisfaction of the Community Development Director.

14. All CMU walls, such as landscape retaining walls, shall use colored (i.e. non-grey) split-face CMU for all publicly and privately visible portions of the wall.

15. Anti-graffiti techniques shall be used on masonry walls.

Subdivision Design:

16. Driveway openings may be a maximum 18’ in width or up to 25% of the lot’s frontage, whichever is larger.

17. The street names shall be approved by the Community Development Department and the Contra Costa County Fire Protection District.

Subdivision Disclosures:

18. 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.

19. 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:

20. Water heaters shall provide an energy efficiency factor of 0.62 or better.

21. Dual zone air conditioning shall be provided on all two-story residential units.

22. 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.

23. Design and site units so as to take advantage of natural heating and cooling, sin and wind exposure, and solar energy opportunities.

Design Review

24. The future design review application shall include details of home designs, and any landscaping in front yards and rights of way. All design elements shall be analyzed for consistency with the Oakley Residential Design Guidelines and applicable sections of the zoning ordinance.

Waste Management Plan:

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

BUILDING DIVISION CONDITIONS OF APPROVAL

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

27. An Automatic Life Safety Sprinkler System shall be required in all new construction pursuant to Ordinance 22-06. The Automatic Life Safety Sprinkler Systems in commercial and industrial buildings shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association). Automatic Life Safety Sprinkler Systems in hotels and apartments shall be installed to the stands and requirements found in the most recent version of the NFPA, Standard 13R.

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

PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF AN ENCROACHMENT AND/OR GRADING PERMIT:

29. GENERAL. All public improvements shall be made according to the latest adopted City Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

30. ENCROACHMENT PERMIT. All work in the public right-of-way, including any blockage or partial closure of sidewalks will require an Encroachment Permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

31. GRADING PERMIT. All earthwork must comply with the City's Grading Ordinance. A Grading Permit must be issued by the public works department prior to site disturbance.
32. PUBLIC WORKS INSPECTIONS. The developer or their representative shall notify the Engineering Inspector at least forty-eight (48) hours before starting any

work pertaining to on-site drainage facilities, grading or paving, and all improvements in approved plans. Failure to do so will result in rejection of work that was completed without inspection.

33. PRECONSTRUCTION MEETING. Prior to issuance of any permit or the commencement of any site work, the general contractor shall:

    a) Along with the project applicant, attend a pre-construction meeting with the City Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
    b) Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

34. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the City Engineer.

35. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the State SMARTS system for projects disturbing more than one acre and obtain a WDID number. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, City standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the City of Oakley's NPDES Permit.

36. DUST CONTROL. Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer, or at

least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept daily during the workweek to the satisfaction of the City. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.

37. SILT AND MUD IN PUBLIC RIGHT-OF-WAY. It is the responsibility of contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up daily. Mud, silt, concrete and other construction debris SHALL NOT be washed into the City's storm drains. Construction entrances must be in place per the Erosion Control Plan.

38. TRAFFIC CONTROL PLAN. The project sponsor will be required to work with the Public Works Department to develop a traffic control plan per the current California MUTCD. This plan will include, but not be limited to, the following measures:

    a) Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, and special events. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
    b) Flag persons shall be placed at locations necessary to control one-way traffic flow, if required. All flag persons shall have the capability of communicating with each other to coordinate the operation.
    c) Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation and lane closures on main arterial and collector streets and will be permitted only between the hours of 8:30AM to 2:30PM on M, T, TH & F. 8:30AM to 12:00PM on W.
    d) The traffic control plan shall be reviewed for compliance to the project's Haul Route, approved by the City of Oakley.
    e) A full road closure will require a detour plan and a road closure permit issued by the Public Works Department.

39. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations. The public street shall not be used for any construction related activities, including parking for workers and storage of vehicles.

40. RESTORATION OF PUBLIC IMPROVEMENTS. The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised

pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Public Works & Engineering Inspector and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

41. SIDEWALK REPAIR. The developer shall repair and replace to existing City standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per City Standard Details. The limits of sidewalk repair will be determined by the Public Works Inspector during the construction phase of the project.

42. CURB AND GUTTER. The developer shall repair and replace to existing City standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per City Standard Details. The limits of curb and gutter repair will be determined by the Public Works Inspector during the construction phase of the project.

43. CONSTRUCTION NOISE. Between the hours of 7:30 a.m. to 5:30 p.m., weekdays and 9:00 a.m. to 5:30 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA. Pickup and delivery of materials and equipment is restricted to the hours listed above unless prior written approval is obtained by the Public Works Department.

44. GOOD HOUSEKEEPING. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE <u>GRADING PLAN</u>:

45. EXISTING WELLS. Provide documentation that any gas wells located onsite have been abandon per regulations.

46. GEOLOGY AND SOIL MITIGATION MEASURES. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. All recommendations of the investigation shall be incorporated into project plans. One copy of the geologic report shall be submitted with the grading permit and public improvement application. Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the City either by letter or by signing the plans.

47. GRADING.

    a) Grade any slopes with a vertical height of four (4) feet or more at a slope of 3H to 1V. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.

    b) Retaining wall or other suitable option acceptable by the City Engineer is required where the grade differential between property or adjacent lots are greater than 6". Retaining walls are required to be identified on the grading plans and shall have a note stating a separate building permit is required for retaining wall greater than four (4) feet in height.

    c) At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet to the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with the name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall always be kept current and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

d) Submit a Haul Route Plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan, the City Engineering shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.

e) Prior to commencement of any site work that will be result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent Letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

f) The burying of any construction debris is prohibited on construction sites

48. NPDES – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. Comply with all rules, regulations and procedures of the NPDES for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley – Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org

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

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City Standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.
- Prepare an Operations and Maintenance Manual for the project's storm water control measures.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLAN:

49. PUBLIC IMPROVEMENTS. Construct the project streets within public right of way to City public road standards and as shown on the Tentative Map with the following exceptions:

    a. The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.

    b. Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project streets can accommodate the largest expected vehicle to use the streets without the inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic, then they shall be included in the improvement plans.

50. ROADWAY IMPROVEMENTS. The following improvements shall be installed by the developer as shown on the Tentative Map. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the City.

    a. Frontage Improvements. Fuschia Lane and West Ruby Street shall be constructed with curb, gutter, sidewalk, street lights, pavement widening, signing, striping, and storm drainage as required consistent with the Vesting Tentative Map.

    b. Conduct a stop warrant analysis and install stop signs where necessary for the proposed intersections:

        - Fuschia Lane and West Ruby Street
        - Duarte Avenue and West Ruby Street

    c. Design Honey Lane and Salvador Lane with traffic calming improvements such as speed tables, speed bumps, or bulb outs where necessary as required by the City Engineer.

51. DRAINAGE IMPROVEMENTS.

    a. Collect and convey all stormwater entering and /or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse.

b. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the city Engineer for review and approval. The report shall includes study of the downstream stormdrain facilities to confirm its adequacy and mitigate on-site so that the peak flows of post-project conditions do not exceed the pre-project peak flows.
c. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
d. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
e. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.
f. On-site parking area and driveways shall not surface drain across public sidewalk or driveway aprons.

52. SIGHT DISTANCE EXHIBIT. For the project driveways' ingress and egress, provide an exhibit that will analyze the sight distance required for the appropriate speed limit identified with this project as required by the City Engineer.

53. DESIGN CHANGES. The Applicant's registered Engineer shall notify the City Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the City before altered work is started. A plan revision must be submitted for approval by the City Engineer.

54. JOINT TRENCH PLANS. The applicant shall submit Joint Trench Composite Plans to the City for review prior to approval of improvement plans or recordation of the final map. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that public streetlight billing will be per Rule LS2A, and that private lights shall be metered with billing to the owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

55. UTILITIES & UNDERGROUNDING.
a) Underground all new and existing utility distribution facilities per City of Oakley code section Title 6 Chapter 8 Underground Utility Districts.

b) All utility boxes shall be installed underground, and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.

c) Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

d) A written approval from Diablo Water District and Iron House Sanitary District must be provided that all underground utility improvements have passed all testing requirements prior to commencement of paving a street.

56. STREET LIGHTS. Install streetlights along all public streets as required by the City Engineer. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. Street lights shall be spun aluminum "cobra head" style as required by the City of Oakley Standard Plans.

57. LANDSCAPING IN PUBLIC RIGHT OF WAY.
    a) Prepare landscape plans for landscape improvements within the public right of way. Landscape plans shall be prepared by a licensed landscape architect.
    b) Install public right-of-way landscaping along the project's frontages as required by the City Engineer and Community Development Director.
    c) Maintain all landscaping within the public right-of-way until such time that the adjacent private properties have assumed maintenance of front yard landscaping.
    d) Prior to the issuance of certificate of occupancy, an inspection will be performed to verify the health and location of the street trees. Trees in poor health or those without adequate clearance from utilities will require replacement or relocation.

58. FENCING. Any proposed fencing and walls shall be located on private property and maintained by the property owner or owner.

59. SOUNDWALL. Soundwalls shall be installed within private property and not within public right of way.

60. MAINTENANCE EXHIBIT. Submit a maintenance exhibit showing the responsible maintenance entity of proposed subdivision improvements. Exhibit must clearly show which areas are to be maintained by the City of Oakley.

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE FINAL MAP:

61. BONDS. The applicant shall supply suitable securities for all improvements that are a part of the development in a form acceptable to the City in the amount of 100% (performance), 50% (labor and material) prior to issuance of any permit.

62. FINAL MAP. Submit a Final Map prepared by a Licensed Land Surveyor. The final map shall be recorded, and the Subdivision Agreement must be executed before

any building permits are issued. Insurance shall be provided per the terms of the Subdivision Agreement.

63. DEDICATIONS. The following shall be dedicated on the final map. The dedication shall be recorded before any permits are issued and under specific timelines listed below:

    a) Dedicate the required right-of-way along the project frontage as shown in the typical sections of the Tentative Map.
    b) Public Utility Easement (PUE): 5' PUE beyond public right of way as required.
    c) Ingress-egress, storm drainage easements, emergency access easements as required.

    Any necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road, utility and drainage improvements shall be furnished to the City. Prior to the issuance of the first building permit, the applicant must provide the necessary documentation that any existing easements no longer necessary have been quitclaimed.

64. PRIVATE EASEMENTS. Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the final map.

65. UTILITY SETBACKS. Building foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The City Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.

66. DRAINAGE FEES. This project is located within Drainage Area 52D (DA 52D) and Drainage Area 130 (DA 130), for which drainage fees are due in accordance with Flood Control Ordinance Number 2006-52 and 2007-06 respectively. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinances.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT:

67. PAD CERTIFICATION. A letter from a licensed land surveyor stating that the building pad was constructed in accordance with the approved plans shall be provided prior to the issuance of the building permit.

68. SOILS ENGINEER CONSTRUCTION OBSERVATION. During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior

to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an “as-built” letter/report prepared by the applicants’ soils engineer and submitted to the City before any building permit is granted.

69. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS. The property owner shall enter into an agreement with the City for maintenance of the stormwater filtration devices required to be installed on this project. The agreement will specify that certain routine maintenance shall be performed by the property owner and will specify device maintenance reporting requirements. The agreement will also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.

70. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall be provided to the City before acceptance of improvements.

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

    A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);

    B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);

    C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);

    D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

    E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);

    F. Fire Facilities Impact Fee (adopted by Resolution No. 24-21);

G. General Plan Fee (adopted by Resolution No. 53-03);

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

72. ANNEXATIONS

a) Annex the property to the City of Oakley Community Facilities District No. 2020-1 Fire Protection Services (CFD) for funding certain services within the boundaries of the City of Oakley including fire protection services. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexations shall be paid by the applicant. The assessment shall be the per parcel annual amount set by CFD at the time of the annexation. Annexation shall be completed prior to filing of the final map.

b) Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by the subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. If the homes are occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rate share for the remainder of the tax year prior to the City conducting a final inspection.

c) Annex the property to the City of Oakley Community Facilities District No. 2015-2 (CFD) for funding the maintenance and operation costs associated with regional, community and neighborhood parks, public area landscaping, streetlights, and storm water facilities. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexations shall be paid by Applicant. The assessment shall be the per parcel annual amount set by CFD at the time of annexation. Annexation shall be completed prior to filing of the final map.

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 Iron House 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. The applicant shall be responsible for paying the County Recorder's Fee for the Notice of Determination as well as the State Department of Fish and Game's Filing Fee.

I. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07.)

PASSED, APPROVED AND ADOPTED this 2nd day of August, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Shannon Shaw, Chair

ATTEST:

_____
Libby Vreonis, City Clerk

_____
Date

STAFF REPORT

DATE: August 2, 2022

TO: Joshua McMurray, City Manager *Approved and Forwarded to the Planning Commission*

FROM: Ariana Ruiz, Planning Technician

SUBJECT: **Confianza Insurance Re-facade Design Review (DR 02-22)** – Request for Design Review approval to re-façade the existing commercial building.

Summary

This is an application by Vilma Zaragoza ("Applicant") requesting approval of a Design Review (DR 02-22) to alter the existing façade of the commercial building by removing the wooden shingles on the front elevation and re-painting the exterior. The Applicant is also requesting to install decorative foam trim in place of the shingles, and around the existing windows and doors of the building ("Project"). The project site is located at 3903 Main Street and zoned SP-4 (Downtown Specific Plan) District. APN: 035-182-021.

Background

General Plan and Zoning

- The General Plan Land Use Designation for the project site is *Downtown Commercial (CD),* as depicted in the Oakley General Plan Figure 2-2 (Land Use Diagram).
- The project site is zoned SP-4 (Downtown Specific Plan) District.

Surrounding Uses and Land Use Designations

The project site is located south of Main Street and west of O'Neil Court. To the west and east of the site, there are existing commercial businesses. South of the site, there is an existing church. The parcel located across Main Street is currently undeveloped. The surrounding parcels are also located within the SP-4 District. Please refer to page 2, Figure 1 for an aerial of the project site and immediately surrounding area as described.

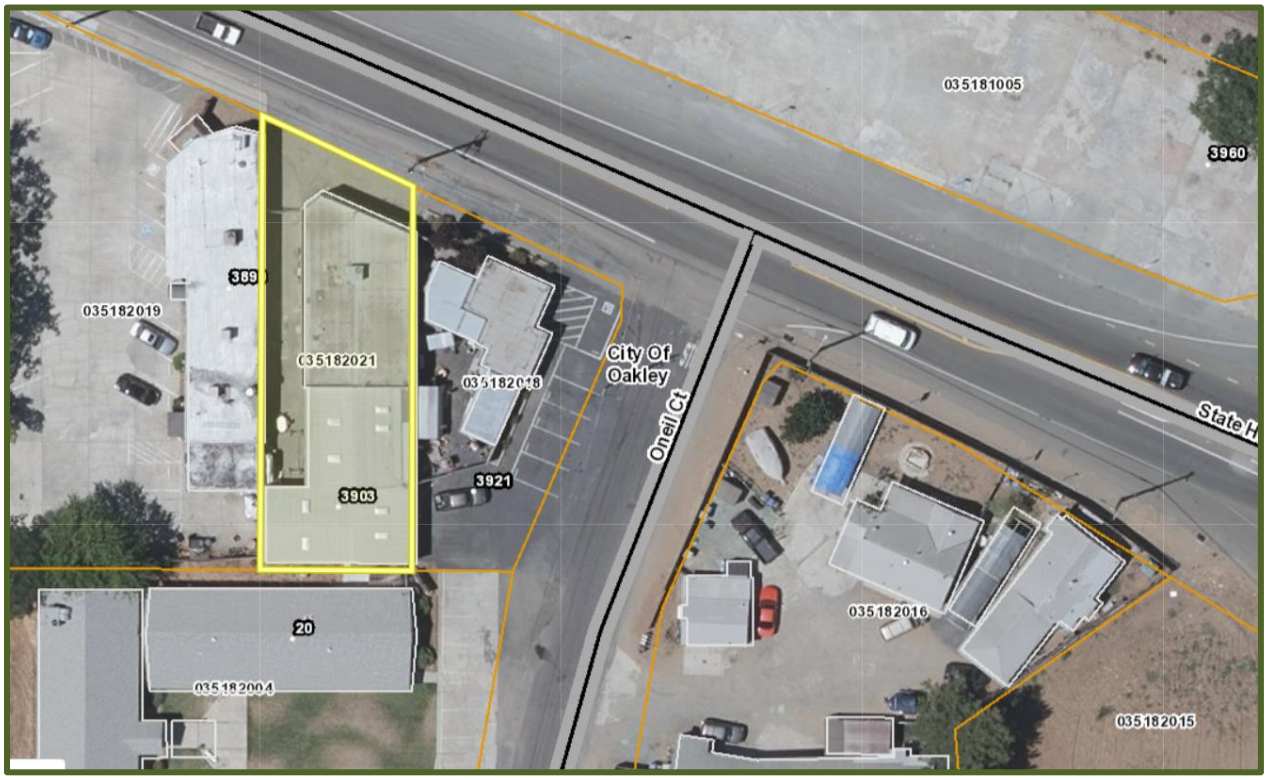
Project Description

Design Review

Per the Oakley Municipal Code ("OMC") section 9.1.1604, Design Review shall be required in any residential, commercial, industrial, or public and semi-public zoning district for any permitted or conditionally permitted establishment of use on a property that is not already developed with full frontage improvements and on-site improvements. The Design Review

process also allows for the review and analysis of the proposed project's design, including the site plans, architectural elevations, conceptual landscape plans, and other physical development for all lots within the zoning district.

Figure 1. Project Site and Immediately Surrounding Area (CCMaps)



Existing Commercial Building

The fourteen-foot-tall commercial building originally contained a stucco body with wood shingles placed along the flat roofline to help add dimension to the building. The stucco body along with the wooden shingles were painted one singular color. The existing office building is currently under renovation. The new owners of this office space are making several changes to the exterior. During the week of June 20th, the new owners visited City Hall to obtain an encroachment permit to resurface the asphalt and install a concrete sidewalk adjacent to the building along Main Street. An encroachment permit was issued the week of June 27th for the work.

Upon further conversation, the owners also asked Staff what materials would be appropriate for the exterior of the building as they had removed the wooden shingles along the frontage of the building with the hopes of installing stucco or siding. The owners were directed to submit an application for Design Review approval, pursuant to the OMC. On June 28, 2022 the owners filed an application for the Design Review. Figure 2 depicts a picture of the street view as it existed in February of 2022.

Figure 2. Front Elevation (Google Maps – Street View)



Proposed Changes

The proposed changes include repainting the existing building from “tan” to an earth-tone green, “Southern Moss” as depicted within the Applicant’s plans. The Applicant is also proposing to install 2” x 6” foam molding around all windows and doors. Trim will also be installed along the roofline of the building. The trim molding consists of a tan or white to help add architectural dimension to the façade. Also proposed to be installed, is a 20 square-foot (10’ x 2’) sign containing raised channel letters over a wooden background panel. The letters and background have been painted red and will be centered along the northern portion of the building.

Environmental Analysis

The request for design review approval is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15301, “Existing Facilities”. Section 15301 of the State CEQA Guidelines exempts projects when the proposed project involves negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

Analysis

When considering applications for Design Review, the Planning Commission shall consider several aspects of each application to the extent they are applicable to a project (Oakley

Municipal Code (OMC) Section 9.1.1604 Design Review). Those aspects include site planning, architecture, landscaping and site elements, and streetscapes. The proposed modifications to the building include changes to the facade, and materials and colors, including repainting, re-façade to install a stucco trim along the front and side elevation of the building, and install tenant signage for the insurance business. For the purposes of this project, only the standard of review related to architecture is applicable.

The commercial building consists of a flat roof and stucco body. The proposed changes include repainting, re-façade to install a stucco trim along the front and side elevation of the building and install tenant signage for the insurance business. The design review was analyzed for consistency with the adopted Commercial and Industrial Guidelines. The exterior wall and trim colors chosen for the insurance office meet the intent of the guidelines as well as the Oakley Downtown Specific Plan (DSP). The DSP further supports the proposed changes as stucco use is promoted. Storefronts are recommended to use a small palette, no more than two (2) materials and different colors to enhance the decorative effect. Shaped frames and sills are encouraged to add additional relief to the windows as they are an important element of the building composition and an indicator of building quality. The DSP also highlights the use of illuminated and building-mounted signs. The proposed sign is proportional to the building size, at it occupies no more than thirty (30) percent of the building's frontage.

Findings

Draft findings are included in the attached resolution.

Fiscal Impact

The recommendation to approve the application will not impact the General Fund. This is a developer-funded account. All Staff time and City of Oakley generated materials related to the processing of this application, including reproduction of physical copies and postage for public hearing notices, are charged to the account.

Recommendation

Staff recommends the City Council adopt the resolution approving "Confianza Insurance Re-façade Design Review (DR 02-22)," as conditioned.

Attachments:

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

Vicinity Map

Confianza Insurance Re-façade Design Review (DR 02-22) APN: 035-181-021



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

NOTICE OF PUBLIC HEARING

PLANNING COMMISSION

Notice is hereby given that on **August 2, 2022**, at 6:30 p.m., or as soon thereafter as the matter may be heard, the Planning Commission of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **Design Review** as described below:

Project Name: Confianza Insurance Re-facade Design Review (DR 02-22)

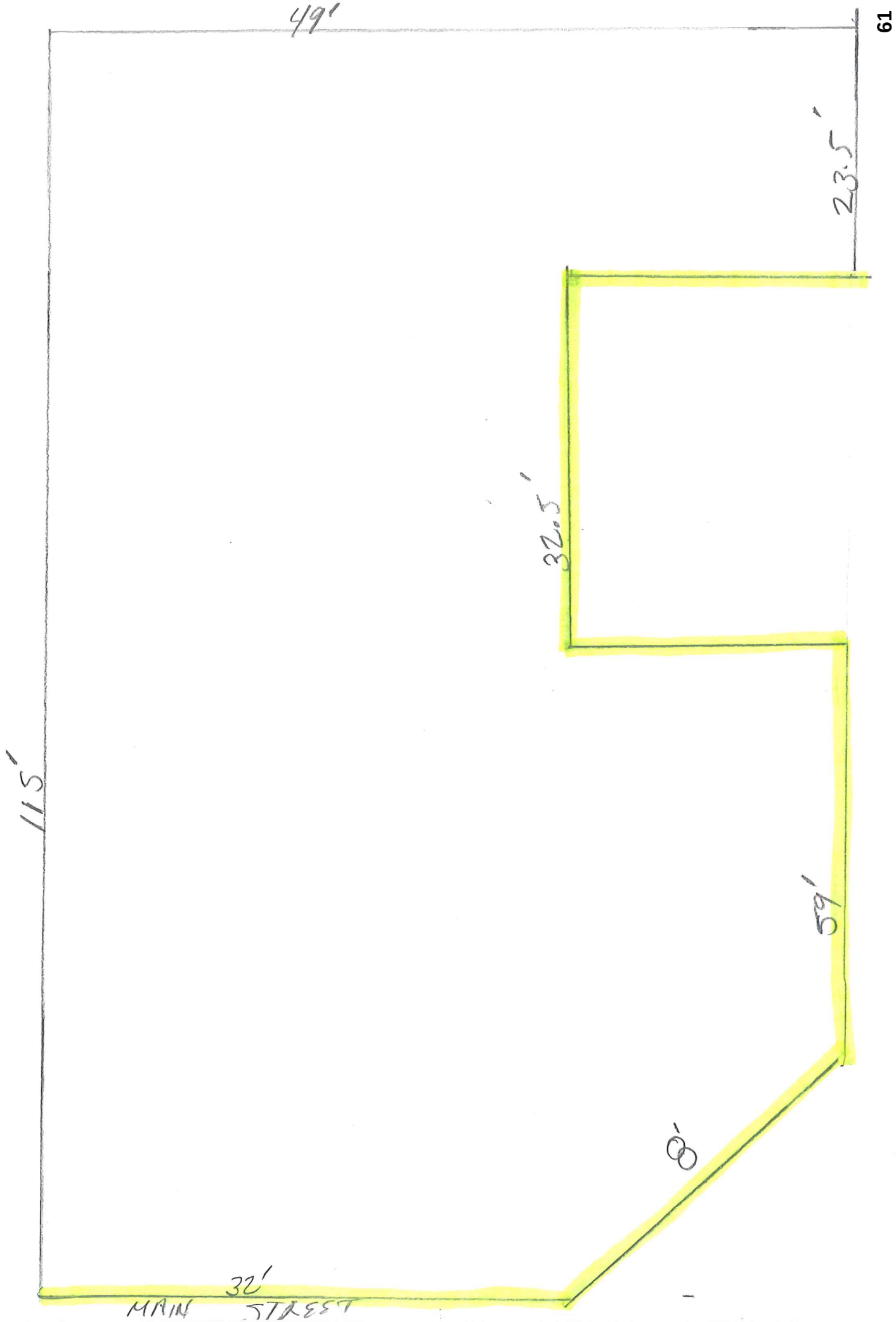
Project Location: 3903 Main Street, Oakley, CA 94561

Applicant: Vilma Zaragoza, 3903 Main Street, Oakley, CA 94561

Request: Application by Vilma Zaragoza ("Applicant") requesting approval of a Design Review (DR 02-22) to alter the existing façade of the commercial building by removing the wooden shingles on the front elevation and re-painting the exterior. The Applicant is also requesting to install decorative foam trim in place of the shingles, and around the existing windows and doors of the building ("Project"). The project site is located at 3903 Main Street and zoned SP-4 (Downtown Specific Plan) District. APN: 035-182-021.

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 28, 2022** 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 **August 2, 2022 Planning Commission 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 Ariana Ruiz, Planning Technician at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to ruiz@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.


49'
23.5'
32.5'
115'
59'
8'
32'
MAIN STREET



ALL WINDOWS AND DOORS WILL BE INSTALL 2"x6" FOAM TREM

7 WINDOWS AND

2 GARAGE DOORS

1 SIDE DOOR

1 SLIDING DOOR



REMOVE WOOD SHINGLES 32'x3', 8'x3', 13'x3' AND FOLLOW EXISTING STUCCO

APLY ACRYLIC STUCCO TEXTURE ON EXISTING YELLOW AREAS



INSTAL A 10'x2' LIGHTING SING

CONFIANZA
INSURANCE

Proposed: La Habra – Southern Moss Stucco





Proposed: 2” x 6” Stucco Trim Molding





RESOLUTION NO. XX-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING THE PROJECT KNOWN AS "CONFIANZA INSURANCE DESIGN REVIEW (DR 02-22)" LOCATED AT THE PROPERTY ADDRESS 3903 MAIN STREET. (APN: 035-182-021).

FINDINGS

WHEREAS, on June 28, 2022, Vilma Zaragoza ("Applicant") filed an application for Design Review (DR 02-22) approval to alter the existing façade of the commercial building by removing the wooden shingles on the front elevation and re-painting the exterior. The Applicant is also requesting to install decorative foam trim in place of the shingles, and around the existing windows and doors of the building ("Project"). The project site is located at 3903 Main Street and zoned SP-4 (Downtown Specific Plan) District. APN: 035-182-021; and

WHEREAS, on July 18, 2022, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated *Commercial Downtown (CD)* in the Oakley General Plan Land Use Map, and zoned SP-4 (Downtown Specific Plan) District; and

WHEREAS, the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, "Class 1 – "Existing Facilities"; and

WHEREAS, on or before July 22, 2022, 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 subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on August 2, 2022, the Planning Commission 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 Planning Commission took a vote and adopted this resolution to approve the project, as revised by the Planning Commission during its deliberations; and

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

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning Ordinance, the Oakley Downtown Specific Plan, and the information submitted to the Planning Commission at its August 2, 2022, meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

A. Regarding the application requesting Design Review approval for the project titled, "Confianza Insurance Re-façade Design Review (DR 02-22)", the Planning Commission finds that:

   1. The proposed exterior modifications, as conditioned are consistent with the applicable Commercial and Industrial Design Guidelines and intent of the Oakley Downtown Specific Plan. The proposed changes use quality paint and are compatible, subdued, and not garish.

B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission approves the Applicant's request for approval of the project titled, "Confianza Insurance Re-façade Design Review (DR 02-22)," subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the plans date stamped received by the Planning Division on June 28, 2022, as well as additional information acquired since that time and made a part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This **Design Review (DR 02-22)** is approved as shown on the plans date stamped by the Planning Division on **June 28, 2022**, and as modified by the following conditions of approval, subject to final review by the Community Development Director.

2. This approval for **Design Review (DR 02-22)** shall be effectuated within a period of one (1) year from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on August 2, 2023. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the Planning Commission on August 2, 2022 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. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court), action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith

Development Standards:

8. Applicant shall paint the entire exterior of the building, including any pipes, conduits, downspouts, etc. in a consistent manner with the approved colors.

Waste Management Plan:

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

Building Division Conditions

10. 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.

11. An Automatic Life Safety Sprinkler System may be required as determined by the Contra Costa Fire Protection District. If required, the Automatic Life Safety Sprinkler Systems shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association).

12. 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.

13. All new commercial buildings and places of public accommodation shall be designed to the standards found in the latest version of California Building Code Chapter 11B or the 2010 ADA standards for accessible design, whichever is stricter.

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. Applicant shall comply with the requirements of Iron House Sanitary District.

C. The applicant shall comply with the requirements of the Diablo Water District.

D. Comply with the requirements of the East Contra Costa Fire Protection District.

E. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.

F. 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.

G. The applicant shall be responsible for paying the County Recorder's Fee for the CEQA Notice of Exemption.

PASSED, APPROVED AND ADOPTED this 2nd day of August, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____
Shannon Shaw, Chair

ATTEST:

_____ _____
Libby Vreonis, City Clerk Date