



**REGULAR MEETING OF THE
CITY OF CONCORD
PLANNING COMMISSION**

**Wednesday, July 16, 2014
7:00 p.m. – Council Chamber
1950 Parkside Drive, Concord**

Planning Commission Members:

Carlyn Obringer, Chair

John Mercurio, Vice Chair

Ernesto A. Avila, Commissioner

Robert Hoag, Commissioner

Tim McGallian, Commissioner

**REGULAR MEETING
7:00 p.m. – Council Chamber**

I. ROLL CALL

II. PLEDGE TO THE FLAG

III. PUBLIC COMMENT PERIOD

IV. ADDITIONS / CONTINUANCES / WITHDRAWALS

V. CONSENT CALENDAR

1. 6/4/14 Meeting Minutes

VI. PUBLIC HEARINGS

- 1. [La Vista Villas Subdivision](#) (PL131338 – TM, DR, AA, RT) – Application for a Vesting Tentative Map, Design Review, Minor Exception, and Tree Removal permit to subdivide a 1.8-acre site into eight residential lots and one lettered lot (roadway) and construct eight single-family residential homes on the eight residential lots at 1425 La Vista Avenue. The General Plan designation is Low Density Residential; Zoning classification is RS-8 (Single Family Residential, 8,000 sq. ft. minimum lot size); APN 132-030-041; 042; 043; 044; and 045. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15332 “In-Fill Development Projects,” the project is classified as a Class 32 Categorical Exemption, and therefore, no further environmental review is required. **Project Planner: Jason Hade @ (925) 671-3281.****

VII. COMMISSION CONSIDERATIONS

VIII. STAFF REPORTS / ANNOUNCEMENTS**IX. COMMISSION REPORTS / ANNOUNCEMENTS****X. FUTURE PUBLIC HEARING ITEMS****XI. ADJOURNMENT**

NOTICE TO PUBLIC

ADA ACCOMMODATION

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

APPEALS

Decisions of the Planning Commission on use permits, variances, major subdivisions, appeals taken from decisions of the Zoning Administrator or staff interpretations of the Zoning Code may be appealed to the City Council. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

APPLICANT'S SUBMITTAL OF INFORMATION

Submittal of information by a project applicant subsequent to the distribution of the agenda packet but prior to the public hearing may result in a continuance of the subject agenda item to the next regularly scheduled Planning Commission meeting, if the Commission determines that such late submittal compromises its ability to fully consider and evaluate the project at the time of the public hearing.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered by the Commission to be routing and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commissioner prior to the time Commission votes on the motion to adopt.

CORRESPONDENCE

Correspondence and writings received within 72 hours of the scheduled Planning Commission meeting that constitute a public record under the Public Records Act concerning any matter on the agenda is available for inspection during normal business hours at the Permit Center located at 1950 Parkside Drive, Concord. For additional information contact the Planning Division at (925) 671-3152.

HEARINGS

Persons who wish to speak on hearings listed on the agenda will be heard when the hearing is opened, except on hearing items previously heard and closed to public comment. Each public speaker should limit their comments to three (3) minutes or less. The Chair may grant additional time. The project applicant normally shall be the first person to make a presentation when a hearing is opened for public comment. The project applicant's presentation should not exceed ten (10) minutes unless the Chair grants permission for a longer presentation. After the public has commented, the item is closed to further public comment and brought to the Planning Commission level for discussion and action. Further comment from the audience will not be received unless requested by the Commission. No public hearing or hearing shall commence after 11:00 p.m. unless this rule is waived by majority vote of the Commission.

MEETING RECORDS

Planning Commission meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Planning Commission Meeting are available for purchase. Contact the Planning Division at (925) 671-3152 for further information.

NOTICE TO THE HEARING IMPAIRED

The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the staff for personal use during Commission meetings.

ROUTINE AGENDA ITEMS AND CONTINUED ITEMS

All routine and continued items will be considered by the Planning Commission at the beginning of the meeting. There will not be separate discussions of these items unless a request is made prior to the time the Planning Commission considers the motions.

SPEAKER'S CARD

Members of the audience who wish to address the Planning Commission should complete a speaker's card available in the lobby or at the front bench. Submit the completed card to staff before the item is called, preferably before the meeting begins.

TELEVISED MEETINGS

All Planning Commission meetings are broadcast live on Astound Broadband channel 29 and Comcast channel 28. The meeting is replayed on the Thursday following the meeting at 8:00 a.m., 2:00 p.m. and 8:00 p.m. Replays are also broadcast on Fridays and Saturdays. Please check the City website, <http://www.cityofconcord.org/about/citynews/tvlistings.pdf> or check the channels for broadcast times.

NEXT PLANNING COMMISSION MEETINGS:

August 6, 2014: 7:00 pm – Council Chambers
August 20, 2014: 7:00 pm – Council Chambers



REPORT TO PLANNING COMMISSION

DATE: July 16, 2014

SUBJECT: La Vista Villas Subdivision (PL131338-TM, DR, AA, RT)

Recommendation: Adopt Resolution No. 14-17PC, approving the La Vista Villas Subdivision Vesting Tentative Map, Design Review, Minor Exception, and Tree Removal application.

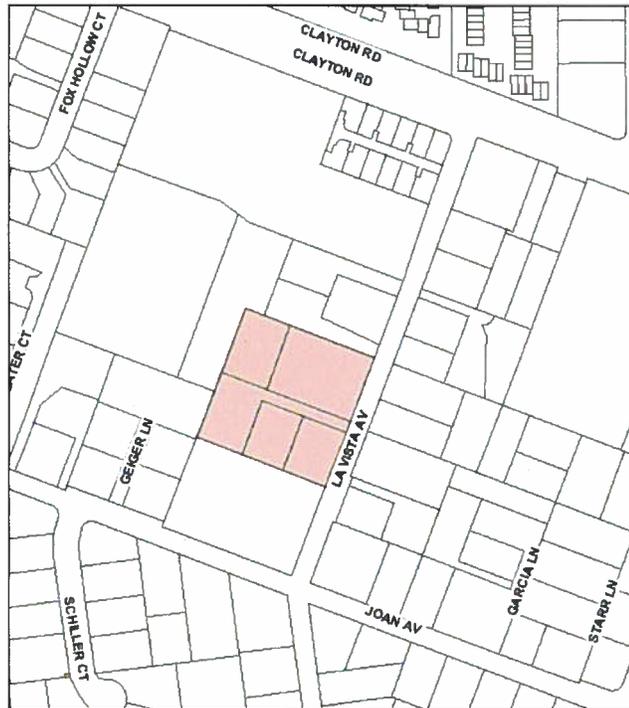
I. Introduction

A. Application Request

Vesting Tentative Map, Design Review, Minor Exception, and Tree Removal application to subdivide a 1.8-acre site into eight residential lots and one lettered lot (roadway) and construct eight single-family residential homes on the eight residential lots;

B. Location

The project site is located at 1425 La Vista Avenue; APNs 132-030-041; 042; 043; 044; and 045.



C. Applicant/Owner

Troy Wright
Winpac - La Vista, LLC
P.O. Box 576489
Modesto, CA 95357
209-918-8155

II. Background

A Preliminary Application (PL131151-PA) to subdivide the approximately 1.8-acre site into 16 lots ranging in size from 3,600 to 4,700 square feet was submitted on May 24, 2013. A Conceptual Review of the project was conducted by the Design Review Board (DRB) on June 13, 2013. Specific direction was provided to the applicant by the DRB to be incorporated into the formal application submittal.

A formal Vesting Tentative Subdivision Map application (PL131338-TM, DR, AA, RT) was submitted on October 23, 2013 along with the following related development applications: Rezone, Planned Development Use Permit, Design Review, and Tree Removal. The application was deemed incomplete by the Development Advisory Committee (DAC) on November 19, 2013.

The first neighborhood meeting was held on June 17, 2013, prior to submittal of a formal application. At the first neighborhood meeting the applicant proposed rezoning the site to allow 16 housing units where the existing zoning (RS 8) allows a maximum of 8 units. At that meeting several concerns were raised by the residents: no rezoning to increase residential density should be allowed, existing problems with drainage and flooding would be worsened by new development, concerns about long-term bioswale maintenance, parking spillover onto La Vista Avenue from the new development, use of the proposed community open space in the project, and the consideration of requiring a public street versus the proposed private street.

On November 18, 2013, a second Neighborhood Meeting was held and attended by approximately 35 residents. At that meeting, the applicant presented a revised plan that reduced the total number of proposed lots from 16 to 14. Residents in attendance expressed the same concerns and remained opposed to the project.

A revised application was submitted on February 27, 2014 and was deemed incomplete by the DAC on March 26, 2014. The revised project proposes to create eight residential lots ranging in size from 7,772 to 9,623 square feet at the subject site. Because of the larger lot sizes, the project is no longer subject to the Development Code's small lot development standards and does not require a rezone and planned development use permit. In response to the incomplete letter of March 26, the applicant submitted revised plans on April 9. The DAC reviewed the revised submittal of April 9 and again deemed the application incomplete on May 5, 2014.

A preliminary review of the plans was conducted by the DRB on April 10 at which time the DRB expressed significant concerns regarding the project's massing and lack of four-sided design.

The DRB also encouraged the applicant to return for a study session with the DRB on April 24 so that the architectural design issues raised by the DRB could be addressed. Specific direction was provided to the applicant by the DRB at the study session held on April 24.

The applicant returned to the Board on May 22, 2014 with revised plans that included additional windows, enhanced architectural features to incorporate a four-sided design into the homes, and reduced second-story massing. After review of the revised plans, the DRB recommended design approval with conditions.

The application was deemed complete for processing by the DAC on May 27, 2014.

III. General Information

A. General Plan

The General Plan designation is Low Density Residential.

B. Zoning

The site is zoned RS-8 (Single-family residential; minimum 8,000 sq. ft. lot area).

C. CEQA Status

Staff recommends the Planning Commission consider the project as categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Class 32, "In-fill Development Projects," based on the following criteria:

1. The project is consistent with the General Plan and Development Code, as further explained in this report. There is no Specific Plan applicable to the project site.
2. The project is located within City limits on a site less than five acres substantially surrounded by residential uses.
3. The project site has no value as habitat for endangered, rare or threatened species.
4. The project will not result in significant effects relating to traffic, noise, air quality, or water quality since the project is below the maximum density allowed under the General Plan.
5. The site can be adequately served by all required public utilities and public services.
6. There is no reasonable possibility that the proposed project will have a significant effect on the environment due to unusual circumstances.

D. Site Description

The project site is comprised of five existing parcels totaling approximately 1.8-acres abutting single-family homes to the north, La Vista Avenue to the east, a church to the south, and a senior care facility to the west. The property contains an older single-story home and several accessory structures including storage sheds. The site vegetation consists of ruderal grasses and weeds, various fruit and nut trees, and almond, oak, elm, and cottonwood trees.

E. Surrounding Land Use

The site is surrounded by the following uses:

	Land Use	General Plan Designation	Zoning
North	Single-family residential	Low Density Residential	RS-8
South	Church	Low Density Residential	RS-8
East	La Vista Avenue/Single-family residential	Low Density Residential	RS-8
West	Senior Care Facility	Low Density Residential	RS-8

IV. Project Description & Analysis

A. General Plan

The General Plan designates the site as Low Density Residential with an allowable density of up to ten dwelling units per net acre. The project will have a density of 5.06 dwelling units per net acre. The project is consistent with General Plan policies related to residential development, as discussed below.

- 1) *Support land use decisions that reinforce and capitalize on neighborhood strengths and benefit neighborhood identity and scale. (Policy LU-1.1.1)*

The project reinforces neighborhood identity and strengths by proposing single-story homes on lots 1 and 8 adjacent to La Vista Avenue to blend with the surrounding neighborhood. The General Plan is implemented by the Development Code and the applicable zoning district. In this case, the development standards of RS-8 zoning regulate the size and scale of residential developments through restrictions on building height and lot coverage (i.e., the percentage of the site that can be developed with buildings). The project complies with the 30 feet building height and 35 percent lot coverage established by RS-8 zoning, and is thus consistent with the General Plan and appropriate for the neighborhood.

- 2) *Require new development in residential areas to preserve and enhance positive neighborhood characteristics. (Policy LU-1.1.2)*

The project preserves and enhances neighborhood characteristics by creating lots that meet

the minimum size allowed by zoning (with the exception of minimum lot width in several cases which is addressed in detail under the Minor Exception section below), preserving the existing pattern of home massing adjacent to La Vista Avenue, and by designing homes determined by the Design Review Board to be compatible with the neighborhood.

- 3) *Require all new development to locate structures to accommodate ultimate street widths and required setbacks, provide adequate right-of-way, and construct ultimate on and off-site improvements. (Policies T-1.1.6 and T-1.1.7)*

Because La Vista Avenue is already at the street’s ultimate right-of-way width, no additional right-of-way dedications would be required for the proposed project. However, the project would install new sidewalk, curb and gutter improvements along La Vista Avenue.

B. Development Regulations

The project meets standards for lot area, lot coverage, setbacks, and building of RS-8 zoning (as noted in the table below), and all applicable requirements under the Development Code, Article IV, Development Standards. The requested Minor Exception for the width reduction of six lots is discussed in the Minor Exception section below.

Standards	Required/Allowed	Proposed
Lot Area (minimum)	8,000 sq. ft.	8,024-9,609 sq. ft.
Density (net)	10 du/ac	5.06 du/ac
Lot width (minimum)	80 ft.	73-85 ft.
Lot Depth (minimum)	85 ft.	110-130 ft.
Lot Coverage	35%	26.7%-32.1%
Yard Setbacks (minimum)		
Front yard	20 ft.	30-40 ft.
Side yard	5 and 10 ft.	5-8 ft.
Exterior Side	10 ft.	15-30 ft.
Rear yard	20 ft.	21-35 ft.
Building Height (max.)	30 ft.	26 ft.
Parking Spaces	2 spaces total, minimum 2 enclosed garage spaces for 4 bedrooms or less	4 spaces (2 enclosed garage spaces)

C. Site Planning/Circulation/Parking

The project proposes to subdivide the property into eight lots ranging in size from 8,024 to 9,609 square feet. Project plans are attached as Exhibit C and show the proposed lot layout. All lots would front the proposed private cul-de-sac, Street “A.” Each home would also have a two-car garage and driveway aprons to accommodate two additional parking spaces, for a

total of four off-street parking spaces per home. No parking would be permitted on either side of the private cul-de-sac.

Staff finds the site plan responsive to neighborhood constraints and opportunities because the project has been designed to fit within the context of the surrounding land use pattern. The site plan does not provide direct access to La Vista Avenue for any of the homes in order to minimize traffic impacts. Moreover, single story homes are proposed for lots 1 and 8 to reduce impacts on the privacy of neighboring properties. Two-story homes are proposed adjacent to higher intensity land uses such as the church and senior care facility.

D. Vesting Tentative Map

Pursuant to Concord Municipal Code Section 17.15.060 (formerly Section 94-96), the Planning Commission takes action on the tentative map, and must make the findings listed below in order to approve the subdivision map.

Through the City's DAC process, the map was circulated to affected City departments as well as outside agencies such as the Contra Costa County Fire Protection District, Mount Diablo Unified School District, Comcast, Concord Disposal, Pacific Gas and Electric Company, Contra Costa County Health Services Department, Contra Costa Water District, and the County Connection. In addition to comments provided by affected City departments, comments were received from the Contra Costa County Fire Protection District, Contra Costa County Health Services Department, Contra Costa Water District, and County Connection and are reflected in the recommended conditions of approval for the project.

Staff analysis on how the project meets each finding is provided.

- 1. Consistency. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code.*

The project falls within the density allowed under the General Plan's Low Density Residential designation and is consistent with policies related to residential development, as explained in Section IV-A above.

- 2. Passive and natural heating and cooling. The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accord with Section 66473.1 of the Subdivision Map Act.*

The project provides for passive and natural heating because the front or rear of each home will be exposed to the south as recommended by the Subdivision Map Act.

- 3. Availability of Water. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accord with Section 66473.7 of the Subdivision Map Act.*

This finding does not apply because the project will not result in more than 500 dwelling units. Project comments received from the Contra Costa Water District (CCWD) in a letter dated March 26, 2014 confirm that the project is within the CCWD's treated water service area and that CCWD is the local water service provider for this project. A six-inch waterline is available in La Vista Avenue to serve the project site.

E. Building Architecture

The Design Review Board recommended approval of the project on May 22, 2014 following revisions to the project's design to address massing and four-sided architecture. As part of the Board's recommendation, a number of specific architectural details are to be brought back to the Board for further review prior to building permit issuance. Floor plan and elevation details of the plans recommended for approval are provided in the following table.

Plan /Elevation	Plan Details ¹
1 Elevation A (lots 1 and 8)	Single-story, 2420 square feet, 3 bedrooms, 2 baths, 2-car garage
1 Elevation B (lot 2) (May be Plan 2 or 3 also)	Single-story, 2420 square feet, 3 bedrooms, 2 baths, 2-car garage
2 (lots 3, 6, and 7)	Two-story, 2,958, square feet, 4 bedrooms, 3 baths, 2-car garage
3 (lots 4 and 5)	Two-story, 3,003, square feet, 4 bedrooms, 2.5 baths, 2-car garage
Materials (all plans)	Hip roof with composition shingles, stucco body and horizontal siding, wood trim, and simulated stone veneer.

F. Landscaping/Fencing

Landscaping is proposed at all front yard and bio swale areas as well as adjacent to La Vista Avenue. The plant palette will consist of Violet Crape Myrtle, Red Crape Myrtle, Oklahoma Redbud, Chinese Pistache, Wilson Fruitless Olive, and Coast Live Oak trees 24-inch box in size, 24 types of shrubs, three types of ground cover and tall fescue lawn. The plan includes bio swales for each lot. New wood fencing is proposed along the north, east, and south property lines, and as good neighbor fencing within the subdivision.

Although a wood fence is proposed on the southern property line adjacent to the church, the Development Code's transitional requirements require an eight-foot tall wall. As such, staff recommends that an eight-foot tall masonry wall be installed along this property line rather than the proposed wood fence. A letter (Exhibit D) was received from the church to the south of the subject site on June 9, 2014 expressing concern regarding the proposed wood fence and requesting an eight-foot tall masonry wall consistent with the Development Code. No future development plans for the church site are known at this time.

¹ Floor areas include garage.

The Board recommended design review approval with the condition that the final landscape plan return for approval as a staff report item, with revisions to include landscaped bio-swale sections shown on the final landscape plan.

G. Design and Site Development Review

The Planning Commission must make the findings listed below to approve the Design Review application. Staff analysis on how the project meets each finding is provided.

1. The project is consistent with the General Plan.

The project is consistent with the General Plan as explained in Section IV-A above.

2. The project meets the following criteria in Section 122-908.

(a) The building design and landscaping supports public safety and security by allowing for surveillance of the street by people inside buildings and elsewhere on the site.

The project would orient the homes toward proposed Street "A" (private cul-de-sac) to allow for surveillance of the street within the homes and properties.

(b) The design is compatible with the historical or visual character of any area recognized by the City as having such character.

The area is not recognized as a historical, architectural, or scenic area by the City.

(c) The project design preserves major view and vistas along major streets and open spaces and trails and enhances them by providing project amenities.

The site and surrounding area is relatively flat and has no topographically significant features, such as valleys, hillsides, and ridgelines that provide scenic views or vistas. The site is not near any open space or trail.

(d) The proposed lighting and fixtures are designed to complement on-site buildings, are of an appropriate scale for the development, and provide adequate light for safety and security while minimizing glare.

Exterior lighting would be residential in type and character to minimize glare, and new street lights are proposed along proposed Street "A" to provide night time visibility and safety for pedestrians and vehicles.

(e) All mechanical, electrical, and utility equipment is located, screened, or incorporated into the design of the buildings so as not to be visible from off-site, and screening devices are consistent with the exterior colors and materials of the buildings.

The project conditions require final details of mechanical, electrical, and utility

equipment to be shown on building permit plans to ensure they are located behind fencing or screened so as not to be visible from off-site.

- (f) *The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, enhances the appearance and features of the project site and surrounding natural and built environment.*

Design changes have been made to ensure the project is appropriate for the surrounding built environment, including its scale, massing, site plan, and exterior design. These changes, which were recommended for approval by the Design Review Board, include design enhancements such as building pop-outs and four-sided design to reduce mass and create visual interest.

- (g) *The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.*

The project includes the following design features to enhance the functionality of the proposed homes and the attractiveness and comfort of occupants, visitors, and the general community: off-street parking in excess of what is required by Code; landscaping that provides screening and shade; stormwater facilities to reduce and treat runoff; and improvements along La Vista Avenue to improve pedestrian circulation and drainage for the area.

- (h) *The architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.*

The project meets the criteria because similar building materials and colors would be used between the homes, and a unifying landscape palette will be used for the entire project.

- (i) *The project is compatible with neighboring development in the same Zoning District by avoiding large differences in building scale and character and provides a harmonious transition between the proposed project and surrounding development.*

The project meets the criteria and avoids large differences in building scale and character because it complies with RS-8 development standards, which allow for larger homes than what is proposed by the project or what exists in the immediate area.

- (j) *The project creates an attractive and visually interesting built environment with a variety of building styles and designs, well-articulated structures that present varied building facades, rooflines, and building heights within a unifying context.*

The project meets the criteria and creates an attractive and visually interesting built environment featuring four different home elevations with various design elements including varied roof forms; decorative elements such as wood trim, posts, and horizontal siding; and a mix of building materials that create interesting textures and a quality look to the buildings. Similarities in the design elements, materials, and colors between the homes create a unifying context for the project.

- (k) *The landscaping is compatible with and enhances the architectural character of the buildings and site features, and blends with the surrounding landscape. Landscape elements complement the buildings and rooflines through color, texture, density, and form. Landscaping is in scale with on-site and off-site buildings, and plantings have been selected and located to avoid conflicts with views, lighting, infrastructure, utilities, and signage.*

The Design Review Board has reviewed the landscape plan and determined that it is compatible with the building architecture. The landscape plan will return to the Board for final approval, with revisions to further ensure landscaping complements homes and the surrounding landscape, including the addition of landscaped bio-swale sections to the landscape plan.

- (l) *Stormwater treatment areas have been integrated into the landscape design.*

The project includes bio-retention areas integrated into the landscape design for each individual lot.

- (m) *New construction does not need to match existing surrounding development or buildings; however, the design shall complement or enhance existing development.*

The project does not match surrounding homes but meets the criteria because it would improve and enhance an underdeveloped site with new homes designed in Craftsman architecture to complement the neighborhood's design vernacular.

3. *The project is consistent with all applicable Design Guidelines adopted by the City Council that are in effect at the time of approval.*

Concord's Community Design Guidelines were adopted by the City Council in 1987. Most of the recommendations contained in the Guidelines pertain to larger commercial or multi-family developments, where the potential for differences in scale and operational compatibility between sites and uses is greater. The Guidelines also contain recommendations for single-family developments that the project complies with, as follows:

- Exterior building colors and materials consist of earth tone colors, tile, stone, and other materials that are compatible with the neighborhood;
 - Homes are sited and designed with a functional relationship to the site and street, and in compliance with setbacks to provide accessible and usable yard areas;
 - Front yard setbacks reinforce a spacious suburban character and consistent streetscape;
 - Homes are sited to avoid or minimize second story windows overlooking private yards of adjacent residences to the north;
 - Elevations facing exterior side yard areas will be designed with the same quality as the front elevation;
 - The project provides emergency access as required by Contra Costa Consolidated Fire Protection District;
 - Building lighting design is compatible with the architecture and will be operated at levels consistent with lighting in the area;
 - Street lighting will comply with City photometric standards to ensure lighting levels are kept to the minimum necessary for public safety;
 - Perimeter fencing will be constructed of durable high quality wood and masonry material;
 - A landscape buffer strip is provided along La Vista Avenue that promotes a continuity of the landscape palette and concept along La Vista Avenue;
 - Required off-street parking is provided for each home.
4. *The interrelationship between the orientation, location, and elevations of buildings and structures and site improvements are mutually compatible and aesthetically harmonious.*

The homes on proposed Street "A" provide a consistent pattern oriented towards the cul-de-sac and are thus aesthetically harmonious with each other and the streetscape. As discussed above, the homes would be designed with similar design elements, materials, and colors to create a unifying/harmonious context.

5. *The orientation, location, and elevation of the buildings and structures and site improvements are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.*

The project would be harmonious with the pattern of existing homes oriented towards La Vista Avenue, and would use an architectural style that the Design Review Board found to be aesthetically compatible with homes in the neighborhood.

6. *Landscaping, irrigation systems, walls and fences, or features to conceal outdoor activities, utility enclosures, and trash facilities meet current requirements or provide a significant upgrade and improvement to the site and the appearance of the neighborhood.*

New landscaping and fencing designed to meet current requirements would result in a significant improvement to existing site conditions and a visual upgrade to the neighborhood in general.

7. *Parking, pedestrian access, and traffic circulation are adequate or improved for all modes of circulation.*

The project meets this finding because it would construct improvements that enhance pedestrian safety and access for the neighborhood, including the adding sidewalks to La Vista Avenue.

H. Minor Exception

The applicant has requested a Minor Exception in order to reduce the width of six lots. These lots are identified as lots one, two, three, six, seven, and eight on sheet C1 of Exhibit C. Pursuant to Development Code Section 122-955, the Planning Commission must make the findings listed below to approve the Minor Exception. Staff analysis on how the project meets each finding is provided below.

1. *No practical alternative exists.*

The project has been reduced in scope from an initial proposal of 16 lots to the current eight lots to address neighborhood concerns and create a project that will fit within the context of the surrounding area. Denial of the minor lot width deviation request would result in a reduced number of lots potentially resulting in the project becoming financially infeasible. As such, an underdeveloped infill site would not be developed with new homes which would enhance the neighborhood and provide additional housing opportunities within the City of Concord.

2. *Other provisions of the Development Code will not be compromised.*

The proposed lots comply with all other applicable RS-8 zoning district development standards such as lot area, depth, and setbacks. The Minor Exception process permits up to a 10 percent reduction in lot width consistent with other parcels in the surrounding area. In this case, the narrowest lot width would be 73-feet (less than a 10 percent reduction) while two lots would be 77-feet wide. Additionally, two of the proposed lots meet all RS-8 development standards and do not require a Minor Exception. As such, other provisions

of the Development Code would not be compromised.

3. *No negative aesthetic impact will result.*

No negative impact would result from the requested Minor Exception as the proposed lots would be substantially consistent with the existing lots within the surrounding project area. Moreover, the minimum required side-yard setbacks would also be met for the proposed homes.

4. *The project will otherwise comply with all applicable Development Code standards and requirements.*

As discussed in number 2 above, the project complies with all other applicable Development Code standards and requirements aside from the six lots with minor lot width deviations for which the Minor Exception is requested.

I. Tree Removal

An arborist report and survey were prepared for the project as required under Development Code Section 122-828 and identified six Protected Trees² within the project site (see Exhibit B). The following table lists those Protected Trees.

Protected Trees		
Tree No.	Size-Species ³	Notes
1	29" multi-stem Almond	Located near center of site and conflicts with required bio-swale area.
2	73" multi-stem Valley Oak	Located near center of site and conflicts with proposed driveway.
3	14.5" Valley Oak	Located near center of site; conflicts with required Street "A" improvements.
4	40" multi-stem Cork Oak	Located on lot 5; conflicts with proposed home.
5	24" Siberian Elm	Located on lot 2; conflicts with proposed home.
6	41" multi-stem Western Cottonwood	Located on lot 3; conflicts with proposed home.

Because the project applicant proposes to remove all Protected Trees from the site, Planning Commission approval of a Tree Removal permit is required. The findings required for approving a Tree Removal permit are listed below followed by discussion on how the project meets each finding.

² A Protected Tree is any of the following trees: (a) native Valley oak, Blue oak, Coast live oak, California bay, California Buckeye, and California sycamore with a diameter of 12 inches or more, (b) single trunk tree with a diameter of 24 inches or more, and (c) multi-stemmed tree where the sum of all stem diameters is 24 inches or more.

³ Sum of tree trunks provided for multi-stem trees.

- 1) *The tree removal is consistent with the provisions of Article VI, Division 3, Tree Preservation and Protection, and will not be detrimental to the public health, safety or welfare.*

The project would provide a total of 29 replacement trees, or a ratio of 4.8 replacement trees for each Protected Tree to be removed, which exceeds the replacement ratio requirements of the Tree Preservation and Protection Ordinance. Tree removal would not be detrimental to the public health, safety, or welfare because it would comply with City requirements and procedures for the proper removal of the trees and the protection of trees to remain. The removal would be coordinated through a demolition permit reviewed by the City to ensure the proper procedures are followed.

- 2) *The tree removal is consistent with the appropriate criteria in Section 122-831(a) and (b).*

Section 122-831(a) and (b) lists criteria to consider in evaluating a Tree Removal permit, including tree health, physical conditions unique to the site, and project alternatives to allow for tree preservation. An analysis of the proposed tree removal against these criteria is provided below.

122-831(a) Criteria for Evaluation

- (1) The extent of proposed building or development activity that does not require the removal of protected trees, relative to the extent of proposed building or development activity that requires such removal.*

Based on the grading and drainage plans, the arborist report concluded that all Protected Trees would have to be removed.

- (2) Design features of the project in comparison with other existing or approved projects in Concord that have (or had) protected trees on their sites.*

The design features of the proposed project are similar to other existing and approved residential subdivisions in Concord that have required the removal of Protected Trees to accommodate roadways, utilities and homes. In this case, all of the Protected Trees slated for removal have health or structural issues with the exception of number three identified in the table above.

- (3) Factors that are unique to the site, such as topographic constraints, lot configuration and physical limitations.*

As discussed above, the proposed lot configuration has been reduced from 16 to eight lots in response to neighborhood concerns regarding the initially proposed project density. While the current proposed project density is now consistent with the surrounding single-family development, the revised lot configuration requires the removal of the Protected Trees because they conflict with proposed Street "A" improvements, bio-swale areas, home footprints, and driveways.

(4) The overall health and structural condition of the potentially impacted protected trees.

According to the arborist report, all of the Protected Trees slated for removal have health or structural issues with the exception of the Valley Oak tree identified as number three above. Moreover, the dominant Coast Live Oak tree in the center of the site has a low spreading canopy with significant leverage being placed on the lower main crotches. Both of those crotches are co-dominant in size and are forming a narrow crotch where they compete for attachment. As stated in the arborist report, this condition is one of the most likely causes for failure in trees.

(5) The approximate age of each protected tree compared with the average life span for each species.

According to the City's arborist, the anticipated lifespan of Coast Live Oak tree number two could be approximately 20 to 80 years as part of an urban landscape. However, this anticipated lifespan would likely be 10 years or less if the area around the tree is disturbed via grading and landscape design.

(6) The number of healthy, protected trees that the site will support, with and without the proposed development.

As outlined in the arborist report, five out of six Protected Trees currently located at the subject site have health or structural issues and cannot be supported by the site. Tree number three is a viable candidate for preservation, but is located in the center of proposed Street "A" needed to provide fire safe access to the subdivision. The preliminary landscape plan indicates the site can support 29 replacement Protected Trees.

(7) The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes.

There are no watercourses or steep slopes at the project site and proposed conditions of approval would address any soil stability/erosion issues that may result from the proposed tree removal.

(8) Whether any alternatives would allow for preservation of the protected tree.

Staff was unable to identify alternatives that would allow the construction of eight homes while preventing the removal of Protected Trees without potentially further compromising their health. Staff considered the possibility of relocating or retaining Coast Live Oak tree number two but the City's arborist recommended against this because oaks are extremely difficult to relocate, and require long-term monitoring and care to ensure their survival. Also, the arborist report noted that although efforts were made to design the proposed improvements around this tree, it is his professional opinion that it would not survive.

- (1) The age of the protected tree(s) with regard to whether removal would encourage healthier, more vigorous growth of younger similar trees in the area.*

As discussed above, the anticipated lifespan of the dominant Protected Tree at the site is 10 years when surrounded by development. The replacement trees would be appropriately located and planted to encourage their vigorous growth as younger similar trees.

- (2) The number of existing protected trees in the area and the effect of removal on the public health, safety, and general welfare of the area.*

The proposed tree removal would not be detrimental to the public health, safety, or welfare because it would comply with City requirements and procedures for the proper removal of the trees. Further, the arborist report notes that all of the Protected Trees except for number three have health or structural issues and have been neglected. Therefore they are not viable candidates for preservation.

- (3) The potential for the protected tree to become a public nuisance or interfere with utility service(s) and existing structures.*

If preserved, the Protected Trees, specifically the dominant Coast Live Oak and Valley Oak trees near the center of the site, would interfere with the required fire truck clearance as well as utility services. The arborist report stated that tree number two would require harsh pruning and considerably more clearance than the site design can provide if it were to be preserved.

- (4) Present and future shade potential with regard to solar heating and cooling.*

Although the Protected Trees at the project site currently offer shade, this is not guaranteed for the long-term because of health or structural issues identified in the arborist report. Appropriately planted and maintained replacement trees would offer ample future shade potential with regard to solar heating and cooling.

Findings for denial of a Tree Permit include failure to consider reasonable redesign of the site plan prior to construction, tree trimming, anticipated issues with drainage, erosion control, and buffers related to proposed tree removal, and an active nest of a bird covered by the Migratory Bird Treaty Act being identified within a Protected Tree. As discussed in detail above, a redesign of the site and harsh tree pruning are not feasible. Drainage, erosion control, and buffer issues are not anticipated as a result of the proposed tree removal and an active nest of a bird covered by the Migratory Bird Treaty Act was not identified in any of the Protected Trees.

- 3) Measures have been incorporated into the project or permit to mitigate impacts to remaining trees or to replace the trees that have been removed.*

Twenty-nine trees are proposed to replace the Protected Trees at a ratio of 4.8 replacement trees for each Protected Tree to be removed, which exceeds the replacement ratio requirements of the Tree Preservation and Protection Ordinance. The minimum replacement ratio described in Section 122-830(a) of the Development Code is three replacement trees for every one that is removed. The current landscape plan proposes two Violet Crape Myrtle and five Red Crape Myrtle trees as well as three Oklahoma and six Chinese Pistache trees. Additionally, seven Wilson Fruitless Olive trees and six Coast Live Oak trees are also included in the landscape plan. The Coast Live Oak trees would be planted along the perimeter of the subdivision adjacent to La Vista Avenue. All tree sizes are shown as 24-inch boxes. Although the Development Code permits up to 50 percent of the required replacement trees to have a five-gallon container size when an arborist determines that long-term health and survival will be improved by starting with a smaller container size, that recommendation was not provided by the author of the arborist report or by the City's arborist who reviewed the report. Additionally, sufficient space is available at the project site to accommodate the larger replacement tree box sizes.

The Planning Commission may specify the type and size of required replacement trees as a condition of a Tree Removal permit. Staff recommends the Planning Commission consider adding the following conditions to the Tree Removal permit:

- At least 50 percent of the replacement trees shall be 36-inch box in size. Priority shall be given to the landscape buffer area along La Vista Avenue and exterior yards along proposed Street "A" for the placement of larger 36-inch box replacement trees.

The landscape plan is required to return to the Design Review Board for approval. The plan would be revised to include the above condition, or as required by the Planning Commission to satisfy the tree replacement requirement, for the Board's final review.

V. Fiscal Impact

The proposed would have a negligible fiscal impact on the City.

VI. Public Contact

Notification was mailed to all owners and occupants of property within five-hundred (500) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days prior to the public hearing. City staff field-verified that (a) copies of the notices were posted in a clearly visible location on each frontage of the property in accordance with Development Code Section 122-1164(b), and (b) such notices were posted in compliance with City's posting guidelines and could be read by interested parties. Applicant's Certification of Posting of Notice for Public Hearing is due to the Planning Division by 5:00 PM on the day of the hearing.

VII. Summary and Recommendations

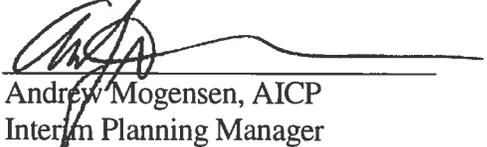
Staff finds the project to be consistent with the General Plan, the Subdivision Ordinance, and the Development Code. The project has also been reviewed by the Design Review Board and found to be consistent with the applicable design criteria. Staff recommends the Planning Commission open the public hearing, consider the staff report and presentation by the applicant, the public testimony, and close the hearing upon completion of public testimony. Staff further recommends the Commission adopt Resolution No. 14-17PC approving the La Vista Villas Subdivision.

VIII. Motion

Project Approvals

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 14-17PC approving the La Vista Villas Subdivision (PL131338-TM, DR, AA, RT) subject to the Conditions of Approval set forth in Attachment A to Resolution No. 14-17PC. (Seconded by Comm. _____.)

Prepared by: 
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Exhibits:

- A - Resolution No. 14-17PC with Conditions of Approval (Attachment A)
- B - Arborist Report prepared by Traverso Tree Service, dated May 22, 2013
- C - Project plans date-stamped received May 14, 2014
- D - Valley Christian Church Letter date-stamped received June 9, 2014

BEFORE THE PLANNING COMMISSION
OF THE CITY OF CONCORD,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A RESOLUTION APPROVING THE LA VISTA
VILLAS SUBDIVISION TENTATIVE MAP,
DESIGN REVIEW, MINOR EXCEPTION, AND
TREE REMOVAL (PL131338-TM, DR, AA, RT)

Resolution No. 14-17PC

WHEREAS, on October 23, 2013, Winpac – La Vista, LLC submitted an application for a Vesting Tentative Map, Design Review, Minor Exception, and Tree Removal application (PL131338-TM, DR, AA, RT) to subdivide a 1.8-acre site at 1425 La Vista Avenue (APN 132-030-041; 042; 043; 044; and 045) into eight residential lots and one lettered lot (roadway) and construct eight single-family residential homes on the eight residential lots; and

WHEREAS, on May 27, 2014, the application was deemed complete for processing; and

WHEREAS, the Planning Commission, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on July 16, 2014, on the subject proposal; and

WHEREAS, the Planning Commission considered all oral and written information, testimony, and comments received during the public review process, including information received at the public hearing and the oral and written reports from City staff dated July 16, 2014, as well as other documents contained in the record of proceedings relating to the proposed project, which are maintained at the offices of the City of Concord Planning Division (collectively, “Project Information”); and

WHEREAS, on July 16, 2014, the Planning Commission, after consideration of all pertinent plans, documents and testimony, declared their intent to approve the subject proposal subject to the Conditions of Approval contained herein as Attachment A.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Recitals

1. The Planning Commission finds that the above recitals are accurate and constitute

1 findings in this matter and, together with the Project Information, serve as an adequate and
2 appropriate evidentiary basis for the findings and actions set forth in this resolution, and
3 further makes the following findings:

4 CEQA

- 5 2. The project is Categorically Exempt pursuant to Section 15332, Class 32, "In-fill
6 Development Projects," of the California Environmental Quality Act (CEQA), and
7 therefore no further environmental review is required because:
- 8 a. The project is consistent with the General Plan and Development Code, as further
9 explained in findings 6 through 9, below. There is no Specific Plan applicable to
10 the project site.
 - 11 b. The project occurs within City limits on a site less than five acres substantially
12 surrounded by residential uses. The project site is 1.8-acres and surrounded by
13 single-family residential land uses as well as a church and senior care facility.
 - 14 c. The project site has no value as habitat for endangered, rare or threatened species as
15 it has been previously disturbed and is surrounded by development in an urban
16 setting.
 - 17 d. The project will not result in significant effects relating to traffic, noise, air quality,
18 or water quality since the project is below the maximum density allowed under the
19 General Plan. As noted, traffic, noise, air quality, and water quality impacts were
20 previously analyzed as part of the environmental review process for the City's
21 General Plan. The proposed project will be implemented consistent with the
22 General Plan and at a lower density than permitted under the General Plan land use
23 designation.
 - 24 e. The site can be adequately served by all required public utilities and public service
25 as fire protection services would be provided by the Contra Costa County Fire
26 Protection District, water service by the Contra Costa Water District, and sewer
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1 service by the City of Concord. All of these service providers have confirmed their
2 ability to serve the proposed project site.

- 3 3. The project does not present unusual circumstances.
- 4 4. There is no reasonable possibility that the proposed project will have a significant
5 effect on the environment due to unusual circumstances.
- 6 5. The determination that a categorical exemption applies to the project reflects the
7 independent judgment and analysis of the City as the lead agency.

8 General Plan

- 9 6. *Low Density Residential.* The project's density of 5.06 dwelling units per net acre is
10 within the density of 10 dwelling units per net acre allowed by the Low Density
11 Residential designation.
- 12 7. *Support land use decisions that reinforce and capitalize on neighborhood strengths
13 and benefit neighborhood identity and scale. (Policy LU-1.1.1).* The project is
14 consistent with this policy because it enforces neighborhood identity and strengths by
15 proposing single-story homes on lots 1 and 8 adjacent to La Vista Avenue to blend
16 with the surrounding neighborhood, and because it complies with the Development
17 Code standards of RS-8 zoning regulating size and scale of residential developments
18 through building height and lot coverage restrictions for the area.
- 19 8. *Require new development in residential areas to preserve and enhance positive
20 neighborhood characteristics. (Policy LU-1.1.2).* The project is consistent with this
21 policy because proposed lots meet the minimum size required by zoning, the existing
22 pattern of house massing adjacent to La Vista Avenue will be preserved, and because
23 the design of the homes is compatible with the neighborhood.
- 24 9. *Require all new development to locate structures to accommodate ultimate street
25 widths and required setbacks, provide adequate right-of-way, and construct ultimate
26 on and off-site improvements. (Policies T-1.1.6 and T-1.1.7).* Because La Vista
27

1 Avenue is already at the street's ultimate right-of-way width, no additional right-of-
2 way dedications will be required for the proposed project. However, the project will
3 install new sidewalk, curb and gutter improvements along La Vista Avenue.
4 Accordingly, the project is consistent with the findings identified above.

5 Development Code

- 6 10. The project meets standards for lot area, lot coverage, setbacks, and building height of
7 RS-8 zoning, and all applicable requirements under Development Code, Article IV,
8 Development Standards with the exception of the Minor Exception which is detailed
9 below.

10 Vesting Tentative Map

- 11 11. *The proposed subdivision, together with the provisions for its design and improvement,*
12 *is consistent with the General Plan, any applicable specific plan, the Zoning*
13 *Ordinance, and other applicable provisions of the Municipal Code.* The project falls
14 within the density allowed under the General Plan's Low Density Residential
15 designation, is consistent with General Plan and Development Code policies related to
16 residential development, as explained in finding 6 through 9, and the applicable
17 provisions of the Municipal Code.
- 18 12. *The design of the subdivision shall provide, to the extent feasible, for future passive*
19 *and natural heating and cooling features in accord with Section 66473.1 of the*
20 *Subdivision Map Act.* The project meets the finding because passive and natural
21 heating will be provided because the front or rear of each home will have southern
22 exposure as recommended by the Subdivision Map Act.
- 23 13. *Water will be available and sufficient to serve a proposed subdivision with more than*
24 *500 dwelling units in accord with Section 66473.7 of the Subdivision Map Act.* This
25 finding does not apply because the project will not result in more than 500 dwelling
26 units. Project comments received from the Contra Costa Water District (CCWD) in a
27

1 letter dated March 26, 2014 confirm that the project is within the CCWD's treated
2 water service area and that CCWD is the local water service provider for this project.
3 A six-inch waterline is available in La Vista Avenue to serve the project site.
4

5 Design and Site Development Review

6 14. The project is consistent with the General Plan as addressed in findings 6 through 9
7 above.

8 15. The project meets the following criteria in Section 122-908 (Design Criteria):

9 (a) *The building design and landscaping supports public safety and security by*
10 *allowing for surveillance of the street by people inside buildings and elsewhere*
11 *on the site. The project will orient the homes toward proposed Street "A"*
12 *(private cul-de-sac) to allow for surveillance of the street within the homes and*
13 *properties.*

14 (b) *The design is compatible with the historical or visual character of any area*
15 *recognized by the City as having such character. The area is not recognized as*
16 *a historical, architectural, or scenic area by the City.*

17 (c) *The project design preserves major view and vistas along major streets and*
18 *open spaces and trails and enhances them by providing project amenities.*

19 The site and surrounding area is flat and has no topographically significant
20 features, such as valleys, hillsides, and ridgelines that provide scenic views or
21 vistas. The site is not near any open space or trail.

22 (d) *The proposed lighting and fixtures are designed to complement on-site*
23 *buildings, are of an appropriate scale for the development, and provide*
24 *adequate light for safety and security while minimizing glare. Exterior lighting*
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1 will be residential in type and character to minimize glare, and new street lights
2 are proposed along proposed Street "A" to improve night time visibility and
3 safety for pedestrians and vehicles.

4 (e) *All mechanical, electrical, and utility equipment is located, screened, or*
5 *incorporated into the design of the buildings so as not to be visible from off-*
6 *site, and screening devices are consistent with the exterior colors and materials*
7 *of the buildings. The project conditions require final details of mechanical,*
8 *electrical, and utility equipment to be shown on building permit plans to ensure*
9 *they are located behind fencing or screened so as not to be visible from off-site.*

10 (f) *The overall design of the project, including its scale, massing, site plan,*
11 *exterior design, and landscaping, enhances the appearance and features of the*
12 *project site and surrounding natural and built environment. Design changes*
13 *have been made to ensure the project is appropriate for the surrounding built*
14 *environment, including its scale, massing, site plan, and exterior design. These*
15 *changes, which were recommended for approval by the Design Review Board*
16 *include design enhancements such as building pop-outs and four-sided design*
17 *to reduce mass and create visual interest.*

18 (g) *The project design is appropriate to the function of the project and will provide*
19 *an attractive and comfortable environment for occupants, visitors, and the*
20 *general community. The project includes the following design features to*
21 *enhance the functionality of the proposed homes and the attractiveness and*
22 *comfort of occupants, visitors, and the general community: off-street parking*
23 *in excess of what is required by Code; landscaping that provides screening and*
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1 shade; stormwater facilities to reduce and treat runoff; and improvements along
2 La Vista Avenue to improve pedestrian circulation and drainage for the area.

3 (h) *The architectural details, colors, materials, and landscaping are internally*
4 *consistent, fully integrated with one another, and used in a manner that is*
5 *visually consistent with the proposed architectural design.* The project meets
6 criteria the criteria because similar building materials and colors will be used
7 between the homes, and a unifying landscape palette will be used for the entire
8 project.

9
10 (i) *The project is compatible with neighboring development in the same Zoning*
11 *District by avoiding large differences in building scale and character and*
12 *provides a harmonious transition between the proposed project and*
13 *surrounding development.* The project meets the criteria and avoids large
14 differences in building scale because it complies with RS-8 development
15 standards, which allow for larger homes than what is proposed by the project or
16 what exists in the immediate area.

17
18 (j) *The project creates an attractive and visually interesting built environment with*
19 *a variety of building styles and designs, well-articulated structures that present*
20 *varied building facades, rooflines, and building heights within a unifying*
21 *context.* The project meets the criteria and creates an attractive and visually
22 interesting built environment featuring four different home elevations with
23 various design elements including varied roof forms; decorative elements such
24 as wood trim, posts, and horizontal siding; and a mix of building materials that
25 create interesting textures and a quality look to the buildings. Similarities in the
26
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1 design elements, materials, and colors between the homes create a unifying
2 context for the project.

3 (k) *The landscaping is compatible with and enhances the architectural character of*
4 *the buildings and site features, and blends with the surrounding landscape.*
5 *Landscape elements complement the buildings and rooflines through color,*
6 *texture, density, and form. Landscaping is in scale with on-site and off-site*
7 *buildings, and plantings have been selected and located to avoid conflicts with*
8 *views, lighting, infrastructure, utilities, and signage. The Design Review*
9 *Board has reviewed the landscape plan and determined that it is compatible*
10 *with the building architecture. The landscape plan will return to the Board for*
11 *final approval, with revisions to further ensure landscaping complements homes*
12 *and the surrounding landscape, including the addition of larger 36-inch box*
13 *replacement trees.*

14
15
16 (l) *Stormwater treatment areas have been integrated into the landscape design.*
17 *The project includes bio-retention areas integrated into the landscape design for*
18 *each individual lot.*

19 (m) *New construction does not need to match existing surrounding development or*
20 *buildings; however, the design shall complement or enhance existing*
21 *development. The project does not match surrounding homes but meets the*
22 *criteria because it will improve and enhance an underdeveloped site with new*
23 *homes designed in Craftsman architecture to complement the neighborhood's*
24 *design vernacular.*

25
26 16. *The project is consistent with all applicable Design Guidelines adopted by the City*
27

1 *Council that are in effect at the time of approval.* The project is consistent with the
2 Concord Community Design Guidelines because:

- 3 (a) Exterior building colors and materials consist of earth tone colors, tile, stone,
4 and other materials that are compatible with the neighborhood;
- 5 (b) Homes are sited and designed with a functional relationship to the site and
6 street, and in compliance with setbacks to provide accessible and usable yard
7 areas;
- 8 (c) Front yard setbacks reinforce a spacious suburban character and consistent
9 streetscape;
- 10 (d) Homes are sited to avoid or minimize second story windows overlooking
11 private yards of adjacent residences;
- 12 (f) Elevations facing exterior side yard areas will be designed with the same
13 quality as the front elevation;
- 14 (g) The project provides emergency access as required by Contra Costa
15 Consolidated Fire Protection District;
- 16 (h) Building lighting design is compatible with the architecture and will be
17 operated at levels consistent with lighting in the area;
- 18 (i) Street lighting will comply with City photometric standards to ensure lighting
19 levels are kept to the minimum necessary for public safety;
- 20 (j) Perimeter fencing will be constructed of durable high quality wood and
21 masonry material;
- 22 (k) A landscape buffer will be provided along La Vista Avenue to promote
23 continuity of the landscape palette and concept along La Vista Avenue; and
24
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(l) Required off-street parking is provided for each home.

17. *The interrelationship between the orientation, location, and elevations of buildings and structures and site improvements are mutually compatible and aesthetically harmonious.* The project meets this finding because the homes on proposed Street “A” provide a consistent pattern oriented towards the cul-de-sac and are thus aesthetically harmonious with each other and the streetscape. As discussed above, the homes will be designed with similar design elements, materials, and colors to create a unifying/harmonious context.

18. *The orientation, location, and elevation of the buildings and structures and site improvements are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.* The project will be harmonious with the pattern of existing homes oriented towards La Vista Avenue, and will use an architectural style that the Design Review Board found to be aesthetically compatible with homes in the neighborhood.

19. *Landscaping, irrigation systems, walls and fences, or features to conceal outdoor activities, utility enclosures, and trash facilities meet current requirements or provide a significant upgrade and improvement to the site and the appearance of the neighborhood.* The project meets this finding because new landscaping and fencing designed to meet current requirements will result in a significant improvement to existing site conditions and a visual upgrade to the neighborhood in general.

20. *Parking, pedestrian access, and traffic circulation are adequate or improved for all modes of circulation.* The project meets this finding because it will construct

1 improvements that enhance pedestrian safety and access for the neighborhood,
2 including the adding sidewalks to La Vista Avenue.

3 Minor Exception

- 4 21. *No practical alternative exists.* The project has been reduced in scope from an initial
5 proposal of 16 lots to the current eight lots to address neighborhood concerns and
6 create a project that will fit within the context of the surrounding area. Denial of the
7 minor lot width deviation request will result in a reduced number of lots potentially
8 resulting in the project becoming financially infeasible. As such, an underdeveloped
9 infill site will not be developed with new homes which will enhance the neighborhood
10 and provide additional housing opportunities within the City of Concord.
- 11
- 12 22. *Other provisions of the Development Code will not be compromised.* The proposed
13 lots comply with all other applicable RS-8 zoning district development standards such
14 as lot area, depth, and setbacks. The Minor Exception process permits up to a 10
15 percent reduction in lot width consistent with other parcels in the surrounding area. In
16 this case, the narrowest lot width will be 73-feet (less than a 10 percent reduction)
17 while two lots would be 77-feet wide. Additionally, two of the proposed lots meet all
18 RS-8 development standards and do not require a Minor Exception. As such, other
19 provisions of the Development Code will not be compromised.
- 20
- 21 23. *No negative aesthetic impact will result.* No negative impact will result from the
22 requested Minor Exception as the proposed lots will be substantially consistent with
23 the existing lots within the surrounding project area. Moreover, the minimum required
24 side-yard setbacks will also be met for the proposed homes.
- 25
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1 24. *The project will otherwise comply with all applicable Development Code standards*
2 *and requirements.* As discussed in number 22 above, the project complies with all
3 other applicable Development Code standards and requirements aside from the six lots
4 with minor lot width deviations for which the Minor Exception is requested.

5
6 Tree Removal

7 25. *The tree removal is consistent with the provisions of Article VI, Division 3, Tree*
8 *Preservation and Protection, and will not be detrimental to the public health, safety or*
9 *welfare.* The project meets this finding because it will provide a total of 29
10 replacement trees, or a ratio of 4.8 replacement trees for each Protected Tree to be
11 removed, which exceeds the ratio replacement requirements of the Tree Preservation
12 and Protection Ordinance. The tree removal will not be detrimental to the public
13 health, safety, or welfare because it will comply with City requirements and procedures
14 for the proper removal of the trees and the protection of trees to remain. The removal
15 will be coordinated through a demolition permit reviewed by the City to ensure the
16 proper procedures are followed.

17 26. *The tree removal is consistent with the appropriate criteria in Section 122-831(a) and*
18 *(b).* The project meets this finding because no feasible alternatives exist to preserve the
19 trees, including tree relocation, due to the trees conflicting with proposed
20 improvements. Section 122-831(a) and (b) lists criteria to consider in evaluating a
21 Tree Removal permit, including tree health, physical conditions unique to the site, and
22 project alternatives to allow for tree preservation. An analysis of the proposed tree
23 removal against these criteria is provided below.
24

25
26 122-831(a) Criteria for Evaluation

1 (1) *The extent of proposed building or development activity that does not require*
2 *the removal of protected trees, relative to the extent of proposed building or*
3 *development activity that requires such removal.*

4
5 Based on the grading and drainage plans, the arborist report concluded that all
6 Protected Trees will have to be removed.

7
8 (2) *Design features of the project in comparison with other existing or approved*
9 *projects in Concord that have (or had) protected trees on their sites.*

10 The design features of the proposed project are similar to other existing and
11 approved residential subdivisions in Concord that have required the removal of
12 Protected Trees to accommodate roadways, utilities and homes. In this case, all of
13 the Protected Trees slated for removal have health or structural issues with the
14 exception of number three identified in the arborist report.

15
16 (3) *Factors that are unique to the site, such as topographic constraints, lot*
17 *configuration and physical limitations.*

18 As discussed above, the proposed lot configuration has been reduced from 16 to
19 eight lots in response to neighborhood concerns regarding the initially proposed
20 project density. While the current proposed project density is now consistent with
21 the surrounding single-family development, the revised lot configuration requires
22 the removal of the Protected Trees because they conflict with proposed Street “A”
23 improvements, bio-swale areas, home footprints, and driveways.

24
25 (4) *The overall health and structural condition of the potentially impacted*
26 *protected trees.*

1 According to the arborist report, all of the Protected Trees slated for removal have
2 health or structural issues with the exception of the Valley Oak tree identified as
3 number three. Moreover, the dominant Coast Live Oak tree in the center of the site
4 has a low spreading canopy with significant leverage being placed on the lower
5 main crotches. Both of those crotches are co-dominant in size and are forming a
6 narrow crotch where they compete for attachment. As stated in the arborist report,
7 this condition is one of the most likely causes for failure in trees.

8
9 *(5) The approximate age of each protected tree compared with the average life*
10 *span for each species.*

11 According to the City's arborist, the anticipated lifespan of Coast Live Oak tree
12 number two could be approximately 20 to 80 years as part of an urban landscape.
13 However, this anticipated lifespan would likely be 10 years or less if the area
14 around the tree is disturbed via grading and landscape design.

15
16 *(6) The number of healthy, protected trees that the site will support, with and*
17 *without the proposed development.*

18 As outlined in the arborist report, five out of six Protected Trees currently located
19 at the subject site have health or structural issues and cannot be supported by the
20 site. Tree number three is a viable candidate for preservation, but is located in the
21 center of proposed Street "A" needed to provide fire safe access to the subdivision.
22 The preliminary landscape plan indicates the site can support 29 replacement
23 Protected Trees.

24
25 *(7) The effect of tree removal on soil stability/erosion, particularly near*
26 *watercourses or on steep slopes.*

1 There are no watercourses or steep slopes at the project site and proposed
2 conditions of approval would address any soil stability/erosion issues that may
3 result from the proposed tree removal.

4 *(8) Whether any alternatives would allow for preservation of the protected tree.*

5 Alternatives that would allow the construction of eight homes while preventing the
6 removal of Protected Trees without potentially further compromising their health
7 were not able to be identified. The possibility of relocating or retaining Coast Live
8 Oak tree number two was considered but the City's arborist recommended against
9 this because oaks are extremely difficult to relocate, and require long-term
10 monitoring and care to ensure their survival. Also, the arborist report noted that
11 although efforts were made to design the proposed improvements around this tree,
12 it is his professional opinion that it would not survive.

13
14 122-831(b) Criteria for Removal

15
16 *(1) The age of the protected tree(s) with regard to whether removal would*
17 *encourage healthier, more vigorous growth of younger similar trees in the*
18 *area.*

19 As discussed above, the anticipated lifespan of the dominant Protected Tree at the
20 site is 10 years when surrounded by development. The replacement trees would be
21 appropriately located and planted to encourage their vigorous growth as younger
22 similar trees.

23 *(2) The number of existing protected trees in the area and the effect of removal on*
24 *the public health, safety, and general welfare of the area.*

25 The proposed tree removal would not be detrimental to the public health, safety, or
26 welfare because it would comply with City requirements and procedures for the
27

1 proper removal of the trees. Further, the arborist report notes that all of the
2 Protected Trees except for number three have health or structural issues and have
3 been neglected. Therefore they are not viable candidates for preservation.

4
5 *(3) The potential for the protected tree to become a public nuisance or interfere
6 with utility service(s) and existing structures.*

7 If preserved, the Protected Trees, specifically the dominant Coast Live Oak and
8 Valley Oak trees near the center of the site, would interfere with the required fire
9 truck clearance as well as utility services. The arborist report stated that tree
10 number two would require harsh pruning and considerably more clearance than the
11 site design can provide if it were to be preserved.

12 *(4) Present and future shade potential with regard to solar heating and cooling.*

13 Although the Protected Trees at the project site currently offer shade, this is not
14 guaranteed for the long-term because of health or structural issues identified in the
15 arborist report. Appropriately planted and maintained replacement trees would
16 offer ample future shade potential with regard to solar heating and cooling.

- 17
18
19 27. *Measures have been incorporated into the project or permit to mitigate impacts to*
20 *remaining trees or to replace the trees that have been removed. Nearly five new trees*
21 *will be provided for each Protected Tree to be removed, which exceeds the*
22 *Development Code tree replacement ratio requirements.*

23 Project Approval

- 24 28. The Planning Commission does hereby approve the La Vista Villas Subdivision
25 Vesting Tentative Map (PL131338-TM), Design Review (PL1313338-DR), Minor
26 Exception (PL131338-AA), and Tree Removal (PL131338-RT) subject to the
27

Conditions of Approval.

Effective Date

In accordance with City of Concord Municipal Code Section 122-1170, approvals or other decisions of the Planning Commission shall become effective on the 11th calendar day following the date the decision is rendered, if no appeal is filed.

PASSED AND ADOPTED this July 16, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Andrew J. Mogensen, AICP
Secretary to the Planning Commission

EXHIBIT A
DRAFT CONDITIONS OF APPROVAL
LA VISTA VILLAS MAJOR SUBDIVISION
PL131338-TM (TRACT 9383), -DR, AA, RT
1425 LA VISTA DRIVE
APN 132-030-041; 42; 43; 44; and 45

PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of the **La Vista Villas Vesting Tentative Map (Tract 9383)** for nine individual lots on 1.8 acres.
2. These Conditions apply to and constitute approval of **Design Review (PL131338-DR)** for building elevations and landscape plans for eight single-family homes. Final colors and materials shall be consistent with the Color and Materials Exhibit dated May 22, 2014, prepared by Winpac-La Vista, LLC, and approved by the Design Review Board as a staff report item.
3. These Conditions apply to and constitute approval of **Tree Removal Permit (PL131338-RT)** for the removal of 10 Protected Trees, as follows:

Tree No.	Species	Trunk(s) Diameter (inches)
1	Almond	5,5,8,11
2	Coast Live Oak	21, 14, 20, 18
3	Valley Oak	14.5
4	Cork Oak	10, 9.5, 8, 8
5	Siberian Elm	24
6	Western Cottonwood	8, 7, 5, 11, 10

4. The following Exhibits, date stamped received by the City of Concord, on May 14, 2014, are approved and shall be incorporated as Conditions of Approval.

<u>Plan</u>	<u>Date Prepared</u>	<u>Prepared by</u>	<u>Sheet</u>
-------------	----------------------	--------------------	--------------

1	Cover Sheet	5-13-14	Hawkins & Associates Engineering, Inc.	C1
2	Vesting Tentative Map	5-13-14	Hawkins & Associates Engineering, Inc.	C2
3	Cross Sections	5-13-14	Hawkins & Associates Engineering, Inc.	C3
4	Calculated Site Plan	5-13-14	Hawkins & Associates Engineering, Inc.	C4
5	Preliminary	5-13-14	Hawkins & Associates Engineering, Inc.	C5
6	Grading/Drainage Plan			
7	Stormwater Control Plan	5-13-14	Hawkins & Associates Engineering, Inc.	C6
8	Bio-Swale Plan	5-13-14	Hawkins & Associates Engineering, Inc.	C7
9	Preliminary Utility Plan	5-13-14	Hawkins & Associates Engineering, Inc.	C8
10	Preliminary Landscape Plan	5-13-14	James Swanson	L1
11	Preliminary Landscape Plan –	5-13-14	James Swanson	L2
12	Fence Detail			
13	Plan 1	5-10-14	D.L. Levis Building Design & Drafting	1
14	Plan 2	5-10-14	D.L. Levis Building Design & Drafting	2
15	Plan 3	5-10-14	D.L. Levis Building Design & Drafting	3

16 **GENERAL CONDITIONS**

17

18 5. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:

- 19 (a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
- 20 (b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
- 21 (c) Prior to Construction.
- 22 (d) On going during Construction.
- 23 (e) Prior to approval of the Final Map.
- 24 (f) Prior to occupancy approval.

25 If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. **(PLNG, BLDG, ENGR)**

26 6. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. **(PLNG, BLDG, ENGR)**

- 1 7. The project shall comply with all applicable Federal and State laws and Concord Municipal
2 Code (CMC) requirements. *(PLNG, BLDG, ENGR)*
- 3 8. Minor modifications that are found to be in substantial conformance with the approved plans
4 such as colors, plant materials, or minor lot line adjustments, may be approved
5 administratively. Major modifications shall be approved by the applicable decision making
6 body. *(PLNG, ENGR)*
- 7 9. The Conditions of Approval shall be listed on a plan sheet that is included in the construction
8 plan set (Grading, Utility, Landscape and Building Plans). *(PLNG, ENGR)*
- 9 10. Two annotated copies of the Conditions of Approval specifying how each applicable condition
10 has been satisfied, shall be submitted as follows:
- 11 a. At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan
12 check, whichever comes first.
- 13 b. Prior to occupancy approval. *(PLNG, ENGR)*
- 14 11. The project site and area surrounding the site shall be fenced and maintained in a weed and
15 litter free condition for the period prior to construction. *(BLDG, PLNG)*
- 16 12. Existing fencing shall remain around the site during construction or an alternative perimeter
17 fence provided as approved by the City. *(PLNG)*
- 18 13. Submit a site plan with the parking details for all temporary real estate offices and model
19 homes to Planning and Engineering prior to issuance of Building Permits. *(PLNG, ENGR,*
20 *BLDG)*

17 ARCHITECTURAL

- 18 14. The homes on lots 1 and 8 shall be single-story. Prior to issuance of a building permit, the
19 following issues shall be addressed in the final elevations for approval by the Design Review
20 Board as a staff report item: *(PLNG)*
- 21 a. Add wood siding to Plan 2 right elevation to wrap around from front elevation;
22 b. Add wood siding to the Plan 2 pop out;
23 c. Include wood siding to Plan 3 left elevation on garage;
24 d. Reduce slope of columns on Plan 3 or consider using pre-fabricated columns;
25 e. Incorporate additional details and trim into the pop-outs;
26 f. Add trim to Plan 3 Elevation A above front door, window, and columns;
27 g. Provide additional "kicker" details; and
28 h. Eliminate all single-hung 404/405 windows.
- 29 15. All composition shingle roofing shall be architecturally laminated style with a minimum
30 weight of 280 lbs/square. *(PLNG)*

- 1 16. Hardboard siding shall be installed per manufacturer's standards, true and plumb, with no two
2 butt joints lined up one above the other, and butt joints secured in clips designed for this
3 purpose. Any siding that does not meet this requirement shall be replaced. *(PLNG)*
- 4 17. All mechanical, electrical, and utility equipment shall be located, screened, or incorporated
5 into the design of the homes so as not to be visible from off-site. Vents, gutters, downspouts,
6 flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface,
7 unless otherwise approved by the Planning Division. *(PLNG)*

8 LANDSCAPING

- 9 18. Submit Final Landscape Plans for review incorporating all Planning Commission
10 recommendations for approval by the Design Review Board as a staff report item. The plan
11 shall be prepared by a Landscape Architect, registered by the State of California, for review
12 and approval with the Grading, Improvement, or Building Plans, whichever comes first. The
13 Plan shall be drawn on or consistent with the Grading, Improvement, Utility, and Stormwater
14 Plans prepared by the Civil Engineer, with the following information:
- 15 a. A legend that lists all plant species (Latin and common name), including size,
16 quantities, spacing, and ultimate height and width.
 - 17 b. Specifications and details for planting, including staking of trees and planting in bio-
18 retention or other stormwater treatment areas. Plants for self-retaining and bio-
19 retention facilities should be compatible with temporarily flooded conditions.
 - 20 c. Utility and Grading information on the base map, screened back.
 - 21 d. Protected trees to be saved and identification of all replacement trees.
 - 22 e. Trees (minimum 15 gallon) and shrubs (minimum 5-gallon; accent or sub-shrubs may
23 be 1-gallon).
 - 24 f. Root control barriers and four-inch perforated pipes for parking lot trees, street trees,
25 and trees within 6 inch of any paved area or curb.
 - 26 g. A soils and plant laboratory analysis with recommendations for fertilization and
27 mulching to be incorporated into the planting specifications.
 - 28 h. A Layout/Hardscape Plan showing the location and details of all non-plant
improvements, with dimensions and call outs, showing finished grades,
hardscape/paving treatment, planter details, arbors, trellis', fences, walls, trash
enclosures, and other features.
 - i. Details for street trees in accordance with City Standard Plan S-38, "Street Tree
Planting Detail". *(PLNG/ENGR)*
- 19 19. The landscape plan shall be revised to include the following recommendations by the Planning
20 Commission for Design Review Board approval as a staff report item:
- 21 a. Indicate landscaped bio-swale sections.
 - 22 b. At least 50% of the replacement trees shall be 36-inch box in size. Priority shall be
23 given to the landscape buffer area along La Vista Avenue and the exterior yards along
24 proposed Street "A" for the placement of larger 36-inch box replacement trees.
25 *(PLNG)*

1 20. Irrigation Plans shall be submitted with the Final Landscape Plans in compliance with the
2 requirements of CMC Chapter 114 "Water Conservation in Landscaping". All Irrigation Plans
shall include the following standards:

- 3 a. All landscaped areas shall have a fully automatic irrigation system.
- 4 b. High water pressure areas shall have pressure regulation devices on the irrigation
5 system.
- 6 c. Valves and circuits shall be separated based on water use.
- 7 d. Trees shall be watered with drip or bubbler irrigation systems with circuits on their
8 own control valve.
- 9 e. Drip and bubbler systems shall not discharge water in excess of 1.5 gallons per minute
10 per device.
- 11 f. Sprinkler heads shall have matched precipitation rates within each control valve circuit.
- 12 g. Serviceable check valves shall be required where elevation differential may cause low
13 head drainage.
- 14 h. Sprinkler head spacing shall be designed for head-to-head coverage or closer due to
15 high wind conditions.
- 16 i. Design sprinkler head orientation and throw for minimum runoff and for minimum
17 overspray onto non-irrigated areas.
- 18 j. Be equipped with a controller capable of dual or multiple programming. Controllers
19 shall have multiple-cycle start capacity and a flexible calendar program. Water shall be
20 timed between the hours of 3:00 a.m. and 10:00 a.m. unless a "water smart" ET based
21 controller which adjusts controller programs based upon the current evapo-
22 transpiration rate is used.
- 23 k. Provide a rain shut off device if the controller is not an ET based controller.
- 24 l. Sprinkler heads used on slopes exceeding 15 percent shall have a precipitation rate that
25 does not exceed 0.85 inches per hour.
- 26 m. Sprinkler heads used on slopes exceeding 10 percent and located within 10 feet of any
27 hardscape shall have a precipitation rate that does not exceed 0.85 inches per hour.
28 *(PLNG)*

21. The Landscape Plans shall include a water usage program with the following:

- 22 a. Estimated annual water use (in gallons) and the area (in square feet) to be irrigated.
- 23 b. Precipitation rate(s) for each valve circuit. *(PLNG) CMC*

22. All landscaping shall be installed prior to occupancy approval. Contact the Planning Division
at least two weeks prior to Occupancy, to request a site inspection of all exterior improvements
including buildings, driveways, parking lots, landscaping, irrigation, signs, lighting, walls,
fences, and trash enclosures. *(PLNG)*

23. Prior to occupancy approval, the licensed Landscape Architect shall:

- 24 a. Conduct a final field observation and an open trench examination of the irrigation
25 system.
- 26 b. Provide written certification that:

- i) The landscaping and irrigation system were installed in conformance with the approved Landscape and Irrigation Plans.
 - ii) The landscaping has been installed in accordance with the CCWD Water Conservation Guidelines or the State of California Model Efficiency Water in Landscaping Ordinance.
 - iii) An irrigation audit was performed and deficiencies were listed which will be corrected within 30 days.
- c. Provide a signed letter of compliance with the final construction documents stating that the Landscape Architect has met all State and City requirements. *(PLNG)*

24. Any vegetation damaged or destroyed on adjacent properties during construction shall be replaced with like or comparable plant materials, and if damage occurs off-site, the replacement plants shall be approved by the property owner and the Planning Division, prior to occupancy approval. *(PLNG)*

25. The establishment of plant materials shall be guaranteed for a period of two years after Subdivision Acceptance or occupancy approval. *(PLNG)*

26. Submit a fence/wall plan showing the location, design, height, and construction details, for all fencing and walls consistent with, and as a part of, the Grading, Improvement, Landscape, and Building Plans, whichever comes first, and provide a timetable for installation. **An 8-foot tall masonry wall shall be installed on the southern property line adjacent to the church.** *(PLNG, ENGR)*

27. Fences and walls shall be a maximum height of three feet in required front yards and sight visibility triangles, and a maximum height of six feet on side and rear property lines. *(PLNG)*
CMC

28. Any embankment to be retained that is over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 48 inches tall from finished grade, and each bench has a minimum depth of 24 inches. *(PLNG)*

29. All retaining walls shall be designed and constructed to visually blend into the adjacent slopes. The style, materials, and colors for all walls shall be approved by the Planning Division prior to the issuance of Grading or Building permits, whichever comes first. *(PLNG)*

30. Prior to occupancy approval, the licensed Landscape Architect shall submit a Landscape Documentation Package with the following mandated elements:

- a. Application
- b. Certification of Compliance for Landscape Design
- c. Certification of Compliance for Landscape Installation
- d. Certification of Compliance for Landscape Audit
- e. Certification of Compliance for Landscape Maintenance
- f. Water Budget work sheets (if applicable)

- g. Landscape Plans
- h. Landscape and Maintenance Schedule (*PLNG*)

TREE PRESERVATION

- 31. The removal of 6 Protected Trees shall be mitigated by planting 18 replacement trees, unless specified otherwise in the approved arborist report. The size, species, and location of all replacement trees shall be identified on the Final Landscape plan, consistent with the Design Review approval. (*PLNG*)
- 32. The Review Authority may require that a monetary security deposit be posted and maintained where deemed necessary to ensure the preservation of protected trees during construction and the completion of required mitigation measures. The deposit shall be posted in a form acceptable to the City, prior to any grading, movement of heavy equipment onto the site, or issuance of any permits. Each violation of a Tree Permit condition shall result in forfeiture of a portion or the entirety of the deposit, at the discretion of the Review Authority. This determination may be appealed in compliance with Article VIII (Administration). (*PLNG*)
- 33. A Tree Permit may be revoked or modified, as provided in Article VIII, Division 8 (Enforcement), if it is found that the tree removal, relocation, or protection activities: (1) No longer support the original findings; (2) Resulted from misrepresentation or fraud; (3) Have not met, or have violated any condition of approval; or (4) Constitute a nuisance. (*PLNG, CA*)
- 34. Whenever any construction or work is being performed contrary to the provisions of this Division or applicable conditions of approval, a written notice may be served on the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation and the risk to the trees. No further work shall be allowed until the violation had been corrected. (*PLNG, ENGR, CA*)
- 35. Any person, including but not limited to the property owner, the person performing the work and/or any other responsible person, who violates these tree protection conditions or the provisions of *Development Code Article IV, Division 3, Tree Preservation and Replacement*, shall be liable to the City for a civil penalty of three times the damage caused to a protected tree, or \$5,000, whichever is greater. For purposes of calculating the damage to the protected tree, the then-current edition of the "Guide for Establishing Values of Trees and Other Plants" by the Council of Tree and Landscape Appraisers shall be presumed to provide the appropriate basis for determining damages. (*PLNG, ENGR, CA*)

SIGNAGE

- 36. One sign denoting the architect, engineer, or contractor associated with the project may be permitted on site. The maximum sign area shall be 12 sq. ft. within single family districts and 40 sq. ft. for other districts, of which 32 sq.ft. may be for the general contractor. These signs shall be removed upon occupancy approval. (*PLNG*) **CMC**

1 **PARKING**

2 37. Two-car garages shall be a minimum 20 feet wide by 22 feet deep with minimum 16 foot door
3 opening or two 9-foot wide door openings. *(PLNG) CMC*

4 **STREET IMPROVEMENTS**

5 38. Construct improvements along the frontage on **La Vista Avenue** including but not limited to:
6 driveway removal; pavement widening; concrete valley gutter; wheel chair ramps;
7 construction of concrete curb, gutter and sidewalk; ADA compliant concrete driveway
8 approach; storm drainage system; conforms to existing improvements; and repair/replacement
of deficient frontage improvements as determined by the City Engineer, prior to occupancy
approval or Acceptance of Improvements. *(ENGR)*

9 39. Install slurry seal on **La Vista Avenue** from lip of gutter to street centerline, after completion
10 of utility undergrounding and frontage improvements, prior to the Acceptance of
Improvements. *(ENGR)*

11 40. Any trenching for underground utilities within existing pavement shall comply with the
12 modified City Standard Detail S-17 for pavement repair and possible slurry placement.
(ENGR)

13 41. Prohibit parking **on the private street**. Paint curb face with red and install “No Parking” signs
14 where parking is prohibited, prior to Acceptance of Improvements or the first Occupancy,
15 whichever comes first. *(ENGR)*

16 42. Construct all public facilities in accordance with the current Americans with Disabilities Act
17 (ADA), including driveways and curb ramps. *(ENGR)*

18 **NOISE**

19 43. Noise producing site preparation and construction activities shall be limited to the days and
20 hours as set forth below:

21 **Monday through Friday7:30 a.m. to 6:00 p.m., excluding federal holidays.**

22 Construction on Saturdays may be allowed only upon prior approval by the Building,
23 Engineering, and Planning Divisions. No changes to these construction hours shall be allowed
24 without the prior written consent of the City. A contact person shall be available during all
25 construction activities in the evening and on weekends to respond to complaints and take
26 actions necessary to reduce noise. *(BLDG, ENGR, PLNG)*

1 **CONSTRUCTION ACTIVITIES**

- 2 44. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of
3 Grading or Building Permits, whichever comes first. *(ENGR)*
- 4 45. Implement a dust and construction noise control plan. Submit the plan to Engineering Services
5 for review and approval prior to issuance of the Grading Permit. The plan can be in the form of
6 text to be shown on the construction drawings. *(ENGR)*
- 7 46. Construction equipment shall not be serviced at the site at any time except for emergency
8 repairs. During construction no deliveries shall be made to the site and no delivery vehicles
9 (including gasoline tanker trucks) shall enter the site between 6:00 p.m. and 7:30 a.m. on
10 weekdays, excluding federal holidays. Delivery vehicles shall have their engines turned off
11 during unloading. *(BLDG, ENGR, PLNG)*
- 12 47. Employ the quietest construction equipment available, to muffle noise from construction
13 equipment and keep all mufflers in good working order in accordance with State law. *(BLDG,*
14 *ENGR, PLNG)*
- 15 48. Implement the following measures during construction:
- 16 a. Gather all construction debris on a regular basis and place them in a dumpster or other
17 container that is emptied or removed on a weekly basis. When appropriate, use tarps on
18 the ground to collect fallen debris or splatters that could contribute to storm water
19 pollution.
 - 20 b. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and
21 storm drains adjoining the project site. During wet weather, avoid driving vehicles off
22 paved areas.
 - 23 c. Broomsweep the public street pavement and gutter adjoining the project site on an as-
24 needed basis as determined by the City inspector. Caked-on mud or dirt shall be
25 scraped from these areas before sweeping.
 - 26 d. Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest
27 the downstream side of the site in order to preclude any debris or dirt from flowing into
28 the City storm drain system. Filter materials shall be maintained and/or replaced as
necessary to ensure effectiveness and to prevent street flooding. Dispose of filter
particles in an approved trash receptacle.
 - e. Create a contained and covered area on the site for the storage of bags, cement, paints,
flammable, oils, fertilizers, pesticides, or any other materials used on the site that have
the potential for being discharged to the storm drain system by being windblown or in
the event of a material spill.
 - f. Never clean items such as machinery, tools, and brushes or rinse containers in a street,
gutter, or storm drain.
 - g. Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash
water into street gutters or drains. *(ENGR, BLDG)*
49. No equipment shall be started or staging area be established on the streets or the site before or
after the specified hours of construction. *(ENGR, BLDG)*

1 50. Ensure that no debris or construction scrap material is placed on any adjoining lot, open space
2 area, or street, and that any such material stored on an adjoining site shall be completely
3 removed and the site cleaned, prior to occupancy approval. *(ENGR, BLDG)*

4 51. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or
5 sleeping quarters on the construction site unless authorized for site security. *(ENGR, BLDG)*

6 52. There shall be no parking of construction equipment or construction worker's vehicles on
7 residential streets at any time; all vehicles shall be maintained on-site. *(ENGR, BLDG)*

8 53. Portable toilets used during construction shall be kept as far as possible from adjacent
9 properties and shall be emptied on a regular basis as necessary to prevent odor. *(ENGR,
10 BLDG)*

11 54. Identify truck routes for the import or export of cut/fill material and/or construction debris for
12 review and approval by the City Engineer prior to the issuance of permits. Repair any damage
13 to City streets (private and public) caused by activity associated with this project. *(ENGR)*

14 55. In the event of the encounter of subsurface materials suspected to be of an archaeological or
15 paleontological nature, all grading and/or excavation shall cease, the find shall be left
16 untouched, and the City Planning Division shall be immediately notified. The County Coroner
17 and the Native American Heritage Commission shall also be notified and the procedures
18 required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading
19 and Building Plans, prior to issuance of permits. *(PLNG, ENGR, BLDG)*

20 56. In the above event, retain a qualified professional archaeologist certified by the Register of
21 Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to
22 evaluate and make recommendations as to disposition, mitigation and/or salvage. The
23 recommendation shall be implemented before work may proceed. The applicant shall be
24 responsible for all costs associated with the professional investigation and implementation.
25 *(PLNG, ENGR, BLDG)*

26 CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

27 57. Submit two copies of Preliminary Title Report, prepared within three months prior to plan
28 submittal. *(ENGR)*

58. The Improvement Plans shall show frontage improvements including but not limited to:
drainage improvements, curb, gutter and sidewalk per City Standard Detail S-10, and driveway
construction per City Standard Detail S-14 and repair/replacement of deficient frontage
improvements as determined by the City Engineer. Any unusable existing driveway shall be
replaced with standard curb, gutter, and sidewalk per S-10 above. Any trenching for utility
installation shall comply with the modified City Standard Detail S-17 for pavement repair and
possible slurry placement. *(ENGR)*

- 1 59. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer
improvements and details for curb, gutter, sidewalk, and driveway construction. *(ENGR)*
- 2 60. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight
3 distance, sidewalk, back up, fencing, geometrics at intersection and corner setback
4 requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and
approval by Engineering Services. *(ENGR)*
- 5 61. Obtain an Encroachment Permit from the City prior to performing any work within the public
6 right-of-way or public easements. *(ENGR) CMC*

7 **SUBDIVISIONS/SITE DEVELOPMENT PLANS**

- 8 62. The Vesting Tentative Map prepared by Hawkins & Associates Engineering, Inc. and dated
9 May 13, 2014 is not approved for construction. Submit Grading, Erosion Control,
Improvement, Stormwater Pollution Prevention Plans (SWPPP), and Stormwater Control
10 Plans prepared by a licensed Civil Engineer to Engineering Services for review and approval
prior to issuance of an Encroachment Permit and Grading Permit. *(ENGR)*
- 11 63. The Final Map shall be prepared by a qualified Civil Engineer or Licensed Land Surveyor and
12 shall be subject to review and approval by Engineering Services. *(ENGR)*
- 13 64. If building occupancy occurs in phases, all physical improvements shall be in place prior to
14 occupancy per an approved phasing plan. No individual unit/house shall be occupied until the
15 adjoining area is made safe, accessible, provided with all reasonable services and amenities,
and completely separated from any remaining construction-related activity. *(BLDG, PLNG,*
16 *ENGR)*
- 17 65. Approved street names shall be shown on the **Final Map** prior to recordation of the map.
18 *(ENGR, PLNG)*
- 19 66. Three copies of project Covenants, Codes and Restrictions (CC&Rs) shall be submitted with
20 the Grading and Improvement Plans and Final Map, for review and approval. The CC&Rs
shall include the following provisions and shall be recorded with the Final Map:
- 21 a. A Homeowners Association (HOA), shall be formed and shall be responsible in
perpetuity, for the maintenance, repair, and replacement of:
- 22 i) All parcels held in common, open space and common area improvements
23 including driveways, private streets, access easements, pedestrian paths and
walkways, landscaping, irrigation systems, fencing, retaining walls, soundwalls,
24 signage, trash and recycling areas and utilities.
- 25 ii) All landscaping and irrigation equipment on-site and within the public right-of-
26 way.
- 27

1 iii) All permanent stormwater management facilities included in the approved
2 Stormwater Control Plan and the approved Stormwater Control Operations and
3 Maintenance Plan.

4 b. Contain a statement that in the event these areas or facilities are not properly
5 maintained, repaired or replaced according to the approved plans, each property owner
6 shall be responsible for their proportionate share of these costs, secured by a lien on the
7 property in favor of the HOA, in accordance with the HOA procedures.

8 c. Provide reciprocal easements over all common parcels for maintenance purposes.

9 d. The HOA shall be responsible for enforcing the CC&Rs and providing written notice
10 of any violation to the property owners.

11 e. The HOA shall provide the Planning Division with the name, address and phone
12 number of the current HOA representative. (*PLNG, ENGR, CA*)

GRADING/EROSION CONTROL/GEOLOGIC

13 67. Submit a Geotechnical Report with the Grading Plans and Building Plans, pursuant to CMC
14 Section 94-51 and Section 86-73 that addresses and provides recommendations for grading,
15 drainage, walls, building foundations, and pavement structural sections. (*ENGR*)

16 68. All grading shall require Erosion Control, Grading and Drainage Plans prepared by a licensed
17 Civil Engineer, a Soils Report prepared by a registered Geotechnical Engineer, and receipt of a
18 Grading Permit approved by the City Engineer. (*ENGR*)

19 69. Contour grading techniques shall be employed throughout the project to achieve a more
20 natural appearance, even where this will increase the amount of grading. Tops of cuts or toes
21 of fills adjacent to existing public rights-of-way or easements shall be set back two feet
22 minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet
23 in height shall be rounded both horizontally and vertically. (*ENGR*)

24 70. Grading on adjacent properties shall require written approval from the affected property
25 owners. (*ENGR*)

26 71. On-site finish grading work shall require drainage to be directed away from all building
27 foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward
28 approved drainage facilities or swales. Non-paved drainage swales shall have a minimum
slope of 1 percent. (*ENGR*)

72. The project engineer shall inspect the finished grading and certify that it conforms to the
compaction and elevations shown on the Grading Plan and Soils Report. (*ENGR*) *CMC*

73. At all times seasonally appropriate erosion control measures shall be implemented per plans
approved by the City Engineer for all grading work at all times. (*ENGR*)

- 1 74. All graded slopes and stockpiles of loose soil shall be hydromulched/hydroseeded by October
2 of any given year. If rain is forecast, implement BMPs to insure that the site is protected from
3 erosion during grading work between October and April. *(ENGR)*
- 4 75. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan
5 (SWPPP), and Stormwater Control Plans to Engineering Services for review and approval
6 prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable,
7 evidence of compliance with the State General Construction Permit shall be provided. *(ENGR)*
8 *CMC*
- 9 76. Comply with the applicable provisions of the Grading Ordinance and the Storm Water
10 Management and Discharge Control Ordinance. *(ENGR) CMC*
- 11 77. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight
12 distance, sidewalk, back up, fencing, geometrics at intersection, and corner setback
13 requirements, prior to the acceptance of improvements. Plans shall be subject to review and
14 approval by Engineering Services. *(ENGR) CMC*
- 15 78. Improve interior private streets in accordance with the City of Concord standards. *(ENGR)*
16 *CMC*
- 17 79. Designate the private street as a required fire access lane thereby prohibiting parking on both
18 sides of the street at all times. Signs and/or curb striping shall be installed according to the
19 regulations established by the Contra Costa County Fire Protection District, the Concord
20 Police Department, and Engineering Services. The signs shall include, the Police Department
21 telephone number and a notification that a citation may be issued for the violation with vehicle
22 removal at the owner's expense. *(ENGR, UFC)*

23 UTILITIES

- 24 80. New electrical transformers shall be placed underground or screened from view. *(PLNG,*
25 *ENGR)*
- 26 81. No above ground utility facilities/structures shall be located between the face of curb and back
27 of sidewalk in the public right-of-way. *(ENGR)*
- 28 82. Dedicate to the City a 15 foot wide sanitary sewer easement (along all main sewer lines
outside of the public street right-of-way) for construction and maintenance purposes prior to
recording of the Final Map or Building occupancy approval whichever comes first. The City
will not accept maintenance of building laterals. *(ENGR)*
83. Install one streetlight near the **La Vista Avenue** frontage and one streetlight within proposed
Street "A.". Submit streetlight plans in accordance with the City Standard Specifications
showing pole type, luminaries type, conductor and wiring schedule, connection points, lamp

wattage and pull box locations, at the time of submittal of improvement plans. Streetlights shall be completely installed and operational prior to occupancy approval. *(ENGR)*

84. All new utilities shall be constructed underground prior to occupancy approval. *(ENGR)*

85. Undergrounding of all existing overhead utilities along **La Vista Avenue (northeast corner of project)** including aerial street crossings shall be required pursuant to CMC Section 110-93. All new utilities shall be constructed underground prior to issuance of occupancy approval. *(ENGR)*

86. Comply with the City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *(ENGR)*

87. All existing sanitary sewer pipes traversing the site from existing structures to the main pipe shall be removed or abandoned per Central Contra Costa Sanitary District Standard Specifications. Details for the pipe removal or abandonment shall be submitted to Engineering Services prior to the issuance of Construction Permits. *(ENGR)*

88. Submit to Engineering Services a sewer fixture count and square footage of the existing buildings for possible fee credit purposes, prior to demolition. *(ENGR)*

89. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. *(ENGR)*

90. Utility areas, electrical and gas meters shall be architecturally screened from view. *(PLNG)*

91. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention devices, and the like shall be subject to approval by Planning and Engineering Services prior to the issuance of the Grading or Building Permit, whichever comes first. All such equipment shall be screened from view either architecturally or with landscaping and painted forest green or other approved color as approved by the Planning Division. Any changes to the approved Utility Plans, including location or screening details shall be reviewed and approved by the Planning Division. *(PLNG, ENGR)*

92. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site. *(ENGR)*

93. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current sewer connection and service fees prior to occupancy approval. *(ENGR) CMC*

DRAINAGE/STORMWATER C.3 REQUIREMENTS

94. Submit a Stormwater Control Plan (SWCP) prepared in accordance with the current Contra Costa Clean Water Program Stormwater C.3 Guidebook for review and approval by Engineering Services prior to issuance of any permit. The SWCP shall be prepared and

certified by a licensed Civil Engineer, demonstrating an understanding of the design of treatment measures for water quality and groundwater protection principles applicable to the project site. *(ENGR)*

95. Prior to issuance of permits for building, site improvements, or landscaping, applicant shall submit a permit application consistent with the applicant's approved Stormwater Control Plan (SWCP), and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMP's, permanent source control BMP's, and other features that control stormwater flow and potential stormwater pollutants. The Contra Costa Clean Water Program permit application shall include a completed "Construction Plan C.3 Checklist" as described in the Stormwater C.3 Guidebook, and a detailed draft Stormwater BMP Operation and Maintenance Plan consistent with the general O&M plan included in the applicant's approved Stormwater Control Plan. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are in Appendix F of the Stormwater C.3 Guidebook. *(ENGR)*
96. Construct stormwater treatment measures per the approved SWCP prior to occupancy approval. *(ENGR)*
97. Submit a final Stormwater BMP Operation and Maintenance Plan (O&M Plan) in accordance with City of Concord Guidelines, for review and approval by Engineering Services, prior to occupancy approval. This O&M Plan shall incorporate City comments on the draft O&M Plan and any revisions resulting from changes made during construction. *(ENGR)*
98. Execute any agreements identified in the SWCP which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs, prior to occupancy approval. *(ENGR)*
99. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner. *(ENGR)*
100. Collect and convey all stormwater entering and/or originating from the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year storm with the Improvement Plans to Engineering Services for review and approval. *(ENGR)*
101. Install City of Concord "No Dumping, Drains to Creek" curb marker (English and Spanish version) on all catch basins. *(ENGR)*
102. Submit a Construction Best Management Practice (BMP) Program for review and approval by the Engineering Development Services Department prior to issuance of a Building and/or Grading Permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMPs. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved

1 construction BMP may result in the issuance of correction notices, citations, or a project stop
2 work order. (*ENGR*)

3 103. Ensure that the area surrounding the project such as the streets stay free and clear of
4 construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way
5 related to project construction. Areas that are exposed for extended periods shall be watered
6 regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular
7 basis. All trucks shall be covered. (*ENGR*)

8 104. Clean all on-site stormdrain facilities a minimum of twice a year, once immediately prior to
9 October 15 and once in January. Additional cleaning may be required if found necessary by
10 the City Engineer/Director of Building Inspection. (*ENGR, BLDG*)

11 SOLID WASTE/RECYCLING

12 105. Comply with CMC Chapter 82, Solid Waste, Article V, Construction and Demolition (C&D)
13 Waste Recycling, Sections 82-114 through 82-126, as applicable. (*BLDG*)

14 AGREEMENTS, FEES, BONDS

15 106. All fees noted below are the fees currently in effect as of July 1, 2013 per the Resolution of
16 Fees and Charges. The fees and charges are reviewed annually as part of the budget public
17 hearing process. Fee adjustments are based on a number of factors and vary depending on the
18 type of fee:

19 **Service-based fees** are adjusted annually based on the San Francisco-San Jose-
20 Oakland Area Consumer Price Index;

21 **Improvement based fees** (also called impact fees) are adjusted annually based on
22 Engineering News Record Construction Cost Index (San Francisco Bay Area); and the

23 **Parkland Fee** is adjusted per Section 78-95 of the Concord Municipal Code.

24 The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042,
25 Fees and Charges for Various Municipal Services, as most recently amended and approved by
26 the City Council. Persons interested in how a particular fee is calculated should contact the
27 City Department administering the fee or the Finance Department. (*ENGR*)

28 107. Provide a \$5,000 cash deposit to the Planning Division to cover Condition Compliance and
Mitigation Monitoring costs, at the time of submittal of plans and documents to Engineering
Services or the Building Division for plan check. Planning staff's time will be charged to this
deposit for work performed to implement the Conditions of Approval, from the time of project
approval to occupancy approval. Mitigation Monitoring costs will be charged at cost over the
life of the project mitigation requirements. The deposit will be placed in a refundable account
and any unused funds will be returned upon completion. If the initial deposit is insufficient to
cover actual costs, an additional deposit will be required. (*PLNG*)

- 1 108. Pay a Document Imaging fee to reimburse the City for implementation of the Document
2 Imaging and File Retention programs, prior to issuance of Grading or Building Permits.
3 *(PLNG)*
- 4 109. Enter into a Maintenance Agreement acceptable to the City prior to the approval of Final Map,
5 agreeing to provide for proper maintenance of the private street, storm drain outside of the
6 public street right of way, street lights and other privately maintained improvements pursuant
7 to CMC Section 94-33. *(ENGR)*
- 8 110. Enter into a Subdivision Agreement with the City agreeing to construct and complete all
9 improvements necessary to service the subdivision. The Agreement shall be executed and
10 submitted to the City prior to approval of the Final Map. As part of the Agreement, provide
11 securities acceptable to the City, guaranteeing construction of the required improvements.
12 *(ENGR)*
- 13 111. All improvement agreements required in connection with said plans shall be submitted to and
14 approved by the City and other agencies having jurisdiction over said project prior to approval
15 of the Final Map or issuance of the Building or Grading Permit, whichever comes first.
16 *(ENGR)*
- 17 112. All required faithful performance bonds and labor materials bonds in a penal amount equal to
18 100 percent of the approved estimates of construction costs of improvements shall be
19 submitted to and approved by the City and other agencies having jurisdiction prior to approval
20 of the Final Map or issuance of the Building or Grading Permit, whichever comes first.
21 *(ENGR)*
- 22 113. Encroachment Permit Application:
- 23 a. Pay the Filing Fee at the time of submittal of permit application, improvement plans
24 and supporting documents to City Engineering Services for review. The current fee is
25 \$86.
- 26 b. Provide a restoration security before issuance of the Encroachment Permit. The
27 security shall be in an amount sufficient to restore existing public improvements to a
28 serviceable condition should development improvement activity cause damage. The
amount of the security shall be determined by, and be in a form acceptable to the City
Engineer.
- c. Provide a \$5,000 cash deposit to cover Condition Compliance/Mitigation Monitoring
costs at the time of submittal of plans and documents to Engineering Services for
review. The deposit will be placed in a refundable account. Condition
Compliance/Mitigation Monitoring costs will be charged to this deposit over the life of
the project permit and mitigation requirements. Any unused funds will be returned at
project completion. If the initial deposit is insufficient to cover actual costs, an
additional deposit in an amount determined by the City Engineer will be required.
(ENGR)

1 114. Grading Permit Application:

- 2 a. Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee
3 is determined based on cubic yardage of cut and fill combined, or at the hourly rate of \$
4 172.00 if the hourly rate is used.
- 5 b. Provide a \$5,000 cash deposit for Erosion Control prior to issuance of Grading Permit.
6 The deposit will be placed in a refundable account. Any unused funds will be returned
7 at project completion. If the initial deposit is insufficient to cover actual costs, an
8 additional deposit in an amount determined by the City Engineer will be required.
- 9 c. Pay Stockpile and Erosion Control Monitoring fee prior to issuance of Grading Permit.
10 The stockpile and erosion control monitoring fee is currently \$23.00 per calendar day
11 and is collected for the life of the Grading Permit activity. (*ENGR*)

12 115. Final Map Application:

- 13 a. Pay the Final Map review fee at the time of submittal of Final Map documents to
14 Engineering Services for review. Current fee is estimated to be \$4,128 (based on eight
15 parcels), plus additional review time at \$172/hour if required.
- 16 b. Pay the Final Map filing fee prior to scheduling the Subdivision Agreement for
17 consideration by the City Council. The current fee is \$1,720.
- 18 c. Pay the Improvement Plan review fee at the time of submittal of Improvement Plans
19 and supporting documents to Engineering Services for review. The current fee is
20 estimated to be \$9,632 (based on eight parcels), plus additional review time at
21 \$172/hour if required.
- 22 d. Pay the Construction Inspection fee prior to issuance of the Construction Permits or
23 scheduling the Subdivision Agreement for consideration by the City Council. The
24 current fee is based on 9% of the estimated cost of constructing the required
25 improvements to support the subdivision.
- 26 e. Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for
27 consideration by the City Council. The current fee is \$3,414/acre. (Drainage Area 90)
- 28 f. Pay the Parkland Fee prior to building permit issuance. The current fee is \$16,691 per
living unit for Low Density Residential Designation.
- g. Submit a fully executed Subdivision Agreement and provide all necessary bonds,
securities, and insurance required in the Agreement prior at the time the Final Map is
scheduled for consideration by the City Council.
- h. Pay new parcel fee of \$344 per parcel prior to the approval of the Final Map.
- i. Pay acceptance of improvements and dedications fee of \$3,440 prior to scheduling
items for action by City Council.
- j. Provide a \$1,000 deposit for archiving permanent records prior to approval of the Final
Map. Actual fees will be charged following completion of work. (*ENGR*)

116. Sewer Connection Permit:

- a. Pay Sanitary Sewer connection fee. The current sewer connection fee is \$5,043 per
single-family dwelling unit and shall be paid prior to building permit issuance.

1 b. Pay the current one-time sewer service fee prior to building permit issuance. The
2 current fee is \$363 per year and is pro-rated by the month that connection is made.
(ENGR)

3 117. Traffic Mitigation Fee:

4 Pay Offsite Street Improvement Program (OSIP) fee less possible fee credit. The OSIP fee
5 shall be the fee in effect at the time of approval of the Final Map. The current OSIP Fee is
6 \$3,251 per single-family dwelling unit and shall be paid prior to building permit issuance.
(TRANS)

7 **OTHER/MISCELLANEOUS**

8 118. Contact local postal authorities to get their requirements for mail facilities for the project. The
9 design and location of mail receptacles shall be reviewed and approved by the Planning
10 Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of
11 Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to
occupancy approval. (PLNG)

12 119. Submit a written request for new street names with a site plan showing their location to the
13 Planning Division for review and approval, at the time of submittal of Improvement Plans and
14 Final Map. Include a list of alternatives for each name, as some names may not be acceptable.
(PLNG)

15 120. Contact the Geographic Information Systems (GIS) Technician, in the Information
16 Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the
17 Contra Costa Fire Protection District for their approval, prior to issuance of a Building Permit.
(PLNG)

18 121. Comply with the requirements of the Contra Costa County Health Department for the
19 abandonment of existing septic tanks or wells. (ENGR) CMC

20 122. Comply with the requirements of the Contra Costa Fire Protection District. Submit complete
21 sets of plans and specifications to the Fire District for review and approval at:

22 Contra Costa County Fire Protection District
23 2010 Geary Road
24 Pleasant Hill, CA 94523

25 Plan review fees are assessed at that time. The City is not responsible for the collection of fees
26 or enforcement of requirements imposed by the Fire District. (CCCFIRE)

27 123. Project shall comply with Contra Costa Water District's Code of Regulations Section 5 for
28 treated and untreated water service. (CCWD)

- 1 124. Existing water infrastructure will need to be evaluated and any modifications will need to be
2 designed and constructed at the cost of the developer/owner. *(CCWD)*
- 3 125. Each premise to be provided domestic service will require its own service connection and
4 meter. *(CCWD)*
- 5 126. The water main in the street or right of way shall be located opposite the proposed meter
6 locations, with sufficient capacity and pressure as determined by CCWD. The project may
7 require a main extension or other infrastructure addition. The existing on-site 2-inch main shall
8 be abandoned. *(CCWD)*
- 9 127. Property inspection and water use review is required prior to water service approval. CCWD
10 will install any necessary equipment such as backflow prevention devices at the applicant's
11 expense. *(CCWD)*
- 12 128. Install approved automatic fire sprinkler system as required by the California Residential
13 Code. Appropriate backflow prevention is required for all services where sprinkler systems
14 are installed. *(CCWD)*
- 15 129. CCWD facilities and equipment shall not be located below bio-retention areas. *(CCWD)*
- 16 130. Applicant and/or subdivider shall defend, indemnify and hold harmless the City, its agents,
17 officials and employees from any claim, action or proceeding brought by a third party to set
18 aside, annul, attack or otherwise void the approval of the Vesting Tentative Map or related
19 approvals by the Planning Commission, which action is brought within the time period
20 provided for in Government Code section 66499.37. The City shall promptly notify the
21 applicant/subdivider of any claim, action or proceeding against the City of Concord and that
22 the City will cooperate fully in the defense. *(PLNG)*
- 23 131. The permit and approval shall expire in two years from the date on which they became
24 effective unless construction permits are obtained and work has begun. All permits approved
25 concurrently with a Vesting Tentative Map shall be valid for the life of the map. The effective
26 date of the permit and approval is ***July 16, 2014*** *(PLNG)*
- 27 132. A request for a time extension from the expiration date of ***July 16, 2016*** can be considered if
28 an application with required fee is filed at least 10 days before the original expiration date,
otherwise a new application is required. A public hearing will be required for all extension
applications, except those involving only Design Review. Extensions are not automatically
approved. Changes in conditions, City policies, surrounding neighborhood, and other factors
permitted to be considered under the law, may require, or permit denial. *(PLNG)*



May 22, 2013

Troy Wright
Windward Pacific Builders
2813 Coffee Rd. Suite C
Modesto, CA 95355

Re: Arborist Report for La Vista Villas

Dear Troy,

Per your request, the following arborist report addresses tree encroachment at the La Vista Villas site. Per the city of Concord's tree protection ordinance, the report shall include the following.

- Tag all "Protected Trees"
- Measure DBH of each tree at 54" above grade.
- Assess individual tree health and structure.
- Assess proposed encroachments..
- Based on tree condition and proposed improvements, make recommendations for tree preservation.

Note: A protected tree is:

(a) Any of the following listed native trees with a diameter of 12 inches or more as measured 54 inches above the ground, or a multi-stemmed native tree on the list below where the sum of all stem diameters is 12 inches or more as measured 54 inches above the ground: Valley oak (*Quercus lobata*), Blue oak (*Q. douglasii*), Coast live oak (*Q. agrifolia*), California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), and California sycamore (*Platanus racemosa*);

(b) Other trees with a diameter of 24 inches or more as measured 54 inches above the ground, or a multi-stemmed non-native tree where the sum of all stem diameters are 24 inches or more as measured 54 inches above the ground; **Note:** eucalyptus, acacia, palms, Monterey pine, and privets are not protected species.

(c) Any tree which has been previously designated as a heritage tree by Planning Commission resolution;

(d) A tree required to be planted, relocated, or preserved as a condition of approval of a Tree Permit or other discretionary permit, and/or as environmental mitigation for a discretionary permit; and

((e) A tree with a trunk diameter of six inches or more or one component trunk of a multi-stemmed tree with a diameter of four inches or more as measured 54 inches above the ground that is located within the structure setback of creeks or streams as defined in Development Code Article VI (Resource Management), Division 2 (Creek and Riparian Habitat

Protection), Subsection 122-802(a).

Limitations

The opinions in this report are solely my own, and are based on my site visit on 5/20/13, the preliminary grading & drainage plans by Hawkins and Associates dated 5/24/13, and discussions with Winward Pacific Builders.

The health and structure of the trees were assessed visually from ground level. No drilling, root excavation, or aerial inspections were performed. Internal or non-detectable defects may exist, and could lead to part or whole tree failures. Due the dynamic nature of trees and their environment, it is not possible for arborists to guarantee that trees will not fail in the future.

Site Summary

The site is mostly flat and undeveloped with the exception of one old residential home at the east end of the development that will be removed. There are several neglected, non protected orchard trees and 6 code protected trees consisting of almond , coast live oak, valley oak, cork oak, Siberian elm, and cotton wood. With the exception of the one valley oak, all have health or structural issues.

The proposed high density housing will require significant grading for 16 residential units. Down the center of the property will be a hammerhead configured access lane the will require fire truck clearance.

All the protected and non protected trees will need to be removed to accommodate the improvements. Design efforts were made to try to save the one dominant coast live oak in the center of the property, however, its low horizontal canopy would require harsh pruning to accommodate the fire truck clearance on one side and unit #7 on the opposite side. In addition, this tree has some structural concerns that would require considerably more clearance than this project can afford.

Tree Inventory

Tag #	Species	DBH "	Health	Structure	Dripline				Comments
					N	E	S	W	
1	Almond	5, 5, 8, 11	Fair	Fair	8'	8'	8'	8'	Old un-maintained tree.
2	Coast Live Oak <i>Q. agrifolia</i>	21, 14, 20, 18	Good	Fair	30'	30'	30'	30'	Nice looking tree, however, multiple co-dominant attachments make this structure suspect. Preservation would require support systems installed.

Tag #	Species	DBH "	Health	Structure	Dripline				Comments
					N	E	S	W	
3	Valley Oak <i>Q. lobata</i>	14.5	Good	Good	15'	15'	15'	15'	Nice tree.
4	Cork Oak <i>Q. suber</i>	10, 9.5, 8, 8	Fair	Fair	5'	13'	5'	13'	Co-dominant stems
5	Siberian Elm <i>Ulmus pumila</i>	24"	Poor	Poor	25'	25'	25'	25'	Co-dominant stems. Drought stressed.
6	Western Cottonwood <i>P. fremontii</i>	8, 7, 5, 11, 10	Poor	Poor	23'	23'	23'	23'	Part of a grove of smaller "Non Protected" trees. Consists of multiple basal sprouts. Portion of canopy in decline. Topped.

Discussion

As stated above all the trees, including the above code protected trees are to be removed. Although efforts were made to design the improvements around the #2 oak, it is my opinion that it would not survive. Although this oak is nice to look at from a distance, building structures near or underneath the canopy would be risky as there are several areas where the structure is questionable.

This tree has a low spreading canopy with significant leverage being placed on the lower main crotches. Both of those crotches are co-dominant in size, and are included (forming a narrow crotch where they compete for attachment). This condition is one of the most probable causes for failures in trees.



Tree Inventory Map (from Google Maps)



Site Photo



Tree #3 is a younger more resilient valley oak with a more upright canopy. If given a 15' radius of undisturbed root space, I would consider it a more reliable specimen for preservation than #2.

La Vista Villas

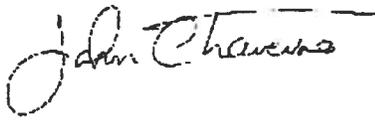
May 23, 2013

Conclusion

Per the most recent grading and drainage plans, it is my opinion that all the trees would have to be removed. Although tree #2 is the most desirable to look at, tree #3 is the best specimen and most worthy of preservation if at all possible.

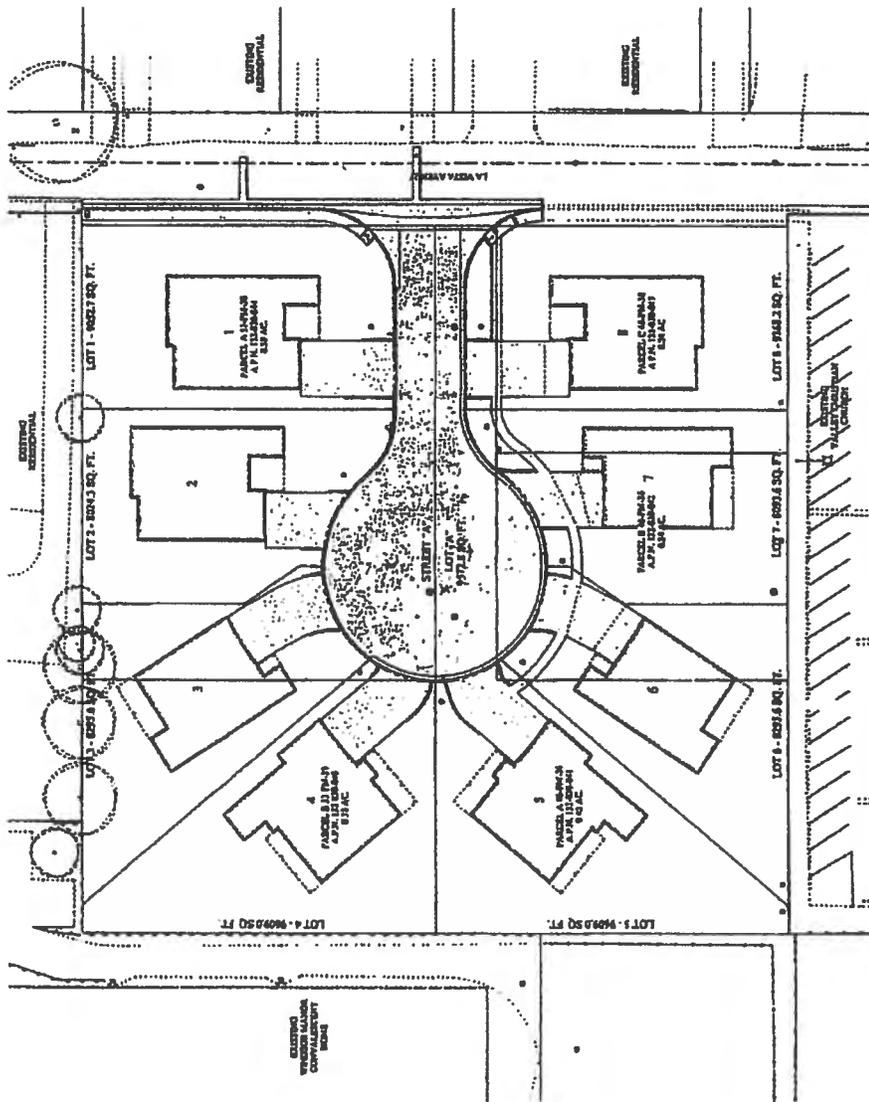
Thank you for the opportunity to provide this assessment and please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "John C. Traverso". The signature is written in a cursive style with a horizontal line extending from the end of the name.

John C Traverso
BCMA Arborist #0206-B
ISA Qualified Tree Risk Assessor #994

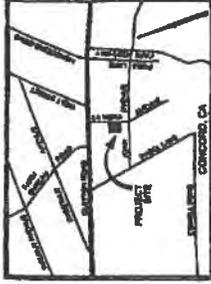
TENTATIVE MAP / DEVELOPMENT PLAN SET FOR:
LA VISTA VILLAS
WINPAC - LA VISTA LLC
 CONCORD, CALIFORNIA



RECEIVED
 MAY 14 2014
 PLANNING

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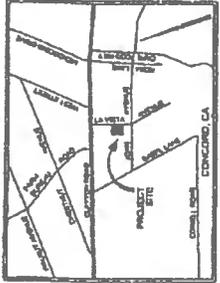


COVER SHEET

WINPAC - LA VISTA LLC
 CONCORD, CALIFORNIA

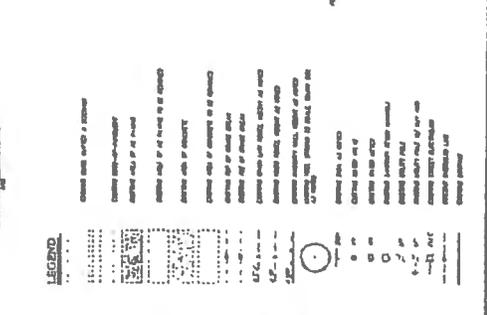
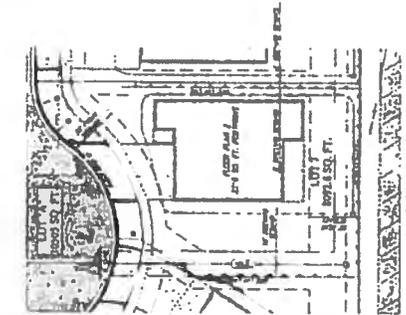
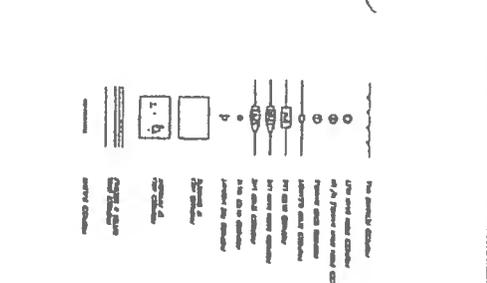
HAWKINS & ASSOCIATES
 ENGINEERING, INC.
 410 HITCHCOCK ROAD
 MODesto, CA 95124
 TEL: (209) 573-4295
 FAX: (209) 573-4295

40
 01
 10



NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
2. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
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9. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.



STATEMENT OF SUBDIVIDER

1. AS SUBDIVIDER, I HEREBY CERTIFY THAT THE MAP IS A TRUE AND CORRECT REPRESENTATION OF THE ACTUAL SITUATION ON THE GROUND.
2. I HAVE CAUSED A SURVEY TO BE MADE AND THE RESULTS THEREOF TO BE SHOWN ON THIS MAP.
3. I HAVE CAUSED A TITLE SEARCH TO BE MADE AND THE RESULTS THEREOF TO BE SHOWN ON THIS MAP.
4. I HAVE CAUSED A RECORD SEARCH TO BE MADE AND THE RESULTS THEREOF TO BE SHOWN ON THIS MAP.
5. I HAVE CAUSED A RECORD SEARCH TO BE MADE AND THE RESULTS THEREOF TO BE SHOWN ON THIS MAP.

LEGAL DESCRIPTION

... (Detailed legal description of the property) ...

BENCHMARK

... (Benchmark information) ...

FLOOD ZONE CLASSIFICATION

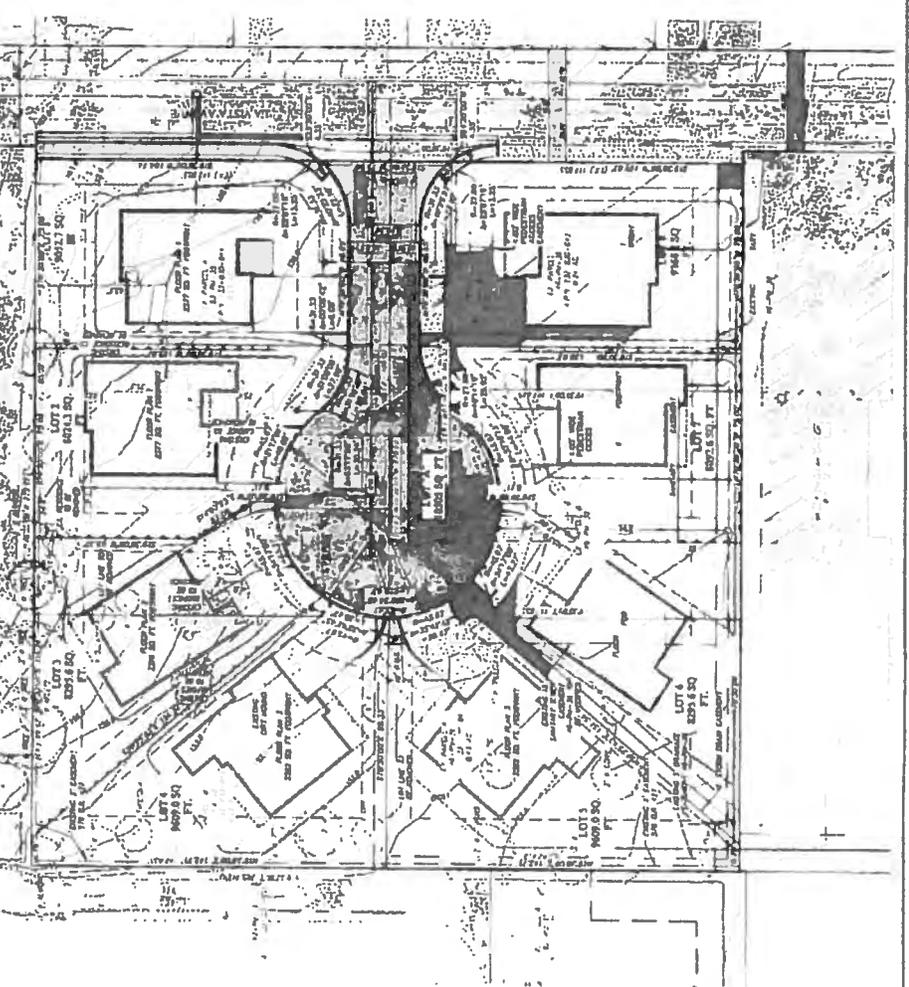
... (Flood zone classification information) ...

OWNER/SUBDIVIDER

... (Owner information) ...

ENGINEER

... (Engineer information) ...

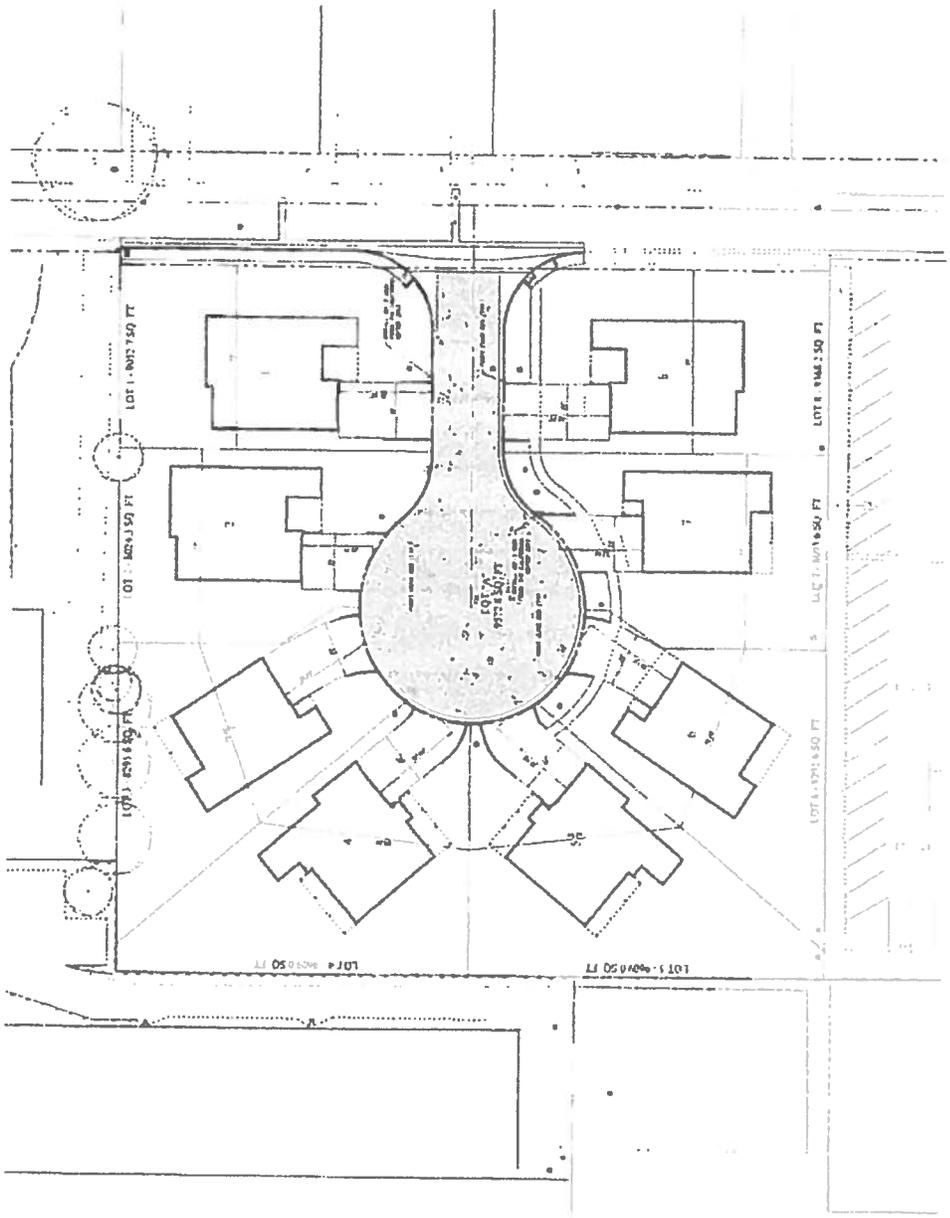
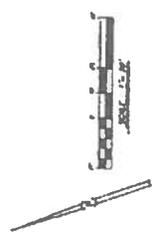


CALCULATED SITE PLAN
VESTING TENTATIVE MAP / DEVELOPMENT PLAN SET FOR
LA VISTA VILLAS
WINPAC - LA VISTA LLC
CONCORD, CALIFORNIA

HAWKINS & ASSOCIATES
ENGINEERING, INC.
466 MITCHELL ROAD
MODESTO, CA 95354
PH (209) 575-4793
FX (209) 578-4293

817
CIVIL & LANDSCAPE ARCHITECTS
1500 CALIFORNIA STREET
SUITE 200
SAN FRANCISCO, CA 94109
PH (415) 774-1100
WWW.HAWKINSANDASSOCIATES.COM

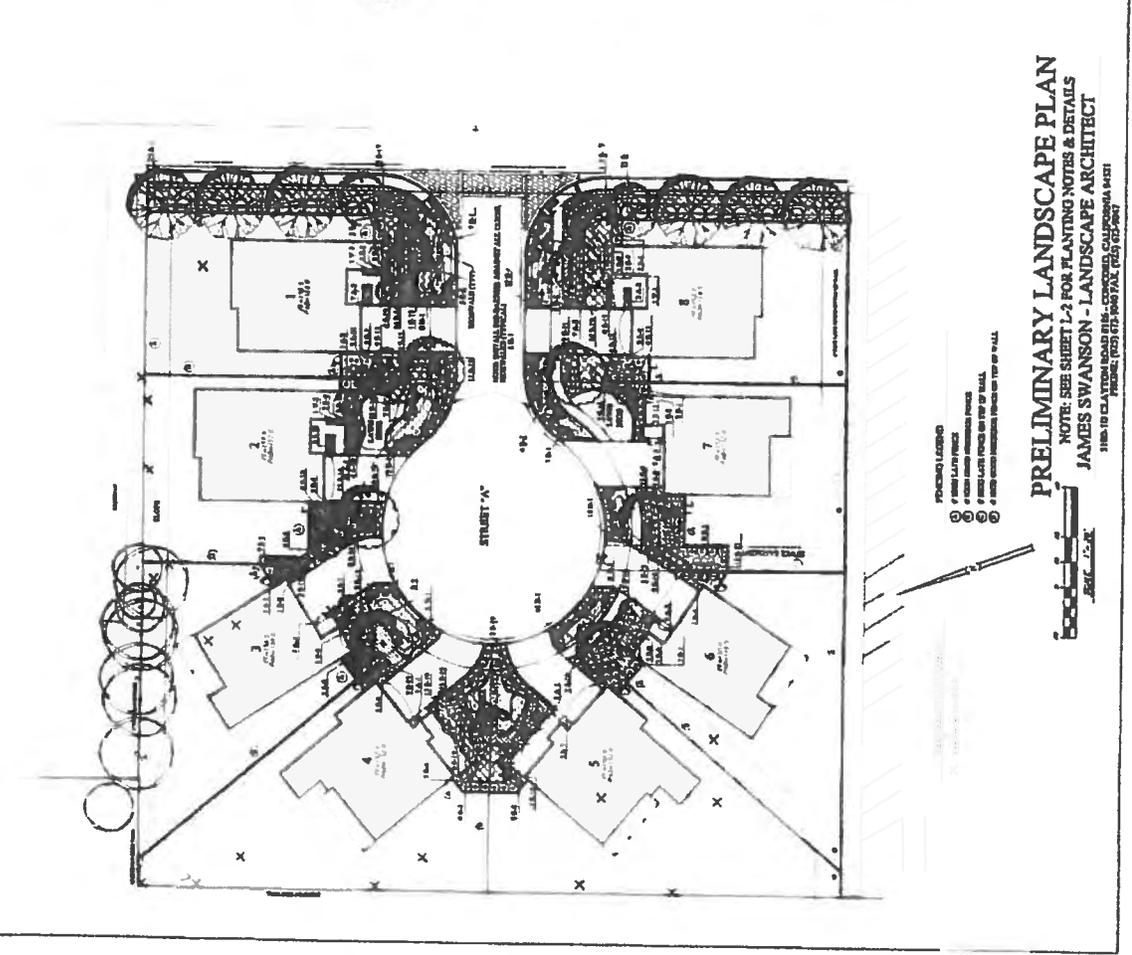
NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENT
1	LOT 1	10,000	10.00
2	LOT 2	10,000	10.00
3	LOT 3	10,000	10.00
4	LOT 4	10,000	10.00
5	LOT 5	10,000	10.00
6	LOT 6	10,000	10.00
7	LOT 7	10,000	10.00
8	LOT 8	10,000	10.00
9	LOT 9	10,000	10.00
10	LOT 10	10,000	10.00
11	LOT 11	10,000	10.00
12	LOT 12	10,000	10.00
13	LOT 13	10,000	10.00
14	LOT 14	10,000	10.00
15	LOT 15	10,000	10.00
16	LOT 16	10,000	10.00
17	LOT 17	10,000	10.00
18	LOT 18	10,000	10.00
19	LOT 19	10,000	10.00
20	LOT 20	10,000	10.00
21	LOT 21	10,000	10.00
22	LOT 22	10,000	10.00
23	LOT 23	10,000	10.00
24	LOT 24	10,000	10.00
25	LOT 25	10,000	10.00
26	LOT 26	10,000	10.00
27	LOT 27	10,000	10.00
28	LOT 28	10,000	10.00
29	LOT 29	10,000	10.00
30	LOT 30	10,000	10.00
31	LOT 31	10,000	10.00
32	LOT 32	10,000	10.00
33	LOT 33	10,000	10.00
34	LOT 34	10,000	10.00
35	LOT 35	10,000	10.00
36	LOT 36	10,000	10.00
37	LOT 37	10,000	10.00
38	LOT 38	10,000	10.00
39	LOT 39	10,000	10.00
40	LOT 40	10,000	10.00
41	LOT 41	10,000	10.00
42	LOT 42	10,000	10.00
43	LOT 43	10,000	10.00
44	LOT 44	10,000	10.00
45	LOT 45	10,000	10.00
46	LOT 46	10,000	10.00
47	LOT 47	10,000	10.00
48	LOT 48	10,000	10.00
49	LOT 49	10,000	10.00
50	LOT 50	10,000	10.00



8
 1-1
 SHEET

PROPOSED PLANT MATERIALS

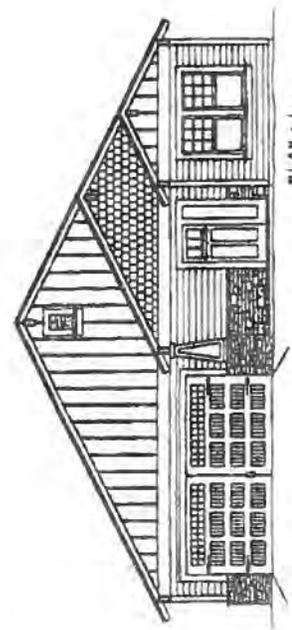
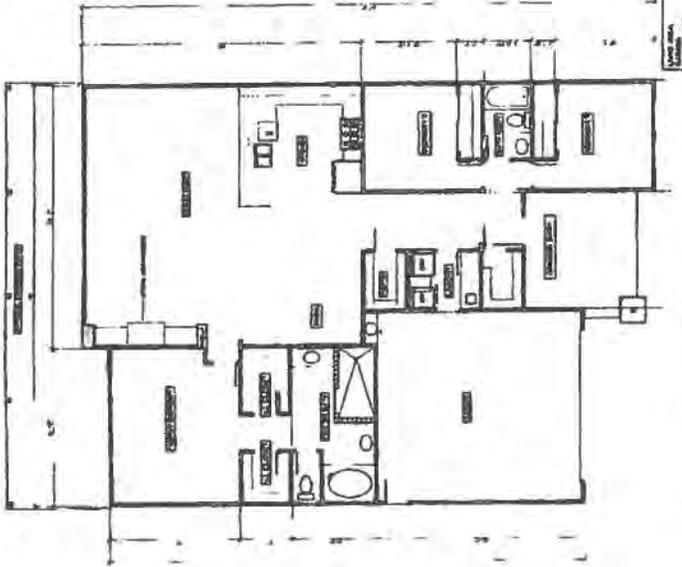
PLANT MATERIAL	QUANTITY	PLANTING NOTES	PLANTING DATE
SMALL PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	2	PLANTING DATE TO BE DETERMINED	
YACHT CLUB BUTTLE	2		
LAGERSTRÖMIA NUSCROCKE	3		
LAGERSTRÖMIA MALLARY	3		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	3		
CERISE IL. VIG. JACQUA	3		
DECIDUOUS SHRUBS (TO BE 36" DIAM. @ 10' HGT.)	6		
POTACHIA CHENOPOD	6		
SPYRACONUS SHALICEA (TO BE 36" DIAM. @ 10' HGT.)	7		
DELA. WILLOW	7		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	9		
COMPTONIA DUNE	9		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	11		
STYLONIA COMPOSITA	11		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	12		
VANDICATED MOCK ORANGE	12		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	13		
PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	14		
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PLANTING TREES (TO BE 24" DIAM. @ 10' HGT.)	100		



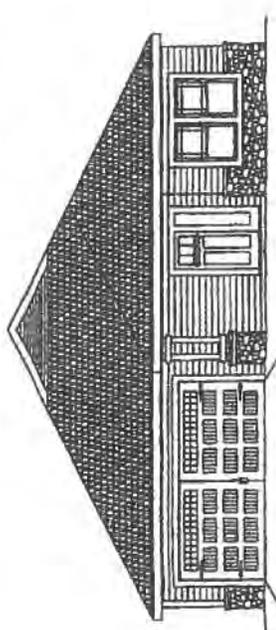
PRELIMINARY LANDSCAPE PLAN
 NOTE: SEE SHEET L-2 FOR PLANTING NOTES & DETAILS
 JAMES SWANSON - LANDSCAPE ARCHITECT
 THIS IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION. ALL PLANTS SHALL BE Laid OUT IN THE FIELD UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

RECEIVED
 APR 09 2014
 PLANNING
 D. L. LEV
 Building Design & Engineering

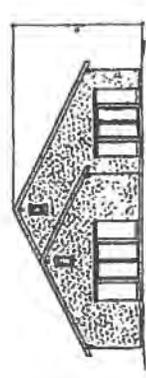
LA VITA VILLA
 VILLAGE PROJECT BUILDING
 LA VITA VILLA
 ENGINEERED CIVIL ENGINEER
 d. l. lev
 LA VITA VILLA
 CONCEPT ARCHITECTS
 PLAN #1
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PLAN #1
 ELEVATION - A 1/8"



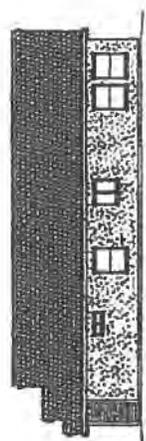
FRONT ELEVATION B
 SCALE: 1/8" = 1'-0"



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

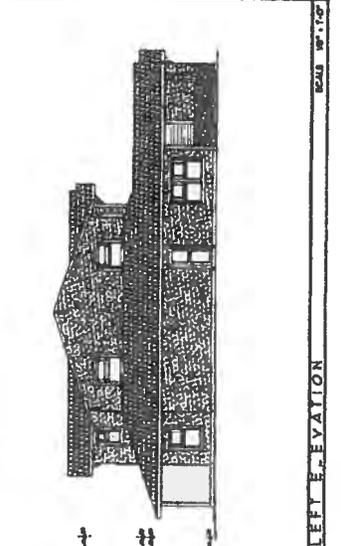
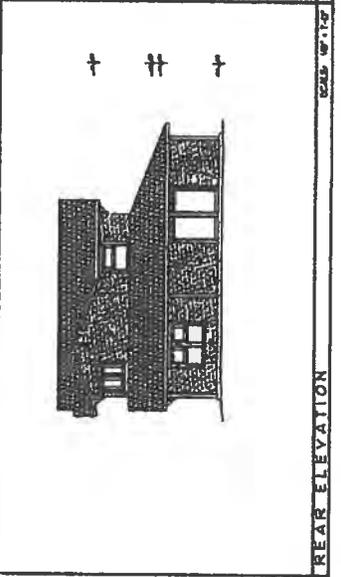
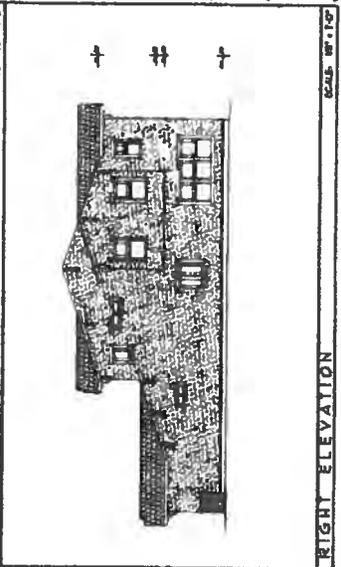
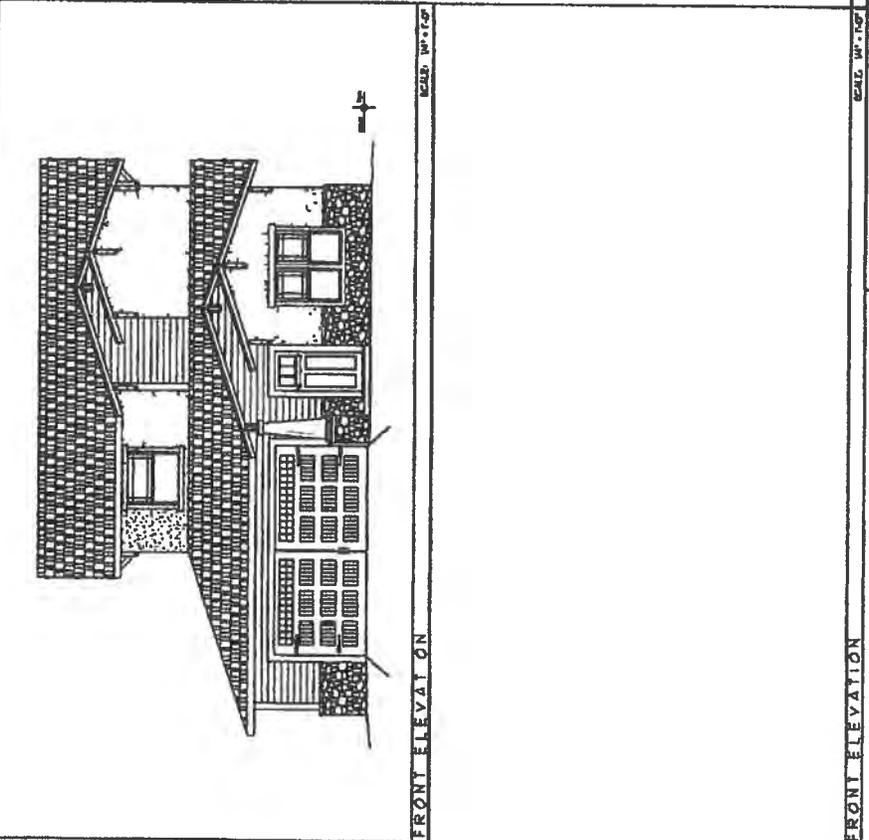
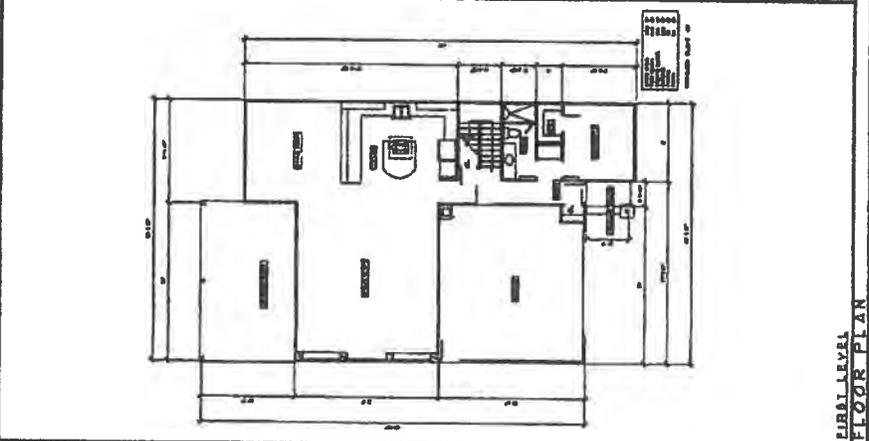
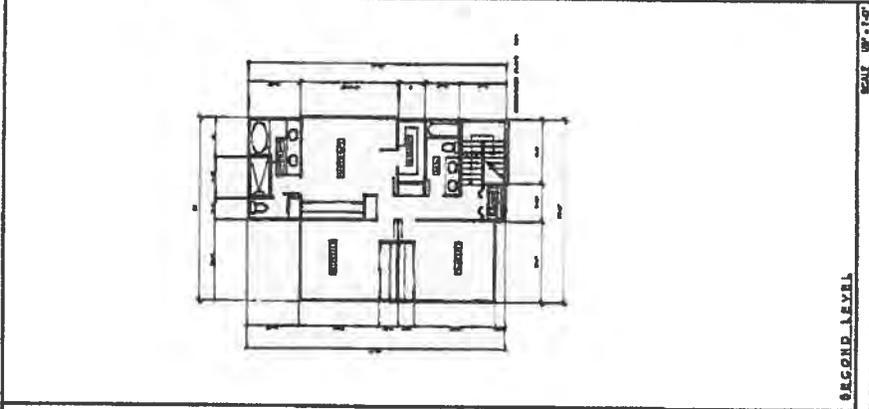


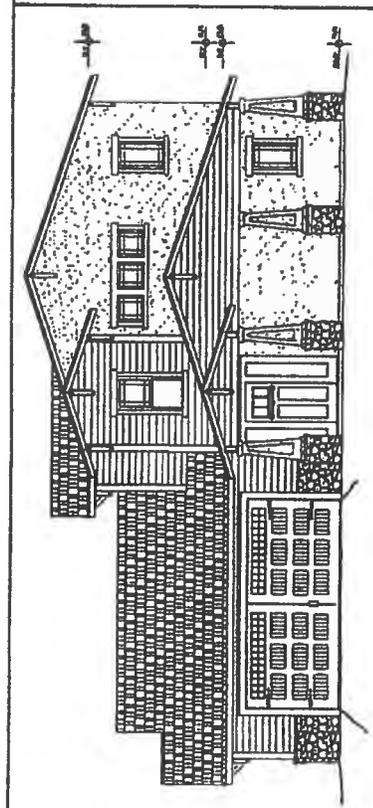
LEFT ELEVATION
 SCALE: 1/8" = 1'-0"



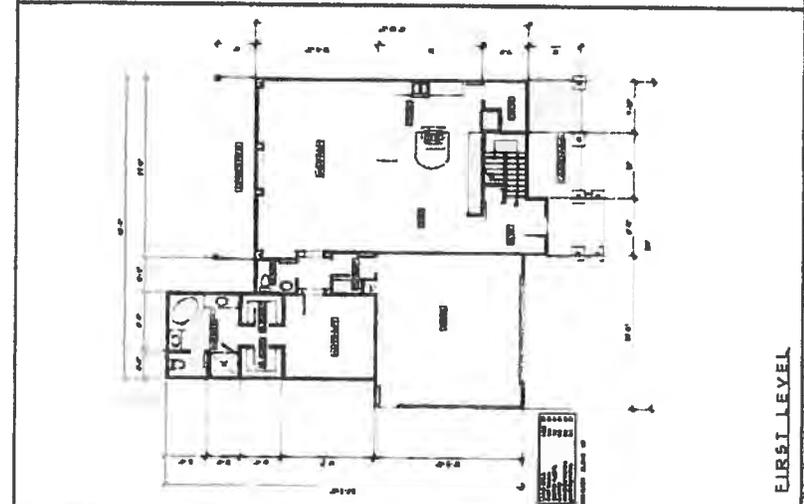
RIGHT ELEVATION
 SCALE: 1/8" = 1'-0"

PLAN '2
 LA VITA VILLA
 GENERAL CONTRACTOR
 RENTON, MISS
 Registered Civil Engineer
 & Architect
 La Vita Villa
 Without Project Numbers
 D. L. LEVINS
 Building Designer & Drafting
 & Architectural
 and Mechanical

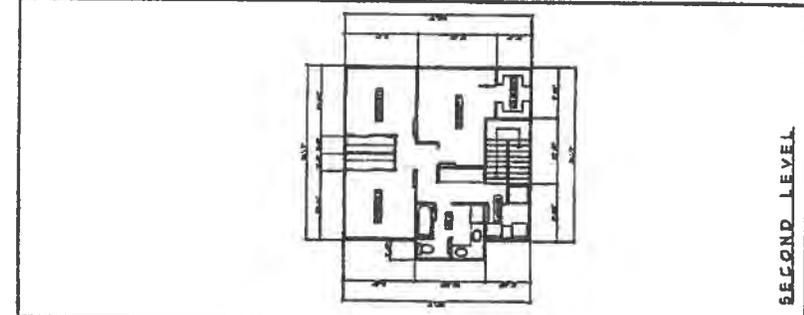




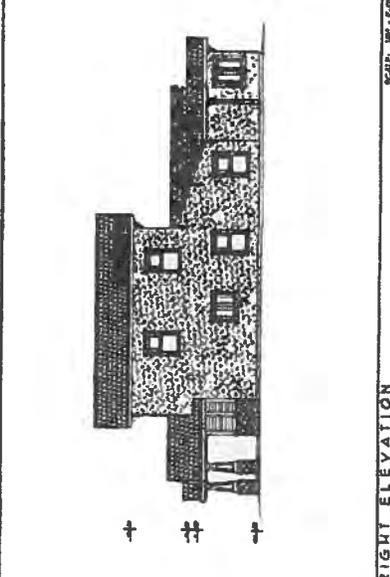
ELEVATION A
SCALE: 1/4" = 1'-0"



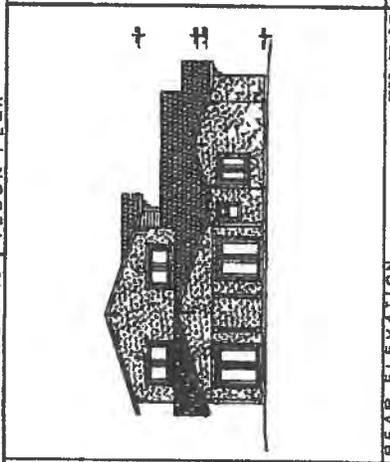
FIRST LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"



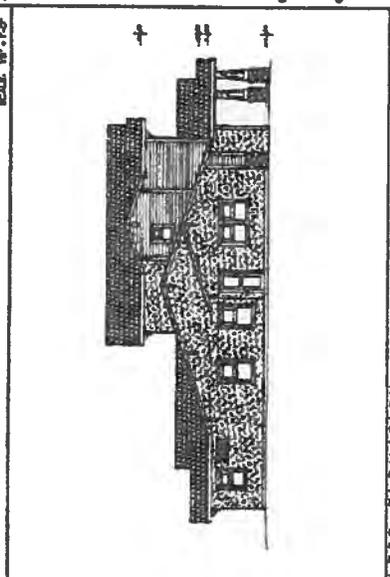
SECOND LEVEL
SCALE: 1/4" = 1'-0"



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



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



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

PLAN 03
 LA VITA VILLA
 Concord, California
 ARCHITECTS
 KENTON J. KOBE
 Registered Civil Engineer
 & Architect
 1015 Broadway
 Oakland, California
 D. L. LEVIE
 Building Designer & Drafting
 1015 Broadway
 Oakland, California

RECEIVED
JUN 09 2014
PLANNING

June 11, 2014

To: Jason Hade, Planning Division
From: Leadership of Valley Christian Church,
1411 LaVista Ln. Concord, CA 94521
Re: Windward Pacific subdivision, LaVista Ln.

It's come to our attention that the latest plans submitted to Planning have some significant variations from what was discussed at the last Neighborhood Meeting held at Valley Christian Church.

This letter is in reference to the Developer's intention to provide a wooden fence along the north facing joint property line along our parking lot. It's our strong desire that the Commission require Windward to adhere to the City Development Code requiring an 8' masonry wall between our properties, for the following reasons:

The drainage basin in the plans along this border is indicative of the potential for runoff problems into our parking lot. In the event of excessively heavy, or prolonged periods of rain (such as there were a few years ago), overflow of mud or silt would compromise the parking lot, and could even create a safety hazard for those getting to/from their cars.

Even a "heavy timber" type of fence is not a barrier to adequately protect the parking lot, compared to the masonry wall the code requires. Making a variance to this code also leaves our small congregation burdened with the maintenance costs which always accompany wooden structures, and the difficulty of having to deal with individual property owners for necessary upkeep.

Thank you for your attention to our perspective and concerns. It's our strong desire to be good, and welcoming neighbors to the people of this new subdivision.

Sincerely yours, the leadership of Valley Christian Church,


Chuck McKinney, Sr. Pastor


Paul Roy, Elder


Terry Sheehan, Deacon Chairman