



PLANNING COMMISSION AGENDA

Regular Meeting

7:00 P.M. on Tuesday, December 13, 2016

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

- 1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**
- 2. ADMINISTRATIVE**
 - 2.a. Selection of Vice Chair.
 - 2.b. Review of agenda items.
 - 2.c. Declaration of Conflict of Interest.
 - 2.d. Commissioner William Gall to report at the City Council meeting of December 20, 2016 (alternate Commissioner Bassam Altwal).
- 3. PUBLIC COMMENT**
- 4. MINUTES**
 - 4.a. Approval of the minutes for the August 23, 2016 Planning Commission meeting.
- 5. PUBLIC HEARINGS**
 - 5.a. **UP-01-15, TE-02-16, Use Permit Time Extension, T-Mobile**, north side of Marsh Creek Road, APN: 119-070-007. A request for approval of a one-year time extension of a previously-approved Use Permit to allow the installation and operation of a wireless communications facility. The proposal would involve the construction of an approximate 40-foot antenna designed as a "monopine" (appearing as a tree), a 35-foot utility pole, and a fenced-in equipment enclosure for the equipment located at the base of the antenna and utility pole.

Staff Recommendation: Staff recommends the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider all public testimony and, if determined to be appropriate, conditionally approve the one-year extension (TE-02-16) for the T-Mobile Use Permit UP-01-15.

- 5.b. **ENV-01-08, DP-01-08, MAP-02-09, TE-01-16, Development Plan and Vesting Tentative Map Time Extensions, Creekside Terrace Mixed Use Project, City of Clayton, 1005 and 1007 Oak Street, west side of Oak Street between Center Street and High Street (APNs: 119-050-008, 119-050-009, and 119-050-034).** Review and consideration of a one-year time extension of the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2017 to January 6, 2018. This request is in accordance with Sections 17.28.190 (Development Plan) and 16.06.030 (Subdivision Map) of the Clayton Municipal Code.

Staff Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 14-16, thereby extending for one year the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2017 through January 6, 2018.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff.

8.b. Commission.

9. ADJOURNMENT

- 9.a. The next regularly-scheduled meeting of the Planning Commission will be held on **Tuesday, December 27, 2016.**

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

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

Minutes
Clayton Planning Commission Meeting
Tuesday, August 23, 2016

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

Chair Richardson called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton, California.

Present: Chair Dan Richardson
Vice Chair Tuija Catalano
Commissioner Bassam Altwal
Commissioner William Gall
Commissioner Carl Wolfe

Absent: None

Staff: Community Development Director Mindy Gentry
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of Conflict of Interest.
- 2.c. Vice Chair Catalano to report at the City Council meeting of August 16, 2016.

3. PUBLIC COMMENT

None.

4. MINUTES

- 4.a. Approval of the minutes for the August 9, 2016 Planning Commission meeting.

Vice Chair Catalano moved and Commissioner Wolfe seconded a motion to approve the minutes, as amended. The motion passed 5-0.

5. PUBLIC HEARINGS

- 5.a. **HOP-18-16, Home Occupation Permit, Kris Van Liew, 1242 Easley Drive (APN: 119-582-002).** Review and consideration of a request from Kris Van Liew for the approval of a home occupation permit to allow a cottage food operation for baked goods as well as instruction for fine arts, music, and painting to be conducted from a single-family residence.

Assistant Planner Sikela presented the staff report.

The public hearing was opened.

The applicant, Kris Van Liew, indicated the following:

- His children are proficient at baking, pastry preparation, music, painting, water color art.
- His son can play up to 15 instruments, works at a music shop, teaches grade school bands at five local schools, and supervises “art camps”, and has taught water color art at the Diamond Terrace senior living facility.
- His daughter plans to prepare food items and deliver elsewhere, in accordance with the Class B requirements of the cottage food operation regulations, and already has her food handling certification.
- Considered trying to operate from a commercial space but it would have cost \$8,000 to \$9,000 per month to lease.
- Will comply with all applicable cottage food operation requirements.

Vice Chair Catalano had the following questions:

- How many people will be involved in the operation of the cottage food home occupation? The applicant indicated that he would be working as a family unit with himself, his son, and his daughter as the only people involved in the cottage food operation.
- What are the different types of musical instruments that will have instructional classes provided for? The applicant indicated the musical lessons given would pertain to the instruments of piano, trumpet, tuba, clarinet, violin, cello, and ukulele. There would be no drum lessons occurring on-site.

Commissioner Gall asked if there would be any marching band lessons given as part of the home occupation. The applicant responded that marching band lessons would not occur on-site.

Commissioner Wolfe asked if the cottage food operation would be relocated from the subject residence to a commercial location. The applicant responded that, currently, there are no plans to relocate the proposed home occupation-related activities from the subject residence to a commercial location. However, all of the City’s home occupation permit requirements will be complied with.

Commissioner Altwal had the following questions:

- Have any concerns been expressed by the neighbors regarding your proposed home occupation? The applicant indicated that no concerns have been expressed by the neighbors.
- What is the maximum number of students/clients you will have on-site during the week. The applicant indicated that a maximum number of six students/clients would be on-site during the week.
- Do you have home insurance that covers the proposed uses? The applicant indicated that they are currently working on finalizing the home insurance policy.

Chair Richardson indicated that the cottage food operation will be subject to inspections and, if violations occur, also complaints enable the City to enforce the home occupation permit requirements.

The applicant indicated that all applicable requirements will be complied with.

The public hearing was closed.

Commissioner Gall indicated that the applicant provided a good description of and information about the proposed cottage food operation.

Vice Chair Catalano indicated that she understood how there could be concerns over this type of use; however, there is a distinction between home occupation permits and commercial businesses. Given the specificity of the Clayton Municipal Code requirements regarding home occupations, approval of a home occupation permit does not turn residential areas into commercial areas.

Commissioner Altwal indicated that, as conditioned and regulated, the home occupation permit and cottage food operation activities are legal, within the law, and within the applicant's rights.

Chair Richardson indicated that he appreciated the applicant being so candid and that all concerns have been addressed.

Commissioner Wolfe moved and Commissioner Gall seconded a motion to approve Home Occupation Permit HOP-18-16 to allow a cottage food operation for baked goods as well as instruction for fine arts, music, and painting to be conducted from a single-family residence located at 1242 Easley Drive, with the findings and conditions recommended by staff. The motion passed 5-0.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff

Director Gentry indicated the following:

- At the August 16, 2016 City Council meeting, funding was approved for upgrades to the City's website and for modernizing office operations.
- Clayton Community Church submitted development applications to the City so the project applications will be reviewed for completeness and routed accordingly.

8.b. Commission

Vice Chair Catalano indicated she will not be attending the September 13, 2016 Planning Commission meeting.

9. **ADJOURNMENT**

9.a. The meeting was adjourned at 9:00 p.m. to the regularly-scheduled meeting of the Planning Commission on September 13, 2016.

Submitted by
Mindy Gentry
Community Development Director


Approved by
Dan Richardson
Chair

Community Development\Planning Commission\Minutes\2016\0823

**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: December 13, 2016

Item Number: 5.a.

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a one-year time extension request for the previously-approved T-Mobile Use Permit to allow the installation and operation of a wireless communications facility (UP-01-15, TE-02-16)

Applicant: T-Mobile

REQUEST

T-Mobile, the applicant, is requesting a one-year extension of a Use Permit for the installation and operation of a wireless communications facility.

PROJECT INFORMATION

Location: North of Marsh Creek Road, approximately 580 feet from the intersection of Marsh Creek Road and Diablo Parkway on property owned by Contra Costa Water District (APN: 119-070-007)

General Plan Designation: PQ – Public/Quasi-Public

Specific Plan: Marsh Creek Road Specific Plan – Open Space

Zoning: PF – Public Facility

Environmental Review: Pursuant to California Environmental Quality Act (CEQA) Guideline 15303 – New Construction or Conversion of Small Structures, the project is categorically exempt from CEQA.

Public Notice: On November 10, 2016, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the project site. On November 11, 2016, a public hearing notice was published in the Contra Costa Times.

BACKGROUND AND DISCUSSION

On September 8, 2015, the applicant, T-Mobile, received conditional approval of a Use Permit by the Planning Commission to allow the installation and operation of a wireless communications facility located on property owned by Contra Costa Water District (CCWD), north of Marsh Creek Road, approximately 580 feet from the intersection of Marsh Creek Road and Diablo Parkway (**Attachment A**). Since that time, the applicant has been working with the CCWD to finalize the lease agreement which has taken more time than originally expected. As a result, the applicant is requesting a one-year extension of the Use Permit in order to allow more time to finalize the lease agreement with the CCWD as well as to initiate project construction. Currently, the construction plans have already been reviewed and approved by both the City and County and are awaiting building permit issuance by the County to commence construction, pending lease agreement finalization between T-Mobile and the CCWD. The applicant anticipates finalization of this agreement within a month from the date of this staff report.

The proposal includes the installation of an approximate 40-foot “monopine” (which is a structure that appears as a tree) and a 35-foot wood utility pole located inside of a 240 square-foot fenced-in enclosure (**Attachment B**). The T-Mobile enclosure will be located directly adjacent to a larger existing enclosure that houses the CCWD water tank, associated CCWD equipment, and another monopine that was installed previously by the wireless communication provider, Verizon Wireless, in 2001 when the property was still located in unincorporated Contra Costa County. The T-Mobile enclosure is proposed to utilize chain link fencing to match the existing fencing surrounding the CCWD enclosure and is proposed to house the T-Mobile monopine, utility pole, two BTS cabinets, three fiber boxes, a GPS antenna, and other minor associated equipment (**Attachment B, Page B-5**).

On the cell tower, the proposal involves the inclusion of the following antenna types:

- Three small, heavy antennas measuring 54 inches in height, 8.60 inches in width, 14.80 inches in thickness, and weighing 100 pounds each;
- Six tall, lighter antennas measuring 96.4 inches in height, 7.1 inches in width, 11.9 inches in thickness, and weighing 50 pounds each;
- Three remote radio units (RRUs) 17.8 inches in height, 7.2 inches in width, 17.3 inches in thickness, and weighing 50 pounds each; and
- One microwave dish.

There are a total of nine proposed antennas, three RRUs, and one microwave dish. Staff has provided a condition that additional equipment or antennas proposed for the site be subject to City staff review and approval.

A copy of the September 8, 2015 Planning Commission staff report is provided as **Attachment C** and an excerpt of the September 8, 2015 Planning Commission minutes is provided as **Attachment D**.

ANALYSIS AND CONCLUSION

Since the proposal will not involve parking impacts or traffic; will not generate noise levels in violation of the General Plan Noise Element; will not create significant levels of dust, airborne particulate, fumes, smells, or litter; and is not a place used by people (other than repair technicians) resulting in crime, congregations, and negative influences on minors; staff concludes that, as conditioned, the project complies with the Use Permit Standards of Review listed in Section 17.60.040 of the Clayton Municipal Code. Furthermore, given the analysis, conclusion, findings, and conditions, a one-year time extension of the Use Permit for the project would not create non-compliance issues with the City’s Use Permit Standards of Review.

RECOMMENDATION

Staff recommends the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider all public testimony and, if determined to be appropriate, conditionally approve the T-Mobile Time Extension (TE-02-16) for Use Permit UP-01-15, thereby extending for one year the installation and operation of a wireless communications facility located on property owned by Contra Costa Water District north of Marsh Creek Road (APN: 119-070-007).

FINDINGS OF APPROVAL

Based upon the evidence set forth in the staff report, which includes relevant information from the project application, as well as both oral and written testimony provided at the public hearing, the Planning Commission makes the following required Use Permit and Antenna findings for a one-year time extension (TE-02-16) for Use Permit UP-01-15, as conditioned:

Use Permit Findings

1. That the use shall be in conformity with the General Plan and any applicable specific plan.

The proposed project is a telecommunications facility and is in conformance with the General Plan since the project site is located in a Public/Quasi-Public land use designation which allows for public/quasi-public uses including, but not limited to, wireless communication facilities. The proposed project is also in conformance with the Marsh Creek Road Specific Plan since it is clustered with another utility provider and wireless communications facility which locates the project away from the natural open space areas that the Marsh Creek Road Specific Plan seeks to protect.

2. That the use shall be in conformity with City-adopted standards.

The project is complying with all Use Permit and Clayton Municipal Code requirements, findings, and conditions of approval.

3. That the use shall not negatively affect the general safety (e.g., seismic, landslide, flooding, fire, traffic) of the City or the surrounding area.

The project will not negatively affect the general safety of the City or surrounding area since the project will be located approximately 190 feet from the nearest public areas (streets, sidewalks, and properties) and will be constructed in conformance with the State of California Uniform Building Code and other agency regulations where applicable.

4. That the use shall not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City.

The project will not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City since the antenna will be screened through the use of a monopine design among existing on-site trees, located away from public and residential areas, and will provide improved wireless services to the Clayton region.

5. That the permit will be in accord with the purpose of the Use Permits as stated herein.

The project will be in accord with the purpose of Use Permits as stated in Chapter 17.60 of the Clayton Municipal Code since the project complies with the City's Use Permit standards of review, is compatible with the land use designation of the site and will not be a detrimental use within the City.

Antenna Findings

1. That the applicant has demonstrated that he has made every effort by selection of design and equipment and by location of the antenna to limit the impact on the neighborhood.

The applicant has done the following to limit the impacts upon the neighborhood:

- a. Being located approximately 300 feet from the nearest residential property.
 - b. Being screened by a high number of existing on-site trees and the monopine design of the cell tower which, since the monopine is designed to appear like a tree, will allow the antenna to blend into the existing trees.
 - c. Being located inside of a fenced enclosure which is integrated with the existing fencing in and around the Contra Costa Water District property where the tower is proposed to be located.
2. The antenna will not be constructed to the rear of the residence or main structure unless it can be demonstrated that it is less like obtrusive elsewhere.

The telecommunications site will be constructed approximately 300 feet from the nearest private residential property, which is less visually obtrusive than constructing the antenna in close proximity to residential properties.

3. That the antenna must be linked physically or electronically to a receiver located on the same parcel of land on which the antenna is located.

The project proposal has provided the necessary link with a receiver located on the same parcel of land on which the antenna is located.

4. That all the structural supports for the antenna meet or exceed manufacturer's specifications.

The telecommunications site will require a building permit prior to constructing the monopine and associated equipment, which will require the submittal of structural calculations to show the design meets the requirements of the type of facility for the environment it will be located within.

5. That no more than one antenna tower be placed per lot unless additional towers are screened from public right-of-way and adjacent parcels.

The proposed facility is located on a property with another antenna (Verizon Wireless) which is screened from public streets and sidewalks through use of a monopine design which blends into the existing trees.

6. That the tower meets setback requirements within the designated zone and a minimum of ten (10) feet from property lines.

The project incorporates a tower that is located approximately 300 feet from the nearest private residential property and is over 10 feet from the property lines of the subject site.

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

CONDITIONS OF APPROVAL

These Conditions of Approval apply to the T-Mobile topographic survey, site plan, equipment plan, antenna plan, and elevations, submitted by the applicant, date stamped April 28, 2015; Radio Frequency Emissions Analysis Report, prepared by EBI Consulting, date stamped April 28, 2015; and Environmental Noise Assessment Report, prepared by EBI Consulting, date stamped April 28, 2015.

1. The project site shall be kept in good working order which includes, but is not limited to, adequate trash collection; avoidance of localized flooding, erosion, and soil degradation; reduction of fire risks; and ensuring the continued health, safety, and welfare of the project environs.
2. The applicant shall install, and at all times maintain in good condition, three-dimensional bark cladding on the entire vertical support structure.
3. The applicant shall paint, and at all times maintain in good condition, all mounts, arms, brackets, and other support equipment with flat natural colors that resemble pine tree branches and/or needles.
4. The applicant shall install, and at all times maintain in good condition, at least 3.5 faux pine branches per vertical foot. The faux pine branches must commence at 12 feet above ground level and naturally taper towards the top. The faux pine branches must extend at least 24 inches from the edge of the tower-mounted equipment, including the antennas.
5. The applicant shall paint, and at all times maintain in good condition, all tower-mounted equipment including all antennas, remote radio units/heads, power equipment, tower-mounted amplifiers, cables, wires, and other connections with flat natural colors that resemble pine tree branches and/or needles.
6. The applicant shall install, and at all times maintain in good condition, faux pine needle socks over all antennas, remote radio units/heads, and other similar tower-mounted equipment.
7. The applicant shall install, and at all times maintain in good condition, green vertical slates throughout the entire chain link fence.
8. All existing on-site trees shall be protected during construction. Prior to building permit issuance, the applicant shall submit an arborist report for trees where construction will take place within the dripline which shall be reviewed and approved by the Community Development Director.
9. All structures and equipment associated with the wireless communications facility site shall be removed within thirty (30) days of the discontinuance of the use and the site shall be restored to its pre-development condition. In addition, the applicant shall provide the City with a notice of intent to vacate the site a minimum of thirty (30) days prior to vacation. This condition shall be recorded against the subject property.
10. No external cables shall be permitted on the outside face of the monopine trunk. All cables shall be within the trunk of the monopine from the point where they enter at the level of the antennas to the point where they exit to transit to the equipment area.

11. Additional equipment or antennas shall be subject to City staff review and approval.
12. T-Mobile shall install and at all times maintain in good condition an RF Notice sign on the entry gate of the fenced equipment enclosure at least five (5) feet above the ground. The signage shall comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. The signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
13. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

ADVISORY NOTES

These Advisory Notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. These Advisory Notes state requirements that may be in addition to the Conditions of Approval.

1. The applicant shall comply with all applicable City, County, State, and wireless communications codes, regulations, and adopted standards.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (Clayton Municipal Code Chapter 13.12).
3. This Use Permit shall be used, exercised, or established within twelve months after granting of the Permit or a time extension must be obtained from the Planning Commission otherwise the Permit shall be null and void (Clayton Municipal Code Section 17.64.010-030).
4. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department. All construction shall conform to the California Building Code.
5. All construction and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless specifically authorized in writing by the City Engineer (Clayton Municipal Code Section 15.01.101) located at 5375 Clayton Road, Concord, 925-363-7433.
6. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.

ATTACHMENTS



- A Vicinity Map
- B T-Mobile topographic survey, site plan, equipment plan, antenna plan, and elevations, submitted by the applicant, date stamped April 28, 2015
- C September 8, 2015 Planning Commission Staff Report (Excerpt)
- D September 8, 2015 Planning Commission Minutes (Excerpt)

UP\2015\UP-01-15.t-mobile.cell.site\UP-01-15.t-mobile.cell.site\UP-01-15.extension.t-mobile.cell.site\staff report for PC.mtg.12.13.16
Community Development\Planning Commission\Final Staff Reports and Notices of Decision\2016\12-13-16\UP-01-15.extension.tmobile.cell.site\staff report for PC.mtg.12.13.16

ATTACHMENT A



VICINITY MAP

	<p>T-Mobile Contra Costa Water District Property Use Permit UP-01-15 Time Extension TE-02-16 North of Marsh Creek Road APN: 119-070-007</p>	<p>N</p>  <p>(Not to Scale)</p>
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ATTACHMENT B

T-MOBILE WEST LLC



SEMINARY RESERVOIR & PUMP STATION
 MARSH CREEK RD
 CLAYTON, CA 94517
 BA21633B

RECEIVED

APR 28 2015

CITY OF CLAYTON
 COMMUNITY DEVELOPMENT DEPT

SEMINARY
 RESERVOIR &
 PUMP STATION

BA21633B
 MARSH CREEK RD
 CLAYTON, CA 94517

DATE	DESCRIPTION	CC
10/23/14	2D 50% 12/03/14	J.S.
12/03/14	CLIENT REV	J.S.
12/03/14	2D 100%	M.D.
12/03/14	3D 100%	J.S.
04/20/15	PLAN CHECK	J.S.
04/20/15	PLAN CHECK	J.S.

DRAWN BY: C. ODY
 CHECKED BY: J. GRAY
 APPROVED BY: _____
 DATE: 04/20/15

REDS VER#: 1 11/22/2014

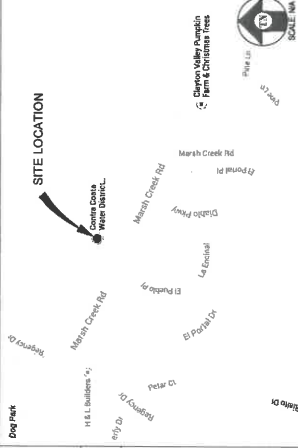
PROJECT DESCRIPTION

A (P) T-MOBILE UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF A (P) 20'-0"X12'-0" (240 SQ FT) EQUIPMENT LEASE AREA W/ (2) (P) BTS CABINETS, A (P) 40' HIGH MONOPOLE, (3) (P) RRUS-11 UNITS, (9) (P) ANTENNAS, (1) (P) GPS ANTENNA, & (1) (P) #2 T-MOBILE MICROWAVE DSH.

PROJECT INFORMATION

SITE NAME: SEMINARY RESERVOIR & PUMP STATION SITE # BA21633B
 COUNTY: CONTRA COSTA JURISDICTION: CITY OF CLAYTON
 APN: 118-070-007 POWER: POSE
 SITE ADDRESS: MARSH CREEK RD AT&T
 CLAYTON, CA 94517 TELEPHONE:
 CURRENT ZONING: -
 CONSTRUCTION TYPE: Y-B
 OCCUPANCY TYPE: U, (UNMANNED COMMUNICATIONS FACILITY)
 PROPERTY OWNER: CONTRA COSTA WATER DISTRICT
 2411 BISSO LANE
 CONCORD, CA 94524
 (925) 689-8162
 DANCELOR@CWATER.COM
 APPLICANT: T-MOBILE WEST LLC
 1855 GATEWAY BLVD, CONCORD, CA 94520-3200
 LEASING CONTACT: ATR: TINA SCHILLING
 (916) 718-2417
 ZONING CONTACT: ATR: KEVIN BOWMER
 (498) 219-5442
 CONSTRUCTION CONTACT: ATR: HOLLY GIBPATRICK
 (415) 716-8361
 LATITUDE: N 37° 35' 35.07" AND 83
 LONGITUDE: W 121° 35' 13.96" AND 83
 AMSL: +655'

VICINITY MAP



DRIVING DIRECTIONS

FROM: 1855 GATEWAY BLVD, CONCORD, CA 94520-3200
 TO: MARSH CREEK RD, CLAYTON, CA 94517
 1. HEAD SOUTHEAST ON GATEWAY BLVD
 2. TAKE THE 1ST LEFT ONTO CLAYTON RD
 3. CONTINUE ONTO MARSH CREEK RD
 ESTIMATED TIME: 15 MINUTES ESTIMATED DISTANCE: 8.3 MILES
 END AT: MARSH CREEK RD, CLAYTON, CA 94517

CODE COMPLIANCE

ALL WORK & MATERIALS SHALL BE PERFORMED & INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:
 2013 CALIFORNIA ADMINISTRATIVE CODE, PART 1, TITLE 24 C.C.R.
 2013 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24 C.C.R.
 2013 CALIFORNIA BUILDING CODE VOLUMES 1-2 AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA ELECTRICAL CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R.
 2013 CALIFORNIA MECHANICAL CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R.
 2013 CALIFORNIA PLUMBING CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA FIRE CODE (CFC) PART 9, TITLE 24 C.C.R.
 2013 CALIFORNIA FIRE CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA INTERNATIONAL FIRE CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA INTERNATIONAL FIRE CODE AND 2013 CALIFORNIA AMENDMENTS
 2013 CALIFORNIA REFERENCED STANDARDS, PART 14, TITLE 24 C.C.R.
 ANSI/ASHRAE-TIA-222-S
 ALONG WITH ANY OTHER APPLICABLE LOCAL & STATE LAWS AND REGULATIONS
 DISABLED ACCESS REQUIREMENTS
 THIS FACILITY IS UNMANNED & NOT FOR HUMAN HABITATION. DISABLED ACCESS & REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA STATE BUILDING CODE, TITLE 24 PART 2, SECTION 11B-203.4

SHEET INDEX

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	-
LS-1	TOPOGRAPHIC SURVEY	-
A-1	SITE PLAN	-
A-2	ENLARGED SITE PLAN	-
A-3	EQUIPMENT PLAN & DETAILS	-
A-4	ANTENNA PLAN & DETAILS	-
A-5	ELEVATIONS	-

APPROVAL

RF
LEASING
ZONING
CONSTRUCTION
T-MOBILE



SHEET TITLE:
TITLE
SHEET NUMBER:
T-1

B-1

T-Mobile
Stick Together.
1725 CREEKSIDE OAKS, SUITE 100
SACRAMENTO, CA 95833

PLANS PREPARED BY:
Streamline Engineering
CONSULTANT:
3445 STEVEN COLBERT, WARD, SUITE 6, GRANTVILLE, CA 95726
E-MAIL: streamline@streamlineeng.com TEL: 916-845-5441

CONSULTANT:
CAL VADA SURVEYING, INC.
411 JAMES DR., SUITE 204, COLTON, CA 95307
TEL: 530-533-8888
WWW.CALVADA.COM
JOB NO. 141031

NO.	DATE	DESCRIPTION	BY:
1	11/21/14	SUBMITTAL	HP
2	01/07/15	CLIENT'S COMMENTS	MN
		GEOGRAPHIC COORDINATES	MN

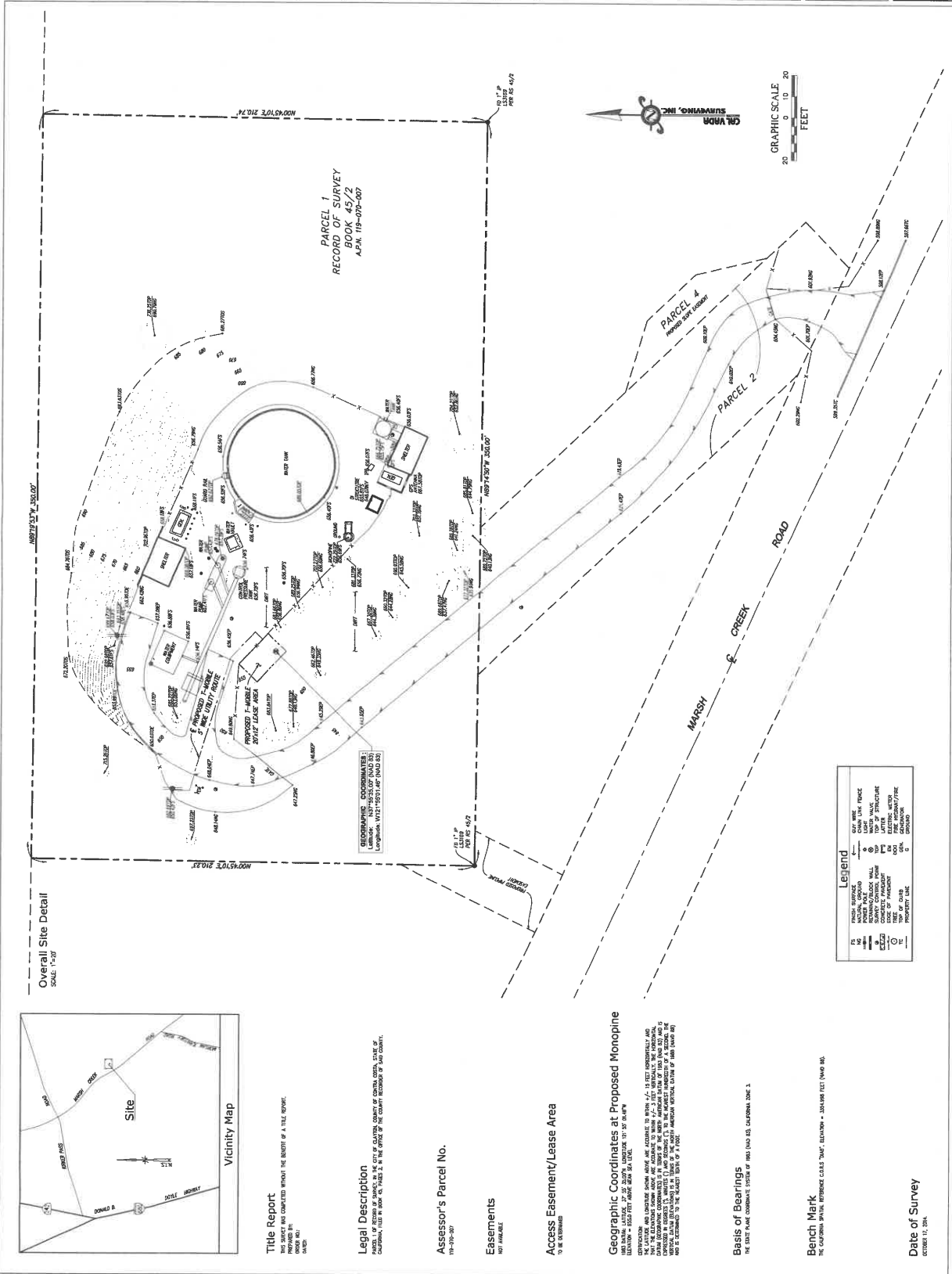
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SEMINARY RESERVOIR & PUMP STATION
MARSH CREEK ROAD
CLAYTON, CA 94517
CONTRA COSTA COUNTY

SEAL:

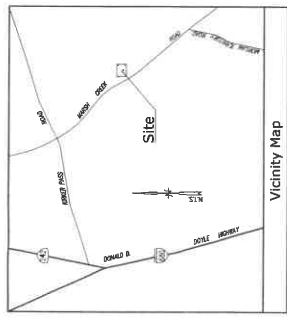
SHEET TITLE:
TOPOGRAPHIC SURVEY

SHEET NUMBER:
LS-1
SHEET 1 OF 1

B-2



Overall Site Detail
SCALE: 1"=50'



Title Report
THIS REPORT IS PREPARED FOR THE CLIENT'S USE ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF STREAMLINE ENGINEERING, INC.

Legal Description
LEGAL DESCRIPTION OF THE PROPERTY DESCRIBED IN THIS REPORT IS SET FORTH IN THE RECORD OF SURVEY BOOK 4572 APR. 11P-00-007.

Assessor's Parcel No.
11P-010-007

Easements
HP: HAWAII

Access Easement/Lease Area
TO BE DETERMINED

Geographic Coordinates at Proposed Monopine
ELEVATION = 504.177 FEET ABOVE SEA LEVEL
UTM COORDINATES: X=498100.00 Y=4611000.00
UTM ZONE: 18N
UTM DATUM: NAD 83
UTM PROJECTION: UTM
UTM SCALE FACTOR: 0.999609319742656
UTM FALSE EASTING: 500000.00 METERS
UTM FALSE NORTHING: 0.00 METERS
UTM CENTRAL MERIDIAN: 121.00 DEGREES WEST
UTM SPHERICAL EARTH MODEL: WGS 84
UTM ELLIPSOID: GRS 1980
UTM FLATTENING: 298.257223563
UTM SEMI-MAJOR AXIS: 6378137.0 METERS
UTM SEMI-MINOR AXIS: 6356752.31414035 METERS
UTM ECCENTRICITY SQUARED: 0.00671367310476642
UTM ECCENTRICITY: 0.0820945194850099
UTM TRUE ANGLE OF ROTATION: 0.000000000000000 DEGREES

Basis of Bearings
THE STATE PLAT COMMENT SYSTEM OF 1983 (SAND 83) CALIFORNIA ZONE 1

Bench Mark
THE CALIFORNIA PUBLIC SURVEYING CLASS 7047, ELEVATION = 504.098 FEET (TAMP 84)

Date of Survey
OCTOBER 17, 2014

Legend

—	BOUNDARY
—	PROPERTY LINE
—	PROPERTY CORNER
—	PROPERTY EASEMENT
—	PROPERTY LEASE
—	PROPERTY INTEREST
—	PROPERTY RIGHT
—	PROPERTY USE
—	PROPERTY VALUE
—	PROPERTY ZONE
—	PROPERTY TYPE
—	PROPERTY CLASS
—	PROPERTY CODE
—	PROPERTY ID
—	PROPERTY NAME
—	PROPERTY NUMBER
—	PROPERTY OFFICE
—	PROPERTY PHONE
—	PROPERTY FAX
—	PROPERTY WEBSITE
—	PROPERTY ADDRESS
—	PROPERTY CITY
—	PROPERTY STATE
—	PROPERTY ZIP
—	PROPERTY COUNTY
—	PROPERTY DISTRICT
—	PROPERTY JURISDICTION
—	PROPERTY AGENCY
—	PROPERTY DEPARTMENT
—	PROPERTY DIVISION
—	PROPERTY SECTION
—	PROPERTY UNIT
—	PROPERTY OFFICER
—	PROPERTY CLERK
—	PROPERTY ASSISTANT
—	PROPERTY SUPERVISOR
—	PROPERTY MANAGER
—	PROPERTY DIRECTOR
—	PROPERTY CHIEF
—	PROPERTY OFFICER
—	PROPERTY CLERK
—	PROPERTY ASSISTANT
—	PROPERTY SUPERVISOR
—	PROPERTY MANAGER
—	PROPERTY DIRECTOR
—	PROPERTY CHIEF
—	PROPERTY OFFICER
—	PROPERTY CLERK
—	PROPERTY ASSISTANT
—	PROPERTY SUPERVISOR
—	PROPERTY MANAGER
—	PROPERTY DIRECTOR
—	PROPERTY CHIEF

**SEMINARY
RESERVOIR &
PUMP STATION**

BA21633B
MARSH CREEK RD.
CLAYTON, CA 94517

Δ	DATE	DESCRIPTION	C.C.
1	10/23/14	20 50K	J.S.
2	12/02/14	CLIENT REV	J.S.
3	12/02/14	20 100K	M.D.
4	12/02/14	20 100K	J.S.
5	12/02/14	20 100K	J.S.
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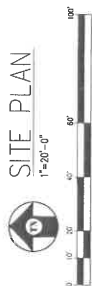
DRAWN BY: C. CODY
CHECKED BY: J. GRAY
APPROVED BY: -
DATE: 04/20/15

Streamline Engineering and Design Inc.
8445 Sierra College Blvd, Suite E, Granite Bay, CA 95746
Contact: Larry Houlihan, Phone: 916-275-4180
E-Mail: larry@streamlineeng.com, Fax: 916-680-1841
We are an Equal Opportunity Employer. Minorities and women are encouraged to apply.
We are a member of the Streamline Group. Streamline Group is a leading provider of engineering and design services for the water and wastewater industry. Streamline Group is a member of the International Brotherhood of Engineers and Technicians (IBET).
IBET is a labor union representing engineers and technicians in the water and wastewater industry. Streamline Group is an Equal Opportunity Employer. Minorities and women are encouraged to apply.

T-Mobile
1865 GATEWAY BLVD 8TH FLOOR
CONCORD, CA 94520

SHEET TITLE: SITE PLAN
SHEET NUMBER: A-1

NOTE:
ALL (P) COUNTS MUST
BE NOTED BEFORE GRADING



A-1
B-3

**SEMINARY
RESERVOIR &
PUMP STATION**

BA21633B
MARSH CREEK RD.
CLAYTON, CA 94517

ISSUE STATUS

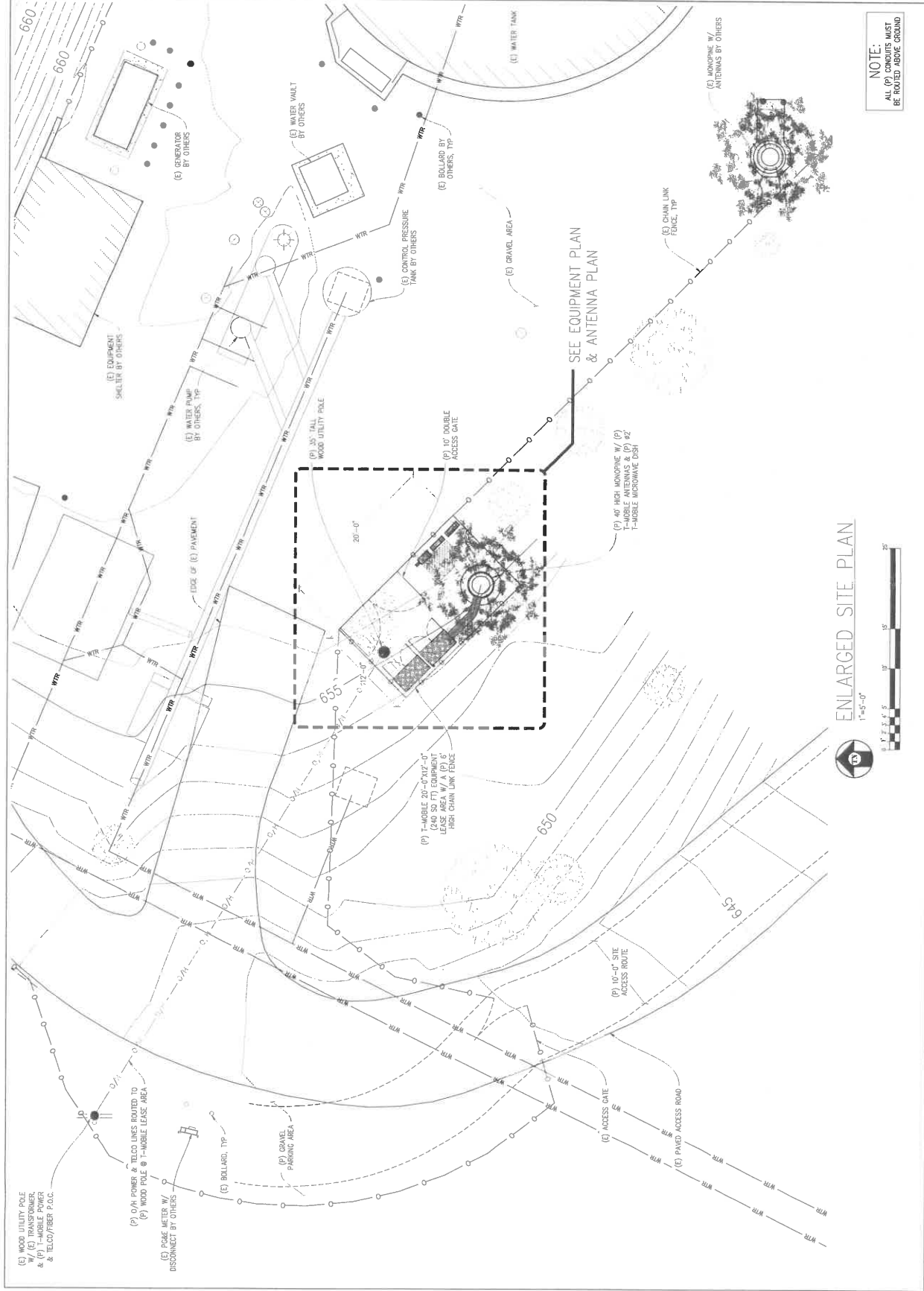
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99	12/03/14	C.C.	CLIENT REV. 4.5
100	12/03/14	C.C.	CLIENT REV. 4.5

DRAWN BY: C. EDDY
CHECKED BY: J. GRAY
APPROVED BY: -
DATE: 04/20/15

Streamline Engineering
9445 Sierra College Blvd. Suite E Granite Bay, CA 95746
Contact: Larry Houghtry Phone: 916-275-4180
E-Mail: larry@streamlinee.com Fax: 916-660-1941
www.streamlinee.com

1855 GATEWAY BLVD 9TH FLOOR
CONCORD, CA 94520

T-Mobile
T-MOBILE WEST LLC
SHEET TITLE:
ENLARGED
SITE PLAN
SHEET NUMBER:
A-2
B-4



NOTE:
ALL (P) CONDUITS MUST
BE ROUTED ABOVE GROUND

ENLARGED SITE PLAN
1"=5'-0"
0 5 10 15 20

SEMINARY RESERVOIR & PUMP STATION

BA21633B
MARSH CREEK RD.
CLAYTON, CA 94517

DATE	DESCRIPTION	CC
10/21/11	20 90% PLAN	C.C.
12/20/11	CLIENT REV.	J.S.
12/27/11	20 100% M.O.	M.O.
01/20/12	PLAN CHECK	J.S.
01/20/12	PLAN CHECK	J.S.
01/20/12	PLAN CHECK	J.S.

DRAWN BY: C. DODY
CHECKED BY: J. GRAY
APPROVED BY: _____
DATE: 04/20/15

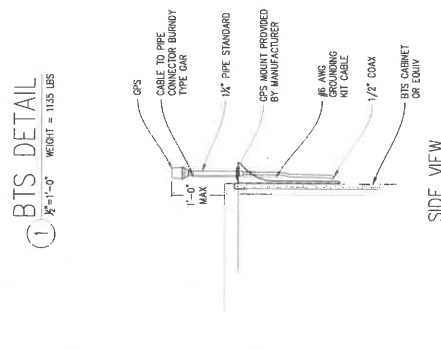
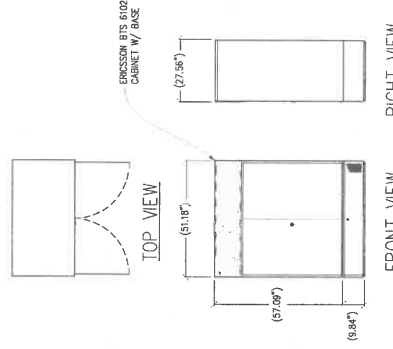
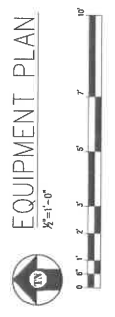
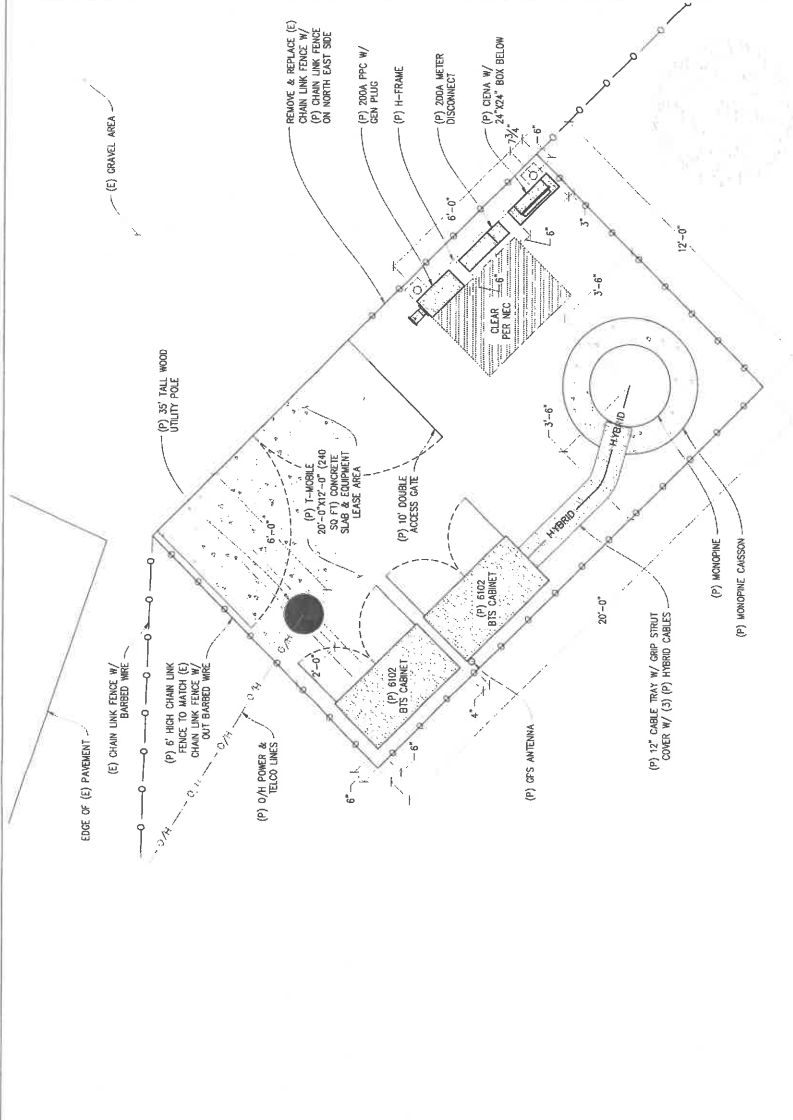
Streamline Engineering
6445 Sierra College Blvd, Suite E Granite Bay, CA 95746
Contact: Larry Houghmyer Phone: 916-275-4180
E-Mail: larry@streamlineeng.com Fax: 916-600-1941
www.streamlineeng.com

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF STREAMLINE ENGINEERING. NO PART OF THESE PLANS OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF STREAMLINE ENGINEERING.

T-Mobile
T-MOBILE WEST LLC
1856 GATEWAY BLVD 9TH FLOOR
CONCORD, CA 94520

SHEET TITLE:
EQUIPMENT PLAN
& DETAILS
SHEET NUMBER:

A-3
B-5



② GPS ANTENNA MOUNT DETAIL
1" = 1'-0"

**SEMINARY
RESERVOIR &
PUMP STATION**

BA21633B
MARISSA CREEK RD.
CARTON, CA 94717

Δ	DATE	DESCRIPTION	C.C.
	10/23/14	ZD 90X	J.S.
	12/03/14	CLIENT REV.	J.S.
	12/19/14	ZD 100X	M.D.
	01/29/15	PLAN CHECK	J.S.
	04/20/15	PLAN CHECK	J.S.

DRAWN BY: C. COOY
CHECKED BY: J. GRAY
APPROVED BY: -
DATE: 04/20/15

Streamline Engineering
and Design Inc.

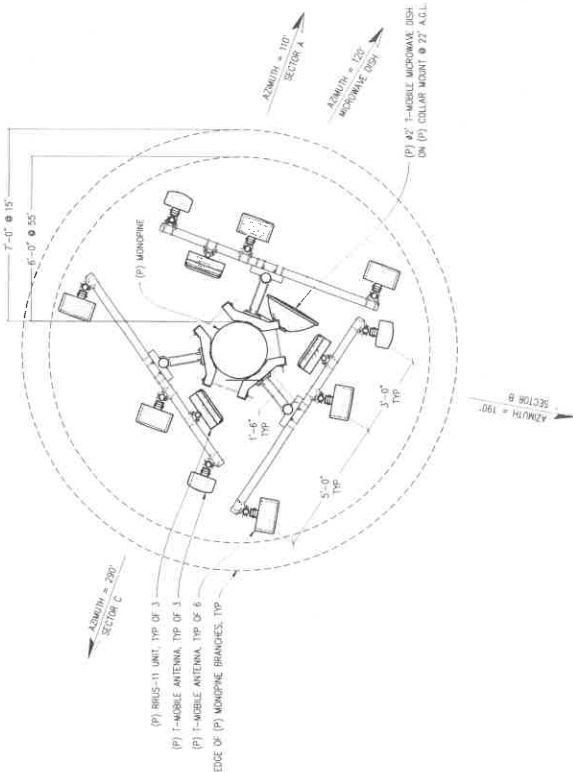
8445 Sierra College Blvd, Suite E, Gardena, CA 90248
8000
COURTESY: LARRY HENNING, PHOTOS: 916-272-7189
E-Mail: Bill@streamlineeng.com Fax: 916-960-1941

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T-Mobile WEST LLC
T-Mobile

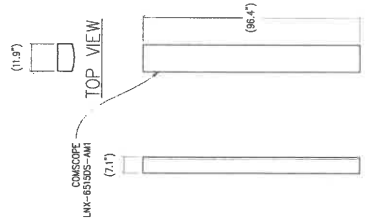
1855 GATEWAY BLVD 9TH FLOOR
CONCORD, CA 94520

SHEET TITLE	ANTENNA PLAN & DETAILS
SHEET NUMBER	A-4

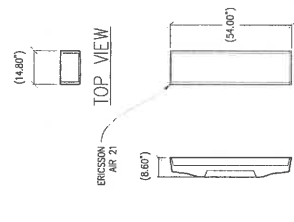


ANTENNA PLAN
1/8"=1'-0"

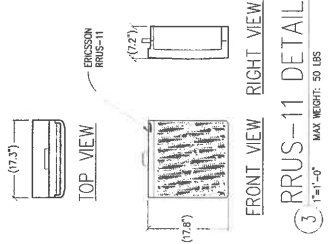
- NOTE: MONOPINE BRANCHES HAVE BEEN OBTAINED FOR CLARITY.
1. POINT (P) ANTENNAS & ANTENNA EQUIPMENT GREEN TO MATCH (E) MONOPINE.
 2. POINT (P) ANTENNAS & ANTENNA EQUIPMENT GREEN TO MATCH (E) MONOPINE.
 3. (P) ANTENNAS TO BE COVERED IN MONOPINE SOCKS.



LEFT VIEW FRONT VIEW
2 ANTENNA DETAIL
1/8"=1'-0" MAX HEIGHT: 49.8 LBS



LEFT VIEW FRONT VIEW
1 ANTENNA DETAIL
1/8"=1'-0" MAX HEIGHT: 100.0 LBS



FRONT VIEW RIGHT VIEW
3 RRUS-11 DETAIL
1/8"=1'-0" MAX HEIGHT: 50 LBS

**SEMINARY
RESERVOIR &
PUMP STATION**

BA21633B
MARSH CREEK RD.
CLAYTON, CA 94517

ISSUE STATUS

NO.	DATE	DESCRIPTION	BY
1	10/21/14	30% DESIGN	J.C.C.
2	12/03/14	CLIENT REV.	J.S.
3	02/10/15	M.D.	
4	07/27/15	PLAN CHECK	J.S.
5	04/20/15	PLAN CHECK	J.S.

DRAWN BY: C. CODY
CHECKED BY: J. GRAY
APPROVED BY: -
DATE: 04/20/15

Streamline Engineering
and Design Inc.

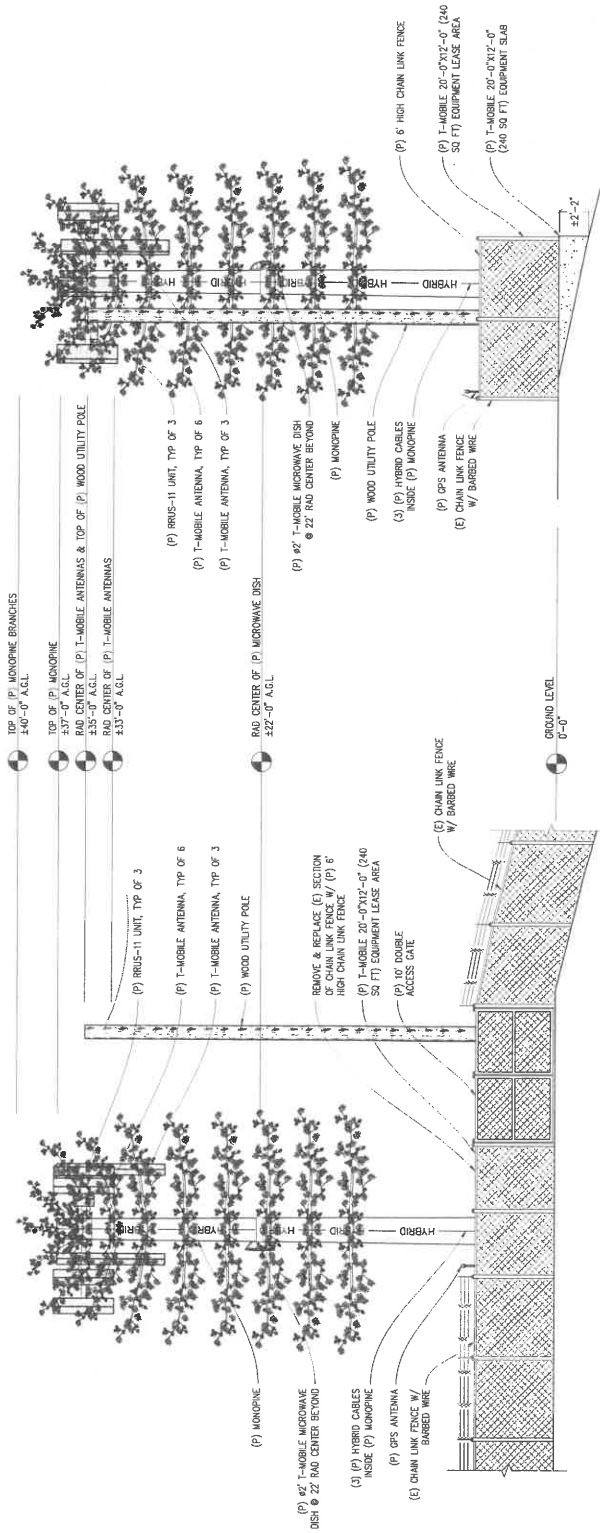
3845 Sierra College Blvd, Suite E, Gratin Bay, CA 95746
Contact: Larry Houghton Phone: 916-275-4180
E-Mail: larry@streamline.com Fax: 916-960-1941

Streamline Engineering and Design Inc. is not responsible for any errors or omissions in this drawing. The user of this drawing shall be responsible for its use. Streamline Engineering and Design Inc. is not responsible for any errors or omissions in this drawing. The user of this drawing shall be responsible for its use.

T-Mobile WEST LLC

1656 GATEWAY BLVD 9TH FLOOR
CONCORD, CA 94520

SHEET TITLE: ELEVATIONS
SHEET NUMBER: A-5



WEST ELEVATION
X=1'-0"

NORTH ELEVATION
X=1'-0"

- NOTE:
1. PAINT (P) ANTENNAS & ANTENNA EQUIPMENT GREEN TO MATCH (E) MONOPINE.
 2. (P) ANTENNAS TO BE COLORED IN MONOPINE SOCKS.


- NOTE:
1. PAINT (P) ANTENNAS & ANTENNA EQUIPMENT GREEN TO MATCH (E) MONOPINE.
 2. (P) ANTENNAS TO BE COLORED IN MONOPINE SOCKS.

PLANNING COMMISSION
STAFF REPORT

ATTACHMENT C

Meeting Date: September 8, 2015

Item Number: 5.b.

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a Use Permit request to allow the installation and operation of a wireless communications facility (UP-01-15)

Applicant: T-Mobile

REQUEST

T-Mobile, the applicant, is requesting a Use Permit for the installation and operation of a wireless communications facility.

PROJECT INFORMATION

Location: North of Marsh Creek Road, approximately 580 feet from the intersection of Marsh Creek Road and Diablo Parkway on property owned by Contra Costa Water District (APN: 119-070-007)

General Plan Designation: PQ – Public/Quasi-Public

Specific Plan: Marsh Creek Road Specific Plan – Open Space

Zoning: PF – Public Facility

Environmental Review: Pursuant to California Environmental Quality Act (CEQA) Guideline 15303 – New Construction or Conversion of Small Structures, the project is categorically exempt from CEQA.

Public Notice: On August 28, 2015, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the project site. On August 29, 2015, a public hearing notice was published in the Contra Costa Times.

Agency Referrals: Comments received from the City Engineer have been incorporated into the Conditions of Approval. The Contra Costa County Building Inspection Department and Contra Costa County Fire Protection District did not respond.

Authority:

Section 17.42.050.A.1 of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a Use Permit in accordance with the Findings in CMC Section 17.42.050.B and Standards of Review in CMC Section 17.60.040.

BACKGROUND AND DISCUSSION

T-Mobile is requesting the consideration of a Use Permit to allow the installation and operation of a wireless communications facility located on property owned by Contra Costa Water District (CCWD), north of Marsh Creek Road, approximately 580 feet from the intersection of Marsh Creek Road and Diablo Parkway (**Attachment A**). The proposal includes the installation of an approximate 40-foot "monopine" (which is a structure that appears as a tree) and a 35-foot wood utility pole located inside of a 240 square-foot fenced-in enclosure (**Attachment B**). The T-Mobile enclosure will be located directly adjacent to a larger existing enclosure that houses the CCWD water tank, associated CCWD equipment, and another monopine that was installed previously by the wireless communication provider, Verizon Wireless, in 2001 when the property was still located in unincorporated Contra Costa County. The T-Mobile enclosure is proposed to utilize chain link fencing to match the existing fencing surrounding the CCWD enclosure and is proposed to house the T-Mobile monopine, utility pole, two BTS cabinets, three fiber boxes, a GPS antenna, and other minor associated equipment (**Attachment B, Page B-5**).

On the cell tower, the proposal involves the inclusion of the following antenna types:

- Three small, heavy antennas measuring 54 inches in height, 8.60 inches in width, 14.80 inches in thickness, and weighing 100 pounds each;
- Six tall, lighter antennas measuring 96.4 inches in height, 7.1 inches in width, 11.9 inches in thickness, and weighing 50 pounds each;
- Three remote radio units (RRUs) 17.8 inches in height, 7.2 inches in width, 17.3 inches in thickness, and weighing 50 pounds each; and
- One microwave dish.

There are a total of nine proposed antennas, three RRUs, and one microwave dish. Staff has provided a condition that additional equipment or antennas proposed for the site be subject to City staff review and approval.

The applicant has provided an Alternative Site Analysis that supports the installation of telecommunications equipment at this site (**Attachment C**). The analysis found that the project site was preferable to alternative sites in the immediate area since the subject site would best meet T-Mobile's coverage objectives and would be less visually obtrusive with the monopine design. The monopine is designed and located in a manner that blends into the surrounding environment and is screened by the other existing on-site trees. The applicant has also submitted a letter from CCWD authorizing T-Mobile's use of the site (**Attachment D**).

In addition, the applicant has submitted a Radio Frequency Emissions Analysis Report (**Attachment E**) which summarizes that the project meets Federal Communications Commission general public limit for exposure to radio frequency emissions. Regarding anticipated project-related noise impacts, the applicant has submitted an Environmental Noise Assessment Report which summarizes that the noise generated from the project site will be in compliance with the applicable Objectives and Policies of the Clayton General Plan Noise Element (**Attachment F**).

Regarding use of the utility pole, staff discussed with the applicant the possibility of undergrounding the utilities rather than using a utility pole. The applicant responded with the following email:

“Unfortunately undergrounding the utilities for this project is not an option. Due to the property being home to a water tank along with a large amount of underground water lines, the property owner (Contra Costa Water District) would not allow us to underground in fear of disturbing all existing. Apparently it is the District’s policy.”

Staff notes the T-Mobile site is located approximately 190 feet north of Marsh Creek Road (approximately 10 to 15 feet further away from Marsh Creek Road than the existing Verizon Wireless monopine) and the photo simulations show the site is surrounded by numerous existing on-site trees. However, in order to provide greater screening and blending, staff has provided conditions of approval regarding the design of the monopine such as incorporation of a thicker branch distribution (i.e., more branches per square foot) and the appropriate painting of the equipment. Furthermore, in order to address construction and maintenance of the wireless communication facility and site improvements (including fencing upkeep), staff has provided a condition of approval addressing maintenance and upkeep of the site.

ANALYSIS AND CONCLUSION

Since the proposal will not involve parking impacts or traffic; will not generate noise levels in violation of the General Plan Noise Element; will not create significant levels of dust, airborne particulate, fumes, smells, or litter; and is not a place used by people (other than repair technicians) resulting in crime, congregations, and negative influences on minors; staff concludes that, as conditioned, the project complies with the Use Permit Standards of Review listed in Section 17.60.040 of the Clayton Municipal Code.

RECOMMENDATION

Staff recommends the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider all public testimony and, if determined to be appropriate, conditionally approve the T-Mobile Use Permit UP-01-15 to allow the installation and operation of a wireless communications facility located on property owned by Contra Costa Water District north of Marsh Creek Road (APN: 119-070-007).

PROPOSED FINDINGS OF APPROVAL

Based upon the evidence set forth in the staff report, which includes relevant information from the project application, as well as both oral and written testimony provided at the public hearing, the Planning Commission makes the following required use permit and antenna findings for Use Permit UP-01-15, as conditioned:

Use Permit Findings

1. That the use shall be in conformity with the General Plan and any applicable specific plan.

The proposed project is a telecommunications facility and is in conformance with the General Plan since the project site is located in a Public/Quasi-Public land use

designation which allows for public/quasi-public uses including, but not limited to, wireless communication facilities. The proposed project is also in conformance with the Marsh Creek Road Specific Plan since it is clustered with another utility provider and wireless communications facility which locates the project away from the natural open space areas that the Marsh Creek Road Specific Plan seeks to protect.

2. That the use shall be in conformity with City-adopted standards.

The project is complying with all Use Permit and Clayton Municipal Code requirements, findings, and conditions of approval.

3. That the use shall not negatively affect the general safety (e.g., seismic, landslide, flooding, fire, traffic) of the City or the surrounding area.

The project will not negatively affect the general safety of the City or surrounding area since the project will be located approximately 190 feet from the nearest public areas (streets, sidewalks, and properties) and will be constructed in conformance with the State of California Uniform Building Code and other agency regulations where applicable.

4. That the use shall not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City.

The project will not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City since the antenna will be screened through the use of a monopine design among existing on-site trees, located away from public and residential areas, and will provide improved wireless services to the Clayton region.

5. That the permit will be in accord with the purpose of the Use Permits as stated herein.

The project will be in accord with the purpose of Use Permits as stated in Chapter 17.60 of the Clayton Municipal Code since the project complies with the City's Use Permit standards of review, is compatible with the land use designation of the site and will not be a detrimental use within the City.

Antenna Findings

1. That the applicant has demonstrated that he has made every effort by selection of design and equipment and by location of the antenna to limit the impact on the neighborhood.

The applicant has done the following to limit the impacts upon the neighborhood:

- a. Being located approximately 300 feet from the nearest residential property.
- b. Being screened by a high number of existing on-site trees and the monopine design of the cell tower which, since the monopine is designed to appear like a tree, will allow the antenna to blend into the existing trees.

- c. Being located inside of a fenced enclosure which is integrated with the existing fencing in and around the Contra Costa Water District property where the tower is proposed to be located.
2. The antenna will not be constructed to the rear of the residence or main structure unless it can be demonstrated that it is less like obtrusive elsewhere.

The telecommunications site will be constructed approximately 300 feet from the nearest private residential property, which is less visually obtrusive than constructing the antenna in close proximity to residential properties.

3. That the antenna must be linked physically or electronically to a receiver located on the same parcel of land on which the antenna is located.

The project proposal has provided the necessary link with a receiver located on the same parcel of land on which the antenna is located.

4. That all the structural supports for the antenna meet or exceed manufacturer's specifications.

The telecommunications site will require a building permit prior to constructing the monopine and associated equipment, which will require the submittal of structural calculations to show the design meets the requirements of the type of facility for the environment it will be located within.

5. That no more than one antenna tower be placed per lot unless additional towers are screened from public right-of-way and adjacent parcels.

The proposed facility is located on a property with another antenna (Verizon Wireless) which is screened from public streets and sidewalks through use of a monopine design which blends into the existing trees.

6. That the tower meets setback requirements within the designated zone and a minimum of ten (10) feet from property lines.

The project incorporates a tower that is located approximately 300 feet from the nearest private residential property and is over 10 feet from the property lines of the subject site.

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

PROPOSED CONDITIONS OF APPROVAL

These Conditions of Approval apply to the T-Mobile topographic survey, site plan, equipment plan, antenna plan, and elevations, submitted by the applicant, date stamped April 28, 2015; Radio Frequency Emissions Analysis Report, prepared by EBI Consulting, date stamped April 28, 2015; and Environmental Noise Assessment Report, prepared by EBI Consulting, date stamped April 28, 2015.

1. The project site shall be kept in good working order which includes, but is not limited to, adequate trash collection; avoidance of localized flooding, erosion, and soil degradation; reduction of fire risks; and ensuring the continued health, safety, and welfare of the project environs.
2. The applicant shall install, and at all times maintain in good condition, three-dimensional bark cladding on the entire vertical support structure.
3. The applicant shall paint, and at all times maintain in good condition, all mounts, arms, brackets, and other support equipment with flat natural colors that resemble pine tree branches and/or needles.
4. The applicant shall install, and at all times maintain in good condition, at least 3.5 faux pine branches per vertical foot. The faux pine branches must commence at 12 feet above ground level and naturally taper towards the top. The faux pine branches must extend at least 24 inches from the edge of the tower-mounted equipment, including the antennas.
5. The applicant shall paint, and at all times maintain in good condition, all tower-mounted equipment including all antennas, remote radio units/heads, power equipment, tower-mounted amplifiers, cables, wires, and other connections with flat natural colors that resemble pine tree branches and/or needles.
6. The applicant shall install, and at all times maintain in good condition, faux pine needle socks over all antennas, remote radio units/heads, and other similar tower-mounted equipment.
7. The applicant shall install, and at all times maintain in good condition, green vertical slates throughout the entire chain link fence.
8. All existing on-site trees shall be protected during construction. Prior to building permit issuance, the applicant shall submit an arborist report for trees where construction will take place within the dripline which shall be reviewed and approved by the Community Development Director.
9. All structures and equipment associated with the wireless communications facility site shall be removed within thirty (30) days of the discontinuance of the use and the site shall be restored to its pre-development condition. In addition, the applicant shall provide the City with a notice of intent to vacate the site a minimum of thirty (30) days prior to vacation. This condition shall be recorded against the subject property.
10. No external cables shall be permitted on the outside face of the monopine trunk. All cables shall be within the trunk of the monopine from the point where they enter at the level of the antennas to the point where they exit to transit to the equipment area.
11. Additional equipment or antennas shall be subject to City staff review and approval.
12. T-Mobile shall install and at all times maintain in good condition an RF Notice sign on the entry gate of the fenced equipment enclosure at least five (5) feet above the ground. The signage shall comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. The signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
13. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of

this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

ADVISORY NOTES

These Advisory Notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; or (b) requirements imposed by other agencies. These Advisory Notes state requirements that may be in addition to the Conditions of Approval.

1. The applicant shall comply with all applicable City, County, State, and wireless communications codes, regulations, and adopted standards.
2. Prior to obtaining a building permit, the applicant shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (Clayton Municipal Code Chapter 13.12).
3. This Use Permit shall be used, exercised, or established within twelve months after granting of the Permit or a time extension must be obtained from the Planning Commission otherwise the Permit shall be null and void (Clayton Municipal Code Section 17.64.010-030).
4. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department. All construction shall conform to the California Building Code.
5. All construction and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless specifically authorized in writing by the City Engineer (Clayton Municipal Code Section 15.01.101) located at 5375 Clayton Road, Concord, 925-363-7433.
6. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.

ATTACHMENTS

- A Vicinity Map
- B T-Mobile topographic survey, site plan, equipment plan, antenna plan, and elevations, submitted by the applicant, date stamped April 28, 2015
- C Alternative Site Analysis, submitted by the applicant, date stamped August 26, 2015
- D Letter from the Contra Costa Water District, submitted by the applicant, date stamped August 26, 2015
- E Radio Frequency Emissions Analysis Report, prepared by EBI Consulting, date stamped April 28, 2015
- F Environmental Noise Assessment Report, prepared by EBI Consulting, date stamped April 28, 2015
- G Photosimulations, submitted by the applicant, August 26, 2015

UP\2015\UP-01-15.tmobile.cell.site\UP-01-15.tmobile.cell.site.staff.report.for.PC.mtg.9.8.15
Community Development\Planning Commission\Final Staff Reports and Notices of Decision\2015\9-8-15

Alternative Analysis: T-Mobile looked at several different properties in the area to determine the site location that would best meet their coverage objectives, while meeting all city guidelines. Three different locations were examined during the initial drive testing (see below and attached):

A) Contra Costa Water Tank (Subject Site): This property best met T-Mobile's coverage objectives. T-Mobile also believed that this would be the least visually obtrusive, as the proposed faux tree would be within a large amount of existing trees and would have a similar height to the existing trees. City staff informed T-Mobile's representative that this would likely be the most feasible option in terms of approval through the city after T-Mobile's representative emailed the potential options over.

B) Monopine in Clayton Community Park: The T-Mobile team walked this property to determine the feasibility of a new cell site in the park. It was determined that the most viable option on this property would be a monopine (fake tree) located near the trail in between the bottom baseball field and the upper baseball fields. This candidate was eventually not chosen because getting power and fiber to the proposed location would be very difficult. Additionally, T-Mobile felt that having a cell site located in a public park may face some public opposition.

C) Monopine/Monopole in Rear Parking Lot of Diablo View Middle School: The most feasible solution for a cell site on this property would be a monopole or faux tree located in the rear parking lot of the middle school. Out of the three candidates, this candidate was the worst in terms of meeting T-Mobile's coverage objectives. This candidate was also not chosen because T-Mobile felt that having a cell site located on a middle school property may face some public opposition.

Let me know if you need anything else from me on this.

RECEIVED

AUG 26 2015

CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT



Kevin Bowyer, Land Use Manager | Modus, Inc.
m: 408-219-5442 | www.modus-corp.com

C-9
C-2

ATTACHMENT
D



Board of Directors
Joseph L. Campbell
President

Lisa M. Borba
Vice President

Bette Boatman

John A. Burgh

Connstance Holdaway

General Manager
Jerry Brown

RECEIVED
AUG 26 2015
CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT

June 27, 2015

City of Clayton
600 Heritage Trail
Clayton, CA 94517

Subject: **LETTER OF AUTHORIZATION FOR ENTITLEMENT APPLICATION PURPOSES**

Dear Sir or Madam:

Contra Costa Water District ("CCWD"), as owner of the Contra Costa County Assessor Parcel Number 119-070-007, hereby authorizes T-Mobile West LCC, d/b/a T-Mobile ("Applicant"), its employees, agents, and contractors, to prepare, submit, and complete, on CCWD's behalf, the planning conditions of approval compliance review application ("Application") necessary for the consideration of addition of certain telecommunications equipment described in the Application.

The authorizations provided here are for application-related purposes only and do not permit any activity by the Applicant on the subject property, which shall require additional authorization and consent of CCWD, nor indicate agreement between Applicant and CCWD for the addition of any telecommunications equipment, which shall require the approval of the CCWD Board of Directors subsequent to the planning department's approval of the Application.

CCWD hereby authorizes planning department employees ("Planning Staff") to enter upon the subject property during normal business hours as necessary to inspect the subject property for the purpose of processing the Application. All access shall be accompanied by CCWD staff. Planning Staff shall give CCWD 48 hours notice prior to entering the subject property. Notice shall be given by telephone to Dino Angelosante at 925-688-8162 so that an escort can be arranged.

Contra Costa Water District may, in its sole discretion, terminate this authorization at any time upon prior written notice to Planning Staff.

If you have any questions, please call me at 925-688-8162.

Sincerely,

Dino Angelosante
Real Property Agent

C-10

RADIO FREQUENCY EMISSIONS ANALYSIS REPORT

T-Mobile Proposed Facility





Site ID: BA21633B

VZW Seminary Reservoir

Park Lane & Marsh Creek Rd, Clayton, California, 94517

December 29, 2014

EBI Project Number:
62147253

Status:	Compliant	
Recommended Signage		
Sign Count	Sign Type	
1		
1		
1		
<p>Remarks: See attached signage plan. No additional mitigation required.</p>		

December 29, 2014

Attn: Aris Antons
1855 Gateway Blvd., Suite 900
Concord, CA 94520

Emissions Values for Site: BA21633B

Maximum Composite Emissions Value: **6.3%** of the FCC general public limit
Proposed site is in compliance with Federal regulations regarding
(radio frequency) RF Emissions.

EBI Consulting was directed to analyze the Proposed T-Mobile monotree facility located at Park Lane & Marsh Creek Rd in Clayton, California for the purpose of determining whether the emissions from the Proposed T-Mobile Antenna Installation located on this property are within specified federal limits.

All information used in this report was analyzed as a percentage of current Maximum Permissible Exposure (% MPE) as listed in the FCC OET Bulletin 65 Edition 97-01 and ANSI/IEEE Std C95.1. The FCC regulates Maximum Permissible Exposure in units of microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$). The number of $\mu\text{W}/\text{cm}^2$ calculated at each sample point is called the power density. The exposure limit for power density varies depending upon the frequencies being utilized. Wireless Carriers and Paging Services use different frequency bands each with different exposure limits, therefore it is necessary to report results and limits in terms of percent MPE rather than power density.

All results were compared to the FCC (Federal Communications Commission) radio frequency exposure rules, 47 CFR 1.1307(b)(1) – (b)(3), to determine compliance with the Maximum Permissible Exposure (MPE) limits for General Population/Uncontrolled environments as defined below.

General population/uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

Public exposure to radio frequencies is regulated and enforced in units of microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$). The general population exposure limit for the 700 and 800 MHz Bands is 467 $\mu\text{W}/\text{cm}^2$ and 567 $\mu\text{W}/\text{cm}^2$ respectively, and the general population exposure limit for the PCS and AWS bands is 1000 $\mu\text{W}/\text{cm}^2$. Because each carrier will be using different frequency bands, and each frequency band has different exposure limits, it is necessary to report percent of MPE rather than power density.

Occupational/controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general population/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

Additional details can be found in FCC OET 65.

CALCULATIONS

Calculations were done for the Proposed T-Mobile Wireless antenna monotree facility located at Park Lane & Marsh Creek Rd in Clayton, California using the equipment information listed below. All calculations were performed per the specifications under FCC OET 65. Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed a distance above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of in areas in the immediate vicinity of the antennas.

For all calculations, equipment was calculated using the following assumptions:

- 1) 2 GSM / UMTS channels (PCS Band – 1950 MHz) were considered for each sector of the Proposed installation. The transmit power for these channels is 30 watts per channel.
- 2) 2 LTE channels (AWS Band – 2100 MHz) were considered for each sector of the Proposed installation. The transmit power for these channels is 60 watts per channel.
- 3) 1 LTE channel (700 MHz Band) was considered for each sector of the Proposed installation. The transmit power for this channel is 30 watts.
- 4) All radios at the Proposed installation were considered to be running at full power and were uncombined in their RF transmissions paths per carrier prescribed configuration. Per FCC OET Bulletin No. 65 - Edition 97-01 recommendations to achieve the maximum anticipated value at each sample point, all power levels emitting from the Proposed antenna installation are increased by a factor of 2.56 to account for possible in-phase reflections from the surrounding environment. This is rarely the case, and if so, is never continuous.
- 5) EBI has performed theoretical worst case modeling using Roofview® to estimate the maximum potential power density from each antenna based on worst-case assumptions for the number of antennas and power.
- 6) The Data for all T-Mobile antennas used in this analysis is shown below in Table I. Actual antenna gains for each antenna were used per manufacturer's specifications.
- 7) There are no additional carriers located on this facility.

All calculations were done with respect to uncontrolled / general public threshold limits.

T-Mobile Site Inventory and Power Values

Antenna Number	Sector	Antenna Make	Model	Height (ft) Above Nearest Walking Surface	Frequency Band	Technology	Power Per Channel	Azimuth	Number of Channels
1	A	Ericsson	AIR 21 B2A/B4P	34.7	PCS - 1950 MHz	GSM/UMTS	30	110	2
2	A	Ericsson	AIR 21 B4A/B2P	34.7	AWS - 2100 MHz	LTE	60	110	2
3	A	Commscope	LNx-6515DS-A1M	32.0	700 MHz	LTE	30	110	1
1	B	Ericsson	AIR 21 B2A/B4P	34.7	PCS - 1950 MHz	GSM/UMTS	30	190	2
2	B	Ericsson	AIR 21 B4A/B2P	34.7	AWS - 2100 MHz	LTE	60	190	2
3	B	Commscope	LNx-6515DS-A1M	32.0	700 MHz	LTE	30	190	1
1	C	Ericsson	AIR 21 B2A/B4P	34.7	PCS - 1950 MHz	GSM/UMTS	30	290	2
2	C	Ericsson	AIR 21 B4A/B2P	34.7	AWS - 2100 MHz	LTE	60	290	2
3	C	Commscope	LNx-6515DS-A1M	32.0	700 MHz	LTE	30	290	1

Table 1: T-Mobile Site Inventory and Power Value

Additional Carriers Located on Site	
Carrier	MPE %
	No additional carriers are located onsite.

Table 2: Additional Carrier Inventory and Emissions Levels

Summary

All calculations performed for this analysis yielded results that were within the allowable limits for general public exposure to RF Emissions. T-Mobile can bring this site into compliance by posting the recommended signage per this report.

The anticipated maximum contribution from each sector of the T-Mobile facility is **6.3%** of the allowable FCC established general public limit (1.26% of the FCC occupational limit). This was determined through calculations along a radial from each sector taking full power values into account as well as actual vertical plane antenna gain values per the manufacturers supplied specifications for gain.

The anticipated maximum composite MPE value for this site is **6.3%** of the allowable FCC established general public limit (1.26% of the FCC occupational limit). This is based upon worst case modeling performed on the ground taking emissions contributions from all carriers present into account. This value will determine whether the site itself is in compliance with regards to electromagnetic emissions or whether mitigation solutions may be required to bring the site into compliance.

FCC guidelines state that if a site is found to be out of compliance (over allowable thresholds), that carriers over a 5% contribution to the composite value will require measures to bring the site into compliance. For this facility, the composite values calculated were well within the allowable 100% threshold standard per the federal government.

EBI's modeling indicates that there are no areas on the walking/working surfaces at ground level in front of the T-Mobile antennas that may exceed the FCC standards for general population exposure.

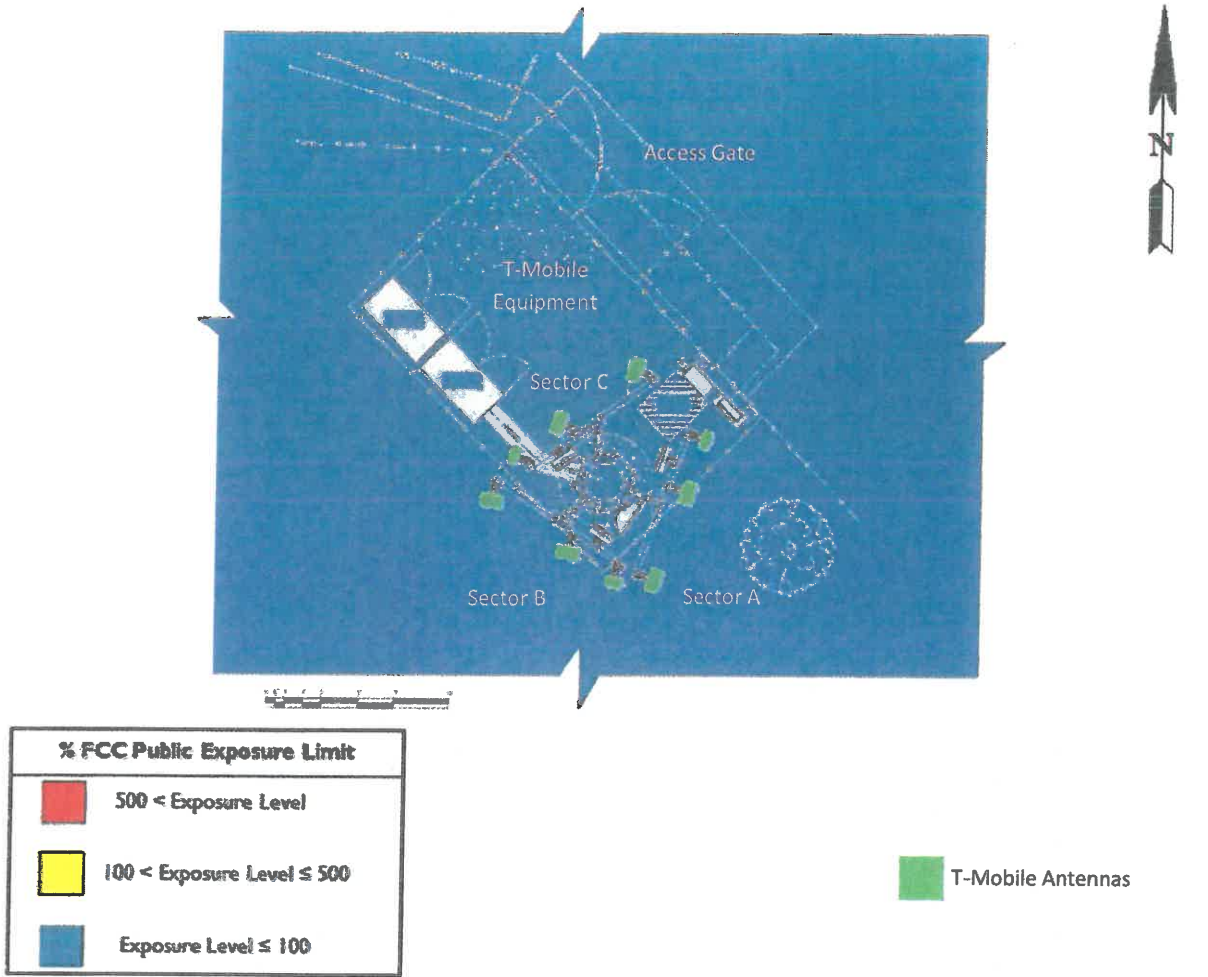
In order to alert any such elevated workers, an NOC sign and a blue Notice sign are recommended for installation at the access to the monotree. Additionally, a yellow Notice to Workers sign is recommended for installation at the base of the monotree as depicted on the Signage Plan – Appendix B.



Jonathan Ilgenfritz
RF-EME Technician

EBI Consulting
21 B Street
Burlington, MA 01803

Figure 1: Walking/Working Surface Emissions Thresholds






PLAN VIEW

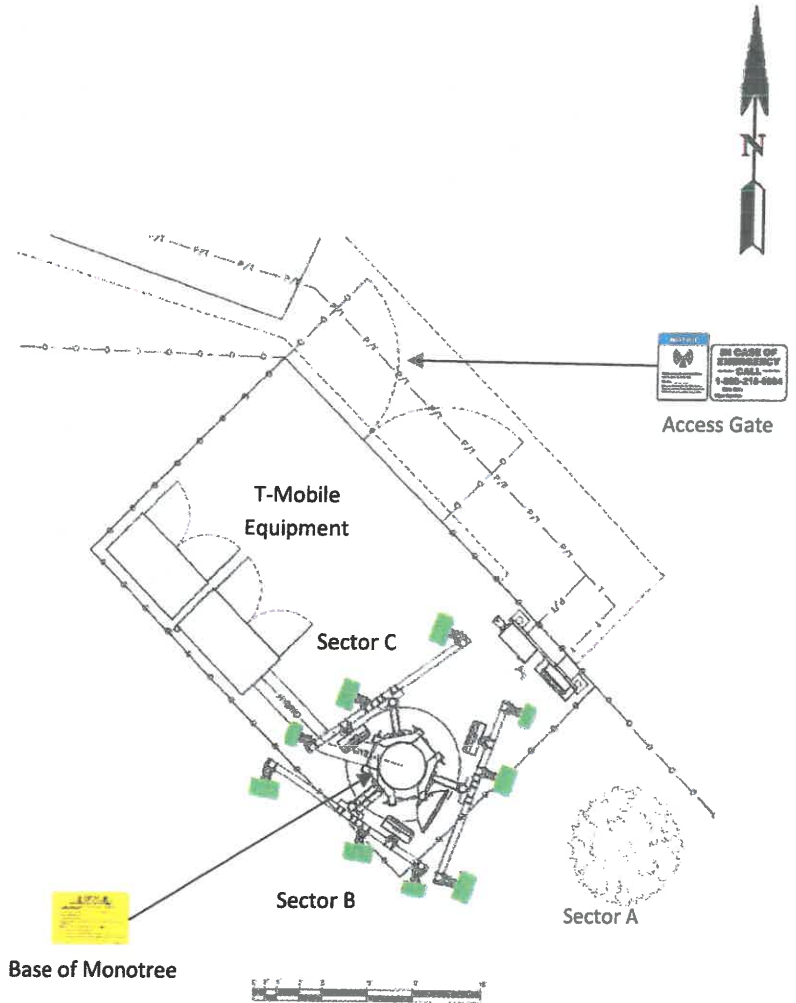
Sector 1	There are no areas that exceed either the FCC's general public or occupational thresholds exposure limits in front of the sector 1 antennas on the walking/working surface.
Sector 2	There are no areas that exceed either the FCC's general public or occupational thresholds exposure limits in front of the sector 2 antennas on the walking/working surface.
Sector 3	There are no areas that exceed either the FCC's general public or occupational thresholds exposure limits in front of the sector 3 antennas on the walking/working surface.
Other Carriers	There are no other carrier antennas included in the modeling.

Attachment I: Plan View – Signage Locations




E-7
C-17

f

Status:	Compliant
Recommended Signage for compliance	
Sign Count	Sign Type
1	
1	
1	
Notes: The Proposed site will be in compliance upon installation of recommended signage.	



E-8
C-18

Sign	Description	Posting Instructions
	<p align="center">NOC</p> <p>Informational sign, used to provide T-Mobile emergency contact information for the site.</p>	<p>Securely post at the access to the site in a manner conspicuous to all individuals entering thereon.</p> <p align="center">Denote Site ID Number on Sign in Permanent Marker.</p>
	<p align="center">Notice To Workers</p> <p>Informational sign, used to notify workers that there are active antennas installed and provide guidelines for working in RF environments.</p>	<p>Securely mount approximately 48 inches above grade at the base of the monotree as indicated in the signage plan.</p>
	<p align="center">Blue Notice sign</p> <p>Used to notify individuals they are entering an area where the power density emitted from transmitting antennas is within the FCC's MPE limit for the general public.</p>	<p>Securely post at the access to the site in a manner conspicuous to all individuals entering thereon.</p> <p align="center">Denote Site ID Number on Sign in Permanent Marker.</p>

ATTACHMENT F

Environmental Noise Assessment Report

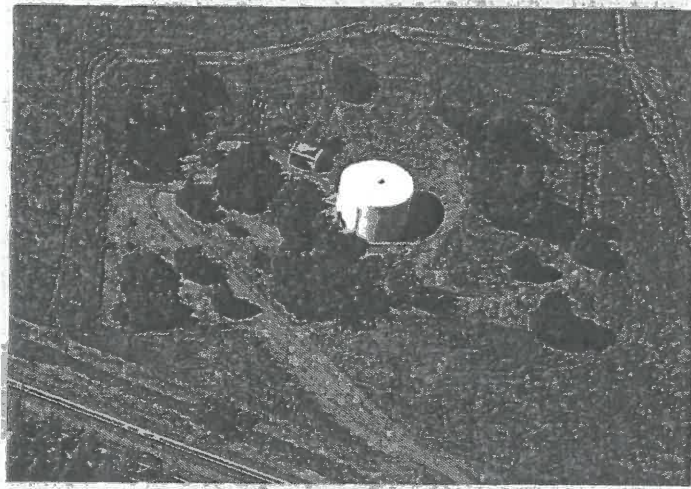
Site No. BA21633B
Seminary Reservoir & Pump Station
Marsh Creek Rd.
Clayton, CA

EBI Project No. 6215003736
June 25, 2015

RECEIVED

APR 28 2015

CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT



Prepared for:

T-Mobile, LLC.
12920 SE 38th Street
Bellevue, WA 98006

Prepared by:

 **EBI Consulting**
environmental | engineering | due diligence

F-1
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7.0 RESULTS AND CONCLUSIONS..... 10
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APPENDICES

- Appendix A Equipment Specifications**
- Appendix B CadnA® Environmental Noise Model Results**

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1.0 EXECUTIVE SUMMARY

T-Mobile proposes to locate an unstaffed wireless telecommunications facility at site number BA21633B (site name Seminary Reservoir & Pump Station). This site is located in a rural/industrial area on the property of the Contra Costa Water District on Marsh Creek Rd., Clayton, CA, and is herein referred to as Seminary Reservoir & Pump Station.

This study evaluates potential noise impacts from the proposed climate controlled equipment on the site vicinity. Acoustic modeling was performed to predict sound level impacts from the proposed equipment installation at the nearest property line. This report evaluates compliance of the Seminary Reservoir & Pump Station in relation to the City of Clayton General Plan; Section VIII Noise Element, concerning the sound level limits at all project property lines.

Based on the results of this study, EBI concludes that the BA21633B project will be in compliance with the City of Clayton General Plan; Section VIII Noise Element, concerning the sound level limits at all project property lines. ,

2.0 BACKGROUND

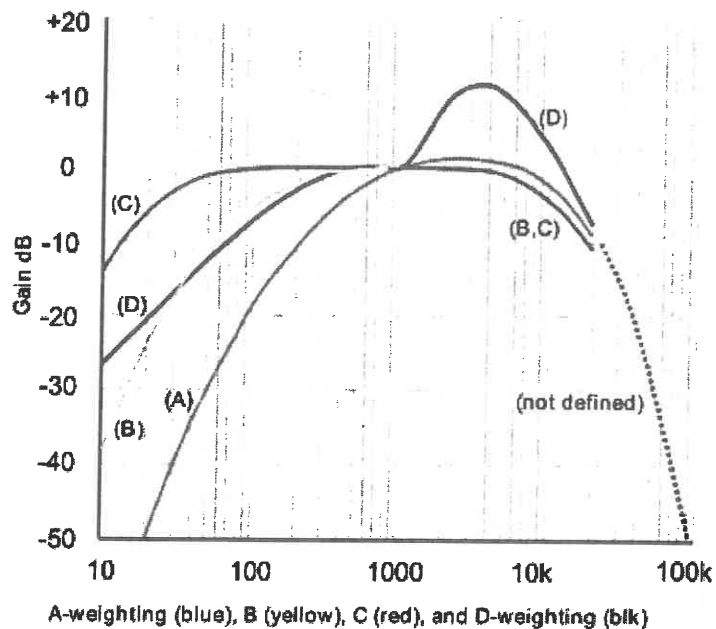
All sounds originate from a source. The sound energy, produced by a source, creates variations in air pressure which travel in all directions much like a wave ripples across the water. The "loudness" or intensity of a sound is a function of the sound pressure level, defined as the ratio of two pressures: the measured sound pressure from the source divided by a reference pressure (i.e. threshold of human hearing). Sound level measurements are most commonly expressed using the decibel (dB) scale. The decibel scale is logarithmic to accommodate the wide range of sound intensities the human ear is capable of responding to. On this scale, the threshold of human hearing is equal to 0 dB, while levels above 140 dB can cause immediate hearing damage.

One property of the decibel scale is that the combined sound pressure level of separate sound sources is not simply the sum of the contributing sources. For example, if the sound of one source of 70 dB is added to another source of 70 dB, the total is only 73 dB, not a doubling to 140 dB. In terms of human perception of sound, a 3 dB difference is the minimum perceptible change for broadband sounds (i.e. sounds that include all frequencies). A difference of 10 dB represents a perceived halving or doubling of loudness.

Environmental sound is commonly expressed in terms of the A-weighted sound level (dBA). The A-weighting is a standard filter to make measured sound levels more nearly approximate the frequency response of the human ear. Table I shows the adjustments made at each octave band frequency to contour un-weighted sound levels (dB) to A-weighted sound levels (dBA).

TABLE I - A-WEIGHTED OCTAVE BAND ADJUSTMENT (\pm dB)

Octave Band Center Frequency (Hz)	32	64	125	250	500	1000	2000	4000	8000	16000
A-weighting Adjustment (\pm dB)	-39.4	-26.2	-16.1	-8.6	-3.6	0.0	+1.2	+1.0	-1.1	-6.6



Environmental sound varies depending on environmental conditions. Some sounds are sharp impulses lasting for short periods of time, while others rise and fall over longer periods of time. There are various measures (metrics) of sound pressure designed for different purposes. The Leq, or equivalent sound level, is the steady-state sound level over a period of time that has the same acoustic energy as the fluctuating sound that was measured over the same period. The Leq is commonly referred to as the average sound level and is calculated automatically by the sound level meter using methods defined in ANSI S1.4-1983¹.

¹ American National Standards Institute, ANSI S1-4-1983, American National Standard Specification for Sound Level Meters, 1983

3.0 REGULATORY REQUIREMENTS

City of Clayton: General Plan; Section VIII Noise Element

The City of Clayton describes Environmental Noise standards and noise level limits. These limits are applicable at the boundaries of the property where sound is produced. The table of sound level limits for each land use category has been extracted from the plan and is shown in Table 2 below. Chapter VIII, Noise Element, of the City's General Plan regulates the different land use categories and the applicable noise limits respectively. Note that the limit corresponding to the zoning district of the receiver (not the noise source) is applied.

**TABLE 2 – LAND USE COMPATIBILITY FOR ENVIRONMENTAL NOISE STANDARDS
TABLE OF APPLICABLE EXTERNAL NOISE LIMITS**

Land Use	Acceptable/Unacceptable	Requirements and Limitations
General	Acceptable	<60 dBA Ldn
	Unacceptable	>70 dBA Ldn
Residential	Acceptable	<55 dBA Ldn at property line
Indoor	Acceptable	<45 dBA Ldn

4.0 SITE DESCRIPTION

The site BA21633B is located located in a rural/industrial area on the property of the Contra Costa Water District on Marsh Creek Rd., Clayton, CA. The site is zoned as PF (Public Facility), but borders residentially zoned properties, zoned as R-10, according to the City of Clayton zoning map², and therefore noise generated by the installed equipment is subject to the limitations in the Residential category of Table 2.

Two (2) 6131 Ericsson (RBS 3106) cabinets are proposed for installation within the equipment compound. Figure 1 presents the proposed equipment cabinet location and site property lines.

² City of Clayton Official Zoning Map February 2013. Accessed Online on 6/26/2015:
<http://www.ci.clayton.ca.us/assets/zoning.pdf>

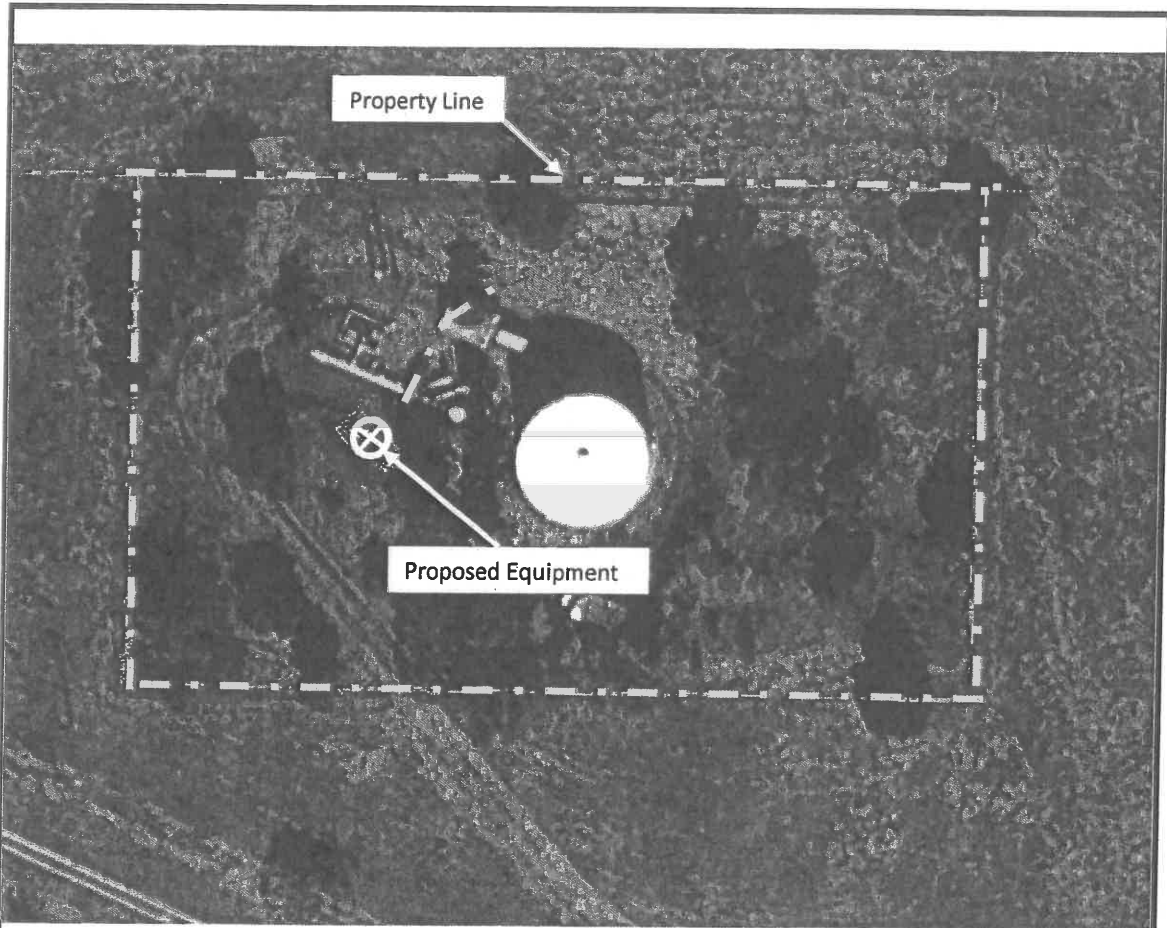


FIGURE I – SITE SCHEMATIC

Seminary Reservoir & Pump Station
BA21633B
Marsh Creek Rd., Clayton, CA

F-6
C-25

5.0 AMBIENT SOUND LEVELS

Ambient sound levels are estimated to be 30 dBA at nighttime for the purposes of this project. Note that noise sources in rural areas are typically estimated to be between 35 and 45 dBA (Ldn) (FERC 2002, EPA 1978). Therefore an estimate of 20 dBA (30 dBA Ldn) is considered highly conservative.

6.0 MODELED POST CONSTRUCTION NOISE LEVELS

The Cadna/A® computer noise model was used for computing sound levels from the proposed equipment throughout the surrounding community. An industry standard, employing ISO 9613-2 methodology, Cadna/A was developed to provide estimates of sound levels at distances from specific noise sources taking into account the effects of terrain features, including relative elevations of noise sources, receivers, and intervening objects (buildings, hills, trees), and ground effects due to areas of hard ground (pavement, water) and soft ground (grass, field, forest). In addition to computing sound levels at specific receiver positions, Cadna/A can compute noise contours showing areas of equal and similar sound level.

As input, Cadna/A incorporated a *geometric model* of the study area, reference *noise source* levels. Cadna/A uses a *sound propagation model* to project noise levels from equipment operations into the surrounding community. The three-dimensional geometric model of the study area was developed from aerial photography and digital terrain information obtained from Google Earth.

Complete modeling output sheets from the Cadn/A are contained in Appendix B. Table 4 summarizes the results of the acoustic modeling.

Predictive post-construction noise levels were calculated for site BA21633B using estimated existing noise levels and acoustical specifications for two (2) RBS 3306 cabinets. The 3306 cabinet is similar to the 3106 and was used to approximate sound output as equipment specifications and decibel ratings for the two (2) proposed 6131 Ericsson (RBS 3106) cabinets were not available at the time of this study. Noise specifications for proposed equipment are summarized in Table 3.

TABLE 3 – ACOUSTIC SOURCES

Source Name	Description	Equipment Noise
		dB(A) (Sound Power Level)
RBS 3106	6131 Ericsson Cabinet	73
RBS 3106	6131 Ericsson Cabinet	73

TABLE 4 – POST CONSTRUCTION SOUND LEVEL RESULTS

Location	Existing Condition (dBA)		Equipment Noise Impact (dBA)	Future Condition (dBA) and Increase (±dB) w/ Proposed Equipment	
	Daytime	Nighttime	24/7	Daytime	Nighttime
Nearest Property Line	30	20	32.5	34.4 (+4.4)	32.7 (+12.7)

7.0 RESULTS AND CONCLUSIONS

The equipment cabinet installation at Marsh Creek Rd. will comply with the City of Clayton City of Clayton General Plan; Section VIII Noise Element. The Element limits noise in residential zones to 55 Ldn at the property line.

As shown in Table 4, worst-case predictive modeling indicates post-construction noise levels would be 34.4 dBA during daytime hours and 32.7 dBA at night at the nearest property line. This results in an Ldn of 39.4 dBA.

Worst-case modeling methodologies are based on the manufacturer-provided equipment specifications. Manufacturer specifications include a decibel rating, which reflects the maximum decibel output the equipment will produce when running at full capacity. The 6131 Ericsson (RBS 3106) cabinets equipment is assumed to be running at full capacity, twenty-four hours per day.

8.0 LIMITATIONS

This report was prepared for the use of T-Mobile, LLC. The conclusions provided by EBI are based solely on the information provided by the client. The observations in this report are valid on the date and time of the investigation. Reported noise levels contained herein are a factor of meteorological and environmental conditions present at the time of the site survey, and represent "typical" site noise levels. Measurement and calculations contained in this report should be considered accurate to within one decibel. Any additional information that becomes available concerning the site should be provided to EBI so that our conclusions may be revised and modified, if necessary. This report has been prepared in accordance with Standard Conditions for Engagement and authorized proposal, both of which are integral parts of this report and has been designed to address the City of Clayton General Plan; Section VIII Noise Element.

9.0 REVIEWER CERTIFICATION

I, Cynara Canantella, state that:

- I am an employee of Envirobusiness Inc. (d/b/a EBI Consulting), which provides acoustic survey and compliance services to the wireless communications industry. I have reviewed the data collected during the site survey which is incorporated into this Site Compliance Report such that the information contained in this report is true and accurate to the best of my knowledge.

Sincerely,
By **EBI Consulting**



Cynara Cannatella
Senior Engineer

APPENDIX A
EQUIPMENT SPECIFICATIONS

F-12
C-31



7.2.5

Acoustic Noise

The acoustic noise levels refer to a fully equipped RBS 3308 and are measured for typical traffic in accordance with ISO 9614-2. The table below shows the values.

RBS Variant	Temperature	Total Sound Power Level
Indoor version	+20°C	4.05 Bel(A)
	+40°C	5.35 Bel(A)
Outdoor version	+20°C	5.10 Bel(A)
	+45°C	7.30 Bel(A)

APPENDIX B

CADNA® ENVIRONMENTAL NOISE MODEL RESULTS

CandA® Modeling Results

SOURCE

Name	M. ID	Result: PWL			Lw / Li		Correction			Freq.	Direct.	Height	Coordinates				
		Day (dBA)	Evening (dBA)	Night (dBA)	Type	Value	norm. dB(A)	Day dB(A)	Evening dB(A)				Night dB(A)	X	Y	Z	
RBS 3106 / 6131 Cabinet A	S1	73.0	73.0	73.0	Lw	73.0		0.0	0.0	0.0	500	(none)	1.50	r	471532.36	3658310.75	201.29
RBS 3106 / 6131 Cabinet A	S2	73.0	73.0	73.0	Lw	73.0		0.0	0.0	0.0	500	(none)	1.50	r	471532.25	3658310.89	201.34

RECEIVER

Name	M. ID	Level Lr		Limit. Value		Land Use			Coordinates				
		Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type	Auto	Noise Type	Height	X	Y	Z	
Nearest Property Line	R1	32.5	32.5	0.0	0.0				(m)	(m)	(m)	(m)	
						x	Total		1.50	r	471506.07	3658310.60	198.24

F-15
C-34

ATTACHMENT G

Existing

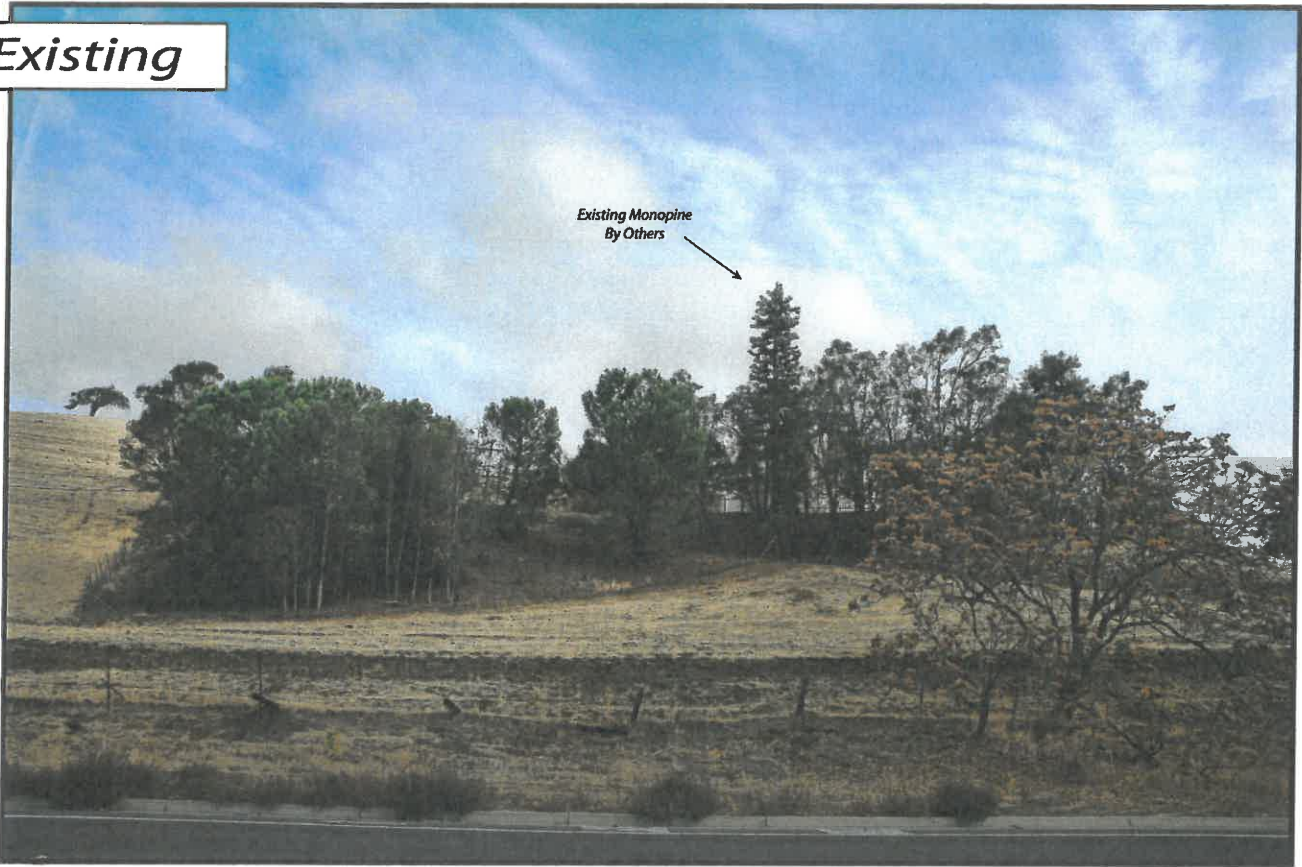


Proposed

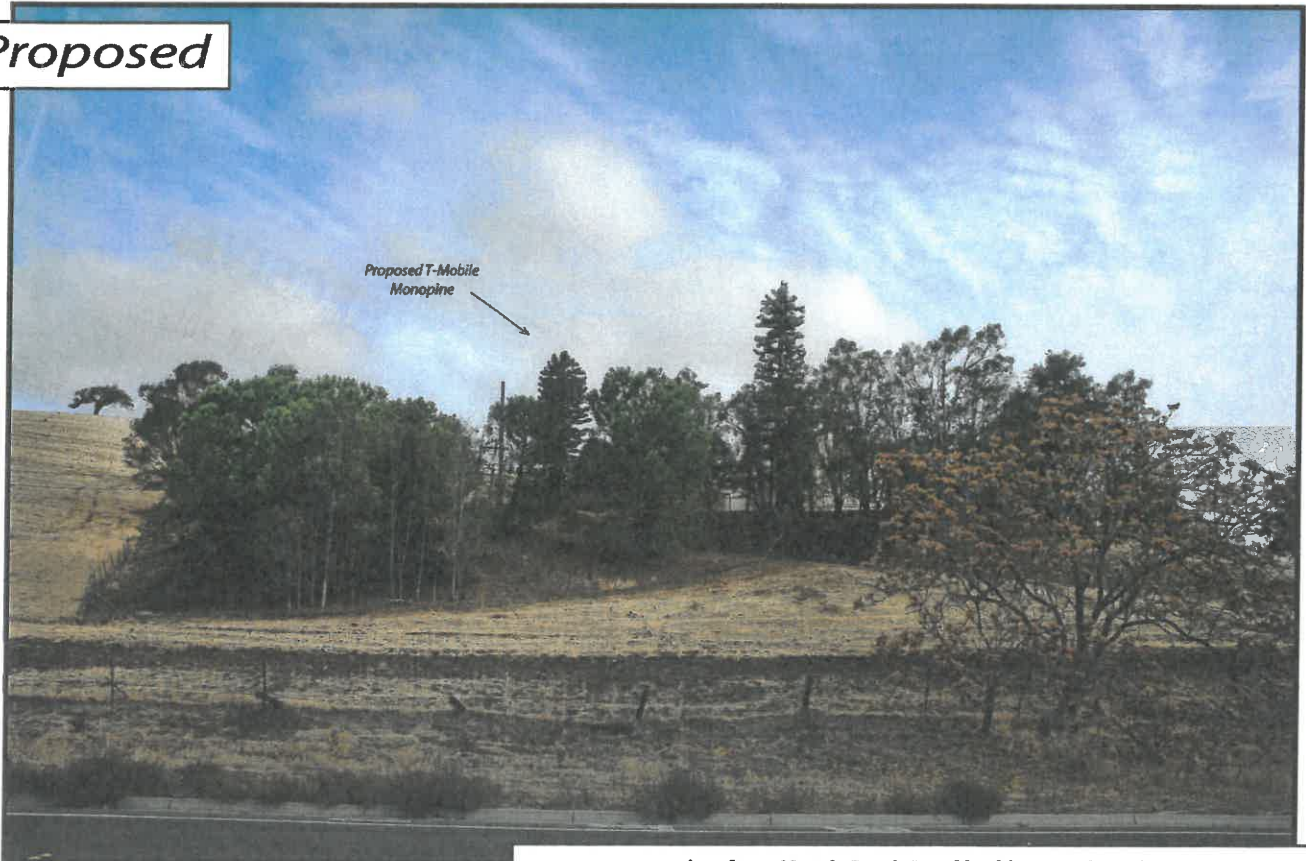


view from Marsh Creek Road looking east at site

Existing



Proposed



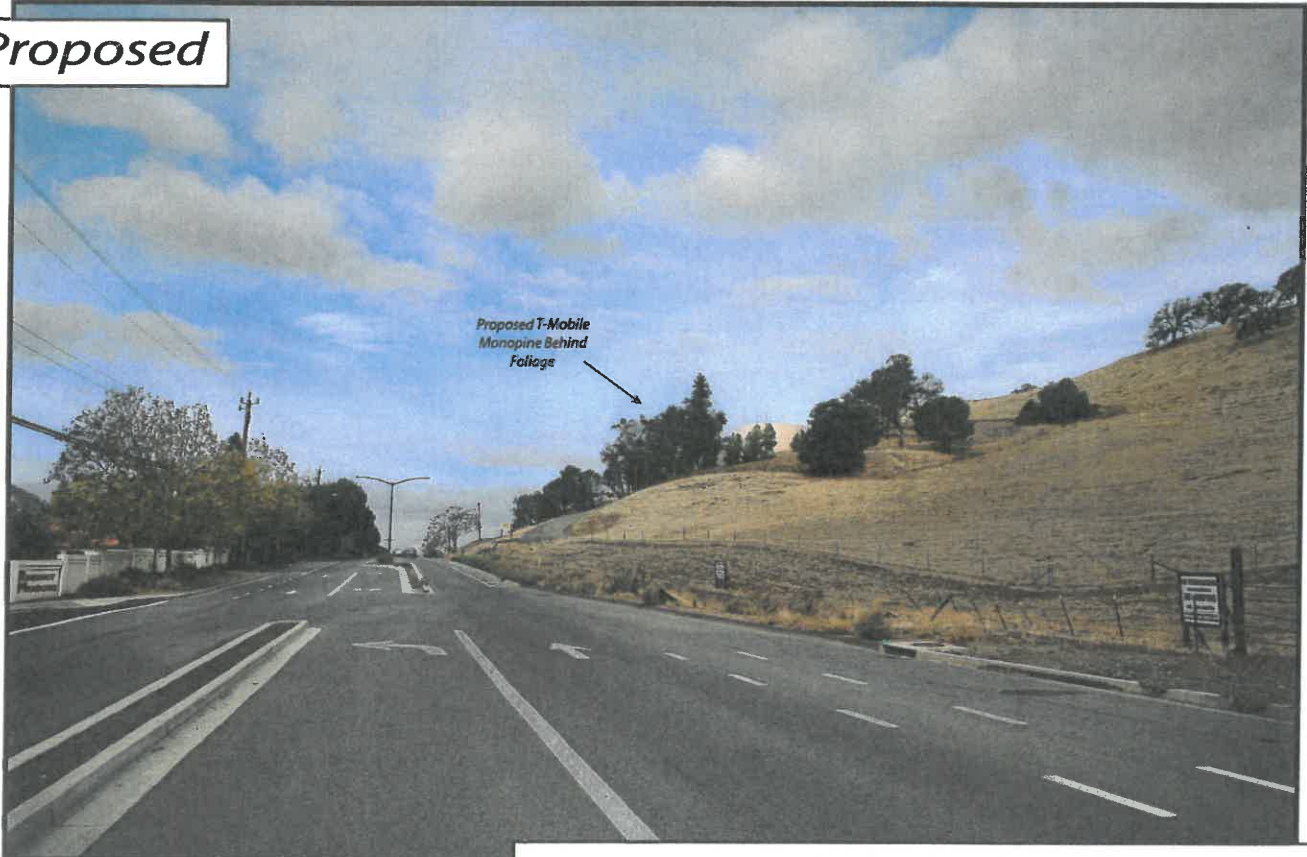
9
2
1

Existing



Existing Monopine
By Others

Proposed



Proposed T-Mobile
Monopine Behind
Foliage

view from Marsh Creek Road looking northwest at site

AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

T-Mobile

BA21633D Seminary Reservoir & Pump Station
Marsh Creek Road, Clayton, CA
Photosims Produced on 8-26-2015

G-3
C-37

Existing



Proposed



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

T-Mobile BA21633D Seminary Reservoir & Pump Station
Marsh Creek Road, Clayton, CA
Photosims Produced on 8-26-2015

G-4
C-38

ATTACHMENT D

Assistant Planner Sikela presented the staff report.

Commissioner Catalano inquired why there was a discrepancy between the 4,718 square-foot combined gross floor area provided on Sheet A4 of the project plans and the 4,331 square-foot proposed floor area shown in the residential floor area analysis in the staff report.

Assistant Planner Sikela responded that the 4,331 square-foot figure is based on the fact that the 387 square-foot second-story component will be demolished, so staff calculated the proposed residential floor area by subtracting the 387 square-foot second-story component from the 4,718 square-foot combined gross floor area.

Commissioner Richardson inquired about the existing on-site detached accessory structures.

Assistant Planner Sikela indicated that, of the five existing on-site detached accessory structures, three of the structures are sheds that are under 120 square feet in area and 8 feet 6 inches in height and, as a result, would not require building permits and are located in compliance with the City's accessory building requirements. One of the structures is a pavilion which is located in compliance with setback requirements, although would be excluded from the City's floor area regulations since one of the longest sides of the pavilion is unenclosed. Staff did not analyze the fourth detached accessory structure, which is the largest detached structure on the lot, although staff indicated the issue will be looked into to ensure conformity with City standards.

Commissioner Manning and Commissioner Catalano expressed support for the project.

Vice Chair Johnson indicated that the proposed design will visually improve the residence.

Chair Bruzzone concurred with Vice Chair Johnson and indicated that the proposed design fits well with the neighborhood.

The public hearing was opened.

The applicant was available for questions.

The public hearing was closed.

Commissioner Dan Richardson moved and Commissioner Manning seconded a motion to approve Site Plan Review Permit SPR-04-15, with the findings of approval and conditions of approval recommended by staff. The motion passed 5-0.

- 5.b. **UP-01-15, Use Permit, T-Mobile**, north side of Marsh Creek Road, APN: 119-070-007. A request for approval of a Use Permit to allow the installation and operation of a wireless communications facility. The proposal would involve the construction of an approximate 40-foot antenna designed as a "monopine" (appearing as a tree), a 35-foot utility pole, and a fenced-in equipment enclosure for the equipment located at the base of the antenna and utility pole. Pursuant to California Environmental Quality Act (CEQA) Guideline 15303 – New Construction or Conversion of Small Structures, the project is categorically exempt from CEQA.

D-1

Commissioner Catalano recused herself due to a proximity conflict of interest related to this public hearing item and departed the meeting chambers.

Assistant Planner Sikela presented the staff report.

Vice Chair Johnson inquired about the existing monopine already located on the subject site.

Assistant Planner Sikela responded that the other monopine is for Verizon Wireless and was installed in 2001 under the Contra Costa County jurisdiction before the property was annexed into the City in 2005.

Commissioner Richardson inquired about the history of the Verizon Wireless monopine after the property was annexed into the City.

Assistant Planner Sikela indicated that, after the property was annexed into the City, Verizon submitted a proposal to upgrade the existing antenna array in order to provide better service. Staff reviewed the proposal to ascertain whether or not the proposal would need to come before the Commission for review and approval and decided that the modification was minor in nature and, therefore, could be approved administratively.

Chair Bruzzone inquired as to how many residential properties were noticed about the project.

Assistant Planner Sikela replied that, given the more remote location of the project site relative to existing residential subdivisions in Clayton, only a few residential properties along El Pueblo Place were located within the 300-foot noticing radius.

Vice Chair Johnson asked if a public hearing notice was sent to the developer of the proposed Oak Creek Canyon subdivision since the proposed subdivision is located directly adjacent to the subject site.

Assistant Planner Sikela indicated that, yes, a public hearing notice was sent to the developer of the proposed Oak Creek Canyon subdivision, West Coast Home Builders.

Chair Bruzzone inquired what approval method was used by Contra Costa County to approve the Verizon Wireless monopine in 2001?

Assistant Planner Sikela responded that City staff is not familiar with the County's approval process.

Director Gentry indicated the following:

- Cell sites are regulated by the Federal Communications Commission, which restricts local control.
- Local jurisdictions have very limited control over newly-proposed cell sites; the City can regulate aesthetics but there are timelines above and beyond the permit streamlining act which further restricts City latitude.
- Given that there is already a Public Facility designation on this site with the Contra Costa Water District tank and the existing Verizon Wireless monopine, it is one of the least intrusive sites to locate a new cell site.

D-2

The public hearing was opened.

The applicant was available for questions.

The public hearing was closed.

Commissioner Richardson moved and Vice Chair Johnson second a motion to approve Use Permit UP-01-15, with the findings of approval and conditions of approval recommended by staff. The motion passed 4-0.

Commissioner Catalano returned to the meeting chambers.

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

8.a. Staff.

Director Gentry provided project status updates on the Oak Creek Canyon subdivision, Creekside Terrace mixed-use development, Silver Oak Estates subdivision, Southbrook Drive subdivision, and the High Street townhouse development. In addition, Cemex will be holding an open house meeting in Hoyer Hall on Wednesday, September 9, 2015 at 6:30 p.m. regarding modifications to their quarry site on Mitchell Canyon Road south of Clayton. Also, the East Bay Regional Park District will be holding a meeting regarding the Clayton Ranch in Hoyer Hall on Wednesday, September 16, 2015 at 6:30 p.m.

Assistant Planner Sikela provided a project status update on the Verna Way subdivision.

8.b. Commission.

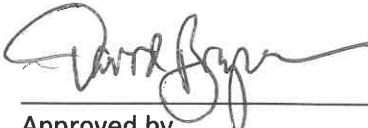
None.

9. ADJOURNMENT

9.a. The meeting was adjourned at 7:49 p.m. to the regularly-scheduled meeting of the Planning Commission on September 22, 2015.



Submitted by
Mindy Gentry
Community Development Director




Approved by
David Bruzzone
Chair

PLANNING COMMISSION STAFF REPORT

Meeting Date: December 13, 2016

Item Number: 5.b

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a one-year time extension of the Creekside Terrace Mixed Use Project Development Plan and Vesting Tentative Map (ENV-01-08, DP-01-08, MAP-02-09, TE-01-16)

Applicant: City of Clayton

REQUEST

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

PROJECT INFORMATION

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

Property Owner: City of Clayton

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

Town Center Specific Plan Designation: Town Center Commercial

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

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

Public Notice: On December 2, 2016, the public hearing notice for the project was posted at the notice boards and mailed to property owners within 300 feet of the project site. The public hearing notice for the project was published in the December 2, 2016 edition of the Contra Costa Times. To date, no comments have been received by staff.

BACKGROUND AND DISCUSSION

On July 6, 2010, the Clayton City Council adopted the Initial Environmental Study/Mitigated Negative Declaration (ENV 01-08) and approved the Creekside Terrace Mixed Use Development Plan (DP 01-08) and Vesting Tentative Map (MAP 02-09) (**Attachment B**). Section 17.28.190 of the Clayton Municipal Code (CMC) states that “if within 18 months after the approval by the City Council of the Development Plan Permit, construction has not commenced, then the Development Plan Permit shall become null and void.” Since the July 6, 2010 approval, there have been efforts to market the project to a developer in order to initiate construction. The land owner and project sponsor is the City of Clayton. There had been an offer made by a prospective developer to purchase the subject property; however, those negotiations have stalled.

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

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

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

TIME EXTENSIONS

Development Plan

Section 17.28.190 of the CMC allows extensions of a Development Plan prior to its expiration up to one-year at a time by the Planning Commission or City Council. On October 25, 2011, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2013. On December 11, 2012, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2014. On December 10, 2013, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2015. On December 9, 2014, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to January 6, 2016. On December 8, 2015, the Planning Commission approved a one-year extension for the Development Plan, extending the approval to

January 6, 2017. Since the date for Development Plan expiration is approaching, and in order to keep the Development Plan current for future development negotiations and opportunities, the City is seeking Planning Commission approval of another one-year extension of the Development Plan to January 6, 2018, in accordance with CMC Section 17.28.190.

Vesting Tentative Map

On July 15, 2011, the Governor of California signed into law Assembly Bill 208, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 15, 2011 and would otherwise expire before January 1, 2014. Accordingly, the Creekside Terrace Vesting Tentative Map was extended until July 6, 2014 by this action. On July 11, 2013, the Governor of California signed into law Assembly Bill 116, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 11, 2013. As a result, the Creekside Terrace Vesting Tentative Map was extended to July 6, 2016. On December 8, 2015, the Planning Commission approved a six-month extension of the Creekside Terrace Vesting Tentative Map from July 6, 2016 to January 6, 2017—as is allowed per the time extension provision for maps listed in CMC Section 16.06.030—in order to have the expiration dates for both the Development Plan and Vesting Tentative Map occur simultaneously on January 6, 2017. Since the date for Vesting Tentative Map expiration is approaching, and in order to keep the Vesting Tentative Map current for future development negotiations and opportunities, the City is seeking Planning Commission approval of a one-year extension of the Vesting Tentative Map to January 6, 2018, in accordance with CMC Section 16.06.030.

REGULATORY APPLICABILITY

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

RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached Resolution No. 14-16, thereby extending for one year the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2017 through January 6, 2018 (**Attachment C**).

ATTACHMENTS



- A. Vicinity Map
- B. Approved Creekside Terrace Mixed Use Project Development Plan
- C. Commission Resolution No. 14-16 (with Exhibit A – City Council Resolution No. 27-2010 for the Creekside Terrace Mixed Use Project)

Community Development\DP\2008\01-08 Creekside Terrace\01-08.sr.extension.pc.mtg.12.13.16

ATTACHMENT A



VICINITY MAP

	<p>Creekside Terrace TE-01-16 for DP-01-08 and MAP-02-09 1005 and 1007 Oak Street APNs: 119-050-008, 119-050-009, and 119-050-034</p>	<p>N</p>  <p>(Not to Scale)</p>
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ATTACHMENT B

(Do not remove from file) File Copy

Creekside Terrace Project Description

Executive Summary

The project was developed by the City of Clayton, California, in 1987. After the passage of the 1989 California Statewide General Plan, the City of Clayton adopted a new General Plan in 1993. The City of Clayton is currently reviewing its General Plan and is in the process of updating it. The City of Clayton is currently reviewing its General Plan and is in the process of updating it. The City of Clayton is currently reviewing its General Plan and is in the process of updating it.

Creekside Terrace Project Description

The City of Clayton is currently reviewing its General Plan and is in the process of updating it. The City of Clayton is currently reviewing its General Plan and is in the process of updating it. The City of Clayton is currently reviewing its General Plan and is in the process of updating it. The City of Clayton is currently reviewing its General Plan and is in the process of updating it.

Project Team:

Architecture:
VIZFX
PO Box 974
Clayton, CA 94517
with KTGY - Irvine, CA

Civil:
DeBait Civil Engineering
871 San Ramon Valley Blvd.
Danville, CA 94526

Landscapes Architecture:
Genes + Associates
2671 Crow Canyon Rd.
San Ramon, CA 94583

Traffic Engineering:
Abrams Associates
1660 Olympic Blvd.
Walnut Creek, CA 94596

Soils Engineer:
Cundey Geotechnical
2928 Hillside Dr.
Concord, CA 94523

Project Address:

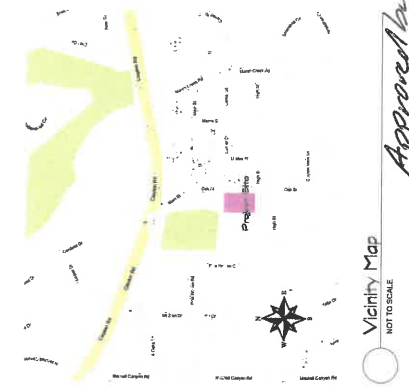
1005 - 1007 Oak St
Clayton, CA 94517

Project Applicant:
City of Clayton,
Redevelopment Agency
6000 Heritage Circle
Clayton, CA 94517

PO Box 974
Clayton, CA 94517
VIZFX

ID	SHEET INDEX	Notes	Published
1-1	1-1	Site Plan	10/10/10
1-2	1-2	Site Plan	10/10/10
1-3	1-3	Site Plan	10/10/10
1-4	1-4	Site Plan	10/10/10
1-5	1-5	Site Plan	10/10/10
1-6	1-6	Site Plan	10/10/10
1-7	1-7	Site Plan	10/10/10
1-8	1-8	Site Plan	10/10/10
1-9	1-9	Site Plan	10/10/10
1-10	1-10	Site Plan	10/10/10
1-11	1-11	Site Plan	10/10/10
1-12	1-12	Site Plan	10/10/10
1-13	1-13	Site Plan	10/10/10
1-14	1-14	Site Plan	10/10/10
1-15	1-15	Site Plan	10/10/10
1-16	1-16	Site Plan	10/10/10
1-17	1-17	Site Plan	10/10/10
1-18	1-18	Site Plan	10/10/10
1-19	1-19	Site Plan	10/10/10
1-20	1-20	Site Plan	10/10/10

CONSULTANTS



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

Creekside Terrace

Approved by City Council on July 6, 2010.
D. Wolfenbuss

APPROVED
JUL 06 2010
CLAYTON COMMUNITY DEVELOPMENT DEPT.

APPROVED
DEC 11 2012
CLAYTON COMMUNITY DEVELOPMENT DEPT.
EXTENSION IS GOOD FROM JANUARY 6, 2013 TO JANUARY 6, 2014

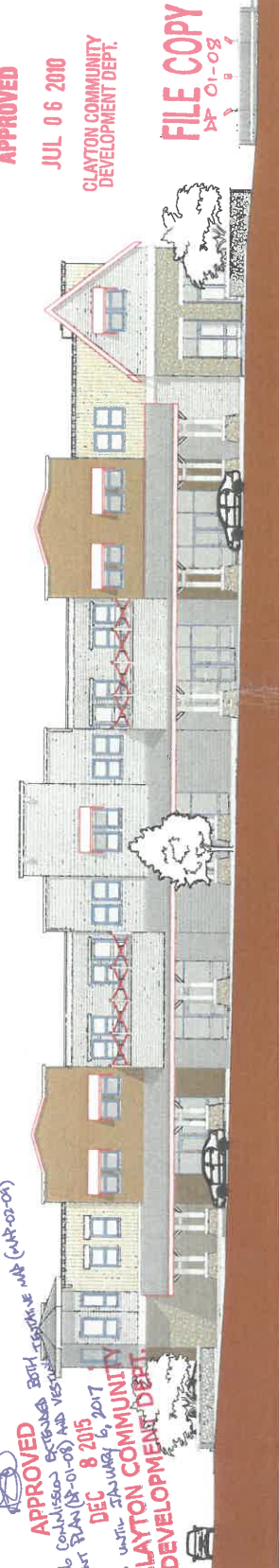
APPROVED
DEC 11 2012
CLAYTON COMMUNITY DEVELOPMENT DEPT.
EXTENSION IS GOOD FROM JANUARY 6, 2013 TO JANUARY 6, 2014

APPROVED
DEC 11 2012
CLAYTON COMMUNITY DEVELOPMENT DEPT.
EXTENSION IS GOOD FROM JANUARY 6, 2013 TO JANUARY 6, 2014

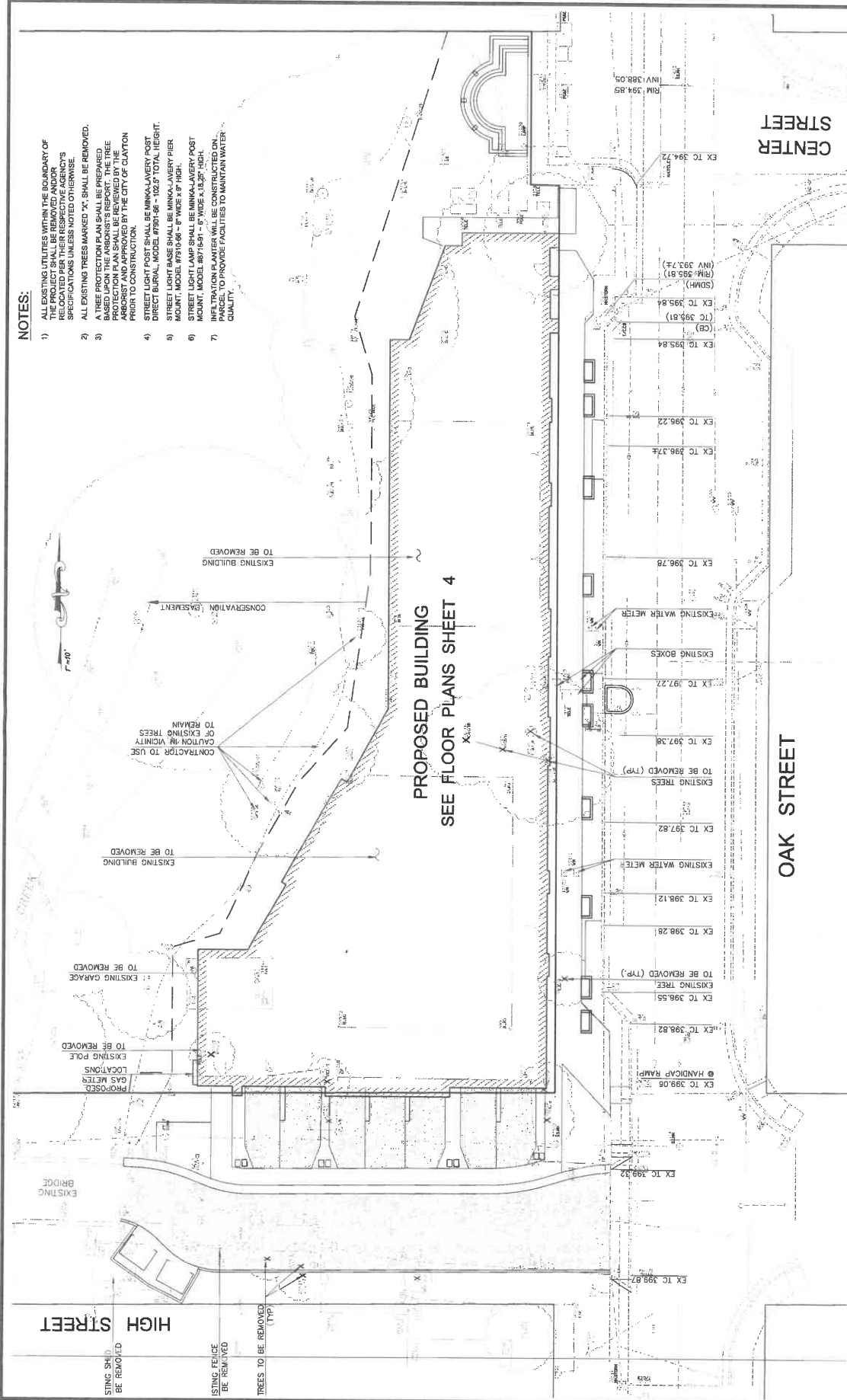
APPROVED
DEC 11 2012
CLAYTON COMMUNITY DEVELOPMENT DEPT.
EXTENSION IS GOOD FROM JANUARY 6, 2013 TO JANUARY 6, 2014

Creekside Terrace - Mixed Use Project

Land Use Entitlement Submittal Package



FILE COPY
10-01-09

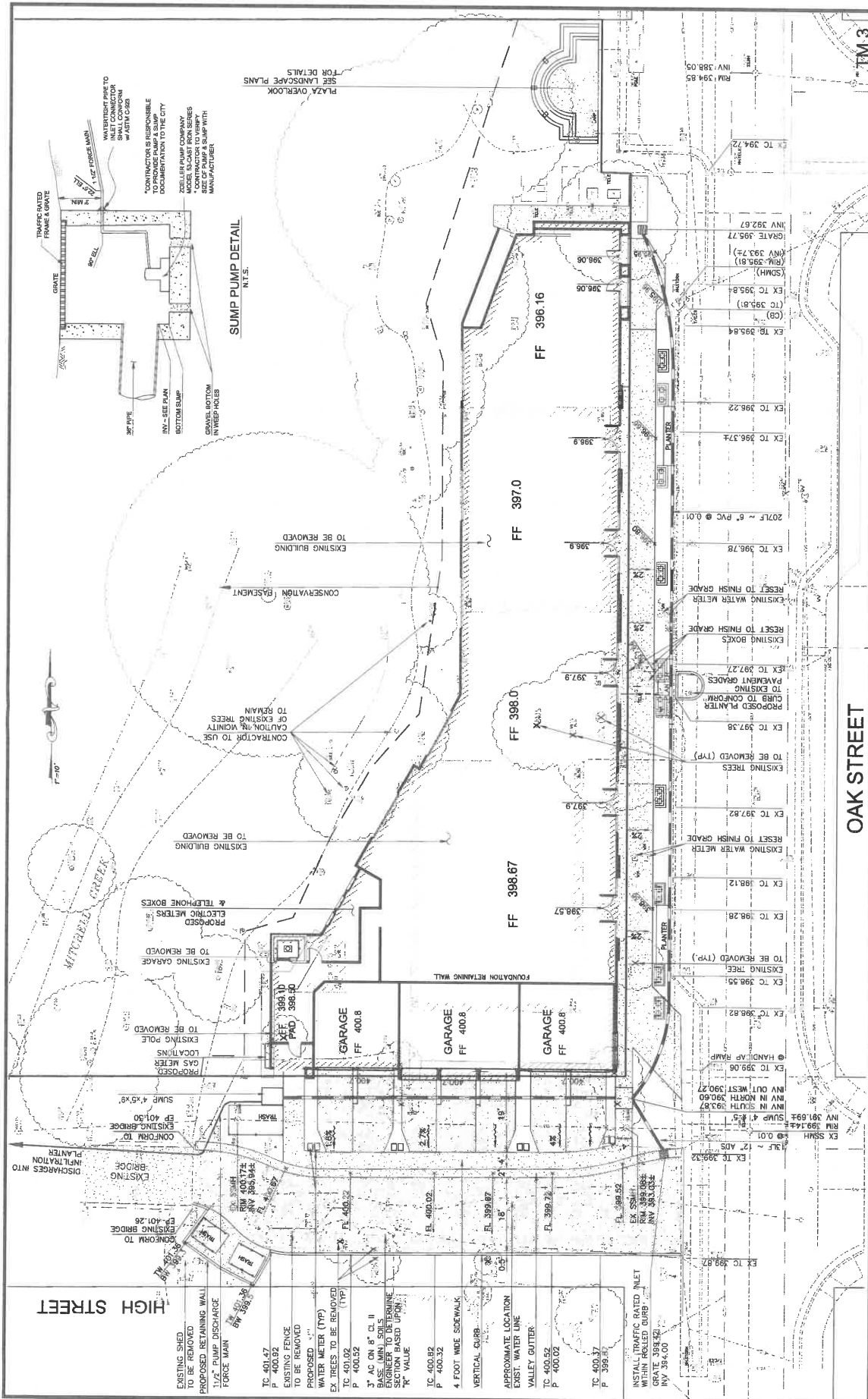


NOTES:

- 1) ALL EXISTING UTILITIES WITHIN THE BOUNDARY OF THE PROJECT SHALL BE REMOVED AND/OR RELOCATED PER THEIR RESPECTIVE AGENCY'S SPECIFICATIONS UNLESS NOTED OTHERWISE.
- 2) ALL EXISTING TREES MARKED 'X' SHALL BE REMOVED.
- 3) A TREE PROTECTION PLAN SHALL BE PREPARED FOR ALL TREES TO REMAIN. THE TREE PROTECTION PLAN SHALL BE REVIEWED BY THE ARBORIST AND APPROVED BY THE CITY OF CLAYTON PRIOR TO CONSTRUCTION.
- 4) STREET LIGHT POST SHALL BE MINIKALAVERY POST DIRECT BURIAL, MODEL #750-08 - 102.0" TOTAL HEIGHT.
- 5) STREET LIGHT BASE SHALL BE MINIKALAVERY PIER MODEL #750-08 - 102.0" TOTAL HEIGHT.
- 6) STREET LIGHT LAMP SHALL BE MINIKALAVERY POST MOUNT, MODEL #671691 - FT. WIDE X 18.25" HIGH.
- 7) INFILTRATION PLANTER WILL BE CONSTRUCTED ON PARCEL TO PROVIDE FACILITIES TO MAINTAIN WATER QUALITY.

**PROPOSED BUILDING
SEE FLOOR PLANS SHEET 4**

VESTING TENTATIVE MAP	TENTATIVE MAP 01-08 CREEKSIDE COMMONS 1005 & 1007 OAK STREET CONTRA COSTA COUNTY	CITY OF CLAYTON	CALIFORNIA																						
<p>PROJECT NUMBER: 18-000000000-00000 REVISION DATE: 03/07/2018 RCL: 7718</p>		<p>DATE: 4/29/2018 SCALE: 1" = 10' SHEET NO. 23 JOB NO. 18-000000000-00000</p>																							
<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>#</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>		#	DATE																					<p>TM 2</p>	
#	DATE																								
<p>DEBOIT CIVIL ENGINEERING 811 SAN RAMON VALLEY BOULEVARD DANVILLE, CALIFORNIA 94526 TEL: 925/837-3378 FAX: 925/837-3378 WWW.DCENR.COM</p>		<p>D</p>																							



PRELIMINARY GRADING and DRAINAGE PLAN

OAK STREET

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

CITY OF CLAYTON

CALIFORNIA

REVISIONS

#	REVISIONS	DATE

DATE: 4/27/2010
BY: J. W.
SCALE: 1" = 10'
PROJECT NO: 05/25/09-010
DRAWN BY: J. W.

DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/387-3780
Fax: 925/387-4578

PROJECT NO: 05/25/09-010

REVISIONS: 01

DATE: 4/27/2010

BY: J. W.

SCALE: 1" = 10'

PROJECT NO: 05/25/09-010

DRAWN BY: J. W.

DATE: 4/27/2010

BY: J. W.

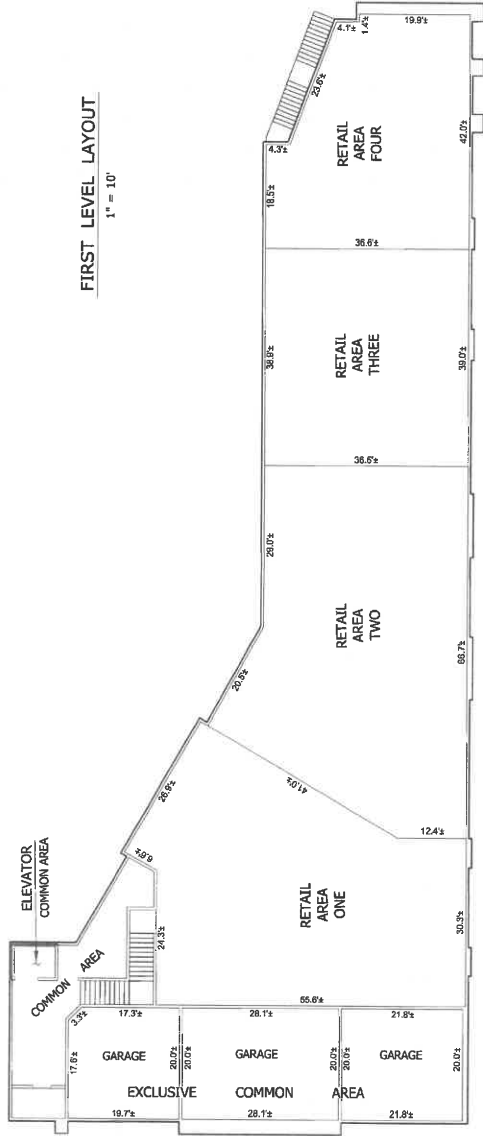
SCALE: 1" = 10'

PROJECT NO: 05/25/09-010

DRAWN BY: J. W.

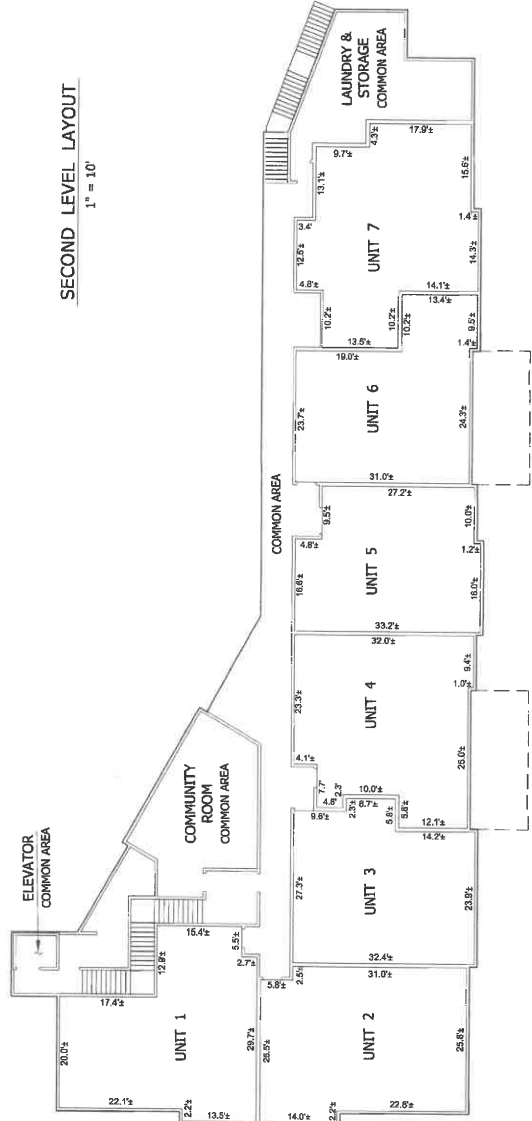
FIRST LEVEL LAYOUT

1" = 10'



SECOND LEVEL LAYOUT

1" = 10'



PRELIMINARY UNIT LAYOUT

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

CALIFORNIA

JAMES E. DICKSON
 PERSONAL LICENSE 00172 R.C.E. 2718

#	REVISIONS	DATE



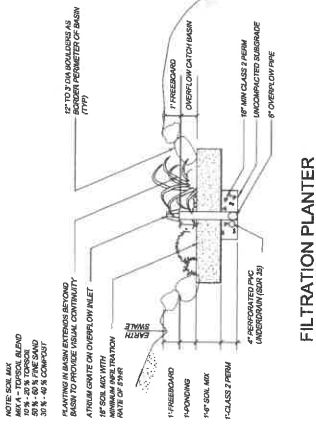
DeBolt Civil Engineering
 811 San Ramon Valley Boulevard
 Danville, California, 94526
 Tel: 925/837-3780
 Fax: 925/837-4378
 08133

TM 4

UNDERGROUND STORAGE REQUIREMENTS

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

- 2 SUMPS (4' X 4' X 7') = 288 CFS
- 2 SUMPS (4' X 4' X 7') = 288 CFS
- 2 SUMPS (4' X 4' X 7') = 288 CFS
- 2 SUMPS (4' X 4' X 7') = 288 CFS
- TOTAL STORAGE = 1152 CFS



FILTRATION PLANTER
N.T.S.

Project Name: Oak Street
 Project Type: Treatment Only
 Location: Clayton
 APN: 118-050-034
 Drainage Area: 17.5 in
 Mean Annual Precipitation: 17.5 in

IV. Areas Draining to IMPs

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

DMA Name	DMA Area (sq ft)	Peak Surface Runoff (cfs)	IMP Sizing
DMA-1	2,080	0.05	Proposed
DMA-2	1,775	0.05	Minimum
DMA-3	1,450	0.05	Minimum
DMA-4	7,340	0.20	Minimum
DMA-5	2,000	0.05	Minimum
DMA-6	175	0.01	Minimum
DMA-7	500	0.01	Minimum
DMA-8	500	0.01	Minimum
DMA-9	500	0.01	Minimum
TOTAL	13,520	0.38	

Software Tool Warnings

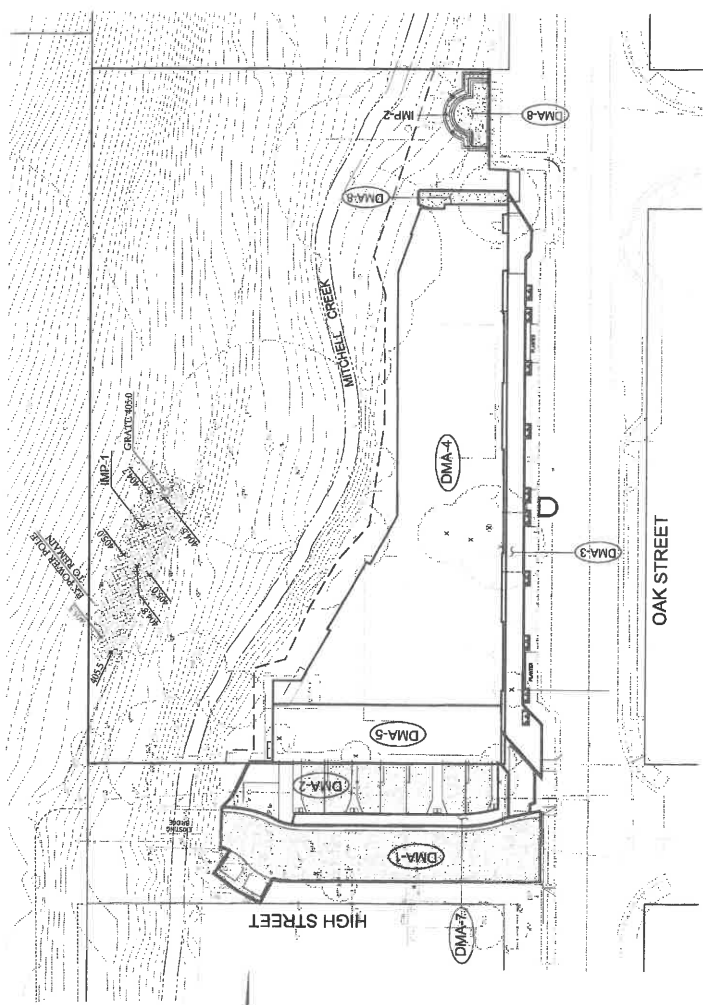
No warnings to report.

DMA	AREA	SURFACE
DMA-1	2,080 SF	ASPHALT
DMA-2	1,775 SF	ASPHALT
DMA-3	1,450 SF	ROOF
DMA-4	7,340 SF	ROOF
DMA-5	2,000 SF	CONCRETE
DMA-6	175 SF	CONCRETE
DMA-7	500 SF	CONCRETE
DMA-8	500 SF	CONCRETE
DMA-9	500 SF	CONCRETE
TOTAL	13,520 SF	

IMP	SIZE
1	60 SF
2	60 SF

LEGEND

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



STORM WATER CONTROL
 PLAN EXHIBIT

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

WASEL DESAI
 RESUBMIT DATE: 02/07/12
 R.C.L.E. 7718

REVISIONS



DeBolt Civil Engineering
 811 San Ramon Valley Boulevard
 Danville, California 94526
 Tel: 925/452-7200
 Fax: 925/452-7278
 www.dcbolt.com

TM 5

GATES & ASSOCIATES
 LANDSCAPE ARCHITECTURE
 LAND PLANNING URBAN DESIGN

3671 CROW GARDEN RD., SAN RAMON, CA 94583
 TEL: 925.739.9178 FAX: 925.835.9501
 WWW.GATESA.COM

CREEKSIDE TERRACE

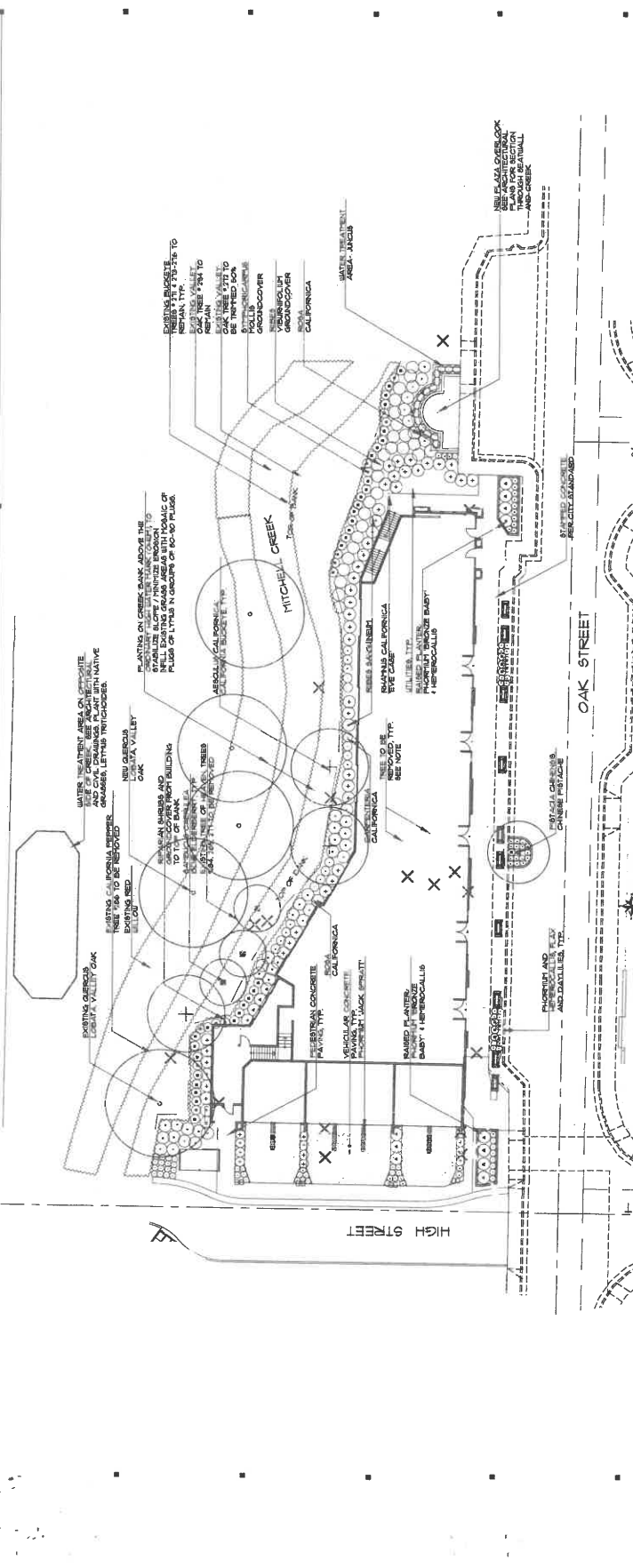
1005-1007 OAK ST.
 CLAYTON, CALIFORNIA

REVISION: DESCRIPTION: DATE:



PROJECT NAME: CREEK ENHANCEMENT
 PROJECT NUMBER: 1005-1007 OAK ST.
 PROJECT FILE: JHM
 CHECKED: JHM
 DATE: MARCH 9, 2010
 SCALE: 1/16" = 1'-0" 0' 1' 2' 3'

PRELIMINARY PLANTING AND CREEK ENHANCEMENT PLAN



NOTES

1. SEE TREE REPORT PREPARED BY HORTICENSURE MAY, 2008 TO VERIFY WHICH EXISTING TREES SHALL REMAIN
2. PROTECT EXISTING TREES TO REMAIN PER TREE REPORT
3. DO NOT PLANT TREES OR GROUNDCOVER WITHIN 10' OF EXISTING TREES
4. REFER TO SITE WATER CONTROL PLAN PREPARED BY HORTICENSURE FOR DETAILS OF WATER MANAGEMENT
5. REFER TO CIVIL ENGINEERING FOR SITE WATER MANAGEMENT
6. REFER TO HORTICENSURE REPORT FOR DETAILS OF PLANTING
7. REFER TO HORTICENSURE REPORT FOR DETAILS OF PLANTING
8. CREEK IMPROVEMENT: (SEE PLAN) SHALL BE REMOVED AND PLANTING ON CREEK BANKS ABOVE THE ORDINARY HIGH WATERS MARK SHALL BE PRESERVED TO THE MAXIMUM EXTENT POSSIBLE. VERY CARE MUST BE TAKEN TO PRESERVE CREEK BED VEGETATION AND TO PRESERVE THE CREEK TO BE PLANTED DURING THE RAINY SEASON FOR THE PRESERVATION OF NATIVE SPECIES AND TO PRESERVE THE CREEK FOR FISH AND WILDLIFE.
9. PRESERVE EXISTING TREES ON LOT 10. PRESERVE TO BE PRESERVED OF TREES ON PUBLIC AND PRIVATE PROPERTY.
10. IRRIGATION FOR NATIVE SPECIES ON EAST SIDE OF BANK. ENHANCEMENT ON BANKS UNTIL ESTABLISHMENT.

TREE LEGEND

(Symbol)	EXISTING TREE TO BE REMOVED
(Symbol)	EXISTING TREE TO REMAIN
(Symbol)	PROPOSED TREE

PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	NOTES
1	PLATANUS CALIFORNICA	PLATANUS	24" DIA.	1	
2	CORONILLA ALLICARIA	CORONILLA	18" DIA.	1	
3	ROSA CALIFORNICA	ROSA	4" DIA.	1	
4	REES LAMARCKII	REES	4" DIA.	1	
5	REES LAMARCKII	REES	4" DIA.	1	
6	REES LAMARCKII	REES	4" DIA.	1	
7	REES LAMARCKII	REES	4" DIA.	1	
8	REES LAMARCKII	REES	4" DIA.	1	
9	REES LAMARCKII	REES	4" DIA.	1	
10	REES LAMARCKII	REES	4" DIA.	1	
11	REES LAMARCKII	REES	4" DIA.	1	
12	REES LAMARCKII	REES	4" DIA.	1	
13	REES LAMARCKII	REES	4" DIA.	1	
14	REES LAMARCKII	REES	4" DIA.	1	
15	REES LAMARCKII	REES	4" DIA.	1	
16	REES LAMARCKII	REES	4" DIA.	1	
17	REES LAMARCKII	REES	4" DIA.	1	
18	REES LAMARCKII	REES	4" DIA.	1	
19	REES LAMARCKII	REES	4" DIA.	1	
20	REES LAMARCKII	REES	4" DIA.	1	
21	REES LAMARCKII	REES	4" DIA.	1	
22	REES LAMARCKII	REES	4" DIA.	1	
23	REES LAMARCKII	REES	4" DIA.	1	
24	REES LAMARCKII	REES	4" DIA.	1	
25	REES LAMARCKII	REES	4" DIA.	1	
26	REES LAMARCKII	REES	4" DIA.	1	
27	REES LAMARCKII	REES	4" DIA.	1	
28	REES LAMARCKII	REES	4" DIA.	1	
29	REES LAMARCKII	REES	4" DIA.	1	
30	REES LAMARCKII	REES	4" DIA.	1	
31	REES LAMARCKII	REES	4" DIA.	1	
32	REES LAMARCKII	REES	4" DIA.	1	
33	REES LAMARCKII	REES	4" DIA.	1	
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35	REES LAMARCKII	REES	4" DIA.	1	
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39	REES LAMARCKII	REES	4" DIA.	1	
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43	REES LAMARCKII	REES	4" DIA.	1	
44	REES LAMARCKII	REES	4" DIA.	1	
45	REES LAMARCKII	REES	4" DIA.	1	
46	REES LAMARCKII	REES	4" DIA.	1	
47	REES LAMARCKII	REES	4" DIA.	1	
48	REES LAMARCKII	REES	4" DIA.	1	
49	REES LAMARCKII	REES	4" DIA.	1	
50	REES LAMARCKII	REES	4" DIA.	1	

LAYOUT LEGEND

- 1. EXISTING LIGHT BROOM (L) WITH INTERNAL COLOR
- 2. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 3. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 4. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 5. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 6. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 7. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 8. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 9. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 10. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 11. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 12. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 13. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 14. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 15. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 16. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 17. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 18. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 19. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 20. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 21. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 22. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 23. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 24. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 25. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 26. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 27. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 28. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 29. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 30. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 31. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 32. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 33. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 34. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 35. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 36. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 37. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 38. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 39. NEW LIGHT BROOM (L) WITH INTERNAL COLOR
- 40. NEW LIGHT BROOM (L) WITH INTERNAL COLOR

SEWER TREATMENT AREA ABOVE THE ORDINARY HIGH WATERS MARK SHALL BE PRESERVED TO THE MAXIMUM EXTENT POSSIBLE. VERY CARE MUST BE TAKEN TO PRESERVE CREEK BED VEGETATION AND TO PRESERVE THE CREEK TO BE PLANTED DURING THE RAINY SEASON FOR THE PRESERVATION OF NATIVE SPECIES AND TO PRESERVE THE CREEK FOR FISH AND WILDLIFE.

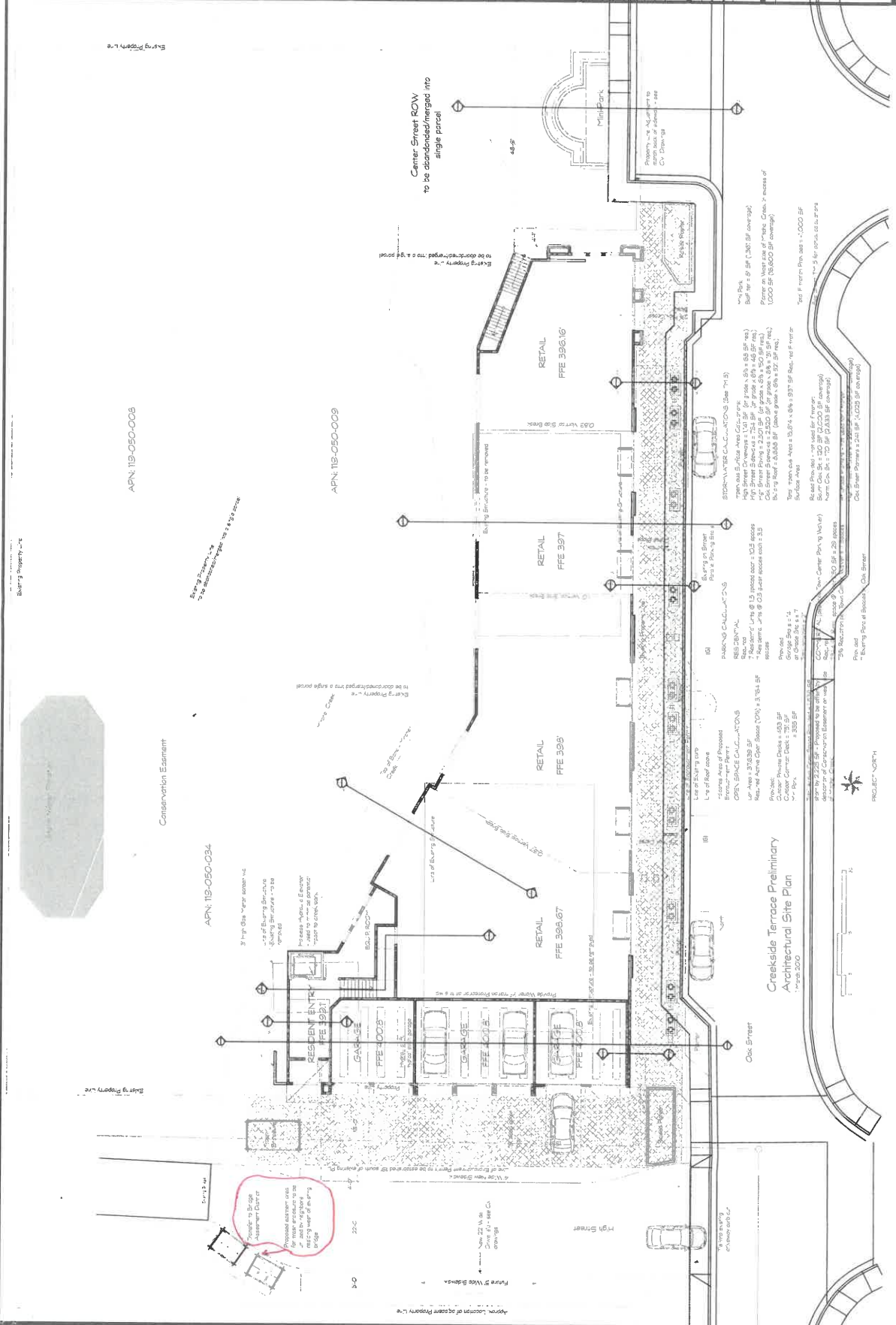
Architectural Site Plan

PROJECT NO. 21007
MODEL FILE
DRAWN BY: [Name]
DATE: [Date]
PROJECT: 21007
CITY: CLAYTON, CA

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



PO Box 974
Clayton, CA 94517
f/x



1 Architectural Site Plan
SCALE: 1" = 10'

1st Floor Plan

SHEET TITLE

COPYRIGHT: 2010 VEKA

DATE: 08/11/10

DRAWN BY: RSE

PROJECT NO: 210016

MODEL FILE:

DATE: 08/11/10

NO: 13/10 PG Submitted

NO: 14/23/10 Sign Submitted

NO: 16/2/10 Rev. Submitted

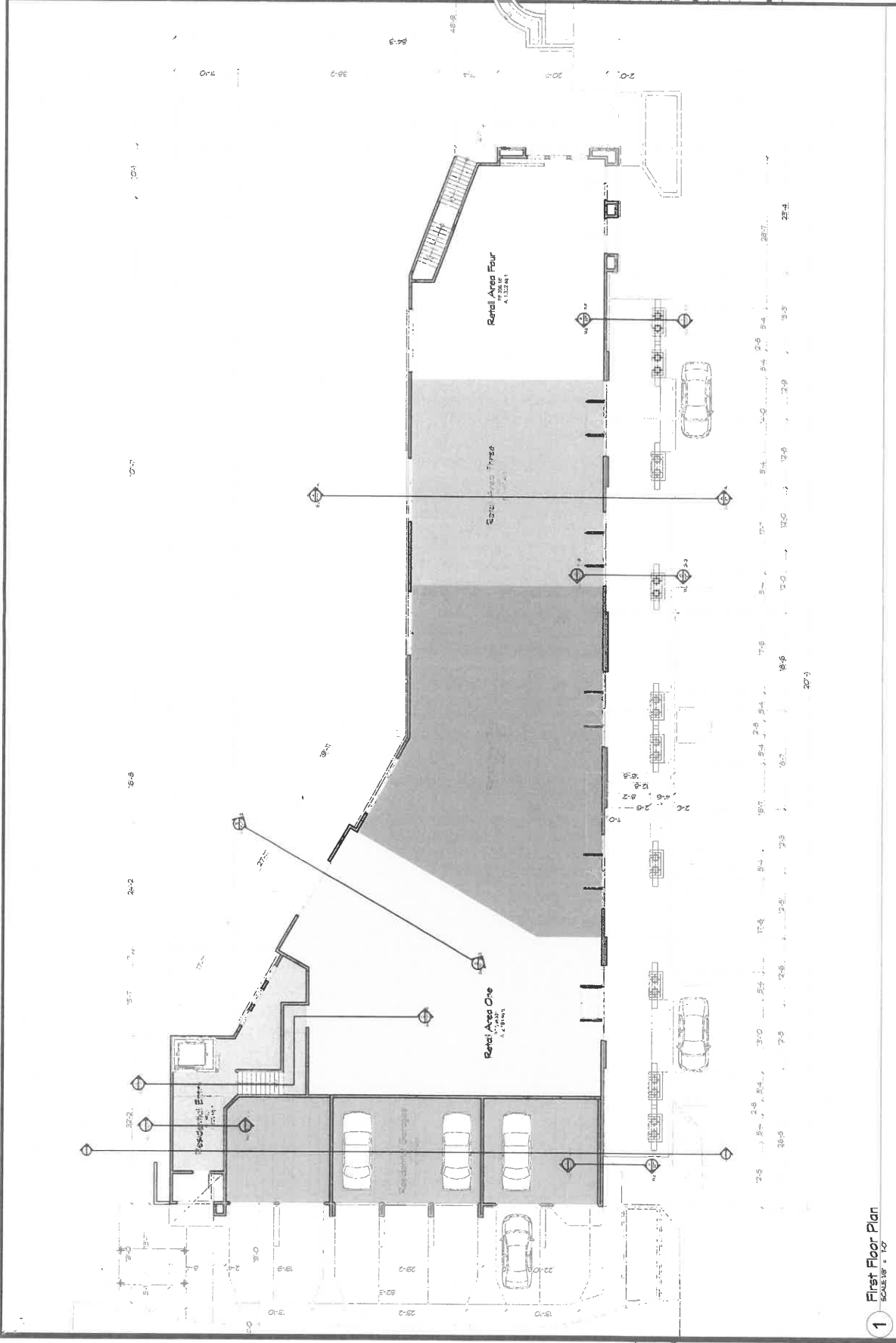
MASSDATE DESCRIPTION

1005 - 1007 Oak Street, Clayton, CA
Creekside Terrace



City of Clayton, Redevelopment Agency

CONSULTANTS
f/x
PO Box 974
Clayton, CA 94517



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

2nd Floor Plan

SHEET TITLE

COPYRIGHT: 2010 VIZIX

DRAWN BY: nse

PROJECT NO: 210018

MODEL FILE:

LAST DATE DESCRIPTION

06/27/10 Rev. Submitted

06/14/10 Sign Submitted

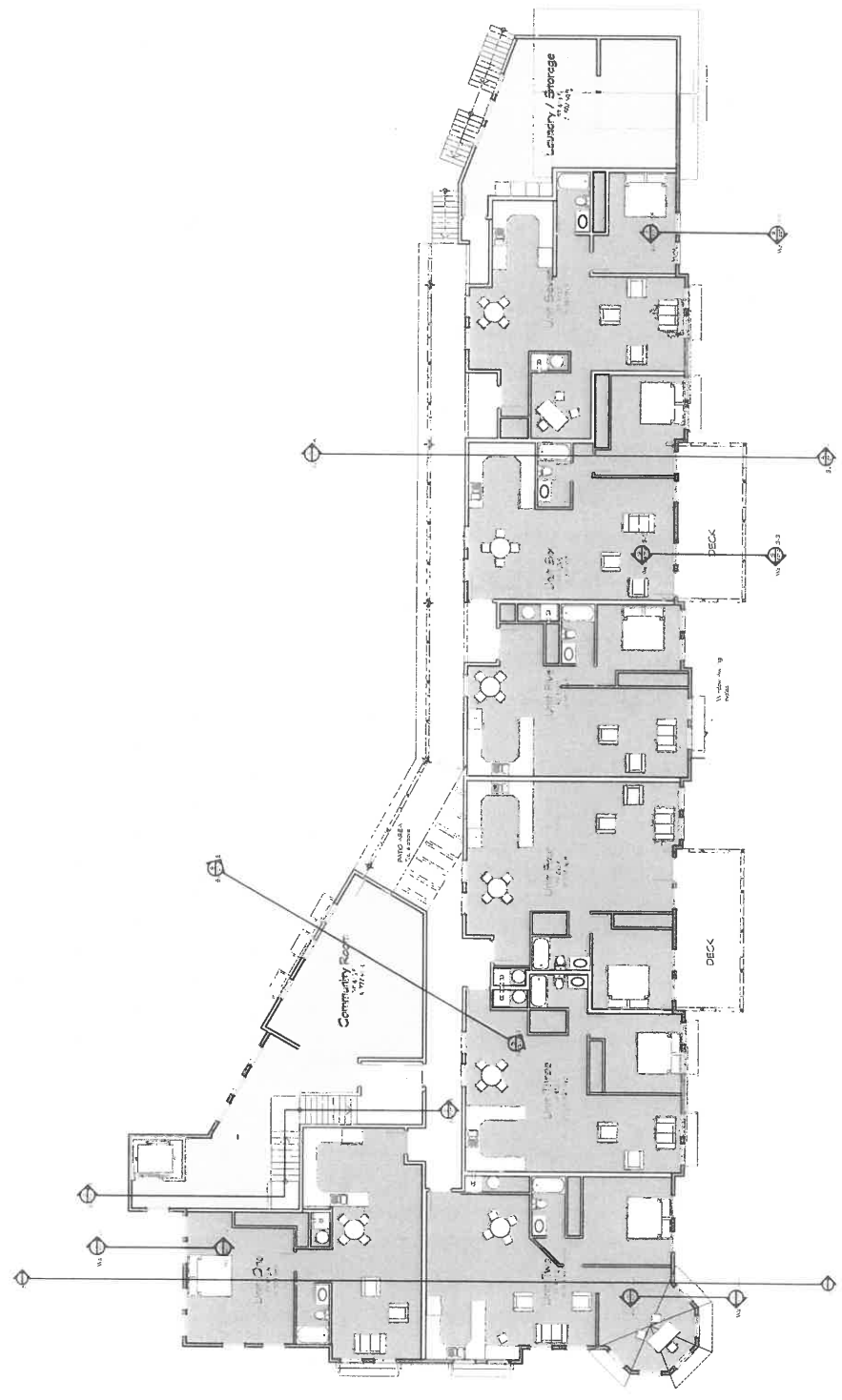
03/26/10 PC Submitted

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



CONSULTANTS

f/x
 PO Box 974
 Clayton, CA 94517



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

Roof Plan

SHEET TITLE

PROJECT NO. 210016

MODEL FILE:

DATE: 08/18/11

CHD BY: MS

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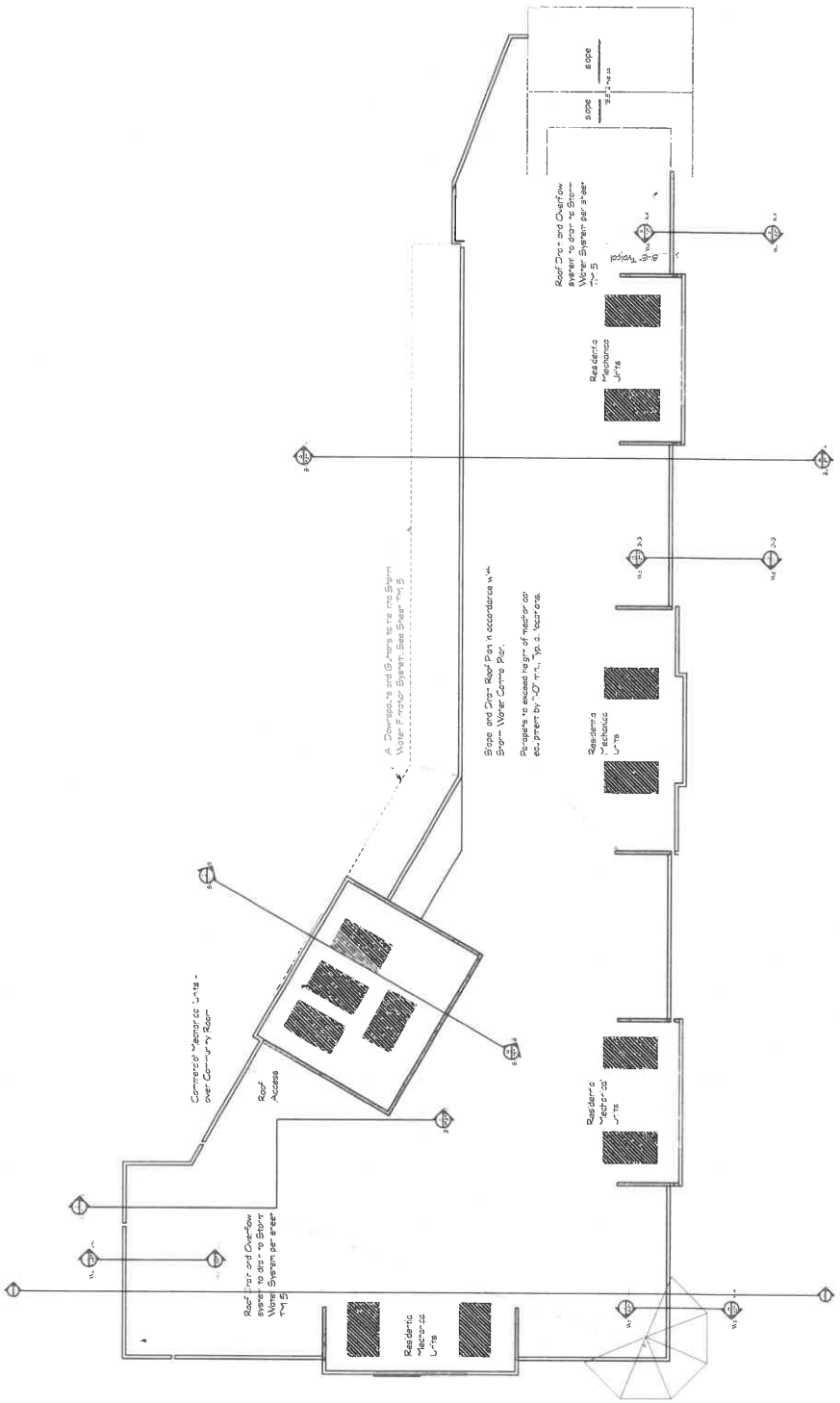
NO.	DATE	DESCRIPTION
04	08/18/11	Rev. Submitted
03	08/18/11	Sign. Submitted
02	08/18/11	IPC Submitted
01	08/18/11	Final

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



CONSULTANTS

f/x
PO Box 974
Clayton, CA 94517



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

CONSULTANTS
 f/x
 PO Box 974
 Clayton, CA 94517

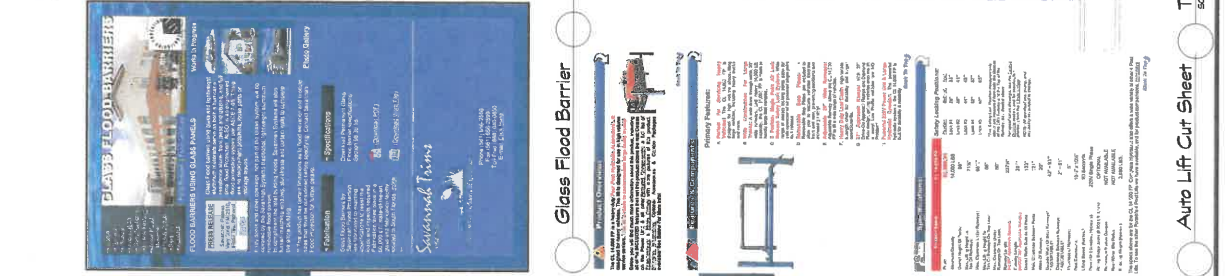
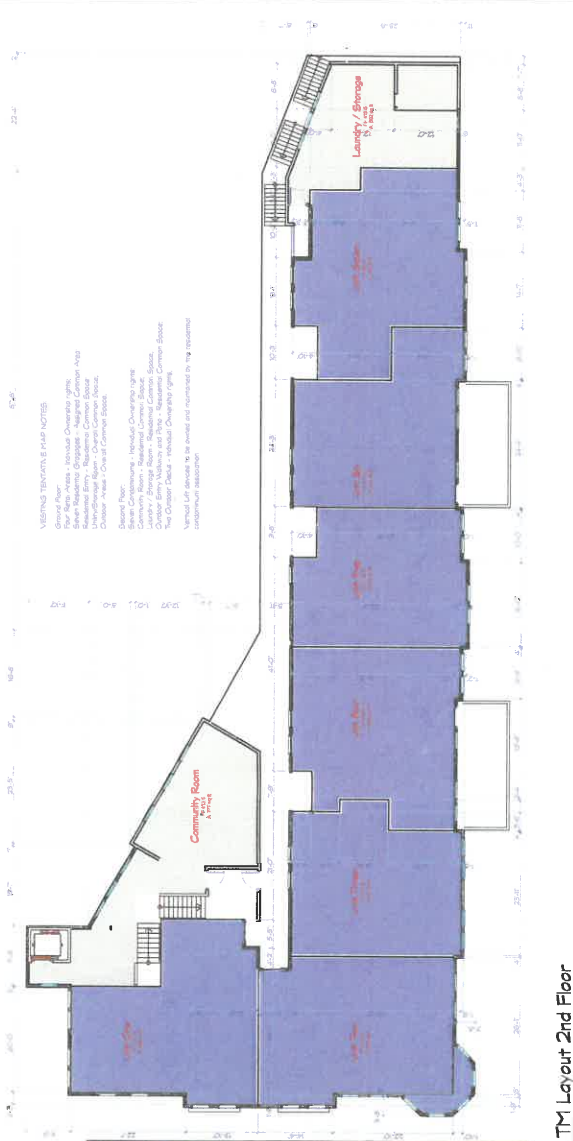


REVISIONS
 NO. DESCRIPTION
 01/20/16 Rev. Submittal
 02/26/16 Site Grading
 03/26/16 PC Submittal
 04/26/16 PC Submittal

PROJECT NO.: 200216
 MODEL FILE:
 DRAWN BY: nps
 CKD BY: rps
 COPYRIGHT: 2016 VEKA

SHEET TITLE
 TM - Layout #4
 Sheets

A-1.5
 OF 1.8
 SHEET 12



PLANNING AND DESIGN GUIDE	
Holeless Hydraulic Passenger Elevators	
This chart lists standard recommended sizes and capacities for hydraulic passenger elevators. The chart is intended for use as a guide only and should not be used as a basis for any legal action.	
Capacity	Capacity
Capacity	Capacity
Capacity	Capacity
Capacity	Capacity
Capacity	Capacity

Information: - This chart lists standard recommended sizes and capacities for hydraulic passenger elevators. The chart is intended for use as a guide only and should not be used as a basis for any legal action.

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Elevations

SHEET TITLE

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DRAWN BY: rrs

PROJECT NO: 210016

MODEL FILE:

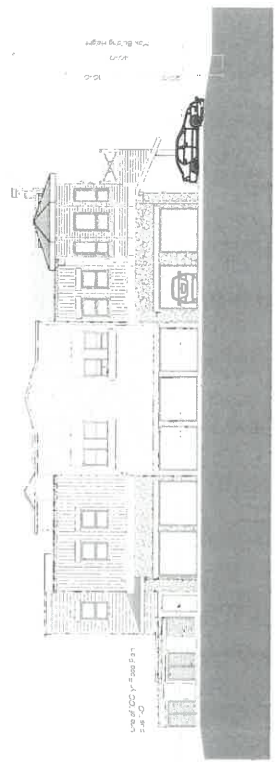
DATE: 12/10/10

NO	DATE	DESCRIPTION
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05	4/23/10	Sign Submittal
04	3/3/10	PG Submittal

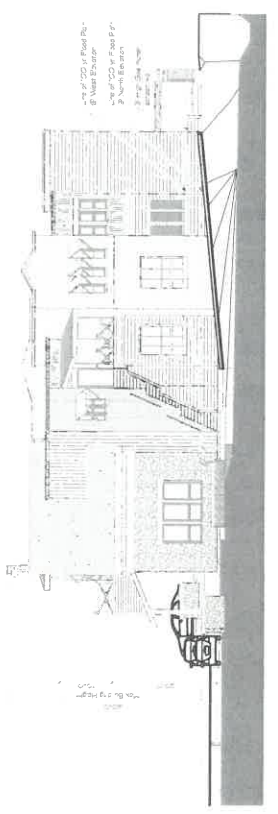
Creekside Terrace
1005 - 1007 Oak Street, Clayton, CA
City of Clayton, Redevelopment Agency



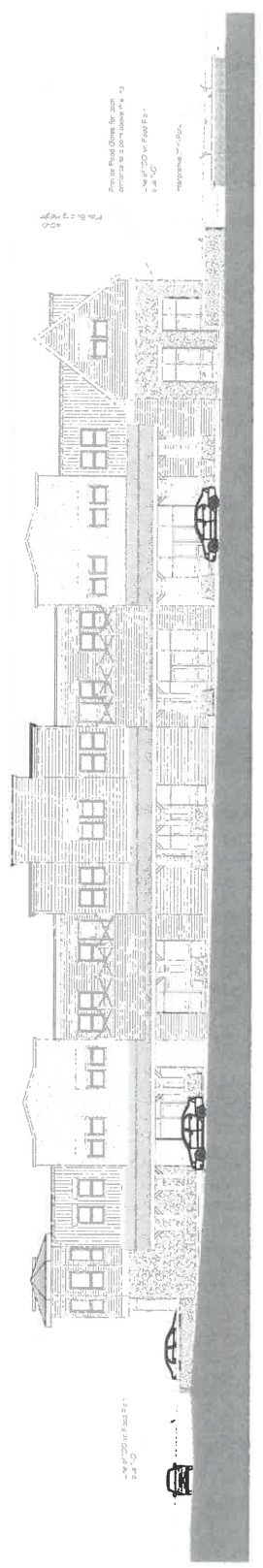
CONSULTANTS
f/x
PO Box 974
Clayton, CA 94517



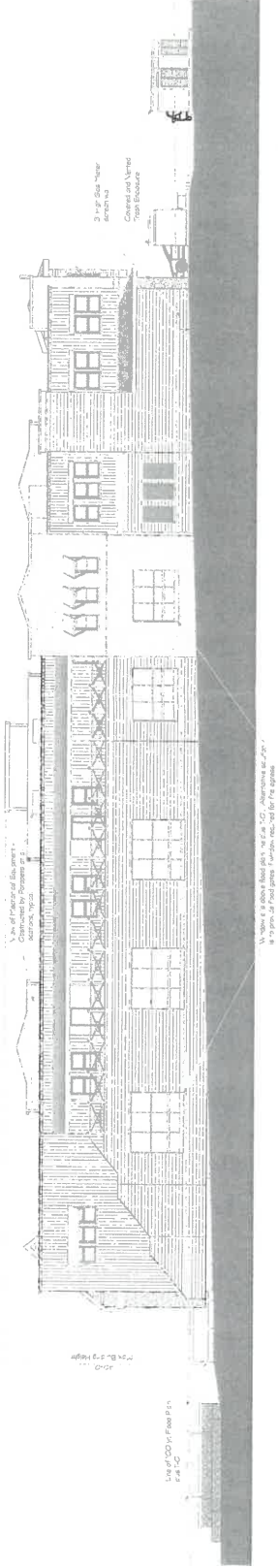
South Elevation
SCALE: 3/32" = 1'-0"



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



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



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

Sections

SHEET TITLE

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MODEL FILE: 2102016

PROJECT NO: 2102016

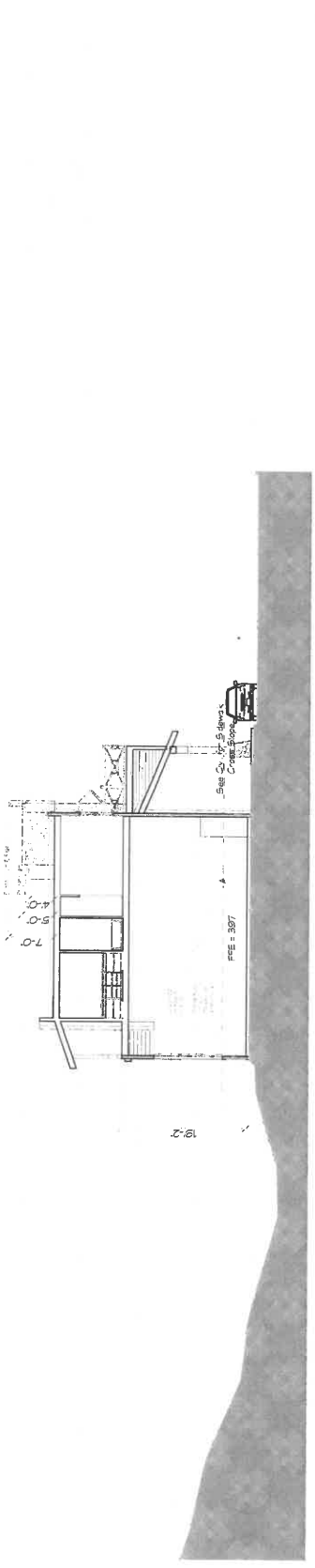
NO	DATE	DESCRIPTION
06	10/10/10	Rev. Submitted
05	10/10/10	Sign Submitted
04	10/10/10	PC Submitted
03	10/10/10	PC Submitted

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

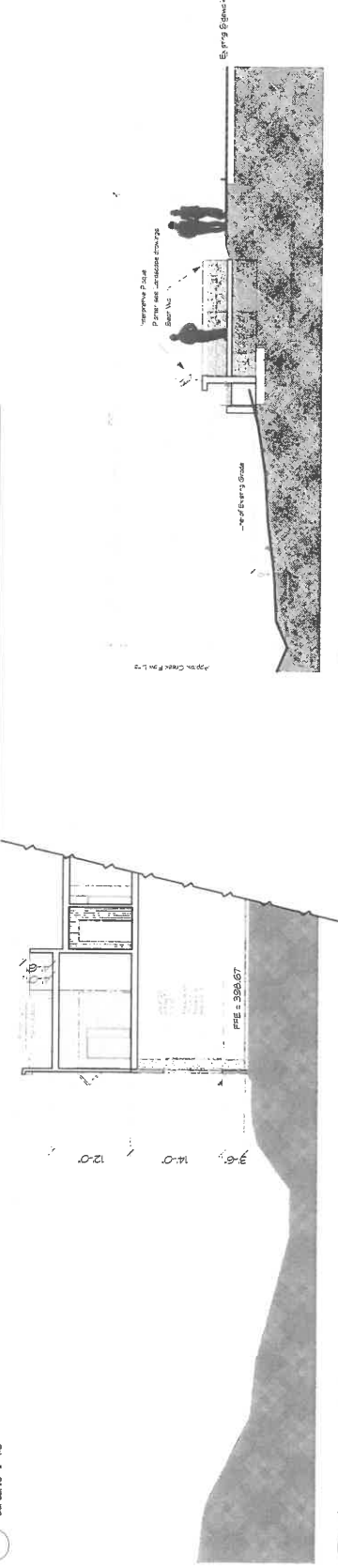


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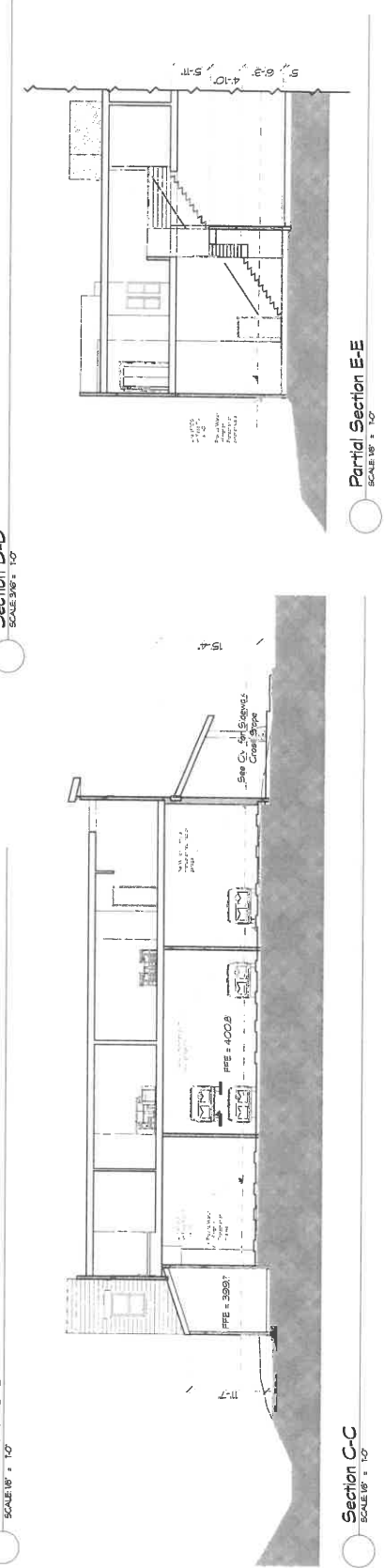
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 PO Box 974
 Clayton, CA 94517



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



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



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

Section D-D
SCALE: 3/8" = 1'-0"

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

Wall Sections and Details

SHEET TITLE

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CHANGED BY: RB

MODEL FILE: 210016

PROJECT NO: 210016

DATE: 12/21/01

REVISION: 12/21/01

DATE: 12/21/01

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

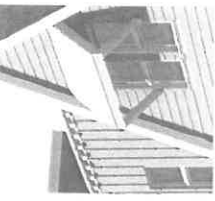


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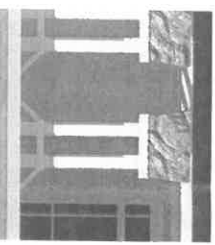
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PO Box 974
Clayton, CA 94517



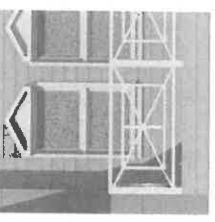
Flood Gates



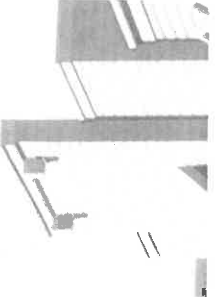
Window Awning



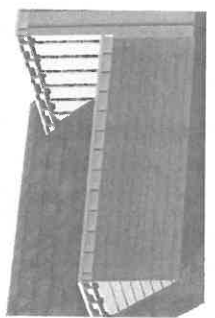
Retail Columns



Railing Detail



Parapets



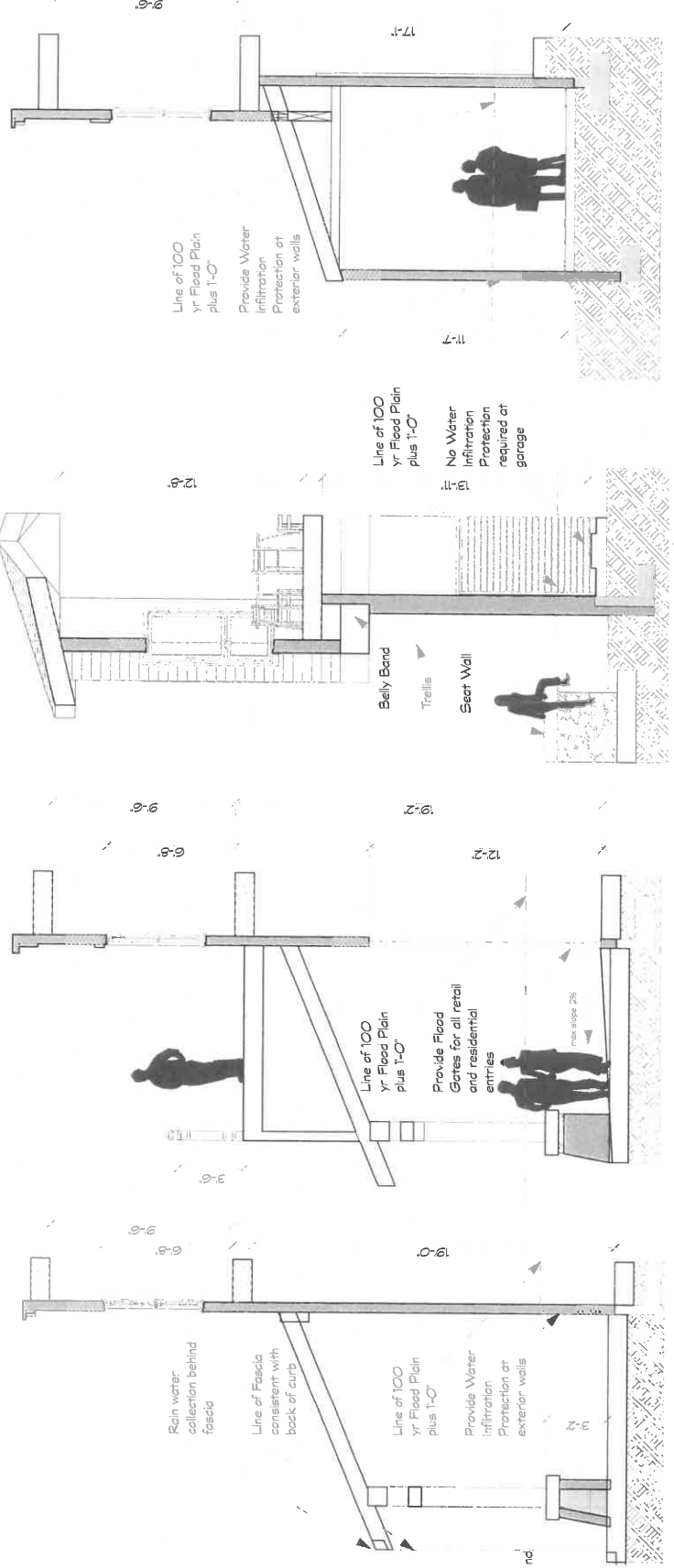
Dental Molding

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

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

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

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



NO.	REVISED	DATE	DESCRIPTION
1	01/14/2010	PC Submittal	
2	03/24/2010	PC Submittal	

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



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SWATCH

1 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
with a weathered
look. color.

2 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
with a weathered
look. color.

3 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
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look. color.

4 **QUICKSILVER**
Hand-applied Vertical
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5 **QUICKSILVER**
Hand-applied Vertical
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6 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
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beads. smooth texture
with a weathered
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7 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
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with a weathered
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8 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
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9 **QUICKSILVER**
Hand-applied Vertical
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10 **QUICKSILVER**
Hand-applied Vertical
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beads. smooth texture
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look. color.

11 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
with a weathered
look. color.

1 Quicksilver
2 Quicksilver
3 Quicksilver
4 Quicksilver
5 Quicksilver
6 Quicksilver
7 Quicksilver
8 Quicksilver
9 Quicksilver
10 Quicksilver
11 Quicksilver

8 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
with a weathered
look. color.

9 **QUICKSILVER**
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look. color.

11 **QUICKSILVER**
Hand-applied Vertical
cedar shingle. Cedar will
weather with evenly
spaced horizontal
beads. smooth texture
with a weathered
look. color.

Color and Materials - East Elevation



View from Flora Square

View From Flora Square

SHEET TITLE

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DRAWN BY: nrb

MODEL FILE: nrb

PROJECT NO: 200216

NO	DATE	DESCRIPTION
1	12/10/10	Rev. Submittal
2	12/23/10	Site Submittal
3	3/8/11	PC Submittal

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



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 Clayton, CA 94517

View From High Street

View from High Street



PROJECT NO.	210216
MODEL FILE	
DRAWN BY	na
CHECKED BY	na
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NO.	REV.	DATE	DESCRIPTION
1	05/10/10		Rev. 05/10/10
2	12/23/10		Sign Submittal
3	03/02/11		PC Submittal

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



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NOTES TO USERS

This map was prepared for the purpose of showing flood hazard areas and does not constitute a warranty of any kind. The user of this map should consult the Flood Insurance Rate Map (FIRM) for the most current information. The user of this map should also consult the Flood Insurance Study (FIS) for the most current information. The user of this map should also consult the Flood Hazard Analysis Report (FHAR) for the most current information. The user of this map should also consult the Flood Hazard Analysis Report (FHAR) for the most current information.



LEGEND

FIRM FLOOD DAMAGE RISK MAP
 CENTRAL COSTA COUNTY, CALIFORNIA
 PANEL 100 OF 100
 EFFECTIVE DATE: 2006
 SOURCE: FEMA

LEGEND

100 YR FLOOD PLUS 1 FT
 (Blue shaded area)

100 YR FLOOD
 (Light blue shaded area)

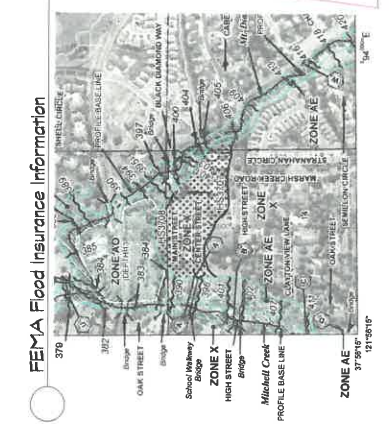
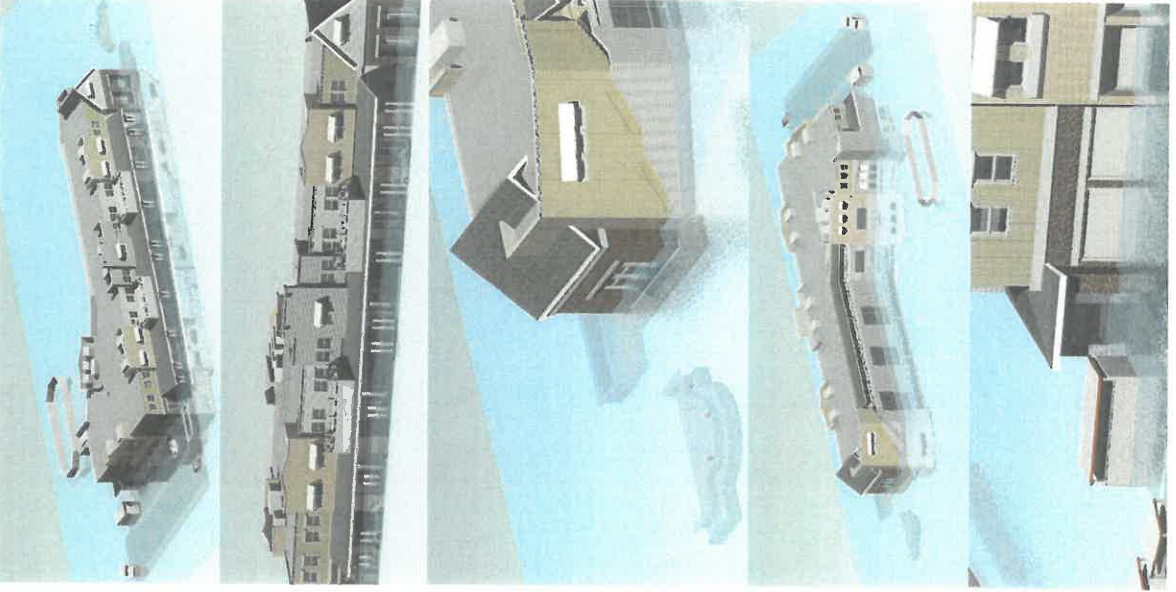
100 YR FLOOD
 (Dark blue shaded area)

100 YR FLOOD
 (Lightest blue shaded area)

100 YR FLOOD
 (Darkest blue shaded area)

100 YR FLOOD
 (Lightest blue shaded area)

100 YR FLOOD
 (Darkest blue shaded area)



FEMA Detail

Flood Contours

Estimated 100 yr. Flood plus 1'

Flood Data

SHEET TITLE

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DRAWN BY: NS

MODEL FILE: 2010016

PROJECT NO.: 2010016

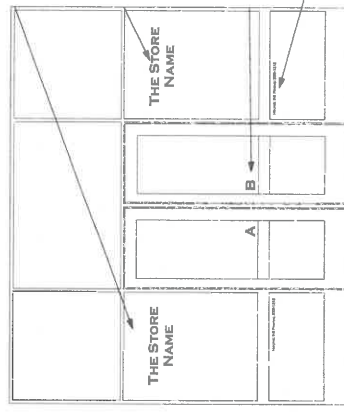
NO.	DATE	REV.	DESCRIPTION
06	6/27/10	Rev. Submitted	
05	4/23/10	Spn. Submitted	
04	3/6/10	PC Submitted	

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



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

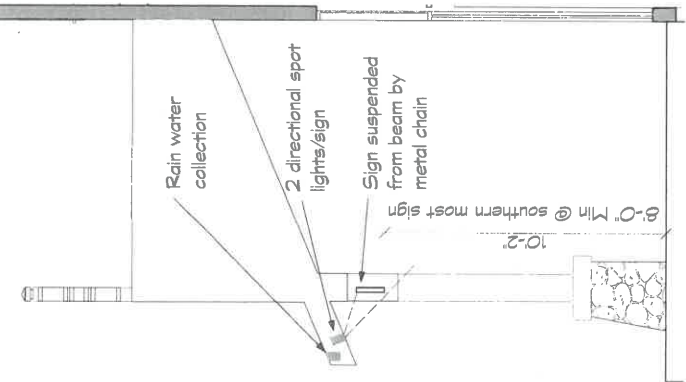
Signage Calculations
200 lf Oak St. frontage

200 sf max signage allowable

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

Monument Sign: 2x10 = 20 sf of monument sign

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



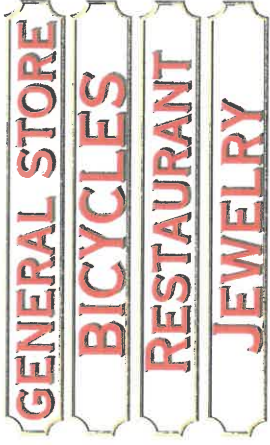
Sign Section
SCALE: 1/2" = 1'-0"

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

Stenciled Lettering
Rust colored to match wood signs, typical

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

4" Suite Label



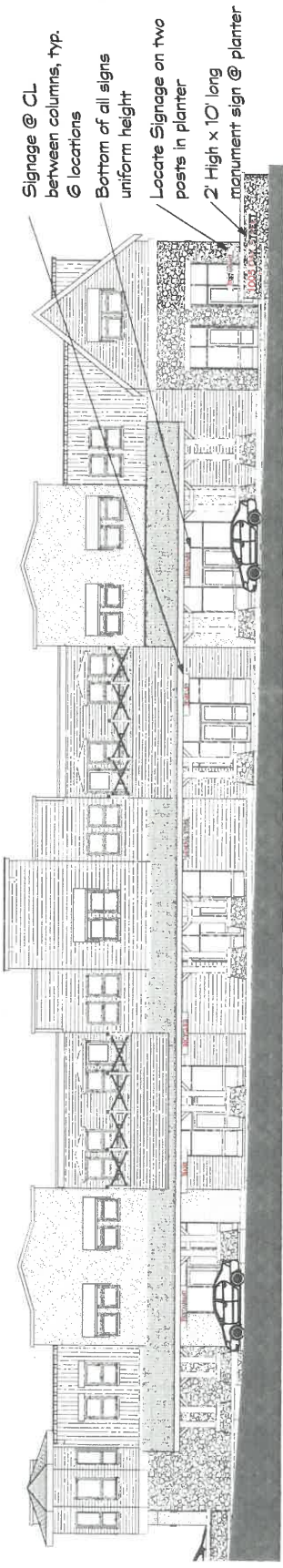
Lettering Styles - Font = Copper Plate Gothic
NOT TO SCALE

- 2" Deep Wood Sign with 1/2" recessed face
- Signs suspended from beam @ overhang by metal chain and eyelets
- 1" Radius edge
- Palmed Brown backing with Cream colored lettering field
- Rust colored 8" or 9" Raised Copper Plate Gothic Metal Lettering



Typical Sign Characteristics
NOT TO SCALE

Typical Hanging Sign Sizing
NOT TO SCALE



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

Uniform 8" Lettering

Uniform 9" Lettering

Accented 8" Lettering

Accented 9" Lettering

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Clayton, CA 94517

f/x



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

NO.	DATE	DESCRIPTION
06	6/21/10	Rev. Submitted
06	6/23/10	Sign Submitted
06	3/6/10	PC Submitted

PROJECT NO: 200716
MODEL FILE:
DRAWN BY: rps
CHECKED BY: rps
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Building Signage

ATTACHMENT C
CITY OF CLAYTON PLANNING COMMISSION
RESOLUTION NO. 14-16

TIME EXTENSION
OF THE CREEKSIDE TERRACE DEVELOPMENT PLAN AND VESTING TENTATIVE MAP
(TE-01-16 for DP-01-08 and MAP-02-09)

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

WHEREAS, the Creekside Terrace Development Plan (DP-01-08) allows for approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor and the Vesting Tentative Map creates four commercial condominium units on the ground floor, seven residential units on the second floor, and common and conservation areas on the property; and

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

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

WHEREAS, Section 16.06.030 of the Clayton Municipal Code states that the “time limits specified in [Title 16] for reporting and acting on maps may be extended by mutual consent of the subdivider and the Planning Commission or City Council”; and

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

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

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

**Planning Commission
Resolution No. 14-16**

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

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

WHEREAS, at their meeting of December 10, 2013, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2015; and

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

WHEREAS, at their meeting of December 9, 2014, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2016; and

WHEREAS, on July 15, 2011, the Governor of California signed into law Assembly Bill 208, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 15, 2011 and would otherwise expire before January 1, 2014; and

WHEREAS, the Creekside Terrace Vesting Tentative Map (MAP-02-09) was extended until July 6, 2014 by this gubernatorial action; and

WHEREAS, on July 11, 2013, the Governor of California signed into law Assembly Bill 116, which extends for two years the life of those Tentative and Vesting Tentative Maps that were still alive on July 11, 2013; and

WHEREAS, the Creekside Terrace Vesting Tentative Map has been extended until July 6, 2016 by this gubernatorial action; and

WHEREAS, in order to keep the Vesting Tentative Map alive for future development negotiations and opportunities, and in order to have consistent time extensions between the Development Plan and Vesting Tentative Map, the City sought Planning Commission approval of a six-month time extension of the Vesting Tentative Map; and

WHEREAS, in accordance with Sections 16.06.030 and 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 8, 2015 to consider the request for the subject one-year time extension of the Development Plan and a six-month time extension of the Vesting Tentative Map and gave due consideration to all testimony, comments, and documents received regarding the time extension request; and

**Planning Commission
Resolution No. 14-16**

WHEREAS, at their meeting of December 8, 2015, the Planning Commission approved the time extension request, extending the approval of the project until January 6, 2017; and

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

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

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

WHEREAS, in accordance with Sections 16.06.030 and 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 13, 2016 to consider the request for the subject one-year time extension of the Development Plan and the Vesting Tentative Map and gave due consideration to all testimony, comments, and documents received regarding the time extension request.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds the previously-stated recitals to be true and accurate and, accordingly, approves the request for a one-year time extension of the Creekside Terrace Development Plan and Vesting Tentative Map from January 6, 2017 to January 6, 2018, subject to the findings and conditions in the attached approving City Council Resolution No. 27-2010 for the project:

PASSED AND ADOPTED by the Planning Commission of the City of Clayton at a regular meeting on the 13th day of December, 2016.

APPROVED:

ATTEST:

Dan Richardson
Chair

Mindy Gentry
Community Development Director

EXHIBIT

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

RESOLUTION NO. 27-2010

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

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

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT:

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

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

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

NOES: None.

ABSENT: None.

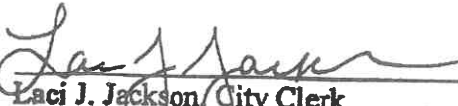
ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA



Hank Stratford, Mayor

ATTEST:

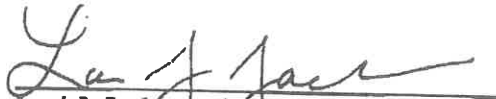


Laci J. Jackson, City Clerk

Attachments:

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

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


Laci J. Jackson, City Clerk

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Site Plan Conditions

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

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

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

Architectural Conditions

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

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

Landscaping Conditions

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

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

Engineering Conditions

Subdivision Number

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

Subdivision Boundary

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

Use of Public Street Right of Way

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

Homeowners Association

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

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

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

Condominium Plan

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

General Engineering Conditions

40. All work shall be designed and constructed in accordance with the Municipal Code, as well as the City's Standard Plans and Specifications, and to the satisfaction of the City Engineer.
41. Upon approval of the final map, the subdivision shall be annexed into the existing City of Clayton Street Light Assessment District.
42. Upon recording of the final map, the City shall be given a full size, reproducible, photo mylar copy of the recorded map and an electronic file of the map in a form which can be imported into AutoCAD, and configured as directed by the City Engineer. Upon completion of the improvements and prior to City Council acceptance, the City shall be given a full size, reproducible, photo mylar copy of the improvement plans, and an electronic version in AutoCAD, annotated to reflect any changes that occurred during construction and signed by the Project Engineer.
43. The developer shall ensure that all project contractors shall conform to the requirements of the "Best Management Practices for Construction Sites" required by the City, including detention and/or filter materials to preclude an increase in water quantity and quality impacts from debris and sediments entering the stormwater system over "non-development" conditions.
44. The developer shall identify the Best Management Practices for protection of air quality to minimize the generation of dust during construction. Such measures shall be included within the project grading plan and shall be approved prior to issuance of project grading permits.
 - a. Earthmoving or other dust-producing activities shall be suspended during periods of high winds (i.e., instantaneous wind gusts of 25 mph or greater);
 - b. Equipment and manpower for watering of all exposed or disturbed soil surfaces shall be provided at least twice daily on any day of high winds or when construction activities occur, including weekends and holidays. A dust suppressant, added to the water before application, shall be used;
 - c. Stockpiles of debris, soil, sand or other materials that can be blown by the wind, shall be watered or covered;
 - d. Construction area and adjacent streets shall be swept of all mud and debris, since this material can be pulverized and later re-suspended by vehicle traffic;
 - e. A compliance officer, responsible for implementation and monitoring, shall be identified as part of the grading permit process.
45. The developer shall connect to the sanitary sewer system, obtain applicable permits, and pay applicable fees required by the City of Concord Public Works Department.
46. If archeological, historical or Native American materials are uncovered during any construction or pre-construction activities on the site, all work within 100 feet of these materials shall be immediately stopped. The Community Development Department and a qualified professional archeologist shall be notified. Work within this area shall not recommence until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary.
47. Grading permits and stormwater permits shall be obtained from the City Engineer.

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

Street Construction Conditions

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

Stormwater Control and Treatment Conditions

55. The improvement plans shall reflect that all on-site storm drain inlets shall be labeled "No Dumping - Drains to Creek" using thermoplastic stenciling or equivalent permanent method, subject to City approval.
56. Prior to issuance of any construction permits, a final Storm Water Control Plan, satisfying all of the latest requirements of the terms of the City's Stormwater Discharge Permit, shall be submitted for review and approval by the City.
57. The volume and rate of stormwater runoff from the site shall be comparable to pre-development conditions to the maximum extent practicable. The project shall bear the financial responsibility of the construction and perpetual maintenance (including monitoring and reporting) of these facilities with a funding mechanism acceptable to the City that addresses costs for capital replacement, inflation, and administration.
58. Any exterior building washing/cleaning, exterior window washing/cleaning or sidewalk washing/cleaning shall comply with Best Management Practices (inlets protected and water vacuumed) and be done only by a certified surface cleaner. Such certification shall

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

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

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Agency Conditions

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

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

The Fire District reference for this project is as follows:

CCCFPD Project No.: 113977-PL

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

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

Standard Condition

76. The developer agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

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Advisory Notes

Advisory notes are provided to inform the applicant of: (a) *Clayton Municipal Code* requirements; or (b) requirements imposed by other agencies. The advisory notes are not part of the conditions of approval.

1. Prior to obtaining a building permit, the developer shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC § 13.12.050).
2. Prior to commencement of grading, demolition or construction activities the developer shall obtain City approval of a construction and demolition recycling plan (CMC § 15.80.040).
3. Prior to performing any work in the public right of way, the developer shall obtain an encroachment permit from the City Engineer.
4. Prior to any grading or construction, the developer shall obtain a Stormwater Permit from the City Engineer.
5. An administrative use permit from the Community Development Director is required for any outdoor seating.
6. A master sign plan must be approved by the Planning Commission prior to installation of any signage.
7. A tree removal permit is required prior to removing any trees with a single or multiple trunk diameter of six inches or greater (CMC §15.70.020).
8. All grading, construction, and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless previously authorized in writing by the City Engineer (CMC §15.01.010) located at 1005 Oak Street, 925-672-9700.
9. The developer shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
10. The developer shall comply with all applicable state, county, and city codes, regulations, and adopted standards.
11. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
12. Development impact and related fees (including, but not limited to, community facilities development, off-site arterial improvement, childcare, parkland dedication, open space in-lieu, and habitat conservation fees) shall be paid per applicable City Code regulations and resolution.