AGENDA

CITY OF ANTIOCH ZONING ADMINISTRATOR

THURSDAY, NOVEMBER 12, 2015 3:00 P.M.

REGULAR MEETING

ANTIOCH CITY COUNCIL CHAMBERS THIRD & "H" STREETS

<u>APPEAL</u>

All items that can be appealed under Section 9-5.2705 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 PM on **THURSDAY**, **NOVEMBER 19, 2015**.

PUBLIC COMMENTS

NEW PUBLIC HEARING

1. **UP-15-11** – Verizon Wireless Installation – Verizon Wireless proposes the installation of three panel antennas and associated equipment on the roof atop the freestanding building at 5779 Lone Tree Way within the Slatten Ranch Shopping Center (**APN 056-340-003**).

STAFF REPORT

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Zoning Administrator. For almost every agenda item, materials have been prepared by the City staff for the Zoning Administrator's consideration. These materials include staff reports which explain in detail the item before the Zoning Administrator 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, 3rd and H Streets, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). 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.

STAFF REPORT TO THE ZONING ADMINISTRATOR FOR CONSIDERATION AT THE MEETING OF NOVEMBER 12, 2015

Prepared by: Forrest Ebbs, Community Development Director

Date: November 6, 2015

Subject: UP-15-11 – Use Permit for Wireless Antenna Installation

RECOMMENDATION

It is recommended that the Zoning Administrator **APPROVE** UP-15-11 subject to the conditions contained in the attached resolution.

REQUEST

Ashley Woods on behalf of Verizon Wireless requests a use permit to install wireless equipment atop the existing building at 5779 Lone Tree Way.

ENVIRONMENTAL

The project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301 – Existing Facilities. This section of CEQA exempts projects that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

<u>BACKGROUND</u>

The existing building is an outbuilding located within the Slatten Ranch Shopping Center.

Surrounding land uses and zoning designations are as noted below:

North: Commercial Uses (S-P)
South: Commercial Uses (S-P)
East: Commercial Uses (S-P)
West: Commercial Uses (S-P)

ANALYSIS

The proposed wireless installation would occur atop the existing building containing the Vitamin Shoppe, Starbucks, Jamba Juice and other businesses. It would be located nearest Lone Tree Way. The equipment would be mounted on the roof but would not be visible because there is an existing parapet wall surrounding the entire building.

ATTACHMENT

A: Project Plans

CITY OF ANTIOCH ZONING ADMINISTRATOR RESOLUTION NO. 2015-**

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ANTIOCH APPROVING A USE PERMIT FOR THE INSTALLATION OF WIRELESS EQUIPMENT (UP-15-11)

WHEREAS, the City of Antioch has received a request from Ashley Wood on behalf of Verizon Wireless for a use permit for the installation of wireless equipment atop an existing building at 5779 Lone Tree Way; and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Zoning Administrator duly gave notice of public hearing as required by law; and

WHEREAS, on November 12, 2015, the Zoning Administrator duly held a public hearing, received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED, that the Zoning Administrator can make the following findings for approval of a use permit:

- 1. That 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 proposed wireless equipment would be located atop an existing building and would not be visible by the general public.
- 2. That the use applied for at the location indicated is properly one for which a use permit is authorized;
 - The building is located within the Slatten Ranch Shopping Center within a commercial shopping district. This location is appropriate because it does not affect any sensitive users.
- 3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood;
 - The roof has adequate space for the proposed wireless equipment. A building permit will be required to ensure that the roof structure is adequate for the additional weight of the installed equipment.

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; and

The proposed wireless equipment will not generate vehicle traffic and Lone Tree Way is a prominent commercial thoroughfare.

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

The proposed wireless equipment is consistent with the commercial designation of the property and the East Lone Tree Specific Plan.

NOW THEREFORE BE IT RESOLVED the Zoning Administrator of the City of Antioch does hereby **APPROVE** UP-15-11, subject to the following conditions:

STANDARD CONDITIONS

- 1. The City of Antioch Municipal Code shall be complied with.
- 2. Conditions required by the Zoning Administrator, 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 Zoning Administrator and the standards of the City.
- 3. This approval expires two years from the date of approval (Expires November 12, 2017), 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.
- 4. Any deviation from the proposed project shall be brought back to the Zoning Administrator for review and approval.
- 5. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.
- 6. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement and shall enter into an agreement to effectuate this condition of approval as required by the City.
- 7. That the project comply with the building code in effect at the time of building permit issuance.

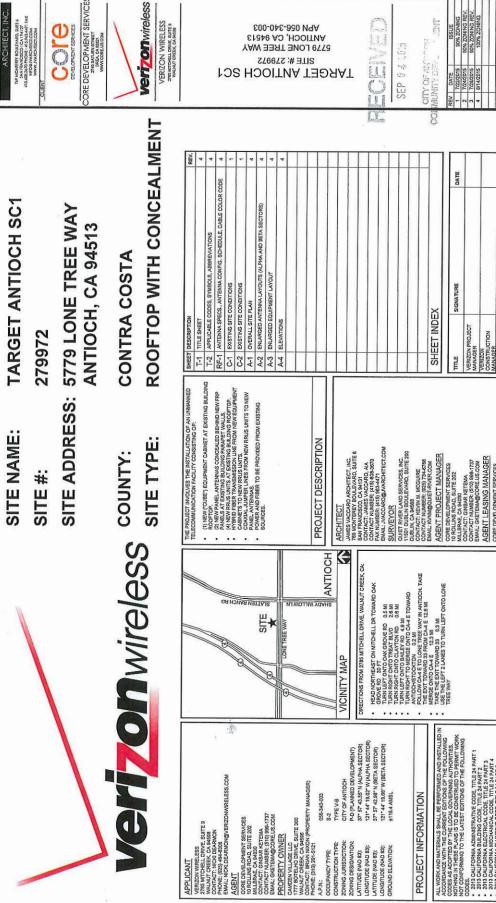
- 8. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
- 9. The developer shall pay all fees required by the City Council at the time of building permit issuance.
- 10. The developer shall pay any required East Contra Costa Regional Traffic Mitigation fees prior to receiving a building permit for structures within this development.
- 11. The developer shall pay any required Drainage Area fees prior to the issuance of any building permits for this project.
- 12. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.
- 13. The developer shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of permit issuance.

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I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Zoning Administrator of the City of Antioch, County of Contra Costa, State of California at a regular meeting of said Zoning Administrator held on the 12th day of November, 2015.

Forrest Ebbs
Zoning Administrator

ATTACHMENT "A"



JAMES VACCARC

A1

DRIVING DIRECTIONS

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SIGNATURE BLOCK

CORE CONSTRUCTION MANAGER

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GENERAL CONTRACTOR NOTES

CODE COMPLIANCE

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