



**REGULAR MEETING OF THE
CITY OF CONCORD
ZONING ADMINISTRATOR**

**9:00 a.m., Wednesday, December 9, 2015
CITY COUNCIL CHAMBERS
1950 Parkside Drive, Concord**

AGENDA

PUBLIC COMMENT PERIOD

(The public may speak on any item within the jurisdiction of the Zoning Administrator not listed on this agenda. Approximately 15 minutes is allocated for the Public Comment Period, and each speaker will be allowed approximately 3 minutes.)

HEARINGS:

1. **[Verizon Wireless at 2455 Grant Street](#) (PL150418 – AA) – Application for a one-year time extension for an approved Minor Use Permit for a wireless telecommunication facility consisting of the replacement of an existing 80-foot tall light pole at the football field at Mt. Diablo High School with a new 80-foot tall monopole with six antennas and the re-attachment of the field lights at the top of the monopole. The base of the pole would be enclosed within a 40-foot by 25-foot equipment shelter on the northwest side of the football field. The General Plan designation is Public Quasi Public; Zoning classification is PQP (Public Quasi Public); APN 112-090-004. For purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines. Review of the project has occurred, the project has been approved, and no major or technological changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this applicant is only requesting a one-year extension. In addition, no further environmental analysis is required because the project was and is classified as Categorically Exempt pursuant to Section 15303, “New Construction or Conversion of Small Structures,” and therefore no further environmental review was and or is required. Additionally none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes the project has been approved, and no major or technological changes are being proposed, and there is no new information is available which would trigger environmental review under any of the applicable criteria. Therefore no further environmental review is required. **Project Planner: Jessica Gonzalez @ (925) 603-5821****

ADJOURNMENT

Next Zoning Administrator’s Meeting: December 16, 2015 – Special Meeting

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3257, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

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

APPEALS

Decisions of the Zoning Administrator may be appealed to the Planning Commission. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

If you challenge any of the foregoing described actions in court, an appeal first of said actions to the Zoning Administrator, Planning Commission, and/or City Council (as applicable) in the manner and within the time period established in Development Code Chapter 18.510 (Appeals and Calls for Review) is required, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator and/or Planning Commission (as applicable) at, or prior to, said public hearing.



REPORT TO ZONING ADMINISTRATOR

DATE: December 9, 2015

SUBJECT: VERIZON WIRELESS AT 2455 GRANT STREET Wireless Communication Facility Request for Extension (PL150418-AA)

Recommendation: Adopt Zoning Order No. 15-15 ZA (Exhibit D), approving a one-year time extension of the approved Minor Use Permit at 2455 Grant Street.

I. Introduction

A. Application Request

On October 7, 2015 the Planning Department received an application for a one-year time extension for an approved Minor Use Permit for a wireless telecommunication facility consisting of the replacement of an existing 80-foot tall light pole at the football field at Mt. Diablo High School with a new 80-foot tall monopole with six antennas and the re-attachment of the field lights at the top of the monopole (Exhibit A). The base of the pole would be enclosed within a 40-foot by 25-foot equipment shelter on the northwest side of the football field.

B. Location

The site is located at 2455 Grant Street; APN 112-090-004.



C. Applicant	Property Owner
Verizon Wireless, c/o Complete Wireless	Mt. Diablo Unified School District
Attn: Michelle Ellis	Attn: Jeff McDaniel
2009 V Street	1936 Carlotta Drive
Sacramento, CA 95818	Concord, CA 94519

II. Background

On September 23, 2014, the applicant, on behalf of Verizon Wireless, submitted an application for a Minor Use Permit for a wireless telecommunication facility consisting of the replacement of an existing 80-foot tall light pole on the northwest side of the football field at Mt. Diablo High School, with a new 80-foot tall monopole. Six new antennas would be attached to the monopole at 65 feet above ground level and the field lights would be re-attached at the top of the pole. The base of the pole would be enclosed within a 40-foot by 25-foot equipment shelter on the northwest side of the football field. The football field is located north of the terminus of Grant Street. Project plans are included as Exhibit B.

On December 10, 2014 the Zoning Administrator adopted Zoning Order No. 14-10 approving the Minor Use Permit subject to conditions of approval. The approval and permit are valid through December 23, 2015. An extension of up to 12 months of the original approval date can be requested pursuant to Section 18.505.020(B)3 of the Concord Municipal Code (CMC). Additionally Section 18.505.020(B)1 provides that “The permittee shall file a written request for an extension of time with the planning division at least 10 days before the expiration of the permit, together with the filing fee required by the city’s fee schedule. Being the applicant filed for the extension on October 7, 2015 and the original expiration date was December 23, 2015, the application was filed in a timely manner. Additionally condition item number 37 of the original conditions of approval states “*a request for a time extension from the expiration date of December 23, 2015, can be considered if an application with the required fee is filed at least 10 days before the original expiration date, otherwise a new application is required. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. (PLNG)*”.

If granted, the extension will extend the Minor Use Permit previously approved through December 9, 2016 (Exhibit C). The applicant is in the process of obtaining a building permit from the Division of the State Architect, whose permitting process reportedly takes between four to six months. Thus the full year extension would provide enough time for flexibility.

III. General Information

A. General Plan

The General Plan designation is Public Quasi Public.

B. Zoning

The project is zoned PQP (Public Quasi Public).

C. CEQA Status

The City of Concord originally approved the project on December 10, 2014. That approval included a determination that the project was classified as Categorical Exempt pursuant to Section 15303, "New Construction or Conversion of Small Structures," and therefore no further environmental review was required. No appeals were filed, and all statutes of limitations have expired.

For purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines. Review of the project has occurred, the project has been approved, and no major or technological changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this applicant is only requesting a one-year extension. In addition, no further environmental analysis is required because the project was and is classified as Categorical Exempt pursuant to Section 15303, "New Construction or Conversion of Small Structures," and therefore no further environmental review was and or is required. Additionally none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes the project has been approved, and no major or technological changes are being proposed, and there is no new information is available which would trigger environmental review under any of the applicable criteria. Therefore no further environmental review is required.

D. Site Description

Lot Size and Dimensions	30.73 acres.	Irreg. shape approx. 800 ft. x 1,200 ft.
Proposed Facility Leasing Area	1,000 sq. ft.	40 ft. x 25 ft.
Existing Improvements	Football field with bleachers and field lights in the immediate area.	
Topography	The parcel is generally flat and similar in elevation to the neighboring properties.	
Existing Vegetation	Scattered mature trees, not in immediate area	

E. Surrounding Land Use

The site is surrounded by the following uses:

	Use	General Plan	Zoning
North	Residential neighborhood	Low Density	RS-6

		Residential	
East	School, residential neighborhood building	North Todos Santos	North Todos Santos
South	Commercial business	Downtown Mixed Use	Downtown Mixed Use
West	Commercial use, governmental corporation yards, Highway 242	Public Quasi Public, Business Park, Open Space	Public Quasi Public, Office Business Park, Open Space

F. General Plan

The site’s current General Plan land use designation is Public Quasi Public (PQP). The PQP land use designation is intended for areas with schools, hospitals and related medical services, utilities, government offices and facilities, corporation yards, and public facilities such as sewage treatment facilities and fire stations. The maximum FAR is 1.5.

The proposed project co-locates facilities on a replacement monopole re-attaching the field lights at the top of the monopole, above the proposed antennas. Due to the large size of the parcel and the large distance from the property lines, the proposed project is not anticipated to create a visual impact on adjoining properties and streets, given that there are other similar tall vertical elements (light poles) of similar height already located in the immediate area, surrounding the football field. Visual simulations from a variety of vantage points demonstrate that the visual impact will be minimal to the surrounding areas.

IV. Discussion

Staff supports the extension and finds it necessary to allow the applicant additional time to obtain the needed building permit from the Division of the State Architect, whose permitting process reportedly takes four to six months. The extension also meets the following required findings under Development Code Section 18.505.020B(3):

1. There are no changes to the approved project and it remains consistent with the Concord 2030 General Plan. The applicant has included minor modifications that seek to replace a previously approved enclosed equipment shelter with outdoor equipment cabinets within a screened and fenced equipment area; which the applicant stated would be quieter and more energy efficient. According to the Environmental Noise Analysis report dated September 10, 2014, for the originally approved equipment shelter, predicted exterior noise levels combined values ranged from 39-43 dB Ldn. The updated Environmental Noise Analysis report dated August 27, 2015, evaluating noise levels resulting from the proposed equipment cabinets held the predicted exterior noise levels combined as ranging from 36-40 dB Ldn. Therefore the minor modification would not only satisfy the City’s 60 dB Ldn noise level standard, but would decrease the originally approved noise exposure levels. Based on the minor modification, the change can be handled separately through an administrative approval.
2. The findings under Zoning Order No. ZA 14-10 approving the project remain valid (see Exhibit C).

3. As analyzed in the December 10, 2014 conditions of approval, there are adequate provisions for public services and utilities (e.g., access, drainage, fire protection, sewers, water, etc.) to ensure that the requested extension would not endanger, jeopardize, or otherwise constitute a hazard to the public health, safety, or general welfare, or be injurious to the property or improvements in the vicinity and applicable zoning district.

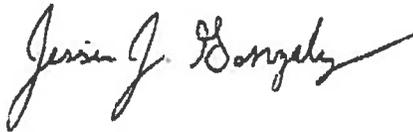
V. Public Contact

Notification was mailed to all owners and occupants of property within three-hundred (300) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days prior to the public hearing.

VI. Summary and Recommendations

Staff concludes the extension of the Minor Use Permit will have no impact on the surrounding neighborhood, and is an acceptable request in align with the former conditions of approval. Additionally the extension is consistent with the City's General Plan and Development Code.

Therefore, staff recommends that the Zoning Administrator adopt Zoning Order No. 15-15 ZA, (Exhibit D), approving a one-year extension of the approval of the Verizon Minor Use Permit (PL140357-MP), subject to the attached conditions of approval.



Prepared by: _____

Jessica Gonzalez
Planning Technician
(925) 603-5821
Jessica.gonzalez@cityofconcord.org

Exhibits:

- A - Applicant's Request for Extension (PL150418-AA)
- B - Approved project plans, date stamped September 23, 2014
- C - Zoning Order No. 14-10ZA
- D - Zoning Order No. 15-15ZA

CITY OF CONCORD
 PLANNING DIVISION
 PHONE: (925) 671-3152
 FAX: (925) 671-3381



Community & Economic
 Development Department
 1950 Parkside Drive, M/S 53
 Concord, CA 94519-2578
 www.cityofconcord.org

APPLICATION FORM

Date Received by Planning
 10/7/15

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Preliminary Application | <input type="checkbox"/> Development Code Amendment | <input type="checkbox"/> Major Subdivision/Vesting Tentative Map | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Administrative Permit | <input type="checkbox"/> Finding of Public Convenience | <input type="checkbox"/> Minor Exception | <input type="checkbox"/> Secondary Living Unit |
| <input type="checkbox"/> Animal Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Sidewalk Café |
| <input type="checkbox"/> Building Move | <input type="checkbox"/> Heritage Tree Nomination | <input type="checkbox"/> Minor Use Permit | <input type="checkbox"/> Use Permit |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Hillside Development Use Permit | <input type="checkbox"/> Planned Development Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Condominium Conversion Use Permit | <input type="checkbox"/> Landscape Project Application | <input type="checkbox"/> Protected Tree Removal | <input type="checkbox"/> Vacation/Abandonment of Property Rights |
| <input type="checkbox"/> Design & Site Development Review | | <input type="checkbox"/> Pumpkin & Christmas Tree Sales | <input type="checkbox"/> Vendor Permit |
| | | <input type="checkbox"/> Reasonable Accommodation | <input checked="" type="checkbox"/> Wireless Communication Facility (Request for Extension) |

PROJECT INFORMATION:

PROJECT NAME: Verizon Wireless "Mt Diablo High School"

PROJECT SITE ADDRESS/LOCATION: Mt Diablo High School, 2455 Grant Street, Concord, CA 94520

ASSESSOR'S PARCEL NUMBER: 112-090-004-06

PROJECT DESCRIPTION (Provide brief description and submit a more detailed description as an attachment.)
 Verizon Wireless is seeking a one year time extension from the expiration date of December 23, 2015 for Minor Use Permit PL140357-MP, approved in ZA Order No. 14-10ZA on December 10, 2014, pursuant to Condition 37. Verizon is in the process of applying for a building permit from the Division of the State Architect, whose permitting process takes 4-6 months. Additionally, Verizon seeks Planning Department review of an equipment change within the lease area, a minor modification pursuant to Condition 6. The approved equipment shelter has been replaced with outdoor equipment cabinets, which are smaller, quieter, and more energy efficient.

NOTE: All applicants are encouraged to hold a neighborhood meeting with nearby property owners and tenants early in the development review process. Planning Division staff will work with applicants to schedule the neighborhood meeting.

APPLICANT'S CONTACT INFORMATION

PROPERTY OWNER'S CONTACT INFORMATION

NAME/COMPANY: Verizon Wireless, c/o Complete Wireless Consulting	NAME/COMPANY: Mt Diablo High School District
ADDRESS: 2009 V Street, attn: Michelle Ellis	ADDRESS: 1936 Carlotta Drive, c/o Jeff McDaniel
CITY, STATE: Sacramento, CA ZIP: 95818	CITY, STATE: Concord, CA ZIP: 94519
BUSINESS PHONE: (916) 764-2454 CELL: (916) 764-2454	BUSINESS PHONE: (925) 682-8000 x 4541 CELL:
FAX: (916) 313-3730 EMAIL: mellis@completewireless.net	FAX: EMAIL:

Agent Authorization Note: If the Applicant is not the Property Owner, then the Property Owner must sign below to authorize the Applicant as his/her official representative.

I, Jeff McDaniel, Owner, authorize Complete Wireless Consulting, Inc.

to act as the official representative on my behalf for this project and in all matters relating to this application. I have read and agree with all of the above (application must be signed by property owner).

[Signature]
 Property Owner's Signature

9/25/15
 Date

FOR PLANNING DIVISION USE ONLY:

FILE NAME: <u>Ext. for Mt. Diablo High</u>	FEES	FIN. REV. CODE
FILE NUMBERS: <u>PL 5000418</u>		
ASSOCIATED FILES: <u>PL 1400357</u>	APPLICATION RECEIVED BY:	GP DESIGNATION:
	PLANNER:	ZONING:
	ENGINEER:	

ZD DRAWING SIGN-OFF

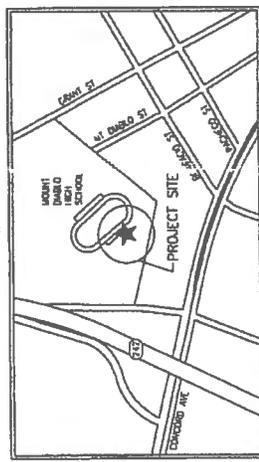
DATE	TIME	BY	DATE	TIME
		CALLER		
		SIGNATURE		
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2785 Mitchell Drive, Walnut Creek, CA 94598

MT DIABLO HIGH SCHOOL

2455 GRANT STREET
 CONCORD, CA 94520
 APN: 112-090-004-6
 LOCATION #: 289847



LOCATION PLAN

CONCORD, CA

INDEX OF DRAWINGS

- 1 TITLE SHEET, LOCATION PLAN, PROJECT DATA
- 2 SITE ZONING DOCUMENTS
- 3 OVERALL SITE PLAN
- 4 UNLICENSED EQUIPMENT LAYOUT PLAN
- 5 ANTENNA LAYOUT PLAN
- 6 PROJECT UTILITIES

DIRECTIONS

- FEDERAL HIGHWAY OFFICE, 8270 MITCHELL DRIVE, WALNUT CREEK, CA 94598
- 1 HEAD NORTHEAST ON MITCHELL DR TO GRANT DR
 - 2 TAKE THE 1ST LEFT ONTO GRANT DR
 - 3 TURN RIGHT ONTO WILLOW PASS RD
 - 4 TURN LEFT ONTO WILLOW PASS RD
 - 5 TURN LEFT ONTO GRANT ST
 - 6 TURN LEFT ONTO GRANT ST
 - 7 PROJECT SITE IS ON THE LEFT
 - 8 DESTINATION WILL BE ON THE LEFT

RECEIVED
 SEP 23 2014
 PLANNING

PROJECT DIRECTORY

VERIZON WIRELESS
 1500 CENTRAL EXPWAY
 WALNUT CREEK, CA 94598

PROPERTY OWNER:
 MT DIABLO HIGH SCHOOL DISTRICT
 2455 GRANT STREET
 CONCORD, CA 94520
 CONTACT: KEVIN MCNEEL
 925-467-0000 x 5311

CONSULTING ENGINEER:
 COMPLETE WIRELESS CONSULTING, INC.
 2025 Y STREET
 CONCORD, CA 94520
 925-305-7945
 info@completewireless.com

ARCHITECT:
 MST ARCHITECTS, INC.
 801 ALHAMBRA BLVD, SUITE 2
 CONCORD, CA 94520
 925-305-7945
 mst@mstarchitects.com

PROJECT SUMMARY

ASSESSMENT PERMIT NUMBER: 112-090-004-6

CITY OF CONCORD

DESCRIPTION: 5-2 (IMMEDIATE TELECOMMUNICATIONS FACILITY) U (TOWER)

TYPE OF CONSTRUCTION: V-B

ZONING: PUBLIC / QUART PUBLIC (PQP)

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA FIRE CODE (CFC) AND CALIFORNIA INTERNATIONAL BUILDING CODE (IBC) UNLESS OTHERWISE NOTED IN THESE PLANS IS TO BE COMPLIABLE TO PERMIT WORK NOT CONTRARY TO THESE CODES.

- 1 2013 CALIFORNIA ADMINISTRATIVE CODE (CAC) (MISC. TITLE 24 & 25)
- 2 2013 CALIFORNIA ELECTRICAL CODE (CEC)
- 3 2013 CALIFORNIA MECHANICAL CODE (CMC)
- 4 2013 CALIFORNIA FIRE CODE (CFC)
- 5 2013 CALIFORNIA INTERNATIONAL BUILDING CODE (IBC)
- 6 2013 CALIFORNIA HISTORICAL BUILDING CODE
- 7 2013 CALIFORNIA FIRE CODE (CFC)
- 8 2013 CALIFORNIA FIRE CODE (CFC)
- 9 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN CODE)
- 10 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 11 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 12 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 13 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 14 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 15 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 16 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 17 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 18 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 19 2013 CALIFORNIA RETROFIT STANDARDS CODE
- 20 2013 CALIFORNIA RETROFIT STANDARDS CODE

PROJECT DESCRIPTION

EMPOWERED WIRELESS WIRELESS UNLICENSED TELECOMMUNICATIONS FACILITY INCLUDING:

- A 25'-0" x 40'-0" LEASE AREA
- AN 8' 0" TALL CHU SCREEN WALL & LEASE AREA PERIMETER
- A PRE-FABRICATED EQUIPMENT SHED
- UNDERGROUND POWER & FIBER OPTIC CABLES BROUGHT TO FACILITY
- A STAINLESS STEEL GENERATOR
- A COAXIAL CABLE ICE DROPPER

REMOVE (1) EXISTING 80' X 100' CONCRETE & REBAR SLAB WITH 60" x 60" TALL WINDSHIELD LIGHTING LIGHTS TO BE RELOCATED TO NEW ADDRESS

(6) ANTENNAS W/ASSOCIATED OTHER REQUIRED EQUIPMENT MOUNTED ON A PROPOSED 80' TALL WINDSHIELD

PROJECT MILESTONES

07/22/2014	ISSUE ZONING DOCUMENTS
08/11/2014	ISSUE ZONING DOCUMENTS
09/02/2014	ISSUE CONSTRUCTION DOCUMENTS
10/01/2014	ISSUE CONSTRUCTION DOCUMENTS

MST ARCHITECTS
 2455 GRANT STREET
 CONCORD, CA 94520

VERTIZON WIRELESS
 2455 GRANT STREET
 CONCORD, CA 94520

T1.1

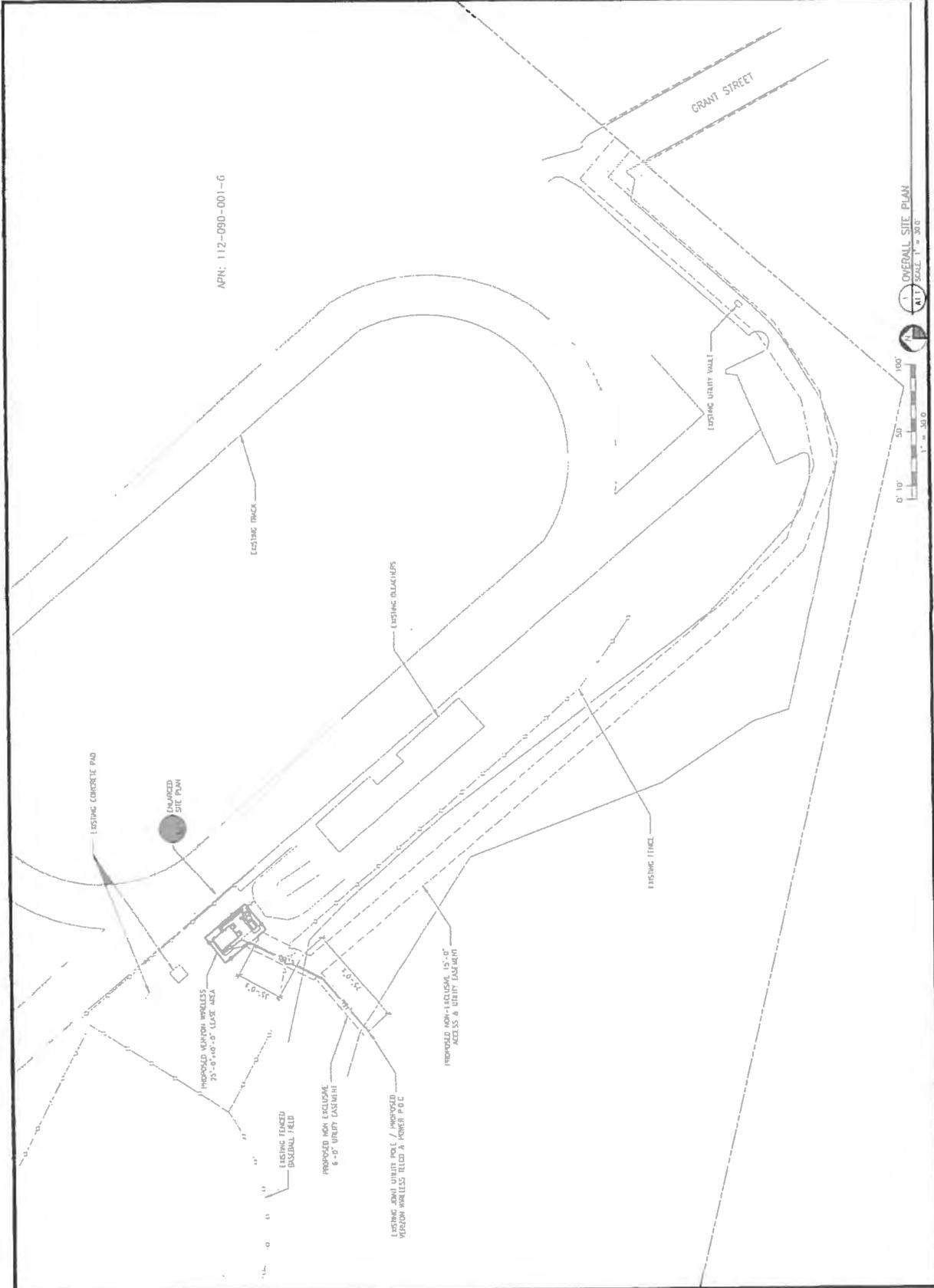
MT DIABLO HIGH SCHOOL
 CONCORD, CA 94520

MST ARCHITECTS
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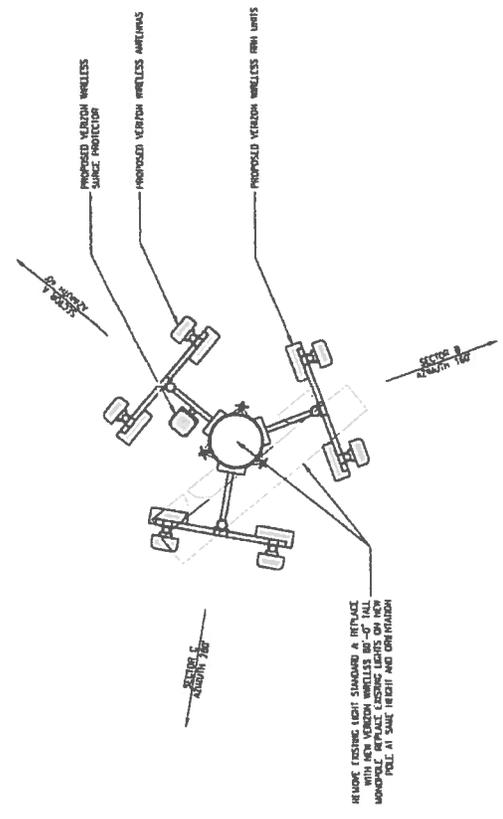
OVERALL SITE PLAN
 MT. DIABLO HIGH SCHOOL
 2455 GRANT STREET
 CONCORD, CA 94520
 VERIZON WIRELESS
 SHEET 011

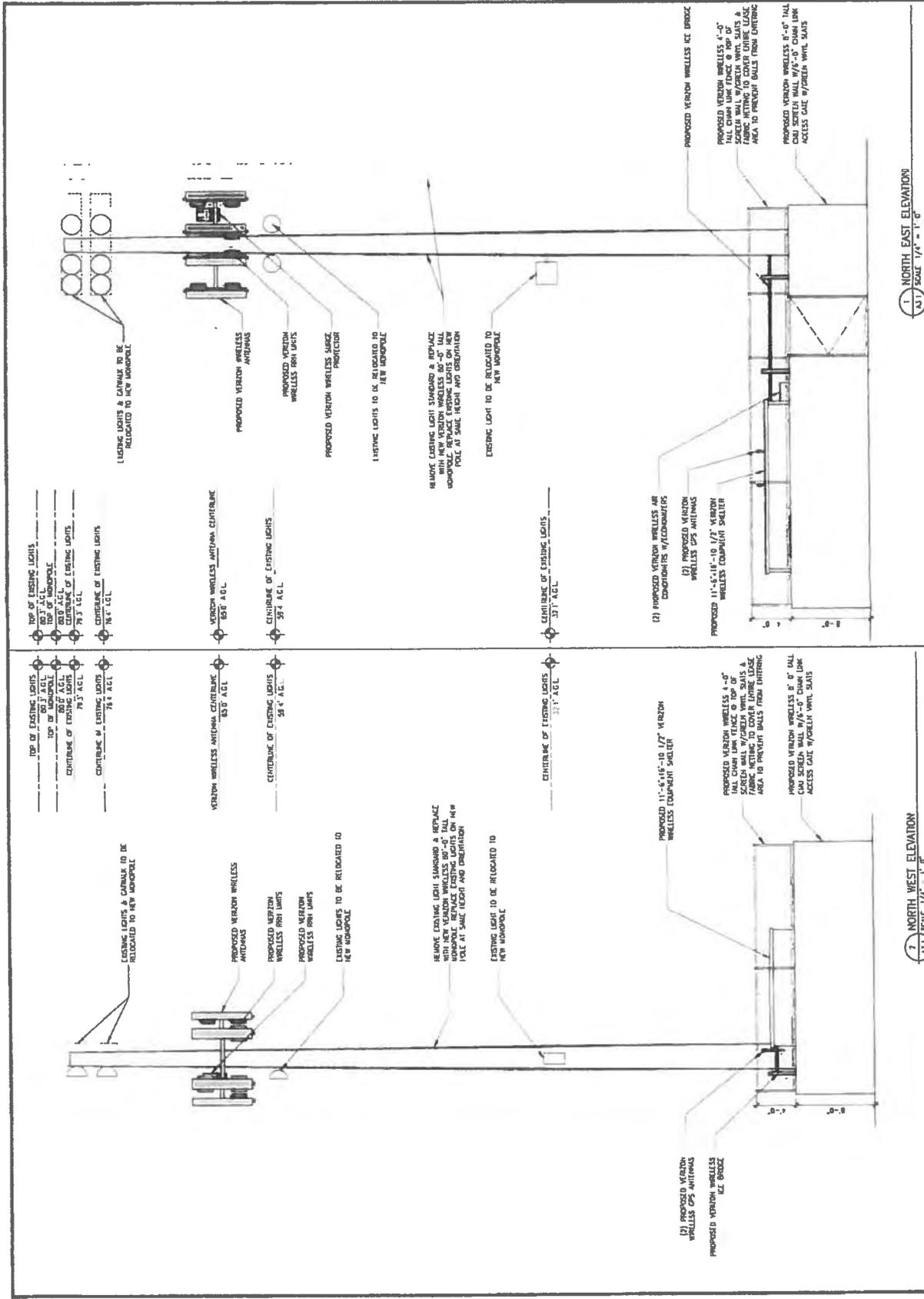
DATE: 01/11/11	SCALE: 1" = 30.0'
DRAWN BY: [Name]	CHECKED BY: [Name]
DESIGNED BY: [Name]	APPROVED BY: [Name]
PROJECT NO.: 112-0910-001-G	SHEET NO.: 011

A1.1



EQUIPMENT SCHEDULE					
EQUIPMENT	DESCRIPTION	QUANTITY			TOTAL
		SECTION A	SECTION B	SECTION C	
ANTENNA	ADMIN-DOME	2	2	2	6
RH	BRAS12 W/AZ	3	3	3	9
RVA OR DOWLER	N/A	0	0	0	0
SURGE PROTECTOR/INSTR	AUTOM DCL115 / HYBRID THING CABLE	2 / 1			7 / 1
COAXIAL CABLE	N/A				
NET CABLE	N/A				





1 NORTH EAST ELEVATION
 SCALE 1/4" = 1'-0"

2 NORTH WEST ELEVATION
 SCALE 1/4" = 1'-0"

ZA ORDER NO. 14-10ZA**OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
APPROVING MINOR USE PERMIT (PL140357-MP)****Applicant: Verizon Wireless c/o Complete Wireless
Owner: Mt. Diablo Unified School District
Project Name: Verizon Wireless at 2455 Grant Street Minor Use Permit**

WHEREAS, on September 23, 2014, Verizon Wireless c/o Complete Wireless submitted an application for a Zoning Administrator Permit (Minor Use Permit) for a wireless telecommunication facility consisting of the replacement of an existing 80-foot tall light pole on the northwest side of the football field with a new 80-foot tall monopole with six antennas and the re-attachment of the field lights at the top of the pole at 2455 Grant Street, APN 112-090-004; and

WHEREAS, on October 22, 2014 the application was deemed complete for processing; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Categorically Exempt pursuant to Section 15303, "New Construction or Conversion of Small Structures," and therefore no environmental review is required; and

WHEREAS, after giving all public notices required by State law and the Concord Municipal Code, a public hearing was requested and held ; and

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby approve Minor Use Permit (PL140357-MP) based on the following findings:

1. All applicable standards in this Division have been met including siting, noise, lighting, facility maintenance, security, height, ancillary equipment, and the design standards identified in Sections 18.205.100(A) and (C).
2. The facility will be substantially screened from view of surrounding properties and public views or otherwise substantially camouflaged based upon the facility's design.
3. Special design considerations have been incorporated into or applied to the facility to ensure that the facility will not have an adverse visual impact to the surrounding properties or public views. As shown on the project plans, the panel antennas do not increase

1 the height of the existing light pole and as conditioned, surfaces will be painted to match the
2 adjacent surface with non-reflective paint in order to minimize visual impacts to surrounding
3 properties and public views.

4 5. The proposed use is allowed within the Public/Quasi-Public zoning district and
5 complies with all other applicable provisions of the Development Code and the CMC.

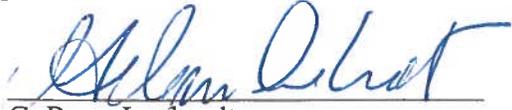
6 6. The subject proposal is consistent with the City of Concord General Plan which
7 designates the site as Public/Quasi-Public. There is no applicable Specific Plan at this site.

8 7. The design, location, size, and operating characteristics of the proposed
9 activity are compatible with the existing and future land uses in the vicinity because the
10 wireless communication facility replicates an existing light pole where it does not exceed the
11 height of the existing (and relocated) pole and antennas are located below field lights, and as
12 conditioned: a) the field lights shall be shielded or projected downward to reflect a lighting
13 pattern similar to the existing lighting configuration; and b) the antennas will be painted to
14 match the monopole with non-reflective paint; and c) the equipment shelter will be screened;
15 and d) signage will be provided, consistent with the RF study.

16 8. The site is physically suitable for the type, density, and intensity of the
17 proposed use, including access, utilities, and the absence of physical constraints because
18 adequate access and utilities exist to serve the proposed project and there are no physical
19 constraints related to the addition of six panel antennas to the mono pole and lights would be
20 re-attached to the same pole.

21 9. Granting the permit would not be detrimental to the public health, safety, or
22 welfare of the persons residing or working in the subject neighborhood or be materially
23 detrimental or injurious to property or improvements in the vicinity and Zoning District where
24 the property is located. Further, the project is Categorically Exempt from the requirements of
25 CEQA under Class 3 "New Construction or Conversion of Small Structures."
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1 Based on the above findings, on December 10, 2014, the Zoning Administrator approved said
2 application subject to the attached Conditions of Approval, referenced as Attachment A.

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4 G. Ryan Lenhardt,
5 Zoning Administrator

6 Attachments:

- 7 A – Final Conditions of Approval
- 8 B – Project plans date stamp received September 23, 2014

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ATTACHMENT A
FINAL
CONDITIONS OF APPROVAL

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VERIZON WIRELESS MINOR USE PERMIT (PL140357-MP)

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2455 GRANT STREET

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APN 112-090-004

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PERMIT DESCRIPTION

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1. These Conditions apply to and constitute approval of Minor Use Permit (PL140357-MP) to construct a new wireless telecommunication facility consisting of the replacement of an existing 80-foot tall light pole on the northwest side of the football field at Mt. Diablo High School with a new 80-foot tall monopole with the attachment of six new panel antennas and the re-attachment of the field lights at the top of the pole at 2455 Grant Street. The base of the monopole and equipment would be enclosed within a 40-foot by 25-foot lease area with a 8-tall CMU wall (with 4-0 chain link above) surrounding the smaller 11'6" by 16'-10" equipment shelter on the northwest side of the football field.
 2. The following Exhibits, date-stamped by the City of Concord, on September 23, 2014, are approved and shall be incorporated as Conditions of Approval.

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<u>Plan</u>	<u>Date Prepared</u>	<u>Prepared by</u>	<u>Sheet</u>
Title Sheet	9/23/14	MST Architects	T1.1
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GENERAL CONDITIONS

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 - b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
 - c) Prior to Construction.
 - d) On-going during Construction.
 - e) Prior to occupancy approval.
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3 the primary contact for implementation of that Condition. *(PLNG, BLDG, ENGR)*
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- 5 5. The project shall comply with all applicable Federal and State laws and Concord Municipal Code
6 (CMC) requirements. *(PLNG, BLDG, ENGR)*
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- 8 6. Minor modifications that are found to be in substantial conformance with the approved plans such
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10 Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*
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- 12 7. These Conditions of Approval shall be listed on a plan sheet that is included in the construction
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18 b) Prior to occupancy approval. *(PLNG, ENGR)*
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13 16. The City may require Verizon Wireless to prepare one or more (periodic) post-construction Radio
14 Frequency (RF) reports to verify that actual RF levels are consistent with the projected levels
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22 ENGR)*

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24 **CONSTRUCTION ACTIVITIES**

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26 18. Construction equipment shall not be serviced at the site at any time. During construction, no
27 deliveries shall be made to the site and no delivery vehicles (including gasoline tanker trucks)
28 shall enter the site between 6:00 p.m. and 7:30 a.m. on weekdays, and between 5:00 p.m. and 8:00
a.m. on weekends and federal holidays. Delivery vehicles shall have their engines turned off
during unloading. *(BLDG, ENGR, PLNG)*

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20 19. Employ the quietest construction equipment available, to muffle noise from construction
21 equipment and keep all mufflers in good working order in accordance with State law. *(BLDG,
22 ENGR, PLNG)*

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24 20. Implement the following measures during construction:
25 a) Gather all construction debris on a regular basis and place them in a dumpster or other
26 container that is emptied or removed on a weekly basis. When appropriate, use tarps on
27 the ground to collect fallen debris or splatters that could contribute to storm water
28 pollution.
b) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and
storm drains adjoining the project site. During wet weather, avoid driving vehicles off
paved areas.
c) Broom sweep the public street pavement adjoining the project site on a daily basis.
Caked-on mud or dirt shall be scraped from these areas before sweeping.

- 1 d) Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest
2 the downstream side of the site in order to prevent any debris or dirt from flowing into
3 the City storm drain system. Filter materials shall be maintained and/or replaced as
4 necessary to ensure effectiveness and to prevent street flooding. Dispose of filter
5 particles in an approved trash receptacle.
- 6 e) Create a contained and covered area on the site for the storage of bags, cement, paints,
7 flammable, oils, fertilizers, pesticides, or any other materials used on the site that have
8 the potential for being discharged to the storm drain system by being windblown or in
9 the event of a material spill.
- 10 f) Never clean items such as machinery, tools, and brushes or rinse containers in a street,
11 gutter, or storm drain.
- 12 g) Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash
13 water into street gutters or drains. *(ENGR, BLDG)*

14 21. No equipment shall be started or staging area be established on the streets or the site before or
15 after the specified hours of construction. *(ENGR, BLDG)*

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

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

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

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

25 UTILITIES

26 26. New electrical transformers shall be placed underground or screened from view. *(PLNG, ENGR)*

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

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

29 29. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility
30 equipment, electrical meters, vaults, and the like shall be subject to approval by Planning and
31 Engineering Services prior to the issuance of the Building Permit. All such equipment shall be
32 screened from view either architecturally or with landscaping and painted forest green or other
33 approved color as approved by the Planning Division. Any changes to the approved Utility Plans,
34 including location or screening details shall be reviewed and approved by the Planning Division.
35 *(PLNG, ENGR)*

1 **AGREEMENTS, FEES, BONDS**

2 30. Provide a **\$438** cash deposit to the Planning Division to cover Condition Compliance costs at the
3 time of submittal of plans and documents to Engineering Services or the Building Division for
4 plan check. Planning staff's time will be charged to this deposit for work performed to implement
5 the Conditions of Approval, from the time of project approval to occupancy approval. The deposit
6 will be placed in a refundable account and any unused funds will be returned upon completion. If
7 the initial deposit is insufficient to cover actual costs, an additional deposit will be required.
8 *(PLNG)*

9 31. Pay a Document Imaging fee of to reimburse the City for implementation of the Document
10 Imaging and File Retention programs, prior to issuance of Grading or Building Permits. *(PLNG)*

11 32. Prior to the Verizon Wireless facility being fully operational, the applicant shall request at least 10
12 days in advance, a field inspection to be conducted by the Project Planner of all site
13 improvements. *(PLNG)*

14 **OTHER/MISCELLANEOUS**

15 33. Comply with the requirements of the Contra Costa Fire Protection District. Submit complete sets
16 of plans and specifications to the Fire District for review and approval at:

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18 Contra Costa County Fire Protection District
19 2010 Geary Road
20 Pleasant Hill, CA 94523

21 Plan review fees are assessed at that time. The City is not responsible for the collection of fees or
22 enforcement of requirements imposed by the Fire District. *(CCCFPD)*

23 34. The City discourages leases which convey exclusive (single service provider) rights for new
24 telecommunication facilities to the extent that such leases may preclude development of a suitable
25 co-location site. *(PLNG)*

26 35. The applicant shall defend, indemnify and hold harmless the City, its agents, officials, and
27 employees from any claim, action or proceeding brought by a third party to set aside, annul, attack
28 or otherwise void the permit. *(PLNG)*

30 36. The permit and approval shall expire in one year from the date on which they became effective
31 unless construction permits are obtained and work has begun. The effective date of the permit and
32 approval is **December 23, 2014**. *(PLNG)*

33 37. A request for a time extension from the expiration date of **December 23, 2015**, can be considered
34 if an application with required fee is filed at least 10 days before the original expiration date,
35 otherwise a new application is required. Extensions are not automatically approved. Changes in
36 conditions, City policies, surrounding neighborhood, and other factors permitted to be considered
37 under the law, may require, or permit denial. *(PLNG)*

ZA ORDER NO. 15-15 ZA

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**OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
TIME EXTENSION OF APPROVED MINOR USE PERMIT (PL140357-MP)
Applicant: Verizon Wireless c/o Complete Wireless
Owner: Mt. Diablo Unified School District
Project Name: Verizon Wireless at 2455 Grant Street Minor Use Permit**

6 **WHEREAS**, on December 10, 2014, the Zoning Administrator adopted Zoning Order No. 14-
7 10, approving a Minor Use Permit for a wireless telecommunication facility consisting of the
8 replacement of an existing 80-foot tall light pole on the northwest side of the football field with a new
9 80-foot tall monopole with six antennas and the re-attachment of the field lights at the top of the pole
10 at 2455 Grant Street, APN 112-090-004; and

11 **WHEREAS**, the approval is valid through to December 10, 2015, or an extension of the
12 approval is granted as may be allowed by Section 18.505.020(B) 1 and 3 of the Concord Municipal
13 Code; and filled in a timely manner defined as 10 days prior to the original expiration date; and

14 **WHEREAS**, on October 7, 2015, Verizon Wireless c/o Complete Wireless Consulting
15 submitted an application to extend the approval of the Minor Use Permit for a wireless
16 telecommunication facility through to December 10, 2016; and

17 **WHEREAS**, on November 5, 2015, the application was deemed complete for processing and
18 filled in a timely manner; and

19 **WHEREAS**, the application was duly noticed pursuant to the Concord Municipal Code; and

20 **WHEREAS**, the subject proposal is consistent with the General Plan; and

21 **WHEREAS**, for purposes of CEQA, a project is the activity to be undertaken, not the various
22 individual government approvals – such as extensions – associated with the project. The proposed
23 extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines.
24 Review of the project has occurred, the project has been approved, and no major or technological
25 changes are being proposed. If the proposed extension is a project under CEQA it is subject to the
26 exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty
27 to have no possibility of a significant effect on the environment as the project has already been
28

1 approved and this applicant is only requesting a one-year extension. In addition, no further
2 environmental analysis is required because the project was and is classified as Categorical Exempt
3 pursuant to Section 15303, "New Construction or Conversion of Small Structures," and therefore no
4 further environmental review was and or is required. Additionally none of the factors calling for
5 subsequent environmental review are present, including under Public Resources Code Section 21166
6 and CEQA Guidelines Section 15162 because, as noted above, there are no changes the project has
7 been approved, and no major or technological changes are being proposed, and there is no new
8 information is available which would trigger environmental review under any of the applicable
9 criteria. Therefore no further environmental review is required.

10 **WHEREAS**, after giving all public notices required by State law and the Concord Municipal
11 Code, a public hearing was held.

12 **NOW, THEREFORE, BE IT RESOLVED** that the Zoning Administrator does hereby
13 approve a one-year extension of the Minor Use Permit (PL150418-AA) subject to the attached
14 Conditions of Approval referenced in Attachment A, based on the following findings:

15 1. For purposes of CEQA, a project is the activity to be undertaken, not the various
16 individual government approvals – such as extensions – associated with the project. The proposed
17 extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines.
18 Review of the project has occurred, the project has been approved, and no major or technological
19 changes are being proposed. If the proposed extension is a project under CEQA it is subject to the
20 exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty
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2 information is available which would trigger environmental review under any of the applicable
3 criteria. Therefore no further environmental review is required.

4
5 Based on the above findings, on December 9, 2015, the Zoning Administrator approved said
6 application subject to the attached Conditions of Approval, referenced as Attachment A.

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8 Frank Abejo
9 Zoning Administrator

10 Attachments:
11 A – Draft Conditions of Approval
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ATTACHMENT A
DRAFT
CONDITIONS OF APPROVAL

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6

VERIZON WIRELESS MINOR USE PERMIT (PL150418-AA)

7

2455 GRANT STREET

8

APN 112-090-004

9

PERMIT DESCRIPTION

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28 36. The permit and approval shall expire in one year from the date on which they became effective
unless construction permits are obtained and work has begun. The effective date of the permit and
approval is **December 9, 2015**. **(PLNG)**

37. The expiration date of **December 9, 2016**, shall apply to the Minor Use Permit (PL140357-MP)
(PLNG)