



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, June 14, 2011

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Review of agenda items.
- 1B. Chair Johnson to report at the City Council meeting on June 21, 2011.

Public Comment

Approval of Minutes

- 2. None.

Public Hearing

- 3. A public hearing pertaining to the proposed Diablo Estates at Clayton residential subdivision involving the construction of 24 single-family residences on the 24-acre former Diablo Pointe property. The applicant is Toll Brothers Home Builders. The project site is located at the northeast corner of Regency Drive and Rialto Drive (APNs 119-630-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, 119-640-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014). The entitlements that will be considered for approval are listed below:

- **SPR 01-11, Site Plan Review.** A site plan review permit to allow the construction of 24 single-family residences measuring approximately 3,500 to 4,900 square feet in area (includes garage space).
Proposed Action: Approval, with conditions.
- **LLA 01-11, Lot Line Adjustment.** A lot line adjustment to adjust the lot lines on Lots 1, 2, 20, and 21.
Proposed Action: Approval, with conditions.
- **VAR 01-11, Variance.** A variance to allow the front and side setbacks on Lots 1, 2, 3, 4, 16 to be less than the required minimum setbacks in the respective Single Family Residential Districts and also to allow only the porches on all residences to project five feet into the front and side setbacks.
Proposed Action: Approval, with conditions.
- **UP 01-11, Use Permit.** A use permit to allow a temporary sales trailer and related parking lot to be installed on Lot 18.
Proposed Action: Approval, with conditions.

Agenda
Planning Commission Meeting
Tuesday, June 14, 2011
Page 2

Old Business

4. None.

New Business

5. None.

Communications

- 6A. Staff.
6B. Commission.

Adjournment

7. The next meeting of the Planning Commission is scheduled for **Tuesday, June 28, 2011.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

PLANNING COMMISSION STAFF REPORT

Meeting Date: June 14, 2011

From: David Woltering, AICP 
Community Development Director

Subject: Diablo Estates at Clayton Residential Subdivision
Site Plan Review (SPR 01-11)
Lot Line Adjustment (LLA 01-11)
Variance (VAR 01-11)
Use Permit (UP 01-11)

REQUEST

Approval of the entitlements listed below to allow construction of 24 residences in accordance with the applicant's submitted plans on the already-subdivided 24-acre subject property located at the northeast corner of the intersection of Regency Drive and Rialto Drive:

- 1. SPR 01-11, Site Plan Review.** A site plan review permit to allow the construction of the 24 single-family residences measuring approximately 3,500 to 4,900 square feet in area (includes garage space).
- 2. LLA 01-11, Lot Line Adjustment.** A lot line adjustment to adjust the existing lot lines on Lots 1, 2, 20, and 21.
- 3. VAR 01-11, Variance.** A variance to allow the front and side setbacks on Lots 1, 2, 3, 4, 16 to be less than the required minimum setbacks in the respective Single Family Residential Districts and also to allow only the porches on all residences to project five feet into the front and side setbacks.
- 4. UP 01-11, Use Permit.** A use permit to allow a temporary sales trailer and related parking lot to be installed on Lot 18.

PROJECT INFORMATION

Applicant/Location: Toll Brothers Home Builders
Northeast Corner of Regency Drive and Rialto Drive
(APNs 119-630-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, 119-640-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014)
(See **Exhibit A** for Vicinity Map)

General Plan Designation: Single Family Low Density (LD) and Public Park/Open Space/Open Space and Recreation (PU).

Zoning: R-10; R-40; R-40-H; and Public Facility (PF)

Public Notice: On May 26, 2011 public hearing notices were placed on the City's three standard community posting boards, sent to the Contra Costa Times for publication, and mailed to property owners within 300 feet of the site. To date, two comments have been received by staff pertaining to the grading occurring on the site and assuring soil stability on the property. Staff has reviewed the grading plan and actions will be taken to address long-term soil stability on the property with the two individuals who commented.

Authority: Section 17.44.030 of the *Zoning Ordinance* authorizes the Planning Commission to approve a site plan in accordance with standards in Section 17.44.050.

Section 16.02.030.D. of the *Municipal Code* authorizes the Planning Commission to approve a lot line adjustment in accordance with the requirements stated therein.

Section 17.52.030 of the *Zoning Ordinance* authorizes the Planning Commission to approve a variance in accordance with the findings stated therein.

Section 17.60.060 of the *Zoning Ordinance* authorizes the Planning Commission to approve a use permit.

BACKGROUND

A similar subdivision for 24 residences was previously processed for this property by Lemke Construction, Inc. That proposed subdivision was referred to as the Diablo Pointe subdivision. On November 3, 2004, the Planning Commission approved a Tentative Subdivision Map and a Variance for the Diablo Pointe subdivision; and, on November 8, 2005, the Planning Commission approved another Variance and a Site Plan Review Permit to construct the 24 residences on the property. The property was formally subdivided in accordance with the approved Tentative Subdivision Map, and a Final (Subdivision) Map was recorded for this property with Contra Costa County on June 10, 2008. Private street improvements and utilities were installed to satisfy subdivision requirements.

Separately, the Site Plan Review approval that addressed the proposed architecture and exterior colors and materials for the proposed 24 residences as well as the exterior landscape improvements was not implemented and that approval lapsed. The sizes of the homes associated with that 2005 Site Plan Review for the Diablo Pointe subdivision ranged from 3,420 to 5,933 square feet in size.

The above-referenced Tentative Subdivision Map, Variances, and Site Plan Review approvals were processed based on the adoption of an Initial Environmental Study/Mitigated Negative Declaration (IES/MND) in accordance with the provisions of the California Environmental Quality Act (CEQA). This environmental analysis, identified as City Project ENV 01-03, and a Monitoring Program (MMP) were adopted by the Planning Commission. The MMP describes and summarizes the mitigation measures adopted in the IES/MND. These measures assure that identified potentially significant environmental impacts would be mitigated to a less than significant level. Identified potentially significant impacts included impacts to wildlife habitat and to soils stability. Mitigation measures were included in the IES/MND and the MMP to address these and all other areas of potentially significant impacts identified in the environmental analysis.

The current Toll Brothers application involves the following requests for approval:

- Site Plan Review Permit;
- Lot Line Adjustments;
- Variances; and
- Use Permit.

This proposed project has been designed to be within the impact parameters of the previously approved Diablo Pointe subdivision project, and, accordingly, it is anticipated that the previously adopted IES/MND and MMP (ENV 01-03) will be used for this project. Some substitution of condition/mitigation language will be needed to address this current project proposal; however, it is expected that the substitution language will be “equivalent or more effective” than the original language in avoiding or reducing to a less than significant level the related impacts being addressed. This substitution of mitigation measures is provided for under Section 15074.1 of the CEQA guidelines.

1. SITE PLAN REVIEW PERMIT

The applicant’s submittal (See **Exhibit D**) for the Site Plan Review Permit includes site plans, elevations, floor plans, and typical front and rear yard landscape plans. Six different residential plans are proposed, with two to four front elevation options and two to four exterior color schemes. The proposed residences range in size from approximately 3,500 square feet to 4,900 square feet in size, including garages. The applicant proposes to pre-plot specific residential plans on seven of the lots (Lots 8, 9, 10, 13, 14, 15, and 19), and offer options to prospective buyers as to specified plans on the remaining lots (See **Sheet SP2 of Exhibit D**). Exterior materials include masonry accents on the front and side elevations and tile roofs. Exterior colors include a range of earth tones, from light tans and browns to light greens. Some of the proposed residences include interior courtyards. The proposed project includes both single and two-story residences. The applicant will present a colored perspective drawing and a color/material sample board at the meeting and provide a full overview of the design, building materials and colors to be used at the Planning Commission meeting.

Exhibit D also includes proposed typical front and rear yard landscape plans. These preliminary landscape plans have been prepared to address both C.3 stormwater detention requirements as well as satisfy the City’s recently adopted Landscape Water Conservation Ordinance. These plans also depict proposed fencing for the proposed project. The areas beyond the lateral rear open view fences will generally remain undeveloped and natural.

This proposed development is on hillside topography, so retaining walls will be involved (See **Exhibit H**).

Planning Considerations

Staff believes areas of important discussion and suggested conditioning pertaining to this entitlement request are as follows:

1. Adding a specific condition to assure variation in the plotting of homes in the areas in which the applicant wants to offer options to home buyers. Staff believes the submitted plans offer the opportunity to achieve this variation, but it must be assured through a condition.
2. Adding a specific condition to address the extent of use/development that may be considered or allowed in the areas beyond the rear yard open view fences on individual lots.
3. Adding a specific condition regarding the appropriate treatments of proposed retaining walls within the proposed project.

2. LOT LINE ADJUSTMENT

The lot line adjustments proposed between Lot 1 and Lot 2 and between Lot 20 and Lot 21 are described in **Exhibit E**. These are minor lot line adjustments for the purpose of establishing a more usable pad area and consistent lot dimensions. Staff supports the adjustments as presented.

3. VARIANCE

The Variance requests are described in **Exhibit F** and summarized below:

Variance Requests

Lot 1 – Zoning is R-40H. Current Side Setback is 20'. The applicant requests the home on Lot 1 be allowed to project up to 5' into the side yard setback adjacent to Lot 2. Depending on the plan built on Lot 1, the home may project less than 5' into the setbacks.

Lot 2 – Zoning is R-40H. Current Side Setback is 20'. The applicant requests the home on Lot 2 be allowed to project up to 5' into the side yard setback on both sides. Depending on the plan built on Lot 2, the home may project less than 5' into the setbacks.

Current Front Yard Setback is 40'. The applicant further requests the home be allowed to project up to 20' into the Front Yard Setback.

Lot 3 – Zoning is R-40H. Current Side Setback is 20'. The applicant request the home on Lot 3 be allowed to project up to 10' into the side yard setback adjacent to Lot 4 and up to 5' adjacent to Lot 2. Depending on the plan built on Lot 3, the home may project less into the setbacks.

Current Front Yard Setback is 40'. The applicant requests the home be allowed to project up to 20' into the Front Yard Setback.

Lot 4 – Zoning is R-40. Current Side Setback is 20'. The applicant requests the home on Lot 4 be allowed to project up to 10' into the side yard setbacks at both Lot 2 and Lot 3. Depending on the plan built on Lot 4, the home may project less than 10' into the setbacks.

Current Front Yard Setback is 40'. The applicant further requests the home be allowed to project up to 20' into the Front Yard Setback.

Lot 16- Zoning is R-10. Current Side Setback is 10'. The applicant requests the home on Lot 16 be allowed to project up to 5' into the side yard setback adjacent to the portion of the Property Line that abuts the driveway on Lot 15.

General – Zoning throughout the community is R-10, R-40, or R-40H. The applicant requests that a single story porch element be allowed to project up to 5' into a front or side yard set back, as long as the main building (including any two story element) does not encroach on the setback. This porch element will only be on the front of the home.

Effect on Lots 1, 2, 3, 4, 16 - On Lots 1-4 and 16 the projection of the front porch would be in addition to the variances requested above. But in no instance will the porch be closer than 15 feet from the front property line and 5 feet from the side property lines.

Effect on all other lots – The residences on all other lots are compliant with the required setbacks for the applicable zoning district. In no instance will the porch be closer than 15 feet from the front property line and 5 feet from the side property lines.

Planning Considerations

Staff believes the required findings for the requested Variances can be satisfied. Proposed findings for the requested Variances area presented below in this report. Generally, the objective is to move the proposed homes closer to the street to reduce grading impacts, increase the usable yard areas and to allow for porches on the front of the homes to create more active street environments. The sloping topography that exists on this property is a special condition that is confronted with development of this site. General Variance findings are listed immediately below, while more site specific Variance findings are provided further below in this report.

General Findings for Granting the Requested Variances

1. The authorization of a variance is not a grant of a special privilege since the respective lots are located on cul-de-sacs or are narrow at the street and widen in the body of the lot. In addition significant portions of the lots are located on slopes which limits the areas and location of building pads. The lots significantly exceed the lot standards regarding lot depth and size. The variance does not allow a use or activity (e.g., commercial operations) which is precluded in the respective Single-Family Residential Districts.
2. The authorization of a variance is appropriate since the sloped terrain of the site and the City's interest in minimizing grading of steep slopes results in a street design with cul-de-sacs and a lot shape and configuration which narrows at street. On the basis of these constraints, the strict application of the standard lot widths would deprive the subject lots of rights enjoyed by other lots within the same zoning respective districts.
3. The authorization of a variance is appropriate since the intent and purpose of the Single-Family Residential District allow single-family dwellings and accessory uses. The requested variance allows construction of single family dwelling and accessory structures (e.g., garages, detached buildings) on the subject lots in a manner and form similar to and in parity with neighboring Single-Family Residential District properties.

4. USE PERMIT

The applicant is requesting approval of a Use Permit (See **Exhibit G**) to place a temporary subdivision sales trailer on Lot 18 of this subdivision. A Use Permit approval is required for this use pursuant to Section 17.60.030.B.1. of the Clayton Municipal Code.

Section 17.60.060 of the *Municipal Code* states that in granting a use permit, the factors to be reviewed by the Planning Commission (or City Council upon appeal) shall include but are not limited to the following findings:

- A. That the use shall be in conformity with the General Plan and any applicable Specific Plan;
- B. That the use shall be in conformity with City adopted standards.
- C. That the use shall not negatively affect the general safety (e.g. seismic, landslide, flooding, fire, traffic) of the City or surrounding area.
- D. That the use shall not have significant negative impacts on the health or general welfare of residents or employees of the City.
- E. That the permit will be in accord with the purpose of use permits as stated herein.

Planning Considerations

Staff has reviewed the applicant's submittal and supports this request with conditions (See Proposed Findings and Conditions listed below).

RECOMMENDATION

Proposed Findings for Approval

1. Site Plan Review

Based upon the evidence set forth in the staff reports, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings regarding the Site Plan Review Permit for the addition:

1. Is consistent with the General Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Maintains solar rights of adjacent properties.
5. Reasonably maintains the privacy of adjacent property owners and/or occupants.
6. Reasonably maintains the existing views of adjacent property owners and/or occupants.
7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.
8. Is compatible with the neighborhood and surrounding land uses.

2. Lot Line Adjustment

Based upon the evidence set forth in the staff reports, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings regarding the Site Plan Review Permit for the addition:

1. Is consistent with the General Plan designation and policies.
2. Conforms with the Zoning Ordinance.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

3. Variance

Based on the evidence in the staff report and project file, as well as testimony at the hearing, the Planning Commission finds that:

Lot 1: This would not be a grant of special privilege since the reduced setback is still greater than the setback distances required on lots 5-24, and maintains at least 30' between the home on Lot 1 and the home on Lot 2.

Strict application of the 20' side yard setback would place the home too close to the slope on the North side of Lot 1, and would deprive the homeowner on Lot 1 of the same size backyard enjoyed by other lots on the property.

Authorizing this variance would meet the intent and purpose of the R-40H District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 2: This would not be a grant of special privilege since the reduced setback is still greater than or equal to the setback distances required on lots 5-24, and maintains at least 30' between the home on Lot 2 and the home on Lot 1.

Strict application of the 20' side yard setback and 40' front yard setback would eliminate any usable backyard for this homeowner.

Authorizing this variance would meet the intent and purpose of the R-40H District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 3: This would not be a grant of special privilege since the reduced setback is still greater than or equal to the setback distances required on lots 5-24, and maintains at least 30' between the home on Lot 2 and the home on Lot 3.

Strict application of the 20' side yard setback and 40' front yard setback would eliminate any usable backyard for this homeowner.

Authorizing this variance would meet the intent and purpose of the R-40H District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 4: This would not be a grant of special privilege since the reduced setback is equal to the setback distances required on lots 5-24.

Strict application of the 20' side yard setback and 40' front yard setback would eliminate any usable backyard for this homeowner.

Authorizing this variance would meet the intent and purpose of the R-40 District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 16: This would not be a grant of special privilege since, due to the access easement on Lots 14 and 15, the reduced setback maintains 20' between the home on Lots 16 and those on Lots 14 and 15, as required on all other lots in the community.

Due to the flag shape of Lot 16, strict application of the 10' side yard setback in this area would push the home back on the lot so far that it would eliminate any usable backyard for this homeowner.

Authorizing this variance would meet the intent and purpose of the R-10 District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

General: This would not be a grant of special privilege since all homes in the community would adhere to the same restriction.

Strict application of the setbacks in this instance would eliminate front porches, which activate the street for homeowners and pedestrians, and in some cases push homes back on the lot so as to eliminate usable back yard spaces.

Authorizing this variance would meet the intent and purpose of the R-10, R-40, and R-40H Districts which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

4. Use Permit

Based on the evidence in the staff report and project file, as well as testimony at the hearing, the Planning Commission finds the project, as conditioned:

1. Is consistent with the General Plan designation and policies and Town Center Specific Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Imposes no significant negative impacts upon the health or general welfare of residents or employees of the City.
5. Incorporates a permit that will be in accord with the purpose of Use Permits as stated herein.

PROPOSED CONDITIONS OF APPROVAL

1. Site Plan Review

PLANNING CONDITIONS

1. The final map shall show a conservation easement on Lots 1- 4 along the property lines adjacent to Mt. Diablo State Park. The easement shall be 150 feet wide, as measured from the project site's exterior property lines and is intended to preserve an open and attractive visual character adjacent to the park. Construction of all buildings shall be prohibited within the easement area.
2. The developer shall be responsible for submitting an application for rezoning those lots classified R-40-H to R-40 prior to the sale of those lots to a subsequent buyer to the satisfaction of the Community Development Director.
3. The project shall have covenants, conditions, and restrictions (CC&R's) which address the issues listed below. The CC&R's shall be submitted to the Community Development Director for review and approval, prior to sale of first lot.
 - a. Property owners are responsible for the repair and maintenance of the required fences along their respective property lines. The fences shall be maintained in a style consistent with the design approved by the City.
 - b. Property owners shall comply with the Tree Retention Conditions.
 - c. Property owners shall maintain any gates needed for access to above-ground or under-ground drainage facilities.
 - d. No provision in the CC&R's which is included as a result of these Conditions of Approval may be amended without the prior written approval of the City of Clayton.
4. The Developer agrees to dedicate Lot 25 to the California Department of Parks and Recreation as an addition to Mount Diablo State Park. The Developer shall provide proof of acceptance of Lot 25 by the California Department of Parks and Recreation prior to the issuance of a building permit for the twentieth (20th) dwelling. The Developer shall be responsible for the care and maintenance of Lot 25 until the dedication has been accepted by the State. This responsibility for care and maintenance may not be transferred to any entity, other than the State, without the expressed written approval of the City. The Developer shall provide a performance deposit to the State prior to acceptance of Lot 25 by the State to

ensure that at least 75 percent of the plantings installed for remediation survive for five (5) years following installation. In the event that less than 75 percent of the trees and shrubs survive, the Developer shall (in consultation with the State) install and maintain replacement trees and shrubs.

5. The Developer shall provide one dwelling unit as a very low-income housing unit; one dwelling unit as a low-income housing unit; and one dwelling unit as a moderate-income unit; or an in-lieu fee, as determined by the City Council. Affordability requirements and resale restrictions shall be subject to the review and approval of the City Attorney. Resale of the units shall be subject to recorded restrictions for fifty-five (55) years in order to ensure the units' long-term affordability. The units may be located on- or off-site. If the units are located off-site, the units shall be subject to the review and approval of the Community Development Director. Escrow for sale of the low-income and moderate-income units shall close prior to issuance of the certificate of occupancy for the project's twentieth (20th) unit. Escrow for sale of the very low-income unit shall close prior to issuance of the certificate of occupancy for the project's tenth (10th) unit. If the affordable unit is ready for sale and the potential buyer of the affordable housing unit is not ready to close escrow, the respective certificate of occupancy for the project unit shall not be withheld. (The initial Developer of this proposed project satisfied the requirement for the very low-income residential unit; accordingly, satisfaction of the requirement for the low-income and moderate units remains at this time.)
6. The Developer shall file annual reports in January with the Community Development Department which indicate the number and price of new residences sold in the previous calendar year.
7. The Developer shall pay a fair share contribution to the City for improvement of open space lands. Payments shall be made at the time of issuance of the building permits for each of the project's units. Payments shall be based on an initial amount of \$264,365, as adjusted by the San Francisco-Oakland Consumer Price Index from December 2003 to the time of payment. [MM 29]¹
8. The Developer shall pay a fair share contribution to the City for impacts to police staffing directly related to project's impacts for a five-year period. The calculation and payment shall be made at the time of issuance of building permits for each of the project's units and shall be approved in advance by the City Manager in accordance with the formula provided in Mitigation Measure 26, based upon twenty three (23) net additional units. [MM 26]
9. All conditions of approval, which are applicable to the construction of the subdivision improvements, shall appear on the improvement drawings.
10. Pursuant to Government Code Section 66474.9, the applicant (including the Developer or any agent thereof) shall defend, indemnify, and hold harmless the City of Clayton and its agents, officers, and employees from any claim, action, or proceeding against the City or its

¹ Mitigation measures (MM) listed in the *Diablo Pointe Residential Subdivision Initial Environmental Study/Negative Declaration* Final Draft, dated September 2004, are referenced by number (e.g., MM 2 for Mitigation Measure 2).

agents, officers, or employees to attack, set aside, void, or annul the City's approval provided for in Section 6499.37.

11. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.
12. All mitigation measures set forth in the *Diablo Pointe Residential Subdivision Initial Environmental Study/Negative Declaration*, including those updated June 2011, are hereby incorporated into these Conditions of Approval, as if fully contained herein, except those found infeasible pursuant to Section 15091 of the California Environmental Quality Act Guidelines.
13. The Developer shall be responsible for all fees and environmental review costs, including those charged by the California Department of Fish and Game.

TREE RETENTION CONDITIONS

14. The tree preservation measures listed in the *Tree Preservation Report - Diablo Pointe Project* prepared by HortScience (dated November 2003) shall be implemented to protect trees to be retained on the site. Specific tree protection and preservation actions shall be listed on all grading and constructions plans and specifications for the Project. [MM 10a]
15. The Developer shall fund the retention of a consulting certified arborist under the direction of the Community Development Department to assist in the review of plans and construction activities for the protection of on-site native trees. The funding shall be provided prior to the approval of the grading plan or improvement plans, whichever occurs first. The consulting arborist shall provide services including, but not limited to those listed in the *Tree Preservation Report*, and the following:
Review project plans, including subdivision improvement plans, grading plans, and residential site plans;
 - a. Identify actions necessary to retain healthy trees and minimize losses from construction impacts;
 - b. Attend meetings involving representatives from the City and Developer;
 - c. Conduct on-site inspections before, during, and after construction;
 - d. Make on-site field determinations regarding minor variations to the approved tree retention actions regarding the retention and removal of additional trees; and
 - e. Establish a value for all "Good" and "Moderate" on-site native trees to be retained.
16. The Community Development Department shall review and approve grading and improvement plans to ensure adequate measures are taken to protect trees.

17. All trees greater than six inches in diameter at four feet six inches above ground level on Lots 1 and 25 shall be retained.
18. If, during construction, it is found that it is necessary to remove oaks or other significant trees (as identified by the arborist), construction shall be halted in the immediate area of the subject tree(s) until a revision to the tree retention actions shown on the grading plan is reviewed and approved by the Community Development Director.
19. Compensation for "Good" and "Moderate" native trees (as identified in the *Tree Preservation Report*) damaged or removed by construction, shall be provided either on or off the project site, by installation of new native trees equal to the value of the trees damaged or removed as approved by the Community Development Director. Replacement native trees shall include oaks with similar genetics if reasonably available. The new trees shall be irrigated, unless the certified arborist indicates that irrigation is not appropriate. [MM 10b]
20. Native trees which are identified for preservation, and are subsequently removed during construction, shall be replaced by new trees (equal to 150% of the value of the original tree(s) to be preserved. [MM 10b]
21. All tree removals are subject to issuance of a tree removal permit by the Community Development Department.

LANDSCAPING CONDITIONS

22. The improvement drawings shall include landscape and irrigation plans. The landscape and irrigation plans shall show the items listed below; meet the requirements of Chapter 17.80 of the *Zoning Ordinance*; and be submitted for review and approval by the
 - a. Perimeter landscaping along Regency Drive and Rialto Drive in a 25-foot wide strip extending from the back of sidewalk.
 - b. Groundcover and high maintenance landscaping at the Rialto Drive project entry shall be on private property.
 - c. All trees shall be 24-inch box size, except as noted below for Lot 25.
 - d. Native trees, including oaks with genetics similar to native oaks in the Clayton area (if such oaks are reasonably available).
 - e. Perimeter trees shall be provided at an average density of 1 tree/25 feet; perimeter shrubs shall be 5 gallon size and provided at an average density of 1 shrub/5 feet. Perimeter trees and shrubs are not required along the project's El Portal Drive frontage.
 - f. All trees installed pursuant to these conditions of approval shall not be removed or severely pruned without a tree removal permit. Trees planted on Lot 25 are exempt from this stipulation.
 - g. Water meters and irrigation systems with automatic controls.
 - h. All anti-siphon water valves shall be screened.
 - i. All newly-graded areas in or adjacent to the public right-of-way shall not exceed a 3:1 (horizontal:vertical) ratio.
 - j. A layer of mulch two to four inches thick shall be applied in all landscape areas.

- k. Remediation plantings for all disturbed areas on Lot 25. Native species of trees and shrubs shall be used (e.g., oaks, big leaf maple, California bay, buckeye, California rose, snowberry, coffeeberry, and California blackberry). Trees (D-pot or citrus-pot size) shall be planted at a ratio of 150 trees/acre; shrubs (one gallon size) shall be planted at a ratio of 400 shrubs/acre. A certified arborist with demonstrated experience in riparian remediation shall supervise the planting and provide specifications to the Developer regarding irrigation and care.
- 23. Three sets of the landscape and irrigation plans shall be submitted with the grading and improvement plans for review and approval by the Community Development Department, Engineering Department, and the Maintenance Department. These plans irrigation plans shall be prepared by a landscape architect; shall have overall dimensions Engineer, and Maintenance Department; and shall show all existing and proposed public
- 24. Landscaping to be maintained by the individual property owner(s) shall be installed (or, at the sole discretion of the City, bonded) in conformance with the approved plans prior to occupancy of the individual residence(s).
- 25. All plant material is subject to inspection by the Maintenance Department and must be guaranteed for one year from the date of final inspection.
- 26. Installation of all irrigation and landscaping shall be performed by a licensed contractor. Open trench inspection of the irrigation installation in City right-of-way (and areas to be maintained by the City via a new benefit assessment district) is subject to approval of the Maintenance Department. Prior to the final inspection by the Maintenance Department, the installation shall be approved by the landscape architect.
- 27. All trees shall be planted at least ten feet away from any public water, sewer, or storm drain lines, unless a closer location is approved by the City. All trees shall be installed with support staking. All nursery stakes must be removed from trees. All trees planted within eight feet of a sidewalk or driveway shall be installed with root guards.
- 28. Landscape areas improved as a part of this development that are ultimately to be maintained by City Maintenance Department or staff contracted by the City shall be included within a landscape maintenance easement and shall be inspected by representatives of the City Engineer and Maintenance Department prior to turning the area or areas over for City maintenance. This inspection shall include a water audit of the landscape areas to identify any irrigation problems. The water audit shall be performed by City staff or contracted for by City staff and paid for by the Developer. All corrective prior to turning the area over for City maintenance. Final recommendation for the release of maintenance bonds shall be in writing and signed by the City Engineer.
- 29. The Developer shall maintain all landscaped areas, within and adjacent to the subdivision, both new and modified, for a period of 90 days after final acceptance of the subdivision improvements by the City Council.

30. Prior to the issuance of a building permit for the first residence (including model homes), the Developer shall submit written consent to the formation of a benefit assessment district under the auspices of the Landscaping & Lighting Act of 1972 (Streets and Highways Code 22500). Prior to issuance of a certificate of occupancy for the first residence (including model homes), the Developer shall participate in the formation, including the holding of a ballot election, of the new benefit assessment district. Assessments shall be levied to fund the cost of all operating, maintenance, and repair needs for the irrigation and landscaping; periodic inspections; City administrative and reporting costs; City overhead charges; and reserve funds for replacement and major repairs. The benefit assessment district shall include the land area of Lots 1-24. Note: This district is separate from the existing City-wide landscape district. The project site (and the future lots) will remain in and be assessed for the existing City-wide district. [MM 27]
31. Upon completion of the 90-day maintenance period, maintenance of the irrigation and landscaping installed along Regency Drive and Rialto Drive shall be performed by the City using either City personnel or contracted forces at the City's sole option. The property owners shall pay for such maintenance work through the collection of annual assessments by a new benefit assessment district, alternatively the developer may form a Homeowners Association and include this maintenance as part of the HOA.
32. Final landscape and irrigation plans shall be submitted for review and approval prior to the installation of individual lot front and rear yard landscaping in compliance with the approved Preliminary Landscape Plans and the requirements of Chapter 17.80 of the City's *Zoning Ordinance* to the satisfaction of the Community Development Director.

FENCING CONDITIONS

33. As part of the site plans for the individual residences, the Developer shall provide a fencing plan for the entire subdivision. The fencing plan shall indicate the design, height, materials, and location of all fences. Fencing adjacent to Mount Diablo State Park (including Lot 25) shall be subject to review by the State Park and shall contain no gates or breaks. The fencing plan shall include open-style fences along the following property lines:
 - a. Southern property lines of Lots 1-4;
 - b. Rear property lines adjacent to Rialto Drive and/or Regency Drive on Lots 11-15;
 - c. Common property lines between Lots 1 and 25; Lots 20 and 25; Lots 21 and 25; Lots 22 and 25; Lots 23 and 25; Lots 24 and 25. [MM 25]
34. The covenants, conditions, and restrictions (CC&R's) for the project's subdivision map (MAP 01-03) shall limit fences in the locations listed below to an open-view design and a maximum of six feet in height. The affected areas are the rear yard downslope areas (not flat pad areas) on Lots 11 (exclusive of the solid fence located on the shared property line with Lot 9), 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24. The CC&R's shall allow the property owners of Lots 15-20 to replace the open view fences originally installed by the developer with solid fences with a maximum height of six feet only within one (1) foot of the rear property lines which Lots 15-20 share with the residential lots on Petar Court.

GRADING CONDITIONS

35. The Grading Plan shall be amended as follows:

- a. An adequate buffer, as determined by the certified arborist, shall be maintained between the toe of the northern fill area and subdrain outlet and the existing “Good” and “Moderate” oak trees on the slopes of Lots 1 and 25 in order to retain all of the oak trees. [MM 9]
- b. Designs and actions listed in the *Tree Preservation Report* to retain identified native trees shall be incorporated into the grading plan.
- c. A licensed surveyor or engineer shall survey the locations and limits of the trunk and dripline of all trees to be retained that could be affected by any work during project construction. The locations and limits shall be shown on the grading plans and appropriate construction and plot plans.
- d. Following removal of the existing residence on Lot 25, the former residential pad, Mount Diablo Creek riparian corridor, and associated drainage swale shall be remediated below the 580-foot contour to limit erosion. Specific measures to remediate existing soil erosion in the vicinity of the banks of Mount Diablo Creek on a permanent basis may include installation of fabric mats, planting, rip-rap, and remedial grading. If remedial grading is necessary, such grading shall be field supervised by a biologist and a certified arborist to strictly limit potential impacts to adjacent resources. Remediation plantings shall be provided as stated in the Landscaping Conditions above. A performance deposit shall be provided as stated in Condition 6.
- e. All slopes steeper than 10% (except slopes on Lot 25) shall be track-walked for surface compaction, covered with jute netting and hydroseeded, or stabilized with other techniques acceptable to the City Engineer.
- f. The exterior edges of the pads for Lots 11-24 which are visible from off-site locations shall be contoured and feathered so transitions between flat areas and graded slopes, or between graded and ungraded areas, are rounded off to avoid a mass-graded, padded lot effect. All new graded slopes must be configured to undulate and avoid relatively flat planes or sharp transitions to ungraded areas.
- g. All required side setbacks shall contain at least five feet of flat, unoccupied area. “Flat” means a cross-slope between 2% and 10%. “Unoccupied” means no encroachments by fireplaces, building popouts (with or without a foundation), air conditioning pads, and the like.
- h. Two feet of flat area shall be provided between a property or right of way line and the top of slope.
- i. All retaining walls in the project shall constructed of segmental (a.k.a., keystone), masonry block, or concrete. All retaining walls visible from street or sidewalk areas shall be covered with a stone fascia. Retaining walls greater than three feet in height shall be designed by a licensed engineer.
- j. A “snake- exclusion fence” shall be erected along the boundary of the construction footprint prior to construction to prevent Alameda whipsnake and California tiger salamanders from venturing onto the site. The exclusion fence shall also be installed along the project site’s boundaries adjacent to existing residences to discourage rattlesnakes from entering the adjacent residential yards. The exclusion fence shall be constructed of an opaque heavy-duty silt fence sufficient to with both wet conditions and extreme sun exposure during the construction season, when snakes are active. [MM 6b]

- k. Straw waddle to be used on the site shall be “snake friendly”. Waddle with highly degradable jute covering with mesh or net size large enough to prevent snakes from becoming entrapped shall be used. Straw waddle with nylon type netting cover shall not be used. Placement of the waddle should be within the exclusion fence versus on the open space/ State Park side of the exclusion fence. [MM 6c]
 - l. The existing driveway on Lot 25 extending from the Petar Court cul-de shall be removed and replaced with a 10-foot wide rock path or comparable vehicular accessway acceptable to Mount Diablo State Park and the City Engineer. Removable bollards or comparable barricade acceptable to Mount Diablo State Park shall be installed on Lot 25 adjacent to the Petar Court public right-of-way.
 - m. The land area in the vicinity of the existing residence on Lot 25 shall be restored to its natural condition following removal of the residence.
 - n. Signature blocks shall be provided for the Community Development Director and the City Engineer.
36. All grading shall be performed and certified under the direction and inspection of a Registered Soils Engineer and shall be in accordance with the recommendations of the geotechnical report and the requirements of the City Engineer.
37. Grading permits and stormwater permits shall be obtained from the City Engineer.
38. If archeological, historical, or Native American materials are uncovered during any construction or pre-construction activities on the site, all work within 100 feet of these materials shall be immediately stopped. The Community Development Department and a qualified professional archeologist shall be notified. Work within this area shall not recommence until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary. [MM 11]

STREET CONDITIONS

39. A homeowners association or similar mechanism, subject to City approval, shall be established for the purpose of maintaining private, common improvements including, but not limited to, streets, curb markings, and signage, and may include street lighting. Parking shall be prohibited on the cul-de-sacs (if less than 42 feet in radius) and one side of the street. The parking prohibition shall be indicated by painting the face and top of curb red, with the words “Fire Lane” clearly marked.
40. The Developer shall submit a written request for the City to enforce the “No Parking” zones on A Street, B Court, and C Court.
41. All streets, sidewalks, curbs, and gutters adjacent to this subdivision shall be improved as necessary to connect improvements constructed within this subdivision to existing improvements. Any existing street, sidewalk, curb, gutter, or other existing improvement which, in the sole opinion of the City Engineer, is damaged, either on- or off-site, by the Developer or his agents or employees or contractors, shall be repaired by the Developer to the satisfaction of, and in the manner required by, the City Engineer.

42. All street grades and geometrics shall be subject to the approval of the City Engineer. Grades shall not exceed 6% through intersections. The grade break between a minor street and a major street, at the projected curb line of the major street, shall not exceed 6%. Street grades shall not exceed 16% grade, shall have a minimum outside turning radius of 42 feet, and must be capable of supporting the imposed loads of fire apparatus (i.e., 31 tons). The connection of A Street to Rialto Drive as shown on the tentative map is not approved as shown and shall be modified as required by the City Engineer.
43. All mailbox locations shall be constructed and grouped in accordance with US Post Service standards and the grouping of mailboxes shall be architecturally treated to reduce massing and visual impact. All mailbox locations are subject to review and approval of the Community Development Department and the US Postal Service.
44. Lots 13 and 15 shall have shared driveway easements with an adjoining lot. The location of said driveway easements shall be subject to the review and approval of the Planning Commission during the site plan review phase.

DRAINAGE CONDITIONS

45. All J-ditches for conveying stormwater runoff shall be constructed of tan-colored reinforced concrete and shall have a maximum longitudinal slope of 10%. Total storm runoff peak flows from the site shall not exceed pre-development levels. All stormwater runoff from impervious areas on the individual lots including driveways/walkways etc. shall comply with stormwater regulations, be treated and contaminants removed, through bio-infiltration landscape methods prior to discharge out of the site or into a natural water channel. The design of the detention and treatment facilities shall be subject to the approval of the City Engineer.
46. Any fences crossing easements for landscape or drainage facility maintenance shall have 9-foot wide, lockable gates which shall be maintained by the property owners on whose lot they are located.
47. Prior to the issuance of a building permit for the first residence (including model homes), the Developer shall submit written consent to the formation of a benefit assessment district in accordance with the new Benefit Assessment Act of 1982 (California Government Code, Section 54703, et seq.). Prior to issuance of a certificate of occupancy for the first residence (including model homes), the Developer shall participate in the formation, including the holding of a ballot election, of the benefit assessment district. Assessments shall be levied to fund the cost of all operating, maintenance and repair reporting costs, City overhead charges, and reserve funds for replacement and major repairs. The benefit assessment district shall include the land area of Lots 1-24. Alternatively the developer may establish a Homeowners Association for such maintenance responsibility.
48. All drainage collection (J-ditches, V-ditches, storm drains, subdrains, etc.) and treatment facilities, and access to such facilities, shall be located in public storm drain easements, which shall be shown on the final map. City personnel or contracted forces shall have the right of access to conduct inspections and maintenance of all on-site drainage devices. Maintenance of such facilities shall be performed by the City using either City personnel for contracted forces at the City's sole option. (There shall be no obligation on the City related

to the maintenance of any subdrains.) The property owners shall pay for such district. [MM 22]. Alternatively the developer may establish a Homeowners Association to assume responsibility for the subdrains.

49. The deeds for lots 1-24 shall include deed restriction which allows the City and other public agencies (ie: Mosquito and Vector Control District) and its contractors ~~shall have~~ the right of access to conduct inspections and maintenance if necessary of all on-site drainage devices; lot owners shall pay any fees related thereto. [MM 22]
50. The deeds for Lots 1-24 shall contain authorization for the City to require the respective property owners to provide monitoring reports of any stormwater discharges and pay any fees related thereto for the on-lot treatment. [MM 21]
51. Secondary outlets shall be provided for storm drain inlets located in sump conditions.
52. Storm drain lines shall have a maximum depth of ten (10) feet from finished grade to invert.
53. All roofs shall have rain gutters with rain water leaders that discharge onto the lot landscaping through sheet flow or into a bio-infiltration planter area.
54. The improvement plans shall reflect that all on-site storm drain inlets shall be labeled "No Dumping – Drains to Creek" using thermoplastic stenciling or equivalent permanent method, subject to City approval.
55. The Developer shall comply with all rules, regulations, and procedures of the National Pollution Discharge Elimination System (NPDES) as promulgated by the California State Water Resources Council, the San Francisco Bay Regional Water Quality Control Board, and the Contra Costa County Clean Water Program. The project management and design shall include best management practices during construction and post-construction phases for the elimination of storm water pollutants to the maximum extent practicable and as stipulated in the Municipal Regional Permit (MRP).
56. The Developer shall ensure that all project contractors shall conform to the requirements of the "Best Management Practices for Construction Sites" required by the City, and the State Municipal Regional Permit (MRP), including detention and/or filter materials to preclude an increase in water quantity and quality impacts from debris and sediments entering the stormwater system over "non-development" conditions. [MM 19]

UTILITY CONDITIONS

57. The Developer shall connect to the sanitary sewer system, obtain applicable permits, and pay applicable fees required by the City of Concord Public Works Department.
58. Underground facilities crossing lots shall be located in flat portions of the lots, not within slope areas.
59. Any existing underground facilities, either on-site or adjacent to the site, no longer required shall be either removed or filled, as directed by the City Engineer.

60. Street lighting shall be installed and activated prior to occupancy of the first residence. Developer shall pay for the cost of installation, activation, and electrical usage until final acceptance of subdivision improvements by the City Council. Following acceptance by the City Council, the operation and maintenance of the street lighting shall be the responsibility of the homeowners association (or similar mechanism, subject to City approval) unless the Developer opts to include the street lighting in the benefit assessment district for landscape maintenance, as described in the "Landscaping Conditions."
61. Concurrent with acceptance of the subdivision improvements as complete, the subdivision shall be annexed into the existing City of Clayton Street Light Assessment District, which shall not be responsible for the maintenance or operating costs of the street lights on A Street, B Court, or C Court.

ENGINEERING CONDITIONS

62. All work shall be designed and constructed in accordance with the Municipal Code, as well as the City's Standard Plans and Specifications.
63. Upon recording of the final map, the City shall be given a full size, reproducible, photo mylar copy of the recorded map and an electronic file of the map in a form which can be imported into AutoCAD, and configured as directed by the City Engineer. Upon completion of the improvements and prior to City Council acceptance, the City shall be given a full size, reproducible, photo mylar copy of the improvement plans, and an electronic version in AutoCAD, annotated to reflect any changes that occurred during construction and signed by the Project Engineer.
64. Should the construction of any offsite improvements required in these conditions of approval, necessitate the acquisition of sufficient title or interest in lands not controlled by the Developer, the Developer shall make a good faith effort to obtain the necessary title or interest prior to the filing of the final map pursuant to Section 66457 of the Subdivision Map Act. If the Developer is unable to obtain the necessary title or interest preparation of an appraisal and submittal of a bona fide offer based on the appraisal), the necessary title or interest in accordance with Section 66462.5 of the Subdivision Map costs, involved in the acquisition of the necessary title or interest.

FIRE PROTECTION CONDITIONS

64. The Developer shall obtain the necessary approvals from the Contra Costa County Fire Protection District.
65. The Developer shall provide an adequate and reliable water supply for fire protection as set forth in the Uniform Fire Code.
66. The Developer shall provide fire hydrants of the East Bay type. Hydrant locations will be determined by the Fire Protection District upon submittal of three copies of a tentative map or site plan.
67. At least 13 feet, 6 inches of vertical clearance shall be provided to within 150 feet of travel distance to all portions of the exterior walls of every building.

68. All open space areas left in their natural state shall meet the Fire Protection District's weed abatement standards.
69. Access roads and hydrants shall be installed and in service prior to construction of residences.
70. The following notification shall be recorded on the deeds for Lots 1-4 and 20-24, "This constitutes notice that the State of California and the Department of Parks and Recreation (Mount Diablo State Park) are not responsible for homeowner fire prevention. Property owners are hereby notified that they are solely responsible for providing their own fire breaks, buffers, and prevention measures, within the boundaries of their own properties, necessary to prevent the spread of fire."
71. Per the approved improvement plans, dated 9/12/07, Seminary Ridge Place shall have ***NO PARKING – FIRE LANE*** signs posted or curbs painted red on both sides to the "T" intersection, and on the south side of Promontory Place and Seminary Ridge Place after the "T" intersection. (503.3) CFC
72. All homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2010 Edition of NFPA 13D or Section R313.3 of the 2010 California Residential Code. Submit three (3) sets of plans to the Contra Costa Fire Protection District office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC
73. The developer is responsible for contacting the water district to determine if the existing domestic water services (meters) are adequate for a dual-service application.

WATER DISTRICT CONDITIONS

74. The following requirements shall be satisfaction to the satisfaction of the Contra Costa Water District (CCWD):
 - a. Treated and Untreated water service is governed by CCWD Code of Regulations Section 5 (Reg 5).
 - b. Existing CCWD water infrastructure should be protected during construction.
 - c. The water system has been installed by a previous developer; the line should be pressure tested again. The inspectors report for the previously installed water system should be reviewed to determine any outstanding issues.
 - d. Standard backflow prevention requirements are to be observed.
 - e. Further information and answers to a number of frequently asked questions regarding water services and District regulations can be found on the District's web site at www.ccwater.com.

GENERAL CONDITIONS

75. An easement shall be recorded or amended, as necessary, to address the assigning of rights and responsibilities for the detention basin proposed within an existing public easement adjacent to and for the purpose of serving the stormwater detention requirements for Lot 9 to the satisfaction of the City Engineer.

2. Lot Line Adjustment

1. A deed or record of survey for the lot line adjustment shall be recorded with proof of recordation submitted to the Community Development Department.
2. For purposes of drainage and access, the applicant agrees to grant additional easements by a separate instrument as may be required by the City Engineer.
3. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

3. Variance

Language describing the particular setback Variances granted shall be recorded against the individual parcels prior to issuance of a building permit for new residential construction on the respective parcel to the satisfaction of the Community Development Director.

4. Use Permit

1. The Developer shall comply with applicable standard City requirements (See **Advisory Notes**).
2. Final Landscape and Irrigation Plans shall be prepared and processed for the site of the temporary sales trailer in accordance with the City's Landscape Water Conservation Ordinance pursuant to Chapter 17.80 of the Clayton Municipal Code.
3. The temporary sales trailer shall be ADA accessible and all related, required signing and striping shall be installed.
4. The use of the temporary trailer shall be for a period not to exceed two years from the date of its initial occupancy to the satisfaction of the Community Development Director.

Advisory Notes

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

1. The applicant shall comply with all applicable state, county, and city codes, regulations, and adopted standards, including, but not limited to the City's Landscape Water Conservation Ordinance, state and local Stormwater regulations; and the City's Construction and Demolition Recycling Ordinance, as well as pay all associated fees and charges.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC §13.12.050).
3. Prior to the commencement of grading, demolition, or construction activities, the applicant shall obtain City approval of a construction and demolition recycling plan (CMC § 5.80.040).
4. This Site Plan Review Permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be void (CMC §17.64.010-030).

5. All grading, construction, and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless previously authorized in writing by the City Engineer (CMC §15.01.010) located at 5375 Clayton Road, Concord, 925-363-7433.
6. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
7. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
8. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&R's) administered by a homeowners' association, additional requirements and/or Approvals may be required by the homeowners' association. Before proceeding with the project, it is advisable to check with the homeowners' association to ensure any applicable requirements are met.
9. This project shall be subject to all applicable City of Clayton Development Impact Fees as well as parkland dedications and mitigation fees.

EXHIBITS

- A Vicinity Map
- B Letter from Charlie and Kristin Krueger, dated April 12, 2011, with responses
- C Letter from Seth Adams, Save Mount Diablo, dated June 9, 2011
- D Site Plan Review Permit
- E Lot Line Adjustment
- F Variance
- G Use Permit
- H Retaining Walls

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**Diablo Estates at Clayton Residential Subdivision
Northeast corner of Regency Drive and Rialto Drive**

April 12, 2011

RECEIVED

APR 12 2011

CLAYTON COMMUNITY
DEVELOPMENT DEPT

Mr. Andrew Warner, Project Manager
Toll Brothers
100 Park Place, Suite 140
San Ramon, CA 94583
Via Fax: (925) 844-9927

Mr. Dave Woltering, Community Development Director
City of Clayton
6000 heritage Trail
Clayton, CA 94517
Via Fax (925) 672-4917

RE: Diablo Pointe/Seminary Property Development and Hillside Adjacent to
44 Regency Drive

Dear Msrs. Warner and Woltering:

Thank you for having a meeting to advise the neighborhood what you are planning on the subject property.

We previously read the Preliminary Geotechnical Investigation Report on the subject property. As we have indicated to both the developer and the City, we are concerned about the movement of the hill next to our home. It has moved dramatically in the more than 35 years we have lived here. The report does not appear to address that fact. There is a reference on Page 7 indicating "relatively shallow earth flows" which would seem to indicate only minor movement; that is hardly the case.

CEQA says that there should be identification and analysis of the possible impacts and how they can be avoided or mitigated. With earth movement on the top of the hill, obviously there will be repercussions on the bottom of the hill. We are interested in knowing if your "remedial grading" will impact the movement of the hill next to our home. Also, please advise how you plan to insure that the hill does not become an eyesore once development has taken place since it's unlikely that an owner would consider a steep slope a back yard.

Thank you for the courtesy of a prompt response.

Sincerely,



Charlie and Kristin Krueger
44 Regency Drive
Clayton, CA 94517
Phone: (925) 672-7095



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

June 3, 2011

Charlie and Kristin Krueger
44 Regency Drive
Clayton, CA 94517

Re: Diablo Estates at Clayton Remedial Grading Operation, Rialto Drive at Regency Drive

Dear Mr. and Mrs. Krueger:

Thank you for your letter of April 12, 2011 regarding your concerns about soils conditions on the adjoining property now referred to as the Diablo Estates at Clayton Subdivision. I have spoken to representatives of Toll Brothers, the developer of that proposed development project and asked them to respond in writing to your concerns. They have had their project engineer respond (see attached letter from ENGEO Incorporated, dated May 26, 2011). In addition, I visited the subject property today to review the grading operation that is underway.

As indicated in the letter from ENGEO and what was described to me during my site visit today, the remedial grading operation has been expanded to ensure that the soils along much of the steeper perimeter of the site is excavated down to bedrock and then replaced with engineered fill atop a drainage system. The engineered soils will be moisture treated and properly compacted. The grading work is being inspected and monitored by the Soils Engineer and certification of this work will be required.

I hope the information being provided to you satisfactorily responds to your comments and concerns.

Best regards,

David Woltering, AICP
Community Development Director

Attachment

Project No.
9047.000.003

May 26, 2011

Mr. Andrew Warner
Toll Brothers, Inc.
100 Park Place, Suite 140
San Ramon, CA 94583

Subject: Diablo Pointe
Rialto Drive
Clayton, California

GEOTECHNICAL CONSULTATION

Dear Mr. Warner:

The purpose of this letter is to respond to a letter by Charlie and Kristin Krueger sent to Andrew Warner (Toll Brothers) and David Woltering (City of Clayton) dated April 12, 2011. In their letter, the Kruegers expressed concern about "relatively shallow earth flows" and whether the proposed remedial grading will impact the movement of the hill next to their home. The letter dated April 12, 2011 is similar to the letter by the Kruegers dated February 9, 2004, which was responded to in the Initial Environmental Study/Negative Declaration (Response 11-1).

The Krueger property is located near the toe of a natural slope. Grading for the Diablo Pointe project will involve construction of a small fill near the top of the slope but the remainder of the slope adjacent to the Krueger property will remain as a natural slope.

Based on review of the Initial Environmental Study/Negative Declaration and the previous geotechnical reports by Kleinfelder (January 30, 2003) and N.O. Anderson (August 20, 2007), we noted that a landslide area was previously identified along the lot line between Lots 13 and 14 and on the slope at the rear of Lot 15. Neither of these mapped landslide areas pose a hazard to the Krueger property. The mapped landslide area along the Lot 13/14 lot line will be repaired in conjunction with the corrective grading work. Based on the findings of our exploration at the site, we found that the landslide mapped in the rear portion of Lot 15 was repaired in conjunction with previous grading at the site.

As noted above, a small fill is planned along the rear of the pad for Lot 14. The fill will be supported utilizing a keyway that extends into bedrock. The keyway will have a subdrain that will collect groundwater that under existing conditions would have migrated downslope toward the Krueger property. The proposed fill will be moisture conditioned and compacted in accordance with our recommendations for all engineered fills on the project. In addition, keyways will be constructed along the rear of pads 12 through 24 to treat previously placed

Toll Brothers, Inc.
Diablo Pointe, Rialto Drive
GEOTECHNICAL CONSULTATION

9047.000.003
May 26, 2011
Page 2

un-engineered fill. Accordingly, the grading work being performed at the top of the slope will not adversely affect slope stability at the bottom of the slope.

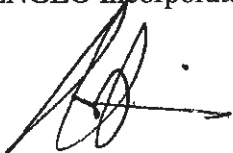
Based on our review of regional landslide maps, examination of aerial photographs and site exploration, it appears that the slope adjacent to the Krueger property is underlain by relatively thin soils over bedrock. We have found no indications that the natural slope located adjacent to the Krueger property is unstable.

In accordance with Mitigation Measure 13, portions of the site identified as "earth flow deposit" and "undocumented fill areas" will be remediated as part of the project grading and under the supervision of a Registered Geologist or Certified Engineering Geologist. This grading work will significantly reduce the potential for slope instability in these areas.

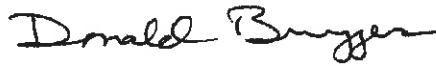
We trust that this letter addresses the concerns that the Kruegers have expressed. If you have any questions regarding the geotechnical aspects of the project, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated



Raymond P. Skinner, CEG
rps/deb/rc



Donald E. Bruggers, GE

**Board of Directors**

Malcolm Sproul
President

Amara Morrison
Secretary

Burt Bassler
Treasurer

Arthur Bonwell
Emeritus

Heath Bartosh

Charla Gabert

John Gallagher

Claudia Hein

Scott Hein

David Husted

Doug Knauer

Brian Kruse

David Sargent

David Trotter

Directors

Staff

Ronald Brown
Executive Director

Seth Adams
Land Program Director

Julie Seelen
Development Director

Monica E. Oei
Finance Director

Contact

1901 Olympic Blvd., # 320
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642
www.SaveMountDiablo.org

Founders

Arthur Bonwell
Mary L. Bowerman

Proud member of

June 9, 2011

David Woltering
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Re: Planning Commission hearing on the Toll Brothers Home Builders proposal to construct the Diablo Estates 24 unit subdivision at the corner of Regency and Rialto drives

Dear David,

This letter is to confirm the details we discussed in our telephone conversation today regarding the Toll Brothers' Diablo Estate development proposal.

As you know, Save Mount Diablo participated in the planning process on the original Lemke Construction Co. proposal to develop the site. When the Lemke project received its approvals from the City, included in the conditions were provisions to dedicate Lot 25 to Mount Diablo State Park and to do some restoration work including planting native trees. We understand that Toll Brothers purchased the property a lender to Lemke, when it was not able to complete the project. Toll Brothers is now moving forward with the project and has agreed to all of the conditions attached to original permits from the City.

Given the current situation with the state budget, Mount Diablo State Park is not likely to move quickly on accepting the dedication of Lot 25 from the project. In a May 17 meeting with Andrew Warner of Toll Brothers, Save Mount Diablo expressed a willingness to consider accepting the dedication of the lot in the interim until such time as we can donate and transfer it to the State Park. Although we have not received any indication one way or another on our offer to Toll Brothers, we are still willing to accept the dedication pending board approval and normal due diligence. (Note that dedications as a condition of project approval are not tax deductible.)

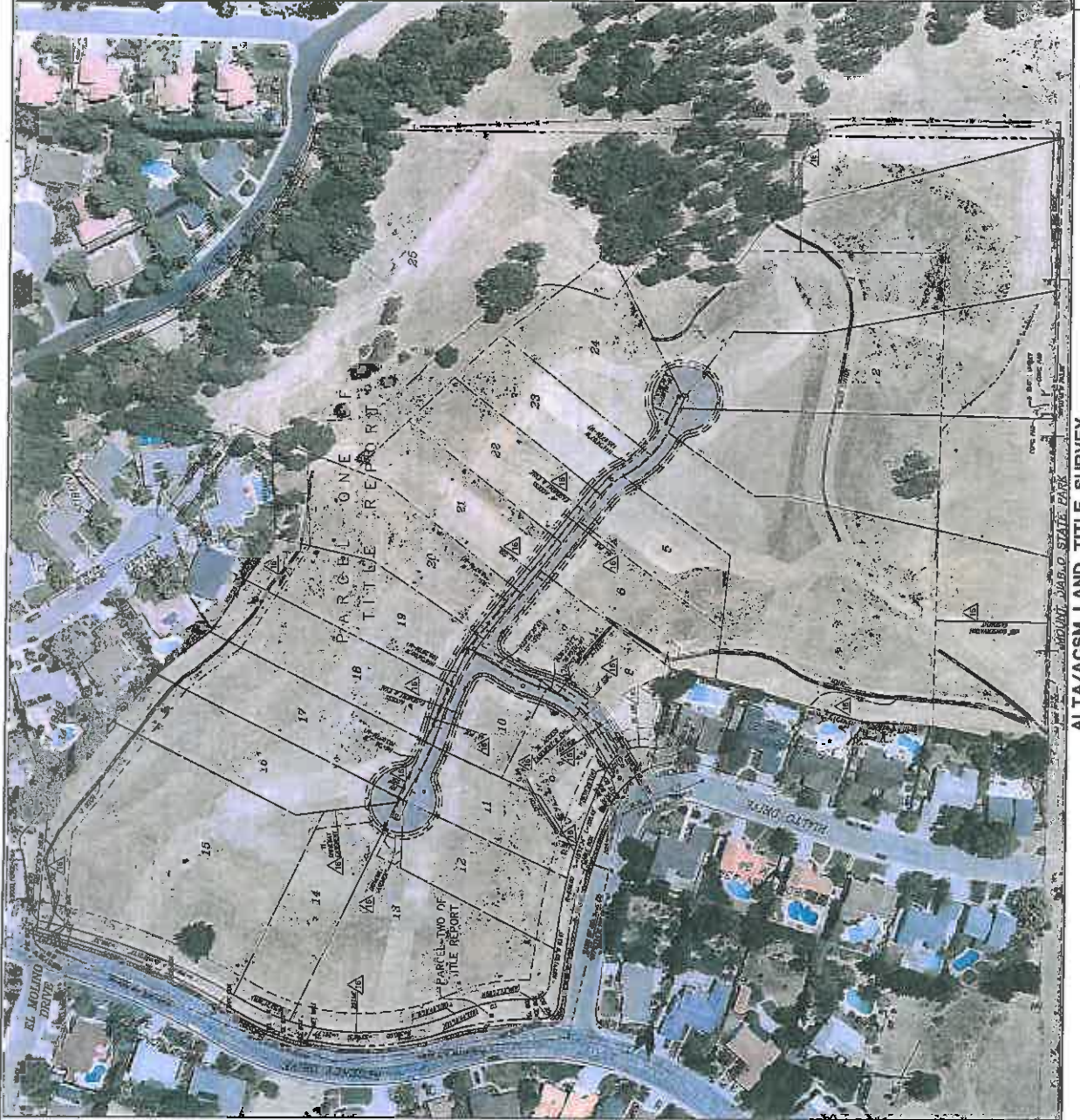
We are also willing to consider helping Toll Brothers complete the tree planting required on the dedication lot (25) under other conditions of approval for the project provided that water is available from the project site and that we can reach agreement on the expenses involved in planting and maintaining any trees or other native vegetation planted at the site.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth Adams", with a long horizontal flourish extending to the right.

Seth Adams
Director of Land Programs



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JUN 7 2011

**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

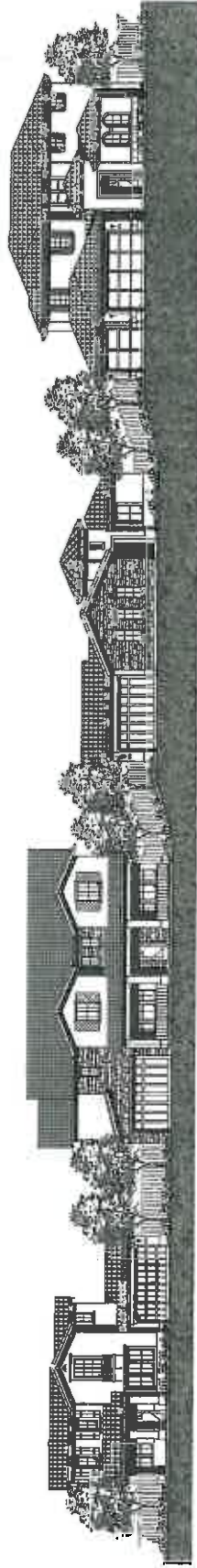
DRAFT

ALTA/ACSM LAND TITLE SURVEY
DIABLO POINTE
 BASED ON FIRST AMERICAN TITLE COMPANY PRELIMINARY REPORT
 NO. 0131-016971aB, DATED JULY 12, 2010

CITY OF CLAYTON
 CONTRA COSTA COUNTY, CALIFORNIA

RIA
 RUGGERI-JENSEN-AZAR
 ENGINEERS - PLANNERS - ENVIRONMENTALISTS
 10001 RIVERVIEW DRIVE, SUITE 200
 SAN FRANCISCO, CA 94131
 (415) 777-8100

DATE	2
BY	
FOR	
REVISION	
DATE	
BY	
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REVISION	
DATE	
BY	
FOR	
REVISION	



DIABLO ESTATES AT CLAYTON



06-06-2011

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JUN 07 2011

CLAYTON COMMUNITY
DEVELOPMENT DEPT

DIABLO ESTATES AT CLAYTON

PROJECT TEAM

DEVELOPER:
TOLL BROTHERS, INC.
100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
ANDREW WARNER
925-314-3138

ARCHITECT:
HUNT HALE JONES ARCHITECTS
444 SPEAR STREET, SUITE 200
SAN FRANCISCO, CA 94105
DAN HALE
415-512-1300

LANDSCAPE ARCHITECT:
THOMAS BAAK & ASSOCIATES, LLP
1620 NORTH MAIN STREET, SUITE 4
WALNUT CREEK, CA 94596
ANDREA SWANSON
925-933-2533

SHEET SCHEDULE

CS	COVER SHEET	A25	PLAN 6 - FLOOR PLANS
GR	OVERALL GRADING PLAN	A26	PLAN 6 - FLOOR PLAN OPTIONS & ELEVATIONS
SP1	FOOT PRINT COMPARISON	A27	PLAN 6 - FLOOR PLAN OPTIONS
SP2	SITE PLAN EXHIBIT	A28	PLAN 6 - ROOF PLAN
A1	PLAN 1 - FRONT ELEVATIONS		COVER SHEET
A2	PLAN 1 - ELEVATIONS	L0	REGENCY DRIVE/
A3	PLAN 1 - FLOOR PLANS	L1	RIALTO DRIVE: LAYOUT PLAN
A4	PLAN 1 - ROOF PLAN	L2	REGENCY DRIVE/
A5	PLAN 2 - FRONT ELEVATIONS	L3	RIALTO DRIVE: CONSTRUCTION DETAILS
A6	PLAN 2 - ELEVATIONS	L4	REGENCY DRIVE/
A7	PLAN 2 - FLOOR PLANS	L5	RIALTO DRIVE: IRRIGATION PLAN
A8	PLAN 2 - ROOF PLAN	L6	RIALTO DRIVE: IRRIGATION LEGEND AND NOTES
A9	PLAN 3 - FRONT ELEVATIONS	L7	RIALTO DRIVE: IRRIGATION DETAILS
A10	PLAN 3 - ELEVATIONS	L8	RIALTO DRIVE: PLANTING NOTES
A11	PLAN 3 - (3-CAR GARAGE)	L9	RIALTO DRIVE: PLANT LIST, NOTES AND DETAILS
A11.1	PLAN 3 - (3-CAR GARAGE)	L10	SITE FENCING PLAN
A12	PLAN 3 - (2-CAR GARAGE)	L11	FENCING DETAILS, PLANTING DETAILS, PLANT LIST, TYPICALS
A12.1	PLAN 3 - FLOOR PLAN	L12	TYPICAL LOT LANDSCAPE
A13	PLAN 3 - ROOF PLAN	L13	TYPICAL LOT LANDSCAPE
A14	PLAN 4 - FRONT ELEVATIONS		
A15	PLAN 4 - ELEVATIONS		
A16	PLAN 4 - FLOOR PLANS		
A17	PLAN 4 - ROOF PLAN		
A18	PLAN 4 - FLOOR PLAN OPTIONS		
A19	PLAN 5 - FRONT ELEVATIONS		
A20	PLAN 5 - ELEVATIONS		
A21	PLAN 5 - FLOOR PLANS		
A22	PLAN 5 - ROOF PLAN		
A23	PLAN 6 - FRONT ELEVATIONS		
A24	PLAN 6 - ELEVATIONS		

VICINITY MAP



SITE LOCATION

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CLAYTON COMMUNITY
DEVELOPMENT DEPT

Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
info@hunt halejones.com
T 415-512-1300
F 415-588-0288



TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410022



PROJECT INFO
CS
SCALE: 01.20.2011
DATE: 01.20.2011
REVISION: 01.20.2011
RENDER: 06.08.2011

Thomas Baak & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
T: 925-933-2533

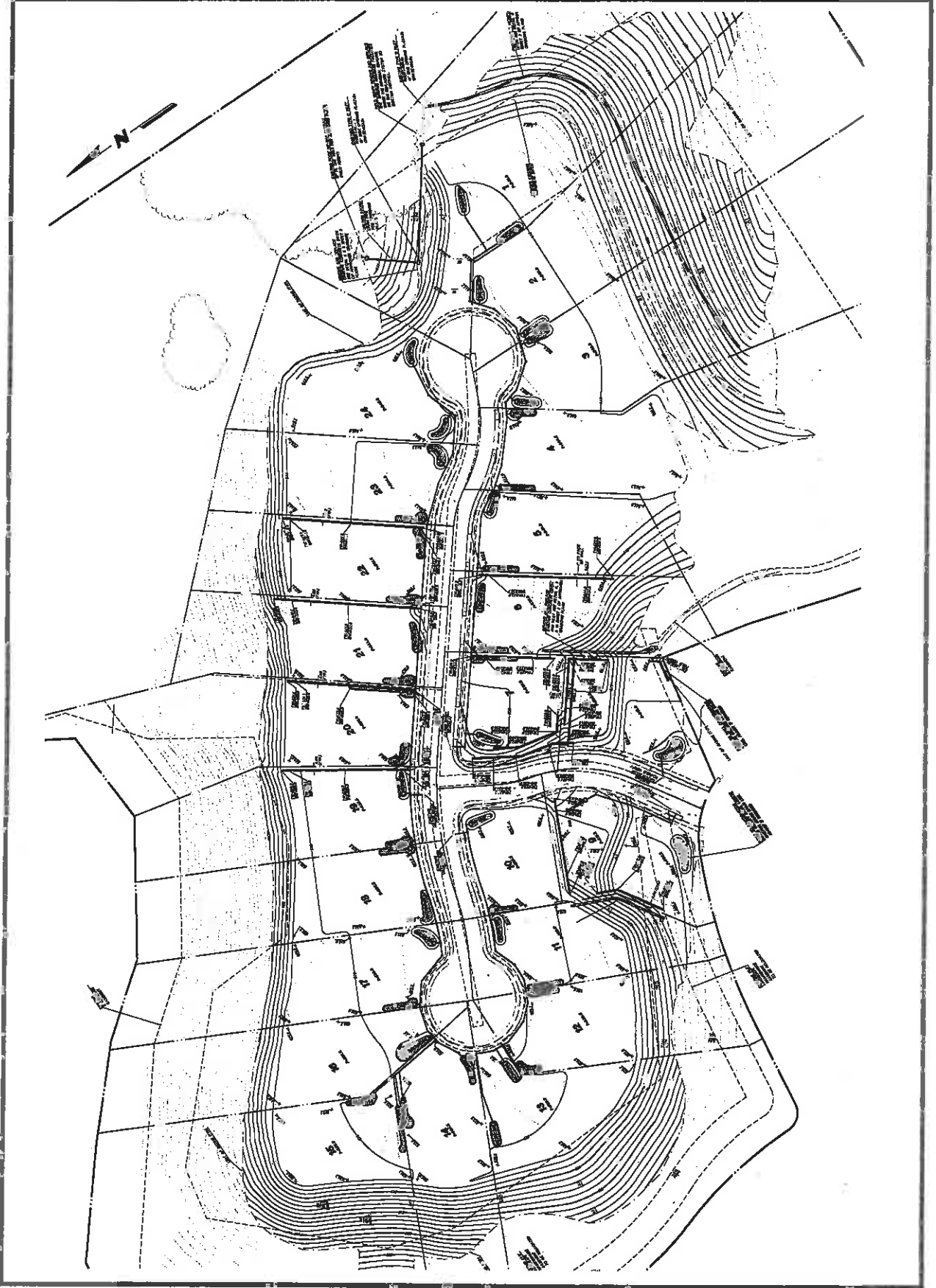
DATE	06/07/11
SCALE	AS SHOWN
DRAWN	PA
CHECKED	PA
APPROVED	PA

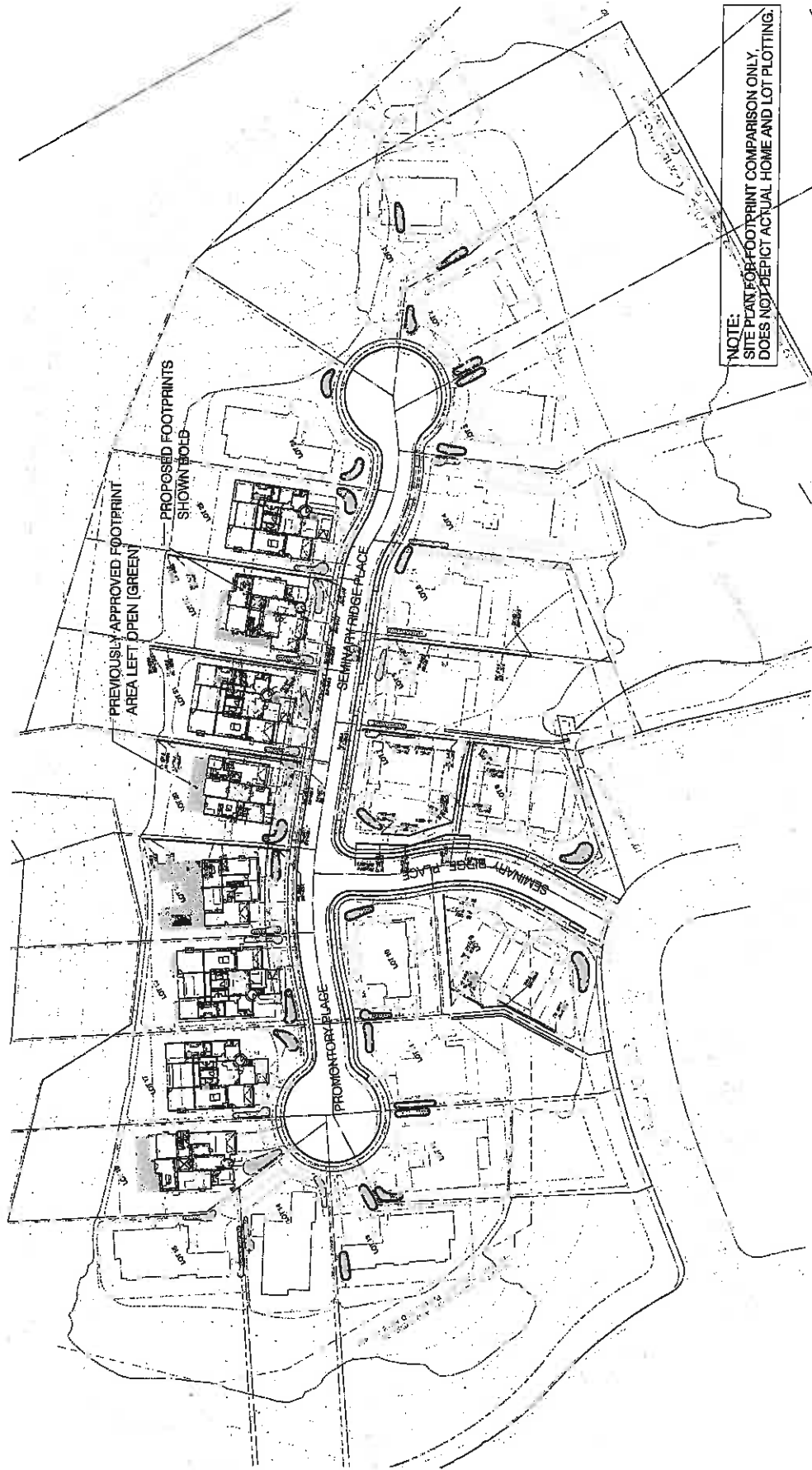
PA
Design Resources, Inc.
Planning & Engineering & Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598
TEL (925) 210-8300

SUBDIVISION NO. 8719 DIABLO POINTE
CLAYTON, CONTRA COSTA COUNTY, CALIFORNIA

GRADING PLANS

NO.	REV.	DATE





TOLL BROTHERS, INC.

DIABLO ESTATES
CLAYTON, CA

PROJECT: 41002E

Toll Brothers
200 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
TEL: (925) 355-9971
FAX: (925) 355-9971



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444 Spear Street, Suite 200
San Francisco, CA 94106
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T. 415-512-1800
F. 415-299-0289

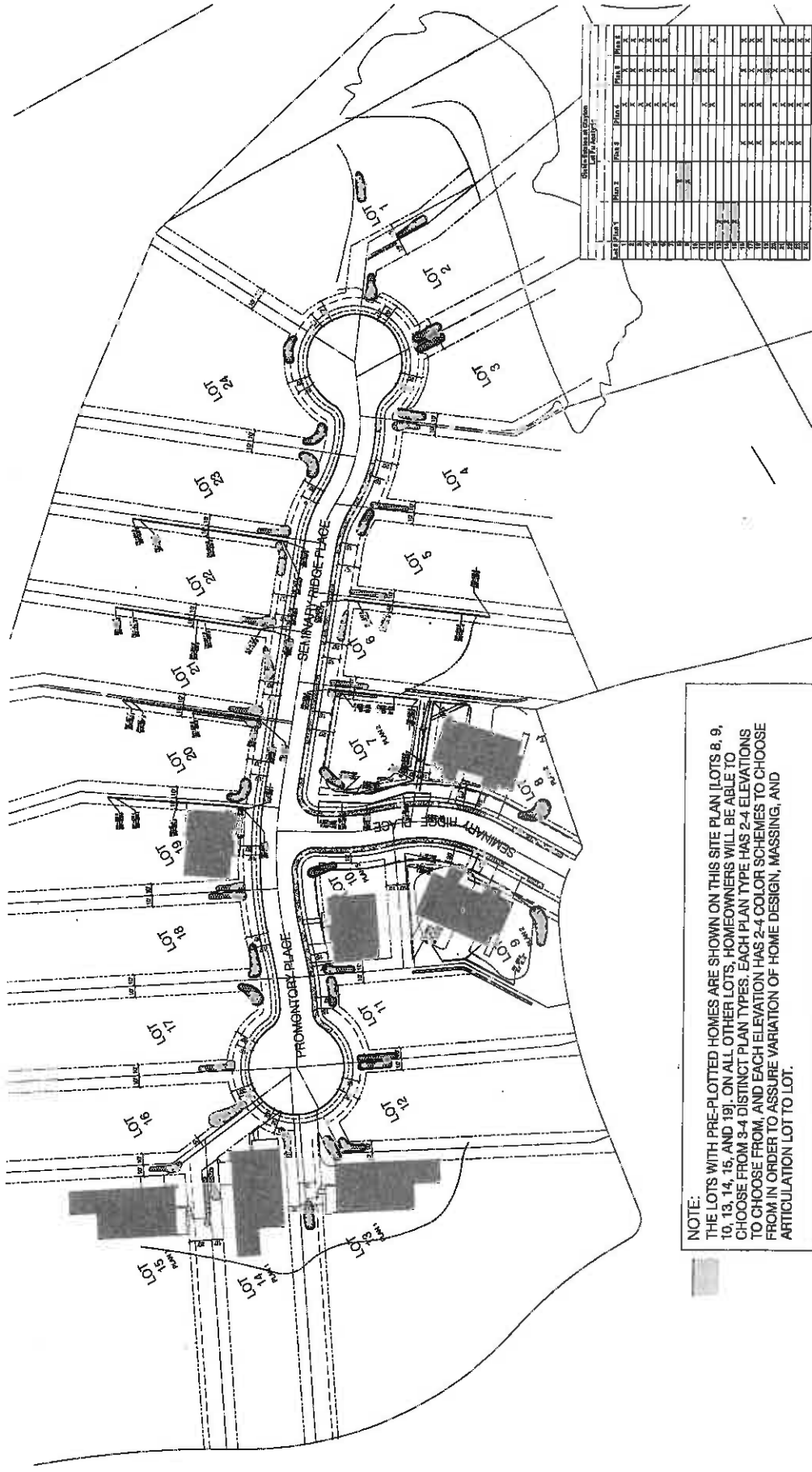


Thomas Bank & Associates, LLP
Landscape Architects
1007 North Main Street, Suite 4
Walnut Creek, CA 94596
TEL: (925) 933-3330

**SITE PLAN - FOOTPRINT COMPARISON
W/ PREVIOUSLY APPROVED PLANS**

SP1

SCALE: 1"=40'
DATE: 03.13.2011
REVISED: 03.13.2011
REVISED: 06.03.2011



NOTE:
THE LOTS WITH PRE-PLOTTED HOMES ARE SHOWN ON THIS SITE PLAN (LOTS 8, 9, 10, 13, 14, 15, AND 19). ON ALL OTHER LOTS, HOMEOWNERS WILL BE ABLE TO CHOOSE FROM 3-4 DISTINCT PLAN TYPES. EACH PLAN TYPE HAS 2-4 ELEVATIONS TO CHOOSE FROM, AND EACH ELEVATION HAS 2-4 COLOR SCHEMES TO CHOOSE FROM IN ORDER TO ASSURE VARIATION OF HOME DESIGN, MASSING, AND ARTICULATION LOT TO LOT.

SITE PLAN EXHIBIT
SP2
SCALE: 1"=50'
DATE: 01.30.2011
REVISED: 03.18.2011
REVISED: 06.06.2011

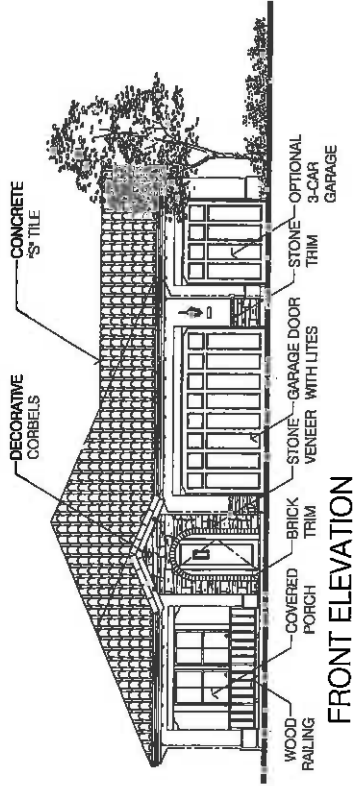
Thomas Bank & Associates, LLP.
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San Francisco, CA 94106
PH: 415.393.2301

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San Francisco, CA 94105
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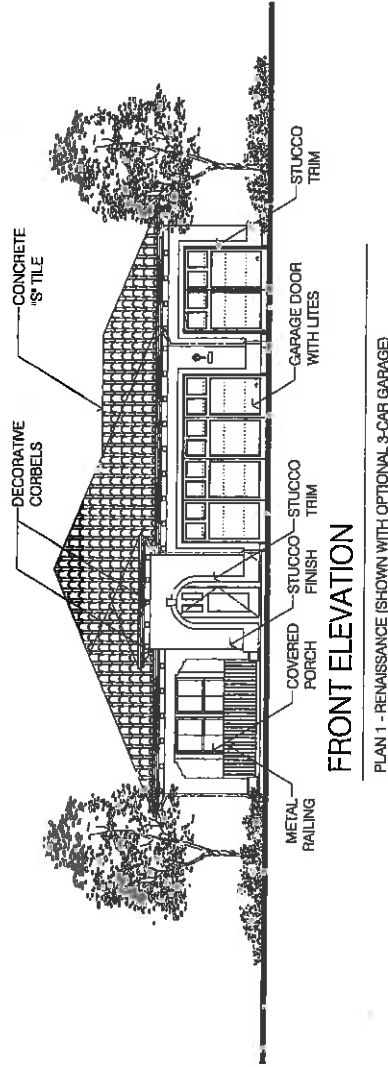


TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410J2

Toll Brothers
100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
PH: (925) 355-5000
FAX: (925) 355-5721



PLAN 1 - TUSCAN (SHOWN WITH OPTIONAL 3-CAR GARAGE)



PLAN 1 - RENAISSANCE (SHOWN WITH OPTIONAL 3-CAR GARAGE)

TOLL BROTHERS, INC.

DIABLO ESTATES

CLAYTON, CA

PROJECT: 41032



100 PARK PLACE, SUITE 140
CLAYTON, CA 94520
TEL: (925) 851-0200
FAX: (925) 851-0207



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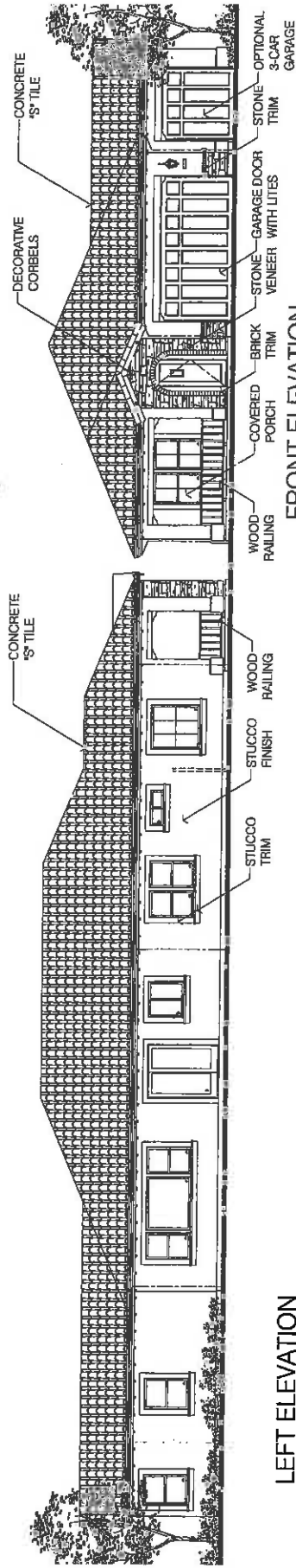
PLAN 1 (YGNACIO) - FRONT ELEVATIONS

A1

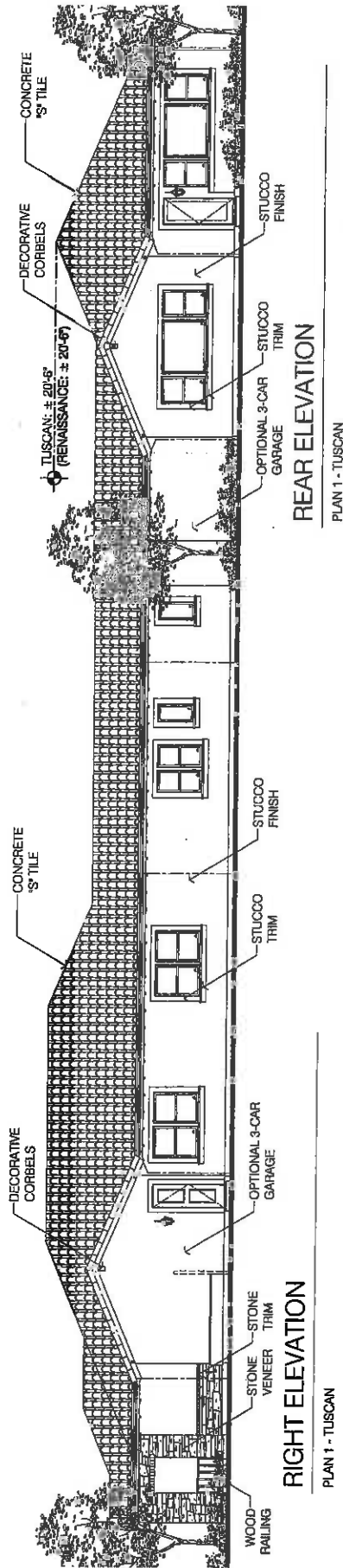
Thomas Beak & Associates, LLP
Landscape Architects
1000 California Street, Suite 4
Oakland, CA 94612
Tel: 925.933.2863



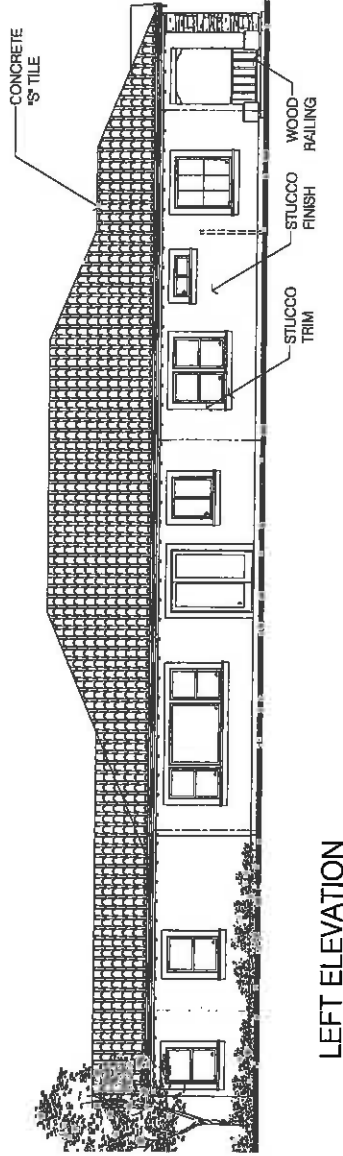
SCALE: 3/16" = 1'-0"
DATE: 01/20/2011
REVISED: 01/20/2011
REVISION: 08/08/2011



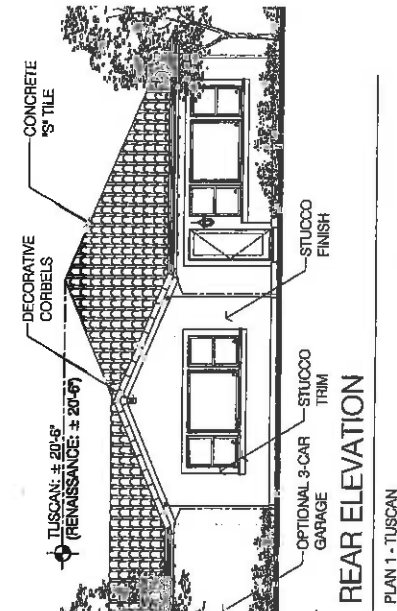
PLAN 1 - TUSCAN



PLAN 1 - TUSCAN



PLAN 1 - TUSCAN (SHOWN WITH OPTIONAL 3-CAR GARAGE)



PLAN 1 - TUSCAN

Toll Brothers
Integrity • Vision • Mastery • Tradition
 1800 KEELE PLACE, SUITE 140
 ALHAMBRA, CA 91801
 PH: (913) 854-6600
 FAX: (913) 854-9997

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 41032



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 F: 415-298-1288

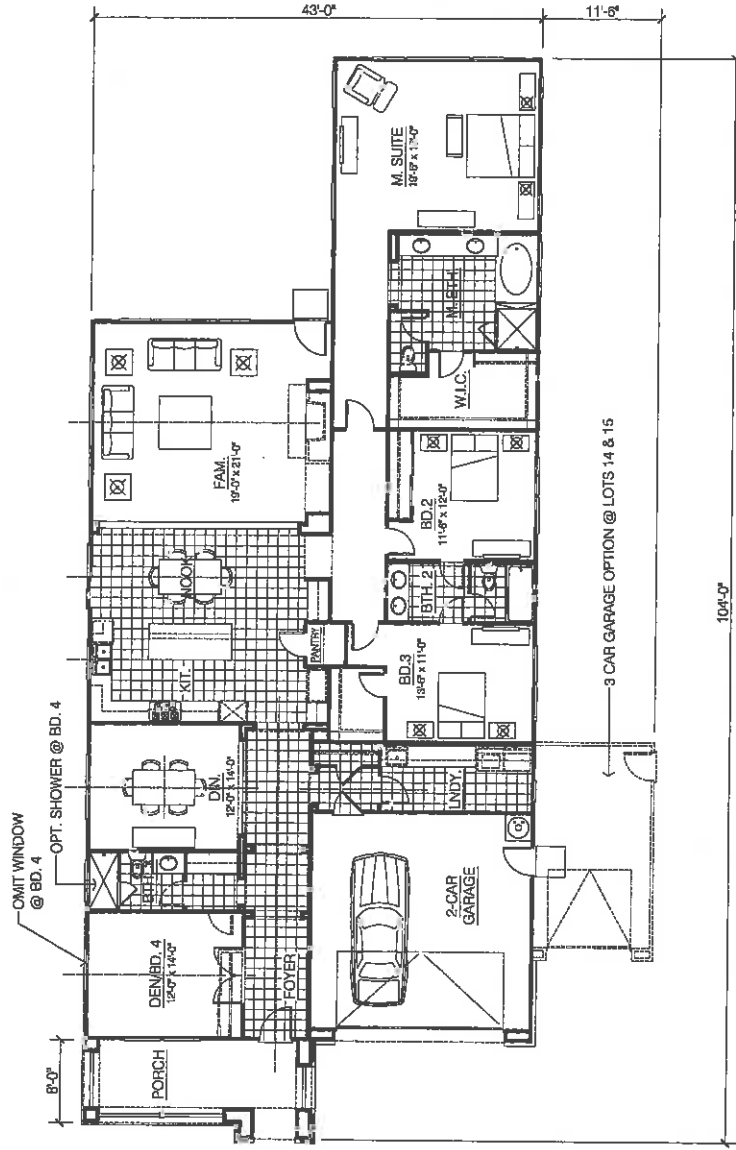


Thomas Bank & Associates, LLP.
 Landscape Architects
 1000 California Street, Suite 4
 Walnut Creek, CA 94597
 PH: 925-937-7383

PLAN 1 (IGNACIO) - ELEVATIONS

A2

SCALE: 3/16"=1'-0"
 DATE: 01.20.2011
 REVISED: 03.18.2011
 REVISED: 03.03.2011



MAIN FLOOR PLAN

PLAN 1

MAIN FLOOR: 3013 SQ. FT.
GARAGE: 468 SQ. FT.



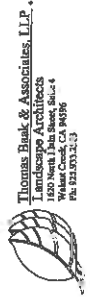
TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

Toll Brothers
100 PARK PLACE, SUITE 140
SAN JOSE, CA 95128
PHONE: (415) 551-9977
FAX: (415) 551-9977

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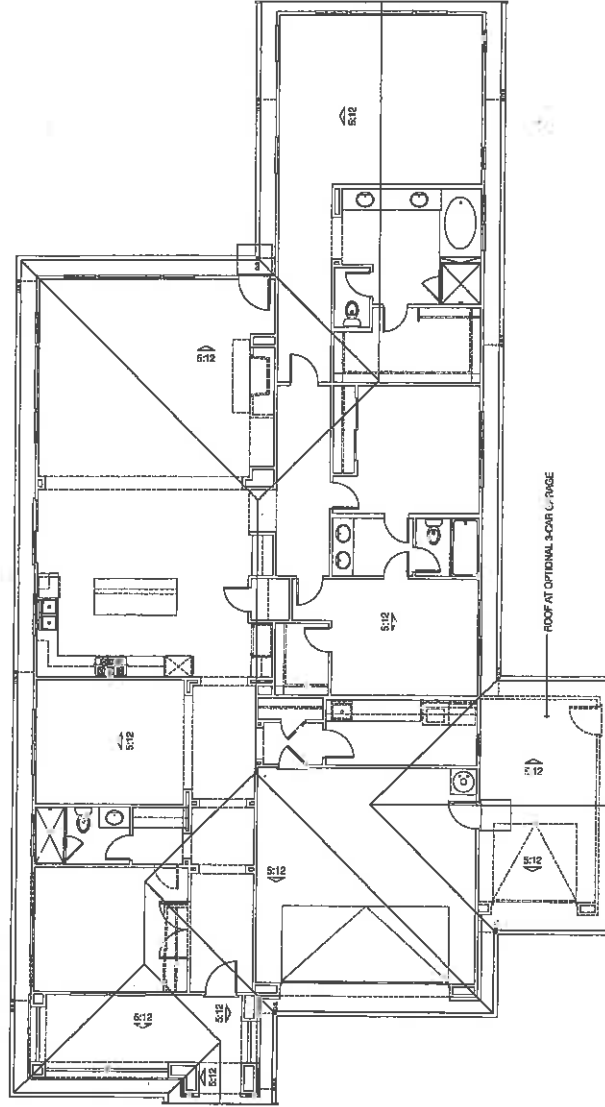
PLAN 1 (YGNACIO) - FLOOR PLANS



Thomas Bank & Associates, LLP.
Landscape Architects
1800 North Main Street, Suite 4
San Jose, CA 95131
PHONE: (415) 551-9977
FAX: (415) 551-9977

A3

SCALE: 1/8" = 1'-0"
DATE: 01/20/2011
REVISED: 03/18/2011
REVISED: 06/08/2011



ROOF PLAN

PLAN 1 - TUSCAN



TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA

Toll Brothers
 Building Division
 100 PARK PL, CLAYTON, CA 94522
 SAN RAMON, CA 94583
 TEL: (925) 835-9900
 FAX: (925) 835-9907

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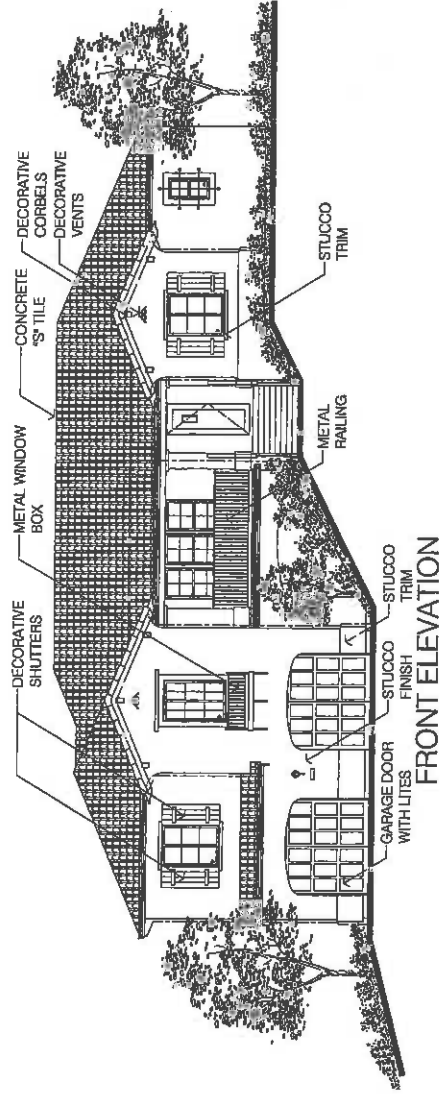
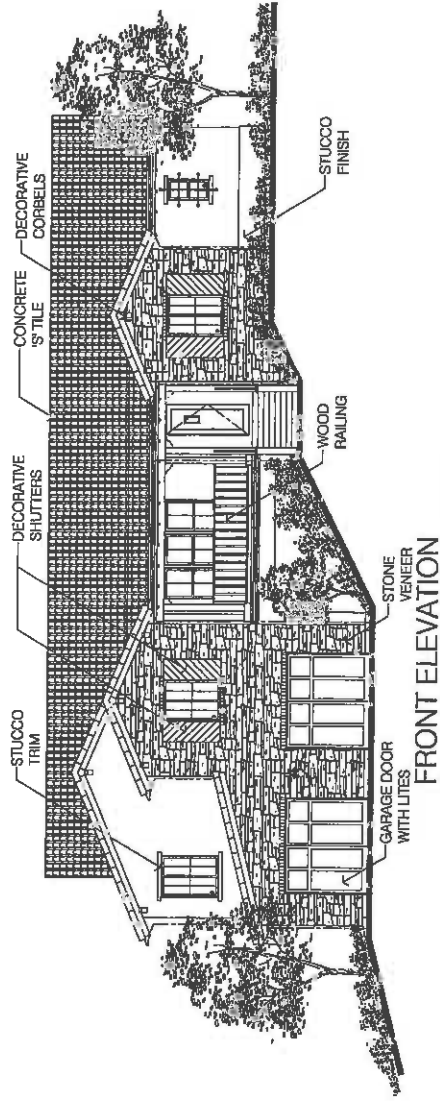


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 San Francisco, CA 94105
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 TEL: 415-512-1300



Thomas Bank & Associates LLP.
 Landscape Architects
 1800 North Main Street, Suite 4
 San Francisco, CA 94109
 TEL: (415) 397-2510

PLAN 1 (YGNACIO) - ROOF PLANS
A4
 SCALE: 1/8"=1'-0"
 DATE: 01/20/2011
 REVISED: 03/18/2011
 REVISION: 06/06/2011



TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410032

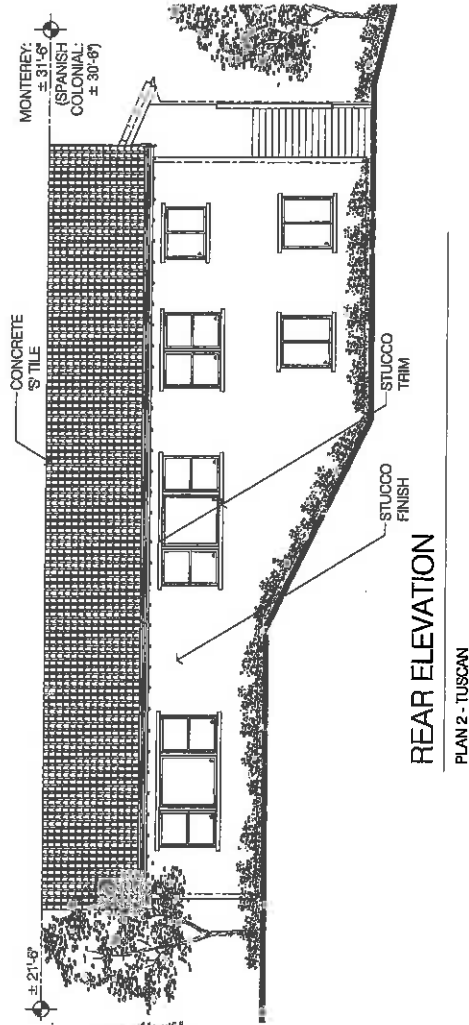
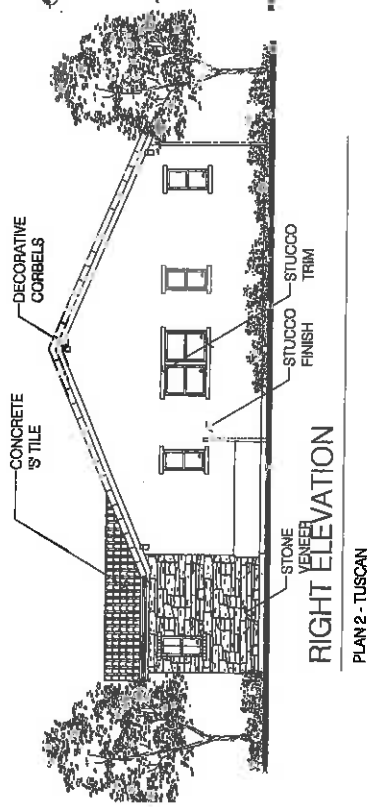
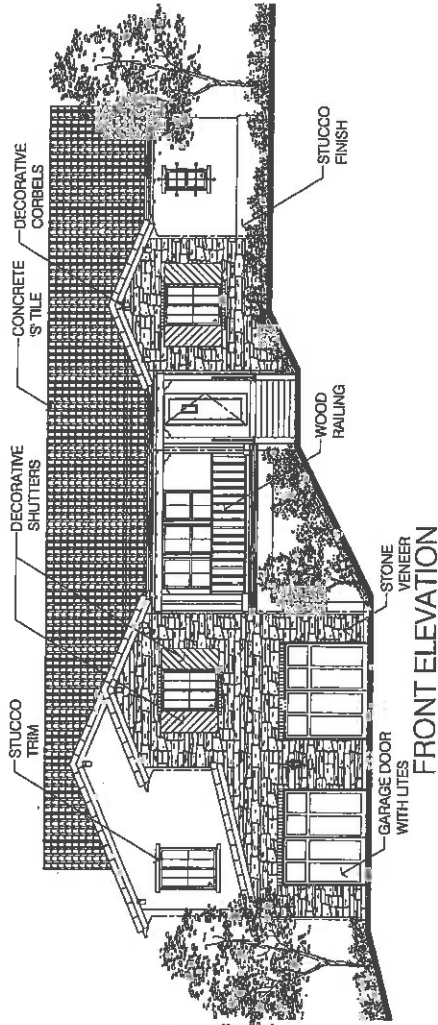
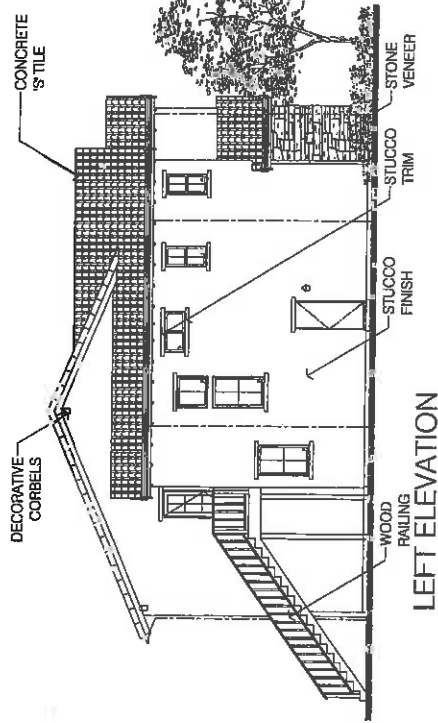
Toll Brothers
 100 PARK PLACE, SUITE 140
 SAN RAMON, CA 94583
 TEL: (925) 355-9977
 FAX: (925) 355-9977



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 414 Spear Street, Suite 200
 San Francisco, CA 94105
 www.hunt-hale-jones.com
 T. 415-612-1300
 F. 415-298-0203

PLAN 2 (FRANCISCAN) - FRONT ELEVATIONS
A5
 Thomas Bak & Associates, LLP
 Landscape Architects
 1401 North Main Street, Suite 4
 San Jose, CA 95131
 TEL: (408) 933-7525

SCALE: 3/8" = 1'-0"
 DATE: 07/20/2011
 REVISED: 07/18/2011
 REVISED: 06/06/2011



TOLL BROTHERS, INC.

DIABLO ESTATES

CLAYTON, CA

PROJECT: 410032

Toll Brothers
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 F: 415-588-0288



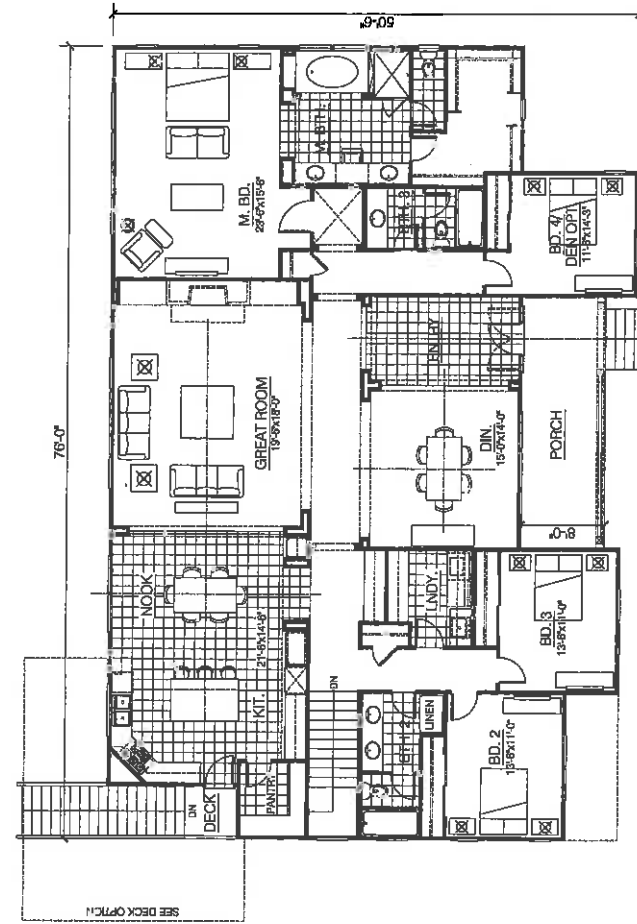
PLAN 2 (FRANCISCAN) - ELEVATIONS



Thomas Bank & Associates, LLP
 Landscape Architects
 1607 North Main Street, Suite 4
 San Francisco, CA 94106
 PH: 415.397.3300

A6

SCALE: 3/8"=1'-0"
 DATE: 01.20.2011
 REVISED: 03.16.2011
 REVISIONS: 00.06.2011



PLAN 2

LOWER FLOOR: 244 SQ. FT.
GARAGE: 939 SQ. FT.

PLAN 2

MAIN FLOOR: 3268 SQ. FT.



TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410032

PROJECT: 410092

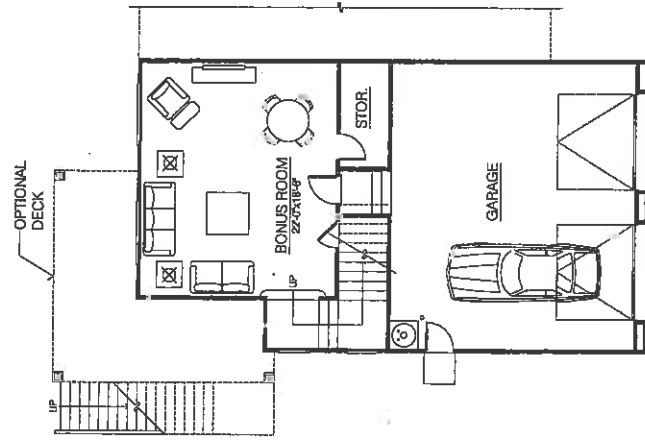
Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
www.huntlab.com
t. 415-512-1300
f. 415-528-0288

PLAN 2 (FRANCISCAN) - FLOOR PLANS
A7
 SCALE: 3/16" = 1'-0"
 DATE: 01.20.2011
 REVISED: 03.15.2011
 REVISED: 06.06.2011

Thomas Bank & Associates, LLP
Landscane Architects

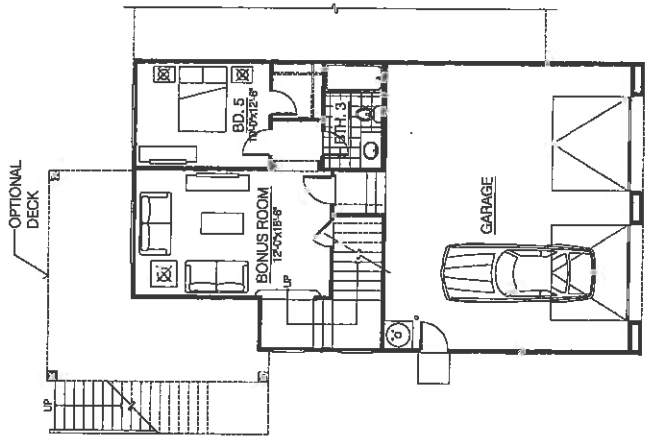


ONLY HALF JONES ARCHITECTS



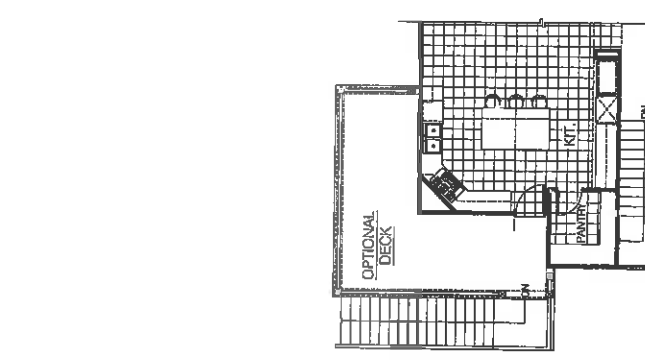
MAIN FLOOR PLAN

PLAN 2 - DECK OPTION @ LOTS 8 & 9



LOWER FLOOR PLAN

PLAN 2 - BED 5 OPTION



LOWER FLOOR PLAN

PLAN 2 - LARGE BONUS ROOM



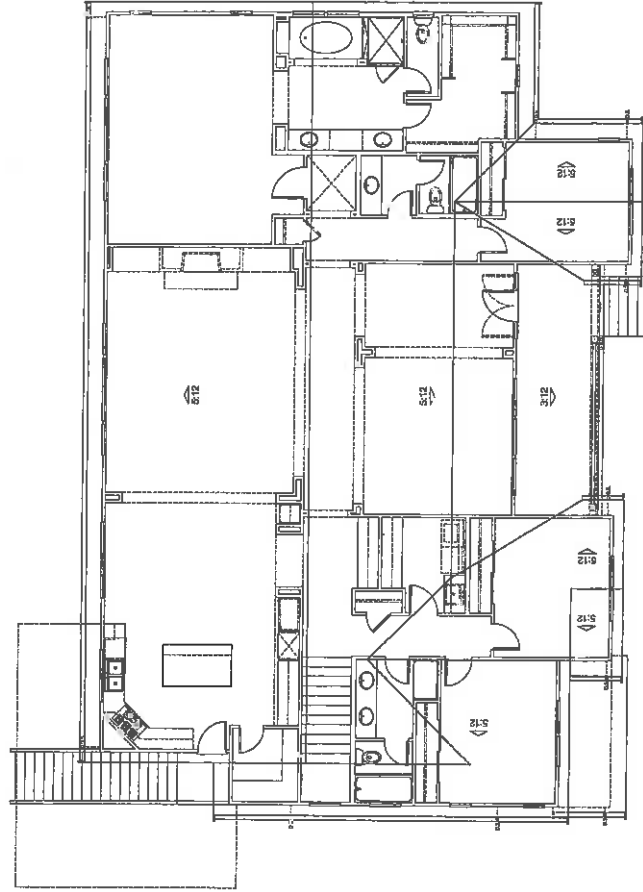
Toll Brothers
America's Largest Homebuilder
 100 PARK PLACE, SUITE 140
 SAN RAMON, CA 94583
 TEL: (925) 355-9800
 FAX: (925) 355-9877

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410032

Architecture | Planning | Interiors
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 San Francisco, CA 94105
 www.huntfailejones.com
 T. 415-512-1300
 F. 415-288-0288



PLAN 2 (FRANCISCAN) - FLOOR PLAN OPTIONS
A8
 Thomas Bank & Associates, LLP.
 Landscape Architects
 1800 North Main Street, Suite 4
 Walnut Creek, CA 94596
 TEL: (925) 337-2800
 FAX: (925) 337-2800
 SCALE: 3/16"=1'-0"
 DATE: 02.17.2011
 PREPARED: 02.17.2011
 REVISED: 06.06.2011



ROOF PLAN

PLAN 2 - TUSCAN



Toll Brothers
 100 PARK PLACE, SUITE 100
 SAN RAMON, CA 94583
 TEL: (925) 855-0600
 FAX: (925) 855-9927

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410022

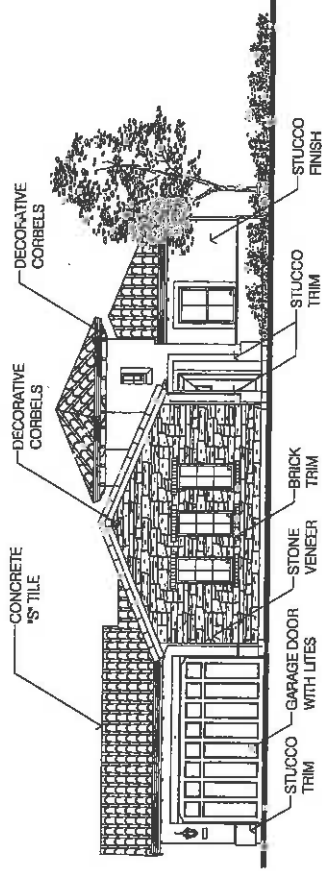


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 444 Spear Street, Suite 200
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 415-512-1300



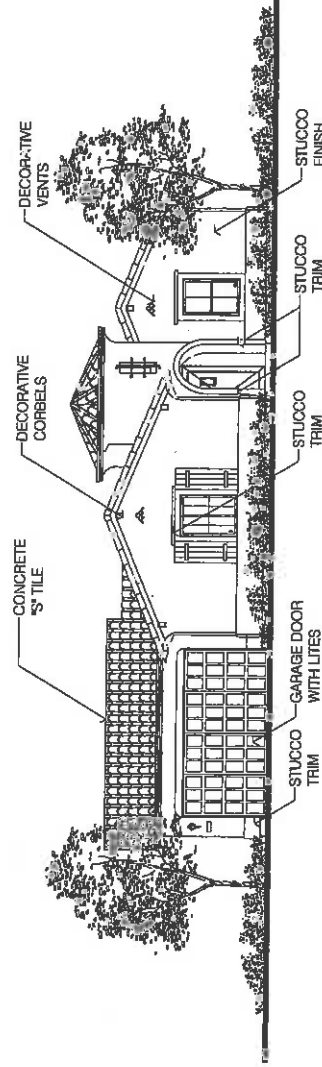
Thomas Bank & Associates, LLP.
 1000 North Main Street, Suite 100
 Walnut Creek, CA 94595
 Tel: 925-937-2500

PLAN 2 (FRANCISCAN) - ROOF PLAN
A9
 SCALE: 3/8"=1'-0"
 DATE: 01.20.2011
 REVISION: 00.08.2011
 REVIEWED: 00.08.2011



FRONT ELEVATION

PLAN 3 - TUSCAN 3-CAR GARAGE (2-CAR GARAGE SIMILAR)



FRONT ELEVATION

PLAN 3 - SPANISH COLONIAL 3-CAR GARAGE (2-CAR GARAGE SIMILAR)

TOLL BROTHERS, INC.

DIABLO ESTATES
CLAYTON, CA

PROJECT: 410032

Toll Brothers
A Division of TOLL Brothers Home Builders

100 PARK PLACE, SUITE 140
SAN FRANCISCO, CA 94105
TEL: (415) 512-1900
FAX: (415) 512-1907



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F. 415-288-0888

PLAN 3 (PRESIDIO) - FRONT ELEVATIONS (3-CAR GARAGE)

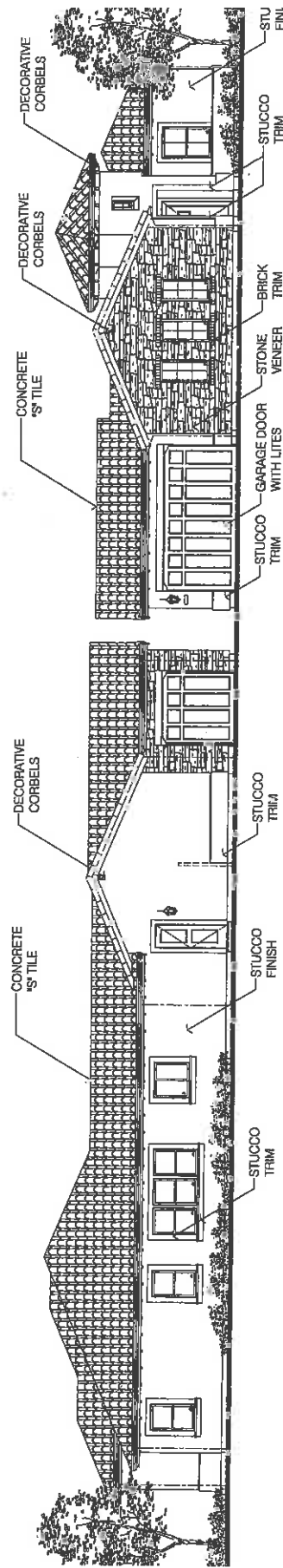
Thomas Bank & Associates, LLP
Landscape Architects

1800 New Hyde Street, Suite 4
San Francisco, CA 94109
TEL: 415.333.2820



A10

SCALE: 3/8" = 1'-0"
DATE: 01.20.2011
REVISED: 02.18.2011
REVISED: 06.08.2011

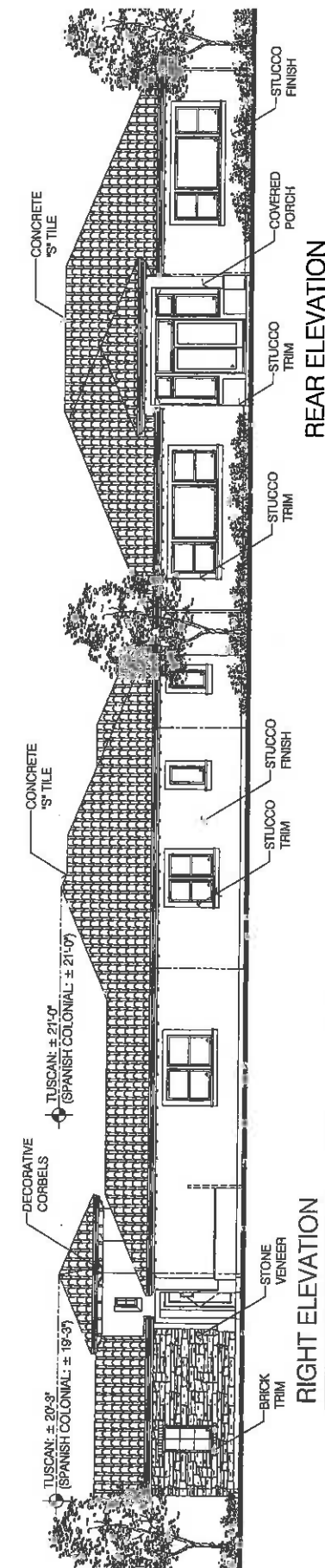


PLAN 3 - TUSCAN

LEFT ELEVATION

PLAN 3 - TUSCAN 3-CAR GARAGE (2-CAR GARAGE SIMILAR)

FRONT ELEVATION



PLAN 3 - TUSCAN

RIGHT ELEVATION

PLAN 3 - TUSCAN

REAR ELEVATION

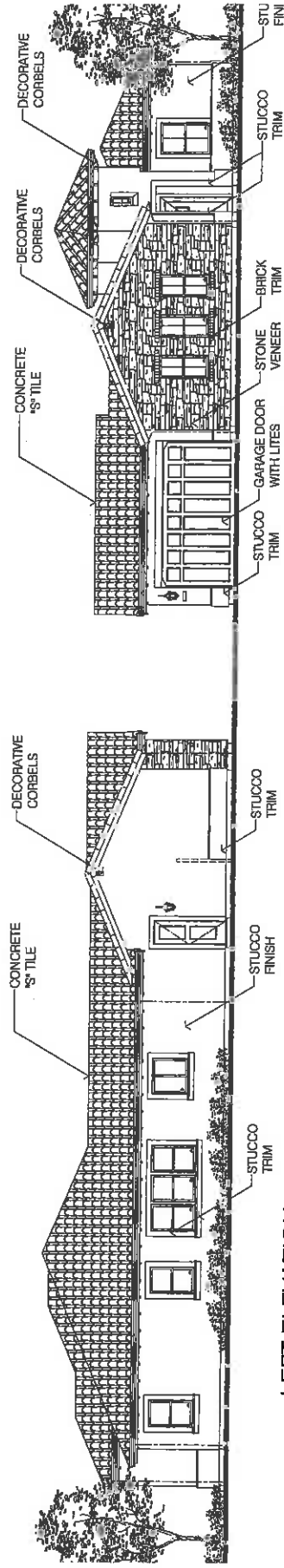
Toll Brothers
Building • Renovating • Home Builder
 100 PARK PLACE, SUITE 140
 SAN RAMON, CA 94583
 TEL: (925) 355-9999
 FAX: (925) 355-9997

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410202



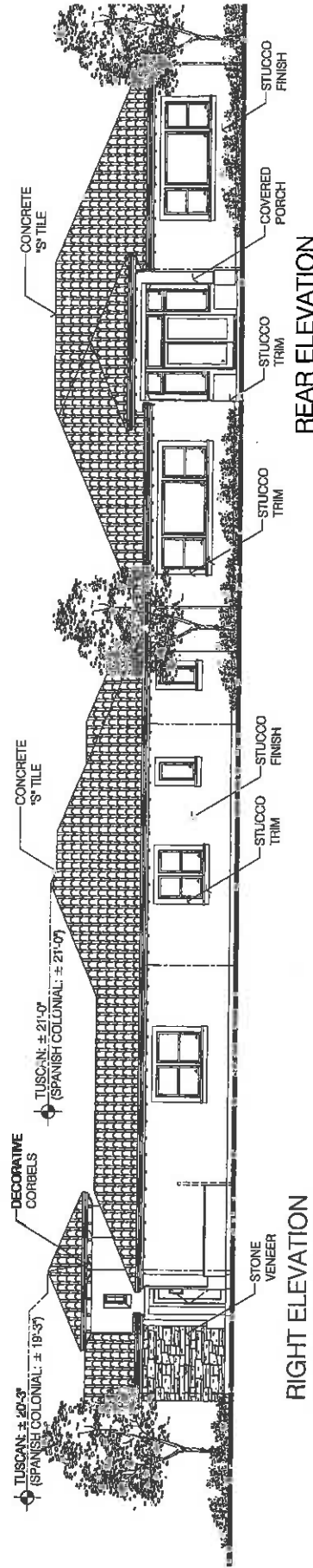
Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 v.v. j.hunt@hjt.com
 1.415-512-1300
 1.415-288-0288

PLAN 3 (PRESIDIO) - ELEVATIONS (3-CAR GARAGE)
A11
 Thomas Bank & Associates, LLP
 Landscape Architects
 1000 North Main Street, Suite 4
 Walnut Creek, CA 94596
 TEL: (925) 939-3201
 SCALE: 3/16" = 1'-0"
 DATE: 03/18/2011
 REVISED: 03/18/2011
 REVISION: 06/08/2011



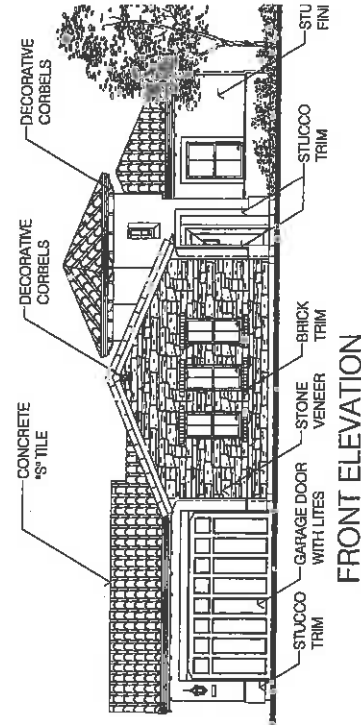
LEFT ELEVATION

PLAN 3 - TUSCAN



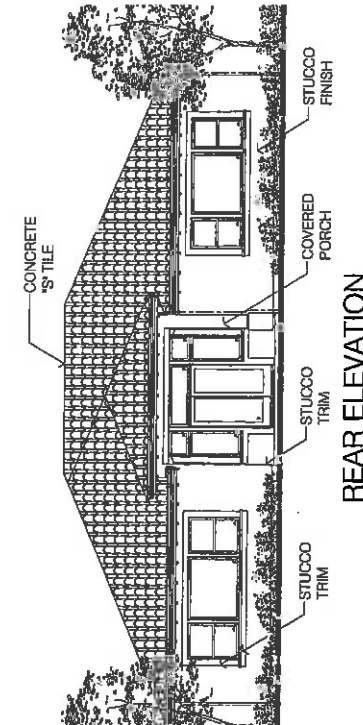
RIGHT ELEVATION

PLAN 3 - TUSCAN



FRONT ELEVATION

PLAN 3 - TUSCAN 3-CAR GARAGE (2-CAR GARAGE SIMILAR)



REAR ELEVATION

PLAN 3 - TUSCAN

TOLL BROTHERS, INC.

DIABLO ESTATES

CLAYTON, CA

PROJECT: 410082



Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94105

www.hunt-hale-jones.com

T. 415-512-1300
F. 415-585-0288

PLAN 3 (PRESIDIO) - ELEVATIONS (2-CAR GARAGE)

A11.1

Thomas Bank & Associates, LLP
Landscape Architects

1200 North Main Street, Suite 4
San Francisco, CA 94108
PH: 415.393.2363

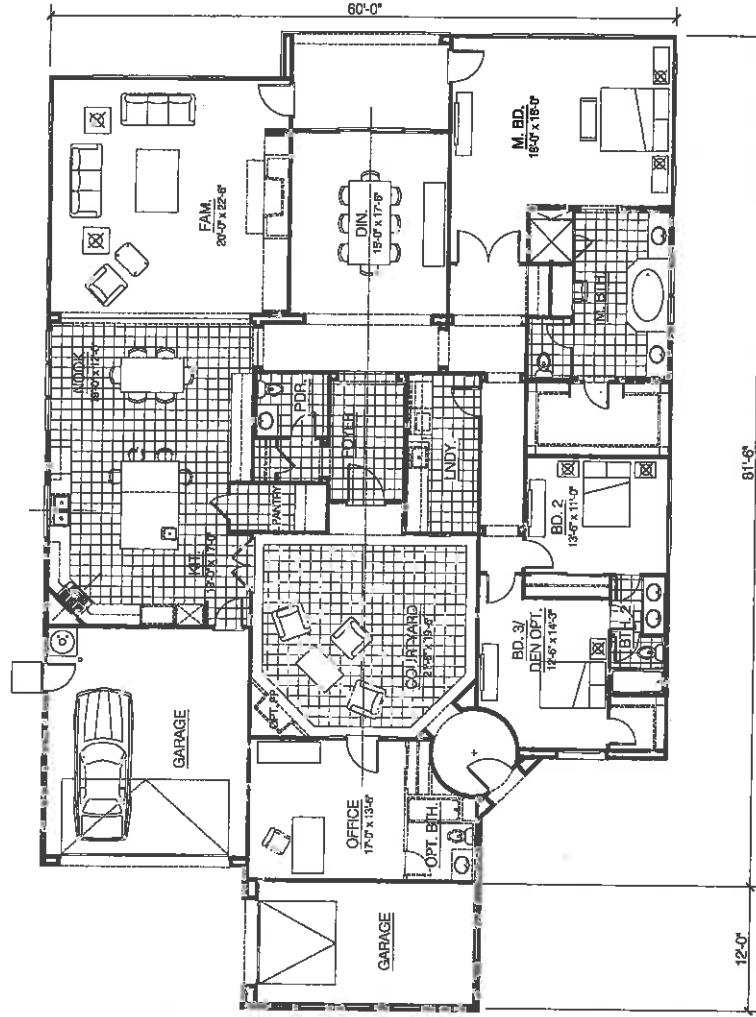
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DATE: 01.10.11

REVISION: 03.18.2011

REVISION: 06.06.2011

CHRISTIAN JONES ARCHITECTS



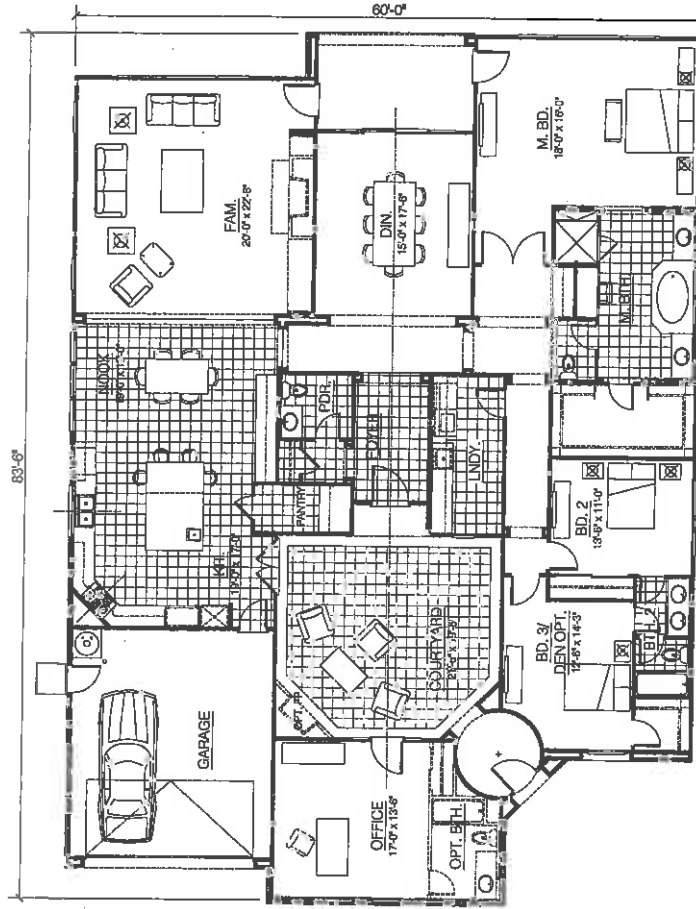
TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410032

Toll Brothers
100 PARK PLACE, SUITE 240
SAN JOSE, CA 95128
PH: (408) 855-0000
FAX: (408) 855-9927



Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
WWW.HUNTJONES.COM
1.415.512.1300
1.415.288.0219

PLAN 3 (PRESIDIO) - FLOOR PLAN (3-CAR GARAGE)
A12
Thomas Bank & Associates, LLP
Landscape Architects
1600 North Main Street, Suite 4
Palo Alto, CA 94301
PH: 650.953.3333
SCALE: 3/16"=1'-0"
DATE: 03.12.2011
REVISED: 03.12.2011
REVISED: 06.06.2011



MAIN FLOOR PLAN

PLAN 3 (2-CAR GARAGE)

MAIN FLOOR: 3512 SQ. FT.
GARAGE: 460 SQ. FT.

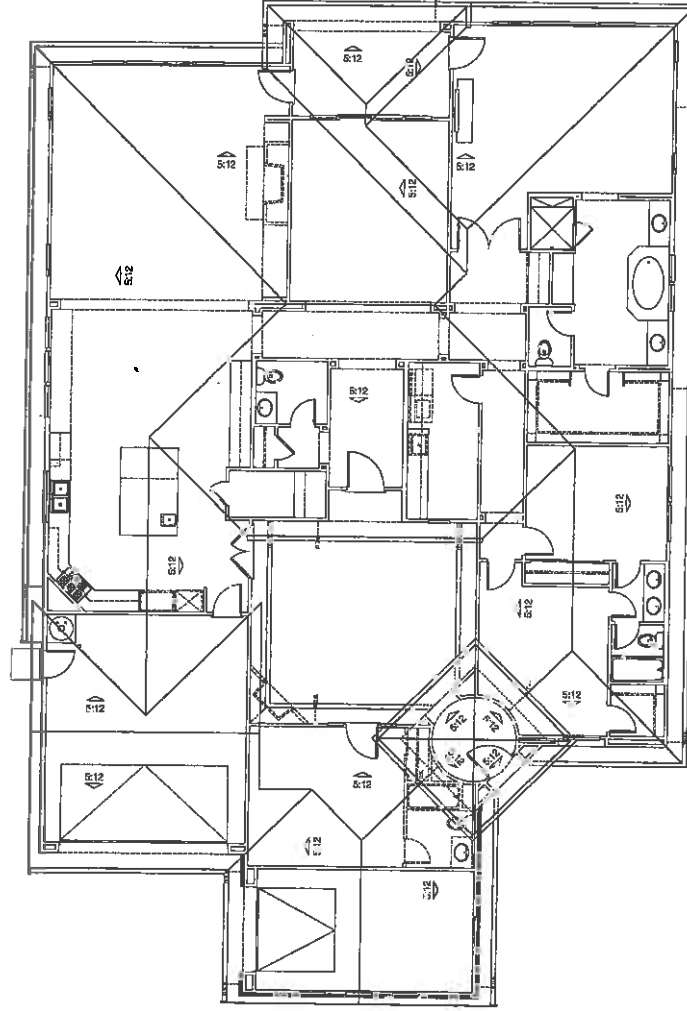
TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410032

Toll Brothers
100 PARK PLACE, SUITE 140
CLAYTON, CA 94520
TEL: (925) 855-0000
FAX: (925) 855-9927

Architecture | Planning | Interiors
414 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt-haile-jones.com
T. 415-612-1800
F. 415-253-0288



PLAN 3 (PRESIDIO) - FLOOR PLAN (2-CAR GARAGE)
A12.1
Thomas Bank & Associates, LLP
Landscape Architects
1000 North Main Street, Suite 4
San Francisco, CA 94105
P: 415.393.1212
SCALE: 3/16"=1'-0"
DATE: 03.13.2011
REVISED: 03.13.2011
DESIGNED: 03.08.2011



ROOF PLAN

PLAN 3 - TUSCAN (3-CAR GARAGE)



TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410002

Toll Brothers
 100 PARK PLACE, SUITE 140
 CLAYTON, CA 94520
 TEL: (925) 855-0260
 FAX: (925) 855-9927

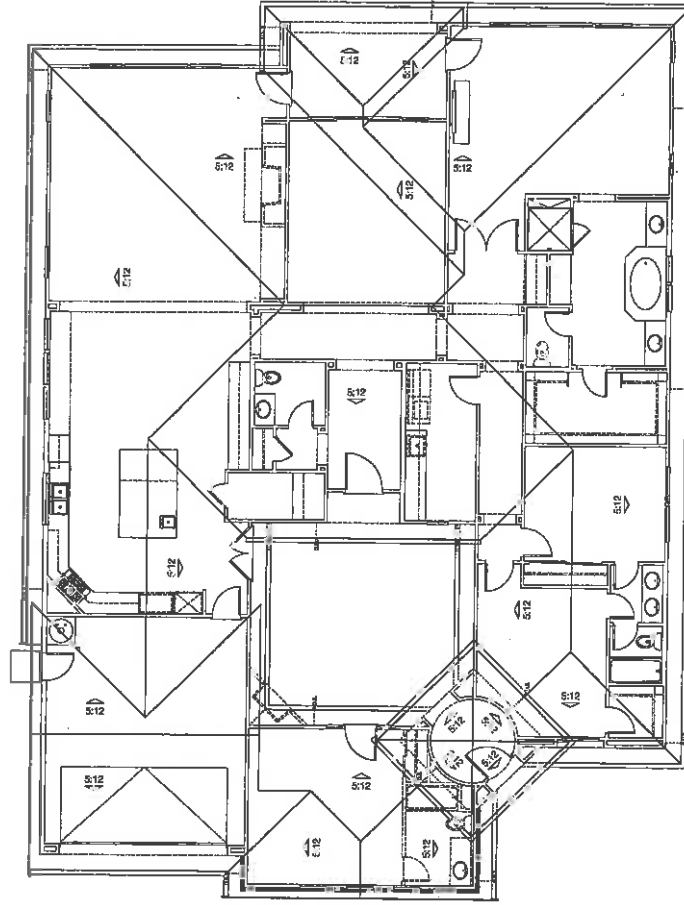


Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 WWW.TUNSTALLJONES.COM
 T. 415-612-1800
 F. 415-288-0288

PLAN 3 (PRESIDIO) - ROOF PLAN (3-CAR GARAGE)
A13
 Thomas Bank & Associates, LLP
 Landscape Architects
 620 North Main Street, Suite 4
 Walnut Creek, CA 94596
 TEL: 925/933-3333



SCALE: 3/8"=1'-0"
 DATE: 03.13.2011
 REVISION: 03.13.2011
 REVISED: 03.13.2011



ROOF PLAN

PLAN 3 - TUSCAN (2-CAR GARAGE)

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410022

Toll Brothers
 100 PARK PLACE, SUITE 140
 CLAYTON, CA 94520
 TEL: (925) 833-4000
 FAX: (925) 833-4997

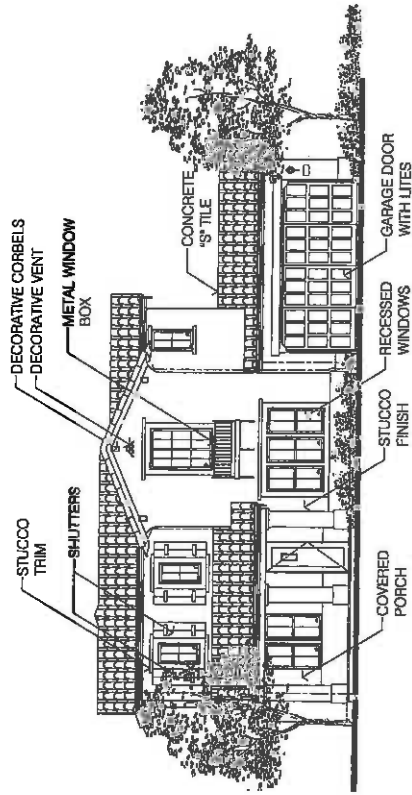


Architecture | Planning | Interiors
 444 Sycamore Street, Suite 200
 San Francisco, CA 94105
 www.hunt-hale-jones.com
 T: 415-512-1300
 F: 415-598-0288



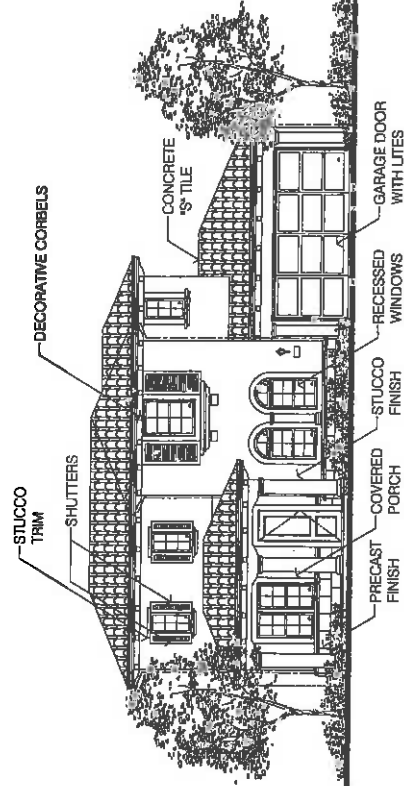
PLAN 3 (PRESIDIO) - ROOF PLAN (2-CAR GARAGE)
A13.1
 Thomas Bank & Associates, LLP
 Landscape Architects
 1620 North Main Street, Suite 4
 Walnut Creek, CA 94595
 TEL: 925.933.2520

SCALE: 3/16"=1'-0"
 DATE: 01.15.2011
 REVISION: 03.18.2011
 REVISION: 06.08.2011



FRONT ELEVATION

PLAN 4 - SPANISH COLONIAL



FRONT ELEVATION

PLAN 4 - RENAISSANCE

TOLL BROTHERS, INC.

DIABLO ESTATES

CLAYTON, CA

PROJECT: 410022



100 MARKET STREET, SUITE 140
SAN FRANCISCO, CA 94102
TEL: (415) 512-1300
FAX: (415) 512-1300

Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94102
www.hunt-hale-jones.com

TEL: (415) 512-1300
FAX: (415) 512-1300

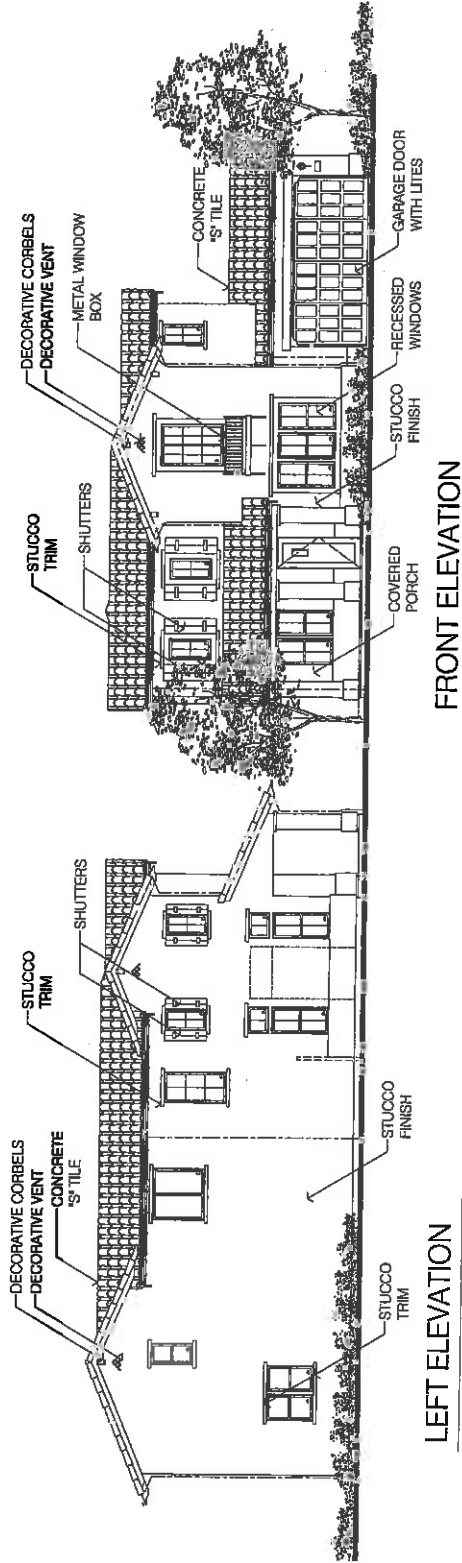


PLAN 4 (BELVEDERE) - FRONT ELEVATIONS
A14

Thomas Bank & Associates, LLP
Landscape Architects
1000 California Street, Suite 4
San Francisco, CA 94102
Tel: 415.393.2240

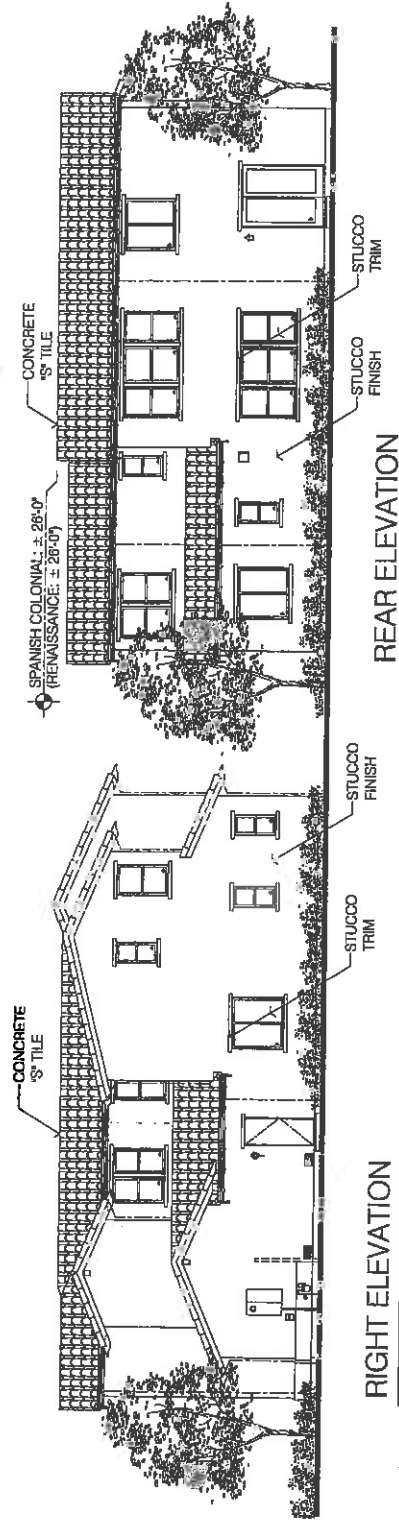


SCALE: 3/16"=1'-0"
DATE: 01.30.2011
REVISED: 03.18.2011
REVISED: 03.03.2011



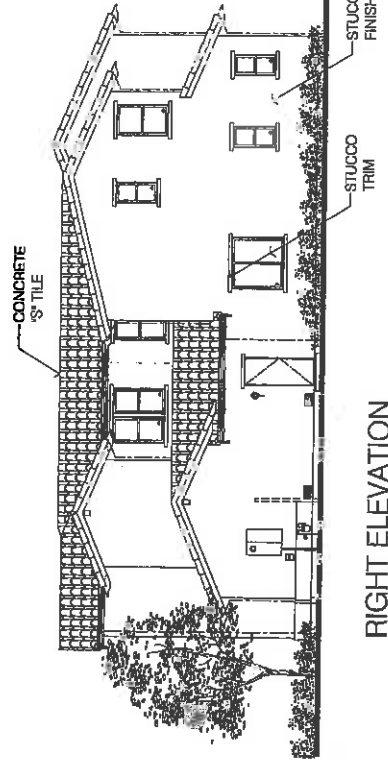
FRONT ELEVATION

PLAN 4 - SPANISH COLONIAL



REAR ELEVATION

PLAN 4 - SPANISH COLONIAL



RIGHT ELEVATION

PLAN 4 - SPANISH COLONIAL



100 BANK PLACE, SUITE 200
SAN RAMON, CA 94583
PH: (925) 855-0260
FAX: (925) 855-9927

TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

PROJECT: 4108CZ

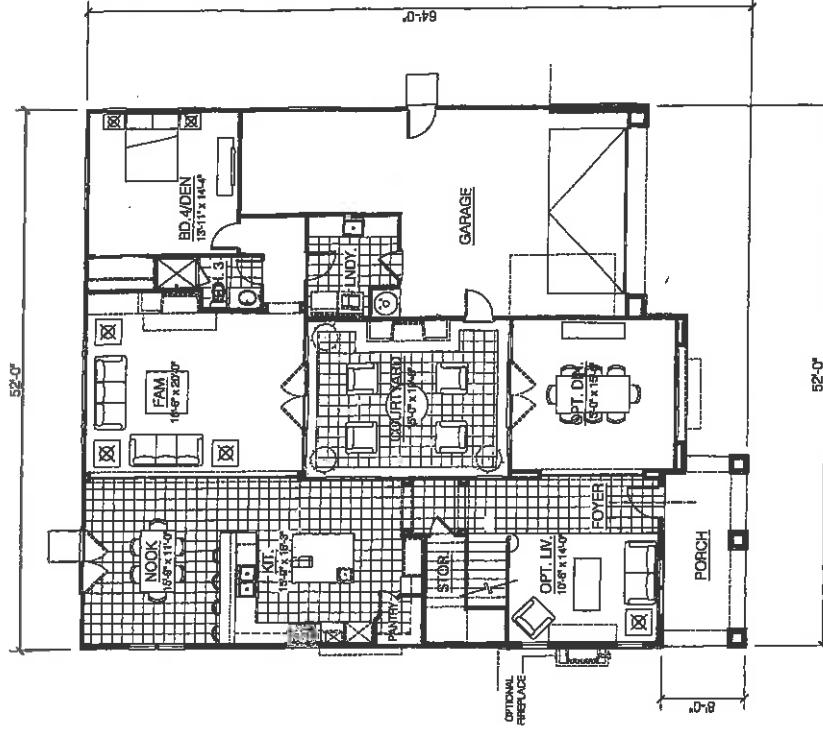


Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt-hall-jones.com
L: 415.512.1840
F: 415.268.0070



Thomas Bank & Associates, LLP.
Landscape Architects
1400 Rockwell Street, Suite 4
San Francisco, CA 94109
PH: 925.833.3233

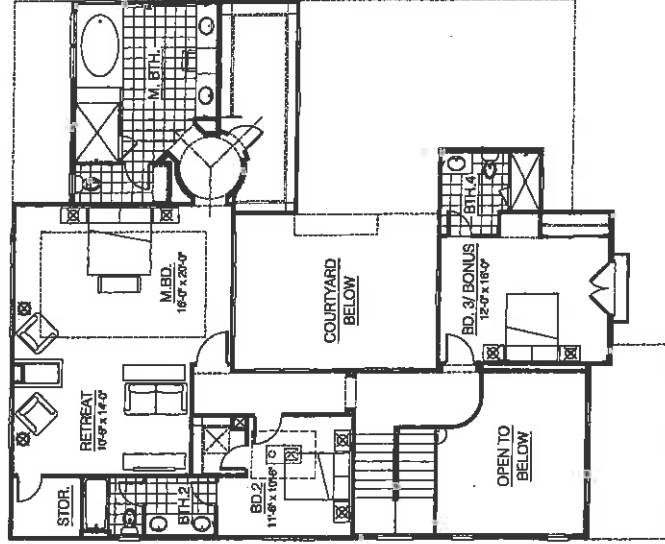
PLAN 4 (BELVEDERE) - ELEVATIONS
A15
SCALE: 3/16"=1'-0"
DATE: 01/20/2011
REVISED: 02/17/2011
REVISED: 03/08/2011
REVISED: 03/08/2011



MAIN FLOOR PLAN

MAIN FLOOR: 1986 SQ. FT.
TOTAL: 3725 SQ. FT.
GARAGE: 638 SQ. FT.

PLAN 4



UPPER FLOOR PLAN

UPPER FLOOR: 1759 SQ. FT.

PLAN 4

Toll Brothers
100 PARK PLACE, SUITE 1100
SAN RAMON, CA 94583
TEL: (925) 855-0280
FAX: (925) 855-9927

TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410032

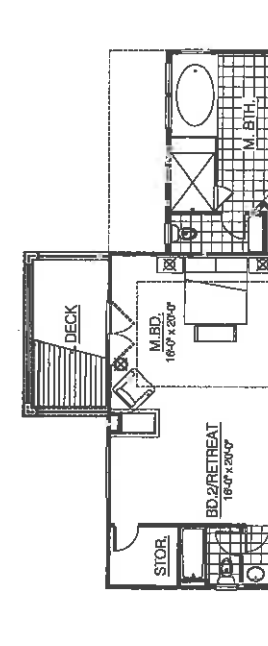


Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt hale and jones.com
L: 415-512-1300
F: 415-285-0288



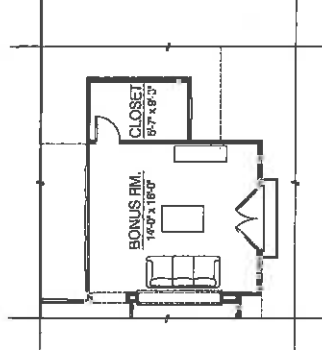
Thomas Bank & Associates, LLP.
Landscape Architect
10000 Wilshire Blvd., Suite 4
West Coast, CA 90404
Tel: 913-333-2583

PLAN 4 (BELVEDERE) - FLOOR PLANS
A16
SCALE: 3/8"=1'-0"
DATE: 01.20.2011
REVISED: 03.18.2011
REVISIONS: 00.00.2011



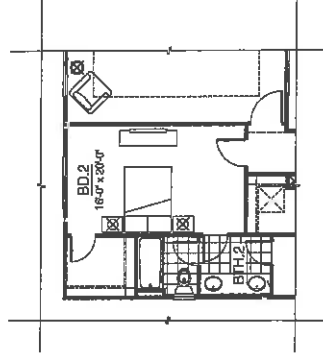
UPPER FLOOR PLAN

PLAN 4 - DECK OPT.



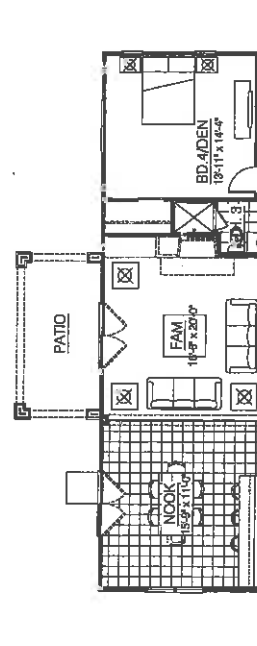
UPPER FLOOR PLAN

PLAN 4 - BONUS OPT.



UPPER FLOOR PLAN

PLAN 4 - BD. 5 OPT.



MAIN FLOOR PLAN

PLAN 4 - DECK OPT.

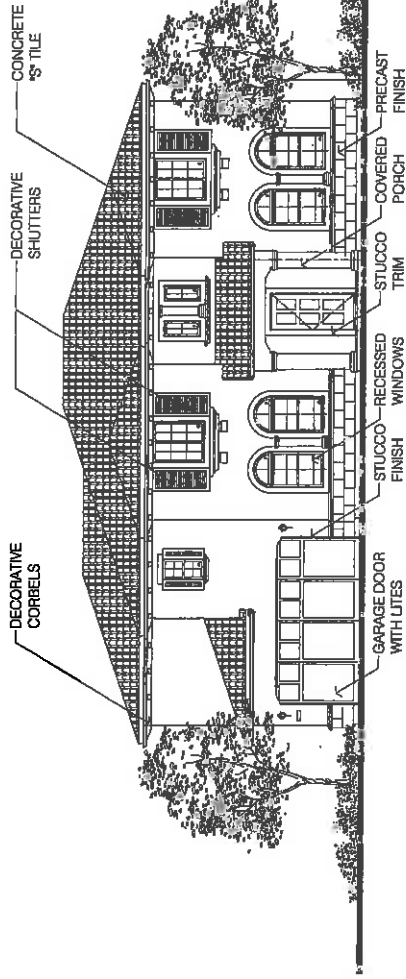


TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410032



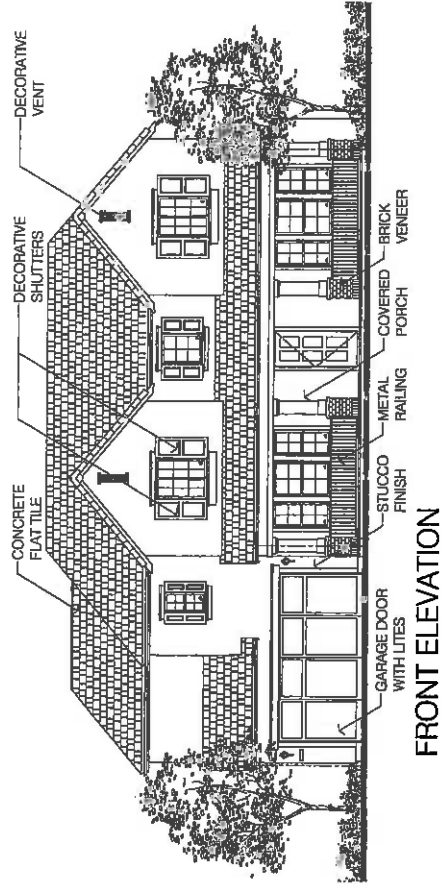
Architecture | Planning | Interiors
 414 Spear Street, Suite 200
 San Francisco, CA 94105
 www.hunt-hale-jones.com
 T: 415-512-1800
 F: 415-438-0288

PLAN 4 (BELVEDERE) - FLOOR PLAN OPTIONS
A17
 SCALE: 3/16"=1'-0"
 DATE: 02.28.2011
 REVISED: 02.08.2011
Thomas Bank & Associates, LLP.
 100 North Main Street, Suite 4
 Walnut Creek, CA 94598
 Tel: 925.933.3380



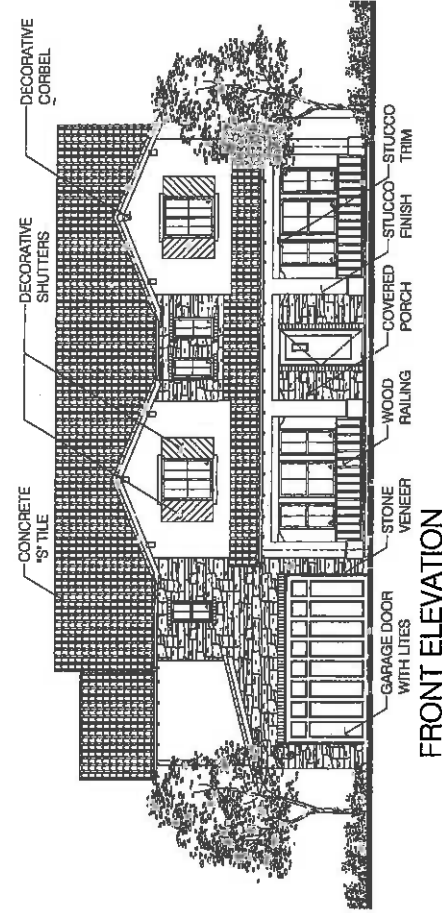
FRONT ELEVATION

PLAN 5 - RENAISSANCE



FRONT ELEVATION

PLAN 5 - CLASSIC



FRONT ELEVATION

PLAN 5 - TUSCAN



100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
PH: (925) 855-5500
FAX: (925) 855-9927

PROJECT: 410022

TOLL BROTHERS, INC.

DIABLO ESTATES

CLAYTON, CA



Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt Hale Jones.com

L 415-512-1300
F 415-288-0288



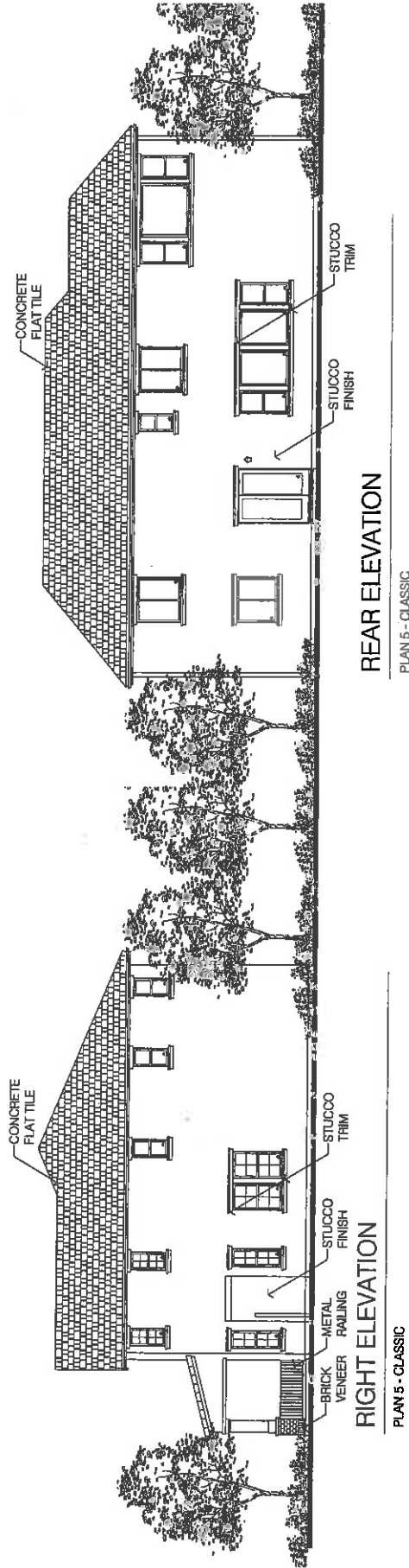
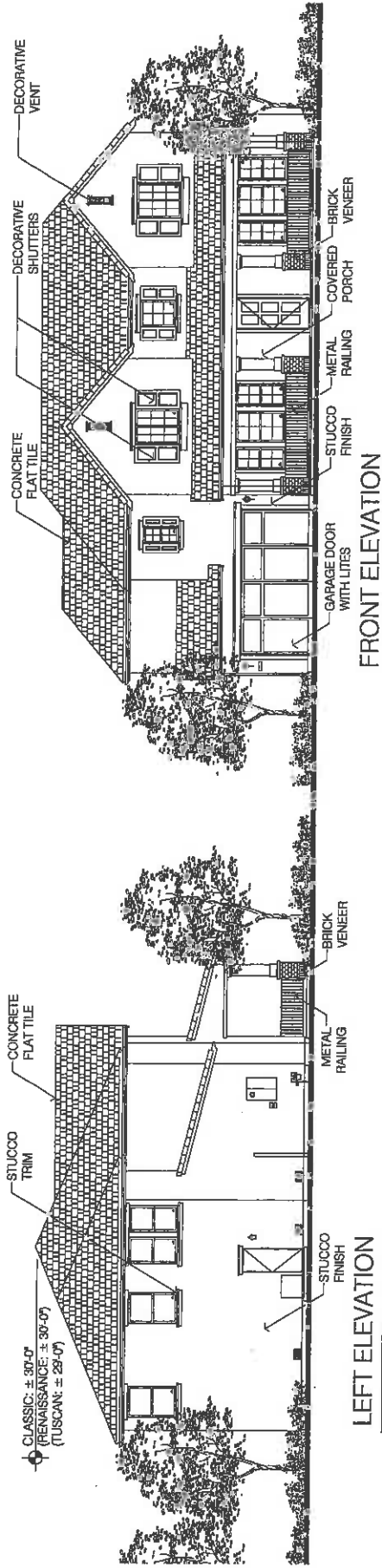
Thomas Bank & Associates, LLP

Landscape Architecture
1620 North Main Street, Suite 4
Walton Creek, CA 94596
PH: 925.930.3360

PLAN 5 (OAKHURST) - FRONT ELEVATIONS

A19

SCALE: 3/16"=1'-0"
DATE: 03.18.2011
REVISED: 03.18.2011
REVISED: 03.06.2011



Toll Brothers
100 PARK PLACE, SUITE 100
SAN RAMON, CA 94583
TEL: (925) 855-6060
FAX: (925) 855-9917

TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

PROJECT: 410032

Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94105
Tel: 415-512-1800
www.hunt-hale-jones.com

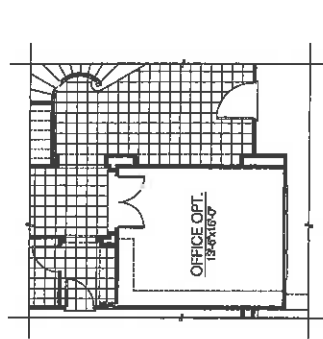
**HUNT
HALE
JONES**

PLAN 5 (OAKHURST) - ELEVATIONS

A20

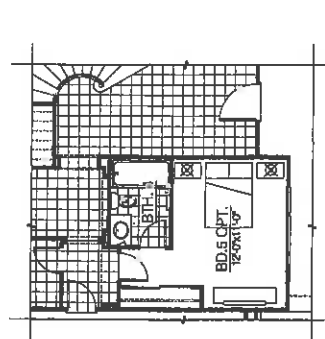
Thomas Berg & Associates, LLP
1000 North Main Street, Suite 4
Walpole Creek, CA 94596
Tel: 925.333.1380

SCALE: 3/16"=1'-0"
DATE: 01.18.2011
REVISED: 06.17.2014
REVISED: 08.08.2011



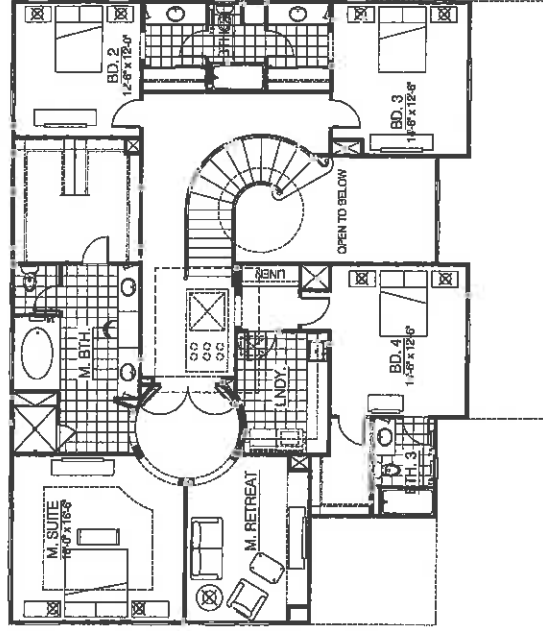
MAIN FLOOR PLAN

PLAN 1: 1/8\"/>



MAIN FLOOR PLAN

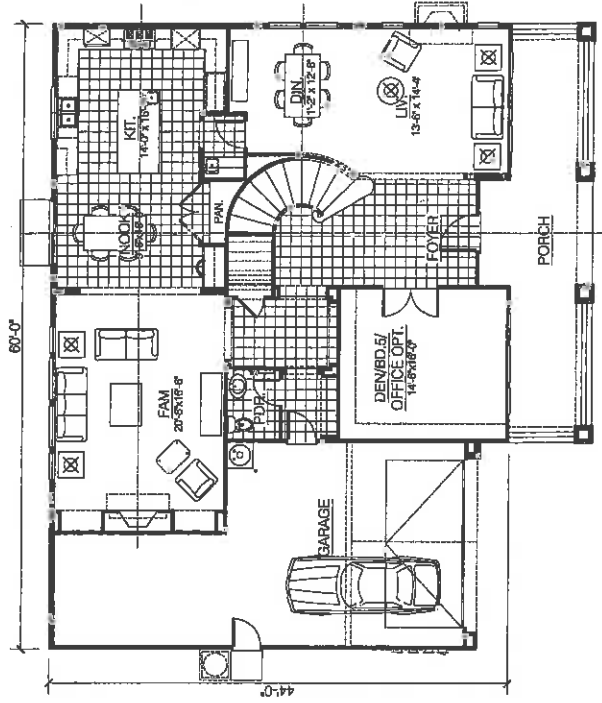
PLAN 1: 1/8\"/>



UPPER FLOOR PLAN

PLAN 5

UPPER FLOOR: 2194 SQ. FT.



MAIN FLOOR PLAN

PLAN 5

MAIN FLOOR: 1897 SQ. FT.
TOTAL: 4081 SQ. FT.
GARAGE: 844 SQ. FT.



TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

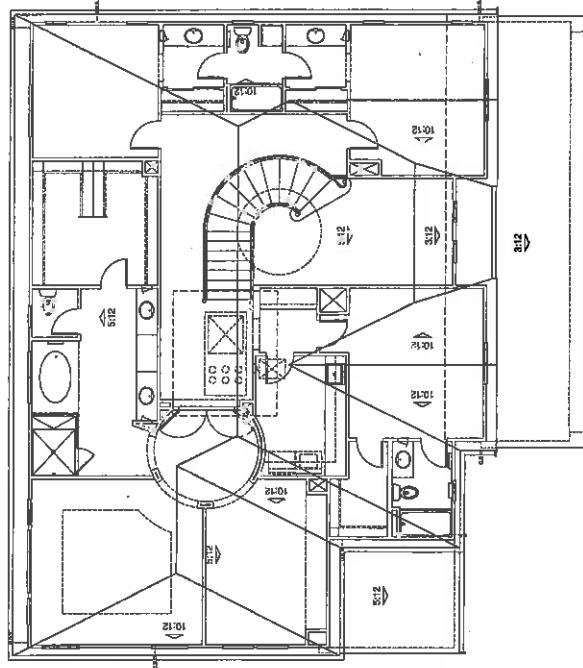
PROJECT: 410022



Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt-hall-jones.com

PLAN 5 (OAKHURST) - FLOOR PLANS
A21
Thomas Bank & Associates, LLP
Landscape Architecture
1529 North Alhambra Street, Suite 4
West Coast, CA 90046
PH: 362.593.2340

SCALE: 3/16\"/>



ROOF PLAN

PLAN 5 - CLASSIC



Toll Brothers
San Francisco's Finest Home Furnishings
 100 PARK PLACE, SUITE 140
 SAN FRANCISCO, CA 94105
 PR: (415) 393-5000
 FAX: (415) 393-5927

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410022

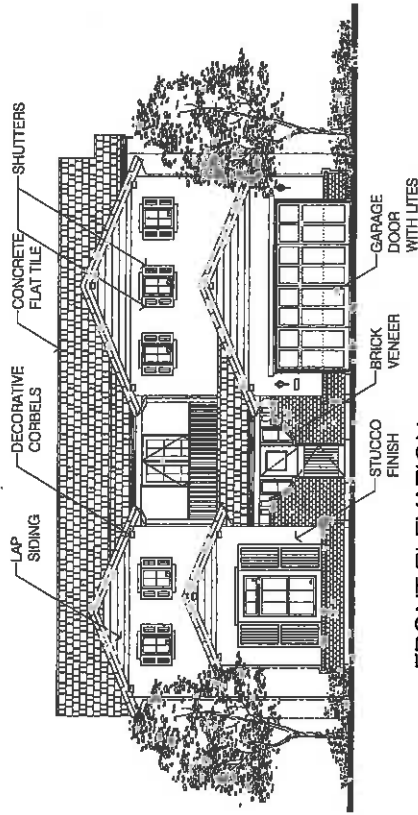


Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 www.hunthalejones.com
 T. 415-512-1300
 F. 415-243-0288



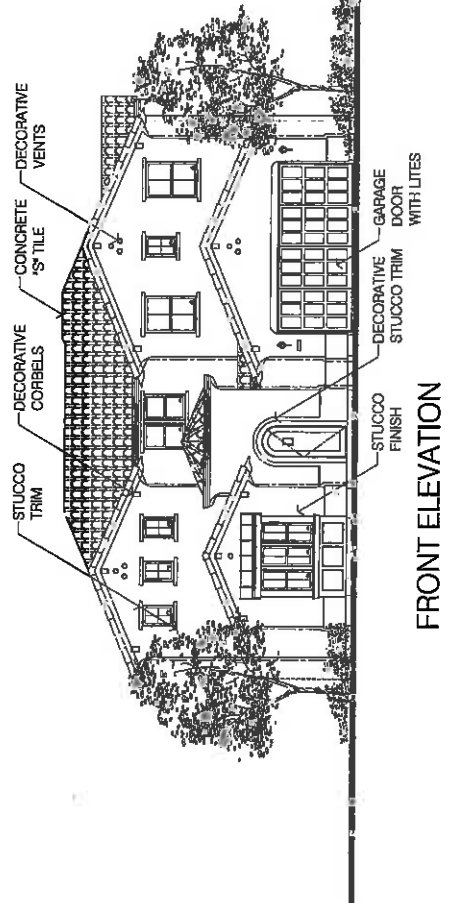
Thomas Bank & Associates, LLP.
 Landscape Architects
 1420 North Main Street, Suite 4
 San Francisco, CA 94109
 PH: 415-393-2571

PLAN 5 (OAKHURST) - ROOF PLAN
A22
 SCALE: 3/16"=1'-0"
 DATE: 01.22.2011
 REVISED: 03.16.2011
 REVISION: 06.06.2011



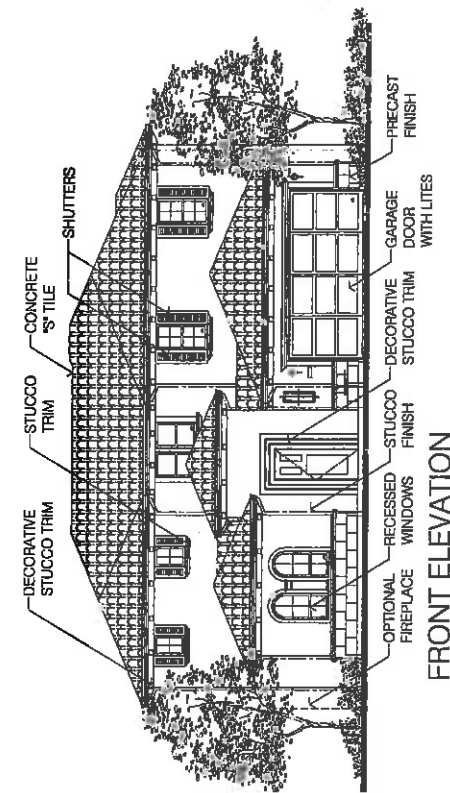
FRONT ELEVATION

PLAN 6 - MONTEREY



FRONT ELEVATION

PLAN 6 - SPANISH COLONIAL



FRONT ELEVATION

PLAN 6 - RENAISSANCE

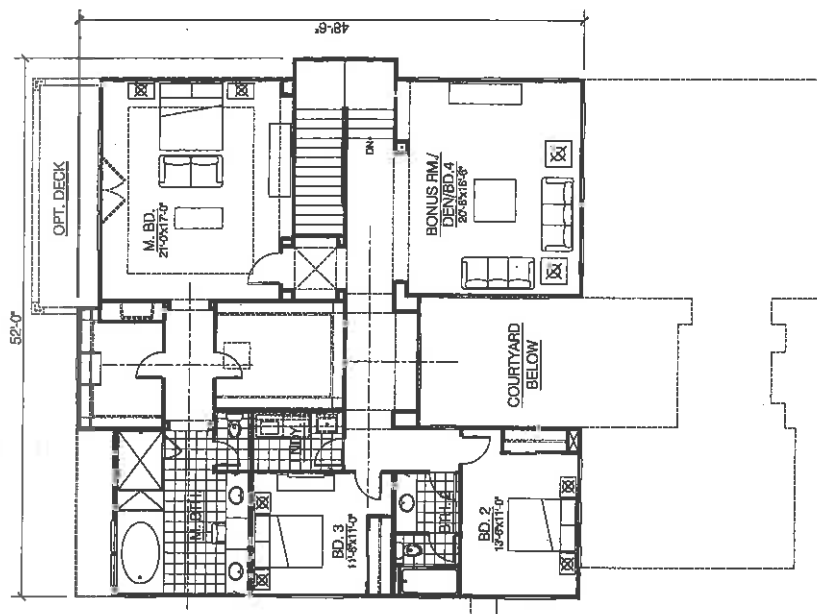
TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA

Toll Brothers
 180 PARK PLACE, SUITE 140
 SAN FRANCISCO, CA 94105
 TEL: (415) 512-1300
 FAX: (415) 512-1300

Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 www.hunt-hall-jones.com

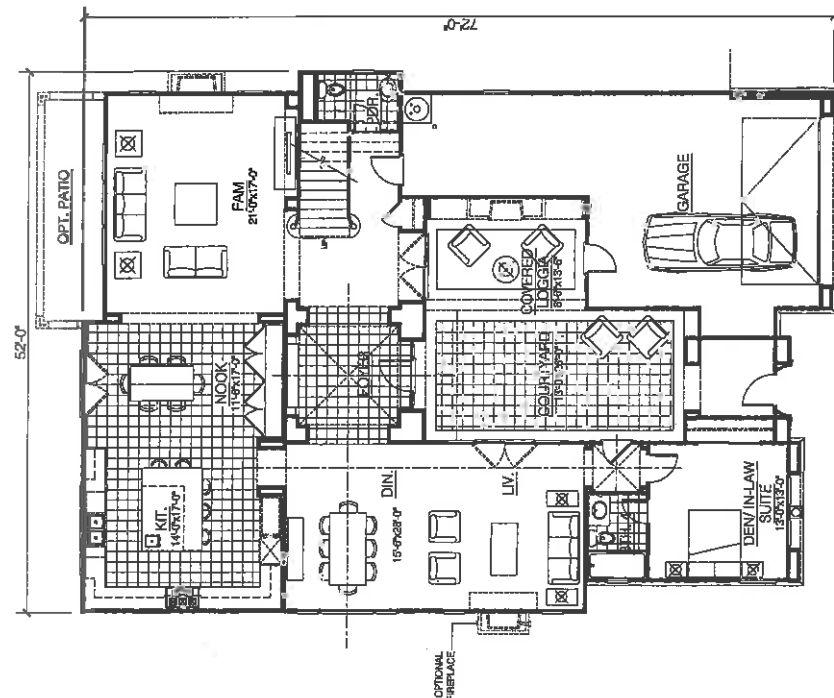


PLAN 6 (INNERNESS) - FRONT ELEVATIONS
A23
 Thomas Ba & Associates, LLP
 Landscape Architects
 100 North Main Street, Suite 4
 Walnut Creek, CA 94597
 TEL: (925) 933-1100
 SCALE: 3/16"=1'-0"
 DATE: 08/13/2011
 REVISIONS:
 (REVISED: 02/17/20) (REVISED: 03/13/2011)
 REVISED: 08/08/2011



UPPER FLOOR PLAN

UPPER FLOOR: 2085 SQ. FT.



MAIN FLOOR PLAN

MAIN FLOOR: 2147 SQ. FT.
TOTAL: 4212 SQ. FT.
GARAGE: 702 SQ. FT.



TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA
PROJECT: 410032

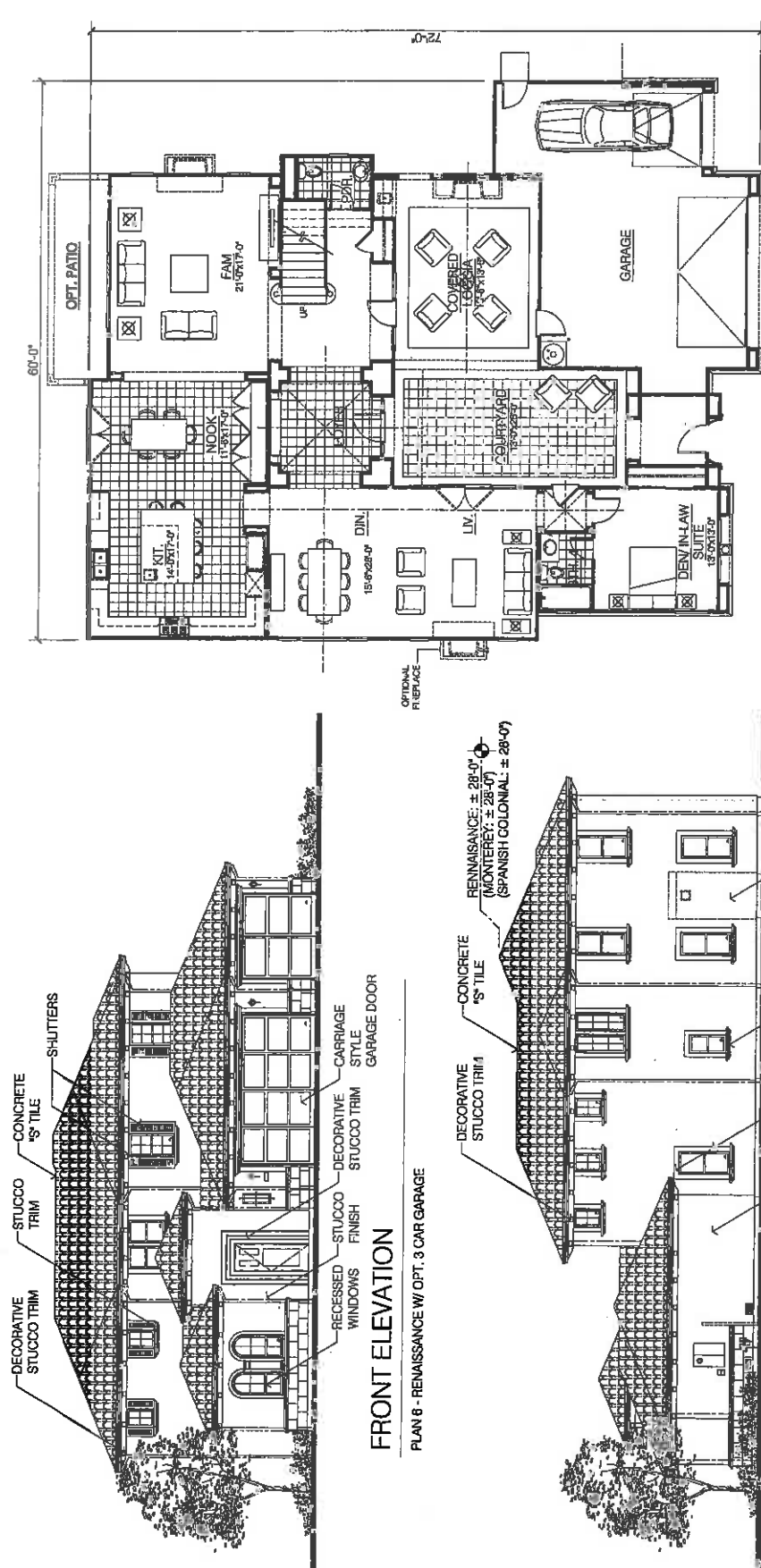


Architecture | Planning | Interiors
444 Spear Street, Suite 200
San Francisco, CA 94105
www.zutthidesign.com

t. 415-512-1300
f. 415-285-0213



PLAN 6 (INVERNESS) - FLOOR PLANS
A25
& Associates, LLP
Architects
1000 17th Ave S
Suite 200
Denver, CO 80202
SCALE: 3/16"=1'-0"
DATE: 01.20.2011
(REMOVED: 02.17.2011) (REVISED: 03.16.2011
(REVISED: 06.06.2011



FRONT ELEVATION

PLAN 6 - RENAISSANCE W/ OPT. 3 CAR GARAGE

RIGHT ELEVATION

PLAN 6 - RENAISSANCE W/ OPT. 3 CAR GARAGE

EXPANDED LOGGIA OPTION

PLAN 6 - W/ 3 CAR GARAGE



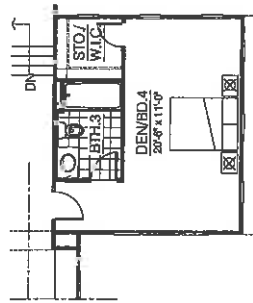
TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

100 PARK PLACE, SUITE 140
 SAN RAMON, CA 94583
 PH: (925) 855-0088
 FAX: (925) 855-9927

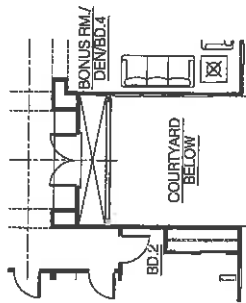


Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 www.hunt-hale-jones.com
 T: 415-512-1300
 F: 415-280-0288

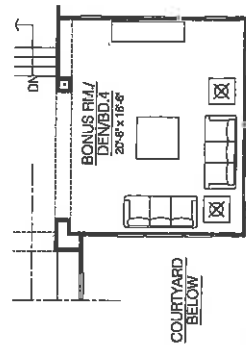
PLAN 6 (INNERNESS) - FLOOR PLAN OPTIONS & ELEVATIONS
A26
 Thomas Reak & Associates, LLP
 Landscape Architects
 1200 North Main Street, Suite 4
 Walnut Creek, CA 94596
 PH: 925-933-3288
 SCALE: 3/16"=1'-0"
 DATE: 02.17.2011
 REVISIONS: 03.18.2011
 REVISED: 02.17.2011



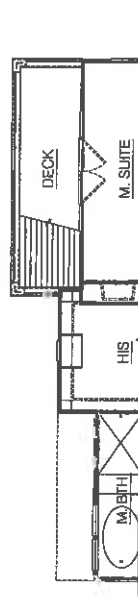
UPPER FLOOR PLAN
PLAN 6 - DEN/BDRM. 4 OPT.



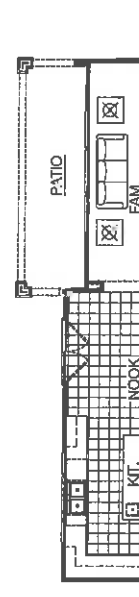
UPPER FLOOR PLAN
PLAN 6 - BALCONY OPTION



UPPER FLOOR PLAN
PLAN 6 - WINDOW OPTION



UPPER FLOOR PLAN
PLAN 6 - DECK OPTION



GROUND FLOOR PLAN
PLAN 6 - PATIO OPTION



TOLL BROTHERS, INC.

DIABLO ESTATES
CLAYTON, CA



100 PARK PLACE, SUITE 140
SANTA MONICA, CA 90406
TEL: (310) 354-0000
FAX: (310) 354-0000

PROJECT: 410032

Architecture | Planning | Interiors

444 Geary Street, Suite 200
San Francisco, CA 94106
www.hunt-hale-jones.com

T: 415-512-1300
F: 415-586-0288



PLAN 6 (INNERNESS) - FLOOR PLAN OPTIONS

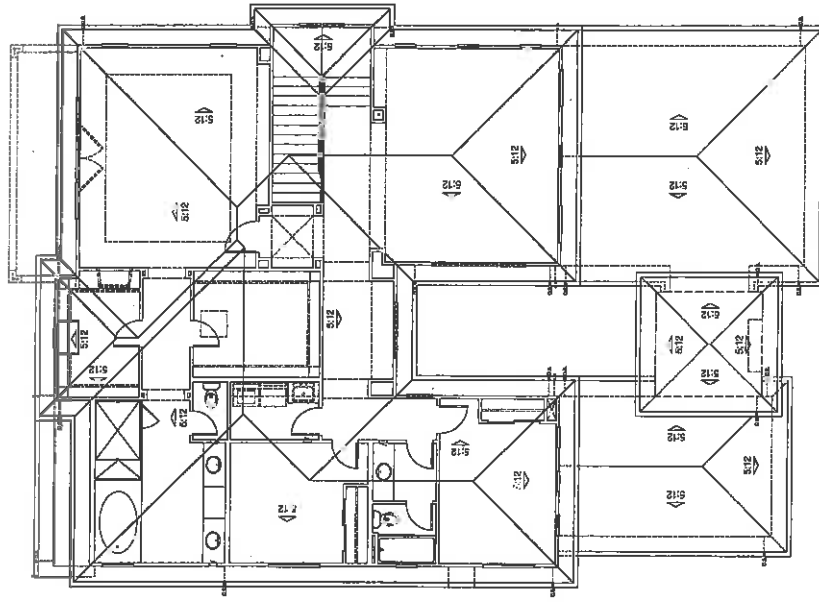
Thomas Bank & Associates, LLP.

Landscape Architects
1000 North Main Street, Suite 4
Walton Creek, CA 94596
PH: 925-555-5500



A27

SCALE: 3/16" = 1'-0"
DATE: 03.18.2011
REVISED: 03.18.2011
REVISED: 06.06.2011



ROOF PLAN

PLAN 6 - RENAISSANCE



Toll Brothers
 Division of T. J. Jones & Co., Inc.
 180 PARK PLACE, SUITE 140
 SAN RAMON, CA 94583
 TEL: (925) 755-5000
 FAX: (925) 755-7777

TOLL BROTHERS, INC.
DIABLO ESTATES
 CLAYTON, CA
 PROJECT: 410332

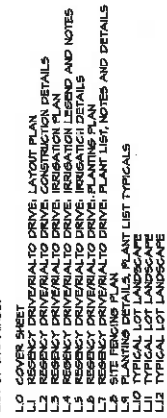
Architecture | Planning | Interiors
 444 Spear Street, Suite 200
 San Francisco, CA 94105
 www.huntmalejones.com
 L 415-512-1300
 F 415-528-0275



Thomas Baak & Associates, LLP
 Landscape Architects
 620 North First Street, Suite 4
 San Francisco, CA 94108
 TEL: 415.397.2243

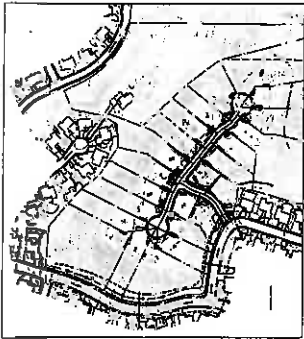
PLAN 6 (INVERNESS) - ROOF PLAN
A28
 SCALE: 1/8"=1'-0"
 DATE: 01.26.2011
 REVISED: 03.13.2011
 REVISED: 06.08.2011

LANDSCAPE IMPROVEMENTS



SEE SHEET L2 FOR CONSTRUCTION
NOTES AND DETAILS

SHEET KEY
SCALE: N.T.S.



LAYOUT PLAN
REGENCY/RIALTO
DRIVES

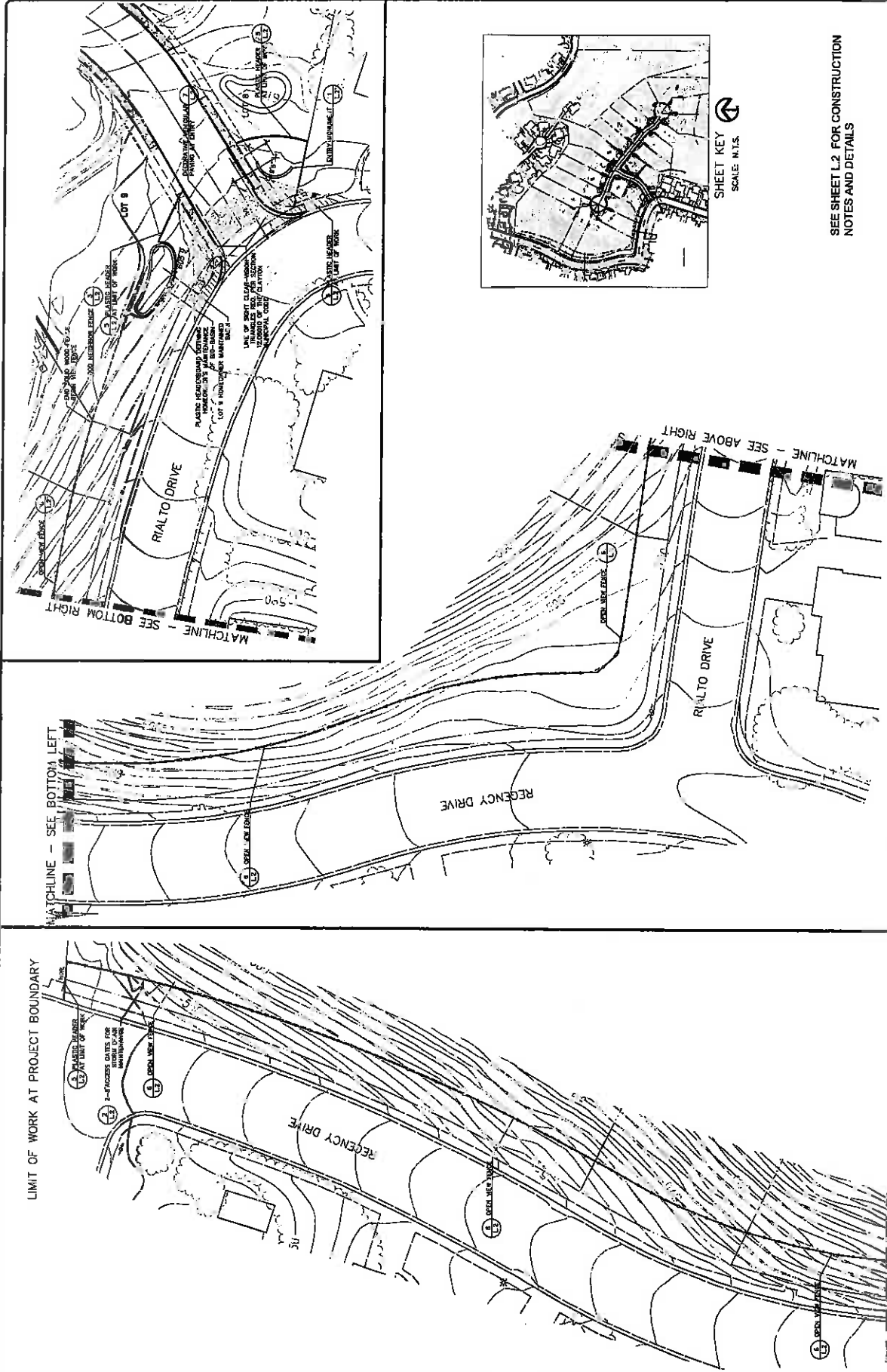
DIABLO ESTATES AT CLAYTON,
CLAYTON, CALIFORNIA

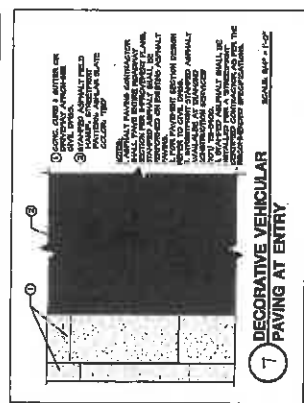
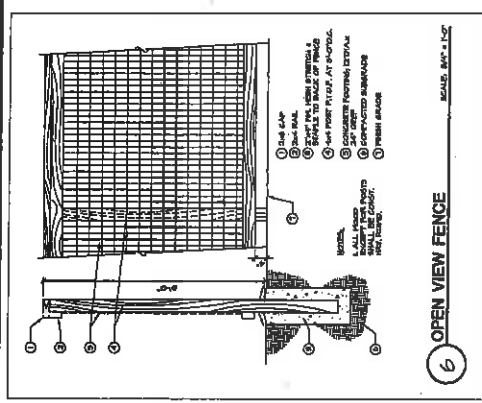
TOLL BROTHERS



THOMAS ROAD & ASSOCIATES, L.P.
LANDSCAPE ARCHITECTS
10000 KYLE ROAD, SUITE 1
DALLAS, TEXAS 75244
PH: 214.343.1100

REVISIONS

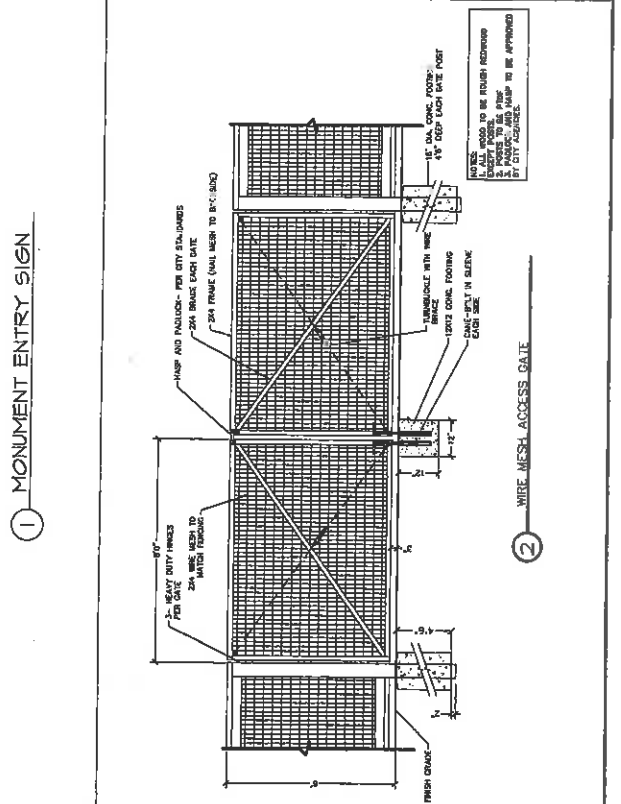
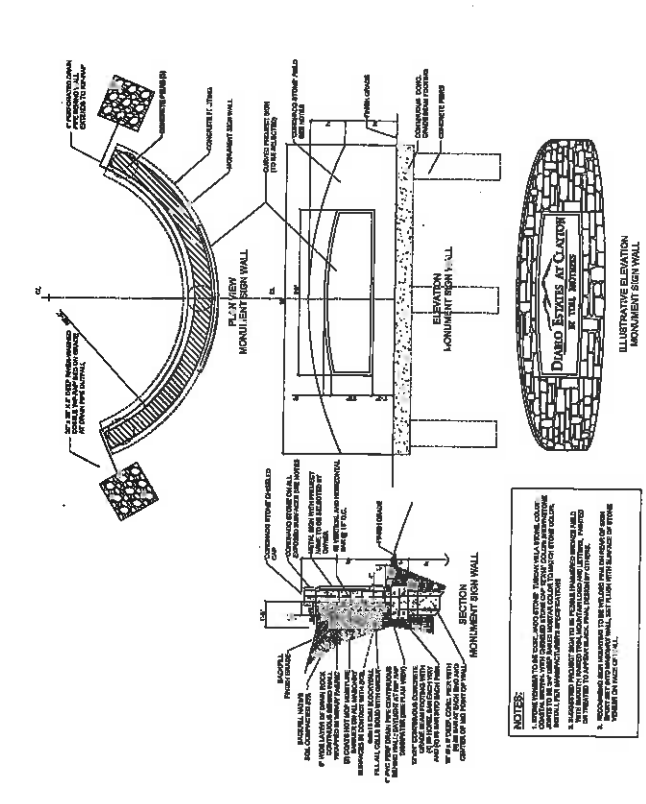
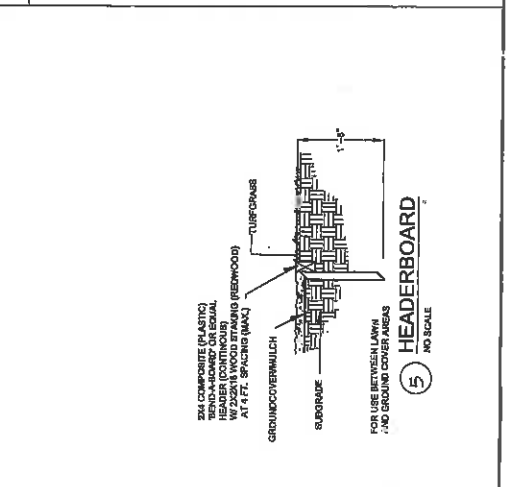
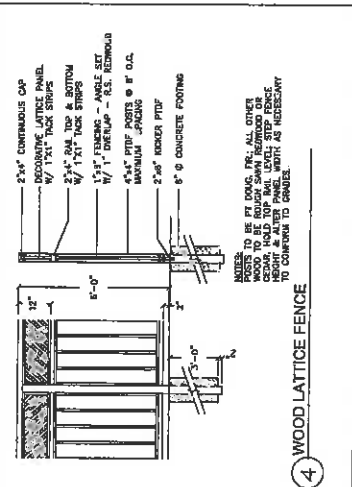
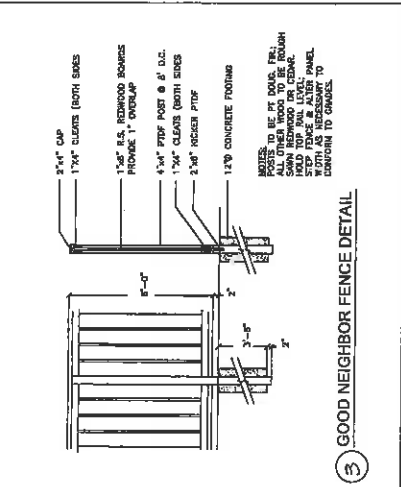




CONSTRUCTION NOTES:

GENERAL NOTES: The landscape architect has prepared this plan for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape.

LA VOLT AND DRAINAGE: The landscape architect has prepared this plan for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape. The landscape architect is not responsible for the construction of the landscape.



REVISION	DATE	BY	CHKD	NOTED
1				
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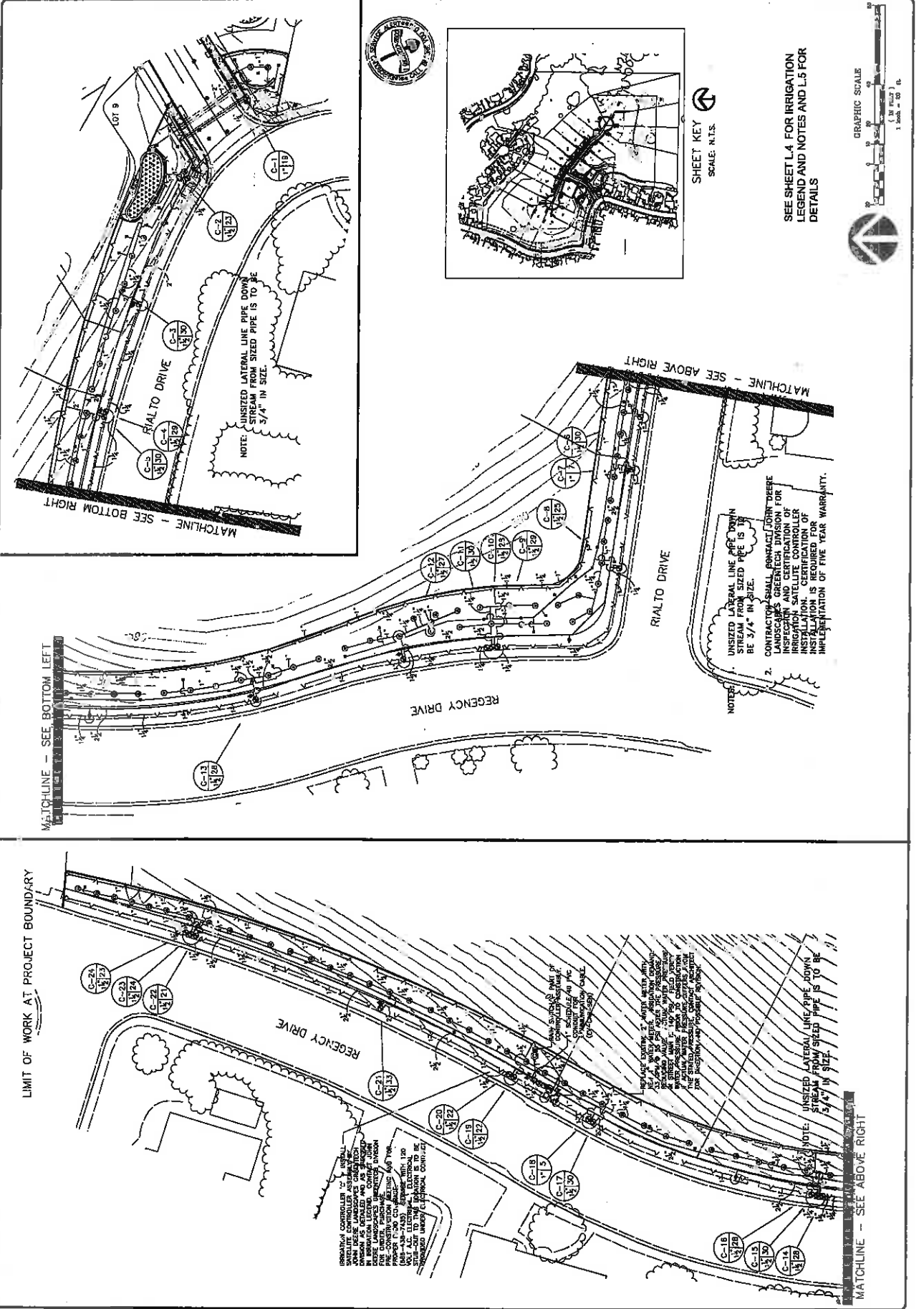



Thomas Brack & Associates, L.P.
 10000 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90024
 Tel: (310) 205-1234

DIABLO ESTATES AT CLAYTON CLAYTON, CALIFORNIA

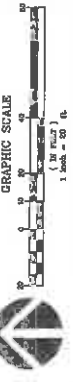
IRRIGATION PLAN REGENCY/RIALTO DRIVES

DATE	BY	CHKD	NOTED
10/11/11	JTB	JTB	JTB



SHEET KEY
 SCALE: N.T.S.

SEE SHEET L.4 FOR IRRIGATION
 LEGEND AND NOTES AND L.5 FOR
 DETAILS

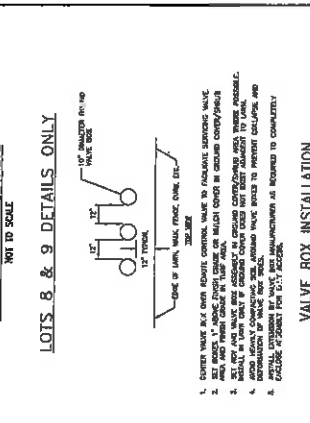
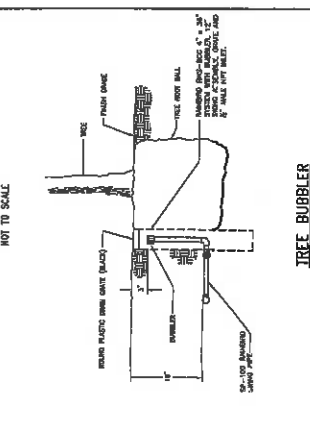
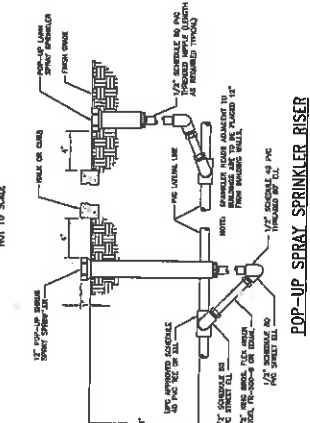
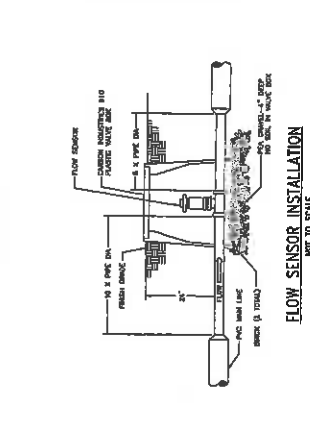


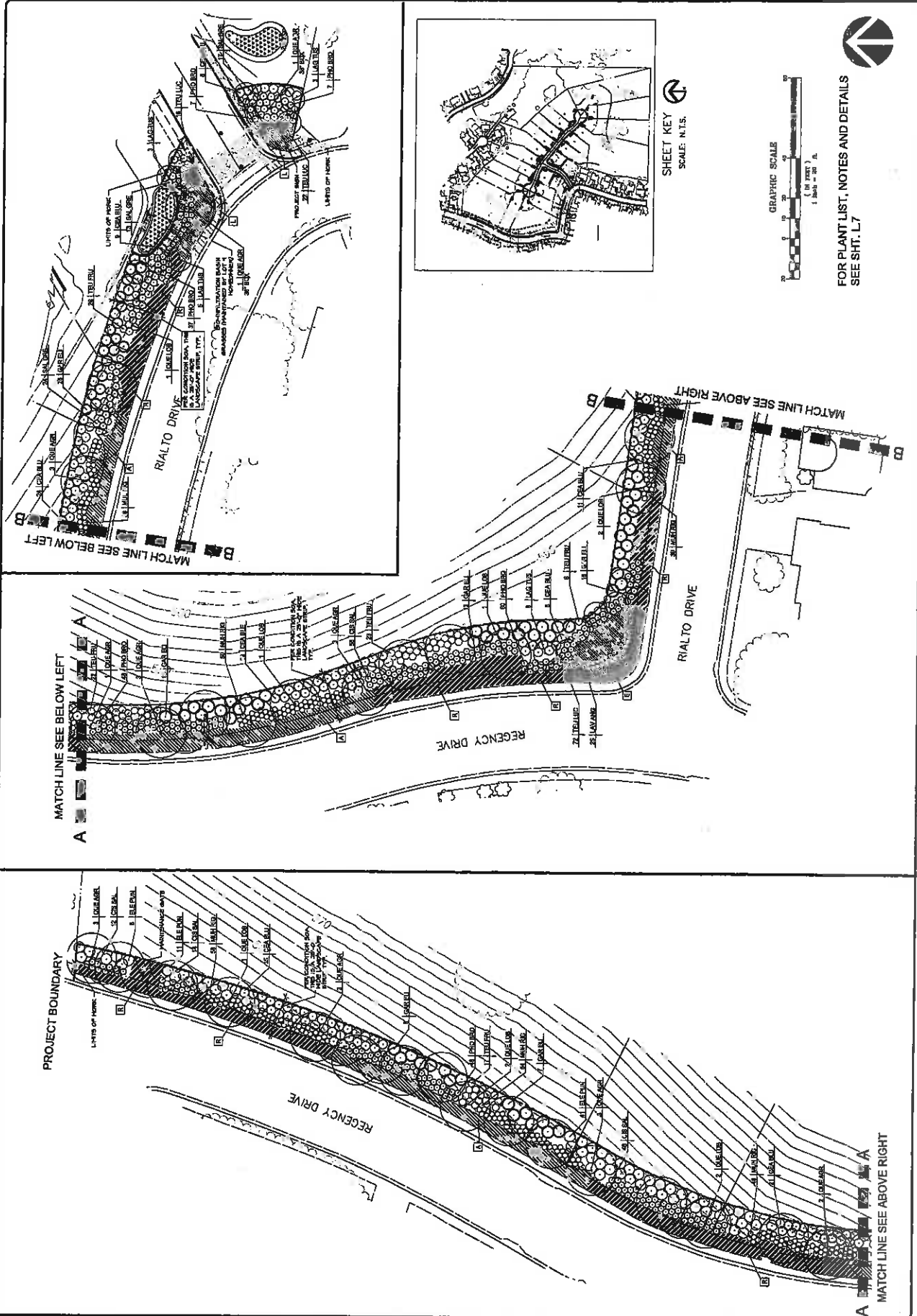
[illegible]

- [illegible]

[illegible]

Project: AS	Item: K ₂
Division	Job No.
Date: 8-6-11	
Status: NOTED	





REVISIONS	
1	
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TOLL BROTHERS

DIABLO ESTATES AT CLAYTON, CALIFORNIA

10000 BARK & ANCHORAGE LLP

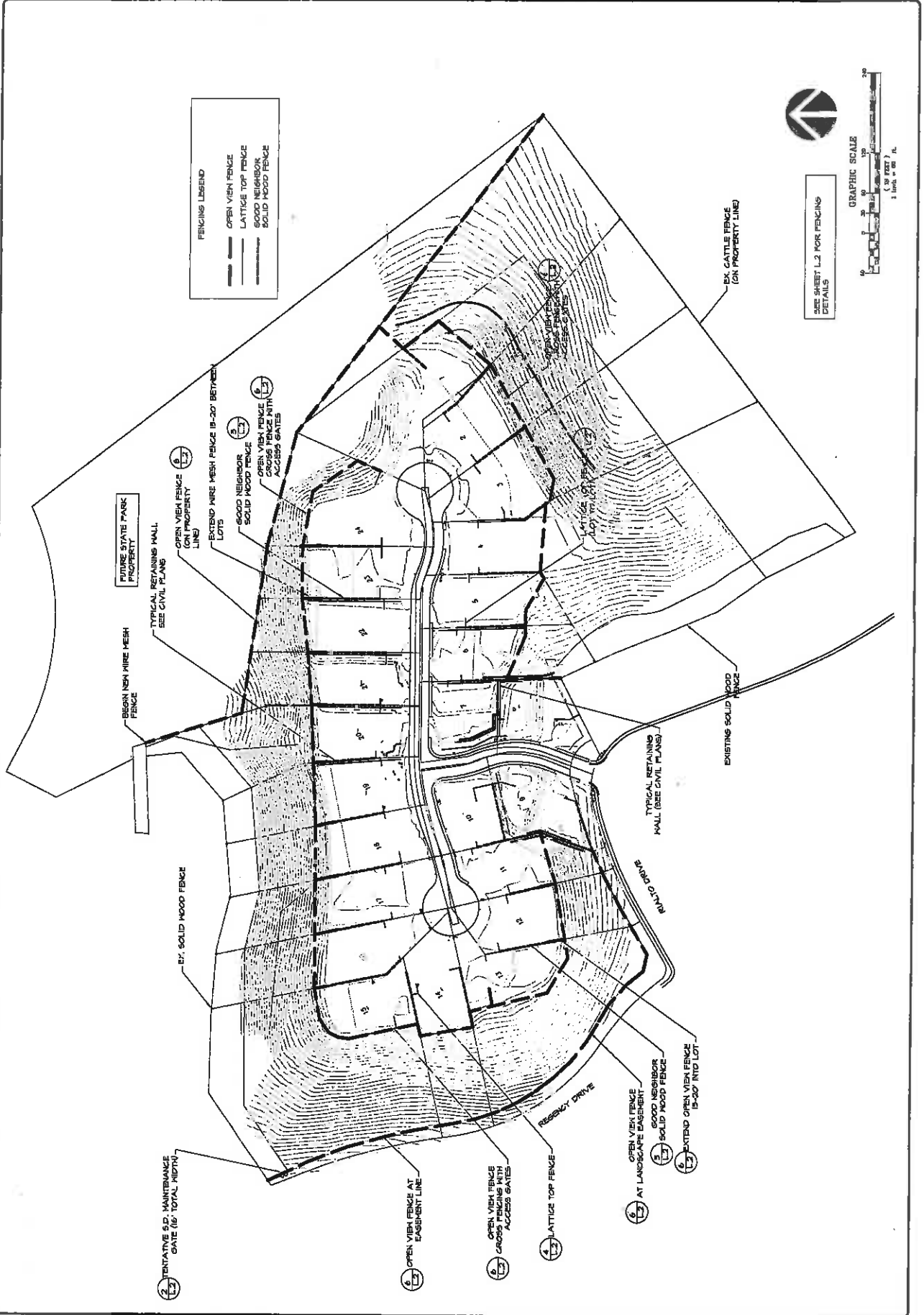
10000 BARK & ANCHORAGE LLP

10000 BARK & ANCHORAGE LLP

DIABLO ESTATES AT CLAYTON, CALIFORNIA

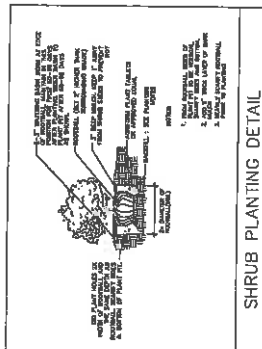
FENCING PLAN

DATE	10-11-11
BY	10-11-11
CHECKED	10-11-11
APPROVED	10-11-11



(* SUITABLE FOR BIO-INFILTRATION BASINS PER COUNTY GUIDELINES APPENDIX B)

placed not more than 3 ft. on center, and driven at least $1\frac{1}{2}$ inch below top of header, but not
pneumatically rills or screws per stick to follow the header, and ditch post, of each rod.



SHRUB PLANTING DETAIL

REV	DATE	DESCRIPTION

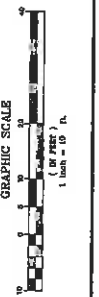
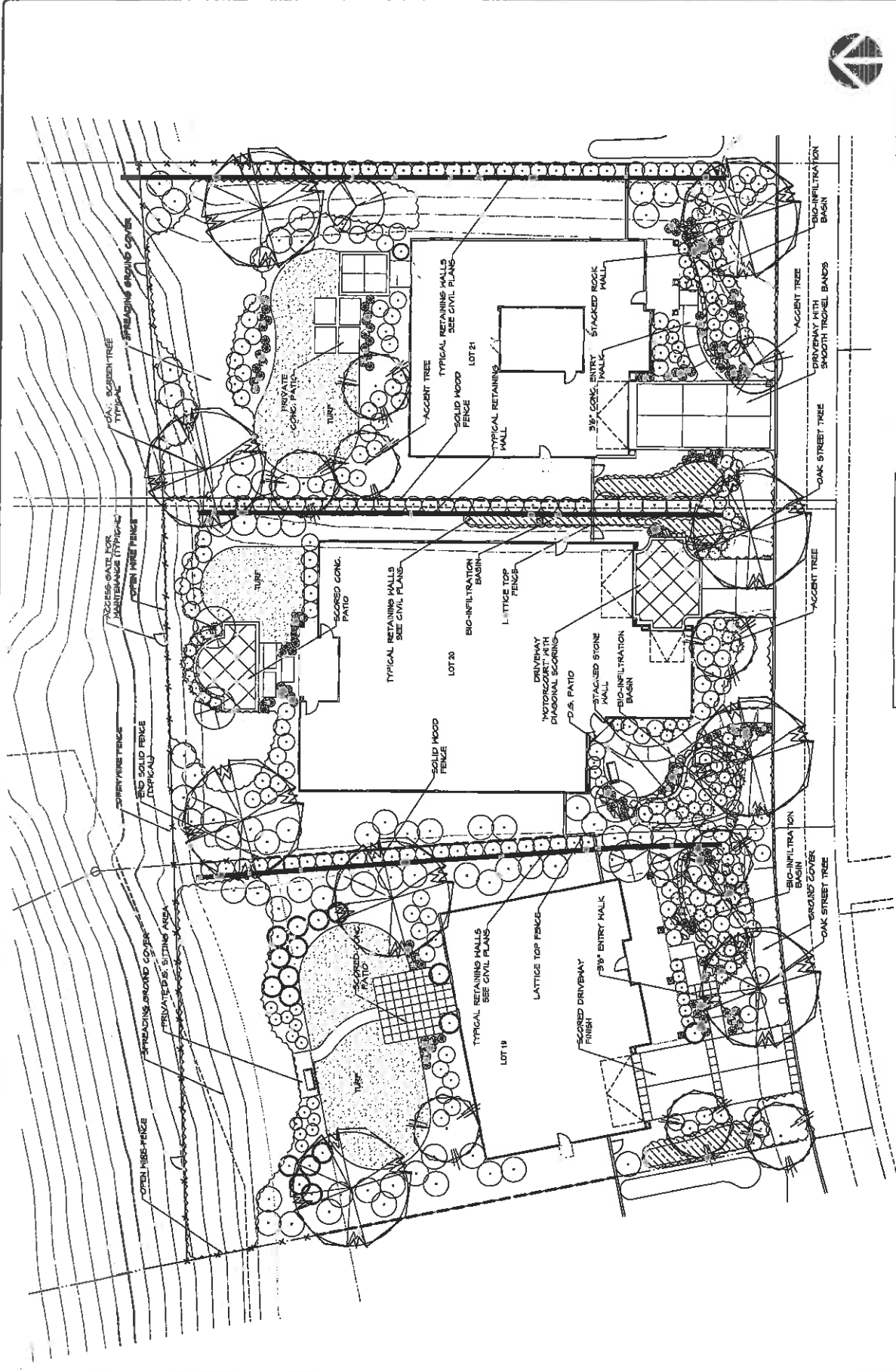





DIABLO ESTATES AT CLAYTON, CALIFORNIA
 TOLL BROTHERS

CONCEPT PLAN
 TYPICALS

DATE	BY	CHK	NOTED
04-11			



SEE SHEET L.10 FOR
 PLANT MATERIALS LIST AND DETAILS

NOTE: RIGHT YARD LANDSCAPE TO BE INSTALLED
 BY THE HOMEOWNER.

REVISIONS

J. B. B. & ASSOCIATES, L.P.
 LANDSCAPE ARCHITECTS
 10000 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90024
 TEL: (310) 277-1111
 FAX: (310) 277-1112

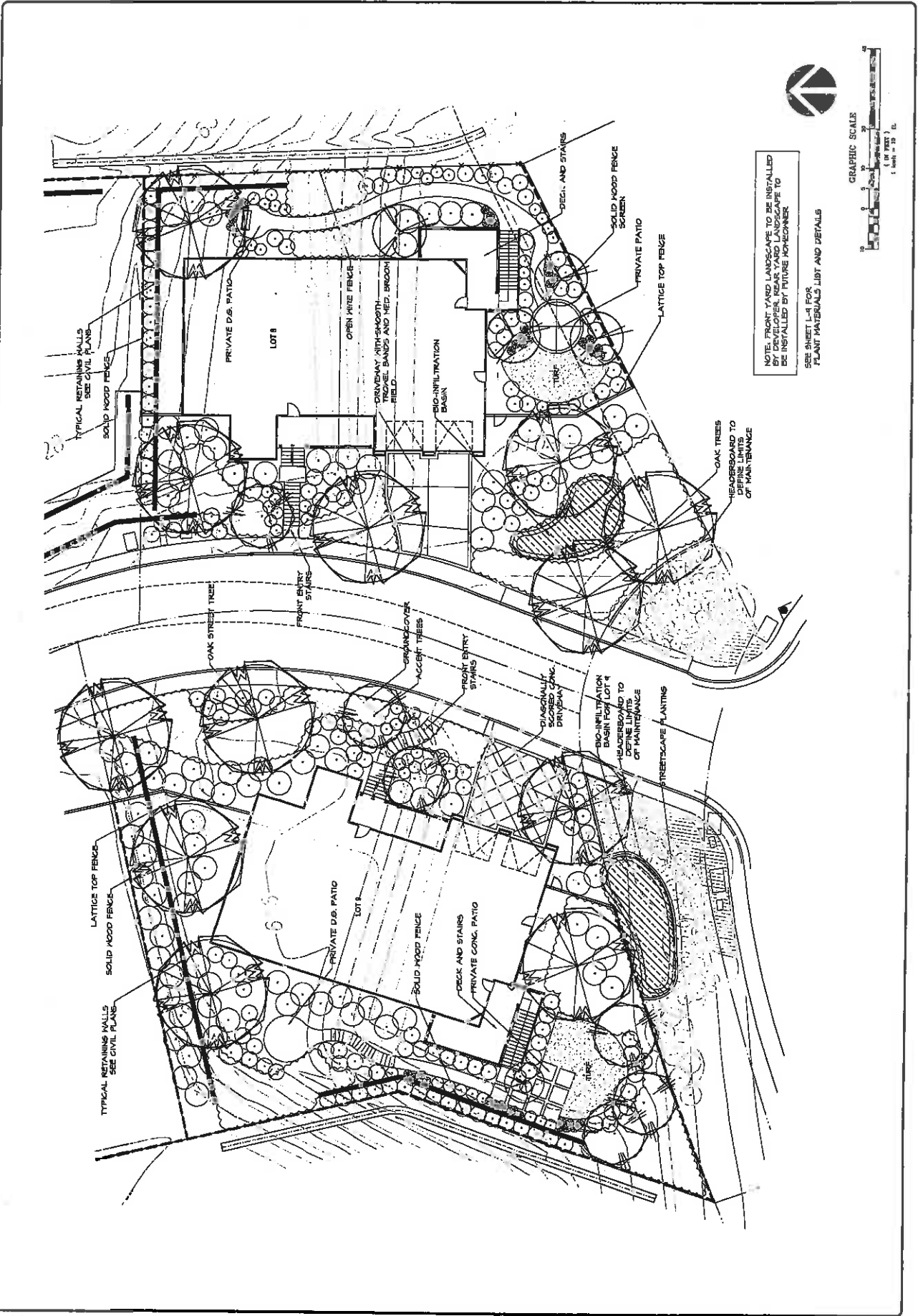


TOLL BROTHERS
 DIABLO ESTATES AT CLAYTON,
 CLAYTON, CALIFORNIA

CONCEPT PLAN
 TYPICALS

DATE	BY	NOTED
0-0-11		

SHEET
 L.12
 13



NOTE: FRONT YARD LANDSCAPE TO BE INSTALLED BY DEVELOPER. REAR LANDSCAPE TO BE INSTALLED BY FUTURE HOMEOWNER.

SEE SHEET L-14 FOR PLANT MATERIALS LIST AND DETAILS





6000 Heritage Trail, Clayton, CA 94517
 Phone No. 925.673.7300 Fax No. 925.672.4917
www.ci.clayton.ca.us

Lot Line Adjustment / Lot Merger Application

As provided in the Clayton Municipal Code, Title 16, chapter 16.02.030D

Below: Office Use Only

File No:

Deposit:

Received By:

Date:

Receipt No:

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

1. Applicant/Property Owner Contact Information: Phone Number: 925 855 0260

Applicant Name: Toll Brothers/Rick Nelson

Applicant Email: rnelson@tollbrothersinc.com

Property Owner Name: Toll CA XIX, L.P.

Property Owner Email: same as above

2. Submittal Requirements:

The number of copies of each of the items below, which constitutes a complete Application Submittal Packet, will be determined by the Community Development Director. If not specified, assume only one copy is needed. If applicable, all plans and analyses shall be at scale 1"=20' for site planning and 1/8"=1' or greater for elevations and floor plans. Please submit the following information in the order in which it is outlined below. Additional items may be required by the Community Development Director.

☐ Community Development General Application

☒ Lot Line Adjustment / Lot Merger Permit Application

☐ Environmental Information Form

☐ Processing Deposit \$ _____ (Make check payable to the City of Clayton)

☐ Copy of the title report(s) or copy of a preliminary title report(s) for all property subject to this application, dated within 90 days

☐ Current Zoning Map showing existing and proposed zoning classification(s), as applicable, for the subject parcel(s) and its surrounding land uses

☐ General Plan Map showing existing and proposed general plan designation(s), as applicable, for the subject parcel(s) and its surrounding land uses

☐ Photographs/Graphics showing the relationship of the subject parcel(s) identified to the surrounding properties. Include aeriels such as Google Earth maps, and perspective photographs.

☐ Legal Description: Provide for each of the parcels involved, including the metes and bounds (lengths and bearings of boundary lines) of the parcels as adjusted or as merged. (2 copies prepared by a licensed land surveyor or civil engineer.)

☐ Closure Calculations: Provide for each resultant parcel. (2 copies prepared by a licensed land surveyor or civil engineer)

☐ Area Map:

Provide 12 reduced (8.5" x 11") and 2 full size (24" x 36") copies prepared by a licensed land surveyor or civil engineer drawn to an appropriate engineering scale, dated, and titled, depicting:

- | | |
|---|---|
| <p>a. Scale, typical dimensions throughout, and North arrow</p> <p>b. Submitted by (name, address, phone, date)</p> <p>c. Dimensions of the existing and proposed parcel boundaries, with existing boundaries shown as dashed lines and proposed boundaries shown as solid lines</p> <p>d. Tract and lot number of each parcel</p> <p>e. Address and assessor's parcel number of each parcel</p> <p>f. Calculated area of each parcel as adjusted, to the nearest 1/10 of a square foot. Lot areas shall be given in square feet if they are less than one acre</p> | <p>g. Locations of all structures, easements, right-of-way, parking lots, driveways, public streets, services, utilities, water and sewer facilities, and drainage facilities and their setbacks/distances from the proposed boundaries</p> <p>h. Extent of 100-year floodplain, if applicable</p> <p>i. Name, registration number, seal, and signature of the engineer or surveyor who prepared the legal description or map</p> |
|---|---|

☒ Letter of Explanation

1. Explain the rationale behind the lot line adjustment and/or lot merger.
2. Explain how the lot line adjustment and/or lot merger is in conformance with the subject parcel(s) zoning classification and general plan designation.

☐ Mailing Envelopes and addresses

1. List of names and addresses of all legal owners of property within a 300' radius of the subject parcel(s).
2. Envelopes: prepare a complete set of addressed and stamped legal size envelopes for all listed property owners. Do not place return address on envelopes.
3. Ownership Map: County Assessors map showing subject parcel(s) highlighted or outlined and a boundary line indicating all properties located within a 300' radius of the subject parcel(s). (Will be provided by City Staff if applicant is not using a Title Company.)

3. Important Implementing information from the City of Clayton Municipal Code:

16.02.030 D.

A lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by the Planning Commission. The Planning Commission shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to local zoning and building ordinances. The Planning Commission shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to local zoning and building ordinances, or except to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed or record of survey which shall be recorded.

4. Certification:

General Certification:

I (We):

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 16, Chapter 16.02.030D found in Part 3 of this application and in the City of Clayton's Municipal Code.

Applicant's Signature: _____

Date: _____

6-7-11

Property Owner's Signature: _____

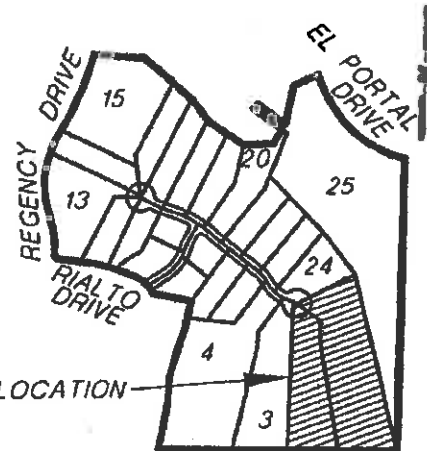
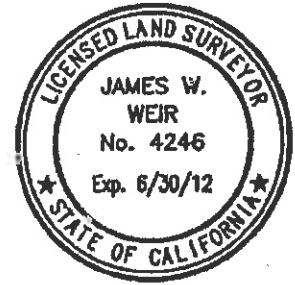
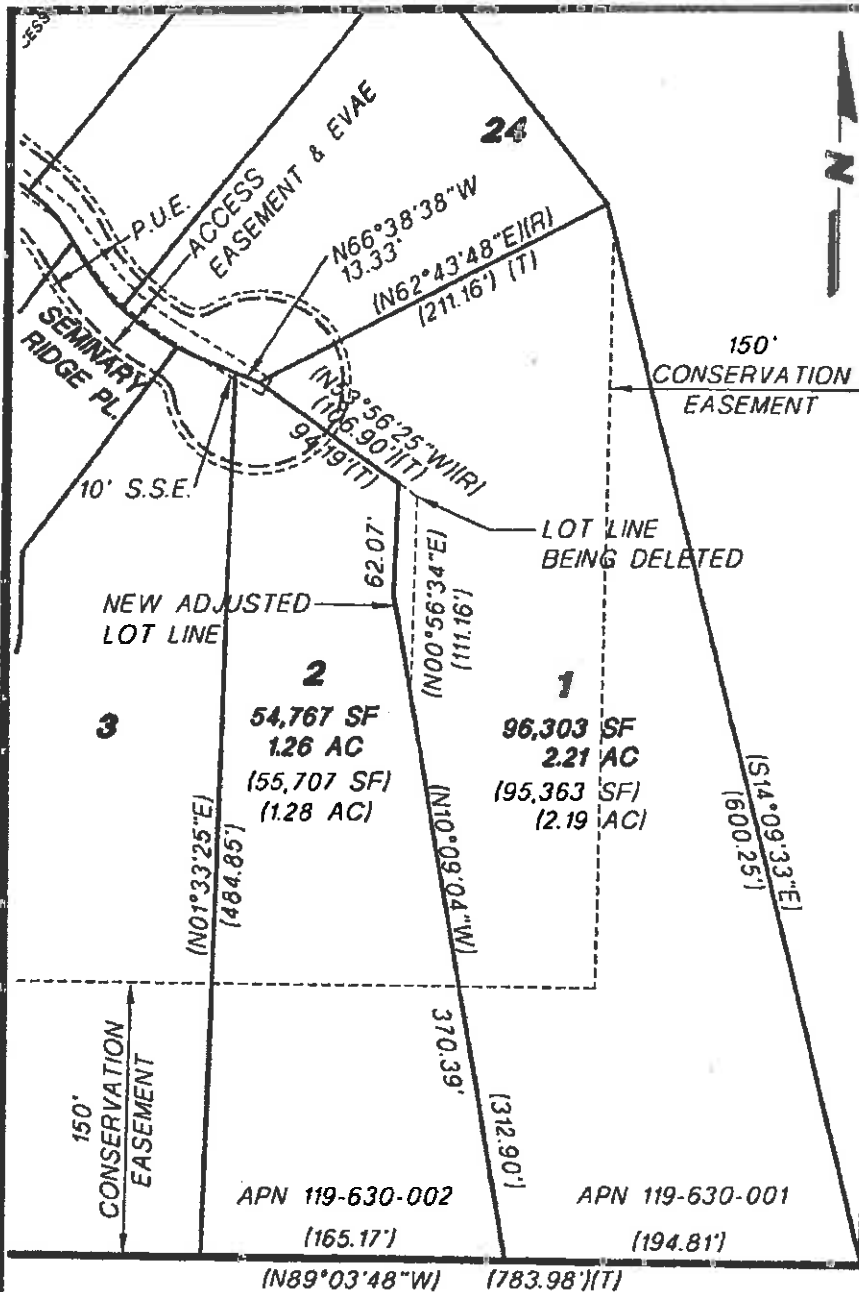
Date: _____

6-7-11

DIABLO ESTATES AT CLAYTON
Summary of Lot line adjustment and Variance Request

Lot line adjustments;

1. Lot line between lot 1 & 2 as depicted on civil site plan and SP2.
Due to the inconsistencies between the original grading plans and the as-built conditions this lot line adjustment will allow an appropriate sized pad on lot 1 without a negative impact on lot 2.
2. Lot line between lot 20 & 21 as depicted on the civil site plan.
The current lot lines are not straight, additionally lot 21 is 82' wide and lot 20 is 78' wide. The lot line adjustment will make the lots consistent and the homes to conform to the 10' side yard setback.



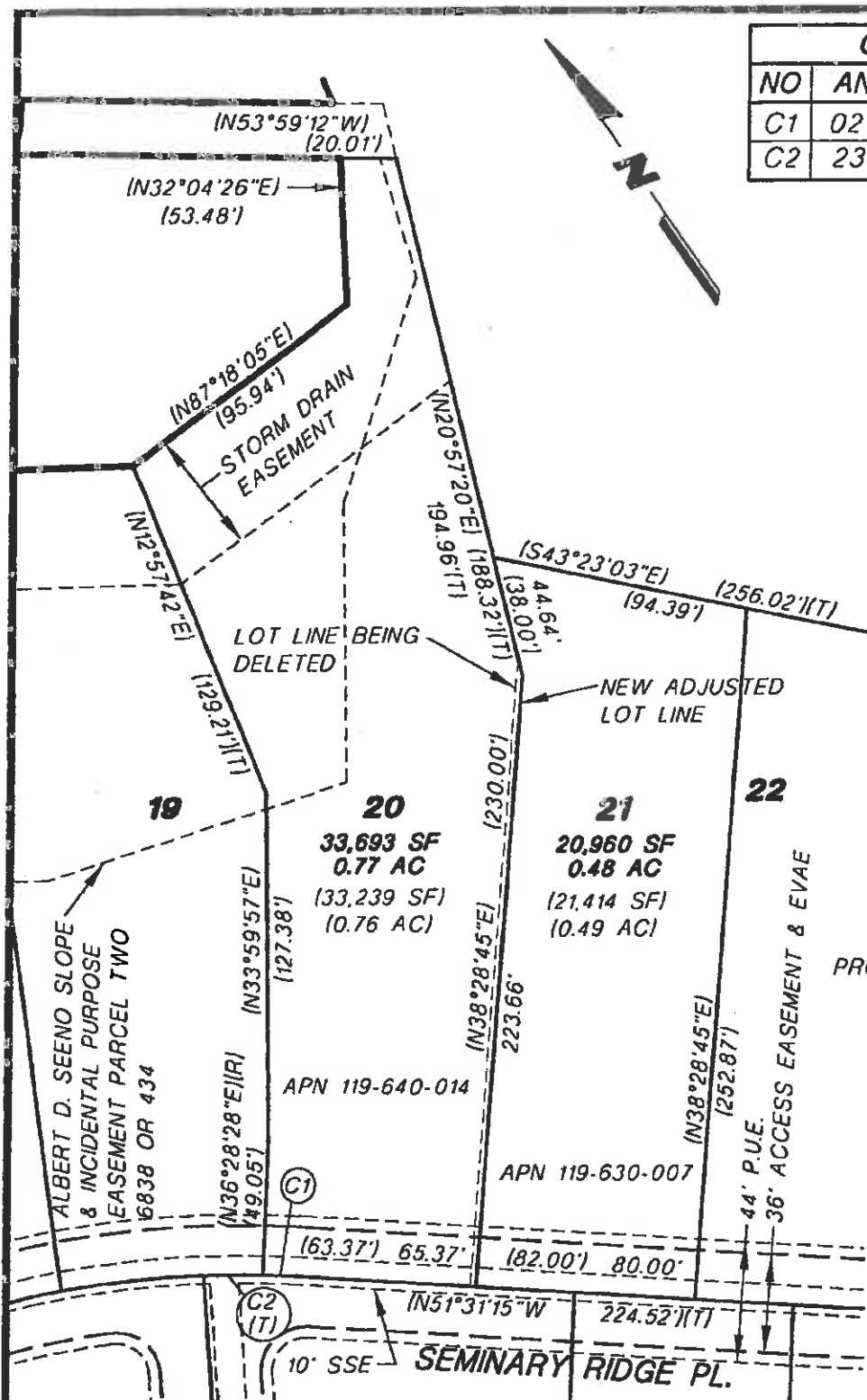
VICINITY MAP

DATE: 3/2/11
 SCALE: 1"=100'
 SHEET
2
 OF 2 SHEETS
 PROJ. NO. 11001

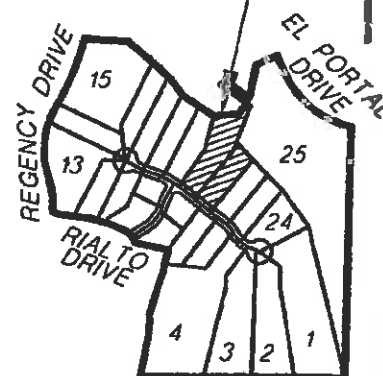
EXHIBIT 'A'
SUBDIVISION 8719 DIABLO POINTE
(506 M 45)
LLA LOTS 1-2
CLAYTON, CALIFORNIA

P/A Design Resources, Inc.
 Planning • Engineering • Surveying
 2700 Ignacio Valley Road, Suite 100
 Walnut Creek, California 94598-3463 TEL 925/ 210-8300

CURVE TABLE			
NO	ANGLE	RADIUS	LENGTH
C1	02°00'17"	350.00'	12.25'
C2	23°00'51"	350.00'	140.59'



PROJECT LOCATION



VICINITY MAP

DATE: 3/2/11

SCALE: 1"=60'

SHEET

1

OF 2 SHEETS

PROJ. NO. 11001

EXHIBIT 'A'
SUBDIVISION 8719 DIABLO POINTE
(506 M 45)
LLA LOTS 20-21
CLAYTON, CALIFORNIA

P/A Design Resources, Inc.
 Planning • Engineering • Surveying
 3700 Ygnacio Valley Road, Suite 100
 Walnut Creek, California 94596-3182 TEL 925/210-8300

LEGAL DESCRIPTION

PARCEL TRANSFER FROM LOT 21 TO LOT 20

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 21 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF SAID LOT 21 (506 M 45); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHWESTERLY LINE OF SAID LOT 21 (506 M 45), NORTH 38°28'45" EAST, 230.00 FEET; THENCE, LEAVING SAID NORTHWESTERLY LINE THE FOLLOWING COURSES; SOUTH 20° 57'20" WEST, 6.64 FEET AND SOUTH 38° 28'45" WEST, 223.66 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 21 (506 M 45); THENCE, ALONG LAST SAID LINE, NORTH 51° 31'15" WEST, 2.00 FEET TO SAID POINT OF BEGINNING.

SAID PARCEL CONTAINS 454 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

JAMES W. WEIR
L.S. 4246 EXP. 6/30/12

DATED



NEW LOT LEGAL DESCRIPTION

LOT 20:

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING LOT 20 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS.

ALSO BEING A PORTION OF LOT 21 OF SAID SUBDIVISION 8719 (506 M 45), DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF SAID LOT 21 (506 M 45); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHWESTERLY LINE OF SAID LOT 21 (506 M 45), NORTH 38°28'45" EAST, 230.00 FEET; THENCE, LEAVING SAID NORTHWESTERLY LINE THE FOLLOWING COURSES; SOUTH 20° 57'20" WEST, 6.64 FEET AND SOUTH 38° 28'45" WEST, 223.66 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 21 (506 M 45); THENCE, ALONG LAST SAID LINE, NORTH 51° 31'15" WEST, 2.00 FEET TO SAID POINT OF BEGINNING.

SAID NEW LOT 20 CONTAINS 33,693 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

**JAMES W. WEIR
L.S. 4246 EXP. 6/30/12**

DATED



NEW LOT LEGAL DESCRIPTION

LOT 21:

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING LOT 21 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS.

EXCEPTING THEREFROM:

BEING A PORTION OF SAID LOT 21 (506 M 45), DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF SAID LOT 21 (506 M 45); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHWESTERLY LINE OF SAID LOT 21 (506 M 45), NORTH 38°28'45" EAST, 230.00 FEET; THENCE, LEAVING SAID NORTHWESTERLY LINE THE FOLLOWING COURSES; SOUTH 20° 57'20" WEST, 6.64 FEET AND SOUTH 38° 28'45" WEST, 223.66 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 21 (506 M 45); THENCE, ALONG LAST SAID LINE, NORTH 51° 31'15" WEST, 2.00 FEET TO SAID POINT OF BEGINNING.

SAID NEW LOT 20 CONTAINS 20,960 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

**JAMES W. WEIR
L.S. 4246 EXP. 6/30/12**

DATED



LEGAL DESCRIPTION

PARCEL TRANSFER FROM LOT 2 TO LOT 1

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 2 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF LOT 1 OF SAID SUBDIVISION 8719 (SUB M 45) DISTANCE THEREON FROM THE WESTERLY CORNER OF SAID LOT 1 (506 M 45), SOUTH 53° 56' 25" EAST, 94.19 FEET; THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID WESTERLY LINE THE FOLLOWING COURSES; SOUTH 53° 56' 25" EAST, 12.71 FEET AND SOUTH 00° 56' 34" WEST, 111.16 FEET; THENCE, LEAVING SAID WESTERLY LINE THE FOLLOWING COURSES; NORTH 10° 09' 04" WEST, 57.49 FEET AND NORTH 00° 56' 34" EAST, 62.07 FEET TO SAID POINT OF BEGINNING.

SAID PARCEL CONTAINS 940 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

JAMES W. WEIR
L.S. 4246 EXP. 6/30/12

DATED



NEW LOT LEGAL DESCRIPTION

LOT 1:

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING LOT 1 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS.

ALSO BEING A PORTION OF LOT 2 OF SAID SUBDIVISION 8719 (506 M 45), DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 1 (506 M 45), DISTANCE THEREON FROM THE WESTERLY CORNER OF SAID LOT 1 (506 M 45), SOUTH 53° 56' 25" EAST, 94.19 FEET; THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID WESTERLY LINE THE FOLLOWING COURSE; SOUTH 53° 56' 25" EAST, 12.71 FEET AND SOUTH 00° 56' 34" WEST, 111.16 FEET; THENCE, LEAVING SAID WESTERLY LINE THE FOLLOWING COURSES; NORTH 10° 09' 04" WEST, 57.49 FEET AND NORTH 00° 56' 34" EAST, 62.07 FEET TO SAID POINT OF BEGINNING.

SAID NEW LOT 1 CONTAINS 96,303 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

**JAMES W. WEIR
L.S. 4246 EXP. 6/30/12**

DATED



NEW LOT LEGAL DESCRIPTION

LOT 2:

THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING LOT 2 AS SHOWN ON THE FINAL MAP OF SUBDIVISION 8719, FILED JUNE 10, 2008 IN BOOK 506 OF MAPS AT PAGE 45, INSTRUMENT SERIES NO. 2008-128962, SAID COUNTY RECORDS.

EXCEPTING THEREFROM:

BEING A PORTION OF SAID LOT 2 (506 M 45), DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF LOT 1 OF SAID SUBDIVISION 8719 (506 M 45), DISTANCE THEREON FROM THE WESTERLY CORNER OF SAID LOT 1 (506 M 45), SOUTH 53° 56' 25" EAST, 94.19 FEET; THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID WESTERLY LINE THE FOLLOWING COURSES; SOUTH 53° 56' 25" EAST, 12.71 FEET AND SOUTH 00° 56' 34" WEST, 111.16 FEET; THENCE, LEAVING SAID WESTERLY LINE THE FOLLOWING COURSES; NORTH 10° 09' 04" WEST, 57.49 FEET AND NORTH 00° 56' 34" EAST, 62.07 FEET TO SAID POINT OF BEGINNING.

SAID NEW LOT 2 CONTAINS 54,767 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON THE FINAL MAP OF SAID SUBDIVISION 8719 (506 M 45).

**JAMES W. WEIR
L.S. 4246 EXP. 6/30/12**

DATED





6000 Heritage Trail, Clayton, CA 94517
 Phone No. 925.673.7300 Fax No. 925.672.4917
www.ci.clayton.ca.us

Variance Application

As Provided in the Clayton Municipal Code Title 17, Chapter 17.52

Below: Office Use Only

File No:

Deposit:

Received By:

Date:

Receipt No:

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

1. Applicant/Property Owner Contact Information: Phone Number: 925 855 0260

Applicant Name: Toll Brothers/Rick Nelson

Applicant Email: nelson@tollbrothersinc.com

Property Owner Name: Toll CA XIX, L.P.

Property Owner Email: same as above

2. Submittal Requirements:

The number of copies of each of the items below, which constitutes a complete Application Submittal Packet, will be determined by the Community Development Director. If not specified, assume only one copy is needed. If applicable, all plans and analyses shall be at scale 1"=20' for site planning and 1/8"=1' or greater for elevations and floor plans. Please submit the following information in the order in which it is outlined below. Additional items may be required by the Community Development Director.

☐ Community Development General Application

☒ Variance Application

☐ Impervious Area Worksheet

☐ Processing Deposit \$ _____ (Make check payable to the City of Clayton)

☐ Title report or copy of a Preliminary Title Report prepared for the current owner.

In situations where other discretionary approvals by the City are not required (e.g., site plans or development plans) the following materials must be submitted:

☒ **Site Plan** 12 copies folded- max. of 8.5"x11" AND 1 copy of site plan reduced-max. of 11"x17"

- | | |
|--|---|
| 1. Existing zone designation(s) | 7. Property lines and dimensions |
| 2. Assessors Parcel Number(s) | 8. Adjacent streets and distances from the centerlines, |
| 3. Buildings and structures, existing & proposed | 9. Septic systems and drain-fields, existing and proposed |
| 4. Topographic features | 10. Dimensions and nature of easements |
| 5. Dimensions of required yards, spaces between buildings, and spaces between property lines and buildings | 11. All dimensions drawn to scale, 1"=20' or greater. Provide: date, scale, north arrow and a vicinity map property lines, and dimensions |
| 6. Sheet size shall not be smaller than 11" x 17", nor larger than 24" x 36" | 12. Typical dimensions throughout |

☐ **Architectural drawings:** 12 copies folded- max. of 8.5"x14" AND 1 copy Architectural drawings reduced 8.5"x11"

1. Floor plans of building area affected by variance
2. Building elevations of all affected sides of each existing and proposed structure affected by the variance, with height dimensions from existing and proposed grade
3. All dimensions shall be drawn to scale, 1/8" = 1' or greater. The date and scale shall be provided
4. Sheet size shall not be smaller than 11" x 17" nor greater than 24" x 36"

☒ Letter of Explanation

1. Explain why a variance is needed.
2. Would the approval of the variance constitute a grant of special privilege inconsistent with the limitations or other properties in the vicinity with the same zoning?
3. Are there special circumstances applicable to the property because of its size, shape, topography, location, or surroundings such that the strict application of the zoning regulations would deprive the property of rights enjoyed by other properties in the vicinity with the same zoning?
4. Would the approval of the variance substantially meet the intent and purpose of the zone?

☐ Mailing Envelopes and addresses

1. List of names and addresses of all legal owners of property within a 300' radius of the subject parcel(s).
2. Envelopes: prepare a complete set of addressed and stamped legal size envelopes for all listed property owners. Do not place return address on envelopes.
3. Ownership Map: County Assessors map showing subject parcel(s) highlighted or outlined and a boundary line indicating all properties located within a 300' radius of the subject parcel(s). (Will be provided by City Staff if applicant is not using a Title Company.)

3. Important Implementing Information from the City of Clayton Municipal Code:

17.52.010 Permit--Application--Form.

A qualified applicant may apply for a variance permit. The application form for a variance shall include (unless otherwise directed by the Community Development Director), a statement of the reasons for and justification of the requested variance; a plot plan drawn to scale indicating dimensions and area of the subject property; locations of existing and proposed improvements on the subject property (if appropriate); and any other information necessary to adequately describe the variance request. (Ord. 325, 1996)

17.52.020 Permit Procedures.

Handling and review of a variance permit application shall be in the manner as specified in Chapter 17.64 of this Title. (Ord. 325, 1996) (See City of Clayton Municipal Code at www.cityofclayton.org or visit the Community Development Department at 6000 Heritage Trail, Clayton, CA 94517 - on the third floor)

Summary of Procedures

Step 1. Pre-application Discussion with Staff:

It is recommended that the applicant review the request with Community Development Department staff prior to submitting a formal application. This will allow an opportunity to discuss the feasibility of the request as well as any possible alternatives that may eliminate the need for a variance or improve the chance of the variance being granted. In addition, the staff and applicant can review the required data and procedures to be followed through the process. Usually, this first step is the most important step and helps a project move faster through the process.

Step 2. Filing of the Application:

The applicant should submit the completed application and an accurately-drawn site plan together with a written statement of the reasons justifying the variance and filing fee to the Community Development Department. Staff will review the material to make sure all the required information is provided. The applicant will be notified within 30 days after filing as to whether the application is complete or what additional information is required. The application must be signed by the applicant and property owner(s).

Step 3. Environmental Review

Most variance applications are exempt from environmental review because they would have minimal impact on the environment. Some requests, however, would require that staff prepare a negative declaration or an environmental impact report (EIR).

Step 4. Planning Commission Hearing:

Following notification of the property owners within 300 feet of the exterior project boundaries, the Planning Commission will hold a public hearing on the variance. The commission may approve, approve subject to conditions, or deny the variance. Any action may be appealed to the City Council. Without any appeals, the variance is effective in ten days.

17.52.030 Standards for Review.

In an application for a variance, which is an application to modify zoning regulations as they pertain to lot area, lot coverage, average lot width, lot depth, front setback, side setback, rear setback, parking space, loading space, building or structure height, or any other regulation pertaining to the 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 Planning Commission (or the City Council on appeal) shall find the following before approval of any application is given:

- A. That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the same respective land use district in which the subject property is located;
- B. 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;
- C. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located. (Ord. 325, 1996; Ord. 375, 2004; Ord. 408, 2007).

4. Certification:

General Certification:

I (We):

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 17, Chapter 17.52 found in Part 3 of this application and in the City of Clayton's Municipal Code.

Form Specific Certification:

I (We):

- have provided signatures of all owners of record holding title to the property.
- understand that all permits and/or reviews are subject to regulations set forth in the Clayton Municipal Code, and the conditions of approvals as set by the Planning Commission during the public hearing and/or City Council appeal.

Applicant's Signature: _____

Date: 6-6-11

Property Owner's Signature: _____

Date: 6-6-11

DIABLO ESTATES AT CLAYTON
Summary of Variance Requests

During the previous SPR process, several setback variances were approved. We are applying for similar variances. A table of previously approved variances along with our requests is attached.

In all instances, we feel that the Variance Requests meet the criteria for approval as stated in "17.52.030 Standards for Review"

Variance Requests

Lot 1 – Zoning is R-40H. Current Side Setback is 20'. We request the home on Lot 1 be allowed to project up to 5' into the side yard setback adjacent to Lot 2. Depending on the plan built on Lot 1, the home may project less than 5' into the setbacks.

This would not be a grant of special privilege since the reduced setback is still greater than the setback distances required on lots 5-24, and maintains at least 30' between the home on Lot 1 and the home on Lot 2.

Strict application of the 20' side yard setback would place the home too close to the slope on the North side of Lot 1, and would deprive the homeowner on Lot 1 of the same size backyard enjoyed by other lots on the property.

Authorizing this variance would meet the intent and purpose of the R-40H District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 2 – Zoning is R-40H. Current Side Setback is 20'. We request the home on Lot 2 be allowed to project up to 5' into the side yard setback on both sides. Depending on the plan built on Lot 2, the home may project less than 5' into the setbacks.

Current Front Yard Setback is 40'. We request that the home be allowed to project up to 20' into the Front Yard Setback.

This would not be a grant of special privilege since the reduced setback is still greater than or equal to the setback distances required on lots 5-24, and maintains at least 30' between the home on Lot 2 and the home on Lot 1.

Strict application of the 20' side yard setback and 40' front yard setback would eliminate any usable backyard for this homeowner.

Authorizing this variance would meet the intent and purpose of the R-40H District which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

Lot 3 – Zoning is R-40H. Current Side Setback is 20'. We request the home on Lot 3 be allowed to project up to 10' into the side yard setback adjacent to Lot 4

General – Zoning throughout the community is R-10, R-40, or R-40H. We request that a single story porch element be allowed to project up to 5' into a front or side yard set back, as long as the main building (including any two story element) does not encroach on the setback. This porch element will only be on the front of the home.

Effect on Lots 1, 2, 3, 4, 16 - On Lots 1-4 and 16 the projection of the front porch would be in addition to the variances requested above. But in no instance will the porch be closer than 15 feet from the front property line and 5 feet from the side property lines.

Effect on all other lots – The residences on all other lots are compliant with the required setbacks for the applicable zoning district. In no instance will the porch be closer than 15 feet from the front property line and 5 feet from the side property lines.

This would not be a grant of special privilege since all homes in the community would adhere to the same restriction.

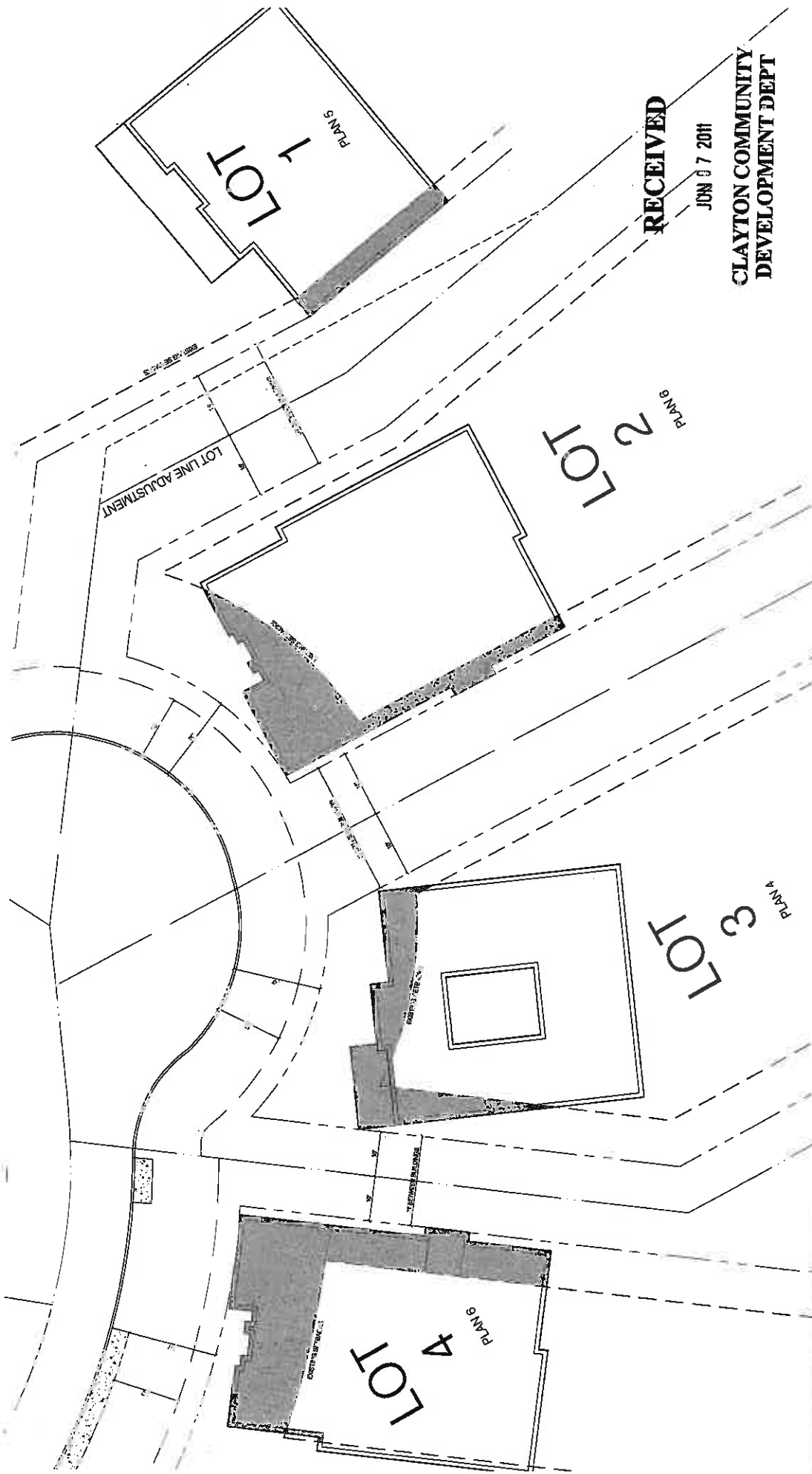
Strict application of the setbacks in this instance would eliminate front porches, which activate the street for homeowners and pedestrians, and in some cases push homes back on the lot so as to eliminate usable back yard spaces.

Authorizing this variance would meet the intent and purpose of the R-10, R-40, and R-40H Districts which entails allowing a reasonable amount of residential construction as well as preservation of the rural character, natural terrain, and open space within residential neighborhoods.

A table of previously approved variances along with requested variances and explanations is attached.

Diablo Estates at Clayton
Table of Previously Approved and Requested Variances

Lot #	Current requested	Previously Approved	Justification
1	15' SY Setback @ Lot 2	Horse Barn Variance	Maintains 30' between buildings @ Lot 1 and 2. Similar to the rest of the community.
2	20' FY Setback, 15' SY Setbacks @ lot 1 and 3	27' FY Setback, 10' SY Setback @ Lot 1	Similar to previously approved request. Similar to the rest of the community
3	20' FY Setback, 15' SY Setback @ Lot 2, 10' SY Setback @ Lot 4	25' FY Setback, 15' SY Setbacks	Similar to previously approved request. Similar to the rest of the community
4	20' FY Setback, 10' SY Setback @ Lot 3 and Lot 5	10' SY Setback @ Lot 5, 12' SY Setback @ Lot 3	Similar to previously approved request. Similar to the rest of the community
7	N/A	17' Side Yard Setback	No Current request
16	5' SY Setback @ Lot 15	N/A	Flag Lot. Necessary to provide a usable backyard to homeowners.
General	Front Porch to encroach on Front and Side Yard setbacks	N/A	Necessary to provide a usable backyard to homeowners, and to activate the streetscape.



RECEIVED

JUN 9 7 2011

**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

Toll Brothers
100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
TEL: (925) 835-9921
FAX: (925) 835-9921

TOLL BROTHERS, INC.
DIABLO ESTATES
CLAYTON, CA

PROJECT: 410032



Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunthalejones.com
T. 415-512-1350
F. 415-245-0288

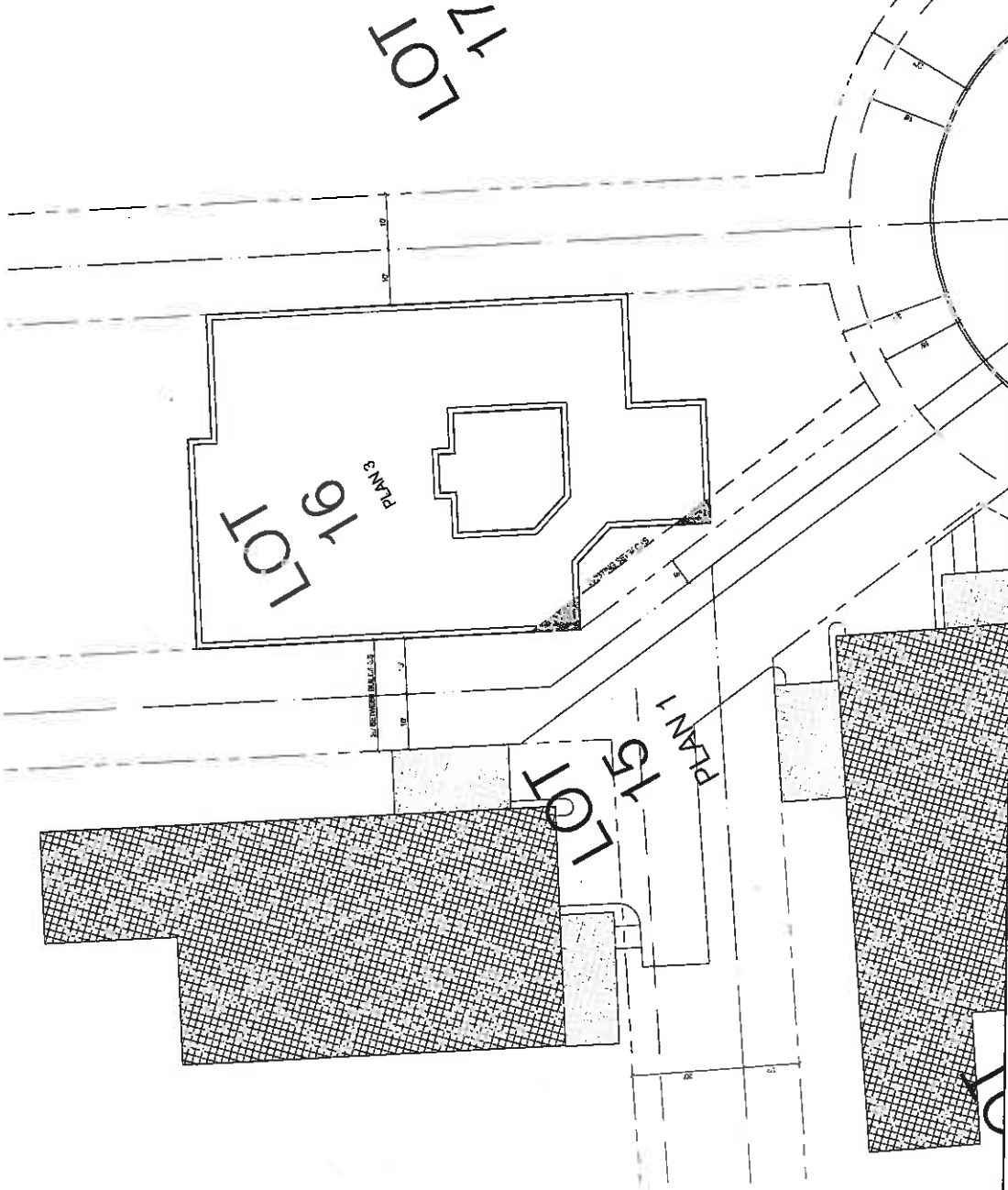


Thomas Bank & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walpole Creek, CA 94586
Ph: 925/933-1383

VARIANCE EXHIBIT

V1

SCALE: 1"=10'
DATE: 07/20/2011
REVISED: 03/18/2011
FEBRUARY 06/06/2011



RECEIVED

JUN 07 2011

CLAYTON COMMUNITY
DEVELOPMENT DEPT

TOLL BROTHERS, INC.

DIABLO ESTATES
CLAYTON, CA

PROJECT: 410072

Toll Brothers
Building's Legacy of Fine Homes

100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
(925) 355-9277
FAX: (925) 355-9277

HUNT HALE JONES ARCHITECTS

Architecture | Planning | Interiors

444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunt halejones.com

T. 415-512-1300
F. 415-228-0288



Thomas Bank & Associates, LLP
1000 North Main Street, Suite 4
Walnut Creek, CA 94593
Ph: 925.933.1383

VARIANCE EXHIBIT

V2

SCALE: 1"=10'
DATE: 01.20.2011
REVISED: 03.18.2011
REVISED: 06.02.2011



6000 Heritage Trail, Clayton, CA 94517
Phone No. 925.673.7300 Fax No. 925.672.4917
www.ci.clayton.ca.us

Use Permit Application

As provided in the Clayton Municipal Code Title 17, Chapter 17.60

Below: Office Use Only

File No: _____ Total Deposit: _____

Residential Deposit: _____ Non-Residential Deposit: _____

Received By: _____

Date: _____ Receipt No: _____

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

1. Applicant/Property Owner Contact Information: Phone Number: 925 855 0260

Applicant Name: Toll Brothers Applicant Email: awarner@tollbrothersinc.com

Property Owner Name: Same as above Property Owner Email: Same as above

2. Project Designer Contact Information:

Designer Name/Company: Thomas Baak & Assoc. Email: aswanson@tbaak.com

Company Address: 1620 N. Main St., Suite 4, Walnut Creek, CA Direct Phone No: 925 933 2583

3. Project Description: Type and attach your project description. Be specific.

Applicant's interest in property: ☒ Own ☐ Lease—Owner's name: _____

If leased, owner's address: _____ Owner's phone No: _____

4. Submittal Requirements:

The number of copies of each of the items below, which constitutes a complete Application Submittal Packet, will be determined by the Community Development Director. If not specified, assume only one copy is needed. If applicable, all plans and analyses shall be at scale 1"=20' for site planning and 1/8"=1' or greater for elevations and floor plans. Please submit the following information in the order in which it is outlined below. Additional items may be required by the Community Development Director.

☐ Community Development General Application

☒ Use Permit Application

☐ Processing Deposit: Residential \$ _____ Non-Residential \$ _____ (Make check payable to the City of Clayton)

☐ Title Report or copy of a Preliminary Title Report prepared for the current owner

☐ Legal description for each subject parcel(s)

☐ Current zoning map showing existing and proposed zoning classification(s), as applicable, for the subject parcel(s) and its surrounding land uses

☐ General Plan map showing existing and proposed general plan designation(s), as applicable, for the subject parcel(s) and its surrounding land uses

☐ Photographs/Graphics showing the relationship of the subject parcel(s) identified to the surrounding properties. Include aeriels such as Google Earth maps, and perspective photographs.

☐ Preliminary Landscaping Plan (See Title 17, Chapter 17.80 of the Municipal Code)

☐ Site Opportunities/Constraints Analysis: Use maps, graphics, and text to answer the questions below, as applicable

I. Environmental:

- | | |
|--|---|
| 1. Existing natural land features | 6. Water bodies and wetlands |
| 2. Type and diameter of trees 6" or larger in diameter at 4'6" above natural grade | 7. Flood hazard areas |
| 3. Topography (at 2' contour intervals) | 8. Surface and subsurface geology plus geological hazards such as earthquake faults |
| 4. Soils- summarize soils report findings | 9. Natural features including view sheds and ridge lines |
| 5. Drainage patterns | 10. Archeological sites |

II. Existing Improvements:

1. Location and dimensions of all existing structures/improvements
2. Show roads, paths, parking areas and all other improvements (patios, pools, decks)
3. Identify all on-site and off-site improvements to be retained showing location and dimensions

III. Easements:

1. The location, dimension, and purpose of all existing easements on the property.

Toll Brothers

America's Luxury Home Builder™

6/3/2011

To: David Woltering
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517
(925) 673-7340

From: Andrew Warner
Toll Brothers, Inc.
100 Park Place, Suite 140
San Ramon, CA 94583
(925) 855-0260
awarner@tollbrothersinc.com

Re: Use Permit Application for Temporary Sales Trailer at "Diablo Estates at Clayton"

List of Exhibits:

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Landscaping, Parking, and Trailer Location on Lot 18
- Exhibit 3 – Photo #1 of exterior of representative Trailer (colors will be different).
- Exhibit 4 – Photo #2 of exterior of representative Trailer (colors will be different).
- Exhibit 5 – Interior Layout of Trailer

Current Zoning: R-10

Authority: Section 17.60.030.B.3 of City of Clayton Municipal Zoning Ordinance authorizes the Planning Commission to approve a use permit in accordance with standards in section 17.60.040.

Letter of Explanation:

David,

Attached is the Use Permit Application and supporting exhibits for a temporary sales trailer and parking lot to be located on Lot 18 of "Diablo Estates at Clayton". The sales trailer and parking lot will be installed in late June of 2011. The sales trailer and parking lot will be removed when we have sold the last home in this community.

We have provided a site plan of the location of Lot 18, as well as a site plan showing the parking lot, landscaping, and trailer location on Lot 18. Also attached are representative pictures of the exterior of a similar trailer design and the interior layout of the trailer (approximately 960 sq ft).

Standards of Review:

A. Parking/Access. This project provides five (5) off-street parking spaces, one (1) of which is ADA accessible. The parking spaces meet the requirements of Section 17.37 of the City of Clayton Municipal Zoning Ordinance. Schedule 17.37.030A requires one (1)

New York Stock Exchange • Symbol TOL
NORTHERN CALIFORNIA DIVISION

100 Park Place, Suite 140 • San Ramon, CA 94583 • (925) 855-0260 • Fax (925) 855-9927
tollbrothers.com

Site/Development Plan: 9 copies (Show/Include the following, as applicable:
1 copy reduced (maximum size 11" x 17")

1. Project name
2. Submitted by (name, address, phone, date)
3. Site address
4. Scale, north arrow
5. The name(s) of the present owner(s) of each separate legal parcel
6. Map showing the property to be developed in its context (surrounding streets, land uses, structures)
7. Boundary lines showing the entire proposed development including dimensions
8. Boundary lines of each separate legal parcel including dimensions
9. Parcel size (net and gross)
10. Legal description(s)
11. Zoning (existing and proposed)
12. General Plan projected land use
13. Density (existing and proposed)
14. Location of existing improvements to be retained
15. Location of proposed on-site and off-site improvements (buildings, structures)
16. Building area, % of lot coverage, height of bldg., number of stories
17. Property lines/lease lines/phase lines: (1) fully dimensioned (2) street right of ways/alleys/easements (3) setbacks
18. Indicate proposed private common areas and those proposed for dedication for public use
19. Landscaping on-site, required and provided by % of site/ % of open useable open space
20. All streets, medians & driveways (both sides of street) within 125' of property
21. Parking required and provided

Architectural Design: 12 copies (maximum of 11"x 17"). Show/Include the following:

1. Elevations/drawings to scale showing architectural design of all structures proposed for the site
2. Identify the exterior materials, color and finish of all structures
3. Discuss the harmony of the proposed design with the significant design features or themes of adjacent and community structures

Proposed Signs:

1. Architectural drawings for each sign
2. Location of each sign
3. Size, color, and shape of each sign
4. Type of illumination for each sign

Written Statement of Operations:

1. Type of activity
2. Days/hours operation
3. Estimated number of persons involved

Mailing Envelopes and addresses:

1. List of names and addresses of all legal owners of property within a 300' radius of the subject parcel(s).
2. Envelopes: prepare a complete set of addressed and stamped legal size envelopes for all listed property owners. Do not place return address on envelopes.
3. Ownership Map: County Assessors map showing subject parcel(s) highlighted or outlined and a boundary line indicating all properties located within a 300' radius of the subject parcel(s). (Will be provided by City Staff if applicant is not using a Title Company.)

5. Important Implementing Information from the City of Clayton Municipal Code:

17.60.010 Definition.

A Use Permit may allow certain uses or activities not permitted by right in specific zoning districts or areas. In some cases, these uses must comply with defined conditions in order to be allowed to develop and/or operate. (Ord. 325, 1996)

See the City of Clayton Municipal Code Title 17, Chapter 17.60 for a list of general, residential and commercial uses requiring a use permit.

17.60.040 Standards of Review.

A. Parking/Access.

1. Does the project provide sufficient off-street parking for vehicles and bicycles?
2. Does the project provide safe and effective access for vehicles, pedestrians, and bicycles?

B. Traffic Congestion.

1. Could the project generate significant traffic congestion?

C. Town Center Compatibility (Applicable only to uses which require a use permit for ground floor locations in the Town Center Commercial land use designation of the *Town Center Specific Plan*).

1. Does the use (taking into account the building in which it is located, the location of the building within the Town Center, and the size of the use) complement Town Center Specific Plan goals and policies of attracting and enhancing pedestrian activity in the Town Center?
2. Does the proposed tenant space lack the street visibility which would be suitable for a retail use, restaurant, or permitted use, which does not require a use permit?
3. Would the tenant provide any goods, services, or window displays which are oriented toward or attractive to pedestrians?
4. Would the tenant complement the intensity of existing use-permitted tenants in the same project and in the Town Center?

5. What effort has the property manager or owner made to secure a tenant which does not require a use permit?
6. Is the subject tenant space located in a building with a vacancy rate which exceeds the normal vacancy rate for commercial buildings of comparable size and location?
7. Does the project involve the relocation of an existing business in the Town Center?

D. Noise.

1. Could the project generate noise levels above the standards of the Noise Element of the General Plan?
2. Could the project generate significant intermittent noise such as bouncing balls, announcements, grinding, sanding

E. Air Quality.

1. Could the project generate significant levels of dust, airborne particulate?
2. Could the airborne particulate be toxic?
3. Could the project generate significant fumes or smells?

F. Lighting/Litter.

1. Could the lighting especially exterior night lighting disturb surrounding properties?
2. Could the project generate significant litter?

G. Crime.

1. Could the project possibly result in the significant increase of crime in the area?
2. Could the project potentially have a significant negative influence on minors?

H. Concentration.

1. Could the project represent a concentration of a particular activity in an area to the detriment of the health, safety and/or welfare of nearby residents, businesses, property owners, and/or employees? (Ord. 414, 2008)

17.60.050 Conditions of Approval.

The City may impose such requirements, restrictions and conditions as a part of a Use Permit relating to factors including, but not limited to: location and site planning; construction; maintenance; operation, including hours of operation; and traffic control as it deems necessary for the protection of adjacent properties and the public interest. The City may require a cash or surety bond that such conditions will be or are being complied with by the operator. (Ord. 325, 1996)

17.60.060 Required Findings.

In granting a Use Permit, the factors to be reviewed by the Planning Commission (or the City Council upon appeal) shall include but are not limited to the following findings:

- A. That the use shall be in conformity with the General Plan and any applicable specific plan;
- B. That the use shall be in conformity with City-adopted standards.
- C. That the use shall not negatively affect the general safety (e.g., seismic, landslide, flooding, fire, traffic) of the City or surrounding area.
- D. That the use shall not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City.
- E. That the permit will be in accord with the purpose of Use Permits as stated herein. (Ord. 414, 2008)

6. Certification:

I (We):

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 17, Chapter 17.60 found in Part 5 of this application and in the City of Clayton's Municipal Code.

Applicant's Signature: _____

Date: 5-24-11

Property Owner's Signature: _____

Date: 5-24-11

parking space per 250 sq feet of retail sales area. $960 \text{ sq feet} / 250 \text{ sq feet} = 3.84$ parking spaces.

B. Traffic Congestion. This project is not likely to generate significant traffic congestion.

C. Town Center Compatibility. This section is not applicable.

D. Noise. This project is not likely to generate noise levels above the standards of the Noise Element of the General Plan. This project is not likely to generate significant intermittent noise.

E. Air Quality. This project is not likely to generate significant levels of dust, airborne particulate or fumes or smells.

F. Lighting/Litter. Exterior Lights at the sales trailer location will be for safety only. There will not be any lights installed in or near the ground intended to light up the façade of the sales trailer at night. Therefore, exterior lighting will likely not disturb surrounding properties. The project is unlikely to generate significant litter.

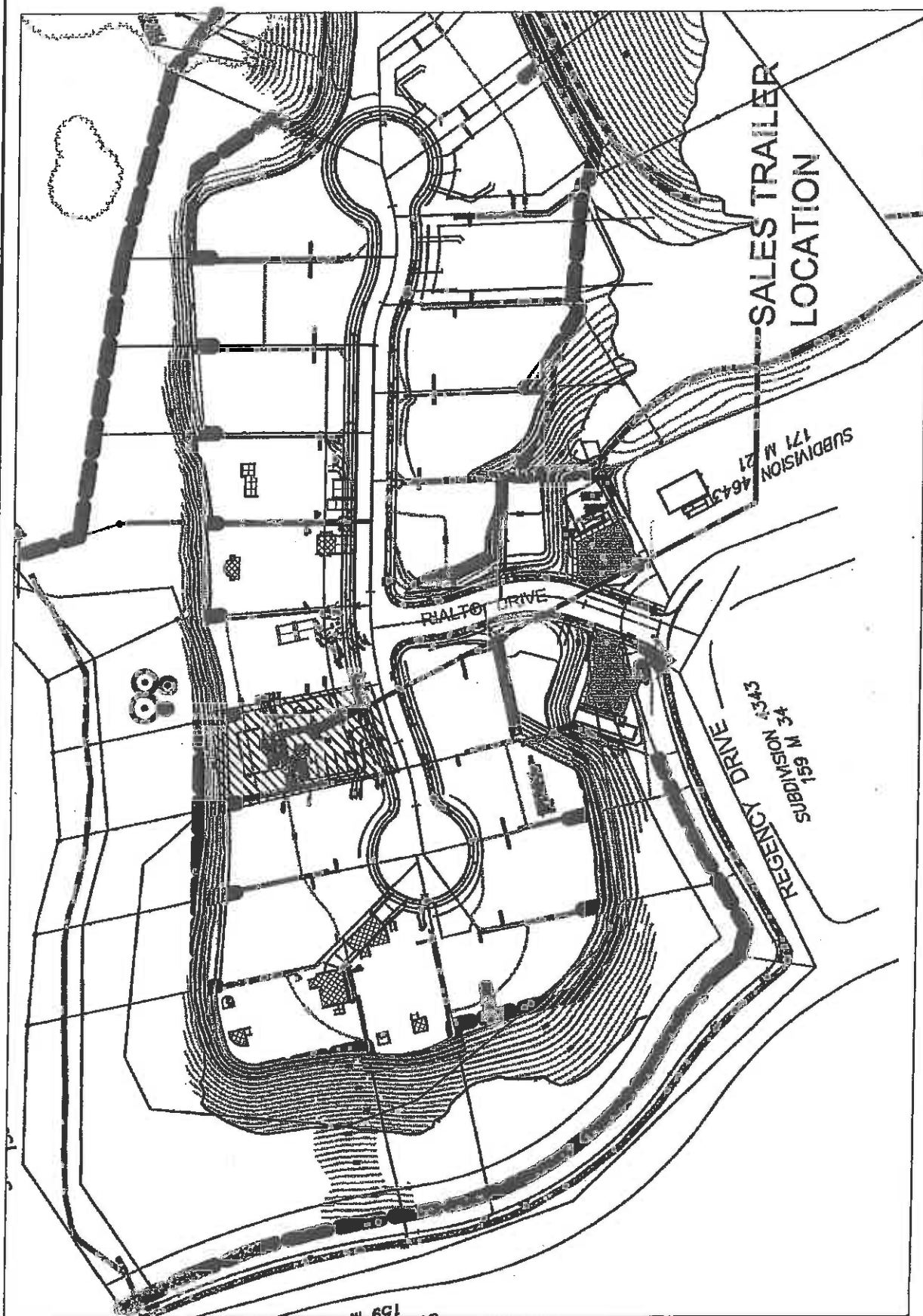
G. Crime. This project is not likely to result in significant increase in crime or to have a negative influence on minors.

H. Concentration. This project does not represent a concentration of a particular activity to the detriment of health, safety and/or welfare of nearby residents.

Thank you,



Andrew Warner
Toll Brothers, Inc.
(925) 855 0260
awarner@tollbrothersinc.com



VICINITY MAP

SUBDIVISION NO. 8718 DIABLO POINTE
INTERIM
SALES OFFICE AND PARKING
GRADING AND DRAINAGE
LAYTON, CONTRA COSTA COUNTY, CALIFORNIA

Design Resources, Inc.
Planning • Engineering • Surveying
P.O. Suite 150
Norman 94598
TEL (925) 210-9300

	3021 CHINUS C.		Walnut Creek, CA	
	DATE: 06/27/14	SCALE: 1/8" = 1'-0"	SHEET: 1	
DRN #:	1/8" = 1'-0"	SHEET: 1		DRN #:
1/8" = 1'-0"	SHEET: 1		DRN #:	

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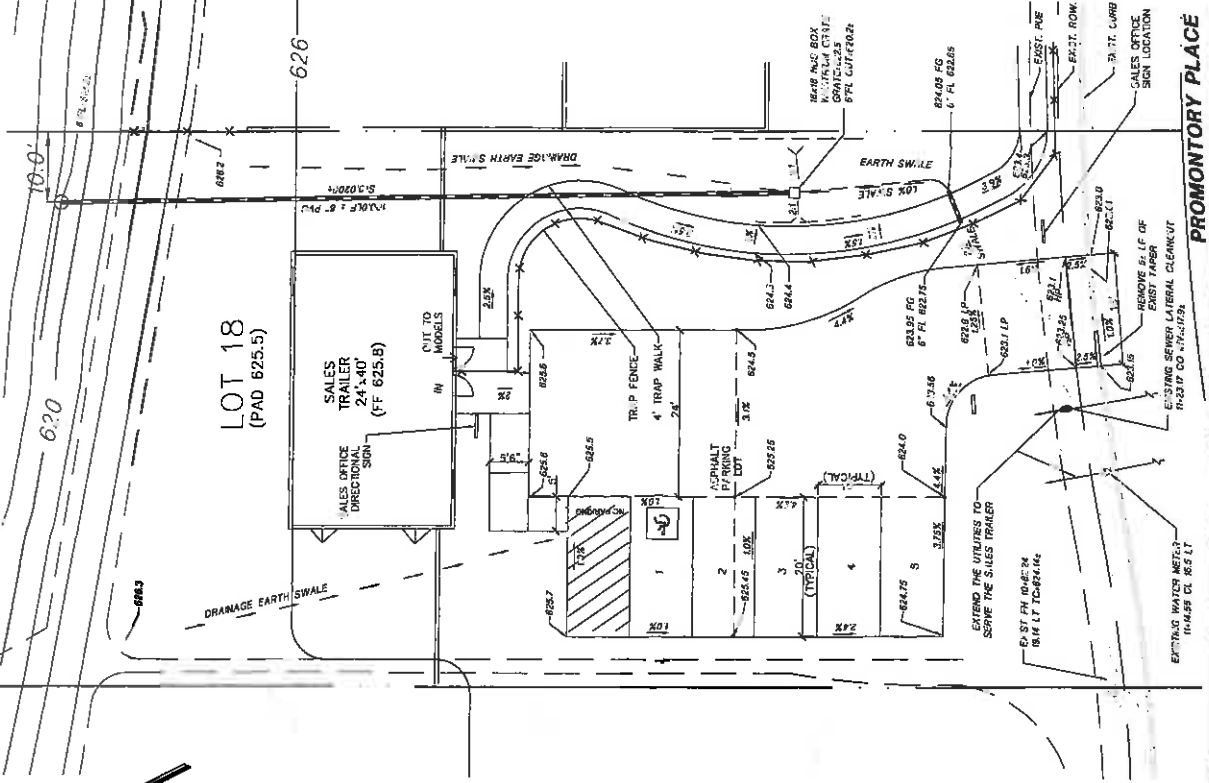
JUN 07 2011

**CLAYTON COMMUNITY
DEVELOPMENT DEPT**

NOTE:-

1) THE BASE LINE WORK FOR SALES TRAILER, PARKING LAYOUT AND THE WALK WAS PROVIDED TO P/A DESIGN RESOURCES, INC. BY THE PROJECT LANDSCAPE ARCHITECT THOMAS BARK & ASSOCIATES.

2) SEE LANDSCAPE PLAN FOR SITING AND STORAGE.



PROMONTORY PLACE

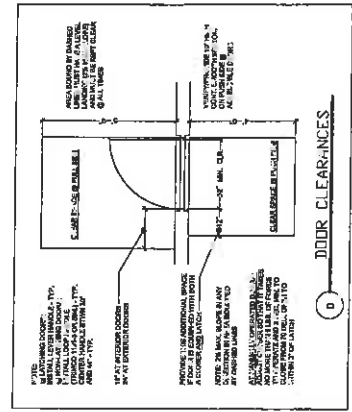
DRAINAGE WITH PERFORATED PIPE

[illegible]

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
J	Berberis thunbergii	BARBERY	5 GA	LOW
B	Berberis thunbergii	Berberis	5 GA	MED
C	Calceolaria	Calceolaria	5 GA	LOW
D	Diervilla	Diervilla	5 GA	LOW
E	Elaeagnus	Elaeagnus	5 GA	LOW
F	Ficus	Ficus	5 GA	LOW
G	Glossy Star	Glossy Star	5 GA	LOW
H	Hibiscus	Hibiscus	5 GA	LOW
I	Impatiens	Impatiens	5 GA	LOW
J	Jasminum	Jasminum	5 GA	LOW
K	Kalmia	Kalmia	5 GA	LOW
L	Lantana	Lantana	5 GA	LOW
M	Morone	Morone	5 GA	LOW
N	Nerium	Nerium	5 GA	LOW
O	Osmanthus	Osmanthus	5 GA	LOW
P	Philadelphus	Philadelphus	5 GA	LOW
Q	Quercus	Quercus	5 GA	LOW
R	Rosa	Rosa	5 GA	LOW
S	Sorbus	Sorbus	5 GA	LOW
T	Taxus	Taxus	5 GA	LOW
U	Ulmus	Ulmus	5 GA	LOW
V	Viburnum	Viburnum	5 GA	LOW
W	Wisteria	Wisteria	5 GA	LOW
X	Xanthoxylum	Xanthoxylum	5 GA	LOW
Y	Yucca	Yucca	5 GA	LOW
Z	Zinnia	Zinnia	5 GA	LOW

GENERAL NOTES:
1. ALL PLANTING AREAS SHALL BE WATERED BY A RALLY AUTOMATIC, WATER-CONTROLLING IRRIGATION SYSTEM.
2. ALL PLANTING AREAS (EXCEPT TURF) SHALL RECEIVE A 3" LAYER OF BARK MULCH DRESSING.
3. TOTAL LANDSCAPE AREA: 6,800 SQ. FEET
TURF AREA: 200 SQ. FEET (EQUALS 80% OF TOTAL LANDSCAPE AREA)

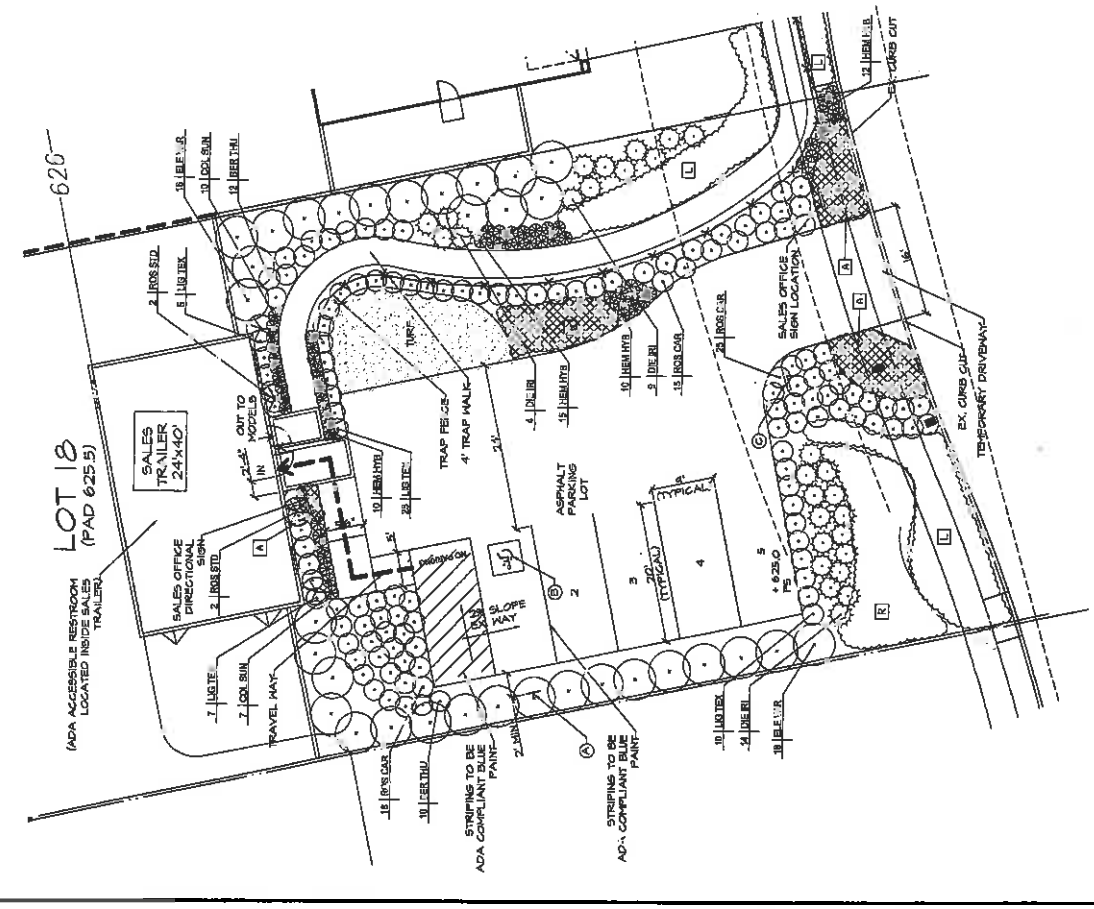
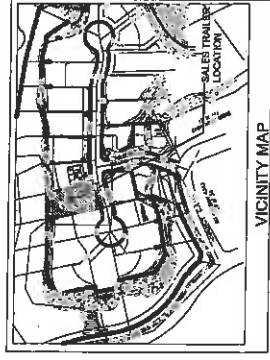
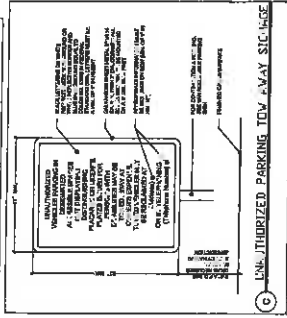
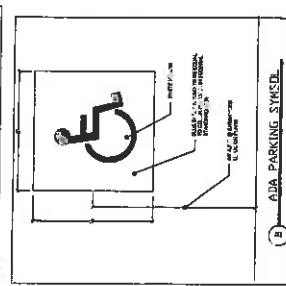
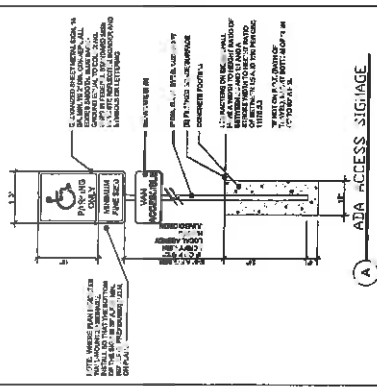
FOR FINISH GRADING SEE CIVIL PLAN
SHEET L-2



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SHRUB PLANTING DETAIL







Diablo Estates at Clayton
By Toll Brothers

Retaining Walls

Condition of Approval # 41.i from the Planning Commission Notice of Decision dated December 2, 2004 states, "All retaining walls in the project shall [be] constructed of segmental (a.k.a., keystone), masonry block or concrete. All retaining walls visible from street of sidewalk areas shall be covered with a stone fascia..."

The majority of retaining walls on the site run parallel to property lines. All walls will be at least 4 feet from property line fences. Walls will be concrete and designed by a structural engineer. Wall heights are similar to what was previously approved.

Where retaining walls are visible from the street or sidewalk (in front of side yard fences), the walls will be faced with Coronado Stone "Tuscan Villa, Coastal Brown". We are also proposing to use this stone on the entry monument. We believe that using one color of stone for retaining walls and the entry monument will help to form a cohesive look to the community. Areas of the walls that are not visible from the street will be painted.

On Lot 7, there are two walls facing the street. We have made these two shorter walls instead of one large wall to lessen the visual impact. Both walls will be faced with stone, and the flat area between them will be landscaped to further lessen the visual impact.

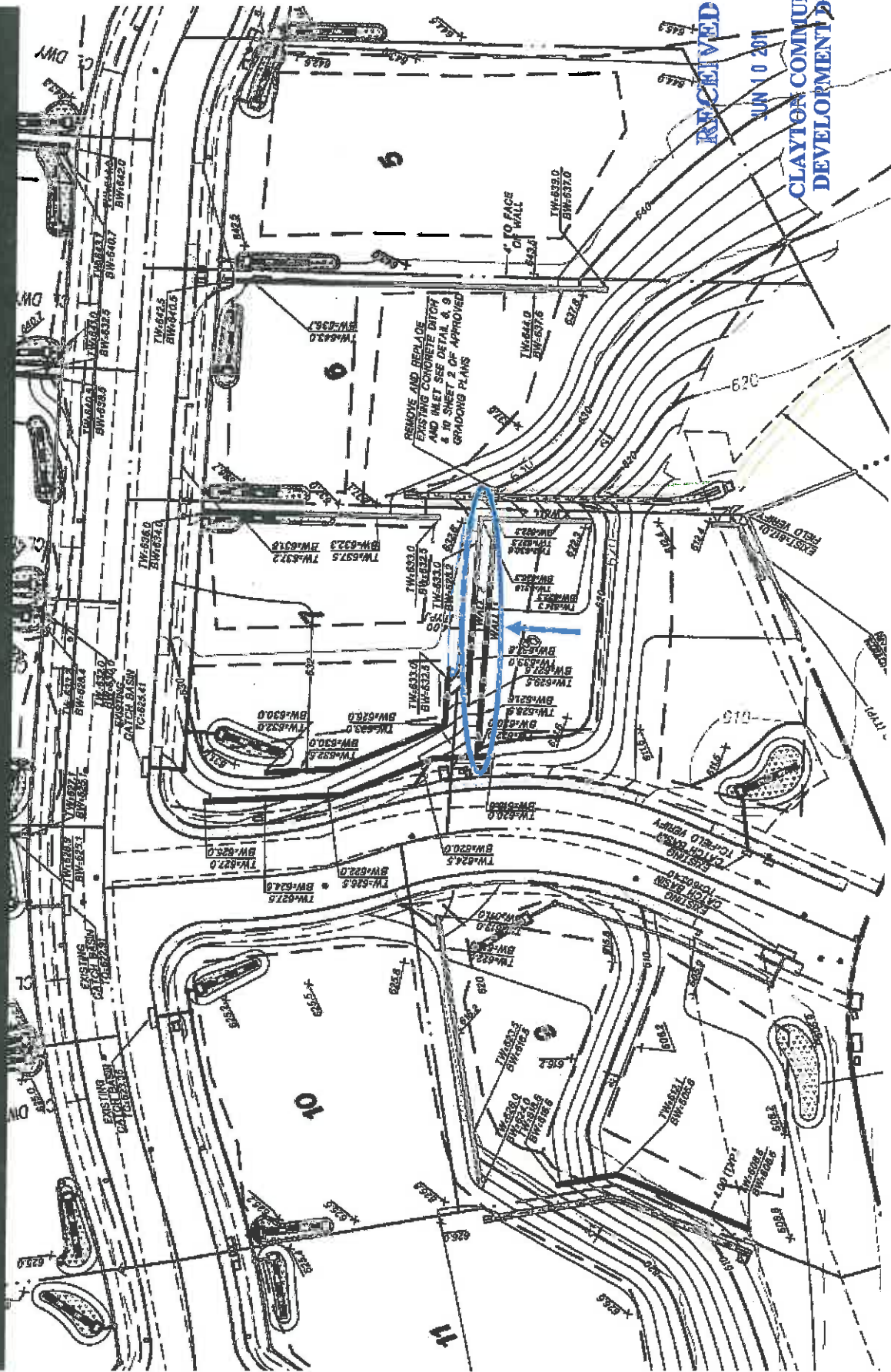
The attached diagram shows a section and elevation of the walls that run parallel to the property line between Lots 7 and 8. You can see how the walls taper down toward the front of the home. Also evident is the stone facing on the wall in front of the side yard fence.

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DEVELOPMENT DEPT**

Retaining Wall Exhibit

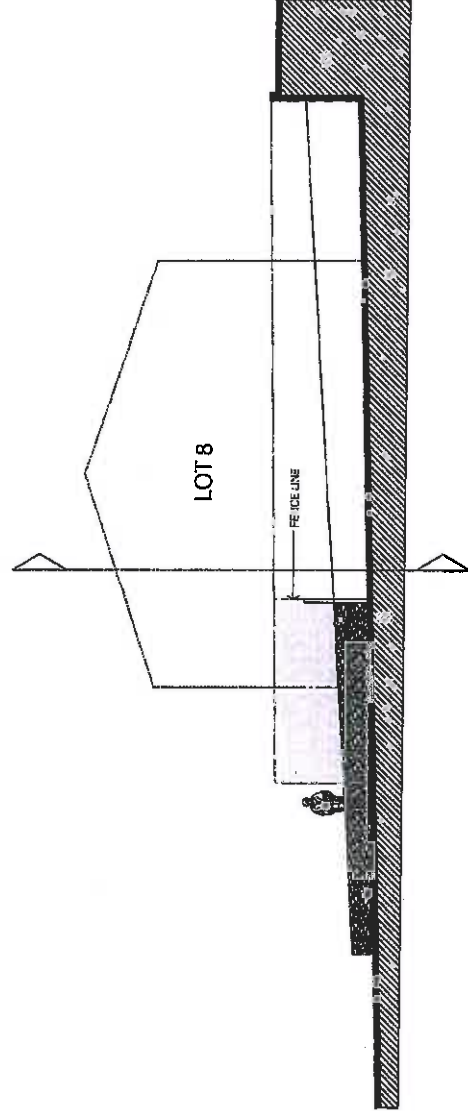


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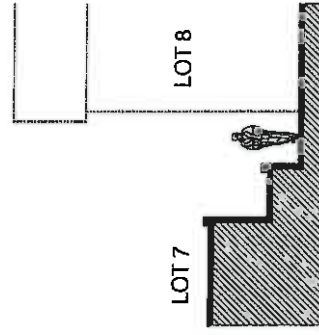
Retaining Wall Exhibit



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SECTION @ SIDE YARD



Stone Sample : Tuscan Villa – Coastal Brown