

STAFF REPORT

Date: September 8, 2015
To: Bryan Montgomery, City Manager
From: Kenneth W. Strelow, Senior Planner
Project: 2092 Oakley Road Wireless Communications Facility (DR 07-15)

Summary

This is a request for design review approval of a new approximately 67 foot tall wireless communications facility (cellular tower) designed as a faux water tank with nine (up to 18) hidden antennas. The structure and ancillary equipment will be within a 25 foot by 45 foot screened area on the northeast corner of an approximately 10-acre site located at [2092 Oakley Road](#). The site is zoned "C" (General Commercial) District. APN 037-110-031.

Recommendation

Staff recommends the City Council adopt the resolution approving design review for 2092 Oakley Road Wireless Communications Facility (DR 07-15), as conditioned.

Background and Project Description

General Plan Land Use Designation and Zoning

General Plan: The project site is designated as "*Commercial*" on Figure 2.2 (Land Use Map) of the [Oakley 2020 General Plan](#).

Zoning: – The zoning classification for the project site is "[C \(General Commercial\) District](#)".

Compliance with Zoning Ordinance

[Section 9.1.1202](#) (Wireless Communications Facilities) of the Oakley Municipal Code ("OMC") sets forth the regulations governing the proposed project. The proposed faux water tank falls under the definition of a "Public Art Facility." Examples of Public Art Facilities (OMC Section 9.1.1202(b)(8)) include clock towers, windmills, trees, or historical monuments. A water tank is consistent with these types of structures. Pursuant to OMC

Section 9.1.1202(c)(ii), Public Art Facilities are subject to Design Review approval by the Planning Commission/City Council.

Site Description and Surrounding Uses

The subject property is a rectangular shaped site (almost square) with an approximately 645 foot frontage on Oakley road, and approximately 120 foot frontage on Main Street in the northeast corner where the road curves toward the southeast. The property has two existing single family residences; one along Oakley Road, and another near the proposed location of the wireless communications facility. The Eagle City Mobile Home sits directly north and west of the site, and directly east of the site are the Oil Can Henry's and 7-11 Gas Station.

Original Plans and Collocation

Originally, the application included plans for a 70-foot tall monopine, similar to other wireless communication facilities within the City of Oakley, such as the faux trees behind the Lucky grocery store at Oakley Town Center, along Live Oak Avenue just south of Main Street, along Main Street just west of Cypress Road, and near the Main Street/Brownstone Road intersection. Because there are already five monopines along Main Street, and consistent with the Wireless Communications Facilities ordinance standards, Staff asked the applicant to attempt to collocate with an existing facility. Feedback from the applicant was that the most feasible site (which would provide adequate, but not ideal coverage for Verizon) was the tree at Oakley Town Center. However, attempts by the applicant to contact the lessee proved unsuccessful. Even Staff contacted the shopping center property manager, and in turn attempted to contact the lessee without success. After several emails, phone calls, and correspondence that took place over the course of several weeks, Staff determined the applicant had exhausted all feasible attempts to collocate on the monopine at Oakley Town Center and proceeded with analyzing the application, as proposed.

Modified (Current) Plans for the Wireless Structure

Since attempts by the applicant to feasibly collocate the antennas onto an existing facility were unsuccessful, Staff worked with the applicant on options including alternative locations on the project site, as well as alternative "public art facility" designs. Ideas to move the facility to different areas of the site resulted in the need for additional footage in utility lines and easements, as well as removal of many more vineyards. Ultimately, the applicant suggested a faux water tank with the option to decorate the tank with a City logo or other artistic decal (not shown on applicant's plans). Staff agreed to the water tank design option as a modification to the proposed project; therefore, the proposed plans show the faux water tank. The original plans are also included as an alternative discussion and potential approval, subject to City Council action.

The proposed water tank will be approximately 64 feet tall to the top of the roof of the tank. Dimensions of the tank atop the support poles are approximately 22 feet in height by

approximately 15 feet in diameter. The tower structure will be steel, and the water tank will be fiber-reinforced plastic. The roof is likely to be steel or fiberglass with some mesh for ventilation. Both the support structure and tank will be painted a neutral brown, similar to what is shown in the photo simulations.

Up to 18 wireless antennas and RRH (remote radio head) units can be accommodated within the walls of the tank and hidden from view. The applicant has proposed nine antennas for Verizon, but this approval will accommodate and expedite future collocations. There are also additional antennas proposed for future collocation. These antennas will not be screened and hidden in the same manner as the 18 antennas within the tank. They are proposed to be located at 40 feet above grade at center line, and be up to eight feet tall. This will place the top of the antennas just a few feet below the bottom of the water tank. If the Council determines the benefit of a potential future collocation outweighs the visibility of the future antennas, this design review approval can be conditioned to include the future antennas. If the additional, visible antennas are not approved as a part of the this project, a design review application would be required and subject to city Council approval at a future time an applicant wishes to collocate on the legs of the water tank tower.

Ground Equipment and Screening Walls

The 25 by 45 foot screened area consists of an eight foot high split-face CMU (concrete masonry unit) wall with capstones and pilasters that will screen all of the equipment from public view. It will also include the footprint for the wireless structure. A six foot wide chain link access gate is proposed along the south elevation to provide access the equipment and wireless structures. The CMU will be a neutral color that either matches or compliments the facility's color.

Environmental Review

An Initial Study and Negative Declaration ("ND") have been prepared for this project pursuant to the California Environmental Quality Act (CEQA). The Notice of Intent to adopt a ND and Initial Study was circulated for public review and comment from August 6, 2015 to September 7, 2015 and was filed with the County Clerk and Governor's Office of Planning and Research State Clearinghouse. A copy of the ND and Initial Study are attached. The City Council must adopt the ND in order to approve the project. Action to adopt the ND is included in the proposed resolution.

Required Findings - Development Standards

In the case of a design review application for a wireless communications facility, compliance with the applicable development standards would be written into findings. Therefore, compliance with the applicable sections of the Wireless Communications Facilities ordinance (OMC Section 9.1.1202(d)(i) (General Development Standards) and Section 9.1.1201(d)(iv) (Development Standards – Freestanding Wireless Communication Towers)) would be required in order to make findings the project may be approved.

In summary, the “General Development Standards” require the facility to have minimal visual impacts, comply with the Federal Communications Commission (FCC), include climbing deterrents and warning signs, requiring ongoing aesthetic maintenance, not be used for advertisements, not include exterior lighting, except as required by Federal Aviation Administration (FAA), be limited to maximum functional height, and be screened, collocated, disguised, etc. as much as possible.

In addition to the above “General Development Standards”, freestanding facilities shall also be located and designed with minimal visual impact, and if visual impacts are unavoidable, disguised, camouflaged or designed as public art. Also, the smallest available and least visible antennae that provide the coverage objective shall be mounted on the towers.

Analysis and Findings

The wireless communications facility will serve the purpose of expanding Verizon’s coverage to the central Oakley area, while minimizing the visual impact by designing the facility as a faux water tank at a minimum functioning height, as determined by the applicant. Compliance with development standards, such as compliance with the FCC, the use anti-climbing devices, the use of non-reflective finishes, ongoing maintenance, no advertising, and no exterior lighting will be ensured through adopted conditions of approval within the proposed resolution. Allowing additional hidden antennas will provide the possibility for future carriers to collocate within the water tank, further reducing future aesthetic impacts caused by increasing numbers of facilities.

The use of an additional freestanding facility was the result of unsuccessful attempts at collocating on a nearby monopine located at Oakley Town Center. Although this application results in an additional structure along Main Street, its design as a faux water tank will provide for a public art facility with completely screened antennas and room for future collocation apparently not available at Oakley Town Center. Also, the water tank may serve as an opportunity for City of Oakley logo. Conditions of approval will require the smallest and least visible antennas that provide the needed coverage be used. This will ensure any future technology that reduces antennas sized will be implemented if the future antennas locations are used.

Visible Antennas Option

As discussed in the project description above, the applicant has requested approval of additional visible antennas on the legs of the structure. While these additional antennas would provide options for a third carrier to use the water tank structure to collocate, their visible nature is inconsistent the water tank’s design of a public art facility that completely screens the 18 antennas within its walls. While approving the additional visible antennas may allow for additional collocation, as seen through the applicants attempts with this current site, collocation is not always a given, and can face resistance from competitors or technology-based roadblocks. In the interest of aesthetics, all future sites would be public art facilities, or stealth locations, where visible antennas are eliminated.

Staff recommends the Council not approve the additional visible antenna locations on the legs of the structure. A condition of approval has been added that clarifies this design review only approves the 18 antennas within the water tank structure. If the Council decides to include the additional visible antennas, Staff will modify the condition of approval to allow up to eight additional visible antennas. Only a building permit will be required in the future, if a carrier decides to install the antennas.

Findings

Complete draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt the resolution approving design review for 2092 Oakley Road Wireless Communications Facility (DR 07-15), as conditioned.

Attachments

1. Vicinity Map
2. Applicant's Proposed Plans and Photo Simulations (Faux Water Tank)
3. Applicant's Alternative Plans and Photo Simulations (Monopine)
4. CEQA Draft Notice of Intent to Adopt a Negative Declaration
5. CEQA Initial Study
6. Proposed Resolution

Vicinity Map

2092 Oakley Road Wireless Communications Facility (DR 07-15)



Z D DRAWING SIGN - OFF

DATE: _____ TIME: _____ % CWC-PLEASE RETURN BY: _____

COMPLETE Wireless Consulting, Inc. SIGNATURE _____ DATE _____

SITE ACQUISITION: _____

PLANNING: _____

CONSTRUCTION: _____

MANAGEMENT: _____

verizon WIRELESS SIGNATURE _____ DATE _____

CONSTRUCTION: _____

REAL ESTATE: _____

RF ENGINEER: _____

EQUIPMENT ENGINEER: _____

MW ENG./TRANSPORT: _____

OTHER (IF APPLICABLE) SIGNATURE _____ DATE _____

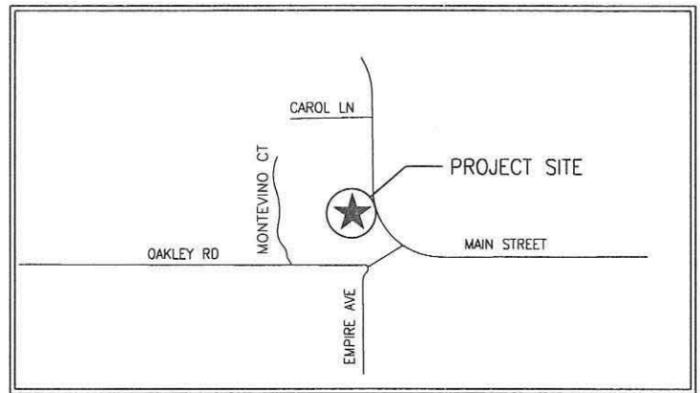


verizon WIRELESS

2785 Mitchell Drive, Walnut Creek, CA 94598

EMPIRE OAKLEY ROAD

2092 OAKLEY ROAD
OAKLEY, CA 94561
APN: 037-110-031
LOCATION #: 296433



LOCATION PLAN 

PROJECT DIRECTORY

APPLICANT:
VERIZON WIRELESS
2785 MITCHELL DRIVE
WALNUT CREEK, CA 94598

PROPERTY OWNER:
FRANK ROMITI
2100 OAKLEY ROAD
OAKLEY, CA 94561
-AND-
BERNARD & JOYCE ROMITI
LIVING TRUST
C/O BERNARD AND JOYCE ROMITI,
TRUSTEES
3601 ARROW DRIVE
ANTIOCH, CA 94509

ARCHITECT:
MANUEL S. TSIHLAS
MST ARCHITECTS, INC.
1520 RIVER PARK DRIVE
SACRAMENTO, CA 95815
916-567-9630
manuel@mstarchitects.com

CONSTRUCTION MANAGER:
RICH JOHNSON
COMPLETE WIRELESS CONSULTING, INC.
2009 V STREET
SACRAMENTO, CA 95818
916-216-0894
rjohnson@completewireless.net

PROJECT SUMMARY

ASSESSOR'S PARCEL NUMBER: 037-110-031

JURISDICTION: CITY OF OAKLEY

OCCUPANCY: S-2 (UNMANNED TELECOMMUNICATIONS FACILITY) U (TOWER)

TYPE OF CONSTRUCTION: V-B

ZONING: C (GENERAL COMMERCIAL)

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

- 2013 CALIFORNIA ADMINISTRATIVE CODE (CAC) (INCL. TITLE 24 & 25)
- 2013 CALIFORNIA BUILDING CODE (CBC)
- 2013 CALIFORNIA ELECTRICAL CODE (CEC)
- 2013 CALIFORNIA MECHANICAL CODE (CMC)
- 2013 CALIFORNIA PLUMBING CODE (CPC)
- 2013 CALIFORNIA ENERGY CODE (CENC)
- 2013 CALIFORNIA FIRE CODE (CFC)
- 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGreen CODE)
- 2013 CALIFORNIA REFERENCE STANDARDS CODE
- LOCAL COUNTY OR CITY ORDINANCES
- PRE-FABRICATED EQUIPMENT SHELTER IS STATE OF CALIFORNIA INSPECTED AND APPROVED, NOT FOR LOCAL INSPECTION.

ACCESSIBILITY REQUIREMENTS: THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY NOT REQUIRED IN ACCORDANCE WITH THE 2013 CBC 11B-203.5, AND 11B-202.4 EXCEPTION 7.

PROJECT DESCRIPTION

PROPOSED VERIZON WIRELESS UNMANNED TELECOMMUNICATIONS FACILITY INCLUDING:

- A 25'-0"x45'-0" LEASE AREA.
- A CMU SCREEN WALL @ LEASE AREA PERIMETER.
- OUTDOOR EQUIPMENT CABINETS.
- POWER & TELCO UTILITIES BROUGHT TO FACILITY.
- A STANDBY GENERATOR.
- A CABLE ICE BRIDGE.
- ANTENNAS W/ASSOCIATED TOWER MOUNTED EQUIPMENT MOUNTED ON A PROPOSED FAUX WATER TANK.

PROJECT MILESTONES

12/17/2014	90% ZONING DOCUMENTS
01/27/2015	100% ZONING DOCUMENTS
03/18/2015	100% ZONING DOCUMENTS REVISION 1
03/23/2015	100% ZONING DOCUMENTS REVISION 2
07/13/2015	100% ZONING DOCUMENTS REVISION 3
07/31/2015	100% ZONING DOCUMENTS REVISION 4
xx/xx/xxxx	90% CONSTRUCTION DOCUMENTS
xx/xx/xxxx	100% CONSTRUCTION DOCUMENTS

DIRECTIONS

FROM VERIZON OFFICE @ 2785 MITCHELL DRIVE, WALNUT CREEK, CA 94598:

HEAD NORTHEAST ON MITCHELL DR TOWARD OAK GROVE RD
TURN RIGHT ONTO OAK GROVE RD
TURN LEFT ONTO YGNACIO VALLEY RD
CONTINUE ONTO KIRKER PASS RD
TURN RIGHT ONTO BUCHANAN RD
TURN LEFT ONTO SOMERSVILLE RD
TURN RIGHT ONTO THE STATE E RAMP TO STOCKTON
MERGE ONTO CA-4 E
TAKE THE CA-160 EXIT TOWARD STOCKTON/RIO VISTA
CONTINUE ONTO CA-160
TAKE THE CA-4 EXIT TOWARD STOCKTON/OAKLEY
TURN RIGHT ONTO MAIN ST
TURN RIGHT ONTO EMPIRE AVE
TAKE THE 1ST RIGHT ONTO OAKLEY RD

INDEX OF DRAWINGS

1. T1.1	TITLE SHEET, LOCATION PLAN, PROJECT DATA
2. C1	CIVIL SURVEY SHEET
3. A1.1	OVERALL SITE PLAN
4. A2.1	EQUIPMENT LAYOUT PLAN
5. A2.2	ANTENNA LAYOUT PLAN
6. A3.1	PROJECT ELEVATIONS

CITY OF OAKLEY
Planning Department

AUG 05 2015

RECEIVED

COMPLETE Wireless Consulting

MST ARCHITECTS
1520 River Park Drive, Sacramento, CA 95815
916-567-9630
www.mstarchitects.com

EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561

verizon WIRELESS

SHEET TITLE: TITLE SHEET, LOCATION PLAN, PROJECT DATA

LICENSED ARCHITECT
MANUEL S. TSIHLAS
No. C-28021
Exp. 08-15
STATE OF CALIFORNIA

Revisions:
 ▲ 03/18/15
 ▲ 03/23/15
 ▲ 07/13/15
 ▲ 07/31/15
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File: 162.1278.111.dwg
 Drawn By: jce
 Checked By: IST
 Scale: AS NOTED
 Date: 07/31/2015

Job No. 162.1278

T1.1

Gonzales Surveys, Inc.
6240 West 6th Street
Rio Linda, Ca 95673
Phone (916)-704-5952

Verizon Wireless
PCS Equipment A S A C. Survey Form

Project No./Name: Empire & Oakley Road
Project Site Location: 2092 Oakley Road
Oakley, Ca 94561

Date of Observation: 12/04/2014

Equipment/Procedure used to obtain coordinates: Trimble R8 post processed with Trimble Business Center.

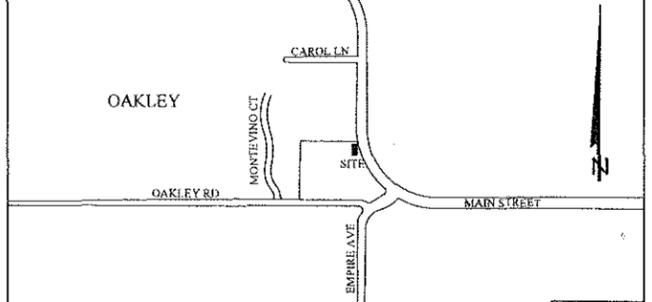
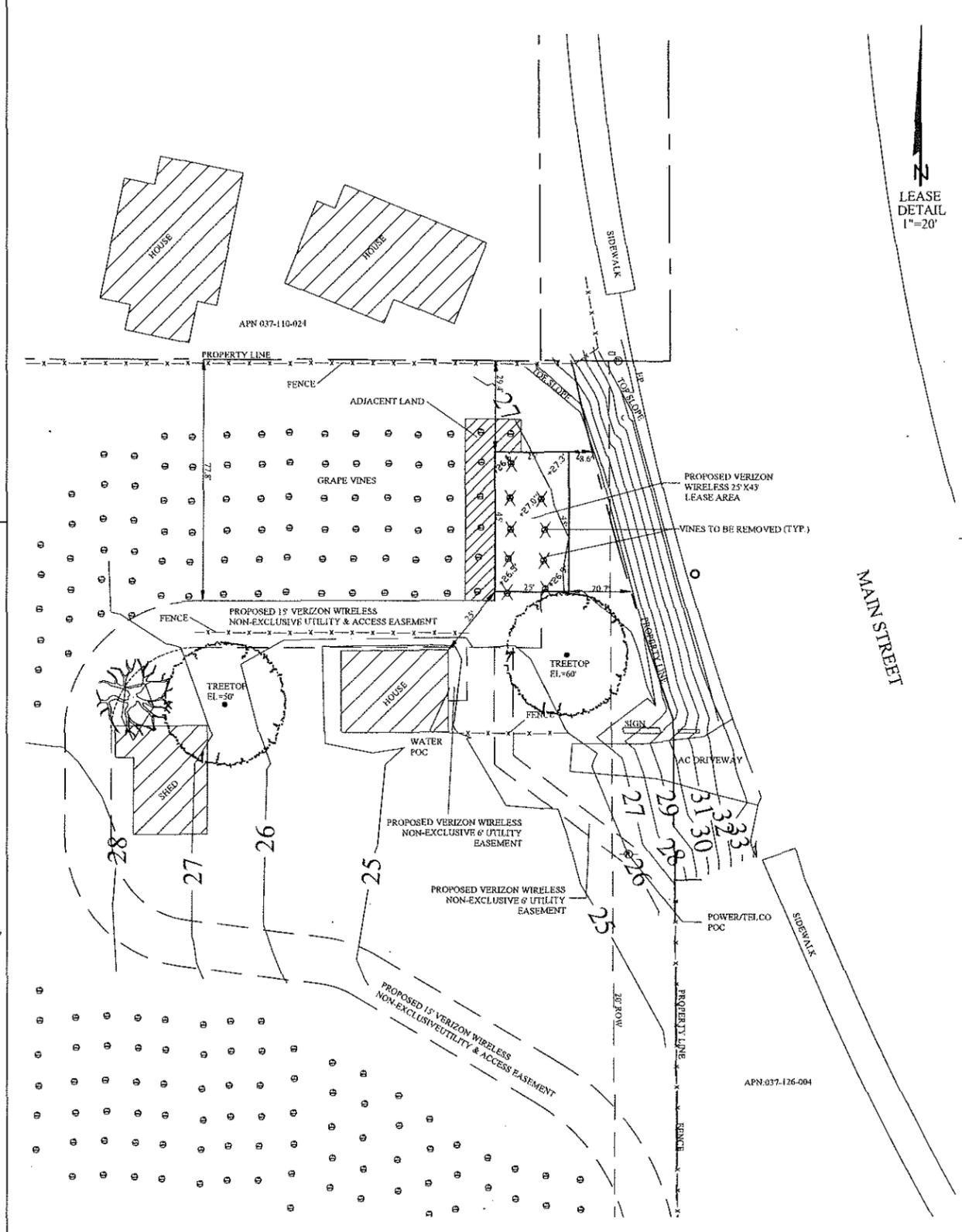
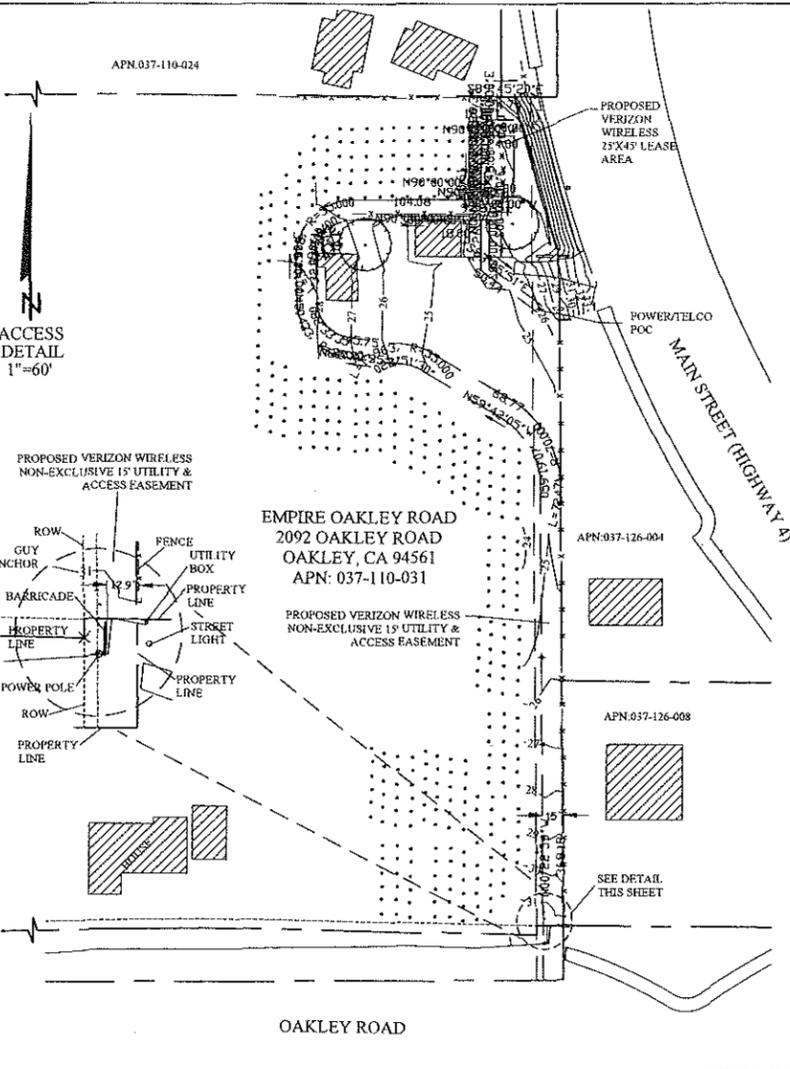
Type of Antenna Mount: New Monopole

NAD 83 coordinates at proposed center of tower
Latitude: N 37° 59' 58.25"
Longitude: W 121° 43' 56.95"

Elevation at base of proposed tower (NAVD 88): 27' AMSL

Certification: I, the undersigned, do hereby certify elevation listed above is based on a field survey done under my supervision and that the accuracy of these elevations meet or exceed I-A standards as defined in the FAA A S A C. information sheet 91.001, and that they are true and accurate to the best of my knowledge and belief.

Ryan L. Ming CA. P.L.S. 8409



These drawings and/or accompanying specifications as instruments of service, are the exclusive property of Gonzales Surveys, Inc. and their use and publication shall be restricted to the original site and carrier for which they are prepared. Re-use, reproduction or publication by any method, whole and in part, is prohibited except by written permission from Gonzales Surveys, Inc. Title to these plans and/or specifications shall remain with Gonzales Surveys, Inc. without prejudice and visual contact with them shall constitute Prima Facie evidence of acceptance of these restrictions.

The boundary shown is based on found monumentation and record information. This is not a boundary survey. This is a specialized topographic map with property lines and easements being a graphic depiction based on information gathered from various sources of record and available monumentation found during the field survey. No easements were researched or plotted. Property lines and lines of title were not investigated nor surveyed except as shown on this plan. No property monuments were set.

Date of Survey: 12/04/2014
Surveyed by: or under the direction of Ryan L. Ming P.L.S. 8409
Located in the City of Oakley, County of Contra Costa, State of California
Bearings shown are based upon monuments found and record information.
This is not a Boundary Survey.

Elevations shown are based upon U.S.G.S. N.A.V.D. 88 Datum
Contour Interval: NA

Contractor is responsible to verify lease area prior to construction.

Assessors Parcel Number (APN): 037-110-031
Owners: Frank Romiti, 2100 Oakley Road, Oakley, CA 94561
Bernard and Joyce Romiti Living Trust, 3601 Arrow Drive, Antioch, CA 94509

Legal Description
All that real property in the City of Oakley, County of Contra Costa, State of California, described as follows:
The South 1/2 of the East 1/2 of the Southeast 1/4 of Section 22, Township 2 North, Range 2 East, Mount Diablo Base and Meridian.
Excepting therefrom:
1) The east 20' of the premises "to be used for and a Public Highway" as provided for in the Deed from Joaquin Rodrigues to Contra Costa County, dated May 11th, 1893 and recorded June 9th, 1893 in volume 63 of deeds, at page 526.
2) The interest conveyed in the deed to the State of California, recorded February 13th, 1970, Book 6064, Page 336, Official Records.

APN: 037-110-031
Together with a 25.00 foot by 45.00 foot Lease Area described as follows:
Commencing at the Northeast corner of the above described parcel of land; thence along the North line of said parcel of land N89°45'20", 24.74 feet; thence leaving said line, South 00°00'00" East 29.39 feet to the True Point of Beginning; thence North 90°00'00" East 23.00 feet; thence South 00°00'00" East 45.00 feet; thence South 90°00'00" West, 25.00 feet; thence North 00°00'00" West, 45.00 feet to the said True Point of Beginning.

Together with a 15.00 foot Non-Exclusive Access & Utility Easement the centerline of which is more particularly described as follows:
Commencing at the South West corner of the above described Lease Area; thence along the South line of said Lease Area North 90°00'00" East, 7.50 feet to the True Point of Beginning; thence leaving said South line South 00°00'00" West, 10.50 feet; thence North 90°00'00" West, 104.08 feet; thence along a tangent curve to the left having a radius of 35.00 feet, through a central angle of 90°00'00" East, 32.84 feet; thence along a tangent curve to the left having a radius of 35.00 feet, through a central angle of 82°53'35", an arc length of 50.43 feet; thence South 82°53'35" East, 45.75 feet; thence along a tangent curve to the right having a radius of 35.00 feet, through a central angle of 22°51'30", an arc length of 13.96 feet; thence South 59°42'05" East, 68.77 feet; thence along a tangent curve to the right having a radius of 70.00 feet, through a central angle of 59°19'07", an arc length of 72.47 feet to a point distant 7.50 feet West of said East line of said property; thence parallel with said East line South 00°22'59" East to the South line of said property. The sidelines of said easement shall be lengthened or shortened as to begin on the south line of the above described Lease Area and end on the South line of said property.

Together with a 6.00 foot Non-Exclusive Utility Easement the centerline of which is more particularly described as follows:
Commencing at the South West corner of the above described Lease Area; thence along the South line of said Lease Area North 90°00'00" East, 1.72 feet; thence South 00°00'00" West, 18.00 feet to the South line of said 15.00 foot Easement; the True Point of Beginning; thence South 00°00'00" West 36.26 feet; thence South 53°05'51" East, 50.84 feet.

Together with a 6.00 foot Non-Exclusive Utility Easement the centerline of which is more particularly described as follows:
Commencing at the South West corner of the above described Lease Area; thence South 00°00'00" West, 18.00 feet to the South line of said 15.00 foot Easement; thence along South line of said 15.00 foot Easement North 90°00'00" West, 12.27 feet to the True Point of Beginning; thence South 09°27'40" East, 17.20 feet. End of Description.

Together with an Adjacent Land Area more particularly described as follows: Commencing at the South West corner of the above described Lease Area and the True Point of Beginning; thence along the West line of said Lease Area North 00°00'00" East, 45.00 feet; thence along the North line of said Lease Area, South 90°00'00" East 8.50 feet; thence leaving said North line North 09°00'00" East 10.60 feet; thence North 90°00'00" West 18.10 feet; thence South 00°00'00" West 58.61 feet to the North line of said 15.00 foot Easement; thence along said North line South 90°00'00" East 9.63 feet; thence North 90°00'00" West 3.00 feet to the True Point of Beginning. End of Description.

REVISIONS	DATE	DESCRIPTION
REV	1/26/15	CHANGE ACCESS
REV	MSG	ADD OWNER
REV	1/30/15	ADDED ADJACENT LAND
REV	DB	
REV		
REV		

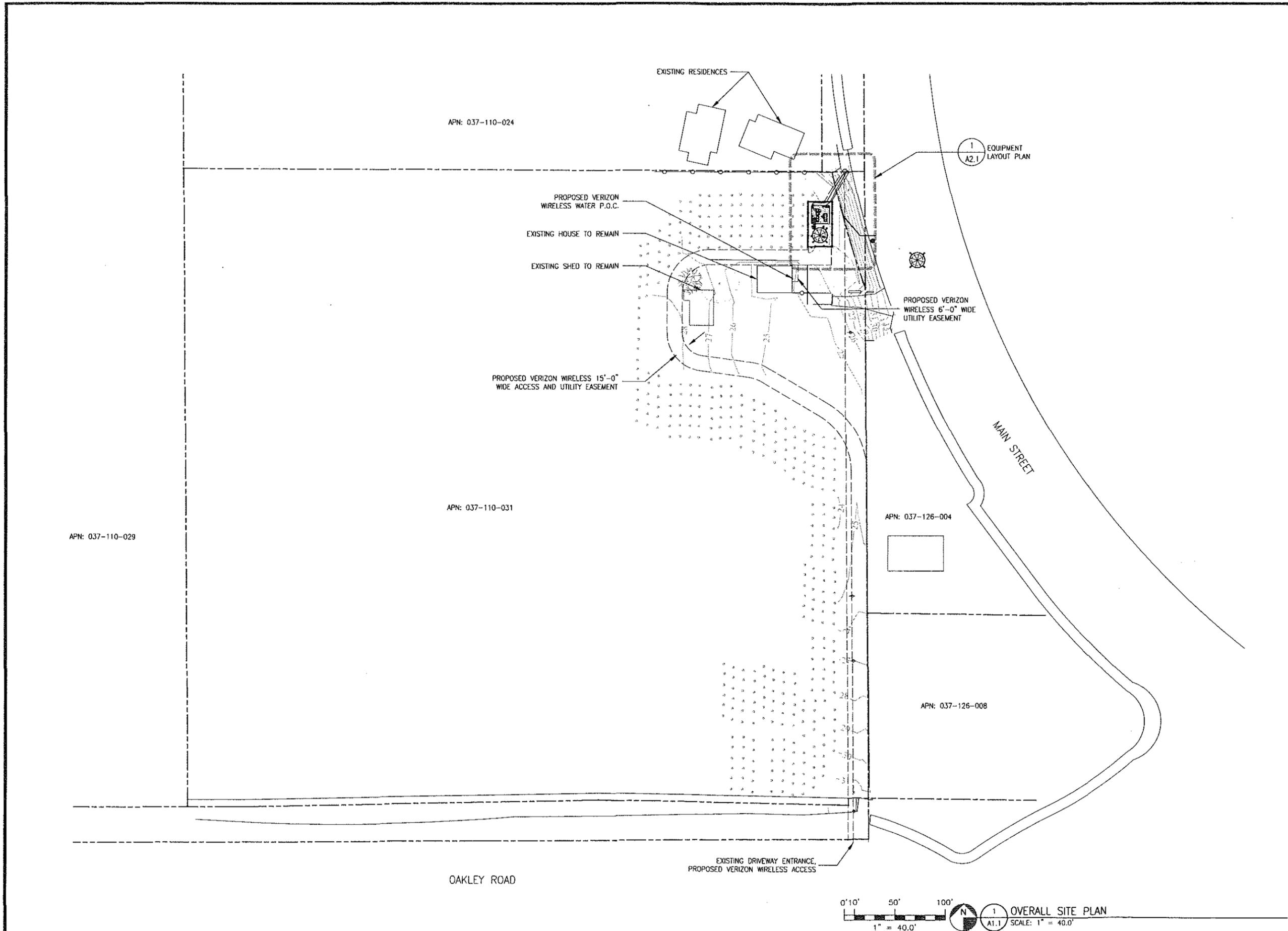
EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561

ARCHITECT

SURVEYOR
12/04/2014

DEPT. APPROVED DATE	SHEET
	C-1

Gonzales Surveys, Inc.
6240 WEST 6TH STREET
RIO LINDA, CA 95673
(916)-704-5952
www.gonzalesurveys.com



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 2092 OAKLEY ROAD
 OAKLEY, CA 94561

verizon WIRELESS

OVERALL SITE PLAN

SHEET TITLE:

LICENSED ARCHITECT
 MANUEL S. TSIM
 No. C-28021
 Exp. 08-15
 STATE OF CALIFORNIA

Not valid unless signed in ink by licensee.

Revisions:

▲	03/18/15
▲	03/23/15
▲	07/13/15
▲	07/31/15
▲	--

File: 162.1278A11.dwg
 Drawn By: jcc
 Checked By: isr
 Scale: AS NOTED
 Date: 07/31/2015

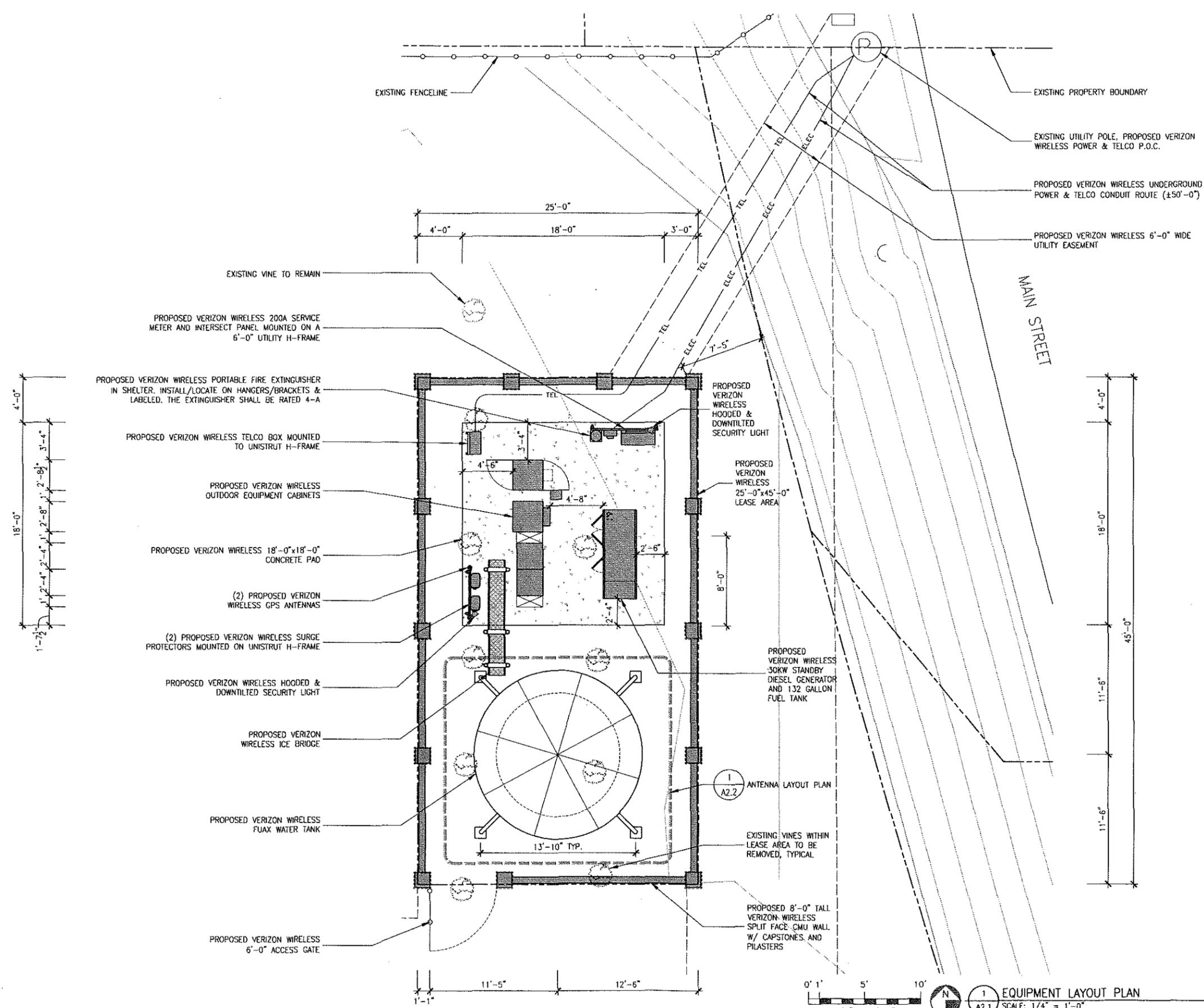
Job No. 162.1278

A1.1

0' 10' 50' 100'

1" = 40.0'

1 OVERALL SITE PLAN
 A1.1 SCALE: 1" = 40.0'



COMPLETE
Wireless Consulting, Inc.

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1520 River Park Drive, Sacramento, CA 95815
916-987-9830
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OAKLEY, CA 94561

verizon WIRELESS

EQUIPMENT LAYOUT PLAN

SHEET TITLE:



Revisions:

03/18/15
03/23/15
07/13/15
07/31/15

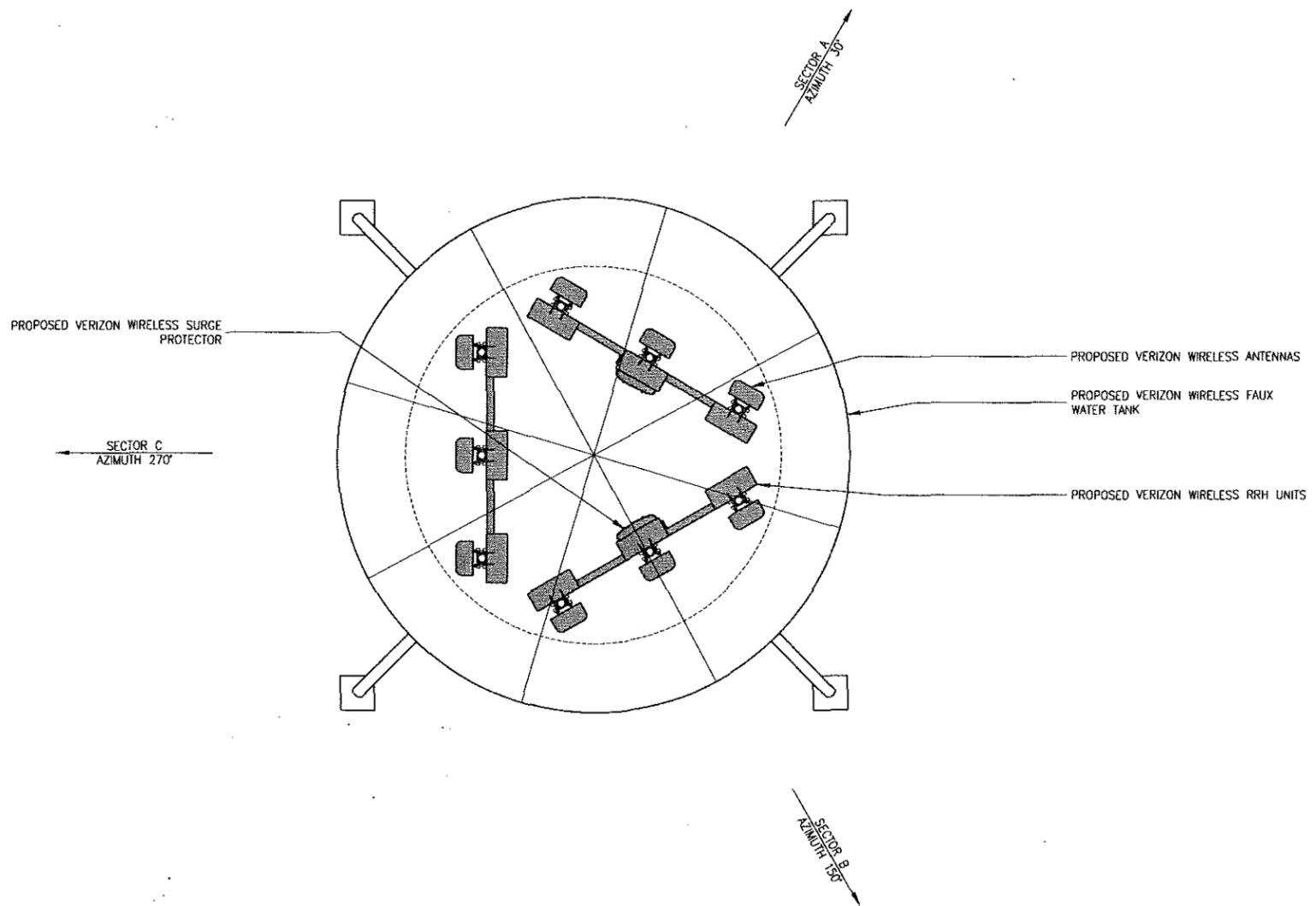
File: 162.1279_A21.dwg
 Drawn By: JCE
 Checked By: TST
 Scale: AS NOTED
 Date: 07/31/2015

Job No. 162.1279

A2.1

1 EQUIPMENT LAYOUT PLAN
 SCALE: 1/4" = 1'-0"

EQUIPMENT SCHEDULE					
EQUIPMENT	DESCRIPTION	QUANTITY			TOTAL
		SECTOR A	SECTOR B	SECTOR C	
ANTENNA	SBNH-1065B	3	3	3	9
RRH	TBD	3	3	3	9
TMA OR DIPLEXER	N/A	0	0	0	0
SURGE PROTECTOR/HYBRID	RAYCAP DC331S / HYBRID TRUNK CABLE	2/2			2/2
COAXIAL CABLE	N/A	0	0	0	0
RET CABLE	N/A	0			0



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verizon WIRELESS

SHEET TITLE: ANTENNA LAYOUT PLAN

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 No. C-28021
 Exp. 08-15
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Revisions:

△	03/18/15
△	03/23/15
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 Checked By: JST
 Scale: AS NOTED
 Date: 07/31/2015

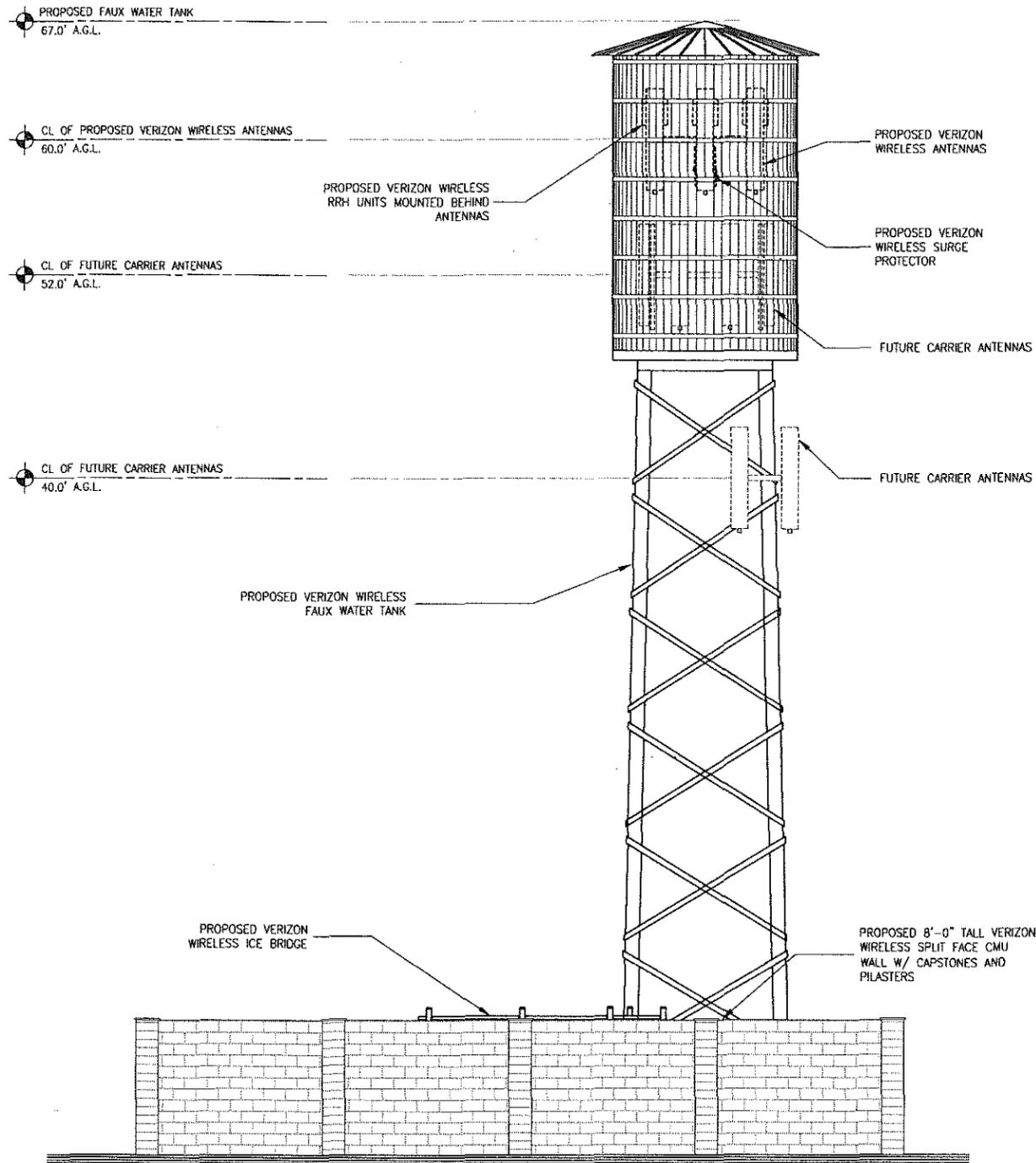
Job No. 162.1278

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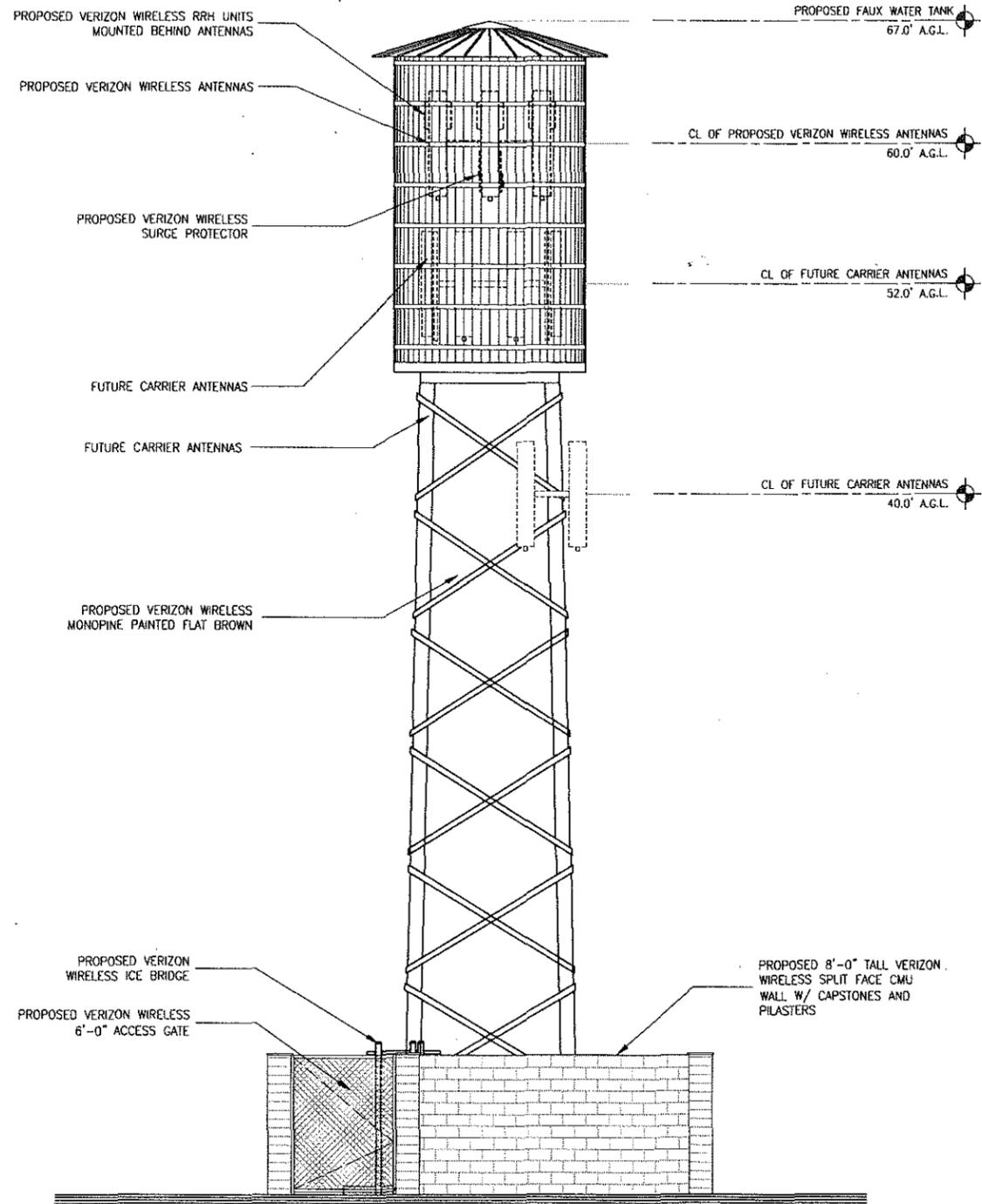
1/2" = 1'-0"

1 ANTENNA LAYOUT PLAN
 A2.2 SCALE: 1/2" = 1'-0"

A2.2



2 WEST ELEVATION
A3.1 SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION
A3.1 SCALE: 1/4" = 1'-0"

COMPLETE
Wireless Consulting, Inc.

MST ARCHITECTS
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916-937-9130
www.mstarchitects.com

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EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561

verizon WIRELESS

SHEET TITLE: PROJECT ELEVATIONS

LICENSED ARCHITECT
MANUEL S. TSINGIS
No. C-28221
Exp. 08-15
STATE OF CALIFORNIA

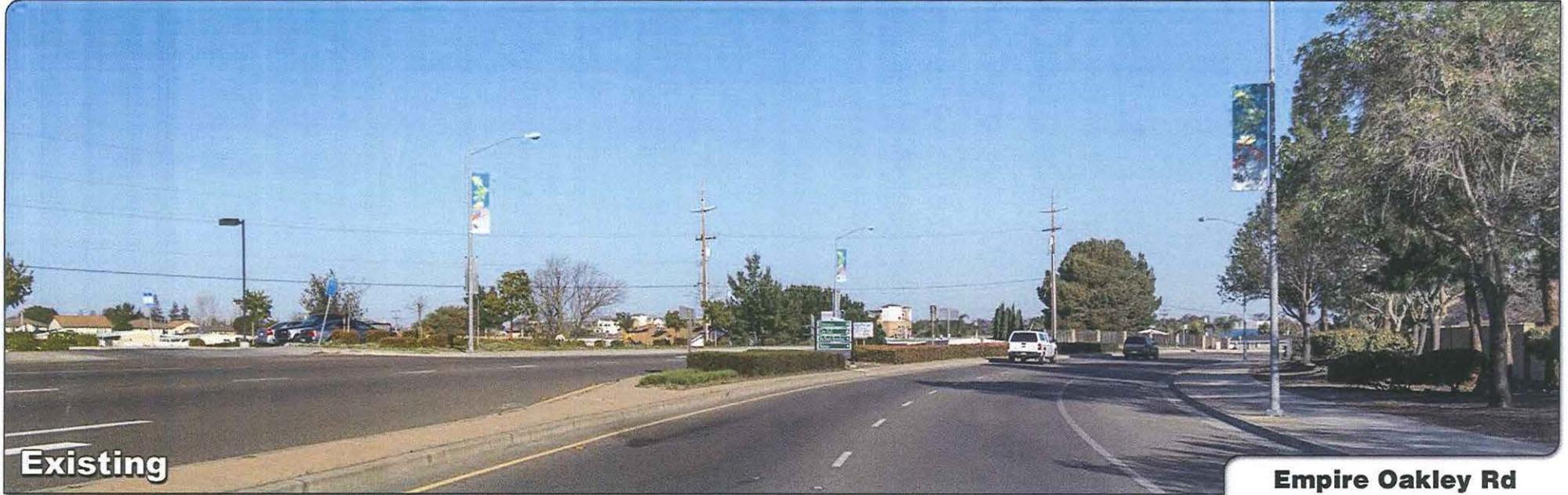
Revisions:

03/18/15
03/23/15
07/13/15
07/31/15

File: 162.1278A31.dwg
Drawn By: jce
Checked By: lsr
Scale: AS NOTED
Date: 07/31/2015

Job No. 162.1278

A3.1



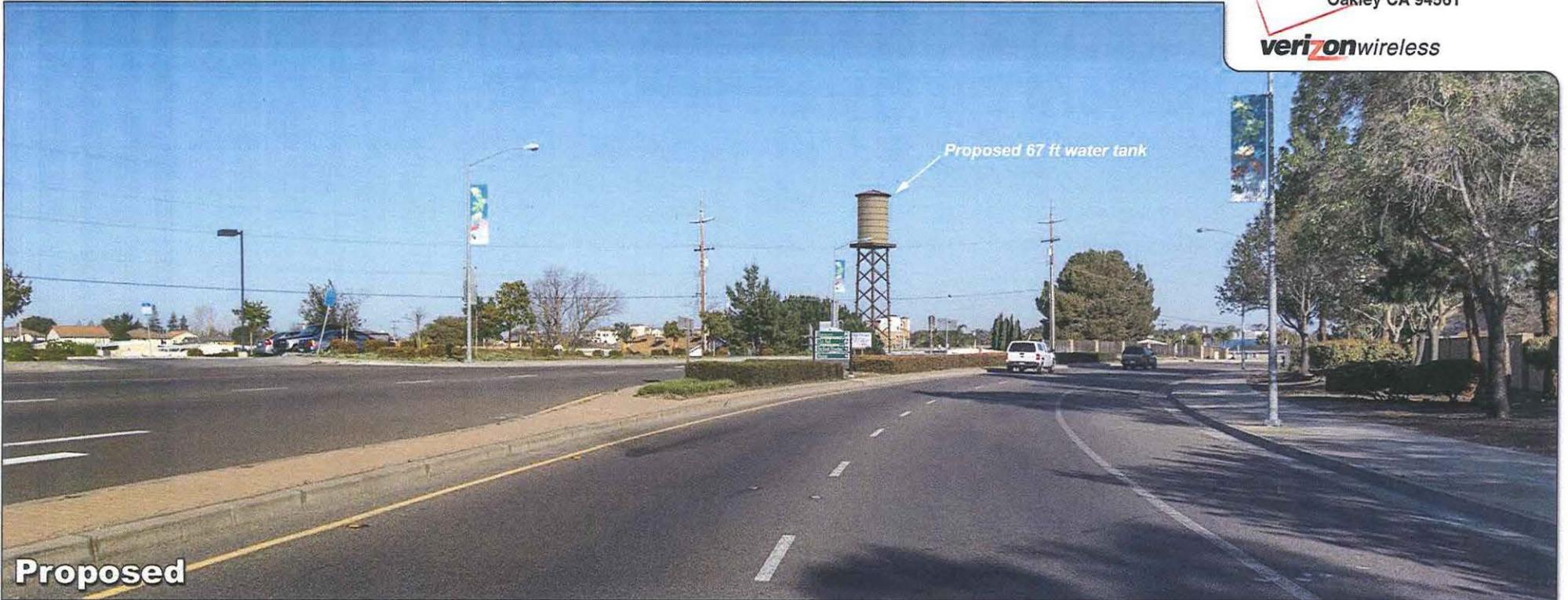
Existing

Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561



Photosimulation of the view looking northwest along Main Street, just after Empire Ave.



Proposed

Proposed 67 ft water tank



Existing

Photosimulation of the view looking due south along southbound Main Street.

Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561



Proposed 67 ft water tank

Proposed



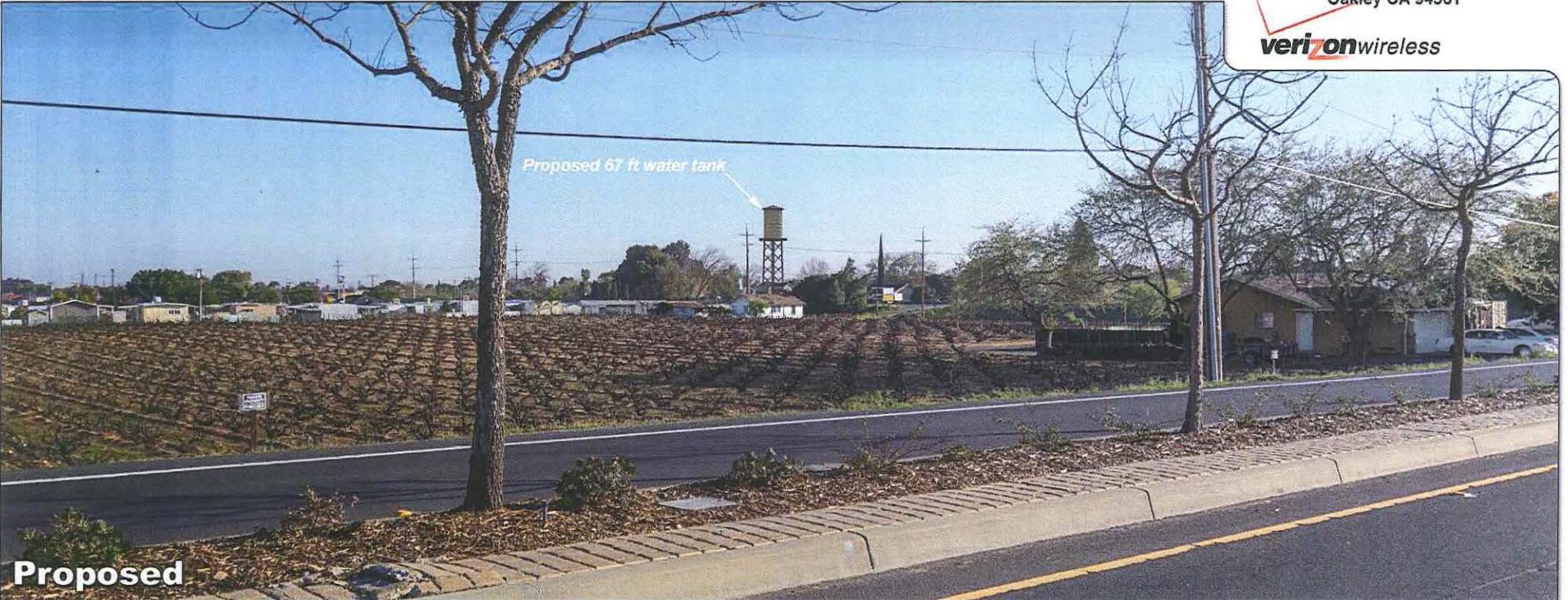
Existing

Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561

verizonwireless

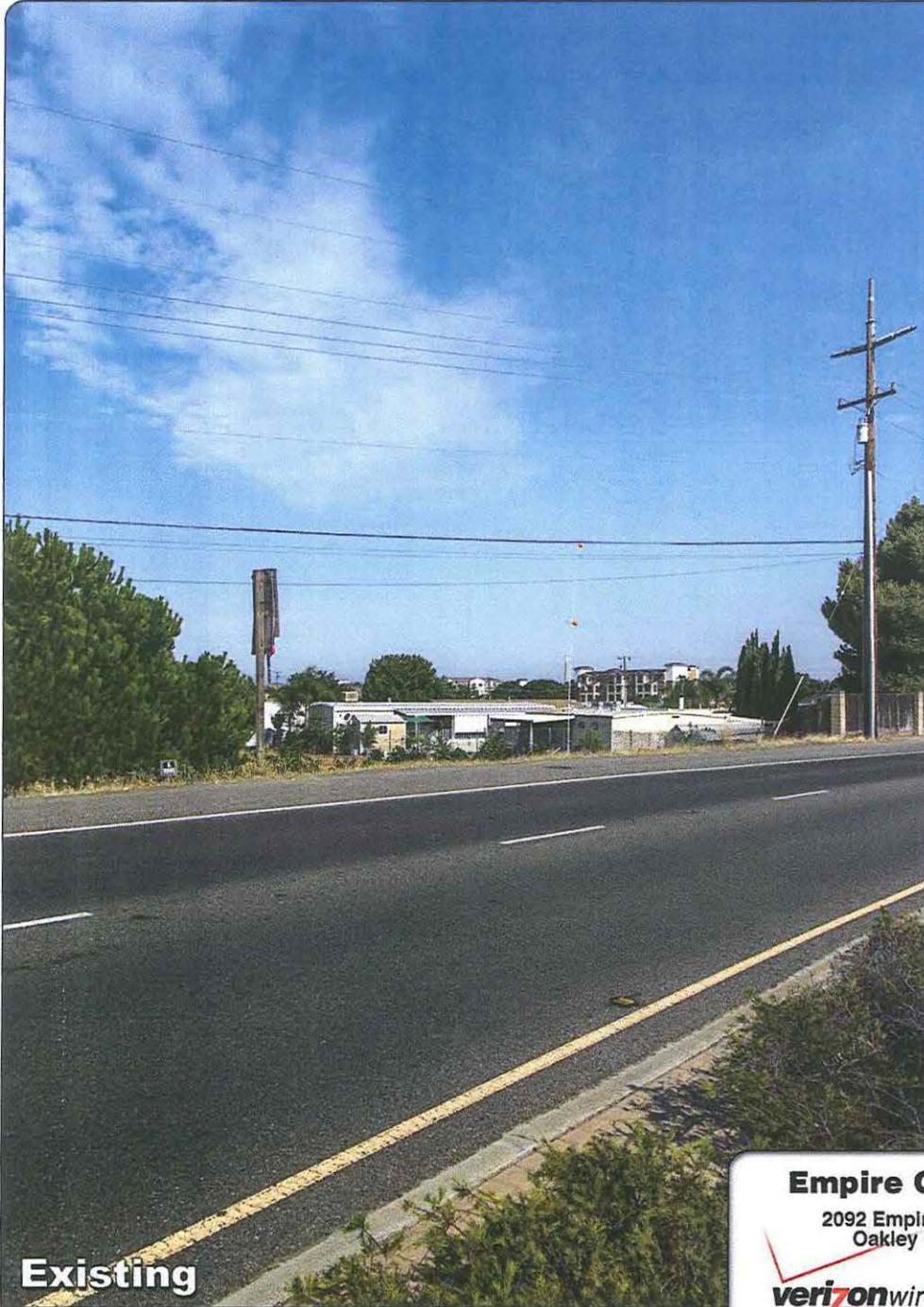
Photosimulation of the view looking northeast from the clearest view along Oakley Road.



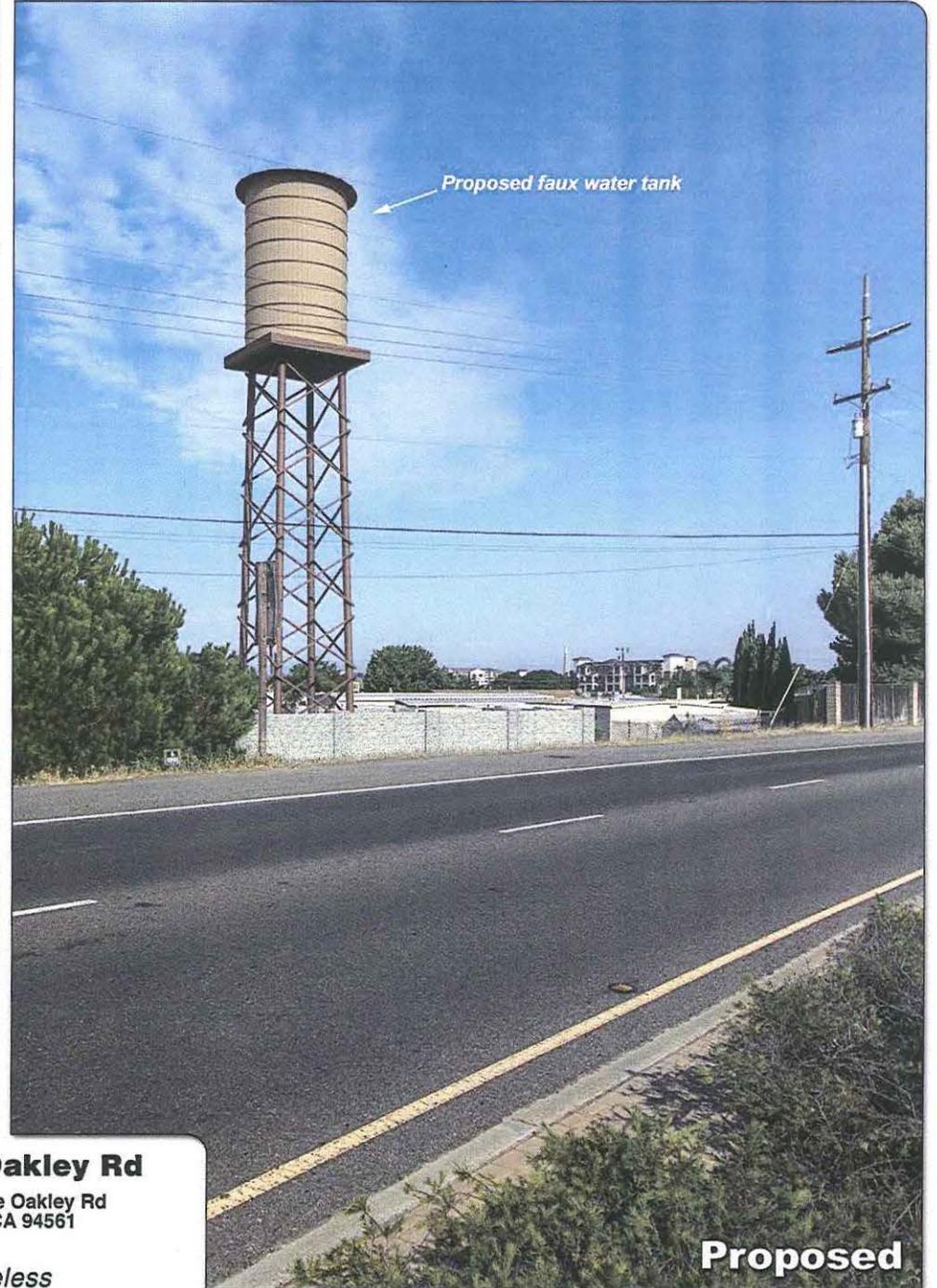
Proposed 67 ft water tank

Proposed

Photosimulation of the view looking west from the median of Main Street.



Existing



Proposed

Empire Oakley Rd
2092 Empire Oakley Rd
Oakley CA 94561



Z D DRAWING SIGN-OFF

DATE: _____ TIME: _____ % CWC-PLEASE RETURN BY: _____

 SIGNATURE _____ DATE _____

SITE ACQUISITION: _____

PLANNING: _____

CONSTRUCTION: _____

MANAGEMENT: _____

 SIGNATURE _____ DATE _____

CONSTRUCTION: _____

REAL ESTATE: _____

RF ENGINEER: _____

EQUIPMENT ENGINEER: _____

MW ENG./TRANSPORT: _____

OTHER (IF APPLICABLE)

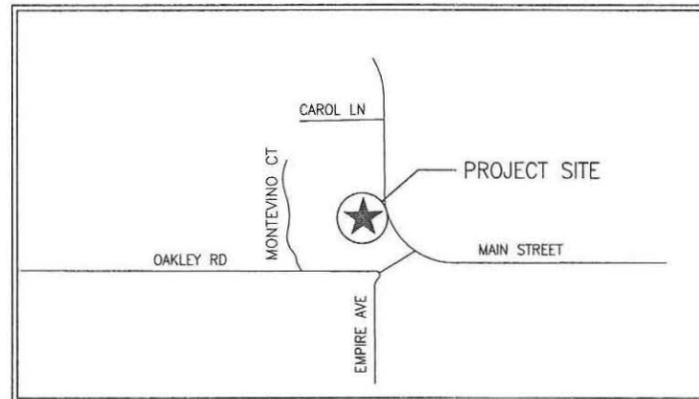
SIGNATURE _____ DATE _____



2785 Mitchell Drive, Walnut Creek, CA 94598

EMPIRE OAKLEY ROAD

2092 OAKLEY ROAD
OAKLEY, CA 94561
APN: 037-110-031
LOCATION #: 296433



LOCATION PLAN 

DIRECTIONS

FROM VERIZON OFFICE @ 2785 MITCHELL DRIVE, WALNUT CREEK, CA 94598:

HEAD NORTHEAST ON MITCHELL DR TOWARD OAK GROVE RD
TURN RIGHT ONTO OAK GROVE RD
TURN LEFT ONTO YGNACIO VALLEY RD
CONTINUE ONTO KIRKER PASS RD
TURN RIGHT ONTO BUCHANAN RD
TURN LEFT ONTO SOMERSVILLE RD
TURN RIGHT ONTO THE STATE E RAMP TO STOCKTON
MERGE ONTO CA-4 E
TAKE THE CA-160 EXIT TOWARD STOCKTON/RIO VISTA
CONTINUE ONTO CA-160
TAKE THE CA-4 EXIT TOWARD STOCKTON/OAKLEY
TURN RIGHT ONTO MAIN ST
TURN RIGHT ONTO EMPIRE AVE
TAKE THE 1ST RIGHT ONTO OAKLEY RD

INDEX OF DRAWINGS

- | | |
|---------|--|
| 1. T1.1 | TITLE SHEET, LOCATION PLAN, PROJECT DATA |
| 2. C1 | CIVIL SURVEY SHEET |
| 3. A1.1 | OVERALL SITE PLAN |
| 4. A2.1 | EQUIPMENT LAYOUT PLAN |
| 5. A2.2 | ANTENNA LAYOUT PLAN |
| 6. A3.1 | PROJECT ELEVATIONS |

CITY OF OAKLEY
Planning Department

JUL 13 2015

RECEIVED

PROJECT DIRECTORY

APPLICANT:
VERIZON WIRELESS
2785 MITCHELL DRIVE
WALNUT CREEK, CA 94598

PROPERTY OWNER:
FRANK ROMITI
2100 OAKLEY ROAD
OAKLEY, CA 94561

ARCHITECT:
MANUEL S. TSHILAS
MST ARCHITECTS, INC.
1520 RIVER PARK DRIVE
SACRAMENTO, CA 95815
916-567-9630
manuel@mstarchitects.com

-AND-
BERNARD & JOYCE ROMITI
LIVING TRUST
C/O BERNARD AND JOYCE ROMITI,
TRUSTEES
3601 ARROW DRIVE
ANTIOCH, CA 94509

CONSTRUCTION MANAGER:
RICH JOHNSON
COMPLETE WIRELESS CONSULTING, INC.
2009 V STREET
SACRAMENTO, CA 95818
916-216-0894
rjohnson@completewireless.net

PROJECT SUMMARY

ASSESSOR'S PARCEL NUMBER: 037-110-031

JURISDICTION: CITY OF OAKLEY

OCCUPANCY: S-2 (UNMANNED TELECOMMUNICATIONS FACILITY) U (TOWER)

TYPE OF CONSTRUCTION: V-B

ZONING: C (GENERAL COMMERCIAL)

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

- 2013 CALIFORNIA ADMINISTRATIVE CODE (CAC) (INCL. TITLE 24 & 25)
 - 2013 CALIFORNIA BUILDING CODE (CBC)
 - 2013 CALIFORNIA ELECTRICAL CODE (CEC)
 - 2013 CALIFORNIA MECHANICAL CODE (CMC)
 - 2013 CALIFORNIA PLUMBING CODE (CPC)
 - 2013 CALIFORNIA ENERGY CODE (CENC)
 - 2013 CALIFORNIA FIRE CODE (CFC)
 - 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGreen CODE)
 - 2013 CALIFORNIA REFERENCE STANDARDS CODE
 - LOCAL COUNTY OR CITY ORDINANCES
 - PRE-FABRICATED EQUIPMENT SHELTER IS STATE OF CALIFORNIA INSPECTED AND APPROVED, NOT FOR LOCAL INSPECTION.
- ACCESSIBILITY REQUIREMENTS: THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY NOT REQUIRED IN ACCORDANCE WITH THE 2013 CBC 11B-203.5, AND 11B-202.4 EXCEPTION 7.

PROJECT DESCRIPTION

PROPOSED VERIZON WIRELESS UNMANNED TELECOMMUNICATIONS FACILITY INCLUDING:

- A 25'-0"x45'-0" LEASE AREA.
- A CMU SCREEN WALL @ LEASE AREA PERIMETER.
- OUTDOOR EQUIPMENT CABINETS.
- POWER & TELCO UTILITIES BROUGHT TO FACILITY.
- A STANDBY GENERATOR.
- A CABLE ICE BRIDGE.
- ANTENNAS W/ASSOCIATED TOWER MOUNTED EQUIPMENT MOUNTED ON A PROPOSED MONOPINE.

PROJECT MILESTONES

12/17/2014	90% ZONING DOCUMENTS
01/27/2015	100% ZONING DOCUMENTS
03/18/2015	100% ZONING DOCUMENTS REVISION 1
03/23/2015	100% ZONING DOCUMENTS REVISION 2
07/13/2015	100% ZONING DOCUMENTS REVISION 3
xx/xx/xxxx	90% CONSTRUCTION DOCUMENTS
xx/xx/xxxx	100% CONSTRUCTION DOCUMENTS


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EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561



SHEET TITLE: TITLE SHEET, LOCATION PLAN, PROJECT DATA

LICENSED ARCHITECT
MANUEL S. TSHILAS
No. C-28021
Exp. 08-15
STATE OF CALIFORNIA

Revisions:

△	03/18/15
△	03/23/15
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File: 162.1278.T11.dwg
Drawn By: JCE
Checked By: TST
Scale: AS NOTED
Date: 07/13/2015

Job No. 162.1278

T1.1

Gonzales Surveys, Inc.
6240 West 6th Street
Rio Linda, Ca 95673
Phone (916)-704-5952

Verizon Wireless
PCS Equipment A.S.A.C Survey Form

Project No./Name: Empire & Oakley Road
Project Site Location: 2092 Oakley Road
Oakley, Ca 94561

Date of Observation: 12/04/2014

Equipment/Procedure used to obtain coordinates: Trimble R8 post processed with Trimble Business Center.

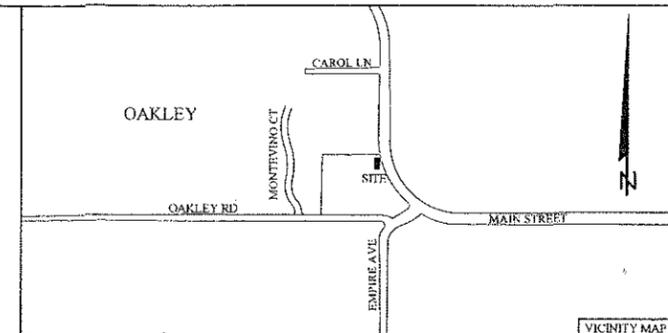
Type of Antenna Mount: New Monopole

NAD 83 coordinates at proposed center of tower
Latitude: N 37° 59' 58.25"
Longitude: W 121° 43' 56.95"

Elevation at base of proposed tower (NAVD 88) 27 AMSL

Certification: I, the undersigned, do hereby certify elevation listed above is based on a field survey done under my supervision and that the accuracy of those elevations meet or exceed 1-A standards as defined in the FAA A.S.A.C. information sheet 91-003, and that they are true and accurate to the best of my knowledge and belief.

Ryan L. Ming CA. P.L.S. #409



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The boundary shown is based on found monumentation and record information. This is not a boundary survey. This is a specialized topographic map with property lines and easements being a graphic depiction based on information gathered from various sources of record and available monumentation found during the field survey. No easements were researched or plotted. Property lines and lines of title were not investigated nor surveyed except as shown on this plan. No property monuments were set.

Date of Survey: 12/04/2014
Surveyed by or under the direction of Ryan L. Ming P.L.S. #409
Located in the City of Oakley, County of Contra Costa, State of California
Bearings shown are based upon monuments found and record information.
This is not a Boundary Survey.

Elevations shown are based upon U.S.G.S. N.A. V.D. 88 Datum.
Contour Interval: NA

Contractor is responsible to verify lease area prior to construction.

Assessors Parcel Number (APN): 037-110-031

Owners: Frank Romiti 2100 Oakley Road Oakley, CA 94561 -AND- Bernard and Joyce Romiti Living Trust C/O Bernard and Joyce Romiti, Trustees 3601 Arrow Drive, Antioch, CA 94509

Legal Description
All that real property in the City of Oakley, County of Contra Costa, State of California, described as follows:
The South 1/2 of the East 1/2 of the Southeast 1/4 of Section 22, Township 2 North, Range 2 East, Mount Diablo Base and Meridian
Excepting therefrom:
1) The east 20' of the premises "to be used for said a Public Highway" as provided for in the Deed from Joaquin Rodriguez to Contra Costa County, dated May 11th, 1893 and recorded June 9th, 1893 in volume 63 of deeds, at page 526.
2) The interest conveyed in the deed to the State of California, recorded February 13th, 1970, Book 6064, Page 336, Official Records.

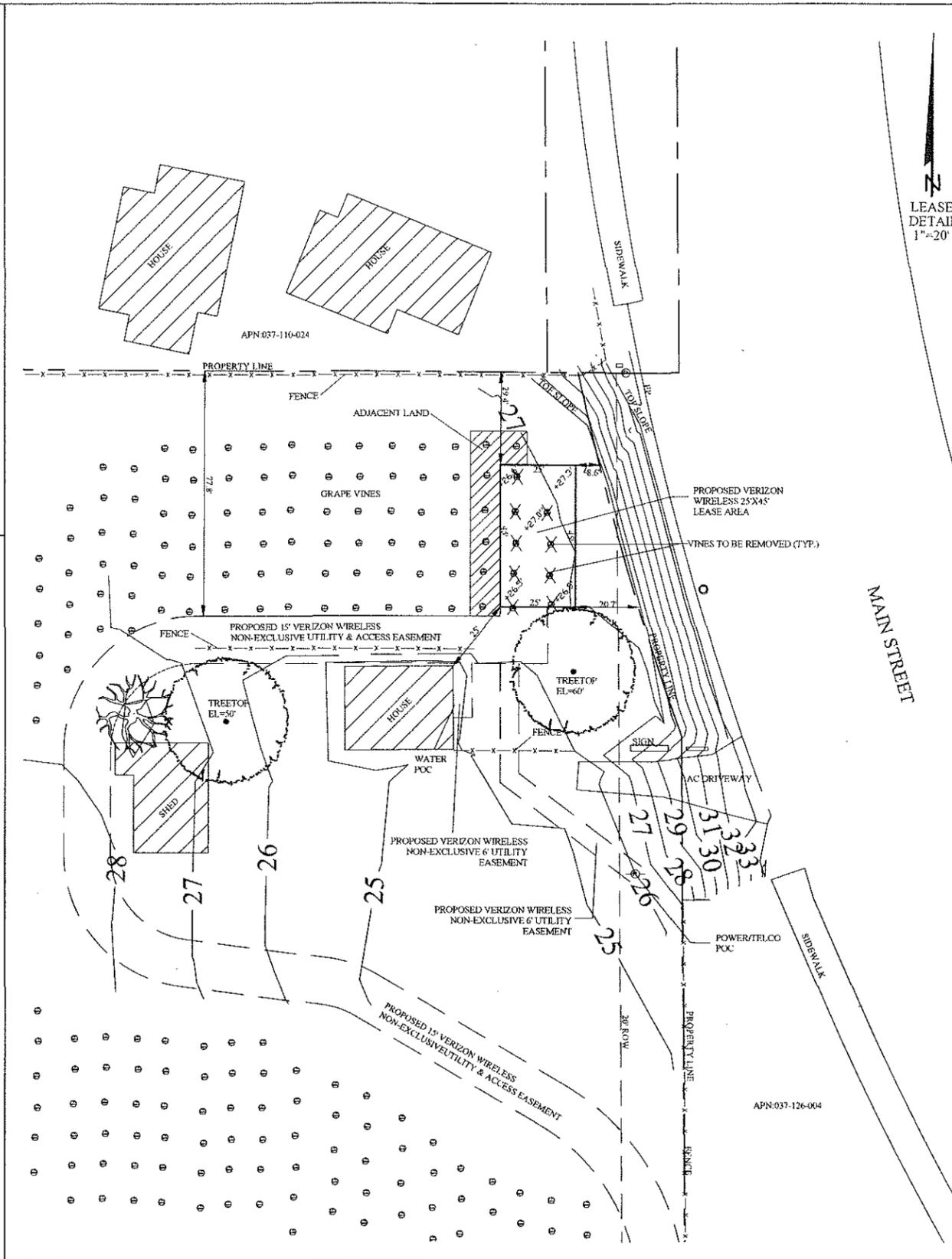
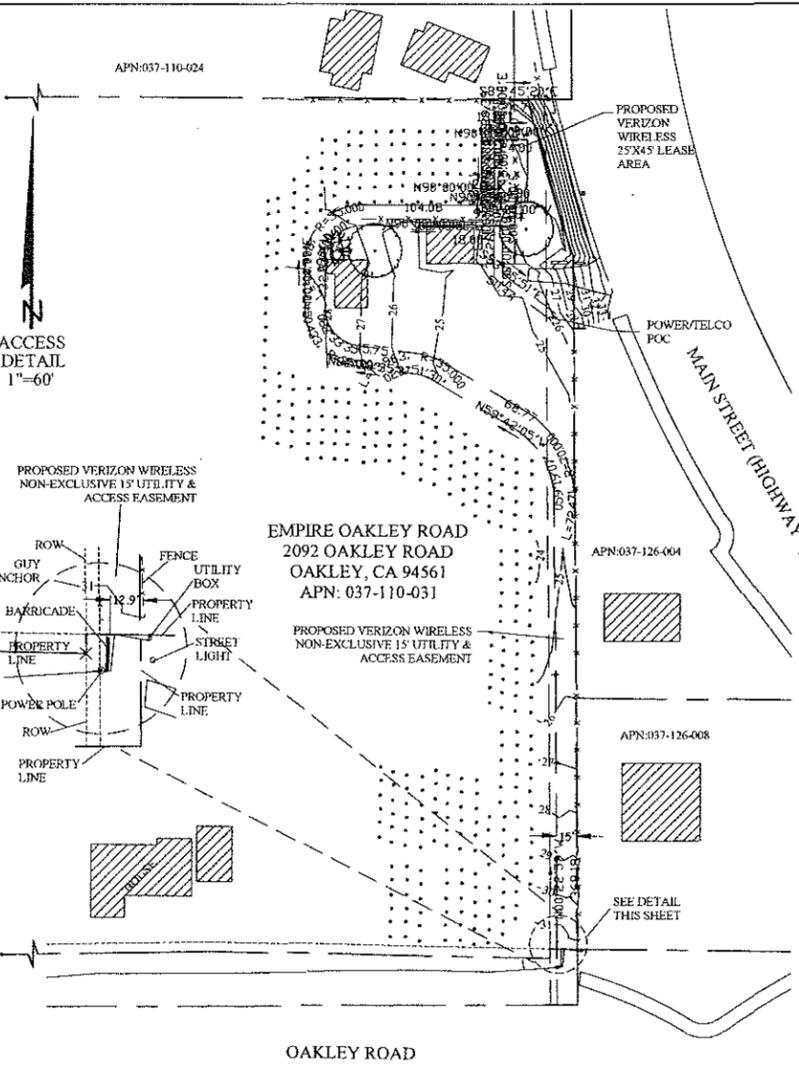
APN: 037-110-031
Together with a 25.00 foot by 45.00 foot Lease Area described as follows:
Commencing at the Northeast corner of the above described parcel of land, thence along the North line of said parcel of land N89°45'20", 24.74 feet; thence leaving said line, South 00°00'00" East 29.39 feet to the True Point of Beginning; thence North 90°00'00" East 25.00', thence South 00°00'00" East 45.00 feet; thence South 90°00'00" West, 25.00 feet; thence North 00°00'00" West, 45.00 feet to the said True Point of Beginning.

Together with a 15.00 foot Non-Exclusive Access & Utility Easement the centerline of which is more particularly described as follows: Commencing at the South West corner of the above described Lease Area; thence along the South line of said Lease Area North 30°00'00" East, 7.50 feet; to the True Point of Beginning; thence leaving said South line South 00°00'00" West, 10.50 feet; thence North 90°00'00" West, 104.08 feet; thence along a tangent curve to the left having a radius of 35.00 feet, through a central angle of 90°00'00", an arc length of 54.98 feet; thence South 00°00'00" East, 32.84 feet; thence along a tangent curve to the left having a radius of 35.00 feet, through a central angle of 82°33'35", an arc length of 50.43 feet; thence South 82°33'35" East, 45.75 feet; thence along a tangent curve to the right having a radius of 35.00 feet, through a central angle of 22°51'30", an arc length of 15.96 feet; thence South 59°42'05" East, 68.77 feet; thence along a tangent curve to the right having a radius of 70.00 feet, through a central angle of 59°19'07", an arc length of 72.47 feet to a point distant 7.50 feet West of said East line of said property; thence parallel with said East line South 09°2'59" East to the South line of said property. The sidelines of said easement shall be lengthened or shortened as to begin on the south line of the above described Lease Area and end on the South line of said property.

Together with a 6.00 foot Non-Exclusive Utility Easement the centerline of which is more particularly described as follows: Commencing at the South West corner of the above described Lease Area; thence along the South line of said Lease Area North 90°00'00" East, 2.72 feet; thence South 00°00'00" West, 18.00 feet to the South line of said 15.00 foot Easement, the True Point of Beginning; thence South 00°00'00" West 36.26 feet; thence South 53°05'51" East, 50.44 feet.

Together with a 6.00 foot Non-Exclusive Utility Easement the centerline of which is more particularly described as follows: Commencing at the South West corner of the above described Lease Area; thence South 00°00'00" West, 18.00 feet to the South line of said 15.00 foot Easement; thence along South line of said 15.00 foot Easement North 90°00'00" West, 12.27 feet to the True Point of Beginning; thence South 00°27'40" East, 17.20 feet. End of Description.

Together with an Adjacent Land Area more particularly described as follows: Commencing at the South West corner of the above described Lease Area and the True Point of Beginning; thence along the West line of said Lease Area North 00°00'00" East 45.00 feet; thence along the North line of said Lease Area, South 90°00'00" East 8.50 feet; thence leaving said North line North 00°00'00" East 10.60 feet; thence North 90°00'00" West 18.10; thence South 00°00'00" West 58.61 feet to the North line of said 15.00 foot Easement; thence along said North line South 90°00'00" East 9.63 feet; thence North 90°00'00" West 3.00 feet to the True Point of Beginning. End of Description.



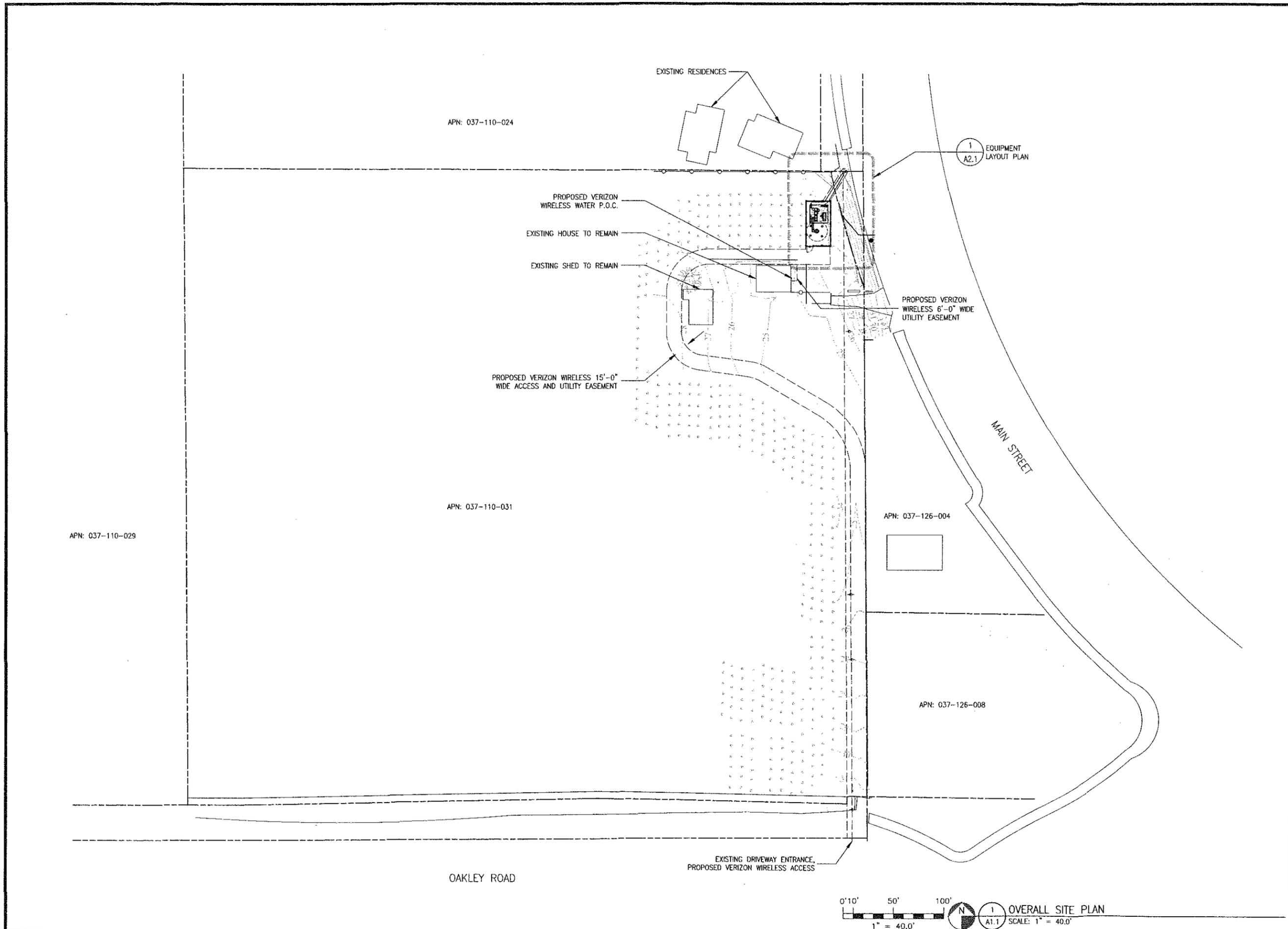
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REV	1/26/15	CHANGE ACCESS ADD OWNER
REV	MSG	ADDED ADJACENT LAND
REV	DB	
REV		
REV		

EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561

ARCHITECT

SURVEYOR
12/04/2014
Gonzales Surveys, Inc.
6240 WEST 6TH STREET
RIO LINDA, CA 95673
(916)-704-5952
www.gonzalesurveys.com

SHEET
DEPT. APPROVED DATE
C-1



APN: 037-110-024

APN: 037-110-031

APN: 037-110-029

APN: 037-126-004

APN: 037-126-008

1
A2.1
EQUIPMENT
LAYOUT PLAN

MAIN STREET

OAKLEY ROAD

EXISTING DRIVEWAY ENTRANCE,
PROPOSED VERIZON WIRELESS ACCESS

0'10' 50' 100'
1" = 40.0'
1
A1.1
OVERALL SITE PLAN
SCALE: 1" = 40.0'

COMPLETE
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916-879-6600
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EMPIRE OAKLEY ROAD
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OAKLEY, CA 94561

verizon WIRELESS

SHEET TITLE:
OVERALL SITE PLAN

LICENSED ARCHITECT
MANUEL S. TRULLAS
No. C-28021
Exp. 08-15
STATE OF CALIFORNIA

Revisions:

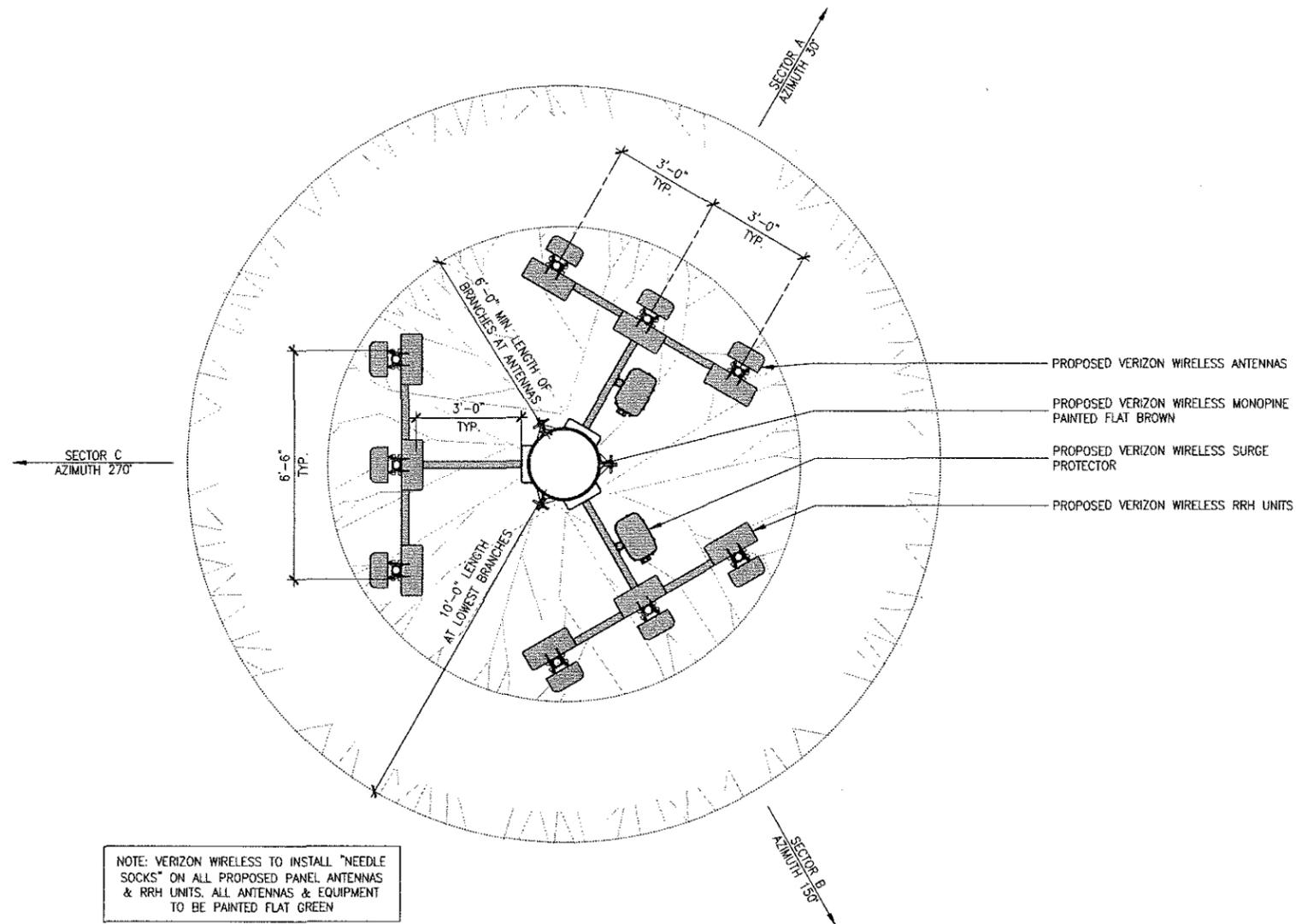
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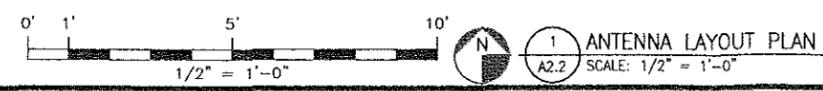
Job No. 162.1278

A1.1

EQUIPMENT SCHEDULE					
EQUIPMENT	DESCRIPTION	QUANTITY			TOTAL
		SECTOR A	SECTOR B	SECTOR C	
ANTENNA	SBNHH-1065B	3	3	3	9
RRH	TBD	3	3	3	9
TMA OR DIPLEXER	N/A	0	0	0	0
SURGE PROTECTOR/HYBRID	RAYCAP DC3315 / HYBRID TRUNK CABLE	2/2			2/2
COAXIAL CABLE	N/A	0	0	0	0
RET CABLE	N/A	0			0



NOTE: VERIZON WIRELESS TO INSTALL "NEEDLE SOCKS" ON ALL PROPOSED PANEL ANTENNAS & RRH UNITS. ALL ANTENNAS & EQUIPMENT TO BE PAINTED FLAT GREEN



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EMPIRE OAKLEY ROAD
2092 OAKLEY ROAD
OAKLEY, CA 94561

verizon WIRELESS

SHEET TITLE: ANTENNA LAYOUT PLAN

LICENSED ARCHITECT
MABEL S. TRUNG
No. C-28821
Exp. 08-15
STATE OF CALIFORNIA

Revisions:

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△	03/23/15
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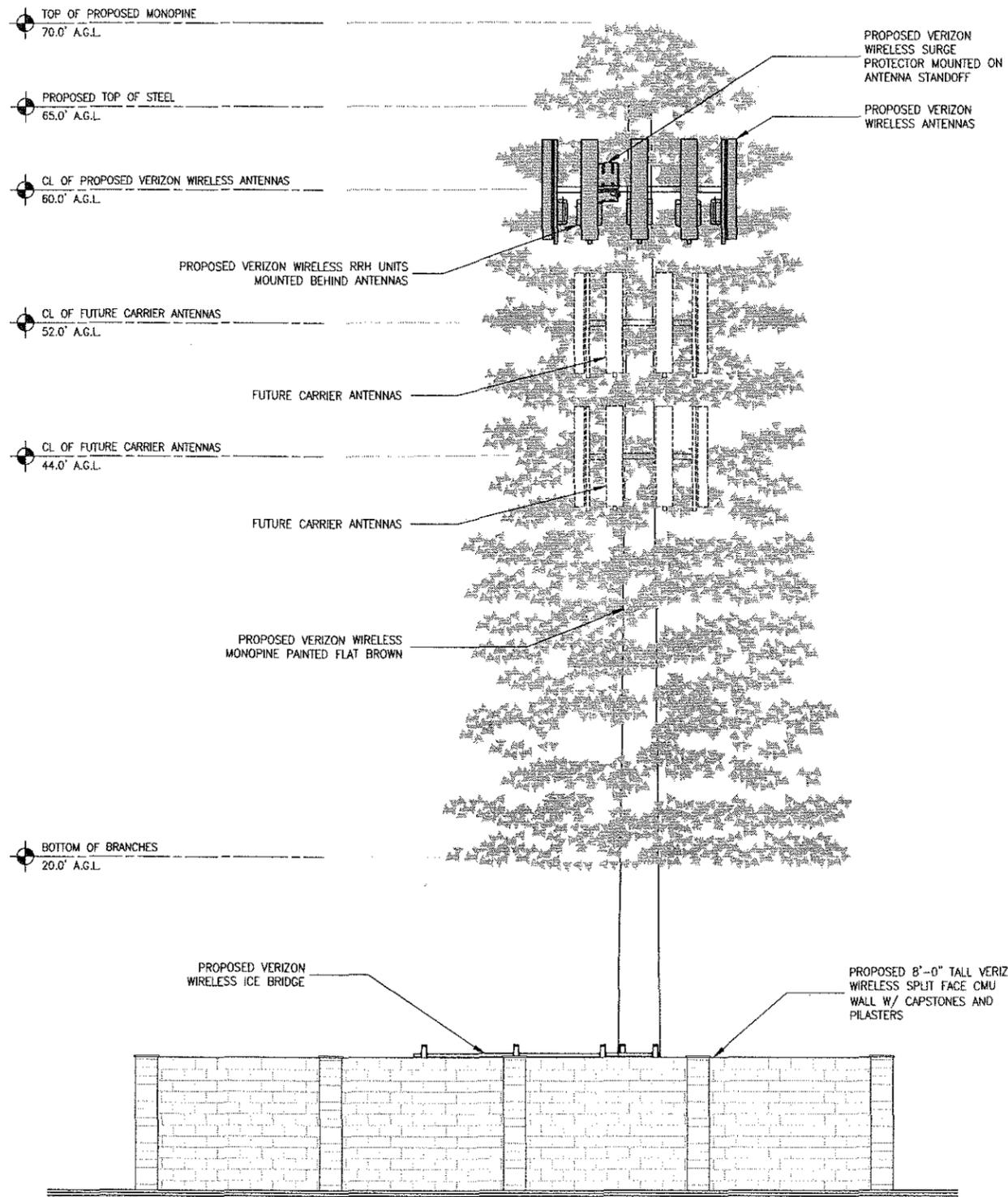
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Drawn By: JCE
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Scale: AS NOTED
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Job No. 162.1278

A2.2

NOTE: VERIZON WIRELESS TO INSTALL "NEEDLE SOCKS" ON ALL PROPOSED PANEL ANTENNAS & RRH UNITS. ALL ANTENNAS & EQUIPMENT TO BE PAINTED FLAT GREEN

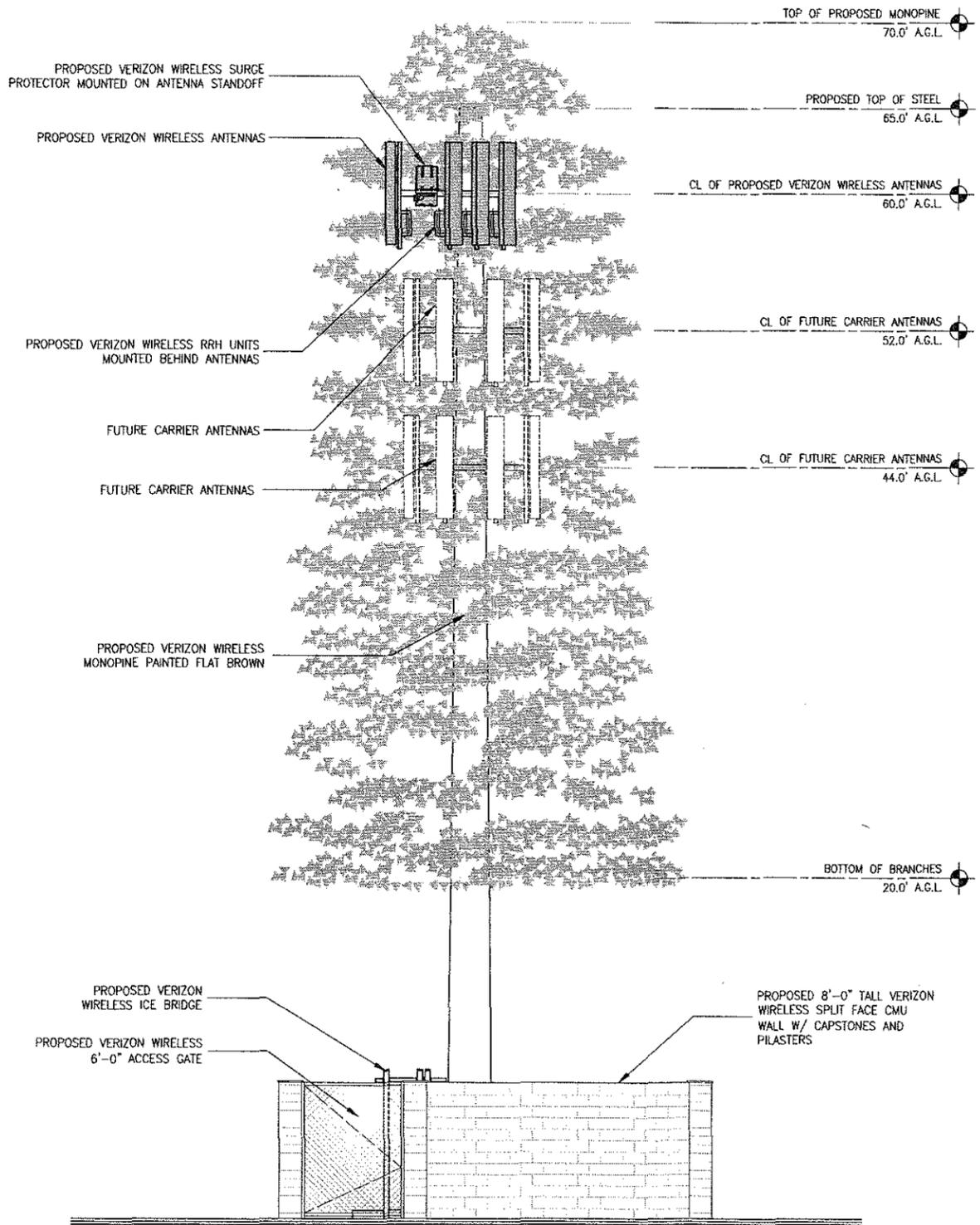
NOTE: BRANCHES SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY. NOT TO SCALE



2 WEST ELEVATION
A3.1 SCALE: 1/4" = 1'-0"

NOTE: VERIZON WIRELESS TO INSTALL "NEEDLE SOCKS" ON ALL PROPOSED PANEL ANTENNAS & RRH UNITS. ALL ANTENNAS & EQUIPMENT TO BE PAINTED FLAT GREEN

NOTE: BRANCHES SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY. NOT TO SCALE



1 SOUTH ELEVATION
A3.1 SCALE: 1/4" = 1'-0"

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verizon WIRELESS

SHEET TITLE: PROJECT ELEVATIONS

LICENSED ARCHITECT
MAMEL S. TRINAK
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A3.1

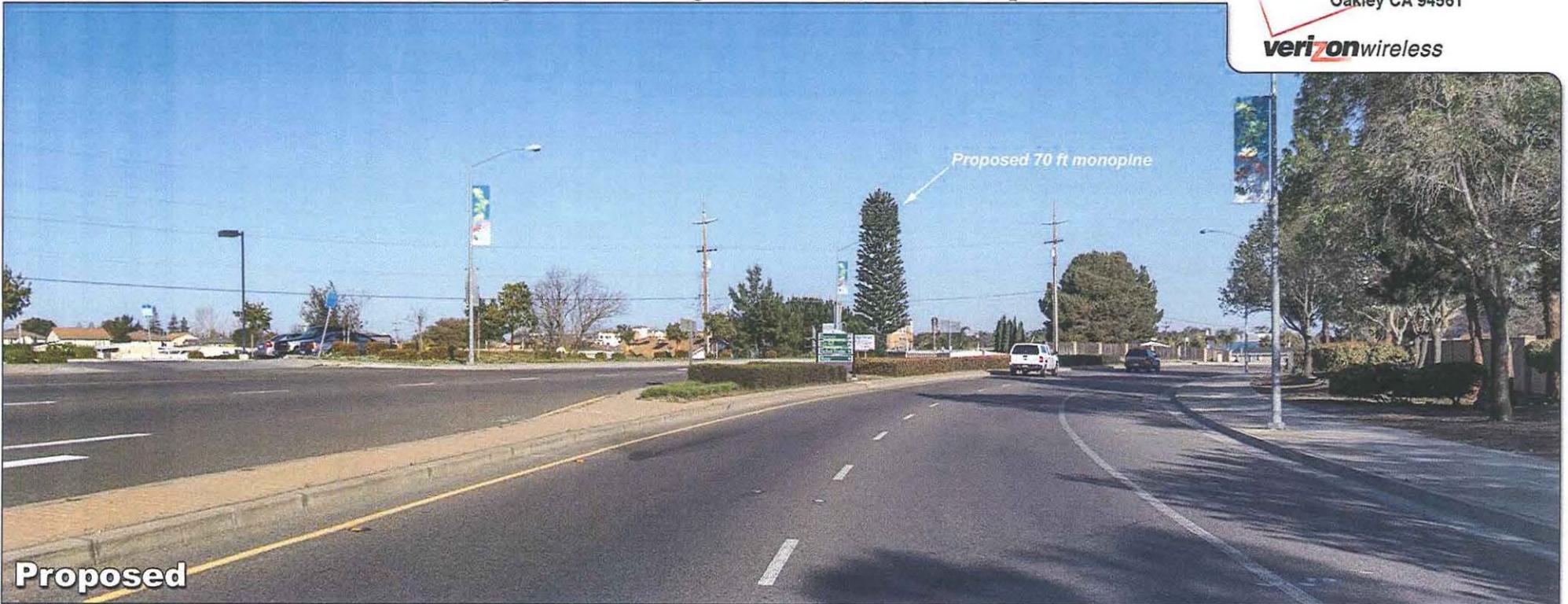


Existing

Photosimulation of the view looking northwest along Main Street, just after Empire Ave.

Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561



Proposed

Proposed 70 ft monopole

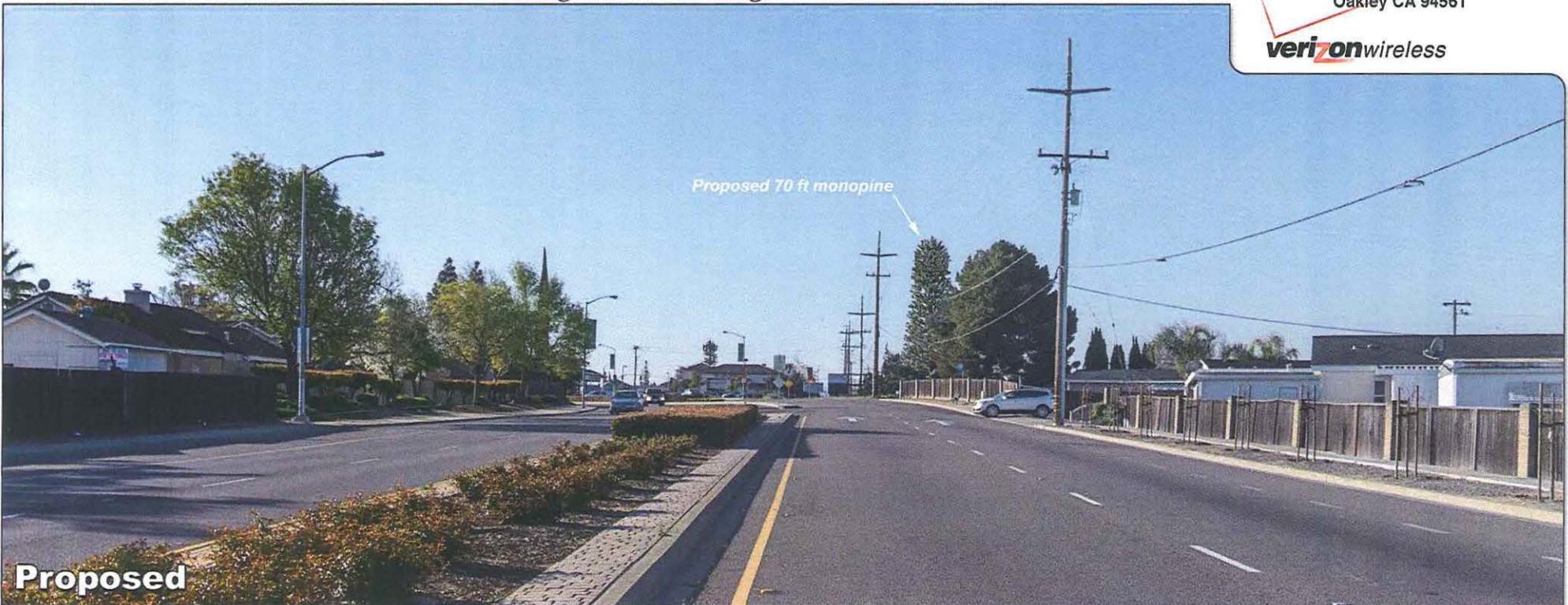


Existing

Photosimulation of the view looking due south along southbound Main Street.

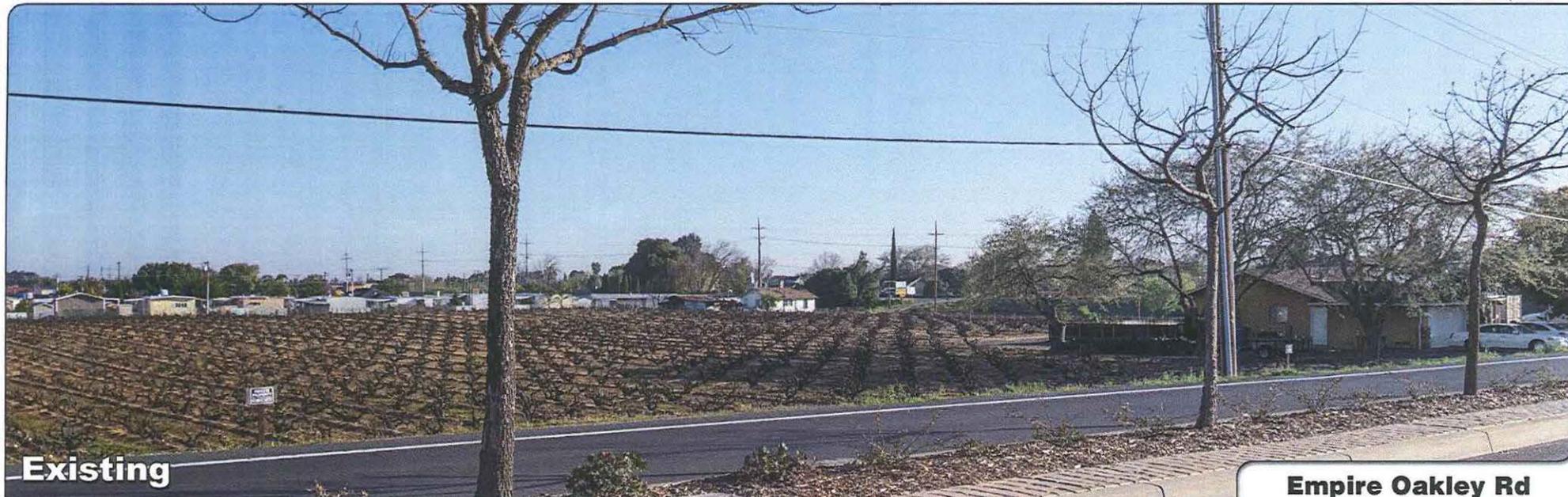
Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561



Proposed

Proposed 70 ft monopine



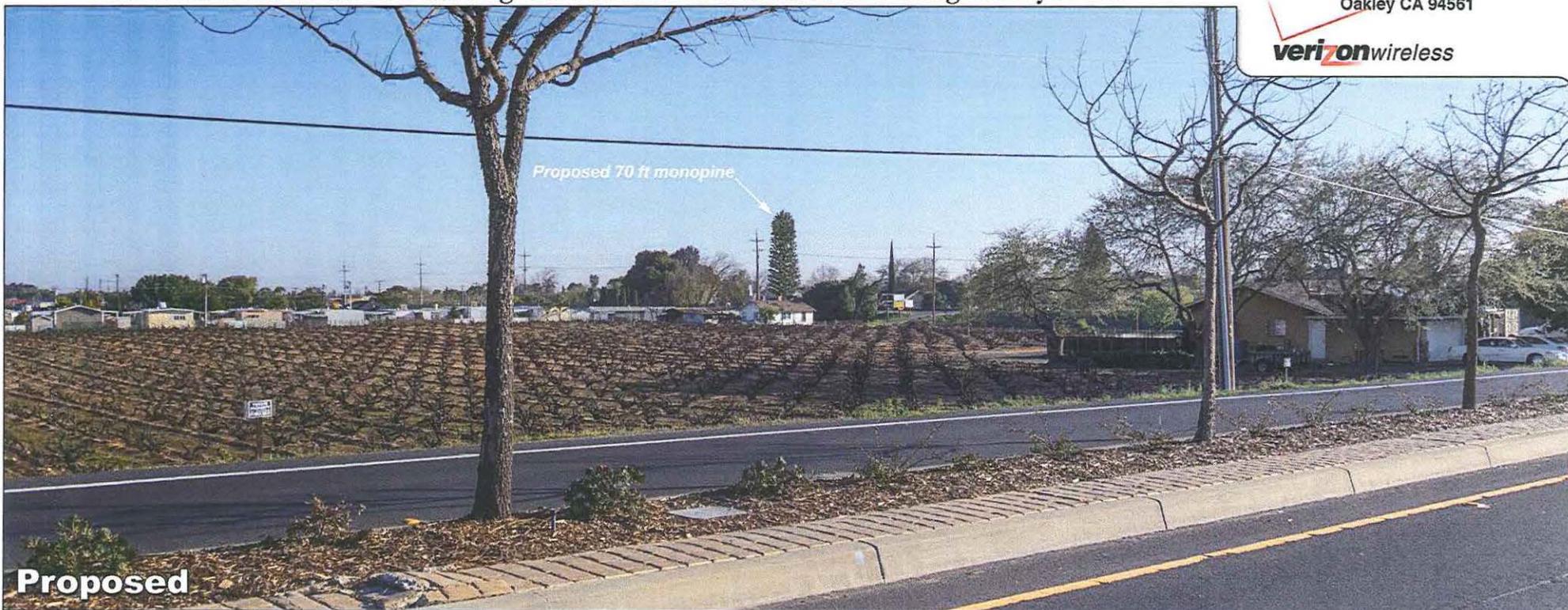
Existing

Empire Oakley Rd

2092 Empire Oakley Rd
Oakley CA 94561



Photosimulation of the view looking northeast from the clearest view along Oakley Road.



Proposed 70 ft monopine

Proposed

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

Project Title: 2092 Oakley Road Wireless Communications Facility (DR 07-15)

Lead Agency Name and Address: City of Oakley, 3231 Main Street, Oakley, CA 94561

Contact Person and Phone Number: Kenneth W. Strelo, Senior Planner, (925) 625-7036

Project Location: 2092 Oakley Road, Oakley, CA 94561, APN 037-110-031, Contra Costa County

Project Sponsor's Name and Address: GTE Mobilenet of Ca. LP, dba Verizon Wireless, c/o Complete Wireless Consulting, Inc., Attn: Jenny Blocker, Sr. Planning Manager, 2009 V Street, Sacramento, CA 95818

General Plan: Commercial

Zoning: C (General Commercial) District

Project Description Summary: Request for design review approval of a new 65 foot tall wireless communications facility (cellular tower) designed as a faux water tank with nine hidden antennas. The structure and ancillary equipment will be within a 25 foot by 45 foot screened area on the northeast corner of an approximately 10-acre site located at 2092 Oakley Road. The site is zoned "C" (General Commercial) District. APN 037-110-031.

DECLARATION

On August 4, 2015 the Community Development Director determined that the above project will have no significant effect on the environment and is therefore exempt from the requirement of an Environmental Impact Report. The determination is based on the following findings:

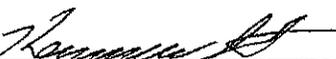
- a) *The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.*
- b) *It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.*
- c) *It will not have significant impacts, which are individually limited, but cumulatively considerable.*
- d) *It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.*
- e) *No substantial evidence exists that the project will have a significant negative adverse effect on the environment.*

Written comments shall be submitted no later than 30 days from the posting date. Appeal of this determination must be made during the posting period.

Submit comments to: City of Oakley, Attn: Kenneth W. Strelo, 3231 Main Street, Oakley, CA 94561

Posting period: 08/06/15 – 09/07/15

Initial Study Prepared By:



Kenneth W. Strelo, Senior Planner



California Environmental Quality Act (CEQA)

Initial Study

for

**2092 Oakley Road Wireless
Communications Facility (DR 07-15)**

August 2015

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**2092 Oakley Road Wireless Communications Facility (DR 07-15)
INITIAL STUDY**

A. BACKGROUND

1. Project Title: 2092 Oakley Road Wireless Communications Facility (DR 07-15)
2. Lead Agency Name and Address: City of Oakley
3231 Main Street
Oakley, CA 94561
3. Contact Person and Phone Number: Kenneth W. Strelo
Senior Planner
(925) 625-7036
4. Project Location: 2092 Oakley Road, Oakley, CA 94561
APN 037-110-031
Contra Costa County
5. Project Sponsor's Name and Address: GTE Mobilenet of Ca. LP
dba Verizon Wireless
c/o Complete Wireless Consulting, Inc.
Attn: Jenny Blocker, Sr. Planning Manager
2009 V Street, Sacramento, CA 95818
6. General Plan: Commercial
7. Zoning: C (General Commercial) District
8. Project Description Summary:

Request for design review approval of a new 65 foot tall wireless communications facility (cellular tower) designed as a faux water tank with nine hidden antennas. The structure and ancillary equipment will be within a 25 foot by 45 foot screened area on the northeast corner of an approximately 10-acre site located at 2092 Oakley Road. The site is zoned "C" (General Commercial) District. APN 037-110-031.

B. SOURCES

The following documents are referenced information sources utilized for this analysis:

1. BAAQMD Air Quality Standards and Attainment Status table and notes.
http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm
2. BAAQMD Updated CEQA Guidelines. May 2011.
3. California Department of Conservation, Important Farmland Map, Contra Costa County, 2012.
4. City of Oakley 2020 General Plan. December 16, 2002.
5. City of Oakley 2020 General Plan Environmental Impact Report. September, 2002.
6. City of Oakley 2020 General Plan Update Background Report. September 2001.
7. City of Oakley Commercial and Industrial Design Guidelines.
8. City of Oakley Municipal Code.
9. City of Oakley Standard Conditions of Approval.
10. East Contra Costa County Habitat Conservation Plan and Natural Communities Conservation Plan.
11. Habitat Conservation Planning Survey. Foothill Associates.
12. <http://gismap.ccmmap.us/imf/imf.jsp?site=ccmap>

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use & Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population & Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation & Circulation
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

D. DETERMINATION

On the basis of this initial study:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: *Kenneth W. Strolo*

Date: 8/4/15

Kenneth W. Strolo
Printed Name

City of Oakley
For

E. BACKGROUND AND INTRODUCTION

This initial study provides an environmental analysis pursuant to the California Environmental Quality Act (CEQA) for the proposed 2092 Oakley Road Wireless Communications Facility (DR 07-15) project. The applicant has submitted this application to the City of Oakley. The initial study contains an analysis of the environmental effects of the proposed project.

The project Initial Study will rely upon the program level analysis provided in the General Plan EIR, as well as site-specific studies prepared for the project, in determination of impacts.

F. PROJECT DESCRIPTION

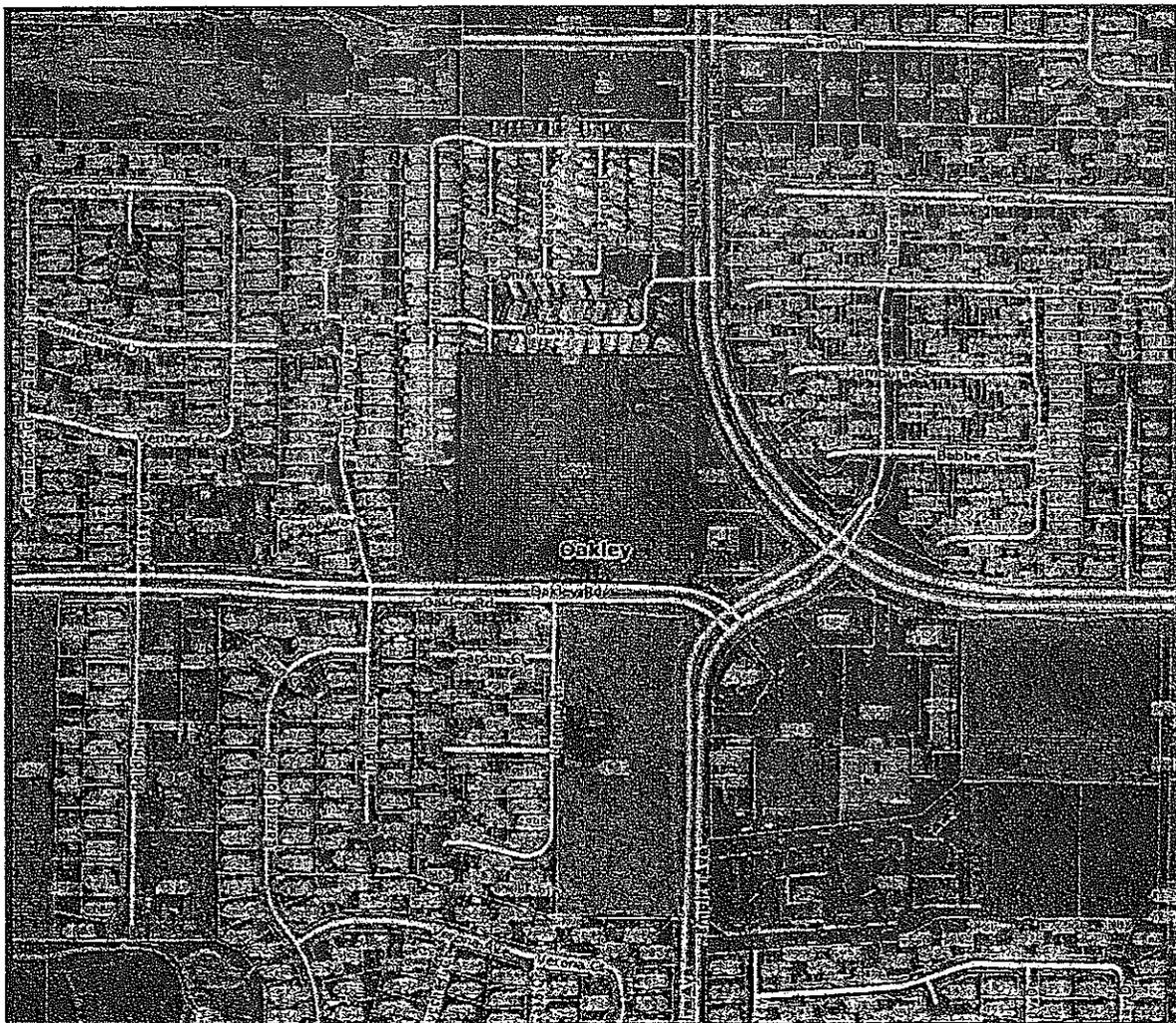
This is a request for design review approval of a new 65 foot tall wireless communications facility (cellular tower) designed as a faux water tank with nine hidden antennas. The structure and ancillary equipment will be within a 25 foot by 45 foot screened area on the northeast corner of an approximately 10-acre site located at 2092 Oakley Road. The site is zoned "C" (General Commercial) District. APN 037-110-031.

Project Location and Surrounding Land Uses

2092 Oakley Road, Oakley, CA 94561, Contra Costa County. APN 037-110-031.

The Eagle City Mobile Home sits directly north and west of the site, and directly east of the site are the Oil Can Henry's and 7/11 with gas station. The property has two existing single family residences, one along Oakley Road, and another near the proposed location of the wireless communications facility.

Figure 1
Project Vicinity Map



Discretionary Actions

Implementation of the proposed project would require the following discretionary actions by the City of Oakley City Council:

- Adoption of a Negative Declaration; and
- Design Review approval.

G. ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant With Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
I. AESTHETICS.				
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The City of Oakley GP EIR (Oakley GP EIR) does not designate the proposed project site a scenic vista. However, Mount Diablo can be seen from the project site and is considered a scenic resource by the Oakley 2020 General Plan (Oakley GP). The City wants to preserve the views of this scenic resource. The project may result in a brief interruption of the view of Mt. Diablo from passing traffic on eastbound Main Street; however, existing trees and the fence on the east property line of the adjacent mobile home park already intermittently block the view. Therefore, the project would have a **less-than-significant** impact on scenic resources.
- b. The project site is not located within a State scenic highway. Therefore, there is **no impact**.
- c. The project is a 65 foot wireless communications facility that is proposed to look like a water tank. Another potential alternative could include a 70 foot tall monopine. The process of design review will require the project to be designed in a manner that does not result in substantial degrading visual qualities and would have a **less-than-significant impact** in regards to the degradation of the scenic quality of the site.
- d. Although not substantial, the project may result in additional, but insignificant light or glare. Also, an external light source that can light up a City logo is proposed on the tank's surface. Therefore, the proposed project would result in a **less-than-significant impact** in the creation of light or glare.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>II. AGRICULTURE RESOURCES.</p> <p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1977) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The proposed project would result in development of approximately 1,125 square feet of a 10-acre site, which currently has existing residential uses and a vineyard use, into the passive use for the proposed wireless communications facility. According the Division of Conservation Contra Costa County Important Farmland Map 2012, the project site is designated as "Farmland of Statewide Importance". The proposed project would not impact the existing or future use of the property as vineyard, and would result in the conversion of a small footprint for a passive utility use. Therefore, the proposed project would result in a **less-than-significant impact** to conversion of Farmland.

- b,c. The project site is not zoned "agricultural" nor is it under Williamson Act contract. The project would have **no impact** impacts to agricultural zoning or Williamson Act land.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
III. AIR QUALITY.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a-c. Oakley is located on the south side of the San Joaquin River Delta, east of the Carquinez Straits. The location between the greater Bay Area and the Central Valley greatly influences the climate and air quality of the area. The City is located at the eastern boundary of the San Francisco Bay Area Air Basin. Oakley is located west of San Joaquin County, which represents part of the neighboring San Joaquin Valley Air Basin. Air quality within the region is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). Screening of project was done under the BAAQMD's California Environmental Quality Act Air Quality Guidelines, updated May 2011. Due to the small size of the project and resulting passive use, except for sparse vehicle trips due to routine or required maintenance of the facility, the project results in a **less-than-significant impact** to the applicable air quality plan, and cumulative impacts associated with the San Francisco Bay Area Air Basin.
- d. The project would not include or result in substantial pollutant concentrations; therefore, the project would have a **less-than-significant impact** related to exposing sensitive receptors to substantial pollutant concentrations.
- e. The project would not include industrial or intensive agricultural use; therefore, the project would not create odors or toxic air contaminants. The proposed project would have **no impact** on odors or toxic air contaminants.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES.				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The Oakley GP Figure 6-1, Vegetation Types, designates the project site as Agricultural/Ruderal, and Figure 6-2, Biological Sensitivity, of the Oakley GP indicates that the project site is considered to have Low biological sensitivity. The site also contains two existing residences. The proposed project site is actively farmed as a vineyard and the location of the facility is proposed near the northern residence and will result in removal of approximately 10 existing vines. The

proposed project is consistent with the type and intensity of development identified for the site in the Oakley GP.

As part of the project application, Foothill Associates out of Rocklin, CA conducted a submitted a Planning Survey to comply with and receive permit coverage under the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan (HCP). Results of the Planning Survey found no sensitive or special status plant species on site, and applicable animal species will require pre-construction surveys and mitigation that is built into the HCP permit. With a total disturbed area of approximately 0.03 acres of vineyard of a 10 acre site, the project will have a **less-than-significant impact** to sensitive habitats, sensitive communities, and special-status species.

- b. The project site does not include any riparian habitat or other sensitive natural communities. Therefore, there would be **no impact** due to this development.
- c. The project site does not include any wetlands as defined by Section 404 of the Clean Water Act. Therefore, **no impact** would result from the development of the project site.
- d. The project site does not support a wildlife corridor and does not contain any watercourses that would support migratory fish. Therefore, the development of the project site would result in **no impact**.
- e. No trees are proposed to be removed. Therefore, the project will result in **no impact** in relation to conflicting with the local policies or ordinance protecting biological resources or trees.
- f. The East Contra Costa County HCP was approved in August 2007, and the City of Oakley approved the implementing ordinance on November 13, 2007. The project is within the City and, therefore, is included in the urban limit line of the HCP. In compliance with the implementing ordinance, the proposed project has completed the HCP Application and Planning Survey to comply with and receive permit coverage under the East Contra Costa County HCP and Natural Community Conservation Plan. The proposed project will be required to comply with the HCP conservation strategies; therefore, a beneficial impact would be anticipated with regard to conformance with the HCP. Since the project will comply with the requirements of the HCP, there is no conflict and; therefore, **no impact** in relation to the HCP.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
V. CULTURAL RESOURCES.				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. The Oakley GP EIR on page 3-149 states that "while there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, eligible for such designation or listing [...] Oakley's historic resources are generally in need of official recognition." The project site is not listed in the California Register of Historical Resources, nor is it listed in a local register or determined to be a historic resource by the Oakley General Plan. Therefore, there is **no impact**.

b-d. According to the Oakley GP EIR (p. 3-148), few archeological or paleontological finds have occurred in the City of Oakley. However, the EIR states that given the rich history of the Planning Area and region, the City will continue to require site evaluation prior to development of undeveloped areas, as well as required procedures if artifacts are unearthed during construction. The City of Oakley adopted Standard Conditions of Approval include the following conditions, which when implemented would reduce the impact to a **less-than-significant impact**.

"Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary."

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VI. GEOLOGY AND SOILS.				
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, c, d. The General Plan EIR states that Oakley has been subjected to numerous seismic events, originating both on faults within Contra Costa County and in other locations in the region. Six major Bay Area earthquakes have occurred since 1800 that have affected the County. The City of Oakley is underlain by the Brentwood Faulty that is inferred active because of scattered small magnitude earthquakes near the trace of the fault. However, the maximum credible earthquake (7.0-8.5) anticipated in the Oakley area in a 50 year time period would result from either the San Andreas Fault or Antioch Fault (Oakley GP EIR, 3-12).

The potential for the structures proposed for the site to be damaged by ground rupture or ground shaking is considered to be relatively unlikely, but the possibility exists for damage to occur during an earthquake of moderate magnitude. Also, expansive soils shrink and swell as a result of moisture changes. This could cause

heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. The soils encountered across the site consisted of non-plastic sand deposits. Non-plastic soils can be expected to display a low expansion potential; therefore, the potential impact of expansive soils can be considered low. To address potential geotechnical issues with the project, as part of the City's Standard Conditions of Approval, the applicant is required to:

"Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the subdivision including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections."

The project area is relatively flat; therefore, landslides do not represent a likely hazard. Seismic impacts, including the associated hazards posed by ground shaking and liquefaction, are primarily restricted to buildings and structures.

Implementation of the above standard condition of approval will ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in design and that **less-than-significant impact** would result.

- b. The project site is primarily used as an active vineyard with two existing residences. The proposed project would result in development of approximately 0.03 acres (or 1,300 sf.) for the purposes of a 65 foot tall wireless communications facility and ancillary equipment. Construction of the project would involve the disturbance and possible relocation of topsoils, rendering earth surfaces susceptible to erosion from wind and water; however, as part of the City's Grading Ordinance, the applicant is required to submit an Erosion Control Plan that utilizes standard construction practices to limit erosion effects during construction of the project.

Implementation of the Grading Ordinance will ensure that construction of the project results in a **less-than-significant impact** related to soil erosion.

- e. The proposed project would not require sewer system services. Therefore, the proposed project would have **no impact** on soils supporting septic systems.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS.

Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a. In May 2011, the BAAQMD updated GHG emission CEQA thresholds of significance. The thresholds are divided into two categories; non-stationary source projects, and stationary source projects. The proposed project is a stationary source project. Established construction related impact thresholds for GHG emissions do not exist; however, the BAAQMD CEQA Air Quality Guidelines identify operational related impact thresholds. The operational thresholds are as follows:

- Compliance with Qualified Greenhouse Gas Reduction Strategy; or
- 1,100 metric tons (MT) of carbon dioxide equivalent per year (CO2e/yr); or
- 4.6 MT CO2e/service population (SP)/yr (residents + employees).

The thresholds do not specifically address wireless communication facilities. However, other land uses, such as industrial park and manufacturing only exceed the thresholds when buildings reach 65,000 sf. and 89,000 sf., respectively. Therefore, it can be seen with certainty that the proposed project at under 1,300 sf. will not exceed the thresholds and that it would create a **less-than-significant impact** toward greenhouse gas emissions.

b. A qualified GHG Reduction Strategy that could be applied to the proposed project has not yet been adopted. In addition, the City of Oakley does not have any adopted plans or policies aimed at reducing GHG emissions that would be applicable to the proposed project. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and there would be **no impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS.				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-c. The routine transport, use, or disposal of hazardous materials is not typically associated with passive wireless communications facilities. Accordingly, the

proposed project would not likely create hazards to the public or the environment from transportation, use, or disposal of hazardous materials, or from reasonably foreseeable upset and accident conditions involving likely release of hazardous materials into the environment. Also, the project will not emit hazardous emissions or handle hazardous waste, and therefore would not result in an impact to the nearest school (Live Oak Elementary), located approximately ½ mile to the northwest.

Based on the above information, the project would create a **less-than-significant** impact in the applicable categories.

- d. The proposed project site is not located on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in **no impact**.
- e, f. The project site is not located within two miles of any public or private airports. Therefore, the development of the proposed project would result in **no impact** regarding safety issues related to airport use.
- g. Development of the project site would not interfere with an adopted emergency response plan or emergency evacuation plan. Construction vehicles would be located onsite and would therefore not impede the flow of traffic along Brownstone Road. Therefore, **no impact** would occur.
- h. The project site is bordered by urban communities. Wild lands do not exist in close proximity to the project site. The likelihood of wildfires in the project area is not significant. Therefore, wildfires would have **no impact** on the proposed project.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY.				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a.f. The proposed project would involve very minimal potential erosion and discharge of sediment in nearby storm drainage because it is located on a mostly undeveloped site and will remain surrounded by pervious, sandy surfaces. After construction, urban runoff and possible contribution of urban runoff constituents to downstream surface waters. The potential impacts related to water quality and waste discharge would be **less-than-significant impacts**.
- b. The Oakley GP EIR (p. 3-119) states that groundwater is a source of water in Contra Costa County, mostly in rural areas. Several small public and private water companies extract underground water through wells and convey it to nearby customers. The Oakley GP EIR states that sources not served by the Diablo Water District (DWD) that use water wells are located primarily south of Laurel Road and east of Main Street. The project is located north of Laurel Road and would be served by the DWD, if it required water service. However, the project is not proposing the need for water service. Therefore, the project would have a **less-than-significant** impact to groundwater resource supply and/or recharge.
- c-e. The Oakley GP EIR states that "Increased development associated with General Plan build-out may lead to an increase in impervious surfaces being created where permeable soils currently exist." The proposed project will have a minimum amount of impervious surface added to the 10-acre site. The 25' by 45' lease area will be enclosed within a fence or wall and include the wireless communications facility and ancillary equipment. The ancillary equipment will require a pad of approximately 325 sf. The minimal amount of added impervious surface that will be self-contained will result in a **less-than-significant impact** to existing drainage and runoff.
- g-i. Substantial areas within Contra Costa County are subject to flooding. The Federal Emergency Management Agency (FEMA) indicates a majority of the County's creeks and shoreline areas lie within the 100-year flood plain. The proposed project is not located within an area of the 100-year flood plain as depicted in Figure 8-3 of the Oakley GP. Areas deemed to be within the 100-year flood plain are subject to flooding during a storm likely to occur once every one hundred years. Because the project is not located within an area affected by the 100-year flood plain, there is **no impact**.
- j. A tsunami is a sea wave caused by submarine earth movement. A seiche is an oscillation of the surface of a lake or landlocked sea. The project site is not in close proximity to the ocean, a land locked sea, or lake to be at risk from inundation from these phenomena. The land is relatively flat and has a low risk of being impacted by mudslides. Therefore, the potential impact from these phenomena is **less-than-significant**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
X. LAND USE AND PLANNING.				
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The project will not physically divide a community as it will completely exist within a small footprint of an existing 10-acre site. The project would have **no impact** on dividing an established community.
- b. The City of Oakley GP designates the project site as Commercial, and zones it as General Commercial. As per the Zoning Ordinance, Wireless Communications Facilities are permitted in Commercial Districts. Therefore, the proposed project would comply with the Commercial designation.

With City Council approval of the proposed design review application, the project would have **less-than-significant** impacts regarding conflicts with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project.

- c. As previously mentioned, projects within the City of Oakley are subject to compliance with the East Contra Costa Habitat Conservation Plan (HCP). The proposed project has submitted the necessary application documents to comply with the HCP. Therefore, **no impact** would occur from conflict with such a plan.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XI. MINERAL RESOURCES.				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a,b. The Contra Costa County General Plan states (p. 8-52) that the most important mineral resources that are mined in the County include crushed rock near Mt. Zion, on the north side of Mt. Diablo, in the Concord area; shale in the Port Costa area; and sand and sandstone deposits, mined from several locations, but focused in the Byron area. Figure 8-4, Mineral Resource Areas, of the Contra Costa County General Plan, lists deposits of diabase, domengine sandstone, and clay. None of these deposits are shown in the Oakley area. Therefore, **no impact** to mineral resources would occur as a result of the construction of the proposed project.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XII. NOISE.				
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a - d. The proposed project involves the construction of an approximately 65 foot tall wireless communications facility within a walled/fenced area of approximately 1,300 sf. that will also house ancillary equipment. Once completed and operating, the project is not expected to generate any significant noise levels. Ground vibrations may be present during construction; however these will be temporary in nature. Also, construction of the project is subject to the Oakley Municipal Code, which addresses allowable hours of construction and use of certain powered machinery. As a result, the project would have a **less-than-significant** impact in regards to the exposure of persons to or generation of noise levels in excess of standards established in the local general plan, groundborne vibrations, permanent noise levels, and temporary or periodic noise levels.

e,f. The proposed project is not within an airport land use plan or within the vicinity of a private airstrip. Therefore, development of the site would result in **no impact** regarding airport noise generation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIII. POPULATION AND HOUSING.				
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. An impact to population and housing is considered significant if the project would induce substantial population growth in an area either directly or indirectly. The proposed project will be placed on a site with potential for future growth; however, the project will not enhance the site in the way of available utilities in a manner that would induce future development of the site. The project will not create substantial population growth in the area. Therefore, a **less-than-significant** impact would occur in regards to the project increasing substantial population growth in an area that has not been previously anticipated for such growth.
- b,c. Two residences currently exist on the project site and the project will not result in the displacement of either people or residences; therefore the proposed project would not require the construction of replacement housing. Approval and implementation of the proposed project would neither displace substantial existing housing nor necessitate the construction of replacement housing, and the project would result in a **no impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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XIV. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a.	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The City of Oakley is provided fire protection by the East Contra Costa Fire Protection District (ECCFPD). All new development is subject to the East Contra Costa Fire Protection District's impact fee, which is based on total square footage of building. The project proponent is required to pay the fee at the time of building permit issuance, and would therefore cover the project's fair share of fire protection services. Payment of the fee is a requirement of development and would result in a **less-than-significant** impact to fire protection services.
- b. The proposed project is not expected to create any significant drain on police service that would result in the need for new or physically altered facilities, or any changes to police service in order to maintain the current levels of service. The project site is within the current police service area for the City of Oakley and will not add any additional residents to the City that would affect the police officer/citizen ratio. Therefore, the project has a **less-than-significant** impact on police services.
- c. The project will not result in any new students, and therefore will result in **no impact** to schools.
- d. The proposed project is subject to the City's Park Acquisition and Improvement impact fees, which are based on total square footage of buildings. The project proponent is required to pay the fee at the time of building permit issuance, and would therefore cover the project's fair share of park services. Payment of the fee is a requirement of development and would result in a **less-than-significant** impact to park services.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XV. RECREATION.				
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b. See discussion for XIV. Public Services section d.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVI. TRANSPORTATION/CIRCULATION.				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a,b. Once constructed, the project will only generate traffic from routine maintenance of the facility and ancillary equipment. There are no anticipated daily trips, customers, or daily employees required as a part of the project; therefore the project will have a **less-than-significant impact** to both increases in traffic and level of service.
- c. Byron Airport is located south of the project site in the southern portion of the Community of Byron; however, the proposed project would not require any changes to existing regional air traffic activity. Therefore, **no impact** would occur.
- d. The proposed project would not include any unusual design features in the layout of the streets that would increase hazards. Therefore, **no impact** would result from the buildout of the proposed development.
- e. The proposed project would not interfere with existing emergency access routes and would not create any new situations where additional emergency routes would be required. Therefore, **no impact** would occur.

- f. The proposed project does not require any significant amount of off-street parking other than that required for construction and one or two vehicles during routine maintenance. The surrounding property and access road provides ample room for both situations. Therefore, the proposed project would provide for adequate parking and **no impact** would result.

- g. The project would not interfere or result in any changes to alternative transportation. Therefore, the proposed project would have **no impact** to alternative transportation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact	
XVII. UTILITIES AND SERVICE SYSTEMS.					
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, b, The will not generate wastewater, solid waste or have the need for treated d-g. water; therefore, there is **no impact**.

c. The project will not result in the construction of any new storm drainage facilities, as there will be minimal impervious surface, similar to a utility tower. Also, it is not expected to result in the requirement for expansion of existing facilities. The project will result in a net increase in impervious surface, so this impact is expected to be a **less-than-significant impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. As mentioned previously, the Oakley GP states that the project site has a low biological sensitivity. However, although unlikely, the possibility exists that the project site supports special-status species and/or serves as foraging habitat for these species. This Initial Study includes discussion regarding compliance with the East Contra Costa Habitat Conservation Plan/ Natural Communities Conservation Plan. Therefore, the proposed project would have **less-than-significant** impacts to special-status species and sensitive natural communities.
- b. The project results in the addition of a utility on an existing 10-acre site currently used for two residences and an active vineyard. The future planned use of the property is Commercial. Construction of the project is less intense than the planned build out of the site. Preservation of the existing state of this parcel would not result in any long-term environmental goals that have been established by the City of Oakley. The project is consistent with the City of Oakley General Plan and Zoning Ordinance. Therefore, the impact is **less-than-significant**.

- c,d. As analyzed earlier in the document, the project will have cumulative impacts on air quality. Mitigation measures have been established by the Bay Area Air Quality Management District, and those mitigation measures have been implemented into this project. Therefore, after implementation of the sponsored mitigation measures, the project will create **less-than-significant** cumulatively considerable impacts.

RESOLUTION NO. XX-15

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS
AND APPROVING DESIGN REVIEW FOR "2092 OAKLEY ROAD WIRELESS
COMMUNICATIONS FACILITY" (DR 07-15)

FINDINGS

WHEREAS, on April 16, 2015, Jenny Blocker of GTE Mobilnet of CA LP ("Applicant") filed an application for design review approval of a new approximately 67 foot tall wireless communications facility (cellular tower) designed as a faux water tank with nine (up to 18) hidden antennas. The structure and ancillary equipment will be within a 25 foot by 45 foot screened area on the northeast corner of an approximately 10-acre site located at 2092 Oakley Road. The site is zoned "C" (General Commercial) District. APN 037-110-031; and

WHEREAS, on May 16, 2015 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated Commercial (C) on the Oakley 2020 General Plan Land Use Map, and zoned C (General Commercial) District; and

WHEREAS, an Initial Study and Negative Declaration ("ND") have been prepared for this project pursuant to the California Environmental Quality Act (CEQA). The Notice of Intent to adopt a ND and Initial Study was circulated for public review and comment from August 6, 2015 to September 7, 2015 and was filed with the County Clerk and Governor's Office of Planning and Research State Clearinghouse; and

WHEREAS, on August 28, 2015, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 300-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on September 8, 2015, the City Council opened the public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning Ordinance, and the information submitted to the City Council at its September 8, 2015 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above Findings and the entire Record, the City Council makes the following additional findings in support of the recommended approvals:

- A. Regarding the application requesting design review approval for project titled, "2092 Oakley Road Wireless Communications Facility (DR 07-15)", the City Council finds that:
1. The proposed project minimizes overall visual impact in that it is designed as a public art facility and will hide the nine proposed and nine future antennas within the water tank structure;
 2. Through the adoption of proposed conditions of approval, the project will:
(a) comply with the Federal Communications Commission (FCC) and all other applicable federal, state, and local agencies, (b) use sufficient anti-climbing deterrents, (c) use a non-reflective finish on the structure and tank, (d) keep the structure and all associated equipment and signage maintained and in good working order, (e) not use the facility for advertising, and (f) not use exterior lighting on the facility;
 3. The wireless communication tower has been designed at the minimum functional height required to fill the gap for coverage area;
 4. The wireless communications facility has been designed as a public art facility, and also located on the site where there are additional trees that will help to reduce the visual prominence of the facility; and
 5. Through the adoption of a condition of approval the project will be required to use the smallest available and least visible antennas that provide the coverage objective shall be mounted on towers. It is noted the antennas are already fully screened from view.
- B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the applicant's request for design review approval of "2092 Oakley Road Wireless Communications Facility (DR 07-15)", subject to the following conditions:

Applicant shall comply with the requirements of the Municipal Code, unless otherwise stipulated in this resolution. Conditions of Approval are based on the plans received by

the Planning Division and made a part of the City Council's meeting packet for September 8, 2015.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

General:

1. This Design Review is approved, as shown on the plans, date stamped by the Planning Department on August 5, 2015, and as conditioned below.
2. This approval shall be effectuated within a period of one (1) year from the effective date of this resolution and if not effectuated shall expire on September 8, 2016. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on September 8, 2015 and conditioned herein.
4. The project is approved to only include the 18 antennas and RRH units that will be screened from view and located within the water tank. Installation of any additional visible antennas is subject to a separate design review approval.
5. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
6. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
7. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.
8. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the

City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

East Contra Costa HCP/NCCP:

9. The applicant shall comply with the requirements of the East Contra Costa Habitat Conservation Plan / Natural Communities Conservation Plan, including finalization of the Planning Survey Report, implementation of applicable plant and animal surveys, and payment of applicant impact fees.

Development Standards:

10. The wireless communication facilities shall comply at all times with all Federal Communications Commission (FCC) rules, regulations, and standards, and any other applicable federal, state or city laws or regulations.
11. Sufficient anti-climbing deterrents, including warning signs (ANSI Standard C95.2-1982 Warning Symbol), shall be incorporated into the facility, as needed, to reduce the potential for trespass and injury.
12. All related equipment, equipment enclosures, antennas, poles or towers shall have a non-reflective finish and shall be painted or otherwise treated to minimize visual impacts.
13. Proposed equipment cabinets/structures and accessory structures shall be maintained in good condition over the term of the permit. This shall include keeping equipment cabinets and structures graffiti-free and maintaining security fences and warning signs in good condition.
14. Antennas, towers, dishes or mountings shall not be used for advertising.
15. Exterior lighting shall not be allowed on the wireless communication facility except for that required for use of authorized persons on-site during hours of darkness or where antenna structure owner or registrant is required to light the antenna structure by the terms of the FAA antenna structure registration applicable to the facility.

Waste Management Plan:

16. The applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

Building Division Conditions

17. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy requirements from the State of California Energy Commission.

To confirm the most recent adopted codes please contact the Building Division at (925) 625-7005.

Public Works and Engineering Conditions

18. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in accordance with the Municipal Code and these conditions of approval.
19. Submit grading plans including erosion control measures and revegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
20. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the project including, but not limited to grading activities, compaction requirements, utility construction, slopes and retaining walls.
21. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The name of the person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
22. Any work proposed to be performed within the City's right of way will require an encroachment permit. The application for the permit should be submitted to the City no less than a week before work is proposed to commence.
23. The applicant shall work with Public Works and Engineering staff to obtain an easement for the proposed utility conduits within the City's right of way. No work within the City right of way may be started until the easement is granted.

Advisory Notes

The following Advisory Notes are provided to the applicant as a courtesy but are not a part of the conditions of approval. Advisory Notes are provided for the purpose of informing the applicant of additional ordinance requirements that must be met in order to proceed with development.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.
- E. Comply with the requirements of the East Contra Costa Fire Protection District.
- F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the September 8, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date