



O'BRIEN LAND COMPANY

March 11th, 2016

By email and hand-delivery

Greg Wolff

City of Lafayette

3675 Mt Diablo Blvd.,

#210

Lafayette, CA 94549

Re: Deer Hill – request for Design Review Commission and Planning Commission review and approval of project documents

Dear Greg:

O'Brien Land Company, LLC, the applicant for the Homes at Deer Hill project, hereby requests that the Lafayette Design Review Commission and Planning Commission review the following documents and find that the conditions listed herein have been satisfied.

Documents provided by the project architect - KTGy:

1. Architectural Design Documents
2. Specifications will be provided in dropbox.

Documents provided by the project civil engineer - BKF:

1. Grading Plan
2. Civil Design Documents
3. Water Use Reduction Plan

Documents provided by the project landscape architect - Gates & Associates:

1. Landscape Design Documents
2. Soils Analysis
3. Landscape Maintenance & Pruning Guidelines

Documents provided by the project developer - O'Brien Land Company/O'Brien Homes:

1. Construction Management Plan which includes:
 - a. Dust Control and Air Quality Monitoring Plan
 - b. Operating Procedures

- c. Traffic Control
 - d. Grass Mitigation Plan
 - e. Tree Protection Plan
 - f. Hours of Operation
2. CCRs which include:
- a. Design Guidelines
 - b. Landscape Maintenance Plan
 - c. MERV filter compliance
 - d. Private Maintenance Agreement

These documents are being submitted pursuant to the following conditions of approval:

Condition #14: Solar Panels - The applicant shall include in the project flush roof mounted solar panels capable of off-setting a minimum of 80% of the projected electrical needs of the homes or an average of 1.5kW per home. Panels shall be shown and evaluated as part of the subsequent review of design development drawings as required by these conditions.

Condition #19: Not a Gated Community - The applicant shall include in the private Conditions, Covenants & Restrictions (CC&Rs) provisions to acknowledge and ensure that the Homes at Deer Hill is not a gated community nor that it otherwise restricts access for vehicles, pedestrians or cyclists to the common areas of the project. Private property within each 4,500 sq.ft. lot may be fenced or gated in accordance with the approved drawings, applicable codes, regulations, conditions and CC&Rs. The homeowners association may impose time limits or other parking restrictions within the residential component of the project to prevent the general public from inappropriately using dedicated guest parking spaces.

Condition #26: City Review of CC&Rs – The applicant shall submit draft covenants, conditions and restrictions (CC&Rs) to the City for review, revision as necessary, and approval to ensure that the provisions of the Development Agreement, conditions of approval, and MMRP are appropriately addressed. The CC&Rs, and any subsequent changes thereto shall be subject to the approval of the Planning Department and the City Attorney.

Condition #27: Subsequent Review Procedure – Subsequent review of design development drawings for both the public and private portions of the project, consistent with standard practice for large projects in the city, shall be conducted by each Commission as a public meeting with advance notice to all property owners within 300-ft. of the Project, and interested parties who have requested such notification, a minimum of 10-days in advance of the meeting.

Condition #28: Applicant Shall Submit for Subsequent Review - After approval of the General Plan Amendment, Zoning Amendment and Vesting Tentative Map, the applicant shall submit detailed design development drawings and detailed grading, drainage and street improvement plans and studies for all components of the project. These plans and documents shall be reviewed and approved by the city commissions and staff as described in these conditions, or as directed by the Planning & Building Director. The Planning Commission shall be the approval body, with recommendations from the Parks, Trails and Recreation, Design Review and Circulation Commission as appropriate. A decision of the Planning Commission can be appealed

to the City Council as provided for in §6-233 of the Lafayette Municipal Code. Please see Table 1. Hearing Bodies for Subsequent Review at the end of these conditions. This subsequent review of the detailed plans for each component of the project may necessitate filing a revised Vesting Tentative Map for 44 units if the review results in the modification of elements that would necessitate lot lines being adjusted. Lighting, colors, materials and similar project details will be considered during the design development plan review.

Condition #33: Design Review Commission - The design development plans for each component of the project including the residential component and all public facilities shall be submitted to the Design Review Commission for its review. The purpose of this review is to resolve outstanding design issues (such as those listed below) and ensure that the design intent and quality represented in the schematic plans are carried through to the design development plans, construction drawings and construction. Submittals for subsequent review will be processed in a timely manner; additional conditions may be imposed. 1. Visibility from off-site locations. The landscape plan shall be first reviewed by a subcommittee of the Design Review Commission and Planning Commission specifically looking at the site perimeter plantings for its conformance to the guidelines in Trees for Lafayette. 2. Visual impacts of retaining walls. Retaining wall designs and mitigations to screen the walls shall be reviewed. 3. Design of the sports field, toddler playground, park facilities, and dog park including but not limited to fencing, railings, seating, restrooms, colors, materials, lighting, etc. 4. Circulation facilities including the design and aesthetics of proposed vehicular, bicycle and pedestrian facilities

Condition #34: Residential Component - The Design Review Commission's review of the detailed design development plans for the residential component shall include but not be limited to: 1. Massing of the houses, spacing between the houses, privacy, views, light and air. 2. Access from guest parking areas to the houses. 3. Deliveries, trash & recycling including pickup and where trash & recycling containers will be located between pickups. 4. Design and use of the common garden courts and private vehicular lanes (alleys/mews). 5. Design and location of the common areas and gathering spaces. 6. Each home's exterior courtyard, including location, orientation, privacy, access, light and air, dimensions and use. The DRC shall have the right to enlarge the courtyard and make the house smaller if deemed necessary based on appropriate dimensions for given activities.

Condition #35: Design Guidelines & Standards - The applicant shall submit Design Guidelines & Standards for review by the Design Review Commission and approval by the Planning Commission. The Design Guidelines & Standards would guide future renovation, additions or modifications for the residential component of the project which might be sought by a future property owner, such as the desire to expand or modify the residences. The Design Guidelines & Standards shall become a component of the CC&Rs.

Condition #36: Landscape Maintenance & Pruning Guidelines - The applicant shall submit Landscape Maintenance & Pruning Guidelines for review by the Design Review Commission and approval by the Planning Commission. The Landscape Maintenance & Pruning Guidelines shall be prepared for areas maintained by individual owners and the homeowners association. The guidelines are intended to address the potential for inappropriate pruning or removal of screening vegetation relied upon to substantially conceal the project. The Landscape Maintenance and Pruning Guidelines shall become a component of the CC&Rs.

Condition #37: Final Action on Design Development Plans - The recommendations and comments on the design development plans for all project components from the Parks, Trails & Recreation, Circulation and Design Review Commissions shall be forwarded to the Planning Commission for review and approval, unless otherwise required by these conditions. The Planning Commission's determination may be appealed to the City Council.

Condition #39: Water Use Reduction Plan - The applicant shall submit a Water Use Reduction Plan for review and approval by the Design Review Commission and Planning Commission. The Plan shall reduce residential water use by a minimum of 33% as compared to the average daily water use for a single-family residence in the EBMUD service area from 2005-2015. The target goal shall be to reduce domestic water use by 50% against the same comparator. The Plan shall also include graywater capture to flush toilets or irrigate landscaping in common areas throughout the project (public and private). The project relies heavily on landscape screening for substantial concealment. Water supply for landscaping may be further restricted in light of the current or future drought and projections for diminishing snow pack. The goal is to establish an ongoing, reliable water supply for irrigating the project through graywater capture, reclaimed water or alternate means other than the potable water supply.

Condition #40: Soils Analysis & Recommendations – Vegetative screening is essential to the substantial concealment of the new structures on the site. The project site is a former quarry and the soils may not be suitable for the intended horticultural purpose. The applicant shall submit to the City for review and approval soils analyses and recommendations which shall include taking discreet soil samples from throughout the site, and independent analysis and recommendations from a qualified professional. Construction documents shall include specifications for horticulturally appropriate media in which to plant on site.

Condition #44: Landscape Maintenance Agreement - The applicant shall enter into a landscape maintenance agreement with the City to install new and maintain existing landscaping, and preserve and protect the trees on the property as indicated on the plans for all areas maintained by the homeowners association. The agreement shall run with the property to ensure that future property owner(s) are aware of the requirement for ongoing maintenance of the existing and approved landscaping.

Condition #46: Construction Management Plan – The applicant shall submit to the City Engineer for review and approval a Construction Management Plan detailing how construction will physically and operationally take place, including but not limited to the hours of construction, provision of staging areas, construction vehicle point(s) of ingress/egress, traffic control, haul route, construction worker parking, etc.

Condition #52: Private Maintenance Agreement – The developer shall implement a mechanism establishing all property owners in the residential portion of the Project are responsible for maintaining the private road, the private drainage system, retaining walls, and any other private infrastructure. This may take the form of a Road Maintenance Association, CC&Rs or another enforceable recorded document for all residential lots in the subdivision.

Condition #68: Dust Control and Air Quality Monitoring Plan - The developer shall submit a Dust Control and Air Quality Monitoring Plan which shall include provision for "real time" monitoring of air quality during the grading operations on the site. Such real time monitoring will include

telemetry (automated communications process by which measurements are made and data collected from monitoring stations and transmitted to receiving equipment for monitoring). The Plan shall include, but not be limited to, the location and height of wind breaks, watering, covering stockpiles, and procedures for work stoppage and resumption consistent with the Mitigation Monitoring and Reporting Program. The Plan shall be reviewed, revised as necessary, and approved by the Planning Commission prior to issuance of grading or building permits.

The foregoing documents were delivered in a single printed copy and electronically. Please let us know how many additional copies will be required for the subsequent review.

Respectfully submitted,
O'Brien Land Company, LLC



David R. Baker, Vice President

cc: Dennis O'Brien, O'Brien Land Company
Caryn Kali, O'Brien Land Company
Allan Moore, Gagen McCoy
Steve Falk, City of Lafayette
Jill Williams, KTG Architects
Mary Bray Erickson, KTG Architects
Jessica Musick, KTG Architects
Chris Mills, BKF Engineers
Norm Dyer, BKF Engineers
David Gates, Gates & Associates
Kimmy Chen, Gates & Associates
Phil Stuecheli, Engeo