



AGENDA
PLANNING COMMISSION
Regular Meeting

7:00 P.M. on Tuesday, December 9, 2014

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

1. **CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**
2. **ADMINISTRATIVE**
 - 2.a. Review of agenda items.
 - 2.b. Declaration of Conflict of Interest.
 - 2.c. Chair Dan Richardson to report at the City Council meeting of December 16, 2014 (alternate Commissioner Gregg Manning).
3. **PUBLIC COMMENT**
4. **MINUTES**
 - 4.a. Approval of the minutes for the October 14, 2014 regular meeting.
5. **PUBLIC HEARINGS**
 - 5.a. **ENV-01-08, DP-01-08, MAP-02-09, TE-01-14, Development Plan Time Extension, Creekside Terrace Mixed Use Project, City of Clayton**, 1005 and 1007 Oak Street, west side of Oak Street between Center Street and High Street (APNs: 119-050-008, 119-050-009, and 119-050-034). Review and consideration of a one-year time extension of the Creekside Terrace Development Plan which was previously-approved on July 6, 2010 with subsequent one-year extensions granted on October 25, 2011, December 11, 2012, and December 10, 2013, extending the approval to January 6, 2015. This request is in accordance with Section 17.28.190 of the Clayton Municipal Code.

Staff Recommendation: Staff recommends that the Planning Commission adopt the attached Resolution No. 05-14, thereby extending for one year the Creekside Terrace Development Plan from January 6, 2015 through January 6, 2016.
6. **OLD BUSINESS**

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

- 8.a. Staff.
- 8.b. Commission.

9. ADJOURNMENT

- 9.a. The next regularly-scheduled meeting of the Planning Commission scheduled for **Tuesday, December 23, 2014 at 7:00 p.m.** is anticipated to be cancelled. The next regularly-scheduled meeting of the Planning Commission will be held on **Tuesday, January 13, 2015.**

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.

Minutes
Clayton Planning Commission Meeting
Tuesday, October 14, 2014

1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Chair Dan Richardson called the meeting to order at 7:00 p.m. at the First Floor Conference Room, Clayton City Hall, 6000 Heritage Trail, Clayton, California.

Present: Chair Dan Richardson
Vice Chair David Bruzzone
Commissioner Keith Haydon
Commissioner Sandra Johnson

Absent: Commissioner Gregg Manning (excused)

Staff: Community Development Director Charlie Mullen
Housing Element Consultant Jennifer Gastelum, PMC
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

2.a. Review of agenda items.

2.b. Declaration of Conflict of Interest.

None.

2.c. Commissioner Sandra Johnson to report at the City Council meeting of October 21, 2014

3. PUBLIC COMMENT

Bruce Albert, 102 Salazar Court, had the following questions and comments:

- Since the comment period for the Silver Oak Estates Initial Study/Mitigated Negative Declaration (IS/MND) is underway, why is IS/MND not on tonight's agenda? Chair Richardson provided the following response:
 - In accordance with the California Environmental Quality Act (CEQA), a public hearing regarding the IS/MND was held at the September 23, 2014 Planning Commission meeting.
 - At the September 23rd meeting, the 30-day public comment period was extended 45 more days for total public comment period of 75 days.
 - Comments provided orally at the September 23rd meeting or in writing anytime during the public comment period will be collected and then responded to in a Response to Comments (RTC) document.
 - The RTC document will then be included as part of the Final IS/MND for the Silver Oak Estates project.

- The next public hearing we will have on the Silver Oak Estates project will be for review of the proposed project entitlements. The project review involves phases; first, the environmental review is conducted and, after the environmental review is complete, we then move to on to the next phase of project entitlement review.
- My concerns are that written comments sent in during the public comment period will not be part of the public record and that the public will not have the last word. Chair Richardson provided the following response:
 - Written comments received during the public comment period are part of the public record.
 - The RTC document will include responses to both oral and written comments received during the public comment period.
 - We receive and thoroughly review comments received in accordance with CEQA and State planning law. We take comments very seriously.
 - Our intent is to ensure that all concerned parties have a chance to comment on the project and all the comments are taken into consideration.
 - We extended the public review period for IS/MND in order to allow the public more time to review the document. We want the community to be aware and involved.
- He questioned the methodology used for the traffic study since the analysis seems to fall short of accurately representing actual traffic impacts caused by the project.

Director Mullen added that Mr. Albert could mail or email comments to the City and the comments would be forwarded directly to the environmental consultant.

4. MINUTES

- 4.a. Approval of the minutes for the September 23, 2014 regular meeting.

Commissioner Haydon moved and Commissioner Johnson seconded a motion to approve the minutes, with minor corrections. The motion passed 4-0.

5. PUBLIC HEARINGS

- 5.a. **ENV-02-14, GPA-02-13, Clayton 2015-2023 Housing Element Update, City of Clayton.** Public hearing to consider, review, and receive public comment on an environmental analysis report in the form of an Initial Study/Mitigated Negative Declaration prepared to analyze the potential environmental impacts of the Clayton 2015-2023 Housing Element Update.

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15063, an Initial Study/Negative Declaration (IS/ND) was prepared and made available for public review. The IS/ND has concluded that there is no substantial evidence to suggest that the Housing Element document may have a significant effect on the environment. Accordingly, the Initial Study with a Negative

Declaration determination is being considered for adoption by the City of Clayton. The 30-day comment period on this IS/ND began on September 12, 2014 and ends on October 14, 2014.

The public hearing was opened.

Community Development Director Mullen presented the staff report and introduced Jennifer Gastelum, with Pacific Municipal Consultants, who would provide an overview of the IS/MND and Final Draft 2015-2023 Housing Element.

Commissioner Haydon asked the following clarifications and questions:

- Regarding the Housing Element, Page 69, Table 47, Site V-4, under “Max. Density (units/acre)” it references the unit calculation is based on a density of 20 units per acre. Director Mullen responded that the density numbers could end up being less than 20 units per acre based on individual site constraints.
- Regarding the Housing Element, Page 94, Implementation Measure V.1.3, under “Accomplishments” should a reference to future Building Code amendments be made? Director Mullen responded not in this context as it is only referring to accomplishments completed to date.
- Regarding the Housing Element, Page 100, Policy I.3, Implementation Measure I.3.1, it references “the City will aim to approve two second dwelling units per year during the planning period.” Ms. Gastelum indicated that Senate Bill 375 seeks to have jurisdictions quantify the data in the document as much as possible so, as we prepared this document, we wanted the numbers to be more measurable; however, the City will not be held accountable for the exact number of two units.

Commissioner Johnson asked if during the next eight-year period of the Housing Element, is there a State oversight board that monitors progress being made to fulfill the goals and policies stated in the document. Director Mullen responded that the City prepares and submits an annual Housing Element progress report to the California Department of Housing and Community Development to document our accomplishments.

The public testimony period was opened.

Bruce Albert, 102 Salazar Court, had the following comments:

- He is concerned the environmental analysis for the Housing Element is referencing possible projects that are not in front of the public and for which no specific environmental analysis on these future projects has been prepared.
- The Clayton General Plan and Municipal Code requires that new developments should be complementary and integrated with the existing character of our community, and he does not believe the City Council and the Planning Commission have made efforts to comply with these requirements.
- He does not believe the higher density zoning designations allowing twenty units an acre are in keeping with the existing development patterns.

- He believes other communities such as Hillsborough were able to approve their updated Housing Elements without having to increase zoning densities.
- He is concerned that Clayton is turning into Concord.

Chair Richardson thanked him for his comments.

There being no further public comment, the public testimony period was closed.

Commissioner Haydon asked the following:

- Regarding the Draft Initial Study/Negative Declaration, he believes a thorough analysis of the impacts was provided, but wanted to confirm on Page 34 under the Discussion/Conclusion section, Item “a,b” that the discussion of the slight permissible density in the Multifamily High Density land use designation was adequate. Director Mullen and Ms. Gastelum responded to the affirmative.

Commissioner Johnson, Vice Chair Bruzzone, and Chair Richardson indicated that a wonderful job was done preparing the documents.

Commissioner Haydon moved and Vice Chair Bruzzone to adopt Resolution No. 04-14 recommending City Council approval of the Initial Study/Negative Declaration and the Final Draft 2015-2023 Housing Element update for the City of Clayton, with minor correction revisions noted and handed out by staff. The motion passed 4-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

- 7.a. **GPA-01-14, Capital Improvement Program (CIP) Conformity with General Plan, City of Clayton.** Review of City of Clayton CIP projects proposed to be undertaken in the coming fiscal year (FY 2014-2015) for conformity with the General Plan.

Director Mullen presented the staff report.

Commissioner Johnson asked if the City has adequate funds to complete the CIP projects. Director Mullen responded yes and no. These projects are expensive and take time to accomplish. The City often collects money over time until there is enough funding for the project to be completed.

Vice Chair Bruzzone asked how does the funding for undergrounding of utilities work. Director Mullen responded that undergrounding is not economical to underground utilities in small increments since it is so expensive to do, costing approximately one million dollars per quarter mile.

Commissioner Johnson asked if there are any areas of town where undergrounding of utilities has been done. Director Mullen responded that it has been done in all newer subdivisions, such as Oakhurst and Diablo Estates. The funding for this improvement would be more aimed at the Town Center area or older neighborhoods.

Commissioner Haydon asked if the \$21,000 for Item 2 goes into a special reserve account. Director Mullen responded to the affirmative.

Commissioner Johnson moved and Commissioner Haydon seconded a motion to find the City's CIP projects for the Fiscal Year 2014-2015 are in conformity with the Clayton General Plan and there is no possibly this finding may have a significant effect on the environment. The motion passed 4-0.

8. COMMUNICATIONS

8.a. Staff.

Director Mullen presented various housing photos to the Planning Commission in order to decide which photo could be used on the front cover of the Housing Element.

8.b. Commission.

The Commissioners discussed that they felt it was important to use storypoles for the Silver Oak Estates project, possibly using environmentally-safe paint on the ground to depict the footprints of the buildings. Director Mullen indicated that he would discuss this with the applicant.

9. ADJOURNMENT

- 9.a. The meeting was adjourned at 8:34 p.m. to the regularly-scheduled meeting of the Planning Commission on October 28, 2014.

Submitted by
Charlie Mullen
Community Development Director

Approved by
Dan Richardson
Chair

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PLANNING COMMISSION STAFF REPORT

Meeting Date: December 9, 2014

Item Number: 5.a

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a one-year time extension of the
Creekside Terrace Mixed Use Project Development Plan
(ENV-01-08, DP-01-08, MAP-02-09, TE-01-14)

Applicant: City of Clayton

REQUEST

Approve a one-year time extension of the previously-approved Creekside Terrace Mixed Use Project Development Plan that allows the construction of a two-story, mixed-use commercial/residential building with approximately 7,200 square feet of commercial retail on the first floor and seven residential units on the second floor.

PROJECT INFORMATION

Location: 1005 and 1007 Oak Street, on the west side of Oak Street between Center Street and High Street
APN's: 119-050-008, 119-500-009, and 119-050-034

Property Owner: City of Clayton

General Plan Designation: Town Center Commercial (TC); Public Park/Open Space (PU)

Town Center Specific Plan Designation: Town Center Commercial

Zoning: Planned Developed (PD); Public Facility (PF)

Environmental: An Initial Environmental Study/Mitigated Negative Declaration was approved for this project by the Clayton City Council on July 6, 2010 (ENV 01-08).

Public Notice: On November 26, 2014, the public hearing notice for the project was posted at the notice boards and mailed to property owners within 300 feet of the project site. The public hearing notice for the project was published in the November 28, 2014 edition of the Contra Costa Times. To date, no comments have been received by staff.

BACKGROUND AND DISCUSSION

On July 6, 2010, the Clayton City Council approved the Creekside Terrace Mixed Use Development Plan, involving approval of the project's Initial Study/Mitigated Negative Declaration (ENV 01-08), Development Plan (DP 01-08), and Vesting Tentative Map (MAP 02-09). Section 17.28.190 of the Clayton Municipal Code (CMC) states that "if within 18 months after the approval by the City Council of the Development Plan Permit, construction has not commenced, then the Development Plan Permit shall

become null and void.” Since the July 6, 2010 approval, there have been efforts to market the project to a developer in order to initiate construction. The project sponsor is the City of Clayton and the project site is City-owned land. There had been an offer made by a prospective developer to purchase the subject property; however, those negotiations have stalled and the interested developer has not been in contact with City officials to resume negotiations. Section 17.28.190 of the CMC allows extensions of a Development Plan prior to its expiration up to one-year at a time by the Planning Commission or City Council. On October 25, 2011, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2013. On December 11, 2012, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2014. On December 10, 2013, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2015. Since the date for expiration is approaching, and in order to keep the Development Plan current for future development negotiations and opportunities, the City is seeking Planning Commission approval of another one-year extension of the Development Plan, in accordance with CMC Section 17.28.190.

The City holds public title to the underlying land and improvements on the subject three parcels that comprise the project site on the west side of Oak Street between Center Street and High Street in the Town Center. Two of the properties front directly onto Oak Street and contain existing vacant modular buildings (APN’s: 119-050-034 and 119-050-009). The third parcel is further west of the first two parcels, extending up the slope located west of Mitchell Creek, and is primarily in a natural, open space condition (APN: 119-050-008). Immediately adjacent to and north of the proposed project site is the largely unused right-of-way extension of Center Street. It is not anticipated that Center Street will be extended, given the location of Mitchell Creek and the hillside to the west.

The approval entailed seven residential units on the upper floor and approximately 7,200 square feet of commercial space on the ground floor. A vehicle lift system is planned for the parking spaces in the garages so that 14 parking spaces could be provided on-site in the seven garages for the seven residential units. Driveway pads are located in front of the garages to accommodate guest parking. The exterior architecture of the approved project has an “Old West” architectural style, in compliance with Town Center Specific Plan architectural design guidelines.

As part of this project, the adjacent Mitchell Creek corridor will be upgraded with creek bank restoration, removal of non-native vegetation, and installation of riparian vegetation to both sides of Mitchell Creek in the vicinity of the proposed project. The project also includes the developer enhancing the presently unimproved terminus of Center Street with riparian vegetation and creating a seating area with environmental education boards describing the Mitchell Creek natural setting. Additionally, the developer will be responsible for creating a conservation easement and maintaining the upslope western parcel immediately adjoining and west of Mitchell Creek. Improvements associated with the project as well as on-going responsibility to maintain the areas of the terminus of Center Street and the parcel west of Mitchell Creek—along with active open space areas within the proposed development—satisfies the City’s open space requirements.

DEVELOPMENT PLAN

The Development Plan for this project was processed in accordance with the provisions of Chapter 17.28 of the CMC. It should be noted that the establishment of a conservation easement over the upslope western parcel, the restoration and enhancement of the Mitchell Creek corridor associated with this proposed project, the installation of a seating area and environmental information opportunity site for the community, and the on-going responsibility to maintain these areas (along with more active recreation areas within the project) are intended to satisfy the open space requirements for the project as allowed under Section 17.28.100 of the CMC. As described above, the approved Development Plan accommodates approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor.

VESTING TENTATIVE MAP

The Vesting Tentative Map was processed in accordance with Chapter 16.40 of the CMC. The approved Vesting Tentative Map allows for four to five commercial condominium units on the ground floor and seven residential condominium units on the second floor. Vesting Tentative Map applications, as compared to standard Tentative Map applications, require more detailed information from applicants, such as information regarding actual project construction and architectural details, landscape treatments, and exterior colors and materials. This specificity is required because, in return for greater control over what an applicant is intending to do, the local community is generally agreeing that the ordinances, policies, and standards in place at the time of the approval of the Vesting Tentative Map will apply to the project in the future. The expiration and extension period are the same for both the Tentative Map and Vesting Tentative Map, pursuant to Section 16.40.080 of the CMC. The initial approval period for both types of maps is 24 months.

On July 15, 2011, the Governor of California signed into law Assembly Bill 208, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 15, 2011 and would otherwise expire before January 1, 2014. Accordingly, the Creekside Terrace Vesting Tentative Map was extended until July 6, 2014 by this action. On July 11, 2013, the Governor of California signed into law Assembly Bill 116, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 11, 2013. As a result, the Creekside Terrace Vesting Tentative Map has been extended until July 6, 2016, keeping the Vesting Tentative Map alive for another 18 months, approximately, from the date of this staff report.

EXTENSION

The Town Center Specific Plan is the primary guide for development of the subject property. There have been no changes to this Specific Plan or to circumstances and information related to the development of this property that would warrant not approving the request for an extension. The environmental findings and mitigation measures of the project Initial Environmental Study/Mitigated Negative Declaration continue to be valid, as do the overall findings for project approval and the conditions of approval in the approving City Council Resolution.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached Resolution No. 05-14, thereby extending for one year the Creekside Terrace Development Plan from January 6, 2015 through January 6, 2016. There is no need for the Planning Commission to extend the Vesting Tentative Map, given the adoption and implementation of State Assembly Bill 116.

ATTACHMENTS

1. Vicinity Map
2. Planning Commission Resolution No. 05-14 (with Exhibit A – City Council Resolution No. 27-2010 for the Creekside Terrace Mixed Use Project)
3. Approved Creekside Terrace Mixed Use Project Development Plan

DP\2008\01-08.sr.extension.pc.mtg.12.10.13



VICINITY MAP

	Creekside Terrace TE-01-14 for DP-01-08 1005 and 1007 Oak Street APNs: 119-050-008, 119-050-009, and 119-050-034	 (Not to Scale)
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ATTACHMENT - 1

**CITY OF CLAYTON
PLANNING COMMISSION
RESOLUTION NO. 05-14**

**ONE YEAR TIME EXTENSION OF THE
CREEKSIDE DEVELOPMENT PLAN
(TE-01-14 for DP-01-08)**

WHEREAS, on July 6, 2010, the Clayton City Council at a duly-noticed public hearing approved the Creekside Terrace Mixed Use project, involving an Initial Study/Mitigated Negative Declaration (IES/MND), Development Plan, and Vesting Tentative Map; and

WHEREAS, the Creekside Terrace Development Plan (DP 01-08) allows for approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor; and

WHEREAS, Section 17.28.190 of the Clayton Municipal Code states that “if within 18 months after the approval by the City Council of the Development Plan Permit construction has not commenced, then the Development Plan Permit shall become null and void”; and

WHEREAS, Section 17.28.190 of the Clayton Municipal Code allows approval of one-year incremental time extensions by the Planning Commission or the City Council of a Development Plan prior to its expiration; and

WHEREAS, the Town Center Specific Plan provides primary guidance for development of the subject property, the approval of the Development Plan was found to be in conformance with the Specific Plan, and there have been no amendments since that approval or other changes in information or circumstances that would warrant not approving the request for the one-year time extension; and

WHEREAS, the findings and the mitigation measures of the approved project IES/MND continue to be valid as do the findings for project approval and the conditions of approval in the approving City Council Resolution; and

WHEREAS, in accordance with Section 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on October 25, 2011 to consider the request for the subject one-year time extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the extension request; and

WHEREAS, at their meeting of October 25, 2011, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2013; and

WHEREAS, in accordance with Section 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 11, 2012 to consider the request for the subject one-year time extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the time extension request; and

**Planning Commission
Resolution No. 05-14**

WHEREAS, at their meeting of December 11, 2012, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2014; and

WHEREAS, in accordance with Section 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 10, 2013 to consider the request for the subject one-year time extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the time extension request; and

WHEREAS, at their meeting of December 12, 2013, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2015; and

WHEREAS, there had been an offer made by a prospective developer to purchase the subject property; however, those negotiations have stalled and the interested developer has not been in contact with City officials to resume negotiations; and

WHEREAS, in order to keep the Development Plan alive for future development negotiations and opportunities, the City is seeking Planning Commission approval of another one-year time extension of the Development Plan; and

WHEREAS, in accordance with Section 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 9, 2014 to consider the request for the subject one-year time extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the time extension request.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds the previously-stated citations to be true and accurate and, accordingly, approves the request for a one-year time extension of the Creekside Terrace Development Plan from January 6, 2015 to January 6, 2016, subject to the findings and conditions in the attached approving City Council Resolution No. 27-2010 for the project.

PASSED AND ADOPTED by the Planning Commission of the City of Clayton at a regular meeting on the 9th day of December, 2014.

APPROVED:

ATTEST:

Dan Richardson
Chair

Charlie Mullen
Community Development Director

ATTACHMENT

Exhibit A – City Council Resolution No. 27-2010 for the Creekside Terrace Mixed Use Project

RESOLUTION NO. 27-2010

**A RESOLUTION APPROVING THE DEVELOPMENT PLAN FOR THE CREEKSIDE
TERRACE MIXED USE PROJECT
(DP 01-08)**

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, the Creekside Terrace Mixed Use Project involves the proposed construction of a two-story building, with seven residential units above approximately 7,200 square feet of commercial space on the west side of Oak Street between Center and High Streets in Clayton's Town Center area in conformance with the encouraged land uses and overall vision for the area as expressed in the Town Center Specific Plan; and

WHEREAS, the Creekside Terrace (formerly Rivulet) Project Development Plan application was submitted on January 24, 2008; and

WHEREAS, the Development Plan application is identified as the Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package, dated March 8, 2010 (Planning Commission Submittal), comprised of the following: Title Sheet, Vesting Tentative Map Sheets TM1 – TM5 (Revised April 29, 2010), Preliminary Landscape Plan, Architectural Site Plan, First Floor Plan, Second Floor Plan, Roof Plan, TM – Layout and Cut Sheets, Elevations, Sections, Wall Sections and Details, View from Flora Square, View from High Street, Flood Data, Building Signage Plan (April 23, 2010), and Color Material Board; and

WHEREAS, a Development Plan approval is one of the entitlements being requested as part of this application; additionally, the application involves the request for the adoption of an Initial Environmental Study/Mitigated Negative Declaration (IES/MND), approval of a Vesting Tentative Map, and the approval of an extension of a parking waiver provision for the Town Center area; and

WHEREAS, the Development Plan submittal has been prepared and reviewed in accordance with the provisions of Chapter 17.28 Planned Development (PD) Districts of the Clayton Municipal Code; and

WHEREAS, the Planning Commission held duly-noticed public hearings on May 25, 2010, and June 8, 2010 to consider the Development Plan and related entitlements for the Creekside Mixed Use Project; and

WHEREAS, the draft Creekside Terrace Project IES/MND was prepared and circulated for a 30-day public review period from March 2, 2009 to April 2, 2009, and a public hearing was held before the Planning Commission on March 10, 2009 during this review period; and

WHEREAS, there have been changes to the project as noted in Appendix F as well as mitigation measures agreed to by the project sponsor described in the final draft IES/MND; and

WHEREAS, the Planning Commission considered all relevant information, including the IES/MND, staff reports, background information, the March 8, 2010 Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package including the updated, April 29, 2010, Vesting Tentative Map Sheets TM1 through TM 5, and the Building Signage Plan dated April 23, 2010, as well as public testimony at the above-cited hearings; and

WHEREAS, the environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, the project IES/MND serves as a Mitigated Negative Declaration pursuant to Public Resources Code Sections 21064.5 and 21080(c), and Article 6 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning Commission determined the proposed Development Plan, assuming implementation of the mitigation measures in the project IES/MND and the recommended conditions of approval will not result in a significant adverse environmental impact and will conform with the City's General, Town Center Specific Plan, Zoning Ordinance, applicable provisions of Chapter 17.28, and would be in the public interest as well as support the public necessity, convenience, and general welfare; and

WHEREAS, the Planning Commission approved its Resolutions No. 01-10 and No. 03-10 on June 8, 2010, recommending, respectively, City Council adoption of the Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration, May 2010, for the Creekside Terrace Mixed Use Project and approval of the Development Plan for the proposed project; and

WHEREAS, on July 6, 2010, the City Council held a duly-noticed public hearing and gave due consideration to the Planning Commission's recommendation on this project, all testimony, comments, and documents received pertaining to the related entitlements including the IES/MND, the Development Plan, with associated parking waiver zoning ordinance amendment(s) to Sections 17.37.030.C and 17.37.030.C.3 of the City's Municipal Code, and a Vesting Tentative Map for the Creekside Terrace Mixed Use Project; and

WHEREAS, the City Council determines that the IES/MND identifies measures, including design revisions made and agreed to by the applicant, that are available to mitigate potential adverse impacts to insignificant levels, and, accordingly, the project IES/MND serves as a Mitigated Negative Declaration pursuant to Public Resources Code Sections 21064.5 and 21080(c), and Article 6 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the City Council determines this Mitigated Negative Declaration describes the proposed project; analyzes, and evaluates the potential significant impacts, which may result

from the proposed project; and, identifies measures to mitigate adverse environmental impacts in accordance with the requirements of CEQA Guidelines Section 15071; and

WHEREAS, the City Council determines the proposed Development Plan, assuming implementation of the mitigation measures in the project IES/MND and the recommended conditions of approval will not result in a significant adverse environmental impact and will conform with the City's General, Town Center Specific Plan, Zoning Ordinance, including applicable provisions of Chapter 17.28, and would be in the public interest as well as support the public necessity, convenience, and general welfare.

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The City Council does hereby find and affirm the above-noted recitals are true and correct.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT:

SECTION 1. The City Council does hereby approve the Development Plan (DP 01-08) for the Creekside Terrace Mixed Use Project.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a regular meeting thereof held on July 6, 2010 by the following vote:

AYES: Mayor Stratford, Vice Mayor Shuey, Councilmembers Geller, Medrano and Pierce.

NOES: None.

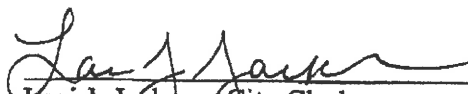
ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


Hank Stratford, Mayor

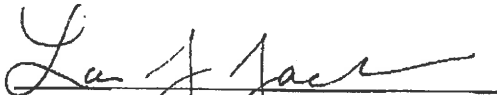
ATTEST:


Laci J. Jackson, City Clerk

Attachments:

1. Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration, May 2010 (ENV 01-08) (Available in Clayton Community Development Department)
2. Creekside Terrace Conditions of Approval and Advisory Notes (ENV 01-08, DP 01-08, and MAP 02-09) (Available in Clayton Community Development Department)

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on July 6, 2010.


Laci J. Jackson, City Clerk

comdev\DP\01-08.CC Reso. Approving Creekside Terrace DP.A

**CREEKSIDE TERRACE
CONDITIONS OF APPROVAL
AND ADVISORY NOTES
(ENV 01-08, DP 01-08, and MAP 02-09)**

These conditions of approval and mitigation measures apply to the following:

- Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package, dated March 8, 2010 (Planning Commission Submittal), comprised of the following: Title Sheet, Vesting Tentative Map Sheets TM1 – TM5 (Revised April 29, 2010), Preliminary Landscape Plan, Architectural Site Plan, First Floor Plan, Second Floor Plan, Roof Plan, TM – Layout and Cut Sheets, Elevations, Sections, Wall Sections and Details, View from Flora Square, View from High Street, Flood Data, Building Signage Plan (April 23, 2010), and Color Material Board.
- Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration (IES/MND), May 2010.

CEQA MITIGATION MEASURES (Creekside Terrace Project IES/MND, May 2010)

1. The following measures shall be adhered to during all construction phases of the Project:
 - Earthmoving or other dust-producing activities shall be suspended during periods of high winds, (i.e., instantaneous wind gusts of 25 mph or greater);
 - All exposed or disturbed soil surfaces shall be watered at least twice daily on any day of high winds or when construction activities occur, including weekends and holidays;
 - Stockpiles of debris, soil, sand or other materials that can be blown by the wind, shall be watered with a soil stabilizer or covered;
 - Construction areas, adjacent streets, and routes for construction traffic shall be swept of all mud and debris by a water sweeper on a daily basis (minimum) on any day when construction activities occur, including weekends and holidays;
 - All trucks hauling soil, sand, or other loose materials shall be covered or maintain at least two feet of freeboard;

A compliance officer (City Engineer unless otherwise identified as part of the grading permit process) shall be responsible for assuring implementation and monitoring of the above requirements. (Air Quality).

2. Pre-construction nesting surveys for raptors and migratory birds protected under the federal Migratory Bird Treaty Act shall be conducted if initial grading and building demolition is to be conducted during the months of March through August. A qualified biologist shall conduct the surveys no more than fourteen (14) days prior to initiation of grading, building demolition, or tree removal. If any of these species are found within the construction area after April of the construction year, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback approved by a qualified biologist. If permanent avoidance of nests is not feasible,

impacts on raptor and migratory bird nests shall be minimized by avoiding disturbances to the nest location during the nesting season unless a qualified biologist verifies that the birds have either a) not begun egg-laying and incubation, or b) that the juveniles from those nests are foraging independently and capable of independent survival at an earlier date. No preconstruction surveys are required if grading, building demolition, or tree removal occurs outside the nesting season (September through February). (Biological Resources).

3. A preconstruction survey shall be conducted by a qualified biologist within seven (7) days prior to commencement of construction to confirm absence of any fish, amphibian, or reptile species of concern along the project reach of Mitchell Creek. In the remote instance that listed California red-legged frog or steelhead individuals are encountered, the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) shall be consulted to determine appropriate avoidance measures prior to initiation of any construction activities. Any western pond turtle encountered shall be relocated to secure pool habitat selected by the qualified biologist. (Biological Resources).
4. A qualified biologist shall be retained to oversee construction and ensure that no inadvertent take of California red-legged frog, steelhead, or western pond turtle occurs as a result of short-term disturbance near Mitchell Creek. This shall include the following provisions:
 - a) Prior to any grading or grubbing of the site, the qualified biologist shall conduct a preconstruction survey to confirm absence of any California red-legged frog, steelhead, or western pond turtle on the site, as called for in Mitigation Measure 3. A report summarizing the survey results shall be submitted to the Community Development Director.
 - b) Silt fencing shall be installed at the west edge of the construction zone and to the east and west of the top of bank, buried a minimum of six inches and extending a minimum of two feet above grade, to serve as a barrier to keep ground mobile wildlife dispersing along the creek corridor from entering the construction zone. The fencing shall remain in place during the entire construction period.
 - c) Construction workers shall be trained by the qualified biologist regarding the potential presence of California red-legged frog and western pond turtle, that these species are to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until appropriate measures have been taken. For California red-legged frog, work shall be halted until authorization to proceed is obtained from the USFWS. Harassment of California red-legged frog is a violation of federal law.
 - d) During the construction phase of the project, a qualified biologist or an on-site monitor (such as the construction foreman trained by the qualified biologist) shall check the site in the morning and in the evening of construction activities for the presence of California red-legged frog and western pond turtle. This includes checking holes, under vehicles and under boards left on the ground. If any California red-legged frog are found, construction shall be halted, and the monitor shall immediately notify the qualified biologist in charge and the USFWS. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS. Subsequent recommendations made by the USFWS shall be followed. No one shall handle or otherwise harass any individual California red-legged frogs encountered during construction, with the exception of a Service-approved

biologist. The qualified biologist in charge shall train the on-site monitor in how to identify California red-legged frog. (Biological Resources).

- 5A. The Tree Preservation Guidelines called for in the Tree Report (HortScience, 2008) shall be followed to preserve native oaks and other noteworthy trees on the site. Of particular concern is the large valley oak (Tree #272), which must be heavily pruned to prevent toppling and reduce the risk to humans and property. This tree shall be retained, and recommended pruning shall be performed under the supervision of a certified arborist. The pruning shall occur prior to demolition of the existing structures on the property. (Biological Resources).
- 5B. The project shall conform with the City of Clayton Tree Protection Ordinance (Chapter 15.70 of the Zoning Code), through adherence to the Tree Preservation Guidelines called for in the Tree Report and provisions for replacement plantings, which will be incorporated into the Final Landscape Plan. (Biological Resources).
6. Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, an archaeological monitor shall be retained by the applicant and approved by the City to train the construction grading crew prior to commencement of earth-grading activity in regard to the types of artifacts, rock, bone, or shell that they are likely to find, and when work shall be stopped for further evaluation. One trained crew member shall be on-site during all earth moving activities, with the assigned responsibility of "monitor." Should archeological, historical, or Native American artifacts or remains be discovered during construction of the Project, work in the vicinity of the find shall stop immediately until the resource(s) are evaluated and the appropriate means of curation is determined. Project personnel shall not collect or alter cultural resources. Identified cultural resources shall be recorded on forms DPR 422 (archeological sites) and/or DPR 523 (historic resources). (Cultural Resources).
7. Prior to the approval of building foundation plans, the plans shall indicate the anchoring of project structures to the bedrock or the construction of a subterranean retaining wall, for review and approval by the project soils engineer and the County Building Department. (Geology and Soils).
8. Prior to issuance of a grading permit, the Developer shall submit, for the review and approval by the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Actions should include, but are not limited to:
- Hydro-seeding;
 - Placement of erosion control measures within drainageways and ahead of drop inlets;
 - The temporary lining (during construction activities) of drop inlets with "filter fabric";
 - The placement of straw wattles along slope contours;
 - Use of a designated equipment and vehicle "wash-out" location;
 - Use of siltation fences;
 - Use of on-site rock/gravel road at construction access points; and
 - Use of sediment basins and dust palliatives. (Geology and Soils).

9. Prior to issuance of a demolition permit by the City for any on-site structures, the Developer shall provide a site assessment, which determines whether any structures to be demolished contain asbestos. If any structures contain these materials or any other hazardous materials, the Developer shall submit an abatement plan consistent with local, state, and federal standards, subject to approval of the Contra Costa County Building Inspection Department. In addition, the site assessment shall include a site inspection and records review to determine the historic uses of the property, and whether any hazardous substances release(s) have occurred. If the assessment detects the presence of contaminated soils, a remediation plan consistent with local, state, and federal standards, shall be submitted for approval by the Contra Costa County Environmental Health Department. The abatement and remediation plan(s) shall identify the necessary measures that the applicant must comply with to fully remove any existing on-site hazards to the satisfaction of the Contra Costa County Environmental Health Department. (Hazards and Hazardous Materials).
10. Prior to the issuance of building permits, the developer shall prepare a Storm Water Control Plan that includes both construction stage and permanent storm water pollution prevention practices to be submitted to the City Engineer for review. (Hydrology).
11. All project contractors shall conform to the requirements of the "Best Management Practices for Construction Sites" required by the City, 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 "pre-development" conditions. The BMPs shall be included in the construction contracts for the review and approval by the City Engineer. (Hydrology).
12. Prior to commencement of construction, the developer shall provide proof of State general permit coverage related to construction for stormwater.
13. Prior to final map recordation, the property owner shall commit the future property owners to fully fund the construction and perpetual maintenance of the storm drain system, including monitoring of the storm drain facilities. The funding mechanism shall be acceptable to the City and shall address costs for capital replacement, inflation, and administration. This shall include the preparation of an Operation and Maintenance Plan (OMP) consistent with the model proposed by the Contra Costa Clean Water Program. Any related review or administrative fees resulting from the OMP shall be the responsibility of the property owner. The OMP will "run with the land" and be enforceable on subsequent property owners of all residential and commercial lots. Maintenance activities may include but not be limited to:
 - Inspect planters for channels, exposure of soils, or other evidence of erosion. Clear any obstructions and remove any accumulation of sediment. Soils and plantings must be maintained.
 - Inspect planters regularly and after storms.
 - Observe soil at the bottom of the planters or filter for uniform percolation throughout. If portions of the planter or filter do not drain within 48 hours after the end of a storm, the soil should be tilled and replanted. Remove any debris or accumulations of sediment.
 - Examine the vegetation to insure that it is healthy and dense enough to provide filtering and to protect soils from erosion. Replenish mulch as necessary, remove fallen leaves and debris, prune large shrubs or trees and mow turf areas. Confirm

that irrigation is adequate and not excessive. Replace dead plants and remove invasive vegetation.

- Abate any potential vectors by filling holes in the ground in and around the planters and by insuring that there are no areas where water stands longer than 48 hours following the storm. If mosquito larvae are present and persistent, contact the Contra Costa County Vector Control District for information and advice. Only a licensed individual or contractor should apply mosquito larvicides only when absolutely necessary.
 - All hardscape, walks, patios, driveways, parking areas, creeks, drainage inlets, gutters, etc. and trash and recycling areas to be routinely inspected, cleared of debris, and thoroughly cleaned every three months, or as required in the City's NPDES permit.
 - All inlets to be inspected for debris twice a year, with one of those inspections held on October 1st.
 - Planters should be checked for plant and landscape health. They should also be checked for removable amounts of silt. The landscape and planter soils should also be checked for aeration. (Hydrology).
14. All lots shall include deed restrictions, which provide City and other public agency personnel with the right of access to inspect all on-site stormwater control devices. The language in the deed shall be reviewed and approved by the City Engineer and City Attorney. (Hydrology).
15. The developer shall provide for flood proofing of those portions of the building below one-foot above the 100-year flood surface elevation. The method of flood proofing shall include operating procedures and be subject to the approval by the City's Floodplain Administrator. (Hydrology).
16. The developer shall pay a fair share contribution to the City of Clayton for impacts to police staffing directly related to impacts of the Creekside Terrace Project for a five-year period. The calculation and payment shall be made at the time of issuance of building permit for each of the Project's units (including residential and commercial units) and shall be approved in advance by the Clayton Police Chief and City Manager. (Public Services).
17. Prior to final map recordation, the property owner shall agree to the recordation of a conservation easement on the third parcel located west of Mitchell Creek, and shall assume full responsibility for the ongoing maintenance and upkeep of the parcel as well as the terminus of Center Street. The conservation easement shall preclude future development of said parcel while still allowing limited improvements, such as the proposed infiltration planter associated with the Creekside Terrace project. (Public Services).
18. The developer shall be responsible for all fees and environmental review costs, including those charged by the California Department of Fish and Game.

Site Plan Conditions

19. Prior to recordation of the Vesting Tentative Map, Section 17.37.030.C. Waiver Period pertaining to Parking and Loading Requirements and related sections of the City's Municipal Code shall be extended through June 30, 2013 and Section 17.37.030.C.3 shall

be amended from requiring a building permit within one year of project approval to within two years of project approval for a Parking Waiver. In accordance with Section 17.37.070 of the Code, prior to issuance of a certificate of occupancy, the developer shall pay in-lieu parking fees for seven (7) parking spaces given that 21 parking spaces are provided, whereas 28 parking spaces are required for this project. Four (4) on-site spaces shall be provided for bicycle parking in accordance with Section 17.37.040 of the Code, prior to issuance of a certificated of occupancy.

20. Outdoor vending machines (except newspaper vending machines) are prohibited.
21. The electrical transformer for the project shall be installed in an underground vault.
22. The refuse and recycling container storage to be enclosed and connected to the sanitary sewer.
23. Refuse/recycling area shall be sized large enough to comply with State recycling requirements. Details of the refuse/recycling area shall be shown on site plan prior to recordation of map.
24. The property owner shall be responsible for placing the refuse and recycling containers in a location accessible to the refuse/recycling service provider on pick-up days. Once the service provider empties the refuse and recycling containers, the property owner shall promptly return the refuse and recycling containers to the designated enclosure. Additionally, waste containers shall be provided for the daily use of customers of the commercial component of the project.
25. All tenant leases and rental agreements shall stipulate that delivery truck unloading/loading activity, including, but not limited to, that unloading/loading activity of the owners and operators within the project from the travel lanes on High Street and Oak Street are prohibited during the time periods listed below. Delivery truck unloading/loading activities during the time periods listed below may take place from marked parking spaces. The restricted time periods are the thirty minutes prior to and following the normal start and end of classes on days when Mt. Diablo Elementary School is in session. This stipulation does not apply to common carriers such as United Parcel Service, Federal Express, etc.

Architectural Conditions

26. The architectural elevations shall be revised to show the following modifications:
 - a. The interior sides of all parapets shall be faced with cement plaster which is identical to the material and color used on the cement plaster areas of the exterior (i.e., outward-facing) elevations of the building.
 - b. The Oak Street elevation of the first-story garage shall incorporate enhanced architectural features (e.g., recessed, obscure, or high windows; or trellis with landscaping).
 - c. The garage doors shall utilize a carriage-appearing sectional roll-up design.
 - d. All windows shall be recessed a minimum of three inches.

- e. All rooftop equipment shall be screened from roads, the trail system, adjacent properties, and pedestrian areas to the maximum extent possible. The rooftop equipment shall be painted to match the color of the interior parapet.
- f. All minor and secondary rooftop equipment shall be clustered together and screened from roads, the trail system, adjacent properties, and pedestrian areas to the maximum extent possible.
- g. Any future re-painting of the project's Oak Street and High Street frontages shall provide for color distinction for the individual storefronts.
- h. All utility meters shall be properly screened.
- i. The southeast corner of the building shall incorporate the second-story octagonal bay window projection, as shown in Option 3, submitted at the June 8, 2010 Planning Commission meeting.

Landscaping Conditions

- 27. The landscape plans shall have overall dimensions of 24" x 36"; shall be approved by the Community Development Director and Maintenance Department; shall satisfy and/or include the following:
 - a. Conform to the requirements of the State Department of Water resources "Model Water Efficient Landscape Ordinance", dated September 10, 2009, or locally adopted replacement ordinance in effect at the time of application for a building permit.
 - b. Trees in the public right-of-way shall comply with the City street tree list or as otherwise approved by City Maintenance.
 - c. All landscaped areas shall be planted at the following planting densities: five-gallon shrubs shall be at an average density of 1 shrub/5 feet; and one-gallon groundcover plantings shall be at an average density of 1 shrub/3 feet.
 - d. All trees shall be 24-inch box containers.
 - e. All trees shall be planted at least ten feet away from any public water, sewer, or storm drain lines. 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.
 - f. All anti-siphon water valves and ground-mounted utility equipment shall be screened with landscaping.
 - g. All on-site walkway hardscape areas shall be paved with a colored and wood-stamped paving surface which matches the color and texture of the sidewalks in the Town Center.
 - h. A layer of mulch two to four inches shall be applied and maintained in all landscape areas until groundcover plantings are fully established so as to cover exposed soils.
 - i. Show all existing and proposed public utilities within the project limits, including adjacent public right-of-way affected by the project.
- 28. Three sets of the Landscape and Irrigation Plans shall be submitted with the building plans for review and approval by the Community Development Department, Engineering Department, and the Maintenance Department. These plans shall be approved prior to issuance of building, grading, or encroachment permits.

29. Landscaping shall be installed in conformance with approved plans prior to approval for occupancy.
30. Prior to occupancy, successor-in-interest property owners/lessees shall enter into an agreement with the City which ensures they permanently maintain the on-site landscaping as well as the trees installed in the public right-of-way on Oak Street and High Street.

Engineering Conditions

Subdivision Number

31. While this is a one lot subdivision, its ultimate disposition will create at least eight separate ownerships, therefore it would qualify as a major subdivision and require the filing of a Final Map as opposed to a Parcel Map. Prior to the preparation and submittal of the Final Map, the developer shall obtain a subdivision number from the County.

Subdivision Boundary

32. The proposed boundary shown on the tentative map includes a portion of the Center Street right of way west of Oak Street. In lieu of abandoning the right of way, the City intends to close that portion of Center Street to traffic and issue a special encroachment permit for use by the Project. The developer shall modify the boundary on the Final Map to exclude any existing public street right-of-way.

Use of Public Street Right of Way

33. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the northerly 19' of the High Street right of way, west of Oak Street.
34. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the portion of the Center Street right of way, west of Oak Street, presently shown as being within the project boundary.
35. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the portion of the Oak Street right of way, adjacent to project boundary.

Homeowners Association

Note: A developer has not indicated a preference regarding future ownership and maintenance responsibilities. For the purposes of these conditions of approval, it is assumed that all of the property will be "common area" with the exception of partition walls within each unit, either residential or commercial. Future owners (either commercial or residential) will have sole fee title interest only in the "airspace" within their units and will have a prorated share interest in all of the common areas and common area improvements

(including the building itself). Maintenance of all common area improvements will be the responsibility of a Homeowners Association funded by the property owners. Should the developer wish to propose a different approach, any change would have to be approved by the City of Clayton City Council.

36. Prior to approval of the final map, the developer shall submit the proposed Covenants, Conditions, and Restrictions (CC&Rs) for review and approval by the City. Prior to issuance of any certificate of occupancy, the developer shall have the City-approved CC&Rs recorded in the County Recorder's Office and a copy of the recorded documents submitted to the City. The CC&Rs shall include a provision barring any changes or revisions without prior approval by the City.
37. Prior to issuance of any certificate of occupancy, the developer shall form a Homeowners Association comprised of all the project property owners, both commercial and residential. The Homeowners Association shall be responsible for the operations and maintenance of all common area improvements and facilities, including stormwater, trash, and creek maintenance, monitoring, and reporting necessary to comply with NPDES requirements. Further, the Homeowners Association shall be responsible for the maintenance of all improvements located on existing street rights of way being utilized by the project under special encroachment permits and as shown on the tentative map.
38. The developer shall record disclosure statements with the deeds for the project's lots. The disclosure statements shall be reviewed and approved by the City Attorney and the Community Development Director and shall address the following issues.
 - a. Special events occur throughout the year in the downtown area and at Endeavor Hall, which may temporarily increase noise levels at the residential properties as well as increase traffic and demand for parking.
 - b. Special events occur throughout the year in the downtown area which result in the closure of adjacent streets except for emergency vehicle access. During these events vehicular access to and from the project may be prohibited (i.e., Oak, High, Center, and Main Streets). Vehicular access to and from Oak Street via Roundhill Place will remain open.
 - c. Commercial land use and zoning designations on adjacent properties to the east of the project site allow a variety of commercial activities, including parking lots and multi-story commercial buildings. It is the policy of the City of Clayton to encourage commercial development of the commercially-zoned properties in the Town Center.
 - d. The City of Clayton owns the parcel (APN 119-016-005) at the northwest corner of High Street and Diablo Street. The property will initially be developed as a parking lot for the general public. In the future, the property may be developed as a multi-story parking structure or a multi-story commercial building.

Condominium Plan

39. Prior to issuance of any certificate of occupancy, the developer shall have prepared and recorded a condominium plan delineating the proposed commercial and residential units. The condominium plan shall be submitted to the City for review prior to recordation. A certified copy of the recorded condominium plan shall be provided to the City prior to issuance of any certificate of occupancy.

General Engineering Conditions

40. All work shall be designed and constructed in accordance with the Municipal Code, as well as the City's Standard Plans and Specifications, and to the satisfaction of the City Engineer.
41. Upon approval of the final map, the subdivision shall be annexed into the existing City of Clayton Street Light Assessment District.
42. 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.
43. 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, 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.
44. The developer shall identify the Best Management Practices for protection of air quality to minimize the generation of dust during construction. Such measures shall be included within the project grading plan and shall be approved prior to issuance of project grading permits.
 - a. Earthmoving or other dust-producing activities shall be suspended during periods of high winds (i.e., instantaneous wind gusts of 25 mph or greater);
 - b. Equipment and manpower for watering of all exposed or disturbed soil surfaces shall be provided at least twice daily on any day of high winds or when construction activities occur, including weekends and holidays. A dust suppressant, added to the water before application, shall be used;
 - c. Stockpiles of debris, soil, sand or other materials that can be blown by the wind, shall be watered or covered;
 - d. Construction area and adjacent streets shall be swept of all mud and debris, since this material can be pulverized and later re-suspended by vehicle traffic;
 - e. A compliance officer, responsible for implementation and monitoring, shall be identified as part of the grading permit process.
45. 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.
46. 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.
47. Grading permits and stormwater permits shall be obtained from the City Engineer.

48. Construction sequencing and work times shall be adjusted as may be required by the City Engineer to minimize impacts and inconveniences during school drop-off and pick-up times.
49. Access to and over the High Street bridge at Mitchell Creek shall be maintained at all times for those residents located on the west side of the bridge. In the event that access must be restricted for some limited period, the contractor shall coordinate the closure with residents west of the bridge to the satisfaction of the City Engineer.

Street Construction Conditions

50. High Street - All existing improvements are to be removed and new improvements constructed generally as shown on the tentative map and to the satisfaction of the City Engineer.
51. Oak Street - All existing improvements are to be removed and new improvements constructed generally as shown on the tentative map and to the satisfaction of the City Engineer, except for the proposed planter within the parking lane which is not approved.
52. The sidewalk along Oak Street shall be colored, stamped concrete and shall match the color and pattern of the Town Center sidewalks.
53. Upon completion of building construction, the existing pavement on Oak Street from Center Street to High Street, including the intersections and other areas as may be determined by the City Engineer, shall be slurry sealed and restriped to the satisfaction of the City Engineer.
54. Any existing street, sidewalk, curb, gutter, or other existing improvement which, in the sole opinion of the City Engineer, is damaged by any party at any time, either on or adjacent to the project site, shall be repaired by the Developer, at his sole cost, to the satisfaction of, and in the manner required by, the City Engineer.

Stormwater Control and Treatment Conditions

55. 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.
56. Prior to issuance of any construction permits, a final Storm Water Control Plan, satisfying all of the latest requirements of the terms of the City's Stormwater Discharge Permit, shall be submitted for review and approval by the City.
57. The volume and rate of stormwater runoff from the site shall be comparable to pre-development conditions to the maximum extent practicable. The project shall bear the financial responsibility of the construction and perpetual maintenance (including monitoring and reporting) of these facilities with a funding mechanism acceptable to the City that addresses costs for capital replacement, inflation, and administration.
58. Any exterior building washing/cleaning, exterior window washing/cleaning or sidewalk washing/cleaning shall comply with Best Management Practices (inlets protected and water vacuumed) and be done only by a certified surface cleaner. Such certification shall

be recognized by the Contra Costa Clean Water Program. In addition any contracts for such cleaning by the property owner or tenants shall also include language requiring the compliance with Best Management Practices and certification. Documentation, monitoring, and reporting shall be included in the Stormwater Operation and Maintenance (OMP).

59. All pest management practices for the site and building by the property owner and or tenants shall also and done by company that is Integrated Pest Management (IPM) Certified. Such certification shall be recognized by the Contra Costa Clean Water Program. In addition any contracts for such cleaning by the property owner or tenants shall also include language requiring the compliance with Best Management Practices and certification. Documentation, monitoring, and reporting shall be included in the OMP.
60. The Property Owner shall be responsible for the perpetual maintenance of the site's storm drain system, including the monitoring of the storm drain facilities. In addition, the Property Owner shall be responsible for any future stormwater quality and quantity reporting requirements by the Regional Water Quality Control Board.
61. The Mosquito and Vector Control District and its contractors shall have the right of access to conduct inspections and maintenance of all on-site drainage devices. Such rights shall be conveyed in the property owner documents and any property rental or lease documents.
62. The developer shall remove the existing curb cut and driveway apron across the sidewalk on the Oak Street frontage of the project site and shall restripe the pavement as required by the City Engineer. The replacement sidewalk shall be paved with a colored and wood-stamped paving surface which matches the color and texture of the sidewalks in the Town Center.
63. All work shall be designed and constructed in accordance with the *Municipal Code*, as well as the City's Standard Plans and Specifications.
64. The improvements to be installed by the Developer shall generally conform to those shown on the site plan, as said improvements may be modified by these conditions of approval and/or the City Engineer.
65. The developer shall be solely responsible for obtaining any right of way and/or easements necessary to permit the construction of the proposed improvements.
66. The ramp across the sidewalk at the southwestern corner of the site, which is for refuse and recycling pickup purposes, shall meet ADA requirements as the ramp will cross the public sidewalk.
67. Prior to the issuance of the certificate of occupancy for the fourth residential unit, the developer shall provide one of the residential units affordable to low-income households with deed restrictions in accordance with the City of Clayton Housing Element and Redevelopment Agency requirements to the satisfaction of the Community Development Director.

Agency Conditions

68. The developer shall connect to the sewer system and obtain applicable permits required by the City of Concord Public Works Department.
69. The Developer shall satisfy Contra Costa County Fire Protection District requirements as follows:
- a. Access must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC.
 - b. Access roadways (High Street) of less than 28-feet unobstructed width shall have signs posted or curbs painted red with the words *NO PARKING – FIRE LANE* clearly marked. (503.3) CFC.
 - c. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 180 minutes while maintaining 20-pounds residual pressure in the main. (508.1, (B105) CFC.
 - d. The developer shall provide one (1) hydrant of the East Bay type. Final placement of hydrant(s) shall be determined by the Fire District. (C103.1) CFC.
 - e. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3) CFC.
 - f. The required hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC.
 - g. The building proposed shall be protected with an approved automatic fire sprinkler system. Submit three (3) sets of plans to the Fire District for review and approval prior to installation. (903.2) CFC, Contra Costa County Ordinance 2007-47.
 - h. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with the *International Wildland-Urban Interface Code*. (304.1.2) CFC.
 - i. The developer shall submit three (3) complete sets of building plans and specifications of the subject project, including plans for the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time.
 - Private underground fire service water mains
 - Fire sprinklers

Plans are to be submitted to: Contra Costa County Fire Protection District
2010 Geary Road
Pleasant Hill, CA 94523

The Fire District reference for this project is as follows:

CCCFPD Project No.: 113977-PL

- j. Open-flame grills on the balconies on the east elevation facing Oak Street shall be subject to all Fire Code restrictions, regulations, and prohibitions.

70. The Developer shall provide an adequate number of hydrants of the "East Bay" type at locations determined by the Fire Protection District.
71. Prior to approval of building permit, the Developer shall obtain written approval from Allied Waste Services that the facility can be serviced and the waste container options that would be acceptable given the range of tenant occupancies within the project and submit such written documentation to the Community Development Department.
72. The property owner is responsible for ensuring refuse and recycling pickup services are provided as often as necessary in order to ensure refuse and recycling receptacles do not overflow. Documentation, monitoring, and reporting shall be included in the OMP.
73. Prior to building permit approval applicant/developer shall provide documentation that the waste/recycling area can meet state regulations regarding mandatory space for recycling.
74. The Developer shall obtain a building permit from the Contra Costa Building Department in accordance with applicable California Building Code (CBC) requirements prior to commencement of the construction of the project.
75. The Developer shall satisfy Contra Costa Water District (CCWD) requirements as follows:
 - a. Treated and Untreated water service is governed by CCWD Code of Regulations Section 5 (Reg 5).
 - b. The two existing services will need to be relocated from their current locations (which will become a sidewalk/walkway) to a better location at the side of the building.
 - c. New meters should be "banked" at one location, each serving individual units.
 - d. A separate meter for landscape irrigation may be required (Reg. 5.32.020).
 - e. A common fire service will be required for the building.
 - f. Water service will likely require backflow prevention devices, which could reduce water pressure. Proper planning is necessary to ensure backflow prevention devices are located appropriately.
 - g. Location of all new and relocated services must be coordinated with developer to ensure acceptable installations for CCW, the City, and the developer.

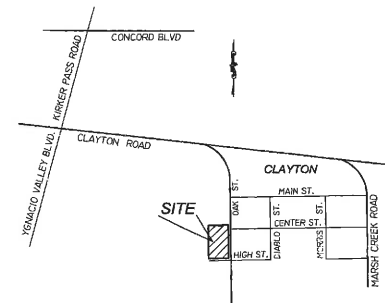
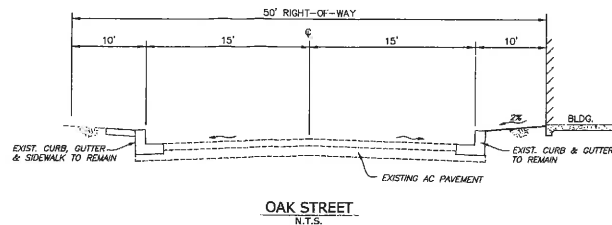
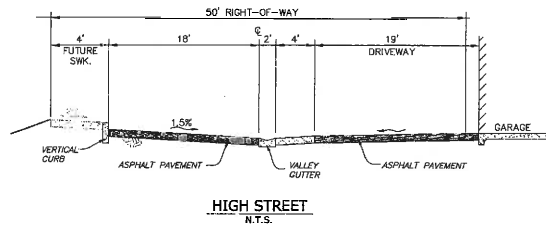
Standard Condition

76. The developer 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.

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 are not part of the conditions of approval.

1. Prior to obtaining a building permit, the developer shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC § 13.12.050).
2. Prior to commencement of grading, demolition or construction activities the developer shall obtain City approval of a construction and demolition recycling plan (CMC § 15.80.040).
3. Prior to performing any work in the public right of way, the developer shall obtain an encroachment permit from the City Engineer.
4. Prior to any grading or construction, the developer shall obtain a Stormwater Permit from the City Engineer.
5. An administrative use permit from the Community Development Director is required for any outdoor seating.
6. A master sign plan must be approved by the Planning Commission prior to installation of any signage.
7. A tree removal permit is required prior to removing any trees with a single or multiple trunk diameter of six inches or greater (CMC §15.70.020).
8. 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 1005 Oak Street, 925-672-9700.
9. The developer shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
10. The developer shall comply with all applicable state, county, and city codes, regulations, and adopted standards.
11. 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.
12. Development impact and related fees (including, but not limited to, community facilities development, off-site arterial improvement, childcare, parkland dedication, open space in-lieu, and habitat conservation fees) shall be paid per applicable City Code regulations and resolution.



TENTATIVE MAP NOTES:

DEVELOPER: CITY OF CLAYTON
REDEVELOPMENT AGENCY
6000 HERITAGE TRAIL
CLAYTON, CA 94517

ENGINEER: DEBOLT CIVIL ENGINEERING
811 SAN RAMON VALLEY BLVD.
DANVILLE, CA 94526
(925) 837-3780

ASSESSOR'S PARCEL NUMBERS & AREAS:
119-050-008 0.39± AC.
119-050-009 0.22± AC.
119-050-034 0.29± AC.
CENTER ST. VACATION 0.07± AC.
TOTAL 0.88± AC.

ZONING: PLANNED DEVELOPMENT

PROPOSED ZONING: PLANNED DEVELOPMENT

GENERAL PLAN: TOWN CENTER

UTILITIES: GAS & ELECTRIC - P.G. & E.
TELEPHONE - A.T. & T.
SEWER - C.C.C.S.D.
WATER - C.C.W.D.

UTILITY LOCATIONS SHOWN ARE BASED ON UTILITY COMPANY RECORDS AND ARE APPROXIMATE ONLY.

BOUNDARY NOTE: APPROXIMATE BOUNDARY INFORMATION SHOWN WAS COMPILED FROM AVAILABLE RECORD DATA AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY.

BASIS OF BEARINGS: THE MONUMENT LINE OF OAK STREET, BETWEEN TWO FOUND RAILROAD SPIKES, TAKEN AS N 0°55'47" E, AS SHOWN ON THE RECORD OF SURVEY (81-LSM-35).

EXISTING USE: COMMERCIAL

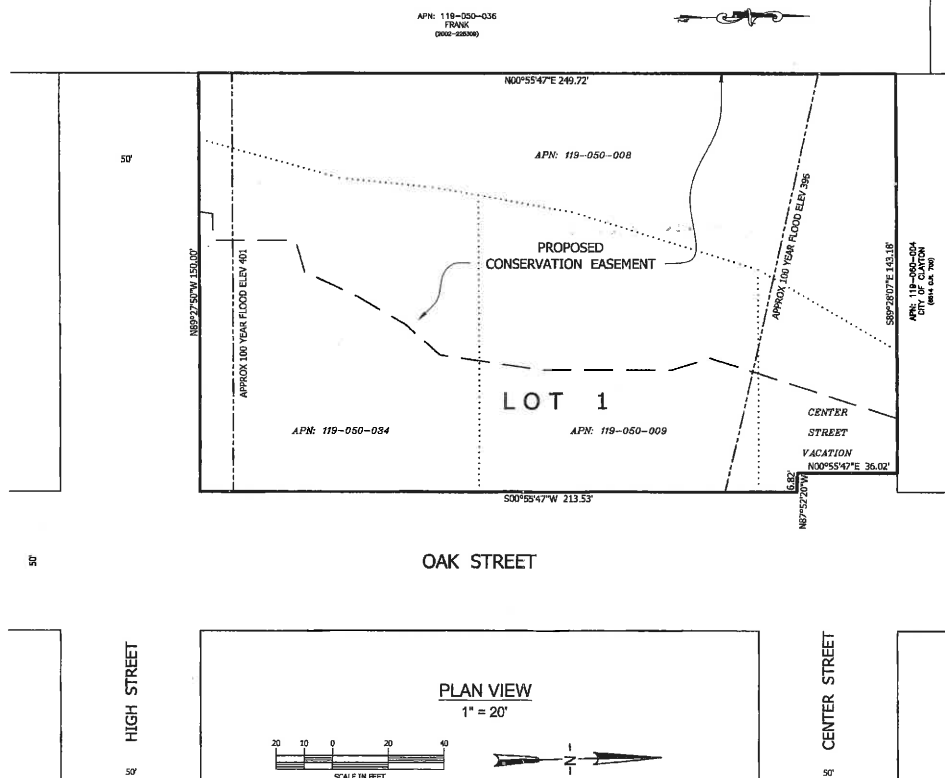
PROPOSED USE: COMMERCIAL / RESIDENTIAL

CONTOUR INTERVAL: 2 FOOT

TOPOGRAPHY: BASED UPON A TOPOGRAPHIC SURVEY PREPARED BY DEBOLT CIVIL ENGINEERING.

BENCHMARK: A BRONZE DISK IN THE TOP OF A CONCRETE POST, AT THE "T" OF CLAYTON ROAD (MAIN STREET) AND MARSH CREEK ROAD LEADING SOUTH, 36 FEET SOUTH OF THE CENTERLINE OF CLAYTON ROAD (MAIN STREET), 5.4 FEET SOUTH OF A FIRE HYDRANT, 1.0 FEET WEST OF THE FENCE CORNER POST AND 2.0 FEET SOUTHEAST OF A WITNESS POST. ELEVATION = 383.90

FLOOD ZONE: THE PROPERTY LIES IN FLOOD ZONE AE AS SHOWN ON COMMUNITY PANEL 0600270001C.



LEGEND AND ABBREVIATIONS

PROPOSED	EXISTING	DESCRIPTION
		PROPOSED/EXISTING
		CONTOURS (1' INTERVALS)
		SPOT ELEVATION
		LOT LINE
		EASEMENT - NE
		CURB & GUTTER
		EDGE OF PAVEMENT
		CURB & GUTTER
		NDS: NILEY OR APPROVED EQUAL
		SWAK LINE
		TO REMAIN
		TO BE REMOVED
		HOUSE FOOTPRINT
		EXISTING SHALE
		DIRECTION OF FLOW
		FINISHED FLOOR
		PAVEMENT
		TOP OF CURB
		EDGE OF PAVEMENT
		FLOWLINE
		GROUND
		GRADE
		INVERT
		TOP OF SLAB

SHEET	DESCRIPTION
1	TITLE SHEET
2	TENTATIVE MAP
3	PRELIMINARY GRADING PLAN
4	UNIT LAYOUT
5	STORM WATER CONTROL PLAN

TITLE SHEET

TENTATIVE MAP 01-08
CREEKSIDE COMMONS
1005 & 1007 OAK STREET
CONTRA COSTA COUNTY

CALIFORNIA

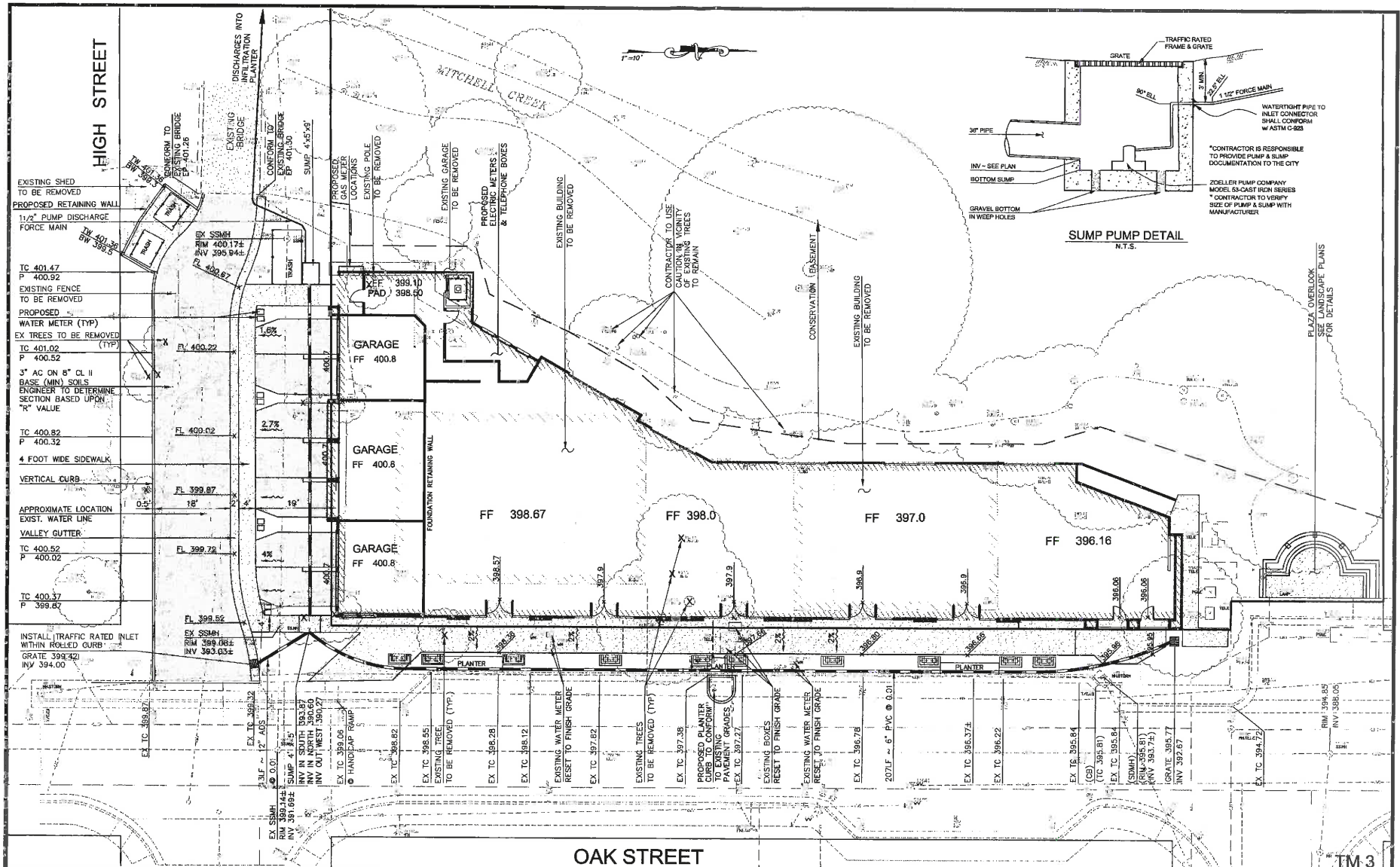
JAMES E. DODGINS R.C.E. 2788
RENEWAL DATE: 03/31/12

#	REVISIONS	DATE
1		
2		
3		
4		
5		



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

TM 1



**PRELIMINARY
GRADING and DRAINAGE PLAN**

**TENTATIVE MAP 01-08
CREEKSIDE COMMONS**
1005 & 1007 OAK STREET
CONTRA COSTA COUNTY

CITY OF CLAYTON

CALIFORNIA

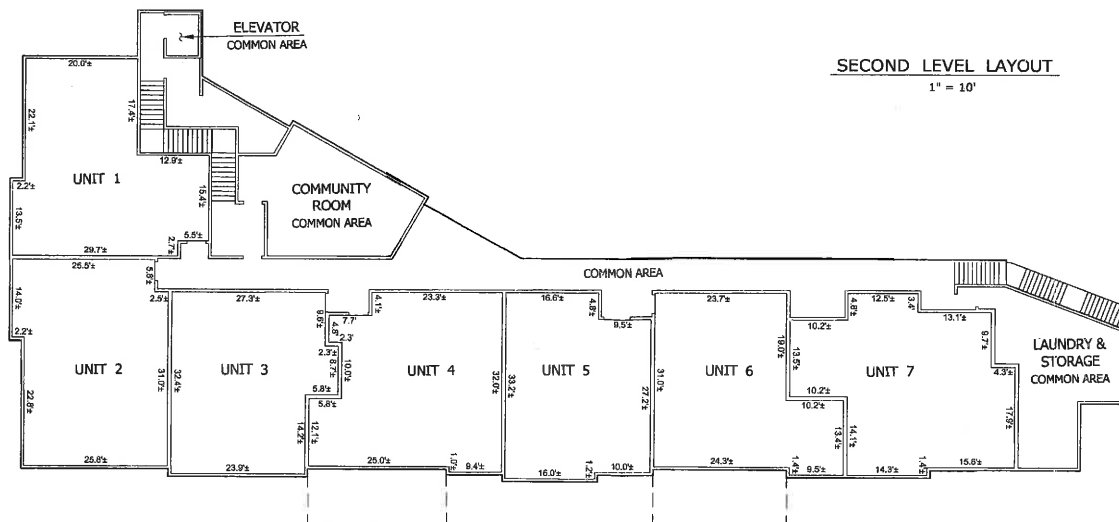
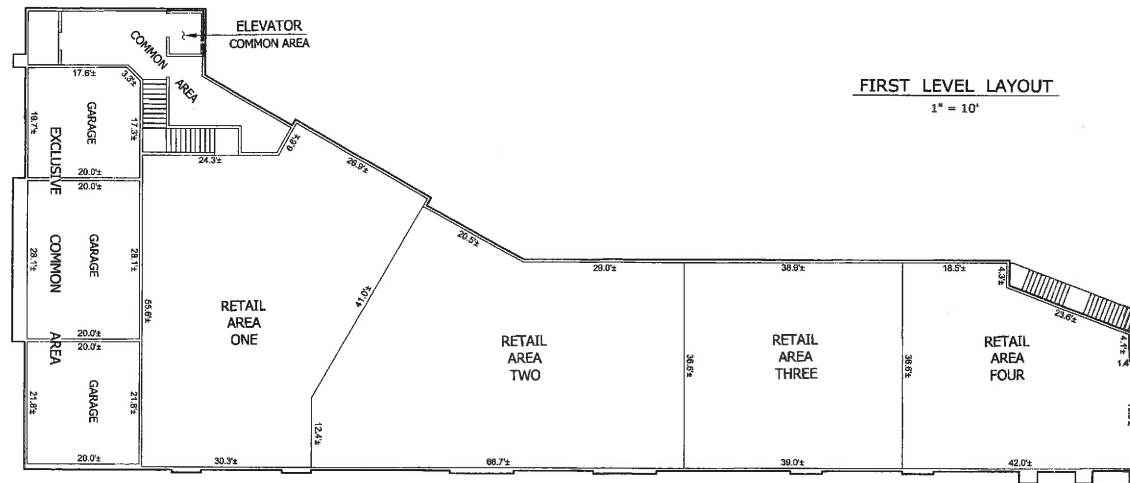
JAMES E. DOUGLAS
RENEWAL DATE: 03/31/12
R.O.E. 2768

#	REVISIONS	DATE



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

Date: 4/29/2010
Scale: 1" = 10'
By: JPD / LJ
Job No: 08133



PRELIMINARY
UNIT LAYOUT

TENTATIVE MAP 01-08
CREEKSIDE COMMONS
1005 & 1007 OAK STREET
CONTRA COSTA COUNTY

CITY OF CLAYTON

CALIFORNIA

JAMES E. GROSS
RENEWAL DATE: 03/01/12
R.C.E. 27816

#	REVISIONS	DATE



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

TM 4

Date: 6/20/2010
Scale: 1" = 10'
By: JED / M
Job No: 08133

NOTE: SOIL MIX:
 MM-A - TOPSOIL BLEND
 15% - 20% TOPSOIL
 20% - 60% FINE SAND
 10% - 40% COMPOST

PLANTING IN BASIN EXTENDS BEYOND BASIN TO PROVIDE VISUAL CONTINUITY
 ATRIUM GRATE ON OVERFLOW INLET
 18" SOIL MIX WITH MINIMUM INFILTRATION RATE OF 2"PER
 1" FREEBOARD
 1" FILLING
 1" 6" SOIL MIX
 1" CLASS 2 PERM
 4" PERFORATED PVC UNDERDRAIN (SDR 35)
 18" MIN CLASS 2 PERM UNCOMPACTED SUBGRADE
 6" OVERFLOW PIPE
 12" TO 3" DIA BOLLARDS AS BORDER PERIMETER OF BASIN (TYP)

FILTRATION PLANTER
 N.T.S.

UNDERGROUND STORAGE REQUIREMENTS

THE SIZING OF THE FLOW-BASED TREATMENT FACILITIES IN CONTRA COSTA COUNTY IS BASED UPON A STORM DEPTH OF 0.8 INCHES. IN ORDER TO PREVENT UNTREATED RUNOFF FROM ENTERING THE STORM SYSTEM, THE PROJECT HAS PROVIDED UNDERGROUND STORAGE OF RUNOFF FOR THE INITIAL FLOW SHOULD THE SUMP PUMP MALFUNCTION. THE AMOUNT OF STORAGE IS SUMMARIZED AS FOLLOWS:

2 SUMPS (4' X 4' X 9') = 288 CFS
 82 LF 36" DIAMETER PIPE = 578 CFS
 TOTAL STORAGE = 878 CFS

Project Name: Oak Street
 Project Type: Treatment Only
 Location: Clayton
 APN: 119-050-034
 Drainage Area: 16455 sf
 Mean Annual Precipitation: 17.5 in

IV. Areas Draining to IMPs

IMP Name: IMP1 (Soil Type: D)
 IMP Type: Bioretention Facility
 Soil Type: D

DMA Name	DMA Area (sq ft)	Post-Project Surface Type	DMA Runoff Factor	DMA Area x Runoff Factor	IMP Sizing
DMA-1	2,080	Concrete or Asphalt	1.00	2,080	
DMA-2	1,775	Permeable Concrete	0.85	1,509	
DMA-3	1,450	Conventional Roof	1.00	1,450	
DMA-4	7,400	Conventional Roof	1.00	7,400	
DMA-5	2,000	Conventional Roof	1.00	2,000	
DMA-6	175	Landscapes	0.15	26	
DMA-7	600	Permeable Concrete	0.85	510	
Total	13,080			13,080	
	Area	0.840	1.000		532
					100

Software Tool Warnings

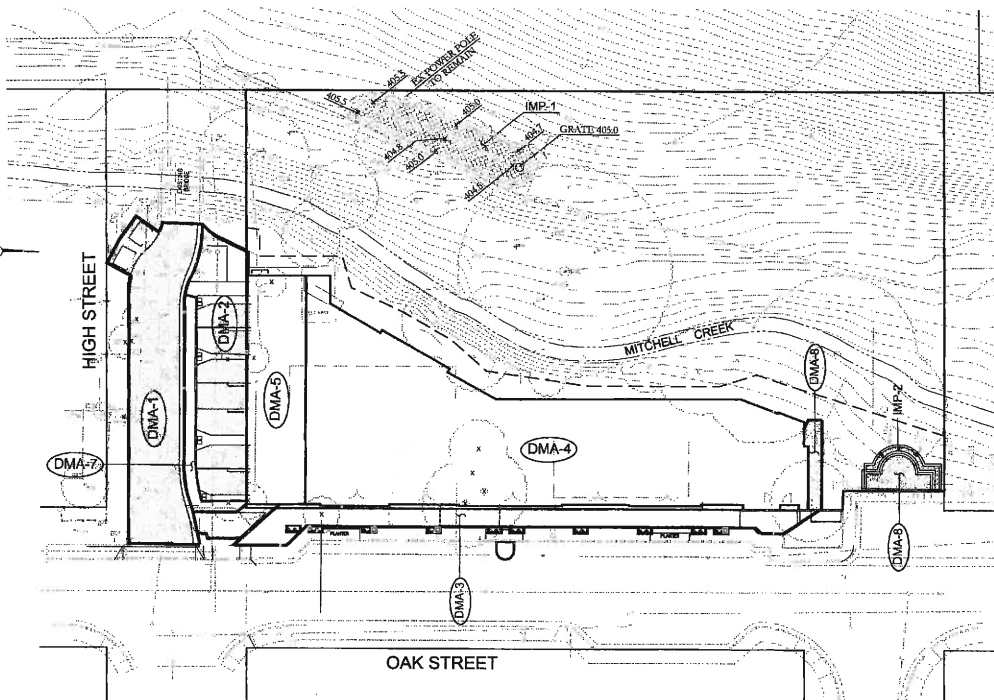
No warnings to report.

DMA	AREA	SURFACE
DMA-1	2,080 SF±	ASPHALT
DMA-2	1,775 SF±	ASPHALT
DMA-3	1,450 SF±	ROOF
DMA-4	7,340 SF±	ROOF
DMA-5	2,000 SF±	ROOF
DMA-6	175 SF±	CONCRETE
DMA-7	600 SF±	CONCRETE
DMA-8	160 SF±	CONCRETE
TOTAL	15,580 SF±	

IMP	SIZE
1	800 SF
2	60 SF

LEGEND

- BIO-SWALE / PLANTERS
- CATCH BASINS
- STORM DRAIN LINE
- EARTH SWALES
- DMA DENOTES AREA (DMA) DRAINAGE MANAGEMENT AREA
- IMP INTEGRATED MANAGEMENT PRACTICE



STORM WATER CONTROL PLAN EXHIBIT

TENTATIVE MAP 01-08
 1005 & 1007 OAK STREET

CITY OF CLAYTON

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS
 RENEWAL DATE: 02/01/12
 R.C.E. 27818

#	REVISIONS	DATE
1		
2		
3		
4		
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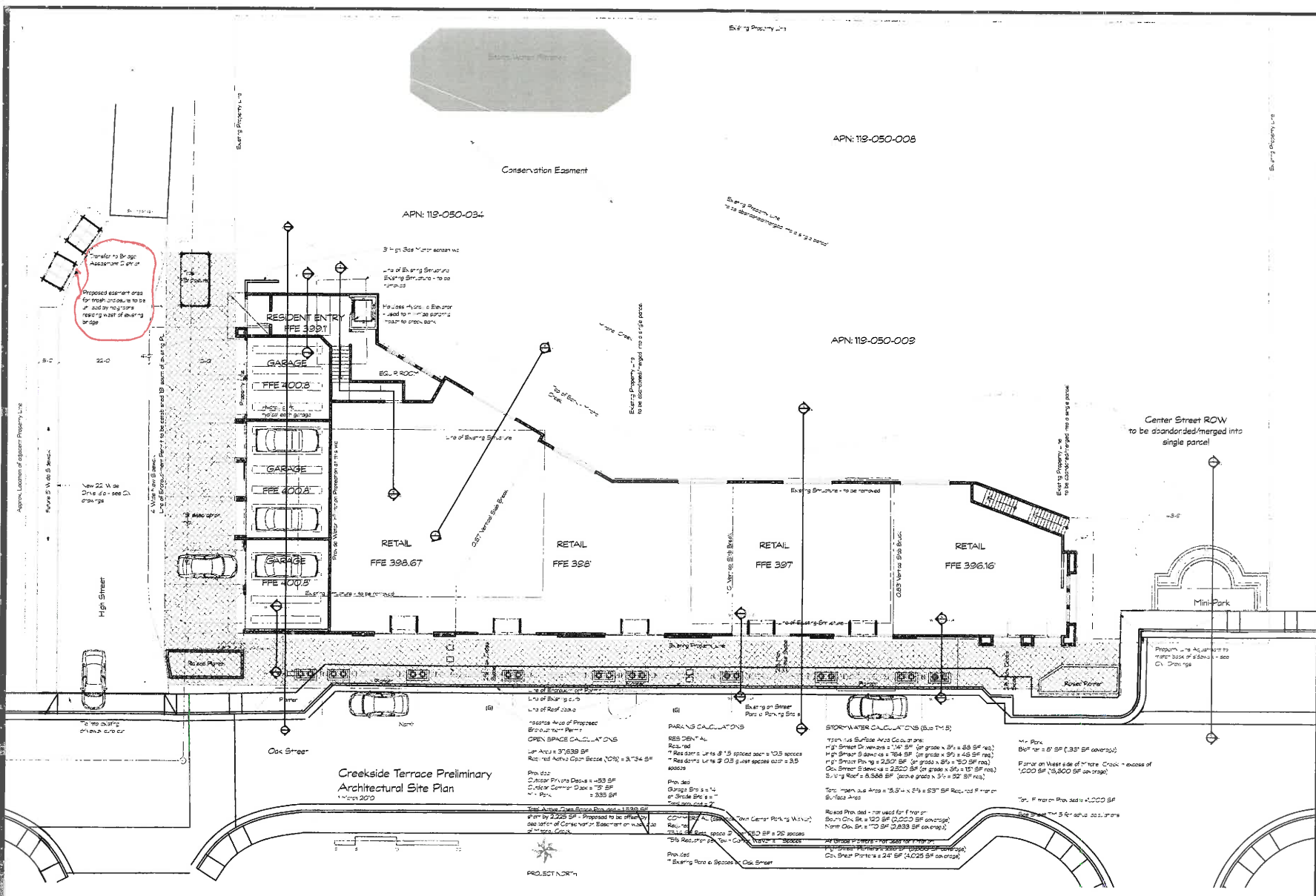


DeBolt Civil Engineering
 811 San Ramon Valley Boulevard
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 Tel: 925/837-3780
 Fax: 925/837-4378

TM 5

Date: 4/29/2010
 Scale: 1" = 30'
 By: JED / M
 Job No: 08133

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1 Architectural Site Plan
SCALE: 1" = 10'

CONSULTANTS

Creekside Terrace
1005 - 1007 Oak Street, Clayton, CA
City of Clayton, Redevelopment Agency

NO.	DATE	REV.	DESCRIPTION
N/A	12/27/10	Rev. 1	Initial Design
N/A	1/4/2010	Rev. 2	Sign Submittal
N/A	3/6/10	Rev. 3	PC Submittal
MARK	DATE	DESCRIPTION	

PROJECT NO.: 200710
MODEL FILE:
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CHKD BY: rns
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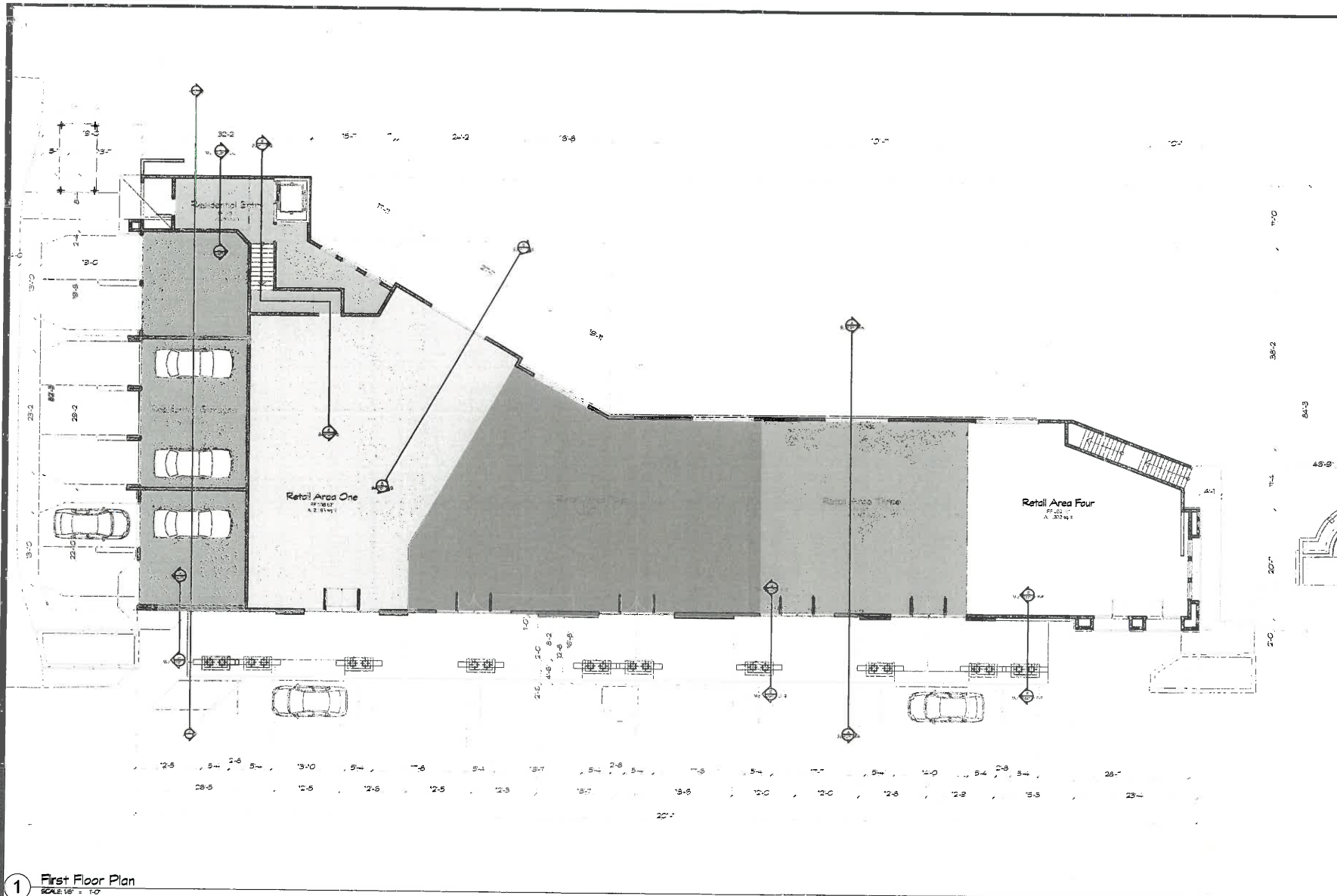
SHEET TITLE

Architectural Site Plan

A-11

SHEET 8 OF 17

\\nascent\Users\rob.Dryden\Projects\CreekSide\Terrace\arch\02110_0101.dwg



1 First Floor Plan
SCALE: 1/8" = 1'-0"



CONSULTANTS



**Creekside
Terrace**
1005 - 1007 Oak Street, Clayton, CA
City of Clayton, Redevelopment Agency

DATE	DESCRIPTION
6/2/10	Rev. Submittal
4/23/10	Sign Submittal
3/6/10	PC Submittal

PROJECT NO.: 210016
MODEL FILE:
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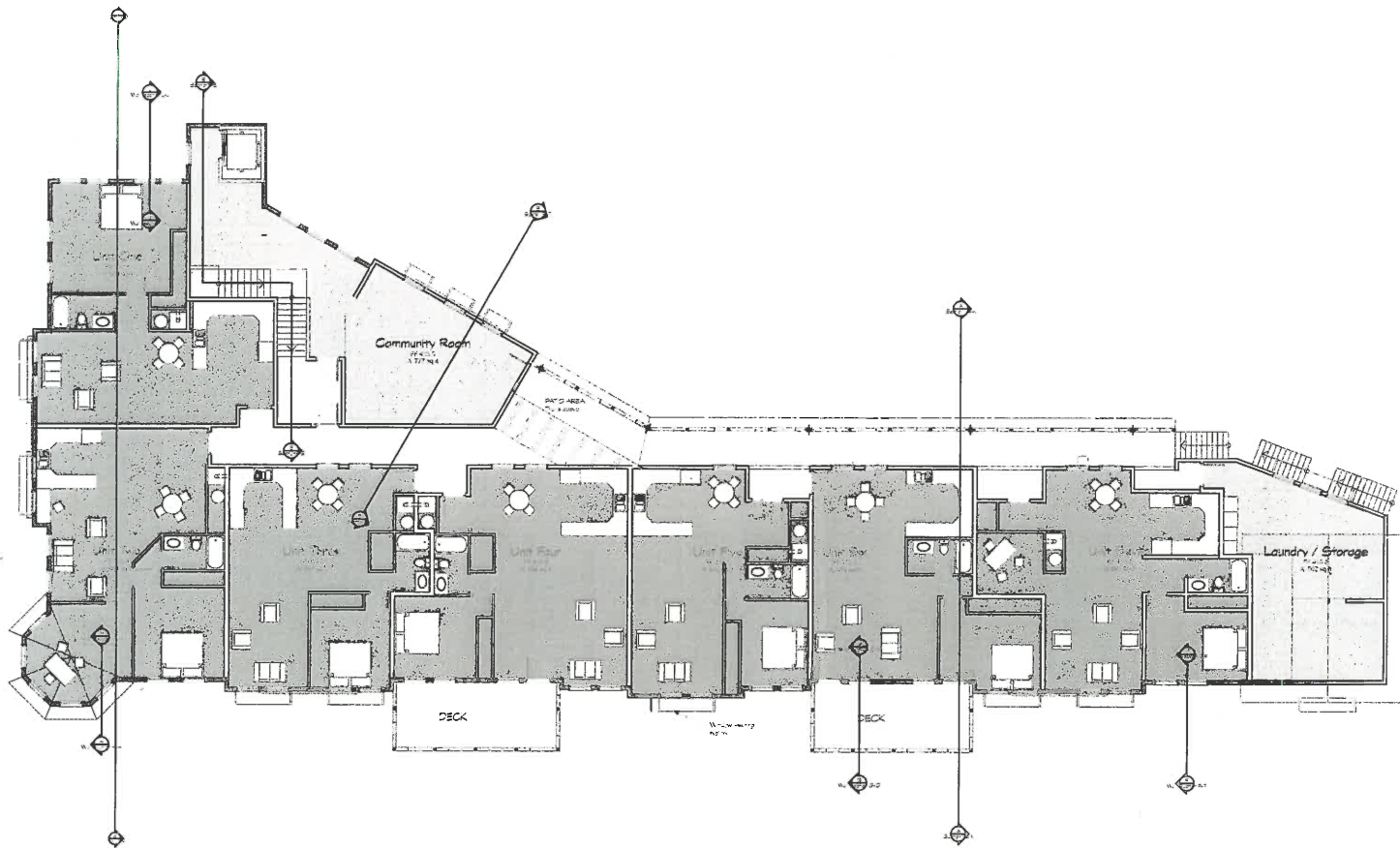
SHEET TITLE

1st Floor Plan

A-1.2

SHEET 9 OF 17

\\western\Users\bois\Dropbox\WZ\Projects\Creekside Terrace\architect\062110_submittal.pln



1 2nd FLOOR PLAN
SCALE: 1/8" = 1'-0"

VIZ f/x
PO Box 974
Clayton, CA 94517

CONSULTANTS



Creekside Terrace
1005 - 1007 Oak Street, Clayton, CA
City of Clayton, Redevelopment Agency

REV	DATE	DESCRIPTION
1/6	6/21/10	Rev. Submittal
2/6	4/23/10	Sign Submittal
3/6	3/8/10	PC Submittal
MARK	DATE	DESCRIPTION

PROJECT NO: 210016
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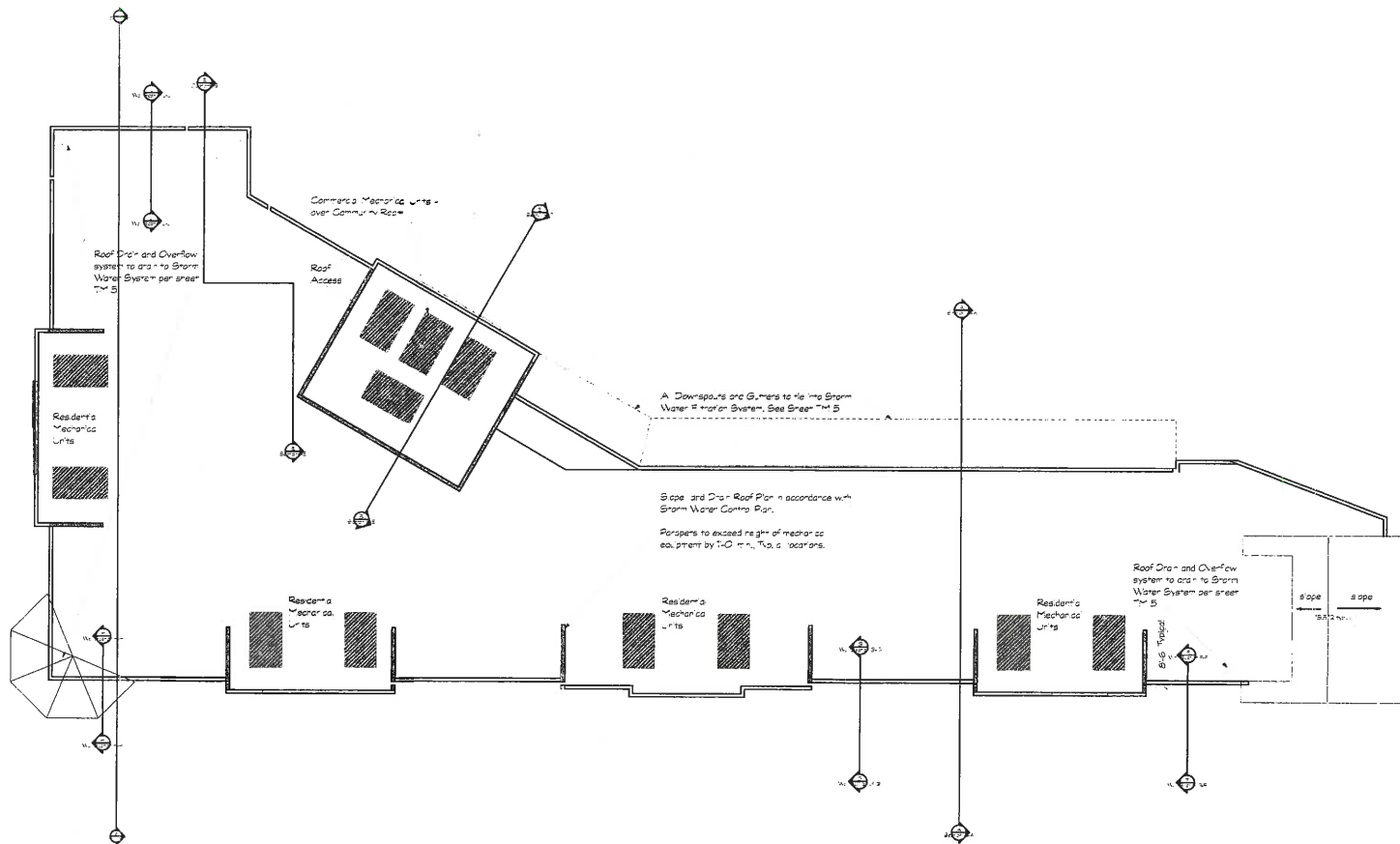
SHEET TITLE

2nd Floor Plan

A-1.3

SHEET 10 OF 17

\\server1\Users\Bob\Dropbox\VF\Projects\Creekside Terrace\architect\002110_submittal.dgn



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



CONSULTANTS



Creekside Terrace
1005 - 1007 Oak Street, Clayton, CA
City of Clayton, Redevelopment Agency

REV	DATE	DESCRIPTION
1/A	6/21/10	Rev. Submittal
1/B	4/23/10	Sign Submittal
1/C	3/8/10	PC Submittal

PROJECT NO.: 210016
MODEL FILE:
DRAWN BY: ros
CHKD BY: ros
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SHEET TITLE

Roof Plan

A-1.4

SHEET 11 OF 17



PLANNING AND DESIGN GUIDE

Holeless Hydraulic Passenger Elevators

The charts and drawings show recommended size and capacities for typical building installations.

PE and Overhead Clearance

Platform	Platform	Inside Car	Door
10' x 10'	10' x 10'	10' x 10'	10' x 10'
10' x 12'	10' x 12'	10' x 12'	10' x 12'
10' x 14'	10' x 14'	10' x 14'	10' x 14'
10' x 16'	10' x 16'	10' x 16'	10' x 16'
10' x 18'	10' x 18'	10' x 18'	10' x 18'
10' x 20'	10' x 20'	10' x 20'	10' x 20'
10' x 22'	10' x 22'	10' x 22'	10' x 22'
10' x 24'	10' x 24'	10' x 24'	10' x 24'
10' x 26'	10' x 26'	10' x 26'	10' x 26'
10' x 28'	10' x 28'	10' x 28'	10' x 28'
10' x 30'	10' x 30'	10' x 30'	10' x 30'
10' x 32'	10' x 32'	10' x 32'	10' x 32'
10' x 34'	10' x 34'	10' x 34'	10' x 34'
10' x 36'	10' x 36'	10' x 36'	10' x 36'
10' x 38'	10' x 38'	10' x 38'	10' x 38'
10' x 40'	10' x 40'	10' x 40'	10' x 40'
10' x 42'	10' x 42'	10' x 42'	10' x 42'
10' x 44'	10' x 44'	10' x 44'	10' x 44'
10' x 46'	10' x 46'	10' x 46'	10' x 46'
10' x 48'	10' x 48'	10' x 48'	10' x 48'
10' x 50'	10' x 50'	10' x 50'	10' x 50'
10' x 52'	10' x 52'	10' x 52'	10' x 52'
10' x 54'	10' x 54'	10' x 54'	10' x 54'
10' x 56'	10' x 56'	10' x 56'	10' x 56'
10' x 58'	10' x 58'	10' x 58'	10' x 58'
10' x 60'	10' x 60'	10' x 60'	10' x 60'
10' x 62'	10' x 62'	10' x 62'	10' x 62'
10' x 64'	10' x 64'	10' x 64'	10' x 64'
10' x 66'	10' x 66'	10' x 66'	10' x 66'
10' x 68'	10' x 68'	10' x 68'	10' x 68'
10' x 70'	10' x 70'	10' x 70'	10' x 70'
10' x 72'	10' x 72'	10' x 72'	10' x 72'
10' x 74'	10' x 74'	10' x 74'	10' x 74'
10' x 76'	10' x 76'	10' x 76'	10' x 76'
10' x 78'	10' x 78'	10' x 78'	10' x 78'
10' x 80'	10' x 80'	10' x 80'	10' x 80'
10' x 82'	10' x 82'	10' x 82'	10' x 82'
10' x 84'	10' x 84'	10' x 84'	10' x 84'
10' x 86'	10' x 86'	10' x 86'	10' x 86'
10' x 88'	10' x 88'	10' x 88'	10' x 88'
10' x 90'	10' x 90'	10' x 90'	10' x 90'
10' x 92'	10' x 92'	10' x 92'	10' x 92'
10' x 94'	10' x 94'	10' x 94'	10' x 94'
10' x 96'	10' x 96'	10' x 96'	10' x 96'
10' x 98'	10' x 98'	10' x 98'	10' x 98'
10' x 100'	10' x 100'	10' x 100'	10' x 100'

Single-End Opening

Platform	Platform	Inside Car	Door
10' x 10'	10' x 10'	10' x 10'	10' x 10'
10' x 12'	10' x 12'	10' x 12'	10' x 12'
10' x 14'	10' x 14'	10' x 14'	10' x 14'
10' x 16'	10' x 16'	10' x 16'	10' x 16'
10' x 18'	10' x 18'	10' x 18'	10' x 18'
10' x 20'	10' x 20'	10' x 20'	10' x 20'
10' x 22'	10' x 22'	10' x 22'	10' x 22'
10' x 24'	10' x 24'	10' x 24'	10' x 24'
10' x 26'	10' x 26'	10' x 26'	10' x 26'
10' x 28'	10' x 28'	10' x 28'	10' x 28'
10' x 30'	10' x 30'	10' x 30'	10' x 30'
10' x 32'	10' x 32'	10' x 32'	10' x 32'
10' x 34'	10' x 34'	10' x 34'	10' x 34'
10' x 36'	10' x 36'	10' x 36'	10' x 36'
10' x 38'	10' x 38'	10' x 38'	10' x 38'
10' x 40'	10' x 40'	10' x 40'	10' x 40'
10' x 42'	10' x 42'	10' x 42'	10' x 42'
10' x 44'	10' x 44'	10' x 44'	10' x 44'
10' x 46'	10' x 46'	10' x 46'	10' x 46'
10' x 48'	10' x 48'	10' x 48'	10' x 48'
10' x 50'	10' x 50'	10' x 50'	10' x 50'
10' x 52'	10' x 52'	10' x 52'	10' x 52'
10' x 54'	10' x 54'	10' x 54'	10' x 54'
10' x 56'	10' x 56'	10' x 56'	10' x 56'
10' x 58'	10' x 58'	10' x 58'	10' x 58'
10' x 60'	10' x 60'	10' x 60'	10' x 60'
10' x 62'	10' x 62'	10' x 62'	10' x 62'
10' x 64'	10' x 64'	10' x 64'	10' x 64'
10' x 66'	10' x 66'	10' x 66'	10' x 66'
10' x 68'	10' x 68'	10' x 68'	10' x 68'
10' x 70'	10' x 70'	10' x 70'	10' x 70'
10' x 72'	10' x 72'	10' x 72'	10' x 72'
10' x 74'	10' x 74'	10' x 74'	10' x 74'
10' x 76'	10' x 76'	10' x 76'	10' x 76'
10' x 78'	10' x 78'	10' x 78'	10' x 78'
10' x 80'	10' x 80'	10' x 80'	10' x 80'
10' x 82'	10' x 82'	10' x 82'	10' x 82'
10' x 84'	10' x 84'	10' x 84'	10' x 84'
10' x 86'	10' x 86'	10' x 86'	10' x 86'
10' x 88'	10' x 88'	10' x 88'	10' x 88'
10' x 90'	10' x 90'	10' x 90'	10' x 90'
10' x 92'	10' x 92'	10' x 92'	10' x 92'
10' x 94'	10' x 94'	10' x 94'	10' x 94'
10' x 96'	10' x 96'	10' x 96'	10' x 96'
10' x 98'	10' x 98'	10' x 98'	10' x 98'
10' x 100'	10' x 100'	10' x 100'	10' x 100'

Two-End Opening

Platform	Platform	Inside Car	Door
10' x 10'	10' x 10'	10' x 10'	10' x 10'
10' x 12'	10' x 12'	10' x 12'	10' x 12'
10' x 14'	10' x 14'	10' x 14'	10' x 14'
10' x 16'	10' x 16'	10' x 16'	10' x 16'
10' x 18'	10' x 18'	10' x 18'	10' x 18'
10' x 20'	10' x 20'	10' x 20'	10' x 20'
10' x 22'	10' x 22'	10' x 22'	10' x 22'
10' x 24'	10' x 24'	10' x 24'	10' x 24'
10' x 26'	10' x 26'	10' x 26'	10' x 26'
10' x 28'	10' x 28'	10' x 28'	10' x 28'
10' x 30'	10' x 30'	10' x 30'	10' x 30'
10' x 32'	10' x 32'	10' x 32'	10' x 32'
10' x 34'	10' x 34'	10' x 34'	10' x 34'
10' x 36'	10' x 36'	10' x 36'	10' x 36'
10' x 38'	10' x 38'	10' x 38'	10' x 38'
10' x 40'	10' x 40'	10' x 40'	10' x 40'
10' x 42'	10' x 42'	10' x 42'	10' x 42'
10' x 44'	10' x 44'	10' x 44'	10' x 44'
10' x 46'	10' x 46'	10' x 46'	10' x 46'
10' x 48'	10' x 48'	10' x 48'	10' x 48'
10' x 50'	10' x 50'	10' x 50'	10' x 50'
10' x 52'	10' x 52'	10' x 52'	10' x 52'
10' x 54'	10' x 54'	10' x 54'	10' x 54'
10' x 56'	10' x 56'	10' x 56'	10' x 56'
10' x 58'	10' x 58'	10' x 58'	10' x 58'
10' x 60'	10' x 60'	10' x 60'	10' x 60'
10' x 62'	10' x 62'	10' x 62'	10' x 62'
10' x 64'	10' x 64'	10' x 64'	10' x 64'
10' x 66'	10' x 66'	10' x 66'	10' x 66'
10' x 68'	10' x 68'	10' x 68'	10' x 68'
10' x 70'	10' x 70'	10' x 70'	10' x 70'
10' x 72'	10' x 72'	10' x 72'	10' x 72'
10' x 74'	10' x 74'	10' x 74'	10' x 74'
10' x 76'	10' x 76'	10' x 76'	10' x 76'
10' x 78'	10' x 78'	10' x 78'	10' x 78'
10' x 80'	10' x 80'	10' x 80'	10' x 80'
10' x 82'	10' x 82'	10' x 82'	10' x 82'
10' x 84'	10' x 84'	10' x 84'	10' x 84'
10' x 86'	10' x 86'	10' x 86'	10' x 86'
10' x 88'	10' x 88'	10' x 88'	10' x 88'
10' x 90'	10' x 90'	10' x 90'	10' x 90'
10' x 92'	10' x 92'	10' x 92'	10' x 92'
10' x 94'	10' x 94'	10' x 94'	10' x 94'
10' x 96'	10' x 96'	10' x 96'	10' x 96'
10' x 98'	10' x 98'	10' x 98'	10' x 98'
10' x 100'	10' x 100'	10' x 100'	10' x 100'

PLANNING AND DESIGN GUIDE

Holeless Hydraulic Passenger Elevators

The charts and drawings show recommended size and capacities for typical building installations.

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GLASS FLOOD BARRIERS

FLOOD RESISTING GLASS PANELS

DESIGN FEATURES

- Flood Resisting Glass Panels (FRGP) are designed to resist water pressure and provide a barrier against flooding.
- FRGP are made of tempered glass and are available in various sizes and thicknesses.
- FRGP are designed to be installed in a frame that is anchored to the building structure.
- FRGP are designed to be installed in a frame that is anchored to the building structure.

INSTALLATION

FRGP should be installed in a frame that is anchored to the building structure. The frame should be designed to resist the water pressure and provide a barrier against flooding.

MAINTENANCE

FRGP should be inspected regularly for damage and replaced as needed. The frame should be inspected regularly for damage and replaced as needed.

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM is a flood resistant glass panel system that is designed to resist water pressure and provide a barrier against flooding.

Glass Flood Barrier

TM Layout 2nd Floor
SCALE 3/32" = 1'-0"

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

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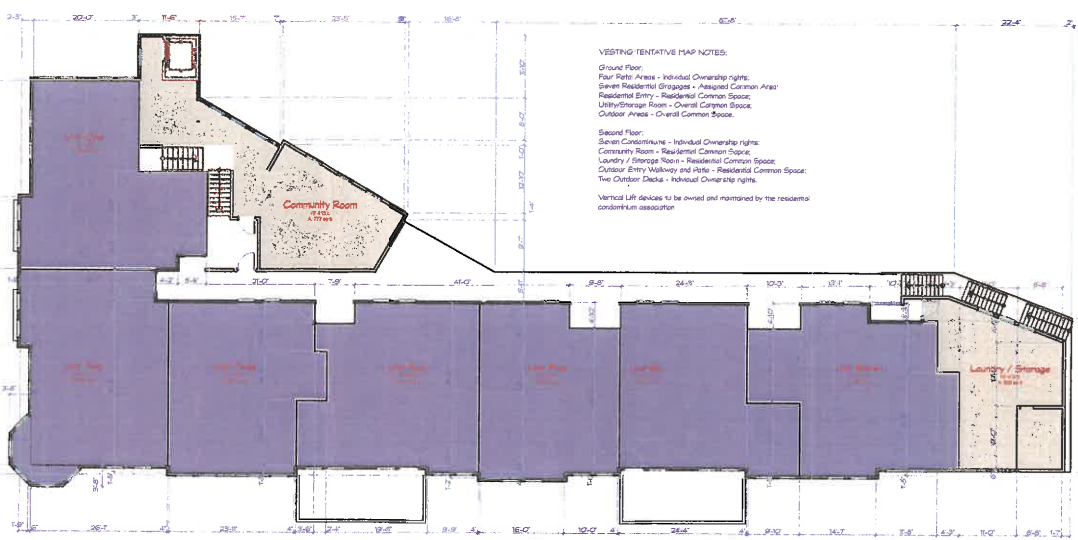
SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM

SEVENSTAR SYSTEM



VESTING TENTATIVE MAP NOTES:

Ground Floor:

- Four Entry Areas - Individual Ownership rights.
- Seven Residential Garages - Individual Common Areas.
- Residential Entry - Residential Common Spaces.
- Utility/Storage Room - Overall Common Spaces.
- Outdoor Areas - Overall Common Spaces.

Second Floor:

- Seven Condominiums - Individual Ownership rights.
- Community Room - Residential Common Spaces.
- Laundry / Storage Room - Residential Common Spaces.
- Outdoor Entry Walkway and Halls - Residential Common Spaces.
- Two Outdoor Decks - Individual Ownership rights.

Vertical Lift devices to be owned and maintained by the residence condominium association.



TM Layout 1st Floor

SCALE 3/32" = 1'-0"

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1/2	4/23/10	Sign Submittal
1/3	3/8/10	PC Submittal

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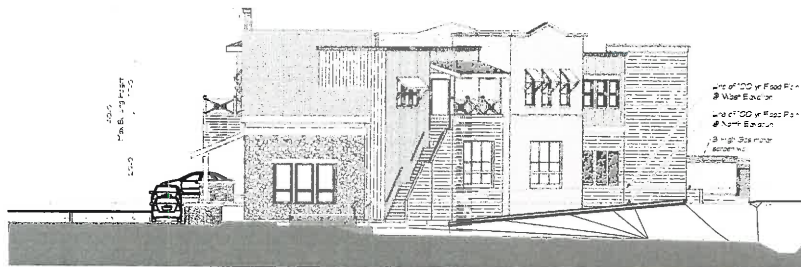
TM - Layout & Cut Sheets

A-1.5

SHEET 12 OF 17

Holeless Elevator Cut Sheet

Auto Lift Cut Sheet



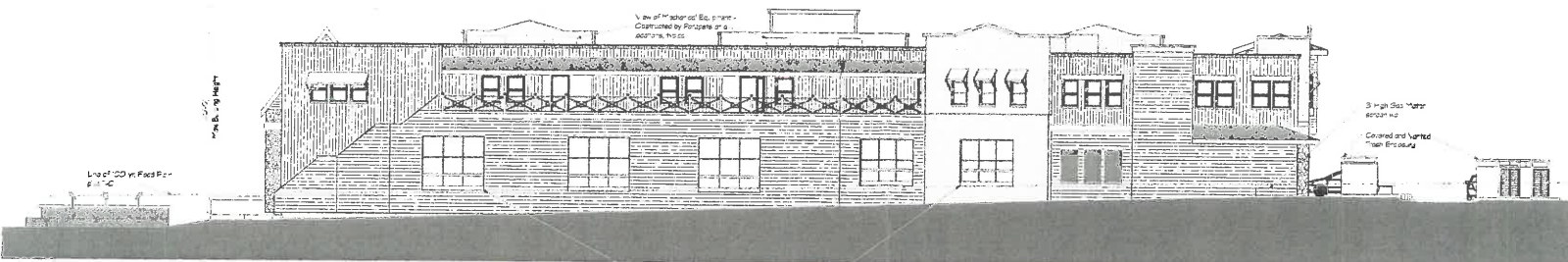
North Elevation
SCALE 3/32" = 1'-0"



South Elevation
SCALE 3/32" = 1'-0"



East Elevation
SCALE 3/32" = 1'-0"



West Elevation
SCALE 3/32" = 1'-0"

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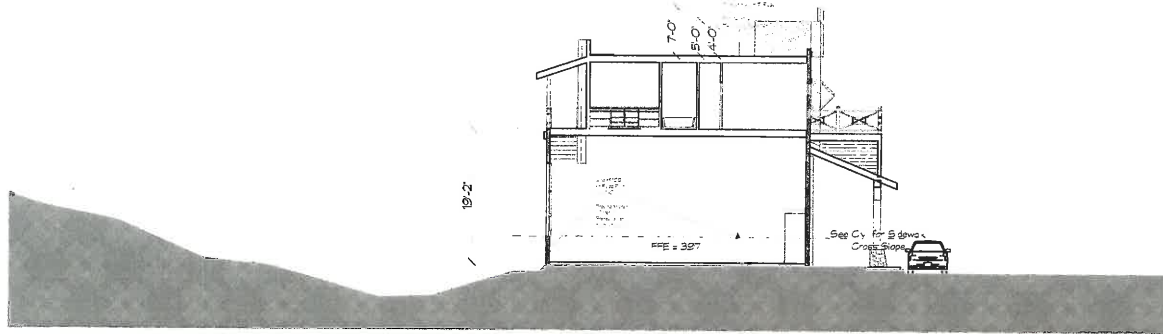
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Elevations

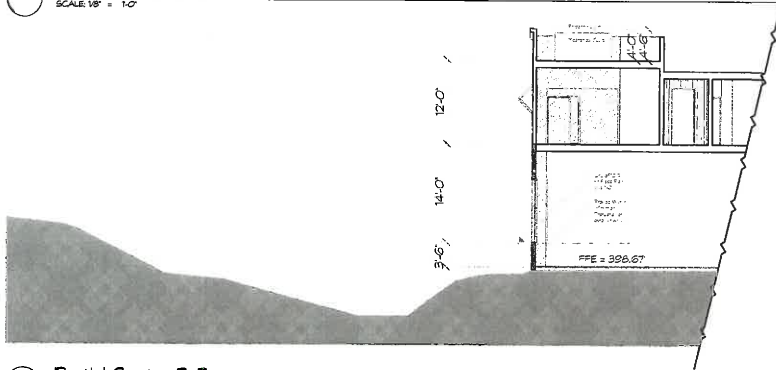
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SHEET 13 OF 17

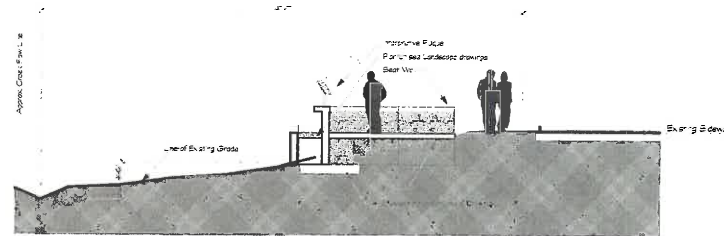
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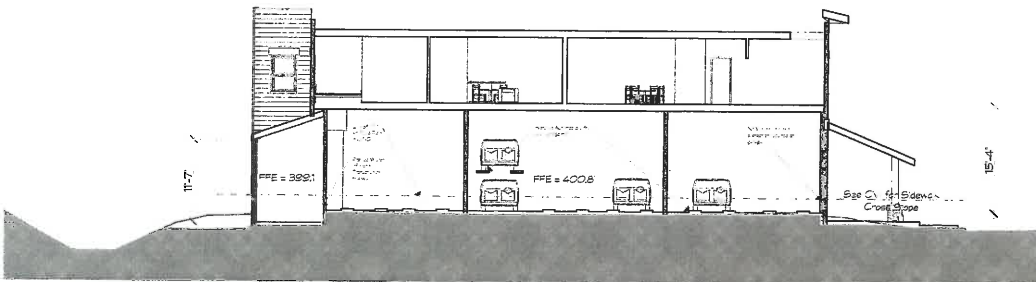
Section A-A
SCALE 1/8" = 1'-0"



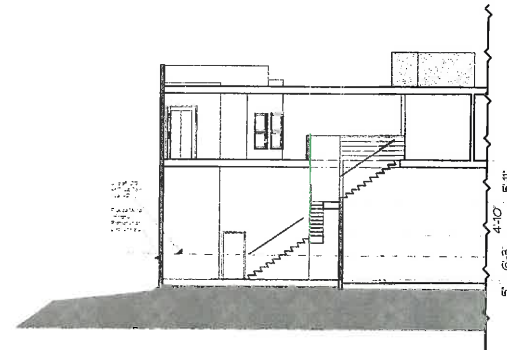
Partial Section B-B
SCALE 1/8" = 1'-0"



Section D-D
SCALE 1/8" = 1'-0"



Section C-C
SCALE 1/8" = 1'-0"



Partial Section E-E
SCALE 1/8" = 1'-0"



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1/6	3/6/10	PC Submittal

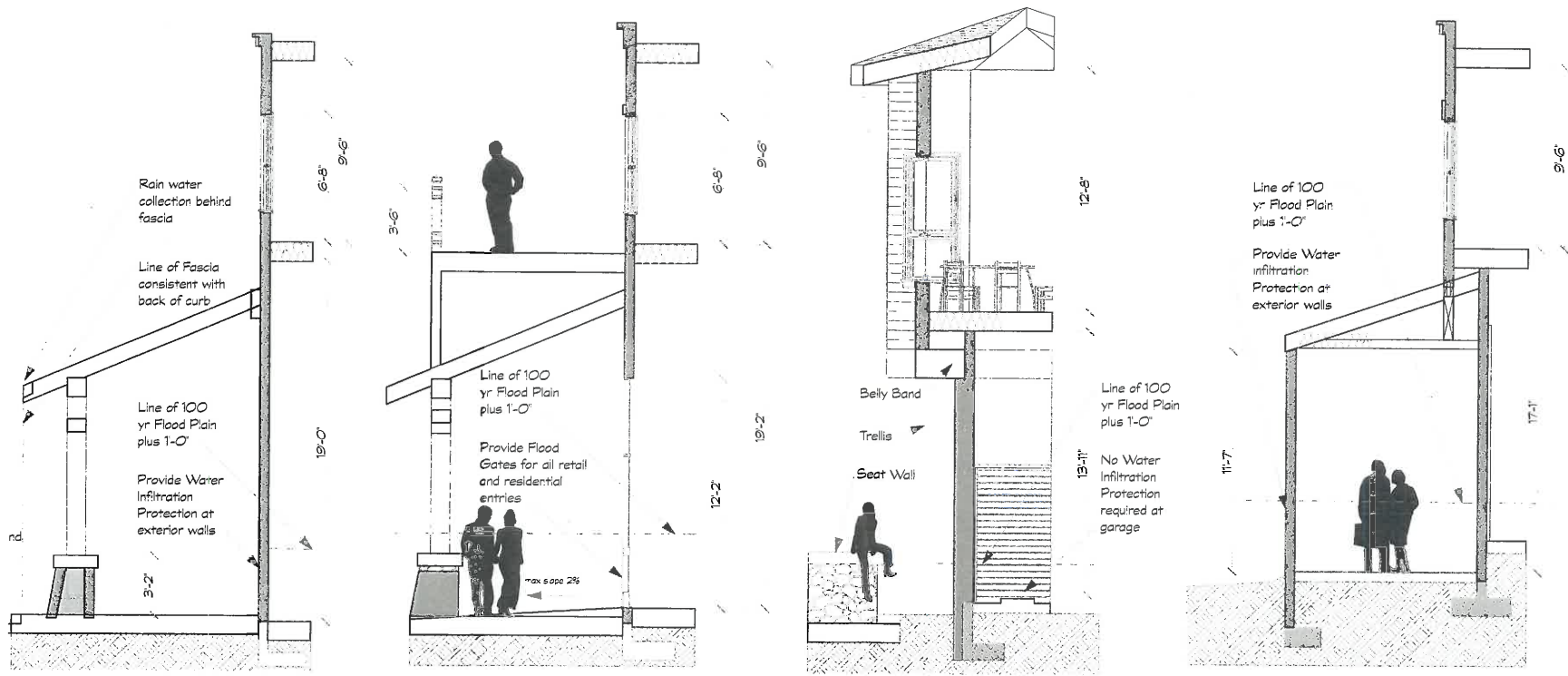
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Sections

A-3.1
SHEET 14 OF 17

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Wall Section F-F
SCALE 3/8" = 1'-0"

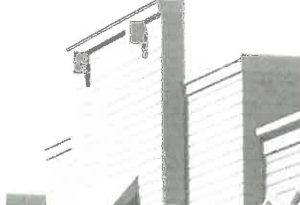
Wall Section G-G
SCALE 3/8" = 1'-0"

Wall Section H-H
SCALE 3/8" = 1'-0"

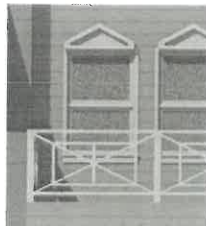
Wall Section J-J
SCALE 3/8" = 1'-0"



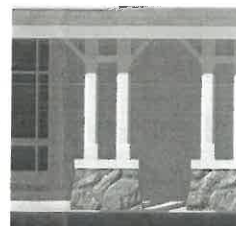
Dental Molding



Parapets



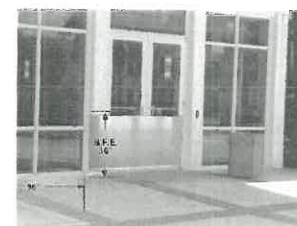
Railing Detail



Retail Columns



Window Awning



Flood Gates

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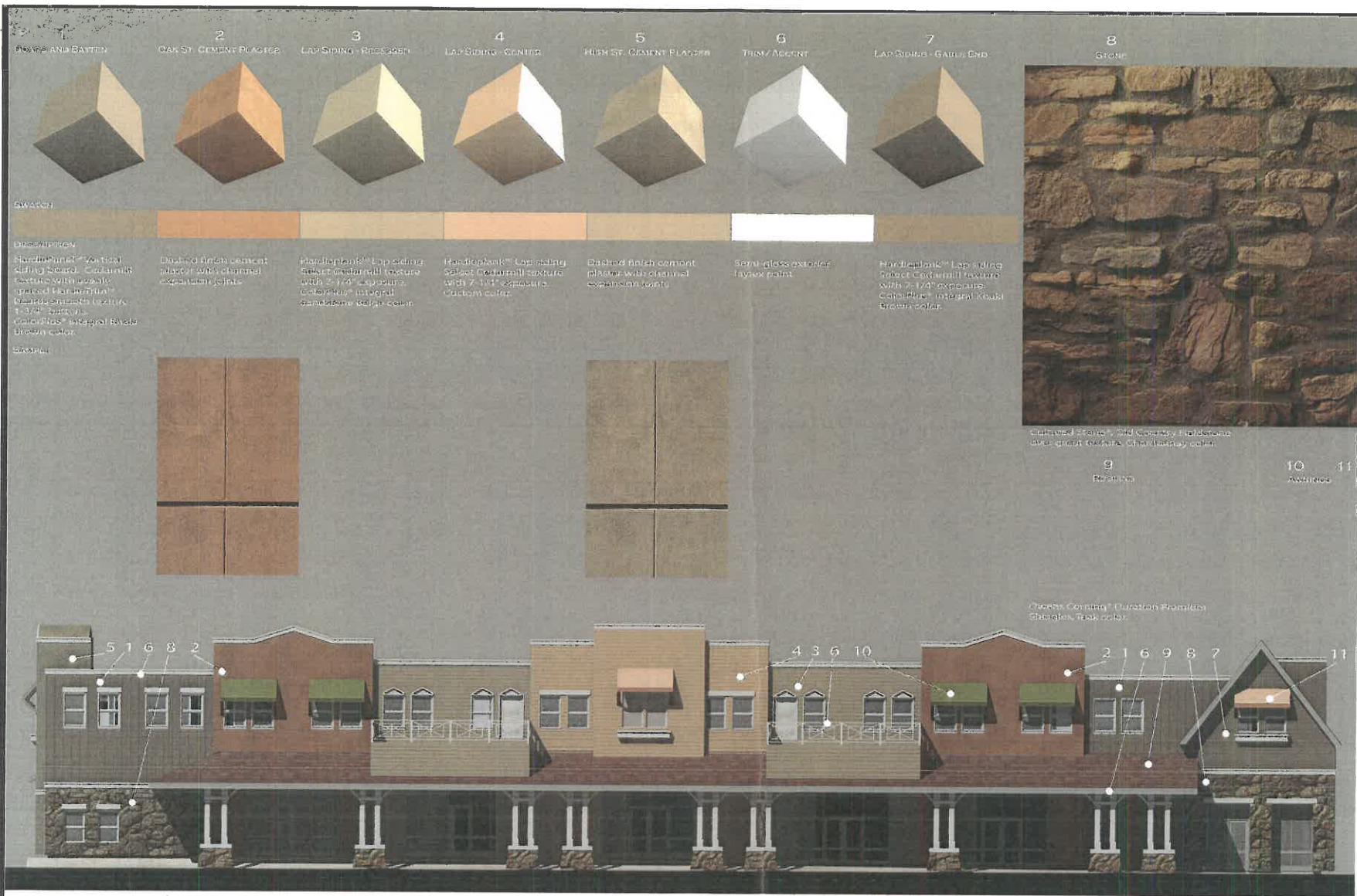
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Wall Sections and Details

A-3.2

SHEET 15 OF 17

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Color and Materials - East Elevation

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Color and Materials Board

A-4.1



View from Flora Square

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View From Flora Square

A-4.2

SHEET 17 OF 17

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View from High Street

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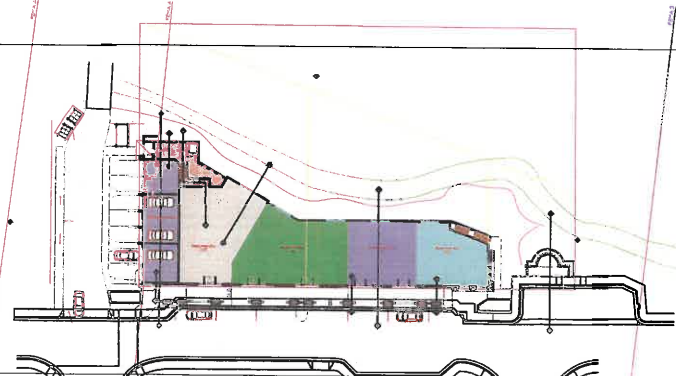
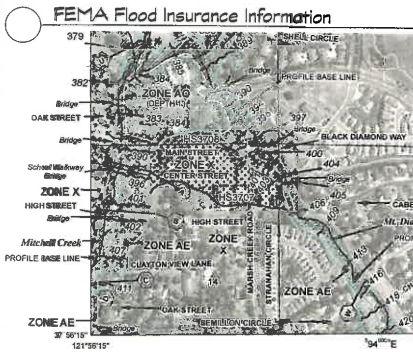
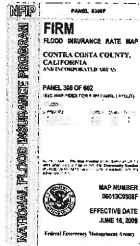
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View From High Street

A-4.3
SHEET 16 OF 17

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Estimated 100 yr. Flood plus 1'

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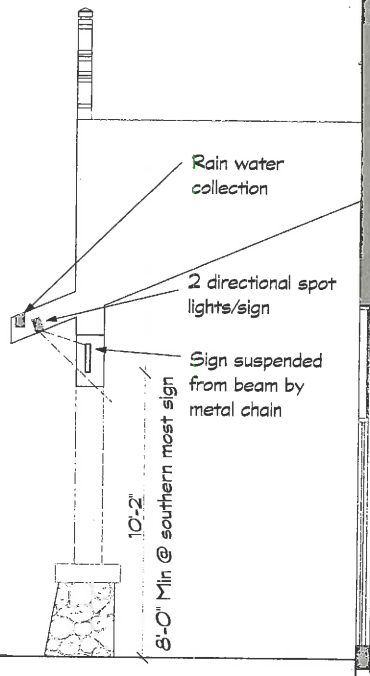
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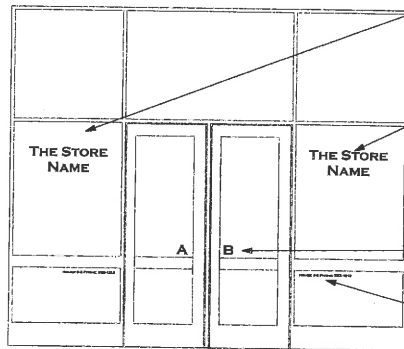
Flood Data

A-5.1



Sign Section
SCALE 1/2" = 1'-0"

Note: High Street to have one monument sign to identify residential entry address. Plus stenciled 4" garage door identifiers (1-7 lower corner of door)



Store Front Stencil
SCALE 1/2" = 1'-0"

Signage Calculations
200 lf Oak St. frontage

200 sf max signage allowable

Hanging Signs: 7sf/sign x 7 signs = 49 total sf of hanging signage

Monument Sign: 2x10 = 20 sf of monument sign

Max. 131 sf of window signage allowed. 10.9 sf/panel (12 panels)

Stenciled Lettering
Rust colored to match wood signs, typical

4" High Store Name
Centered. 40% of Glazed Area Max. or average 10.9 sf / glazed panel

4" Suite Label

1" High Hours and Emergency Contact Info

GENERAL STORE
BICYCLES
RESTAURANT
JEWELRY

Uniform 8" Lettering

Uniform 9" Lettering

Accented 8" Lettering

Accented 9" Lettering

Lettering Styles - Font = Copper Plate Gothic
NOT TO SCALE



Typical Sign Characteristics
NOT TO SCALE

2" Deep Wood Sign with 1/2" recessed face
Signs suspended from beam @ overhang by metal chain and eyelets

1" Radius edge

Painted Brown backing with Cream colored lettering field

Rust colored 8" or 9" Raised Copper Plate Gothic Metal Lettering



Typical Hanging Sign Sizing
NOT TO SCALE



Signage Locations
SCALE 1/8" = 1'-0"

Signage @ CL between columns, typ. 6 locations

Bottom of all signs uniform height

Locate Signage on two posts in planter

2' High x 10' long monument sign @ planter

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Building Signage

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