REGULAR MEETING OF THE
CITY OF CONCORD
PLANNING COMMISSION

Wednesday, March 20, 2019
6:30 p.m. – City Council Chamber
1950 Parkside Drive, Concord

Planning Commission Members:
John Mercurio, Chair
Mark Weinmann, Vice Chair
Ray Barbour, Commissioner
Jason Laub, Commissioner
Craig Mizutani, Commissioner

REGULAR MEETING
6:30 p.m. – City Council Chamber

I. ROLL CALL

II. PLEDGE TO THE FLAG

III. PUBLIC COMMENT PERIOD

IV. REORGANIZATION OF PLANNING COMMISSION

1. Nomination and designation of the Chairperson of the Planning Commission for 2019/20

2. Nomination and designation of the Vice Chairperson of the Planning Commission for 2019/20

V. COMMISSION APPOINTMENTS

1. Nomination and designation of Design Review Board Liaison and Alternate for 2019/20

2. Nomination and designation of TRANSPAC Liaison and Alternate for 2019/20

VI. ADDITIONS / CONTINUANCES / WITHDRAWALS

VII. CONSENT CALENDAR

1. 3/6/19 Meeting Minutes

2. Concord Village Use Permit, Minor Use Permit, and Design Review Extension (PL19032 – UP, MP, DR) – Application for a two-year extension of the approval for the Concord Village Use Permit, Minor Use Permit, and Design Review for a
230-unit apartment project with approximately 3,000 sq. ft. of amenity space on a 2.34 gross acre site at 2400 Salvio Street and 2401 and 2471 Willow Pass Road. The original entitlement was approved by the Planning Commission on March 15, 2018. The General Plan designation is Downtown Mixed Use; Zoning classification is DMX (Downtown Mixed Use); APN’s 126-083-011, -012, -013. CEQA: No further environmental review is required under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 as there are no substantial changes proposed to the project, new circumstances or new information which require major revisions to the Mitigated Negative Declaration previously approved for the project. Project Planner: Ryan Lenhardt @ (925) 671-3162

3. 2051 Salvio Street General Plan Consistency – Review that a proposed sale of a portion of City-owned property is consistent with the adopted General Plan pursuant to Government Code Section 65402(a). Project Contact: Marie Suvansin, Economic Development Specialist @ (925) 671-3048

4. General Plan Annual Progress Report – Project Planner: Michael Cass, Principal Planner @ (925) 671-3332 & Sophia Sidhu, Housing Program Analyst @ (925) 671-3387

VIII. PUBLIC HEARINGS

1. Salmon Run Apartments Use Permit Amendment (PL19046 – UPA, DRA) – Application to amend the Use Permit and Design Review approvals to reduce parking by 25%, pay in-lieu parking fees for eight spaces, and remove the offsite parking lot located at 1750 East Street for the previously approved conversion of an existing office building into 32 apartment units on a 0.53-acre parcel located at 2325 Clayton Road. The General Plan designation is Downtown Mixed Use; Zoning classification is DMX (Downtown Mixed Use); APN’s 126-104-008 & 126-081-002. CEQA: This project is classified as a Class 32 Categorical Exemption under CEQA Regulations Section 15332 “In-Fill Development Projects. Project Planner: Sarah Yuwiler @ (925) 671-3465

2. Villa De La Vista Subdivision (PL18226 – UPA, DRA, LLA) – Application to amend the Use Permit, Design Review approvals, and a Lot Line Adjustment for a 12-lot subdivision for single-family homes located at 1491 La Vista Avenue (southwest corner of Clayton Road and La Vista Avenue). The General Plan designation is Medium Density Residential; Zoning classification is PD (Planned District); APN 132-020-035. The City of Concord adopted a Negative Declaration with Mitigation Monitoring Program (i.e., “Mitigated Negative Declaration” or “MND”) for the original project on August 2, 2005. The proposed amendment is in substantial conformance with the original approval and adopted MND. Project Planner: Frank Abejo @ (925) 671-3128

IX. COMMISSION CONSIDERATION

X. STAFF REPORTS / ANNOUNCEMENTS

XI. COMMISSION REPORTS / ANNOUNCEMENTS
XII. FUTURE PUBLIC HEARING ITEMS

XIII. ADJOURNMENT

NOTICE TO PUBLIC

ADA ACCOMMODATION

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3021, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

APPEALS

Decisions of the Planning Commission on use permits, variances, major subdivisions, appeals taken from decisions of the Zoning Administrator or staff interpretations of the Zoning Code may be appealed to the City Council. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

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

APPLICANT’S SUBMITTAL OF INFORMATION

Submittal of information by a project applicant subsequent to the distribution of the agenda packet but prior to the public hearing may result in a continuance of the subject agenda item to the next regularly scheduled Planning Commission meeting, if the Commission determines that such late submittal compromises its ability to fully consider and evaluate the project at the time of the public hearing.

CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the Planning Commission, provided that any Commissioner, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the Chair may defer action on the particular item and place the same on the regular agenda for consideration in any order s/he deems appropriate.

CORRESPONDENCE

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

HEARINGS

Persons who wish to speak on hearings listed on the agenda will be heard when the hearing is opened, except on hearing items previously heard and closed to public comment. Each public speaker should limit their comments to three (3) minutes or less. The Chair may grant additional time. The project applicant normally shall be the first person to make a presentation when a hearing is opened for public comment. The project applicant’s presentation should not exceed ten (10) minutes unless the Chair grants permission for a longer presentation. After the public has commented, the item is closed to further public comment and brought to the Planning Commission level for discussion and action. Further comment from the audience will not be received unless requested by the Commission. No public hearing or hearing shall commence after 11:00 p.m. unless this rule is waived by majority vote of the Commission.
MEETING RECORDS

Planning Commission meetings are available for viewing on the City’s website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Planning Commission Meeting are available for purchase. Contact the Planning Division at (925) 671-3152 for further information.

NOTICE TO THE HEARING IMPAIRED

The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the staff for personal use during Commission meetings.

ROUTINE AGENDA ITEMS AND CONTINUED ITEMS

All routine and continued items will be considered by the Planning Commission at the beginning of the meeting. There will not be separate discussions of these items unless a request is made prior to the time the Planning Commission considers the motions.

SPEAKER'S CARD

Members of the audience who wish to address the Planning Commission should complete a speaker's card available in the lobby or at the front bench. Submit the completed card to staff before the item is called, preferably before the meeting begins.

TELEVISION MEETINGS

All Planning Commission meetings are broadcast live on Astound Broadband channel 29 and Comcast channel 28. The meeting is replayed on the Thursday following the meeting at 8:00 a.m., 2:00 p.m. and 8:00 p.m. Replays are also broadcast on Fridays and Saturdays. Please check the City website, http://www.cityofconcord.org/about/citynews/tvlistings.pdf or check the channels for broadcast times.

NEXT PLANNING COMMISSION MEETINGS:

April 3, 2019
April 17, 2019
A regular meeting of the Planning Commission, City of Concord, was called to order by Commissioner Laub at 6:30 P.M., March 6, 2019, in the City Council Chamber.

I. ROLL CALL

COMMISSIONERS PRESENT: Commissioner Ray Barbour
Commissioner Jason Laub
Commissioner Craig Mizutani

COMMISSIONERS ABSENT: Chair John Mercurio
Vice Chair Mark Weinmann

STAFF PRESENT: Frank Abejo, Principal Planner/Acting Secretary to the Planning Commission
Margaret Kotzebue, Senior Assistant City Attorney
Andrea Ouse, Director of Community and Economic Development
Abhishek Parikh, Transportation Manager
Winnie Chung, Transportation Program Manager II
Joan Ryan, Community Reuse Area Planner
Lorna Villa, Associate Planner

II. PLEDGE TO THE FLAG

Commissioner Barbour led the pledge.

III. PUBLIC COMMENT PERIOD

No public comment was heard.

IV. RECOGNITION OF FORMER COMMISSIONER DOMINIC ALIANO

V. REORGANIZATION OF PLANNING COMMISSION

Nomination and designation of the Chairperson of the Planning Commission for 2019/20

Nomination and designation of the Vice Chairperson of the Planning Commission for 2019/20

Motion was made by Commissioner Barbour to move the re-organization to the March 20th meeting, and seconded by Commissioner Mizutani. The motion was passed by the following vote:

AYES: Barbour, Mizutani, Laub
NOES: None
ABSTAIN: None
ABSENT: Mercurio, Weinmann

VI. COMMISSION APPOINTMENTS

Nomination and designation of Design Review Board Liaison and Alternate for 2019/20

Nomination and designation of TRANSPAC Liaison and Alternate for 2019/20

Motion was made by Commissioner Barbour to move the Commission appointments to the March 20th meeting, and seconded by Commissioner Mizutani. The motion was passed by the following vote:

AYES: Barbour, Mizutani, Laub
NOES: None
ABSTAIN: None
ABSENT: Mercurio, Weinmann

VII. STAFF REPORTS / ANNOUNCEMENTS

Andrea Ouse, Director of Community and Economic Development, introduced Mindy Gentry who has accepted the Planning Manager position with the City.

VIII. ADDITIONS / CONTINUANCES / WITHDRAWALS

None were announced.

IX. CONSENT CALENDAR

APPROVAL OF MINUTES

No public comment was heard.

Motion was made by Commissioner Barbour and seconded by Commissioner Laub to approve the meeting minutes of January 16, 2019. Commissioner Mizutani abstained. The motion was passed by the following vote:

AYES: Barbour, Laub
NOES: None
ABSTAIN: Mizutani
ABSENT: Mercurio, Weinmann

X. PUBLIC HEARINGS

The Enclave Townhomes Use Permit Amendment (PL19012 – UA) – Application for a Use Permit Amendment to an earlier approved 2009 Use Permit for 26 townhomes, referred to at that time as the Enclave Townhomes on a 1.2-acre site at 3000 Willow Pass Road (UP 08-009, TM 08-004/TR9179, DR 08-024, VA 08-012, and RT 08-005). The General Plan designation is Medium Density Residential; Zoning classification is RM
(Residential, Medium Density); APN’s 113-041-007 and -023 (now APN: 113-370-001 thru -029). The request from the applicant is with respect to Condition of Approval No. 18 requiring the construction of four deed-restricted affordable housing units and requests that the condition be amended to allow the applicant to pay in-lieu fees to satisfy the City’s inclusionary housing requirement. CEQA: Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended; the project is not subject to further environmental review pursuant to Section 15060(c)(2) as there will be no direct physical change in the environment. **Project Planner: Joan Ryan @ (925) 671-3370**

Joan Ryan, Community Reuse Area Planner, gave a presentation and answered a question from the Planning Commission pertaining to the Silverleaf Subdivision approval in comparison to this project.

Monte Davis, from Discovery Builders, explained the difficulty this project will have with the inclusionary zoning housing requirement and answered questions from the Planning Commission on when the groundbreaking would take place and how many affordable units were built on the Silverleaf project.

Public Comment

Otto Szilagyi, a neighbor to the proposed project, expressed his support of the project but is concerned about the traffic impacts.

Motion was made by Commissioner Mizutani and seconded by Commissioner Barbour to adopt Resolution 19-04PC denying the Enclave Townhomes Use Permit Amendment (PL190012 – UA). The motion was passed by the following vote:

- **AYES:** Mizutani, Barbour, Laub
- **NOES:** None
- **ABSTAIN:** None
- **ABSENT:** Mercurio, Weinmann

**Concord Car Wash (PL18015 – UP, VA, DR)** – Application for a Use Permit, Variance and Design Review to construct a 3,669 square foot full service car wash and detail center located on the west side of Market Street south of the Clayton road off-ramp for State Highway 242. The General Plan designation is West Concord Mixed Use; Zoning classification is WMX (West Concord Mixed Use); APN’s: 128-021-022, 024 and 128-033-027. CEQA: Categorically exempt under CEQA Guidelines Section 15332 “Infill Development Projects”. **Project Planner: Lorna Villa @ (925) 671-3176**

Lorna Villa, Associate Planner, gave a presentation and answered questions from the Planning Commission pertaining to the placement of the bus bench on the site plan, parking stall dimensions, storage unit access, traffic speed, line of sight, fencing in front of the vacuums, clarification of conditions of approval, pavement markings and trail crossing signage, and vacuum blower noise generation.
Abhishek Parikh, Transportation Manager, answered questions regarding the traffic speed limit around the project site, design standards, and the left and right turning out of the project site, and vehicle storage.

Kurt Wagenknecht, architect from K12 Architects, addressed the letter submitted by Bike Concord and explained that he was mostly accepting of the requests from Bike Concord but not all the requests were feasible with the project. He further answered earlier questions asked by the Planning Commission regarding the bus bench, parking stall sizes, material storage, tunnel access, security cameras, and toilet location.

Burges Kerawalla, from Autopia Car Wash, answered a question on the timing of the opening of the facilities each morning.

Public Comment

Michaela Bates expressed her concern with the hours of construction, traffic impacts, fence placement, and when the project will break ground.

Linda Palmer expressed her concern with the location of the project and the issue with potential rodent problems when construction begins.

Motion was made by Commissioner Mizutani and seconded by Commissioner Barbour to adopt Resolution 19-02 PC approving Concord Car Wash (PL18015 – UP, VA, DR) subject to the Conditions of Approval set forth in Attachment A to Resolution 19-02 PC with the stipulation of a good faith effort to address bulleted items 1, 2, and 5 through 10 of the Bike Concord letter. The motion was passed by the following vote:

AYES: Mizutani, Barbour, Laub
NOES: None
ABSTAIN: None
ABSENT: Mercurio, Weinmann

XI. COMMISSION CONSIDERATIONS

There were none.

XII. COMMISSION REPORTS / ANNOUNCEMENTS

None were announced.

XIII. FUTURE PUBLIC HEARING ITEMS

Frank Abejo announced the March 20th meeting agenda will contain a General Plan Consistency Finding for 2051 Salvio Street, an extension of the approval for Concord Village, the General Plan Annual Progress Report, a Use Permit Amendment for Salmon Run Apartments, and an amendment for an approved 12-lot subdivision.
XIV. ADJOURNMENT

Commissioner Barbour moved to adjourn at 8:33 P.M. Commissioner Mizutani seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:

Frank Abejo  
Principal Planner/Acting Secretary to the Planning Commission

Transcribed by Grant Spilman,  
Administrative Coordinator
CONSENT ITEM NO. 2

REPORT TO PLANNING COMMISSION

DATE: March 20, 2019

SUBJECT: Concord Village Use Permit and Design Review Extension (PL19032 - UP, DR)

Recommendation: 1) Adopt Resolution No. 19-03PC, approving a two-year extension of the approval for the Concord Village Use Permit and Design Review (PL15438 - UP, DR).

CEQA: No further environmental review is required under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 as there are no substantial changes proposed to the project, new circumstances or new information which require major revisions to the Mitigated Negative Declaration previously approved for the project.

I. Introduction

A. Application Request

Application for a two-year extension of the approval for the Concord Village Use Permit and Design Review for a 230-unit apartment project with approximately 3,000 sq. ft. of amenity space on a 2.34 gross acre site. The original entitlement was approved by the Planning Commission on March 15, 2018.

B. Location

The project site is located at 2400 Salvio Street and 2401 and 2471 Willow Pass Road; APNs 126-083-011, -012, -013.
C. Applicant/Owner

Marginal Properties - Concord, LLC
Attn: Brent Nicholson
720 North 10th St., A-128
Renton WA 98057

II. Background

On March 15, 2018, the Planning Commission adopted Resolution No. 17-05PC approving a Use Permit and Design Review for a 230-unit apartment project with approximately 3,000 sq. ft. of amenity space. The approval and permit are valid through March 27, 2019, by which time building permits were to be obtained and construction begun on the project. A two-year extension of the approval and permit can be requested pursuant to Section 18.505.020 of the Concord Municipal Code (CMC).

Subsequent to the Planning Commission’s approval of the project, Marginal Properties has been marketing the property for sale or for a joint venture. There has been interest by developers to purchase the site and construct the building.

Marginal Properties maintains the construction of the apartment building is a priority and will commence once a transaction is completed. Marginal Properties anticipates completion of the land acquisition within 12 months at which time it will prioritize construction of the apartment building.

On February 7, 2019, Marginal Properties filed an application to extend the approval of the Use Permit and Design Review for two years (see Exhibit B). If granted, the extension will keep the approval and permits valid through April 2, 2021. The extension would allow Marginal Properties to prepare building permit plans for submittal to begin construction. Marginal Properties expects to pursue the project and submit plans for building permits prior to the expiration of the entitlement.

III. Discussion

Staff supports the extension as necessary to allow additional time for obtaining construction permits for the project. Marginal Properties has proceeded in good faith and exercised due diligence in complying with the project conditions in a timely manner, as demonstrated by their ongoing communication with staff dating to October 2018 regarding their plan to submit an application for an extension. Marginal Properties has regularly communicated their intention to submit an extension of the Use Permit before the filing date, their submittal of a written extension request and payment of the applicable filing fee, and their ultimate plan to construct the apartment project. As such, Marginal Properties has substantially complied with the extension request requirements. The extension also meets the following required findings under Development Code Section 18.505.020(B)(3):
1. The requested extension is consistent with the general plan and any applicable specific plan, and the overall project remains consistent with those plans as they exist at the time the extension request is being considered. There are no changes to the approved project and as such it remains consistent with the Concord 2030 General Plan, which consistency was analyzed in the March 15, 2018 Planning Commission staff report including attachments thereto (attached hereto as Exhibit D and incorporated by reference).

2. The findings under Resolution No. 17-05PC approving the project remain valid (see Exhibit A, Attachment B).

3. As analyzed in the March 15, 2018 Planning Commission staff report including attachments thereto (attached hereto as Exhibit D and incorporated by reference), there are adequate provisions for public services and utilities (e.g., access, drainage, fire protection, sewers, water, etc.) to ensure that the requested extension would not endanger, jeopardize, or otherwise constitute a hazard to the public health, safety, or general welfare, or be injurious to the property or improvements in the vicinity and applicable zoning district.

IV. CEQA

Pursuant to CEQA, AES (on the City’s behalf) completed an Initial Study and Mitigated Negative Declaration (MND) and a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the mitigation measures identified in the MND. The MND and MMRP were distributed for public review and the 30-day comment period began February 10, 2017 and ended March 13, 2017, pursuant to the requirements of CEQA.

The Draft MND determined that although the proposed project could have potentially significant impacts on Biological and Cultural Resources, Geology and Soils, and Noise; mitigation measures incorporated as part of the project’s design or as conditions of approval would reduce the potential impacts to less-than-significant levels. The MND and MMRP are incorporated therein by reference.

For purposes of CEQA, when a MND has previously been adopted for a project, no subsequent or supplemental environmental review is required unless substantial changes are proposed to project, or if there are new circumstances or information that involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Here, no changes are proposed to the project, other than an extension of time for the permit duration. There are also no new circumstances or information regarding existing or new significant environmental effects that warrant or trigger a subsequent EIR or MND review for the project. Accordingly, no further review is required and the adopted MND remains in connection with the project.

---

1 California Environmental Quality Act (CEQA) of 1970, Public Resources Code § 21000, et seq., and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations, all as amended from time to time.
V. **Public Contact**

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

VI. **Summary and Recommendations**

Adopt Resolution No. 19-03PC, approving a two-year extension of the approval for the Concord Village Use Permit and Design Review (PL19032 - UP, DR).

VII. **Motions**

**Project Approval**

I (Comm. ______) hereby move that the Planning Commission adopt Resolution No. 19-03PC, approving a two-year extension of the approval for the Concord Village Use Permit and Design Review (PL19032 - UP, DR), subject to the Conditions of Approval set forth in Attachment A to Resolution 19-03PC. (Seconded by Comm. _______.)

Prepared by: G. Ryan Lenhardt  
Senior Planner  
(925) 671-3162  
ryan.lenhardt@cityofconcord.org  
Reviewed by: Frank Abejo  
Principal Planner  
(925) 671-3128  
frank.abejo@cityofconcord.org

Exhibits:  
A - Resolution No. 19-03PC with Conditions of Approval (Attachment A) and Resolution No. 17-05PC (Attachment B)  
B - Applicant’s request for extension date stamp received February 7, 2019  
C - Approved project plans date stamp received February 7, 2019  
D - Planning Commission staff report dated March 15, 2018 (without exhibits)
BEFORE THE PLANNING COMMISSION
OF THE CITY OF CONCORD,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A RESOLUTION APPROVING A TWO-YEAR
EXTENSION OF THE APPROVAL FOR THE
CONCORD VILLAGE USE PERMIT AND DESIGN
REVIEW (PL15438 - UP, DR) Resolution No. 19-03PC

WHEREAS, on March 15, 2018, the Planning Commission adopted Resolution No. 17-05PC
approving Concord Village Project; and

WHEREAS, the approval and permit is valid until March 27, 2019 unless building permits are
obtained and construction begun, or an extension of the permit is granted as may be allowed by
Section 18.505.020 of the Concord Municipal Code; and

WHEREAS, on February 7, 2019, Marginal Properties - Concord, LLC requested a two-year
extension of the Concord Village Project approval through March 27, 2021; and

WHEREAS, for purposes of the California Environmental Quality Act of 1970, Public
Resources Code § 21000, et seq., as amended and implementing State CEQA Guidelines, Title 14,
Chapter 3 of the California Code of Regulations (collectively, “CEQA”), a project is the activity to be
undertaken, not the various individual government approvals – such as extensions – associated with
the project. The proposed extension is not a project within the meaning of Section 15162 of the State
CEQA Guidelines as there are no substantial changes proposed to the project, new circumstances or
new information which require major revisions to the Mitigated Negative Declaration previously
approved for the project; and

WHEREAS, the Planning Commission, after giving all public notices required by State law
and the Concord Municipal Code, held a duly noticed public hearing on March 20, 2019 on the
proposed extension; and

WHEREAS, at such public hearing, the Planning Commission considered all oral and written
information, testimony, and comments received during the public review process, including
information received at the public hearing, the oral report from City staff, and the written report from

Reso 19-03PC Concord Village Use Permit Extension
City staff dated March 20, 2019, application materials, and exhibits presented; and

WHEREAS, after consideration of all pertinent plans, documents and testimony, the Planning Commission declared their intent to approve the extension, subject to the original Conditions of Approval which have been updated to reflect the extension and are contained herein as Attachment A (“Condition of Approval”).

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

CEQA

1. For purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15162 of the State CEQA Guidelines. In-depth review of the Concord Village Project has occurred, that project has been approved, and no changes are being proposed.

Extension Findings

3. The Planning Commission determines that an extension is necessary to allow additional time for obtaining construction permits for the project, and that the permittee has proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner, as demonstrated by their ongoing communication with staff regarding their plan to submit an application for an extension well before the filing date, their submittal of a written extension request and payment of the applicable filing fee, and their ultimate plan to construct the apartment building.

4. The Planning Commission further makes the following findings required under Concord Development Code Section 18.505.020(B)(3):

   a. The requested extension is consistent with the general plan and any applicable specific plan, and the overall project remains consistent with those plans as they exist at the time the extension request is being considered. There are no changes to the approved project and as such it remains consistent with the Concord 2030 General Plan, which consistency was analyzed in the March 15, 2018 Planning Commission staff report including attachments thereto (incorporated by
b. The findings under Resolution No. 17-05PC approving the project remain valid and are hereby incorporated by reference.

c. As analyzed in the March 15, 2018 Planning Commission staff report including attachments thereto, there are adequate provisions for public services and utilities (e.g., access, drainage, fire protection, sewers, water, etc.) to ensure that the requested extension would not endanger, jeopardize, or otherwise constitute a hazard to the public health, safety, or general welfare, or be injurious to the property or improvements in the vicinity and applicable zoning district.

**Extension Approval**

5. The Planning Commission hereby approves the extension of Concord Village Use Permit and Design Review (PL19032 - UP, DR) through April 2, 2021, subject to the Conditions of Approval.

**Effective Date**

In accordance with City of Concord Municipal Code Section 18.500.080, approvals or other decisions of the Planning Commission shall become effective on the 11th calendar following the date the decision is rendered, if no appeal is filed.

**PASSED AND ADOPTED** this 20th day of March, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

[Signature]
Frank Abejo
Secretary to the Planning Commission

Attachment:
A – Draft Conditions of Approval
ATTACHMENT A

DRAFT

CONDITIONS OF APPROVAL

CONCORD VILLAGE
PL15438 - UP, DR
2400 Salvio Street and 2401 and 2471 Willow Pass Road
APN’s 126-083-011, -012, -013

PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of Concord Village Use Permit (PL15438 - UP) for 230 apartment units on a 2.34-gross acre site with the following development standards:

<table>
<thead>
<tr>
<th>Standards</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density (du/net acre)</td>
<td>98.3</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>1.68</td>
</tr>
<tr>
<td>Lot Area (square feet)</td>
<td>101,930</td>
</tr>
<tr>
<td>Building Height (feet)</td>
<td>69</td>
</tr>
<tr>
<td>Setbacks (feet)</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>9-22</td>
</tr>
<tr>
<td>Interior Side</td>
<td>-</td>
</tr>
<tr>
<td>Corner Side</td>
<td>-</td>
</tr>
<tr>
<td>Rear</td>
<td>4-23</td>
</tr>
<tr>
<td>Open Space/Unit (square feet)</td>
<td>152</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td></td>
</tr>
<tr>
<td>Vehicle</td>
<td>334</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>9</td>
</tr>
<tr>
<td>Bicycle</td>
<td></td>
</tr>
<tr>
<td>Short Term</td>
<td>34</td>
</tr>
<tr>
<td>Long Term</td>
<td>88</td>
</tr>
</tbody>
</table>
2. These Conditions apply to and constitute approval of Design Review (PL15438 - DR) for building elevations and landscape plans for 230 apartment units. Final colors and materials shall be consistent with the color and materials exhibit dated April 26, 2016, prepared by SVA Architects, on file with staff, and approved by the Design Review Board.

Exterior building materials and colors shall be in substantial conformance with the approved plans as follows:

<table>
<thead>
<tr>
<th>Materials</th>
<th>Manufacturer</th>
<th>Color Name</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plaster Paint</td>
<td>Behr</td>
<td>Coco</td>
<td>N270-3</td>
</tr>
<tr>
<td>Plaster Paint</td>
<td>Behr</td>
<td>Amber Autumn</td>
<td>S290-5</td>
</tr>
<tr>
<td>Plaster Paint</td>
<td>Behr</td>
<td>Colorful Leaves</td>
<td>M190-7</td>
</tr>
<tr>
<td>Plaster Paint</td>
<td>Behr</td>
<td>Shiitake</td>
<td>N220-4</td>
</tr>
<tr>
<td>Plaster Paint</td>
<td>Behr</td>
<td>Swiss Coffee</td>
<td>1812</td>
</tr>
<tr>
<td>Metal Roof</td>
<td>PPG Coating</td>
<td>Cocoa Bean</td>
<td>UC 105735</td>
</tr>
<tr>
<td>Metal Handrails</td>
<td>Hansen</td>
<td>Black Matte</td>
<td>UC 105735</td>
</tr>
<tr>
<td>Vinyl Windows</td>
<td>Millgard</td>
<td>Ivory</td>
<td>N/A</td>
</tr>
</tbody>
</table>

3. The following Exhibits, date stamped received by the City of Concord, on February 7, 2019 are approved and shall be incorporated as Conditions of Approval.

<table>
<thead>
<tr>
<th>Plan</th>
<th>Date Prepared</th>
<th>Prepared by</th>
<th>Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover Sheet Project Data</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-0</td>
</tr>
<tr>
<td>Regional Contextual Map</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-1</td>
</tr>
<tr>
<td>Conceptual Building Plan Level 1</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-2</td>
</tr>
<tr>
<td>Conceptual Building Plan Level 2</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-3</td>
</tr>
<tr>
<td>Conceptual Building Plan Levels 3-5</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-4</td>
</tr>
<tr>
<td>Conceptual Building Plan Level 6</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-5</td>
</tr>
<tr>
<td>Conceptual Building Roof Plan</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-6</td>
</tr>
<tr>
<td>Conceptual Garage Plans Level 0</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-7</td>
</tr>
<tr>
<td>Conceptual Garage Plans Levels 1-6</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-8</td>
</tr>
<tr>
<td>Conceptual Unit Plans Studio and One-Bedroom Units</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-9</td>
</tr>
<tr>
<td>Conceptual Unit Plans 2-Bedroom Units</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-10</td>
</tr>
<tr>
<td>Conceptual Building Sections</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-11</td>
</tr>
<tr>
<td>Conceptual Exterior Elevations East Street</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-12</td>
</tr>
<tr>
<td>Conceptual Exterior Elevations Willow Pass Road</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-13</td>
</tr>
<tr>
<td>Conceptual Exterior Elevations Port Chicago Highway</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-14</td>
</tr>
<tr>
<td>Conceptual Exterior Elevations Salvio Street</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-15</td>
</tr>
<tr>
<td>Conceptual Design Imagery</td>
<td>1/18/17</td>
<td>SVA Architects</td>
<td>A-16</td>
</tr>
</tbody>
</table>
SPECIAL CONDITIONS

HAZARDS

4. The Project shall include: (a) installation of sub-slab passive venting; (b) installation of a vapor barrier; and (c) a deed notification that precludes groundwater use on the property. This requirement shall not apply if the California Department of Toxic Substances Control reviews and approves a Remedial Action Plan for the presence of tetrachlorehylene (“PCE”) on the Project site and determines that these measures are not necessary.

5. Prior to construction, groundwater samples shall be collected at the TR-12 sampling location and tested for PCE. The results of the testing shall be provided to the San Francisco Bay Area Regional Water Quality Control Board for determination if changes are needed to the Remedial Action Plan.

6. Prior to construction, a minimum of two borings to collect soil, soil vapor, and groundwater samples shall be collected downgradient to the T-12 sampling location and tested for PCE. The results of the testing shall be provided to the San Francisco Bay Area Regional Water Quality Control Board for determination if changes are needed to the Remedial Action Plan.
AIR QUALITY

7. The Project shall require the use of 2010 or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NOx emissions requirements.

8. All construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

GREENHOUSE GASES

9. The Project shall be designed to be at least 15% more energy-efficient than applicable Title 24 energy requirements.

10. The Project parking garage shall include at least sixteen (16) electric vehicle charging stations.

11. Parking spaces shall be rented or sold separately from the rental or purchase price of the residential dwelling units.

12. Electric vehicles, partial zero emission vehicles, hybrids and compressed natural gas vehicles shall be provided preferential parking locations, subject to restrictions as reasonably determined by the Developer, and a 15% discount on the cost of renting a parking space.

13. All appliances shall be EnergyStar certified.

GENERAL CONDITIONS

14. The applicant shall secure all requisite approvals from the San Francisco Bay Regional Water Quality Control Board and provide staff with written evidence of their approval to construct the project prior to the issuance of the first permit. (PLNG, ENGR, BLDG)

15. The applicant to secure all requisite approvals from BART and provide staff with written evidence of their approval to construct the project prior to the issuance of the first permit. (PLNG, ENGR, BLDG)

16. The applicant shall designate a portion of the 19 surplus stalls as car share, taxi, and other third party transport service pick up areas on parking level P1 and shall maintain at least 12 surplus parking stalls for overflow parking. Such designations shall be shown on the project plans submitted for a building permit. (PLNG, TRANS)
17. The applicant shall establish an on-site management program to monitor the number of parking spaces allotted to each unit in writing to the satisfaction of the Planning Division prior to issuance of a certificate of occupancy. *(PLNG, TRANS)*

18. Building permit plans shall be peer-reviewed by a licensed architect, at the applicant’s expense, for consistency with the approved architectural plans and all applicable requirements of the Concord Municipal Code. *(PLNG)*

19. The Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP), approved by the Planning Commission in Resolution No. 17-03PC, are hereby incorporated by reference as part of the conditions of this approval and made a part hereof. If a measure has, through error, been omitted from these Conditions of Approval that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary, all Conditions of Approval repeating or rewording mitigation measures recommended in the MND and MMRP are intended to be substantially similar to the mitigation measures recommended in the MND and MMRP, and are found to be equally effective in avoiding or lessening the identified environmental impact. *(PLNG)*

20. Language shall be included in the tenant rental agreements stating tenants shall park onsite in the project’s garage and not in the neighborhood. A copy of the rental agreement with said language shall be submitted to staff prior to building occupancy. *(PLNG)*

21. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:
   (a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
   (b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
   (c) Prior to Construction.
   (d) On going during Construction.
   (e) Prior to approval of the Final Map.
   (f) Prior to occupancy approval.

   If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. *(PLNG, BLDG, ENGR)*

22. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. *(PLNG, BLDG, ENGR)*

23. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. *(PLNG, BLDG, ENGR)*
24. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*

25. The Conditions of Approval shall be listed on a plan sheet that is included in the construction plan set (Grading, Utility, Landscape, and Building Plans). *(PLNG, ENGR)*

26. Two annotated copies of the Conditions of Approval specifying how each applicable condition has been satisfied, shall be submitted as follows:
   (a) At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan check, whichever comes first.
   (b) Prior to occupancy approval. *(PLNG, ENGR)*

27. The project site and area surrounding the site shall be fenced and maintained in a weed and litter free condition for the period prior to construction. *(BLDG, PLNG)*

28. Existing fencing shall remain around the site during construction or an alternative perimeter fence provided as approved by the City. *(PLNG)*

**ARCHITECTURAL**

29. The applicant shall return to the Design Review Board as a staff report item with details of the stucco scoring, sun trellis, bird repellant wire in the tower elements, finalization of finishes including the roof materials, and a sample of the metal fence prior to the issuance of the building permit. *(DRB, PLNG)*

30. All mechanical, electrical, and utility equipment shall be located, screened, or incorporated into the design of the homes so as not to be visible from off-site. Vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface, unless otherwise approved by the Planning Division. *(PLNG)*

**LANDSCAPING**

31. The applicant shall return to the Design Review Board as a staff report item with the final landscape plan with sections and plan views of the planted bioswales, and sections of wall groupings (especially the ones that are setback from the street and are visible) prior to the issuance of the building permit. *(DRB, PLNG)*

32. The applicant shall submit Final Landscape Plans prepared by a licensed Landscape Architect, registered by the State of California, for review and approval with the Grading, Improvement, or Building Plans, whichever comes first, prior to the issuance of any permit. The Plan shall be drawn on or consistent with the Site Plan prepared by the Civil Engineer, with the following information:
   (a) A legend that lists all plant species (Latin and common name), including size, quantities, spacing, and ultimate height and width.
(b) Specifications and details for planting, including staking of trees and planting in bio-swales or other stormwater treatment areas.
(c) Utility information on the base map, screened back.
(d) Existing trees to be saved and identification of all replacement trees.
(e) Trees (minimum size 24-inch box) and shrubs (minimum 5-gallon; accent or sub-shrubs may be 1-gallon).
(f) Six-inch vertical concrete curbs around landscaped areas. (PLNG, ENGR)

33. Irrigation Plans **shall include a drip irrigation system** and be submitted with the Final Landscape Plans in compliance with the requirements of the Regional Landscape Water Conservation Ordinance adopted by Contra Costa Water District in compliance with the current State laws. (PLNG)

34. All landscaping shall be installed prior to occupancy approval. Contact the Planning Division at least two weeks prior to Occupancy, to request a site inspection of all exterior improvements including buildings, driveways, parking lots, landscaping, irrigation, lighting, and walls. (PLNG)

35. Prior to occupancy approval, the licensed Landscape Architect shall submit a **Landscape Documentation Package** with the following mandated elements:
   (a) Application
   (b) Certification of Compliance for Landscape Design
   (c) Certification of Compliance for Landscape Installation
   (d) Certification of Compliance for Landscape Audit
   (e) Certification of Compliance for Landscape Maintenance
   (f) Water Budget work sheets (if applicable)
   (g) Landscape Plans
   (h) Landscape and Maintenance Schedule (PLNG)

36. Any vegetation damaged or destroyed on adjacent properties during construction shall be replaced with like or comparable plant materials, and if damage occurs off-site, the replacement plants shall be approved by the property owner and the Planning Division, prior to occupancy approval. (PLNG)

37. Submit a fence/wall plan showing the location, design, height, and construction details, for all fencing and walls consistent with, and as a part of, the Grading, Improvement, Landscape, and Building Plans, whichever comes first, and provide a timetable for installation. (PLNG, ENGR)

38. Fences and walls shall be a maximum height of three feet in required front yards and sight visibility triangles, and a maximum height of six feet on side and rear property lines except where otherwise approved. (PLNG) CMC
LIGHTING

39. The project shall provide the necessary number, location, and specifications of decorative street light standards in accordance with the Downtown Corridors Plan adopted on September 13, 2016 (see also condition #89 below). (PLNG)

40. Show all exterior lighting including: building fixtures, walkway lighting, parking lot lighting, and street lights on the Site, Utility, Landscape, and Building Plans, prior to the issuance of any permits. The height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on the plans. (PLNG, ENGR, BLDG)

41. All exterior building and parking lot lighting shall provide illumination for safety and shall be installed in a manner that is glare shielded and directed away from adjacent properties and right-of-ways. (PLNG)

42. Submit a Photometric Plan for review and approval, showing the location of all light sources, street light spacing, intensity of lumiance, and uniformity ratio, in accordance with the City’s specifications, with the Improvement, Utility, or Building Plans, whichever comes first. The photometric analysis shall be reviewed by Engineering Services for the determination of streetlight spacing. (ENGR, TRANS, BLDG, PD)

SIGNAGE

43. All signage shall comply with the City of Concord Sign Ordinance. (PLNG) CMC

44. Submit a Master Sign Program (MSP) for review and approval by the Design Review Board containing the following criteria:
   (a) Dimensioned drawings for all architectural variations of the building elevations showing all types of permitted signs, drawn to scale, at the maximum size allowed, including distances to the edge of sign area/roofline.
   (b) Drawings and standards showing specific location and types of signs allowed; minimum and maximum size (square footage), dimensions, letter height, length, font; colors, criteria for logos, and method of illumination, for all signs.
   (c) Written criteria for determination of sign type, size and location.
   (d) Wayfinding signs.
   (e) Material samples, color chips, and construction details.
   (f) Drawings and written criteria for temporary banners, window signs and other promotional signage.
   (g) Prohibited signs.
   (h) Additional criteria and requirements necessary for clarification.
   (i) Definitions. (PLNG)
PARKING

45. All parking spaces shall be striped; full-size spaces shall be 9 ft. by 19 ft; compact spaces shall
be 8 ft. by 16 ft. Wheel stops shall be provided, except when parking spaces abut a concrete curb for a landscaped planter, then a two-foot overhang is allowed. *(PLNG, ENGR)* CMC

46. A maximum of **25 percent** of the required parking spaces may be compact. Compact stalls shall be clearly identified. *(PLNG, ENGR)* CMC

47. Parking shall comply with CMC Chapter 18.160 “Parking, Loading, and Access” including motorcycle and bicycle parking spaces, drive aisle and parking space dimensions, turning radii, back-out dimensions, driveway clearances, landscape median dimensions, and other relevant information. *(ENGR, PLNG)* CMC

48. Handicapped parking spaces shall comply with Chapter 11 “Site Development Requirements for Handicapped Accessibility” of Title 24 of the California Code of Regulations, and be located as close as possible to the primary entrance. *(BLDG)*

STREET IMPROVEMENTS

49. Dedicate a pedestrian easement to the City along project frontage, to accommodate the public sidewalk prior to issuance of the site development permit. *(ENGR)*

50. Construct improvements along the frontage on Salvio Street, East Street, Willow Pass Road, and Port Chicago Highway including but not limited to: driveway removal/replacement; pavement replacement two feet wide measured perpendicular from lip of gutter; ADA ramps; construction of concrete curb, gutter and sidewalk; ADA compliant concrete driveway approach; storm drainage system; conforms to existing improvements; and repair/replacement of deficient frontage improvements as determined by the City Engineer, prior to occupancy approval or Acceptance of Improvements. *(ENGR)*

51. Install slurry seal on Salvio Street, East Street, Willow Pass Road, and Port Chicago Highway, if the street is trenched in two locations or more. The slurry seal shall cover trench cuts, space in between and ten feet beyond the saw cut line. Also the slurry shall be extended from lip of gutter to street centerline. If the cut is beyond the center line the slurry seal shall cover lip of gutter to lip of gutter after completion of utility undergrounding and frontage improvements, prior to the Acceptance of Improvements. *(ENGR)*

52. Any trenching for underground utilities shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. *(ENGR)*

53. Prohibit parking on Salvio Street, East Street, Willow Pass Road, and Port Chicago Highway. Install “No Parking” signs where parking is prohibited if applicable, prior to Acceptance of Improvements or the first Occupancy, whichever comes first. *(ENGR)*
54. Construct all public facilities in accordance with the current Americans with Disabilities Act (ADA), including driveways and curb ramps. *(ENGR)*

**NOISE**

55. The acoustical engineer for the project shall review the building permit plans for the homes and develop specific Sound Transmission Class (STC) rating requirements to ensure interior noise levels are held at or below an $L_{dn}$ of 45 dB. These requirements shall be included on the building permit plans and approved by the Building and Planning Divisions prior to the issuance of building permits. *(PLNG, BLDG)*

56. Site preparation and construction activities shall be limited to the days and hours as set forth below:

**Monday through Friday** 7:30 a.m. to 6:00 p.m.

Construction on Saturdays may be allowed only upon prior approval by the Building, Engineering, and Planning Divisions. No changes to these construction hours shall be allowed without the prior written consent of the City. A contact person shall be available during all construction activities in the evening and on weekends to respond to complaints and take actions necessary to reduce noise. *(BLDG, ENGR, PLNG)*

**CONSTRUCTION ACTIVITIES**

57. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of Grading or Building Permits, whichever comes first. *(ENGR)*

58. Implement a dust and construction noise control plan. Submit the plan to Engineering Services for review and approval prior to issuance of the Grading Permit. *(ENGR)*

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

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

61. Implement the following measures during construction:

(a) Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
(b) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and storm drains adjoining the project site. During wet weather, avoid driving vehicles off paved areas.

(c) Broom sweep the public street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping.

(d) Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest the downstream side of the site in order to preclude any debris or dirt from flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and to prevent street flooding. Dispose of filter particles in an approved trash receptacle.

(e) Create a contained and covered area on the site for the storage of bags, cement, paints, flammable, oils, fertilizers, pesticides, or any other materials used on the site that have the potential for being discharged to the storm drain system by being windblown or in the event of a material spill.

(f) Never clean items such as machinery, tools, and brushes or rinse containers in a street, gutter, or storm drain.

(g) Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash water into street gutters or drains. *(ENGR, BLDG)*

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

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

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

65. There shall be no parking of construction equipment or construction worker’s vehicles on residential streets nor adjacent streets at any time; all vehicles shall be maintained on-site. *(ENGR, BLDG)*

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

67. Identify truck routes for the import or export of cut/fill material and/or construction debris for review and approval by the City Engineer prior to the issuance of permits. Repair any damage to City streets (private and public) caused by activity associated with this project. *(ENGR)*
68. In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading and/or excavation shall cease, the find shall be left untouched, and the City Planning Division shall be immediately notified. The County Coroner and the Native American Heritage Commission shall also be notified and the procedures required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading and Building Plans, prior to issuance of permits. *(PLNG, ENGR, BLDG)*

69. In the above event, retain a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to evaluate and make recommendations as to disposition, mitigation and/or salvage. The recommendation shall be implemented before work may proceed. The applicant shall be responsible for all costs associated with the professional investigation and implementation. *(PLNG, ENGR, BLDG)*

**CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS**

70. The applicant shall file an application for, and receive approval of, a parcel merge prior to the issuance of building permits. *(ENGR, BLDG)*

71. Submit an electronic copy of a Preliminary Title Report, prepared within three months prior to plan submittal. *(ENGR)*

72. The proposed buildings are within the 100-year Floodplain Zone (X). At a minimum, comply with the City of Concord Municipal Code requirements in establishing building finished floor elevations. The Grading Plan shall be referenced to the same elevation datum as the FEMA map, and shall show the finished floor elevations of the proposed buildings, 100-year Base Flood Elevations (BFE), and building setback line per CMC. *(ENGR)* *(CMC)*

73. The Improvement Plans shall show frontage improvements including but not limited to: drainage improvements, curb, gutter and sidewalk per City Standard Detail S-10, and driveway construction per City Standard Detail S-14 and repair/replacement of deficient frontage improvements as determined by the City Engineer. Any unusable existing driveway shall be replaced with standard curb, gutter, and sidewalk per S-10 above. Any trenching for utility installation shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. *(ENGR)*

74. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer improvements and details for curb, gutter, sidewalk, and driveway construction. *(ENGR)*

75. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometrics at intersection and corner setback requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and approval by Engineering Services. *(ENGR)*

76. Obtain an Encroachment Permit from the City prior to performing any work within the public right-of-way or public easements. *(ENGR)* *(CMC)*
SUBDIVISIONS/SITE DEVELOPMENT PLANS

77. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plans (SWPPP), and Stormwater Control Plans prepared by a Registered Civil Engineer to Engineering Services for review and approval prior to issuance of an Encroachment Permit, Grading Permit, and/or Building Permit. (ENGR)

GRADING/EROSION CONTROL/GEOLOGIC

78. Submit a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. A licensed geologist must prepare an evaluation and written report. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet). (ENGR)

79. Submit a Geotechnical Report with the Grading Plans and Building Plans, pursuant to CMC Section 94-51 and Section 86-73 that addresses and provides recommendations for grading, drainage, walls, building foundations, and pavement structural sections. (ENGR)

80. All grading shall require a Grading and Drainage Plan prepared by a registered Civil Engineer, a Soils Report prepared by a registered Geotechnical Engineer and receipt of a Grading Permit approved by the City Engineer. The Grading Plans and Soils Report shall require review by the City’s Geotechnical consultant with all costs to be borne by the applicant. (ENGR)

81. Contour grading techniques shall be employed throughout the project to achieve a more natural appearance, even where this will increase the amount of grading. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet in height shall be rounded both horizontally and vertically. (ENGR)

82. Grading on adjacent properties shall require written approval from the affected property owners. (ENGR)

83. On-site finish grading work shall require drainage to be directed away from all building foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. (ENGR)

84. The project engineer shall inspect the finished grading and certify that it conforms to the compaction and elevations shown on the Grading Plan and Soils Report. (ENGR) CMC

85. At all times seasonally appropriate erosion control measures shall be implemented per plans approved by the City Engineer for all grading work at all times. Wet season measures shall be in place October through April at a minimum and when rain is otherwise predicted. At the time of approval of the Improvement and/or Grading Plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer. (ENGR)
86. All graded slopes and stockpiles of loose soil shall be hydromulched/hygroseeded by October of any given year. During grading work between October and April, if rain is forecast, stop all grading work two days before the rain forecast and implement BMPs to insure that the site is protected from erosion. *ENGR*

87. Submit Grading, Erosion Control, Improvement, State Waste Discharge Identification (WDID) number verifying submittal of Stormwater Pollution Prevention Plan (SWPPP) to the Regional State Water Board, and Stormwater Control Plans to Engineering Services for review and approval prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable, evidence of compliance with the State General Construction Permit shall be provided. *ENGR CMC*

88. Comply with the applicable provisions of the Grading Ordinance and the Storm Water Management and Discharge Control Ordinance. *ENGR CMC*

**UTILITIES**

89. Replace all existing street lights with City approved street light fixtures along project frontages on Willow Pass Road, East Street, Salvio Street, and Port Chicago Hwy. Submit streetlight plans in accordance with the City Standard Specifications showing pole type, luminaries type, conductor and wiring schedule, connection points, lamp wattage and pull box locations, at the time of submittal of improvement plans. Streetlights shall be completely installed and operational prior to occupancy approval. *ENGR*

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

91. No above ground utility facilities/structures shall be located between the face of curb and back of sidewalk in the public right-of-way. *ENGR*

92. Install streetlights along the Salvio Street, East Street, Willow Pass Road, and Port Chicago Highway frontage(s) if determined by City staff. Submit streetlight plans in accordance with the City Standard Specifications showing pole type, luminaries type, conductor and wiring schedule, connection points, lamp wattage and pull box locations, at the time of submittal of improvement plans. Streetlights shall be completely installed and operational prior to occupancy approval. *ENGR*

93. All new utilities shall be constructed underground prior occupancy approval. *ENGR*

94. Comply with the City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *ENGR*

95. Submit to Engineering Services sanitary sewer calculations with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. *ENGR*
96. Any property presently served by a sewer line shall be provided a side sewer connected to the sewer system with no interruption of service. The existing sewer laterals to remain shall be tested under the City’s observation before connection and be replaced if failed. (ENGR)

97. Submit to Engineering Services a sewer fixture count and square footage of the existing buildings for possible fee credit purposes, prior to demolition. (ENGR)

98. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. (ENGR)

99. Utility areas, electrical and gas meters shall be architecturally screened from view. (PLNG)

100. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention devices, and the like shall remain outside of the sight visibility triangles per City of Concord Development Code Section 18.150.170 and shall be subject to approval by Planning and Engineering Services prior to the issuance of the Grading or Building Permit, whichever comes first. All such equipment shall be screened from view either architecturally or with landscaping and painted forest green or other approved color as approved by the Planning Division. Any changes to the approved Utility Plans, including location or screening details shall be reviewed and approved by the Planning Division. (PLNG, ENGR)

101. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site. (ENGR)

102. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current sewer connection and service fees prior to building permit issuance. (ENGR) CMC

103. Submit proof acceptable to Engineering Services that all work within the existing (new) private waterline easement(s) are reviewed and approved by the easement owner of record. (ENGR)

DRAINAGE/STORMWATER C.3 REQUIREMENTS

104. Submit a Stormwater Control Plan (SWCP) prepared in accordance with the current Contra Costa Clean Water Program Stormwater C.3 Guidebook for review and approval by Engineering Services prior to issuance of any permit. The SWCP shall be prepared and certified by a Civil Engineer, registered in the State of California, demonstrating an understanding of the design of treatment measures for water quality and groundwater protection principles applicable to the project site. (ENGR)
105. Prior to issuance of permits for building, site improvements, or landscaping, applicant shall submit a permit application consistent with the applicant’s approved Stormwater Control Plan (SWCP), and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMP’s, permanent source control BMP’s, and other features that control stormwater flow and potential stormwater pollutants. The Contra Costa Clean Water Program permit application shall include a completed “Construction Plan C.3 Checklist” as described in the Stormwater C.3 Guidebook, and a detailed draft Stormwater BMP Operation and Maintenance Plan consistent with the general O&M plan included in the applicant’s approved Stormwater Control Plan. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are in Appendix F of the Stormwater C.3 Guidebook. *(ENGR)*

106. Construct stormwater treatment measures per the approved SWCP prior to site development permit issuance. *(ENGR)*

107. Submit a Stormwater BMP Operation and Maintenance Plan (O&M Plan) in accordance with City of Concord Guidelines, for review and approval by Engineering Services, prior to site development permit issuance. This O&M Plan shall incorporate City comments on the draft O&M Plan and any revisions resulting from changes made during construction. The implementation of the O&M Plan shall be the responsibility of the property owner or the HOA where one exists. *(ENGR)*

108. Execute O&M agreements identified in the SWCP which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and long-term maintenance of stormwater treatment or hydrograph modification BMPs, prior to occupancy approval. *(ENGR)*

109. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner. *(ENGR)*

110. Collect and convey all stormwater entering and/or originating from the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year storm with the Improvement Plans to Engineering Services for review and approval.

111. Install City of Concord “No Dumping, Drains to Creek” curb marker (English and Spanish version) on all catch basins. *(ENGR)*

112. Submit a Construction Best Management Practice (BMP) Program for review and approval by the Engineering Development Services Department prior to issuance of a Building and/or Grading Permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMPs. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order. *(ENGR)*
113. Sweep or vacuum the parking lot(s) and adjacent streets a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually. If sidewalks and/or the parking lot are pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. *(ENGR)*

114. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered. *(ENGR)*

115. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City Engineer/Director of Building Inspection. *(ENGR, BLDG)*

**SOLID WASTE/RECYCLING**

116. Comply with CMC Chapter 82, Solid Waste, Article V, Construction and Demolition (C&D) Waste Recycling, Sections 82-114 through 82-126, as applicable. *(BLDG)*

117. Design and implement City approved Source Reduction/Recycling Plan and demonstrate that interior and exterior refuse enclosures have been sufficiently designed and located for the storage and pick up of recyclable materials in accordance with CMC Section 82-83, Source Reduction and Recycling, prior to issuance of a Building Permit. *(PW)*

118. Trash bins and refuse shall be stored within approved trash enclosure and the doors shall be closed at all times except when the bins are being emptied. *(CE)*

119. Comply with the provisions of the CMC, Central Contra Costa Sanitary District and the disposal service regarding enclosure design, access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules. Trash enclosures shall incorporate the following features:

(a) A concrete pad to prevent damage to asphalt paving.

(b) A roof and sanitary sewer cleanout, designed to prevent rainwater from penetrating the interior of the enclosure and preclude trash from being blown outside of the bins.

(c) The cleanout shall connect to a sanitary sewer to prevent contaminated water from entering the storm drain system.

(d) If any cleaning agent or degreaser is used, wash water must be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. *(CCCSD, ENGR)*
120. Trash enclosures shall incorporate the same architectural treatment, and use the same exterior materials and colors as the main building and shall comply with the Community Design Guidelines, including the following:
(a) A roof or trellis.
(b) Masonry, steel or heavy timber walls.
(c) An interior, poured-in-place curb to prevent damage to the screen walls.
(d) Doors with external hinges to prevent damage from the receptacle.
(e) Doors of solid metal or with a metal frame with self-closing latch.
(f) The height of the enclosure walls and door shall be the same height or higher than the bins within the enclosure. (PLNG)

AGREEMENTS, FEES, BONDS

121. All fees noted below are the fees currently in effect as of July 11, 2016 per the Resolution of Fees and Charges. The fees and charges are reviewed annually as part of the budget public hearing process. Fee adjustments are based on a number of factors and vary depending on the type of fee:

   Service-based fees are adjusted annually based on the San Francisco-San Jose-Oakland Area Consumer Price Index;

   Improvement based fees (also called impact fees) are adjusted annually based on Engineering News Record Construction Cost Index (San Francisco Bay Area); and the

   Parkland Fee is adjusted per Section 19.20 et seq. of the Concord Municipal Code.

The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042, Fees and Charges for Various Municipal Services, as most recently amended and approved by the City Council. Persons interested in how a particular fee is calculated should contact the City Department administering the fee or the Finance Department. (ENGR)

122. Provide a $5,000.00 cash deposit to the Planning Division to cover Condition Compliance costs, at the time of submittal of plans and documents to Engineering Services or the Building Division for plan check. Planning staff’s time will be charged to this deposit for work performed to implement the Conditions of Approval, from the time of project approval to occupancy approval. The deposit will be placed in a refundable account and any unused funds will be returned upon completion. If the initial deposit is insufficient to cover actual costs, an additional deposit will be required. (PLNG)

123. Pay a Document Imaging fee to reimburse the City for implementation of the Document Imaging and File Retention programs, prior to issuance of Grading or Building Permits. (PLNG)
124. All improvement agreements required in connection with said plans shall be submitted to and approved by the City and other agencies having jurisdiction over said project prior to issuance of the Building, Improvement/Encroachment, or Grading Permit, whichever comes first. (ENGR)

125. All required faithful performance bonds and labor materials bonds in a penal amount equal to 100 percent of the approved estimates of construction costs of improvements shall be submitted to and approved by the City and other agencies having jurisdiction prior to approval of the Final Map or issuance of the Building or Grading Permit, whichever comes first. (ENGR)

126. Encroachment Permit Application:
   (a) Pay the Filing Fee at the time of submittal of permit application, improvement plans and supporting documents to City Engineering Services for review.
   (b) Provide a restoration security before issuance of the Encroachment Permit. The security shall be in an amount sufficient to restore existing public improvements to a serviceable condition should development improvement activity cause damage. The amount of the security shall be determined by, and be in a form acceptable to the City Engineer.
   (c) Provide a $10,000 cash deposit to cover Condition Compliance/Mitigation Monitoring costs at the time of submittal of plans and documents to Engineering Services for review. The deposit will be placed in a refundable account. Condition Compliance/Mitigation Monitoring costs will be charged to this deposit over the life of the project permit and mitigation requirements. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required. (ENGR)

127. Grading Permit Application:
   (a) Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee is determined based on cubic yardage of cut and fill combined.
   (b) Provide a $10,000 cash deposit for Erosion Control prior to issuance of Grading Permit. The deposit will be placed in a refundable account. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.
   (c) Pay Stockpile and Erosion Control Monitoring fee prior to issuance of Grading Permit. (ENGR)

128. Improvement Plans:
   (a) Pay the Improvement Plan review fee at the time of submittal of Improvement Plans and supporting documents to Engineering Services for review. All plan review fees include one initial submittal and two revisions. Any additional plan review required will be charged at an hourly rate of $238.00 and will require an adequate deposit to a trust account prior to commencement.
(b) Pay the Construction Inspection fee prior to issuance of the Construction Permits or scheduling the Subdivision Agreement for consideration by the City. The current fee is based on construction cost valuation.

(c) Pay the Drainage Acreage Fee prior to issuance of the building permit. The current fee is $2,709.00/acre. (Drainage Area 23/24)

(d) Pay the Parkland Fee prior to issuance of the building permit. The current fee is $9,914.00 per living unit for the High Density Designation.

(e) Provide a $5,000 deposit for specialty inspections prior to site development permits.

(f) Pay applicable fees for review of the Stormwater Control and O&M agreement and bioretention inspection. (ENGR)

129. Sewer Connection Permit:

(a) Pay Sanitary Sewer connection fee. The current sewer connection fee is $5,043.00 per single-family home or three bedroom multiple dwelling unit, $3,731.00 for two bedroom multiple dwelling unit, $2,774.00 for one bedroom or studio. Fees shall be paid prior to issuance of building permit.

(b) Pay the current sewer service fee prior to issuance of the building permit. The current fee is $547.00 per year and is pro-rated by the month that connection is made. (ENGR)

130. Traffic Mitigation Fee:

Pay Offsite Street Improvement Program (OSIP) fee less possible fee credit. The OSIP fee shall be paid prior to issuance of improvement, building, or grading permit, whichever comes first. The current OSIP Fee is $3,624.00 per dwelling unit for multi-family structures. (ENGR)

117. These Conditions of Approval include and impose certain fees, dedications, reservations, and other exactions. Pursuant to Government Code Section 66020(d)(1), the cover letter that includes these Conditions of Approval constitutes written notice of the statement of the amount of such fees and/or a description of the dedications, reservations, and other exactions imposed on this project and Applicant is hereby notified that the 90-day approval period in which it may protest these fees, dedications, reservation, and other exactions, pursuant to Government Code Section 66020(a), has begun as of the date of the cover letter. If Applicant fails to file a protest within the 90-day period complying with all of the requirements of Section 66020, Applicant will be legally barred from later challenging such fees, dedications, reservation, and other exactions.

OTHER/MISCELLANEOUS

118. Contact local postal authorities to get their requirements for mail facilities for the project. The design and location of mail receptacles shall be reviewed and approved by the Planning Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to occupancy approval. (PLNG)
119. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. *(ENGR) CMC*

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

Contra Costa County Fire Protection District  
4005 Port Chicago HWY, Ste. 250  
Concord CA 94520

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

121. The applicant shall defend (with counsel approved by City), indemnify and hold harmless the City, any agency or instrumentality thereof, and its/their respective agents, officers, officials, volunteers, and employees from and against any and all administrative and/or legal claims, actions or proceedings to attack, set aside, void, or annul approval of the project, including without limitation, any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"), with the exception of a Challenge arising out of the City’s sole negligence or willful misconduct. The City shall have the right to pre-approve any material decision involved in defending any such Challenge, including settlement, and may (but is not obligated to) participate in the defense of any Challenge. If applicant does not promptly defend any Challenge, City may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense. The applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation. Pursuant to Government Code Section 66474.9, the applicant’s indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify applicant of any Challenge, and shall cooperate fully in the defense. *(CA)*

122. The permit and approval shall expire in two years from the date on which they became effective unless construction permits are obtained and work has begun. All permits approved concurrently with a Use Permit shall be valid for the life of the permit. The effective date of the permit and approval is *April 2, 2019.* *(PLNG)*
123. A request for a time extension from the expiration date of April 2, 2021 can be considered if an application with required fee is filed at least 10 days before the original expiration date, otherwise a new application is required. A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. (PLNG)
Written Statement

Concord Village Use Permit, Minor Use Permit, and Design Review Extension
(PL19032 – UP, MP, DR)

February 7, 2019

Dear Members of the Planning Commission,

I am requesting a two year extension for the Concord Village entitlement approvals. The project has been actively on the market for sale and/or for Joint Venture with no success. We are currently negotiating a Joint Venture Development with one development group and we are negotiating a sale with a second developer. Both offers require lengthy “feasibility” periods which would commence upon the execution of a binding Purchase and Sale Agreement. Realistically this puts us out at least four months before we know whether we have a deal or not. Should the transaction fail, we then need to re-start the marketing process and work again with similar timeframes for the subsequent prospective buyer.

The biggest challenge with the property is that the overall development cost has skyrocketed. The construction costs are shockingly higher than when my general contractor, Johnstone Moyer priced the project in March of 2017. We are also being told that the added cost for Union construction for Mechanical, Plumbing, Electrical and Fire is a $9,000,000 premium over conventional construction.

The Opportunity Zone is a bonus! Interest in the property has been on the rise due to the property having this designation, however the tax rules for these properties within the Opportunity Zone are still not fully known, but it is getting closer.

I believe I need at least 18 months which will give me time to complete a transaction so that the Purchaser or Joint Venture will have adequate time to secure construction permits.

Sincerely,

Brent Nicholson
Marginal Properties - Concord, LLC
720 North 10th St., A-128
Renton WA 98057
PROJECT INFORMATION

Project Name:
Concord Apartments

Project Description:
The project consists of three contiguous parcels, each with street frontage. A mix of studio, one- and two-bedroom units will be provided with approximately 90% SQ.FT. of amenity space including a Leasing Center, Mail Center, Bike Shop, and fitness studio for tenants. All dwelling units are "covered" units and will be adaptable and accessible.

Project Address:
334 4th Street and 2042 and 2071 Willow Pass Road, City of Concord, California

Concord Plan Center:
City of Concord, CA.

General Plan Classification:
Downtown Mixed Use.

Zoning Classification:
City of Concord, CA.

Site Data:

<table>
<thead>
<tr>
<th>Site Data</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Site Area</td>
<td>106,217 SF</td>
</tr>
<tr>
<td>Site Area Requested</td>
<td>85,806 SF</td>
</tr>
<tr>
<td>Density</td>
<td>1.50</td>
</tr>
</tbody>
</table>

Building Gross Square Footage:

<table>
<thead>
<tr>
<th>Level</th>
<th>Courtyard</th>
<th>Gross Area</th>
<th>Total Gross Sq. Ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2</td>
<td>Courtyard</td>
<td>1,011.2 sf</td>
<td>1,011.2 sf</td>
</tr>
<tr>
<td>B-3</td>
<td>Courtyard</td>
<td>1,011.2 sf</td>
<td>1,011.2 sf</td>
</tr>
<tr>
<td>B-4</td>
<td>Courtyard</td>
<td>1,011.2 sf</td>
<td>1,011.2 sf</td>
</tr>
<tr>
<td>B-5</td>
<td>Courtyard</td>
<td>1,011.2 sf</td>
<td>1,011.2 sf</td>
</tr>
<tr>
<td>B-6</td>
<td>Courtyard</td>
<td>1,011.2 sf</td>
<td>1,011.2 sf</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>3,033.4 sf</td>
<td>3,033.4 sf</td>
</tr>
</tbody>
</table>

Parking Calculations:

<table>
<thead>
<tr>
<th>Level</th>
<th>Parking Spaces Required</th>
<th>Total Parking Spaces Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2</td>
<td>34</td>
<td>34</td>
</tr>
<tr>
<td>B-3</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>B-4</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>B-5</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>B-6</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>TOTAL</td>
<td>81</td>
<td>81</td>
</tr>
</tbody>
</table>

Open Space Calculations:

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Open Space Required (175 SF PER DU)</th>
<th>Total Open Space Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>23,420.5 sf</td>
<td>23,420.5 sf</td>
</tr>
</tbody>
</table>

Project Unit Summary and Mix:

<table>
<thead>
<tr>
<th>Unit Mix</th>
<th>Average Gross Sq. Ft.</th>
<th>Total Gross Sq. Ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>406.0 sf</td>
<td>12</td>
</tr>
<tr>
<td>1 BR</td>
<td>609.0 sf</td>
<td>12</td>
</tr>
<tr>
<td>2 BR</td>
<td>900.5 sf</td>
<td>12</td>
</tr>
<tr>
<td>Creative Studio</td>
<td>1,008.5 sf</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>3,887.4 sf</td>
<td>3,887.4 sf</td>
</tr>
</tbody>
</table>

NOTE: This report is intended for use by the City of Concord, CA. It may not be reproduced or disclosed to others without written consent of SVA Architects Inc. and is furnished in confidence for the limited purpose of evaluation, bidding or review. This document contains information proprietary to SVA Architects Inc. and is protected by copyright law. Copyright 2016, SVA Architects Inc. All rights reserved.
All entrances, exits and vehicular passageways to and from required accessible parking spaces within parking facilities shall have a minimum vertical clearance of 8'-2" from the floor to the lowest projection of the ceiling. Reflective warning signs complying with Section 1143A for character height shall be installed at transitions from the 8'-2" ceiling to lower ceiling heights in vehicular passageways in the same parking level.
LEGEND:
- Property Line:
- Setback Line:
- Accessible Path of Travel:
- Trash Truck Travel:
- Trash Removal Path of Travel:
- Unit Type:
  - Balcony / Deck Type:
- Number of Parking Stalls:
  - Standard:
  - Compact:
  - Handicapped:
  - Van:
  - Motorcycle:
  - Bicycle:

NOTE:
All entrances, exits and vehicular passageways to and from parking facilities shall have a minimum vertical clearance of 8'-2" from the floor to the lower projection of the ceiling. Reflective warning signs complying with Section 1143A for character height shall be installed at transitions from the 8'-2" ceiling to lower ceiling heights in vehicular passageways in the same parking level.
All entrances, exits and vehicular passageways to and from required accessible parking spaces within the parking facilities shall have a minimum vertical clearance of 8'-2" from the floor to the lower projection of the ceiling. Reflective warning signs complying with Section 1143A for character height shall be installed at transitions from the 8'-2" ceiling to lower ceiling heights in vehicular passageways in the same parking level.
CONCEPTUAL BUILDING ROOF PLAN

LEGEND:
- Property Line:
- Setback Line:
- Accessible Path of Travel:
- Trash Truck Travel:
- Trash Removal Path of Travel:
- Unit Type: A
- Balcony | Deck Type: B
- Number of Parking Stalls: C
- Standard: D
- Compact: E
- Handicapped: F
- Van: G
- Motorcycle: H
- Bicycle: I

NOTE:
All entrances, exits and vehicular passageways to and from required accessible parking spaces within the building shall have a minimum vertical clearance of 8'-2" from the floor to the lower projection of the ceiling. Reflective warning signs complying with Section 1143A for character height shall be installed at transitions from the 8'-2" ceiling to lower ceiling heights in vehicular passageways in the same parking level.
MATERIALS LIST:
1. Metal Parapet / Cornice
2. Exterior Plaster
3. Metal Spandrel Panel
4. Vinyl Window
5. Corrugated Metal Roof
6. Plaster Cornice
7. Metal Railing
8. Perforated Metal Signage
9. Exterior Lighting
10. Metal Finial Awning Braces
11. Metal Awning
12. Scored Plaster Finish
13. Perforated Metal Screen / Green Wall

CONCEPTUAL EXTERIOR ELEVATIONS | EAST STREET
MATERIALS LIST:
- Metal Parapet | Cornice 1.
- Exterior Plaster 2.
- Metal Spandrel Panel 3.
- Vinyl Window 4.
- Corrugated Metal Roof 5.
- Plaster Cornice 6.
- Metal Railings 7.
- Perforated Metal Signage 8.
- Exterior Lighting 9.
- Metal Finial Awning Braces 10.
- Metal Awning 11.
- Scored Plaster Finish 12.
- Perforated Metal Screen | Green Wall 13.
CONCEPTUAL SIGNAGE DESIGN

1 | WALL SIGNAGE | TYP.

2 | RETAIL SIGNAGE | TYP.

3 | INSPIRATIONAL SIGNAGE IMAGERY

INFORMATION

CONTRAST

BRANDING

TRANSPARENCY

WAYFINDING

PLANES

JUXTAPOSITION

METAL STEEL CANOPY OVER RETAIL STOREFRONT (TYP. 6" HIGH)
BRONZE FINISH CAST METAL LETTERING (DESIGN AND FONT PER DEVELOPER (TYP. 10" HIGH)
BRONZE FINISH CAST METAL LETTERING (DESIGN AND FONT PER DEVELOPER (TYP. 24" HIGH)
BRUSHED ALUMINUM PERFORATED METAL PANELING
"U" CHANNEL STRUCTURE
FLOW THROUGH PLANTER - TYPE 1

FLOW THROUGH PLANTER - TYPE 2

PERMEABLE PAVER

ROLLED CURB

NOT USED
1. Prior to the start of demolition, clearing or grubbing meet with the project arborist to identify trees slated for preservation and any concerns they may have.
2. Fencing or construction within the TPZ shall be approved and monitored by the project arborist. Modifications must be monitored and approved by the project arborist.
3. Do not park vehicles or heavy equipment within the TPZ or APZ.
4. Tree pruning needed for clearance during construction shall be performed by a certified arborist.
5. Coordinate with prime and sub-contractors to identify if you need to remove any vacant utility vaults, etc.

Existing Tree and Canopy to Remain

Tree to be removed. Remove trunk to 2' below finish grade.
GROUND LEVEL SOUTH COURTYARD

- PLAZA: SEATED CRESCENT BENCH WITH BACK & ARMRESTS
- PLAZA: MANAGEMENT OFFICE & FITNESS CENTER PATIO
- SKATE DETERRENT SEATWALL AT PUBLIC PLAZA
- STREET TREES, SEE L1.0, L1.5 FOR SPECIES
- CAFE FURNISHINGS AND BENCHES
- DRY GARDEN
- ART SCREEN & FENCE, SEE DETAIL 2 ON THIS SHEET
- ACCESS GATE TO SOUTH COURTYARD
- PLANTERS WITH MOUNTED SEATING
- SHADE TREES, SEE L1.0, L1.5 FOR SPECIES
- CAFE STYLE FURNISHINGS
- ACCESS TO INTERIOR LOUNGE
- UNIT PATIO, TYP.
- PLANTERS WITH EVERGREEN SHRUBS, TYP.
- COMMERCIAL STRING LIGHTS, TYP.

LANDSCAPE MATERIAL AND PLANTING LEGEND

- PLAIN GRAY CONCRETE
- DECOMPOSED GRAVEL PAVING
- PLANTING AT BUILDING PERIMETER
- VEHICULAR GRADE, PERMEABLE CONCRETE PAVERS, CULTURE
- DECORATIVE GRANITE
- PLANTING AT COURTYARDS & DECKS
- VEHICULAR GRADE, PERMEABLE CONCRETE PAVERS, MONOTONE
- WOOD COMPOSITE DECKING
- PLANTING AT STORMWATER AREAS
- CONCRETE PAVERS, CULTURE
- PLANTING AREA AT STREET TREES
- CONCRETE PAVERS, 24"X24"
SPECIALTY FURNISHINGS
1. ACCESS POINTS TO ROOF DECKS
2. SHADE STRUCTURE, 8' HIGH
3. CHAISE AND SIDE TABLES
4. ORNAMENTAL TREES IN LARGE PLANTERS, TYP. SEE L1.0, L1.5 FOR SPECIES
5. PLANTERS WITH SHRUBS AND GROUND COVER, TYP.
6. OUTDOOR KITCHEN WITH GRILLS & SINK
7. VIEWING COUNTER
8. SWING TABLES
9. LOUNGE AREA WITH GAS FIREPIT
10. COMMERCIAL STRING LIGHTING
11. GLASS WINDSCREEN, TYP. UP TO 54" HIGH
12. NON-OCCUPIED ROOF, DECORATIVE GRAVEL
13. EGRESS ROUTE
14. PERFORATED METAL WINDSCREEN, TYP. UP TO 8' HIGH

ACCESS POINTS TO ROOF DECKS
- Shade Structure, 8' High
- Chaise and Side Tables
- Ornamental Trees in Large Planters
- Planters with Shrubs and Ground Cover
- Outdoor Kitchen with Grills and Sink
- Viewing Counter
- Swing Tables
- Lounge Area with Gas Firepit
- Commercial String Lighting
- Glass Windscreen, Typical up to 54" High
- Non-Occupied Roof, Decorative Gravel
- Egress Route
- Perforated Metal Windscreen, Typical up to 8' High

CONCORD APARTMENTS
2401 South Street, and 2022 and 2024
Concord, California

OWNER INFORMATION:
NICHOLSON DEVELOPMENT PROPERTIES, LLC.
515 5th Ave W
Kirkland | WA | 98033

CONSULTANT INFORMATION:
SANTA ANA | OAKLAND | SAN DIEGO | HONOLULU

DATE ISSUED: 06-14-2016
PROJECT NO: 2013-40142

SCALES:
1" = 10'-0"
STATE MODEL WATER EFFICIENCY LANDSCAPING ORDINANCE

The irrigation system will be designed to supply the minimum amount of water necessary to sustain good plant health. The design and installed system will comply with the California Water Efficient Landscape Ordinance (WELO - 2015 Version) and applicable City of Concord requirements. In the case of overlapping state and local requirements, the stricter requirement will be applied. The irrigation system will consist of low volume, low pressure drip, bubbler or subsurface application methods to achieve highest possible efficiency and eliminate water waste by wind drift, overspray or run-off. Control of the system will be by state-of-the-art 'smart' controllers, capable of daily self-adjustment based on real-time local weather data from an on-site weather sensor. All specified irrigation equipment will be commercial grade, selected for durability and minimal maintenance burden.
NOTES:
1. TOP OF WALL LEVEL.
2. TROWEL FINISH TOP OF WALL.

SECTION

CAST-IN-PLACE CONCRETE WALL
WOOD BEAMS WITH CURVE CUTS TO FIT STEEL ANGLE
STEEL ANGLE
L-BRACKET SUPPORT CONNECTED TO CONCRETE WALL
FINISH SURFACE
EXPANSION JOINT AT CONCRETE PAVING AND WALLS, TYP.
FINISH SURFACE ON-STRUCTURE SOIL MIX, SEE DETAIL.

3' - 6" STEEL ANGLE
18" 22"

CONCRETE BAR
BAR STOOL
PRE-FAB PLANTER, SEE SHEET L-1.7
GLASS SCREEN
42"
2' - 3"
6"

CAST-IN-PLACE CONCRETE SEATWALL, SANDBLAST FINISH ALL EXPOSED SIDES AND TOP
1/4" RADIUS AT ALL EXPOSED ANGLES, TYP.
METAL BAR SHAVE DETERRENT
CAST-IN-PLACE CONCRETE SEATWALL, SANDBLAST FINISH ALL EXPOSED SIDES AND TOP
ALL REBAR TIES @ 18" O.C.
EXPANSION JOINT ADJACENT CONCRETE PAVING WITH THICKENED EDGE
COMPACTED AGGREGATE BASE, CLASS A 95%
COMPACTED SUBGRADE, 95%

NOTES:
1. KEEP REBAR 3" CLEAR FROM EDGE OF CONCRETE WORK.
2. TOP OF SEATWALL, LEVEL.
3. INSTALL SKATEBOARD STOPS ON SIDES OF WALLS THAT ABUT CONCRETE PAVING
4. COAT ALL SURFACES WITH ANTI-GRAFFITI COATING.
5. FINISH: LIGHT SANDBLAST.

3 MacArthur Place, Suite 850    Santa Ana,  California  92707
T. 949.809.3380                                     www.sva-architects.com
SUBJECT: Concord Village (PL15438 - UP, DR)

Recommendation: 1) Adopt Resolution No. 17-03PC, adopting the Concord Village Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

2) Adopt Resolution No. 17-05PC, approving the Concord Village Use Permit and Design Review (PL15438 - UP, DR).

I. Introduction

A. Application Request

Consider the adoption of Resolution No. 17-03PC, adopting, under CEQA, the Concord Village Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and the adoption of Resolution 17-05PC, approving the Concord Village Use Permit and Design Review for a 230-unit apartment project with approximately 3,000 sq. ft. of amenity space on a 2.34 gross acre site.

B. Location

The project site is located at 2400 Salvio Street and 2401 and 2471 Willow Pass Road; APN’s 126-083-011, -012, -013.
C. Applicant/Owner

Nicholson Development Properties  
Attn: Brent Nicholson  
720 North 10th St., A-128  
Renton WA 98057  
(206) 979-9681

II. Background

On April 29, 2015, Washington-based developer Nicholson Development Properties submitted a Preliminary Application and conceptual design review for a 230-unit apartment project with approximately 3,000 sq. ft. of amenity space at the “Green House” property, the block bounded by Salvio Street, Willow Pass Road, East Street, and Port Chicago Highway. On May 28, 2015, the Design Review Board (DRB) conducted conceptual design review of the project. The DRB provided specific direction to the applicant to be incorporated into the formal application submittal.

On May 26, 2015, a neighborhood meeting was conducted. The property owner and two tenants from the Parker Professional Plaza adjacent to the site attended the meeting, were supportive of the project, and had questions about the site design, building architecture, parking, and the price of the apartment units.

On July 1, 2015, the Planning Commission conducted a study session on the project and provided direction to staff and the applicant to address the inconsistencies between the proposal and the Development Code requirements. The Planning Commission made recommendations regarding setbacks, parking, building design, and the introduction of a commercial tenant(s) on the ground floor.

On September 1, 2015, then Mayor Grayson established an Early California Architecture Review Committee consisting of the Design Review Board Vice Chair, Kirk Shelby, Council member Ron Leone, and himself to review new buildings in the Downtown Specific Plan area to determine whether they reflect early California architecture. The process did not supplant the Design Review Board but it allowed the Committee to review and provide input on building architecture.

On September 14, 2015, the Committee reviewed the project. The applicant presented the original building elevations and two elevation studies for the Committee to consider. The studies proposed arched elements on the ground floor elevations at East Street and Willow Pass Road and introduced two different color schemes. The Committee liked elements of each color scheme and the arches and use of scored plaster of one of the studies.

On October 15, 2015, the applicant submitted a formal development application including a Use Permit and Design Review. The application was reviewed by the Development Advisory Committee (DAC) on November 10, 2015 and deemed incomplete by staff on November 13, 2015.

On November 18, 2015, a second neighborhood meeting was conducted and attended by local business owners, each of which was supportive of the project and had questions about the entitlement
process and timing for construction. On November 19, 2015, the Design Review Board conducted preliminary design review and provided the applicant with comments about the building architecture. The Board primarily focused on the design of the arched elements and ways to incorporate materials to make them “special elements” that relate to and improve the pedestrian experience.

The applicant submitted revised plans on April 26, 2016. The Board conducted final design review on May 12, 2016, approved the building architecture, and directed the applicant to return with a complete landscape plan including a detailed plant list with quantities and typical spacing of materials, information on special paving, and elevations of the proposed decorative fencing.

On June 14, 2016, the applicant submitted additional details in response to the Board’s request for information and the Board granted final design review approval on June 23, 2016 with conditions to return with construction details, finishes and roof materials, and a final landscape plan.

On June 28, 2016, the DAC reviewed the revised submittal and staff deemed the application complete on July 21, 2016.

On August 17, 2016, the Planning Commission conducted a public hearing on the project. Just prior to the meeting, staff received a 15-page letter with exhibits from attorneys from the law firm of Adams Broadwell representing Concord Residents for Responsible Development (“CRRD”) (an unincorporated association of individuals and labor organizations stating their clients could be adversely affected by the potential environmental impacts associated with Project development). The association includes Eric Haynes, Raul Tiffer, Vincent Copeletti, International Brotherhood of Electrical Workers Local 302, Plumbers & Steamfitters Local 159, Sprinkler Fitters Local 483, and Sheet Metal Workers Local 104, and their families who live and/or work in Concord). The Adams Broadwell letter requested that the Planning Commission deny all approvals on the grounds that: 1) the project is not exempt from CEQA, 2) the project fails to comply with the Downtown Concord Specific Plan, and 3) the project would be detrimental to construction workers and residents.

At the public hearing, the Planning Commission raised issues regarding whether the appropriate CEQA determination had been made because the site was a documented contamination site, whether a reduction in the number of parking spaces was appropriate for the project, and whether the Trails Master Plan was consulted. The Commission continued the item to September 21, 2016.

On September 21, 2016, the Planning Commission conducted a public hearing on the project and continued the item to a date uncertain to allow staff additional time to prepare an Initial Study and CEQA determination and respond to issues raised at the August 17, 2016 meeting.

On October 21, 2016, AES, an environmental consultant firm, was hired to prepare an initial study and CEQA determination for the Project.

On January 24, 2017, the applicant submitted revised plans in response to the Commission’s direction to prepare a CEQA determination and study the proposed number of parking stalls for the project.
On January 25, 2017, the application was deemed complete for processing.

Following a project evaluation, it was determined that a Mitigated Negative Declaration (MND) would be the appropriate document moving forward. The MND was published for the requisite 30-day public review period from February 10 through March 13 prior to a scheduled review by the Planning Commission on March 15, 2017.

Staff received two written responses to the published Mitigated Negative Declaration during the comment period, one from Caltrans on March 9, 2017, with general recommendations, one request for clarification, and no comments regarding the project description, adequacy, or the analysis and supported findings, and one 34-page letter with exhibits from attorneys representing CRRD, who stated that they may be adversely affected by the potential environmental impacts associated with development of the project. This letter was received on the last day of the review period, March 13, 2017.

In connection with the comment letter received from CRRD, their attorneys maintained the MND failed to comply with CEQA and that evidence supported a fair argument that the Project may result in potentially significant impacts related to air quality, public health, water quality, and greenhouse gases. In addition, the group claimed that the Remedial Action Plan, which was proposed to clean up contamination, does not include sufficient mitigation to reduce potentially significant impacts on hazards, public health, and water quality to a less than significant level. They asserted that MND was not the appropriate environmental review for the Project and that an Environmental Impact Report should have been prepared to adequately analyze the Project’s potentially significant direct, indirect and cumulative impacts, and incorporates all feasible mitigation measures to avoid or minimize these impacts. In addition, the comment letter alleged that the Project, particularly its parking garage design, is inconsistent with the City’s General Plan and Specific Plan policies that require projects to incorporate design for an integrated pedestrian network in downtown Concord.

On March 15, 2017, the Planning Commission conducted a public hearing on the project. Given the late receipt of the letter and volume of requested information, staff requested the Planning Commission continue the hearing to a date uncertain to allow the City’s consultant and staff time to respond to the comments and present the information to the Commission at a subsequent meeting.

Since the March 15, 2017 Planning Commission meeting, the applicant has completed studies under the direction of the Regional Water Quality Control Board that document additional investigative activities to address potential environmental concerns, as expressed by Adams Broadwell. On February 20, 2018, the City received written evidence from the Regional Water Quality Control Board that the agency had reviewed the additional reports and definitively concluded the applicant may move forward with the Remedial Action Plan, including its mitigation measures.

The applicant has also engaged in discussions with Concord Residents through the Adams Broadwell law firm concerning the comments raised in the March 13, 2017 letter concerning the proposed MND.
On March 5, 2018, the City received a letter from the applicant in which the applicant indicated that they had entered into an agreement with CRRD, which resolved the issues raised by CRRD in the March 13, 2017 comment letter. As part of that agreement, the applicant agreed to comply with additional Conditions of Approval (Exhibit H).

On March 5, 2018, the City also received a letter from Adams Broadwell indicating they were supportive of the additional Conditions of Approval and, as a result, agreed to formally withdraw the objections raised in the March 13, 2017 comment letter (Exhibit I).

On March 6, 2018, the City received a “Response to Comments” document prepared by AES that also addressed the concerns raised within the March 9, 2017 and March 13, 2017 comment letters (Exhibit J). In this letter, after analyzing CRRD’s concerns, AES determined that a fair argument could not be made that the Project may result in potentially significant effects that would trigger the development of an EIR.

III. General Information

A. General Plan

The General Plan designation is Downtown Mixed Use.

B. Zoning

The site is zoned DMX (Downtown Mixed Use).

C. CEQA Status

Pursuant to CEQA\(^1\), AES (on the City’s behalf) completed an Initial Study and Mitigated Negative Declaration (MND) and a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the mitigation measures identified in the MND. The MND and MMRP were distributed for public review and the 30-day comment period began February 10, 2017 and ended March 13, 2017, pursuant to the requirements of CEQA.

The Draft MND determined that although the proposed project could have potentially significant impacts on Biological and Cultural Resources, Geology and Soils, and Noise; mitigation measures incorporated as part of the project’s design or as conditions of approval would reduce the potential impacts to less-than-significant levels. Copies of the MND and MMRP are attached to Resolution 17-03PC as Attachments A and B and incorporated therein by reference.

Staff received two written responses to the published Mitigated Negative Declaration during the comment period, one from Caltrans on March 9, 2017, with general recommendations, one request for clarification, and no comments regarding the project description, adequacy, or the analysis and supported findings, and one 34-page letter, with exhibits, from attorneys

---

\(^1\) California Environmental Quality Act (CEQA) of 1970, Public Resources Code § 21000, et seq., and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations, all as amended from time to time.
representing CRRD, who stated that they may be adversely affected by the potential environmental impacts associated with development of the project (Exhibit F).

As stated in greater detail above, AES (on the City’s behalf) prepared a response letter to the March 9, 2017 and March 13, 2017 comment letters from Caltrans and CRRD (Exhibit J). And, as demonstrated in the attached response letter, AES concluded that a fair argument could not be made that the potential effects of the Project were significant enough to warrant an EIR.

In addition, the applicant and CRRD have entered into an agreement, in which CRRD has agreed to withdraw their objections to the MND and MMRP as raised in their March 15, 2017 comment letter. The applicant has also agreed to adhere to additional Conditions of Approval (Conditions of Approval 4-13) (Exhibits H and I). Although staff does not believe that these new Conditions of Approval are necessary or should be added to the MND or as further mitigation measures under the MMRP, staff has agreed to include these conditions to the Conditions of Approval attached to proposed Resolution No. 17-05UP.

Accordingly, as a result of the March 6, 2018 response letter from AES and the March 5, 2018 withdrawal of objections by CRRD, staff recommends that the Planning Commission approve the proposed MND and MMRP as the appropriate environmental review for the Project.

D. Site Description

The 2.34-gross acre site is comprised of three contiguous parcels (that will be merged), each with street frontage, bordered by Salvio Street, Willow Pass Road, East Street, and Port Chicago Highway. The site is flat and steps downhill slightly at the north end of the property gradually sloping toward to the northwest corner of the property. A number of structures were demolished due to their substandard condition including a former residence, multi-tenant commercial building, and an office for used car sales. A vacant bank building remains at the southwest corner of the site and will be demolished prior to development of the site. Vegetation is limited to street trees and some onsite landscaping, much of which has been removed to discourage encampments.

<table>
<thead>
<tr>
<th>Lot Size and Dimensions</th>
<th>101,930 sq. ft. (approx.)</th>
<th>311 ft. x 325 ft. (approx.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Improvements</td>
<td>A vacant bank building is located at the southwest corner of the property, the site is partially paved, and there is leftover site lighting from previous uses.</td>
<td></td>
</tr>
<tr>
<td>Topography</td>
<td>The parcel sits slightly above its street frontages, is flat, and slopes gently downhill toward the northwest corner of the site.</td>
<td></td>
</tr>
<tr>
<td>Existing Vegetation</td>
<td>Street trees and shrubs are located along the south and east frontages and street trees are located along the north frontage. Remnant trees and small shrubs are located onsite as part of the previous development.</td>
<td></td>
</tr>
</tbody>
</table>
E. Surrounding Land Use

The site encompasses the entire block from Salvio Street on the north to Willow Pass Road on the south and from East Street on the west to Port Chicago Highway on the east. The site is located in the Downtown within ¼ mile of BART and two blocks from Todos Santos Plaza. The site and surrounding areas are zoned Downtown Mixed Use and Planned District. A mix of professional offices, commercial businesses, and residential uses surround the site.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>General Plan Designation</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>North</strong></td>
<td>Office, Auto dealership, Vet hospital</td>
<td>Downtown Mixed Use</td>
</tr>
<tr>
<td><strong>South</strong></td>
<td>Vacant commercial building</td>
<td>Downtown Mixed Use</td>
</tr>
<tr>
<td><strong>East</strong></td>
<td>Wisteria Residential Subdivision, Offices</td>
<td>Medium Density Residential</td>
</tr>
<tr>
<td><strong>West</strong></td>
<td>Vacant commercial building, medical offices</td>
<td>Downtown Mixed Use</td>
</tr>
</tbody>
</table>

F. Site Plan/Circulation/Parking

The five-story residential building is proposed to occupy the entire site while maintaining moderate setbacks on all four sides of the building for access, landscaping, and bioretention areas for stormwater filtration. The building “wraps” around a five and a half story parking structure above grade. The building is oriented toward the intersection of Willow Pass Road and East Street, where there is a leasing office and primary pedestrian access. Vehicle access is proposed along East Street and Port Chicago Highway.

Dedicated pedestrian entries for residents are located along the East Street and Port Chicago Highway sides of the building with additional gated entries to shared courtyards along Salvio Street and Willow Pass Road. Once onsite, an internal U-shaped walkway with corridors provides access to each of the units and outdoor spaces. Access throughout the building is controlled by secure doors and gates at various locations throughout the building. Two elevators provide access above the ground floor leasing center, a mail center, bike shop, and fitness/lounge area. Other site improvements include landscaped courtyards, community lounges, and rooftop sun terraces.

All vehicular access points are unsignalized, with the primary driveway off East Street restricted to right-in/right-out traffic and the secondary driveway on Port Chicago to left-in/left-out traffic. A paved service area is located along Port Chicago Highway that provides access for emergency vehicles, trash pick-up, electrical service, and resident loading and unloading. Both entries are designed for two-way circulation via a 24 ft. driveway. Guest parking and secure bicycle parking is located on parking level 1 with gated access to resident parking and additional bicycle parking on parking levels 2-5. The garage will be gated at
night and accessible by residents via a garage door opener. Guests will have to be “buzzed in” by residents at all locations.

A total of 334 parking spaces are proposed. This represents a 20.5% reduction of the required parking spaces, as allowed under the Transit Station Overlay District. The applicant proposes 240 standard sized stalls with 9’ x 19’ dimensions, and 83 compact sized stalls with 8’ x 16’ dimensions. Eleven of the 334 parking spaces would be ADA compliant stalls. A total of 122 bicycle parking stalls are proposed on each floor in secure corrals and nine motorcycle stalls are proposed on parking levels 1-6.

G. Architecture

The five-story building proposes contemporary architecture and materials and “wraps” the residential units around six floors of parking. The building is oriented toward the intersection of Willow Pass Road and East Street with vehicle entries on East Street and Port Chicago Highway. A mix of studios, one-bedroom, and two-bedroom units are proposed with approximately 3,000 sq. ft. of amenity space including a mail center, bike shop, and fitness studio for tenants.

The apartment units range in size from approximately 400 to 1,060 sq. ft. in six different plan types. Each of the units has a small deck with the exception of the smallest units that have a “Juliette-style balcony” with each of the units facing outward toward the street or inward toward an outdoor courtyard. The modern architecture incorporates regular and scored plaster, metal screens, contemporary signage, and urban lighting. Floor plan details are provided in the following table.

<table>
<thead>
<tr>
<th>Plan Number</th>
<th>Sq. Ft.</th>
<th>Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (Creative Studio)</td>
<td>403</td>
<td>12</td>
</tr>
<tr>
<td>2 (Studio)</td>
<td>603</td>
<td>46</td>
</tr>
<tr>
<td>3 (1Br / 1 Ba)</td>
<td>689</td>
<td>39</td>
</tr>
<tr>
<td>4 (1Br / 1 Ba)</td>
<td>697</td>
<td>80</td>
</tr>
<tr>
<td>5 (2Br / 2 Ba)</td>
<td>963.5</td>
<td>10</td>
</tr>
<tr>
<td>6 (2Br / 2 Ba)</td>
<td>1068.5</td>
<td>43</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>170,785.5</strong></td>
<td><strong>230</strong></td>
</tr>
</tbody>
</table>

H. Landscaping

Public Open Space

The streetscape is designed to engage the public and residents. Willow Pass Road features an urban plaza tailed by a double tree lined sidewalk (with benches) that wraps around the corner to East Street. The plaza is designated for the public as well as employees and residents. The spaces closer to the leasing office and fitness center feature tables, chairs and shade umbrellas that would be maintained by the owner. Willow Pass Road also features an “art screen” that doubles as a transparent enclosure of
the south courtyard, but will primarily serve as an architectural element. Salvio Street will feature a soft landscape (mostly stormwater treatment) edge with simple seating areas on the inside edge of the sidewalk; two transparent screens will also line the sidewalk. All sidewalks will be widened to a minimum of eight feet with some exceptions along Port Chicago Highway. All public furnishings in the public right of way will have back rests as well as arm rests between seats and all seat walls in the right of way will have skate deterents.

Transparent Private Open Spaces

The south courtyard on the opposite side of the art screen on Willow Pass Road is designed as a pocket plaza with shade trees and large seat lined planters. The plaza is intended to be visible from the street, and flexible with moveable furnishings to serve every day rest or medium-sized gatherings. The north courtyards are sited along Salvio Street, and are designed to be quiet gardens for multiple small dining and lounging gatherings. The courtyards have been designed in conjunction with the adjacent interior spaces, which serve similar recreational uses. The indoor/outdoor integration is intended to feel seamless.

Inner Private Open Spaces

The inner spaces feature a bocce court, bar area, and a drought tolerant “lawn,” as well as two adjacent roof terraces that have views to Downtown Concord. They are designed as a series of outdoor amenity spaces that provide a variety of activities and are intended to be used in the afternoon and evening by residents.

The ground level inner “decks” are located along the primary circulation of the building to encourage frequent use. The bocce and bar area are adjacent to each other and in close proximity to the interior lounges and north courtyards. Both roof terraces are located adjacent to a stairwell, one featuring a grilling/dining space and the other featuring a fire/lounge space.

I. Development Regulations

As noted below and in the following “Discussion” section, the project meets standards for lot area, lot coverage, setbacks, and building area of DMX zoning (unless otherwise noted), and all applicable requirements under the Development Code, Article IV, Development Standards.

<table>
<thead>
<tr>
<th>Standards</th>
<th>Required/Allowed</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density (du/net acre) minimum</td>
<td>33 – 100 du/net acre</td>
<td>98.3</td>
</tr>
<tr>
<td>Floor Area Ratio (FAR) minimum</td>
<td>1.00</td>
<td>1.68</td>
</tr>
<tr>
<td>Floor Area Ratio (FAR) maximum</td>
<td>6.0</td>
<td>1.68</td>
</tr>
<tr>
<td>Lot Area (square feet) minimum</td>
<td>10,000</td>
<td>101,930</td>
</tr>
<tr>
<td>Lot Width (feet) minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Lot</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>
### IV. Discussion

#### A. General Plan Consistency

The site’s General Plan land use designation of Downtown Mixed Use is intended for a high density and intensity mix of residential, commercial and office development in Central Concord. It allows for a mix of uses that balances jobs and housing opportunities, including offices, commercial development, hotels, public/quasi-public, and residential uses. The project provides residential uses and is thus consistent with the intent of the Downtown Mixed Use designation to establish housing opportunities in the Downtown. The project is in substantial compliance with the goals, objectives, and policies of the Concord General Plan, including “supporting higher density and mixed use development in Downtown and near transit centers and corridors” as outlined in General Plan Principle LU-1.3.3.

Additionally, as conditioned the project is consistent with General Plan policies that encourage pedestrian-oriented urban design by incorporating building elements such as ground floor patios, human-scale landscaping at the street level, and outdoor seating and building entries at the street level (Policy LU-4.2.3).

---

2 See discussion titled “Development Regulations”

3 See discussion titled “Private and Open Space”

4 See discussion titled “Parking”
B. Downtown Specific Plan

The City adopted its Downtown Specific Plan (Plan) on June 24, 2014. The Specific Plan provides a vision for how the Downtown will integrate housing, jobs, retail, and transportation linkages including pedestrian, disability access, and vehicular traffic with transit hubs, with a focus on pedestrian access. The purpose of the Specific Plan is to set forth policies focused on what is achievable to implement in the Downtown over the next 20 to 30 years and set forth implementation measures to be undertaken by the City.

One of the objectives of the Plan is to reflect early California architecture in the design of new buildings and ensure that buildings create a vibrant public realm and sense of pedestrian orientation and identity within the Downtown. On September 14, 2015, the Early California Architecture Review Committee reviewed the project and recommended approval of the building design with recommendations to incorporate arched elements and detailing at the ground floor and use building colors indicative of early architecture. The DRB subsequently conducted their review of the project considering the Committee’s recommendations and agreed the building design reflects early architectural themes and elements consistent with the objectives outlined in the Plan. The project is consistent with the design guidelines for its location in the Outer Core, as described in the adopted Todos Santos Design Guidelines.

The project is consistent with policies that encourage a variety of living opportunities through a range of housing types and prices. The project as proposed includes six unit types at different rental rates. The project proposes high density development within a 10-minute walk of transit and BART that is consistent with the strategy to increase the amount of residential units in Downtown. For these reasons and others, the project is consistent with the Downtown Specific Plan.

C. Zoning Consistency

As conditioned, the proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the development code and the Concord Municipal Code (CMC). The proposed use is classified as Multi-family, which is a conditionally permitted use in the DMX (Downtown Mixed Use) Zoning District. The project meets the standards for lot area, floor area ratio, setbacks, and building height of DMX zoning, satisfies applicable requirements under Development Code, Division IV, General Development Standards, and complies with all other applicable provisions of the Development Code and Concord Municipal Code as described below.

D. Development Regulations

Density

A density of between 33 and 100 units per acre is permitted in the DMX district. This project has been identified in the City of Concord Housing Element Update (2014-2022) as a
potential housing site with 2.34 acres (located in Subarea 3, No. 3.26 of the Housing Element Update Appendix).

Pursuant to Table 18.15.020, footnote, for high density residential projects that have been identified in the Housing Element, density is calculated by assuming the sites identified in the housing element are net acres with existing improvements. Therefore, the density in this project would be calculated using the 2.34 acres specified in the Housing Element, which would result in 98.3 dwelling units per net acre, within the allowed development density standards.

Setbacks

The Development Code requires minimum setbacks for individual interior and corner lots in the DMX district. The Development Code does not however address “full block developments” where all four sides of a site are surrounded by roadways and could be considered a corner lot, which is the case with this project. Additionally, the lot shape is trapezoidal, which also lends to its unique character in terms of measuring the appropriate setback allowances.

Development Code Section 18.150.140(C)(7), titled “Determination of Setbacks on Irregular-Shaped Lots,” states, “(t)he planning division shall determine setbacks for irregular-shaped lots…on a case-by-case basis.” In general, the project meets the setbacks specified in the DMX district with one exception being the front yard setback along East Street. The City is requiring the applicant to provide a public access easement for a storm drain line that runs the width of the property. The code requires setbacks to be measured from the edge of an easement, thus in one location the setback is less than 10 feet however they vary along the frontage and are as deep as 22 feet.

The Downtown Specific Plan’s design guidelines encourage buildings with minimal setbacks to promote a “special relationship with the sidewalk and street.” The design guidelines also encourage smaller setback allowances by promoting “all new developments on primary streets should build to a zero front lot line.” The Plan also provides guidelines that “encourage porches, patios and stoops in the building setback zone” and that “building setbacks should be landscaped to ensure privacy in case of residential ground floor use.”

Given the unique character of the lot (which is surrounded on all sides by roadways), its unique trapezoidal shape, and the design guidelines of the Downtown Specific Plan, staff believes the proposed setbacks are appropriate as proposed. Staff feels the proposed front yard setback meets the intent of the design goals of the Downtown Specific Plan by providing an attractive landscaped buffer between the street and the building façade. The perceived setback from the face of curb will be a minimum of 21 feet within which are a landscaped strip, sidewalk, and private landscaping adjacent to the building. In most cases, the setback will measure at least 10 feet or more in depth. Moreover, staff also believes that the proposed setback is also consistent to how the setback standards have been applied to other full-block development projects in the Downtown, such as in the nearby Argent project.
Building Height

The DMX development standards require a minimum first floor height of 15 feet. However, the intent of the regulation is to account for ground floor retail uses. Tall ceiling heights at the ground floor are a critical part of what makes a retail space function properly and feel inviting for pedestrians walking next to the building. Low ceilings make uninviting spaces that rent for less, feel cramped, are less visible from the street, and do not allow commercial uses to flourish.

The subject Project proposes a first floor height of up to 18 feet in the prominent corner of the building, which includes a leasing office and other amenities, such as a mail center, bike shop and fitness lounge. However, the remaining first floor is proposed to be residential with a height of 10 feet, which is typical for residential uses. Given that the intent of the 15 feet height requirement is to accommodate retail uses, a planning staff interpretation (as permitted in Section 18.10.060) has been made to allow for building heights that are lower than 15 feet in the DMX where there are proposed residential uses. Accordingly, staff believes that the proposed first floor height may be permitted by the Use Permit.

The building height in total at 69 feet is well within the maximum permitted height of 200 feet.

E. Parking

Parking requirements for multi-family residential uses are based on the number of bedrooms in each unit. Accordingly, the code requires 420 parking spaces for the proposed mix of 230 units.

<table>
<thead>
<tr>
<th>Plan Type</th>
<th>Number of Units</th>
<th>Ratio</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studios</td>
<td>58</td>
<td>1 space/studio</td>
<td>58</td>
</tr>
<tr>
<td>One bedroom</td>
<td>119</td>
<td>1.5 spaces/1 bed unit</td>
<td>179</td>
</tr>
<tr>
<td>Two bedroom</td>
<td>53</td>
<td>2 spaces/2 bed unit</td>
<td>106</td>
</tr>
<tr>
<td>Guest</td>
<td>230</td>
<td>1 guest space/each 3 units</td>
<td>77</td>
</tr>
<tr>
<td>Total Required</td>
<td></td>
<td></td>
<td>420 (315 w/ 25% reduction)</td>
</tr>
<tr>
<td>Total Provided</td>
<td></td>
<td></td>
<td>334</td>
</tr>
</tbody>
</table>

The previous design included 423 parking spaces located on parking levels P0 thru P6. The parking garage has been redesigned and 89 spaces removed from a portion of the subterranean (P0) and upper parking floor (P6) resulting in 334 parking spaces. This represents a 21% reduction of the required parking spaces, as allowed under the Transit Station Overlay District.

According to Section 18.160.050(G), required parking spaces may be reduced up to 25% through the use permit process, if the applicant can demonstrate that due to special circumstances, such as the nature of the use, proximity to transit, transportation characteristics of the use, or implementation of a transportation demand management program, there will be a reduced demand for parking at the site. In this case, a reduction of 25 percent would amount
to a requirement of 315 parking spaces. A discussion regarding these three factors is set for the below:

1. **The parking demand study, as directed by the city, substantiates the need for less parking (e.g., documentation of customer frequency, information on parking standards required for the proposed use by other cities, etc.) than required in Table 18.160.040.**

The City hired Omni-Means, Ltd. to conduct an independent parking demand study. The City requested that similar types of projects such as high density residential within close proximity to BART be included in the study. The parking demand study surveyed two properties in Oakland (both at Jack London Square) and one in downtown Concord (Park Central) as recommended by the Planning Commission. Parking surveys of each property were conducted. The study also looked at published Institute of Transportation Engineers (ITE) rates and other reference materials from the Planning Center in Oakland.

As indicated in the parking demand study (Exhibit G), the Omni-Means consultant found that the two Oakland locations had surveyed parking rates of 1.08 and 1.22 spaces/unit, and noted that the Planning Center of Oakland had found parking demand rates of 1.45 and 1.73 spaces/unit at these same locations. The study also found that the Concord location (Park Central) had a surveyed rate of 1.44 spaces/unit. The study also noted that published rates by the ITE for multi-unit apartments and condominiums have average rates of 1.20-1.38 spaces/unit.

In summary, the study found a wide range of parking rates (from less than 1 vehicle/unit to almost 2 spaces/unit) associated with multi-family developments. In comparing the proposed project to the surveyed properties, the consultants found that the Concord property was more similar to Concord Village in that it is a similar residential apartment style project close to BART.

It should be noted that since the parking survey was completed, Concord Village revised their parking garage and eliminated 89 parking stalls for a total of 334. Using the revised number of stalls and the proposed number of units, Concord Village proposes a rate of 1.45 spaces/unit (after the 25% reduction is applied), which is consistent with the observations in Concord and the approved Argent Concord project.

2. **The applicant has demonstrated that the project could provide additional parking if long-term parking demand requires additional parking.**

The Downtown Specific Plan (DTSP) identifies the project site as a desired infill opportunity. The DTSP as an urban strategy encourages higher density residential on underutilized and vacant sites that are located in the downtown. The DTSP envisions higher development densities will accommodate more residents in the Downtown, support additional retail and economic activity, sustain and/or increase BART ridership, increase public safety, and create an overall more vibrant quality of life. The project site is close to many amenities such as transit, grocery stores, a post office, and parks. The project is designed as a transit supportive project with many Transportation Demand Management
strategies. The applicant proposes to convert a portion of the 19 surplus stalls to dedicated car share spaces, and Uber and Lyft pick up areas. The project proposes on-site bicycle parking that exceeds the requirement of the Bicycle, Pedestrian and Safe Routes to Transit Plan, an on-site management program will be implemented to monitor the number of parking spaces allotted to each unit, and there will be at least a dozen surplus stalls for overflow parking as needed.

3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the on-street parking in the surrounding area.

The project is designed as a transit supportive project with many Transportation Demand Management strategies. The applicant proposes to convert a portion of the 19 surplus stalls to dedicated car share spaces, and Uber and Lyft pick up areas. The project proposes on-site bicycle parking that exceeds the requirement of the Bicycle, Pedestrian and Safe Routes to Transit Plan, an on-site management program will be implemented to monitor the number of parking spaces allotted to each unit, and there will be at least a dozen surplus stalls for overflow parking as needed.

The project does not propose on-street parking. The curbs will be painted red to prohibit on-street parking.

F. Private and Open Space

Developments with three or more dwelling units shall provide at least 175 square feet of private and/or open space per dwelling unit. This requirement may be met by providing a combination of private and common open space as long as each unit has a minimum private open space of 60 square feet.

The open space or recreational facility requirements may be modified by the decision-making body based on findings that the site is physically constrained, or that the quality of life accommodated by the project will not be compromised, or that the residents will benefit from other amenities that are located in close proximity to the project site (See Development Code Section 18.150.100(I)).

The applicant has maximized the use of private and open space throughout the project. A combination of private patios, balconies, common open space areas, and rooftop terraces are proposed. The project is located within ¼ mile of Todos Santos Plaza and Baldwin Park and within ¾ mile of Ellis Lake Park and Willow Pass Park. Because the project closely meets the private and open space requirements for the zoning district and there are multiple parks within reasonable walking distance, staff feels the project qualifies for an exception from these requirements.

The Downtown Specific Plan encourages use of guidelines when incorporating open space in private developments such as using open space features like balconies to articulate and enhance building facades. Private developments should provide accessible and usable common open space for building occupants and/or the general public. Landscaping of private
open spaces should be attractive, durable and drought resistant. The project responds to these guidelines by providing private balconies on the exterior and interior of the project that overlook both private and public landscaping.

G. Residential Density and Affordability

Subsequent to the passage of SB 166 titled, “Residential density and affordability,” the Planning and Zoning Law requires a city to ensure that its housing element inventory can accommodate its share of the regional housing need throughout the planning period. The law prohibits a city from reducing, requiring, or permitting the reduction of the residential density to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the city makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan,

The City’s “Housing Element Update 2014-2022” identifies the project site for development of approximately 47 units per net acre. The proposed density is 98.3 units per net acre, which more than doubles the original estimate. The project therefore complies with the projected density identified in the Housing Element.

H. Trails Master Plan

The Trails Master Plan (“Plan”) includes a trails network that includes both extensions of existing trails, new trails, as well as on-street bike lanes and bike routes. There are four types of trails identified in the Plan including connector trails that connect neighborhoods to major destinations or regional trails or traverse across the entire city. In the Plan, “North-South Connector Trail C4, Downtown BART Trail” is identified adjacent to the project site along Port Chicago Highway.

In 2005, the City Council approved the Wisteria Residential Subdivision adjacent to the east of the project site and required the developer to construct the trail segment along its frontage instead of requiring an in-lieu fee. The paved, meandering, trail was constructed in accordance with the Trails Master Plan’s recommendation for a connection between the Concord and North Concord BART Stations via Port Chicago Highway.

I. Design Review

Pursuant to Development Code Chapter 18.415, findings are required for approval of the Design Review application. Staff analysis on how the project meets those findings is provided below with a comprehensive list included in the draft resolution attached as Exhibit A to this report.

1) The project is consistent with the General Plan.

The project is consistent with the General Plan as explained in Section IV-A above.
2) The project meets the following criteria in Section 18.415.080.

(a) The building design and landscaping supports public safety and security by allowing for surveillance of the street by people inside buildings and elsewhere on the site.

The apartment units will face outward toward the public realm as will the shared open space thus allowing for surveillance of the street within the apartment units and shared open spaces. Pedestrian entries for residents will be secured and accessed with a key fob. Guests will be “buzzed” in by residents. The parking garage will be secured after hours and guests will not have access to resident parking.

(b) The design is compatible with the historical or visual character of any area recognized by the City as having such character.

Central Concord is the historic, economic, and cultural heart of the City. It encompasses rich history visible in a number of historic sites in the area such as Todos Santos Plaza. Accordingly, the land use objectives of the Downtown Specific Plan encourage reflecting early California architecture in the design of new buildings.

On September 14, 2015, the Early California Architectural Review Committee reviewed the project and recommended approval of the proposed building design that incorporates multiple earth-tone colors and arches that are reminiscent of local examples of early California architecture. It is consistent with the adopted Todos Santos Design Guidelines.

(c) The project design preserves major view and vistas along major streets and open spaces and trails and enhances them by providing project amenities.

The site and surrounding area is flat and has no topographically significant features, such as valleys, hillsides, and ridgelines that provide scenic views or vistas. The site is not near any open space or trail.

(d) The proposed lighting and fixtures are designed to complement on-site buildings, are of an appropriate scale for the development, and provide adequate light for safety and security while minimizing glare.

Exterior lighting will be residential in type and character to minimize glare and improve nighttime visibility and safety for pedestrians and vehicles.

(e) All mechanical, electrical, and utility equipment is located, screened, or incorporated into the design of the buildings so as not to be visible from off-site, and screening devices are consistent with the exterior colors and materials of the buildings.

The project conditions require final details of mechanical, electrical, and utility equipment to be shown on building permit plans to ensure they are located behind fencing or screened so as not to be visible from off-site.
(f) The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, enhances the appearance and features of the project site and surrounding natural and built environment.

Design changes have been made to ensure the project is appropriate for the surrounding built environment, including its scale, massing, site plan, and exterior design. These changes, which were recommended for approval by an Ad Hoc Committee and the DRB, include the incorporation of arches along the ground floor elevations, the use of “rich” building materials, and four-sided design to reduce mass and create visual interest.

The DRB recommended approval of the project on June 23, 2016 following revisions to the project’s design to address architectural detailing and clarifying the location of proposed landscaping. As part of the DRB’s recommendation, the final architectural details, final landscaping, and final materials and finishes are to return to the Board for further review prior to building permit issuance. Staff has included the Board’s specific recommendations as conditions of approval.

3) The design is consistent with the Downtown Specific Plan.

The project provides consistency in character that enhances and reinforces the existing Downtown. The building design is consistent with the objectives of the City’s Design Guidelines in terms of building massing, exterior articulation, and material palette to ensure consistency with the Downtown. The project will also adhere to LEED building and CalGreen standards.

J. Site Contamination and Remediation

Soil, groundwater, and soil vapor investigations have been conducted at the site by Environmental Associates, Inc. (EAI), Treadwell & Rollo (T&R), and CPI Geologic (CPI) in the last 10 years.

In July 2005, EAI conducted a Phase I Environmental Site Assessment (ESA) that identified three potential environmental concerns at the site: 1) A dry cleaning facility on the north side of the Site at 2482-2488 Salvio Street, in operation since the 1960s; 2) An auto repair shop on the west side of the Site at 1940 East Street, in operation since the 1940s; and 3) A gas station on the west side of the Site at the corner of East Street and Salvio Street, in business in 1926.

Contaminants of concern (COCs) identified in soil and groundwater included petroleum hydrocarbons and chlorinated solvents. The primary potential environmental receptors relative to the planned residential development are: 1) Potential direct exposure to hydrocarbon-impacted soils during construction related activities; and 2) Potential residential indoor air PCE exposure for apartment building occupants.
On October 7, 2015, Gribi Associates prepared a Site Mitigation Plan (SMP) for the project. The SMP included a detailed evaluation of the environmental site conditions and provided a mitigation plan to address potential environmental concerns relative to developing a new multi-tenant residential development.

On June 6, 2016, Gribi Associates submitted a Remedial Action Plan (RAP) on behalf of the applicant. In order to provide sufficient mitigation for the planned multi-tenant residential development, the RAP proposes: 1) Soil: a Risk Management Plan (RMP) will be implemented to protect potential human receptors during construction-related development activities; 2) Vapor: engineering controls will be installed during site development, to include installation of sub-slab passive venting and installation of a vapor barrier; and 3) Groundwater: a deed notification will be recorded with the property which precludes groundwater use on the property and requires implementation of the Risk Management Plan in perpetuity.

The report concluded the soil and groundwater hydrocarbon and halogenated volatile organic compound (HVOC) detections are sufficiently low and that active remediation is not warranted. Further, given the diffuse nature of groundwater PCE impacts, groundwater remediation would be “expensive for very little return on investment.” Lastly, soil vapor impacts are sufficiently low that the planned mitigation measures (vapor barrier and passive sub-slab depressurization) will be more than adequate to halt potential vapor intrusion into the planned site building.

The San Francisco Bay Regional Water Quality Control Board provided staff with a regulatory status update on the project. Regional Water Board staff reviewed the updated RAP, dated July 15, 2016 prepared by Gribi Associates and found it an acceptable approach to address residual pollution at the site in preparation for the project, therefore it was incorporated into the Mitigated Negative Declaration distributed for public review and considered by the Planning Commission on March 15, 2017.

As stated above, during the public comment period, CRRD submitted comments on the draft Cleanup Plan dated March 13, 2017.

Comments provided by CRRD resulted in the additional investigation of soil vapor and groundwater quality at and near the site since the March 15, 2017, Planning Commission meeting. While the results of the additional investigation(s) supported the findings of previous investigations and the draft Cleanup Plan on the site, groundwater pollution was detected west of the site (offsite) on a property formerly operated as a fuel station. It is uncertain if this offsite pollution originates from the site, the former fuel station itself, or from another offsite source. Additional investigation is needed to make this determination. However, the finding of the offsite pollution should not affect the CEQA determination for this Project.

The draft Cleanup Plan will be revised (Revised Cleanup Plan) to address comments received by CRRD and to incorporate the results of the additional investigation(s). The Revised Cleanup Plan will then be circulated for a 30-day public comment period. The remedial actions presented in the Revised Cleanup Plan will not differ from the draft version, with one
exception. The groundwater pollution identified offsite to the west, will be handled separately from onsite. The Regional Water Board will require additional investigation activities to determine the source(s) of the offsite pollution. Should this pollution originate from the Site, Marginal Properties-Concord, LLC may be required to prepare and implement a separate cleanup plan for the offsite area. As the offsite work will be handled separately, it should not affect onsite cleanup or redevelopment activities.

In order to approve a Revised Cleanup Plan, the City must adopt the Initial Study/Mitigated Negative Declaration for the project, the Regional Water Board must circulate the Revised Cleanup Plan for a 30-day public comment, and following the public comment period, the Regional Water Board will respond to any additional comments received, require the applicant to finalize the document with any additional changes needed, and approve the Revised Cleanup Plan.

The Water District’s conditional approval of the applicant’s remediation plan is attached as Exhibit E. Staff in consultation with the Water Board is proposing a condition of approval that states the applicant must secure all requisite approvals from the Board prior to the issuance of the first permit. The applicant has agreed to this condition.

K. BART

The project is adjacent to a portion of BART’s elevated tracks. Staff solicited input from BART regarding the project design from the inception of the project. BART has confirmed they will require the applicant to apply for a construction permit due to the proximity of the project to the tracks. The applicant has been meeting with BART representatives and their review of the project is ongoing.

BART has expressed an interest to be involved in the development of construction documents once the applicant hires a structural engineer. All structural, civil, landscape, mechanical, plumbing and electrical designs are required to meet BART’s guidelines and must be approved prior to construction. The applicant has agreed to keep BART representatives informed of all implications that may affect the design of the project during the development of the working drawings.

A condition of approval is proposed requiring the applicant to secure the requisite approvals from BART and provide written evidence to city staff prior to the issuance of the first permit.

L. Signage

A full signage package will be submitted during the construction documentation phase of the project. Currently, no signage is anticipated to be located within less than 20’ from the Bart Operational Envelope (required clearance is 10’), nor to be projected over the property line. The DRB is required to review the sign program prior to the issuance of permits and installation of any signage.
V. Fiscal Impact

The proposed would have a negligible fiscal impact on the City.

VI. Public Contact

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

VII. Summary and Recommendations

Staff believes the project is well designed and will serve to meet the City’s vision in the Concord Downtown Specific Plan. With input from staff, the Ad Hoc Committee, the DRB, and responsible agencies, the site plan and project design respond to the adjacent land uses and development pattern and minimize potential negative impacts. The building design results in an aesthetically pleasing facility in terms of architecture and streetscape presence. No significant impacts are anticipated with the development of the project.

Staff recommends the Planning Commission consider staff’s report, allow the applicant to make a presentation and answer any questions from the Planning Commission, take public testimony, and close the public hearing upon completion of public testimony. Following the public testimony, staff recommends that the Planning Commission deliberate regarding the identified policy and/or project issues.

VIII. Motions

CEQA Action

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 17-03PC adopting the Concord Village Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. (Seconded by Comm. ______.)

Project Approval

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 17-05PC, approving the Concord Village Use Permit and Design Review (PL15438 - UP, DR), subject to the Conditions of Approval set forth in Attachment A. (Seconded by Comm. _______.)
Exhibits:

A - Resolution No. 17-03PC, adopting the Concord Village Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Response to Comments*

B - Resolution No. 17-05PC, approving the Concord Village Use Permit and Design Review (PL15438 - UP, DR)

C - Revised written statement date stamp received January 26, 2017

D - Project plans date stamp received January 24, 2017

E - Letter from San Francisco Bay Regional Water Quality Control Board dated February 20, 2018


G - Parking surveys of multi-unit residential buildings dated November 18, 2016*

H - Brent Nicholson Letter date stamp received March 5, 2018

I - Adams Broadwell Letter date stamp received March 5, 2018

J - Response to Comments document prepared by AES dated March 6, 2018

*Commission only, a hard copy may be viewed at the Planning office located at:

Address: 1950 Parkside Drive, Concord CA 94519, Mon-Fri, 8a – 5p, excluding holidays

Website: http://www.cityofconcord.org/page.asp?pid=a06
REPORT TO PLANNING COMMISSION

DATE: March 20, 2019

SUBJECT: PROPOSED FINDING OF GENERAL PLAN CONFORMITY OF PROPOSED SALE OF A PORTION (753 SQUARE FEET) OF CITY-OWNED PROPERTY LOCATED BETWEEN TODOS SANTOS PARKING CENTER AND THE BACON BUILDING (APN 112-110-027); NOT A "PROJECT" UNDER CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21065 AND CEQA GUIDELINES SECTIONS 15060(c)(3) OR 15378.

Introduction

Pursuant to Government Code Section 65402(a), the City’s Planning Commission must find that a proposed sale of City-owned property is consistent and conforms to the adopted General Plan. The proposed sale to Parker Trust is a vacant, paved 753 square foot portion of the City’s Todos Santos Parking Center (2051 Salvio Street, APN 112-110-027), located on the eastern side of Concord Avenue, between Pacheco and Salvio Streets.

Report in Brief

Parker Trust proposes to purchase a vacant, paved 753 square foot portion of the City-owned Todos Santos Parking Center, located on the eastern side of Concord Avenue between Pacheco and Salvio Streets (City Property). Attachment 1 shows a map of the proposed area to be sold. Adjacent to the Todos Santos Parking Center, Vinnie’s Bar & Grill is located within the Bacon Building Property at 2045 Mt. Diablo Street. Parker Trust owns both Vinnie’s Bar & Grill and the Bacon Building Property, and desires to purchase and merge the City Property with the Bacon Building Property into a single parcel via a lot line adjustment, with intent to expand an existing bathroom to comply with regulations of the Americans with Disabilities Act (ADA). As a condition of the sale, Parker Trust would grant an eight foot easement to the City to access and maintain the Todos Santos Parking Center.

Government Code Section 65402(a) requires each city’s Planning Commission to review proposed sales of City-owned property for their consistency with the adopted General Plan. Staff recommends that the Planning Commission adopt Resolution No. 19-07PC reporting to the City Council that the proposed sale of City-owned Property is consistent with the City’s General Plan.

Background and Discussion

In 2002, the City of Concord Redevelopment Agency developed the Todos Santos Parking Center that includes the paved and fenced City Property, located in the southeast corner of 2051 Salvio Street. The 753 square foot portion is only utilized to access Todos Santos Parking Center for maintenance. Economic Development Staff met with Public Works Staff and determined that an eight foot easement would provide sufficient space for Public Works Staff to maintain Todos Santos Parking Center.
Parker Trust owns and operates Vinnie’s Bar & Grill, located within the Bacon Building Property and adjacent to Todos Santos Parking Center. The Bacon Building is a two-story building in the downtown with multiple tenants. Merging the 753 square foot portion of the City Property with the Bacon Building Property would allow Vinnie’s Bar & Grill to enlarge an existing bathroom to comply with regulations of the ADA. The property is zoned Downtown Pedestrian. Consistent with land use regulations of the General Plan, the use of the property can include eating and drinking establishments. The proposed use of an eating and drinking establishment strengthens the General Policy goals of promoting an active commercial center in the downtown by allowing for a mix of uses and active street frontages (Policy LU-4.2.1), and ensuring an attractive and accessible Downtown (Policy E-3.1.6).

Environmental Review

The action by the Planning Commission to determine that the potential sales of the properties are in conformance with the General Plan does not contemplate an actual project within the meaning of the California Environmental Quality Act of 1970 (CEQA), as amended from time to time, as set forth in Public Resources Code Section 21065 and CEQA Guidelines Section 15060(c)(3) or 15378, because it has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In addition, any future project proposed by the buyers will be considered for independent environmental review under CEQA.

Public Contact

The meeting was noticed and the agenda posted in accordance with state law.

Recommendation Action and Motion

Staff recommends that the Planning Commission adopt Resolution No. 19-07PC reporting to the City Council that the proposed sale of the property is consistent with the General Plan per Government Code Section 65402(a), by the following motion:

I (Comm._______) hereby move that the Planning Commission adopt Resolution No. 19-07PC to report to the City Council that, for purposes of Government Code Section 65402(a), the proposed sale of the vacant, paved 753 square foot portion of the City’s Todos Santos Parking Center (2051 Salvio Street) (APN 112-110-027) is consistent and conforms to the General Plan.

Prepared by: Marie Suvansin
Economic Development Specialist
(925) 671-3048
marie.suvansin@cityofconcord.org

Reviewed by: Frank Abejo
Principal Planner
Acting Secy. to the Planning Commission
(925) 671-3128
frank.abejo@cityofconcord.org

Attachment 1: Map of 753 Square Foot Portion of Parcel Proposed for Sale APN 112-110-027
Attachment 2: Resolution No. 19-07 PC
COURSE DATA
1. N60°09'09"E 15.00'
2. N29°50'51"W 50.17'
3. N29°50'51"W 17.33'
4. N29°50'51"W 4.67'
5. N29°50'51"W 22.00'
6. N60°09'09"E 15.00'
7. R=20.00' D=51°19'31" L=17.92'
8. N89°47'59"W 6.00'
9. N00°12'01"E 6.00'
10. N89°47'59"W 6.00'
11. R=20.00' D=51°19'31" L=17.92'

APN: 112-110-027
EXISTING AREA: 67,741± SQ. FT.
PROPOSED AREA: 66,989± SQ. FT.

APN: 112-138-019
EXISTING AREA: 8,094± SQ. FT.
PROPOSED AREA: 8,846± SQ. FT.

JOB 18221
PLAT MAP

[ ] LOT LINE ADJUSTMENT
[ ] PARCEL MERGE

CITY OF CONCORD
DALTON M. PARKER

ADDRESS: 0000 CONCORD AVENUE & 2045 MT. DIABLO STREET

APPROVED:
City Engineer Date Zoning Administrator Date

FILE No: 112-110-027
A.P.N.: 112-138-019

SCALE IN FEET
BEFORE THE PLANNING COMMISSION
OF THE CITY OF CONCORD,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF CONCORD FINDING THAT THE
PROPOSED SALE OF A PORTION (753 SQUARE
FEET) OF CITY-OWNED PROPERTY LOCATED
BETWEEN TODOS SANTOS PARKING CENTER
AND THE BACON BUILDING (APN 112-110-027) IS
CONSISTENT AND CONFORMS TO THE GENERAL
PLAN Resolution No. 19-07PC

WHEREAS, the City of Concord ("City") owns real property located at 2051 Salvio Street
("City Property"), (APN 112-110-027), that is zoned "Downtown Pedestrian"; and

WHEREAS, Parker Trust ("Potential Buyer"), desires to purchase 753 square feet of the City
Property to enlarge an existing bathroom to comply with regulations of the Americans with
Disabilities Act (ADA); and

WHEREAS, pursuant to the Concord Zoning Code of Downtown Pedestrian and Concord
General Plan designation of Downtown Pedestrian, the City Property may thereafter be used to
enlarge an existing bathroom to comply with regulations of the ADA for the Potential Buyer once
entitlements have been secured; and

WHEREAS, pursuant to Government Code Section 65402(a), prior to the disposition of City
Property, the Planning Commission must make a finding that the sale of property is consistent and
conforms to the General Plan; and

WHEREAS, the City adopted the 2030 Urban General Plan on October 2, 2007 ("General
Plan"); and

WHEREAS, on March 20, 2019, the Planning Commission held a duly-noticed public hearing
on the consistency of the potential sale of the property with the General Plan; and

WHEREAS, on March 20, 2019, the Planning Commission considered the staff report, oral
and written testimony and materials presented by all those wishing to be heard on this Project
("Project Information"); and
WHEREAS, the Planning Commission has determined and reports to the City Council that the proposed sale of the City Property is consistent and conforms to the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Planning Commission finds that the above recitals (which are incorporated by reference) are accurate and constitute findings in this matter and, together with the Project Information, serve as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

Section 2. Reporting under Government Code Section 64502(a) that the proposed sale of real property is consistent with the General Plan does not constitute a “project” within the meaning of the California Environmental Quality Act (CEQA), as set forth in Public Resources Code Section 21065 and California Code of Regulations, Title 14, Guidelines Sections 15060(c)(3) or 15378 because it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. In addition, any future project proposed by the Potential Buyer will be considered for independent environmental review in accordance with CEQA.

Section 3. The Planning Commission finds that the proposed sale of City Property is consistent and conforms to the City of Concord General Plan because the proposed use of an eating and drinking establishment strengthens the General Policy goals of promoting an active commercial center in the downtown by allowing for a mix of uses and active street frontages (Policy LU-4.2.1) and ensuring an attractive and accessible Downtown (Policy E-3.1.6).

Section 4. This Resolution is effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 20th day of March, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:
FRANK ABEJO
Acting Secretary to the Planning Commission
DATE: March 20, 2019

SUBJECT: GENERAL PLAN ANNUAL PROGRESS REPORT

Recommendation: Consider and Recommend to the City Council acceptance of the General Plan Annual Progress Report for submission to the Governor's Office of Planning and Research and to the State Department of Housing and Community Development.

CEQA: Not a project under Guidelines Section 15378.

I. Introduction

The Planning Commission is requested to review and accept a report on the progress of the General Plan, including the implementation of the Housing Element. The report's purpose is to apprise the State government of local planning activities and facilitate the legislative process as it pertains to land use and local planning issues. The information provided in this report is intended to assist the Commission in tracking policy implementation in the City's Housing Element and in formulating future priorities.

II. Background

California Government Code §65400(a)(2) requires that the planning agency of local governments prepare an annual progress report for the General Plan to the legislative body, which, in Concord's case is the City Council. This report provides an update on progress on General Plan implementation, including meeting the City’s ‘fair share’ of regional housing needs, as well as local efforts to remove governmental constraints to the maintenance, improvement, and development of housing. The annual report is due by April 1st of each year, and must also be presented to the Governor’s Office of Planning and Research (“OPR”), and the State Department of Housing and Community Development (“HCD”).

The annual report includes progress pertaining to the City's Housing Element, a required element of the City's General Plan. The annual report allows the Commission to evaluate the status of the General Plan and recommend forwarding the report to the City Council. This is the 16th report on the City's General Plan and covers calendar year 2018.

III. Analysis

A. Status of the General Plan Implementation Progress

In 2007, the City of Concord updated its General Plan, the Concord 2030 Urban Area General Plan. The following discussion summarizes the implementation progress of the various elements of the General Plan during calendar year 2018.
Land Use Element
The Land Use Element constitutes the framework for land use planning in Concord to the year 2030. This Element designates the location and extent of land use categories such as housing, business, industry, public facilities, and open space. It includes policies and a land use diagram. The six primary achievements during 2018 included the following:

1) Development Code Update – The City made the following amendments to the Development Code to ensure the City’s regulations are in compliance with State law and to facilitate development within Concord.

   ▪ Residential Density: On March 27, 2018, the City added the allowed densities for residential development in the North Todos Santos District. The district allows a density of 2.5 to 32 dwelling units per acre.

   ▪ Swimming Pools, Hot Tubs, & Spas: On March 27, 2018, the City reduced the minimum required side and rear setbacks from 10-feet to 5-feet from property lines for pools, hot tubs, spas, and associated equipment.

   ▪ Accessory Dwelling Units: On March 27, 2018, the City limited the required parking to one parking space per accessory dwelling unit (regardless of bedroom count) and further clarified that no additional setbacks are required for the conversion of accessory structures and garages.

   ▪ Unattended Donation Boxes: On March 27, 2018, the City amended the Development Code to allow unattended donation boxes to operate for six-months to a year, provided they comply with standards related to size, appearance, location, and maintenance.

   ▪ Minor Exceptions: On March 27, 2018, the City amended the Development Code so accessory structures are also eligible to apply for a minor exception for reduced setbacks.

   ▪ Use Classifications: On March 27, 2018, the City amended the definitions of “motorcycles dealership,” “building materials sales and services,” “business support services,” “bar, nightclub, and lounge,” “professional offices,” “appliance and small equipment repair service,” and “wireless communication facility” to clarify and eliminate overlap between similar classifications.

   ▪ Cannabis: On June 12, 2018, the City established the Commercial Cannabis Overlay District, associated development standards, and a licensing framework for cannabis manufacturing, testing laboratories, and distribution.

   ▪ Home-Based Business: On December 11, 2018, the City introduced new standards for home-based businesses serving clients, customers, or students.

2) Downtown Concord Specific Plan - The goals of the 2014 Specific Plan are geared toward economic development, and realizing the development potential of the downtown consistent with the General Plan adopted in 2007. The Specific Plan serves as a tool to obtain additional grant funding and an implementation plan to move forward with the Downtown vision. Refer to discussions on Bicycle, Pedestrian, & Safe Routes to Transit Plan, Downtown Corridors Plan, and Current Development below, as well as the Implementation Matrix (Attachment 3), for further explanation about the implementation of the Downtown Concord Specific Plan.
The downtown also benefitted from the opening of a variety of new businesses this year including iSlice, Fresh Tray, Brasas Do Brazil Steakhouse Restaurant, Casa Del Alfajor Bakery, and Leisure Dessert, as well as the opening of MCE and the California Community Choice Association in One Concord Center. In addition, the Farmers' Market and the Music and Market series continued to achieve record attendance.

3) **Bicycle, Pedestrian, & Safe Routes to Transit Master Plan** – On September 27, 2016, the City Council adopted the Bicycle, Pedestrian, and Safe Routes to Transit Plan. The Plan includes three tiers of projects totaling $146 million. In 2017, the City Council formed the Bicycle and Pedestrian Advisory Committee to review transportation capital projects including roadway, pedestrian and bicycle improvements, and provide input to staff on Complete Streets features and for conformity with the City's Bicycle, Pedestrian and Safe Routes to Transit Plan; reviewing related grant applications; annually reviewing the City's progress on Plan implementation; and, review and provide input on programs or policies related to implementation of the Bicycle, Pedestrian and Safe Routes to Transit Plan as requested by staff or the City Council.

In 2018, BPAC reviewed the following projects:

- **Commerce Avenue Complete Streets, Project No. 2085.** This project will rehabilitate the pavement on Commerce Avenue from Concord Avenue to the end of cul-de-sac and provide additional "Complete Street" Improvements. The existing roadway on Commerce Avenue is failing and is in need of significant structural repairs and roadway resurfacing. This project was intended to be constructed in conjunction with PJ1761 (Commerce Avenue Bridge Over Walnut Creek). With the deferral of PJ1761, this project is being implemented now that funds become available. Staff will review grant fund opportunities to assist in closing the current funding gap.

- **Concord Area BART Sanitary Sewer Upgrade, Project No. 2406.** This project will replace the sewer mains and lower laterals on Mt. Diablo Street, San Jose Avenue, San Carlos Avenue, Pacific Street, and Prospect Street, near the Concord BART Station. Wherever possible, this project will utilize trenchless technologies to reduce disruptions to residents. Project will include rehabilitation of existing manholes and construction of new property line cleanouts.

- **West Concord Bikeways, Project No. 2421.** The City applied for and was awarded a $120,000 Transportation Development Act Article 3 Grant for the West Concord Bikeway Improvements Project. The project is designed to add buffered Class II bike lanes to the following streets: Meridian Park Boulevard, Galaxy Way, and John Glenn Drive.

- **Diamond Blvd. Pavement Rehabilitation, Project No. 2422.** This project will include base repairs and resurfacing of Diamond Boulevard from Willow Pass Road to the bridge over Walnut Creek and include the upgrade/replacement of accessible ramps on the north side of the intersection and at driveways, minor curb and gutter repairs, traffic signal loop replacement, and restriping.

In addition, in 2018, Transportation Division was awarded the following grants to assist with the implementation of the Bicycle, Pedestrian, & Safe Routes to Transit Plan:
• **Willow Pass Road / Cowell Road Complete Streets Feasibility Study.** The City was awarded the competitive Sustainable Transportation Planning (“STP”) grant in the amount of $177,060 from California Department of Transportation (“Caltrans”) to fund the Complete Street Feasibility Study for Willow Pass Road, Galindo Street, and Cowell Road. The Study will focus on bicycle and pedestrian improvements and improved access to transit. Streetscape alternatives will include improvements to bike lanes, landscaping, lighting, ADA accessibility, streetscape furniture, and wayfinding elements to accommodate pedestrian and bike mobility and create a unique “sense of place” for the City. The feasibility analysis will recommend a complete street plan for the study corridors based on the feedback received from the Community and will ensure consistency with the City’s vision for these corridors as defined in the General Plan; Bicycle, Pedestrian and Safe Route to Transit Plan; and the Downtown Specific Plan. This draft plan will then be presented to City Council for their feedback and adoption. The deadline to complete this plan is May 2020.

• **Galindo Street Corridor Plan.** The City was awarded a Priority Development Area (“PDA”) Staffing Assistance Program grant from the Metropolitan Transportation Commission to develop concept plans to redesign and enhance the right-of-way for pedestrians, bicyclists, and transit users to support anticipated residential and employment growth within the Downtown PDA.

4) **Downtown Corridors Plan** - The City accepted a $250,000 PDA Planning grant from the CCTA for the Downtown Corridors Plan for a complete streets project. The Plan was adopted on September 13, 2016 and provides streetscape designs and sections for Salvio, Grant and Oak Streets, that may be applicable to other streets in the downtown area. In 2018, the City received Federal ATP Grant funding towards the Environmental and Project Design phase of the project. In January 2019, the City is started the RFP Process for Consultant selection to begin the PA&ED Phase of the Corridors Project. The City will be seeking future grant opportunities to fund approximately $3 million towards the construction phase of the project.

5) **Current Development** - In addition, the City evaluated current development applications for conformance with the Land Use Element. Notable approved development applications include Concord Village (230 units), The Grant (228 units), Salmon Run (32 units), the Carondelet High School STEM Innovation Center, Chalomar Villas, Berrywood subdivision, Walnut Grove subdivision, Myrtle Creek subdivision, and facade improvements at the Veranda shopping center.

6) **Community Reuse Project** - The City initiated the Specific Plan process in January of 2017, and the City’s Community Advisory Committee (“CAC”), whose mission is to provide input and encourage public participation during development of the Specific Plan, began their monthly meetings in January 2017. The CAC, Planning Commission, and City Council arrived at the designation of a proposed land use plan in November 2017.

In April, June, and August 2018, the master developer, Lennar/FivePoint, proposed plan modifications to the CAC, Planning Commission, and City Council. In August 2018, the City Council confirmed a revised land use diagram, as the basis for the preparation of the Specific Plan, technical studies, and the environmental document. The Environmental Impact Report (“EIR”) was initiated shortly after and a Notice of Preparation for the EIR was published on November 19, 2018 for a 30 day comment period.
In fall 2018, two separate processes were initiated: 1) visioning work on the Campus District by the new Blue Ribbon Committee; and 2) a feasibility study and conceptual plan for the Tournament Sports Complex. Both of these efforts will be folded into the Concord Reuse Project process and Specific Plan.

Additionally, the City held neighborhood meetings in April and May 2018 to inform residents on the status of the project. Neighborhood meetings were also held for those residents proximate to the North Concord BART Station in January and October 2018 to provide them with project updates and obtain feedback on the project. Technical Advisory Meetings were continued throughout 2018 with local and regional utilities and service providers as the preparation of the Infrastructure Master Plan was coordinated.

**Growth Management Element**
The Growth Management Element establishes policies and standards for traffic levels of service, and to establish performance standards for parks, fire, police, sanitary facilities, water service and flood control. This comprehensive, long-range element balances the demands for public facilities generated by new development with plans, capital improvement programs, and development mitigation programs. The progress towards implementation includes the ongoing review of development projects for conformance to the Growth Management Element. No specific amendments were made to the Growth Management Element.

**Economic Vitality**
The Economic Vitality Element provides guidance to enhance linkages between economic development, land use, and zoning; provides further support for Downtown development and retail businesses; and affirms existing programs that have a bearing for economic development. The progress towards implementation includes the ongoing review of development projects for conformance to the Economic Vitality Element. No specific updates were made to this Element.

**Transportation and Circulation Element**
The Transportation and Circulation Element provides guidance and specific actions to ensure the continued safe and efficient operation of the City's circulation system. The Element indicates the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, and is correlated with the Land Use Element. Progress includes ongoing review of development projects for conformance to the Transportation and Circulation Element.

**Parks, Open Space, and Conservation Element**
The Parks, Open Space, and Conservation Element provides guidance for preservation of the City's open spaces, natural resources, as well as identifying the parks and recreation facilities available to local residents. The Element incorporates policies to address the acquisition, management, preservation, and conservation of parks, open space, and natural resources. The progress towards implementation includes ongoing review of development projects for conformance to the Parks, Open Space, and Conservation Element. The adopted Development Code established standards to implement General Plan creek and riparian habitat protection policies.

Through a collaborative effort with community based organizations interested in positive enhancement of community park and recreation assets, Ellis Lake Park was recently improved in 2018 with a circular rubberized surface suitable for organized wellness activities such as Tai Chi, Yoga, and Jazzercise. With
support from the Public Works Department Parks Maintenance Division, a new picnic area was also created between the playground and more natural areas of the park to invite and encourage more exploration of the park including the paved shoreline trail surrounding the lake.

Another major update in 2018 highlights the City’s sustainable efforts on the use of Roundup in parks and rights of ways. The World Health Organization’s International Agency for Research on Cancer (“IARC”) assessed the carcinogenicity of glyphosate and classified it as “probably carcinogenic to humans.” Glyphosate is a common ingredient in weed killers used on landscapes. In November 2018, the City suspended the use of weed killers containing glyphosate in developed City parks for a period of one year in order to study alternatives. Additionally, the City eliminated use of glyphosate in all public spaces during the months of November through March, and refined the City’s right-of-way weed management program with an emphasis on a proactive approach to weed growth.

Safety and Noise Element
The Safety and Noise Element identifies the natural and man-made hazards that exist within the City, and mitigates their potential impacts through both preventative and responsive measures. The Element provides policies for the protection and safety of the general public concerning air quality, noise, seismic and geologic hazards, flooding, hazardous materials, and wildland fires. On March 6, 2018, the City Council adopted updates to the hazard mitigation plan, which was previously approved by the Federal Emergency Management Agency (“FEMA”) in November of 2005. The Plan update was developed in partnership with the Association of Bay Area Governments (“ABAG”), and represents a return to a truly regional effort following the 2010 planning process. The 35 member coalition of partners involved in this program includes unincorporated Contra Costa County, 14 city and town governments, and 20 special purpose districts. The planning area for the hazard mitigation plan was defined as the Contra Costa County Operational Area. The result of the organizational effort is a FEMA and California Office of Emergency Services (“Cal OES”) approved multi-jurisdictional, multi-hazard mitigation plan. The Contra Costa Hazard Mitigation Plan is valid for five years from the FEMA approval date, April 19, 2018.

Public Facilities and Utilities Element
The Public Facilities and Utilities Element addresses service and infrastructure needs for development. The Element provides policies for the public services that Concord provides including wastewater collection, law enforcement, childcare programs, and cultural arts and education programs. The progress towards implementation includes ongoing review of development projects for conformance to the Public Facilities and Utilities Element.

One key achievement during 2018 is that MCE, a community choice energy program, began providing electrical service. MCE is a not-for-profit public electricity provider that offers 50% and 100% renewable electricity service options to all residential, commercial, and government electrical account holders. Participation in CCE may greatly facilitate the implementation of greenhouse gas (“GHG”) reductions pursuant to the Climate Action Plan by approximately 20% of the 2020 GHG emission reduction targets. In addition, the Planning Division received a grant to host Rising Sun Energy Center’s California Youth Energy Services program in the summer of 2018, through which youth served 84 residences in Concord, providing energy efficiency materials, and supplies, such as LED lights, and water conservation devices, resulting in a reduction of more than 14,000 kWh of energy and more than 264,000 gallons of water per year in perpetuity.

Additionally, on April 24, 2018, the City adopted the Broadband Master Plan. Broadband is a term used to describe any high-speed Internet access used that enables wireless and/or wireline
connectivity to cell phones, computers, tablets and other devices. Within the City, broadband improves the delivery of government services; from traffic signals to public safety, from library services to permits and inspections, broadband is instrumental in supporting the services provided throughout our community. For businesses, fiber Internet connectivity provides fast, reliable and high-quality data transmission capabilities. The Broadband Master Plan outlines an overall strategy for the implementation of broadband throughout the City, potential business models for deployment, and overall costs for development.

Also, the City of Concord is one of 76 local government entities subject to the requirements of the California Regional Water Quality Control Board for the San Francisco Bay Region’s (“RWQCB’s”) Municipal Regional Stormwater Permit (“MRP”). The MRP requires the City to adopt a Green Infrastructure Plan and update all applicable plans, which shall be submitted with its Annual Report to the RWQCB by September 30, 2019. Green Infrastructure (“GI”) refers to the construction and retrofit of storm drainage to reduce runoff volumes, disperse runoff to vegetated areas, harvest and use runoff where feasible, promote infiltration and evapotranspiration, and use bioretention and other natural systems to detain and treat runoff before it reaches our creeks and Bay. The Engineering Division retained Kennedy & Associates to prepare the GI Plan, which is tentatively scheduled to be reviewed in June 2019.

**Housing Element Update**
The City's Housing Element Update was adopted on January 6, 2015, after considerable public input throughout the year-long process. The Update includes policies, programs, and quantified objectives to guide the City's development decisions and is designed to implement the removal of governmental constraints to the maintenance, improvement, and development of housing in Concord.

Staff made progress on the following four notable Housing Element programs during the year including:

- **H-1.2.3:** Facilitate the development of housing in the Downtown that is affordable to households at a range of income levels (extremely-low, very-low, low, moderate, and above moderate incomes).
  
  In 2018, the City allocated $5.5 million to Resources for Community Development for the construction of 44 new affordable dwelling units that will serve extremely low- and low-income households.

- **H-1.4.3:** Review the development code as it relates to secondary units and consider amendments to make the development of secondary units more feasible.
  
  On March 27, 2018, to comply with State law, the City limited the required parking to one parking space per accessory dwelling unit (regardless of bedroom count) and further clarified that no additional setbacks are required for the conversion of accessory structures and garages.

- **H-1.9.3:** Continue to streamline the processing of building permits for residential developments that include a portion of units as below-market rental rate (BMR) units.
  
  In 2018, the City developed an application, checklist, and Frequently Asked Questions for streamlined housing development to comply with Senate Bill 35.

- **H-2.1.7:** Incorporate maintenance standards, tenant screening & management training requirements in regulatory agreements for multi-family developments that receive City assistance, and work to ensure the enforcement of such standards and agreements.
In 2018, the City launched the Home Match Contra Costa pilot program with non-profit partner, Covia. The Program matches homeowners who are age 55+, who would like to share their homes for companionship, extra income, and household assistance. The Program provides matching services including: applicant screening with background checks, reference checks, agreements, and on-going mediation.

B. Local Efforts to Remove Governmental Constraints

The City took several steps in recent years to remove governmental constraints that hinder implementation of the General Plan. These include adoption of additional Development Code technical revisions to clarify interpretations and streamline processing, implementation of the Downtown Specific Plan, adoption of the Housing Element Update 2014-2022, and working with the Contra Costa Water District to reduce facility reserve charges for small accessory dwelling units with the goal of reducing the hurdles and challenges involved in an effort to add to the City's affordable housing inventory. To further encourage accessory dwelling units and junior accessory dwelling units, the City reduced the size allowance to 150 sq. ft. for lots of any size and increased the size allowance to 1,200 sq. ft. for lots greater than 12,000 sq. ft., and reduced the parking requirements to comply with State law. Another alleviated constraint included outlining the process for requesting payment of a parking in-lieu fee, which is subsidized below the actual cost of providing the parking on-site. Additionally, in 2018, the City developed an application, checklist, and Frequently Asked Questions for streamlined housing development to comply with Senate Bill 35. The City also utilized streamlined CEQA review available under CEQA Guidelines Section 15183 for one multi-family project that was approved in the downtown.

C. Housing Element Annual Progress Report

The Housing Element Annual Progress Report was prepared in accordance with guidelines issued by OPR. The report includes the Housing Element Annual Progress Report (Attachments 1, 2, and 3) that includes the following:

- **Table A** – Housing Development Applications Submitted
- **Table A2** – Annual Building Activity Report Summary – Units Rehabilitated, Preserved, & Acquired
- **Table B** – Regional Housing Needs Allocation Progress
- **Table C** – Sites Identified or Rezoned to Accommodate Shortfall Housing Need
- **Table D** – Program Implementation Status (Attachment 2)
- **Table D2** – Downtown Specific Plan Implementation Table (Attachment 3)
- **Table E** – Commercial Development Bonus Approved
- **Table F** – Units Rehabilitated, Preserved, & Acquired for Alternative Adequate Sites

Table A2 indicates that in 2018 there were 527 units that received their entitlements, 24 units obtained their building permits, and 59 units obtained their certificates of occupancy. Additionally, the City awarded $5.5 million to Resources for Community Development for the new construction of 44 affordable housing units; in 2019, the City Council will consider allocating an additional $2.3 million to increase the proposal from 44 to 62 units. Additionally, the City entered into an Exclusive Negotiating Agreement and prepared a draft Disposition & Development Agreement between the City and AvalonBay Communities for the potential development of a mixed-use project with up to 310 market rate apartments and a maximum of 6,500-square feet of commercial space, located at 1765 Galindo Street.
Progress towards implementation of the updated Housing Element (2014-2022) includes ongoing review of development projects for conformance to the Housing Element. Attachment 2 provides more specific details and summarizes the implementation of each policy/program within the Housing Element to date. Attachment 3 presents updates on the Downtown Specific Plan since its adoption.

D. Progress in Meeting the City's Share of Regional Housing Needs Allocation

Concord's 'fair share' of the regional housing need was revised for the Housing Element 2014-2022 planning period, as was determined by the Association of Bay Area Governments. The Regional Housing Needs Allocation (“RHNA”) for that period indicates that the City is required to plan for 3,478 residential units, broken down as follows, by income category. HCD regulations require that excess units in one income category cannot be used to reduce the unaccommodated need from the other categories.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low Income</td>
<td>399</td>
</tr>
<tr>
<td>Very Low Income</td>
<td>399</td>
</tr>
<tr>
<td>Low Income</td>
<td>444</td>
</tr>
<tr>
<td>Moderate Income</td>
<td>559</td>
</tr>
<tr>
<td>Above-Moderate Income</td>
<td>1,677</td>
</tr>
<tr>
<td>Totals</td>
<td>3,478</td>
</tr>
</tbody>
</table>

Progress in Meeting Regional Housing Needs
Table A2 provides a summary of Concord's progress in meeting regional housing needs for the planning period of 2014-2022. In 2018, the City granted entitlements for 527 dwelling units, issued building permits for 24 new above moderate housing units, and issued certificates of occupancy for 59 units. In addition, in 2018, Virginia Lane Apartments completed a substantial rehabilitation of its 91 units using $1.8 million in City funds; unfortunately, these units do not count towards meeting the City’s Regional Housing Needs Allocation. Thus, there is an unmet remaining need of 3,281 housing units, as shown in “Table 2: Concord’s Progress in Meeting Regional Housing Needs” Table below.

Not included in these numbers are the 5 home and mobile home rehabilitation projects that were completed in 2018 through the City’s Housing Rehabilitation Loan and Grant Program. Although the Program helps continue to preserve our aging housing stock and to provide Concord residents with quality housing, these units are unable to be counted toward our RHNA numbers for low-income units that were rehabilitated in 2018. This is primarily due to the fact that no affordability deed restrictions are placed on the homes after the rehabilitation is completed, and that often the rehabilitation is not considered to be a “substantial” rehabilitation as defined by HCD.

Looking forward, the City has approved efforts to increase the number of units to be added to the City’s housing stock. The City has entitled 20 multi-family units that are designated for very low-income households. Also, the City awarded Resources for Community Development $5.5 million in City funds for their 44 unit project that will serve extremely low- and low-income households. In addition, the developers of ownership projects of 5 or more units that do not include an inclusionary component currently have to pay an in-lieu fee of $4-$9 per square foot, depending on the number of units. Furthermore, in 2018, the City granted entitlements for 527 dwelling units.
Table 2: Concord’s Progress in Meeting Regional Housing Needs

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low</td>
<td>798</td>
<td>0</td>
<td>798</td>
<td>0%</td>
</tr>
<tr>
<td>Low</td>
<td>444</td>
<td>0</td>
<td>444</td>
<td>0%</td>
</tr>
<tr>
<td>Moderate</td>
<td>559</td>
<td>4</td>
<td>555</td>
<td>0%</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>1,677</td>
<td>165</td>
<td>1,512</td>
<td>9.8%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3,478</td>
<td>169</td>
<td>3,309</td>
<td>4.85%</td>
</tr>
</tbody>
</table>

In terms of the RHNA goals, the City is responsible for providing the properly zoned land capacity to make it possible to build the units along with developing programs and policies that promote an environment where housing construction is encouraged to provide housing for a range of incomes and residents, including those with special needs; but the City is not responsible for building the units. The City's housing unit goals (3,478 units) are higher than during the prior planning period (3,078 units) reflecting the regional Plan Bay Area's focus on transit oriented development near the city's two BART stations.

E. Accessory Dwelling Unit Update

On March 28, 2017, the City Council amended the Development Code by updated our regulations for Accessory Dwelling Units (“ADUs”) by creating a streamlined ministerial process and reducing the fees. At that time, the Council requested staff to provide an update on the number of accessory dwelling units that have been approved and any property maintenance/code enforcement issues.

The following table summarizes the number of Planning Division applications and building permit applications for accessory dwelling units:

<table>
<thead>
<tr>
<th>Year</th>
<th>Planning Division Applications Approved</th>
<th>Building Permits Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Small</td>
<td>Large</td>
</tr>
<tr>
<td>2013</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>2014</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2015</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>2016</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>2017</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>2018</td>
<td>22</td>
<td>5</td>
</tr>
</tbody>
</table>

The number of ADUs approved has increased substantially since the Development Code was amended in 2017. The table above demonstrates that the Development Code amendments and the subsidized Contra Costa Water District fees reduced the hurdles and challenges and incentivized property owners to construct new accessory dwelling units and added to the City's affordable housing inventory. Attachment 4 shows the locations where Planning Division applications and building permit applications were approved for
ADUs in 2018. Based on inquiries at the Permit Center, staff anticipates that the increase to the number of accessory dwelling units will continue. Since the adoption of the amendments to accessory dwelling unit regulations, the City has not experienced any code enforcement or maintenance issues involving legal accessory dwelling units.

F. SB 341 Annual Reporting Requirement for Housing Successor Agencies

Under California Health & Safety Code Section 34176.1(f), housing successor agencies need to produce and post certain reports within six months of the calendar year. The report includes a number of items that describes the Successor Agency's work and funding of affordable housing activities during the year. The report is to be posted on the City's website as well as included with the annual housing element report. Attachment 5 provides a summary of the Concord Housing Fund for the fiscal year that ended June 30, 2018.

IV. CEQA Determination

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15378(b)(5), the General Plan Annual Progress Report is not considered a "project" as it is an organizational or administrative activity of the City that will not result in direct or indirect physical changes in the environment. Therefore, no further environmental review is required.

V. Fiscal Impact

The General Plan Annual Progress Report will not have a fiscal impact on the City.

VI. Public Contact

This item has been posted at the Civic Center at least 72-hours prior to the public meeting.

VII. Summary and Recommendations

The General Plan Annual Progress Report provides the Planning Commission with information regarding the implementation of the General Plan and Housing Element. It provides pertinent information to OPR to identify necessary modifications and improvements to General Plan Guidelines. The Housing Element Annual Progress Report (Attachments 1, 2, and 3) includes information on the City's progress in addressing the regional housing need allocation, including the number of housing units permitted by income level, status of programs and efforts to remove governmental constraints.

Staff recommends that the Planning Commission recommend acceptance of the General Plan Annual Progress Report by the City Council and submission of the report to OPR and HCD.

VIII. Motion

I, Commissioner _____, hereby move that the Planning Commission recommend acceptance of the General Plan Annual Progress Report by the City Council and submission of the report to the Governor's Office of Planning and Research and to the State Department of Housing and Community Development. Seconded by Commissioner ______.
Attendances:
Attachment 1: 2018 Annual Housing Element Progress Report with Tables A, A2, B, C, D, E, and F
Attachment 2: Housing Element Implementation Matrix
Attachment 3: Downtown Specific Plan Implementation Matrix
Attachment 4: Map of 2018 Accessory Dwelling Unit
Attachment 5: SB 341- Annual Reporting Requirements - Concord Housing Fund Summary
Attachment 6: 2018 State Income Limits for Contra Costa County
## Table A

### Housing Development Applications Submitted

<table>
<thead>
<tr>
<th>Project Identifier</th>
<th>Street Address</th>
<th>Project Name*</th>
<th>Local Jurisdiction Tracking ID</th>
<th>Unit Category (SFA, SFD, 2 to 4, 5+, ADU, MH)</th>
<th>Tenure Category (Owner or Renter)</th>
<th>Date Application Submitted</th>
<th>Very Low-Income Units Proposed</th>
<th>Very Low-Income Units Restricted</th>
<th>Very Low-Income Units Approved</th>
<th>Very Low-Income Units Disapproved</th>
</tr>
</thead>
<tbody>
<tr>
<td>126-093-001, -002, -011, -017, -018, 126-103-001, and -015-017</td>
<td>2211 Clayton Rd, 2204, 2228, and 2292 Concord Blvd 1638, 1654, 1672, 1680, and 1738 Grant St</td>
<td>Grant Street Mixed-Use Development</td>
<td>N/A</td>
<td>MH</td>
<td>R</td>
<td>4/2/2018</td>
<td>228</td>
<td>228</td>
<td>228</td>
<td>No</td>
</tr>
<tr>
<td>126-104-008</td>
<td>2325 Clayton Road</td>
<td>Salmon Run Apartments</td>
<td>N/A</td>
<td>SFD</td>
<td>R</td>
<td>6/19/2018</td>
<td>32</td>
<td>32</td>
<td>32</td>
<td>No</td>
</tr>
<tr>
<td>114-402-001</td>
<td>1820 Andrea Lane</td>
<td>PL18386</td>
<td>ADU</td>
<td>R</td>
<td>11/9/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>113-313-013</td>
<td>1849 N FIFTH ST</td>
<td>PL18336</td>
<td>ADU</td>
<td>R</td>
<td>9/20/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>128-031-002</td>
<td>2016 BELMONT RD</td>
<td>PL18200</td>
<td>ADU</td>
<td>R</td>
<td>4/13/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>128-043-008</td>
<td>2232 BLACKFIELD DR</td>
<td>PL18195</td>
<td>ADU</td>
<td>R</td>
<td>4/11/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>128-333-002</td>
<td>2324 BELMONT RD</td>
<td>PL18126</td>
<td>ADU</td>
<td>R</td>
<td>3/8/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>147-081-031</td>
<td>1056 DALE PL, #A</td>
<td>PL18294</td>
<td>ADU</td>
<td>R</td>
<td>7/26/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>147-095-003</td>
<td>1860 PEAR &quot;A&quot; DR</td>
<td>PL18289</td>
<td>ADU</td>
<td>R</td>
<td>7/17/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>115-436-009</td>
<td>4358 FAIRWOOD CT</td>
<td>PL18074</td>
<td>ADU</td>
<td>R</td>
<td>2/9/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>134-061-001</td>
<td>4140 TREAT BL, #A</td>
<td>PL18315</td>
<td>ADU</td>
<td>R</td>
<td>8/23/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>134-523-011</td>
<td>4370 REDCLOUD CT, #B</td>
<td>PL18108</td>
<td>ADU</td>
<td>R</td>
<td>2/23/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>132-134-002</td>
<td>1370 Canterbury Dr</td>
<td>PL18182</td>
<td>ADU</td>
<td>R</td>
<td>4/10/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>147-093-008</td>
<td>1864 Peach Pl</td>
<td>PL18199</td>
<td>ADU</td>
<td>R</td>
<td>4/13/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>130-103-015</td>
<td>3706 Cowell Rd #A</td>
<td>PL18225</td>
<td>ADU</td>
<td>R</td>
<td>5/1/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>130-270-017</td>
<td>3033 San Miguel Ct</td>
<td>PL18246</td>
<td>ADU</td>
<td>R</td>
<td>5/21/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>147-331-024</td>
<td>1720 Sargent Rd #A</td>
<td>PL18260</td>
<td>ADU</td>
<td>R</td>
<td>6/11/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>111-253-006</td>
<td>1959 Esperanza Dr</td>
<td>PL18258</td>
<td>ADU</td>
<td>R</td>
<td>6/8/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>115-481-001</td>
<td>1715 Denkinger Rd</td>
<td>PL18370</td>
<td>ADU</td>
<td>R</td>
<td>10/16/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>121-040-068</td>
<td>30 Guzman Ct #A</td>
<td>PL18307</td>
<td>ADU</td>
<td>R</td>
<td>8/16/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-070-007</td>
<td>2250 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-071-007</td>
<td>2251 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-072-007</td>
<td>2252 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-073-007</td>
<td>2253 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-074-007</td>
<td>2254 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-075-007</td>
<td>2255 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-076-007</td>
<td>2256 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-077-007</td>
<td>2257 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-078-007</td>
<td>2258 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-079-007</td>
<td>2259 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-080-007</td>
<td>2260 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-081-007</td>
<td>2261 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-082-007</td>
<td>2262 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-083-007</td>
<td>2263 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-084-007</td>
<td>2264 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-085-007</td>
<td>2265 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-086-007</td>
<td>2266 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-087-007</td>
<td>2267 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-088-007</td>
<td>2268 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-089-007</td>
<td>2269 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-090-007</td>
<td>2270 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-091-007</td>
<td>2271 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>126-092-007</td>
<td>2272 Union City Blvd</td>
<td>PL18255</td>
<td>ADU</td>
<td>R</td>
<td>6/19/2018</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

---

**Notes**:
- *Optional field*
- Cells in grey contain auto-calculation formulas
### ANNUAL ELEMENT PROGRESS REPORT

#### Housing Element Implementation

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Unit Types</th>
<th>Affordability by Household Incomes</th>
<th>Certificates of Occupancy</th>
<th>Demolished/Units+</th>
<th>Notes+</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Low-Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Very Low-Income Deed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Extremely Low-Income Deed</td>
<td>Extremely Low-Income Non Deed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Moderate-Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Restricted</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Unit Types</th>
<th>Affordability by Household Incomes</th>
<th>Certificates of Occupancy</th>
<th>Demolished/Units+</th>
<th>Notes+</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Low-Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Very Low-Income Deed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Extremely Low-Income Deed</td>
<td>Extremely Low-Income Non Deed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Moderate-Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Income Deed</td>
<td>Non Restricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted</td>
<td>Restricted</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table A2

#### Deed

- Low-Income
- Moderate-Income
- Very Low-Income
- Non Deed

#### Income Deed

- Restricted
- Non Restricted

#### Notes+

- + Optional field

#### Date Approved

- Streamlining Infill GC 65913.4(b)?
- Infill Units?
- Y/N+

#### Term of Affordability

- Deed Restriction (years)
- Term of Affordability or Deed Restriction

#### Renter+

- Units+

#### Notes+

- Housing without Financial restrictions, explain how the financial assistance or deed
- For units affordable without Assistance or Deed Restrictions
- Term of Affordability or Deed Restriction
- Enter 1000)
- + Units+

#### Demolished/Units+

- Notes+

#### Subdivision, but replaced.
### ANNUAL ELEMENT PROGRESS REPORT

**Housing Element Implementation**

(CCR Title 25 §6202)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Concord</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Year</td>
<td>2018 (Jan. 1 - Dec. 31)</td>
</tr>
</tbody>
</table>

**Table B**

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

<table>
<thead>
<tr>
<th>Income Level</th>
<th>RHNA Allocation by Income Level</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>Total Units to Date (all years)</th>
<th>Total Remaining RHNA by Income Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low</td>
<td>Deed Restricted</td>
<td>798</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>798</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-Dead Restricted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>Deed Restricted</td>
<td>444</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>444</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-Dead Restricted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moderate</td>
<td>Dead Restricted</td>
<td>555</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>555</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-Dead Restricted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Above Moderate</td>
<td>Deed Restricted</td>
<td>1677</td>
<td>33</td>
<td>58</td>
<td>63</td>
<td>24</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1677</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>Non-Dead Restricted</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total RHNA</td>
<td></td>
<td>3478</td>
<td>37</td>
<td>55</td>
<td>53</td>
<td>24</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3478</td>
<td>109</td>
</tr>
</tbody>
</table>

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Cells in grey contain auto-calculation formulas.

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs. Please contact HCD if your data is different than the material supplied here.
### Table C

<table>
<thead>
<tr>
<th>Project Identifier</th>
<th>Date of Rezone</th>
<th>Affordability by Household Income</th>
<th>Type of Shortfall</th>
<th>Sites Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Summary Row: Start Data Entry Below

N/A
# ANNUAL ELEMENT PROGRESS REPORT

**Housing Element Implementation**

(CCR Title 25 §6202)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Concord</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Year</td>
<td>2018 (Jan. 1 - Dec. 31)</td>
</tr>
</tbody>
</table>

## Table D

Program Implementation Status pursuant to GC Section 65583

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Program</td>
<td>Objective</td>
<td>Timeframe in H.E</td>
<td>Status of Program Implementation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


### ANNUAL ELEMENT PROGRESS REPORT

#### Housing Element Implementation

(CCR Title 25 §6202)

<table>
<thead>
<tr>
<th>Project Identifier</th>
<th>Units Constructed as Part of Agreement</th>
<th>Description of Commercial Development Bonus</th>
<th>Commercial Development Bonus Date Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: + Optional field

ANNUAL ELEMENT PROGRESS REPORT

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Reporting Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concord</td>
<td>2018 (Jan. 1 - Dec. 31)</td>
</tr>
</tbody>
</table>

**Description of Commercial Development Bonus**

Commercial Development Bonus approved pursuant to GC Section 65915.7 Table E.

Summary Row: Start Data Entry Below
#### Annual Progress Report

**Housing Element Implementation**

(CCR Title 25 §6202)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Concord</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Period</td>
<td>2018 (Jan. 1 - Dec. 31)</td>
</tr>
</tbody>
</table>

### Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)(2)

This table is optional. Jurisdictions may list (for informational purposes only) units that do not count toward RHNA, but were substantially rehabilitated, acquired or preserved. To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields. Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in Government Code section 65583.1(c)(2).

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Extremely Low-Income*</th>
<th>Very Low-Income*</th>
<th>Low-Income*</th>
<th>TOTAL UNITS*</th>
<th>Extremely Low-Income*</th>
<th>Very Low-Income*</th>
<th>Low-Income*</th>
<th>TOTAL UNITS*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehabilitation Activity</td>
<td>13</td>
<td>64</td>
<td>12</td>
<td>89</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preservation of Units At-Risk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of Units</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Units by Income</td>
<td>13</td>
<td>64</td>
<td>12</td>
<td>89</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: + Optional field

Cells in grey contain auto-calculation formulas

**Virginia Lane Apartments completed a substantial rehabilitation of its 91 units (including 2 non-restricted manager units) in 2018 using $1.8 million in City funds. The affordability of these units were extended for an additional 55 years.**

### Activity Type

- **Units that Do Not Count Towards RHNA**
  - Listed for Informational Purposes Only

- **Units that Count Towards RHNA**
  - Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.

### The description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1*
Jurisdiction: Concord
Reporting Year: 2018 (Jan. 1 - Dec. 31)

### Permitted Units Issued by Affordability Summary

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Deed Restricted</th>
<th>Non-Deed Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Low</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Moderate</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>0</td>
<td>527</td>
</tr>
</tbody>
</table>

**Total Units:** 44

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

### Entitlement Summary

- Total Housing Applications Submitted: 0
- Number of Proposed Units in All Applications Received: 292
- Total Housing Units Approved: 292
- Total Housing Units Disapproved: 0

### Use of SB 35 Streamlining Provisions

- Number of Applications for Streamlining: 0
- Number of Streamlining Applications Approved: 0
- Total Developments Approved with Streamlining: 0
- Total Units Constructed with Streamlining: 0

### Units Constructed - SB 35 Streamlining Permits

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Rental</th>
<th>Ownership</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Low</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Moderate</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Cells in grey contain auto-calculation formulas.
<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOAL H-1</td>
<td>H-1.1</td>
<td>Ensure an adequate supply of housing sites to achieve the City’s Regional Housing Needs Allocation (RHNA) goals for the 2014-2022 planning period.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H-1.1.1</td>
<td>H-1.1.1</td>
<td>Continue to identify potential sites for reuse to ensure an adequate supply of land for residential development. *</td>
<td>Planning Division</td>
<td>N/A</td>
<td>Ongoing to comply with Government Code Section 65863</td>
<td>The Housing Inventory Sites list is located on the City's Website (Planning page) under &quot;Housing Element&quot; in Appendix. The City will continue to identify additional sites and the list will be periodically updated. The Housing Element Update analyzed sites Citywide in 2014 for incorporation into the Housing Element Update, adopted on January 5, 2015.</td>
<td>Sites Analysis is included in Housing Element Update, adopted in Jan. 2015 Completed</td>
</tr>
<tr>
<td>H-1.1.2</td>
<td>H-1.1.2</td>
<td>Continue to implement minimum densities in multi-family zoning districts.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The new Development Code requires minimum densities in multi-family zoning districts. In 2012, rezoned 326 acres to HDR or DMX district.</td>
<td>Completed 2012</td>
</tr>
<tr>
<td>H-1.1.3</td>
<td>H-1.1.3</td>
<td>Maintain an inventory of vacant and underutilized sites and make it available to interested home builders.</td>
<td>Planning Division</td>
<td>N/A</td>
<td>Update inventory starting with this Housing Element, and thereafter every two years.</td>
<td>Housing Inventory Sites list was updated and is located on the website (Planning page) under &quot;Housing Element Update&quot; in Appendix A. Housing Element Updated on January 5, 2015</td>
<td>Completed 2015</td>
</tr>
<tr>
<td>H-1.1.4</td>
<td>H-1.1.4</td>
<td>Continue to allow multi-family residential development projects on parcels identified in the Housing Element land inventory as Downtown Mixed Use (DMX) &amp; Commercial Mixed Use (CMX) zoning districts.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Multi-family residential development is allowed on parcels that are zoned Downtown Mixed Use (Chapter 18.45) and Commercial Mixed Use (Chapter 18.40) with a Use Permit. The City approved the Argent, Concord Village, The Grant, and Salmon Run multi-family projects.</td>
<td>July 2012 Completed Renaissance Phase II under construction (179 units); Argent approved (181 units); Concord Village (230 units) approved; The Grant (228 units) approved; and Salmon Run (32 units) approved.</td>
</tr>
<tr>
<td>H-1.2</td>
<td>H-1.2.1</td>
<td>Encourage a variety of housing types in new subdivisions, including duplexes, townhomes, small apartment buildings or condominiums.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The new Development Code provides development standards for new mixed use projects and housing types, Chapters 18.40 and Chapter 18.45.</td>
<td>July 2012 Completed</td>
</tr>
</tbody>
</table>
### TABLE D
#### PROGRAM IMPLEMENTATION STATUS

Recording Time Period: July 1, 2014 to June 30, 2022

<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>H-1.2.2</td>
<td>Continue to promote mixed-use, transit-oriented development Downtown where housing is located in close proximity to urban services, shopping and/or public transportation through implementation of the Downtown Specific Plan</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>This is currently allowed and the Development Code provides development standards for mixed-use projects. Sections 122-155 and 122-627. <strong>The Development Code also provides an Affordable Housing Incentive Program.</strong></td>
<td>July 2012</td>
</tr>
</tbody>
</table>

*Completed Continuing to implement through DTSP.*
<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>H-1.2.3</td>
<td>Facilitate the development of housing in the Downtown that is</td>
<td>City Council &amp; Planning Division</td>
<td>The Downtown Plan</td>
<td>Ongoing</td>
<td>This is an ongoing work effort that includes meetings with non-profit</td>
<td>Approved June 2014 Continuing to implement.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>affordable to households at a range of income levels (extremely-</td>
<td></td>
<td>envisions up to 4,020</td>
<td></td>
<td>developers. The Downtown Concord Specific Plan was adopted and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>low, very-low, low, moderate, and above moderate incomes). *</td>
<td></td>
<td>new units being</td>
<td></td>
<td>promotes mixed-income housing in the downtown (approx. 600 acres)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>added over the next</td>
<td></td>
<td>with focus on the transit overlay. On March 28, 2017, the City Council</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>20-25 years. Much of</td>
<td></td>
<td>amended the Development Code by permitting a new housing type -</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Concor's recent</td>
<td></td>
<td>Junior Accessory Dwelling Units. Additionally, the City updated our</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>planning has been</td>
<td></td>
<td>regulations for Accessory Dwelling Units by creating a streamlined</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>structured to promote</td>
<td></td>
<td>ministerial process and reducing the fees. In 2018, the City</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>the inclusion of units</td>
<td></td>
<td>allocated $5.5 million to Resources for Community Development for the</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>affordable to</td>
<td></td>
<td>construction of 44 new affordable dwelling units located in the</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>extremely-low, very-</td>
<td></td>
<td>Downtown Specific Plan area.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>low, low, moderately-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>income, and above</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>moderate income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>households within</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>these anticipated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>projects.*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>H-1.3</td>
<td>Promote the development of single-family homes that are affordable</td>
<td>City Council, Planning Commission, and Planning</td>
<td>40 new single family</td>
<td>Ongoing</td>
<td>There have been several small lot subdivisions approved which would</td>
<td></td>
</tr>
<tr>
<td></td>
<td>H-1.3.1</td>
<td>to very low, low &amp; moderate-income households in all new single-</td>
<td>Division</td>
<td>homes (detached or</td>
<td></td>
<td>provide homes for low and moderate income homebuyers.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>family developments as well as in existing single-family</td>
<td></td>
<td>attached) affordable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>neighborhoods.</td>
<td></td>
<td>to low, very low, or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>extremely low-income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>households and 60</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>new single family</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>homes (detached or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>attached) affordable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>to moderate income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>households.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.3.2</td>
<td>Provide financial incentives through the City's First Time Home Buyers Program to make small-lot single-family homes affordable for households earning 60 to 100 percent of AMI.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The Development Code provides development standards for small lot single family homes.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.4</td>
<td>Encourage secondary units in new &amp; existing residential developments &amp; the development of duplex condominiums, duplexes are consistent with the General Plan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H-1.4.1</td>
<td>Encourage duplex, condominiums, where consistent with the General Plan density standards, to increase opportunities for home ownership.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>40 units created through new duplex condominium or secondary unit developments and/or legalization or compliance of existing illegal secondary units.</td>
<td>Ongoing</td>
<td>Current ordinance allows. This is an ongoing effort made by staff when discussing proposed residential projects. CO/CMX allows duplex, RM allows attached and duplex.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.4.2</td>
<td>Allow secondary units in the single-family districts in accordance with State law.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Development Code continues to allow. Size allowance reduced to 150 sq. ft. for lots of any size and increased to 1,200 sq. ft. for lots greater than 12,000 sq. ft. in 2017.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.4.3</td>
<td>Review the development code as it relates to secondary units and consider amendments to make the development of secondary units more feasible.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>On March 27, 2018, to comply with State law, the City limited the required parking to one parking space per accessory dwelling unit (regardless of bedroom count) and further clarified that no additional setbacks are required for the conversion of accessory structures and garages.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.4.4</td>
<td>Help to reduce the costs associated with building a second unit by working with the Contra Costa Water District to examine the fees charged by the District for extending service to a new detached second unit.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>2016</td>
<td>Contra Costa Water District reduced costs of accessory dwelling units on January 5, 2016.</td>
<td>Completed 2016</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>---------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.4.5</td>
<td></td>
<td>Work with property owners with illegal secondary units to bring them into compliance with the building and development codes. This will be done on an individual basis, in response to owners' request for assistance.</td>
<td>Planning Division, and Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Occurs through Code Enforcement Division, as red-tags occur through the City's Building Division.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.5</td>
<td>H-1.5.1</td>
<td>Facilitate the development of housing that is affordable to extremely low-, very low-, low-, and moderate-income households through medium and high density zoning and mixed-use zoning, density bonuses land write-downs, priority permit processing, direct subsidies and other financial incentives, if available.</td>
<td>City Council, Planning Commission, Planning Division, and Economic Development Division</td>
<td>3,478 new housing units including; units that are affordable to extremely low (399), very low (399), low (444), and moderate income (559) households.</td>
<td>Ongoing, At least annual contact with developers.</td>
<td>The new Development Code established an Affordable Housing Incentive Program and Transit Overlay and continues the Density Bonus Program to create incentives for mixed income housing. The City's Affordable Housing Incentive Program was recently highlighted on the State HCD website as an example ordinance for promoting affordable housing. The City's Downtown Specific Plan was adopted in June 2014, which plans for 4,020 units to 2040. Argent project approved in June 2017 with 20 Very Low-Income units. In 2018, Resources for Community Development was awarded $5.5 million in City funds for their 44 unit project that will serve extremely low- and low-income households.</td>
<td>Code Adoption Completed in 2012, DTSP Adoption June 2014.</td>
</tr>
<tr>
<td>H-1.5</td>
<td>H-1.5.2</td>
<td>Continue to publish on the City's website a list of State and federal low-interest land acquisition/construction funds available for development of homes affordable to extremely low-, very low-, low-, and moderate-income households and provide this to interested home builders.</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Links to Federal/State website updates are provided on the City's website on the Housing Assistance Page.</td>
<td>Completed 2011 Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.5.3</td>
<td>Promote parcel consolidation to facilitate the assembly of new housing sites.*</td>
<td>Planning Division, and Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing activity, with annual report to the City Council on progress.</td>
<td>2012 Development Code promotes infill development through Code sections including Transit Station Overlay Districts; Live/Work Units; Mixed Use Projects; Accessory Dwelling Units; and Small Lot Standards. City entered into a Purchase and Sales Agreement for City-owned property located at 1596 Concord Avenue with adjacent property owner. The Purchase and Sales agreement requires that the adjacent parcel be consolidated upon closing which will occur in 2019.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.5.4</td>
<td>Promote new affordable residential development projects near employment centers, personal services, retail clusters, &amp; key transportation corridors &amp; nodes.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The Masonic Temple site parcels were consolidated, the Oak Street site parcels were consolidated and the Pine Street site parcels were consolidated. Together these would accommodate at least 150 units, based on current zoning. In addition, Masonic Temple was moved from site (June 2013), so site is now vacant. Long Range Property Management Plan approved by State Department of Finance in December 2015. In 2017, the City approved 20 Very Low income units as part of the Argent development.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.5.5</td>
<td>Provide reductions from the standard parking requirements for new residential projects as allowed by the City's Density Bonus Program, the Affordable Housing Incentive program, and other provisions of the Zoning Ordinance.</td>
<td>Planning Commission &amp; Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Affordable Housing Incentive Program of Development Code encourages such development by providing incentives for affordable housing meeting certain criteria. The Transit Station Overlay District also provides for additional flexibility in development. The DSP further promotes mixed-income mid and high density housing. On April 25, 2017, the City Council amended the Development Code by outlining the process for requesting payment of a parking in-lieu fee, which is subsidized below the actual cost of providing the parking on-site. On March 27, 2018, to comply with State law, the City limited the required parking to one parking space per accessory dwelling unit (regardless of bedroom count) and further clarified that no additional setbacks are required for the conversion of accessory structures and garages.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.5.6</td>
<td>Continue to allow group housing, including Single Room Occupancy units (SROs), in accordance with State Law</td>
<td>Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The Development Code provides development standards that include incentives such as reduced parking requirements. Section 18.160.050 Adjustment to Parking Requirements and Affordable Housing Incentive Program provides incentives and flexibility.</td>
<td>Completed 2012</td>
<td></td>
</tr>
<tr>
<td>H-1.5.7</td>
<td>Promote the development of affordable housing in all areas designated by the General Plan for multi-family residential development through continued implementation of the Affordable Housing Incentive Program.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The Development Code provides development standards for group housing in Sections 18.30.030, 18.40.030, 18.45.030. Group Housing includes SROs.</td>
<td>Completed 2012</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>---------------------</td>
<td>---------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-1.5.8</td>
<td>In order to generate additional City funds that can be utilized to facilitate affordable housing production, prepare an update to the Nexus Study for the City’s Housing in-Lieu Fee and adopt a new fee rate based on the updated study that is equal to or less than the maximum fee identified through the study, as appropriate.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Prepare Updated Nexus Study and adopt new fee rate, as appropriate in 2018.</td>
<td></td>
<td>The Development Code (2012) contains new provisions in the Affordable Housing Section including an Affordable Housing Incentive Program. On November 29, 2016, the City Council amended the Master Fees and Charges Schedule to increase In-Lieu fees for ownership units within the City’s Inclusionary Housing Program, effective on January 1, 2017. Additionally, in late 2017, the City hired a consultant to prepare a Nexus Study for Inclusionary Housing In-Lieu fees for rental units.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-1.5.9</td>
<td>Advocate for policies and legislation at the State and Federal level that increase the funding available to support the development and preservation of affordable housing.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City writes letters of support, based on a case-by-case basis.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.5.10</td>
<td></td>
<td>Examine opportunities to develop public/private partnerships with experienced partners to create affordable housing through the City's provision of land, incentives, or partial funding.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>In 2017, the Virginia Lane rehabilitation project was completed with financial support from the Successor Agency. The Argent project was also approved in June 2017 with 20 Very Low-Income units. Additionally, in late 2017, the City initiated discussions with BART about constructing an affordable transit-oriented development on BART property. In 2018, Resources for Community Development was awarded $5.5 million in City funds for their 44 unit project that will serve extremely low- and low-income households.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-1.6</td>
<td>H-1.6.1</td>
<td>Implement the City's adopted regulations that allow manufactured housing units (also known as pre-fabricated) in all residential zones.</td>
<td>Building Division and Planning Commission</td>
<td>N/A</td>
<td>Ongoing</td>
<td>This is an ongoing work effort, upon building application</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-1.6.2</td>
<td>Require compliance with the City's Mobile Home Conversion Ordinance, as adopted or amended to comply with State Law to address impacts associated with the closure or conversion of existing mobile home parks to other uses.</td>
<td>Planning Division and Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>There are no current applications related to mobile home closure or conversion. However, projects proposing mobile home closure or conversion will be processed according to City ordinance.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
<td>-------</td>
<td>---------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-1.6.3</td>
<td>Provide low-interest loans or grants to qualifying households to support the rehabilitation of mobile home units in the City.</td>
<td>Economic Development &amp; Housing Division</td>
<td>8-10 rehabilitated mobile homes per year CDBG Fund.</td>
<td>Ongoing</td>
<td>In 2018, the City awarded 5 grants/loans to qualifying households to support the rehabilitation of mobile home units.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.6.4</td>
<td>Allow the use of the City’s CDBG funds for the setting up of mobile home foundations, the paving of carports, accessibility modifications &amp; other construction assistance in mobile home park areas.</td>
<td>Economic Development and Housing Division</td>
<td>Assist 10 mobile homes per year.</td>
<td>Ongoing</td>
<td>A significant reduction in funding (Loss of Redevelopment) has limited the program. CDBG funding is now solely used. The type of mobile home grants is dependent on the need in any given year, see above.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.7</td>
<td>Promote the development of new condominiums and cooperatives.</td>
<td>Planning Division</td>
<td>100 new condominium units obtained through density bonuses for the 2014-2022 period.</td>
<td>Ongoing</td>
<td>No current applications for condominiums. The Renaissance project was condo-mapped and should the market improve, Phase I could be transitioned to for-sale units.</td>
<td>Ongoing, dependent on market conditions</td>
<td></td>
</tr>
<tr>
<td>H-1.7.1</td>
<td>Ensure that condominiums &amp; cooperatives continue to meet high standards of quality while providing for entry level rental &amp; ownership housing by approving density bonuses in accordance with the City ordinance.</td>
<td>Planning Division</td>
<td>100 new condominium units obtained through density bonuses for the 2014-2022 period.</td>
<td>Ongoing</td>
<td>No current applications for condominiums. The Renaissance project was condo-mapped and should the market improve, Phase I could be transitioned to for-sale units.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-1.7.2</td>
<td>Implement the condominium conversion ordinance to limit the number of rental housing stock converted into condominiums each year.</td>
<td>Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Planning Division has prepared tracking matrix to monitor. No condo conversions occurred this year.</td>
<td>Market economics present no concern currently</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE D
PROGRAM IMPLEMENTATION STATUS

Recording Time Period: July 1, 2014 to June 30, 2022

<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-1.8</td>
<td>H-1.8.1</td>
<td>Encourage the production of ownership &amp; rental housing in Downtown that is attractive &amp; affordable to moderate &amp; above-moderate income households.</td>
<td>City Council, Planning Commission and Planning Division</td>
<td>2.210 for 2014-2022 period (part of the Downtown Plan goal of 4,020 units by 2035).</td>
<td>Ongoing</td>
<td>The City promotes infill development to increase densities in Downtown. The Development Code provides incentives that will create opportunities for affordable housing. The City has received greater interest for rental housing in the downtown. The City is in the process of selling the Successor Agency's properties. Specifically, the City entered into an Exclusive Negotiating Agreement with Avalon Bay to construct an approximately 300 unit multi-family development at 1753 Galindo Street. Additionally, the City sold 1601 Sutter Street to the adjacent property owner, who plans to develop an apartment project.</td>
<td>Ongoing and Completion of Development Code July 2012 -- Downtown Plan completed June 2014</td>
</tr>
<tr>
<td>H-1.9</td>
<td>H-1.9.1</td>
<td>Continue the annual review of the City's development fees, processing fees, &amp; other charges in the Master Fees &amp; Charges to ensure they are not a constraint to development.</td>
<td>Planning Division, Building Division and Finance Department</td>
<td>N/A</td>
<td>Ongoing annually</td>
<td>Annual fees reviewed and updated annually, effective July 1st. Accessory Dwelling Unit Fees reduced to comply with extend pilot program and to comply with State law.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-1.9.2</td>
<td>Continue to offer a centralized, one-stop counter for permit processing to streamline the development process.*</td>
<td>Planning Division, Building Division and Engineering Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City is continuing to offer the one-stop counter and a Community &amp; Economic Development Committee continues to improve the Permit Center lobby to improve the efficiency of processing of permits for customers at the counter. In 2018, the Community &amp; Economic Development Department initiated OpenCounter, a web-based portal for zoning information, which is tentatively scheduled to launch in April 2019.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>H-1.9.3</td>
<td>Continue to <strong>streamline the processing</strong> of building permits for residential <strong>developments</strong> that include a portion of units as below-market rental rate (BMR) units.</td>
<td>Planning Division, Building Division and Engineering Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City streamlines the processing of building permits via outside contract services so as not to impact processing times due to reduction in staff on an as-needed basis. Affordable housing section of the Development Code includes streamlined processing. In-lieu fees for inclusionary delayed until Certificate of Occupancy. <strong>Additionally, in 2018, the City developed an application, checklist, and Frequently Asked Questions for streamlined housing development to comply with Senate Bill 35.</strong></td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-1.9.4</td>
<td></td>
<td>Continue to support legislation that requires special districts to reduce their fees for affordable housing projects.</td>
<td>City Council, Planning Commission, Planning Division, and Economic</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City will continue to support legislation that requires special districts to reduce fees for affordable housing projects.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-1.9.5</td>
<td></td>
<td>Review the parking requirements specified in the Development Code and reduce parking requirements for residential development if appropriate.</td>
<td>City Council, Planning Commission and Planning Division</td>
<td>N/A</td>
<td>Evaluate and revise, as appropriate, in 2018.</td>
<td>Staff reviews on a case by case basis, with submittal of parking study for requested reductions. In 2017, the City approved a parking reduction for the Argent project where only approximately one parking space was provided per unit. Additionally, on April 25, 2017, the City Council amended the Development Code by outlining the process for requesting payment of a parking in-lieu fee, which is subsidized below the actual cost of providing the parking on-site. On March 27, 2018, to comply with State law, the City limited the required parking to one parking space per accessory dwelling unit (regardless of bedroom count).</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**GOAL H-2**

**QUALITY NEIGHBORHOODS**

H-2.1  
Support the conservation and rehabilitation of the existing housing stock (including mobile homes) through a balanced program of code enforcement and property improvements, when and where appropriate.

<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-2.1.1</td>
<td></td>
<td>Utilize public funds to provide assistance in the rehabilitation &amp; conservation of deteriorated single-family homes, multi-family developments &amp; mobile homes.*</td>
<td>Economic Development &amp; Housing Division</td>
<td>70 single &amp; multi-family housing units (without income limits) rehabilitated for Housing Element period; and 100 units conserved as affordable housing for extremely low, very low, and low income households through long-term rent restrictions or resale agreements with property owners (see program H-2.1.2).</td>
<td>Ongoing</td>
<td>In 2017, 12 of the 97 multi-family affordable housing units within the Camera Circle Development were substantially rehabilitated. In 2018, Virginal Lane Apartments completed a substantial rehabilitation of its 91 units using $1.8 million in City funds. In addition, although no affordability deed restriction is required for the home/mobile home after rehabilitation, 5 single-family and mobile homes were rehabilitated for low-income homeowners through the City’s Housing Rehabilitation Loan and Grant Program.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-2.1.2</td>
<td>H-2.1.2</td>
<td>Continue to establish price and rent restriction agreements through acquisition, financial assistance, or other means with property owners. *</td>
<td>City Council, and Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>No activity in 2018.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-2.1.3</td>
<td>Ensure the conservation of existing subsidized housing including State, Federally, &amp; locally-assisted developments that are at risk of converting to market rates.</td>
<td>Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Housing Program monitors compliance with Regulatory Agreements in terms of income levels for affordable units. Building Division monitors affordable units for compliance with health and safety codes. Expiration dates for Regulatory Agreements are monitored. Additionally, in 2018, Resources for Community Development was awarded $5.5 million in City funds for their 44 unit project that will serve extremely low- and low-income households.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>----------------</td>
<td>----------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-2.1.4</td>
<td>H-2.1.4</td>
<td>Continue to monitor the conditions of housing stock through ongoing housing inspections and enforce housing codes and standards to ensure that the existing housing stock is not diminished in quantitative or qualitative terms.</td>
<td>Neighborhood Services</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Effective in 2017, the City's multi-family affordable inventory is now inspected once every two years by the Building Division. Application for self certification is provided as an option to property managers.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-2.1.5</td>
<td>Continue the City's Multi-Family Rental Housing Inspection program that provides regular, periodic inspections of apartment buildings with four or more units.</td>
<td>Building Division</td>
<td>Inspect at least 180 multi-family units annually on a random basis.</td>
<td>Tri-annually</td>
<td>Effective 2017, all of the City's affordable inventory has been inspected or self-certified during the last two years.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-2.1.6</td>
<td>Continue the Multi-family Rental Housing Inspection Self Certification Program.</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City continues to maintain the self-certification program.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-2.1.7</td>
<td>Incorporate maintenance standards, tenant screening &amp; management training requirements in regulatory agreements for multi-family developments that receive City assistance, and work to ensure the enforcement of such standards and agreements.</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City contracts with U.S. Communities to monitor compliance with regulatory agreements for the City's affordable multi-family inventory. Maintenance standards, tenant screening &amp; management training will be included in any new regulatory agreements. In 2018, the City launched the Home Share Contra Costa Pilot Program. The Program matches homeowners who are age 55+, who would like to share their homes for companionship, extra income, and household assistance. The Program provides matching services including: applicant screening with background checks, reference checks, agreements, and on-going mediation.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-2.1.8</td>
<td>H-2.1.8</td>
<td>Ensure deteriorated units that are being acquired &amp; rehabilitated with long-term rent or sale price restrictions are being counted as helping to meet the City's &quot;fair-share&quot; housing need.</td>
<td>Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Ongoing through Annual General Plan progress report through HCD submittal.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>---------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-2.2</td>
<td>H-2.2.1</td>
<td>Continue to implement &amp; update the City's Neighborhood Services Strategic Plan.</td>
<td>Neighborhood Services</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City's Neighborhood Services (Code Enforcement) Division implements the Strategic Plan on a day-to-day basis.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-2.2</td>
<td>H-2.2.2</td>
<td>Promote functional, pleasing, and high quality residential development by applying and enforcing the City's adopted Development Code, Design Guidelines, and Zoning Standards.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Residential development standards in City's Development Code continues to promote high quality development through Development Standards and Design Review Process</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-2.2</td>
<td>H-2.2.3</td>
<td>Conduct design review for all residential developments of five or more units. (Also see Program H-2.2.3).</td>
<td>Planning Commission, Design Review Board and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Updated Development Code continues to promote high quality development. Design Review of projects is continuing. Design Review is conducted for residential projects/major subdivisions for 5 or more units. In 2017, the City adopted the Todos Santos Design Guidelines to provide design directives to developers.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-2.2</td>
<td>H-2.4</td>
<td>Promote a Jobs/Housing Balance by implementing General Plan Land Use and Growth Management policies to achieve a balance between jobs &amp; housing to achieve a higher quality of life for current &amp; future Concord residents.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Staff implements the Economic Vitality Element of the General Plan by promoting a strong regional center and vibrant city center through downtown events. Provide housing opportunities for persons employed in local and nearby jobs. In November 2017, the City Council provided direction to Housing Division staff to utilize $14 million in affordable housing funds to incentivize the construction or rehabilitation of affordable housing units, giving priority to those projects that also provide housing for Concord's workforce (i.e. teachers).</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-2.3</td>
<td>H-2.3.1</td>
<td>Support housing rehabilitation, conservation or preservation. The City will annually update and maintain an inventory of historic properties on the City website.</td>
<td>Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City mapped and inventoried historic buildings in downtown. Housing Program has entered into Letter of Understanding (Aug. 2010) with State Historic Preservation Office for the Housing Rehabilitation Program. Development Code incorporates new North Todos Santos district, consistent with GP. The Masonic Temple was relocated from a Successor Agency owned site to a site adjacent to the Galindo House in 2013 by the Historical Society.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-2.4</td>
<td>H-2.4.1</td>
<td>Establish a mechanism to determine whether there is a risk of displacement of existing Concord residents as new development activity takes place in the City. *</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Increased prices experienced in other cities has shown some displacement in Concord through resulting increased prices. Solution is providing additional supply. City has experienced increased applications.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>GOAL H-3</td>
<td>MEETING SPECIAL NEEDS</td>
<td>Actively seek &amp; encourage the development of affordable housing for extremely-low, very-low, low- and moderate income seniors.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H-3.1</td>
<td>H-3.1.1</td>
<td>Provide financial assistance, regulatory incentives &amp; priority permit processing for senior housing developments that provide 25 percent or more of their units at rents or prices affordable to moderate, low, very low or extremely low-income seniors.</td>
<td>City Council, Planning Commission, Planning Division, and Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Affordable housing division of the Development Code includes incentives, such as priority permit processing, density bonus and modified parking standards for affordable senior housing (Section 18.185)</td>
<td>Completed 2012</td>
</tr>
<tr>
<td>H-3.1.2</td>
<td>Encourage senior housing developments to be located in areas that are convenient to shopping &amp; other services, including public transit services, and/or to provide transit services for their residents.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>200 new senior housing units affordable to extremely low, very low, low and moderate-income seniors.</td>
<td>Ongoing</td>
<td>The Downtown Specific Plan, adopted in June 2014, provides strategies to increase housing for a range of incomes within proximity to BART. City's most recent senior complex is Oakmont Assisted Living (76 units) on Civic Court, with transit provided.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------</td>
<td>-----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-3.1.3</td>
<td></td>
<td>Require all housing developments designated for seniors to be</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Housing projects are reviewed by Building Division for accessibility. No senior housing projects processed in 2018.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-3.2</td>
<td>H-3.2.1</td>
<td>Facilitate the development of accessible housing by providing financial assistance, regulatory incentives and priority permit processing for housing developments that make at least 15% or more of the total units accessible to persons with disabilities through appropriate design and amenities.</td>
<td>Planning Division, Economic Development Division, and Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City will negotiate with developer providing 15% disabled units on a case-by-case basis, to provide a combination of incentives, consistent with State Density Bonus Law and the City's Development Code.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-3.2</td>
<td>H-3.2.2</td>
<td>Require accessible units in multi-family housing developments in accordance with State law, with accessibility features provided at the time of construction as a standard feature rather than as an optional feature available for an additional charge.</td>
<td>Building Division</td>
<td>40 City-supported new &amp; rehabilitated units accessible to persons with disabilities with an additional 100 to be produced without any City financial assistance as part of the normal development process.</td>
<td>Ongoing</td>
<td>Housing projects are reviewed by the Building Division for accessibility.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-3.2</td>
<td>H-3.2.3</td>
<td>Require accessible units in large housing developments in accordance with State Law. Meet or exceed the requirements to provide accessible units in large housing developments as a condition of approval.</td>
<td>City Council, Planning Commission, and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>This is enforced through the planning and building permit process.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-3.2</td>
<td>H-3.2.4</td>
<td>Enforce State handicapped, accessibility, &amp; adaptability standards &amp; remove constraints to housing accessible to persons with disabilities, consistent with SB 520.</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Enforced through review of building permits.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-3.2</td>
<td>H-3.2.5</td>
<td>Provide information &amp; related resources to the public, including persons with disabilities, to raise awareness regarding accessibility issues. *</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Accessibility requirements are provided through the City's Permit Center to assist developers and contractors.</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

3.3 Actively seek to expand housing opportunities for persons with development disabilities in Concord.
<table>
<thead>
<tr>
<th>Policy #</th>
<th>Program #</th>
<th>Title</th>
<th>Responsible Agency</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-3.3.1</td>
<td>H-3.3.1</td>
<td>Work with the Regional Center of the East Bay to implement an outreach program that informs families within the City on Housing and services available for persons with developmental disabilities. *</td>
<td>Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>2014-2015</td>
<td>City provides link on Housing Assistance webpage to the Regional Center of the East Bay.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>---------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>3.4</td>
<td>H-3.4.1</td>
<td>Continue to assess a fee on new construction &amp; tenant improvements to help fund the City of Concord Child Care Program.</td>
<td>Planning Division, and Parks &amp; Recreation Department</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Childcare fee collected by Building Division at Certificate of Occupancy for non-residential projects, based on 0.5% of valuation. <strong>$101,211 collected in 2018.</strong> Road to Success: The program benefits low-income residents in Concord through microenterprise assistance for those who want to maintain or start stable small businesses as licensed home-based family child care providers. <strong>Provided services to 1,212 youth in 2018.</strong></td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-3.4.2</td>
<td>Support the Section 8 Housing Choice Voucher Program administered by the Contra Costa County Housing Authority by providing referral services through Housing Rights Inc., and making information available at the permit counter and City website.</td>
<td>Economic Development and Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The rental referral listing for Housing Authority linked to City's Housing Assistance page on City's Website. Referrals frequently provided by staff to the Housing Authority for those inquiring about the voucher program.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>3.5</td>
<td>H-3.5.1</td>
<td>Utilize funds as available to provide zero interest second mortgages to qualified low and moderate income homebuyers to assist them with down payment and/or closing costs.</td>
<td>Economic Development Division</td>
<td>Provide assistance to 20 homebuyers during the Housing Element period.</td>
<td>Ongoing</td>
<td>Redevelopment funding was eliminated in 2011-2012. Limited funding through other City sources now used to provide reduced funding for 1-2 loans annually.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-3.5.2</td>
<td>Support &amp; participate in the Mortgage Credit Certificate (MCC) Tax Credit Program administered by the Contra Costa County Department of Conservation &amp; Development &amp; make information available at the permit counter &amp; City Website.</td>
<td>Economic Development and Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Information is provided at Permit Center counter and kiosk and a City Website link has been updated with County's new information.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-3.5.3</td>
<td>H-3.5.3</td>
<td>Work with local nonprofit housing developers to facilitate sweat-equity homeownership opportunities for Concord Residents.</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Staff has met with Habitat for Humanity to discuss opportunities for new sweat-equity home ownership projects and potential joint future projects. On September 16, 2017, City staff partnered with Habitat for Humanity on a housing project within the region to facilitate future collaboration.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>3.6</strong></td>
<td>Actively seek &amp; encourage the development of affordable housing for large families with extremely low, very low, low or moderate incomes &amp; continue to take actions to prevent discrimination against children in housing.</td>
<td>Economic Development / Redevelopment Division</td>
<td>40 new or rehabilitated housing units in Concord with four or more bedrooms.</td>
<td>Ongoing</td>
<td>The City approved the following new multi-family projects in the last few years (Renaissance, Argent, Concord Village, the Grant, and Salmon Run). Additionally, interest by developers is increasing.</td>
</tr>
<tr>
<td>H-3.6.1</td>
<td>H-3.6.1</td>
<td>Expand the current inventory of large units in the City by providing financial and/or regulatory incentives to encourage the inclusion of units with four or more bedrooms in new developments, especially in rental housing developments.</td>
<td>Economic Development Division</td>
<td>40 new or rehabilitated housing units in Concord with four or more bedrooms.</td>
<td>Ongoing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-3.6.2</td>
<td>H-3.6.2</td>
<td>Facilitate the rehabilitation of large units by giving priority to developments with large units that are deteriorated or at risk of being lost from the City's housing stock.</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City works with Affordable Housing Developers to identify opportunities acquisition/rehab. projects and will continue to offer a multi-family rehabilitation program. In November 2017, the City Council provided direction to Housing Division staff to utilize $14 million in affordable housing funds to incentivize the construction or rehabilitation of affordable housing units. In 2018, Resources for Community Development was awarded $5.5 million in City funds for their 44 unit project that will serve extremely low- and low-income households.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-3.7</td>
<td>H-3.7.1</td>
<td>Continue to actively participate in the Contra Costa HOME Consortium &amp; the Contra Costa Council on Homelessness to identify &amp; respond to the needs of homeless individuals &amp; families in Concord &amp; surrounding communities.*</td>
<td>Economic Development Division and Community Grants Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Housing and Community Services Program staff regularly attend this activity.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-3.7.2</td>
<td>Continue to permit the development of emergency homeless shelters without discretionary review, in the Industrial Mixed Use, Industrial Business Park Zone, &amp; Office Business Park zones in accordance with State Law.*</td>
<td>City Council, Planning Commission, Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The new Development Code provides for the development of emergency homeless shelters in its Business Park and Industrial Districts.</td>
<td>Completed 2012</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>--------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-3.7.3</td>
<td>Revise the City's Development Code to explicitly identify transitional and supportive housing as residential uses subject to only those restrictions that apply to other residential dwellings of the same type in the same zone, and adopt definitions of transitional housing and supportive housing pursuant to SB 745.</td>
<td>City Council, Planning Commission, Planning Division</td>
<td>N/A</td>
<td>2015-2016</td>
<td>The Development Code allows residential care facilities, group homes and similar housing in certain residential districts and commercial mixed use area with appropriate permits. On April 25, 2017, the City identified transitional and supportive housing as residential uses subject to only those restrictions that apply to other residential dwellings of the same type in the same zone, and adopt definitions of transitional housing and supportive housing pursuant to SB 745.</td>
<td>Completed 2017</td>
<td></td>
</tr>
<tr>
<td>H-3.7.4</td>
<td>Coordinate with the County &amp; local non-profits to identify &amp; address the housing &amp; social needs of the local homeless population. *</td>
<td>Housing &amp; Community Services Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City Staff refers clients to local resources, such as Contra Costa 211. Housing &amp; Community Services Manager serves on the Executive Committee for the Contra Costa Council on Homelessness (CCCH). City contracts with Contra Costa Homeless Services for outreach to Concord's homeless residents through the CORE Team, which was established in 2017.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>---------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-4.1.1</td>
<td>H-4.1.1</td>
<td>Continue the City's existing contract with ECHO Housing to provide fair housing counseling, education, and outreach services. *</td>
<td>City Council, and Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City's Housing Program administers a contract with ECHO Housing for provision of fair housing counseling, education and outreach. In July 2017, City Council approved the new Residential Rent Review Program where Concord tenants that experience rent increases of greater than 10% within a 12 month period can apply to have their rent reviewed. ECHO Housing administers the conciliation and, if necessary, the mediation steps of this process with the tenant and landlord. If the rent dispute continues, the City administers the arbitration step of the process, where both the tenant and landlord attend a hearing run by an appointed Rent Review Panel, and a final non-binding ruling is made by the Panel.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-4.1.2</td>
<td>H-4.1.2</td>
<td>Continue the City's existing contract with Bay Area Legal to provide tenant-landlord counseling and resolve problems and conflicts that occur in tenant/landlord relationships. *</td>
<td>Economic Development / Redevelopment Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City contracted with Bay Area Legal to provide tenant-landlord counseling services to resolve problems and conflicts. See above for ECHO Housing's involvement in tenant/landlord rent reviews.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>---------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------</td>
</tr>
<tr>
<td>H-4.1.3</td>
<td>Continue to monitor rental rates in Concord on an annual basis to provide up to date, reliable information on average &amp; median rents in the City by unit size &amp; type. *</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City has contracted with U.S. Communities to monitor the City's affordable inventory for income eligibility and rental rates. Also, provides average and median rental rates. Reduced funding for continuation beyond 2014. Beginning in 2017, the City is also performing bi-annual in-house market-rate rent surveys to monitor rental rates and inventory in Concord.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>H-4.1.4</td>
<td>Work with the Contra Costa HOME Consortium to reduce impediments to fair housing choice identified in the Consortium's Analysis of Impediments to Fair Housing Choice.</td>
<td>Community Grants, and Economic Development &amp; Housing Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>The City Council adopted the City's 2015-20 Consolidated Plan. Updates are provided through the City's annual Action Plan, prepared in coordination with the HOME consortium.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>GOAL H-5</td>
<td>ENERGY CONSERVATION</td>
<td>Encourage the incorporation of energy and water conservation design features in existing &amp; future residential developments to conserve resources, reduce greenhouse gas emissions, &amp; reduce housing costs.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H-5.1</td>
<td>H-5.1.1</td>
<td>Continue to allow new residential developments to provide, to the extent feasible, for passive energy conservation. Solar access, and water conservation features.</td>
<td>Planning Commission and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City approved a Citywide Climate Action Plan in July 2013 with GHG reduction strategies. Staff encourages design strategies for new buildings through Design Review of projects. The City accepts rooftop solar PV applications through the Solar FasTrac website to streamline the permit process. Chapter 18.170 of the Development Code outlines the requirements for water efficient landscaping. The Engineering and Planning Divisions perform plan checks for landscaping and ensure landscape plans are reviewed for compliance when required by the State Model Water Efficient Landscape Ordinance and/or the Development Code.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>H-5.1.2</td>
<td>Continue to enforce State Energy Conservation Standards (Title 24) for new residential construction or additions to existing structures.</td>
<td>Building Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Building review and inspection based on Title 24 and new Building Code</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Policy #</td>
<td>Program #</td>
<td>Title</td>
<td>Responsible Agency</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Completion Date</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>H-5.1.3</td>
<td></td>
<td>Continue to offer rehabilitation loans to extremely low, very low, and low income homeowners &amp; seniors to improve the energy efficiency of their residence and/or replace existing energy inefficient appliances through various Home Repair Loans and the Weatherization for Seniors Program.</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>City continues to offer Emergency Repair Loans and Weatherization and Home Security Grants for Seniors, as CDBG funds allow. The City also approved Property Assessed Clean Energy Programs to allow property owners to pay for energy efficiency upgrades through their property tax bill, rather than securing an alternative form of financing. In 2017, there were 385 residential PACE Projects that resulted in $5.8 million in funded upgrades, resulting in 9,000 tons of abated CO2 emissions, 27 million gallons of water conserved, and 38 million kWh of energy conserved.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>H-5.1.4</td>
<td></td>
<td>Continue to implement the Green Building Standards adopted in 2011 in accordance with State Law to implement General Plan policies &amp; promote solar energy &amp; other environmentally sound, energy efficient methods for heating &amp; cooling homes, consistent with adopted building, mechanical &amp; plumbing codes.</td>
<td>Building Division and Planning Division</td>
<td>N/A</td>
<td>Ongoing</td>
<td>Adopted by Building Division, and effective as of January 1, 2011.</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
## TABLE D2
### DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING

**Recording Time Period:** 2018

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Short term 2014</td>
<td>Mid term 2017</td>
<td>Long term 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### LAND USE PLAN (LU)

#### LU-1

**Title:** Adopt the Downtown Vision Plan, Implementation Strategy, and Regulating Code

<p>| | | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Incorporate the Downtown Plan into the General Plan Update/Housing Element Update</td>
<td>Planning Division</td>
<td>Incorporated as Volume IV of the General Plan</td>
<td>X</td>
<td>Completed - Working on updating website and General Plan page to reflect Volume IV as DTSP</td>
<td>Completed - June 24, 2014</td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>Prepare and Adopt Addendum for the Vision Plan, Regulating Code, and Implementation Strategy</td>
<td>Planning Division</td>
<td>Adopt Addendum for environmental review</td>
<td>X</td>
<td>Completed - Updating website to reflect Volume IV as DTSP and Resolution of Adoption</td>
<td>Completed - June 24, 2014</td>
<td></td>
</tr>
<tr>
<td>C.</td>
<td>Amend Development Code &amp; other City Ordinances, as necessary to insure consistency with the Regulating Code</td>
<td>Planning Division</td>
<td>Update ordinances to reflect desired modifications</td>
<td>X</td>
<td>The Downtown Concord Specific Plan was adopted and promotes mixed-income housing in the downtown (approx. 600 acres) with focus on the transit overlay. On March 28, 2017, the City Council amended the Development Code by permitting a new housing type - Junior Accessory Dwelling Units (&quot;ADU&quot;). Additionally, the City updated our regulations for Accessory Dwelling Units by creating a streamlined ministerial process and reducing the fees. On March 27, 2018, the City Council reduced the parking requirements for ADUs to comply with State law.</td>
<td>Ongoing</td>
<td></td>
</tr>
</tbody>
</table>

#### LU-2

**Title:** Examine Height and Incentive bonuses

<p>| | | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Define areas where additional height would be beneficial</td>
<td>Planning Division</td>
<td>Examine locations that may benefit from additional height</td>
<td>X</td>
<td>WMX-140 feet, CO-30 feet, DP 70 feet, CMX-30 feet</td>
<td>Re-examine in 2020</td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>Develop code sections to recognize certain thresholds; up to 5 stories, 12 stories, over 12 stories</td>
<td>Planning Division</td>
<td>Develop design and develop standards geared toward variety of building styles</td>
<td>X</td>
<td>Mid-term / Long-term objective</td>
<td>Re-examine in 2020</td>
<td></td>
</tr>
</tbody>
</table>
TABLE D2
DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.</td>
<td></td>
<td>Provide FAR/Density bonus for desirable amenities provided (open space, day care facilities, employment, 3-br units, gardens, etc.) (See Emeryville, San Diego, and Portland programs)</td>
<td>Planning Division</td>
<td>Prepare modification to Multi-family and/or Transit Overlay code in particular 122-273c</td>
<td>X</td>
<td>Comprehensive update to housing regulations to be completed in 2019.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Study modifications of Development Code to allow multi-family units with just design review (within 1/2 mile radius of BART)</td>
<td>Planning Division</td>
<td>Prepare code update for DP and DMX districts or Transit Overlay</td>
<td>X</td>
<td>Comprehensive update to housing regulations to be completed in 2019.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td>Consider parking reduction as incentive for first two initial projects within the downtown of at least 100 units.</td>
<td>Planning / Economic Development Divisions</td>
<td>Consider for Oak Street site and Town Center sites (RFP)</td>
<td>X</td>
<td>The City approved a parking reduction for The Argent to 182 parking spaces (in December 2016) and for The Grant from 355 to 341 parking spaces (in September 2018).</td>
<td>Completed 2018</td>
</tr>
</tbody>
</table>

LU-3 Urban Design and Development

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td></td>
<td>Focus primarily on vacant/under-utilized parcels within transit overlay</td>
<td>Planning and Economic Development Divisions</td>
<td>Brainstorm potential ideas/opportunities</td>
<td>X</td>
<td>In 2018, the City tied-up the Town Center II site with a developer, AvalonBay, via an Exclusive Negotiating Agreement for a mixed-use 300-unit multi-family project. Staff is also working on a sports stadium mixed-use master development that would include the Oak Street West site. Additionally, in June 2018, the City awarded $5.5 million to Resources for Community Development to construct a 44-unit affordable housing development on one underdeveloped parcel.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Define a new district around Pacheco, Adobe and Clay's Alley (restaurants, artisanal local retailers).</td>
<td>Planning Division and Economic Development Divisions</td>
<td>Brainstorm potential ideas/opportunities</td>
<td>X X X</td>
<td>Re-examine as a Long-Term goal.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------</td>
<td>------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>C.</td>
<td></td>
<td>Develop Grant St. as Vital Commercial link from TSP through to BART through use of developer incentives -tbd.</td>
<td>Planning Division and Economic Development Divisions</td>
<td>Brainstorm potential ideas/opportunities</td>
<td>X X</td>
<td>The City accepted a $250,000 PDA Planning grant from the CCTA for the Downtown Corridors Plan for a complete streets project. The Plan was adopted on September 13, 2016 and provides streetscape designs and sections for Salvio, Grant, and Oak Streets, that may be applicable to other streets in the downtown area. In mid-2018, the City received funding through an ATP Grant towards the Environmental and Project Design phase of the project. In January 2019, the City initiated the RFP Process for Consultant selection to begin the Project Approval &amp; Environmental Documentation Phase of the Corridors Project. The City will be seeking future grant opportunities to fund approximately $3 million towards the construction phase of the project.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Study Redevelopment of Park and Shop area.</td>
<td>Planning Division and Economic Development Divisions</td>
<td>Brainstorm potential ideas/opportunities</td>
<td>X</td>
<td>The City Council adopted the Park &amp; Shop Design Guidelines &amp; Master Sign Program on April 11, 2017.</td>
<td>Completed April 2017</td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td>Work with community groups/hold meetings at different locations to generate more community input.</td>
<td>Planning Division and Economic Development Divisions</td>
<td>Brainstorm potential ideas/opportunities</td>
<td>X X</td>
<td>Neighborhood meetings and/or public workshops are held for individual development projects, as well as policy initiatives such as the design guidelines and the Downtown Corridors Plan.</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**HOUSING (H)**

**H-1**

Housing
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td></td>
<td>Provide a greater diversity of housing types including market rate and affordable apartments, condominiums, townhouses.</td>
<td>Planning Division</td>
<td>Brainstorm potential attraction ideas/opportunities</td>
<td>X</td>
<td>On March 28, 2017, the City Council amended the Development Code by permitting a new housing type - Junior Accessory Dwelling Units. In June 2018, the City awarded $5.5 million to Resources for Community Development for the construction of a 44-unit affordable housing development serving extremely low- and low-income households.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Monitor affordability within project area.</td>
<td>Planning Division</td>
<td>Provide bi-annual comparison with existing conditions report</td>
<td>X X</td>
<td>The City contracts with U.S. Communities and Compliance Services to monitor compliance with regulatory agreements for the City's affordable multi-family inventory. Beginning in 2017, the City is also performing bi-annual in-house market-rate rent surveys to monitor rental rates and inventory in Concord. In 2018, the City began actively meeting with property owners of multi-family complexes who are interested in income-restricting their units, or whose affordability is soon to expire, to see if the City can help promote/maintain affordability.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>C.</td>
<td></td>
<td>Maintain City's affordable units currently under Regulatory Agreement within project area at 90% of current level to 2022, as financially feasible.</td>
<td>Housing Division</td>
<td>Retain 603 of the 670 affordable units under affordability restrictions through to 2022.</td>
<td>X X</td>
<td>Pursue funding mechanisms to retain affordable units as regulatory agreements expire during this Housing Element cycle. In November 2017, the City Council provided direction to Housing Division staff to utilize $14 million in affordable housing funds to incentivize the construction or rehabilitation of affordable housing units. In June 2018, the City awarded $5.5 million to Resources for Community Development for the new construction of a 44-unit affordable housing property serving extremely low- and low-income households. In 2018, the City began actively meeting with property owners of multi-family complexes who are interested in income-restricting their units, or whose affordability is soon to expire, to see if the City can help promote/maintain affordability.</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
## TABLE D2

**DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING**

**Recording Time Period:** 2018

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.</td>
<td></td>
<td>Develop Anti-Displacement strategies for inclusion in Housing Element.</td>
<td>Planning Division</td>
<td>Incorporate new strategies within the Housing Element Update for adoption in Jan. 2015.</td>
<td>X X</td>
<td>Anti-displacement strategies were incorporated into the Housing Element Update in 2014. In July 2017, City Council approved the new Residential Rent Review Program where Concord tenants that experience rent increases of greater than 10% within a 12 month period can apply to have their rent reviewed. <strong>Throughout 2018, the City worked proactively alongside property owners and tenants in circumstances where tenants are either being displaced or at-risk of being displaced due to substantial rehabilitation and rebranding efforts by property owners resulting in large rent increases and displacement.</strong></td>
<td>Ongoing</td>
</tr>
<tr>
<td>E.</td>
<td>Monitor conditions of affordable units within City's inventory.</td>
<td>Building Division</td>
<td>Units are inspected on a 2-year rotational basis.</td>
<td></td>
<td>X X</td>
<td>The City contracts with Compliance Services to conduct on-site inspections of multi-family affordable housing properties on a rotating basis. In 2017, the Building Division revamped the Multi-Family Inspection Program to assess all multi-family development with 4 or more units on two year interval basis. <strong>In 2018, the City conducted three community workshops to promote the Multi-Family Inspection Program to tenants and landlords.</strong></td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
## TABLE D2
### DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING

**ATTACHMENT 3**  
Reporting Time Period: 2018

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>F.</td>
<td></td>
<td>Examine updates to Accessory Dwelling Unit (formerly second units) ordinance to provide affordability and greater flexibility within the Transit Overlay Zone.</td>
<td>Planning Division</td>
<td>Prepare updates to secondary living unit/Transit overlay code</td>
<td>X</td>
<td>On March 28, 2017, the City Council amended the Development Code by permitting a new housing type - Junior Accessory Dwelling Units. Additionally, the City updated our regulations for Accessory Dwelling Units by creating a streamlined ministerial process and reducing the fees. In 2018, the City Council reduced the parking requirements for Accessory Dwelling Units to comply with State law.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>G.</td>
<td></td>
<td>Coordinate meeting with Contra Costa Water District to explore reductions to fees and requirements by the District for Accessory Dwelling Units.</td>
<td>Planning Division</td>
<td>Reduce fees for those secondary units within the Transit Overlay</td>
<td>X</td>
<td>In 2015, in an effort to streamline the approval process and decrease the cost of accessory dwelling units, City staff worked with the Contra Costa Water District to reduce their fees for small detached secondary living units by approximately $5,000, effective February 1, 2016.</td>
<td>Completed 2016</td>
</tr>
</tbody>
</table>

### ECONOMIC VITALITY (ED)

**ED-1**  
Engage Community Strategically for Downtown Redevelopment/Development

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Create, distribute, and market the Downtown Concord Vision Poster and Outreach Campaign</td>
<td>Economic Development Division</td>
<td>Prepare marketing campaign for the downtown.</td>
<td>X</td>
<td>Marketing Downtown to businesses and developers as part of the City’s overall marketing efforts.</td>
</tr>
<tr>
<td>B.</td>
<td>Develop Branding Program for Todos Santos District.</td>
<td>Economic Development Division</td>
<td>Prepare branding program</td>
<td>X</td>
<td>Downtown Concord incorporated into Citywide branding efforts as a &quot;Better Fit For Business&quot;.</td>
</tr>
<tr>
<td>C.</td>
<td>Develop a Marketing Plan to: Engage business owners, market properties, and provide information on development incentives</td>
<td>Economic Development Division</td>
<td>Retain grant funding or determine available City funds and meet with TSBA to discuss.</td>
<td>X</td>
<td>Marketing opportunities are available with downtown events programs. Economic Development Division staff actively markets downtown properties and space to new businesses and real estate professionals.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Engage Property Owners to gain an Understanding of City's goal of branding of Todos Santos District</td>
<td>Economic Development Division</td>
<td>Present concepts at TSBA</td>
<td>X</td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td>Re-examine Creation of and Market Support for Property-Based Improvement District.</td>
<td>Economic Development Division</td>
<td>Facilitate adoption of a PBID to support the downtown</td>
<td>X</td>
</tr>
<tr>
<td>F.</td>
<td></td>
<td>Prepare Long-term Property Management Plan for submittal to the State for City's prior Redevelopment sites</td>
<td>Economic Development Division</td>
<td>Submit LRPMP to DoF for review</td>
<td>X</td>
</tr>
<tr>
<td>G.</td>
<td></td>
<td>Identify target businesses, based on market demand, to attract to the DTSP Area. Plan and Implement.</td>
<td>Economic Development Division</td>
<td>N/A</td>
<td>X</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>H.</td>
<td>Seek grants and other funding sources for improvements and activities.</td>
<td>Economic Development Division</td>
<td>Obtain grant related to marketing of the downtown.</td>
<td>X</td>
<td>Ongoing</td>
</tr>
<tr>
<td>I.</td>
<td>Expand existing Economic Development Program to Retain and Support existing businesses/offices within the downtown.</td>
<td>Economic Development Division</td>
<td>Track new downtown businesses attracted and retained.</td>
<td>X</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

### ED-2 Support Development/Redevelopment of Downtown Properties

<table>
<thead>
<tr>
<th>Action</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Re-initiate façade improvement program with City supporting design, development and expedited permitting</td>
<td>Economic Development Division</td>
<td>Obtain funding for and renew documents for program</td>
<td>X</td>
<td>Research and pursue State, regional and private grants.</td>
<td>TBD/2022</td>
</tr>
<tr>
<td>B.</td>
<td>Prepare Design Guidelines handout for developers (Excerpt from SP)</td>
<td>Planning Division and Economic Development Division</td>
<td>Prepare Handout and publish</td>
<td>X</td>
<td>This became the Todos Santos Design Guidelines document which was adopted by City Council in February 2017.</td>
<td>Completed February 2017</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
</tr>
<tr>
<td>C.</td>
<td>Encourage and facilitate a Parking Management Program in the DP zoned area and south to BART by initiating a parking management study for the DP &amp; DMX zoning districts that analyses the availability of existing parking spaces, determines modifications necessary in order to make private spaces available to the public, examines concepts such as unbundled parking &amp; transfer of parking rights, and actions required to form a parking management district.</td>
<td>Planning Division/Transportation / Economic Development and Housing Division</td>
<td>Pursue funding for, retain consultant and prepare a Parking Management Plan</td>
<td></td>
<td>X</td>
<td>This is tentatively scheduled to occur in 2019 as part of an overall update of parking requirements in the Development Code.</td>
</tr>
<tr>
<td>D.</td>
<td>Examine Timed Parking for on-street parking in DP zoned Area to encourage parking turnover.</td>
<td>Transportation/Economic Development and Housing</td>
<td>Undertake focussed study in limited area</td>
<td></td>
<td>X</td>
<td>Premature at this time.</td>
</tr>
<tr>
<td>E.</td>
<td>Establish Design Parameters for Successful/flexible retail (guidelines) for mixed-use projects</td>
<td>Planning Division/Economic Development and Housing</td>
<td></td>
<td></td>
<td>X</td>
<td>Identify issues and potential solutions for mixed-use projects.</td>
</tr>
<tr>
<td>F.</td>
<td>Re-examine Development Code for retail requirements within mixed-use projects.</td>
<td>Planning/Economic Development and Housing Division</td>
<td></td>
<td></td>
<td>X</td>
<td>Need to identify potential code amendments.</td>
</tr>
<tr>
<td>G.</td>
<td>Re-Examine and Coordinate Procedures and Fees for in-lieu Parking Fee Program.</td>
<td>Transportation/Economic Development and Housing Division</td>
<td>Updating of In-Lieu Parking Fee Program procedures</td>
<td></td>
<td>X</td>
<td>On April 25, 2017, the City Council amended the Development Code by outlining the process for requesting payment of a parking in-lieu fee, which is subsidized below the actual cost of providing the parking on-site.</td>
</tr>
</tbody>
</table>

**ED-3**
Initiate Catalyst Development Projects/Leverage Public Land
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Use Successor Agency opportunity sites as catalyst development sites to incentivize developers w/ First-In Incentive Package</td>
<td>Use Successor Agency opportunity sites as catalyst development sites to incentivize developers w/ First-In Incentive Package</td>
<td>Economic Development &amp; Housing Division / Planning Division</td>
<td>Discussion prior to RFP preparation and negotiation of DDA</td>
<td>X</td>
<td>In 2018, the City tied-up the Town Center II site with a developer, AvalonBay, via an Exclusive Negotiating Agreement for a mixed-use 300-unit multi-family project. Staff is also working on a sports stadium mixed-use master development that would include the Oak Street West site.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>B.</td>
<td>Select a developer for the 3 acre Oak St. West site through a RFQ, RFP process w/ the necessary experience &amp; expertise to complete a high density mixed-use development in a realistic timeframe &amp; negotiate a Disposition &amp; Development Agreement with that developer</td>
<td>Select a developer for the 3 acre Oak St. West site through a RFQ, RFP process w/ the necessary experience &amp; expertise to complete a high density mixed-use development in a realistic timeframe &amp; negotiate a Disposition &amp; Development Agreement with that developer</td>
<td>Economic Development &amp; Housing Division</td>
<td>ENA/DDA</td>
<td>X</td>
<td>In 2018, staff continued to work working on a sports stadium mixed-use master development that would include the Oak Street West site. An Initial Exclusive Negotiating Agreement is slated to go to City Council in early 2019.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>C.</td>
<td>Select a developer for the 3-acre Galindo St. site through a RFQ, RFP process w/ the necessary experience &amp; expertise to complete a high density mixed-use development in a realistic timeframe &amp; negotiate a DDA with that developer</td>
<td>Select a developer for the 3-acre Galindo St. site through a RFQ, RFP process w/ the necessary experience &amp; expertise to complete a high density mixed-use development in a realistic timeframe &amp; negotiate a DDA with that developer</td>
<td>Economic Development &amp; Housing Division</td>
<td>ENA/DDA</td>
<td>X</td>
<td>Town Center II site is currently in an Exclusive Negotiating Agreement with AvalonBay for a mixed-use 300 unit multi-family project. A Disposition and Development Agreement is slated to go to City Council in March of 2019.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>D.</td>
<td>Establish cost/feasibility of promoting fee reduction or fixed impact fees for two key sites to incentivize developers at catalyst sites.</td>
<td>Establish cost/feasibility of promoting fee reduction or fixed impact fees for two key sites to incentivize developers at catalyst sites.</td>
<td>Economic Development &amp; Housing Division / Planning Division</td>
<td>Discussion prior to RFP preparation and negotiation of DDA</td>
<td>X</td>
<td>Fee reduction or fixed impact fee no longer needed due to economy.</td>
<td>No Longer Pursuing 2017</td>
</tr>
</tbody>
</table>

Recording Time Period: 2018
## DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING

**Recording Time Period:** 2018

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ED-4</strong></td>
<td></td>
<td>Encourage and facilitate development of other infill sites in Todos Santos District</td>
<td>Planning Division / Economic Development and Housing</td>
<td>Provide focussed handouts and brochure for developers</td>
<td>X</td>
<td>X</td>
<td>In 2018, the City approved the Grant Street Apartments, 228 market rate apartments.</td>
</tr>
<tr>
<td>A.</td>
<td></td>
<td>Encourage development of Grant Street sites.</td>
<td>Planning Division / Economic Development and Housing</td>
<td>Provide focussed handouts and brochure for developers</td>
<td>X</td>
<td>X</td>
<td>Staff continues to encourage key development in Transit Overlay.</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Encourage development of key opportunity sites in Transit Overlay of Todos Santos District.</td>
<td>Planning Division / Economic Development and Housing</td>
<td>Provide focussed handouts and brochure for developers</td>
<td>X</td>
<td>X</td>
<td>To be revisited in 2019.</td>
</tr>
<tr>
<td>C.</td>
<td></td>
<td>Develop inventory and tracking of retail businesses; Definition and tracking of Successful Performing Retail.</td>
<td>Planning Division / Economic Development Division</td>
<td>Prepare summary of efforts.</td>
<td>X</td>
<td>X</td>
<td>Initial discussions on a potential master plan mixed-use project have begun. Feasibility studies to potentially take place in 2019.</td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Coordinate with BART on property adjacent to Successor Agency-owned parcels to create complimentary disposition processes.</td>
<td>Planning Division / Transportation Division</td>
<td>Meetings and coordination on three BART station and streetscape projects</td>
<td>X</td>
<td>X</td>
<td>ULI Technical Assistance Panel was hosted on April 24-25 with Final Report provided on August 4, 2014. Comments were incorporated into DTSP adopted June 24, 2014.</td>
</tr>
</tbody>
</table>

##ED-5 Develop Plan for Marketing Strategic Sites to Developers

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td></td>
<td>Host Second Developer Panel on Implementation and Marketing of Sites</td>
<td>Planning Division</td>
<td>Host Developer Panel on downtown</td>
<td>X</td>
<td></td>
<td>ULI Technical Assistance Panel was hosted on April 24-25 with Final Report provided on August 4, 2014. Comments were incorporated into DTSP adopted June 24, 2014.</td>
</tr>
</tbody>
</table>
### TABLE D2

#### DOWNTOWN SPECIFIC PLAN IMPLEMENTATION STRATEGIES AND TRACKING

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B.</td>
<td>Effective targeting and reaching out to desirable developers with successful regional track record.</td>
<td>Economic Development and Housing Division / Planning Division</td>
<td>Number of meetings and attraction of a developer</td>
<td>X X</td>
<td>Economic Development Division staff attracted AvalonBay to engage on a development in downtown and facilitated Pargon Development to invest in downtown Concord.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>C.</td>
<td>Clearly articulate entitlement streamlining achieved through Specific Plan in marketing approach to developers.</td>
<td>Planning Division</td>
<td>Development of brochure/handouts for key developers.</td>
<td>X</td>
<td>Pending CED managers initiative with permit center.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>ED-6</strong> Program Quick Wins as Possible for Downtown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.</td>
<td>Prepare Requests for Proposals to Engage Mural Artwork on utility structures</td>
<td>Economic Development Division</td>
<td>Could be substituted with some other new activity to generate interest in downtown</td>
<td>X</td>
<td>The Public Works Department is partnering with the Concord Arts Association on a utility box artwork pilot program.</td>
<td>ongoing</td>
</tr>
<tr>
<td></td>
<td>B.</td>
<td>Host Chalk Art Contest in coordination w/ Music &amp; Market or Downtown Events</td>
<td>City Council, Economic Development and Housing Division</td>
<td>Host new event in downtown to generate interest &amp; attendance</td>
<td>X</td>
<td>Other events have been produced such as Tuesday Blues Night as alternative to Chalk Contest.</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>C.</td>
<td>Prepare Process and Procedures for Parklet Design Development similar to Sidewalk Café Permit</td>
<td>Economic Development Planning and Public Works</td>
<td>Identify area to activate with parklet design and implement proto-type</td>
<td>X</td>
<td>Identify potential area near Adobe Street/Clay Alley for site.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>------------</td>
<td>---------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Coordinate/Facilitate Monthly Vendor Event along Grant St., between WPR and BART</td>
<td>Economic Development Division</td>
<td>Identify event to activate Grant Street between BART and TDS</td>
<td></td>
<td>X</td>
<td>Premature and could be tied in once new development on Grant Street occurs.</td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td>Promote existing downtown historic walking tour, Galindo House, Concord Historical Museum &amp; Research Center and key historic properties (example: Todos Santos Days event)</td>
<td>Economic Development Division/Downtown Manager</td>
<td>Coordinate with Historical Society to conduct Downtown Walking tour event</td>
<td></td>
<td>X</td>
<td>Use of social media and inclusion of walking tour map at city events.</td>
</tr>
</tbody>
</table>

**TRANSPORTATION**

Preserve & enhance the quality of Concord's residential & mixed use neighborhoods to ensure a comfortable, safe healthy, & attractive living environment for all residents.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-1</td>
<td>A.</td>
<td>Establish Free Downtown Circulator Shuttle to address first mile/last mile concerns with expanded use of BART through development of PBID.</td>
<td>Planning Division, Transportation Division</td>
<td>Implement Trolley Shuttle through CCCTA with short and long routes</td>
<td></td>
<td>X</td>
<td>Premature at this time.</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Use Public Land to Create Interesting pedestrian places, e.g., public seating, “pop-up” retail/event space, etc.</td>
<td>Planning Division, Transportation Division</td>
<td>Implement proto-type with draft ordinance</td>
<td></td>
<td>X</td>
<td>Premature at this time.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>C.</td>
<td></td>
<td>Program streetscape furnishing improvements on key corridors.</td>
<td>Planning Division, Public Works Division</td>
<td>Green Streets framework programming through Corridors project</td>
<td></td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The City accepted a $250,000 PDA Planning grant from the CCTA for the Downtown Corridors Plan for a complete streets project. The Plan was adopted on September 13, 2016 and provides streetscape designs and sections for Salvio, Grant, and Oak Streets, that may be applicable to other streets in the downtown area. In mid-2018, the City received funding through an ATP Grant towards the Environmental and Project Design phase of the project. In January 2019, the City initiated the RFP Process for Consultant selection to begin the Project Approval &amp; Environmental Documentation Phase of the Corridors Project. The City will be seeking future grant opportunities to fund approximately $3 million towards the construction phase of the project.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td></td>
<td>Provide Downtown Concord bike share program and explore the possibility of incorporating electric bikes into the bike share fleet.</td>
<td>Planning Division, Public Works Division</td>
<td>Pursue grant-funded program for 5 bikes.</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>In 2018, the Bicycle &amp; Pedestrian Advisory Committee and the Council Committee on Infrastructure &amp; Franchise recommended the City develop a bike share pilot program with Lime; however, after endorsement, Lime indicated that they were focusing on scooters, rather than bicycles. The pilot program is on hold given the rapidly changing nature of the industry.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td></td>
<td>Where possible, promote connectivity between Downtown &amp; the Iron Horse Trail, as well as the Contra Costa Canal Trail.</td>
<td>Planning Division, Transportation Division</td>
<td>Confirm being address through scope of Citywide Bike and Ped Program</td>
<td></td>
<td>Premature at this time.</td>
<td>Re-examine in 2020-21</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>F.</td>
<td></td>
<td>Study conversion of one-way streets to two-way streets to increase accessibility to retail and downtown navigation.</td>
<td>Planning Division, Transportation Division</td>
<td>Scope and retain consultant for focussed study</td>
<td>x</td>
<td>Premature at this time.</td>
<td>Re-examine in 2020-21</td>
</tr>
<tr>
<td>G.</td>
<td></td>
<td>Re-examine signal timing on through streets, especially during mid-day pedestrian travels.</td>
<td>Transportation Division</td>
<td>Analyze and determine whether further study is needed</td>
<td>x</td>
<td>Completed in 2018 at 65 intersections through the PASS program funded by MTC grant.</td>
<td>Completed</td>
</tr>
<tr>
<td>H.</td>
<td></td>
<td>Strengthen the connection between Park &amp; Shop and Todos Santos Plaza via Willow Pass Road and Salvio Street.</td>
<td>Planning Division, Transportation Division</td>
<td>Design Streetscape program, move toward adobe/clay street project.</td>
<td>x x</td>
<td>The City accepted a $250,000 PDA Planning grant from the CCTA for the Downtown Corridors Plan for a complete streets project. The Plan was adopted on September 13, 2016 and provides streetscape designs and sections for Salvio, Grant and Oak Streets, that may be applicable to other streets in the downtown area. In 2017, the City applied for Federal ATP Grant for funding towards the Environmental and Project Design phase of the project. The City will be seeking future grant opportunities to fund approximately $3 million towards the construction phase of the project.</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**T-2** Develop transportation impact study guidelines that establish alternative metrics for evaluating transportation system

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td></td>
<td>Corridor travel time as opposed to isolated intersection operations.</td>
<td>Planning Division, Transportation Division</td>
<td></td>
<td>x x</td>
<td>Received grant in 2018. Working on implementing VMT Thresholds instead of Level of Service thresholds. Expected to be completed by June 2020.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Adopt street designation overlay to establish modal priorities.</td>
<td>Planning Division, Transportation Division</td>
<td>Completed with Specific Plan, incorporate more completely into Circulation Element</td>
<td>x x</td>
<td>More appropriate with the next General Plan Update.</td>
<td>Re-examine in 2020-21</td>
</tr>
</tbody>
</table>

**T-3** Improve Parking Strategies
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Study reduced parking requirements to residential units within 1/2 mile of BART</td>
<td>Planning Division, Transportation Division</td>
<td></td>
<td>X</td>
<td>Premature at this time.</td>
<td>Re-examine in 2020-21</td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>Evaluate flexible parking standards - i.e. City of Emeryville range of required parking (33% less than expected demand - 10% more than predicted demand for commercial uses).</td>
<td>Planning Division, Transportation Division</td>
<td></td>
<td>X</td>
<td></td>
<td>Research Emeryville; consider study session or committee on parking. The Planning Commission approved a parking reduction for the Argent and the Grant projects.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>C.</td>
<td>Work with car-sharing entities to: 1) locate cars within the downtown project area; 2) make downtown residents/employees aware of the opportunities through annual coordination meetings with providers and 3) establishing guidelines for new projects to provide car sharing spaces.</td>
<td>Planning Division, Transportation Division</td>
<td></td>
<td>X</td>
<td>Premature at this time due to resources availability.</td>
<td>Re-examine in 2019-20</td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td>Require parking be unbundled from rent or sales price in residential developments.</td>
<td>Planning Division, Transportation Division</td>
<td>Consider modifications to parking ordinance or incentive program</td>
<td>X</td>
<td>To be revisited in 2019.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>Further study charging market rate for public parking in the downtown area, implement companion parking technologies (pay by cell phone, etc.) &amp; parking informational brochure, website, wayfinding signs. Bi-annually monitor availability of street parking in the Downtown Pedestrian (DP) zoning district to track impact of new development and set goal of ensuring availability (e.g. 10-15%). As availability reduces over time re-examine preparation of parking study for potential addition of meters.</td>
<td>Transportation Division</td>
<td></td>
<td>X</td>
<td>Consider completing a Downtown Parking Study when funding available</td>
<td>Re-examine in 2020-21</td>
<td></td>
</tr>
<tr>
<td>F.</td>
<td>Return parking revenue to the area by establishing Parking District; could be used to fund free shuttle &amp; improve pedestrian/cycling conditions including signage and wayfinding.</td>
<td>Transportation Division</td>
<td></td>
<td>X</td>
<td>Consider completing a Downtown Parking Study when funding available.</td>
<td>Re-examine in 2020-21</td>
<td></td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>------------</td>
<td>------------------------------------------------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>G.</td>
<td></td>
<td>City will consider a parking reduction of up to 25% for any projects providing the following strategies within the Downtown Specific Plan Area: 1) free (bus) transit passes for residents/employees; 2) car sharing memberships &amp; location of on-site parking space for a car sharing vehicle; 3) unbundled parking.</td>
<td>Planning Division, Transportation Division</td>
<td>Define specific strategy options for developers within transit overlay (1/2 mile of BART).</td>
<td>X</td>
<td>Consider completing a Downtown Parking Study when funding available.</td>
<td>Re-examine in 2020-21</td>
</tr>
<tr>
<td>H.</td>
<td></td>
<td>Further study a modification to City’s parking ordinance to allow flexibility for new housing developments, whereby, the property owner shall provide at no cost to every employee and/or residential unit for X years from certificate of occupancy: 1) a pass for unlimited local bus transit service; or 2) a functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted, unlimited monthly local bus pass, to be approved by the Planning Manager or specified within conditions of approval.</td>
<td>Planning Division, Transportation Division</td>
<td>Related to item above. Consider incentives for unbundled parking.</td>
<td>X</td>
<td>Consider completing a Downtown Parking Study when funding available.</td>
<td>Re-examine in 2020-21</td>
</tr>
<tr>
<td>I.</td>
<td></td>
<td>Further examine Development Code Section 122-386(g) to allow greater flexibility under (g) Adjustments to Parking Requirements to discourage excess parking in proximity to transit stations.</td>
<td>Planning Division, Transportation Division</td>
<td>Summarize potential / desired parking adjustments for study session</td>
<td>X</td>
<td>Consider completing a Downtown Parking Study when funding available.</td>
<td>Re-examine in 2020-21</td>
</tr>
</tbody>
</table>

**T-4 Optimize Coordination with BART**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Action #</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
<th>Anticipated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A.</td>
<td>Engage and actively coordinate with BART to streamline development and expedite approval processes for Station and Access Improvements.</td>
<td>Planning Division, Transportation Division</td>
<td>Ongoing coordination; retain Concord as a priority on BART priority list.</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
<td>Status</td>
<td>Anticipated Completion Date</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>-----------------------</td>
<td>----------------------</td>
<td>------------</td>
<td>--------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>B.</td>
<td>Explore how the City could convene stakeholders and facilitate the above process.</td>
<td>Planning Division, Transportation Division</td>
<td>Coordinate departments on regular and consistent efforts</td>
<td>X</td>
<td>In late 2017, the City initiated discussions with BART about constructing an affordable transit-oriented development on BART property. BART may not be able to partner with City for development during current RHNA cycle by 2022, but City will continue talks with BART.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>C.</td>
<td>Develop interim parking strategy and optimizing parking lots.</td>
<td>Planning Division, Transportation Division</td>
<td>Prepare Parking Management Plan for DP/DMX districts</td>
<td>X</td>
<td>Can be folded into Downtown Parking Study.</td>
<td>Re-examine in 2020-21</td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td>Explore potential for BART corridor overlay zoning.</td>
<td>Planning Division</td>
<td>Grant St. / Salvio St.</td>
<td>X</td>
<td>Will revisit in 2019.</td>
<td>Re-examine in 2019-20</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>Coordinate with BART on way-finding program.</td>
<td>Planning Division, Transportation Division</td>
<td>Grant St. / Oak St.</td>
<td>X</td>
<td>Met with BART staff and consultants on station improvements.</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>F.</td>
<td>Coordinate with BART on Concord Station improvements.</td>
<td>Planning Division, Transportation Division</td>
<td>Retain Concord at top of BART priority list</td>
<td>X</td>
<td>On-going as part of the Station Area Improvement Plan</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>G.</td>
<td>Prepare focused transportation studies on site access/circulation.</td>
<td>Planning Division, Transportation Division</td>
<td>Abhishek Parikh</td>
<td>X</td>
<td>Can start with availability of funding.</td>
<td>Ongoing</td>
<td></td>
</tr>
</tbody>
</table>

**INFRASTRUCTURE**

I-1 Program Grant Street Improvements

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Title</th>
<th>Responsible Division</th>
<th>Quantified Objective</th>
<th>Time Frame</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Design Streetscape, Landscape and Lighting Improvements from BART to Todos Santos.; Define Cost Estimate</td>
<td>Planning Division, Transportation Division</td>
<td></td>
<td>X</td>
<td>Corridors Project (grant funded) will assist in doing this. Also being done through new development projects.</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>B.</td>
<td>Implement Public Art at Key Locations</td>
<td>Planning Division, Public Works Division</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-2</td>
<td>Program Pedestrian and Bicycle Plan Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.</td>
<td>Design Green Framework path within Downtown Specific Plan</td>
<td>Planning Division, Transportation, PW Division</td>
<td>Prepare design and construction plans; pursue grant funding</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>B.</td>
<td>Coordinate with Construction of OBAG Last Mile and Detroit Avenue projects</td>
<td>Planning Division, Transportation, PW Division</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>C.</td>
<td>Coordinate with BART on potential for connection of North Concord BART trail with trail west of Concord BART</td>
<td>Planning Division, PW Division</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>D.</td>
<td>Install Fence and Entry Arches along south side of Todos Santos Plaza</td>
<td>Current Engineering, CIP/Eng. Division</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>E.</td>
<td>Program for on-street pedestrian and bicycle facility improvements and incorporate with Bicycle Master Plan</td>
<td>Planning Division, PW Division</td>
<td>Formalize Community Outreach Plan</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>F.</td>
<td>Enhance Streetscape on Key streets linking Major Destinations</td>
<td>Planning Division, PW Division</td>
<td>Prepare design and construction plans; pursue grant funding</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>G.</td>
<td>Create enhanced pedestrian crossings at key locations: Concord Ave., Galindo St., Willow Pass Road</td>
<td>Transportation Division and CIP/Eng. Division</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>I.</td>
<td></td>
<td>Examine modifying Section 122-393 Bicycle Parking within next Development Code Amendment to link bicycle parking requirement to number of units rather than number of spaces.</td>
<td>Planning Division</td>
<td>Revise Section 122-393 consistent with strategy</td>
<td>X</td>
</tr>
<tr>
<td>J.</td>
<td></td>
<td>Submit application to become a &quot;Platinum Bike City&quot; by 2020</td>
<td>Planning Division</td>
<td></td>
<td>X X</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>DESIGN GUIDELINES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D-1</td>
<td></td>
<td><strong>Design Guidelines</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td></td>
<td>Hold Study Session with DRB to explore Early California theme</td>
<td>Planning Division</td>
<td>Step 1</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>FUNDING PROGRAMS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F-1</td>
<td></td>
<td>Investigate Funding Sources and Availability</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td></td>
<td>Evaluate Tax Increment Financing (TIF) districts and Urban Transportation Districts (UTDs) that can provide financing for facilities, roads, and transportation enhancements within the project area.</td>
<td>Transportation Division and CIP Division</td>
<td></td>
<td>X X X</td>
</tr>
<tr>
<td>B.</td>
<td></td>
<td>Study potential for transfer of development rights.</td>
<td>Planning Division Economic Development Division</td>
<td></td>
<td>X X</td>
</tr>
<tr>
<td>C.</td>
<td></td>
<td>Investigate feasibility of a Benefit Assessment District or other funding mechanisms.</td>
<td>Economic Development and Housing Division</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Strategy</td>
<td>Action #</td>
<td>Title</td>
<td>Responsible Division</td>
<td>Quantified Objective</td>
<td>Time Frame</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
<td>-------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>------------</td>
</tr>
<tr>
<td>D.</td>
<td>Establish Property-based Improvement District (PBID)</td>
<td>Economic Development Division</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>Explore private/public partnerships for neighborhood revitalization projects</td>
<td>Economic Development and Planning Division</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>F.</td>
<td>Apply for PDA implementation grants, as available</td>
<td>Planning Division</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>G.</td>
<td>Program necessary infrastructure projects for Downtown Specific Plan in CIP</td>
<td>Transportation Division, CIP/Eng. Division</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>H.</td>
<td>Safe Routes to Transit</td>
<td>Transportation Division and CIP/Eng. Division</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Concord Housing Fund
SB 341 Annual Reporting Requirements for Housing Successors to Redevelopment Agencies
For Fiscal Year Ended June 30, 2018

1. Amounts Deposited into the Low & Moderate Housing Asset Fund, distinguishing any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) from other amounts deposited
   a. Recognized Obligation Payment Schedule (ROPS) funding $0.00
   b. Low and Moderate Income Housing Fund Set Aside Deficit Repayment $1,095,247.00
   c. Loan Payoff 999,627.67
   d. Loan Interest Earnings 240,317.64
   e. Interest Earnings on Cash Balance 120,974.29
   f. Other 117,542.92
   Total Deposits $2,573,709.52

2. A statement of the balance in the fund as of the close of the fiscal year, distinguishing any amounts held for items listed on the ROPS from other amounts
   Cash $8,965,884.00
   Restricted for Current Payables (11,520.00)
   Restricted for Encumbrances/Commitments (54,084.00)
   Anticipated Current Receivables 79,555.00
   Available Cash Balance $8,979,835.00

3. Description of the expenditures from the fund by category, including, but not limited to, expenditures (A) for monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency or the housing successor and administering the activities described in paragraphs (2) and (3) of subdivision (a), (B) for homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) of subdivision (a), and (C) for the development of housing pursuant to paragraph (3) of subdivision (a).
   a. Monitoring & preserving long term affordability of units $28,915.25
   b. Homeless prevention -
   c. Housing development -
   d. Other:
      Multi-Family Housing Loan Issued 630,000.00
      First Time Home Buyer Loan Issued 20,000.00
      Other Miscellaneous Contracts 92,731.61
   Total All Expenditures $771,646.86

4. As described in paragraph (1) of subdivision (a), the statutory value of real property owned by the housing successor, the value of the loans and grants receivable, and the sum of these two amounts.
   Housing Loans Receivable $29,899,756.00
5. Description of any transfers made pursuant to paragraph (2) of subdivision (C) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service.

   The City has not entered into an agreement with another housing successor to develop a joint project.

6. Description of Projects for which Concord Housing Fund receives or is holding property tax revenue pursuant to the ROPS and the status of that project.

   Not Applicable - no RPTTF funding being used or held for housing projects.

7. For interests in real property acquired by the former redevelopment agency prior to February 1, 2012, a status update on compliance with section 33334.16. For interest in real property acquired on or after February 1, 2012, a status update on the project.

   Not Applicable - no properties purchased using Low & Moderate Income Housing Funds prior to February 1, 2012 or after February 1, 2012.

8. A description of outstanding obligations pursuant to Section 33413 that remain to transfer to the Housing Successor on February 1, 2012.

   Not Applicable - there are no outstanding obligations pursuant to Section 33413.

8a. A description of the Housing Successor’s progress in meeting obligations described in 9.

   Not Applicable - there are no outstanding obligations pursuant to Section 33413.

8b. A description of the housing successor’s plan to meet unmet obligations described in 8a.

   Not Applicable - there are no outstanding obligations pursuant to Section 33413.

9. Information required by subparagraph (B) or paragraph (3) of subdivision (a).


10. Percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former RDA and its host jurisdiction within the last 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the housing successor, its former RDA and its host jurisdiction within the same time period.

   0 percent

11. The amount of excess surplus.

   Calculation follows

   $136,741.26

11a. The amount of time that the successor agency has had the excess surplus.

   This is the third year that the Housing Successor has calculated a surplus.
11b. The housing successor's plan for eliminating the excess surplus

On June 26, 2018, the City allocated $5.5 million to Resources for Community Development (RCD) for the new construction of 44 units of affordable housing. RCD is submitting a revised proposal to the City requesting an additional $2.3 million to increase the number of units to 66. Construction is expected to start late 2020. In addition, the City is entertaining a proposal from another affordable housing developer in the amount of $6 million for the construction of 73 affordable units.

12. An inventory of the homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to subdivision (f) of section 33334.3. This inventory shall include:
   a. The number of those units.

   There are 126 homeowners who have a loan with the Former Redevelopment Agency/ Housing Successor

   b. In the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012 and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses.

   Records show 12 single family loans lost to the portfolio after February 1, 2012. The main reason stems from Foreclosures and short sales.

   c. Any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.

   During fiscal year 2016/2017, the Housing Successor received installment payments on (12) twelve loans. The installment payments (principal and interest) totaled $2,016,814. The Housing Successor also had 8 loans paid in full during the fiscal year. The loan pay off amounts (principal and interest) was $342,097

   d. Whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identify of the entity.

   The Housing Successor contracts with "Hello Housing" a third party affordable housing service provider to assist staff in servicing the existing homeowner portfolio and processing new loan request from the public. The Housing Successor also uses Evergreen Note Services to process payments from homeowners who are paying monthly on their respective loans.
# Former Redevelopment Agency of the City of Concord

## Excess Surplus Calculation

### H&S Code 33334.12

<table>
<thead>
<tr>
<th>Low &amp; Moderate Income Housing Funds - All Project Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening fund balance - July 1, 2017</td>
</tr>
</tbody>
</table>

### Less Unavailable Amounts:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Encumbrances (Section 33334.12(g)(2))</td>
<td>(54,084.00)</td>
</tr>
<tr>
<td>Loans Receivable</td>
<td>($21,280,974.00)</td>
</tr>
<tr>
<td>Advances</td>
<td>($2,535,029.00)</td>
</tr>
<tr>
<td>Prepaids</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>($23,870,087.00)</strong></td>
</tr>
</tbody>
</table>

### Available Low & Mod Funds

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$8,046,377.00</strong></td>
</tr>
</tbody>
</table>

### Limitation (Greater of $1,000,000 or four years of deposits)

<table>
<thead>
<tr>
<th>Amount Deposited for last four years - fiscal years ended:</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30, 2017</td>
</tr>
<tr>
<td>June 30, 2016</td>
</tr>
<tr>
<td>June 30, 2015</td>
</tr>
<tr>
<td>June 30, 2014</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$1,000,000.00</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$7,909,635.74</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$136,741.26</strong></td>
</tr>
</tbody>
</table>
Maximum Income Limits (2018)

Some affordable housing units are restricted based on income. The table below shows income limits for Contra Costa County for 2018:

<table>
<thead>
<tr>
<th>County</th>
<th>Income Category</th>
<th>Number of Persons in Household</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contra Costa</td>
<td>Extremely Low</td>
<td>24400 27900 31400 34850 37650 40450 43250 46050</td>
</tr>
<tr>
<td>County 4-Person</td>
<td>Very Low Income</td>
<td>40700 46500 52300 58100 62750 67400 72050 76700</td>
</tr>
<tr>
<td>Area Median</td>
<td>Low Income</td>
<td>62750 71700 80650 89600 96800 103950 111150 118300</td>
</tr>
<tr>
<td>Income</td>
<td>Median Income</td>
<td>73100 83500 93950 <strong>104400</strong> 112750 121100 129450 137800</td>
</tr>
<tr>
<td>Moderate Income</td>
<td></td>
<td>87700 100250 112750 125300 135300 145350 155350 165400</td>
</tr>
</tbody>
</table>

* Based on Area Median Income (AMI) in the Oakland Metropolitan Statistical Area.
DATE: March 20, 2019

SUBJECT: SALMON RUN APARTMENTS USE PERMIT AMENDMENT (PL19046-UPA, DRA)

Recommendation: Adopt Resolution #19-05 PC, approving a Use Permit Amendment (PL19046-UPA, DRA) for the Salmon Run Apartments located at 2325 Clayton Road.

CEQA: This project is classified as a Class 32 Categorical Exemption under CEQA Regulations Section 15332 “In-Fill Development Projects.”

I. Introduction

A. Application Request

Application for a Use Permit Amendment to reduce parking by 25%, pay in-lieu parking fees for eight spaces, and remove the requirement for the offsite parking lot located at 1750 East Street for the previously approved conversion of an existing office building into 32 apartment units on a 0.53-acre parcel located at 2325 Clayton Road.

B. Location

The project site is located at 2325 Clayton Road and the off-site parking lot is located at 1750 East Street. APN 126-104-008 & 126-081-002.

C. Applicant & Owner

David Jones
Salmon Run, LLC
121 7th Avenue
Santa Cruz, CA 94062
(650) 318-8411
II. Background

On November 7, 2018, the Planning Commission adopted Resolution #18-21 PC approving a Use Permit, Design Review, and Administrative application (PL18267-UP, DR, AA) for the conversion of an existing office building at 2325 Clayton Road ("Building Site") into 32 apartment units, and the development of a vacant parcel into an associated off-site parking lot located at 1750 East Street ("Off-site Parking Lot"). At that time, the applicant did not seek any reduction for parking under Development Code Section 18.160.050; however, the applicant indicated that a subsequent use permit amendment to reduce the project’s parking requirement and need of the off-site parking facility was likely. Staff supported this as a way to preserve the off-site parcel’s development potential for housing, as recommended by the Downtown Specific Plan and Housing Element. Consequently, the approval included Condition of Approval #32 which required that the applicant prepare a parking survey to evaluate the project’s parking demand and the need for off-site parking.

City Transportation staff reached out to GHD Inc., a consulting firm, to prepare a Parking Survey at the request of the applicant. On February 11, 2019 staff received the Final Report of the Parking Survey that was prepared by GHD Inc. for the project.

On February 19, 2019, David Jones submitted a Use Permit amendment to reduce the project’s parking requirement by 25% and pay in-lieu fees associated with an eight space parking deficiency (substantiated by the Parking Survey). Due to the decrease in required parking, Mr. Jones also seeks to eliminate the condition of approval requiring the offsite parking lot previously conditioned in the Use Permit for the conversion of an existing office building to multifamily.

Additional background information and project details are provided in the November 7, 2018 Planning Commission report, included as Exhibit C.

III. General Information

A. General Plan

The General Plan designation is Downtown Mixed Use.

B. Zoning

The site is zoned DMX (Downtown Mixed Use).

C. CEQA Status

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15332 “In-Fill Development Projects,” the project is classified as a Class 32 Categorical Exemption given that a) the project is consistent with the applicable general plan policies as well as with applicable zoning designation and regulations; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for
endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) the site can be adequately served by all required utilities and public services. In addition, none of the exceptions to the categorical exemption apply under Section 15300.2, as 1) there is no cumulative impact of successive projects of the same type; 2) there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances; 3) the proposed site is not located on a scenic highway, hazardous waste site or near a historical resource. Accordingly, no further environmental review is required.

D. Site Description

The project is located within the Downtown Specific Plan Area, the Downtown Parking District, and the Transit Station Overlay District due to its proximity to the Downtown Concord BART Station.

The Off-site Parking Lot that the applicant requests eliminating from the project is a 0.33-acre parcel located at 1750 East Street. This parcel is currently tied to the Building Site at 2325 Clayton Road as it was initially required to meet the parking requirements for a restaurant when the project was approved in 1987. Over the years as the restaurant vacated and tenants moved, the parcel became unused as additional parking was not needed. The Off-site Parking Lot was again required to be developed for parking as a condition of the current Use Permit approval in order to satisfy the parking requirement for the 32 unit apartment complex.

The proposed Use Permit Amendment does not modify the approved site plan other than the elimination of the off-site parking lot located at 1750 East Street.

E. Surrounding Land Use

The Building Site is located across the street from the Downtown Concord BART station and across the street from CVS and the Terminal Shopping Center. One Concord Center, a multi-story office building is located to the west of the project site. This project site is located two blocks from Downtown and conveniently located walking distance to public transportation and Safeway. All surrounding properties share the DMX zoning.

IV. Detailed Project Description

The applicant is requesting a 25% reduction (13 spaces) in the required parking due to its proximity to BART. The project also incorporated two ride share parking spaces and motorcycle/scooter parking into the project design to encourage alternate means of transportation and further reduce automobile parking demand. In order to encourage development within the City’s Transit Station Overlay District, the Planning Commission may allow the parking requirement for land conversions within the Downtown Parking District to be satisfied by payment of a fee in-lieu of providing the otherwise required parking spaces, subject to a parking survey that substantiates a parking reduction.
Since the approval of the Use Permit (PL18267-UP, DR, AA), the applicant has completed a parking survey under the direction of the City’s Transportation Division which has provided data showing that parking for the use is less than the City’s Development Code requirement.

A. Parking Survey

The applicant initially requested using a previous traffic survey prepared by Omni-Means completed in 2016 for the Argent Concord project. The Transportation Division reviewed this report and determined that the Argent parking survey was not comparable to the proposed project as two out of the three sites that were studied were in Oakland. However, one of the sites analyzed was the Park Central Apartments, which is a much larger complex than the proposed Salmon Run Apartments but is also located within ½ mile of the BART station. This site was used for a comparison in addition to two apartments surveyed in Concord which were deemed comparable in regards to project type/size and proximity to BART: Lincoln Arms apartments (located at 3201 Clayton Road) and Laguna Ellis apartments (located at 1776 Laguna Street). The surveys identified the number of parked vehicles and ratio of parked vehicles to the number of apartments in each complex.

The City’s Development Code parking requirements for multifamily projects consists of resident parking and visitor parking. Resident parking is determined based off of the number of bedrooms per unit and visitor parking is calculated based on the number of units in the complex.

The parking surveys were conducted early morning, which reflects peak demand per the Institute of Transportation Engineers (ITE) Parking Generation Manual, but consists almost exclusively of resident demand and no visitor demand. Therefore, the comparison was calculated using only the resident aspect. The findings of the surveys are listed below in the tables.

<table>
<thead>
<tr>
<th>Table 1: Parking Survey November 10, 2016 Park Central Apartments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Units</td>
</tr>
<tr>
<td>Number of Spaces</td>
</tr>
<tr>
<td>Resident Code Reqs.</td>
</tr>
<tr>
<td>Peak Demand</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Parking Rate</td>
</tr>
<tr>
<td>Surveyed Demand</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 2: Parking Survey December 18, 2018 Lincoln Arms Apartments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Units</td>
</tr>
<tr>
<td>Number of Spaces</td>
</tr>
</tbody>
</table>
The surveys found an average ratio of resident parking demand to be equal to 83%-84% of the City’s Development Code requirements. Applying the 83% ratio to the proposed Salmon Run Apartments results in an expected demand of 38 resident spaces. This calculation is done by multiplying the ratio by the required number of resident spaces per the Development Code. As previously mentioned, visitor parking was not factored into the survey. Therefore in order to calculate the required number of parking spaces, the Development Code requirements for visitor parking would also be applied, resulting in a total number of 49 required spaces.

### Table 4: Salmon Run Apartments Parking Count (Project Site)

<table>
<thead>
<tr>
<th></th>
<th>Required Per Development Code</th>
<th>Numbers Based of Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident</td>
<td>46 spaces (4 studios + 28 one- bedrooms)</td>
<td>38 spaces</td>
</tr>
<tr>
<td>Visitor</td>
<td>11 spaces (1 space per 3 units)</td>
<td>N/A (was not analyzed in survey)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>57 spaces</td>
<td>49 spaces</td>
</tr>
</tbody>
</table>

Per the parking survey, the project requires 49 parking spaces. The site plan for the proposed onsite parking for the project depicts 41 spaces, therefore the project is deficient by 8 spaces. With this being said, Transportation and Planning Staff supports the applicant paying for in-lieu fees of $25,000 per space for the 8 deficient spaces, which would amend the project’s total parking requirement to 41 spaces.
V. Analysis

A. General Plan Consistency

The amended project will comply with the General Plan land use designation of Downtown Mixed Use as it will continue to provide a residential multifamily project with a density of 60.3 units/acre as allowed under DMX zoning. The amended project will also comply with the General Plan Policies analyzed in the November 7 Planning Commission Staff Report, including the removal of the off-site parking lot. Please see attached staff report, Attachment B, pages 8 for further information on General Plan Policy consistency.

1) Housing Element Consistency

As described in the previous staff report, the Off-site Parking Lot at 1750 East Street has been identified in the Housing Element as an opportunity site for housing. Based on the parcel size and intended density, the site is estimated to yield a total of seventeen (17) units, which would not be provided if used for off-site parking. Under the State’s recently adopted “No Net Loss” policy, projects which are approved at a lower density than what is prescribed in the Housing Element are required to make up the residential units elsewhere.

As the applicant is proposing to amend Use Permit to eliminate the Off-site Parking Lot, the project will now comply with the Housing Element and will not require any units to be made up in order to do so. The Off-site Parking Lot at 1750 East Street can remain as an opportunity site for housing consistent with the Housing Element and will now have the potential to be developed into the housing units originally envisioned by the Housing Element and the Downtown Specific Plan.

Further, the project site at 2325 Clayton Road is not designated as an opportunity site for housing and will provide 32 residential dwelling units onsite that were not contemplated by the Housing Element. Given this information there will be a surplus of 32 units which can now count toward the City’s regional housing need obligation, as these units are no longer necessary to make up for housing contemplated by the Housing Element for 1750 East Street, which would have been lost by developing the property for parking. Additionally, the property at 1750 East Street is between two parcels also designated as opportunity housing sites. The potential for 1750 East Street to be consolidated with one or both of these parcels for a housing development maximizes the number of housing units that could ultimately be realized.

B. Zoning and Development Code Consistency

The proposed use of the Building Site is classified in the Concord Development Code as multi-family residential, which is a conditionally permitted use in the DMX zoning district. The project site was originally developed and operated under a Use Permit (UP 2-87) for offices, and was also granted a Variance (V 5-87) for setbacks. The Use Permit Amendment approved by the Planning Commission in November 2018 was required in order to convert the use from office to residential. The project will continue to comply with the original Variance
approval and the Use Permit Amendment approved by the Planning Commission. As the parking survey substantiates a reduction in parking, a subsequent amendment is required to eliminate the requirement for the offsite parking lot further eliminating the requirement for an administrative approval to satisfy the project’s parking requirement.

C. **Downtown Specific Plan**

The project complies with the Downtown Specific Plan as it facilitates progression for the City toward a job/housing balance by providing more housing in the downtown and near a transit center. As mentioned previously, the Building Site is not designated as an opportunity site for a potential housing development within the Downtown Specific Plan. However, the Building Site will provide 32 new housing units that are not contemplated by the Housing Element. Previously, these units would have satisfied the missing units for the Off-site Parking Lot, however as the amendment allows for the Off-site Parking Lot to potentially be developed with housing, the City now has a surplus of 32 units that were not originally accounted for.

For more information on compliance with the Downtown Specific Plan, please refer to the attached staff report, Exhibit C page 11.

D. **Use Permit Amendment**

The project will continue to meet all of the Use Permit findings that were identified in the staff report attached and Resolution No. 18-21PC.

**Adjustments to Parking Requirements**

The current proposal designates 41 onsite parking spaces. Based on the unit breakdown and amount of bedrooms, the number of required parking spaces is 54 given that there are 28 one-bedroom units and four studios. Fourteen of the 41 onsite spaces are tandem spaces (seven pairs). The Development Code requires tandem spaces to be assigned to a single unit. Per the Development Code, seven one-bedroom units require 11 parking spaces where the applicant is proposing 14 spaces. At the recommendation of the Transportation Division, a ‘credit’ of three spaces will be given for providing 14 spaces when 11 are required for the one-bedroom units, thereby reducing the required amount of spaces to 54.

Pursuant to Chapter 18.160.050G, other uses that can demonstrate that due to special circumstances, such as the nature of the use, proximity to transit, transportation characteristics of the use, or implementation of a transportation demand management program, there will be a reduced demand for parking at the site, the net number of parking spaces required by Table 18.160.040 (which would also include any parking space(s) satisfied by payment of an in-lieu parking fee) may be reduced by up to 25%. Reductions may be allowed subject to a Use Permit as follows:

1) *The parking demand survey, as directed by the city, substantiates the need for less parking (e.g., documentation of customer frequency, information on parking*
standards required for the proposed use by other cities, etc.) than required in Table 18.160.040.

As previously mentioned, the applicant has proposed two car share spaces, motorcycle spaces, and sixteen long-term bike parking spaces to promote alternate means of transportation which will support the need for less parking. Additionally, the site’s close proximity to BART will encourage less use or need for vehicles. The parking survey surveyed three sites within Concord, all of which had parking numbers lower than the Development Code currently requires.

2) The applicant has demonstrated that the project could provide additional parking if long-term parking demand requires additional parking.

The long-term parking demand is not expected to increase, given trends supporting alternative means of transportation and a reduction in the use of personal vehicles. Examples to this point are the gradual expansion and improvement of bicycle infrastructure downtown, the rise of car share services such as Uber and Lyft, and the eventual use of self-driving vehicles that could fundamentally change the need for parking facilities. Additionally, there are at least two off-site parcels (CVS and Safeway) in which the applicant could potentially enter into a shared parking agreement with should the need for additional parking arise.

3) Parking demand generated by the project will not have a detrimental impact on the street-parking in the surrounding area.

Parking generated from the project will not be detrimental to the on-street parking in the surrounding areas as all three streets surrounding the site have parking restrictions given that they are one-way streets. The reduction of parking on-site will not affect the surrounding sites. Additionally, the project consists of all studio and one-bedroom units and will be marketed toward a population that relies on BART for transportation.

Parking In-Lieu Fees
In order to encourage development, the Planning Commission may, subject to a use permit, allow the parking requirement for new development or land use conversion within the Downtown Parking District to be satisfied by payment of a fee in-lieu of providing the otherwise required parking spaces. Pursuant to Chapter 18.160.060 B5, in approving any use permit (Use Permit Amendment in this case) that allows the payment of a fee in lieu of providing on-site or off-site parking, findings are required. Staff analysis on how the project meets those findings is provided below with a comprehensive list included in the draft resolution attached as Attachment A to Exhibit A.

a) The project benefiting from this approval furthers the goals and policies of the general plan, downtown specific plan, and downtown parking district or other
specific plan(s), relative to uses, revitalization, bicycle and pedestrian amenities, and design.

The project will more closely comply with the Downtown Specific Plan, General Plan, and Housing Element through this Use Permit amendment as the site at 1750 East Street, designated for housing in the Housing Element, will no longer be tied to 2325 Clayton Road for the means of parking. This allows the potential for housing to be developed on the opportunity site as was envisioned in the Housing Element and Downtown Specific Plan, bringing the property more into conformance.

b) A parking survey, which assesses the project’s parking demand compared to similar facilities, and the proposed parking and transportation demand management policies to decrease parking demand (i) substantiates the need of allowing payment of in-lieu fees, (ii) demonstrates that the needs of on-site uses are satisfied, and (iii) ensures that the parking reduction does not result in detrimental impacts to off-site locations and public streets, sidewalks or other public access routes.

As previously mentioned, a parking survey was prepared by GHD Inc. that substantiates a reduced parking requirement for the project. The survey showed that resident demands for parking were approximately 17% lower than the number of resident spaces required by the City’s Development Code, based on a survey of similar apartments located Downtown and/or near BART. The parking survey shows that the 41 on-site parking spaces would satisfy the 38 resident parking spaces recommended by the survey, based on a 17% reduction, with a surplus of three parking spaces. Because the parking survey was not able to take into account a reduction for visitor parking, the standard visitor parking requirement was added to the resident parking recommended by the survey. If a reduced figure for visitor parking was able to be calculated, then the total number of parking would have been further reduced below 49.

E. Administrative Permit

An administrative permit for an Off-site Parking Lot is no longer required with the elimination of the off-site parking lot.

VI. Fiscal Impact

The proposed would have a negligible fiscal impact on the City.

VII. Public Contact

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

VIII. **Summary and Recommendations**

Staff supports the Use Permit amendment to remove the off-site parking lot and instead allow for a reduction in parking and in-lieu fees to be paid in the amount of a 25% reduction (54 spaces to 41 spaces) from the parking requirements. The proposed amendment will facilitate the ability to provide more housing on a key housing site downtown and specifically close to one of the two major public transportation centers in Concord.

Therefore, staff recommends the Planning Commission open the public hearing, consider the staff report and presentation by the applicant, the public testimony, and close the hearing. Upon completion of public testimony, staff recommends the Commission adopt Resolution No. 19-05PC approving the Salmon Run Apartments Use Permit Amendment, Design Review (PL19046 – UPA, DRA).

IX. **Motion**

Project Approval

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 19-05PC, approving the Salmon Run Apartments Use Permit Amendment, Design Review (PL19046 – UPA, DRA), subject to the Conditions of Approval set forth in Attachment A. (Seconded by Comm. _____).

Prepared by: Sarah Yuwiler
Assistant Planner

Reviewed by: Frank Abejo
Principal Planner

Exhibits:

A - Resolution No. 19-05PC & Draft Amended Conditions of Approval (Attachment A)
B - Original Conditions of Approval Redlined
C - Use Permit PL18267-UP, DR, AA Staff Report
D - Applicant’s Written Statement Date Stamped Received February 19, 2019
E - Parking Survey Date Stamped Received February 11, 2019
F - Site Plan/ Parking Lot Plan
BEFORE THE PLANNING COMMISSION
OF THE CITY OF CONCORD,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A RESOLUTION APPROVING THE SALMON
RUN APARTMENTS USE PERMIT AMENDMENT
AND DESIGN REVIEW AMENDMENT (PL19046 –
UFA, DRA) 

Resolution No. 19.05PC

WHEREAS, on June 19, 2018, David Jones, on behalf of Salmon Run, LLC submitted an application for a Use Permit Amendment, Design Review, and Administrative Permit to convert an existing office building for a 32-unit multifamily apartment project at 2325 Clayton Road and to construct an off-site parking lot at 1750 East Street (APN’s 126-104-008 and 126-081-002) (“Project”); and

WHEREAS, on October 2, 2018 the application was deemed complete for processing; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15332 “In-Fill Development Projects,” the project is classified as a Class 32 Categorical Exemption; and

WHEREAS, on August 7, 2018, Mayor Edi Birsan formed a City Council Early California Architecture Design Review Ad Hoc Committee (“Ad Hoc Committee”) for a six month period, consisting of City Councilmember Ron Leone as Chair and Mayor Birsan, for the purpose of reviewing and approving designs of construction projects within the inner and outer core areas of the downtown; and

WHEREAS, on August 20, 2018, the Ad Hoc Committee reviewed and approved the design of the project; and

WHEREAS, the Planning Commission, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on November 7, 2018, on the subject proposal; and

WHEREAS, the Planning Commission considered testimony and information received at the public hearing and the oral and written reports from City staff dated November 7, 2018, as well as other
documents contained in the record of proceedings relating to the proposed project, which are maintained
at the offices of the City of Concord Planning Division (hereinafter referred to as “Project Information”); and

WHEREAS, on November 7, 2018 the Planning Commission, after consideration of all pertinent plans, documents and testimony and Project Information, approved the proposal subject to the Conditions of Approval; and

WHEREAS, on February 19, 2019, David Jones, on behalf of Salmon Run, LLC submitted a subsequent Use Permit Amendment and a Design Review Amendment, to reduce parking by 25%, pay in-lieu fees for an eight space parking deficiency, and remove the requirement for the offsite parking lot located at 1750 East Street for the previously approved conversion of an existing office building to a 32-unit multifamily apartment project at 2325 Clayton Road; and

WHEREAS, on February 28, 2019 the application was deemed complete for processing; and

WHEREAS, the Planning Commission, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on March 20, 2019, on the subject proposal; and

WHEREAS, the Planning Commission considered testimony and information received at the public hearing and the oral and written reports from City staff dated March 20, 2019, as well as other documents contained in the record of proceedings relating to the proposed project, which are maintained at the offices of the City of Concord Planning Division (hereinafter referred to as “Project Information”); and

WHEREAS, on March 20, 2019 the Planning Commission, after consideration of all pertinent plans, documents and testimony and Project Information, approved the proposal subject to the Conditions of Approval; and contained herein as Attachment A.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the Planning Commission does hereby approve the Salmon Run Apartments Use Permit Amendment and Design Review Amendment (PL19046 - UPA, DRA) subject to the Conditions of Approval (Attachment A) and further
makes the following findings:

**RECITALS**

1. The recitals above are true and correct and incorporated herein by reference. The recitals constitute findings in this matter, and together with the Project Information, serve as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

2. The Conditions of Approval (Attachment A) shall replace those associated with the previously approved Use Permits (UP 2-87 and PL18267-UP, DR, AA).

**CEQA**

3. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended and pursuant to Section 15332 “In-Fill Development Projects,” the project is classified as a Class 32 Categorical Exemption given that the; a) project is consistent with the applicable general plan policies as well as with applicable zoning designation and regulations; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) the site can be adequately served by all required utilities and public services.

4. In addition, none of the exceptions to the categorical exemption apply under Section 15300.2, as a) there is no cumulative impact of successive projects of the same type; b) there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances; c) the proposed site is not located on a scenic highway, hazardous waste site or near a historical resource. Accordingly, no further environmental review is required.

**General Plan**

5. *Downtown Mixed Use.* The project’s density of 60.3 dwelling units per net acre complies with the density of 33 – 100 dwelling units per net acre allowed in the Downtown Mixed Use district.

6. The project provides multifamily residential and is thus consistent with the intent of the
Downtown Mixed Use designation to establish housing opportunities in the Downtown near BART.

7. The proposal promotes General Plan policy LU-1.3 “Encourage Infill Residential Development” as the project involves converting an existing relatively vacant office building into a multifamily project that is located near a transit center such as BART.

8. This project is unique in that it is the first of its kind in regards to adaptive reuse of the existing building, further promoting policy LU-2.1.2 which “encourages existing neighborhood centers to expand or adapt to market changes through reuse, rehabilitation, and infill development.

9. The project will not change the identity of the Downtown as it will repurpose and refresh an existing building and project frontage while bringing a new aspect of life and livability to the Downtown which further facilitates the General Plan Principal LU-1.1 of “preserving and enhancing neighborhood character.”

Housing Element

10. The previously approved offsite parking lot at 1750 East Street is a parcel identified as an opportunity site for housing based on the City’s Housing Element. Due to the size of the parcel, the estimated yield for the site is 17 units.

11. The site at 2325 Clayton Road is not designated as an opportunity site for housing and will provide 32 residential dwelling units onsite that were not contemplated by the Housing Element.

12. By eliminating the offsite parking lot at 1750 East Street, the property can remain as an opportunity site for housing consistent with the Housing Element.

13. The property at 1750 East Street will now have the potential to be developed into the housing units originally envisioned by the Housing Element.

14. Therefore, the 32 units at 2325 Clayton Road can now count toward the City’s regional housing need obligation, as these units are no longer necessary to make up for housing contemplated by the Housing Element for 1750 East Street, which would have been lost by developing the property for parking.

15. The property at 1750 East Street is between two parcels also designated as opportunity
housing sites. The potential for 1750 East Street to be consolidated with one or both of these parcels for
a housing development maximizes the number of housing units that could ultimately be realized.

Zoning and Development Code

16. The project site was originally developed under Use Permit (UP 2-87) and approved for
conversion from office to residential under a Use Permit Amendment (PL18267-UP, DR, AA) and will
continue to comply with the setbacks approved previously in Variance (V 5-87) along with all other
provisions of the development code for the DMX zoning.

17. As the parking study substantiates a reduction in parking, an amendment is required to
PL18267-UP, DR, AA to eliminate the administrative approval (AA) which was required in order to
develop the offsite parking lot as it is no longer required to satisfy parking requirements.

Downtown Specific Plan

18. The project is consistent with the objectives of the Downtown Specific Plan to reflect
Early California Architecture as the project repurposes an existing building and was reviewed and
approved by the Ad Hoc Committee and Design Review Board.

19. The project is consistent with policies that facilitate progression for the City toward a
job/housing balance and provides more housing in the Downtown and near a transit center.

20. The project provides 32 new housing units that were not contemplated by the Downtown
Specific Plan.

Private and Open Space

21. The open space requirement for the project was modified under the approval for
conversion to apartments, PL18267-UP, DR, AA, based on the following findings:

a) The project is physically constrained due to the concept of adaptive reuse for the
existing built site and the quality of life accommodated by the project will not be compromised.

b) The shallow setbacks and location of the existing building restrict the possibility for
the units to have private open spaces such as patios.

Use Permit
22. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Development Code and the Concord Municipal Code.

23. The proposed use is consistent with the General Plan and any applicable specific plan.

24. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

25. The site is physically suitable for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints.

26. Granting the permit would not be detrimental to the public health, safety, or welfare of the persons residing or working in the subject neighborhood or materially detrimental or injurious to property or improvements in the vicinity and zoning district where the property is located.

27. The amended project will continue to comply with the Use Permit Findings previously approved under PL18267-UP, DR, AA and listed above.

Adjustments to Parking Requirements

28. Pursuant to Chapter 18.160.050G, uses that can demonstrate that due to special circumstances, such as the nature of the use, proximity to transit, transportation characteristics of the use, or implementation of a transportation demand management program, there will be a reduced demand for parking at the site, the net number of parking spaces required by Table 18160.040 (which would also include any parking spaces satisfied by payment of an in-lieu parking fee) may be reduced by up to 25% (or from 54 spaces to 41 spaces), subject to the below findings;

(a) The parking demand study, as directed by the city, substantiates the need for less parking (e.g., documentation of customer frequency, information on parking standards required for the proposed use by other cities, etc.) than required in Table 18.160.040. The applicant has proposed two car share spaces, motorcycle spaces, and sixteen long-term bike parking spaces to promote alternate means of transportation which will support the need for less parking. Additionally, the site’s extremely close proximity to BART will encourage less use or need for vehicles. The parking study prepared studied three sites within Concord, all of which had parking numbers lower
than the Development Code currently requires.

   (b) The applicant has demonstrated that the project could provide additional parking if long-term parking demand requires additional parking. The long-term parking demand is not expected to increase, given trends supporting alternative means of transportation and a reduction in the use of personal vehicles. Examples to this point are the gradual expansion and improvement of bicycle infrastructure downtown, the rise of car share services such as Uber and Lyft, and the eventual use of self-driving vehicles that could fundamentally change the need for parking facilities. Additionally, there are at least two off-site parcels (CVS and Safeway) in which the applicant could potentially enter into a shared parking agreement with should the need for additional parking arise.

   (c) Parking demand generated by the project will not have a detrimental impact on the street-parking in the surrounding area. Parking generated from the project will not be detrimental to the on-street parking in the surrounding areas as all three streets surrounding the site have parking restrictions given that they are one-way streets. The reduction of parking on-site will not affect the surrounding sites. Additionally, the project consists of all studio and one-bedroom units and will be marketed toward a population that relies on BART for transportation.

Parking In-Lieu Fees

   29. In order to encourage development the Planning Commission may, subject to a use permit and parking study, allow parking for land conversions within the Downtown Parking District to be satisfied by payment of a fee in lieu subject to the following findings:

   (a) The project benefitting from this approval furthers the goals and policies of the general plan, downtown specific plan, and downtown parking district or other specific plan(s), relative to uses, revitalization, bicycle and pedestrian amenities, and design. The project will more closely comply with the Downtown Specific Plan, General Plan, and Housing Element through this Use Permit amendment as the site at 1750 East Street, designated for housing in the Housing Element, will no longer be tied to 2325 Clayton Road for the purpose of parking. This allows the potential for housing to be developed on the opportunity site as was envisioned in the Housing Element and
Downtown Specific Plan bringing the property more into conformance.

(b) A parking study, which assesses the project’s parking demand compared to similar facilities, and the proposed parking and transportation demand management policies to decrease parking demand (i) substantiates the need of allowing payment of in-lieu fees, (ii) demonstrates that the needs of on-site uses are satisfied, and (iii) ensures that the parking reduction does not result in detrimental impacts to off-site locations and public streets, sidewalks or other public access routes. A parking study was prepared by GHD Inc. that substantiated data for reduced parking. The survey showed that resident demands for parking were approximately 17% lower than the number of resident spaces required by the City’s Development Code. Additionally, this site is located across the street from the Downtown BART station which will help alleviate some of the parking demand. The need for in-lieu fee is substantiated by the fact that the resident parking can be met through the reduction provided by the parking study however, the parking study was not able to take into account a reduction for visitor parking as the peak time for demand per ITE regulations is from 3:00 A.M. to 10:00 A.M. when most visitors are not present. Therefore, the Development Code requirements for visitor parking were used instead of a reduced figure. If a reduced guest parking figure was able to be calculated, then the total number of parking would have been further reduced below 49.

Design and Site Development Review

30. The project is consistent with the General Plan and Downtown Specific Plan as addressed in the findings above.

31. The project meets the following criteria in Section 18.415.080 (Design Criteria) of the City’s Development Code as explained in the Use Permit (PL18267-UP, DR, AA) for the conversion and listing below for incorporation into the Use Permit amendment (PL190046-UPA, DRA):

(a) The building design and landscaping supports public safety and security by allowing for surveillance of the street by people inside buildings and elsewhere on the site. The apartment units will face outward toward the public right-of-way and the shared open space roof top
deck will overlook the City streets toward the BART station and Mt. Diablo. This concept will allow
for extra security as more eyes will now be on the street supporting the public safety.

(b) *The design is compatible with the historical or visual character of any area
recognized by the City as having such character.* On August 20, 2018, the Ad Hoc Committee reviewed
the project and approved the project with no further review as the building currently exists and no major
exterior changes are taking place.

(c) *The project design preserves major view and vistas along major streets and open
spaces and trails and enhances them by providing project amenities.* The project repurposes an existing
building and does not add any additional height to the building above what currently exists. Therefore
no views from surrounding properties will be affected with this adaptive reuse. Further, the project
provides a new roof top amenity that did not exist previously. This helps the residents preserve, enjoy,
and enhance the view of the iconic Mt. Diablo.

(d) *The proposed lighting and fixtures are designed to complement on-site buildings,
are of an appropriate scale for the development, and provide adequate light for safety and security
while minimizing glare.* The project proposes retrofitting existing lighting on the building and will be
reviewed through the conditions of approval.

(e) *All mechanical, electrical, and utility equipment is located, screened, or
incorporated into the design of the buildings so as not to be visible from off-site, and screening devices
are consistent with the exterior colors and materials of the buildings.* The project conditions require
final details of mechanical, electrical, and utility equipment to be shown on building permit plans to
ensure they are located behind fencing or screened so as not to be visible from off-site. Parapet walls
are shown on the rooftop plans to screen the equipment.

(f) *The overall design of the project, including its scale, massing, site plan, exterior
design, and landscaping, enhances the appearance and features of the project site and surrounding
natural and built environment.* The design of the building was reviewed and approved in 1987 and no
significant changes will take place. The work to be done is primarily interior to the building. Minor
landscaping changes and improvements to the pond will occur which will enhance the existing built environment.

(g) The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community. The project provides many usable amenities for the residents such as a gym, lounge, and a roof top deck with fire pits and views of Mt. Diablo. The use will enhance the vibrancy of the Downtown and provide a more active use located near the BART station. Upgrades will take place to the existing building that will enhance the community including the removal and replacement of the public sidewalks along the properties three street frontages.

(h) The architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design. The project will enhance, refurbish, and upgrade the existing landscaping and building. The building will be repainted and consistent with the original color scheme of the building.

(i) The project is compatible with neighboring development in a similar Zoning District by avoiding large differences in building scale and character and provides a harmonious transition between the proposed project and surrounding development. The project entails a change of use for an existing building. Minor exterior changes are proposed as needed and to meet current code requirements. The project will not visually change the existing building therefore the site will continue to be consistent with the existing developments.

(j) The project creates an attractive and visually interesting built environment with a variety of building styles and designs, well-articulated structures that present varied building facades, rooflines, and building heights within a unifying context. The project meets the criteria given that the existing building consist of different projections as the footprint of the building follows the unique shape of the lot and therefore, creates an attractive and visually interesting built environment on a constrained parcel.
(k) The landscaping is compatible with and enhances the architectural character of the buildings and site features, and blends with the surrounding landscape. Landscape elements complement the buildings and rooflines through color, texture, density, and form. Landscaping is in scale with on-site and off-site buildings, and plantings have been selected and located to avoid conflicts with views, lighting, infrastructure, utilities, and signage. The project consists of existing mature landscaping that was reviewed and approved by the DRB in 1987. Hedge rows of plants help screen the ground floor parking garage at the previous request of the DRB. The existing landscaping is in good condition and will remain. Minor landscape changes may take place to comply with the current water efficiency requirements. The conditions of approval address that requirement for design review by a landscape consultant for the modifications to the existing landscaping.

(l) Stormwater treatment areas have been integrated into the landscape design. The project does not require any new stormwater treatment areas as the project does not exceed the threshold of impervious surfaces. Runoff is directed into the existing landscaping onsite. Stormwater treatment areas will be reviewed and through the design review condition of approval for the off-site parking lot at 1750 East Street.

(m) New construction does not need to match existing surrounding development or buildings; however, the design shall complement or enhance existing development. The project does not consist of brand new construction and not match surrounding businesses but meets the criteria because it will improve and enhance an underutilized site by repurposing an existing vacant office building into new residential units. This unique concept facilitates more housing units in the Downtown as the City envisions.

32. The project is consistent with all applicable Design Guidelines adopted by the City Council that are in effect at the time of approval. The project is consistent with the Concord Community Design Guidelines because:

(a) The project provides visual interest in the unique shape of the building footprint and the parcel;
(b) The project does not increase the total height of the existing building and creates the roof top deck as a mechanism to enhance and emphasize the views of Mt. Diablo for the residents;

(c) The existing mature landscaping provides screening for the residential use to ensure a means of privacy for the residents;

(d) The project has an identifiable building entrance with a water feature that aides in the transition between the outside and the inside area;

This resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 20th day of March, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank Abejo
Acting Secretary to the Planning Commission

Attachment:

A – Draft Amended Conditions of Approval
# ATTACHMENT A

## DRAFT AMENDED CONDITIONS OF APPROVAL

**Salmon Run Apartments**  
**PL19046- UPA, DRA**  
**2325 Clayton Road**  
**APN 126-104-008**

### PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of the following:
   a) Use Permit Amendment (UPA) for reduced parking, payment of fees in-lieu of providing parking, and elimination of the requirement to construct an off-site parking facility for the Salmon Run Apartments (PL19046-UPA, DRA) consisting of a conversion of an existing office building into 32 apartment units on a 0.53 acre site located at 2325 Clayton Road; and
   b) Design Review Amendment (DRA) to eliminate the off-site parking facility proposed at 1750 East Street from the project’s approved design.

### Standards

<table>
<thead>
<tr>
<th>Standards</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density (du/net acre)</td>
<td>60.3</td>
</tr>
<tr>
<td>minimum/maximum</td>
<td></td>
</tr>
<tr>
<td>Floor Area Ratio (FAR)</td>
<td>1.84</td>
</tr>
<tr>
<td>Lot Area (square feet) minimum</td>
<td>23,105</td>
</tr>
<tr>
<td>Building Height (feet)</td>
<td>41’6”</td>
</tr>
<tr>
<td>Building Height – First floor minimum (feet, floor to floor height)</td>
<td>9’¹</td>
</tr>
<tr>
<td>Setbacks (feet) required minimum²</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10’</td>
</tr>
<tr>
<td>Corner Side</td>
<td>3,6,8 ft. respectively at specific points²</td>
</tr>
<tr>
<td>Parking Spaces (Vehicle)</td>
<td></td>
</tr>
<tr>
<td>Onsite</td>
<td>41</td>
</tr>
<tr>
<td>In-Lieu</td>
<td>13³</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>2</td>
</tr>
<tr>
<td>Bicycle</td>
<td></td>
</tr>
<tr>
<td>Short term</td>
<td>3</td>
</tr>
<tr>
<td>Long term</td>
<td>16</td>
</tr>
<tr>
<td>Open Space/Unit (square feet) minimum</td>
<td>0/unit⁴</td>
</tr>
<tr>
<td>minimum</td>
<td>6,604 s.f. total onsite</td>
</tr>
</tbody>
</table>
Building was built in 1987 through UP2-87 and therefore the height of the first floor is legal non-conforming as the project is a conversion of the existing building.

Approved by variance (V 5-87).

Per the parking study 49 spaces are required. The applicant is providing 41 and paying for 8 spaces in-lieu.

The review authority waived the requirement of private open space and allowed all open space to be common space.

3. Final building colors and materials shall be consistent with the color and materials exhibit dated October 2, 2018, prepared by Levitt Group, on file with staff.

Exterior building materials and colors shall be in substantial conformance with the approved plans as follows:

<table>
<thead>
<tr>
<th>Materials</th>
<th>Manufacturer</th>
<th>Color Name</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paint for Stucco</td>
<td>Sherwin Williams</td>
<td>Extra White</td>
<td>SW7006</td>
</tr>
<tr>
<td>Wrought Iron Paint</td>
<td>Sherwin Williams</td>
<td>Rembrandt Ruby</td>
<td>SW 0033</td>
</tr>
</tbody>
</table>

4. The following Exhibits, date stamped received by the City of Concord, on October 2, 2018 are approved and shall be incorporated as Conditions of Approval.

<table>
<thead>
<tr>
<th>Plan</th>
<th>Date Prepared</th>
<th>Prepared by</th>
<th>Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover Sheet</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C1.00</td>
</tr>
<tr>
<td>Notes</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C1.01</td>
</tr>
<tr>
<td>Sections &amp; Details</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C2.00</td>
</tr>
<tr>
<td>Topographic Survey</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C3.00</td>
</tr>
<tr>
<td>Demolition Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C4.00</td>
</tr>
<tr>
<td>Horizontal Control Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C5.00</td>
</tr>
<tr>
<td>Grading &amp; Drainage Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C6.00</td>
</tr>
<tr>
<td>Grading &amp; Drainage Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C6.01</td>
</tr>
<tr>
<td>Utility Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C7.00</td>
</tr>
<tr>
<td>Erosion Control Notes</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C8.00</td>
</tr>
<tr>
<td>Erosion Control Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C8.01</td>
</tr>
<tr>
<td>Trash Truck Path of Travel</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C9.00</td>
</tr>
<tr>
<td>On Grade Parking</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>G-1</td>
</tr>
<tr>
<td>Previous Photos</td>
<td>4/19/18</td>
<td>The Levitt Group</td>
<td>A</td>
</tr>
<tr>
<td>Schematic First Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-1</td>
</tr>
<tr>
<td>Proposed First Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-1.1</td>
</tr>
<tr>
<td>Schematic Second Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-2</td>
</tr>
<tr>
<td>Proposed Second Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-2.1</td>
</tr>
<tr>
<td>Type- C Unit Plan</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>C</td>
</tr>
<tr>
<td>First Floor Unit A/BD</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>1st ABD</td>
</tr>
<tr>
<td>Second Floor Unit B&amp;D</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>2nd BD-1</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------</td>
<td>------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Second Floor Unit B&amp;D</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>2nd BD-2</td>
</tr>
<tr>
<td>Roof Plan/ Roof Deck</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-3</td>
</tr>
<tr>
<td>Dex-o-tex Weather Ware</td>
<td>7/5/18</td>
<td>The Levitt Group</td>
<td>A-3.1</td>
</tr>
<tr>
<td>Railings</td>
<td>7/5/18</td>
<td>The Levitt Group</td>
<td>A-3.2</td>
</tr>
<tr>
<td>Clayton Rd. Elevations</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-4</td>
</tr>
<tr>
<td>Sunset Ave. &amp; East St. Elevations</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-4.1</td>
</tr>
<tr>
<td>Building Sections</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-5</td>
</tr>
<tr>
<td>Doors/Windows- 1st Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-6</td>
</tr>
<tr>
<td>Doors/Windows- 2nd Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-7</td>
</tr>
<tr>
<td>Existing Landscape</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L1</td>
</tr>
<tr>
<td>Landscape Concept ‘A’</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L2</td>
</tr>
<tr>
<td>Landscape Concept ‘B’</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L3</td>
</tr>
</tbody>
</table>

**GENERAL CONDITIONS**

5. These conditions of approval shall replace those associated with the previously approved Use Permits (UP 2-87 and PL18267-UP, DR, AA). *(PLNG)*

6. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:
   a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
   b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
   c) Prior to Construction.
   d) On going during Construction.
   e) Prior to approval of the Final Map.
   f) Prior to occupancy approval.

If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. *(PLNG, BLDG, ENGR)*

7. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. *(PLNG, BLDG, ENGR)*

8. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. *(PLNG, BLDG, ENGR)*

9. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*
10. The Conditions of Approval shall be listed on a plan sheet that is included in the construction plan set (Grading, Utility, Landscape, and Building Plans). *(PLNG, ENGR)*

11. Two annotated copies of the Conditions of Approval specifying how each applicable condition has been satisfied, shall be submitted as follows:
   a) At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan check, whichever comes first.
   b) Prior to occupancy approval. *(PLNG, ENGR)*

12. The project site and area surrounding the site shall be fenced and maintained in a weed and litter free condition for the period after demolition and prior to construction. *(BLDG, PLNG)*

13. All stairwells that exit to the street shall be secured and allow only unkeyed exit/ keyed entrance. *(PD)*

14. The front entrance/ main entrance (at the corner of Sunset Street and Clayton Road) to the Building Site shall be secured and allow only unkeyed exit/ keyed entrance. *(PD)*

15. Existing fencing shall remain around the site during construction or an alternative perimeter fence provided as approved by the City. *(PLNG)*

ARCHITECTURAL

16. Any major changes to the building's exterior shall be reviewed and approved by the Early California Architecture Design Review Ad-Hoc Committee. *(PLNG)*

LANDSCAPING

17. The applicant shall submit Final Landscape Plans prepared by a licensed Landscape Architect, registered by the State of California, for review and approval by the Planning Division with the Grading, Improvement, or Building Plans, whichever comes first, prior to the issuance of any permit. The Plan shall be drawn on or consistent with the Site Plan prepared by the Civil Engineer, with the following information:
   a) A legend that lists all plant species (Latin and common name), including size, quantities, spacing, and ultimate height and width.
   b) Specifications and details for planting, including staking of trees and planting in bioswales or other stormwater treatment areas.
   c) Utility information on the base map, screened back.
   d) Existing trees to be saved and identification of all replacement trees.
   e) Trees (minimum size 24-inch box) and shrubs (minimum 5-gallon; accent or sub-shrubs may be 1-gallon).
   f) Six-inch vertical concrete curbs around landscaped areas. *(PLNG, ENGR)*

18. A licensed landscape architect/consultant will be retained to assist the Planning Divisions with the review and approval of the final landscape plans for the Building Site. The applicant shall
deposit funds in a trust account to cover the consultant’s time plus 20% to cover the City’s administrative costs. *(PLNG)*

19. Irrigation Plans shall include a drip irrigation system and be submitted with the Final Landscape Plans in compliance with the requirements of the Regional Landscape Water Conservation Ordinance adopted by Contra Costa Water District in compliance with the current State laws. *(PLNG)*

20. All landscaping shall be installed prior to occupancy approval. Contact the Planning Division at least two weeks prior to Occupancy, to request a site inspection of all exterior improvements including buildings, driveways, parking lots, landscaping, irrigation, lighting, and walls. *(PLNG)*

21. Prior to occupancy approval, the licensed Landscape Architect shall submit a Landscape Documentation Package with the following mandated elements:
   a) Application
   b) Certification of Compliance for Landscape Design
   c) Certification of Compliance for Landscape Installation
   d) Certification of Compliance for Landscape Audit
   e) Certification of Compliance for Landscape Maintenance
   f) Water Budget work sheets (if applicable)
   g) Landscape Plans
   h) Landscape and Maintenance Schedule *(PLNG)*

22. Any vegetation damaged or destroyed on adjacent properties during construction shall be replaced with like or comparable plant materials, and if damage occurs off-site, the replacement plants shall be like or comparable plant materials, or approved by the property owner and the Planning Division, prior to occupancy approval. *(PLNG)*

**LIGHTING**

23. Show all exterior lighting including: building fixtures, walkway lighting, parking lot lighting, and street lights on the applicable Site, Utility, Landscape, and Building Plans, prior to the issuance of any permits. The height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on the plans. *(PLNG, ENGR, BLDG)*

24. All exterior building and parking lot lighting shall provide illumination for safety and shall be installed in a manner that is glare shielded and directed away from adjacent properties and right-of-ways. *(PLNG)*

25. Submit a Photometric Plan for review and approval, showing the location of all light sources, streetlight spacing, intensity of luminance, and uniformity ratio, in accordance with the City’s specifications, with the Improvement, Utility, or Building Plans, whichever comes first. The photometric analysis shall be reviewed by Engineering Services for the determination of streetlight spacing. *(ENGR, TRANS, BLDG, PD)*
SIGNAGE

26. All signage shall comply with the City of Concord Sign Ordinance. *(PLNG) CMC*

PARKING

27. The applicant shall develop and implement a parking management plan and monitoring program prior to issuance of temporary certificate of occupancy to manage the proposed parking demand and supply. The plan shall identify provisions for monitoring parking demand as the residential units become occupied to assess the effectiveness of the strategies detailed below and to work with the City of Concord to implement additional strategies, if necessary. Potential elements of the parking management plan are provided below for consideration:
   - Assign tandem spaces to the same unit.
   - Should complaints/concerns come up regarding lack of parking, City Staff shall review the adequacy of parking. If parking is determined to be inadequate, the property owner may be required to enter into an agreement with the City to provide additional parking in the immediate vicinity.

28. The additional three (3) parking spaces that are provided onsite above what the parking study required for residents, shall be designated as “guest/visitor” parking. *(PLNG)*

29. Language shall be included in the tenant rental agreements stating tenants shall park onsite in the project’s garage and not in the neighborhood. A copy of the rental agreement with said language shall be submitted to Planning staff for review and approval prior to building occupancy. *(PLNG)*

30. Vehicles shall be restricted from entering the Building Site ground level parking lot from the East Street driveway. *(TRANS)*

31. Submit a striping and signage plan for review and approval by the Transportation Division prior to issuance of a Building Permit or Site Development Permit, whichever comes first. *(TRANS)*

32. The applicant shall provide EV infrastructure within both the resident and guest parking area, or at least pre-wiring a portion of the parking garages such that EV charging infrastructure can easily be provided based on future resident demand. Such details shall be shown on the plans issued for permit. *(PLNG, TRANS)*

33. The applicant shall submit a security plan approved by staff prior to the issuance of the first permit showing site vehicular gates, keyed pedestrian gates *(PLNG, BLDG, ENGR, PD)*

34. All parking spaces shall be striped; full-size spaces shall be 9 ft. by 19 ft; compact spaces shall be 8 ft. by 16 ft. *(PLNG, ENGR) CMC*

35. A maximum of 25 percent of the required parking spaces may be compact. Compact stalls shall be clearly identified. *(PLNG, ENGR) CMC*
36. A maximum of four compact parking stalls may be located together. (PLNG)

37. Parking shall be designed to comply with CMC Chapter 18.160 “Parking, Loading, and Access” including drive aisle and parking space dimensions, turning radii, back-out dimensions, driveway clearances, landscape median dimensions, and other relevant information. (ENGR, PLNG) CMC

38. Accessible parking spaces shall comply with Chapters 11A “Housing Accessibility” and 11B “Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing” of Title 24 of the California Code of Regulations, and shall be located on the shortest possible accessible route to an accessible building. (BLDG)

STREET IMPROVEMENTS

39. Per the approved plans, the sidewalk on Clayton Road and East Street will need to be removed and replaced due to significant damage. The replacement sidewalk shall comply with ADA and the City of Concord standards which require as sidewalk width of five feet. (ENGR, PW, PLNG)

40. The project shall include pavement maintenance improvements. At a minimum the project shall construct base repairs and slurry seal treatment along the East Street project frontage extending to the middle of the road. (PW, ENGR)

41. The applicant shall propose appropriate surface treatment to be reviewed and approved by the Public Works department for the Sunset Avenue frontage extending to the center of the street, prior to issuance of a building permit. (PW, ENGR)

42. Any trenching for underground utilities shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. (ENGR)

43. Prohibit parking/loading on Sunset Avenue during trash pick-up days. Install “No Parking” signs specific to the site’s trash pick-up day, prior to Acceptance of Improvements or the first occupancy, whichever comes first. (ENGR)

44. Construct all public facilities in accordance with the current Americans with Disabilities Act (ADA), including driveways and curb ramps. (TRANS, ENGR)

45. The driveway serving the Building Site on Sunset Avenue shall be brought into conformance with current ADA standards. (ENGR, PW)

46. Clayton Road/ Colfax Street/ Sunset Ave: Upgrade eight (8) pedestrian push buttons and pedestrian signal indications at all corners to current ADA standards. (TRANS, PW)
NOISE

47. Noise producing site preparation and construction activities shall be limited to the days and hours as set forth below:

Monday through Saturday 7:00 a.m. to 7:00 p.m.

Construction on Saturdays may be allowed only upon prior approval by the Building, Engineering, and Planning Divisions. No changes to these construction hours shall be allowed without the prior written consent of the City. A contact person shall be available during all construction activities in the evening and on weekends to respond to complaints and take actions necessary to reduce noise. *(BLDG, ENGR, PLNG)*

CONSTRUCTION ACTIVITIES

48. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of Grading or Building Permits, whichever comes first. *(ENGR)*

49. Implement a construction-staging and parking plan that provides for off-street locations for construction vehicle parking and construction material staging. Submit the plan to Engineering Services and Planning Division for review and approval prior to issuance of the Grading Permit. *(PLNG, ENGR)*

50. Implement a dust and construction noise control plan. Submit the plan to Engineering Services for review and approval prior to issuance of the Grading Permit. *(ENGR)*

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

52. Implement the following measures during construction:

a) Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.

b) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and storm drains adjoining the project site. During wet weather, avoid driving vehicles off paved areas.

a) Broom sweep the public street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping.

b) Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest the downstream side of the site in order to preclude any debris or dirt from flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and to prevent street flooding. Dispose of filter particles in an approved trash receptacle.
c) Create a contained and covered area on the site for the storage of bags, cement, paints, flammable, oils, fertilizers, pesticides, or any other materials used on the site that have the potential for being discharged to the storm drain system by being windblown or in the event of a material spill.

d) Never clean items such as machinery, tools, and brushes or rinse containers in a street, gutter, or storm drain.

e) Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash water into street gutters or drains. (ENGR, BLDG)

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

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

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

56. There shall be no parking of construction equipment or construction worker’s vehicles on adjacent streets nor adjacent streets at any time without the prior written approval of the City. (ENGR, BLDG)

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

58. Identify truck routes for the import or export of cut/fill material and/or construction debris for review and approval by the City Engineer prior to the issuance of permits. Repair any damage to City streets (private and public) caused by activity associated with this project. (ENGR)

59. In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading and/or excavation shall cease, the find shall be left untouched, and the City Planning Division shall be immediately notified. The County Coroner and the Native American Heritage Commission shall also be notified and the procedures required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading and Building Plans, prior to issuance of permits. (PLNG, ENGR, BLDG)

60. In the above event, retain a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to evaluate and make recommendations as to disposition, mitigation and/or salvage. The recommendation shall be implemented before work may proceed. The applicant shall be responsible for all costs associated with the professional investigation and implementation. (PLNG, ENGR, BLDG)
CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

61. Submit electronic copy of Preliminary Title Report, prepared within three months prior to plan submittal. (ENGR)

62. The proposed buildings are within the 100-year Floodplain Zone X. At a minimum, comply with the City of Concord Municipal Code requirements in establishing building finished floor elevations. The Grading Plan shall be referenced to the same elevation datum as the FEMA map, and shall show the finished floor elevations of the proposed buildings, 100-year Base Flood Elevations (BFE), and building setback line per CMC. (ENGR) CMC

63. The Improvement Plans shall show frontage improvements including but not limited to: drainage improvements, curb, gutter and sidewalk per City Standard Detail S-10, and driveway construction per City Standard Detail S-14 and repair/replacement of deficient frontage improvements adjacent to the project if not in compliance with the current city standards and ADA requirements. Any unusable existing driveway shall be replaced with standard curb, gutter, and sidewalk per S-10 above. Any trenching for utility installation shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. (ENGR)

64. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer improvements and details for curb, gutter, sidewalk, and driveway construction. (ENGR)

65. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometrics at intersection and corner setback requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and approval by Engineering Services. (ENGR)

66. Obtain an Encroachment Permit from the City prior to performing any work within the public right-of-way or public easements. (ENGR) CMC

SITE DEVELOPMENT PLANS

67. The civil plans shall be prepared by a qualified Civil Engineer and shall be subject to review and approval by Engineering Services. (ENGR)

GRADING/erosion control/geoologic

68. All grading shall require a Grading and Drainage Plan prepared by a registered Civil Engineer, a Soils Report prepared by a registered Geotechnical Engineer and receipt of a Grading Permit approved by the City Engineer. The Grading Plans and Soils Report shall require review by the City’s Geotechnical consultant with all costs to be borne by the applicant. (ENGR)

69. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet in height shall be rounded both horizontally and vertically. (ENGR)
70. On-site finish grading work shall require drainage to be directed away from all building foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. *(ENGR)*

71. The project engineer shall inspect the finished grading and certify that it conforms to the compaction and elevations shown on the Grading Plan and Soils Report. *(ENGR) CMC*

72. At all times seasonally appropriate erosion control measures shall be implemented per plans approved by the City Engineer for all grading work at all times. Wet season measures shall be in place October through April at a minimum and when rain is otherwise predicted. At the time of approval of the Improvement and/or Grading Plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer. *(ENGR)*

73. All graded slopes and stockpiles of loose soil shall be hydromulched/hydroseeded by October of any given year. During grading work between October and April, if rain is forecast, stop all grading work two days before the rain forecast and implement BMPs to insure that the site is protected from erosion. *(ENGR)*

74. Submit Grading, Erosion Control, Improvement and Stormwater Control Plans to Engineering Services for review and approval prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable, evidence of compliance with the State General Construction Permit shall be provided. *(ENGR) CMC*

75. Comply with the applicable provisions of the Grading Ordinance and the Storm Water Management and Discharge Control Ordinance. *(ENGR) CMC*

76. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometries at intersection, and corner setback requirements, prior to the acceptance of improvements. Plans shall be subject to review and approval by Engineering Services. *(ENGR) CMC*

**UTILITIES**

77. Quitclaim the sewer easement within the building footprint prior to a final building inspection as the City will not be responsible for sewer maintenance within the site. *(PW, ENGR)*

78. No above ground utility facilities/structures shall be located between the face of curb and back of sidewalk in the public right-of-way. *(ENGR)*

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

80. Undergrounding of all existing overhead utilities along Clayton Road, Sunset Avenue and East Street including aerial street crossings shall be required pursuant to CMC Section 13.10.130. All new utilities shall be constructed underground prior to issuance of occupancy approval. *(ENGR)*
81. Comply with the City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *(ENGR)*

82. Submit to Engineering Services sanitary sewer calculations with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. *(ENGR)*

83. Submit to Engineering Services a sewer fixture count and square footage of the existing buildings for possible fee credit purposes, prior to demolition. *(ENGR)*

84. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. *(ENGR)*

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

86. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention devices, and the like shall be subject to approval by Planning and Engineering Services prior to the issuance of the Grading or Building Permit, whichever comes first. All such equipment shall be screened from view either architecturally or with landscaping and painted forest green or other approved color as approved by the Planning Division. Any changes to the approved Utility Plans, including location or screening details shall be reviewed and approved by the Planning Division. *(PLNG, ENGR)*

87. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site by the cable companies. *(ENGR)*

88. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current sewer connection and service fees prior to occupancy approval. *(ENGR) CMC*

89. Submit proof acceptable to Engineering Services that all work within the existing (new) private waterline easement(s) are reviewed and approved by the easement owner of record. *(ENGR)*

**DRAINAGE/STORMWATER C.3 REQUIREMENTS**

90. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner. *(ENGR)*

91. Collect and convey all stormwater entering and/or originating from the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year storm with the Improvement Plans to Engineering Services for review and approval.

92. Install City of Concord “No Dumping, Drains to Creek” curb marker (English and Spanish version) on all catch basins. *(ENGR)*
93. Include erosion control/storm water quality measures on the final Grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to review and approval of the City Engineer and Director of Building Inspection. If no Grading Plan is required, necessary erosion control/storm water quality measures shall be shown on the Site Plan submitted for an on-site permit, subject to review and approval of the Director of Building Inspection. The applicant shall be responsible for ensuring that the contractor is aware of and implements such measures. *(ENGR, BLDG)*

94. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually. If sidewalks and/or the parking lot are pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. *(ENGR)*

95. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. Loads being hauled by all trucks shall be covered. *(ENGR)*

96. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City Engineer/Director of Building Inspection. *(ENGR, BLDG)*

**SOLID WASTE/RECYCLING**

97. The trash pickup shall be performed during off-peak hours at the approval of the City. At no time shall trash bins be left on the sidewalk. The trash bins shall not be placed or extended into the street (Sunset Avenue) at any time. The trash bins shall be secured and protected from public access and the area surrounding the trash bins free of litter and pollution. The property management will be responsible for the care and maintenance of the sidewalk, parking bays and surrounding area. Repair of any damage to the sidewalk or driveway bays caused by moving trash bins or resident/tenant move in/out shall be under the Owner’s Duty to Maintain Improvements as specified under the Property Maintenance Agreement. *(PLNG, ENGR, TRANS)*

98. Comply with CMC Chapter 8.20, Solid Waste, Article III, Construction and Demolition (C&D) Waste Recycling, Sections 8.20.330 through 8.20.450, as applicable. *(BLDG)*

99. Design and implement City approved Source Reduction/Recycling Plan and demonstrate that interior and exterior refuse enclosures have been sufficiently designed and located for the storage and pick up of recyclable materials in accordance with CMC Section 8.20.260, Source reduction/recycling plans required, prior to issuance of a Building Permit. *(PW)*
100. Trash bins and refuse shall be stored within approved trash enclosure and the doors shall be closed at all times except when the bins are being emptied. *(CE)*

101. Comply with the provisions of the CMC, Central Contra Costa Sanitary District and the disposal service regarding enclosure design, access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules. Trash enclosures shall incorporate the following features:

a) A concrete pad to prevent damage to asphalt paving.
b) A roof and sanitary sewer cleanout, designed to prevent rainwater from penetrating the interior of the enclosure and preclude trash from being blown outside of the bins unless enclosed within a building.
c) The cleanout shall connect to a sanitary sewer to prevent contaminated water from entering the storm drain system.
d) If any cleaning agent or degreaser is used, wash water must be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. *(CCCSD, ENGR)*

102. Trash enclosures shall incorporate the same architectural treatment, and use the same exterior materials and colors as the main building and shall comply with the Community Design Guidelines, including the following:

a) A roof or trellis unless enclosed within a building.
b) Masonry, steel or heavy timber walls.
c) An interior, poured-in-place curb to prevent damage to the screen walls.
d) Doors with external hinges to prevent damage from the receptacle.
e) Doors of solid metal or with a metal frame with self-closing latch.
f) The height of the enclosure walls and door shall be the same height or higher than the bins within the enclosure. *(PLNG)*

**AGREEMENTS, FEES, BONDS**

103. All fees noted below are the fees currently in effect as of July 11, 2016 per the Resolution of Fees and Charges. The fees and charges are reviewed annually as part of the budget public hearing process. Fee adjustments are based on a number of factors and vary depending on the type of fee:

*Service-based fees* are adjusted annually based on the San Francisco-San Jose-Oakland Area Consumer Price Index;

*Improvement based fees* (also called impact fees) are adjusted annually based on Engineering News Record Construction Cost Index (San Francisco Bay Area); and the

*Parkland Fee* is adjusted per Section 78-95 of the Concord Municipal Code.
The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042, Fees and Charges for Various Municipal Services, as most recently amended and approved by the City Council. Persons interested in how a particular fee is calculated should contact the City Department administering the fee or the Finance Department. \textit{(ENGR)}

104. Enter into a Property Maintenance Agreement acceptable to the City prior to a final on the building permit, agreeing to provide for proper maintenance of landscaping on site and in the public right-of-way and building maintenance. \textit{(PLNG)}

105. Provide a \textbf{$5,000$} cash deposit to the Planning Division to cover Condition Compliance costs at the time of submittal of plans and documents to Engineering Services or the Building Division for plan check. Planning staff’s time will be charged to this deposit for work performed to implement the Conditions of Approval, from the time of project approval to occupancy approval. The deposit will be placed in a refundable account and any unused funds will be returned upon completion. If the initial deposit is insufficient to cover actual costs, an additional deposit will be required. \textit{(PLNG)}

106. Pay a Document Imaging fee to reimburse the City for implementation of the Document Imaging and File Retention programs, prior to issuance of Grading or Building Permits. \textit{(PLNG)}

107. Enter into an Encroachment Agreement acceptable to the City prior to the building Occupancy Permit, agreeing to provide for proper maintenance, repair and inspection of any structures, storm drain facility, decorative pond within the public street right of way and other privately maintained improvements pursuant to CMC Section 17.35.190 “Streets”. \textit{(ENGR)}

108. All required faithful performance bonds and labor materials bonds in a penal amount equal to 100 percent of the approved estimates of construction costs of public improvements shall be submitted to and approved by the City and other agencies having jurisdiction prior to approval of the Building or Grading Permit, whichever comes first. \textit{(ENGR)}

109. Encroachment Permit/site development Application:

\begin{itemize}
  \item[a)] Pay the Filing Fee at the time of submittal of permit application, improvement plans and supporting documents to City Engineering Services for review.
  \item[b)] Provide a restoration security before issuance of the Encroachment Permit. The security shall be in an amount sufficient to restore existing public improvements to a serviceable condition should development improvement activity cause damage. The amount of the security shall be determined by, and be in a form acceptable to the City Engineer.
  \item[c)] Pay Grading Fees at submittal of a Permit application. The current fee is determined based on cubic yardage of cut and fill combined.
  \item[d)] Provide a \textbf{$5,000$} cash deposit for Erosion Control prior to issuance of Grading Permit. The deposit will be placed in a refundable account. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.
\end{itemize}
e) Pay the Improvement Plan review fee at the time of submittal of Improvement Plans and supporting documents to Engineering Services for review. The fee includes initial submission and two revisions and is estimated based on the construction cost estimate.

f) Pay the Construction Inspection fee prior to issuance of the Construction Permits or scheduling the Subdivision Agreement for consideration by the City. The current fee is based on the estimated cost of constructing the required improvements to support the subdivision.

g) Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is $2,709/acre. (Drainage Area 23/24).

h) Pay the Parkland Fee prior to issuance of the Building Permit (ENGR)

110. Sewer Connection Permit:

a) Pay Sanitary Sewer connection fee paid prior to building occupancy permit less possible fee credits. (ENGR)

111. Traffic Mitigation Fee:

Pay Offsite Street Improvement Program (OSIP) fee less possible fee credits. The OSIP fee shall be the fee in effect at the time of approval of the building permit. (ENGR)

OTHER/MISCELLANEOUS

112. Contact local postal authorities to get their requirements for mail facilities for the project. The design and location of mail receptacles shall be reviewed and approved by the Planning Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to occupancy approval. (PLNG)

113. Contact the Geographic Information Systems (GIS) Technician, in the Information Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the Contra Costa County Fire Protection District for their approval, prior to issuance of a Building Permit. (PLNG)

114. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. (ENGR) CMC

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

Contra Costa County Fire Protection District
4005 Port Chicago Hwy, Ste. 250
Concord CA 94520

Plan review fees are assessed at that time. The City is not responsible for the collection of fees
The applicant shall defend (with counsel approved by City), indemnify and hold harmless the City, any agency or instrumentality thereof, and its/their respective agents, officers, officials, volunteers, and employees from and against any and all administrative and/or legal claims, actions or proceedings to attack, set aside, void, or annul approval of the project, including without limitation, any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"), with the exception of a Challenge arising out of the City’s sole negligence or willful misconduct. The City shall have the right to pre-approve any material decision involved in defending any such Challenge, including settlement, and may (but is not obligated to) participate in the defense of any Challenge. If applicant does not promptly defend any Challenge, City may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense. The applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation. Pursuant to Government Code Section 66474.9, the applicant’s indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify applicant of any Challenge, and shall cooperate fully in the defense. (CA)

The permit and approval shall expire in two years from the date on which they became effective unless construction permits are obtained and work has begun. The effective date of the permit and approval is March 30, 2019. (PLNG)

A request for a time extension from the expiration date of March 30, 2019 can be considered if an application with required fee is filed at least 10 days before the original expiration date, otherwise a new application is required. A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. (PLNG)
ATTACHMENT A

DRAFT AMENDED CONDITIONS OF APPROVAL

Salmon Run Apartments
PL19046-UPA, DRA, AA
2325 Clayton Road & 1750 East Street
APN 126-104-008 & 126-081-002

PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of the following:
   a) Use Permit Amendment (UPA) for reduced parking, payment of fees in-lieu of providing parking, and elimination of the requirement to construct an off-site parking facility for the Salmon Run Apartments (PL19046-UPA, DRA) consisting of a conversion of an existing office building into 32 apartment units on a 0.53 acre site located at 2325 Clayton Road; and
   b) Design Review Amendment (DRA) to eliminate the off-site parking facility proposed at 1750 East Street from the project’s approved design.

2. Standards | Approved
---|---
Density (du/net acre) minimum/maximum | 60.3
Floor Area Ratio (FAR) | 1.84
Lot Area (square feet) minimum | 23,105
Building Height (feet) | 41'6"
Building Height – First floor minimum (feet, floor to floor height) | 9'
Setbacks (feet) required minimum |
   Front | 10'
Corner Side | 3,6,8 ft. respectively at specific points
Parking Spaces (Vehicle)
   Onsite | 41
   Offsite | 13
   **In-Lieu Parking** | 8
   Motorcycle | 2
   Bicycle |
   Short term | 3
   Long term | 16
Open Space/Unit (square feet) | 0/unit
<table>
<thead>
<tr>
<th>Standards</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>minimum</td>
<td>6,604 s.f. total onsite</td>
</tr>
</tbody>
</table>

Building was built in 1987 through UP2-87 and therefore the height of the first floor is legal non-conforming as the project is a conversion of the existing building.

Approved by variance (V 5-87).

*Off-site parking spaces are approved through the Use Permit. Per the parking study 49 spaces are required. The applicant is providing 41 and paving for 8 spaces in-lieu.*

The review authority waived the requirement of private open space and allowed all open space to be common space.

3. Final building colors and materials shall be consistent with the color and materials exhibit dated October 2, 2018, prepared by Levitt Group, on file with staff.

Exterior building materials and colors shall be in substantial conformance with the approved plans as follows:

<table>
<thead>
<tr>
<th>Materials</th>
<th>Manufacturer</th>
<th>Color Name</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paint for Stucco</td>
<td>Sherwin Williams</td>
<td>Extra White</td>
<td>SW7006</td>
</tr>
<tr>
<td>Wrought Iron Paint</td>
<td>Sherwin Williams</td>
<td>Rembrandt Ruby</td>
<td>SW 0033</td>
</tr>
</tbody>
</table>

4. The following Exhibits, date stamped received by the City of Concord, on October 2, 2018 are approved and shall be incorporated as Conditions of Approval.

<table>
<thead>
<tr>
<th>Plan</th>
<th>Date Prepared</th>
<th>Prepared by</th>
<th>Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover Sheet</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C1.00</td>
</tr>
<tr>
<td>Notes</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C1.01</td>
</tr>
<tr>
<td>Sections &amp; Details</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C2.00</td>
</tr>
<tr>
<td>Topographic Survey</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C3.00</td>
</tr>
<tr>
<td>Demolition Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C4.00</td>
</tr>
<tr>
<td>Horizontal Control Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C5.00</td>
</tr>
<tr>
<td>Grading &amp; Drainage Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C6.00</td>
</tr>
<tr>
<td>Grading &amp; Drainage Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C6.01</td>
</tr>
<tr>
<td>Utility Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C7.00</td>
</tr>
<tr>
<td>Erosion Control Notes</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C8.00</td>
</tr>
<tr>
<td>Erosion Control Plan</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C8.01</td>
</tr>
<tr>
<td>Trash Truck Path of Travel</td>
<td>9/5/18</td>
<td>DK Consulting</td>
<td>C9.00</td>
</tr>
<tr>
<td>On Grade Parking</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>G-1</td>
</tr>
<tr>
<td>Previous Photos</td>
<td>4/19/18</td>
<td>The Levitt Group</td>
<td>A</td>
</tr>
<tr>
<td>Schematic First Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-1</td>
</tr>
<tr>
<td>Proposed First Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-1.1</td>
</tr>
<tr>
<td>Schematic Second Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-2</td>
</tr>
<tr>
<td>Proposed Second Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-2.1</td>
</tr>
<tr>
<td>----------------------------</td>
<td>---------</td>
<td>------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Type- C Unit Plan</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>C</td>
</tr>
<tr>
<td>First Floor Unit A/BD</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>1st ABD</td>
</tr>
<tr>
<td>Second Floor Unit B&amp;D</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>2nd BD-1</td>
</tr>
<tr>
<td>Second Floor Unit B&amp;D</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>2nd BD-2</td>
</tr>
<tr>
<td>Roof Plan/ Roof Deck</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-3</td>
</tr>
<tr>
<td>Dex-o-tex Weather Ware</td>
<td>7/5/18</td>
<td>The Levitt Group</td>
<td>A-3.1</td>
</tr>
<tr>
<td>Railings</td>
<td>7/5/18</td>
<td>The Levitt Group</td>
<td>A-3.2</td>
</tr>
<tr>
<td>Clayton Rd. Elevations</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-4</td>
</tr>
<tr>
<td>Sunset Ave. &amp; East St. Elevations</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-4.1</td>
</tr>
<tr>
<td>Building Sections</td>
<td>8/28/18</td>
<td>The Levitt Group</td>
<td>A-5</td>
</tr>
<tr>
<td>Doors/Windows- 1st Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-6</td>
</tr>
<tr>
<td>Doors/ Windows- 2nd Floor</td>
<td>5/16/18</td>
<td>The Levitt Group</td>
<td>A-7</td>
</tr>
<tr>
<td><strong>Additional Offsite Parking</strong></td>
<td>10/4/18</td>
<td><strong>DK Consulting</strong></td>
<td><strong>P1</strong></td>
</tr>
<tr>
<td>Existing Landscape</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L1</td>
</tr>
<tr>
<td>Landscape Concept ‘A’</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L2</td>
</tr>
<tr>
<td>Landscape Concept ‘B’</td>
<td>7/6/18</td>
<td>Gates &amp; Associates</td>
<td>L3</td>
</tr>
</tbody>
</table>

**GENERAL CONDITIONS**

5. These conditions of approval shall replace those associated with the previously approved Use Permits (UP 2-87 and PL18287-UP, DR, AA). *(PLNG)*

6. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:
   a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
   b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
   c) Prior to Construction.
   d) On going during Construction.
   e) Prior to approval of the Final Map.
   f) Prior to occupancy approval.

   If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. *(PLNG, BLDG, ENGR)*

7. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. *(PLNG, BLDG, ENGR)*

8. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. *(PLNG, BLDG, ENGR)*
9. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*

10. The Conditions of Approval shall be listed on a plan sheet that is included in the construction plan set (Grading, Utility, Landscape, and Building Plans). *(PLNG, ENGR)*

11. Two annotated copies of the Conditions of Approval specifying how each applicable condition has been satisfied, shall be submitted as follows:
   a) At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan check, whichever comes first.
   b) Prior to occupancy approval. *(PLNG, ENGR)*

12. The project site and area surrounding the site shall be fenced and maintained in a weed and litter free condition for the period after demolition and prior to construction. *(BLDG, PLNG)*

13. All stairwells that exit to the street shall be secured and allow only unkeyed exit/ keyed entrance. *(PD)*

14. The front entrance/ main entrance (at the corner of Sunset Street and Clayton Road) to the Building Site shall be secured and allow only unkeyed exit/ keyed entrance. *(PD)*

15. Existing fencing shall remain around the site during construction or an alternative perimeter fence provided as approved by the City. *(PLNG)*

**ARCHITECTURAL**

16. Any major changes to the building’s exterior shall be reviewed and approved by the Early California Architecture Design Review Ad-Hoc Committee. *(PLNG)*

**LANDSCAPING**

17. The applicant shall submit Final Landscape Plans prepared by a licensed Landscape Architect, registered by the State of California, for review and approval by the Planning Division with the Grading, Improvement, or Building Plans, whichever comes first, prior to the issuance of any permit. The Plan shall be drawn on or consistent with the Site Plan prepared by the Civil Engineer, with the following information:
   a) A legend that lists all plant species (Latin and common name), including size, quantities, spacing, and ultimate height and width.
   b) Specifications and details for planting, including staking of trees and planting in bioswales or other stormwater treatment areas.
   c) Utility information on the base map, screened back.
   d) Existing trees to be saved and identification of all replacement trees.
   e) Trees (minimum size 24-inch box) and shrubs (minimum 5-gallon; accent or sub-shrubs may be 1-gallon).
   f) Six-inch vertical concrete curbs around landscaped areas. *(PLNG, ENGR)*
18. A licensed landscape architect/consultant will be retained to assist the Planning Divisions with the review and approval of the final landscape plans for the Building Site. The applicant shall deposit funds in a trust account to cover the consultant’s time plus 20% to cover the City’s administrative costs. *(PLNG)*

19. Irrigation Plans shall include a drip irrigation system and be submitted with the Final Landscape Plans in compliance with the requirements of the Regional Landscape Water Conservation Ordinance adopted by Contra Costa Water District in compliance with the current State laws. *(PLNG)*

20. All landscaping shall be installed prior to occupancy approval. Contact the Planning Division at least two weeks prior to Occupancy, to request a site inspection of all exterior improvements including buildings, driveways, parking lots, landscaping, irrigation, lighting, and walls. *(PLNG)*

21. Prior to occupancy approval, the licensed Landscape Architect shall submit a Landscape Documentation Package with the following mandated elements:
   a) Application
   b) Certification of Compliance for Landscape Design
   c) Certification of Compliance for Landscape Installation
   d) Certification of Compliance for Landscape Audit
   e) Certification of Compliance for Landscape Maintenance
   f) Water Budget work sheets (if applicable)
   g) Landscape Plans
   h) Landscape and Maintenance Schedule *(PLNG)*

22. Any vegetation damaged or destroyed on adjacent properties during construction shall be replaced with like or comparable plant materials, and if damage occurs off-site, the replacement plants shall be like or comparable plant materials, or approved by the property owner and the Planning Division, prior to occupancy approval. *(PLNG)*

**LIGHTING**

23. Show all exterior lighting including: building fixtures, walkway lighting, parking lot lighting, and street lights on the applicable Site, Utility, Landscape, and Building Plans, prior to the issuance of any permits. The height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on the plans. *(PLNG, ENGR, BLDG)*

24. All exterior building and parking lot lighting shall provide illumination for safety and shall be installed in a manner that is glare shielded and directed away from adjacent properties and right-of-ways. *(PLNG)*

25. Submit a Photometric Plan for review and approval, showing the location of all light sources, streetlight spacing, intensity of luminance, and uniformity ratio, in accordance with the City’s specifications, with the Improvement, Utility, or Building Plans, whichever comes first. The
photometric analysis shall be reviewed by Engineering Services for the determination of streetlight spacing. *(ENGR, TRANS, BLDG, PD)*

**SIGNAGE**

26. All signage shall comply with the City of Concord Sign Ordinance. *(PLNG) CMC*

**PARKING**

27. The applicant shall develop and implement a parking management plan and monitoring program prior to issuance of temporary certificate of occupancy to manage the proposed parking demand and supply. The plan shall identify provisions for monitoring parking demand as the residential units become occupied to assess the effectiveness of the strategies detailed below and to work with the City of Concord to implement additional strategies, if necessary. Potential elements of the parking management plan are provided below for consideration:
   - Assign tandem spaces to the same unit.
   - Implement restrictions on the use of guest parking spaces, such as: being located ONLY at the off-site parking lot at 1750 East Street.
   - Describe how guests will gain access to the gated, off-site parking lot.
   - Should complaints/concerns come up regarding lack of parking, City Staff shall review the adequacy of parking. If parking is determined to be inadequate, the property owner may be required to enter into an agreement with the City to provide additional parking in the immediate vicinity.

28. **The additional three (3) parking spaces that are provided onsite above what the parking study required for residents, shall be designated as “guest/visitor” parking.** *(PLNG)*

29. Language shall be included in the tenant rental agreements stating tenants shall park onsite in the project’s garage and not in the neighborhood. A copy of the rental agreement with said language shall be submitted to Planning staff for review and approval prior to building occupancy. *(PLNG)*

30. Vehicles shall be restricted from entering the Building Site ground level parking lot from the East Street driveway. *(TRANS)*

31. Submit a striping and signage plan for review and approval by the Transportation Division prior to issuance of a Building Permit or Site Development Permit, whichever comes first. *(TRANS)*

32. The applicant shall provide EV infrastructure within both the resident and guest parking area, or at least pre-wiring a portion of the parking garages such that EV charging infrastructure can easily be provided based on future resident demand. Such details shall be shown on the plans issued for permit. *(PLNG, TRANS)*

33. The applicant shall submit a security plan approved by staff prior to the issuance of the first permit showing site vehicular gates, keyed pedestrian gates *(PLNG, BLDG, ENGR, PD)*
34. Prior to issuance of Building Permit, applicant shall prepare a parking study under the direction of the Transportation Division that evaluates the project’s parking demand and the need for off-site parking. The Applicant shall be responsible for the cost of the parking study plus 20% of the contract amount to cover the City’s administrative costs. Applicant shall comply with the following based on the conclusion of the parking study:

a. Should the parking study conclude that the required parking may be reduced, the applicant shall submit a Use Permit Amendment and revised plans consistent with the recommendation(s) of the parking study for review by the Planning Commission prior to issuance of a building permit. (PLNG/TRANS)

b. Should the off-site parking lot be required due to the inability of the traffic study to make the findings a reduction in parking, a parking agreement shall be filed and recorded between the off-site parking lot at 1750 East Street and 2325 Clayton Road. (PLNG)

35. All parking spaces shall be striped; full-size spaces shall be 9 ft. by 19 ft; compact spaces shall be 8 ft. by 16 ft. (PLNG, ENGR) CMC

36. A maximum of 25 percent of the required parking spaces may be compact. Compact stalls shall be clearly identified. (PLNG, ENGR) CMC

37. A maximum of four compact parking stalls may be located together. (PLNG)

38. Parking shall be designed to comply with CMC Chapter 18.160 “Parking, Loading, and Access” including motorcycle and bicycle parking spaces, drive aisle and parking space dimensions, turning radii, back-out dimensions, driveway clearances, landscape median dimensions, and other relevant information. (ENGR, PLNG) CMC

39. Accessible parking spaces shall comply with Chapters 11A “Housing Accessibility” and 11B “Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing” of Title 24 of the California Code of Regulations, and shall be located on the shortest possible accessible route to an accessible building. (BLDG)

OFF-SITE PARKING LOT AT 1750 EAST STREET

40. Applicant shall submit a Design and Site Review (“Design Review”) application and plans for the off-street parking facility for review and approval by the Planning Division prior to issuance of a building permit for the building site. The plans shall include the following:

a. Landscaping in compliance with the applicable standards of Concord Development Code (CDC) Section 18.165.

b. ADA parking spaces identified and dimensioned.

c. ADA path of travel and location of sidewalks though the off-site parking lot to safely direct pedestrians through the lot.

d. Location and details for the vehicular gate and pedestrian gates.
e. A lighting and photometric plan in compliance with CDC Chapter 18,160-110D and City illumination standards. (PLNG, CDC)

41. The footprint of the existing building at 1700 East Street encroaches into the parking lot parcel at 1750 East Street. An easement shall be recorded on the 1750 East Street parcel providing access to the owner of 1700 East Street to address access for maintenance of the building at 1700 East Street. (PLNG)

42. The two driveways that serve the Off-site Parking Lot shall be brought into conformance with current ADA standards along with a minimum removal and replacement of ten (10) feet of sidewalk on both sides of each driveway (subject to review and approval from the Engineering Division) and the removal/replacement of any damaged or hazardous portions of sidewalk along the Off-site Parking Lot frontage. (ENGR)

STREET IMPROVEMENTS

43. Per the approved plans, the sidewalk on Clayton Road and East Street will need to be removed and replaced due to significant damage. The replacement sidewalk shall comply with ADA and the City of Concord standards which require as sidewalk width of five feet. (ENGR, PW, PLNG)

44. The project shall include pavement maintenance improvements. At a minimum the project shall construct base repairs and slurry seal treatment along the East Street project frontage extending to the middle of the road. (PW, ENGR)

45. The applicant shall propose appropriate surface treatment to be reviewed and approved by the Public Works department for the Sunset Avenue frontage extending to the center of the street, prior to issuance of a building permit. (PW, ENGR)

46. Any trenching for underground utilities shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. (ENGR)

47. Prohibit parking/loading on Sunset Avenue during trash pick-up days. Install "No Parking" signs specific to the site’s trash pick-up day, prior to Acceptance of Improvements or the first occupancy, whichever comes first. (ENGR)

48. Construct all public facilities in accordance with the current Americans with Disabilities Act (ADA), including driveways and curb ramps. (TRANS, ENGR)

49. The driveway serving the Building Site on Sunset Avenue shall be brought into conformance with current ADA standards. (ENGR, PW)

50. Clayton Road/ Colfax Street/ Sunset Ave: Upgrade eight (8) pedestrian push buttons and pedestrian signal indications at all corners to current ADA standards. (TRANS, PW)
Sunset Avenue/East Street: If the off-site parking lot is developed for the use of parking, upgrade existing pedestrian push buttons (8), pedestrian signal indications (8), and curb ramp (6) at all corners to current ADA standards. *(TRANS, PW)*

NOISE

52. Noise producing site preparation and construction activities shall be limited to the days and hours as set forth below:

Monday through Saturday 7:00 a.m. to 7:00 p.m.

Construction on Saturdays may be allowed only upon prior approval by the Building, Engineering, and Planning Divisions. No changes to these construction hours shall be allowed without the prior written consent of the City. A contact person shall be available during all construction activities in the evening and on weekends to respond to complaints and take actions necessary to reduce noise. *(BLDG, ENGR, PLNG)*

CONSTRUCTION ACTIVITIES

53. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of Grading or Building Permits, whichever comes first. *(ENGR)*

54. Implement a construction-staging and parking plan that provides for off-street locations for construction vehicle parking and construction material staging. Submit the plan to Engineering Services and Planning Division for review and approval prior to issuance of the Grading Permit. *(PLNG, ENGR)*

55. Implement a dust and construction noise control plan. Submit the plan to Engineering Services for review and approval prior to issuance of the Grading Permit. *(ENGR)*

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

57. Implement the following measures during construction:
   a) Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.
   b) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and storm drains adjoining the project site. During wet weather, avoid driving vehicles off paved areas.
   a) Broom sweep the public street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping.
b) Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest the downstream side of the site in order to preclude any debris or dirt from flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and to prevent street flooding. Dispose of filter particles in an approved trash receptacle.

c) Create a contained and covered area on the site for the storage of bags, cement, paints, flammable, oils, fertilizers, pesticides, or any other materials used on the site that have the potential for being discharged to the storm drain system by being windblown or in the event of a material spill.

d) Never clean items such as machinery, tools, and brushes or rinse containers in a street, gutter, or storm drain.

e) Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash water into street gutters or drains. (ENGR, BLDG)

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

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

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

61. There shall be no parking of construction equipment or construction worker’s vehicles on adjacent streets nor adjacent streets at any time without the prior written approval of the City. (ENGR, BLDG)

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

63. Identify truck routes for the import or export of cut/fill material and/or construction debris for review and approval by the City Engineer prior to the issuance of permits. Repair any damage to City streets (private and public) caused by activity associated with this project. (ENGR)

64. In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading and/or excavation shall cease, the find shall be left untouched, and the City Planning Division shall be immediately notified. The County Coroner and the Native American Heritage Commission shall also be notified and the procedures required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading and Building Plans, prior to issuance of permits. (PLNG, ENGR, BLDG)

65. In the above event, retain a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to evaluate and make recommendations as to disposition, mitigation and/or salvage. The
recommendation shall be implemented before work may proceed. The applicant shall be responsible for all costs associated with the professional investigation and implementation. *(PLNG, ENGR, BLDG)*

CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

66. Submit electronic copy of Preliminary Title Report, prepared within three months prior to plan submittal. *(ENGR)*

67. The proposed buildings are within the 100-year Floodplain Zone X. At a minimum, comply with the City of Concord Municipal Code requirements in establishing building finished floor elevations. The Grading Plan shall be referenced to the same elevation datum as the FEMA map, and shall show the finished floor elevations of the proposed buildings, 100-year Base Flood Elevations (BFE), and building setback line per CMC. *(ENGR)* CMC

68. The Improvement Plans shall show frontage improvements including but not limited to: drainage improvements, curb, gutter and sidewalk per City Standard Detail S-10, and driveway construction per City Standard Detail S-14 and repair/replacement of deficient frontage improvements adjacent to the project if not in compliance with the current city standards and ADA requirements. Any unusable existing driveway shall be replaced with standard curb, gutter, and sidewalk per S-10 above. Any trenching for utility installation shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. *(ENGR)*

69. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer improvements and details for curb, gutter, sidewalk, and driveway construction. *(ENGR)*

70. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometrics at intersection and corner setback requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and approval by Engineering Services. *(ENGR)*

71. Obtain an Encroachment Permit from the City prior to performing any work within the public right-of-way or public easements. *(ENGR)* CMC

SITE DEVELOPMENT PLANS

72. The civil plans shall be prepared by a qualified Civil Engineer and shall be subject to review and approval by Engineering Services. *(ENGR)*

GRADING/EROSION CONTROL/GEOLoGIC

73. All grading shall require a Grading and Drainage Plan prepared by a registered Civil Engineer, a Soils Report prepared by a registered Geotechnical Engineer and receipt of a Grading Permit approved by the City Engineer. The Grading Plans and Soils Report shall require review by the City’s Geotechnical consultant with all costs to be borne by the applicant. *(ENGR)*
74. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet in height shall be rounded both horizontally and vertically. *(ENGR)*

75. On-site finish grading work shall require drainage to be directed away from all building foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. *(ENGR)*

76. The project engineer shall inspect the finished grading and certify that it conforms to the compaction and elevations shown on the Grading Plan and Soils Report. *(ENGR) CMC*

77. At all times seasonally appropriate erosion control measures shall be implemented per plans approved by the City Engineer for all grading work at all times. Wet season measures shall be in place October through April at a minimum and when rain is otherwise predicted. At the time of approval of the Improvement and/or Grading Plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer. *(ENGR)*

78. All graded slopes and stockpiles of loose soil shall be hydromulched/hyproseeded by October of any given year. During grading work between October and April, if rain is forecast, stop all grading work two days before the rain forecast and implement BMPs to insure that the site is protected from erosion. *(ENGR)*

79. Submit Grading, Erosion Control, Improvement and Stormwater Control Plans to Engineering Services for review and approval prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable, evidence of compliance with the State General Construction Permit shall be provided. *(ENGR) CMC*

80. Comply with the applicable provisions of the Grading Ordinance and the Storm Water Management and Discharge Control Ordinance. *(ENGR) CMC*

81. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometries at intersection, and corner setback requirements, prior to the acceptance of improvements. Plans shall be subject to review and approval by Engineering Services. *(ENGR) CMC*

**UTILITIES**

82. Quitclaim the sewer easement within the building footprint prior to a final building inspection as the City will not be responsible for sewer maintenance within the site. *(PW, ENGR)*

83. No above ground utility facilities/structures shall be located between the face of curb and back of sidewalk in the public right-of-way. *(ENGR)*

84. All new utilities shall be constructed underground prior occupancy approval. *(ENGR)*
85. Undergrounding of all existing overhead utilities along Clayton Road, Sunset Avenue and East Street including aerial street crossings shall be required pursuant to CMC Section 13.10.130. All new utilities shall be constructed underground prior to issuance of occupancy approval. *(ENGR)*

86. Comply with the City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *(ENGR)*

87. Submit to Engineering Services sanitary sewer calculations with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. *(ENGR)*

88. Submit to Engineering Services a sewer fixture count and square footage of the existing buildings for possible fee credit purposes, prior to demolition. *(ENGR)*

89. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. *(ENGR)*

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

91. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, electrical and gas meters, vaults, irrigation control boxes, backflow prevention devices, and the like shall be subject to approval by Planning and Engineering Services prior to the issuance of the Grading or Building Permit, whichever comes first. All such equipment shall be screened from view either architecturally or with landscaping and painted forest green or other approved color as approved by the Planning Division. Any changes to the approved Utility Plans, including location or screening details shall be reviewed and approved by the Planning Division. *(PLNG, ENGR)*

92. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site by the cable companies. *(ENGR)*

93. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current sewer connection and service fees prior to occupancy approval. *(ENGR) CMC*

94. Submit proof acceptable to Engineering Services that all work within the existing (new) private waterline easement(s) are reviewed and approved by the easement owner of record. *(ENGR)*

**DRAINAGE/STORMWATER C.3 REQUIREMENTS**

95. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner. *(ENGR)*

96. Collect and convey all stormwater entering and/or originating from the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year storm with the Improvement Plans to Engineering Services for review and approval.
97. Install City of Concord “No Dumping, Drains to Creek” curb marker (English and Spanish version) on all catch basins. (ENGR)

98. Include erosion control/storm water quality measures on the final Grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroteening, hay bales, sandbags, and siltation fences and are subject to review and approval of the City Engineer and Director of Building Inspection. If no Grading Plan is required, necessary erosion control/storm water quality measures shall be shown on the Site Plan submitted for an on-site permit, subject to review and approval of the Director of Building Inspection. The applicant shall be responsible for ensuring that the contractor is aware of and implements such measures. (ENGR, BLDG)

99. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually. If sidewalks and/or the parking lot are pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. (ENGR)

100. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. Loads being hauled by all trucks shall be covered. (ENGR)

101. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City Engineer/Director of Building Inspection. (ENGR, BLDG)

SOLID WASTE/RECYCLING

102. The trash pickup shall be performed during off-peak hours at the approval of the City. At no time shall trash bins be left on the sidewalk. The trash bins shall not be placed or extended into the street (Sunset Avenue) at any time. The trash bins shall be secured and protected from public access and the area surrounding the trash bins free of litter and pollution. The property management will be responsible for the care and maintenance of the sidewalk, parking bays and surrounding area. Repair of any damage to the sidewalk or driveway bays caused by moving trash bins or resident/tenant move in/out shall be under the Owner’s Duty to Maintain Improvements as specified under the Property Maintenance Agreement. (PLNG, ENGR, TRANS)

103. Comply with CMC Chapter 8.20, Solid Waste, Article III, Construction and Demolition (C&D) Waste Recycling, Sections 8.20.330 through 8.20.450, as applicable. (BLDG)
104. Design and implement City approved Source Reduction/Recycling Plan and demonstrate that interior and exterior refuse enclosures have been sufficiently designed and located for the storage and pick up of recyclable materials in accordance with CMC Section 8.20.260, Source reduction/recycling plans required, prior to issuance of a Building Permit. (PW)

105. Trash bins and refuse shall be stored within approved trash enclosure and the doors shall be closed at all times except when the bins are being emptied. (CE)

106. Comply with the provisions of the CMC, Central Contra Costa Sanitary District and the disposal service regarding enclosure design, access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules. Trash enclosures shall incorporate the following features:

a) A concrete pad to prevent damage to asphalt paving.
b) A roof and sanitary sewer cleanout, designed to prevent rainwater from penetrating the interior of the enclosure and preclude trash from being blown outside of the bins unless enclosed within a building.
c) The cleanout shall connect to a sanitary sewer to prevent contaminated water from entering the storm drain system.
d) If any cleaning agent or degreaser is used, wash water must be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. (CCCSD, ENGR)

107. Trash enclosures shall incorporate the same architectural treatment, and use the same exterior materials and colors as the main building and shall comply with the Community Design Guidelines, including the following:

a) A roof or trellis unless enclosed within a building.
b) Masonry, steel or heavy timber walls.
c) An interior, poured-in-place curb to prevent damage to the screen walls.
d) Doors with external hinges to prevent damage from the receptacle.
e) Doors of solid metal or with a metal frame with self-closing latch.
f) The height of the enclosure walls and door shall be the same height or higher than the bins within the enclosure. (PLNG)

AGREEMENTS, FEES, BONDS

108. All fees noted below are the fees currently in effect as of July 11, 2016 per the Resolution of Fees and Charges. The fees and charges are reviewed annually as part of the budget public hearing process. Fee adjustments are based on a number of factors and vary depending on the type of fee:

Service-based fees are adjusted annually based on the San Francisco-San Jose-Oakland Area Consumer Price Index;
Improvement based fees (also called impact fees) are adjusted annually based on Engineering News Record Construction Cost Index (San Francisco Bay Area); and the

Parkland Fee is adjusted per Section 78-95 of the Concord Municipal Code.

The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042, Fees and Charges for Various Municipal Services, as most recently amended and approved by the City Council. Persons interested in how a particular fee is calculated should contact the City Department administering the fee or the Finance Department. (ENGR)

109. Enter into a Property Maintenance Agreement acceptable to the City prior to a final on the building permit, agreeing to provide for proper maintenance of landscaping on site and in the public right-of-way and building maintenance. (PLNG)

110. Provide a $5,000 cash deposit to the Planning Division to cover Condition Compliance costs at the time of submittal of plans and documents to Engineering Services or the Building Division for plan check. Planning staff’s time will be charged to this deposit for work performed to implement the Conditions of Approval, from the time of project approval to occupancy approval. The deposit will be placed in a refundable account and any unused funds will be returned upon completion. If the initial deposit is insufficient to cover actual costs, an additional deposit will be required. (PLNG)

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

112. Enter into an Encroachment Agreement acceptable to the City prior to the building Occupancy Permit, agreeing to provide for proper maintenance, repair and inspection of any structures, storm drain facility, decorative pond within the public street right of way and other privately maintained improvements pursuant to CMC Section 17.35.190 “Streets”. (ENGR)

113. All required faithful performance bonds and labor materials bonds in a penal amount equal to 100 percent of the approved estimates of construction costs of public improvements shall be submitted to and approved by the City and other agencies having jurisdiction prior to approval of the Building or Grading Permit, whichever comes first. (ENGR)

114. Encroachment Permit/ site development Application:

a) Pay the Filing Fee at the time of submittal of permit application, improvement plans and supporting documents to City Engineering Services for review.

b) Provide a restoration security before issuance of the Encroachment Permit. The security shall be in an amount sufficient to restore existing public improvements to a serviceable condition should development improvement activity cause damage. The amount of the security shall be determined by, and be in a form acceptable to the City Engineer.

c) Pay Grading Fees at submittal of a Permit application. The current fee is determined based on cubic yardage of cut and fill combined.
d) Provide a $5,000 cash deposit for Erosion Control prior to issuance of Grading Permit. The deposit will be placed in a refundable account. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.

e) Pay the Improvement Plan review fee at the time of submittal of Improvement Plans and supporting documents to Engineering Services for review. The fee includes initial submission and two revisions and is estimated based on the construction cost estimate.

f) Pay the Construction Inspection fee prior to issuance of the Construction Permits or scheduling the Subdivision Agreement for consideration by the City. The current fee is based on the estimated cost of constructing the required improvements to support the subdivision.

g) Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is $2,709/acre. (Drainage Area 23/24).

h) Pay the Parkland Fee prior to issuance of the Building Permit (ENG).

115. Sewer Connection Permit:

a) Pay Sanitary Sewer connection fee paid prior to building occupancy permit less possible fee credits. (ENG)

116. Traffic Mitigation Fee:

Pay Offsite Street Improvement Program (OSIP) fee less possible fee credits. The OSIP fee shall be the fee in effect at the time of approval of the building permit. (ENG)

OTHER/MISCELLANEOUS

117. Contact local postal authorities to get their requirements for mail facilities for the project. The design and location of mail receptacles shall be reviewed and approved by the Planning Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to occupancy approval. (PLNG)

118. Contact the Geographic Information Systems (GIS) Technician, in the Information Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the Contra Costa County Fire Protection District for their approval, prior to issuance of a Building Permit. (PLNG)

119. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. (ENG) CMC

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

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

121. The applicant shall defend (with counsel approved by City), indemnify and hold harmless the City, any agency or instrumentality thereof, and its/their respective agents, officers, officials, volunteers, and employees from and against any and all administrative and/or legal claims, actions or proceedings to attack, set aside, void, or annul approval of the project, including without limitation, any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”), with the exception of a Challenge arising out of the City’s sole negligence or willful misconduct. The City shall have the right to pre-approve any material decision involved in defending any such Challenge, including settlement, and may (but is not obligated to) participate in the defense of any Challenge. If applicant does not promptly defend any Challenge, City may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense. The applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation. Pursuant to Government Code Section 66474.9, the applicant’s indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify applicant of any Challenge, and shall cooperate fully in the defense. *(CA)*

122. The permit and approval shall expire in two years from the date on which they became effective unless construction permits are obtained and work has begun. The effective date of the permit and approval is November 19, 2018 March 30, 2019. *(PLNG)*

123. A request for a time extension from the expiration date of November 19, 2018 March 30, 2019 can be considered if an application with required fee is filed at least 10 days before the original expiration date, otherwise a new application is required. A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. *(PLNG)*
SUBJECT: Salmon Run Apartments (PL18267-UP, DR, AA)

Recommendation: Adopt Resolution# 18-21PC, approving the Salmon Run Apartments Use Permit and Design Review Application (PL18267-UP, DR, AA)

CEQA: This project is classified as a Class 32 Categorical Exemption under CEQA Regulations Section 15332 "In-Fill Development Projects."

I. Introduction

A. Application Request

Application for a Use Permit Amendment, Design Review Application, and Administrative Permit for the conversion of an existing office building into 32 apartment units with associated open space and amenities on a 0.53-acre parcel and the development of a vacant parcel into an off-site parking lot on a 0.33-acre parcel located at 1750 East Street.

B. Location

The project site is located at 2325 Clayton Road and the off-site parking lot is located at 1750 East Street. APN 126-104-008 & 126-081-002.

C. Applicant & Owner

David Jones
Salmon Run, LLC
121 7th Avenue
Santa Cruz, CA 94062
(650) 318-8411
II. Background

On February 18, 1987, the Planning Commission approved a use permit (UP 2-87) to construct a 10,685 square foot, two-story office building above ground level parking, a 7,825 square foot restaurant, a 1,875 square foot outdoor dining terrace, a variance (V 5-87) to allow a reduction in the required 10 foot building setback, and to allow tandem parking for a proposed restaurant/office building. This use permit was facilitated through a Disposition and Development Agreement (DDA) with the Redevelopment Agency of the City of Concord.

On May 6, 1987 the Planning Commission approved an amendment to Use Permit (UP 2-87) to allow the conversion of the kitchen, dining, and outdoor terrace space to office space.

On April 9, 2018, David Jones on behalf of Salmon Run, LLC, submitted a Preliminary Application for the conversion of the existing office building into 32 multifamily apartment units. The Development Advisory Committee (DAC), which is comprised of staff from various City Departments and other agencies, reviewed the Preliminary Application and provided feedback on project requirements and potential issues to address in the formal application.

On April 30, 2018, the City held a neighborhood meeting as part of the Preliminary Application process to inform neighbors within a 300 foot radius of the proposed project. The purpose of this meeting was to identify project-related issues to assist in refining the project design to prepare for the formal project submittal. No neighbors or interested parties attended the meeting.

On May 10, 2018, the Design Review Board (DRB) met and provided comments related to landscaping information that would be required such as a formal plan and water calculations. The Board did not have any concerns regarding the architecture of the building and realized that there were not many, if any, significant changes to the exterior of the building.

On June 19, 2018, the City received a formal submittal for a Use Permit Amendment, Design Review, and Administrative Permit application for the conversion of the existing office building at 2325 Clayton Road into a 32-unit multifamily project. On July 2, 2018, the DAC reviewed the application and deemed the application incomplete due to missing or insufficient information. The application initially included a request for a 25% reduction in the required amount of parking, as allowed for residential uses located within the Transit Station Overlay District (TS). However, the application did not include a parking study as required by the Development Code to substantiate the requested parking reduction. The applicant requested using a previous traffic study prepared by Omni-Means and completed in 2016 for the Argent Concord project. The Transportation Division reviewed this report and determined that the Argent parking study was not comparable to the proposed project. Due to a tight timeline associated with the applicant’s financial status of the project, there was not enough time to provide a new parking study. This caused the applicant to significantly revise the project plans to further include an off-site parking lot located at 1750 East Street in order to meet the required parking.

On August 1, 2018, the City received revised plans that were subsequently reviewed by DAC and deemed incomplete on August 7, 2018 due to missing or insufficient information.
On August 7, 2018, the City Council formed the Early California Architecture Design Review Ad-Hoc Committee to review the design of projects within the downtown for consistency with Early California architecture. On August 20, 2018, the project was presented to the Ad Hoc Committee, who supported and approved the plan to keep the building’s original design.

On September 5, 2018, the City received the third submittal of the plans which were reviewed by DAC and deemed incomplete on September 11, 2018 due to continued missing information.

On Tuesday October 2, 2018, the City received the final submittal of the plans with enough information to move forward in the review process and considered the application complete.

III. General Information

A. General Plan

The General Plan designation is Downtown Mixed Use.

B. Zoning

The site is zoned DMX (Downtown Mixed Use).

C. CEQA Status

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15332 “In-Fill Development Projects,” the project is classified as a Class 32 Categorical Exemption given that the; a) project is consistent with the applicable general plan policies as well as with applicable zoning designation and regulations; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) the site can be adequately served by all required utilities and public services. In addition, none of the exceptions to the categorical exemption apply under Section 15300.2, as 1) there is no cumulative impact of successive projects of the same type; 2) there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances; 3) the proposed site is not located on a scenic highway, hazardous waste site or near a historical resource. Accordingly, no further environmental review is required.

D. Site Description

The project involves two separate sites that are located within the Outer Core of the Downtown Specific Plan and the Transit Station Overlay District due to their proximity to the Downtown Concord BART Station.
The existing office building proposed for conversion is located on a 0.53-acre triangular-shaped parcel bound by Clayton Road, East Street, and Sunset Avenue ("Building Site"). An adjacent parcel measuring 0.08-acres is located on the corner of East Street and Clayton Road and is owned by the former Redevelopment Agency, now the City of Concord; however it is maintained by the property owners of the subject project site via the original conditions of approval, enforced through the existing Landscape Maintenance Agreement, and visually appears to be part of the project site.

A three-story office building is located in the center of the parcel with shallow setbacks and a landscape buffer along the perimeter of the site. There is a pond at the entrance to the office building located at the corner of Clayton Road and Sunset Street. Vehicle access to on-site, covered, at grade, parking is located via two driveways along Sunset Avenue and East Street. The driveways and parking will remain as is and minimal site work is proposed. No parking is permitted surrounding the triangular parcel on Sunset Avenue, Clayton Road or East Street as all areas are red curb with the exception of a small portion on Sunset Avenue for loading and short-term parking. All three surrounding streets are restricted to one way traffic away from downtown and toward the BART station.

The second site is a 0.33-acre parcel located off-site at 1750 East Street ("Off-site Parking Lot"). This parcel is tied to the office building site as it was initially required to meet the parking requirements for the restaurant when the project was approved in 1987. Over the years as the restaurant vacated and tenants moved, the parcel became unused as additional parking was not needed. This site is currently a paved vacant lot with two existing driveways and few mature trees along the frontage and screening the rear of the lot. As described below, the applicant proposes to develop this parcel as an off-site parking lot in order to meet the minimum required parking. To satisfy the parking requirement of 54 spaces, a total of 41 parking spaces are proposed on-site and 13 parking spaces are proposed in the Off-Site Parking Lot.

<table>
<thead>
<tr>
<th>Table 1: Existing Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Lot Size</td>
</tr>
<tr>
<td>Building Height</td>
</tr>
<tr>
<td>Existing Improvements</td>
</tr>
<tr>
<td>Existing Vegetation</td>
</tr>
</tbody>
</table>

E. **Surrounding Land Use**

The Building Site is located across the street from the Downtown Concord BART station and across the street from CVS and the Terminal Shopping Center. One Concord Center, a multi-story office building is located to the west of the project site. This project site is located two
blocks from Downtown and conveniently located walking distance to public transportation and Safeway. All surrounding properties share the DMX zoning.

The off-site parking lot site is located approximately 400-feet north/east of the building site and is surrounded by commercial sites and businesses as described in Table 3 below.

**Table 3: Surrounding Land Use Building Site**

<table>
<thead>
<tr>
<th>North</th>
<th>Land Use</th>
<th>General Plan Designation</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commercial (AT&amp;T, Pride and Pedigree)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
<tr>
<td>South</td>
<td>BART &amp; BART Parking</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
<tr>
<td>East</td>
<td>Commercial (Concord Terminal Shopping Center, CVS)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
<tr>
<td>West</td>
<td>Commercial (One Concord Center)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
</tbody>
</table>

**Table 3: Surrounding Land Use Off-site Parking Lot**

<table>
<thead>
<tr>
<th>North</th>
<th>Land Use</th>
<th>General Plan Designation</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commercial (Concord Tire Center)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
<tr>
<td>South</td>
<td>Commercial (Pride and Pedigree)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
<tr>
<td>East</td>
<td>Commercial (Safeway Employee Parking Lot)</td>
<td>Commercial Mixed Use</td>
<td>CMX</td>
</tr>
<tr>
<td>West</td>
<td>Commercial (AT&amp;T)</td>
<td>Downtown Mixed Use</td>
<td>DMX</td>
</tr>
</tbody>
</table>

**IV. Detailed Project Description**

The project includes repurposing the existing Building Site from an office use into loft-like apartment units above gated, ground floor parking. The ‘open urban plan’ concept consists of 32 studio and one-bedroom units and associated amenities such as a gym, an indoor lounge, and a large rooftop deck with views oriented toward the vista of Mt. Diablo, as encouraged by the Todos Santos Design Guidelines for the Outer Core. The existing onsite water feature pond will be refurbished and remain as visual aspect to the project. Vehicle access to covered, at grade, parking is located via two driveways along Sunset Avenue and East Street. Trash pickup is proposed on Sunset Street making use of the existing widened loading area in front of the garage. The driveways and parking will remain as is and minimal site work is proposed. The applicant has retained the original architect of the building, the Levitt Group, to be part of the conversion process.

**A. Development Regulations**

<table>
<thead>
<tr>
<th>Standards</th>
<th>Required (Minimum)</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000 square feet</td>
<td>23,105 square feet</td>
</tr>
<tr>
<td>Standards</td>
<td>Required (Minimum)</td>
<td>Provided</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>FAR</td>
<td>1.0</td>
<td>1.84</td>
</tr>
<tr>
<td>Building Height</td>
<td>30 ft.</td>
<td>41'6&quot; ft.</td>
</tr>
<tr>
<td>First Floor</td>
<td>15 ft.</td>
<td>9 ft(^1)</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Corner Side</td>
<td>10 ft.</td>
<td>3, 6, 8 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>respectively at specific points(^2)</td>
</tr>
<tr>
<td>On-Site Parking</td>
<td>54 spaces</td>
<td>41 spaces(^3)</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Term</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Long Term</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>Motorcycle</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Open space/Unit</td>
<td>200s.f./unit</td>
<td>0/unit(^4)</td>
</tr>
<tr>
<td>Density</td>
<td>33-100 du/Net acre</td>
<td>60.3 du/acre</td>
</tr>
</tbody>
</table>

\(^1\) Building was built in 1987 through UP2-87 and therefore the height of the first floor is legal non-conforming as the project proposes reuse of the existing building.

\(^2\) Approved through original use permit and variance (UP2-87).

\(^3\) Applicant is requesting to provide 13 off-site parking spaces through the use permit. See explanation in Analysis Section E. of the staff report entitled ‘Parking.’

\(^4\) A minimum 60 sq. ft./unit is required as Private Open Space. Applicant is requesting that all open space be provided as common open space. See explanation in Analysis Section F. of the staff report entitled ‘Private and Open Space.’

## B. Site Planning/Circulation/Parking

Two driveways serve the project, one on Sunset Avenue and one on East Street. Both streets are restricted to one-way traffic eastbound on Sunset Avenue and southbound on East Street. A widened loading area currently exists and will remain along Sunset Avenue near the driveway to the at grade parking. A total of 41 parking spaces are proposed onsite via the gated, ground level parking lot. The applicant proposes 26 standard parking spaces (9’x19’), one compact space (8’x16’), and 14 tandem parking spaces (9’x 39’4”). The project is deficient 13 parking spaces which are proposed to be accounted for via the off-site parking lot located at 1750 East Street and approximately 400 feet from the project site. As previously mentioned, this lot is tied to the project site as it was required to satisfy parking when the building was originally approved and constructed.

Given that the streets surrounding the project site are one-way, vehicles may enter and exit on Sunset Avenue but are restricted to exit only on East Street in order to provide residents the option of what direction they will travel through the City. This will alleviate adding cars to the flow of traffic towards the BART station.
Trash enclosures currently exist and will remain within the gated, ground floor parking structure of the project site. Trash pickup is proposed along Sunset Avenue in the existing loading area.

The sidewalk around the entire project site will be removed and replaced with a wider five-foot wide sidewalk to improve the condition and comply with accessibility (ADA) requirements, with the exception of a portion of Sunset Avenue. Additionally the driveway on Sunset Avenue will be replaced and redesigned with appropriate slopes and truncated domes to comply with ADA requirements. Eight pedestrian push buttons and pedestrian signal indicators at all corners of Clayton Road/Colfax/Sunset Avenue will be upgraded to current ADA standards when necessary.

ADA upgrades associated with the off-site parking lot include all eight pedestrian push buttons, eight pedestrian signal indicators, and six curb ramps at all corners of East Street and Sunset Avenue to be upgraded. In addition, the driveways serving the off-site parking lot will need to be removed and replaced to meet ADA requirements.

A portion of the existing pond encroaches into the City right-of-way in addition to the portion of the ground level parking lot that encroaches slightly into the RDA property. There is no encroachment permit on file with the City to address these concerns. Staff will address this through the conditions of approval for the project.

C. Building Architecture

The building architecture consists of unique variations and projections that conform to the shape of the triangular parcel. The existing building has a flat roof line and a stucco exterior that will be refreshed with a new all white paint color and a wrought iron accent color of rustic red. The building design will remain unchanged with the exception of raising the existing roofline in areas along the Clayton Road elevation to match the third story. This will not increase the building footprint but will increase the building area by 11%.

The studio units are approximately 500 square feet and the one-bedroom units range in size from approximately 660 square feet to 840 square feet. Units Types A&B are larger one-bedroom units with corner windows along Clayton Road. Units Type C are the typical one-bedroom unit that face onto East Street and Sunset Street. Lastly, Units Type D are the studio units that face onto Clayton Road. The proposed amenities for the complex include a lounge, a gym, and a rooftop deck.

<table>
<thead>
<tr>
<th>Model Type</th>
<th>Number of Units</th>
<th>Square Feet</th>
<th>Bed/Bath</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A</td>
<td>1</td>
<td>836 sq. ft.</td>
<td>1/1</td>
</tr>
<tr>
<td>Type B</td>
<td>7</td>
<td>689-767</td>
<td>1/1</td>
</tr>
<tr>
<td>Type C</td>
<td>20</td>
<td>662-750</td>
<td>1/1</td>
</tr>
<tr>
<td>Type D</td>
<td>4</td>
<td>476-500</td>
<td>Studio/1</td>
</tr>
</tbody>
</table>
D. Landscaping

The main entrance of the Building Site features a pond, which is proposed to be renovated. Grass, mature liquid amber trees, and large hedgerows surround the site, which were required per the original approval to screen the ground floor parking. Most landscaping will remain as it is existing, mature and in good health.

The applicant has proposed two conceptual landscape plans for the Building Site to comply with current water efficiency regulations. Landscape Concept Plan A proposes the removal of the existing turf of the Clayton Road side of project and part of the turf that exists on the project property at the corner of East Street and Clayton Road. Additionally, new plants are proposed at the corner of the pond adjacent to the right-of-way as part of the upgrades to the pond.

Landscape Concept Plan B only addresses the removal of the turf on the Clayton Road side and the proposed plant upgrades near the pond. The applicant has requested that staff defer further review of the landscaping until project approval at which point formal plans would be submitted and peer-reviewed by a consultant for compliance with water efficiency requirements. Staff has addressed this via the conditions of approval.

V. Analysis

A. General Plan Consistency

The General Plan land use designation for the Building Site is Downtown Mixed Use and is intended for a mix of high density residential, commercial and office, and mixed-uses, including hotels with a minimum FAR of 1.0 up to 6.0 FAR, and residential densities of 33 to 100 units per net acre. The proposed project is consistent with the Downtown Mixed Use designation as it proposes 32 multifamily units at a density of 60.3 units/acre.

The proposal promotes General Plan policy LU-1.3 “Encourage Infill Residential Development” as the project involves converting an existing relatively vacant office building into a multifamily project that is located near a transit center such as BART. This project is unique in that it is the first of its kind in regards to adaptive reuse of the existing building, further promoting policy LU-2.1.2 which “encourages existing neighborhood centers to expand or adapt to market changes through reuse, rehabilitation, and infill development. The project will not change the identity of the Downtown as it will repurpose and refresh an existing building and project frontage while bringing a new aspect of life and livability to the Downtown which further facilitates the General Plan Principal LU-1.1 of “preserving and enhancing neighborhood character.”

1) Housing Element Consistency

The Off-site Parking Lot at 1750 East Street has been identified in the Housing Element as an opportunity site for housing. Based off of the parcel size and intended density, the site is estimated to yield total of seventeen (17) units, which would not be provided if used for off-
site parking. Under the State’s recently adopted “No Net Loss” policy, projects which are approved at a lower density than what is prescribed in the Housing Element will need to make up the residential units elsewhere.

Here, the applicant is proposing thirty-two (32) units at the project site at 2325 Clayton Road, which is not identified in the Housing Element as an opportunity site for housing. Therefore, the seventeen (17) units that were envisioned at 1750 East Street in the Housing Element will be made up in excess at the 2325 Clayton Road proposed Building Site.

B. **Zoning and Development Code Consistency**

The proposed use of the Building Site is classified in the Concord Development Code as multi-family residential, which is allowed through the approval of a use permit in the DMX zoning district. The project site was developed and operates under a Use Permit (UP 2-87) for offices and therefore the project would require a Use Permit Amendment to change the current use. The project will continue to comply with the previously approved Variance (V 5-87) for setbacks, and complies with all other applicable provisions of the development code, including floor area ratio (FAR) and density allowed within the DMX.

The use of the Off-site Parking Lot requires the approval of an administrative permit in the DMX zoning district. The Planning Division is the review authority for administrative permits unless they are submitted as part of a larger discretionary permit, in which case all applications shall be filed, processed, reviewed and approved concurrently by the highest level of authority required for any one application. In this case, the administrative permit will also be reviewed and approved by the Planning Commission subject to the required findings as explained later in the staff report.

C. **Previous Entitlements**

On February 9, 1987, the City Council approved the DDA and the accompanied negative declaration with associated mitigation measures for the office and restaurant project use permit. The following mitigation measure, as modified, is applicable for the proposed project:

1) Prior to obtaining the first building permit for this project, project sponsor must have a signed, long-term off-site parking agreement which shall be approved by the City Attorney’s Office. The agreement shall be for a minimum of 13 vehicles, and shall remain in place as long as the residential units at 2325 Clayton Road require 54 parking spaces. The minimum number of off-site parking spaces assured by the off-site parking agreement may be increased by the City if vehicles arriving at or departing from the site impede traffic flow on City streets by blocking ravel lanes. Permits to operate uses approved at this site shall become null and void whenever there is no off-site parking agreement if effect for at least the minimum required approval of a variance by the approving body.
This modified mitigation measure is still applicable to the proposed project as there is still a need for the off-site parking lot. The off-site parking lot is subject to the attached conditions of approval.

D. Parking

Onsite

The current proposal designates 41 onsite parking spaces. Based on the unit breakdown and amount of bedrooms, the number of required parking spaces is 54 given that there are 28 one-bedroom units and four studios. Fourteen of the 41 onsite spaces are tandem spaces (seven pairs). The Development Code requires tandem spaces to be assigned to a single unit. Per the Development Code, seven one-bedroom units require 11 parking spaces where the applicant is proposing 14 spaces. At the recommendation of the Transportation Division, a ‘credit’ of three spaces will be given for providing 14 spaces when 11 are required for the one-bedroom units, thereby reducing the required amount of spaces to 54.

Table 6: Parking Standards per Development Code 18.160.040

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Parking Standard</th>
<th>Number of Units</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-bedroom</td>
<td>1.5 spaces/unit</td>
<td>28</td>
<td>42</td>
</tr>
<tr>
<td>Studio</td>
<td>1 space/unit</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Guest</td>
<td>1 space/3 units</td>
<td>32</td>
<td>11</td>
</tr>
<tr>
<td>Credit (due to tandem)</td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>54</td>
</tr>
</tbody>
</table>

Off-site Parking

The Development Code provides several mechanisms to adjust or meet the parking requirements for residential units. First, an applicant may seek a reduction in the parking requirement for residential units by making certain findings through the Use Permit process and through the submittal of a parking study, for a reduction of up to 25 percent.¹

The parking requirement may also be satisfied by payment of an in-lieu fee of $25,000 per parking stall (subject to a Use Permit); however, at this time, the applicant is not seeking approval of payment of in-lieu fees to meet the parking requirement.

Here, as previously mentioned, the onsite parking garage does not provide the required amount of parking per the Development Code. This was also the case in 1987 when the building was initially approved and constructed, which is why the parcel at 1750 East Street and its existing use for parking is tied to the building property. The current proposal is to

¹ The applicant is not seeking this 25% reduction at this time but has indicated that he will provide a new parking study prior to issuance of building permit. Staff notes that this parking reduction would require a further amendment of this use permit subject to review by the Planning Commission. Condition of Approval 29 addresses the need for a parking study and subsequent use permit amendment.
develop the off-site parcel into a parking lot with the required 13 parking spaces to make up the deficiency. In the DMX district, parking may be provided at another location if the site use is within 700 feet walking distance of the use it serves. The Off-Site Parking Lot is located 400 feet walking distance from the proposed Building Site. As proposed, the off-site parking lot will likely be used by guests as all but two of the required number of resident spaces is provided onsite.

As noted, the subsequent parking study may eliminate the need for the Off-Site Parking Lot or significantly reduce the number of spaces needed. Because of this, the applicant requests deferring formal plans for design review of the off-site parking lot in order to modify its design consistent with the parking study and prior to issuance of a building permit as noted in condition of approval #36.

E. Downtown Specific Plan

The project complies with the Downtown Specific Plan as it facilitates progression for the City toward a job/housing balance by providing more housing in the downtown and near a transit center. As mentioned previously, the building site is not designated as an opportunity site for a potential housing development within the Downtown Specific Plan. However, the Building Site will provide 32 new housing units that are not contemplated by the Housing Element, which addresses the loss of potential housing envisioned for the Off-site Parking Lot. Additionally, the project provides a new type of living opportunity through adaptive reuse which is an objective of the plan.

An objective of the Downtown Specific Plan is to reflect early California architecture in the design of new buildings to provide consistency in the existing character. As mentioned previously, the project was reviewed by the Early California Architecture Design Review Ad-Hoc Committee, which was recently formed by the City Council to review the design of projects within the downtown for consistency with Early California architecture. As there are not many exterior changes proposed to the existing building, the committee approved the project without requiring further review. Per the conditions of approval, formal landscaping plans will be submitted and reviewed.

F. Private and Open Space

Pursuant to Chapter 18.150.100, developments with three or more units shall provide at least 200 square feet of private and/or open space per dwelling unit. This requirement may be met by providing a combination of common open space as long as each unit has a minimum private open space of 60 square feet. However, the open space requirement may be modified by the decision-making body based on findings that the site is physically constrained, that the life accommodated by the project will not be compromised, or that the residents will benefit from other amenities that are located in close proximity to the project site.

The applicant is providing the minimum required open space for all units in total; however, the project does not incorporate any private open space per unit. The open space requirement
is provided through a 6,400 roof top deck that includes patio chairs, tables, fire pits, and barbecues. A few parcels provide terrace space as an amenity.

Staff supports the request to waive the private open space requirement as the parcel is very uniquely shaped and is already developed with the structure that will be converted to the residential units. Staff does not believe that the project will be negatively affected without the private open space as proposing patios and balconies for this space would encroach over the sidewalk of the project. Creating such a situation could negatively affect the pedestrians below and the balconies would likely not be used by the residents of the building. Additionally, the project site is an island that is bound by three major thoroughfares through downtown. This does not make for a safe, inviting, or usable open space for residents of the property if a portion of the project grounds was converted or proposed to be used as open space.

G. Use Permit Amendment

Pursuant to Development Code Chapter 18.505.030 C (“Changes to an approved project”) and Chapter 18.435 (“Minor Use Permits and Use Permits”), findings are required for approval of the amendment to the use permit. Staff analysis on how the project meets those findings is provided below with a comprehensive list included in the draft resolution attached as Exhibit A to this report.

1) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the development code and CMC.

As explained above in the ‘Zoning Consistency’ section of the report, the proposed used is allowed and complies with all provisions of the zoning and development code, with the exception of private open space requirements, which staff supports waiving as discussed above.

2) The proposed use is consistent with the general plan and any applicable specific plan.

As also explained above in the ‘General Plan Consistency’ and ‘Downtown Specific Plan’ sections of the report, the project is consistent and facilitates the visions of the City.

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.

Based upon the discussions above, the project proposes minimal changes to the existing design consisting of landscape modifications, a roof height increase on a portion of the building, and the addition of a rooftop amenity. The proposed residential use is compatible with surrounding uses and visions for the City as it provides more housing units in the downtown and close to BART. This project site is a valuable location that will contribute to enhancing and growing the downtown.
4) *The site is physically suitable for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints.*

Given the information previously provided, the project complies with the allowable density and proposed use for the zoning district. Additionally, the site is already served by utilities as uses previously existed. The applicant provided sewer calculations and flow rates which were reviewed by the Engineering Division and the existing utilities were deemed adequate to withstand the proposed capacity and usage.

5) *Granting the permit would not be detrimental to the public health, safety, or welfare of the persons residing or working in the subject neighborhood or materially detrimental or injurious to property or improvements in the vicinity and zoning district where the property is located.*

Granting the permit will not be detrimental to the public health, safety, or welfare given that the project complies with all applicable requirements and has been reviewed by the Police Department and conditions of approval have been incorporated to address any safety concerns.

### H. Design Review

Pursuant to Development Code Chapter 18.415, findings are required for approval of the Design Review application. Staff analysis on how the project meets those findings is provided below with a comprehensive list included in the draft resolution attached as Exhibit A to this report.

1) *The project is consistent with the General Plan.*

The project is consistent with the General Plan as explained previously.

2) *The project meets the following criteria in Section 18.415.080.*

a) *The building design and landscaping supports public safety and security by allowing for surveillance of the street by people inside buildings and elsewhere on the site.*

The apartment units will face outward toward the public right-of-way. The shared open space roof top deck will overlook the streets toward the BART station and Mt. Diablo via a tempered glass railing system. This concept will allow for extra security as more eyes will now be on the street supporting the public safety. Pedestrian entries for residents will be secured and accessed with a key fob. Guests will be “buzzed” in by residents. The parking garage will be gated and secured 24 hours a day, seven days a week, as will the off-site parking lot.

b) *The design is compatible with the historical or visual character of any area*
recognized by the City as having such character.

As previously mentioned, the project is located within the Downtown Specific Plan which encourages designs that reflect early California architecture. The Early California Architecture Design Review Ad Hoc Committee reviewed the project for consistency and compliance and ultimately approved the project with no further review.

c) The project design preserves major view and vistas along major streets and open spaces and trails and enhances them by providing project amenities.

The project repurposes an existing building and does not add any additional height to the building above what currently exists. Therefore no views from surrounding properties will be affected with this adaptive reuse. Further, the project provides a new roof top amenity that did not exist previously. This helps the residents preserve, enjoy, and enhance the incredible view of the iconic Mt. Diablo.

d) The proposed lighting and fixtures are designed to complement on-site buildings, are of an appropriate scale for the development, and provide adequate light for safety and security while minimizing glare.

The project proposes retrofitting existing lighting on the building. Per the conditions of approval, photometric plans will be required to be submitted, reviewed, and approved as part of design review of new lighting proposed for the off-site parking lot to ensure adequate lighting for safety and security is provided while minimizing glare.

e) All mechanical, electrical, and utility equipment is located, screened, or incorporated into the design of the buildings so as not to be visible from off-site, and screening devices are consistent with the exterior colors and materials of the buildings.

The project conditions require final details of mechanical, electrical, and utility equipment to be shown on building permit plans to ensure they are located behind fencing or screened so as not to be visible from off-site. Parapet walls are shown on the rooftop plans to screen the equipment.

f) The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, enhances the appearance and features of the project site and surrounding natural and built environment.

The design of the building was reviewed and approved in 1987 and no significant changes will take place. The work to be done is primarily interior to the building. Minor landscaping changes and improvements to the pond will occur which will enhance the existing built environment.
g) The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.

The project provide many usable amenities for the residents such as a gym, lounge, and a roof top deck with fire pits and views of Mt. Diablo. The use will enhance the vibrancy of the Downtown and provide a more active use located near the BART station. Upgrades will take place to the existing building that will enhance the community including the removal and replacement of the public sidewalks along the properties three street frontages.

h) The architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

The project will enhance, refurbish, and upgrade the existing landscaping and building. The building will be repainted and consistent with the original color scheme of the building.

i) The project is compatible with neighboring development in a similar Zoning District by avoiding large differences in building scale and character and provides a harmonious transition between the proposed project and surrounding development.

The project entails a change of use for an existing building. Minor exterior changes are proposed as needed and to meet current code requirements. The project will not visually change the existing building therefore the site will continue to be consistent with the existing developments.

j) The project creates an attractive and visually interesting built environment with a variety of building styles and designs, well-articulated structures that present varied building facades, rooflines, and building heights within a unifying context.

The project meets the criteria given that the existing building consist of different projections as the footprint of the building follows the unique shape of the lot and therefore, creates an attractive and visually interesting built environment on a constrained parcel.

k) The landscaping is compatible with and enhances the architectural character of the buildings and site features, and blends with the surrounding landscape. Landscape elements complement the buildings and rooflines through color, texture, density, and form. Landscaping is in scale with on-site and off-site buildings, and plantings have been selected and located to avoid conflicts with views, lighting, infrastructure, utilities, and signage.
The project consists of existing mature landscaping that was reviewed and approved by the DRB in 1987. Hedge rows of plants help screen the ground floor parking garage at the previous request of the DRB. The existing landscaping is in good condition and will remain. Minor landscape changes may take place to comply with the current water efficiency requirements. The conditions of approval address that requirement for design review by a landscape consultant for the modifications to the existing landscaping.

l) Stormwater treatment areas have been integrated into the landscape design.

The project does not require any new stormwater treatment areas as the project does not exceed the threshold of impervious surfaces. Runoff is directed into the existing landscaping onsite. Stormwater treatment areas will be reviewed and through the design review condition of approval for the off-site parking lot at 1750 East Street.

m) New construction does not need to match existing surrounding development or buildings; however, the design shall complement or enhance existing development.

The project does not consist of brand new construction and not match surrounding businesses but meets the criteria because it will improve and enhance an underutilized site by repurposing an existing vacant office building into new residential units. This unique concept facilitates more housing units in the Downtown as the City envisions.

3) The design is consistent with the Downtown Specific Plan.

The project provides consistency in character that enhances and reinforces the existing Downtown and brings additional residential units downtown. The building currently exists with very minor exterior changes proposed.

I. Administrative Permit

Per the development standards for the DMX district and Table 18.45.020 of the Development Code, the parcel at 1750 East Street may be developed into a parking lot with the approval of and administrative permit. Pursuant to Chapter 18.420, findings are required for approval of the administrative permit application for the use of the off-site parking facility. Staff analysis on how the project meets those findings is provided below with a comprehensive list included in the draft resolution attached as Exhibit A to this report.

1) The proposal conforms to the general plan and other applicable plans or policies adopted by the city council.

The project conforms to the General Plan and Downtown Specific Plan based off of
the discussion in section V.A and V.E above.

2) _The proposal meets the requirements of the district where the proposal is located, as well as any other applicable provisions of the development code._

By granting the administrative permit, the proposal meets the requirements of the zoning district for the proposed use of a parking lot.

3) _As described in the Design Review analysis, the proposal complies with the design criteria in CDC 18.415.080._

Condition of approval #36 addresses that Design Review will be required for the off-site parking lot should the need for the parking lot ultimately be required after the Parking Study is performed.

VI. **Fiscal Impact**

The proposed would have a negligible fiscal impact on the City.

VII. **Public Contact**

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

VIII. **Summary and Recommendations**

Staff supports the reuse of the existing building for residential use and believes that the project meets all applicable requirements. The proposed use will facilitate the ability to provide more housing downtown and specifically close to one of the two major public transportation centers in Concord.

Therefore, staff recommends the Planning Commission open the public hearing, consider the staff report and presentation by the applicant, the public testimony, and close the hearing. Upon completion of public testimony, staff recommends the Commission adopt Resolution No. 18-21PC approving the Salmon Run Apartments Use Permit Amendment, Design Review (PL18160 – UP, DR, AA).

IX. **Motion**

**Project Approval**

I (Comm. ______) hereby move that the Planning Commission adopt Resolution No. 18-21PC, approving the Salmon Run Apartments Use Permit Amendment, Design Review (PL18160 – UP, DR, AA), subject to the Conditions of Approval set forth in Attachment A. (Seconded by Comm. ______)

[Signatures & Exhibits on next page]
Exhibits:

A - Resolution No. 18-21PC & Conditions of Approval (Attachment A)
B - Project Plans
C - Existing Elevations
D - Applicant’s Written Statement
Application to the City of Concord Planning Commission for an
Amendment to the Use Permit
For
2325 Clayton Rd. Concord, CA
Resolution No. 18-21PC
And (PL18267 – UP, DR, AA)

Salmon Run LLC herein seeks to amend the above enumerated Use Permit in the following manner, (pursuant to Section 18.060.060 B. In-Lieu Fees of the Development Code of the City of Concord).

We will pay the in-lieu fees in order to remove the offsite parking requirement attaching 1750 East St. to our development at 2325 Clayton Rd. 1750 East St. is zoned DMX and is designated as an Opportunity Zone site, as well as a targeted development site under the Downtown Specific Plan.

Thank You,

_________________________________________ Date :

David Jones
Manager
Salmon Run LLC

RECEIVED
FEB 19 2019
PLANNING
PARKING SURVEYS
OF MULTI-UNIT APARTMENTS
IN THE CITY OF CONCORD, CA

IN CONJUNCTION WITH THE PROPOSED
SALMON RUN APARTMENT PROJECT
IN DOWNTOWN CONCORD

FINAL REPORT
February 11, 2019

Prepared by:
GHD Inc.
2300 Clayton Rd., Suite 920
Concord, CA 94520

www.ghd.com
INTRODUCTION / EXECUTIVE SUMMARY

The following report provides the findings of a parking study conducted for the City of Concord to identify parking demand associated with multi-unit Apartment land uses applicable to similar proposed developments, including the proposed Salmon Run apartment project. Parking surveys were conducted in order to identify parking demand associated with similar apartment projects in downtown Concord within proximity to the Concord BART station. The surveys identified the number of parked vehicles and the ratio of parked vehicles to the number of apartments in each complex. The surveyed parking demands were also compared to the Concord Development Parking Code requirements for each complex. Based on the ratios, expected parking demand associated with the proposed Salmon Run apartment project was calculated.

The City's Parking Code for apartments consists of two components: required Resident supply and required Visitor supply. The Resident component is calculated based on the number of bedrooms and the Visitor component is calculated separately based on the number of units. The two components are added together to derive the total number of required spaces.

The parking surveys were conducted early morning, which reflects peak demand, but consists almost exclusively of Resident demand (no Visitor demand). Therefore, the ratio of the surveyed demands to the Parking Code was calculated using only the Resident component. The surveys found an average ratio of Resident parking demand to be equal to 83% of the Parking Code's required number of Resident spaces.

The proposed Salmon Run project, consisting of 32 units (4 studio + 28 one-bedroom), has a Parking Code requirement of 57 total spaces (46 Resident spaces + 11 Visitor spaces).

However, the ratio of the average surveyed demands to the Parking Code's Resident requirement equates to an expected demand of 38 Resident vehicles (83% x Code requirement of 46 Resident spaces = 38). The Visitor component consists of 11 required spaces (32 units at one space per 3 units = 11). Therefore, for the Salmon Run project, the total calculated requirement based on surveyed Resident demand and the Parking Code's Visitor requirement equals 49 spaces (38 Resident + 11 Visitor).
PARKING SURVEYS

The apartment properties chosen for the surveys were determined in consultation with City of Concord Planning and Transportation staff. Two multi-unit apartment properties were selected to be surveyed. The two properties were chosen based on the building characteristics and proximity to downtown Concord public transportation services. Both properties are located approximately ½ mile from the Concord BART station. The surveyed properties consisted of the Lincoln Arms apartment complex (Site 1), located at 3201 Clayton Road, and the Laguna Ellis apartments (Site 2), located at 1776 Laguna Street.

City staff originally pre-selected two different properties for evaluation (Santos Plaza apartments, located at 2100 Pacheco Street; and Modera apartments, located at 1704 Clayton Road). However, these locations were substituted due to the inability to establish contact with the property management in a timely manner.

The Institute of Transportation Engineers (ITE) provides data regarding parking demand by the time of day, and the ITE data indicates that peak demand usually occurs in the early morning. Therefore, the parking surveys were conducted during the morning hours from 4:00 - 10:00 am, which encompasses the peak parking period. The parking surveys counted the number of vehicles in the onsite parking spaces and also attempted to determine parking demand on the street by observing residents walking to/from their cars during the survey period while noting overall street parking demand and proximity of other potential street parking generators.

SURVEYED PARKING DEMANDS

Information regarding each property (including the number of units, occupancy levels, and parking spaces) was obtained and applied to the number of parked vehicles in order to calculate the parking demands. (The parking survey data for each property is provided in Table A1 in the Appendix).

Site 1 (Lincoln Arms apartments) consists of 58 units (100% occupied) and had a surveyed peak parking demand of 77 vehicles. The surveyed parking demand equates to a parking rate of 1.33 vehicles per occupied unit (77 parked vehicles / 58 occupied units).

Site 2 (Laguna Ellis apartments) consists of 45 units (100% occupied) and had a surveyed peak parking demand of 64 vehicles. The surveyed parking demand equates to a parking rate of 1.42 vehicles per occupied dwelling unit (64 parked vehicles / 45 occupied units).

For comparison, published rates provided by ITE were evaluated. When planning for parking supply based on comparative parking surveys, transportation research suggests using the 85th percentile demand rate of the surveys. The ITE 85th percentile rates for Low/Mid-Rise Apartments are 1.61 vehicles per dwelling unit for urban locations and 1.94 vehicles per dwelling unit for suburban locations. It is noted that the ITE data provides relevant information based on a large sample size, but local surveys reflecting the project vicinity typically provide the most accurate measure of expected parking demand.

---

CITY OF CONCORD PARKING CODE REQUIREMENTS

The City of Concord Development Code requirement for Apartments is based on two components: Resident parking supply and Visitor parking supply.² The Resident component is calculated based on the number of units and bedroom types (1 space per studio, 1.5 spaces per one-bedroom, 2 spaces per two/three bedrooms, and an additional ½ space per bedroom for four or more bedrooms). The Visitor supply component is based on the number of units, and requires 1 space per every 3 units. The two components are added to calculate the total required spaces. (Table 18.160.040 from the Development Code is provided in the Appendix.)

The Salmon Run project is proposed to consist of 32 units (4 studios + 28 one-bedroom units) with a parking supply of 41 onsite parking spaces.

The required number of spaces based on the Parking Code is calculated as shown in Table 1 and equates to 57 spaces (46 Resident and 11 Visitor):

<table>
<thead>
<tr>
<th>Component</th>
<th>Room Type</th>
<th>No. Units</th>
<th>Parking Code</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident</td>
<td>Studio</td>
<td>4</td>
<td>1 space</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>One-bedroom</td>
<td>28</td>
<td>1.5 spaces</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>46 Resident</td>
</tr>
<tr>
<td>Visitor</td>
<td></td>
<td></td>
<td>1 space per 3 units</td>
<td>11 Visitor</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>57 Total</td>
</tr>
</tbody>
</table>

RATIO OF SURVEYED DEMANDS TO PARKING CODE REQUIREMENTS

The surveyed parking demands were compared to the Concord Development Code requirements. The parking surveys were conducted in the early morning which represents peak demand, but the vehicles consist almost entirely of Resident vehicles (no Visitor vehicles). Therefore, to adequately compare the surveyed demands to the Parking Code requirement, the ratio of the surveyed parking demands were calculated in relation to the required number of Resident spaces based on the Parking Code. The ratios of the surveyed demands to the Parking Code’s required Resident supply is calculated as shown in Tables 2 and 3.

For Site 1 the surveyed demand was 85% of the Parking Code’s Resident requirement, and for Site 2 the surveyed demand was 83% of the Parking Code requirement.

² City of Concord Development Code, Ordinance 18.160.040 Residential Land Use Parking Requirements.
### Table 2: Parking Survey - Site 1

Parking Survey: Site 1 - Lincoln Arms Apartments  
3201 Clayton Road, Concord, CA

- Number of units: 58 (100% occupancy)  
- No. of Parking Spaces: 58 (One space per unit included in unit price.)

**Parking Survey: (12/18/18):**

- Peak Demand: 58 parked onsite + 19 offsite = 77 vehicles peak demand  
- Parking Rate: 77 vehicles / 58 occupied units = 1.33 vehicles/unit

**Parking Code Requirement:**

<table>
<thead>
<tr>
<th>Room Type</th>
<th>No. Units</th>
<th>Parking Code</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident: One-bedroom</td>
<td>50</td>
<td>1.5 spaces</td>
<td>75</td>
</tr>
<tr>
<td>Two-bedroom</td>
<td>8</td>
<td>2.0 spaces</td>
<td>16</td>
</tr>
</tbody>
</table>

Visitor:  

- 1 space per 3 units  
- 19 Visitor

Total:  

- 110 Total

Surveyed demand (77) / Resident Code Requirement (91) = 85%

---

### Table 3: Parking Survey - Site 2

Parking Survey: Site 2 - Laguna Ellis Apartments  
1776 Laguna Street, Concord, CA

- Number of units: 45 (100% occupancy)  
- No. of Parking Spaces: 63 (One space per unit included in unit price.)

(The 18 extra spaces can be rented on a first-come basis; all 18 are currently rented.)

**Parking Survey: (1/16/19):**

- Peak Demand: 55 parked onsite + 9 offsite = 64 vehicles peak demand  
- Parking Rate: 64 vehicles / 45 occupied units = 1.42 vehicles/unit

**Parking Code Requirement:**

<table>
<thead>
<tr>
<th>Room Type</th>
<th>No. Units</th>
<th>Parking Code</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident: One-bedroom</td>
<td>26</td>
<td>1.5 spaces</td>
<td>39</td>
</tr>
<tr>
<td>Two-bedroom</td>
<td>19</td>
<td>2.0 spaces</td>
<td>38</td>
</tr>
</tbody>
</table>

Visitor:  

- 1 space per 3 units  
- 15 Visitor

Total:  

- 92 Total

Surveyed demand (64) / Resident Code Requirement (77) = 83%
PREVIOUS PARKING SURVEY REFERENCE

In addition to the two parking surveys conducted for this study, we include for reference an apartment survey we conducted in Concord in 2016. The building evaluated in that study (Park Central Apartments) is larger than the current study sites (259 units), but it is located in downtown Concord within ½ mile of the BART station, similar to the current study sites.

The Park Central apartments had a ratio of surveyed demand to the Parking Code required Resident supply of 83%, calculated as shown in Table 4.

Table 4: Parking Survey - Site 3

<table>
<thead>
<tr>
<th>Parking Survey: Site 3 – Park Central Apartments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1555 Galindo Street, Concord, CA</td>
</tr>
</tbody>
</table>

Number of units: 259 (95% occupancy)
No. of Parking Spaces: 477 (One space per unit included in unit price.)
(The extra spaces can be rented on a first-come basis.)

Parking Survey: (11/10/16):
Peak Demand: 328 parked onsite + 26 offsite = 354 vehicles peak demand
Parking Rate: 354 vehicles / 246 occupied units = 1.44 vehicles/unit

Parking Code Requirement (applied to the number of occupied units: 246 units):

<table>
<thead>
<tr>
<th>Component</th>
<th>Room Type</th>
<th>No. Units</th>
<th>Parking Code</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident:</td>
<td>One-bedroom</td>
<td>133</td>
<td>1.5 spaces</td>
<td>199.5</td>
</tr>
<tr>
<td></td>
<td>Two-bedroom</td>
<td>102</td>
<td>2.0 spaces</td>
<td>204</td>
</tr>
<tr>
<td></td>
<td>Three-bedroom</td>
<td>11</td>
<td>2.0 spaces</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>426 Resident</td>
</tr>
<tr>
<td>Visitor:</td>
<td></td>
<td></td>
<td>1 space per 3 units</td>
<td>82 Visitor</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td></td>
<td></td>
<td>508 Total</td>
</tr>
</tbody>
</table>

Surveyed demand (354) / Resident Code Requirement (426) = 83%
SURVEYED PARKING DEMAND APPLIED TO THE PROPOSED PROJECT

The proposed Salmon Run apartment project in Concord has a preliminary design of 41 onsite parking spaces serving a total of 32 apartment units. The required parking supply based on the Concord Parking Code is 57 spaces, comprised of 46 Resident spaces and 11 Visitor spaces.

The Parking Code requirement was compared to the surveys we conducted at apartment complexes in downtown Concord. The average surveyed parking demand was found to be approximately 83%-84% of the Code's required number of Resident parking spaces. (Required Visitor spaces are calculated separately and added to the Resident requirement.)

Applying an 83% ratio to the Salmon Run project results in an expected demand of 38 Resident spaces (83% x Parking Code requirement of 46 Resident spaces = 38 spaces). For Visitor spaces, the Salmon Run project has a Code requirement of 11 spaces. Therefore, the project has a calculated demand requirement of 49 total spaces (38 Resident + 11 Visitor). The calculated demand of 49 spaces is 8 spaces less than the 57 spaces that would be required using only the Parking Code.

SUMMARY / FINDINGS

We conducted parking surveys at two apartment properties in the downtown area of Concord located in proximity of the Concord BART station. The surveyed parking demands were compared to the City Parking Code requirements. The Parking Code for apartments consists of required Resident parking supply and Visitor parking supply. The proposed Salmon Run project, with 32 units, has a Parking Code requirement of 57 spaces consisting of 46 Resident spaces and 11 Visitor spaces.

The surveys found Resident parking demand to be approximately 83% of the City's Parking Code requirement for Resident spaces. (Or, alternatively, the surveyed Resident demands were found to be approximately 17% lower than the number of Resident spaces required by the Parking Code.)

If this reduction is applied to the Parking Code's required number of Resident parking spaces, then the Salmon Run project has a calculated parking requirement of 49 total spaces, consisting of 38 Resident spaces plus 11 required Visitor spaces.

We trust this provides the requested information. Feel free to contact us if you have any questions or comments.
APPENDIX

Table A1: Parking Survey Summaries

Concord Development Code for Required Parking Spaces
# Table A1
Surveyed Parking Demand for Apartments in Downtown Concord

<table>
<thead>
<tr>
<th>Site 1: Lincoln Arms Apartments</th>
<th>4:00 AM</th>
<th>4:30 AM</th>
<th>5:00 AM</th>
<th>5:30 AM</th>
<th>6:00 AM</th>
<th>6:30 AM</th>
<th>7:00 AM</th>
<th>7:30 AM</th>
<th>8:00 AM</th>
<th>8:30 AM</th>
<th>9:00 AM</th>
<th>9:30 AM</th>
<th>10:00 AM</th>
<th>Peak Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>3201 Clayton Road, Concord, CA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Survey (12/18/18)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onsite Demand:</td>
<td>58</td>
<td>58</td>
<td>58</td>
<td>58</td>
<td>56</td>
<td>54</td>
<td>50</td>
<td>45</td>
<td>40</td>
<td>41</td>
<td>36</td>
<td>36</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offsite Demand:</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>19</td>
<td>19</td>
<td>17</td>
<td>14</td>
<td>12</td>
<td>13</td>
<td>12</td>
<td>9</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Demand:</td>
<td>76</td>
<td>76</td>
<td>76</td>
<td>77</td>
<td>77</td>
<td>75</td>
<td>71</td>
<td>64</td>
<td>57</td>
<td>53</td>
<td>45</td>
<td>45</td>
<td></td>
<td>77</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site 2: Laguna Ellis Apartments</th>
<th>4:00 AM</th>
<th>4:30 AM</th>
<th>5:00 AM</th>
<th>5:30 AM</th>
<th>6:00 AM</th>
<th>6:30 AM</th>
<th>7:00 AM</th>
<th>7:30 AM</th>
<th>8:00 AM</th>
<th>8:30 AM</th>
<th>9:00 AM</th>
<th>9:30 AM</th>
<th>10:00 AM</th>
<th>Peak Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>1776 Laguna Street, Concord, CA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Survey (1/16/19)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onsite Demand:</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>53</td>
<td>49</td>
<td>46</td>
<td>41</td>
<td>37</td>
<td>35</td>
<td>33</td>
<td>34</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offsite Demand:</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>9</td>
<td>8</td>
<td>8</td>
<td>7</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Demand:</td>
<td>63</td>
<td>63</td>
<td>63</td>
<td>63</td>
<td>64</td>
<td>62</td>
<td>57</td>
<td>54</td>
<td>48</td>
<td>42</td>
<td>40</td>
<td>37</td>
<td>38</td>
<td>64</td>
</tr>
</tbody>
</table>
### CITY OF CONCORD DEVELOPMENT CODE

**Table 18.160.040**

**Parking Requirements by Land Use**

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Single-Family</td>
<td><strong>Existing homes:</strong></td>
</tr>
<tr>
<td></td>
<td>2 spaces, at least 1 covered, none within required front yard setback, except as provided in CDC 18.160.050(F)</td>
</tr>
<tr>
<td></td>
<td><strong>Additions to existing homes:</strong></td>
</tr>
<tr>
<td></td>
<td>5 – 6 bedrooms – 1 additional space (2 covered), 3 total</td>
</tr>
<tr>
<td></td>
<td>&gt; 6 bedrooms – 2 additional spaces (3 covered), 4 total</td>
</tr>
<tr>
<td></td>
<td><strong>New homes:</strong></td>
</tr>
<tr>
<td></td>
<td>4 bedrooms or less, at least 2 enclosed garage spaces (may be tandem)</td>
</tr>
<tr>
<td></td>
<td>5 – 6 bedrooms, 3 spaces, at least 2 enclosed garage spaces</td>
</tr>
<tr>
<td></td>
<td>&gt; 6 bedrooms, 4 spaces, at least 3 enclosed garage spaces</td>
</tr>
<tr>
<td>Accessory Dwelling Unit</td>
<td>1 space/bedroom in addition to parking for primary dwelling</td>
</tr>
<tr>
<td>Duplex</td>
<td>1.5 spaces/studio or 1 bedroom unit</td>
</tr>
<tr>
<td></td>
<td>2 spaces/2 – 4 bedroom unit; additional 0.5 space/bedroom for 4 – 5 or more bedrooms</td>
</tr>
<tr>
<td></td>
<td>Every unit shall have 1 dedicated covered space</td>
</tr>
<tr>
<td><strong>Multifamily</strong></td>
<td>1 space/studio unit</td>
</tr>
<tr>
<td></td>
<td>1.5 spaces/1 bedroom unit</td>
</tr>
<tr>
<td></td>
<td>2 spaces/2 – 3 bedroom unit; additional 0.5 space/bedroom for 4 or more bedrooms</td>
</tr>
<tr>
<td></td>
<td>1 guest space/each 3 units</td>
</tr>
<tr>
<td></td>
<td>Every unit shall have at least 1 dedicated covered space</td>
</tr>
</tbody>
</table>
STRIPPING PLAN
33 STANDARD SPACES
7 TANDEM SPACES
1 COMPACT SPACE
41 TOTAL

2 RIDE SHARE SPACES
2 MOTORCYCLE SPACES
16 BICYCLE PARKING SPACES

* NEW ELECTRIC VEHICLE CHARGING STATIONS
5

P = PUBLIC SPACES

THE ABOVE DRAWINGS AND SPECIFICATIONS AND IDEAS, DESIGNS AND ARRANGEMENTS REPRESENTED THEREBY ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND NO PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHERS OR USED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. VISUAL CONTACT WITH THESE DRAWINGS OR SPECIFICATIONS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

The Levitt Group Incorporated
"All Rights Reserved"
SUBJECT: Villa De La Vista Subdivision (PL18266-UPA, DRA, LLA)

Recommendation: Adopt Resolution 19-08 PC, approving the Villa De La Vista Use Permit Amendment, Design Review Amendment and Lot Line Adjustment (PL18266-UPA, DRA, LLA)

I. Introduction

A. Application Request

Application to amend the Use Permit, Design Review approvals, and a Lot Line Adjustment for a 12-lot subdivision for single-family homes located at 1491 La Vista Avenue (southwest corner of Clayton Road and La Vista Avenue).

B. Location

The project site is located at the southwest corner of Clayton Road/La Vista Ave.

C. Applicant
Roe LaFlamme
Discovery Builders, Inc.
4061 Port Chicago Highway, Suite H
Concord, CA 94520
II. **Background**

Villa De La Vista Subdivision is a residential development approved by the City in 2006 for 12 single-family homes on a 0.85-acre lot located at the southwest corner of Clayton Road and La Vista Avenue. The project is a “small lot residential development” where lots are less than 6,000 square feet in area. The project was approved prior to the current Development Code, when the review process for small lot developments was conducted in two phases. The first phase was to obtain City Council approval of a rezone for the project site to Planned District (PD), and approval of a preliminary development plan (“PDP”) that provided preliminary details on the proposed development, including design and development standards (e.g., lot areas, lot dimensions, setbacks, etc.). This first phase included reviews by the Design Review Board and Planning Commission as recommending bodies to the City Council on the PDP.

A PDP approval did not constitute a land use or development entitlement for the project. A second review phase was required involving a use permit that “locked in” the development plan details and standards. This subsequent review included the Design Review Board as a recommending body to the Planning Commission, who would approve the use permit and plan if they were found to be in substantial conformance with the approved PDP.

The City Council approved the rezone and PDP for Villa De La Vista on June 14, 2005. Additionally, the City Council adopted a Negative Declaration with Mitigation Monitoring Program (“Mitigated Negative Declaration” or “MND”) for the project after finding that potential environmental impacts would be reduced to less than significant levels with incorporation of mitigation measures.

The Planning Commission approved the subsequent use permit application along with applications for a vesting tentative map, tree removal and design review on April 19, 2006.

Discovery Builders acquired the project and recorded a Final Map in 2009 to create the 12 lots, and recently submitted for building permits last September. The building permit proposes completely different floor plans and architecture from what was approved. Additionally, Discovery Builders proposes adjusting existing property lots lines and modifying the approved landscape plan. Staff advised Discovery Buildings that the use permit and design review approvals would need to be amended, and a lot line adjustment application filed, for the project.

On May 10, 2018, the Design Review Board conducted a Study Session to provide feedback on building architecture for Discovery Builders’ consideration prior to submitting a formal design review amendment application.

On July 11, 2018, Discovery Builders submitted applications for a Use Permit and Design Review Amendment along with a Lot Line Adjustment.

On August 9, 2018, revised drawings were presented to the Board in response to their May 10 Study Session comments. The Board determined that the revisions addressed their comments and recommended design approval.
Additional revisions were made to the application and plans submitted for review on November 2, 2018, which were deemed incomplete by the Development Advisory Committee (DAC) due to inaccurate information on the proposed lot line adjustments. Revised lot line adjustment exhibits were submitted January 14, 2019. The application was deemed complete on February 8, 2019.

Additional background and project information is provided in the May 18, 2005 and April 19, 2006 Planning Commission Staff Reports, included as Attachment 3.

III. General Information

A. General Plan

The site has a General Plan land use designation of Medium Density Residential which allows for residential development at a density of 11 to 32 units per acre. This density range accommodates a variety of housing types, from small-lot single-family homes to townhomes and other forms of multi-family development.

B. Zoning

The site is zoned Planned District (PD).

C. CEQA Status

The City of Concord adopted a Negative Declaration with Mitigation Monitoring Program (i.e., “Mitigated Negative Declaration” or “MND”) for the original project on August 2, 2005. The proposed amendment is in substantial conformance with the original approval and adopted MND. Therefore, no additional environmental review is necessary for the proposed amendment.

IV. Detailed Project Description

For details on the approved project, please refer to the May 18, 2005 and April 19, 2006 Planning Commission Staff Reports (Attachment 3). The application proposes to amend the current project approvals as follows:

1) Amend the development standards related to net lot area, and interior and exterior side setbacks that were established and approved by Use Permit for this Planned District;

2) Amend the architectural and landscape design a under the current Design Review approval; and

3) Adjustments to the property lines affecting Parcel A (private street) and Lots 7, 8, and 9.
V. Analysis

Staff finds the proposed Use Permit Amendment, Design Review Amendment, and Lot Line Adjustment are in substantial conformance with the approved plans as discussed below.

Use Permit Amendment

The proposed Use Permit Amendment is consistent with the original approval in that the overall project substantially conforms to the development standards of the original approval. As noted in Table 1 below, modifications are proposed to standards related to minimum lot area (slight decrease from 2,200 sq. ft. to 2,180 sq. ft.), minimum interior side yard setback (increase from 2 ft. to 4 ft.), minimum exterior side yard setback (decrease from 10 ft. to 9 ft.), lot coverage (1% increase to 51%) and maximum height (increase from 35 ft. to 40 ft.).

Staff finds the requested modifications are generally minimal when compared to the approved standards. This should result in development that is similar overall to the approved project. While the request to increase building height and unit size may seem significant on its face, staff feels the request is reasonable. The height and square footage increase is necessary for Lots 7-12 that will be developed with Plan 2. These homes are three stories and up to 40 ft. in height at the front of the home, as measured from proposed grade to roof peak. Since Plan 2 will be located on interior lots, the visibility and apparent height of the sides that will be up to 40 ft. in height will be screened or skewed from street and off-site views.

Table 1: Approved and Proposed Development Standard

<table>
<thead>
<tr>
<th>Standard</th>
<th>Approved</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Area (minimum)</td>
<td>2,200 sq. ft.</td>
<td>2,180 sq. ft.</td>
</tr>
<tr>
<td>Lot Width (minimum)</td>
<td>30 ft.</td>
<td>No Change</td>
</tr>
<tr>
<td>Net Lot Depth (minimum)</td>
<td>60 ft.</td>
<td>No Change</td>
</tr>
<tr>
<td>Yards</td>
<td></td>
<td>No Change</td>
</tr>
<tr>
<td>Front</td>
<td>3 ft. minimum</td>
<td>No Change</td>
</tr>
<tr>
<td>Side</td>
<td>2 ft. minimum</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Exterior Side</td>
<td>10 ft. minimum</td>
<td>9 ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft. minimum</td>
<td>No Change</td>
</tr>
<tr>
<td>Building Height</td>
<td>35 ft. maximum</td>
<td>40 ft. maximum</td>
</tr>
<tr>
<td>Unit Sizes</td>
<td>1,500-1,800 sq. ft.</td>
<td>2,111-2,784 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50% maximum</td>
<td>51% maximum</td>
</tr>
<tr>
<td>On-Site Parking</td>
<td>2 covered spaces per unit (24 spaces) plus 6 uncovered on-site guest parking spaces</td>
<td>No Change</td>
</tr>
</tbody>
</table>
Design Review Amendment

The approved architecture featured four floor plans designed in Craftsman-style architecture (see Attachment 5). The proposed architecture (Attachment 2, sheets A1-A21) consists of two floor plans designed in three different styles described as “Modern Monterey,” “Modern Farmhouse,” and “California Contemporary.”

The Board conducted a Study Session on May 10 on the proposed architecture. The Board was supportive of the new designs and recommended revisions to ensure four-side architecture and detailing. Revisions were made to the plans, such as adding new trim and using color and materials, to add visual interest to all sides of the homes. The Board determined that the revisions addressed their comments and recommended design review approval on August 9, 2018.

Minimal changes are proposed to the overall landscape layout of the approved plans. Changes are proposed to plant material, including changes to bring the project into conformance with the State Model Water Efficient Landscape Ordinance, which was not in effect during the original project approval.

Lot Line Adjustment

Adjustments to existing lot lines are proposed that affect Parcel A and Lots 7, 8, and 9. Under the Subdivision Map Act, which regulates the design and improvement of subdivisions, adjustments to property lines between lots held under the same owner can be processed ministerially (i.e., staff-level, non-discretionary action), rather than as an amendment to the tentative and final map approvals (which require a discretionary decision), when the adjustment affects four or fewer parcels. The ministerial review is limited to whether the properties affected by the adjustment will conform to the local jurisdiction’s general plan and zoning. In this case, because the development standards are established by Planned District approved by the Planning Commission, the proposed lot line adjustment is contingent on the Planning Commission’s approval of the Use Permit Amendment to modify the development standards that the lot line adjustment will be evaluated against. The proposed lot line adjustment must be processed concurrent with the proposed Use Permit Amendment in accordance with Development Code Chapter 18.405.

VI. Public Contact

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

VII. Summary and Recommendations

Staff finds the proposed Use Permit Amendment, Design Review Amendment, and Lot Line Adjustment will result in minimal modifications to the current approvals for the Villa De La Vista Subdivision. This will result in development that is similar overall to the character of the approved
project, while providing the opportunity to update and enhance the project further, including a more contemporary style of architecture that the applicant believes will be more appealing to today’s homebuyers. Therefore, staff recommends that the Commission consider the report, allow the applicant to make a presentation, take public testimony, and close the public hearing upon completion of public testimony. Following public testimony, the Commission should deliberate regarding the policy or project issues discussed in this report. Based on the analysis contained in this report, staff recommends that the Commission approve the Villa De La Vista Use Permit Amendment, Design Review Amendment, and Lot Line Adjustment (PL18266 – UPA, DRA, LLA).

Staff has prepared the following motion based on this recommendation.

Motion

I (Comm. ______) hereby move that the Planning Commission adopt Resolution 19-08PC approving the Villa De La Vista Subdivision Use Permit Amendment, Design Review Amendment and Lot Line Adjustment (PL18266 – UPA, DRA, LLA), subject to the Conditions of Approval set forth in Exhibit A to Resolution 19-08PC. (Seconded by Comm. ______.)

Prepared by: Frank Abejo
Principal Planner
frank.abejo@cityofconcord

Attachment:
1 - PC Resolution 19-08PC, Conditions of Approval (Exhibit A) and Mitigation Monitoring Plan (Exhibit B)
2 - Amended Project Plans
3 - May 18, 2005 and April 19, 2006 Planning Commission Staff Reports
4 - Recorded Final Map (for reference only)
5 - Approved Building Architecture (for reference only)
BEFORE THE PLANNING COMMISSION
OF THE CITY OF CONCORD,
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A RESOLUTION APPROVING USE PERMIT
AMENDMENT, DESIGN REVIEW AMENDMENT,
AND LOT LINE ADJUSTMENT FOR THE VILLA
DE LA VISTA RESIDENTIAL SUBDIVISION
(TRACT 8989) Resolution No. 19-08PC

WHEREAS, on August 2, 2005, the City Council approved a Preliminary Development Plan (PD 04-004) and confirmed that a Negative Declaration with Mitigation Monitoring Program is the appropriate environmental document for a 12-lot residential subdivision at 1491 La Vista Avenue, APN 132-020-035; and

WHEREAS, on April 19, 2006, the Planning Commission approved subsequent Use Permit (UP 05-012), Tentative Map (TM 05-011), Tree Removal (RT 06-002), and Design Review (DR 04-023) applications that were found to be consistent with the Preliminary Development Plan approved by the City Council; and

WHEREAS, on July 23, 2008, the Final Map for Villa De La Vista Subdivision (Tract #8989) was accepted for recordation by the Contra Costa County Recorder’s Office; and

WHEREAS, on July 11, 2018, Discovery Builders submitted an application for a Use Permit Amendment and Design Review Amendment to modify the development standards and design approved for the project by the Planning Commission in 2006; and

WHEREAS, on January 14, 2019, the application was revised to include a Lot Line Adjustment to adjust existing property lines affecting four lots with the subdivision; and

WHEREAS, on February 8, 2019, the application was deemed complete for processing; and

WHEREAS, the Planning Commission, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on March 20, 2019, on the subject amendment; and

WHEREAS, the Planning Commission considered testimony and information received at the public hearing and the oral and written reports from City staff dated March 20, 2019, as well as other documents contained in the record of proceedings relating to the proposed project, which are
WHEREAS, on March 20, 2019, the Planning Commission, after consideration of all pertinent plans, documents and testimony, declared their intent to approve the subject proposal subject to the Conditions of Approval contained herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the Planning Commission does hereby approve the Villa De La Vista Subdivision Use Permit Amendment, Design Review Amendment, and Lot Line Adjustment (PL18226 – UPA, DRA, LLA) based on substantial conformance with the original project findings as noted in *italics*, additional findings as applicable, and the Conditions of Approval, contained herein as Exhibit A.

1. The Use Permit Amendment is in substantial compliance with the Preliminary Development Plan approved on August 2, 2005, and the goals, objectives, and policies of the Concord General Plan.

2. The Use Permit Amendment does not change the existing number of lots and net density of 19.4 units per acre, which is consistent with the Medium Density Residential land use designation of the General Plan. The project as conditioned, is compatible with surrounding uses in the area.

3. The adopted mitigation measures designed to reduce impacts on the adjacent residential uses will remain in effect.

4. The proposed amendment will not result in any new and significant impacts from what was considered in the original project approval that would be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such project.

5. The proposed amendment will not result in any new and significant impacts from what was considered in the original project that will be injurious or detrimental to property or improvements in the neighborhood, in that the project will be designed to be compatible with the adjoining residential and commercial development.

6. The project complies with the Inclusionary Housing Ordinance by providing one unit affordable to moderate income households.

7. The project significantly improves the underutilized condition of the subject
8. The removal of one heritage tree is necessary in order to construct the proposed improvements and allow economic enjoyment of the property.

9. The removal of the heritage tree will be mitigated by three 36-inch box replacement trees that will be planted on site.

10. The project meets or exceeds the performance standards outlined in the City of Concord’s General Plan and is therefore compliant with Measure “C”.

11. The amended design is consistent with the applicable standards of the Concord Development Code, Chapter 18.415, Design and Site Review, in that the overall design, including its scale, massing, site plan, exterior design, and landscaping, enhances the appearance and features of the project site and surrounding environment; the design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community; architectural details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design; landscaping is compatible with and enhances the architectural character of the buildings and site features, is in scale with on-site and off-site buildings, and plantings have been selected and located to avoid conflicts with views, lighting, infrastructure, utilities, and signage.

12. This resolution shall become effective immediately upon its passage and adoption.

//

//

//

PASSED AND ADOPTED this 20th day of March, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:
Exhibits:
A – Draft Conditions of Approval
B – Mitigation Monitoring Program

cc: Kevin Marstall, City Engineer
Contra Costa County Fire Protection District
EXHIBIT A
DRAFT CONDITIONS OF APPROVAL
*AMENDMENTS TO CONDITIONS SHOWN IN **BOLD, UNDERLINE, RED TEXT***

Villa De La Vista Subdivision (Tract 8989)
Use Permit Amendment, Design Review Amendment, and Lot Line Adjustment
PL18226 – UPA, DRA, LLA
1491 La Vista Avenue
APN: 132-020-035

PERMIT DESCRIPTION

1. These conditions apply to and constitute the approval of **an amendment to the development plan and standards approved by Use Permit (UP 05-001)** for a subdivision of 12 single family homes.

2. These conditions apply to and constitute the approval of a **Vesting Tentative Map, (TM 05-011)** to subdivide a 0.85-acre site into twelve lots.

3. These conditions apply to and constitute approval of a **Tree Removal (RT 06-002)** to remove one Cottonwood heritage tree.

4. These conditions apply to and constitute **the approval of an amendment to Final Design Review (DR 04-023)** approval for 12 single family homes.

5. The Conditions of Approval for the **Preliminary Development Plan (PD 04-004)** are hereby incorporated by reference.

6. The following are the development standards established by this approval (**amended standards noted in bod**):

<table>
<thead>
<tr>
<th>Standard</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Area (minimum)</td>
<td>2,200 sq. ft.</td>
</tr>
<tr>
<td>Lot Width (minimum)</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Net Lot Depth (minimum)</td>
<td>60 ft.</td>
</tr>
<tr>
<td>Yards</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>3 ft. minimum</td>
</tr>
<tr>
<td>Side</td>
<td>2 ft. minimum</td>
</tr>
<tr>
<td>Exterior Side</td>
<td>10 ft. minimum</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft. minimum</td>
</tr>
</tbody>
</table>

Reso 19-08PC Villa De La Vista.doc
<table>
<thead>
<tr>
<th>Building Height</th>
<th>35 ft. 40 ft. maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit Sizes</td>
<td>1,500-1,800 sq. ft. 2,111-2,784 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50% maximum</td>
</tr>
<tr>
<td>On-Site Parking</td>
<td>2 covered spaces per unit (24 spaces) plus 6 uncovered on-site guest parking spaces</td>
</tr>
</tbody>
</table>

EXHIBITS

7. The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

<table>
<thead>
<tr>
<th>Date</th>
<th>Date</th>
<th>Prepared by</th>
<th>Sheet Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received By</td>
<td>City</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prepared by</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Title Sheet                      | 3/15/06 | Arete Inc. | COV       |
| Plan 1 Floor Plan & Elevations  | 3/15/06 | Arete Inc. | A1.1-A1.4 |
| Plan 2 Floor Plan & Elevations  | 3/15/06 | Arete Inc. | A2.1-A2.6 |
| Plan 3 Floor Plan & Elevations  | 3/15/06 | Arete Inc. | A3.1-A3.4 |
| Plan 4 Floor Plan & Elevations  | 3/15/06 | Arete Inc. | A4.1-A4.2 |
| Architectural Details           | 3/15/06 | Arete Inc. | AD1-AD2   |
| Vesting Tentative Map           | 3/15/06 | Aliquot Inc. | VTM-1 thru VTM-4 |
| Final Development Plan          | 3/15/06 | Aliquot Inc. | 1-5       |
| Landscape Plan                  | 3/15/06 | HWA       | L1        |

<table>
<thead>
<tr>
<th>Date</th>
<th>Prepared By</th>
<th>Sheet Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Cover Sheet               | 9/07/18 | Discovery Design Group | A.0 |
| Architectural Site Plan   | 11/02/18 | Discovery Design Group | A.1 |
| Sections                  | 9/07/18 | Discovery Design Group | A.2-A.6 |
| Retaining Wall Details    | 9/07/18 | Discovery Design Group | A.7 |
| Plan 1 Elevations         | 9/07/18 | Discovery Design Group | A.8, A.11-A.14 |
| Plan 1 Floor Plan         | 9/07/18 | Discovery Design Group | A.9-A10 |
| Plan 2 Elevations         | 9/07/18 | Discovery Design Group | A.15, A.19-A.21 |
| Plan 2 Floor Plan         | 9/07/18 | Discovery Design Group | A.16-A.18 |
| Color and Materials Board | N/A     | Discovery Design Group | N/A |
| Master Plotting Plan      | N/A     | Belleci & Associates | 1 of 1 |
| Grading & Improvement     | 7-15-08 | Isakson & Associates | 1 to 16 |
| Soldier Pile Wall Detail  | 6/29/18 | Drill Tech            | RW-1 to RW-3 |
| Lot Line Adjustment       | 1/23/19 | Belleci & Associates  | Sheet 1-2 |
All construction plans shall conform to these exhibits except as modified by these conditions. Where a plan or further information is required, it is subject to review and approval by the Planning Division, Building, Engineering, and Neighborhood Services (BENS) as required. *(PLNG/BLDG/ENGR)*

**GENERAL CONDITIONS**

8. The following conditions of approval are the responsibility of the project applicant and shall be complied with prior to issuance of any construction permit unless noted otherwise. The proposed development shall comply with the applicable requirements of Federal law, State law, and the City of Concord Municipal Code. *(ENGR)*

9. Minor modifications such as paint colors, landscape materials or minor lot line adjustments may be allowed subject to approval by the Planning Division if found to be in substantial conformance with the approved exhibits. Substantial modifications shall require approval from the applicable decision making body. *(PLNG/BLDG/ENGR)*

10. Prior to the approval of the Final Map, an annotated copy of the Conditions of Approval noting how each condition has been satisfied, shall be submitted to the City for review and approval. *(ENGR/PLNG/BLDG)*

11. The conditions of approval shall be listed on a plan sheet and attached to all sets of approved plans (building, grading, improvement, and site work). A copy shall be kept at the job site and the applicant shall ensure that all project contractors adhere to the approved plans and are aware of, and abide by, the conditions. *(PLNG/BLDG/ENGR)*

12. Prior to any building occupancy, the applicant shall submit three signed copies (one notarized) of the “Property Maintenance Agreement” on a form approved by Planning and the City Attorney to address the repair, replacement and maintenance of all parking spaces and driving surfaces, pedestrian walkways, landscaping, irrigation equipment, signs, fences and walls, building exteriors (colors and materials) and other exterior improvements. *(PLNG, ENGR)*

13. For the period prior to construction, the applicant and/or the property owner shall fence and maintain the project site and the area surrounding the project site in a weed and litter free condition. All existing buildings/accessory structures that are not a part of the approved project shall be removed from the property. *(PLNG)*

14. Prior to recording the Final Map, the applicant shall develop and implement an appropriate mechanism that legally binds the homeowners of the project to maintain the “common” improvements which are located on private property, including the sound wall, landscaping and irrigation along the Clayton Road, and landscaping and fencing along La Vista Avenue frontage. The mechanism shall be reviewed and approved by the City Attorney prior to approval of the final map. *(PLNG)*
15. Prior to recording the Final Map, the applicant shall pay a fractional in-lieu fee in addition to entering into an agreement with the City to facilitate the offering of one (1) unit to moderate-income homebuyers. The units will be marketed to moderate-income buyers through the City’s First Time Homebuyer Program, and restricted to affordability, subject to the programs requirements, for 45 years. Qualified program participants will have an opportunity to buy the unit at a price set by the City Housing Division as affordable to households of moderate income (up to 120% of Area Median Income). *(PLNG/HSG)*

**ARCHITECTURAL**

16. Construction drawings showing site and building details, utility plans including equipment and utility screening and architectural details shall be reviewed and approved by the Planning Division prior to the issuance of building permits. The drawings shall include:

   a) All exterior building materials, including trim and prominent exterior details, shall be in substantial compliance with the color schemes as shown on the approved color board dated June 9, 2005, on file at the Planning Division.

   b) All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface, unless other compatible colors are approved by the Planning Division *(PLNG)*

   c) All utility structures and equipment, backflow prevention devices, and electrical and gas meters shall be architecturally screened from view. Electrical transformers shall be either placed underground or architecturally screened by non-plant materials. *(PLNG)*

17. The installation of television or radio antennae or satellite reception dishes are prohibited unless a Zoning Administrator permit is obtained pursuant to CMC §122-981 or said antenna(s) is exempt from permit requirements pursuant to CMC §122-982, *(PLNG)*

**LANDSCAPING**

18. Final landscape and automatic irrigation plans prepared by a landscape architect, registered by the State of California shall be submitted to Planning for review and approval as a part of the building permit plan set prior to issuance of a building or site development permit. The plans shall be consistent with the approved plans incorporating any conditions of approval. *(PLNG)*

19. The final landscape plan shall be peer reviewed by a licensed landscape architect to ensure compliance with these conditions. In addition, the following shall be submitted for approval by the peer reviewer:

   a. A sample of the decorative paving proposed at the project entrance and individual driveways shall be submitted for approval.

   b. Provide canopy trees at the rear yards of lots 7-12.

   c. Provide three 36-inch box replacement trees on site. The trees shall be located at the rear yards of the lots along Clayton Road and/or between the project site and apartment property abutting the property to the south, as approved by staff.

   d. **Compliance with State Model Water Efficient Landscape Ordinance.**
20. The final landscape plan shall be drawn on or consistent with the approved grading plan and shall include the following:

a. Location, species (Latin and common name), size, quantity, and spacing of all plant materials.
b. Specifications for planting details for all plant material, including staking of trees.
c. All trees shall be a minimum size of 15 gallon and 25 percent of the trees shall be 24 inch box in size or larger and shrubs shall be a minimum size of 5 gallon or larger.
d. Show all protected trees.
e. Root control barriers and four-inch perforated pipes shall be installed for parking lot trees, street trees, and trees in planting areas less than 10 feet in width.
f. Six-inch vertical concrete curbs shall be installed between paved and landscaped areas. *(PLNG)*

21. Irrigation plans shall meet the following standards:

a. Sprinkler heads with a precipitation rate of .85 inches per hour or less
b. Valves and circuits shall be separated based on water use.
c. Drip or bubbler irrigation systems are required for trees.
d. Sprinkler heads must have matched precipitation rates within each control valve circuit.
e. Serviceable check valves are required where elevation differential may cause low head drainage.
f. Sprinkler head spacing shall be designed for head-to-head coverage. The system should be designed for minimum runoff and overspray onto non-irrigated areas.
g. All irrigation systems shall be equipped with a controller capable of dual or multiple programming. Controllers must have multiple-cycle start capacity and a flexible calendar program.
h. Plans shall include a water budget that includes:
   1) Estimated annual water use (in gallons) and the area (in square feet) irrigated.
   2) Precipitation rates for each valve circuit.
   3) Monthly irrigation schedule for the plant establishment period and for the first year thereafter. *(PLNG)*

22. The project landscape architect shall certify that there will be a minimum 60-day maintenance period for all landscape improvements. *(PLNG)*

23. Street trees shall be planted in accordance with City Standard Plan S-38, “Street Tree Planting Detail.” *(ENGR/PLNG)*

24. At least two weeks in advance of building occupancy approval, the applicant shall request an inspection of improvements including all buildings, driveways, parking lots, landscaping, irrigation, signs, lighting, walls, fences, and trash enclosures. *(PLNG/ENGR/BLDG)*

25. Prior to occupancy approval, the applicant shall:

a. Install all landscaping consistent with the approved landscape plans.
b. Require that a registered landscape architect be present during the final landscape inspection to conduct an open trench examination of the irrigation system.

c. The landscape architect shall verify in writing, in a manner acceptable to the Planning Division, that the required landscaping, have been installed in accordance with CCWD water conservation guidelines and the approved landscape/construction plans with respect to size, number and species of plants, and irrigation system design. *(PLNG)*

26. Any existing tree, shrub, and/or groundcover on the adjacent properties that is damaged or destroyed by construction activities shall be replaced with a like or comparable species prior to occupancy approval. *(PLNG)*

27. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans. *(PLNG)*

28. The satisfactory establishment of plant materials shall be guaranteed for a period of two years after acceptance. A guarantee bond shall be posted in an amount equal to 10% of the value of the improvements, which shall be released upon inspection, and acceptance of landscape improvements by a registered landscape architect at the end of such two-year period. *(PLNG)*

FENCES/WALLS

29. Fences and walls shall be a maximum of three feet in height within ten feet of the front property line and a maximum of six feet in height within the remaining portion of the yard. Fences offset from retaining walls eighteen inches or greater shall be considered separate structures with a maximum allowed height of six feet. *(PLNG)*

30. Prior to issuance of a building permit, the applicant shall submit a comprehensive fence plan showing the location, height, design and construction details for all fences, fences/walls, walls etc. for Planning Division approval. The location of all fences shall be coordinated with on-site retaining walls. *(PLNG)*

31. The perimeter fence/wall shall be installed within two weeks from completion of site demolition or grading work that is required in the area of the perimeter fence/wall. If the fence at an existing residential property is planned for removal, or if an existing residential property does not have a fence, the replacement perimeter fence/wall shall be installed within two weeks from removal of the original fence, or prior to the time that site construction is initiated. *(PLNG, ENGR)*

LIGHTING

32. Prior to the issuance of a building permit, the applicant shall submit plans showing location and type of all exterior lighting including: building fixtures, walkways, parking areas and streets. The height and style of fixtures shall be shown. Lighting fixtures shall be shown on site plan, building plans and landscape plans. Energy-saving fixtures shall be used and noted on the plans. *(PLNG)*
33. Prior to issuance of a building permit, the applicant shall submit a photometric plan for review and approval by Building, Engineering, and Neighborhood Services, Planning Division, and Police Department. The photometric analysis shall be reviewed by Building, Engineering, and Neighborhood Services for the determination of streetlight spacing. *(PLNG, BLDG, ENGR)*

34. All exterior building lighting and parking lot lighting shall be of low intensity (less than 70-watt point source), directed to provide soft and sophisticated lighting on the buildings and away from adjacent properties and right-of-ways, with adequate illumination for safety. *(PLNG)*

**PARKING**

35. A “No Build Easement” shall be recorded on each guest parking space prohibiting the construction of any structures within the parking spaces. *(BLDG)*

36. Garages shall not be used for storage of goods or materials, nor as a workshop or other use if such storage or use would prevent the use of the garage for parking automobiles within the garage. This restriction shall be included in the project CC&R’s subject to review and approval of the Planning Division and City Attorney. *(PLNG)*

**STREET IMPROVEMENTS**

37. Dedicate right-of-way to City of Concord along Clayton Road frontage to accommodate the ultimate half-width roadway right-of-way of 54 feet. The amount of dedication is estimated to be 5 feet. *(ENGR)*

38. Dedicate right-of-way to City of Concord along La Vista Avenue frontage to accommodate the ultimate half-width roadway right-of-way of 25 feet. The amount of dedication is estimated to be 5 feet. *(ENGR)*

39. Construct improvements along the frontage on Clayton Road, including but not limited to: construction of 6-foot concrete sidewalk to replace the existing 4-foot sidewalk; replace unusable driveways with concrete curb and gutter, and a 6-foot separated concrete sidewalk; installation of traffic signs and pavement marking and striping; remove and replace existing street trees; install landscaping and irrigation; required relocation of fire hydrants, street lights and other facilities; conforms to existing improvements; and repair/replacement of deficient frontage improvements to comply with current ADA requirements or as determined by the City Engineer. *(ENGR)*

40. Construct improvements along the frontage on La Vista Avenue, including but not limited to: construction of drainage and sewer improvements; construction of concrete curb, gutter and 5-foot concrete sidewalk (measured from face of curb); conform pavement section; pavement widening along Salvation Army side per Tentative Map prepared by Aliquot; installation of traffic signs and pavement marking and striping; planting street trees; install landscaping and irrigation; installation of street lights and other facilities; conforms to existing improvements; and repair/replacement of deficient frontage improvements to comply with current ADA requirements or as determined by the City Engineer. *(ENGR)*
41. Install slurry seal on Clayton Road from lip of gutter to street centerline or face of median island, or at the discretion of the Public Works Director, an in-lieu fee may be paid to cover slurry seal cost of street(s), prior to the acceptance of improvements. *(ENGR)*

42. Install slurry seal on La Vista Avenue from edge of improvements on the western side (fronting project) to the edge of improvements on the eastern (Salvation Army) side after completion of utility undergrounding and frontage improvements, or at the discretion of the Public Works Director, an in-lieu fee may be paid to cover slurry seal cost of street(s), prior to the acceptance of improvements. *(ENGR)*

43. Any trenching for underground utilities shall comply with the City standard Detail S-17 for pavement repair and possible slurry placement. *(ENGR)*

44. Prohibit parking along La Vista Avenue from the curb return at the intersection of Clayton Road and La Vista Avenue to the driveway entrance of the development. Paint curb face with red and install “No Parking” signs where no parking is allowed, prior to acceptance of improvements. *(ENGR)*

45. Remove the existing retaining wall along Clayton Road from the northwesterly corner of the project to the end of the wall approximately between Lots 4 and 5. Construct concrete wall along the entire Clayton Road frontage as shown on the Tentative Map prepared by Aliquot date-stamped received March 15, 2006 by the Planning Division. *(ENGR)*

46. Construct all public and pedestrian facilities in accordance with current Americans with Disabilities Act (ADA) requirements, including curb ramps, driveways, and truncated domes. Repair and/or replace any deficient improvements such as raised sidewalk, cracked concrete sidewalks, damaged curb and gutter to comply with current ADA requirements or as directed by the City Engineer prior to acceptance of public improvements. *(ENGR)*

**ENVIRONMENTAL**

47. Comply with all mitigation measures associated with the Mitigated Negative Declaration and Mitigation Monitoring Program approved by the City Council on August 2, 2005. *(PLNG)*

48. In the event of the encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading and/or excavation shall cease, the find shall be left untouched, and the City shall be immediately notified. The County Coroner and the Native American Heritage Commission shall also be notified and procedures as required in §15064.5 of the CEQA shall be followed (a similar note shall appear on the grading and building plans prior to the issuance of permit) *(PLNG)*

**NOISE**

49. Prior to issuance of a building permit, the acoustical engineer for the project shall submit written verification that the design of the sound fence along Clayton Road complies with the recommendations of the noise study. *(PLNG)*
50. The acoustical engineer for the project shall review the building permit plans for the homes and develop specific Sound Transmission Class (STC) rating requirements to ensure interior noise levels are held at or below an Ldn of 45 dB. The Building Official shall verify selection of residential windows with Sound Transmission Class (STC) ratings and sound-rated wall construction complies with residential interior noise limits. These requirements shall be approved prior to the issuance of building permits. *(PLNG, BLDG)*

51. Noise producing site preparation and construction activities shall be limited to the days and hours as set forth below:

**Monday through Friday**......7:30 a.m. to 6:00 p.m.

Construction on Saturdays requires prior approval by the Building, Engineering, and Neighborhood Services, and Planning Division.

No changes to these construction hours will be allowed without the prior written consent of the City. The applicant shall designate a contact person available during the evenings and on weekend to respond to complaints and take appropriate action to reduce noise. *(BLDG, ENGR, PLNG)*

**CONSTRUCTION ACTIVITIES**

52. Contact Building, Engineering, and Neighborhood Services to arrange for a pre-construction meeting prior to the start of any construction activity. *(ENGR)*

53. Implement a dust and construction noise control plan. Submit the plan to Building, Engineering, and Neighborhood Services for review and approval prior to beginning any construction activity. *(ENGR) MM*

54. Implement the following measures during construction:

a. Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution.

b. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and storm drains adjoining the project site. During wet weather, avoid driving vehicles off paved areas.

c. Broom sweep the public street pavement adjoining the project site on a daily basis. Caked-on mud or dirt shall be scraped from these areas before sweeping.

d. Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest the downstream side of the site in order to preclude any debris or dirt from flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as
necessary to ensure effectiveness and to prevent street flooding. Dispose of filter particles in an approved trash receptacle.

e. Create a contained and covered area on the site for the storage of bags, cement, paints, flammable, oils, fertilizers, pesticides, or any other materials used on the site that have the potential for being discharged to the storm drain system by being windblown or in the event of a material spill.

f. Never clean items such as machinery, tools, and brushes or rinse containers in a street, gutter, or storm drain.

g. Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash water into street gutters or drains. *(ENGR, BLDG)*

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

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

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

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

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

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

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

62. Identify truck routes for the import or export of cut/fill material and/or construction debris for review and approval by the City Engineer prior to the issuance of permits. Repair any damage to city streets (private and public) caused by activity associated with the project. *(ENGR)*
CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

63. Submit two copies of preliminary title report, prepared within three months prior to plan submittal. (ENGR)

64. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer improvements and details for curb, gutter, and sidewalk and driveway construction. Include on the plan information on cross slopes of existing sidewalks and driveways. (ENGR)

65. Design improvement plan in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometrics at intersection and corner setback requirements. (ENGR)

66. Obtain an encroachment permit from the City prior to performing any work within the public right-of-way or public easements. (ENGR) CMC

SUBDIVISIONS/SITE DEVELOPMENT PLANS

67. The Vesting Tentative Map prepared by Aliquot date-stamped received March 15, 2006 by the Planning Division is not approved for construction. Submit grading, erosion control, and improvement plans prepared by a Registered Civil Engineer to Building, Engineering, and Neighborhood Services for review and approval prior to issuance of an Encroachment Permit and Grading Permit. (ENGR)

68. The Final Map shall be prepared by a qualified civil engineer or licensed land surveyor and shall be subject to review and approval by Building, Engineering, and Neighborhood Services. (ENGR)

69. If building occupancy occurs in phases, all physical improvements shall be in place prior to occupancy per an approved phasing plan. No individual unit/house shall be occupied until the adjoining area is made safe, accessible, provided with all reasonable services and amenities, and completely separated from any remaining construction-related activity. (BLDG, PLNG, ENGR)

GRADING/EROSION CONTROL/GEOLOGIC

70. Submit a geotechnical report with the Grading Plans and Building Plans, pursuant to CMC Section 94-51 and Section 86-73 that addresses and provides recommendations for grading, drainage, walls, building foundations, and pavement structural sections. (ENGR)

71. All grading shall require a grading and drainage plan prepared by a registered Civil Engineer, a geotechnical report prepared by a registered Geotechnical Engineer and receipt of a grading permit approved by the City Engineer. (ENGR)

72. Grading on adjacent properties shall require written approval from the affected property owners. (ENGR)
73. On-site finish grading work shall require drainage to be directed away from all building foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. *(ENGR)*

74. The applicant’s engineer shall inspect the finished grading and certify that it conforms to the elevation and compaction shown on the Grading Plan and Soils Report respectively. *(ENRG) CMC*

75. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 15th. At the time of approval of the improvement and/or grading plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer. *(ENGR)*

76. All graded slopes and stockpiles of loose soil shall be hydromulched/hydroseeded by October 15th of any given year. If during grading work between October 15th and April 15th a rain forecast was determined, stop all grading work two (2) days before the rain forecast and implement BMP’s to insure that the site is protected from erosion. *(ENGR)*

77. Submit Grading, Erosion Control, and Improvement Plans to Building, Engineering, and Neighborhood Services for review and approval prior to the issuance of grading, encroachment, and building permits. *(ENGR) CMC*

78. Comply with the applicable provisions of the Grading Ordinance and the Storm Water Management and Discharge Control Ordinance. *(ENGR) CMC*

**UTILITIES**

79. Install streetlights along the La Vista Avenue frontage. Street light spacing shall be determined from Photometric Analysis submitted with the Street light Plans. Submit streetlight plans in accordance with the City Standard Specifications showing pole type, luminaries type, conductor and wiring schedule, connection points, lamp wattage and pull box locations, at the time of submittal of improvement plans. Streetlights shall be completely installed and operational prior to issuance of the first building certificate of occupancy. *(ENGR)*

80. Dedicate fifteen-foot wide sanitary sewer easement (along all main sewer lines) to the City for construction/maintenance purposes. The City will not accept maintenance of building laterals. *(ENGR)*

81. Comply with City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *(ENGR)*

82. Submit sanitary sewer calculations stamped and signed by a Registered Civil Engineer to Building, Engineering, and Neighborhood Services for review with the Improvement Plans. *(ENGR)*

83. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. *(ENGR)*
84. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, vaults, irrigation control boxes, back flow prevention devices, and the like shall be subject to approval by Planning and Building, Engineering, and Neighborhood Services prior to the issuance of the first project permit. Such equipment shall be painted forest green or a similar color and be screened from view from the street by the building, landscaping, fencing, and/or an enclosure approved by the Planning Division. (ENGR, PLNG)

85. Submit Joint Trench Plans and Street Light Plans to Building, Engineering, and Neighborhood Services for review prior to approval of Improvement Plans. (ENGR)

86. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site. (ENGR)

87. Connect all buildings to the sanitary sewer collection facilities of the City. (ENGR) CMC

DRAINAGE REQUIREMENTS

88. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.

89. Collect and convey all stormwater entering, and/or originating from, the site to an adequate downstream drainage facility. Submit a detailed hydrologic and hydraulic calculations for a 100-year flood and a capacity study with the Improvement Plans to Building, Engineering, and Neighborhood Services for review and approval. (ENGR)

90. Install appropriate clean water device at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP’s) at all times to comply with the City of Concord Stormwater Management and Discharge Control Ordinance. (ENGR)

91. Install City of Concord “No Dumping, Drains to Bay” curb marker (English and Spanish version) on all catch basins. (ENGR)

92. Submit a Construction Best Management Practice (BMP) Program for review and approval by the Building, Engineering, and Neighborhood Services prior to issuance of a grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP’s. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order. (ENGR)

93. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. (ENGR)
94. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City. *(ENGR)*

**SOLID WASTE/RECYCLING**

95. Comply with the provisions of the CMC and with the local franchised wastehauler regarding design, access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules. Verification of these facilities shall be made by the City and approved by the Planning Division prior to issuance of a building permit and the facilities shall be installed prior to final building occupancy. *(PLNG)*

**AGREEMENTS, FEES, BONDS**

96. Planning Fees: *(PLNG)*
   
   a. Pay Condition Compliance fee per City Resolution, Fees and Charges for Various Municipal Services, within 30 days of billing by the City. Said fee shall reimburse Planning for staff work performed from the time of project approval to issuance of the certificate of occupancy for implementation of the Conditions of Approval and/or Mitigation Monitoring Program. Mitigation monitoring costs will be charged at cost over the life of the project mitigation requirements. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.

   b. Prior to issuance of construction or building permits, the applicant shall pay a Document Imaging Fee per City Resolution “Fees and Charges for Various Municipal Services.” Said fee shall reimburse the City for implementation of the Document Imaging and File Retention programs.

97. Enter into a Subdivision Agreement with the City agreeing to construct and complete all improvements necessary to service the subdivision. The Agreement shall be executed and submitted to the City prior to approval of the Final Map. As part of the Agreement, provide securities acceptable to the City, guaranteeing construction of the required improvements. *(ENGR)*

98. Enter into a Private Road Maintenance Agreement acceptable to the City prior to the approval of Final Map, agreeing to provide for proper maintenance of the private street, guest parking spaces, storm drain outside of the public street right of way, street lights and other privately maintained improvements pursuant to CMC Section 94-33. *(ENGR)*

99. All fees noted below are the fees currently in effect as of July 1, 2005 per the Resolution of Fees and Charges. The fees are adjusted annually by City Council action every June and new fees become effective on July 1, 2006. *(ENGR)*

100. Encroachment Permit Application: *(ENGR)*
a. Pay the Filing Fee at the time of submittal of permit application, improvement plans and supporting documents to Building, Engineering, and Neighborhood Services for review. The current fee is $59.50.

b. Provide a restoration security before issuance of the Encroachment Permit. The security shall be in an amount sufficient to restore existing public improvements to a serviceable condition should development improvement activity cause damage. The amount of the security shall be determined by, and be in a form acceptable to the City Engineer.

c. Provide a $5,000 cash deposit to cover Mitigation Monitoring costs within 30 days following approval of the Tentative Map. The deposit will be placed in a refundable account. Mitigation Monitoring costs will be charged to this deposit over the life of the project mitigation requirements. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.

101. Grading Permit Application: (ENGR)

a. Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee is determined based on cubic yardage of cut and fill combined, or at the hourly rate of $119 if hourly charge is utilized.

b. Provide a $5,000 cash deposit for erosion control prior to issuance of Grading Permit. The deposit will be placed in a refundable account. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.

c. Pay stockpile and erosion control monitoring fee prior to issuance of Grading Permit. The stockpile and erosion control monitoring fee is currently $17.00 per calendar day and is collected for the life of the grading permit activity.

102. Final Map Application: (ENGR)

a. Pay the Final Map review fee at the time of submittal of Final Map and related documents to Building, Engineering, and Neighborhood Services for review. Current fee is estimated to be $3,451 (based on 13 units), plus additional review time at $119/hour if required.

103. Pay the Final Map filing fee prior to approval of the Final Map. The current fee is $1,190.

104. Pay the Improvement Plans review fee at the time of submittal of the Improvement Plans and related documents to Building, Engineering, and Neighborhood Services for review. Current fee is estimated to be $10,829 (based on 13 parcels), plus additional review time at $119/hour if required.
105. Pay the construction inspection fee prior to approval of Final Map as part of the Subdivision Agreement. The current fee is based on 9% of the estimated cost of constructing the required improvements to support the subdivision.

106. Pay the Drainage Acreage Fee prior to approval of Final Map. The current fee is $2,643 per acre (Drainage Area 90).

107. Pay the Parkland Fee prior to approval of Final Map. The current fee is $6,799 per living unit for Medium-Density Designation.

108. Submit a fully executed Subdivision Agreement and provide all necessary bonds, securities, fees, and insurance required in the Agreement prior to approval of Final Map.

109. Pay new street monument fee of $238 per monument, prior to approval of the Final Map.

110. Pay new parcel fee of $238 per parcel prior to the approval of the Final Map.

111. Pay acceptance of improvements and dedications fee of $2,380 prior to approval of Final Map.

112. Provide a $1,000 deposit for archiving permanent records prior to approval of the Final Map. Actual fees will be charged following completion of work.

113. Provide a $5,000 deposit for specialty inspections prior to approval of the Final Map.

114. Sewer Connection Permit: (ENGR)

    a. Pay Sanitary Sewer connection fee. The current sewer connection fee is $3,792 per single-family dwelling unit and shall be paid prior to approval of the Final Map.
    b. Pay the current sewer service fee prior to approval of the Final Map as set forth in the Resolution of Fees and Charges. The current fee is $258 per dwelling unit per year and is pro-rated by month that the connection is made.

115. Traffic Mitigation Fee:

    Pay Offsite Street Improvement Program (OSIP) less possible fee credit. The OSIP Fee shall be the fee in effect at the time of approval of Final Map. The current OSIP Fee is $2,588 per dwelling unit or Single-family unit and shall be paid prior to approval of Final Map. (ENGR)

116. OTHER/MISCELLANEOUS

    Prior to building occupancy, the applicant shall confer with local postal authorities to determine the type of mail receptacles that are to be utilized for this project. Design of mail receptacles shall be submitted for the Planning Division's review. (PLNG)

    The developer/builder is to contact the Information Systems Technician, in the Information Technology Department, (925) 671-3225, to determine the external addressing for the project prior to issuance of a building permit. In addition, the developer/builder is to contact the
Information Systems Technician to determine the internal addressing (individual occupancies) for the project prior to issuance of a certificate of occupancy. *(PLNG)*

118. Potable water service for the Villa De La Vista Subdivision is required and will be made available upon completion of financial arrangements and installation of all necessary water facilities to meet the requirements of residential use, including irrigation, backflow protection and fire protection, according to current District standards. *(CCWD)*

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

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

Plan review fees will be assessed at that time. The City is not responsible for the collection of fees or enforcement of requirements imposed by the Fire District. *(CCFIRE) CMC*

120. Applicant shall defend, indemnify and hold harmless the City, its agents, officials, and employees from any claim, action, or proceeding against the City or its agents, officials, or employees in any action to attack, set aside, void or annul, the approval of this permit. *(PLNG)*

121. The permit and approval shall expire in two years from the date on which they became effective unless a building permit is obtained and construction begun. All applications processed concurrent with a subdivision shall be valid for the life of the tentative map. If a subdivision approval, the expiration of other approved concurrent permits or approvals shall be two years, but shall also require the recording of the Final Map or Parcel Map within that time. The effective date of the permit and approval is April 19, 2006. *(PLNG)*

122. A request for a time extension from the expiration date of April 19, 2008 can be considered if an application with required fee is filed at least 45 days before the original expiration date (otherwise a new application is required) A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. *(PLNG)*

123. The applicant shall defend (with counsel approved by City), indemnify and hold harmless the City, any agency or instrumentality thereof, and its/their respective agents, officers, officials, volunteers, and employees from and against any and all administrative and/or legal claims, actions or proceedings to attack, set aside, void, or annul approval of the project, including without limitation, any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”), with the exception of a Challenge arising out of the City’s sole negligence or willful misconduct. The City shall have the right to pre-approve any material decision involved in defending any such Challenge, including settlement, and may (but is not obligated to) participate in the defense of any Challenge. If applicant does not promptly defend any Challenge, City
may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense. The applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation. Pursuant to Government Code Section 66474.9, the applicant’s indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify applicant of any Challenge, and shall cooperate fully in the defense. (C.A.)
## Air Quality

<table>
<thead>
<tr>
<th>Mitigation Number</th>
<th>Mitigation Measure</th>
<th>Monitoring Task</th>
<th>Responsible Division/Agency</th>
<th>Timing of Monitoring Task</th>
<th>Monitoring Verification (Initials and Date)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>AQ-1</td>
<td>The project sponsor shall at least 10 days prior to any demolition activities, submit a Notification for Demolition to the Bay Area Air Quality Management District (BAAQMD). In the event a survey for asbestos results in a level of asbestos greater than 100 s.f., the project sponsor shall comply with BAAQMD guidelines for removal of the asbestos.</td>
<td>Improvement plans shall be approved by the Engineering Division prior to the issuance of any permits for this project. Compliance shall be field checked by City staff as part of the standard site preparation and building construction inspection process.</td>
<td>Building Division.</td>
<td>Prior to issuance of a demolition permit.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AQ-2</td>
<td>To reduce dust from construction activity, the applicant shall: a) Water all active construction areas at least twice daily, when needed. b) Enclose, cover, water twice daily, or apply non-toxic soil binders to all stockpiles of debris, soil, sand or other materials that can be blown by the wind. c) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. d) Pave, apply water three times daily, when needed, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. e) Sweep daily all streets, paved access roads, parking areas and staging areas.</td>
<td>The Engineering Division’s current development staff will verify that the required dust suppression requirements are included on grading and improvement plans. The Engineering Division construction inspectors shall inspect the site for compliance during on-site inspections throughout the life of the project.</td>
<td>Building Division and Engineering Department.</td>
<td>The timing of this requirement shall be ongoing during construction of all phases of development.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
at construction sites (preferably with water sweepers) to ensure that soil material is carried onto adjacent public streets.

f) Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.

g) Limit traffic speeds on unpaved roads to 15 mph.

h) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

i) Replant vegetation in disturbed areas as quick as possible.

j) If appropriate for this site, install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.

k) All neighborhood associations within the standard noticing area shall be provided with the name and phone number of a designated “dust control coordinator” who can respond to complaints by suspending dust-producing activities or providing additional personnel or equipment for dust control. This information shall also be posted at the construction site and provided to the City staff.

<table>
<thead>
<tr>
<th>CULTURAL RESOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-1</td>
</tr>
<tr>
<td>CR-2</td>
</tr>
<tr>
<td>CR-3</td>
</tr>
</tbody>
</table>

**HYDROLOGY/WATER**

| HW-1 | The project sponsor shall comply with the City of Concord Storm Water Management Discharge and Control Ordinance. The project sponsor or their designee shall incorporate Best Management Practices in | Improvement plans shall be approved by the Engineering Department prior to the issuance of any permits for this project. Compliance shall be verified in the field by City staff as part of the standard site preparation and building | Engineering Department. | The site drainage plans shall be submitted and approved by |
Villa De La Vista Residential Subdivision  
Mitigation and Monitoring Matrix  
Prepared by: Frank Abejo, Planning Division  
Approved by City Council on August 2, 2005  

| HW-2 | The project applicant shall prepare a construction erosion/sediment control plan and employ Best Management Practices which include:  
|      | a) Dry weather work, maintenance of on-site equipment.  
|      | b) Avoidance of over-application of water for dust control.  
|      | c) Management to contain potential contaminants and fuels.  
|      | d) Submittal to the Regional Water Quality Control Board of a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI).  
|      | copies of the approved SWPPP and NOI shall also be submitted to the City.  
|      | The RWQCB will approve the SWPPP and NOI and issue a NPDES. The City will ensure that the project applicant has filed an NOI and has an approved SWPPP.  
|      | Engineering Department.  
|      | Prior to approval of grading and improvement plans.  
| HW-3 | Implementation of the SWPPP shall be monitored.  
|      | The City will oversee compliance with the SWPPP.  
|      | Engineering Dept.  
|      | Ongoing during construction.  
| NOISE | The applicant shall construct a six foot high solid noise barrier at the back yards of lots 1 through 6, located approximately 5 ft. back from the retaining wall and extending approximately 50 ft. along La Vista Avenue per the recommendation of the noise study by Wilson, Ihrig & Associates dated March 13, 2005.  
|      | The Planning Division shall review the design of the sound barrier which shall be included as part of the final landscape plan. A letter from the consulting acoustical engineer, or a qualified licensed acoustical engineer shall accompany the plans verifying that the design of the barrier complies with the recommendations of the noise study.  
|      | Planning Division  
|      | Prior to submittal of final landscape plan.  

VillaDeLaVistaMMP.doc - 4 -
### Mitigation and Monitoring Matrix

**Prepared by:** Frank Abejo, Planning Division  
**Approved by City Council on August 2, 2005**

<table>
<thead>
<tr>
<th>N-2</th>
<th>Mitigation</th>
<th>Monitoring</th>
<th>Mitigation Description</th>
<th>Monitoring Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>An acoustical engineer shall review the permit plans for the homes and develop any specific Sound Transmission Class (STC) rating requirements for each lot to ensure interior noise levels are held at or below an Ldn of 45 DB. These measures shall be detailed on the building permit plan set submitted for review and approval by the Planning Division.</td>
<td>Planning Division will review building permit plans for conformance prior to issuance of a building permit.</td>
<td>Planning Division.</td>
<td>Plans to be submitted and reviewed prior to issuance of building permit.</td>
<td></td>
</tr>
<tr>
<td>Noise producing site preparation and construction activities shall be limited to the hours of 7:30 a.m. to 6:00 p.m. on weekdays. Saturday work may be allowed through advanced request to the Building Division, but shall not begin prior to 9 a.m.</td>
<td>Complaints received by the Police Department, Engineering Department, Building Division, or any other City department or division shall be forwarded to the Building Division for appropriate action.</td>
<td>Planning and Building Divisions, Transportation and Engineering Department.</td>
<td>On going during all construction phases until Certificate of Occupancy issued.</td>
<td></td>
</tr>
<tr>
<td>Employ the quietest construction equipment available, to muffle noise from construction equipment and to keep all mufflers in good working order in accordance with State law.</td>
<td>Staff shall verify compliance with this condition upon being notified of excessive noise related to construction equipment use.</td>
<td>Planning, Engineering, and Building Division.</td>
<td>On going during all construction phases until Certificate of Occupancy issued.</td>
<td></td>
</tr>
</tbody>
</table>
VILLA DE LA VISTA
CONCORD, CA
ARCHITECTURAL SITE PLAN (REFERENCE ONLY)
NEW RETAINING WALL
CLAYTON ROAD
EXISTING RETAINING WALL
NEW SOUND WALL FENCE

VILLA DE LA VISTA
CONCORD, CA
Discovery Design Group
Discovery Builders Inc.
Date 09/07/2018
VILLA DRIVE SOUTHWEST

VILLA DE LA VISTA
CONCORD, CA

Discovery Builders Inc.
Date 09/07/2018
GOOD NEIGHBOR FENCE - SECTION: 'D'

SOUTHWEST WALL - SECTION: 'E'

+/− 4' WALL @ CLAYTON RD. - SECTION: 'B'

(E) WALL @ CLAYTON RD. - SECTION: 'C'

RETAINING WALL DETAILS
Elevation A - "Modern Monterey"

Elevation B - "Modern Farmhouse"

Elevation C - "California Contemporary"
Plan 1
Enhanced Elevations - 'B'
Elevation A - "Modern Monterey"

Elevation B - "Modern Farmhouse"

Elevation C - "California Contemporary"
<table>
<thead>
<tr>
<th>SCHEME 1</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1V/C53233 Brown Blend</td>
<td>KMW28-1 Clam</td>
<td>KM5802-3 Stacked Stone</td>
<td>KM4582 Beaver Pelt</td>
<td>NONE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SCHEME 2*</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1V/C53233 Brown Blend</td>
<td>KM4566-3 City Loft</td>
<td>KM4559-3 Mink</td>
<td>KM5800-5 Sausalito Ridge</td>
<td>KM466-5 Santana Soul</td>
<td>NONE</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SCHEME 3</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1FBC1132 Charcoal Brown Blend</td>
<td>KM4942-2 Tin Man</td>
<td>KM4937-3 Paw Print</td>
<td>KM46 Acoustic White</td>
<td>KM417 Oxford Brown</td>
<td>NONE</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SCHEME 4</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1FAC51430 Charcoal Blend</td>
<td>KM4899-1 Gray Spell</td>
<td>LP Smartside Cedar</td>
<td>KM4786-1 Fresh Linen</td>
<td>KM407 Carbon</td>
<td>Umber Creek Country Ledgestone</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SCHEME 5</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1FBC1132 Charcoal Brown Blend</td>
<td>KM469 Antique White</td>
<td>KM5767-3 Greige</td>
<td>KM14 Frost</td>
<td>KM4818-5 Knit Cardigan</td>
<td>Old Saguaro</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SCHEME 6</th>
<th>ROOF TILE</th>
<th>BODY 1</th>
<th>BODY 2</th>
<th>TRIM</th>
<th>ACCENT</th>
<th>STONE/BRICK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1FBC1430 Charcoal Blend</td>
<td>KM4908-1 Bashful Emu</td>
<td>LP Smartside Cedar</td>
<td>KM49 Antique White</td>
<td>KM482-5 Lamp Post</td>
<td>Echo Ridge Southern Ledgestone</td>
<td></td>
</tr>
</tbody>
</table>

ROOFING: Boral Concrete Tile or Equivalent
STONE: Boral Cultured Stone/Cultured Brick or Equivalent
PAINT: Kelly Moore or Equivalent
### Structural Pavement Sections

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td></td>
</tr>
</tbody>
</table>

### Storm Drain Structure List

<table>
<thead>
<tr>
<th>Program</th>
<th>ID</th>
<th>Structure</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Sanitary Sewer Structure List

<table>
<thead>
<tr>
<th>Program</th>
<th>ID</th>
<th>Structure</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Grading Summary

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base</td>
<td></td>
</tr>
<tr>
<td>Trench</td>
<td></td>
</tr>
</tbody>
</table>

### ABBREVIATIONS

- CA: County Airport
- CH: County Highway
- CL: City Limit
- EL: Existing
- PL: Plan
- PR: Proposed
- SW: Sanitary Wastewater
- T: Water Trench
- W: Waterline

### LEGEND

- Existing
- Proposed
- Storm Drain Manholes over 12" deep
- Storm Drain Manholes 6" to 12" deep
- Storm Drain Manholes 0" to 6" deep
- Storm Drain Curb Gutter
- Storm Drain Catch Basin
- Storm Drain Manholes over 12" deep
- Storm Drain Manholes 6" to 12" deep
- Storm Drain Manholes 0" to 6" deep
- Storm Drain Curb Gutter
- Storm Drain Catch Basin

14. PRIOR TO ANY BUILDING OCCUPANCY, THE APPLICANT SHALL SUBMIT THREE SIGNED CONDITIONS OF, AND ABIDE BY, THE CONDITIONS. (PLNG/BLDG/ENGR)

15. THE FOLLOWING EXHIBITS ARE INCORPORATED AS CONDITIONS OF APPROVAL, APPROVED BY STAFF.

16. A COPY SHALL BE KEPT AT THE JOB SITE AND THE APPLICANT SHALL ENSURE THAT ALL APPLICABLE CONDITIONS OF APPROVAL ARE ADHERED TO AND MAINTAINED.

17. THE FOLLOWING CONSTRUCTION PLANS WITH RESPECT TO SIZE, NUMBER AND SPECIES OF PLANTS, IN-LIEU FEE IN ADDITION TO ENTERING INTO AN AGREEMENT WITH THE CITY TO IMPLEMENT AN APPROPRIATE MECHANISM THAT LEGALLY BINDS THE HOMEOWNERS OF PRIVATE PROPERTY, INCLUDING THE SOUND WALL, LANDSCAPING AND IRRIGATION REPLACEMENT AND MAINTENANCE OF ALL PARKING SPACES AND DRIVING SURFACES, AND CONFORM PAVEMENT SECTION; PAVEMENT WIDENING ALONG SALVATION ARMY SIDE PER CONCRETE CURB, GUTTER AND 5-FOOT CONCRETE SIDEWALK (MEASURED FROM FACE OF CURB); OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

18. OR MULTIPLE PROGRAMMING. CONTROLLERS MUST HAVE MULTIPLE-CYCLE START CAPACITY OR MULTIPLE PROGRAMMING. CONTROLLERS MUST HAVE MULTIPLE-CYCLE START CAPACITY.

19. THE FINAL LANDSCAPE PLAN SHALL BE PEER REVIEWED BY A LICENSED LANDSCAPE ARCHITECT.

20. THE FINAL LANDSCAPE PLAN SHALL BE PEER REVIEWED BY A LICENSED LANDSCAPE ARCHITECT.

21. SCIENTIFIC CONSERVATION OF PLANTS, INCLUDING SPECIES AS DETERMINED BY THE CITY ENGINEER.

22. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

23. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

24. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

25. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

26. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

27. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

28. THE SATISFACTORY ESTABLISHMENT OF PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR THEREAFTER. (PLNG)

29. FENCES AND WALLS SHALL BE A MAXIMUM OF THREE FEET IN HEIGHT WITHIN TEN FEET OF THE STREET. THE AMOUNT OF FENCES SHALL BE DETERMINED BY THE CITY ENGINEER.

30. FENCES AND WALLS SHALL BE A MAXIMUM OF THREE FEET IN HEIGHT WITHIN TEN FEET OF THE STREET. THE AMOUNT OF FENCES SHALL BE DETERMINED BY THE CITY ENGINEER.

31. FENCES AND WALLS SHALL BE A MAXIMUM OF THREE FEET IN HEIGHT WITHIN TEN FEET OF THE STREET. THE AMOUNT OF FENCES SHALL BE DETERMINED BY THE CITY ENGINEER.

32. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, THE APPLICANT SHALL SUBMIT PLANS SHOWING THE LOCATION, SPECIES (LATIN AND COMMON NAME), SIZE, QUANTITY, AND SPACING OF ALL PLANT MATERIAL, INCLUDING STAKING DETAILS, FOR ALL APPROPRIATE USES.

33. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, THE APPLICANT SHALL SUBMIT PLANS SHOWING THE LOCATION, SPECIES (LATIN AND COMMON NAME), SIZE, QUANTITY, AND SPACING OF ALL PLANT MATERIAL, INCLUDING STAKING DETAILS, FOR ALL APPROPRIATE USES.

34. ALL EXTERIOR BUILDING LIGHTING AND PARKING LOT LIGHTING SHALL BE OF LOW INTENSITY LIKE OR COMPARABLE SPECIES PRIOR TO OCCUPANCY APPROVAL. (PLNG)

35. ALL EXTERIOR BUILDING LIGHTING AND PARKING LOT LIGHTING SHALL BE OF LOW INTENSITY LIKE OR COMPARABLE SPECIES PRIOR TO OCCUPANCY APPROVAL. (PLNG)

36. GARAGES SHALL NOT BE USED FOR STORAGE OF GOODS OR MATERIALS, NOR AS A WORKSHOP OR WORKSPACE.

37. GARAGES SHALL NOT BE USED FOR STORAGE OF GOODS OR MATERIALS, NOR AS A WORKSHOP OR WORKSPACE.

38. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

39. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

40. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

41. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

42. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

43. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)

44. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH A CONTROLLER CAPABLE OF DUAL LAYER OF DEDICATION IS ESTIMATED TO BE 5 FEET. (ENGR)


47. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

48. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

49. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

50. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

51. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

52. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

53. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

54. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

55. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

56. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

57. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

58. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

59. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

60. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

61. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

62. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

63. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

64. COMPLY WITH ALL MITIGATION MEASURES ASSOCIATED WITH THE MITIGATED NEGATIVE IMPACTS ASSOCIATED WITH THE PROJECT.

65. DESIGN IMPROVEMENT PLAN IN ACCORDANCE WITH THE CITY STANDARD PLANS S-34 AND S-36 FOR SIGHT DISTANCE, STOPPING DISTANCE, AND MINIMUM SIDEWALK WIDTHS, AND A FLEXIBLE CALENDAR PROGRAM.

66. DESIGN IMPROVEMENT PLAN IN ACCORDANCE WITH THE CITY STANDARD PLANS S-34 AND S-36 FOR SIGHT DISTANCE, STOPPING DISTANCE, AND MINIMUM SIDEWALK WIDTHS, AND A FLEXIBLE CALENDAR PROGRAM.

67. DESIGN IMPROVEMENT PLAN IN ACCORDANCE WITH THE CITY STANDARD PLANS S-34 AND S-36 FOR SIGHT DISTANCE, STOPPING DISTANCE, AND MINIMUM SIDEWALK WIDTHS, AND A FLEXIBLE CALENDAR PROGRAM.

68. THE FINAL MAP SHALL BE PREPARED BY A QUALIFIED CIVIL ENGINEER OR LICENSED LAND SURVEYOR AND SHALL BE ISSUED BY THE CITY ENGINEER.

69. THE FINAL MAP SHALL BE PREPARED BY A QUALIFIED CIVIL ENGINEER OR LICENSED LAND SURVEYOR AND SHALL BE ISSUED BY THE CITY ENGINEER.

70. THE FINAL MAP SHALL BE PREPARED BY A QUALIFIED CIVIL ENGINEER OR LICENSED LAND SURVEYOR AND SHALL BE ISSUED BY THE CITY ENGINEER.
FINAL CONDITIONS OF APPROVAL CON'T:

91. INSTALL CITY OF CONCORD "NO DUMPING, DRAINS TO BAY" CURB C. PAY STOCKPILE AND EROSION CONTROL MONITORING FEE PRIOR
MARKER (ENGLISH AND SPANISH VERSION) ON ALL CATCH BASINS.
TO ISSUANCE OF GRADING PERMIT. THE STOCKPILE AND EROSION
(ENGR)
CONTROL MONITORING FEE IS CURRENTLY $17.00 PER CALENDAR
DAY AND IS COLLECTED FOR THE LIFE OF THE GRADING PERMIT
92. SUBMIT A CONSTRUCTION BEST MANAGEMENT PRACTICE (BMP)
ACTIVITY.
PROGRAM FOR REVIEW AND APPROVAL BY THE BUILDING,
ENGINEERING, AND NEIGHBORHOOD SERVICES PRIOR TO ISSUANCE
102. FINAL MAP APPLICATION: (ENGR)
OF A GRADING PERMIT. THE GENERAL CONTRACTOR AND ALL
SUBCONTRACTORS AND SUPPLIERS OF MATERIALS AND EQUIPMENT
F. PAY THE FINAL MAP REVIEW FEE AT THE TIME OF SUBMITTAL OF
FINAL CONDITIONS OF APPROVAL CON'T:
SHALL IMPLEMENT THESE BMP'S. CONSTRUCTION SITE CLEANUP
FINAL MAP AND RELATED DOCUMENTS TO BUILDING, ENGINEERING,
AND CONTROL OF CONSTRUCTION DEBRIS SHALL ALSO BE
AND NEIGHBORHOOD SERVICES FOR REVIEW. CURRENT FEE IS
69. IF BUILDING OCCUPANCY OCCURS IN PHASES, ALL PHYSICAL
ADDRESSED IN THIS PROGRAM. FAILURE TO COMPLY WITH THE
IMPROVEMENTS SHALL BE IN PLACE PRIOR TO OCCUPANCY PER AN
ESTIMATED
TO BE $3,451 (BASED ON 13 UNITS), PLUS ADDITIONAL
APPROVED CONSTRUCTION BMP MAY RESULT IN THE ISSUANCE OF
APPROVED PHASING PLAN. NO INDIVIDUAL UNIT/HOUSE SHALL BE OCCUPIED CORRECTION NOTICES, CITATIONS, OR A PROJECT STOP WORK
REVIEW TIME AT $119/HOUR IF REQUIRED.
UNTIL THE ADJOINING AREA IS MADE SAFE, ACCESSIBLE, PROVIDED WITH
ORDER. (ENGR)
ALL REASONABLE SERVICES AND AMENITIES, AND COMPLETELY SEPARATED
103. PAY THE FINAL MAP FILING FEE PRIOR TO APPROVAL OF THE
FROM ANY REMAINING CONSTRUCTION-RELATED ACTIVITY. (BLDG, PLNG,
93. ENSURE THAT THE AREA SURROUNDING THE PROJECT SUCH AS
FINAL MAP. THE CURRENT FEE IS $1,190.
ENGR)
THE STREETS STAY FREE AND CLEAR OF CONSTRUCTION DEBRIS
GRADING/EROSION CONTROL/GEOLOGIC
SUCH AS SILT, DIRT, DUST, AND TRACKED MUD COMING IN FROM OR 104. PAY THE IMPROVEMENT PLANS REVIEW FEE AT THE TIME OF
IN ANY WAY RELATED TO PROJECT CONSTRUCTION. AREAS THAT
SUBMITTAL OF THE IMPROVEMENT PLANS AND RELATED
70. SUBMIT A GEOTECHNICAL REPORT WITH THE GRADING PLANS AND
ARE EXPOSED FOR EXTENDED PERIODS SHALL BE WATERED
DOCUMENTS TO BUILDING, ENGINEERING, AND NEIGHBORHOOD
BUILDING PLANS, PURSUANT TO CMC SECTION 94-51 AND SECTION 86-73
REGULARLY TO REDUCE WIND EROSION. PAVED AREAS AND ACCESS SERVICES FOR REVIEW. CURRENT FEE IS ESTIMATED TO BE $10,829
THAT ADDRESSES AND PROVIDES RECOMMENDATIONS FOR GRADING,
ROADS SHALL BE SWEPT ON A REGULAR BASIS. (ENGR)
(BASED ON 13 PARCELS), PLUS ADDITIONAL REVIEW TIME AT
DRAINAGE, WALLS, BUILDING FOUNDATIONS, AND PAVEMENT STRUCTURAL
$119/HOUR
IF REQUIRED.
SECTIONS. (ENGR)
94. CLEAN ALL ON-SITE STORM DRAIN FACILITIES A MINIMUM OF
TWICE A YEAR, ONCE IMMEDIATELY PRIOR TO OCTOBER 15 AND
71. ALL GRADING SHALL REQUIRE A GRADING AND DRAINAGE PLAN
105. PAY THE CONSTRUCTION INSPECTION FEE PRIOR TO APPROVAL
ONCE IN JANUARY. ADDITIONAL CLEANING MAY BE REQUIRED IF
PREPARED BY A REGISTERED CIVIL ENGINEER, A GEOTECHNICAL REPORT
OF FINAL MAP AS PART OF THE SUBDIVISION AGREEMENT. THE
FOUND NECESSARY BY THE CITY. (ENGR)
PREPARED BY A REGISTERED GEOTECHNICAL ENGINEER AND RECEIPT OF A
CURRENT FEE IS BASED ON 9% OF THE ESTIMATED COST OF
GRADING PERMIT APPROVED BY THE CITY ENGINEER. (ENGR)
CONSTRUCTING THE REQUIRED IMPROVEMENTS TO SUPPORT THE
SOLID WASTE/RECYCLING
SUBDIVISION.
72. GRADING ON ADJACENT PROPERTIES SHALL REQUIRE WRITTEN
95. COMPLY WITH THE PROVISIONS OF THE CMC AND WITH THE
APPROVAL FROM THE AFFECTED PROPERTY OWNERS. (ENGR)
LOCAL FRANCHISED WASTEHAULER REGARDING DESIGN, ACCESS
106. PAY THE DRAINAGE ACREAGE FEE PRIOR TO APPROVAL OF
REQUIREMENTS, AND THE NUMBER OF REQUIRED INDIVIDUAL
FINAL MAP. THE CURRENT FEE IS $2,643 PER ACRE (DRAINAGE AREA
73. ON-SITE FINISH GRADING WORK SHALL REQUIRE DRAINAGE TO BE
REFUSE RECEPTACLES BASED UPON WASTE PICKUP SCHEDULES.
90).
DIRECTED AWAY FROM ALL BUILDING FOUNDATIONS AT A MINIMUM SLOPE VERIFICATION OF THESE FACILITIES SHALL BE MADE BY THE CITY
OF 2 PERCENT AND A MAXIMUM SLOPE OF 20 PERCENT TOWARD APPROVED
AND APPROVED BY THE PLANNING DIVISION PRIOR TO ISSUANCE OF 107. PAY THE PARKLAND FEE PRIOR TO APPROVAL OF FINAL MAP.
DRAINAGE FACILITIES OR SWALES. NON-PAVED DRAINAGE SWALES SHALL
A BUILDING PERMIT AND THE FACILITIES SHALL BE INSTALLED
THE CURRENT FEE IS $6,799 PER LIVING UNIT FOR MEDIUM-DENSITY
HAVE A MINIMUM SLOPE OF 1 PERCENT. (ENGR)
PRIOR TO FINAL BUILDING OCCUPANCY. (PLNG)
DESIGNATION.
74. THE APPLICANT'S ENGINEER SHALL INSPECT THE FINISHED GRADING AND AGREEMENTS, FEES, BONDS
CERTIFY THAT IT CONFORMS TO THE ELEVATION AND COMPACTION SHOWN
108. SUBMIT A FULLY EXECUTED SUBDIVISION AGREEMENT AND
ON THE GRADING PLAN AND SOILS REPORT RESPECTIVELY. (ENRG) CMC
PROVIDE ALL NECESSARY BONDS, SECURITIES, FEES, AND
96. PLANNING FEES: (PLNG)
INSURANCE REQUIRED IN THE AGREEMENT PRIOR TO APPROVAL OF
FINAL MAP.
A. PAY CONDITION COMPLIANCE FEE PER CITY RESOLUTION, FEES
75. EROSION CONTROL MEASURES SHALL BE IMPLEMENTED PER PLANS
AND CHARGES FOR VARIOUS MUNICIPAL SERVICES, WITHIN 30 DAYS
APPROVED BY THE CITY ENGINEER FOR ALL GRADING WORK NOT
109. PAY NEW STREET MONUMENT FEE OF $238 PER MONUMENT,
OF
BILLING BY THE CITY. SAID FEE SHALL REIMBURSE PLANNING
COMPLETED BEFORE OCTOBER 15TH. AT THE TIME OF APPROVAL OF THE
PRIOR TO APPROVAL OF THE FINAL MAP.
FOR
STAFF
WORK
PERFORMED
FROM
THE
TIME
OF
PROJECT
IMPROVEMENT AND/OR GRADING PLANS, AN APPROVED EROSION CONTROL
APPROVAL
TO
ISSUANCE
OF
THE
CERTIFICATE
OF
OCCUPANCY
FOR
PLAN PREPARED BY A REGISTERED CIVIL ENGINEER SHALL BE FILED WITH
IMPLEMENTATION OF THE CONDITIONS OF APPROVAL AND/OR
110. PAY NEW PARCEL FEE OF $238 PER PARCEL PRIOR TO THE
THE CITY ENGINEER. (ENGR)
MITIGATION MONITORING PROGRAM. MITIGATION MONITORING
APPROVAL OF THE FINAL MAP.
COSTS WILL BE CHARGED AT COST OVER THE LIFE OF THE PROJECT
76. ALL GRADED SLOPES AND STOCKPILES OF LOOSE SOIL SHALL BE
111. PAY ACCEPTANCE OF IMPROVEMENTS AND DEDICATIONS FEE OF
HYDROMULCHED/HYDROSEEDED BY OCTOBER 15TH OF ANY GIVEN YEAR. IF MITIGATION REQUIREMENTS. IF THE INITIAL DEPOSIT IS
INSUFFICIENT TO COVER ACTUAL COSTS, AN ADDITIONAL DEPOSIT
DURING GRADING WORK BETWEEN OCTOBER 15TH AND APRIL 15TH A RAIN
$2,380 PRIOR TO APPROVAL OF FINAL MAP.
IN AN AMOUNT DETERMINED BY THE CITY ENGINEER WILL BE
FORECAST WAS DETERMINED, STOP ALL GRADING WORK TWO (2) DAYS
REQUIRED.
BEFORE THE RAIN FORECAST AND IMPLEMENT BMP'S TO INSURE THAT THE
112. PROVIDE A $1,000 DEPOSIT FOR ARCHIVING PERMANENT
SITE IS PROTECTED FROM EROSION. (ENGR)
RECORDS PRIOR TO APPROVAL OF THE FINAL MAP. ACTUAL FEES
B. PRIOR TO ISSUANCE OF CONSTRUCTION OR BUILDING PERMITS,
WILL BE CHARGED FOLLOWING COMPLETION OF WORK.
THE APPLICANT SHALL PAY A DOCUMENT IMAGING FEE PER CITY
77. SUBMIT GRADING, EROSION CONTROL, AND IMPROVEMENT PLANS TO
BUILDING, ENGINEERING, AND NEIGHBORHOOD SERVICES FOR REVIEW AND RESOLUTION "FEES AND CHARGES FOR VARIOUS MUNICIPAL
113. PROVIDE A $5,000 DEPOSIT FOR SPECIALTY INSPECTIONS PRIOR
SERVICES." SAID FEE SHALL REIMBURSE THE CITY FOR
APPROVAL PRIOR TO THE ISSUANCE OF GRADING, ENCROACHMENT, AND
TO APPROVAL OF THE FINAL MAP.
IMPLEMENTATION
OF
THE
DOCUMENT
IMAGING
AND
FILE
BUILDING PERMITS. (ENGR) CMC
RETENTION PROGRAMS.
114. SEWER CONNECTION PERMIT: (ENGR)
78. COMPLY WITH THE APPLICABLE PROVISIONS OF THE GRADING
97.
ENTER
INTO
A
SUBDIVISION
AGREEMENT
WITH
THE
CITY
ORDINANCE AND THE STORM WATER MANAGEMENT AND DISCHARGE
AGREEING TO CONSTRUCT AND COMPLETE ALL IMPROVEMENTS
A. PAY SANITARY SEWER CONNECTION FEE. THE CURRENT SEWER
CONTROL ORDINANCE. (ENGR) CMC
NECESSARY TO SERVICE THE SUBDIVISION. THE AGREEMENT SHALL CONNECTION FEE IS $3,792 PER SINGLE-FAMILY DWELLING UNIT AND
BE EXECUTED AND SUBMITTED TO THE CITY PRIOR TO APPROVAL OF SHALL BE PAID PRIOR TO APPROVAL OF THE FINAL MAP.
UTILITIES
THE FINAL MAP. AS PART OF THE AGREEMENT, PROVIDE SECURITIES B. PAY THE CURRENT SEWER SERVICE FEE PRIOR TO APPROVAL OF
ACCEPTABLE TO THE CITY, GUARANTEEING CONSTRUCTION OF THE THE FINAL MAP AS SET FORTH IN THE RESOLUTION OF FEES AND
79. INSTALL STREETLIGHTS ALONG THE LA VISTA AVENUE FRONTAGE.
REQUIRED IMPROVEMENTS. (ENGR)
STREET LIGHT SPACING SHALL BE DETERMINED FROM PHOTOMETRIC
CHARGES. THE CURRENT FEE IS $258 PER DWELLING UNIT PER YEAR
ANALYSIS SUBMITTED WITH THE STREET LIGHT PLANS. SUBMIT
AND IS PRO-RATED BY MONTH THAT THE CONNECTION IS MADE.
98. ENTER INTO A PRIVATE ROAD MAINTENANCE AGREEMENT
STREETLIGHT PLANS IN ACCORDANCE WITH THE CITY STANDARD
)
SPECIFICATIONS SHOWING POLE TYPE, LUMINARIES TYPE, CONDUCTOR AND ACCEPTABLE TO THE CITY PRIOR TO THE APPROVAL OF FINAL MAP,
AGREEING TO PROVIDE FOR PROPER MAINTENANCE OF THE PRIVATE
WIRING SCHEDULE, CONNECTION POINTS, LAMP WATTAGE AND PULL BOX
115. TRAFFIC MITIGATION FEE:
STREET, GUEST PARKING SPACES, STORM DRAIN OUTSIDE OF THE
LOCATIONS, AT THE TIME OF SUBMITTAL OF IMPROVEMENT PLANS.
PUBLIC STREET RIGHT OF WAY, STREET LIGHTS AND OTHER
STREETLIGHTS SHALL BE COMPLETELY INSTALLED AND OPERATIONAL
PAY OFFSITE STREET IMPROVEMENT PROGRAM (OSIP) LESS POSSIBLE
PRIVATELY MAINTAINED IMPROVEMENTS PURSUANT TO CMC
PRIOR TO ISSUANCE OF THE FIRST BUILDING CERTIFICATE OF OCCUPANCY.
FEE CREDIT. THE OSIP FEE SHALL BE THE FEE IN EFFECT AT THE
SECTION
94-33.
(ENGR)
(ENGR)
TIME OF APPROVAL OF FINAL MAP. THE CURRENT OSIP FEE IS $2,588
80. DEDICATE FIFTEEN-FOOT WIDE SANITARY SEWER EASEMENT (ALONG ALL 99. ALL FEES NOTED BELOW ARE THE FEES CURRENTLY IN EFFECT AS PER DWELLING UNIT OR SINGLE-FAMILY UNIT AND SHALL BE PAID
OF JULY 1, 2005 PER THE RESOLUTION OF FEES AND CHARGES. THE
MAIN SEWER LINES) TO THE CITY FOR CONSTRUCTION/MAINTENANCE
PRIOR TO APPROVAL OF FINAL MAP. (ENGR)
FEES ARE ADJUSTED ANNUALLY BY CITY COUNCIL ACTION EVERY
PURPOSES. THE CITY WILL NOT ACCEPT MAINTENANCE OF BUILDING
JUNE AND NEW FEES BECOME EFFECTIVE ON JULY 1, 2006. (ENGR)
LATERALS. (ENGR)
OTHER/MISCELLANEOUS
81. COMPLY WITH CITY OF CONCORD SEWER DESIGN FLOW CRITERIA AND
SEWER CONSTRUCTION REQUIREMENTS OF THE CENTRAL CONTRA COSTA
SANITARY DISTRICT. (ENGR)
82. SUBMIT SANITARY SEWER CALCULATIONS STAMPED AND SIGNED BY A
REGISTERED CIVIL ENGINEER TO BUILDING, ENGINEERING, AND
NEIGHBORHOOD SERVICES FOR REVIEW WITH THE IMPROVEMENT PLANS.
(ENGR)

100. ENCROACHMENT PERMIT APPLICATION: (ENGR)
C. PAY THE FILING FEE AT THE TIME OF SUBMITTAL OF PERMIT
APPLICATION, IMPROVEMENT PLANS AND SUPPORTING DOCUMENTS
TO BUILDING, ENGINEERING, AND NEIGHBORHOOD SERVICES FOR
REVIEW. THE CURRENT FEE IS $59.50.

D. PROVIDE A RESTORATION SECURITY BEFORE ISSUANCE OF THE
ENCROACHMENT PERMIT. THE SECURITY SHALL BE IN AN AMOUNT
83. COORDINATE ALL FACILITY ADJUSTMENTS, RELOCATIONS, OR ADDITIONS SUFFICIENT TO RESTORE EXISTING PUBLIC IMPROVEMENTS TO A
TO UTILITY SERVICES WITH THE APPROPRIATE UTILITY COMPANIES. (ENGR)
SERVICEABLE CONDITION SHOULD DEVELOPMENT IMPROVEMENT
ACTIVITY CAUSE DAMAGE. THE AMOUNT OF THE SECURITY SHALL
84. THE LOCATION OF ALL OUTDOOR, ABOVE-GROUND AND/OR AT-GRADE
BE DETERMINED BY, AND BE IN A FORM ACCEPTABLE TO THE CITY
PAD MOUNTED TRANSFORMERS, UTILITY EQUIPMENT, VAULTS, IRRIGATION
ENGINEER.
CONTROL BOXES, BACK FLOW PREVENTION DEVICES, AND THE LIKE SHALL
BE SUBJECT TO APPROVAL BY PLANNING AND BUILDING, ENGINEERING, AND E. PROVIDE A $5,000 CASH DEPOSIT TO COVER MITIGATION
NEIGHBORHOOD SERVICES PRIOR TO THE ISSUANCE OF THE FIRST PROJECT
MONITORING COSTS WITHIN 30 DAYS FOLLOWING APPROVAL OF THE
PERMIT. SUCH EQUIPMENT SHALL BE PAINTED FOREST GREEN OR A SIMILAR TENTATIVE MAP. THE DEPOSIT WILL BE PLACED IN A REFUNDABLE
COLOR AND BE SCREENED FROM VIEW FROM THE STREET BY THE BUILDING, ACCOUNT. MITIGATION MONITORING COSTS WILL BE CHARGED TO
LANDSCAPING, FENCING, AND/OR AN ENCLOSURE APPROVED BY THE
THIS DEPOSIT OVER THE LIFE OF THE PROJECT MITIGATION
PLANNING DIVISION. (ENGR, PLNG)
REQUIREMENTS. ANY UNUSED FUNDS WILL BE RETURNED AT
PROJECT COMPLETION. IF THE INITIAL DEPOSIT IS INSUFFICIENT TO
85. SUBMIT JOINT TRENCH PLANS AND STREET LIGHT PLANS TO BUILDING,
COVER ACTUAL COSTS, AN ADDITIONAL DEPOSIT IN AN AMOUNT
ENGINEERING, AND NEIGHBORHOOD SERVICES FOR REVIEW PRIOR TO
DETERMINED BY THE CITY ENGINEER WILL BE REQUIRED.
APPROVAL OF IMPROVEMENT PLANS. (ENGR)
101. GRADING PERMIT APPLICATION: (ENGR)
86. PROVIDE CABLE COMPANIES A SET OF APPROVED SITE DIAGRAMS IN
ELECTRONIC FORMAT SHOWING THE JOINT TRENCH LAYOUT FOR DRY
A. PAY GRADING PERMIT FEES AT SUBMITTAL OF A GRADING PERMIT
UTILITIES FOR CABLE SERVICE TO BE PROVIDED TO THE SITE. (ENGR)
APPLICATION. THE CURRENT FEE IS DETERMINED BASED ON CUBIC
YARDAGE OF CUT AND FILL COMBINED, OR AT THE HOURLY RATE OF
87. CONNECT ALL BUILDINGS TO THE SANITARY SEWER COLLECTION
$119 IF HOURLY CHARGE IS UTILIZED.
FACILITIES OF THE CITY. (ENGR) CMC
B. PROVIDE A $5,000 CASH DEPOSIT FOR EROSION CONTROL PRIOR TO
DRAINAGE REQUIREMENTS
ISSUANCE OF GRADING PERMIT. THE DEPOSIT WILL BE PLACED IN A
REFUNDABLE ACCOUNT. ANY UNUSED FUNDS WILL BE RETURNED
88. PREVENT SITE DRAINAGE FROM DRAINING ACROSS SIDEWALKS AND
AT PROJECT COMPLETION. IF THE INITIAL DEPOSIT IS INSUFFICIENT
DRIVEWAYS IN A CONCENTRATED MANNER.
TO COVER ACTUAL COSTS, AN ADDITIONAL DEPOSIT IN AN AMOUNT
DETERMINED BY THE CITY ENGINEER WILL BE REQUIRED.
89. COLLECT AND CONVEY ALL STORMWATER ENTERING, AND/OR
ORIGINATING FROM, THE SITE TO AN ADEQUATE DOWNSTREAM DRAINAGE
FACILITY. SUBMIT A DETAILED HYDROLOGIC AND HYDRAULIC
CALCULATIONS FOR A 100-YEAR FLOOD AND A CAPACITY STUDY WITH THE
IMPROVEMENT PLANS TO BUILDING, ENGINEERING, AND NEIGHBORHOOD
SERVICES FOR REVIEW AND APPROVAL. (ENGR)
90. INSTALL APPROPRIATE CLEAN WATER DEVICE AT ALL PRIVATE STORM
DRAIN LOCATIONS IMMEDIATELY PRIOR TO ENTERING THE PUBLIC STORM
DRAIN SYSTEM. IMPLEMENT BEST MANAGEMENT PRACTICES (BMP'S) AT ALL
TIMES TO COMPLY WITH THE CITY OF CONCORD STORMWATER
MANAGEMENT AND DISCHARGE CONTROL ORDINANCE. (ENGR)

116. PRIOR TO BUILDING OCCUPANCY, THE APPLICANT SHALL
CONFER WITH LOCAL POSTAL AUTHORITIES TO DETERMINE THE
TYPE OF MAIL RECEPTACLES THAT ARE TO BE UTILIZED FOR THIS
PROJECT. DESIGN OF MAIL RECEPTACLES SHALL BE SUBMITTED FOR
THE PLANNING DIVISION'S REVIEW. (PLNG)
117. THE DEVELOPER/BUILDER IS TO CONTACT THE INFORMATION
SYSTEMS TECHNICIAN, IN THE INFORMATION TECHNOLOGY
DEPARTMENT, (925) 671-3225, TO DETERMINE THE EXTERNAL
ADDRESSING FOR THE PROJECT PRIOR TO ISSUANCE OF A BUILDING
PERMIT. IN ADDITION, THE DEVELOPER/BUILDER IS TO CONTACT THE
INFORMATION SYSTEMS TECHNICIAN TO DETERMINE THE INTERNAL
ADDRESSING (INDIVIDUAL OCCUPANCIES) FOR THE PROJECT PRIOR
TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. (PLNG)
118. POTABLE WATER SERVICE FOR THE VILLA DE LA VISTA
SUBDIVISION IS REQUIRED AND WILL BE MADE AVAILABLE UPON
COMPLETION OF FINANCIAL ARRANGEMENTS AND INSTALLATION OF
ALL NECESSARY WATER FACILITIES TO MEET THE REQUIREMENTS
OF RESIDENTIAL USE, INCLUDING IRRIGATION, BACKFLOW
PROTECTION AND FIRE PROTECTION, ACCORDING TO CURRENT
DISTRICT STANDARDS. (CCWD)
119. COMPLY WITH THE REQUIREMENTS OF THE CONTRA COSTA FIRE
PROTECTION DISTRICT. SUBMIT COMPLETE SETS OF PLANS AND
SPECIFICATIONS TO THE FIRE DISTRICT FOR REVIEW AND APPROVAL
AT:
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
2010 GEARY ROAD
PLEASANT HILL, CA 94523
PLAN REVIEW FEES WILL BE ASSESSED AT THAT TIME. THE CITY IS
NOT RESPONSIBLE FOR THE COLLECTION OF FEES OR ENFORCEMENT
OF REQUIREMENTS IMPOSED BY THE FIRE DISTRICT. (CCCFIRE) CMC

FINAL CONDITIONS OF APPROVAL CON'T:
120. APPLICANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS
THE CITY, ITS AGENTS, OFFICIALS, AND EMPLOYEES FROM ANY
CLAIM, ACTION, OR PROCEEDING AGAINST THE CITY OR ITS AGENTS,
OFFICIALS, OR EMPLOYEES IN ANY ACTION TO ATTACK, SET ASIDE,
VOID OR ANNUL, THE APPROVAL OF THIS PERMIT. (PLNG)
121. THE PERMIT AND APPROVAL SHALL EXPIRE IN TWO YEARS FROM
THE DATE ON WHICH THEY BECAME EFFECTIVE UNLESS A BUILDING
PERMIT IS OBTAINED AND CONSTRUCTION BEGUN. ALL
APPLICATIONS PROCESSED CONCURRENT WITH A SUBDIVISION
SHALL BE VALID FOR THE LIFE OF THE TENTATIVE MAP. IF A
SUBDIVISION APPROVAL, THE EXPIRATION OF OTHER APPROVED
CONCURRENT PERMITS OR APPROVALS SHALL BE TWO YEARS, BUT
SHALL ALSO REQUIRE THE RECORDING OF THE FINAL MAP OR
PARCEL MAP WITHIN THAT TIME. THE EFFECTIVE DATE OF THE
PERMIT AND APPROVAL IS APRIL 19, 2006. (PLNG)
122. A REQUEST FOR A TIME EXTENSION FROM THE EXPIRATION
DATE OF APRIL 19, 2008 CAN BE CONSIDERED IF AN APPLICATION
WITH REQUIRED FEE IS FILED AT LEAST 45 DAYS BEFORE THE
ORIGINAL EXPIRATION DATE (OTHERWISE A NEW APPLICATION IS
REQUIRED) A PUBLIC HEARING WILL BE REQUIRED FOR ALL
EXTENSION APPLICATIONS, EXCEPT THOSE INVOLVING ONLY
DESIGN REVIEW. EXTENSIONS ARE NOT AUTOMATICALLY
APPROVED. CHANGES IN CONDITIONS, CITY POLICIES, SURROUNDING
NEIGHBORHOOD, AND OTHER FACTORS PERMITTED TO BE
CONSIDERED UNDER THE LAW, MAY REQUIRE, OR PERMIT DENIAL.
(PLNG104. PAY THE IMPROVEMENT PLANS REVIEW FEE AT THE TIME
OF SUBMITTAL OF THE IMPROVEMENT PLANS AND RELATED
DOCUMENTS TO BUILDING, ENGINEERING, AND NEIGHBORHOOD
SERVICES FOR REVIEW. CURRENT FEE IS ESTIMATED TO BE $10,829
(BASED ON 13 PARCELS), PLUS ADDITIONAL REVIEW TIME AT
$119/HOUR IF REQUIRED. )

VILLA DE LA VISTA - GRADING, IMPROVEMENT, AND EROSION CONTROL PLANS - PHASE 1 (SUBD 8989) 01-30-2019

FINAL CONDITIONS OF APPROVAL CON'T:


EROSION CONTROL NOTES:

- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
- PROVIDE SLUICE PROTECTION TO THE FIRST CATCH BASIN DOWNSTREAM OF THE SITE.
- PROVIDE INLET PROTECTION TO THE FIRST CATCH BASIN.
1. **SOLDIER PILE RETAINING WALLS**

1491 LA VISTA AVE., CONCORD, CA

---

**GENERAL NOTES:**

1. All materials and workmanship shall be in accordance with the specifications provided and the requirements of the State of California Department of Transportation Construction Specifications for Road and Bridge Construction dated 1995, with conflicts, the specifications provided shall prevail. Design and construction shall conform to CBC 2016.

2. **SOLDIER PILE NOTES:**

   - Base concrete shall be compacted to a minimum of 1000 psi.
   - Soldier pile shall be ASTM A572 Grade 50.
   - Expansive soil flushing to be done with bentonite water.
   - Active pressure for slope backfill:
     - Sloping backfill (4:1) = 55 psf
     - Sloping backfill (2:1) = 70 psf
     - Sloping backfill (1:1) = 90 psf
   - Active pressure for level backfill = 50 psf
   - Passive pressure = 250 psf

3. **CONCRETE NOTES:**

   - Structural concrete mix shall consist of 4 sack minimum concrete with f'c = 3000 psi minimum.
   - Lean concrete mix shall consist of 2 sack minimum concrete.
   - All exposed soldier pile steel above embedment shall be painted with coal tar epoxy coating or equivalent.
   - Cement for shotcrete shall conform to AASHTO M185/ASTM C150 Type I, II, III, or V. Fine aggregate shall conform to AASHTO M16/ASTM C33.

4. A shotcrete test panel shall be made for each day of shotcrete application. These panels shall be cored and the cores shall be tested for compressive strength.

   - Miniature load tests shall be made on 60,000 psi (6,000 kgf) test bars.

   - A miniature load test shall be made by an independent agency in accordance with the test shown in Figure 3. Samples shall be taken at a minimum one per shift and not less than one per each 10 cubic yards placed.

5. **EXCAVATION NOTES:**

   - Excavation should be performed at the locations and to the grades shown on the project drawings.
   - Excavation should be performed continuously to prevent sloughing of the wall.

6. **SPECIAL INSPECTION NOTES:**

   - Special inspection is required during soldier pile driving and placement in accordance with CBC 1715.2.1 when used in place as deep foundations (three tests).
   - Special inspection is required during shotcreting operations in accordance with CBC 1705.3.2.1 when used as concrete construction (two tests). Inspection shall include continuous inspection during shotcrete placement to verify proper application techniques and further inspection of reinforced steel placement.

   - Tension tests for shotcrete shall be made by an agency in accordance with the test shown in Figure 3. Samples shall be taken at a minimum one per shift and not less than one per each 10 cubic yards placed.

---

**DRAWING SHEETS:**

- RW-1 Wall Elevations and Schedule
- RW-2 Soldier Pile Details
- RW-3 WD Wall Plan and Notes
- RW-4 Section A-A

---

**VILLA DE LA VISTA**

CONCORD, CA

SITE PLAN AND NOTES
<table>
<thead>
<tr>
<th>Curve #</th>
<th>Length</th>
<th>Radius</th>
<th>Delta Line</th>
<th>Line #</th>
<th>Length</th>
<th>Direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>3.92'</td>
<td>2.50'</td>
<td>a9°55'3a&quot;</td>
<td>L3</td>
<td>12.50'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td>C2</td>
<td>18.83'</td>
<td>12.00'</td>
<td>a9°55'3a&quot;</td>
<td>L4</td>
<td>14.50'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td>C3</td>
<td>18.86'</td>
<td>12.00'</td>
<td>90°04'22&quot;</td>
<td>L5</td>
<td>1.50'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td>C4</td>
<td>6.96'</td>
<td>4.50'</td>
<td>90°04'22&quot;</td>
<td>L6</td>
<td>5.02'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L7</td>
<td>4.98'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L8</td>
<td>14.50'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L9</td>
<td>12.50'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L10</td>
<td>19.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L11</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L12</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L13</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L14</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L15</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L16</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L17</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L18</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L19</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L20</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L21</td>
<td>19.00'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L22</td>
<td>19.00'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L23</td>
<td>19.00'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L24</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L25</td>
<td>19.00'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L26</td>
<td>15.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L27</td>
<td>10.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L28</td>
<td>10.00'</td>
<td>S69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L29</td>
<td>10.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L30</td>
<td>10.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L31</td>
<td>14.34'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L32</td>
<td>10.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L33</td>
<td>18.34'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L34</td>
<td>19.00'</td>
<td>N20°39'56&quot;E</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L35</td>
<td>19.00'</td>
<td>S20°39'56&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L36</td>
<td>3.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L37</td>
<td>7.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L38</td>
<td>3.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>L39</td>
<td>7.00'</td>
<td>N69°15'42&quot;W</td>
</tr>
</tbody>
</table>

**AREA SUMMARY TABLE**

<table>
<thead>
<tr>
<th>LOT</th>
<th>AREA BEFORE</th>
<th>AREA AFTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>PARCEL A</td>
<td>6,740 Sq.Ft.</td>
<td>6,740 Sq.Ft.</td>
</tr>
<tr>
<td>LOT 7</td>
<td>2,356 Sq.Ft.</td>
<td>2,613 Sq.Ft.</td>
</tr>
<tr>
<td>LOT 8</td>
<td>2,377 Sq.Ft.</td>
<td>2,377 Sq.Ft.</td>
</tr>
<tr>
<td>LOT 9</td>
<td>2,316 Sq.Ft.</td>
<td>2,059 Sq.Ft.</td>
</tr>
<tr>
<td>TOTAL AREA</td>
<td>13,789 Sq.Ft.</td>
<td>13,789 Sq.Ft.</td>
</tr>
</tbody>
</table>

FOR: DISCOVERY BUILDERS
DRAWN BY: D.T.B.
DATE: JANUARY 23, 2019
SCALE: N/A
SUBDIVISION # 8989
VILLA DE LA VISTA
CONCORD, CALIFORNIA

LANDSCAPE CONSTRUCTION DOCUMENTS
DISCOVERY BUILDERS, INC.

VICINITY MAP
NOT TO SCALE

SHEET INDEX:
L-0 COVER SHEET
L-1 LAYOUT PLAN
L-2 LAYOUT DETAILS
L-3 IRRIGATION PLAN
L-4 IRRIGATION DETAILS, NOTES AND CALCS
L-5 IRRIGATION DETAILS
L-6 PLANTING PLAN
L-7 PLANT LIST, DETAILS AND NOTES

APPROVALS:
REVIEWED FOR CONFORMANCE WITH CITY OF OAKLEY STANDARDS AND REQUIREMENTS. APPROVAL FOR CONSTRUCTION IS SUBJECT TO THE INFORMATION SHOWN HEREIN. THE CITY OF OAKLEY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY EXIST ON THESE PLANS.

XXX: CITY ENGINEER DATE
XXX: PARKS & LANDSCAPE MANAGER DATE

"I HAVE COMPLIED WITH THE CRITERIA OF THE STATE OF CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN; AND BEAR THE SIGNATURE OF A LICENSED LANDSCAPE ARCHITECT, LICENSED LANDSCAPE CONTRACTOR, OR ANY OTHER PERSON AUTHORIZED TO DESIGN A LANDSCAPE.

[Signature]

Richard Hard STOVER: LANDSCAPE ARCHITECT DATE
SITE AMENITIES:

1. Cluster Mailbox Unit (see Detail 2/L-2)
2. Existing Wood Fence to remain; replace existing wood fence with Detail 1/L-2 wood fence if necessary and upon agreement with property owners
3. New 6' height wood fence (see Detail 16-L-2)
4. New 6' HT. wood fence on retaining wall (see Detail 3/L-1)
5. New 6' height wood sound fence (see Detail 20-L-2)
6. CMU Split Face Light Gray Block Retaining Wall (see Civil Plans)
7. Decorative Colored Stamped Concrete Paving, 6" thick concrete paving with reinforcing and base material per geotech soil report; provide stamped concrete paving area with 12" diagonal grid pattern and groove tools; 6" wide decorative concrete bands; provide Davis integral color (Pebble #641)
8. 16" square precast concrete steppers; set on 1" layer of compacted wet leveled sand bed, seat solid.
9. Concrete Paving: 4" thick concrete with reinforcing and base material per geotech soil report; provide medium broom finish.

REFER TO SHEET L-2 FOR DETAILS.
IRRIGATION PLAN IS A SCHEMATIC REPRESENTATION OF THE DESIGN. ALL IRRIGATION PIPES AND VALVES SHOWN IN PAVING AREAS SHALL BE INSTALLED IN ADJACENT PLANTERS ALONG BACK OF PAVING AS SITE CONSTRAINTS ALLOW. SLEEVE LOCATIONS ARE SHOWN RELATIVE TO RELATED SITE PAVING LOCATIONS.

IRRIGATION LEGEND:
- KING BROS. SCHEDULE 80 PVC BALL VALVE; LINE SIZE
- RAINBIRD #PESB-PRS-D SERIES REMOTE CONTROL VALVE, 1" SIZE; WITH "Q.C.V.'S": WEATHER BASED OPERATION AND RAIN/FREEZE SHUT-OFF.
- RAINBIRD FS-100-B 1" BRASS FLOW SENSOR WITH SUPERIOR 1" 3100 SERIES INSULATION BAG
- RAINBIRD XFD SERIES ON-SURFACE DRIPLINE #XFD-09-18-500 INSIDE 1" PVC CONDUIT. INSTALL IN 'LEMEUR' ENCLOSURE ON CONG. PAD. PROVIDE R-19 INSULATION BAG.
- RAINBIRD #44-RC QUICK COUPLER VALVE IN LOCKING PLASTIC VALVE BOX;
- RAINBIRD #1401 FULL CIRCLE BUBBLER (0.25 GPM) ON IPS FLEX PIPE; (2) PER PLANT; PROVIDE 'KING BROS' KC SERIES SPRING CHECK VALVE W/ 5LB SPRING BENEATH ANY HEAD DRAINING AFTER SYSTEM SHUT DOWN.
- RAINBIRD #PESB-PRS-D SERIES REMOTE CONTROL VALVE, 1" SIZE
- RAINBIRD #1401 FULL CIRCLE BUBBLER (0.25 GPM) ON IPS FLEX PIPE; (1) PER PLANT; PROVIDE 'KING BROS' KC SERIES SPRING CHECK VALVE W/ 5LB SPRING BENEATH ANY HEAD DRAINING AFTER SYSTEM SHUT DOWN.
- RAINBIRD XFD SERIES ON-SURFACE DRIPLINE #XFD-09-18-500 INSIDE 1" PVC CONDUIT.
- RAINBIRD #PESB-PRS-D SERIES REMOTE CONTROL VALVE, 1" SIZE
- RAINBIRD #44-RC QUICK COUPLER VALVE IN LOCKING PLASTIC VALVE BOX; LINE SIZE
- RAINBIRD PSRSS-P SERIES REMOTE CONTROL, VA24L-1 SIZE WITH "AMAP FILTER WITH PSB MESH SCREEN"
- RAINBIRD PSRSS-P SERIES REMOTE CONTROL, VA24L-1 SIZE
- RAINBIRD W/5LB SPRING BENEATH ANY HEAD DRAINING AFTER SYSTEM SHUT DOWN.
- RAINBIRD XFD SERIES ON-SURFACE DRIPLINE #XFD-09-18-500 INSIDE 1" PVC CONDUIT. INSTALL IN 'LEMEUR' ENCLOSURE ON CONG. PAD. PROVIDE R-19 INSULATION BAG.
- RAINBIRD #PESB-PRS-D SERIES REMOTE CONTROL VALVE, 1" SIZE
- RAINBIRD #44-RC QUICK COUPLER VALVE IN LOCKING PLASTIC VALVE BOX; LINE SIZE
- RAINBIRD #PESB-PRS-D SERIES REMOTE CONTROL VALVE, 1" SIZE

GRAPHIC SCALE:
1 inch = 10 ft.

GRAPHIC NOTE:
- REFER TO SHEET L.4 TO L.5 FOR IRRIGATION DETAILS AND NOTES.
WATER EFFICIENT LANDSCAPE WORKSHEET

<table>
<thead>
<tr>
<th>PLANTING DESCRIPTION</th>
<th>EFFICIENCY (ETAF)</th>
<th>STAF (EF x A)</th>
<th>LANDSCAPE AREA</th>
<th>STAF X AREA</th>
<th>ESTIMATED TOTAL WATER USE (GAL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>REGULAR LANDSCAPE AREAS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPECIAL LANDSCAPE AREAS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**STAF CALCULATIONS:**

- **REGULAR LANDSCAPE AREAS:**
  - Total Landscape Area: 3,020
  - STAF (EF x A): 0.81
  - Total STAF: 2,432

- **SPECIAL LANDSCAPE AREAS:**
  - Total Landscape Area: 3,020
  - STAF (EF x A): 0.61
  - Total STAF: 1,842

**MAXIMUM ALLOWED WATER ALLOWANCE (GAL):** 4,274
3. LENGTH OF LONGEST DRIPLINE LATERAL SHOULD NOT EXCEED 200 FEET.

4. WHEN USING 17MM INSERT FITTINGS WITH DESIGN PRESSURE OVER 50PSI, IT IS RECOMMENDED THAT STAINLESS STEEL CLAMPS BE INSTALLED ON EACH FITTING.

NOTES:
1. DISTANCE BETWEEN LATERAL ROWS AND EMITTER SPACING TO BE DETERMINED BASED ON SOIL TYPE, PLANT MATERIALS AND CHANGES IN ELEVATION. SEE INSTALLATION SPECIFICATIONS ON RAIN BIRD WEB SITE (WWW.RAINBIRD.COM) FOR SUGGESTED SPACING SHOWN IN THE ACCOMPANYING TABLE.

2. ALLOW A MINIMUM OF 6-INCHES OF DRIPLINE TUBING IN VALVE BOX IN ORDER TO DIRECT FLUSHED WATER OUTSIDE VALVE BOX.

3. WHEN ELEVATION CHANGE EXCEEDS 50PSI, IT IS RECOMMENDED THAT A NEW DRIPLINE ZONE BE CREATED.

4. TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY. AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE TIE-DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.

5. PLACE TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.

6. DISTANCE BETWEEN LATERAL ROWS FOR BOTTOM 1/3 OF SLOPE TO BE SPACED GREATER THAN OPTIMAL ROW DISTANCE. SEE RAIN BIRD XFD DISTANCE BETWEEN LATERAL ROWS FOR BOTTOM 1/3 OF SLOPE TO BE SPACED GREATER THAN OPTIMAL ROW DISTANCE. SEE RAIN BIRD XFD DETAILS FOR FLUSH POINT INSTALLATION.
REVISIONS
1st City Plan Check

DESIGNED, DRAWN:

CHECKED:

JOB NO:

DATE:

SCALE:

NOTED:

SHEET:

OF 8 SHEETS

REFER TO SHEET L-7 FOR PLANT LIST, DETAILS AND NOTES.

GRAPHIC SCALE
PLANTING NOTES

The Landscape Contractor shall inspect the site and be familiar with all existing site conditions prior to the start of any work. Should the Contractor encounter an unforeseen material condition on site which in his opinion may affect the design and/or implementation of the construction as shown on the plans and specifications, the Contractor must immediately notify the Owner and the Landscape Designer in order to establish possible changes of the plans and specifications. Any material change to the approved plans or specifications shall be made only with the written approval of the Landscape Designer and the Owner.

SOIL MANAGEMENT REPORT

The Contractor shall be responsible for coordinating and conducting all necessary tests for soil management, including but not limited to, soil testing and amendments prior to planting. All plantings shall be made to the specifications as shown on the plans and approved by the Landscape Designer and the Owner.

SOIL PREPARATION REQUIREMENTS

The Contractor shall ensure all soil amendments and preparations are in accordance with the approved soil management report and recommendations. All amendments and preparations shall be made in accordance with the approved soil management report and recommendations.

PLANT MATERIALS LIST

The Landscape Contractor shall be responsible for all plant materials and supplies, including but not limited to, plant material purchase, delivery, and installation. All plant materials shall be in accordance with the approved plant material list and specifications. Any substitutions shall be approved by the Landscape Designer and the Owner.

PLANTING NOTES

The Landscape Contractor shall be responsible for all plantings including, but not limited to, tree planting, shrub planting, ground cover planting, and all other plantings as shown on the plans and approved by the Landscape Designer and the Owner. All plantings shall be made in accordance with the approved plant material list and specifications. Any substitutions shall be approved by the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.

PLANTING NOTES

The Contractor shall be responsible for coordinating all necessary testing and samples for soil management, including but not limited to, soil testing, soil amendments, and plant material. All testing and sampling shall be in accordance with the approved soil management report and recommendations. Any changes to the approved soil management report and recommendations shall be made only with the written approval of the Landscape Designer and the Owner.
### Calculation Summary

<table>
<thead>
<tr>
<th>Label</th>
<th>CalcType</th>
<th>Units</th>
<th>Avg</th>
<th>Min</th>
<th>Max</th>
<th>Avg/Min</th>
<th>Max/Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guest Parking Spaces</td>
<td>Illuminance</td>
<td>Fc</td>
<td>0.06</td>
<td>0.00</td>
<td>0.23</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Villa Drive</td>
<td>Illuminance</td>
<td>Fc</td>
<td>0.64</td>
<td>0.14</td>
<td>1.33</td>
<td>4.57</td>
<td>9.50</td>
</tr>
</tbody>
</table>

### Luminaire Location Summary

<table>
<thead>
<tr>
<th>LumNo</th>
<th>Label</th>
<th>Luminous center</th>
<th>Tilt</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>A</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>A</td>
<td>12</td>
<td>0</td>
</tr>
</tbody>
</table>
REPORT TO PLANNING COMMISSION

DATE: May 18, 2005

SUBJECT: VILLA DE LA VISTA REZONING (RZ 04-002) AND PRELIMINARY DEVELOPMENT PLAN (PD 04-004)

Recommendation: Adopt Resolution No. 05-06PC, recommending the City Council adopt a Mitigated Negative Declaration and approve the Villa De La Vista Rezoning and Preliminary Development Plan.

I. Introduction

A. Application Request

Application for Rezoning from M-1.8 to Planned District and Preliminary Development Plan for 12 detached single family homes on a 0.85-acre site. (Continued from April 20, 2005 hearing)

B. Location

1491 La Vista Avenue; APN 132-020-035
II. Background

In July 2001, the City granted Design Review approval (La Vista Apartments, REV 3-01) for a 21-unit apartment building on the subject site. The approval was valid for one year during which time the applicant was required to secure a building permit for the project. In June 7, 2002, the Board granted a one year extension of the design review approval to July 26, 2003. On March 31, 2003, a new owner applied for another extension of the approval. The Board approved this second request for a six month extension to January 26, 2004. A third request for a six month extension was approved on January 22, 2004. Building permits were not secured prior to this date therefore the approval to construct the apartment complex lapsed.

Star Homes submitted an application for Rezoning and Preliminary Development Plan on August 26, 2004. The plan proposed six homes and a mini park on each side of a private street accessed from La Vista Avenue. The plans were reviewed by the Development Advisory Committee on September 14, 2004, which resulted in a request for additional information for a complete application.

On December 9, 2004 the plans were presented for conceptual review to the Design Review Board. The Board recommended that the applicant revise the plans to provide more traditional lots with larger yards by eliminating the mini-parks, additional architectural detailing, and enhancements to the private street. The applicant revised the plans and returned to the Board on January 27, 2005. The Board was pleased with the revisions and unanimously recommended approval of the preliminary design with conditions to incorporate minor design modifications into the final design submittal. A more detailed discussion of the Board’s recommendations is provided in the analysis portion of this report.

The applicant held two neighborhood meetings for owners and residents within five hundred feet of the site. The first meeting occurred on January 15, 2005 and attended by two neighbors. The second neighborhood meeting was held on March 30, 2005 and was attended by eight neighbors. At both meetings neighbors voiced support for the project and commented on issues related to construction activities, noise, perimeter fencing, affordability, and parking. The application was deemed complete for processing on March 31, 2005.

This application is for Rezoning to Planned District, Preliminary Development Plan, and Preliminary Design Review for 12 single-family homes. The Planning Commission is requested to make a recommendation to the City Council on the Rezoning and Preliminary Development Plan. Approval of the Preliminary Development Plan does not result in project entitlements. Subsequent applications for a Use Permit, Tentative Map, and Final Design Review are required for the entitlement.
III. **General Information**

A. **General Plan**

The site has a General Plan land use designation of Medium Density Residential which allows for residential development at a density of 10 to 24 units per acre.

B. **Zoning**

The site is zoned M-1.8 (Medium Density Multiple Residential) which allows for both multi-family and single family residential uses.

C. **CEQA Status**

Pursuant to CEQA of 1970, as amended, an Initial Environmental Impact Analysis was completed by staff that identified air quality, cultural resources, hydrology and water quality, and noise as potentially significant impacts. Based on the applicant’s project description and a noise study prepared for the project, staff determined that mitigation measures incorporated as part of the project’s design or as conditions of approval would reduce impacts to less than significant levels. A Mitigated Negative Declaration (Exhibit D) was prepared and distributed for public review and comment from March 30, 2005 to April 20, 2005.

D. **Site Description**

The approximately 0.85-acre site is a rectangular-shaped lot with 221 feet of frontage along Clayton Road to the north, and 134 feet of frontage along La Vista Avenue to the east. The site is currently developed with a single-family residence and detached garage with an asphalt driveway off La Vista Avenue. These improvements are located at the southeast corner of the property and will be demolished. Site topography is characterized by flat topography at the eastern half of the site that transitions into a southwesterly upslope rising 24 feet above street grade. Steeper slopes have been created at the northwest portion of the property as a result of previous grading activity. A slope analysis prepared for the site showed an average slope of 12%, therefore the project is not subject to the provisions of the Hillside Development Ordinance (applies to properties with average slopes of 15% or more). Existing vegetation consist primarily of low lying grass and weeds intermittent with small trees located at the top of slope, and larger trees along the southeast perimeter of the site. An Arborist Report determined that none are large enough to qualify for Heritage Tree status (Exhibit F).

E. **Surrounding Land Use**

The site is located in a developed area consisting primarily of residential uses. Surrounding uses include a church and Salvation Army facilities to the east with a General Plan land use designation of Medium Density Residential and Community Office, and Zoning of M-1.8; a mixture of apartments and condominiums to the north with a General Plan designation of Medium Density Residential and Zoning of M-1.8; and the La Vista Apartments to the south.
and west with a General Plan land use designation of Medium Density Residential and Zoning of M-1.8.

IV. Detailed Project Description

The project proposes 12 single-family homes on lots averaging 2,448 square feet accessed by a private street off La Vista Avenue. Landscaping will be provided along the site’s perimeter at Clayton Road and Villa De La Vista, and within the front half of side yard areas for each lot. The street and common landscape areas will be privately maintained through a maintenance agreement since there will not be a homeowners’ association proposed for this project. The Craftsman-style homes will be available in two and three story (split level) floor plans, ranging in size from approximately 1,500 to 1,800 square feet. One home will be dedicated for moderate income affordability. A more detailed discussion of the project is provided in the sections below.

A. Site Planning/Circulation/Parking

Site Plan

The site plan proposes to locate six lots on each side of a private street accessed off La Vista Avenue. The site plan is designed to work with the site’s natural slope, resulting in the street and homes stepping upslope from the project’s entrance to the west end of the property. Lots 1 through 6 will be located on the north side of the private street with rear yards abutting Clayton Road; Lots 7 through 12 are proposed on the south side of the street. The lots are typically rectangular in shape, 36 to 38 feet in width and 65 feet in depth ranging in size from 2,300 to 2,600 square feet.

The homes are sited to have private rear and side yards. Rear yards range from 10 to 15 feet (approximately 380-500 square feet) and side yards from 5 to 7 feet from the property line. However, in most cases side yard fences and retaining walls are off-set from the property line, resulting in a usable yard of 3.5 to 5 feet. Corner Lots 1 and 12 will have 10-foot setbacks from the exterior yard off La Vista Avenue. The homes will have minimal front setbacks from the private street, with three feet being the typical setback from garage facades to the edge of street.

Circulation and Parking

A 20-foot wide private street off La Vista Avenue is proposed to access the site. The street would extend approximately 230 feet to the west side of the property where it dead ends into a hammerhead. The hammerhead is not required for emergency vehicle turnaround. One guest parking space is proposed at each end of the hammerhead. Four additional guest parking spaces are proposed between lots 2 and 3, 4 and 5, 7 and 8, and 11 and 12, for a total of six uncovered guest parking spaces. Each unit will include a two-car garage (24 spaces), resulting in a total of 30 parking spaces and a ratio of 2.5 spaces per unit for the entire project.
On-street parking is currently prohibited along the site’s Clayton Road and La Vista Avenue frontage. As part of this project, the applicant will be required to dedicate a five-foot wide area along its Clayton Road and La Vista Avenue frontage to the City as public right of way. The dedication will increase the right of way width of La Vista Avenue by five feet, for a total width of 45 feet, and allow for three on-street parking spaces to be added along the project’s La Vista Avenue frontage. The project will also provide frontage improvements at La Vista Avenue including sidewalk, curb, and gutter where none currently exist.

B. Development Regulations

The site is zoned M-1.8 which allows for both multi-family and single family uses. The applicant proposes to rezone the property to Planned District, which allows for residential development with flexible design and development standards. In evaluating proposals for Planned District developments, the City typically uses the most similar zoning district to compare development standards proposed under the Preliminary Development Plan. Since the City does not have a zoning district that addresses small lot single family homes, staff has provided a comparison between the standards of the proposed development with standards of the current M-1.8 zoning and R-6 zoning (which allows for the smallest residential lots). The standards are provided in the table below:

<table>
<thead>
<tr>
<th>Standards</th>
<th>R-6</th>
<th>M-1.8</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>6,000 sq. ft.</td>
<td>6,000 sq. ft.</td>
<td>2,300 sq. ft.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>60 ft.</td>
<td>60 ft.</td>
<td>36 ft.</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>85 feet</td>
<td>N/A</td>
<td>65 ft.</td>
</tr>
<tr>
<td>Minimum land area/unit</td>
<td>6,000 sq. ft.</td>
<td>1,800 sq. ft.</td>
<td>2,300 sq. ft.</td>
</tr>
<tr>
<td>Yards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20 ft.</td>
<td>15 ft.</td>
<td>3 ft.</td>
</tr>
<tr>
<td>Side</td>
<td>5 and 10 ft.</td>
<td>5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Exterior Side</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>Rear</td>
<td>20 ft.</td>
<td>5 ft.</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Lot Coverage (maximum)</td>
<td>35%</td>
<td>60%</td>
<td>47%</td>
</tr>
<tr>
<td>Building Height</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>24-35 ft.</td>
</tr>
<tr>
<td>On-site Parking</td>
<td>1 covered</td>
<td>1 covered</td>
<td>2 covered</td>
</tr>
<tr>
<td></td>
<td>1 uncovered</td>
<td>1 uncovered</td>
<td>6 uncovered guest stalls</td>
</tr>
</tbody>
</table>

C. Building Architecture

The project consists of two and three story Craftsman-style homes. The homes are generally rectangular in shape with 22 to 26 foot wide facades and 24 to 35 feet in height. The two story homes will be built on a level building pad and the three story homes on two split pads that slope down from the private street. Four sided detailing will be provided that includes 4:12-pitched hip and gable composition shingle roofs with two foot overhangs, combination board
and batten, shingle, stucco, and hardiplank siding, stucco and wood trim, trellis, vent, and window shutter accents, and façade pop-outs with corbels.

Four different floor plans are proposed. Plans 1 and 2 are two-story plans ranging in size from 1,700-1800 square feet with 3 bedrooms and 2.5 baths. Plan 3 features a split-level three-story plan approximately 1,700 square feet with 4 bedrooms and 2.5 bath; these plans are proposed at the northwest portion of the site (lots 4, 5, and 6) where significant slopes require stepped building pads. Plan 4 is proposed as the affordable unit on Lot 7 and features a slightly smaller version of Plan 1.

D. Landscaping/Walls/Fencing

Landscaping

Landscaping will be provided along the exterior of the site and within the private street. The exterior landscaping will consist of canopy trees and accent shrubs located at the project’s La Vista entrance and outside of perimeter fencing and walls along Clayton Road. The exterior landscaping will be complemented by additional accent trees and shrubs at the front yards of Lots 1 and 12 facing La Vista Avenue, and by canopy trees and conifers at the rear yards of Lots 1-6 abutting Clayton Road. The private street will be landscaped with small accent trees and shrubs between units where guest parking is not proposed. Decorative paving at the project’s entrance, guest parking spaces, and individual driveways is also proposed to further enhance the interior streetscape. The proposed planting palette includes Chinese Pistache and Holly Oak canopy trees, Crape Myrtle and Crab apple accent trees, and over 25 varieties of large to small sized shrubs. All trees and large shrubs will be 15 gallon; medium and small shrubs will be five gallon and one gallon, respectively.

Walls/Fencing

Three types of fencing are proposed: a six foot tall sound fence located two feet behind the right of way line along Clayton Road and at the front portion of Lot 1, a six foot tall good neighbor fence located within side yards (1.5 feet back from side property lines) and on rear property lines, and decorative courtyard fencing comprised of a three foot tall fence, entry gate, and wood arbor located within the front yard of each home.

Retaining walls are proposed along Clayton Road, between side yards, and along the southern and western boundaries of the site. There is an existing retaining wall that extends along the Clayton Road frontage behind Lots 5 and 6 that ranges from 2-10 feet in height. This wall will be replaced with a new retaining wall that varies from four to seven feet in height located at the right-of-way line, five feet behind the existing wall, and two feet in front of the proposed sound fence. Side yard retaining walls are proposed to accommodate the slope of the site and varying pad heights between units. The walls are typically two to three feet tall and setback one foot from property line as measured from back of wall. The wall will be separated from neighboring side yard fences by a 2.5-foot wide sloped planter strip. A 1.5-foot wide portion
of the planter strip between the side yard fence and property line will be granted to the downslope lot for landscaping purposes.

E. Inclusionary Housing

Under the Inclusionary Housing Ordinance the project is required to provide either 10% of the units for moderate income households or 6% of units for households earning low to very low income. An in-lieu fee can also be paid for each unit (exempting the first four units) to comply with the Inclusionary Ordinance.

Star Homes proposes one unit (Lot 7) for moderate income affordability where 1.2 units is required. Therefore, Star Homes would be required to pay an in-lieu fee equal to the fractional portion of 0.2 units ($3,432) in addition to providing the affordable unit. The affordable unit features a slightly smaller floor plan of Plan 1 but is comparable in size and features as the market rate units. It has also been designed to be compatible with the architecture of the market rate units (see discussion on Building Architecture below).

F. Grading and Drainage

Grading

The site has an average slope of 12% and therefore is not subject to the Hillside Development Ordinance. The eastern portion of the site is fairly flat but slopes significantly towards the west end of the site to an elevation of approximately 22 feet above La Vista Avenue. The preliminary grading plan proposes to minimize grading by stepping the private street and homes upslope with the topography. The west end of the private street will be located close to grade and requires very minimal grading. As the street slopes down towards the entrance, approximately two feet of fill will be required to ramp up the driveway so that its transition does not exceed 10% slope. The majority of grading will occur at the west end of the site, where the steeper slopes are located and will be graded flat by as much as five feet of cut to accommodate building pads for lots 7, 8, and 9.

Drainage

Drainage will be provided by six-inch drains located along the side yard of each lot which will connect to a 12-inch storm drain proposed within the private street leading to the existing 18-inch drainpipe at La Vista Way. The private street has been designed to slope towards the centerline of the street, creating a “valley gutter” to direct street runoff towards two inlets connected to the subdrain within the private street. The plan also proposes to convey drainage from the street hammerhead to a six-inch pipe located at the northwest corner of the hammerhead that connects to three curb drains that daylight onto Clayton Road.
V. Analysis

A. General Plan & Zoning

General Plan

The current General Plan designation of Medium Density Residential allows a density of 10 to 24 units per net lot area. The project proposes a density of 14 units per acre and is therefore consistent with the General Plan. Staff also believes that the project is consistent with General Plan policies and objectives related to residential development including: the enhancement of the existing neighborhood with attractively designed and appropriately scaled housing (Policy 1.1.1); providing infill development of an underutilized property (Objective 1.3); and placing housing near Clayton Road, a major arterial and mass transit corridor (Objective 1.4 and Policy 1.4.2).

Zoning and Preliminary Development Plan

The site and surrounding properties are currently zoned M-1.8. Although the zoning allows for single family use, the development standards of M-1.8 were intended to facilitate multi-family and clustered housing. This is evidenced by the existing apartment and condominium developments surrounding the site. However, even with its more permissive standards the M-1.8 zoning does not accommodate small lot developments such as the proposed project. The City currently does not have a zoning classification specifically geared towards regulating small lot single family homes; the smallest lot size allowed for single family development under the Zoning Ordinance is 6,000 square feet, which is almost twice than the average size of a lot in a typical small lot development.

The proposed rezoning to Planned District would facilitate small lot development by allowing for flexible development standards including varied setbacks, building heights, lot size and dimensions, and lot coverage. Staff believes the standards proposed by this development are consistent with other Planned District small lot developments recently approved by the City including the Concordia, Willow Walk, Tapestry, Centrepointe, and Hidden Grove subdivisions. Policies in the Housing Element further support flexible development standards to accommodate small lot developments. Policy 1.2 specifically encourages small-lot subdivisions as a way to promote affordability and homeownership through revisions to the Zoning Ordinance including changes to minimum lot size requirements, FARs, setbacks, height restrictions, and/or minimum and maximum densities (Policy 1.2a).

At this time the Planned District zoning is the only viable option for the City to provide small lot developments of single-family homes to achieve the goals and policies of the Housing Element. Therefore, staff believes rezoning the property to Planned District and the development standards proposed by the Preliminary Development Plan are appropriate.
B. CEQA Determination

Infill projects less than five acres that are consistent with general plan and zoning typically qualify for exemptions to CEQA. Environmental review was required in this case because of the rezoning to Planned District. An initial study prepared for the project identified noise, cultural resources, hydrology and water quality as potentially significant impacts. Changes to the project plans along with measures identified by supplemental studies that have been incorporated into a Mitigation Monitoring Program, will reduce these impacts to less than significant levels.

C. Site Planning/Circulation/Parking

Site Planning

On December 9, 2004, the Design Review Board reviewed a conceptual site plan for 12 homes with two mini parks for the site. To accommodate the space for the parks, the site plan proposed smaller lots (1,900 to 2,900 square feet) with zero lot lines (“z-lots”) where one side of the homes would be located on the property line. The Board supported the site plan concept but expressed concerns with the z-lots and recommended that the applicant eliminate the parks to create larger lots with side yards on both sides. The Board felt this would create visual relief from Clayton Road by increasing the separation between units and allowing fenestration on all side elevations. In response to the Board’s comments, the plans were revised to eliminate the parks, resulting in larger lots and side yards. The revised site plan was presented on January 26, 2005, at which meeting the Board recommended approval of the site plan.

Circulation/Parking

The City typically requires a traffic study when fifty housing units or more are proposed; therefore, a traffic study was not necessary for this project. The Transportation Division believes the project will not result in a significant increase in traffic and that existing service levels on Clayton Road and La Vista Avenue will be minimally affected. The right-of-way dedication along Clayton Road and La Vista Avenue along with new frontage improvements on La Vista Avenue will improve the current situation by providing sidewalks, curbs, and street parking where none currently exists.

Off-street parking standards require single-family detached homes to provide two parking spaces per unit, at least one of which must be enclosed by a garage or carport. The project complies with this requirement by providing a two car garage for each unit. Guest parking is typically required for cluster and multi-family developments with primary access from streets that do not allow street parking. Street parking is currently not allowed along the project’s La Vista Avenue frontage, but since this is a single-family detached development, the guest parking provisions would not apply. However, the project will provide six guest parking spaces on-site in addition to improving La Vista Avenue so that three on-street parking spaces can be added.
D. Building Architecture

On December 9, 2004, the Board recommended that the preliminary plans be revised to include:

- Additional fenestration on side elevations to provide more relief and visual interest.
- Additional details, especially to enhance the architecture facing Clayton Road and the private street.
- Better variety of roof forms and larger overhangs for the rear elevation of homes on Lots 4, 5, and 6.

In response to these comments, the applicant revised the plans to include additional fenestration on the side of homes that were previously blank and massive looking, revising Plan 3 elevations to include side doors accessing rear yard areas and extending roof overhangs at the rear of the homes to create more visual interest and relief along Clayton Road, and adding trellis accents to garage doors and side elevations. The Board felt the changes had addressed their comments and unanimously recommended to approve the project’s preliminary design, with conditions that the final design include: 1) a fully enclosed garage for Lot 7 so that the affordable unit would be consistent with the appearance of the other homes; and 2) an enhanced entry feature for the homes on lots 1 and 12 by including a porch landing and extending overhangs by four feet. The applicant has agreed to make these changes which will be reviewed by the Design Review Board as part of the subsequent use permit and final design review applications. The Board’s recommendations are incorporated under Condition of Approval #13.

E. Landscape/Walls/Fencing

Landscaping

At their December 9 meeting, the Board recommended the applicant include additional landscaping within the private street to enhance the interior streetscape. In response to this comment the applicant returned on January 27, 2005 with a revised landscape that included additional landscaping within the private street and decorative entry gates at the front of each home. The Board felt the revisions responded to their comments and recommended approval of the landscape plan with the condition that decorative paving be provided at the entrance of the site and for each driveway apron. Details of the decorative paving will be incorporated in the final landscape plan for the Board’s review as part of the subsequent use permit and design review application.

The M-1.8 district requires transitional landscaping for multi-family projects adjacent to single-family zoning or uses. While there is no requirement for single family development to provide transitional landscaping, the project is adjacent to the La Vista Apartments which is at a higher elevation overlooking the project. Since there is no existing landscaping or buffering, staff believes transitional landscaping should be provided within the rear yards of Lots 7-12 to protect privacy and screen views between the two properties. Staff has included a condition of
approval requiring that the final landscape plan include screen trees at the rear yards of Lots 7-12.

Walls/Fencing

At the January 27 meeting, the Board recommended approval of the decorative entry gates, good neighbor fencing, and a lattice-capped decorative fence along the Clayton Road perimeter. Subsequent to that meeting, the Noise Study for the project was completed and which recommended that a sound fence be installed along Clayton Road to mitigate noise impacts at the rear yards of Lots 1-6. The Noise Study recommends that the sound fence be six feet tall with no significant gaps located five feet back from the Clayton Road retaining wall. Because of these basic design requirements, the decorative fence initially proposed at Clayton Road would have to be replaced with a heavier sound fence. This project is conditioned to require final design of all fencing and retaining walls to return to the Design Review Board as part of the subsequent applications.

F. Grading and Drainage

Grading

The preliminary grading plan responds to the topography of the site by orienting streets and homes with the existing slope. The grading plan creates stepped building pads to reduce the height and mass of the homes as viewed from La Vista Avenue and Clayton Road; allows for site drainage to be directed to La Vista Avenue as recommended by Public Works staff; and will result in significantly less grading than what was previously approved, which proposed creating larger pads for an apartment building and parking lot by cutting as much as 11 feet into the upper slopes of the site and filling as much as four feet at the flatter portions.

The applicant has also revised the grading plan in response to staff’s concerns with retaining wall heights. The previous plans showed the proposed retaining wall at Clayton Road within the five foot wide portion proposed for dedication. Staff requested moving the retaining wall back five feet to the new right-of-way line, which would have resulted in increasing the wall’s height to as much as nine feet behind Lot 3. Staff further requested that the retaining wall located at Clayton Road as well as those located along side yards be kept to a maximum height of six feet to the greatest extent possible. In response to staff’s request, the grading plan was revised by lowering the building pad for Lot 3 by three feet, which resulted in lowering the retaining wall behind Lot 3 to six feet. Side yard retaining wall heights were also minimized to 2-3 feet and off-set from side yard fencing to break up the overall height and mass of a combination wall and fence.

Drainage

Public Works staff has reviewed the preliminary drainage plan and supports the proposal to install a storm drain within the private street to serve drainage from the lots and street. However, they have expressed concerns with the proposal to drain the hammerhead out to
Clayton Road through new curb drains. Public Works staff will request that this be redesigned so that the hammerhead slopes toward the valley gutter and inlet system proposed within the private street. Staff has conditioned this project to submit final drainage plans as part of the subsequent application, which will also include final hydrology calculations to verify capacity of downstream facilities will be adequate to serve the site.

G. Measure C Compliance

In August of 1988, Contra Costa County residents approved Measure "C", the "Contra Costa County Transportation Improvement and Growth Management Program." As part of the compliance requirements with the provisions of Measure "C", the City adopted a Growth Management Program incorporated as the Growth Management Element of the General Plan. In compliance with Measure "C", the City's Growth Management Program outlines minimum performance standards for parks, fire, police, sanitary facilities, water, and flood control. These performance standards are intended to allow urban development only in accord with a plan for full urban services to which all providers are committed. Prior to the approval of a project, the Commission must make a finding of project compliance according to the following performance standards pursuant to Measure “C”. The following outlines how the proposed project complies with the Growth Management Program's established performance standards for each identified service.

Parks

**Performance Standard:** Five (5) acres of park per 1,000 residents. See, also, Policy 1.1.1, Parks, Open Space, and Conservation Element.

**Project Compliance:** The subject proposal is for a 12-lot residential subdivision and is anticipated to create a minimal increase in the need and use for the City's parks. Furthermore, fees will be required in accordance to the City’s parkland dedication ordinance at the time that building permits are issued for the construction of homes on the lots.

Fire

**Performance Standard:** The Central Contra Costa County Fire Protection District, which is governed by the County Board of Supervisors, provides fire protection for all residents and nonresidential developments in the Concord Planning area. The City supports the county’s goals to provide fire safety to the community.

**Project Compliance:** The Central Contra Costa County Fire Protection District has indicated that the project can meet this performance standard.

Police

**Performance Standard:** Two hundred (200) square feet of station per 1,000 residents.
Project Compliance: The Concord Police Department has verified that the project can meet this performance standard.

Sanitary Facilities

Performance Standard: The Central Contra Costa Sanitary District provides treatment for average daily effluent for all residents and nonresidential developments in Concord. The City supports the goals the District has established to meet federal and state standards.

Project Compliance: The project is within the Central Contra Costa Sanitary District service area and the District has indicated that there are sufficient sanitation facilities to serve the project.

Water

Performance Standard: The Contra Costa Water District provides water to Concord. The City supports the goals the District has adopted to meet federal and state standards.

Project Compliance: The Water District has determined that water will be made available to the site upon completion of financial agreements and construction of required facilities.

Flood Control

Performance Standard: Flood control/drainage system capacity sufficient for the fifty (50) year flood event (as determined by FEMA).

Project Compliance: The project engineering will meet each of the above performance standards for flood control. In addition, the developer will be required to pay the applicable drainage and creek fees prior to final map approval.

Public Education

Performance Standard: Mt. Diablo Unified School District provides public education services in Concord. The City supports the goals of the District pertaining to required instructional activities.

Project Compliance: The project will be required to pay school impact fees to the Mt. Diablo Unified School District to offset impacts on existing school facilities prior to recordation of the final map.

VI. Fiscal Impact

The proposal would have a negligible fiscal impact on the City.
VII. Public Contact

Notification was mailed to all owners and occupants of property within five-hundred (500) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days prior to the public hearing. Additionally, the applicant invited neighbors within 500 feet of the project to two neighborhood meetings on January 15 and March 30, 2005.

VIII. Summary and Recommendations

Staff supports the proposed Rezoning and Preliminary Development Plan. The project would result in developing an underutilized property with single-family homes that is consistent with the residential character of the area and the site’s General Plan land use designation. Therefore, staff recommends that the Commission consider the report, allow the applicant to make a presentation, take public testimony, and close the public hearing upon completion of public testimony. Following public testimony, the Commission should deliberate regarding the policy or project issues discussed in this report. Based on the analysis contained in this report, staff recommends that the Commission recommend that the City Council adopt the Mitigated Negative Declaration and approve the Villa De La Vista Rezoning and Preliminary Development Plan.

IX. Motion

CEQA Action

I (Comm. _____) hereby move that the Planning Commission recommend the City Council adopt the Mitigated Negative Declaration which was circulated for public review on March 30, 2005 with a review period through April 20, 2005. (Seconded by Comm. _______.)

Project Approvals

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 05-06PC recommending the City Council approve the Villa De La Vista Rezoning (RZ 04-002) and Preliminary Development Plan (PD 04-004), subject to the Conditions of Approval set forth in Attachment A to Resolution No. 05-06PC. (Seconded by Comm. _______.)

Prepared by: ___________________________  Reviewed by: ___________________________
Frank Abejo  
Associate Planner  
925-671-3128  
fabejo@ci.concord.ca.us  
Cathy Munneke  
Principal Planner  
925-671-3332  
cmunneke@ci.concord.ca.us
Exhibits:

A - Resolution No. 05-06PC with Draft Conditions of Approval (Attachment A), Mitigation & Monitoring Matrix (Attachment B), and Proposed Rezoning Map (Attachment C)
B - Applicant’s Statement*
C - Applicant’s plan sheets, date-stamped May 4, 2005*
D - Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study
E - December 9, 2004 DRB Minutes
F - Letter from Joseph McNeil, Consulting Arborist, December 14, 2004*
H - Letter from Diana F. Kierce, April 6, 2005*

* Not available electronically.
SUBJECT:  VILLA DE LA VISTA SUBDIVISION - USE PERMIT (UP 05-012), TENTATIVE MAP (TM 05-011, TRACT 8989), TREE REMOVAL (RT 06-002) AND FINAL DESIGN REVIEW (DR 04-023)

Recommendation:  Adopt Resolution No. 06-12PC, approving Villa De La Vista Subdivision - Use Permit (UP 05-012), Tentative Map (TM 05-011, TRACT 8989), Tree Removal (RT 06-002) and Final Design Review (DR 04-023)

I.  Introduction

A.  Application Request

Application for a Use Permit, Tentative Map, Tree Removal and Final Design Review for 12 single-family homes on a 0.85-acre site.  A Mitigated Negative Declaration, Rezoning, and Preliminary Development Plan were approved for the project on August 2, 2005.

B.  Location

1491 La Vista Avenue; APN 132-020-035
C. Applicant
   Star Homes LLC
   42 Incline Green Lane
   Alamo, CA 94507

II. Background

On May 18, 2005 the Planning Commission unanimously recommended City Council approval of Star Homes’ application for a Rezoning (RZ 04-002) and Preliminary Development Plan (PDP 04-004) for 12 single-family homes on a 0.85-acre site at the corner of Clayton Road and La Vista. The Rezoning and PDP were subsequently approved by the City Council on August 2, 2005. Following approval of the PDP, Star Homes submitted the requisite Use Permit, Tentative Map, Tree Removal and Final Design Review application on January 3, 2006. The application was reviewed on January 31, 2006, by the Development Advisory Committee (DAC), who deemed the application incomplete and requested clarification on minor project details and the maintenance of retaining walls, fencing, and landscaping proposed along Clayton Road and La Vista Avenue.

The Design Review Board reviewed the plans on February 23, 2006, at which time the Board recommended Final Design Review approval to the Planning Commission. The plans were revised in response to comments from DAC and the application was deemed complete on March 15, 2006.

III. Discussion

The May 18, 2005 Planning Commission Staff Report (Exhibit B) for the Preliminary Development Plan provides a detailed description of the project. The subsequent Use Permit and Tentative Map application include more specific project details. The following provides a brief overview of project issues raised by staff, Design Review Board, Planning Commission and City Council that are to be addressed with this application.

A. Development Regulations

The project site was rezoned from M1.8 to Planned District to allow for flexible development and design standards. A Preliminary Development Plan was approved as required by the Planned District Ordinance, which specifies the development standards for this project. The project plans are in substantial compliance with the approved standards of the Preliminary Development Plan. However, revisions to the side property lines between lots 2-3, 4-5, 7-8, and 11-12 are proposed so that guest parking spaces between these units can be included with the private street as “Parcel A”. A Private Roadway Maintenance Agreement would address the maintenances of both the parking areas and private street. Under the PDP, side property lines were drawn through the middle of the guest parking space so that half of the space was located on each lot abutting the parking space. This would have required easements to be recorded on each half of the parking spaces to ensure their use and maintenance.
The property line revision will result in a lot area reduction of approximately 95 square feet and a 2% lot coverage increase for each affected parcel. However, these lots will still comply with the 50% lot coverage, and most will have a minimum net lot area of 2,300 square feet, as approved under the PDP. The exceptions are lots 4 and 5 where the net lot area is reduced to approximately 2,226 square feet. The side yards abutting the parking spaces would be reduced from six to two feet, and lot width reduced by five feet, to a minimum width of 30 feet where 35 feet was approved under the PDP. These reductions occur only at the front portions of the affected parcels. The side yard and lot width as approved under the PDP would be maintained on the remaining portions of the lot.

Staff believes the changes to lot area, lot coverage, side yard, and lot width are justified since they are minor revisions necessary to provide a practical solution to the maintenance of the guest parking stalls. The PDP approval allows for minor changes to the approved preliminary development standards as part of the subsequent Use Permit and Tentative Map application. The following table provides the development standards with revisions to lot area, lot width, and side yard standards proposed by the Use Permit and Tentative Map.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Area (minimum)</td>
<td>2,200 sq. ft.</td>
</tr>
<tr>
<td>Lot Width (minimum)</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Net Lot Depth (minimum)</td>
<td>60 ft.</td>
</tr>
<tr>
<td>Yards</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>3 ft. minimum</td>
</tr>
<tr>
<td>Side</td>
<td>2 ft. minimum</td>
</tr>
<tr>
<td>Exterior Side</td>
<td>10 ft. minimum</td>
</tr>
<tr>
<td>Rear</td>
<td>10 ft. minimum</td>
</tr>
<tr>
<td>Building Height</td>
<td>35 ft. maximum</td>
</tr>
<tr>
<td>Unit Sizes</td>
<td>1,500-1,800 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50% maximum</td>
</tr>
<tr>
<td>On-Site Parking</td>
<td>2 covered spaces per unit (24 spaces) plus 6 uncovered on-site guest parking spaces</td>
</tr>
</tbody>
</table>

B. Building Architecture

The project proposes Craftsman-style architecture with design elements that include combination shingle, board and batten, stucco, and horizontal siding, masonry base veneers, window shutters, vents, corbels, and 4:12 pitched hip and gable roofs. A total of three plans are proposed with a gross floor area of 1,738 to 1,800 square feet that includes 3 bedrooms, 2.5 baths, and standard two-car garage. The architectural plans were revised to incorporate changes required as conditions of approval to the PDP. The revisions include replacement of the carport for lots 7 with an enclosed two-car garage and roof overhang enhancements to the entrances facing La Vista Avenue at lots 1 and 12. The Board approved these revisions and recommended Final Design Review approval to the Planning Commission on February 23, 2006.
C. **Landscaping/Walls/Fencing**

Conditions of the PDP as recommended by the Design Review Board require decorative paving at the project’s entrance and driveways, canopy trees added to the rear yards of lots 7-12, and submittal of a comprehensive fence plan. Since the landscape plan was prepared by Design Review Board Member, Ross Wells, the final landscape plan and its conformance with PDP conditions will be peer reviewed by a licensed landscape architect as part of the building permit and plan check process.

D. **Tree Removal**

All existing trees on the property will be removed due to conflicts with grading and proposed improvements. An arborist report (Exhibit E) prepared for the project identified nine trees on the project site consisting primarily of Cottonwoods and one Incense Cedar tree. The arborist report includes a “retention index” as an indication of how desirable preservation would be for each tree. The retention index takes into account the significance of the species, its health and structure, and size. None of the trees have a high retention index according to the arborist report.

The Municipal Code defines a heritage tree as any tree with a diameter of at least 24 inches or a multi-trunk tree with at least one trunk that has a 24 inch circumference (i.e., 8 inches in diameter). One multi-trunk Cottonwood tree with a trunk measuring 11-inches in diameter qualifies for heritage tree status. The tree is located along the south property line where a retaining wall is proposed. The arborist report recommends removal of the tree due to its poor condition and health (60% dead).

The Municipal Code recommends providing three 36-inch box replacement trees for every one heritage tree removed. The applicant has agreed to a condition of approval requiring three of the new trees proposed for the site to be 36-inch box replacements. Staff supports the applicant’s heritage tree removal request due to the poor condition of the heritage tree and the replacement trees that will be provided; the location of replacement trees will be determined by staff.

E. **Inclusionary Housing**

Under the Inclusionary Housing Ordinance the project is required to provide either 10% of the units for moderate income households or 6% of units for households earning low to very low income. An in-lieu fee can also be paid for each unit (exempting the first four units) to comply with the Inclusionary Ordinance. Star Homes proposes one unit (lot 7) for moderate income affordability where 1.2 units are required. Therefore, Star Homes would be required to pay an in-lieu fee equal to the fractional portion of 0.2 units ($3,432) in addition to providing the affordable unit. The affordable unit features a slightly smaller floor plan of Plan 1 but is comparable in size and architecture as the market rate units.
IV. **Fiscal Impact**

The proposed would have a slightly beneficial fiscal impact on the City.

V. **Public Contact**

Notification was mailed to all owners and occupants of property within five-hundred (500) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days prior to the public hearing.

VI. **Summary and Recommendations**

The proposed Use Permit, Vesting Tentative Map, Tree Removal and Design Review applications are consistent with the PDP approved by the City Council on August 2, 2005. The project supports the City’s goals and objectives encouraging infill development of underutilized parcels that will complement the character of surrounding residential neighborhoods. The project will result in the redevelopment of an underutilized site that has been marginally maintained, and has been designed to respond to site constraints.

Based on the analysis contained in this report, staff recommends approval of the Vesting Tentative Map, Use Permit, Tree Removal, and Design Review applications. It is further recommended that the Planning Commission consider the report, allow the applicant to make a presentation and answer any questions from the Commission, take public testimony, and close the public hearing upon completion of public testimony. Following the testimony, the Commission should deliberate regarding the identified policy and/or project issues.

VII. **Motion**

Prior to Approvals

I (Comm. ______) hereby move that the Planning Commission adopt Resolution No. 06-12PC approving the Villa De La Vista Subdivision, subject to the Conditions of Approval set forth in Attachment A to Resolution No 06-12PC. (Seconded by Comm. _______.)

Prepared by: ___________________________ Reviewed by: ___________________________

Frank Abejo                               Cathy Munneke
Senior Planner                           Principal Planner
(925) 671-3128                            925-671-3332
frank.abejo@ci.concord.ca.us              cmunneke@ci.concord.ca.us
Exhibits:

A - Resolution No. 06-12PC with Conditions of Approval (Attachment A) and Mitigation Monitoring Matrix (Attachment B)

B - May 18, 2005 Planning Commission Staff Report (w/o exhibits)

C - May 18, 2005 Planning Commission Minutes

D - City Council Resolution No. 05-46 with PDP Conditions

E - Arborist Report dated April 8, 2005 from Joseph McNeill

F - Applicant’s plan sheets, date-stamped March 15, 2006

* Not available electronically.
OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE PARTY HAVING A RECORD TITLE INTEREST IN THE LAND DESIGNATED AND EMBRACED WITHIN THE HEAVY BLACK LINES UPON THIS MAP, DOES HEREBY CONSENT TO THE MAKING AND FILING OF THE SAME, AND DOES HEREBY OFFER FOR DEDICATION TO PUBLIC USE THAT PORTION OF SAID LAND DESIGNATED ON SAID MAP AS THE AVENUE AND CLAYTON ROAD.

THE UNDERSIGNED HEREBY DECLARES THAT THE PRIVATE ROAD DESIGNATED AS PARCEL "A" IS ESTABLISHED AS AN ACCESS WAY FOR THE BENEFIT OF ALL LOTS IN SUBDIVISION 8989, BUT IS NOT OFFERED FOR DEDICATION FOR PUBLIC USE. SAID PARCEL SHALL BE GRANTED TO THE HOMEOWNERS' ASSOCIATION. MAINTENANCE OF SAID ACCESS WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION AS PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS (C.C. & R'S) RECORDED AGAINST LOTS WITHIN THIS SUBDIVISION. NO BUILDING STRUCTURE SHALL BE CONSTRUCTED WITHIN SAID PARCEL.

THE AREAS DESIGNATED "PUBLIC UTILITIES EASEMENT" OR "P.U.E." ARE DEDICATED TO THE PUBLIC FOR THE USE OF ALL PUBLIC UTILITIES, AND INCLUDES RIGHTS FOR CONSTRUCTION, RECONSTRUCTION, ACCESS TO AND MAINTENANCE OF IMPROVEMENTS & STRUCTURES, WHETHER COVERED OR OPEN, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION. SANITARY SEWER AND STORM DRAINAGE SHALL HAVE FIRST LOCATION RIGHTS.

THE AREAS DESIGNATED "SANITARY SEWER EASEMENT" OR "SSE" IS OFFERED FOR DEDICATION TO THE CITY OF CONCORD OR ITS DESIGNEE IN GROSS, AS A EXCLUSIVE SUB-SURFACE EASEMENT AND A NON-EXCLUSIVE SURFACE EASEMENT FOR SANITARY SEWER PURPOSES INCLUDING CONSTRUCTION, MAINTENANCE, USE, OPERATION, ACCESS OR MAINTENANCE WORKS, IMPROVEMENTS, AND STRUCTURES. THE CLEARING OF OBSTRUCTIONS AND VEGETATION NO BUILD OR STRUCTURE MAY BE PLACED ON SAID EASEMENT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY UNREASONABLY INTERFERE WITH CONCITY OF CONCORD'S FULL ENJOYMENT OF SAID EASEMENT.

THE AREAS SHOWN AS "LANDSCAPE MAINTENANCE EASEMENT" OR "L.M.E." ARE SPECIFICALLY EXCLUDED FROM PUBLIC DEDICATION BUT ARE FOR THE USE AND MAINTENANCE BY THE HOMEOWNERS ASSOCIATION OF SUBDIVISION 8989, FOR ACCESS, CONSTRUCTION, AND MAINTENANCE OF LANDSCAPE FEATURES INCLUDING MAILBOX ENCLOSURE LOCATED WITHIN THE LANDSCAPE MAINTENANCE EASEMENT OVER LOT 12.

THE AREA MARKED "PRIVATE STORM DRAIN EASEMENT" OR "P.S.D.E." IS NOT DEDICATED FOR PUBLIC USE BY THE GENERAL PUBLIC, BUT IS FOR THE USE OF THE LOTS 1-6 OF SUBDIVISION 8989 FOR DRAINAGE PURPOSES. SAID EASEMENT SHALL BE MAINTAINED MUTUALLY BY THE OWNERS OF LOTS 1-6 OF SUBDIVISION 8989, THEIR Successors, or Assigns.

THE UNDERSIGNED FURTHER RELINQUISHES TO THE CITY OF CONCORD ALL ABUTTER'S RIGHTS OF ACCESS TO AND FROM CLAYTON ROAD AND LA VISTA AVENUE ALONG THE PROPERTY LINES DEPICTED HEREON BY THE SYMBOL ________.

THE UNDERSIGNED HEREBY DECLARES THAT THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES OR RECORD.

DATE: 4-30-08

SIGNS: ________

PRESIDENT

DISCOVERY BUILDERS, INC., A CALIFORNIA CORPORATION.

SUBDIVISION 8989
"VILLA DE LA VISTA"
BEING A PORTION OF LOT 6 OF THAT CERTAIN SUBDIVISION MAP ENTITLED, "MAP OF THE GREENFIELD TRACT" FILED IN BOOK 13 OF MAPS AT PAGE 278, CONTRA COSTA COUNTY RECORDS.

CITY OF CONCORD
CONTRA COSTA COUNTY, CALIFORNIA

APN 132-020-035

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA )
COUNTY OF CONTRA COSTA ) SS

ON THIS 6TH DAY OF MARCH, 2008, BEFORE ME, Pamela Blessington, A Notary Public, PERSONALLY APPEARED Frances Blessington, who provided me with the basis of satisfactory evidence to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that he/she/it executed the same in her/his/its authorized capacity(ies), and that by his/her/its signature(s) or the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE OF NOTARY: Pamela Blessington
NAME (PRINTED OR TYPED): Pamela Blessington
MY COMMISSION EXPIRES: December 11, 2010
COUNTY OF NOTARY: Contra Costa
PRINCIPAL PLACE OF BUSINESS: Concord, California

DATE: 4-30-08

NOTARY PUBLIC IN OFFICE

CITY PLANNING COMMISSION'S STATEMENT

I, DEBORAH RAINES, HEREBY STATE THAT ON APRIL 19, 2006 THE PLANNING COMMISSION OF THE CITY OF CONCORD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED AND THAT THE FINAL MAP IS IN SUBSTANTIAL CONFORMANCE TO THE APPROVED TENTATIVE MAP.

DATE: 5/21/08

SIGNATURE: ____________
PLANNING MANAGER

OWNER'S ACKNOWLEDGMENT

DATE: 4-30-08

SIGNATURE: ____________

PRESIDENT

DISCOVERY BUILDERS, INC., A CALIFORNIA CORPORATION.

SUBDIVISION 8989
"VILLA DE LA VISTA"
BEING A PORTION OF LOT 6 OF THAT CERTAIN SUBDIVISION MAP ENTITLED, "MAP OF THE GREENFIELD TRACT" FILED IN BOOK 13 OF MAPS AT PAGE 278, CONTRA COSTA COUNTY RECORDS.

CITY OF CONCORD
CONTRA COSTA COUNTY, CALIFORNIA

APN 132-020-035

OWNER'S ACKNOWLEDGMENT

STATE OF CALIFORNIA )
COUNTY OF CONTRA COSTA ) SS

ON THIS 6TH DAY OF MARCH, 2008, BEFORE ME, Pamela Blessington, A Notary Public, PERSONALLY APPEARED Frances Blessington, who provided me with the basis of satisfactory evidence to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that he/she/it executed the same in her/his/its authorized capacity(ies), and that by his/her/its signature(s) or the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE OF NOTARY: Pamela Blessington
NAME (PRINTED OR TYPED): Pamela Blessington
MY COMMISSION EXPIRES: December 11, 2010
COUNTY OF NOTARY: Contra Costa
PRINCIPAL PLACE OF BUSINESS: Concord, California

DATE: 4-30-08

NOTARY PUBLIC IN OFFICE

CITY PLANNING COMMISSION'S STATEMENT

I, DEBORAH RAINES, HEREBY STATE THAT ON APRIL 19, 2006 THE PLANNING COMMISSION OF THE CITY OF CONCORD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED AND THAT THE FINAL MAP IS IN SUBSTANTIAL CONFORMANCE TO THE APPROVED TENTATIVE MAP.

DATE: 5/21/08

SIGNATURE: ____________
PLANNING MANAGER
CITY CLERK'S STATEMENT


I FURTHER STATE THAT ALL AGREEMENTS AND SURETY AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN FINAL MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF THE CITY OF CONCORD AND ARE FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _9__ DAY OF JUNE, 2008.

MARY RAE LEHMAN
CITY CLERK,
CITY OF CONCORD,
COUNTY OF CONTRA COSTA,
STATE OF CALIFORNIA
BY: [Signature]

CLERK OF THE BOARD OF SUPERVISORS' STATEMENT

I STATE AS CHECKED BELOW THAT:

☐ A TAX BOND ASSURING THE PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN BUT NOT YET PAYABLE HAS BEEN RECEIVED AND FILED WITH THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

☐ ALL TAXES DUE HAVE BEEN PAID, AS CERTIFIED BY THE COUNTY REDEMPTION OFFICER.

DATE: ______

BY: JOHN CULLEN
CLERK OF THE BOARD OF SUPERVISORS AND ADMINISTRATOR OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA

SOILS ENGINEER:


DATE: ______

BY: ____________________
THEODORE BAYH
SOILS ENGINEER

COUNTY RECORDER'S STATEMENT

THIS MAP ENTITLED "SUBDIVISION 8989, VILLA DE LA VISTA" IS HEREBY ACCEPTED FOR RECORDATION SHOWING A CLEAR TITLE PER LETTER OF TITLE MADE BY OLD REPUBLIC TITLE COMPANY, DATED THE ______ DAY OF ______, 2008, AND AFTER EXAMINING THE SAME I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAW AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS.


BY: ____________________
STEPHEN L. WEIR
COUNTY RECORDER

CERTIFICATE FOR DEDICATION FOR SAME PUBLIC PURPOSE

DISCOVERY BUILDERS, INC. IS DEDICATING HEREIN CERTAIN PUBLIC RIGHTS OF WAY FOR LA VISTA AVENUE AND CLAYTON ROAD AND EASEMENTS FOR PUBLIC UTILITIES. THE CITY OF CONCORD SHALL RECONVEY THE PROPERTY TO DISCOVERY BUILDERS, OR ITS SUCCESSOR IN INTEREST IF THE CITY OF CONCORD SUBSEQUENTLY MAKES A DETERMINATION PURSUANT TO SECTION 66477.5 OF THE SUBDIVISION MAP ACT THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY OR ANY PORTION THEREOF WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY IS NOT NEEDED FOR PUBLIC UTILITIES.

APN 132-020-035

BY: ____________________
DEPUTY COUNTY RECORDER

MAY, 2008

JOB NO. 200705

APN 132-020-035

SHEET 2 OF 3