

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
200 "H" STREET**

WEDNESDAY, NOVEMBER 7, 2018

6:30 P.M.

**NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER**

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **THURSDAY, NOVEMBER 15, 2018.**

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during "public comments". Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

ROLL CALL

6:31 P.M.

Commissioners

Parsons, Chair
Turnage, Vice Chair (**absent**)
Zacharatos
Motts
Martin
Schneiderman
Soliz (**absent**)

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

- | | | | |
|----|-----------------------------|------------------------------|-----------------|
| 1. | APPROVAL OF MINUTES: | A. September 19, 2018 | APPROVED |
| | | B. October 3, 2018 | APPROVED |

* * * END OF CONSENT CALENDAR * *

STAFF REPORT

CONTINUED PUBLIC HEARING

STAFF REPORT

2. **UP-18-05, AR-18-07 – AT&T Telecommunications Facility** – Planning and Engineering Network, on behalf of AT&T, is requesting a Use Permit and Design Review to construct a new unmanned telecommunications facility and a fenced equipment enclosure at the base of the structure. The project site is located at 3215 Fairview Drive. This project has been found to be Categorically Exempt for the requirements of the California Environmental Quality Act (**APN 074-123-009**).

RESOLUTION NO. 2018-29

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (6:53 pm)

Notice of Availability of Reports

This agenda is a summary of the discussion items and actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 200 "H" Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee) or on our website at:

<https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf>

Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

Accessibility

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**CITY OF ANTIOCH
PLANNING COMMISSION**

**Regular Meeting
6:30 p.m.**

**September 19, 2018
City Council Chambers**

Chair Parsons called the meeting to order at 6:30 P.M. on Wednesday, September 19, 2018, in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, September 26, 2018.

ROLL CALL

Present: Commissioners Zacharatos, Motts, Martin, and Schneiderman
Vice Chair Turnage and Chair Parsons
Staff: Director of Community Development, Forrest Ebbs
Senior Civil Engineer, Ken Warren
Associate Planner, Zoe Merideth
Interim City Attorney, Samuel L. Emerson
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: August 1, 2018

On motion by Commissioner Zacharatos, seconded by Commissioner Motts, the Planning Commission approved the minutes of August 1, 2018, as presented. The motion carried the following vote:

AYES: Motts, Martin, Zacharatos and Parsons
NOES: None
ABSTAIN: Schneiderman and Turnage
ABSENT: None

NEW PUBLIC HEARING

2. **PW 357-301-18 – 2520 Somersville Parcel Map** - On behalf of Antioch Oaks, LP, ACRE Investment is submitting the application to place a condominium map on the property located at 2520 Somersville Road (APN 074-450-034-9). The building is approximately 84,000 SF in total, with approximately 38,000 SF occupied by 24 Hour Fitness and the remaining space being vacant.

Senior Civil Engineer Warren presented the staff report dated September 14, 2018 recommending the Planning Commission approve the tentative parcel map subject to conditions contained in the staff report's attached resolution.

In response to Commissioner Martin, Senior Civil Engineer Warren clarified that this was a commercial condominium project, on the south side of Somersville Towne Center, in the former Gottschalk building.

Chair Parsons opened and closed the public hearing with no members of the public requesting to speak.

Commissioner Martin commented that this project would facilitate commercial revitalization, for the west side of Antioch.

RESOLUTION NO. 2018-21

On motion by Commissioner Martin, seconded by Vice Chair Turnage, the Planning Commission approved the tentative parcel map subject to conditions contained in the staff report's attached resolution.

The motion carried the following vote:

AYES:	<i>Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

3. **PDP-15-02 – Quail Cove** – Discovery Builders requests approval of a 30-unit residential subdivision on an existing 5.59-acre vacant parcel (056-130-012). The request includes adoption of an Initial Study/Mitigated Negative Declaration, a rezoning from Planned Development to Planned Development 15-02, and approval of a 30-unit subdivision with an additional parcel for a bio retention basin. The project site has a General Plan Land Use Designation of Medium Low Density Residential. The project site is located to the east of the current terminus and south of the future extension of Prewett Ranch Drive, west of Heidorn Ranch Road and north (APN 056-130-012).

Director of Community Development Ebbs presented the staff report dated September 14, 2018 recommending the Planning Commission adopt the resolution recommending the City Council adopt the Initial Study/Mitigated Negative Declaration, rezone the property, and approve the Final Development Plan/Vesting Tentative Map. He reported he had provided a two-page addendum to the staff report recommending the following:

- Striking Grading Plan and Permit conditions #8 and #10
- An addition to Roadway, Sidewalk, Driveway, And Curb Ramp Design condition # I1 to read, "An alternate arrangement for completion of all Prewett Ranch Drive Improvements and/or reimbursement may be considered by the City Engineer."

In response to Commissioner Martin, Director of Community Development Ebbs explained that if there was an issue with the project complying with the City's design guidelines, lot and plan numbers may change, as the project goes through final design review.

Commissioner Martin stated he was pleased with the variety of product type. Speaking with regards to lots #1-7, he expressed concern that residents would be backing out of their driveways onto Prewett Ranch Drive.

Director of Community Development Ebbs responded that the speed limit was 35 MPH in the area and they did not anticipate Prewett Ranch Drive becoming a thoroughfare. He noted that when residences were located on the street, it tended to slow traffic. He commented that due to the size of the parcel, it would be difficult to retain a reasonable unit count, if all of the lots faced internally. He explained that the Heidorn Ranch Road connection and Sand Creek Road extension would change traffic patterns in the area.

Commissioner Martin questioned if the Covenants, Conditions, and Restrictions (CC&Rs) would include a review of the housing colors, so that they would remain consistent.

Director of Community Development Ebbs stated that the project conditions did not address house colors; however, the Commission could recommend that a condition be added requiring paint colors to be subject to the approval of the HOA.

In response to Commissioner Motts, Director of Community Development Ebbs explained that the project was not technically an infill project; however, it was scaled like one.

Commissioner Zacharatos asked how the project was accomplishing non-auto oriented circulation within the development.

Director of Community Development Ebbs responded that sidewalks throughout the entire project connected to Prewett Ranch Drive and local parks.

In response to Commissioner Schneiderman, Director of Community Development Ebbs explained that grading occurring in the area was within the City of Antioch.

Commissioner Schneiderman stated that the project was designed to match the architecture in the area.

In response to Commissioner Motts, Director of Community Development Ebbs clarified that students in this subdivision would go to Brentwood schools.

Chair Parsons opened the public hearing.

Louis Parsons, Discovery Builders, stated that he appreciated the thorough report and noted that they agreed with all the conditions of approval. He further noted that he would support a recommendation that the Homeowner's Association (HOA), Architectural Review Committee review any modifications to paint colors. He commented that they have an executed agreement with the developer to the north to reimburse them for the roadway improvements and dedicate the right-of-way. He stated that the project would be a good addition to Antioch and if approved, they would be coming back for design review approval.

Gloria Johnson, Antioch resident, explained that their property bordered Quail Cove and the Prewett Ranch Road extension. She noted that during a previous project's approval process, they had requested a soundwall be constructed along Prewett Ranch Road and she wanted to make sure that it would be built.

Director of Community Development Ebbs responded that street would not rise to the level of requiring a soundwall to be built.

Ms. Johnson explained that a soundwall for the south side of Prewett Ranch was part of the discussion when the Heidorn Village was being developed.

Following discussion, Director of Community Development Ebbs clarified that the Heidorn Village improvement plans did not include a soundwall and he would be happy to provide Ms. Johnson with documentation for the Heidorn Village approval.

Chair Parsons closed the public hearing.

In response to Commissioner Turnage, Director of Community Development Ebbs stated a soundwall was not part of the improvement plans approved as part of Meritage project and if the Planning Commission wanted to impose a fence requirement, they could only do so if the Meritage project did not come to fruition.

RESOLUTION NO. 2018-22

On motion by Commissioner Martin, seconded by Commissioner Zacharatos, the Planning Commission adopted the resolution recommending the City Council adopt the Initial Study/Mitigated Negative Declaration.

The motion carried the following vote:

AYES: Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons
NOES: None
ABSTAIN: None

RESOLUTION NO. 2018-23

On motion by Commissioner Martin, seconded by Commissioner Motts, the Planning Commission adopted the resolution recommending the City Council approval of an ordinance for a rezoning map amendment from Planned Development District (PD) to Planned Development District (PD-15-02).

The motion carried the following vote:

AYES: Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons
NOES: None
ABSTAIN: None

RESOLUTION NO. 2018-24

On motion by Commissioner Martin, seconded by Commissioner Zacharatos, the Planning Commission adopted the resolution recommending the City Council approve the Vesting Tentative Map/Final Development Plan, Conceptual Design Review, with the following changes:

- ***Homeowners Association shall provide an Architectural Review Committee to maintain color board as presented in plan***
- ***Changes to section F – Conditions #8 and #10 deleted***
- ***The addition to condition I1 to read – “An alternate arrangement for completion of all Prewett Ranch Drive Improvements and/or reimbursement may be considered by the City Engineer.”***

The motion carried the following vote:

AYES: Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons
NOES: None
ABSTAIN: None

NEW ITEMS

4. **AR-18-13 – Antioch Auto Center Sign LED Upgrade** - Terry Long is requesting Design Review approval to upgrade the north facing display of the existing Antioch Auto Center sign from a static display to a digital LED display. The project site is located at 1831 Auto Center Drive (APN 074-180-033).

Associate Planner Merideth presented the staff report dated September 14, 2018 recommending the Planning Commission approve AR-18-13 for the upgrade of the existing north facing display on the Antioch Auto Center sign from a static display to a digital LED display, which would match the existing, south facing LED sign.

Commissioner Martin reported that the original approval for the sign, had a condition that required civic events to be displayed. In addition, he noted another sign applicant had agreed to display civic events on one of their sides. He questioned if there were plans to allow for City civic events to be displayed on this sign.

Associate Planner Merideth stated it would be the applicant's choice on what they wanted to display as there was not a condition of approval that would limit the messages.

Director of Community Development Ebbs clarified that the previous sign project was on City owned property, so displaying civic events was a function of their lease.

Chair Parsons stated it would be nice if community events were displayed on the sign noting that it would attract more interest.

Terry Long, representing Tom Nokes, stated that Mr. Nokes would agree to a condition to place notifications for civic events on their signage.

RESOLUTION NO. 2018-25

On motion by Vice Chair Turnage, seconded by Commissioner Zacharatos, the Planning Commission approved AR-18-13 for the upgrade of the existing north facing display on the Antioch Auto Center sign from a static display to a digital LED display, which would match the existing, south facing LED sign.

The motion carried the following vote:

AYES:	<i>Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>

5. Cannabis Business Guidelines – Presentation and discussion of Adopted Cannabis Business Guidelines.

Director of Community Development Ebbs presented the staff report dated September 14, 2018 recommending the Planning Commission receive a presentation on the adopted cannabis guidelines and offer comments to staff.

Commissioner Martin questioned if there could be a legal challenge to the guidelines since they indicate that applicants “should” instead of “must” comply.

Interim City Attorney Emerson explained that the guidelines would be adopted as conditions of approval and would then become a requirement.

Director of Community Development Ebbs explained that if all of the guidelines were changed from “should” to “shall” and embed into the zoning ordinance, a variance would be needed to change them and it would take away the City’s flexibility and discretion. He noted Council had been clear that until there was more experience with these types of applications, they wanted to maintain flexibility. He reiterated that as soon as the guidelines were listed as conditions of approval, they would become requirements.

Commissioner Martin questioned why all of the trees were removed on Verne Roberts Circle, across from Costco.

Director of Community Development Ebbs stated that that issue was unrelated and he would discuss it during Staff Communications.

In response to Commissioner Schneiderman, Director of Community Development Ebbs clarified that an applicant would not be required to carry liability insurance and the deposit was a function of the use permit application. He noted the City was indemnified, as part of any approval. He added that if something happened that impacted the City, they would have to pursue it through a civil course of action. He stated they did not expect there to be problems that would result in monetary losses, their concern was to assure the business would not be a drain on police resources.

Commissioner Schneiderman commented that the language stated permits would be granted if the use was not detrimental to public health and noted that smoking cannabis was unhealthy. She recommended the language be deleted.

Director of Community Development Ebbs clarified that the language was from State law and health benefits or deterrents were decided at the State level. He noted by State law he could not remove the language.

Commissioner Motts questioned if there would be discussion on the number of retail cannabis businesses that would be allowed.

Director of Community Development Ebbs responded that Council was not ready to put a cap on the number and explained that the 600-foot separation requirement would limit the number of businesses that would be allowed.

Commissioner Motts questioned if that would also be the case with delivery business.

Director of Community Development Ebbs stated that he had been told that through the land use process, they could regulate any home based delivery service. He noted that if a service was coming from out of the City to deliver to someone's home, the City could not interfere; however, there may be other ways to address that issue.

Vice Chair Turnage questioned if cannabis businesses would qualify under smoke shops, and therefore be regulated as such.

Director of Community Development Ebbs responded that tobacco and cannabis were categorized differently under state and local law.

Vice Chair Turnage questioned why businesses were limited to 8:00 P.M.

Director of Community Development Ebbs stated the business hours were a guideline and could be looked at on an individual basis. He noted people in the industry did not want to be opened late.

Vice Chair Turnage questioned if there were drive through businesses.

Director of Community Development Ebbs explained that guidelines indicated drive thru or walk up window services, in conjunction with cannabis retail businesses, were strongly discouraged.

Chair Parsons expressed concern that the overlay was against residential and includes the Sports Fields area.

Director of Community Development Ebbs responded that there was a 600-foot separation requirement from a residential zone and noted the soccer facility would not be protected by the separation requirement because it was a private recreational facility. He noted the City had the discretion to deny a use permit. He further noted Council wanted an area that was realistic and to minimize any potential conflicts, they chose industrial zones.

Director of Community Development Ebbs stated he would take any recommendations back to the City Council.

Commissioner Motts stated that Council had followed the Planning Commissions original recommendations and some of the refinements would come at a later date.

Director of Community Development Ebbs stated when an application came forward for approval, it would consist of a resolution that would include conditions of approval that contained the guidelines and additional conditions, if necessary.

ORAL COMMUNICATIONS

Director of Community Development Ebbs reported that staff would look into the removal of trees on the Granite Expo property and report back to the Commission regarding whether it was in accordance with the conditions in their use permit.

Commissioner Martin reported that he had recently visited Tim Coley at the Water Treatment Plant and he offered to provide the Commission with a tour of the desalinization plant.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Motts reported on his attendance at two TRANSPLAN committee meetings.

ADJOURNMENT

Chair Parsons adjourned the Planning Commission at 7:45 P.M.

Respectfully Submitted,
Kitty Eiden

**CITY OF ANTIOCH
PLANNING COMMISSION**

**Regular Meeting
6:30 p.m.**

**October 3, 2018
City Council Chambers**

Chair Parsons called the meeting to order at 6:30 P.M. on Wednesday, October 3, 2018 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, October 10, 2018.

ROLL CALL

Present: Commissioners Zacharatos, Motts, Martin, Schneiderman, Vice Chair Turnage and Chair Parsons

Staff: Director of Community Development, Forrest Ebbs
Contract Planner, Cindy Gnos
Interim City Attorney, Samuel L. Emerson
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes:** None

NEW PUBLIC HEARING

2. **PD-18-01** – Sean McCauley, applicant and owner, requests approval of a Final Development Plan for the construction of up to two single-family dwellings, one agricultural building, and all necessary infrastructure to serve two home sites at an existing 40-acre site at 7901-79 Deer Valley Road. The project site is located on the west side of Deer Valley Road at the terminus of Balfour Road (APN 057-060-014 and 057-060-015).

Director of Community Development Ebbs presented the staff report dated September 25, 2018 recommending the Planning Commission adopt the resolution recommending that the City Council approve the Final Development Plan. He announced that letters were received from East Bay Regional Park District (EBRPD), who indicated that they

wanted it to be on the record, that they were working on developing recreational opportunities in the area. He noted that it had been acknowledged by the City and the development plan. He reported that the second letter was from Dave Sanson, Manager Civic Rancho Meadows, LLC, who had expressed concern that the City was identifying their parcel as open space. He commented that in response to his concern, he had formulated alternative language for the Final Development Plan that would identify the area owned by Mr. Sanson, as a study area.

Director of Community Development Ebbs distributed to the Planning Commission, the substitute Final Development Plan, text and modified map reflecting the above changes.

In response to Commissioner Schneiderman, Director of Community Development Ebbs stated that the 80-acre agricultural land could be subdivided under the current County zoning. He explained that none of the rules discussed this evening applied to their property until they annexed into the City, which he noted was problematic. He further noted that if annexation did not occur, they could develop their parcels under the County.

In response to Commissioner Martin, Director of Community Development Ebbs described the location of the City limits/sphere of influence and noted the planning area for the General Plan extended beyond that area. He further noted that the City could plan for an area outside the City's sphere of influence and City limits; however, it would not be binding.

Commissioner Martin asked the City Attorney if indentifying Mr. Sanson's property as study area would eliminate the concern regarding a taking of the property.

Interim City Attorney Emerson stated there was no concern at this point because the property was not within City boundaries; therefore, it was a speculative harm and there was no claim against the City. He noted the study area designation was a good idea because it gave the option to be flexible in the future. He explained that it was hard to make a case for a regulatory taking because they would have to show that they had deprived the parcel of all economically beneficial uses which was a high standard to meet.

In response to the Commission and speaking to the EBRPD letter, Director of Community Development Ebbs explained that recreation as a land use would occur under the context of a public park. As it was written, EBRPD could apply for a use permit or develop a master plan for the entire area. He commented that attorneys would have to provide guidance with regards to the EBRPD claims that their land use plans were not subject to approval of the local jurisdictions.

In response to Vice Chair Turnage, Director of Community Development Ebbs explained that Mr. McCauley owned the two home sites and they were inside the City limits.

Director of Community Development Ebbs explained this item was before the Planning Commission because a voter initiative said they must proceed this way.

Chair Parsons opened the public hearing.

Sean McCauley, applicant, stated in cooperation with the park district that they wanted to retain the agricultural look of the area. He noted that they felt the project would be a good addition to Antioch.

Commissioner Martin stated he supported the improvements the applicant was making in the area.

In response to Commissioner Martin, Mr. McCauley responded that the existing white fence encumbered both 20-acre parcels.

Trent Sanson, representing Dave Sanson, on behalf of Civic Rancho Meadows LLC, thanked staff and Mr. McCauley for working with them regarding their concerns for the open space designation for their property. He noted their letter was not intended to be a threat, it was meant to express their concern with potential opportunities for the property. He stated they supported the application with the modification of the development plan, as presented this evening.

Chair Parsons closed the public hearing.

RESOLUTION NO. 2018-26

On motion by Commissioner Motts, seconded by Commissioner Turnage, the Planning Commission adopted the resolution recommending that the City Council approve the substitute Final Development Plan.

The motion carried the following vote:

AYES:	<i>Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

NEW ITEMS

- Promenade at Sand Creek** – Century Communities requests design review approval for Villages 1-3 of the Vineyards at Sand Creek Project (APNs 057-030-003 and 057-050-007), which includes 96 units in Village 1, 121 units in Village 2, and 120 units in Village 3 (337 total units). The Design Review application consists of 15 different floor plans each with multiple design schemes, a Fitness Center located in Parcel A Park, and wall and fence designs for the six-foot tall masonry walls and good neighbor wood fencing. A separate Design Review application will be submitted for the landscaping.

Contract Planner Gnos presented the staff report dated October 3, 2018. She explained that the applicant had expressed concern that plotting all of the units at one time would not provide them with the flexibility they needed to respond to the market and their buyers; therefore, they suggested plotting 9-12 at a time and providing a continuous map that would be updated. She stated she would support modifying condition B4 to reflect that she would work with the applicant to develop a process to evaluate the plot plans and then move forward through the building permit process. Additionally, she noted that condition B6 required that the design of the park had to be approved by the Park and Recreation Commission at the time of the first building permit for Village 2; however, the Zoning Administrator had decided that the revised timeframe would be the 50th building permit. She noted B6 should be amended to match the current approved timing of the conditions. She recommended the Planning Commission approve the Design Review application, subject to the conditions contained in the staff report's attached resolution with the following modifications:

- B4 – First paragraph - to indicate that the applicant and staff would work together to come up with a process to evaluate the plot plans and move forward through the building permit process
- B6 - Amended to match the current approved timing of the condition

Commissioner Martin reported that he had noticed inconsistencies in the schematics versus the floor plans, specifically as it related to the windows.

Contract Planner Gnos explained that those issues would be clarified during the permitting process; however, the applicant could respond to those concerns.

Commissioner Martin expressed concern that canvas shades and covers, as well as soundwalls, were difficult to maintain. He questioned who was responsible for maintaining those features.

Contract Planner Gnos responded that the HOA would be responsible for maintenance of those items.

In response to Commissioner Martin, Contract Planner Gnos reviewed the phasing map (Attachment C).

In response to Vice Chair Turnage, Contract Planner Gnos confirmed that the Planning Commission was only considering the design of the project this evening.

Chair Parsons opened the public hearing.

Stephen Tindle, Century Communities, stated he was available to answer any questions this evening. He noted this was the first time they had built this type of project and it was designed specifically for this site; therefore, they wanted to keep flexibility to be able to respond to the market. He noted they were asking for phasing of the plot plans with the

building permits because it would allow buyers to pick a specific home site and plan as long as it fit the site and met the design guidelines.

Scott McQuay, Project Architect, explained that they had developed the floor plans first and through the design process developed the elevations. He noted the elevations showed the typical floor plan and did not address the changes in the design review package; however, discrepancies would be corrected in the construction documents.

Commissioner Martin stated he was pleased with the variety of product types. He expressed concern that an active adult community had an unusually large number of two-story plans.

Mr. Tindle responded that there was a market for two-story homes in other active adult developments in the area and the average buyer was fifty-eight years, so they did not believe it would be an issue. He noted there were some people that wanted single story and they had provided for that. He further noted if there were only single story homes; the lots and homes would be much smaller. He stated they believed they offered a wide variety of options for buyers and there were enough buyers in the market to purchase two story homes.

Scott McQuay added that the two story homes for active adults would have the main living space encompassed on the first floor; including the owners suite.

In response to Vice Chair Turnage, Mr. Tindle responded that they put together a detailed fit list that showed which homes could be built on which lots and when they come in for building permits, they would bring a map of what was built or in process so they could meet the guidelines.

Chair Parsons stated she liked the variation in product and she supported flexibility for the developer to respond to the market.

Chair Parsons closed the public hearing.

RESOLUTION NO. 2018-27

On motion by Vice Chair Turnage, seconded by Commissioner Martin, the Planning Commission approved the Design Review application subject to the conditions contained in the staff report's attached resolution with conditions B4 and B6 modified as follows:

- ***B4 – First paragraph - that the applicant and staff would work together to come up with a process to evaluate the plot plans and then move forward through the building permit process***
- ***B6 Amended to match the current approved timing of the condition***

The motion carried the following vote:

AYES: ***Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons***
NOES: ***None***
ABSTAIN: ***None***
ABSENT: ***None***

4. Measure W Presentation

Director of Community Development Ebbs stated that this item was a typographical error and it would be agendized for the October 17, 2018 Planning Commission meeting.

ORAL COMMUNICATIONS

Director of Community Development Ebbs announced the appointment for the Planning Commission vacancy was on the October 9, 2018 City Council agenda.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Motts announced a TRANSPLAN meeting was scheduled for next week.

ADJOURNMENT

Chair Parsons adjourned the Planning Commission at 7:36 P.M. to the next regularly scheduled meeting to be held on October 17, 2018.

Respectfully Submitted,
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF NOVEMBER 7, 2018**

Prepared by: Zoe Merideth, Associate Planner *zm*
Reviewed by: Alexis Morris, Planning Manager *a*
Date: November 2, 2018
Subject: UP-18-05, AR-18-07 – Use Permit and Design Review for a Wireless Telecommunications Facility at 3215 Fairview Drive

RECOMMENDATION

Staff recommends that the Planning Commission approve the use permit and design review requests for a wireless telecommunications facility consisting of a 60-foot-tall monopine containing 12, six-foot tall antennas placed in three sectors and center-mounted 52 feet above ground level, 21 remote radio units, and three DC surge suppressors with an associated prefabricated equipment shelter, GPS antenna, and generator surrounded by an eight foot mini-mesh fence, subject to the conditions contained in the attached resolution.

REQUEST

Planning and Engineering Network (PEN), the applicant on behalf of AT&T Mobility, requests that the Planning Commission approve its application for a use permit and design review for a new wireless telecommunications facility consisting of a 60-foot-tall monopine and associated transmission equipment at 3215 Fairview Drive that already contains a 41,700 square foot commercial building housing a furniture store in a Regional Commercial (C-3) zoning district. The project site would be located at the south western portion of the property near existing eucalyptus trees.



Specifically, the applicant proposes to install 12 panel antennas evenly distributed in three sectors and center-mounted at 52 feet from ground level on a 60-foot-tall faux pine tree (monopine). The applicant proposes to install an equipment cabinet, a diesel backup power generator, a GPS antenna on top of the equipment cabinet, and associated wiring behind an eight-foot high mini-mesh fenced enclosure.

ENVIRONMENTAL REVIEW

The project is Categorically Exempt from the provisions of CEQA, pursuant to section 15303 – New Construction or Conversion of Small Structures. This section of CEQA exempts projects that involve construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

ANALYSIS

Issue #1: General Plan, Zoning, and Land Use

The property has a General Plan designation of Regional Commercial and a zoning designation of Regional Commercial (C-3), which allows telecommunication facilities with the issuance of a use permit.

Surrounding land uses and zoning designations are as noted below:

North:	Somersville Towne Center / Regional Commercial (C-3)
South:	EBMUD Trail and commercial property / Regional Commercial (C-3)
East:	Commercial Uses / Regional Commercial (C-3)
West:	Vacant property and multifamily housing / Regional Commercial (C-3)

Issue #2: Legal Background – Telecommunications Act

Telecommunications law is unique in that federal law restricts much of the local control surrounding telecommunications facilities. The following section provides background information on telecommunications law. Under federal law, localities may not (1) explicitly or effectively prohibit personal wireless services; (2) unreasonably discriminate among functionally equivalent personal wireless service providers; or (3) regulate environmental effects from radio frequency (RF) emissions to the extent that such emissions conform to all applicable FCC regulations.¹ In addition, localities must act on permit applications within a reasonable time, issue written denials, include reasons for any denial contemporaneously with any written denial and base all denials on substantial evidence in the written record.²

¹ See 47 U.S.C. §§ 332(c)(7)(B)(i), (iv).

² See 47 U.S.C. §§ 332(c)(7)(B)(ii), (iii); see also *T-Mobile South LLC v. City of Roswell*, 135 S.Ct. 808, 816 (2015).

Effective Prohibition Framework

A single permit denial can effectively prohibit personal wireless services when the applicant shows that (1) a “significant gap” exists in the applicant’s own services and (2) the applicant proposed the “least intrusive means” to mitigate that gap.³ No “bright line” test exists to define a “significant” gap in services, and although not all gaps amount to a significant one, district courts in the Ninth Circuit and others from outside this Circuit indicate that the standard may be relatively low.⁴ In contrast, the “least intrusive means” has a more concrete definition. The least intrusive means refers to a site location and design that most closely conforms to the local values expressed in the local law that would otherwise support a denial.⁵

Effective prohibition analysis applies only when substantial evidence exists to support a denial.⁶ For example, in a situation where an applicant requires a 35-foot antenna in a 30-foot zone to close a significant gap, the least intrusive means would be a 35-foot-high antenna and federal law would require approval even though the local code would authorize a denial for a project over 30 feet high. The least intrusive means might also be multiple lower sites rather than fewer taller sites.⁷

Unreasonable Discrimination Among Functionally Equivalent Service Providers

Federal law prohibits “unreasonable” discrimination among providers with “functionally equivalent services.”⁸ This standard permits reasonable discrimination and localities retain “flexibility to treat facilities that create different visual, aesthetic, or safety concerns differently to the extent permitted under generally applicable zoning requirements, even if those facilities provide functionally equivalent services.”⁹ To prevail on this claim, carriers must show that the local government discriminated between two similar service providers who submitted two similar proposals in two similar contexts.¹⁰

³ See *American Tower Corp. v. City of San Diego*, 763 F.3d 1035, 1056 (9th Cir. 2014) (citing *Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 733 (9th Cir. 2005)).

⁴ See e.g., *MetroPCS, Inc.*, 400 F.3d at 733; *Orange Cnty.-Poughkeepsie Ltd. P’ship v. Town of E. Fishkill*, 84 F. Supp. 3d 274, 297 (S.D.N.Y. 2015); *T-Mobile West Corp. v. City of Agoura Hills*, No. CV 09-9077 DSF (PJWx), 2010 WL 5313398, *8–*9 (C.D. Cal. Dec. 20, 2010); *MetroPCS New York, LLC v. Village of East Hills*, 764 F. Supp. 2d 441, 454–55 (E.D.N.Y. 2011); *T-Mobile Northeast LLC v. City of Lowell*, No. 11-11551-NMG, 2012 U.S. Dist. LEXIS 180210, *10 (D. Mass. Nov. 27 2012); *USCOC of New Hampshire RSA No. 2 v. Town of Dunbarton*, No. Civ.04–CV–304–JD, 2005 WL 906354, *2 (D.N.H. Apr. 20, 2005). Many courts also appear to simply bypass the issue altogether and dive straight into the least intrusive means issues. See, e.g., *American Tower Corp.*, 763 F.3d at 1056; *T-Mobile West Corp. v. City of Huntington Beach*, No. CV 10–2835 CAS (Ex), 2012 WL 4867775, *6 (C.D. Cal. Oct. 10, 2012).

⁵ See *American Tower Corp.*, 763 F.3d at 1056–1057.

⁶ See *id.*

⁷ See, e.g., *id.*; *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987, 998 (9th Cir. 2009).

⁸ See 47 U.S.C. § 332(c)(7)(B)(i)(I).

⁹ See *MetroPCS, Inc. v. City and Cnty. of San Francisco*, 259 F. Supp. 2d 1004, 1011 (N.D. Cal. 2003) (quoting H.R. Conf. Rep. No. 104–458, 208).

¹⁰ See *In re Cell Tower Litigation*, 807 F. Supp. 2d 928, 936 (S.D. Cal. 2011) (finding no unreasonable discrimination in different regulations applied to municipal towers primarily for emergency radio services than to privately held towers primarily for commercial radio services); *Cingular Wireless, LLC v. Thurston Cnty.*, 425 F. Supp. 2d 1193, 1194 (W.D. Wash. 2006) (finding unreasonable discrimination because the County denied Cingular’s permit but approved ten others for its competitors which were all taller, with less

RF Emissions Compliance Regulations

The FCC regulates RF emissions, and establishes comprehensive rules for maximum permissible exposure levels (the “*FCC Guidelines*”).¹¹ State and local governments cannot (1) regulate wireless facilities based on environmental effects from RF emissions when the emissions conform to the applicable *FCC Guidelines* or (2) establish their own RF exposure standards—whether more strict, more lenient or even the same.¹²

However, the FCC permits localities to require an applicant to demonstrate planned compliance with the *FCC Guidelines* as a prerequisite for permit approval.¹³ Federal guidance encourages localities and applicants to cooperatively develop a means for planned compliance demonstrations that balances the legitimate local interest in compliance with the national standards and the applicant’s interest in an efficient and predictable process.¹⁴ In addition, the FCC recommends that localities use the *Local Government Official’s Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance* (the “*Local Official’s Guide*”) as an appropriate tool for compliance demonstrations.¹⁵

In this case, the project has been evaluated by both AT&T’s and the City’s consultants who each independently concluded that the proposed project would be compliant with the *FCC Guidelines*. Accordingly, staff recommends that the Planning Commission conclude that it has no authority to regulate, condition or deny this application on the basis of environmental effects of RF emissions.

The “Shot Clock” Rules

Localities must act within a “reasonable time” after it receives a duly filed application for a wireless project.¹⁶ The FCC interprets a reasonable time to mean 90 days for co-locations and 150 days for all other applications, after which time the applicant may seek expedited judicial review within the first 30 days after a final denial or failure to act. In

concealment and in less favored locations); *Voice Stream PCS I, LLC v. City of Hillsboro*, 301 F. Supp. 2d 1251, 1262 (D.Or. 2004) (finding no unreasonable discrimination where the only similarity between two proposals was a common zoning designation); *MetroPCS*, 259 F. Supp. 2d at 1012 (holding that discrimination based on traditional zoning regulations is not unreasonable, even when the record contains evidence of discriminatory intent); *AT&T Wireless Servs. of Cal. LLC v. City of Carlsbad*, 308 F. Supp. 2d 1148, 1166–1167 (S.D. Cal. 2003) (finding unreasonable discrimination where City approved a “stealth site” in a residential area for one carrier but denied a similar proposal for another).

¹¹ See 47 U.S.C. § 332(c)(7)(B)(iv); see also 47 C.F.R. § 1.1307 *et seq.*; FCC Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*, OET Bulletin 65, ed. 97-01 (1997).

¹² See 47 U.S.C. § 332(c)(7)(B)(iv).

¹³ See *In re Procedures for Reviewing Requests for Relief from State and Local Regulations Pursuant to Section 332(c)(7)(B)(iv) of the Communications Act of 1934*, *Report and Order*, 15 FCC Rcd. 22821, 22828–22829 (Nov. 13, 2000) (declining to adopt rules that limit demonstrations of compliance).

¹⁴ See *id.*

¹⁵ See *id.*

¹⁶ See 47 U.S.C. 332(c)(7)(B)(ii).

addition, localities must act on projects covered under 47 U.S.C. § 1455(a) within 60 days or else the application is automatically approved.¹⁷

In California, failure to act within the presumptively reasonable time can result in a deemed-approval for new and substantially changed wireless facilities not covered under § 1455(a). California Government Code § 65964.1 automatically deems an application for a new wireless site or substantial modification to an existing wireless site when (1) the city or county fails to approve or disapprove the application within the applicable shot clock period, (2) the applicant has provided all public notices required for the application and (3) the applicant provides written notice to the city or county that it considers the application deemed approved.

These timeframes may be “tolled” (i.e., paused) under certain circumstances. However, after an application has been deemed complete, the shot clock can be tolled only by mutual agreement between the local government and the applicant. These federal regulations are in addition to the ordinary Permit Streamlining Act requirements under state law.

The City mutually entered into a tolling agreement with AT&T Mobility on October 17, 2018 in order to give the Planning Commission time to act on this application (Attachment B). The tolling agreement, unless it is extended by mutual agreement, will expire on December 12, 2018.

Issue #3: Project History and Overview

On April 2, 2014, the Planning Commission approved a use permit and design review request from AT&T to construct a 65-foot-tall monopine, nine antennas, associated equipment shelter, and a screening fence. The applicant did not act upon the approval, and the approval expired.

On April 23, 2018, the applicant submitted a new Development Application for a use permit and design review for a 73-foot-tall monopine with 12 panel antennas distributed in three equal sectors and center-mounted at 65 feet. The application also included an equipment cabinet and associated equipment. The application included a six-foot-tall chain link fence with vinyl slats and barbed wire on top of the fence. The applicant also submitted an analysis of potential alternate site locations, all of which were found to be unsuitable based on AT&T’s criteria. Based on AT&T’s analysis, staff also agreed the proposed site would be the best option.

On May 18, 2018 and June 15, 2018, staff sent the applicant incomplete letters requesting additional, required submittal materials needed to deem the application complete and begin review of the project (Attachments C and D). On June 26, 2018, after the applicant

¹⁷ See *In the Matter of Petition for Declaratory Ruling to Clarify Provisions of Section 332(C)(7)(B) to Ensure Timely Siting Review and to Preempt under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance*, *Declaratory Ruling*, 24 FCC Rcd. 13994, 14012 (Nov. 18, 2009).

submitted additional materials, staff deemed the application complete and began reviewing the application.

On July 27, 2018, staff requested additional information in order to evaluate the proposed wireless facility for compliance with the Antioch Municipal Code (Attachment E). Staff requested additional propagation maps to determine predicted service levels and provide a technical justification for the height of the wireless facility. Staff also requested information about alternative designs, such as a faux eucalyptus tree and an unconcealed monopole.

Between October 2, 2018 and October 9, 2018, the applicant submitted additional propagation maps and design alternatives. Telecom Law Firm, working as a consultant for the City, reviewed all of the submitted propagation maps and determined that the applicant could lower the antennas from the proposed center-mounted 65-foot height to a center-mounted height of 52 feet. Based on Telecom Law Firm's analysis, the propagation maps show that AT&T intends the site to increase already existing service levels and capacity. Telecom Law Firm suggests the Planning Commission should evaluate if the proposed facility is the least intrusive in light of the values embodied by the Antioch Municipal Code.

The additional design options presented by the applicant included a monopole with antennas stacked on top of one another, a faux eucalyptus design, and a shorter monopine (Attachments F, G, H, I, and J). Staff ruled out the monopole for two reasons. First, stacking the antennas led to the facility having a height of 68 feet, which would be taller than the other proposed options. Secondly, under Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, local governments must approve future modifications to existing facilities if they do not cause a "substantial change." The FCC defines substantial change to mean, in part, a 20-foot height increase for existing towers. The FCC definitions preempt local zone height limits. However, the FCC provides that modifications to existing concealed facilities cannot "defeat the concealment" of the facility.¹⁸ In order to meet the required findings for approval and mitigate the aesthetic impact of modifications to the facility in the future, staff determined a concealed facility would be preferable.

With respect to the faux eucalyptus design, staff disfavored this alternative for aesthetic reasons. Based on the manufacturer's brochure and plans that the applicant provided, staff felt the design did not look very realistic and did not blend in with the existing eucalyptus trees at the site.

Based on the review of the alternate designs and the plans for a monopine, staff determined the monopine would provide concealment of the facility in the most natural way. The applicant has provided a sample of the bark and branches, which will be available for review at the Planning Commission meeting.

¹⁸ See Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156. (Feb 22, 2012) (codified as 47 U.S.C. § 1455(a)).

Issue #4: Analysis and Findings

The City requires a use permit and design review for wireless facilities and applies the generally applicable development standards in the Antioch Municipal Code (“AMC”) to wireless facilities.¹⁹ To approve a use permit, the Planning Commission must find that (1) the use is not detrimental to public health or welfare or nearby improvements; (2) the use is authorized at the proposed location; (3) the site is adequate to accommodate the use; (4) the site can accommodate potential additional traffic caused by the use; and (5) the use will not adversely affect the General Plan.²⁰

No specific findings are required for design review. However, the AMC § 9-5.2701(B) explains that:

The purpose of design review is to promote the orderly and harmonious development of the city, the stability of land values and investments, and the general welfare and to encourage and promote the highest quality of design and site planning to delight the user and others who come in contact with uses and structures in the city.²¹

The following subsections in this report evaluate the proposed wireless facility against these standards and other applicable provisions of the Antioch Municipal Code.

Overall Project Height

The City limits structures in the C-3 zone to 70 feet from the average lot elevation to the highest point on the structure.²² AMC § 9-5.601 contains a potential exception to the 70-foot height limit for “radio towers,” but does not expressly limit the additional height permitted under the exception. Currently, the proposed monopine has a maximum height of 60 feet, which is under the C-3 zoning’s maximum allowed height. Staff has included a recommended Condition of Approval that would require the proposed monopine to have a more natural looking, tapered top than what is currently proposed. This Condition of Approval would increase the overall height of the monopine by a few feet, but would create a more natural looking tree that would still be under 70 feet tall for compliance with the applicable height limit.

Ground-Mounted Equipment

The applicant redesigned the original proposed fence from an open chain link fence with barbed wire on top to a proposed mini mesh fence which would better meet the City’s requirements regarding screening equipment and prohibition of barbed wire. In particular, the proposal would help meet the City’s goals to “[u]tilize landscaping to . . . screen parking and equipment areas” under Design Guidelines § 3.1.2.C. In order to more fully comply with this Design Guideline, staff is including a recommended Condition of

¹⁹ See *generally* ANTIOCH MUN. CODE Title 9, Chapter 5.

²⁰ See ANTIOCH MUN. CODE § 9-5.2703(B)(1).

²¹ See ANTIOCH MUN. CODE § 9-5.2701(B).

²² See ANTIOCH MUN. CODE § 9-5.601.

Approval that drought tolerant landscaping be added around the equipment enclosure in order to screen the equipment enclosure from the Delta de Anza Regional Trail and the surrounding properties. These conditions would preserve and enhance the natural environment immediately adjacent to the proposed site. Additionally, staff has included a recommended Condition of Approval that would require the GPS antenna array below the top of the proposed perimeter fence to avoid unnecessary visual impacts. The GPS antenna only needs access to the sky to operate and could be placed closer to ground level while remaining fully functional.

Monopine Design

To ensure the monopine design is as natural looking as possible, staff has included a number of recommended Conditions of Approval that address the design of the monopine. These conditions are primarily intended to ensure that the design will be compatible with the surrounding environment and nearby improvements. Staff recommends adding Conditions of Approval that require the permittee to install and maintain at least 3.5 faux branches per vertical foot on the tree that taper towards the top. These branches would have to extend at least two feet farther out from the edge of the tower-mounted equipment. Additionally, faux needle socks would be required to be placed over all the antennas, remote radio units, and other tower-mounted equipment. Staff recommends that the entire vertical support structure be clad in a three dimensional bark. With the recommended Conditions of Approval, staff believes the proposed monopine would be more consistent with the natural shape and appearance of a pine tree to constitute the least intrusive means to achieve AT&T's service goals.

Issue #5: Summary

Staff recommends that the Planning Commission approve the applicant's request to install a new monopine with related equipment subject to the Conditions of Approval contained within the attached resolution.

ATTACHMENTS

- A:** Resolution
- B:** Tolling Agreement
- C:** May 18th Incomplete Letter
- D:** June 15th Incomplete Letter
- E:** July 27th Additional Information Letter
- F:** Monopole Design Alternative
- G:** Faux Eucalyptus Design Alternative
- H:** Eucalyptus Design Brochure
- I:** Proposed Project Plans (Received October 19, 2018)
- J:** Photosimulations (Received October 19, 2018)

ATTACHMENT “A”

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2018-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT AND DESIGN REVIEW FOR A WIRELESS
TELECOMMUNICATIONS FACILITY AT 3215 FAIRVIEW DRIVE**

WHEREAS, the City of Antioch received a request from Planning and Engineering Network, on behalf of AT&T Mobility, for a use permit and design review for a wireless telecommunications facility consisting of a 60-foot-tall monopine containing 12 six-foot tall antennas placed in three sectors and center-mounted 52 feet above ground level, 21 remote radio units, and three DC surge suppressors with an associated prefabricated equipment shelter, GPS antenna, and generator surrounded by an eight foot mini-mesh fence. The project site is located at 3215 Fairview Drive (**APN: 074-123-009**); and,

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on November 7, 2018, duly held a public hearing, received, and considered evidence, both oral and documentary, and,

WHEREAS, the Planning Commission does determine:

1. The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The telecommunications site will not be detrimental to the public health or welfare or injurious to the property or improvements because the use will be camouflaged by utilizing a monopine design that will screen the antennas and accessory equipment from public view. The site is adjacent to existing mature trees that will cause the monopine's natural concealment elements to appear more consistent with the surrounding natural environment. Ground-mounted equipment will be screened by fencing and landscaping to mitigate visual impacts near Delta de Anza Regional Trail and the surrounding properties. In addition, the proposed facility demonstrates planned compliance with applicable Federal Communications Commission regulations for exposure to radio frequency emissions. The subject site will benefit public welfare by providing improved wireless services to the area, such as mobile telephone services, emergency 911 services, data transfer, electronic mail, internet and web browsing, as well as video streaming for AT&T customers.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

The site is zoned Regional Commercial (C-3) and per the Municipal Code, telecommunications sites are allowed with a use permit and design review approval.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate a telecommunications site as it is currently a commercial use with an unimproved vacant area at the western end of the property line. All buildings and site features are adequate for this use because the proposed use is an unattended wireless facility that will not require additional parking, utilizes existing trees for accessory equipment screening, incorporates new landscape features (as conditioned), and complies with the City's fence height and setback requirements.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

It is anticipated that the use, an unattended wireless facility, will generate very little traffic and would only result in the occasional maintenance of the equipment and the shelter. The site is located on Fairview Drive which is both adequate in width and pavement type to carry the traffic generated by the use.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is considered a telecommunications site and will not adversely affect the comprehensive General Plan because the proposed facility meets the applicable standards in the Municipal Code and, as conditioned, will incorporate appropriate camouflaging and concealment elements that are compatible with immediate surrounding area.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch, after reviewing the staff report and considering testimony does hereby **APPROVE** the use permit and design review (UP-18-05, AR-18-07), to construct a wireless telecommunications facility subject to the following conditions:

A. General Conditions

1. The project shall comply with the Antioch Municipal Code. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.

2. Conditions required by the Planning Commission, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
3. City staff shall inspect the site for compliance with the conditions of approval prior to final building inspection.
4. This approval expires two years from the date of approval (Expires November 7, 2020), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one-year extension shall be granted.
5. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement or environmental review. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
7. An encroachment permit shall be required for all work in the public right of way.
8. This approval supersedes previous approvals that have been granted for this site.
9. All required easements or rights-of-way for offsite improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager.
2. The Project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and Demolition Debris Recycling.

3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with a contact number of the applicant, City staff, and the air quality control board.

C. FEES

1. The applicant shall pay all fees as required by the City Council.
2. The developer shall pay all required fees at the time of building permit issuance.
3. The applicant shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.

D. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
 - a. The applicant/contractor shall submit two (2) complete sets of building plans and specifications of the proposed diesel generator to the Fire District for review and approval **prior to** installation to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of the plan review submittal. (105.4.1) CFC, (107) CBC
 - b. Submit plans to: Contra Costa County Fire Protection District
2010 Geary Road
Pleasant Hill, CA 94523

E. PROPERTY MAINTENANCE

1. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
2. No signs shall be installed on this site without prior City approval.
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

F. SITE AND PROJECT DESIGN

1. Prior to issuance of a building and/or grading permits, the applicant shall submit revised site plans for review and approval by the Planning Department that incorporate the following:
 - a. The permittee shall install, and at all times maintain in good condition, three-dimensional bark cladding on the entire vertical support structure.

- b. The permittee shall paint, color or finish all tower-mounted equipment, including without limitation all antennas, remote radio units, DC power equipment, cables, wires, jumpers, connectors, mounts, arms, brackets and other support equipment with flat natural colors that resemble pine tree branches and/or needles. The permittee shall maintain all such paint in good condition at all times.
- c. The permittee shall install, and at all times maintain in good condition, at least 3.5 faux branches per vertical foot. Such branches must commence at approximately 12 feet above ground level and naturally taper towards the top and extend above the antennas. The faux branches must extend at least 24 inches farther out from the edge of the tower-mounted equipment including without limitation the antennas.
- d. The permittee shall install, and at all times maintain in good condition, appropriate faux needle or leaf socks over all antennas, remote radio units and other similar tower-mounted equipment. Faux covers and branches shall be installed on the equipment in a manner that fully conceals the antenna array and associated equipment.
- e. Subject to the City's approval, the permittee shall paint, color or finish the equipment shelter with flat non-reflective colors that blend with the surrounding environment. The permittee shall maintain all such paint in good condition and free of graffiti at all times.
- f. The permittee shall install all cables, fibers, wires, jumpers and connectors within the trunk of the mono-tree. No visible cables, wires, jumpers, connectors, conduits and risers shall be visible on the exterior of the structure, except at the point of connection with the overhead equipment in the tree canopy. All exposed cables, wires, jumpers, connectors, conduits and risers in the tree canopy shall be painted, colored or finished to match the natural tree bark color of the faux-tree. The permittee shall maintain such paint, color or finish in good condition at all times.
- g. The permittee shall develop, implement, and maintain a landscape plan with native species and/or drought resistant plants that effectively screen the facility and the fence enclosure when viewed from the public rights-of-way. The permittee shall retain a licensed landscape architect to determine the appropriate tree size and species to ensure that the trees will mature such that the monopine blends effectively with the natural foliage. Unless otherwise approved by the City, the plants required to screen the fence under this condition must screen at least four vertical feet at the time the permittee installs them, and must screen the entire fence height and all ground-mounted equipment (except the antenna structure) when fully matured. The permittee shall implement the landscape plan, at all times maintain the landscaping in good condition, and promptly replace any failed landscaping on its own without prior notice from the City.

- h. The permittee shall install an eight-foot-tall perimeter fence made of mini-mesh or vinyl cladding with vandalism resistant coating. The permittee shall install the GPS antenna array below the top of the proposed perimeter fence.
2. Additional equipment or antennas, or a change in antennas shall be subject to City staff approval.
3. The permittee shall maintain all of applicant's facilities free from all graffiti and damage caused by vandalism, accidents, etc. Said graffiti abatement and/or maintenance shall be performed within two (2) business days of first being reported, where reasonably possible.
4. No external light fixtures shall be permitted except a switch-operated light at the equipment cabinet. The light shall be in the "off" position except when AT&T personnel and/or their contractor are present at the site.
5. The permittee shall not install any electrified wire, barbed wire, razor wire, or other similar dangerous or lethal security measures on the fence.
6. The permittee acknowledges that the City specifically includes conditions of approval related to (a) painting, coloring or finishing the equipment to match the faux pine tree and/or faux-tree bark; (b) concealing cables and mounting brackets within conduit and/or shrouds; (c) landscaping around the site; and (d) the facility design to maintain the natural shape of a pine tree as concealment elements designed to integrate the wireless facility with the surrounding built and natural environment. It is intended that this facility be concealed to the maximum extent possible, and that any future modifications to the permittee's wireless facility must maintain or improve upon all concealment elements.
7. Before the permittee submits any applications for construction, encroachment, excavation or other required permits in connection with this permit, the permittee must incorporate a true and correct copy of this permit, all conditions associated with this permit and any approved photo simulations into the project plans (collectively, the "**Approved Plans**"). The permittee must construct, install and operate the wireless facility in substantial compliance with the Approved Plans as determined by the Community Development Director (Director) or the Director's designee. Any substantial or material alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, must be submitted in a written request subject to the Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.

8. The Planning Commission resolution shall be recorded against the property prior to the final of the building permit for the project.
9. The permittee shall keep all access points to the equipment enclosure locked at all times, except when active maintenance is performed on the equipment.
10. The permittee shall install and at all times maintain in good condition an "RF Notice" sign and a network operations center sign adjacent to all access points of the equipment enclosure. The signs required in this condition must be placed in a location where they are clearly visible to a person approaching the access point(s) whether in the open or closed positions.
11. The permittee shall install and at all times maintain in good condition an "RF Notice" sign at the base of the faux-tree (tower). The signs required in this condition must be placed in a location where they are clearly visible to a person prior to climbing or otherwise ascending to the antenna level of the faux-tree.
12. The permittee shall ensure that all signage complies with FCC OET Bulletin 65 and ANSI C95.2 for color, symbol, and content conventions. All such 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 shut-down control over this site as required by the FCC.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 7th day of November 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

FORREST EBBS,
SECRETARY TO THE
PLANNING COMMISSION

ATTACHMENT “B”

Market: Northern California
Cell Site Number: CCL04273
Cell Site Name: Furniture Clearance Outlet (CA)
Search Ring Name: CCL04273_SR
Fixed Asset Number: 10070268

TOLLING AGREEMENT

This Tolling Agreement ("Agreement"), dated as of the latter of the signature dates below (the "**Effective Date**") is entered into by New Cingular Wireless PCS, LLC, a Delaware limited liability company dba AT&T Mobility ("**AT&T**") and the City of Antioch, a California municipal corporation ("**City**").

RECITALS

A. On April 23, 2018, AT&T filed an application with the City for a use permit to authorize AT&T to construct a wireless telecommunications facility at the location of 3215 Fairview Drive, Antioch, County of Contra Costa, City Application No.: UP-18-05, AR-18-07 ("Application").

B. On November 18, 2009, the Federal Communications Commission (the "FCC") released a Declaratory Ruling clarifying Section 332(c)(7) of the Communications Act. *See In Re: Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review, Etc.* FCC 09-99 (FCC November 18, 2009) (the "Ruling"). The Ruling permits a wireless service provider whose application has been pending for a period of 90 days for collocation applications, and 150 days for all other applications, to seek judicial review within 30 days on the basis that a state or local permitting authority failed to act on the application within "a reasonable time." Ruling, ¶ 45. The Ruling further permits the period for review of an application to be extended by mutual consent. Ruling, ¶ 49.

C. In order to allow the City Planning Commission time to hear the Application in an orderly manner, without either party risking the loss of important rights, the parties wish to enter into a tolling agreement.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, AT&T and City agree as follows:

1. The parties agree that the time period within which the City Planning Commission may act on the Application, under both California and federal law, shall be extended through Wednesday, December 12, 2018, (the "**Extension Date**"), and that no limitations period under California or federal law for any claim by AT&T of unreasonable or unlawful delay in processing the Application shall commence to run before the Extension Date.

2. If the City Planning Commission has not acted on the Application by the Extension Date, this Agreement shall not be construed as an admission by the City that such

failure to act is unreasonable or unlawful, nor shall it be construed to waive or otherwise impair the rights of AT&T with respect to any such claim, including AT&T right to file an "unreasonable delay" claim under 47 U.S.C. 332(c)(7)(B) within 30 days following the Extension Date. In addition, this Agreement shall not be construed to waive any claims by the City regarding the validity or applicability of the requirements and deadlines established in the Ruling.

3. This Agreement may be executed in counterparts and facsimile, each of which shall be deemed an original. The individuals whose signatures appear below on behalf of each party are authorized to execute this Agreement on behalf of the respective parties, and to bind them to the terms thereof.

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this Agreement on the dates set forth below.

AT&T:
New Cingular Wireless PCS, LLC
a Delaware limited liability company

CITY:
City of Antioch,
a California municipal corporation

By: AT&T Mobility Corporation
Its: Manager

By: 

Print Name: Michael Gulbord

Title: Director
Construction & Engineering

Date: 10/16/18

By: 

Print Name: Forrest Ebbs

Title: Community Development Director

Date: 10/17/18

ATTACHMENT “C”



May 18, 2018

VIA EMAIL and USPS

Tom Swarner
Planning and Engineering Network
2615 Camino Lenada
Oakland, CA 94611

RE: Fairview Drive Wireless Facility (UP-18-05 and AR-18-07) Completeness Letter

Dear Mr. Swarner:


The City of Antioch has received your Use Permit and Design Review application for a wireless mono-tree at 3215 Fairview Drive. Staff has reviewed your submittal and found the application to be incomplete. The items listed below are required prior to further processing of this application.

The following items are required as part of the City of Antioch's "Application for Combined Use Permit and Design Review" application handout, which you submitted with your application.

1. While photo-simulations were provided, photographs of the proposed project site were not included. Please provide, "several photos of the project site and adjacent development with the location noted." This item helps staff and the reviewing body understand the features of the proposed site.
2. Material samples of the proposed faux pine were not provided. Please provide, "samples of materials and color palette representative of actual materials/colors for all buildings and structures." For this application, please provide a sample of the proposed needles and, if possible, the needles placed on a sample of branch to help illustrate how the tree will look.

As we discussed on the phone, the City regularly sends new wireless antenna facilities for peer review. The City has contracted with Telecom Law Firm for this review. The cost of the review will be \$2,350.00. As required in the City's Master Fee Schedule a 10% administrative fee is also required. Please submit a check made payable to the City of Antioch for \$2,585.00 (\$2,350.00 cost + \$235.00 administrative fee) in order for this review to begin. This review will most likely result in additional comments that could affect the design and additional information may be required. Additionally, the proposed project currently has a maximum height of 73 feet. The maximum height allowed in the subject parcel's C-3 zoning district is 70 feet.

The application will not be processed until all outstanding information is received and deemed satisfactory by City staff. Staff may request additional materials if necessary. These comments are preliminary in nature and subject to revision and modification upon review of the complete project submittal. Should you have any questions, please contact me at (925) 779-6122 or zmerideth@ci.antioch.ca.us.

Sincerely,

Zoe Merideth, AICP
Associate Planner

C1

ATTACHMENT “D”



June 15, 2018

VIA EMAIL and USPS

Tom Swarner
Planning and Engineering Network
2615 Camino Lenada
Oakland, CA 94611

RE: Fairview Drive Wireless Facility (UP-18-05 and AR-18-07) Completeness Letter

Dear Mr. Swarner:

The City of Antioch has received your resubmittal for a Use Permit and Design Review application for a wireless mono-tree at 3215 Fairview Drive. Staff has reviewed your submittal and found the application to be incomplete. Thank you for submitting the materials requested in the last letter. The items listed below are required prior to further processing of this application.

1. Please submit a CD or thumb drive with the revised plans, as described in the application and handout. You may also submit the plans via email, if you would like.

The application will not be processed until all outstanding information is received and deemed satisfactory by City staff. Staff may request additional materials if necessary. These comments are preliminary in nature and subject to revision and modification upon review of the complete project submittal. Should you have any questions, please contact me at (925) 779-6122 or zmerideth@ci.antioch.ca.us.

Sincerely,

Zoe Merideth, AICP
Associate Planner

D1

ATTACHMENT “E”



July 27, 2018

Tom Swarner
Planning and Engineering Network
2615 Camino Lenada
Oakland, CA 94611

RE: Fairview Drive Wireless Facility (UP-18-05 and AR-18-07)

Dear Mr. Swarner:

On June 26, 2018 the City deemed the above referenced application for a new wireless facility at 3215 Fairview Drive complete. The application contained technically complete information required for the City's initial review; however, the City has concerns that the proposed height and design may not be the most appropriate based on the information provided in the application submittal.

This letter identifies several ways for AT&T to identify design alternatives that would be technically feasible, and formally requests that AT&T conduct additional investigation and provide the City with additional information about the current proposal and potential alternatives to assist in the City's review.

Additional Information for proposed facility:

Propagation Maps. The application states that the antenna centerlines will be at 62 feet above ground level (AGL) and that the entire structure will be 70 feet AGL, the maximum height allowed in the C-3 zoning district. As a technical justification and for comparative purposes, please evaluate the technical feasibility of constructing a facility at the proposed location at the AT&T proposed antenna centerline height and at two lower antenna centerlines – 52 feet AGL and 42 feet AGL. In order to compare the predicted service levels between each of the three centerlines, AT&T should provide propagation maps in the same scale, color-coding and general conditions. The propagation maps should be produced using a "Drive Test" methodology that accurately portrays actual coverage rather than merely computer projections of coverage.

Alternative Designs. The proposed monopine is taller than any structure in the vicinity and substantially taller than any adjacent tree. In order to examine less intrusive design options, please submit a preliminary proposal for an unconcealed facility with the current proposed antenna centerline at 62 feet AGL and two lower centerlines – 52 feet AGL and 42 feet AGL. In addition, please submit a preliminary proposal for a faux mono-eucalyptus with the current proposed centerline at 62 feet AGL and two lower centerlines – 52 feet AGL and 42 feet AGL. If, after reviewing the preliminary designs, the City prefers one of the designs to the monopine, the City will need full project plans be completed for the Planning Commission's decision.

Community Development Department

P.O. Box 5007 • 200 H Street • Antioch, CA 94531-5007 • Tel: 925-779-7035 • Fax: 925-779-7034 • www.ci.antioch.ca.us

E1

Proposed Barbed Wire. The proposal includes installing barbed wire on top of a six-foot chain link fence. The Antioch Municipal Code §9-5.1601 prohibits barbed wire fencing, unless an exception is granted by the Zoning Administrator for special circumstances. Due to the location next to the Delta de Anza Regional Trail and because the area can be secured through other means, the City would prefer AT&T to propose raising the fence height to eight feet and/or install mini-mesh security fencing with vandalism resistance coating in a neutral, earth-tone color.

Screening of Mechanical Equipment. The Antioch Municipal Code §9-5.1301(A) requires mechanical equipment to be screened from any public right-of-way. The proposed above ground equipment enclosure would protrude above the proposed fence and would potentially be exposed to the public view along the public right-of-way. The applicant should consider raising the fence height to eight feet and providing landscaping to mitigate the current non-compliance. The proposed GPS antenna should also be moved to a location so that it does not protrude above the top of the proposed fence.

Planned Compliance with FCC Guidelines. AT&T's current proposal demonstrates planned compliance with the FCC Guidelines with respect to RF emissions regulation. However, if based on the additional information requested in this letter, AT&T modifies the equipment configuration or proposes a design change, the City may request a supplemental review to check for planned compliance with the FCC Guidelines.

Additional Consideration:

Story Pole. The Planning Commission recently denied a similar monopine proposal due to concerns from surrounding property owners and the Planning Commission over potential negative impacts of the height and design on adjacent properties and rights of way; particularly related to how tall the monopine would be in relation to the surrounding structures. In order to alleviate staff and potential Planning Commission concerns over the height of the wireless facility, the City is requesting AT&T strongly consider installing a story pole. The City is requesting that the story pole be 70 feet tall with the height marked in 10 foot increments. The City understands that for a number of reasons it could be infeasible to leave a story pole up for a long period of time. Staff is requesting the story pole be installed for two to three working days within the next month in coordination with staff and again before the Planning Commission meeting. If AT&T prefers, the story pole may be left up from the time of initial installation through the Planning Commission meeting.

Please submit one hard copy and a CD or thumb drive of the documents and preliminary designs requested in this letter. Please be aware that complete plans and materials will be required prior to the Planning Commission meeting.

The City is happy to discuss any questions you have about this letter. The City appreciates AT&T's efforts to this point and looks forward to a response so that the City may issue a timely decision on the application. If you have any questions, please contact me at zmerideth@ci.antioch.ca.us or (925) 779-6122.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zoe Merideth', with a stylized flourish at the end.

Zoe Merideth
Associate Planner

Enclosures: Project Comments from Engineering
 Project Comments from Contra Costa County Fire Protection District

Cc: Douglas Brewer, Telecom Law Firm

Merideth, Zoe

From: Liu, Jennifer
Sent: Tuesday, July 03, 2018 2:00 PM
To: Merideth, Zoe
Subject: AT&T Monopine comments from engineering

Zoe,

There are two minor comments from engineering:

1. Any normal construction activities creating noise in excess of City noise standards shall be conducted between the hours of 8:00AM and 5:00PM.
2. Encroachment permit will be required.

Thank You And Have A Great Day!

Jennifer Liu

Department of Public Works - Engineering & Development Service Division

Phone: 925-779-6170; Fax: 925-779-7034

The Community Development Department has the following operation hours Monday-Friday, excluding Holidays:
8:00am to 5:00pm Full Service Counter



Contra Costa County



Fire Protection District

July 18, 2018

RECEIVED

JUL 23 2018

**CITY OF ANTIOCH
COMMUNITY DEVELOPMENT**

Ms. Zoe Merideth
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA 94531-5007

Subject: AT&T Unmanned Telecommunications Facility; UP-18-05
3215 Fairview Drive, Antioch
CCCFPD Project No.: P-2018-02861

Dear Ms. Merideth:

We have reviewed the use permit application to construct a new unmanned telecommunication facility with a 70-foot monopine at the subject location. The following is required in accordance with the 2016 California Fire Code (CFC), the 2016 California Building Code (CBC), and adopted ordinances and standards:

1. The applicant shall submit a minimum of two (2) complete sets of plans and specifications of the proposed diesel generator to the Fire District for review and approval **prior to** installation to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (107) CBC
2. Submit plans to: Contra Costa County Fire Protection District
2010 Geary Road
Pleasant Hill, CA 94523

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Leach", is written over a horizontal line.

Ted Leach
Fire Inspector

c: Tom Swarner
AT&T Mobility
2615 Camino Lenada
Oakland, CA 94611

File:P-2018-02861.ltr

ATTACHMENT “F”

KEY NOTES:

- 1

PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON CONCRETE SLAB
- 2

PROPOSED AT&T PANEL ANTENNAS STACKED - (4 PER SECTOR, 3 SECTORS; 12 TOTAL) MOUNTED ON PROPOSED 68'-0" HIGH MONOPOLE (DESIGN BY OTHERS)
- 3

PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC
- 4

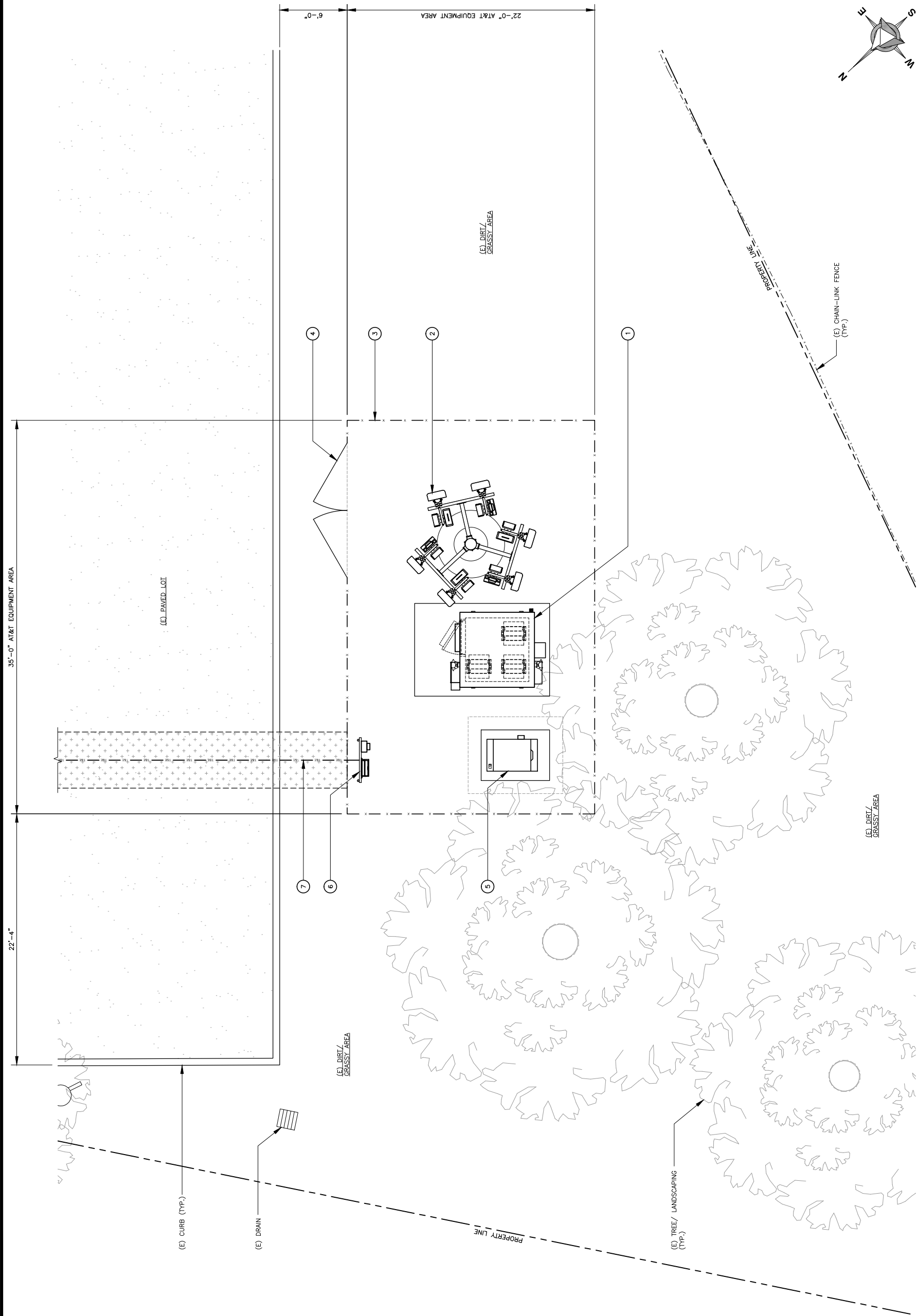
PROPOSED AT&T 12'-0" WIDE DOUBLE SWING CHAIN LINK ACCESS GATES WITH MINI MESH SECURITY FABRIC
- 5

PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE PAD
- 6

PROPOSED AT&T UTILITIES H-FRAME - LOCATION OF FIBER INTERFACE PANEL AND ELECTRICAL METER WITH MAIN DISCONNECT SWITCH
- 7

PROPOSED 5'-0" WIDE UNDERGROUND TRENCH FOR POWER AND TELCO ROUTING-- SEE SHEET 1/A1 FOR CONTINUATION

NOTE:
DO NOT SCALE DRAWINGS. ALL DIMENSIONS OF AND BETWEEN EXISTING BUILDINGS/ STRUCTURES, OR RELATIVE DISTANCES AS SHOWN BETWEEN EXISTING BUILDINGS/ STRUCTURES AND THE TRUE NORTH ARE TO BE CONFIRMED BY THE SURVEYOR.



ENLARGED SITE PLAN (DESIGN B)

5001 EXECUTIVE PARKWAY, 4W750D
SAN RAMON, CA 94583

FURNITURE CLEARANCE
OUTLET
CCL04273

3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

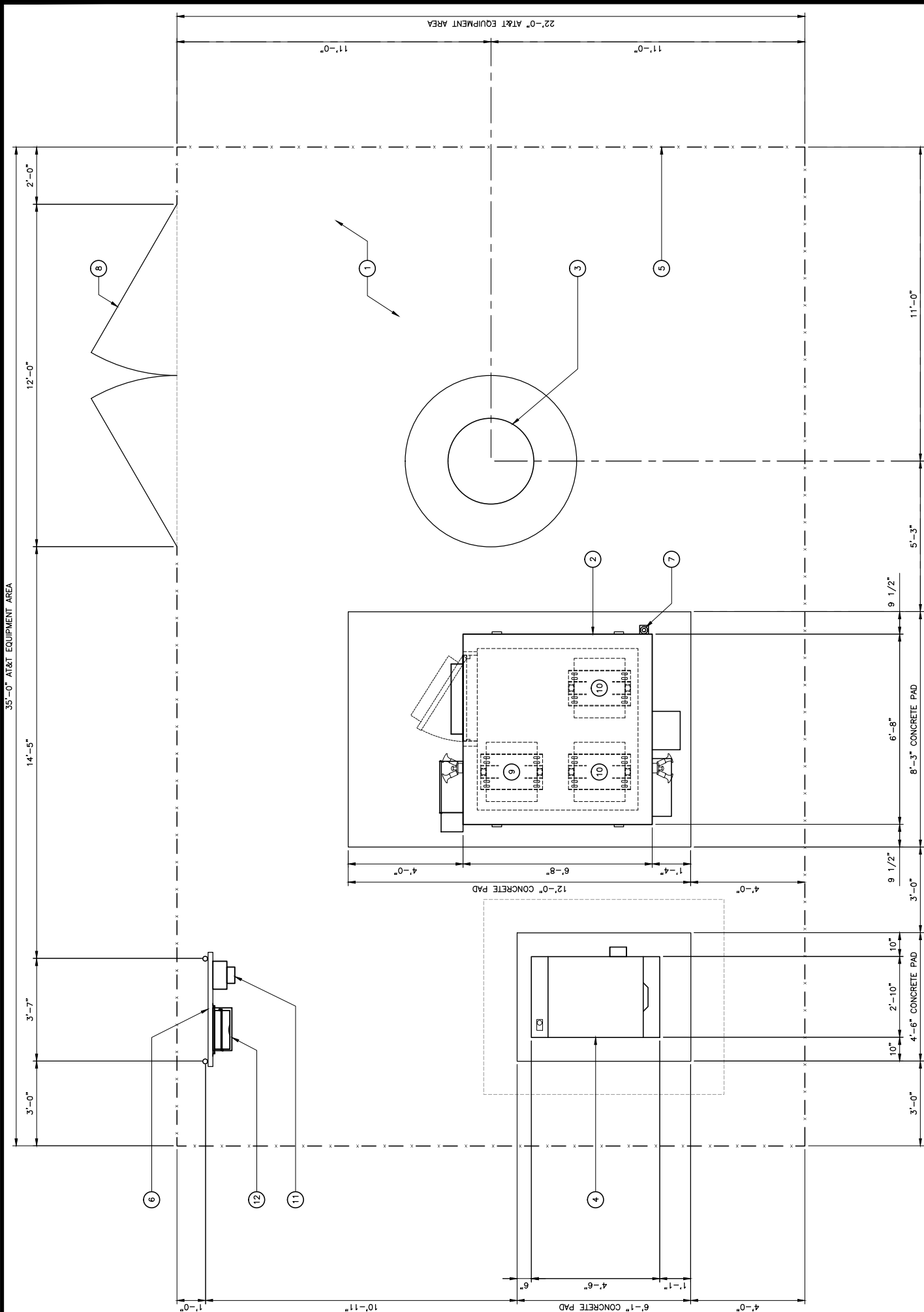
**DELTA GROUPS
ENGINEERING, INC.**
CONSULTING ENGINEERS

6800 KOLL CENTER PARKWAY, SUITE 225
PLEASANTON, CA 94566
TEL: (925) 468-0115 FAX: (925) 468-0355

REV.	DATE	DESCRIPTION	BY	CHK
1	10/9/18	ISSUED FOR DESIGN ALTERNATIVE	JK	-

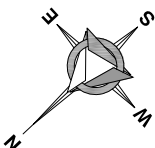
SCALE: 1/4 inch = 1 ft	SHEET TITLE 1
ENLARGED SITE PLAN (DESIGN B)	A2
SHEET	DGE NO. P17AND20
SITE NAME	FURNITURE CLEARANCE

35'-0" AT&T EQUIPMENT AREA



KEY NOTES:

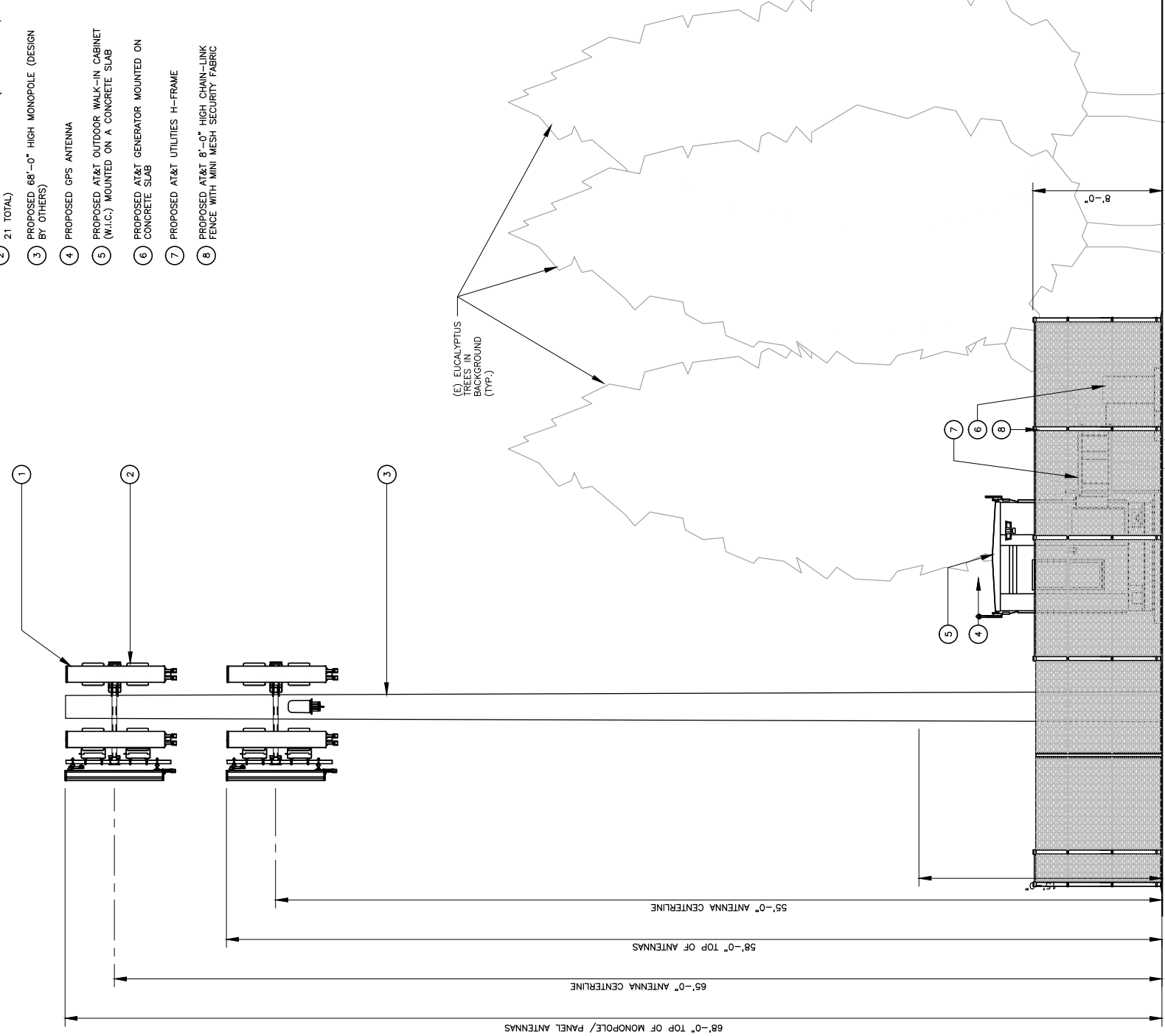
- 1 PROPOSED CRUSHED GRAVEL (TYP. THROUGHOUT EQUIPMENT AREA)
- 2 PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON CONCRETE SLAB
- 3 PROPOSED 68'-0" HIGH MONOPOLE (DESIGN BY OTHERS)
- 4 PROPOSED AT&T DIESEL GENERATOR MOUNTED ON CONCRETE SLAB
- 5 PROPOSED AT&T 8'-0" HIGH CHAIN LINK FENCE WITH MINI MESH SECURITY FABRIC
- 6 PROPOSED AT&T UTILITIES H-FRAME
- 7 PROPOSED AT&T GPS ANTENNA MOUNTED AT WALK-IN CABINET (W.I.C.)
- 8 PROPOSED AT&T 12'-0" WIDE DOUBLE SWING CHAIN LINK ACCESS GATES WITH MINI MESH SECURITY FABRIC
- 9 PROPOSED AT&T BATTERY RACK MOUNTED INSIDE WALK-IN CABINET (W.I.C.)
- 10 PROPOSED AT&T EQUIPMENT RACK MOUNTED INSIDE WALK-IN CABINET (W.I.C.)
- 11 PROPOSED AT&T 200A, 120/240V METER WITH MAIN DISCONNECT SWITCH
- 12 PROPOSED AT&T FIBER INTERFACE PANEL



ANTENNA LAYOUT (DESIGN B)		2		EQUIPMENT LAYOUT (DESIGN B)		1	
at&t		FURNITURE CLEARANCE OUTLET CCL04273		DELTA GROUPS ENGINEERING, INC. CONSULTING ENGINEERS		SHEET TITLE	
5001 EXECUTIVE PARKWAY, 4W750D SAN RAMON, CA 94583		3215 FAIRVIEW DRIVE ANTIOCH, CA 94509		6800 KOLL CENTER PARKWAY, SUITE 225 PLEASANTON, CA 94566 TEL: (925) 468-0115 FAX: (925) 468-0355		EQUIPMENT & ANTENNA LAYOUTS (DESIGN B)	
				REV.		DESCRIPTION	
				1		ISSUED FOR DESIGN ALTERNATIVE	
						BY	
						CHK	

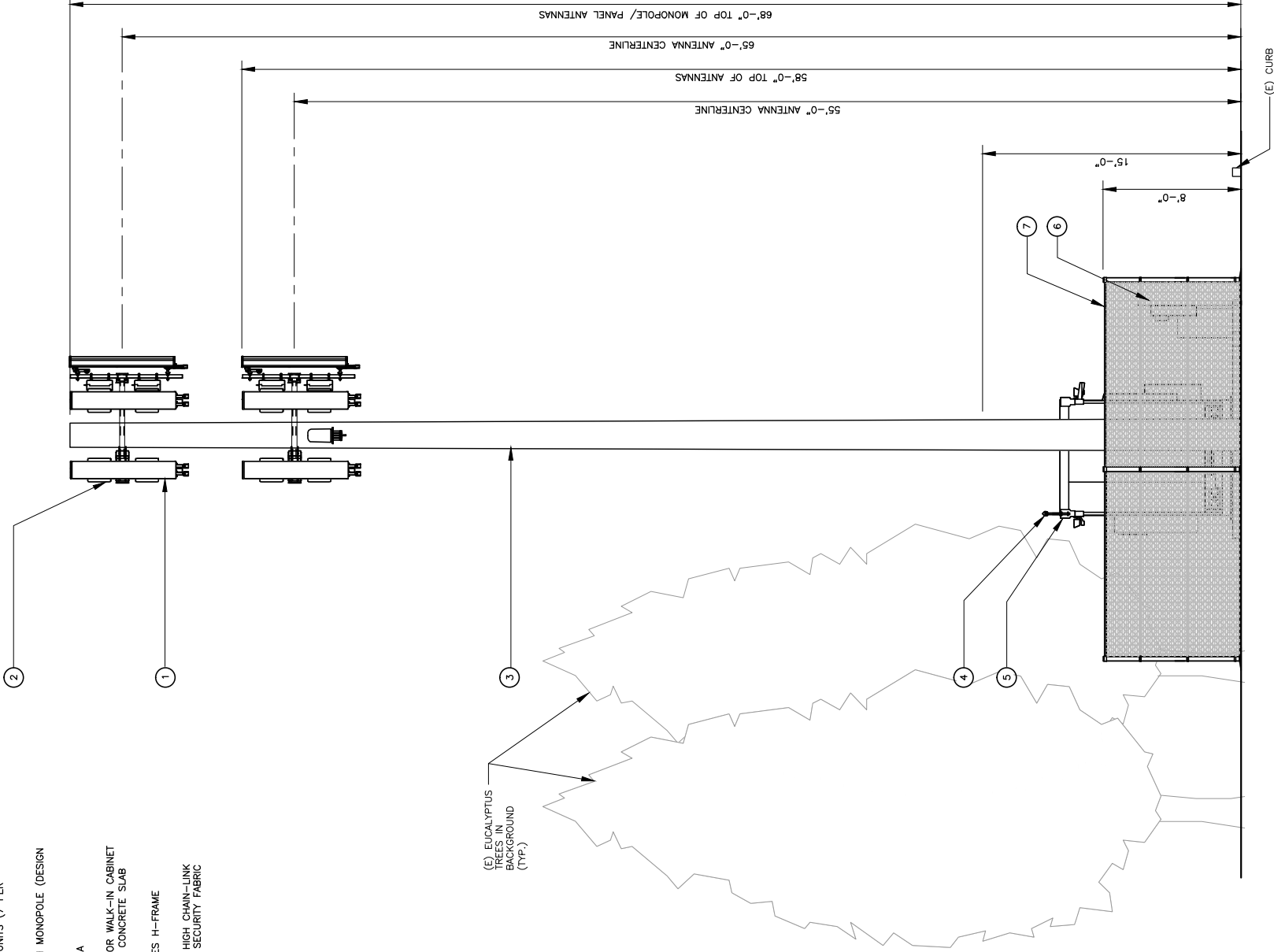
KEY NOTES:

- 1 PROPOSED AT&T 6'-0" LONG PANEL ANTENNA STACKED (4 PER SECTOR, 12 TOTAL) MOUNTED ON PROPOSED 68'-0" HIGH MONOPOLE (TYP.)
- 2 PROPOSED AT&T RRUS UNITS (7 PER SECTOR, 21 TOTAL)
- 3 PROPOSED 68'-0" HIGH MONOPOLE (DESIGN BY OTHERS)
- 4 PROPOSED GPS ANTENNA
- 5 PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON A CONCRETE SLAB
- 6 PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE SLAB
- 7 PROPOSED AT&T UTILITIES H-FRAME
- 8 PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC



KEY NOTES:

- 1 PROPOSED AT&T 6'-0" LONG PANEL ANTENNA STACKED (4 PER SECTOR, 3 SECTORS, 12 TOTAL) MOUNTED ON PROPOSED 68'-0" HIGH MONOPOLE (TYP.)
- 2 PROPOSED AT&T RRUS UNITS (7 PER SECTOR, 21 TOTAL)
- 3 PROPOSED 68'-0" HIGH MONOPOLE (DESIGN BY OTHERS)
- 4 PROPOSED GPS ANTENNA
- 5 PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON A CONCRETE SLAB
- 6 PROPOSED AT&T UTILITIES H-FRAME
- 7 PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC



NORTHEAST ELEVATION (DESIGN B)

SOUTHEAST ELEVATION (DESIGN B)

SCALE: 1/4 inch = 1 ft		SCALE: 1/4 inch = 1 ft		SHEET TITLE	
2		1		1	
FURNITURE CLEARANCE OUTLET CCL04273		FURNITURE CLEARANCE		SOUTHEAST & NORTHEAST ELEVATIONS (DESIGN B)	
at&t		DELTA GROUPS ENGINEERING, INC. CONSULTING ENGINEERS		SHEET	
5001 EXECUTIVE PARKWAY, 4W7500 SAN RAMON, CA 94583		6800 KOLL CENTER PARKWAY, SUITE 225 PLEASANTON, CA 94566		DGE NO. P17ANO20	
				SITE NAME	
				A4.1	
				FURNITURE CLEARANCE	

ATTACHMENT “G”

KEY NOTES:

- 1

PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON CONCRETE SLAB
- 2

PROPOSED AT&T PANEL ANTENNAS - (4 PER SECTOR, 3 SECTORS; 12 TOTAL) MOUNTED ON PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS)- ANTENNAS TO BE MOUNTED ON TRUNK AND COVERED W/ ANTENNA SOCKS
- 3

PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC
- 4

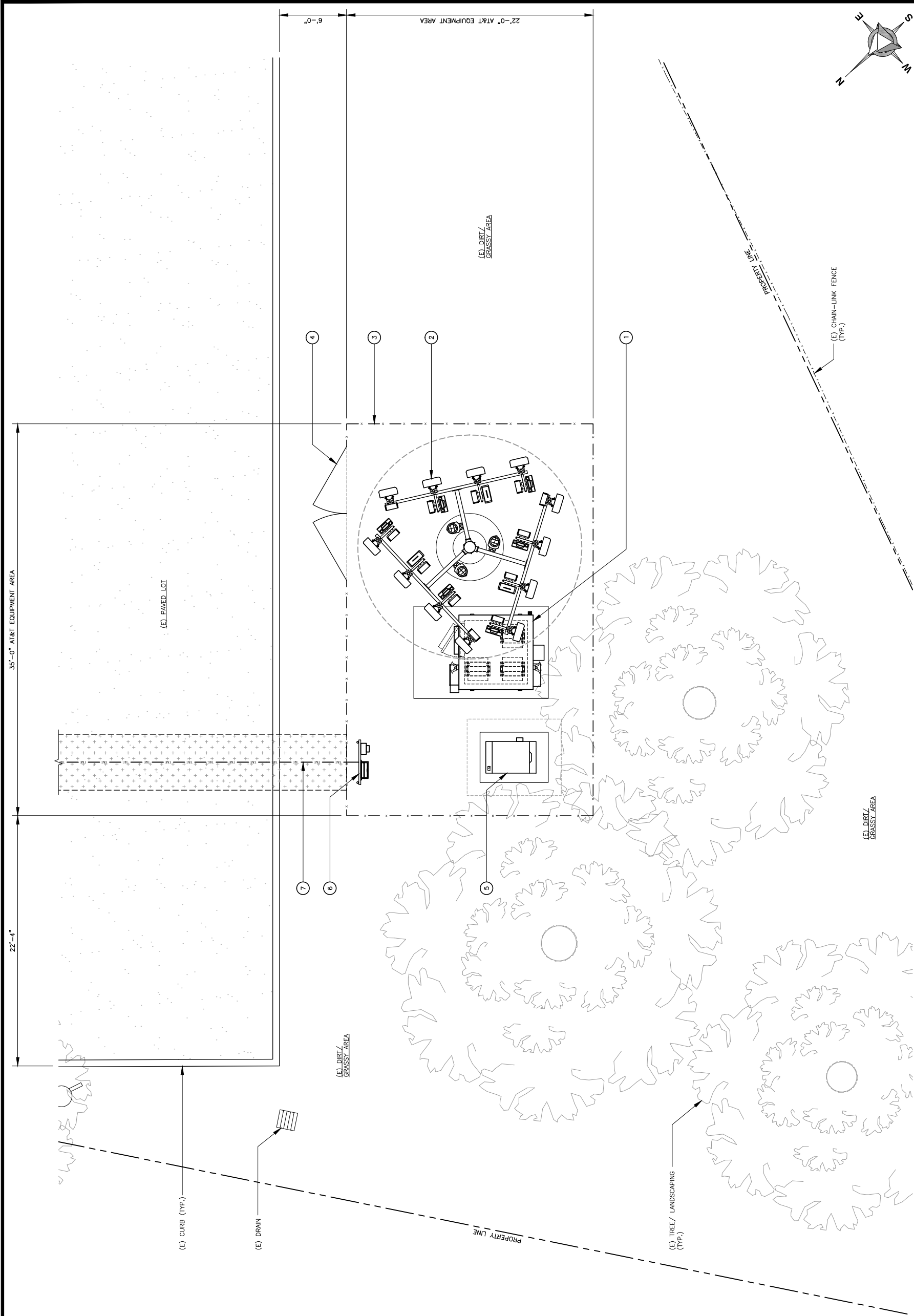
PROPOSED AT&T 12'-0" WIDE DOUBLE SWING CHAIN LINK ACCESS GATES WITH MINI MESH SECURITY FABRIC
- 5

PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE PAD
- 6

PROPOSED AT&T UTILITIES H-FRAME - LOCATION OF FIBER INTERFACE PANEL AND TELECOM CLOSET WITH MAIN DISCONNECT SWITCH
- 7

PROPOSED 5'-0" WIDE UNDERGROUND TRENCH FOR POWER AND TELCO ROUTING-- SEE SHEET 1/A1 FOR CONTINUATION

NOTE:
DO NOT SCALE DRAWINGS. ALL DIMENSIONS OF AND BETWEEN EXISTING BUILDINGS/ STRUCTURES, OR RELATIVE DISTANCES AS SHOWN BETWEEN EXISTING BUILDINGS/ STRUCTURES AND THE TRUE NORTH ARE TO BE CONFIRMED BY THE SURVEYOR.



ENLARGED SITE PLAN (DESIGN A)



5001 EXECUTIVE PARKWAY, 4W7500
SAN RAMON, CA 94583

**FURNITURE CLEARANCE
OUTLET
CCL04273**

3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

**DELTA GROUPS
ENGINEERING, INC.**
CONSULTING ENGINEERS

6800 KOLL CENTER PARKWAY, SUITE 225
PLEASANTON, CA 94566
TEL: (925) 468-0115 FAX: (925) 468-0355

REV.	DATE	DESCRIPTION	BY	CHK
1	10/9/18	ISSUED FOR DESIGN ALTERNATIVE	JK	-

SCALE:
1/4 inch = 1 ft

1
8
4'

SHEET TITLE

ENLARGED SITE PLAN (DESIGN A)

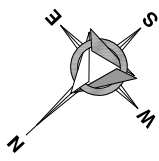
SHEET

A2

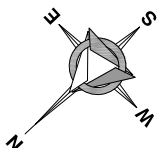
DGE NO.
P17AND20

SITE NAME

FURNITURE CLEARANCE



SCALE: 3/8 inch = 1 ft		2
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1	PROPOSED CRUSHED GRAVEL (TYP. THROUGHOUT EQUIPMENT AREA)	6	PROPOSED AT&T UTILITIES H-FRAME	11	PROPOSED AT&T 200A, 120/240V METER WITH MAIN DISCONNECT SWITCH
2	PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON CONCRETE SLAB	7	PROPOSED AT&T GPS ANTENNA MOUNTED AT WALK-IN CABINET (W.I.C.)	12	PROPOSED AT&T FIBER INTERFACE PANEL
3	PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS)	8	PROPOSED AT&T 12'-0" WIDE DOUBLE SWING CHAIN LINK ACCESS GATES WITH MINI MESH SECURITY FABRIC		
4	PROPOSED AT&T DIESEL GENERATOR MOUNTED ON CONCRETE SLAB	9	PROPOSED AT&T BATTERY RACK MOUNTED INSIDE WALK-IN CABINET (W.I.C.)		
5	PROPOSED AT&T 8'-0" HIGH EQUIPMENT RACK WITH MINI MESH SECURITY FABRIC	10	PROPOSED AT&T EQUIPMENT RACK MOUNTED INSIDE WALK-IN CABINET (W.I.C.)		

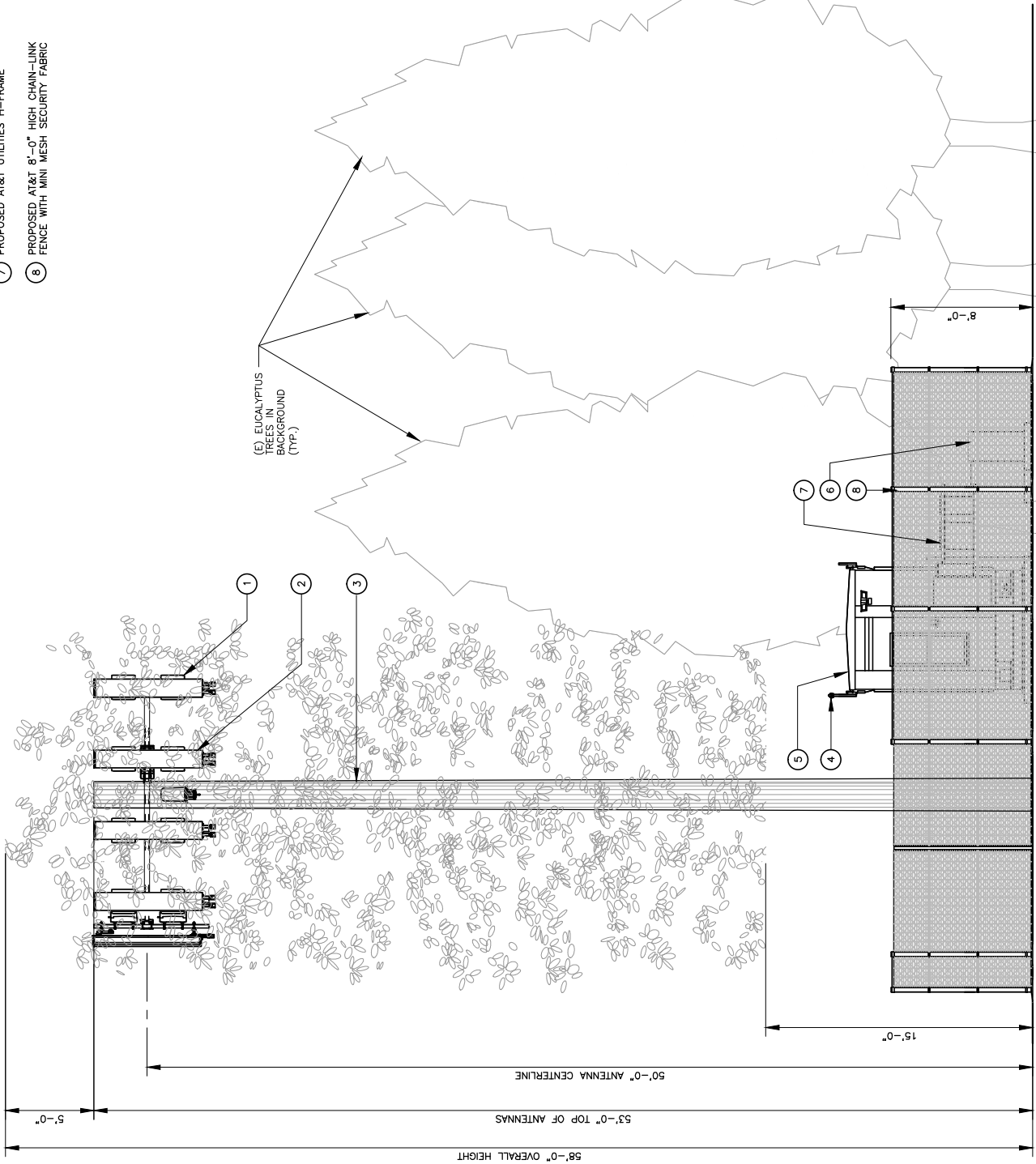
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KEY NOTES:

- PROPOSED AT&T PANEL ANTENNAS (4 PER SECTOR, 3 SECTORS; 12 TOTAL) MOUNTED ON PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS) - ANTENNAS TO BE PAINTED TO MATCH AND COVERED W/ ANTENNA SOCKS
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- PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE SLAB
- PROPOSED AT&T UTILITIES H-FRAME
- PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC

KEY NOTES:

- PROPOSED AT&T 6'-0" LONG PANEL ANTENNA (4 PER SECTOR, 3 SECTORS; 12 TOTAL) MOUNTED ON PROPOSED 70'-0" HIGH MONOPINE (PAINTED TO MATCH AND COVERED W/ ANTENNA SOCKS)- TYP.
- PROPOSED AT&T RRUS UNITS (7 PER SECTOR, 21 TOTAL)
- PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS)
- PROPOSED GPS ANTENNA
- PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON A CONCRETE SLAB
- PROPOSED AT&T UTILITIES H-FRAME
- PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC



NORTHEAST ELEVATION (DESIGN A)

SCALE: 1/4 inch = 1 ft



2

SOUTHEAST ELEVATION (DESIGN A)

SCALE: 1/4 inch = 1 ft



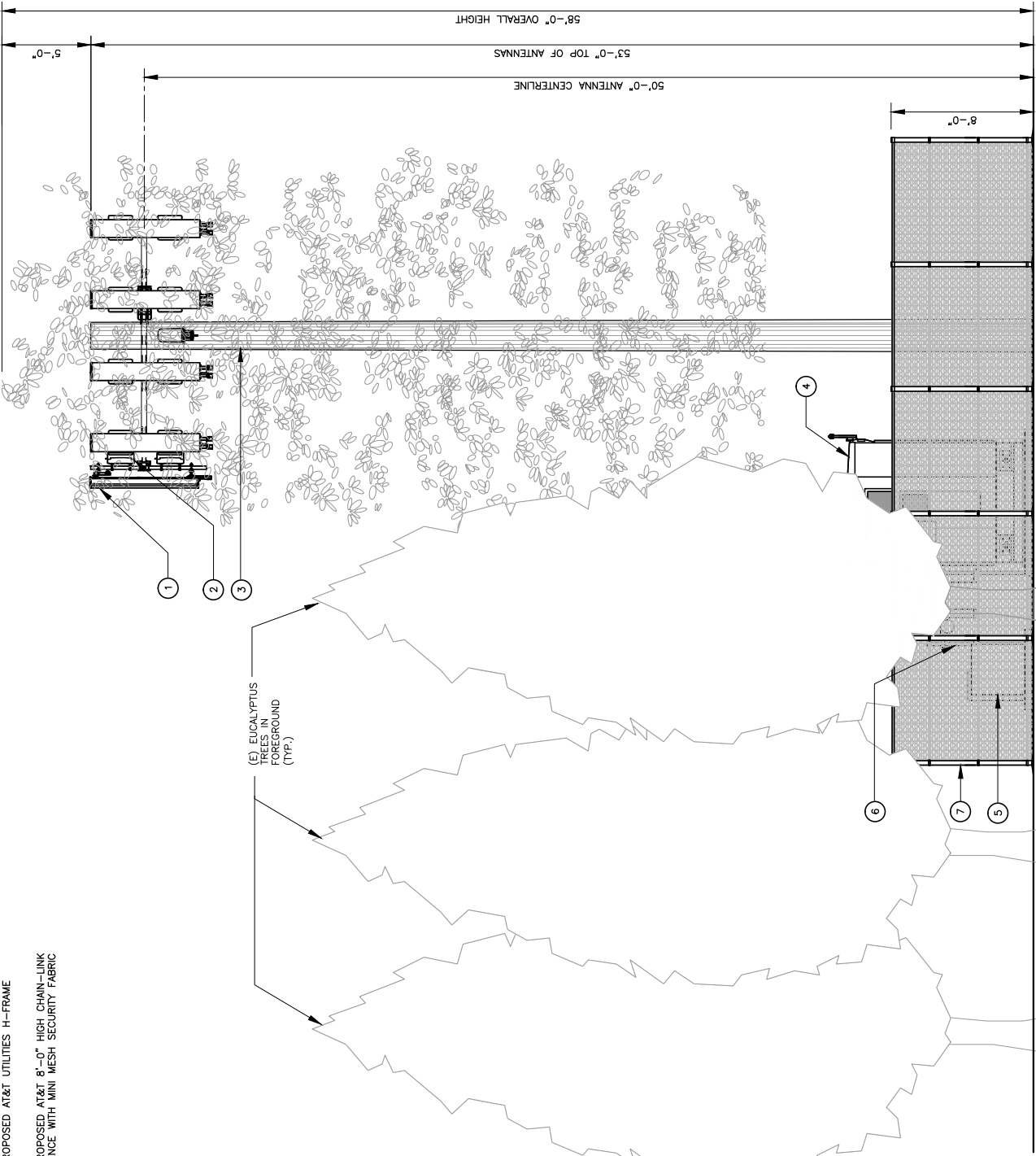
1

REV.	DATE	DESCRIPTION	BY	CHK
1	10/9/18	ISSUED FOR DESIGN ALTERNATIVE	JK	-

SOUTHEAST & NORTHEAST ELEVATIONS (DESIGN A)	
SHEET	DGE NO. P17AND20
A4.1	SITE NAME
FURNITURE CLEARANCE	

KEY NOTES:

- PROPOSED AT&T PANEL ANTENNAS (4 PER SECTOR, 3 SECTORS= 12 TOTAL) MOUNTED ON PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS) - ANTENNAS TO BE PAINTED TO MATCH AND COVERED W/ ANTENNA SOCKS
- PROPOSED AT&T RRUS UNITS (7 PER SECTOR, 21 TOTAL)
- PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS)
- PROPOSED AT&T OUTDOOR WALK-IN CABINET (W.I.C.) MOUNTED ON A CONCRETE SLAB
- PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE SLAB
- PROPOSED AT&T UTILITIES H-FRAME
- PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC



SOUTHWEST ELEVATION (DESIGN A)

SCALE: 1/4 inch = 1 ft

2

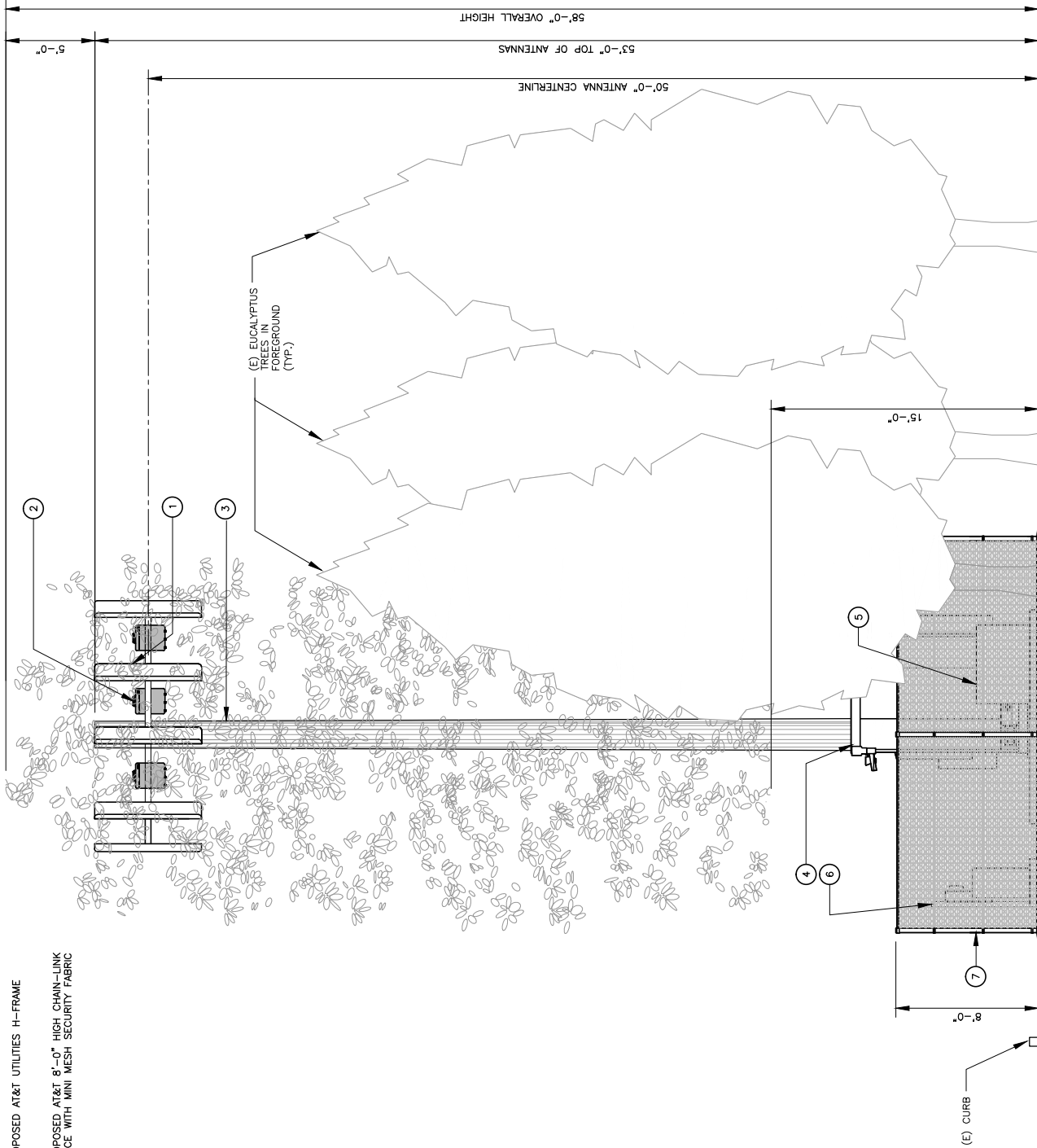
NORTHWEST ELEVATION (DESIGN A)

SCALE: 1/4 inch = 1 ft

1

KEY NOTES:

- PROPOSED AT&T PANEL ANTENNAS (4 PER SECTOR, 3 SECTORS= 12 TOTAL) MOUNTED ON PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS) - ANTENNAS TO BE PAINTED TO MATCH AND COVERED W/ ANTENNA SOCKS
- PROPOSED AT&T RRUS UNITS (7 PER SECTOR, 21 TOTAL)
- PROPOSED 58'-0" HIGH BROAD-LEAF ELM FAUX TREE (DESIGN BY OTHERS)
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- PROPOSED AT&T GENERATOR MOUNTED ON CONCRETE SLAB
- PROPOSED AT&T UTILITIES H-FRAME
- PROPOSED AT&T 8'-0" HIGH CHAIN-LINK FENCE WITH MINI MESH SECURITY FABRIC



at&t
5001 EXECUTIVE PARKWAY, 4W750D
SAN RAMON, CA 94583

**FURNITURE CLEARANCE
OUTLET**
CCL04273
3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

**DELTA GROUPS
ENGINEERING, INC.**
CONSULTING ENGINEERS
6800 KOLL CENTER PARKWAY, SUITE 225
PLEASANTON, CA 94566
TEL: (925) 468-0115 FAX: (925) 468-0355

NORTHWEST & SOUTHWEST ELEVATION (DESIGN A)	
SHEET	
A4.2	
DGE NO.	P17AND20
SITE NAME	
FURNITURE CLEARANCE	

REV.	DATE	DESCRIPTION	BY	CHK
1	10/9/18	ISSUED FOR DESIGN ALTERNATIVE	JK	-



SHEET TITLE

ATTACHMENT “H”

LARSON

CAMOUFLAGE

BROADLEAF & ELM MONO-TREES

H1

“YOU DREAM IT, WE WILL BUILD IT”

LARSON

CAMOUFLAGE

ELM & BROADLEAF PRODUCT INFORMATION



H2



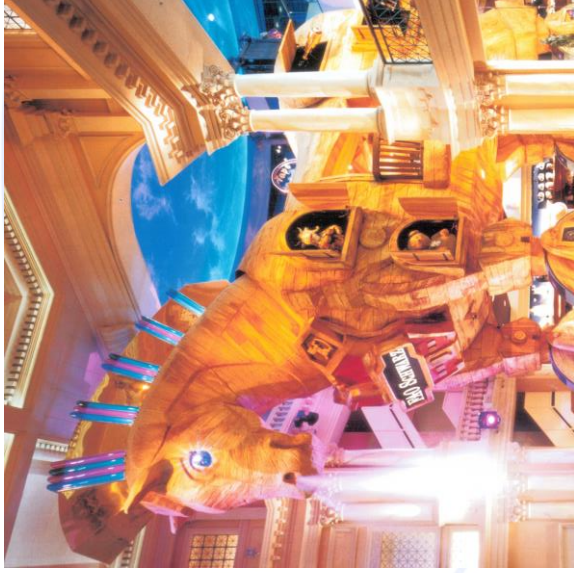
BACKGROUND

Larson Camouflage emerged from a rich heritage of creating innovative themed environments.

Aquariums | Casinos | Theme Parks | Resorts | Museums | Golf Courses | Zoos



Tree of Life
Disney's Animal Kingdom
Orlando, FL.



Trojan Horse
FAO Schwartz
Las Vegas, NV.

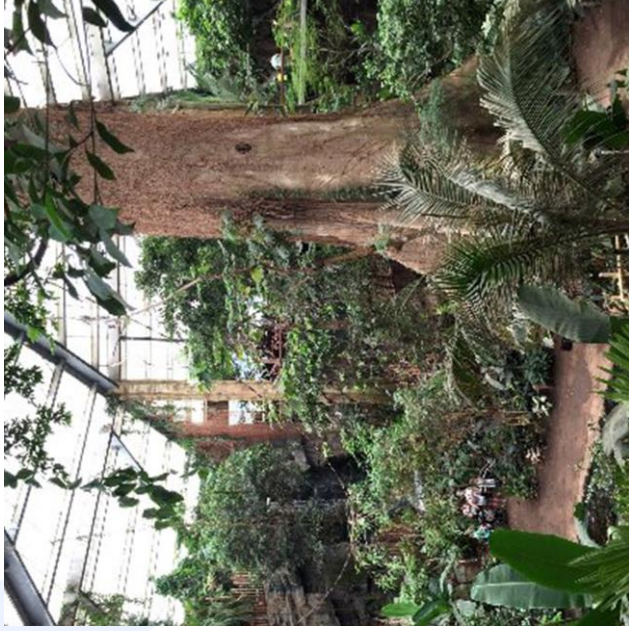


Grand Canyon Walls
Sky Harbor International Airport
Phoenix, AZ.

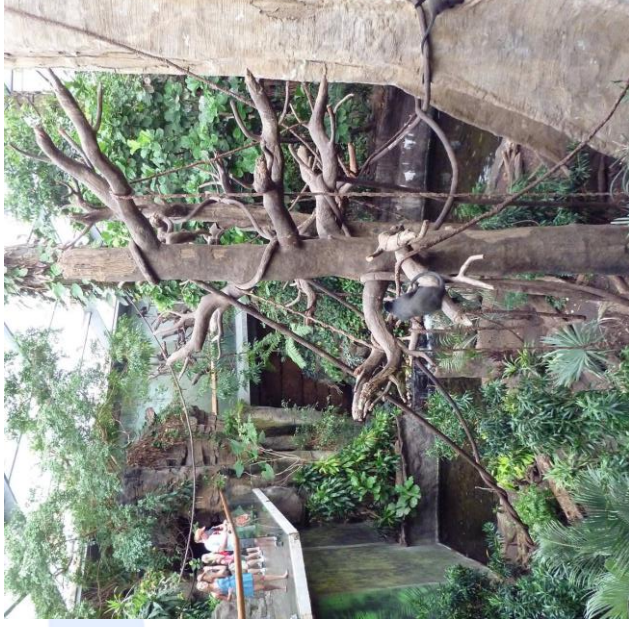


A HISTORY IN NATURAL ENVIRONMENTS

Larson was a leader in artificial natural environments that provided years of experience in the production of various trees and vegetation.



The Lied Jungle
Henry Doorly Zoo & Aquarium
Omaha, NE.



The Lied Jungle
Henry Doorly Zoo & Aquarium
Omaha, NE.



INNOVATORS OF CONCEALMENT SOLUTIONS

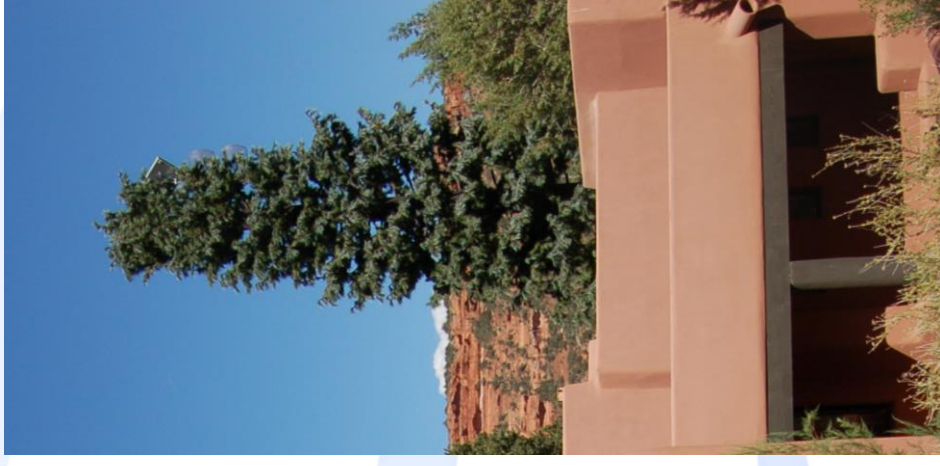
THE BIRTH OF AN INDUSTRY



Original Larson Mono-Pine
Design

Larson pioneered the wireless concealment industry by developing and building the first Mono-Pine in 1992.

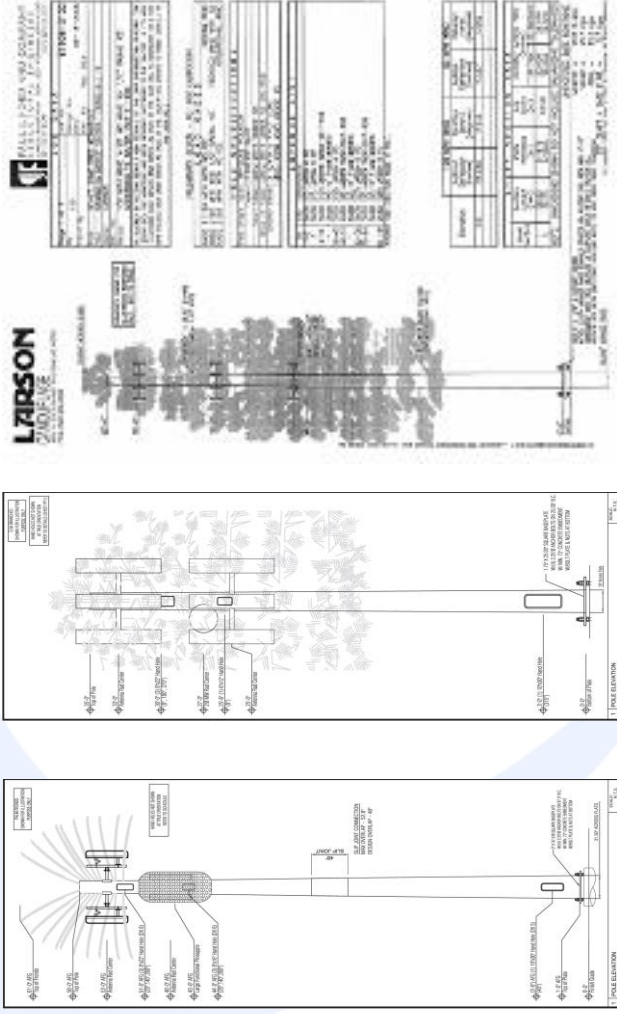
Since then, Larson has delivered thousands of camouflaged sites worldwide.



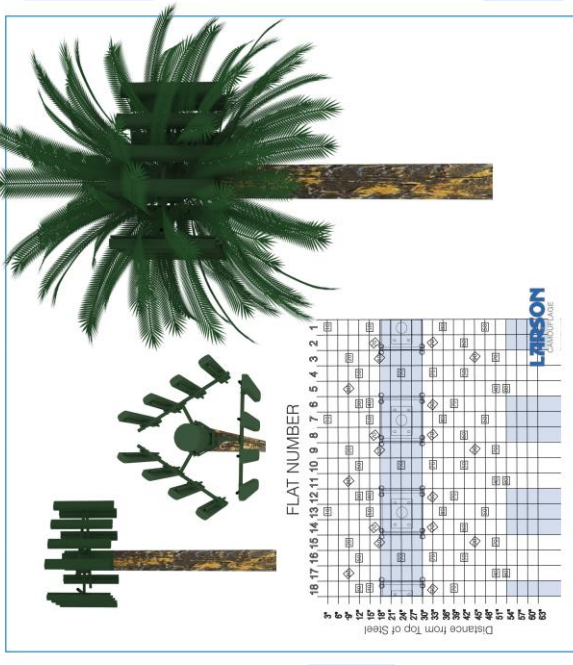
Larson Mono-Pine
65' Tall
Arizona



LARSON DESIGN



Larson Date Palm Tree 3D Rendering and Frond Layout



- **Larson's** engineers design structures to be economical, with no sacrifice to aesthetics or safety.
- **Larson** PE Stamps are available in all 50 US states and Puerto Rico.
- All products conform to latest EIA/TIA-222 and IBC standards.

LARSON QUALITY



Wind Tunnel Testing



Strength Testing



Material RF Testing



Accelerated UV
Testing

Larson continually tests all of its products on an ongoing basis to ensure that they meet the highest standards of strength, durability, colorfastness, and RF-transparency.

H7



LARSON MONO-TREES



- **Larson** created the very first mono-pine cellular tower in 1992
 - The shortest mono-pine **Larson** has produced is 9ft, the tallest is 198ft
 - **Larson** branches have been wind tunnel tested up to 140 mph
- H88** Standard Elm Broadleaf and Pine branch lengths are: 4ft, 6ft, 8ft, 10ft and 12ft
- Longer branches are available by special order



Larson Mono-Pine
160' Tall



LARSON MONO-ELM & BROADLEAF FOLIAGE OPTIONS



All foliage is available in different colors to achieve the best match to native trees in an area.

ELM / BROADLEAF FOLIAGE



EUCALYPTUS FOLIAGE



Larson foliage contains realistic design elements such as insect damage, veins and texture.



A mixture of two different foliage colors is used on each tree to provide a natural appearance.



LARSON MONO-TREE BARK & FINISH OPTIONS

- Trees can be finished with realistic bark, painted brown, or camouflage painted.

- Bark textures are painted with multiple colors and washes to create a natural bark appearance.

- Bark is applied wet, directly to the pole and textured.

- Poles are etched prior to application of bark to ensure a strong bond between bark and the galvanized pole.



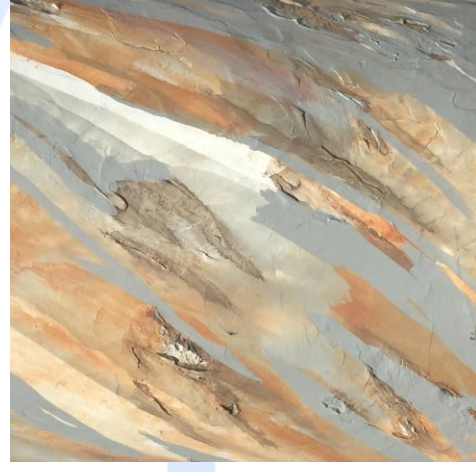
STANDARD PINE BARK



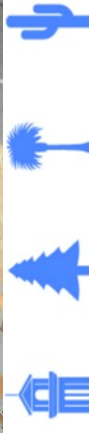
STANDARD BROADLEAF
(MAGNOLIA / ELM) BARK



PREMIUM PINE /
REDWOOD BARK



EUCALYPTUS
BARK



LARSON MONO-ELM & BROADLEAF PROFILES



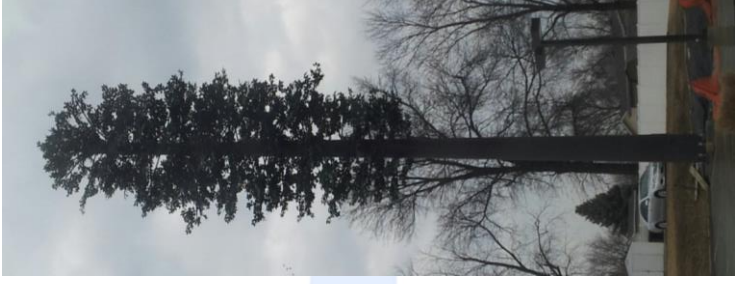
65' CONICAL PINE
TAPER



47' BROADLEAF
STANDARD TAPER



20' BROADLEAF
LOLLIPOP TAPER



95' BROADLEAF
STANDARD TAPER



60' BROADLEAF
EUCALYPTUS TAPER

H11

Larson mono-trees can be designed with different profile tapers in order to customize their appearance to satisfy jurisdictional requirements.



LARSON ANTENNA SOCKS AND SPECIALTY BRANCHES

ANTENNA + SOCK + BRANCHES



H12 RF-friendly **Larson Antenna Socks** are vital to camouflage antennas within the canopy of the tree & the addition of **Larson Antenna Branches** can create complete concealment.

MONO-ELM WITH AND WITHOUT
ANTENNA BRANCHES

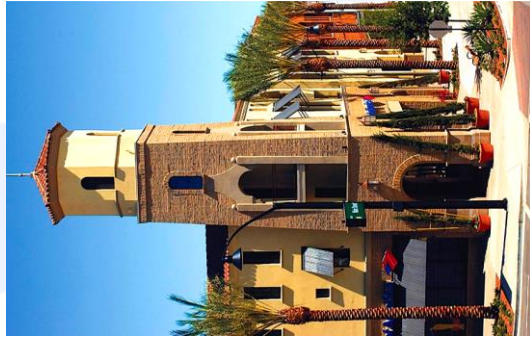


Microwave & RRU Socks & Branches are also available to help all equipment blend into the canopy.



LARSON

CAMOUFLAGE



“YOU DREAM IT, WE WILL BUILD IT”

H13

For more information contact us:
EMAIL | info@LarsonCamo.com
PHONE | (520) 294-3900
WEB | www.LarsonCamo.com



INNOVATORS OF CONCEALMENT SOLUTIONS

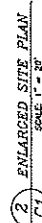
ATTACHMENT “I”



PROJECT REFERENCE NUMBERS

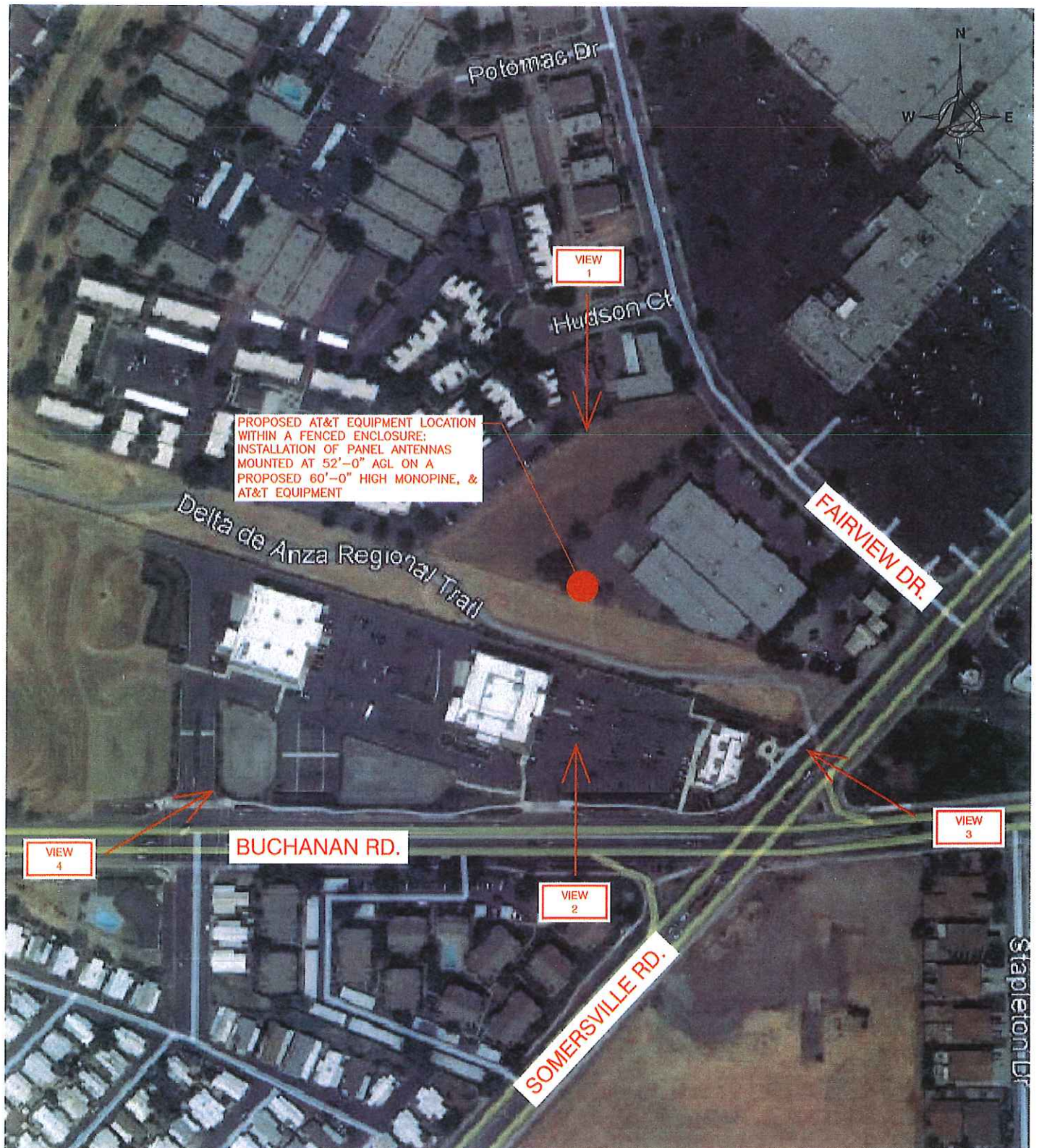
SITE I.D.:
US I.D.:
FA NO.:
ORACLE I.D.:
PACE NO.:
PROGRAM:

RECEIVED
OCT 19 2018
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT



ATTACHMENT “J”

VIEWPOINT DIAGRAM



PHOTOSIMULATIONS - DIAGRAM 1

NOTE:

FURNITURE CLEARANCE OUTLET
3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

DATE:

10/16/18

REVISION NO.:

2



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ENGINEERING, INC.**
CONSULTING ENGINEERS

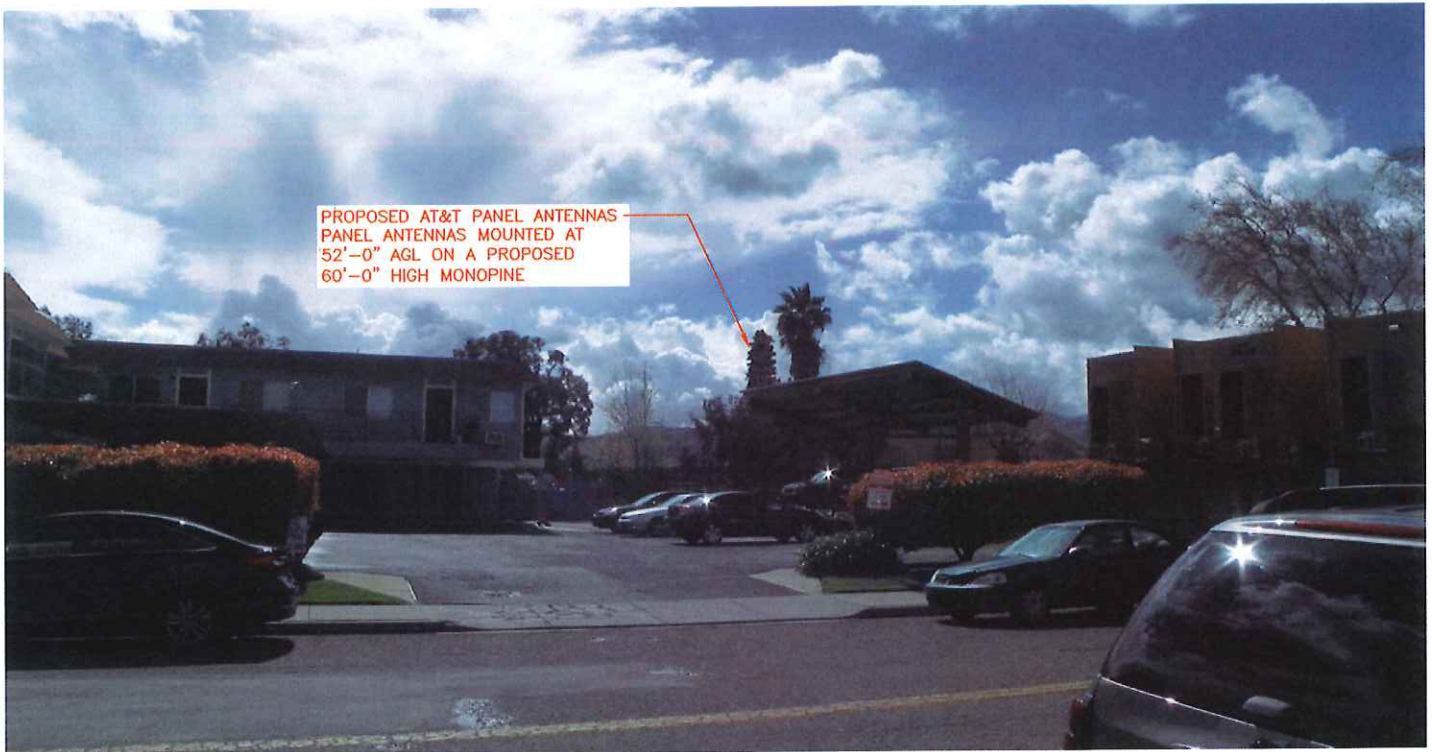
5635 WEST LAS POSITAS BOULEVARD, SUITE 403
PLEASANTON, CA 94588
TEL: (925) 468-0115 FAX: (925) 468-0355

J1

EXISTING SITE CONDITION LOOKING SOUTH



SITE CONDITION UPON MODIFICATION LOOKING SOUTH



PHOTOSIMULATIONS - VIEW 1 OF 4

NOTE:

THE PHOTOSIMULATION SHOWN ABOVE IS A RENDERING OF THE ANTICIPATED SITE CONDITION. ACTUAL SITE CONDITION UPON CONSTRUCTION COMPLETION MAY VARY.

FURNITURE CLEARANCE OUTLET
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ANTIOCH, CA 94509

DATE:

10/16/18

REVISION NO.:

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EXISTING SITE CONDITION LOOKING NORTH



SITE CONDITION UPON MODIFICATION LOOKING NORTH



PHOTOSIMULATIONS - VIEW 2 OF 4

NOTE:

THE PHOTOSIMULATION SHOWN ABOVE IS A RENDERING OF THE ANTICIPATED SITE CONDITION. ACTUAL SITE CONDITION UPON CONSTRUCTION COMPLETION MAY VARY.

FURNITURE CLEARANCE OUTLET
3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

DATE:

10/16/18

REVISION NO.:

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J3

EXISTING SITE CONDITION LOOKING NORTHWEST



SITE CONDITION UPON MODIFICATION LOOKING NORTHWEST



PHOTOSIMULATIONS - VIEW 3 OF 4

NOTE:

THE PHOTOSIMULATION SHOWN ABOVE IS A RENDERING OF THE ANTICIPATED SITE CONDITION. ACTUAL SITE CONDITION UPON CONSTRUCTION COMPLETION MAY VARY.

FURNITURE CLEARANCE OUTLET
 3215 FAIRVIEW DRIVE
 ANTIOCH, CA 94509

DATE:

4/18/18

REVISION NO.:

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J4

EXISTING SITE CONDITION LOOKING NORTHEAST



SITE CONDITION UPON MODIFICATION LOOKING NORTHEAST



PHOTOSIMULATIONS - VIEW 4 OF 4

NOTE:

THE PHOTOSIMULATION SHOWN ABOVE IS A RENDERING OF THE ANTICIPATED SITE CONDITION. ACTUAL SITE CONDITION UPON CONSTRUCTION COMPLETION MAY VARY.

FURNITURE CLEARANCE OUTLET

3215 FAIRVIEW DRIVE
ANTIOCH, CA 94509

DATE:

10/16/18

REVISION NO.:

2



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J5