REGULAR MEETING OF THE CITY OF CONCORD PLANNING COMMISSION

Wednesday, December 16, 2015
6:30 p.m. – Council Chamber
1950 Parkside Drive, Concord

Planning Commission Members:
Robert Hoag, Chair
Ernesto A. Avila, Vice Chair
Ray Barbour, Commissioner
Jason Laub, Commissioner
Carlyn Obringer, Commissioner

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

I. ROLL CALL

II. PLEDGE TO THE FLAG

III. PUBLIC COMMENT PERIOD

IV. RECOGNITION OF COMMISSIONER ROBERT HOAG

V. OATH OF OFFICE – For Commissioner Barbour

VI. ADDITIONS / CONTINUANCES / WITHDRAWALS

VII. CONSENT CALENDAR

1. 11/18/15 Meeting Minutes

2. Renaissance (UA 12-005, DR 12-028) – Application for a one-year extension of a Use Permit Amendment (UA 12-005) and Design Review (DR 12-028) approval for modification of the remaining construction of the Renaissance Project located at 1825 Galindo Street (temporary address). This entitlement and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration were approved by the Planning Commission on December 4, 2013 and extended for one (1) additional year on October 15, 2014. The General Plan designation is Downtown Mixed Use; Zoning classification is DMX (Downtown Mixed Use); APN's 126-062-013, -014. The proposed use permit extension is not a project within the meaning of Section 15378 of the State CEQA (California Environmental Quality Act) Guidelines. If the proposed extension is a project under CEQA: (a) it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment, and/or (b) no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative

Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162. **Project Planner: Frank Abejo @ (925) 671-3128**

VIII. PUBLIC HEARINGS

1. **Autumn Brook Major Subdivision (PL140280-RZ, TM, DR, AA, RT) –** Application for a Rezoning to RL (Residential, Low Density), Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal for eight single-family homes on a 2.02-acre site at 1890 Risdon Road. The General Plan designation is Low Density Residential; Zoning classification is RS-7 (Single Family Residential, 7,000 sq. ft. minimum lot size); APN 147-350-003. Pursuant to CEQA of 1970, as amended, AES completed an Initial Study. A Mitigated Negative Declaration (MND) was prepared and distributed for public review and the 20-day comment period began October 6, 2015 and ended October 26, 2015, pursuant to the requirements of CEQA. During that review period, staff received two written comments from neighbors that raised issues unrelated to CEQA. The Draft MND determined that although the proposed project could have potentially significant impacts for Biological and Cultural Resources and Geology and Soils, 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. A Mitigation Monitoring and Reporting Program (MMRP) was prepared, pursuant to the requirements of CEQA, to ensure compliance with the mitigation measures identified in the MND. **Project Planner: G. Ryan Lenhardt @ (925) 671-3162**

IX. COMMISSION CONSIDERATIONS

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) 671-3031, 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

All matters listed under CONSENT CALENDAR are considered by the Commission to be routing and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commissioner prior to the time Commission votes on the motion to adopt.

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.

TELEVISED 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:

January 6, 2016: 6:30 pm – Council Chambers
January 20, 2016: 6:30 pm – Council Chambers

Concord REPORT TO PLANNING COMMISSION

DATE: December 16, 2015

SUBJECT: RENAISSANCE PROJECT USE PERMIT AMENDMENT (UA 12-005) AND DESIGN REVIEW (DR 12-028)

Recommendation: Adopt Resolution No. 15-16 PC, approving a one-year extension of the approval for the Renaissance Project Use Permit Amendment (UA 12-005) and Design Review (DR 12-028).

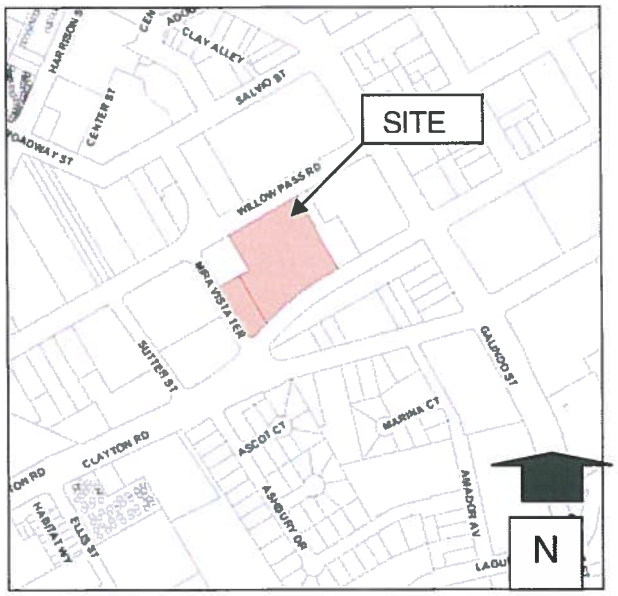
I. Introduction

A. Application Request

Application for a one-year extension of a Use Permit Amendment (UA 12-005) and Design Review (DR 12-028) approval for the remaining construction of the Renaissance Project located at 1825 Galindo Street (temporary address). This entitlement and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration was originally approved by the Planning Commission on December 4, 2013 and extended for one additional year on October 15, 2014.

B. Location

The project site is located at 1825 Galindo Street (temporary address); APN's 126-062-013, -014.



C. Applicant/Owner
Monogram Residential Renaissance II, LP
5800 Granite Parkway Suite 1000
Plano, TX 75024

II. Background

On December 4, 2013, the Planning Commission adopted Resolution No. 13-07PC adopting an Addendum to the June 2004 Initial Study and Mitigated Negative Declaration, and approving a Use Permit Amendment and Design Review application by Behringer Harvard (now Monogram Residential) for modifications to the remaining construction for the Renaissance Project. The approval and permit were valid through December 16, 2014, by which time building permits were to be obtained and construction begun on the project. On October 15, 2014, the Planning Commission approved a one-year extension of the approval and permits through December 16, 2015.

On September 3, 2015, Monogram filed for building permits to construct the project. Community and Economic Development staff completed one round of plan check comments on the plans. The plans are also under review by Contra Costa County Fire Protection District.

On October 23, 2015, Monogram filed an application (see Exhibit A) to extend the approval and permit for one additional year pursuant to Section 18.505.020 of the Concord Municipal Code (CMC). If granted, the extension will keep the approval and permits valid through December 16, 2016. The extension would allow the applicant to finalize its construction drawings, complete the general contractor bidding process, and begin site mobilization for the remaining 180 units.

This matter was rescheduled from the Planning Commission's December 2, 2015, consent calendar following cancellation of said meeting due to the lack of a quorum.

III. Discussion

Staff supports the extension and finds it necessary to allow additional time for obtaining construction permits for the project. Monogram has proceeded in good faith and exercised due diligence in complying with the project conditions in a timely manner, as demonstrated by their submittal of building permits to the City of Concord and Fire District. The extension also meets the following required findings under Development Code Section 18.505.020.B:

1. There are no changes to the approved project and it remains consistent with the Concord 2030 Urban and General Plan. Further, the project is consistent with the following objectives of the Downtown Concord Specific Plan:

    a. The project promotes high quality infill development that successfully integrates the design and site plan of the remaining construction with the completed portion of the project.
    b. The remaining construction will provide studio and one-bedroom apartments that add variety to the living opportunities, housing types, and prices offered by the overall development, which includes 2-3 bedroom apartments and live work units in the

completed portion of the project.

2. The findings under Resolution No. 13-07 PC approving the project remain valid (see Exhibit B, Attachment B).

3. As analyzed in the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration, 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

The City of Concord originally approved the Renaissance Project in 2004. That approval included a 2004 Initial Study/Mitigated Negative Declaration ("2004 IS/MND") prepared for the project. The first phase of that project was constructed in 2008. In 2012, an application for Use Permit Amendment and Design Review was submitted for modification of the remainder of the project. An Addendum to the June 2004 Initial Study/Mitigated Negative Declaration ("Addendum") was prepared for the remaining construction. The City of Concord Planning Commission approved and adopted the Addendum, Use Permit Amendment, and Design Review on December 4, 2013. No appeals were filed, and all statutes of limitations have expired.

For purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA (California Environmental Quality Act) Guidelines. In-depth review of the Renaissance Project has occurred, that project has been approved, and no changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this is merely a one year extension. In addition, no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes being proposed and there is no new information is available which would trigger environmental review under any of the applicable criteria.

V. Public Contact

Notification that this item was rescheduled to December 16, 2015, 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

Adopt Resolution No. 15-16 PC, approving a one-year extension of the approval for the Renaissance Project Use Permit Amendment (UA 12-005) and Design Review (DR 12-028).

VII. Motion

Project Approvals

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 15-16PC, approving a one-year extension of the approval for the Renaissance Project Use Permit Amendment (UA 12-005) and Design Review (DR 12-028), subject to the Conditions of Approval set forth in Attachment A to Resolution 15-16PC. (Seconded by Comm. _____.)

Prepared by: Frank Abejo
Frank Abejo
Senior Planner
925- 671-3128
frank.abejo@cityofconcord.org

Reviewed by: Laura Simpson
Laura Simpson
Planning Manager
(925) 671-3369
laura.simpson@cityofconcord.org

Exhibits:

- A - Applicant's Request for Extension
- B - Resolution No. 15-16PC with Conditions of Approval (Attachment 1) and Resolution No. 14-18PC (Attachment 2)
- C - Approved Project Plans
- D - Addendum to June 2004 Initial Study and Mitigated Negative Declaration and June 2004 Initial Study and Mitigated Negative Declaration (Attachment 1)
- E - Conditions of Approval with changes noted

EXHIBIT A

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
Three Embarcadero Center, 12th Floor | San Francisco, CA 94111-4074
Telephone: 415.837.1515 | Facsimile: 415.837.1516
www.allenmatkins.com

David H. Blackwell
E-mail: dblackwell@allenmatkins.com
Direct Dial: 415.273.7463 File Number: 120353-00008/SF936788.04

Via FedEx

October 23, 2015

Frank Abejo
Senior Planner
City of Concord
1950 Parkside Drive
Concord, CA 94519-2578

Re: Renaissance Phase II Project (UA 12-005, DR 12-028)
Request for Extension

Dear Mr. Abejo:

By this letter, owner Monogram Residential Renaissance II, LP requests a one-year extension of the above-referenced Use Permit Amendment and Design Review approvals set forth in Planning Commission Resolution No. 14-18. Per Condition of Approval No. 131 and Development Code section 122-1192(b), the owner requests that the permits' current expiration date of December 16, 2015 be extended to **December 16, 2016.**

This request is due to several factors, each of which relates to the fact that all of the relevant parties are very busy during this economic cycle. In spite of this challenge, ownership has committed significant time and resources to this effort and all relevant parties are making good progress towards obtaining the necessary building permits for the project. The owner is actively coordinating general contractor bids and working with the project architects and other consultants, many of which have lengthy response times due to their heavy workloads. Despite these obstacles, the owner submitted a full set of plans to the City on September 3, 2015, and recently received initial comments from Staff. All parties recognize the City's efforts in assisting the owner to meet its deadline; however, other parties and factors such as General Contractor selection and negotiation cannot be done in a diligent, measured manner that is in the best interests of the project. The requested extension will provide the parties with the additional time necessary to maximize success for Concord Renaissance Phase II and better coordinate pre construction and construction efforts. The owner does not expect to require the entire extension period, but the requested extension greatly reduces the risk of the need for any further extensions and will allow for a more successful execution of the project.

Enclosed herewith is a check for the $2,362 permit extension application fee. Please call if you have any questions. Thank you.

Very truly yours,

David H. Blackwell

Enclosure (application fee)

cc: Larry Sloan, Senior Vice President, Development

EXHIBIT B

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

A RESOLUTION APPROVING A ONE YEAR EXTENSION FOR A USE PERMIT AMENDMENT (UA 12-005) AND DESIGN REVIEW (DR 12-028) FOR MODIFICATION OF THE REMAINING CONSTRUCTION OF THE RENAISSANCE PROJECT

Resolution No. 15-16PC

/

WHEREAS, on December 4, 2013, the Planning Commission adopted Resolution No. 13-07PC adopting an Addendum to the 2004 IS/MND and approving Use Permit Amendment and Design Review for modification of the remaining construction of the Renaissance Project; and

WHEREAS, on October 15, 2014, Planning Commission adopted Resolution No. 14-18PC, which extended the approval and permit to December 16, 2015; and

WHEREAS, the approval and permit is valid until December 16, 2015 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 October 23, 2015, Monogram Residential Renaissance II, LP requested a one-year extension of the Renaissance Project approval through December 16, 2016; and

WHEREAS, for purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA (California Environmental Quality Act) Guidelines. In-depth review of the Renaissance Project has occurred, that project has been approved, and no changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this is merely a one year extension. In addition, no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including

under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes being proposed and there is no new information is available which would trigger environmental review under any of the applicable criteria; and

WHEREAS, the proposed extension was to be considered at the Planning Commission hearing of December 2, 2015; and

WHEREAS, due to the lack of a quorum on December 2, 2015, this item was rescheduled to the Planning Commission hearing of December 16, 2015; 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 December 16, 2015 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 City staff dated December 16, 2015, 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 15378 of the State CEQA (California Environmental Quality Act) Guidelines. In-depth review of the Renaissance Project has occurred, that project has been approved, and no changes are being proposed.

2. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to

have no possibility of a significant effect on the environment as the project has already been approved and this is merely a one year extension. In addition, no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes being proposed and there is no new information is available which would trigger environmental review under any of the applicable criteria

Extension Findings

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, and further makes the following findings required under Concord Development Code Section 18.505.020.B:

3. There are no changes to the approved project and it remains consistent with the Concord 2030 Urban and General Plan. Further, the project is consistent with the following objectives of the Downtown Concord Specific Plan:

   a. The project promotes high quality infill development that successfully integrates the design and site plan of the remaining construction with the completed portion of the project.

   b. The remaining construction will provide studio and one-bedroom apartments that add variety to the living opportunities, housing types, and prices offered by the overall development, which includes 2-3 bedroom apartments and live work units in the completed portion of the project.

4. The findings under Resolution No. 13-07 PC approving the project remain valid and are hereby incorporated by reference.

5. As analyzed in the June 2004 Initial Study/Mitigated Negative Declaration and

Addendum to the June 2004 Initial Study/Mitigated Negative Declaration, 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

6. The Planning Commission hereby approves the extension of the Renaissance Project Use Permit Amendment (UA 12-005) and Design Review (DR 12-028) through December 16, 2016, subject to the Conditions of Approval.

Effective Date

7. In accordance with City of Concord Municipal Code Section 122-1170, 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 December 16, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Laura Simpson, AICP
Secretary to the Planning Commission

Attachments:
1 – Conditions of Approval
2 – Resolution No. 14-18PC

cc: Robert Ovadia, City Engineer
Robert Woods, Chief Building Official
Contra Costa County Fire Protection District

FINAL CONDITIONS OF APPROVAL
RENAISSANCE
UA 12-005, DR 12-028
1825 GALINDO STREET
APN: 126-062-013, -014

PERMIT DESCRIPTION

1. These Conditions apply to and constitute the approval of a **Use Permit Amendment (UA 12-005)** to modify the remaining construction of the 314-unit Renaissance project at 1825 Galindo Street.

2. These Conditions apply to and constitute approval of **Design Review (DR 12-028)** to modify building, landscaping, and related improvements on the remaining construction of the Renaissance project. Exterior building materials and colors shall be in substantial conformance with the approved color and materials board dated December 12, 2012, prepared by Architects Orange.

3. These Conditions replace, incorporate, and/or amend all applicable conditions associated with the Renaissance Square Condominiums (i.e., TM 04-002, UP 04-005, VA 03-005and DR 03-043) approved by Planning Commission Resolution No. 04-15PC. These Conditions shall supersede all prior conditions.

4. The **Variance (VA 03-005)** approved by ***Planning Commission Resolution No. 04-15PC*** allowing universal parking stall dimensions of 9'x18' for the project is incorporated by reference.

5. The **Mitigation and Monitoring Matrix ("MMX")** adopted by ***Council Resolution No. 04-4823.2*** is incorporated by reference. The project shall comply with all applicable mitigation measures. If there is an inconsistency between the Conditions of Approval and the MMX, the MMX shall govern.

6. The following Exhibits, date stamped received by the City of Concord, on January 4, 2013, are approved and shall be incorporated as Conditions of Approval.

Plan	Date Prepared	Prepared by	Sheet
Title Sheet	12-13-12	Architects Orange	A-0
Perspective Sketches	12-13-12	Architects Orange	A-0.2
Egress Diagrams	12-13-12	Architects Orange	A-1.0, A1.1
Site Plan	12-13-12	Architects Orange	A-1.2
Building Floor Plans	12-13-12	Architects Orange	A-2.0 to A-2.5
Roof Plan	12-13-12	Architects Orange	A-3
Building Sections	12-13-12	Architects Orange	A-4
Building Elevations	12-13-12	Architects Orange	A-5.1 thru A-5.3
Unit Plans	12-13-12	Architects Orange	A-6.1, A-6.2
Enlarged Elevation Details	12-13-12	Architects Orange	A-7.0

Architectural Details	12-13-12	Architects Orange	A-7.1
Massing Study	12-13-12	Architects Orange	A-7.2, A-7.3
Existing Boundary and Topo	12-13-12	dk Consulting	C-1
Grading, Drainage and Utilities Plan	12-13-12	dk Consulting	C-2
Landscape Plan	12-13-12	Guzzardo Partnership	L-1 thru L-8

GENERAL CONDITIONS

7. Compliance with these conditions and the City of Concord Municipal Code shall be required for all permits and inspections associated with this entitlement. ***(PLNG, ENGR)***

8. 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.
   (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)***

9. 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)***

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

11. 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)***

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

13. Two annotated copies of the Conditions of Approval and Mitigation and Monitoring Matrix 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)***

14. Renaissance shall be operated as one residential complex. Applicant shall provide and record all agreements and/or cross easements required by the City to address the shared use and maintenance of project amenities between the properties, prior to occupancy approval, unless otherwise specified by the following conditions. ***(PLNG, ENGR, BLDG)***

15. The project shall not be sold as condominium units without prior approval from the City and compliance with local and State laws on condominium conversions, including the Concord Municipal Code, Chapter 94 Subdivisions, Article VII Common Interest Developments. ***(PLNG)***

16. Submit three signed copies, one notarized, of the City's "Property Maintenance Agreement", to ensure on-going repair, replacement and maintenance of all exterior improvements including buildings, parking areas, private roads, walkways, landscaping, irrigation, signs, fences, walls, and other improvements, prior to issuance of Grading or Building permits, whichever comes first. ***(PLNG)***

17. 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)***

ARCHITECTURAL

18. Rooftop equipment (HVAC, meters, refrigeration equipment, plumbing lines, ductwork and transformers), shall not extend above the building parapet and shall be screened from view on all sides with materials architecturally compatible with the main structure. Screening details shall be shown on the Building Plans and submitted for review and approval by the Planning Division, prior to the issuance of Building Permits and installed prior to occupancy approval. ***(PLNG)***

19. All other utility structures and equipment, including backflow preventers and electrical and gas meters shall be architecturally screened from view. ***(PLNG)***

20. Utility plans and construction drawings showing specific site and building details, including equipment and utility screening, architectural features (windows, doors, entries, trellises, siding, light fixtures, and landscaping/patio details), and final landscaping and irrigation shall be reviewed and approved by the Planning Division for conformance with the approved plans and/or Conditions of Approval prior to the issuance of building permits. ***(PLNG)***

21. 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

22. Submit Final Landscape Plans prepared by a Landscape Architect, registered by the State of California, for review and approval with the Grading, Improvement, or Building Plans, whichever comes first. The Plan shall be drawn on or consistent with the Grading, Improvement, Utility, and Stormwater Plans 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-retention or other stormwater treatment areas. Plants for bio-retention facilities should be compatible with temporarily flooded conditions.
c. Utility and Grading information on the base map, screened back.
d. All trees shall be a minimum size of 15 gallons and twenty-five (25) percent of the trees shall be 24 inch box in size or larger and 70% of the shrubs shall be a minimum size of five (5) gallons or larger.
e. A soils and plant laboratory analysis with recommendations for fertilization and mulching to be incorporated into the planting specifications.
f. Show all protected trees.
g. Root control barriers and four-inch perforated pipes for parking lot trees, street trees, and trees within 6 inch of any paved area or curb.
h. Six-inch vertical concrete curbs shall be installed between paved and landscaped areas.
i. A Layout/Hardscape Plan showing the location and details of all non-plant improvements, with dimensions and call outs, showing finished grades, hardscape/paving treatment, planter details, arbors, trellis', fences, walls, trash enclosures, and other features.
j. Details for street trees in accordance with City Standard Plan S-38, "Street Tree Planting Detail". ***(PLNG, ENGR)***

23. Final landscape plans shall include an automatic irrigation system 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)***

24. The final landscape plan and irrigation plan shall be peer reviewed and approved by a registered landscape architect chosen by City prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first. ***(PLNG)***

25. 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, signs, lighting, walls, fences, and trash enclosures. ***(PLNG)***

26. The establishment of plant materials shall be guaranteed for a period of two years after occupancy approval. A cash or equivalent guarantee shall be posted in an amount equal to 10 % of the value of the improvements, which will be released upon final inspection and acceptance of landscape improvements by a registered Landscape Architect at the end of the two-year period. ***(PLNG)***

27. The project landscape architect shall certify that there will be a minimum 60-day maintenance period for all landscape improvements. ***(PLNG)***

28. 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)***

29. Any vegetation damaged or destroyed by construction activities 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)***

30. 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)***

31. 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)***

32. 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)***

33. 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. Fences off-set twenty four inches or greater from retaining walls shall be considered as separate structures. ***(PLNG)*** **CMC**

34. Any embankment to be retained that is over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 48 inches tall from finished grade, and each bench has a minimum depth of 24 inches. ***(PLNG)***

35. All retaining walls shall be designed and constructed to visually blend into the adjacent slopes using geo-grid retaining wall systems or similar products. The style, materials, and colors for all walls shall be approved by the Planning Division prior to the issuance of Grading or Building permits, whichever comes first. ***(PLNG)***

TREE PRESERVATION

36. The project shall comply with the applicable tree protection measures outlined in Mitigation IV.1 of the approved Mitigation Monitoring Matrix and the following recommendations and guidelines of the Preliminary Tree Report by HortScience, Inc., dated January 2004, relating to the London plane trees on Willow Pass Road that are identified for preservation.

    a. A Tree Protection Zone (TPZ) shall be established around each tree. For design purposes the TPZ shall be defined five feet from the trunk. No grading, excavation, construction or storage materials shall occur within that zone.

b. No underground services including utilities, sub-drains, water or sewer shall be placed in the TPZ.

c. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.

d. Irrigation systems must be designed so that no trenching will occur within the TPZ.

e. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.

f. Fence all trees to be retained to completely enclose the TPZ prior to demolition, grubbing or grading. Fences shall be chain link, orange plastic or equivalent as approved by the consulting arborist.

g. Prune trees to be preserved to provide adequate clearance and correct any existing defects in structure. All pruning shall be completed by a certified arborist or tree worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the Best Management Practices – Tree Pruning published by the International Society of Arboriculture.

h. No grading, construction, demolition or other work shall occur within the TPZ. Any modifications must be approved and monitored by the consulting arborist.

i. Any root pruning required for construction purposes shall receive the approval prior of, and be supervised by, the consulting arborist.

j. Supplemental irrigation will be required for trees to be preserved and shall be applied at a rate determined by the consulting arborist.

k. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

l. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TPZ.

m. Any additional tree pruning needed for clearance during construction must be performed by a certified arborist and not by construction personnel.

n. Demolition, Grading, Utility, Landscape, and Building Plans shall show all trees to be preserved, with accurate trunk location, drip line, and existing grade. The Plans shall include Tree Protection Zones (TPZ) and protection measures consistent with the approved Mitigation Monitoring Program. ***(PLNG, ENGR)***

37. The property owner shall comply with the Tree Preservation Guidelines contained in the report relating to existing trees on Willow Pass Road. If any tree(s) is determined to be in poor condition and is dying due to the impact of construction, it shall be replaced with a minimum 36-inch box-size tree. **(PLNG, ENGR)**

38. The applicant shall submit a demolition plan with the building plan set of drawings, prior to issuance of a building permit. The demolition plan shall clearly indicate vegetation scheduled for demolition, show protection for trees to be preserved, and designate the location of on-site construction materials storage. **(PLNG)**

39. The arborist shall conduct site inspections during grading and construction, and may require additional measures necessary to protect the roots of trees to be preserved including stopping construction activities, if necessary to protect the trees. **(PLNG)**

LIGHTING

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, 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 the Transportation Division for compliance with City standards. ***(ENGR, TRANS, BLDG, PD)***

SIGNAGE

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

PARKING

44. Guest parking spaces shall be provided within the project site per the City's Parking Ordinance. ***(PLNG)***

45. All parking spaces shall be striped. Universal spaces shall measure 9 ft. by 18 ft. and oversized spaces shall measure 9 ft. by 20 ft. Compact spaces are not allowed. Two feet shall be provided at the front of the uncovered guest parking spaces proposed off Mira Vista Terrace to accommodate the overhang of automobiles. ***(PLNG/ENGR)***

46. Comply with the following prior to occupancy to promote safety within the parking garages:

    a. Garages shall have gated access as shown on the approved plans.
    b. Adequate lighting shall be provided in the parking stall areas in addition to driveway aisles throughout the garages. Priority shall be given to lighting of the parking stall areas if lighting cannot be provided for both. ***(PLNG)***

47. The front end of unenclosed parking stalls shall be screened with landscaping to minimize impacts to neighboring properties or abutting ground floor units. This requirement may be waived if the parking space is sited relative to abutting ground floor units such that automobile headlights do not shine directly into ground floor doors or windows. ***(PLNG)***

48. Plans shall be revised to include additional short-term and long-term bicycle parking spaces for the project in compliance with Development Code Section 122-393. ***(PLNG, ENGR, TRANS)***

49. 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

50. Refinish the traffic signal poles, mast arms, and signal heads at the north, east and west corners of the Willow Pass Road and Galindo Street intersection. ***(ENGR)***

51. Construct improvements along the frontage on **Concord Boulevard and Mira Vista Terrace** including but not limited to: driveway removal; pavement replacement; pavement widening; concrete valley gutter; wheel chair 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)***

52. Install slurry seal and replace pavement markers, markings, and lines along the frontage on **westbound Concord Boulevard between Galindo Street and Mira Vista Terrace, along northbound Mira Vista Terrace between Concord Boulevard and Willow Pass Road, and eastbound Willow Pass Road between Mira Vista Street and Galindo Street,** from lip of gutter to lip of gutter, or as directed by the City Engineer, after completion of utility undergrounding and frontage improvements and prior to the Acceptance of Improvements. ***(ENGR)***

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

54. The curb at Mira Vista Terrace shall be painted red and prohibit parking for a length of 20 feet at both edges of the property driveway along Mira Vista Terrace. ***(TRANS)***

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

56. Show construction details for all pedestrian paths on the Improvement Plans and Final Landscape Plans. Pedestrian crossings of streets shall have curb cuts, ramps, signs, and pavement markings as approved by Engineering Services. ***(ENGR, PARKS)***

CONSTRUCTION ACTIVITIES

57. 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., excluding federal holidays.

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)***

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

59. 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)***

60. 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)***

61. 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)***

62. 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)***

63. 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)***

64. 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)***

65. 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)***

66. 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)***

67. 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)***

68. 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)***

CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

69. Submit two copies of Preliminary Title Report, prepared within three months prior to plan submittal. ***(ENGR)***

70. 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)***

71. 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)***

72. 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)***

73. 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

74. The plans prepared by and date stamped received ***January 4, 2013*** by the Planning Division is not approved for construction. 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 and Grading Permit. ***(ENGR)***

75. 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

76. 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)***

77. 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)***

78. 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)***

79. 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)***

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

81. 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)***

82. 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***

83. 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)***

84. 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)***

85. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan (SWPPP), 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***

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

87. 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) CMC***

UTILITIES

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

89. 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)***

90. Install streetlights along ***Concord Boulevard and Mira Vista Terrace*** frontages. 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, TRAN)***

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

92. Undergrounding of all existing overhead utilities along the north side of Concord Boulevard between Mira Vista Terrace and Galindo Street, and the east side of Mira Vista Terrace between Willow Pass Road and Concord Boulevard, including aerial street crossings shall be required pursuant to CMC Section 110-93. All new utilities shall be constructed underground prior to issuance of occupancy approval. ***(ENGR)***

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

94. Submit sanitary sewer calculation to Engineering Services with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. ***(ENGR)***

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

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

97. 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)***

98. 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)***

99. 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***

100. Remove all unusable laterals (sewer, water, and gas) in the street area and install cap at the main line. ***(ENGR)***

DRAINAGE/STORMWATER C.3 REQUIREMENTS

101. 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)***

102. 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)***

103. Construct stormwater treatment measures per the approved SWCP prior to occupancy approval. ***(ENGR)***

104. Submit a final 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 occupancy approval. 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)***

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

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

107. 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. ***(ENGR)***

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

109. 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)***

110. 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)***

111. 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)***

112. Clean all on-site stormdrain 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

113. 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)***

114. Design and implement City approved Source Reduction/Recycling Plan and demonstrate that 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)***

115. 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. ***(NS)***

116. 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. ***(CCCSD, ENGR)***

AGREEMENTS, FEES, BONDS

117. All fees noted in Sections 122-124 below are the fees currently in effect as of July 1, 2015 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 applicable 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)**

118. Provide a $10,000 cash deposit to the Planning Division to cover Condition Compliance and mitigation monitoring costs, at the time of submittal of plans and documents to Engineering Services or the Building Division for plan check. Planning staff and City consultant time will be charged to this deposit for work performed to implement the Conditions of Approval and Mitigation Monitoring Program. 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)***

119. 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)***

120. Enter into a Maintenance Agreement acceptable to the City prior to Acceptance of Improvements, agreeing to provide for proper maintenance of the private street, storm drain outside of the public street right of way, street lights and other privately maintained improvements pursuant to CMC Section 94-33. ***(ENGR)***

121. 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 issuance of the Building or Grading Permit, whichever comes first. ***(ENGR)***

122. 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. The current fee is $86.00.

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)***

123. 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, or at the hourly rate of $172.00 if the hourly rate is used.

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. The stockpile and erosion control monitoring fee is currently $23.00 per calendar day and is collected for the life of the Grading Permit activity. ***(ENGR)***

124. Sewer Connection Permit:

a. Pay Sanitary Sewer connection fee for three units converted from office units to one-bedroom dwelling units in 2009. The current sewer connection fee is $2,774.00 per dwelling unit and shall be paid prior to issuance of the grading permit.

b. Pay the current sewer service fee prior to issuance of the grading permit. The current fee for Fiscal Year 2015 – 2016 is per year and is pro-rated by the month that connection is made.
(ENGR)

OTHER/MISCELLANEOUS

125. 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)***

126. Contact the Geographic Information Systems (GIS) Technician, in the Information Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the Contra Costa Fire Protection District for their approval, prior to issuance of a Building Permit. ***(PLNG)***

127. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. ***(ENGR) CMC***

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

129. 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. ***(PLNG)***

130. The permit and approval shall expire in one year from the date of the extension approval unless construction permits are obtained and work has begun. The effective date of the extension approval is ***December 16, 2015***. ***(PLNG)***

131. A request for a time extension from the expiration date of ***December 16, 2016*** 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)***

ATTACHMENT 2

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

A RESOLUTION APPROVING A ONE YEAR EXTENSION FOR A USE PERMIT AMENDMENT (UA 12-005) AND DESIGN REVIEW (DR 12-028) FOR MODIFICATION OF THE REMAINING CONSTRUCTION OF THE RENAISSANCE PROJECT

Resolution No. 14-18 PC

WHEREAS, on December 4, 2013, the Planning Commission adopted Resolution No. 13-07PC adopting an Addendum to the 2004 IS/MND and approving Use Permit Amendment and Design Review for modification of the remaining construction of the Renaissance Project; and

WHEREAS, the approval and permit is valid until December 16, 2014 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 September 9, 2014, Monogram Residential Renaissance II, LP (formerly Behringer Harvard Two LP) requested a one-year extension of the Renaissance Project approval through December 16, 2015; and

WHEREAS, for purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA (California Environmental Quality Act) Guidelines. In-depth review of the Renaissance Project has occurred, that project has been approved, and no changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this is merely a one year extension. In addition, no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted

above, there are no changes being proposed and there is no new information is available which would trigger environmental review under any of the applicable criteria; 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 October 15, 2014 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 City staff dated October 15, 2014, 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 15378 of the State CEQA (California Environmental Quality Act) Guidelines. In-depth review of the Renaissance Project has occurred, that project has been approved, and no changes are being proposed.

2. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this is merely a one year extension. In addition, no further environmental analysis is required because the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration have been prepared and none of the factors calling for subsequent environmental review are present, including

under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes being proposed and there is no new information is available which would trigger environmental review under any of the applicable criteria

Extension Findings

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, and further makes the following findings required under Concord Development Code Section 18.505.020.B:

2. There are no changes to the approved project and it remains consistent with the Concord 2030 Urban and General Plan. Further, the project is consistent with the following objectives of the Downtown Concord Specific Plan:

a. The project promotes high quality infill development that successfully integrates the design and site plan of the remaining construction with the completed portion of the project.

b. The remaining construction will provide studio and one-bedroom apartments that add variety to the living opportunities, housing types, and prices offered by the overall development, which includes 2-3 bedroom apartments and live work units in the completed portion of the project.

3. The findings under Resolution No. 13-07 PC approving the project remain valid and are hereby incorporated by reference.

4. As analyzed in the June 2004 Initial Study/Mitigated Negative Declaration and Addendum to the June 2004 Initial Study/Mitigated Negative Declaration, 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 the Renaissance Project Use Permit Amendment (UA 12-005) and Design Review (DR 12-028) through December 16, 2015, subject to the Conditions of Approval.

Effective Date

6. In accordance with City of Concord Municipal Code Section 122-1170, 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 October 15, 2014, by the following vote:

AYES: Commissioners Mercurio, McGallian, Avila, Hoag, Obringer

NOES: None

ABSTAIN: None

ABSENT: None

Andrew Mogensen, AICP
Secretary to the Planning Commission

Attachments:
1 – Conditions of Approval
2 – Resolution No. 13-07PC

cc: Robert Ovadia, City Engineer
Robert Woods, Chief Building Official
Contra Costa County Fire Protection District

RENAISSANCE PHASE II

CONCORD, CA.

4-Story Residential (Type V Construction) — 12.13.2012

FLOOR	STUDIO	1 BR							2 BR					Total
	S1	A1	A2	A2.1	A3	A3-alt	A3-alt2	A4	B1	B2	B2.1	B3	B3.1	
Ground	0	0	1	0	1	0	0	0	0	1	0	0	1	4
1	3	5	1	1	6	4	0	1	1	6	8	0	3	39
2	3	6	0	0	7	6	1	1	1	7	9	0	3	44
3	3	6	0	0	7	6	1	1	2	8	9	3	0	46
4	3	6	0	0	7	6	1	1	2	8	9	3	0	46
	12	23	2	1	28	22	3	4	6	30	35	6	7	179
Totals	12	53							84					
	6.7%	46.4%							46.9%					100.0%

Unit Plan Matrix

Unit		Unit SF	Patio SF	Qty.	Average SF	%	SF TOT.	PATIO TOT.
S1		583	0	12	593	6.7%	7,116	0
A1		736	47	23	760	46.4%	16,928	1,081
A2		722	45	2			1,444	90
A2.1		736	43	1			736	43
A3		768	40	28			21,504	1,120
A3-alt		768	40	22			16,896	880
A3-alt2		801	40	3			2,403	120
A4		720	0	4			2,880	0
B1		1,024	47	6	1,071	46.9%	6,144	282
B2		1,083	43	30			32,490	1,290
B2.1		1,089	43	36			39,204	1,548
B3		1,224	62	6			7,344	372
B3.1		1,224	55	7			8,568	385
Avg.		895	41	179			160,162	7,396

DENSITY: 2.75 Ac — 65.1 du/ac

Parking Summary: 12/13/2012

Unit Type	Number of Units	Stalls/Unit (Min.)	Stalls Req'd
STUDIOS	12	1.50	18
1 BR	83	1.50	125
2 BR	84	2.00	168
Total Residential Req'd	179	1.74	311
Guest (1 per 3 units)	179	0.33	60
Total Required			371
Total Provided			371

Accessible Stalls:

		Required Accessible		
*Dwelling Unit Stalls	311	2%	6.22	=7 Req'd
Guest Stalls	60	5%	3	=3 Req'd
Total Required	371			=10 Req'd
Accessible Van Parking	1 per 8 HC stalls		=6 HC = 2 HC van	

*Calculations based on CBC Section 1108A 4.

Parking Provided:

Parking Provided	Units per level	TOTAL RES.	Residential Standard	Residential Handicap	Guest Standard	Guest Handicap
			Residential		Guest	
Surface - On Site	0	30	0	0	28	2
Parking Structure - Subterranean	4	25	0	0	23	0
1st Level	39	40	41	1	5	1
2nd Level	44	57	55	2	0	0
3rd Level	46	57	55	2	0	0
4th Level	46	57	55	2	0	0
5th Level	0	61	61	0	0	0
6th Level	0	37	37	0	0	0
TOTAL PROVIDED	179	371	304	7	57	3
			311		60	

Bicycle Parking

Use	Standards	Required	Provided
Residential (1 per 4 units)	0.25	45	
Floor mounted bike racks (located outside building)			10
Wall mounted bike racks (located in parking structure)			35
Total Provided			45

Storage

Use	Standards	Required	Provided
Residential (1 per unit, 25 sf each)	1.00	179	
Storage Closets			106
Overhead Storage Cabinets (over parking stalls)			73
Total Provided			179

Note: To supplement removing storage requirements, we are providing overhead storage cabinets above parking spaces in the parking structure

F.A.R.

Building Floor Levels	S.F.
GROUND FLOOR	7,000
1ST FLOOR	54,000
2ND FLOOR	54,000
3RD FLOOR	55,000
4TH FLOOR	54,000
5TH FLOOR	55,000
6TH FLOOR	0
TOTAL GROSS BUILDING S.F.	333,000
TOTAL SITE ACRES	2.75 ACRES
F.A.R.	1.86

5.11 AC.

Building & Lot Coverage - 66 dwlu/ac, 2.75 acres total

General Plan Designation: Downtown Mixed Use	
Zoning Designation: Downtown Mixed Use	
Centralized Open Space Required	200 sf per unit 35,800 sf required
Centralized Open Space Provided	30,030 sf common open space 7,256 sf private patio open space 37,294 sf total provided 31.1% 0.87 acres
Lot Coverage	64.4% buildings 1.77 acres

Sheet Index

ARCHITECTURAL

A-0 TITLE SHEET
A-0.1 NEIGHBORHOOD IMAGES
A-0.2 PERSPECTIVE SKETCH - CONCORD NW VIEW
A-0.3 PERSPECTIVE SKETCH - CONCORD NE VIEW
A-0.4 PERSPECTIVE SKETCH - WILLOW PASS SE VIEW
A-1.0 MEANS OF EGRESS DIAGRAMS GROUND - 2ND FLOOR
A-1.1 MEANS OF EGRESS DIAGRAMS 3RD - 6TH FLOOR
A-1.2 ARCHITECTURAL SITE PLAN
A-2.0 GROUND LEVEL BLDG PLAN
A-2.1 1ST LEVEL BLDG PLAN
A-2.2 2ND LEVEL BLDG PLAN
A-2.3 3RD & 4TH LEVEL BLDG PLAN
A-2.4 5TH LEVEL BLDG PLAN
A-2.5 6TH LEVEL BLDG PLAN
A-3 ROOF PLAN
A-4 SECTIONS
A-5.1 CONCEPTUAL COLORED ELEVATIONS
A-5.1.1 CONCEPTUAL COLORED ELEVATIONS
A-5.2 CONCEPTUAL ELEVATIONS
A-5.3 CONCEPTUAL ELEVATIONS
A-6.1 UNIT PLANS
A-6.2 UNIT PLANS
A-7.0 ENLARGED EXTERIOR DETAILS
A-7.1 CONCEPT ARCHITECTURAL DETAILS
A-7.2 MASSING STUDIES
A-7.3 MASSING STUDIES
A-7.4 COLOR & MATERIALS
A-7.5 COURTYARD IMAGES
A-8.0 PHASE 1 ELEVATIONS REFERENCE
A-8.1 COMPARISON WITH PROPOSED PHASE 2

CIVIL ENGINEERING

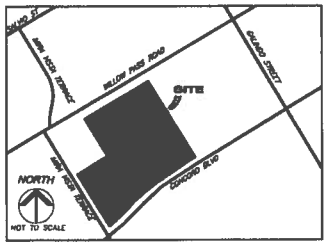
C1 EXISTING BOUNDARY AND TOPOGRAPHY
C2 PRELIMINARY GRADING, DRAINAGE AND UTILITIES PLAN
C3 STREET SECTIONS

LANDSCAPE

L-1 ILLUSTRATIVE SITE PLAN
L-2 SCHEMATIC LANDSCAPE PLAN
L-3 NOTES AND LEGENDS
L-4 LANDSCAPE IMAGES
L-5 CONCEPTUAL EXTERIOR ELEVATIONS
L-6 CONCEPTUAL EXTERIOR ELEVATIONS
L-7 ENLARGED EXTERIOR DETAILS
L-8 ENLARGED EXTERIOR DETAILS
L-9 COURTYARD ENLARGEMENT

Vicinity Map

N.T.S.



Project Team

OWNER:
Behringer Harvard Renaissance II L.P.
15601 Dallas Parkway, Suite 600
Addison, TX 75001
(214) 655-1600 Attn: Doug Hoy

DEVELOPERS:
Fairfield Development L.P.
5510 Morehouse Dr, Suite 200
San Diego, CA 92121
(858) 626-8341 Attn: Ed McCoy

ARCHITECT:
Architects Orange
144 N. Orange Street
Orange, CA 92866
(714) 639-9860 Attn: David Ho
Jennifer Easton

LANDSCAPE ARCHITECT:
Guzzardo Partnership Inc.
181 Greenwich Street
San Francisco, CA 94111
(415) 433-4672 Attn: Kurt Culver

CIVIL ENGINEER:
DK Consulting
1440 Maria Lane, Suite 200
Walnut Creek, CA 94596
(925) 932-6868 Attn: Jason Fong

STRUCTURAL ENGINEER:
KPW Structural Engineers, Inc
130 Webster Street, Ste. 200
Oakland, CA 94607
(510) 208-3300 Attn: Kevin Treat

A-0

11-329 12.13.2012

DESIGN REVIEW & USE PERMIT
AMENDMENT RE-SUBMITTAL #1

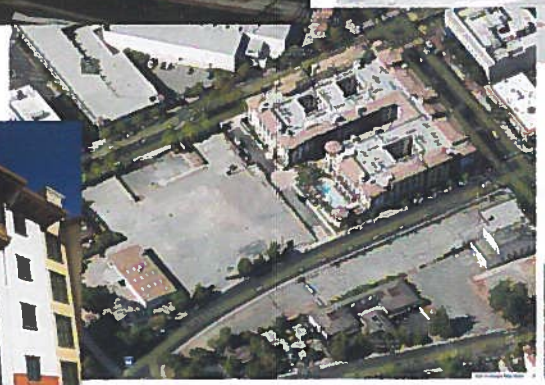
RENAISSANCE PHASE II CONCORD, CA

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

EXHIBIT C



A-0.1

11-329 November 16, 2012

RENAISSANCE PHASE II CONCORD, CA

NEIGHBORHOOD IMAGES

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

CONCORD BLVD - NW VIEW

A-0.2

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

PERSPECTIVE SKETCH

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

CONCORD BLVD - NE VIEW

A-0.3

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

PERSPECTIVE SKETCHES

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

WILLOW PASS - SE VIEW

A-0.4

11-329 12.30.2012

RENAISSANCE PHASE II CONCORD, CA

PERSPECTIVE SKETCH

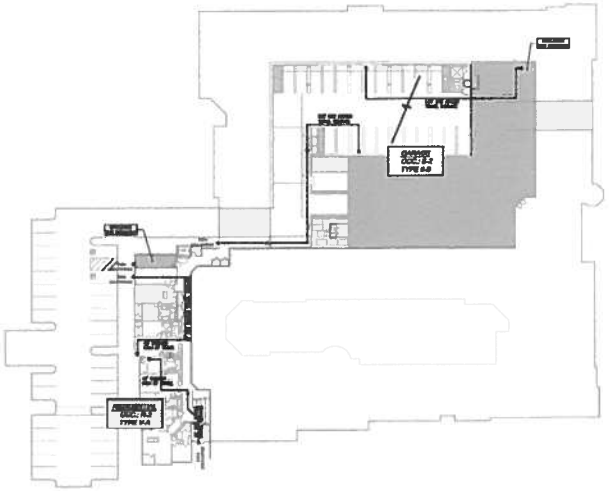
BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

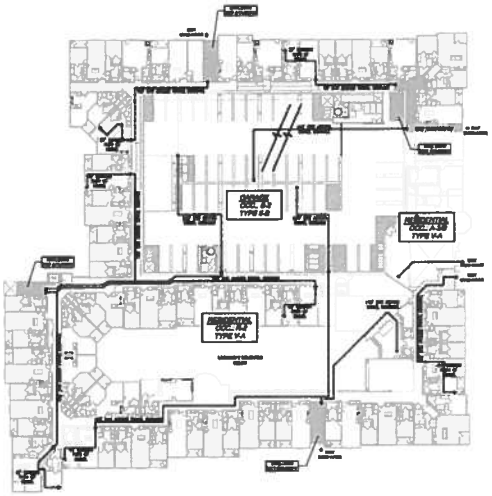
ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

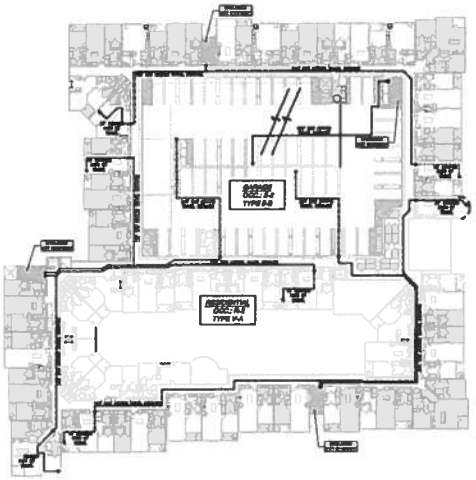
© 2012 Architects Orange



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

BUILDING CODE

1. PROJECT :

THE PROJECT OVERALL IS CONSIDERED TO BE A COMBINATION OF PORTIONS OF A BUILDING, SEPARATED BY FIREWALLS, WHICH ARE CONSIDERED SEPARATE BUILDINGS PER 2010–CBC. 706.

THE PARKING GARAGE IS A SEPARATE BUILDING, SEPARATED BY FIREWALLS, AS ARE THE PORTIONS OF THE RESIDENTIAL BUILDING.

THE RECREATIONAL AND ASSEMBLY USES, IN COMBINATION WITH THE RESIDENTIAL, ARE SUBSTANTIATED USING SEPARATED, MIXED OCCUPANCY PROVISIONS OF 2010–CBC. 508.3.3

TWO DRAWING PACKAGES AND TWO BUILDING PERMITS WILL BE GENERATED, FOR THE RESIDENTIAL–MIXED USE WRAP BUILDING AND THE PARKING GARAGE.

THE PARKING GARAGE AND WRAP STRUCTURE WILL BE DEPICTED IN EACH OTHERS PLANSET, FOR COORDINATION PURPOSES.

2. OCCUPANCY CLASSIFICATION:

R2 OCCUPANCY:	1 OCCUPANT PER 200 GROSS SQ.FT.
A3 OCCUPANCY (CLUBHOUSE):	1 OCCUPANT PER 15 NET SQ.FT.
B OCCUPANCY (FITNESS):	1 OCCUPANT PER 50 GROSS SQ.FT.
B OCCUPANCY (LEASING):	1 OCCUPANT PER 100 GROSS SQ.FT.
S–2 OCCUPANCY (GARAGE):	1 OCCUPANT PER 200 GROSS SQ.FT.

3. TYPE OF CONSTRUCTION:

RESIDENTIAL:
TYPE V–A (w/NFPA SPEC 13 SPRINKLERS)
1–HOUR FIRE RATED WALLS, FLOORS, AND ROOF

PARKING GARAGE:
TYPE I–B (w/NFPA SPEC 13 SPRINKLERS)
NON–RATED WALLS, FLOORS, AND ROOF

4. SPRINKLER:

RESIDENTIAL:
NFPA SPEC 13 SPRINKLERS

PARKING GARAGE:
NFPA SPEC 13 SPRINKLERS

5. ALLOWABLE AREA:

RESIDENTIAL
ALLOWABLE AREA: 12,000 SQ.FT. BASIC, +24,000 SQ.FT. FOR SPRINKLERS
X3 FOR MULTI–STORY = 72,000 SQ.FT
EACH FLOOR NOT TO EXCEED 18,000 SQ.FT. (EXCEPT FOR FRONTAGE INCREASES).

PARKING GARAGE
ALLOWABLE AREA: 50,000 SF (TABLE 406.3.5)

6. ALLOWABLE AREA OF OPENINGS:

RESIDENTIAL
EXTERIOR OPENINGS: % OF WALL AREA BASED ON FIRE SEPARATION DISTANCE.

7. BUILDING HEIGHT:

RESIDENTIAL
3–STORIES + 1 ADDITIONAL STORY PER 504.2, 50 FT. MAX.

PARKING GARAGE
8 TIERS (OPEN GARAGE, TABLE 406.3.5).

8. FIRE WALLS:

RESIDENTIAL
THE EXPANSE OF RESIDENTIAL APARTMENTS WILL BE DIVIDED BY FIREWALLS INTO SEPARATE BUILDINGS, EACH WITH ITS OWN MAXIMUM ALLOWABLE FLOOR AREA. THE 1–HOUR STRUCTURE WILL HAVE 2–HOUR FIREWALLS. EXITING WILL BE ACCOMPLISHED USING VERT. EXIT ENCLOSURES AND HORIZ. EXITS INTO ADJACENT BUILDINGS. SPRINKLER SYSTEMS, ELECTRICAL, ALARM AND PLUMBING SYSTEMS WILL NOT BE SEPARATED.

THE FIRE SEPARATION (FIRE BARRIER) BETWEEN THE DWELLING UNITS SHALL BE OF 1–HOUR FIRE RESISTIVE CONSTRUCTION, PER CBC 708.3.

PARKING GARAGE
FIREWALLS OF 2–HOUR CONSTRUCTION, CREATING SEPARATE BUILDINGS, WILL GOVERN THE SEPARATION OF THE GARAGES FROM THE R–2 RESIDENTIAL PER 2010–CBC, TABLE 705.5
DOORS BETWEEN THE SPACES ARE 90–MINUTE RATED.
(OCCUPANCY SEPARATION IS ONLY 1–HOUR, PER TABLE 508.4).

9. MEANS OF EGRESS:

SEE MEANS OF EGRESS DIAGRAMS ON THIS SHEET

10. TRAVEL DISTANCE:

SEE MEANS OF EGRESS DIAGRAMS ON THIS SHEET

0 40 60 80

1:40

A-1.0

11-329 11.16.2012

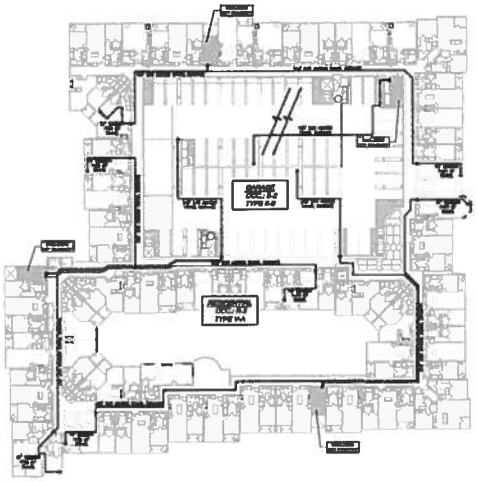
RENAISSANCE PHASE II CONCORD, CA

MEANS OF EGRESS DIAGRAMS GROUND TO 2ND FLOOR PLAN

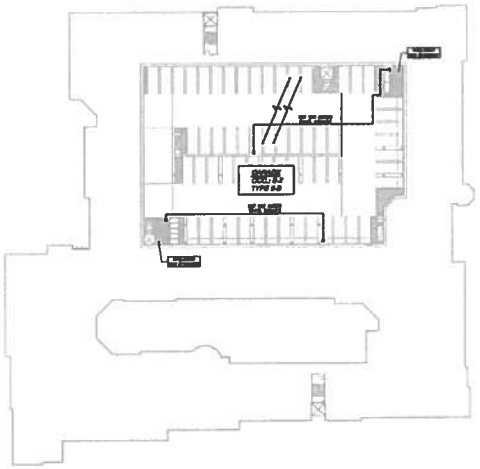
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

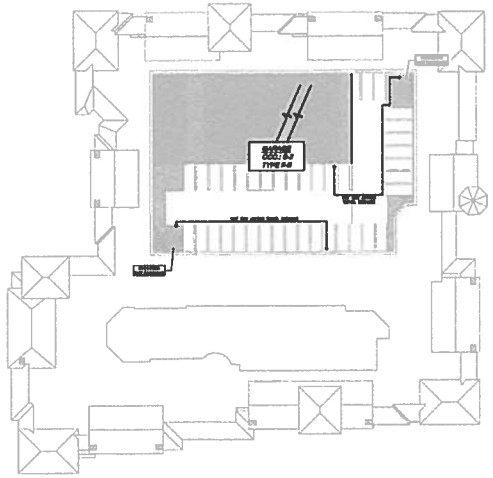
© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



THIRD & FOURTH FLOOR



FIFTH FLOOR



SIXTH FLOOR

0 40 60 80

1:40

A-1.1

11-329 11.16.2012

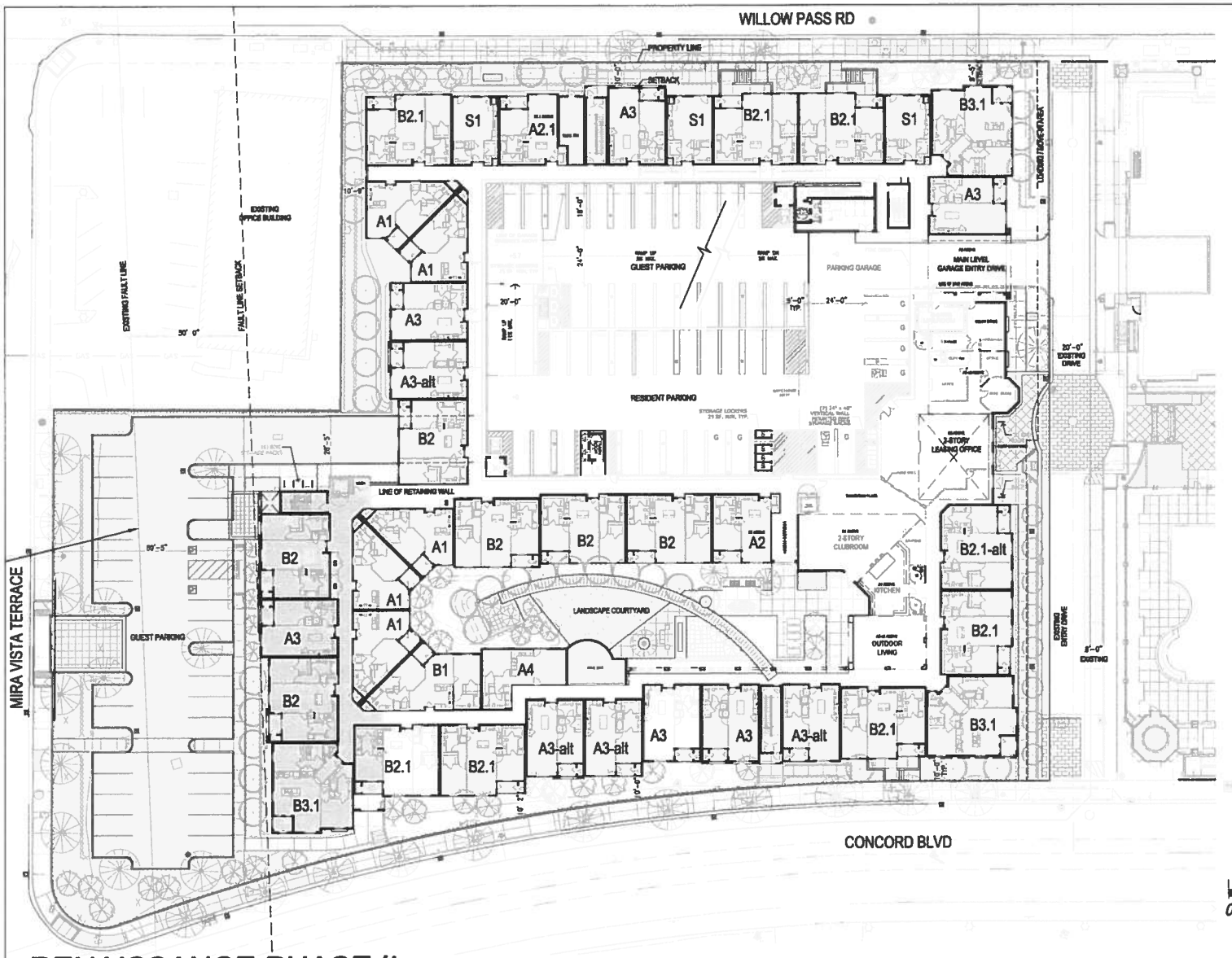
RENAISSANCE PHASE II CONCORD, CA

MEANS OF EGRESS DIAGRAMS
3RD TO 6TH FLOOR PLAN

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



DENOTES LOWER LEVEL
5-STORY ELEMENT

0 20 40 60

1:20

A-1.2

11-329 12.13.2012

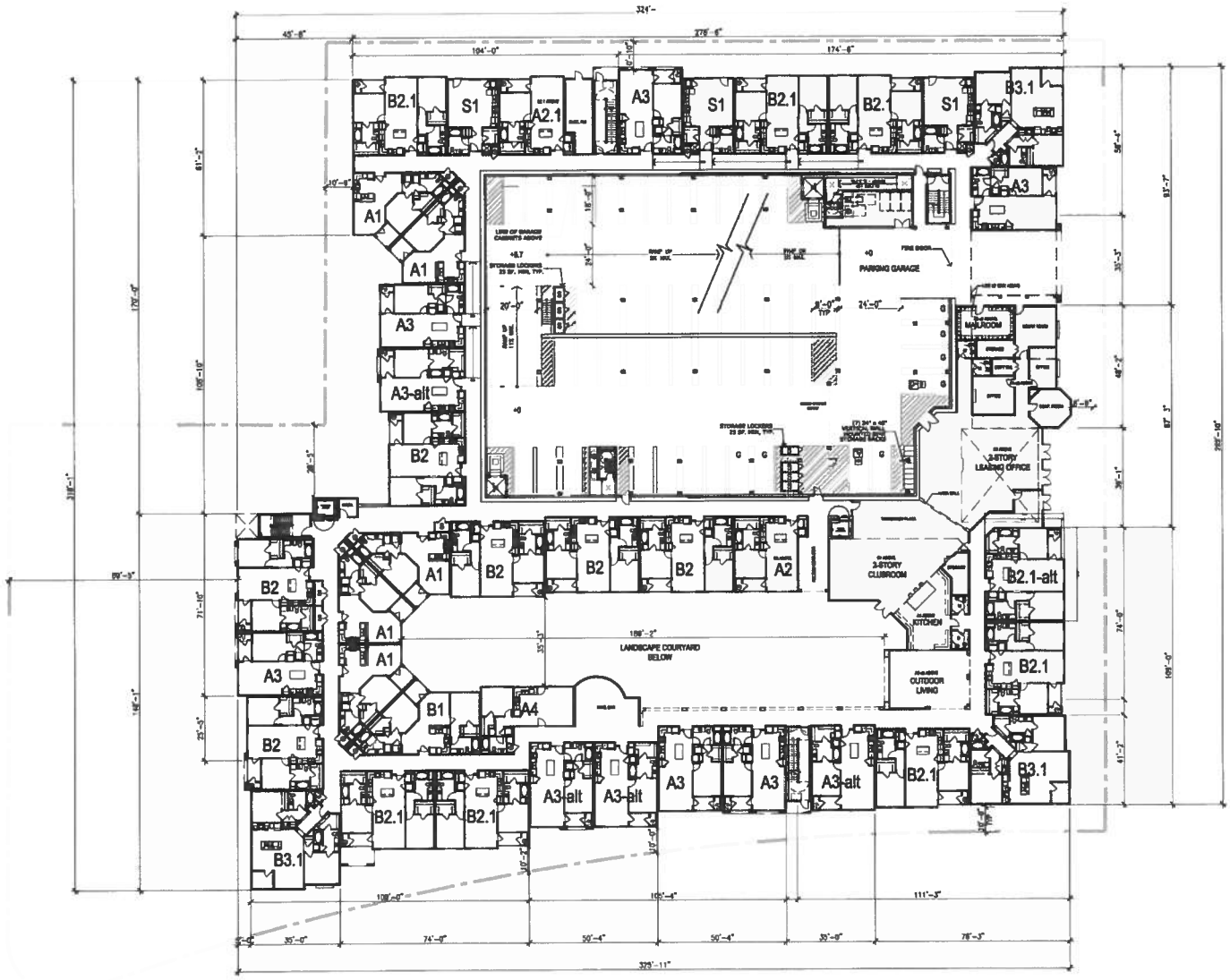
RENAISSANCE PHASE II CONCORD, CA

CONCEPTUAL SITE PLAN

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



PROPERTY LINE

0 20 40 60

1:20

A-2.1

11-329 12.13.2012

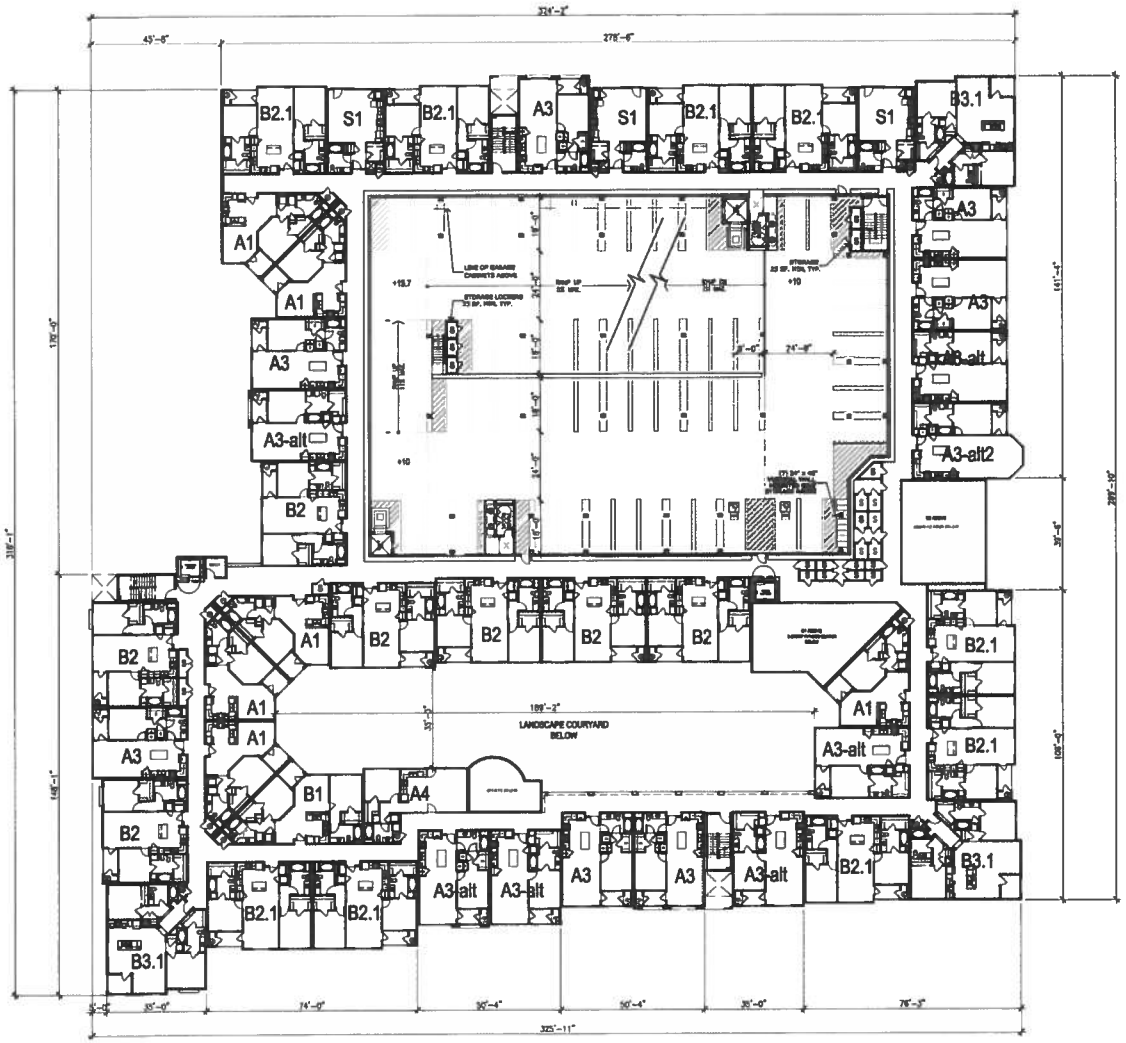
RENAISSANCE PHASE II CONCORD, CA

1ST LEVEL BUILDING PLAN

BEHRINGER HARVARD
15801 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



0 20 40 60

1:20

A-2.2

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

2ND LEVEL BUILDING PLAN

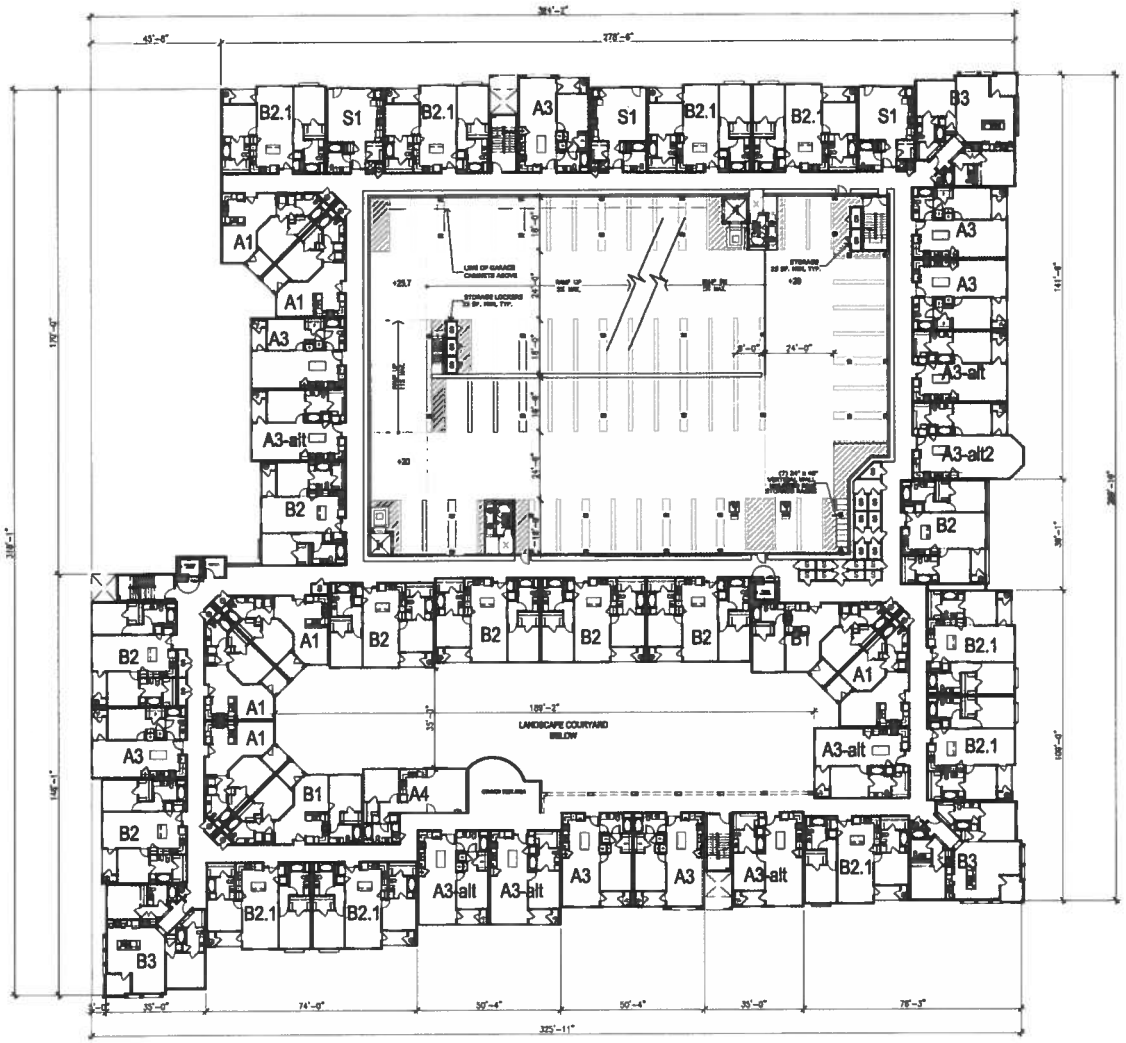
BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-0660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



0 20 40 60

1:20

A-2.3

11-329 12.13.2012

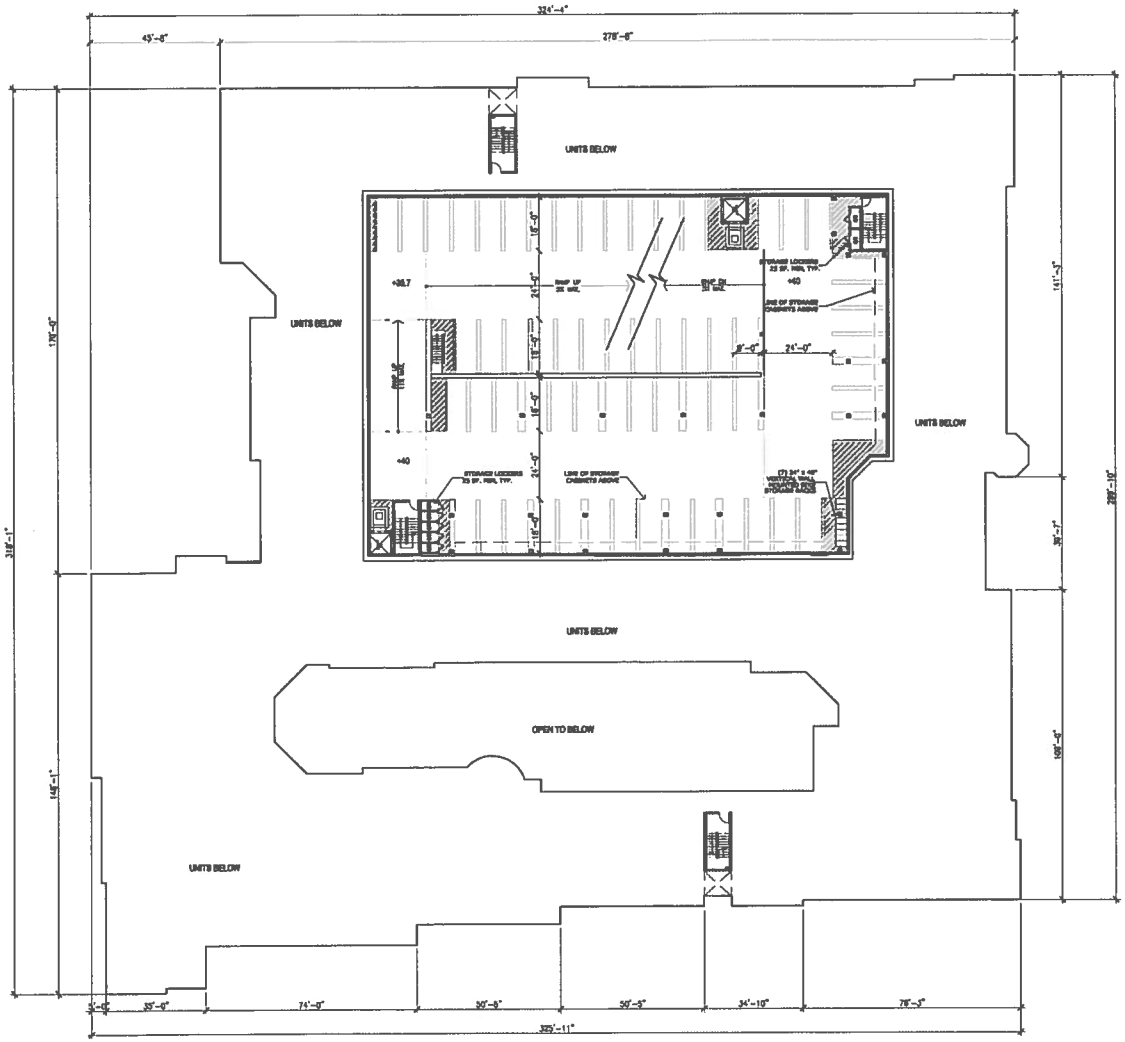
RENAISSANCE PHASE II CONCORD, CA

3RD & 4TH LEVEL BUILDING PLAN

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange



0 20 40 60

1:20

A-2.4

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

5TH LEVEL BUILDING PLAN

BEHRINGER HARVARD

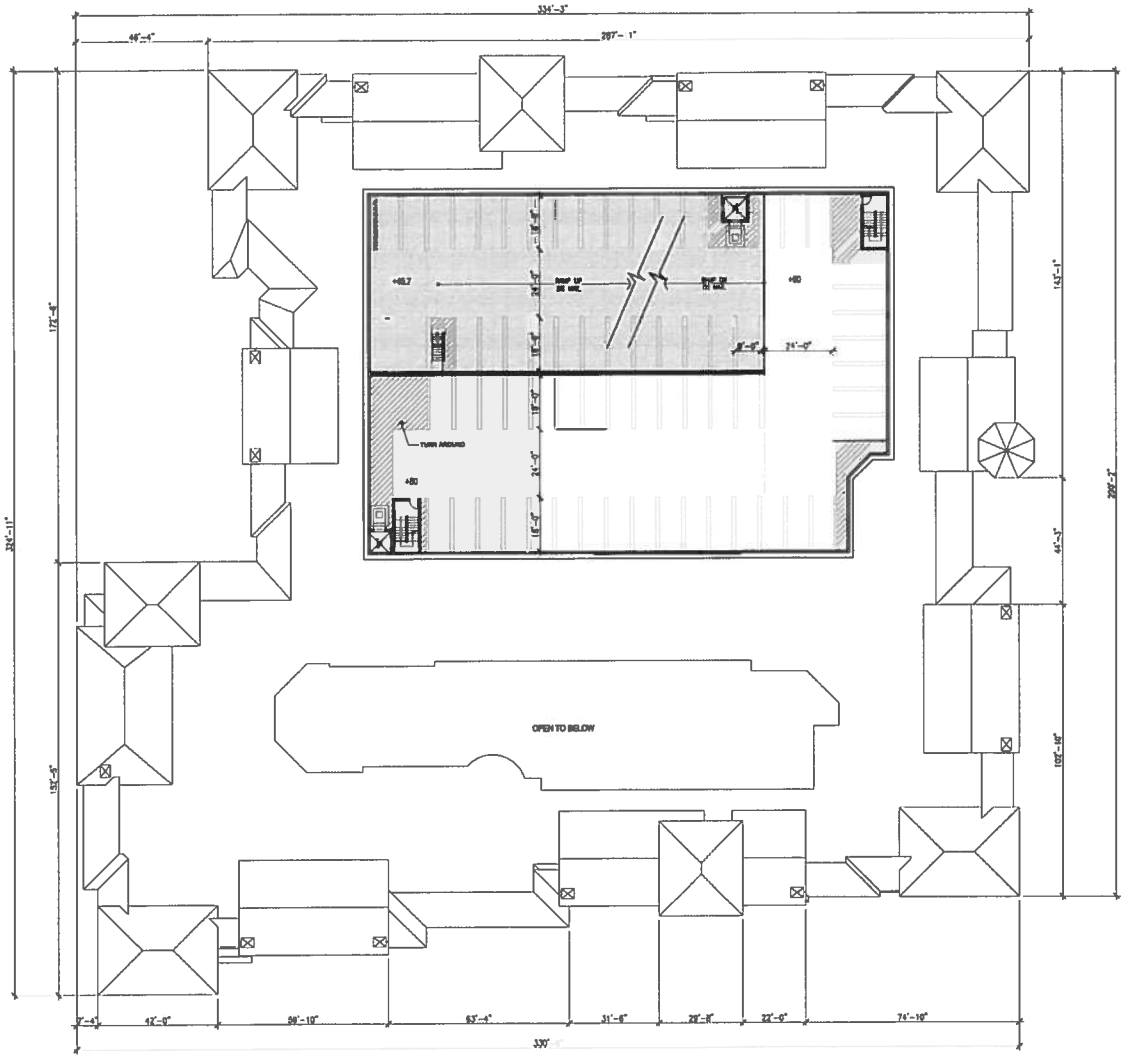
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange

These plans are copyright protected. Under no circumstances unauthorized use is not permitted. These plans shall not be reproduced in whole without written permission by Architects Orange.



0 20 40 60

1:20

A-2.5

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

6TH LEVEL BUILDING PLAN

BEHRINGER HARVARD

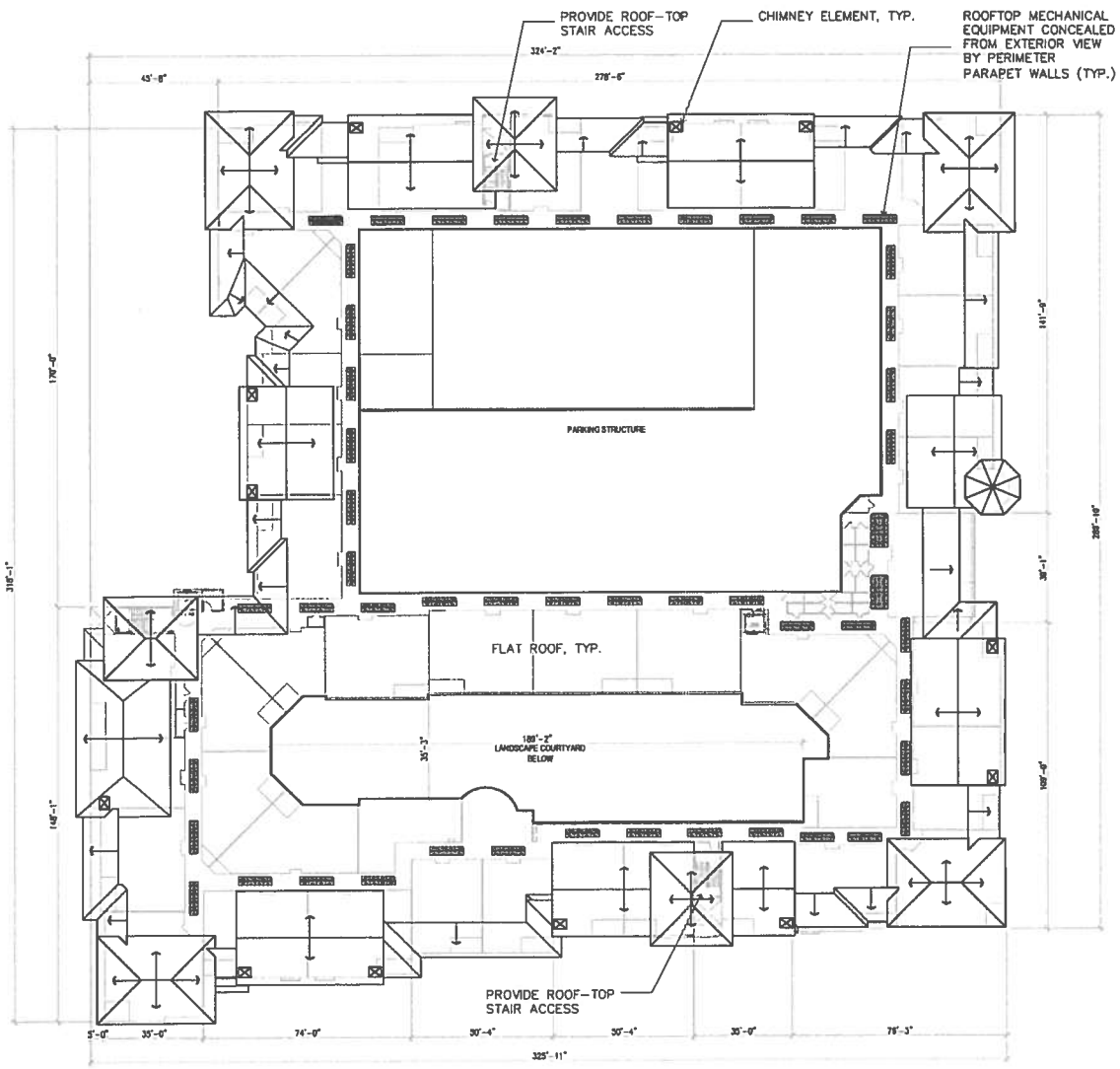
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange

These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



NOTE:
- ALL ROOF PITCHES TO BE 5:12 & SLOPE DIRECTION INDICATED BY ARROWS

-CONCRETE TILE ROOFS TO MATCH EXISTING PHASE 1 MATERIAL

-ALL MECHANICAL TO BE SCREENED FROM HORIZONTAL VIEW

-SEE DETAILS FOR EAVE DIMENSIONS

-MECHANICAL UNITS LOCATIONS ARE CONCEPTUAL AND WILL BE FINALIZED DURING THE BUILDINGPERMIT APPLICATION

0 20 40 60

1:20

ROOF PLAN

A-3

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

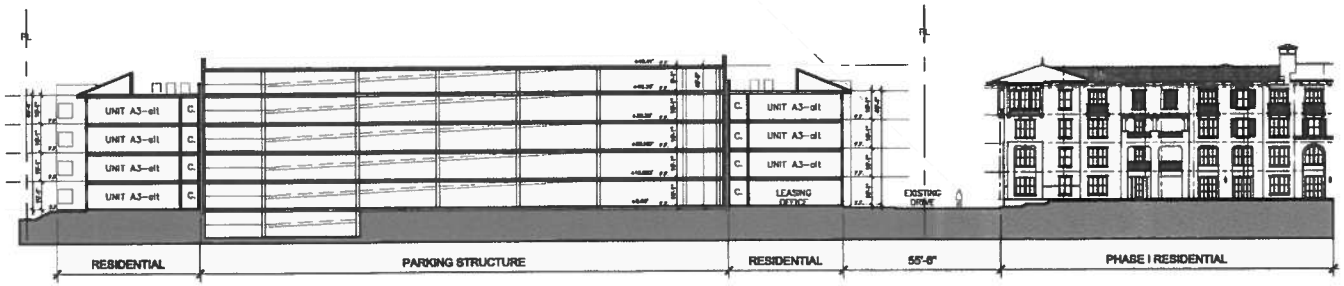
BEHRINGER HARVARD

16801 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 855-1600

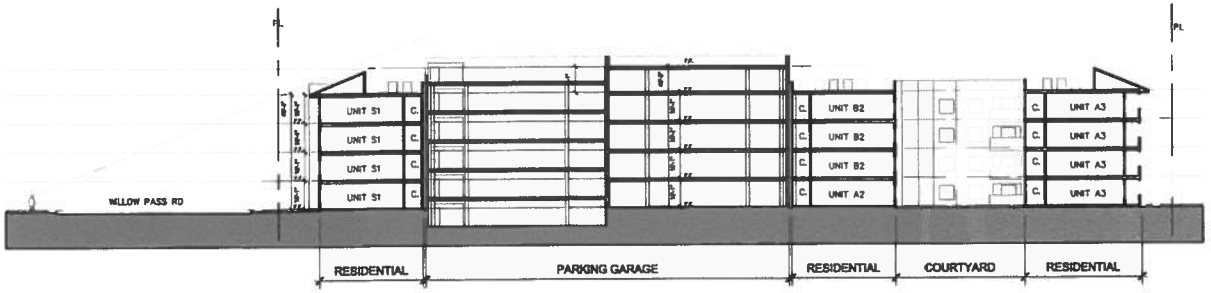
ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

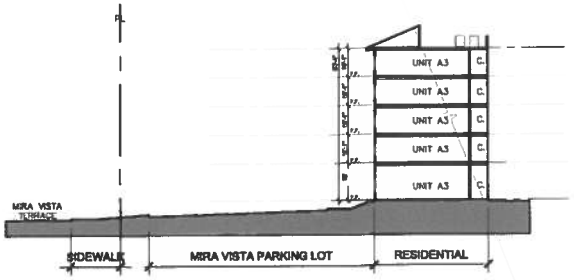
© 2012 Architects Orange
These plans are copyright protected. Under such protection, such plans are to not permitted. Such plans shall not be reproduced or used without written permission by Architects Orange.



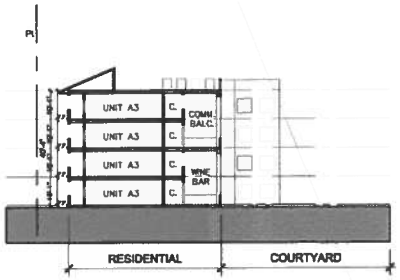
SECTION A-A



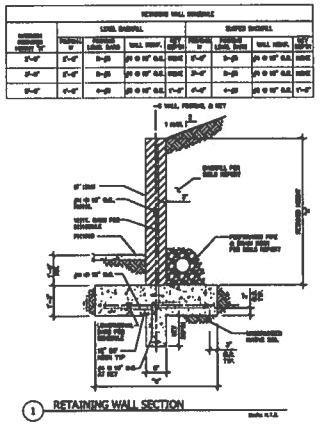
SECTION B-B



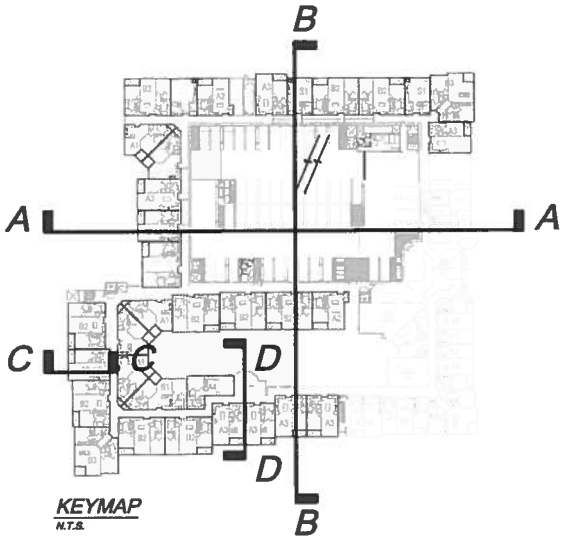
SECTION C-C



SECTION D-D



1 RETAINING WALL SECTION



KEYMAP
N.T.S.

0 20 40 60

1:20

BUILDING SECTIONS

A-4

11-329 11.16.2012

RENAISSANCE PHASE II CONCORD, CA

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 855-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange

MIRA VISTA TERRACE ELEVATION - WEST

CONCORD BLVD ELEVATION - SOUTH

MATERIAL LEGEND

DESCRIPTION

1. CONCRETE ROOF TILE
2. EXTERIOR PLASTER FINISH
2A. EXTERIOR PLASTER FINISH - SMOOTH
3. PLASTER TRIM
4. CANVAS AWNING W/ DECORATIVE METAL ROD
5. ~~METAL CANOPY W/ SUPPORT RODS~~
6. ~~DECORATIVE METAL GRILLE SYSTEM~~
7. STONE VENEER
8. EXT CEMENT PLASTER MOULDING (SIMULATED STONE FINISH)
9. WOOD TRIM
10. WOOD CORBEL
11. DECORATIVE METAL JULIET BALCONY
12. DECORATIVE WOOD JULIET BALCONY
13. ~~DECORATIVE METAL GUARDRAIL~~
14. WOOD POST
15. WOOD TRELLIS
16. ~~WALL SCONCE / FIXTURE~~
17. PRECAST TRIM
18. PRECAST CAP STONE
19. DECORATIVE CHIMNEY
20. DECORATIVE SHUTTER
21. METAL RAILING
22. OPERABLE WINDOW SYSTEM
23. FRENCH DOOR
24. DECORATIVE SECURITY GATE ENTRANCE
25. ~~DECORATIVE COLUMNS~~
26. 4" ACCENT BAND
27. NARROW STYLE ALUMINUM STOREFRONT DOOR
28. PAINTED PLASTER FINISH
29. CORNICE & TRIM

*NOTE: EXTERIOR BUILDING COLOR TO BE FIELD MATCHED TO PHASE I BUILDING COLOR

A-5.1

11-329 12.21.2012

0 16' 32' 64'

RENAISSANCE PHASE II CONCORD, CA

CONCEPTUAL COLORED ELEVATIONS

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

EAST ELEVATION

WILLOW PASS RD ELEVATION - NORTH

MATERIAL LEGEND

	DESCRIPTION
1.	CONCRETE ROOF TILE
2.	EXTERIOR PLASTER FINISH
2A.	EXTERIOR PLASTER FINISH SMOOTH
3.	PLASTER TRIM
4.	CANVAS AWNING W/ DECORATIVE METAL ROD
5.	METAL CANOPY W/ SUPPORT RODS
6.	DECORATIVE METAL GRILLE SYSTEM
7.	STONE VENEER
8.	EXT. CEMENT PLASTER MOULDING (SIMULATED STONE FINISH)
9.	WOOD TRIM
10.	WOOD CORBEL
11.	DECORATIVE METAL JULIET BALCONY
12.	DECORATIVE WOOD JULIET BALCONY
~~13.~~	~~DECORATIVE METAL GUARDRAIL~~
14.	WOOD POST
15.	WOOD TRELLIS
~~16.~~	~~WALL SCONCE FIXTURE~~
~~17.~~	~~PRECAST TRIM~~
~~18.~~	~~PRECAST CAP STONE~~
19.	DECORATIVE CHIMNEY
~~20.~~	~~DECORATIVE SHUTTER~~
21.	METAL RAILING
22.	OPERABLE WINDOW SYSTEM
23.	FRENCH DOOR
24.	DECORATIVE SECURITY GATE ENTRANCE
~~25.~~	~~DECORATIVE COLUMNS~~
~~26.~~	~~6" ACCENT BAND~~
27.	NARROW STYLE ALUMINUM STOREFRONT DOOR
28.	PAINTED PLASTER FINISH
29.	CORNICE & TRIM

*NOTE. EXTERIOR BUILDING COLOR TO BE FIELD MATCHED TO PHASE I BUILDING COLOR

0 16' 32' 64'

A-5.1.1

11-329 12.21.2012

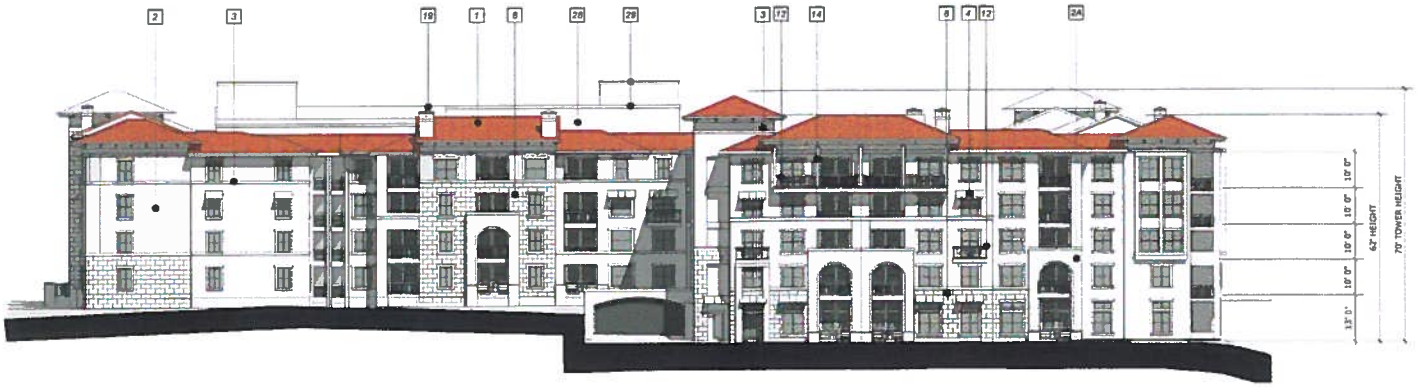
RENAISSANCE PHASE II CONCORD, CA

CONCEPTUAL COLORED ELEVATIONS

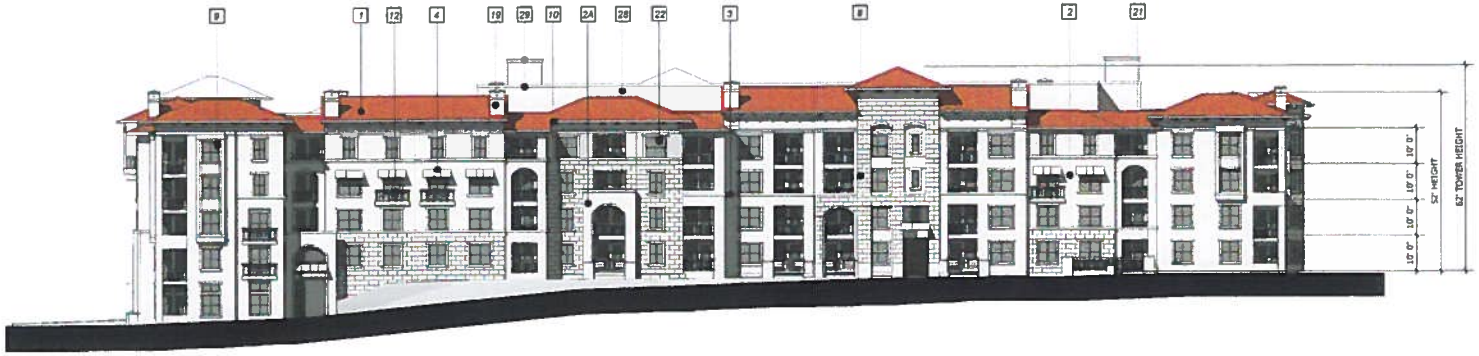
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange



MIRA VISTA TERRACE ELEVATION - WEST



CONCORD BLVD ELEVATION - SOUTH

MATERIAL LEGEND

DESCRIPTION

1. CONCRETE ROOF TILE
2. EXTERIOR PLASTER FINISH
2A. EXTERIOR PLASTER FINISH - SMOOTH
3. PLASTER TRIM
4. CANVAS AWNING W/ DECORATIVE METAL ROD
5. METAL CANOPY W/ SUPPORT RODS
6. DECORATIVE METAL GRILLE SYSTEM
7. STONE VENEER
8. EXT. CEMENT PLASTER MOULDING (SIMULATED STONE FINISH)
9. WOOD TRIM
10. WOOD CORBEL
11. DECORATIVE METAL JULIET BALCONY
12. DECORATIVE WOOD JULIET BALCONY
13. DECORATIVE METAL GUARDRAIL
14. WOOD POST
15. WOOD TRELLIS
16. WALL SCONCE / FIXTURE
17. PRECAST TRIM
18. PRECAST CAP STONE
19. DECORATIVE CHIMNEY
20. DECORATIVE SHUTTER
21. METAL RAILING
22. OPERABLE WINDOW SYSTEM
23. FRENCH DOOR
24. DECORATIVE SECURITY GATE ENTRANCE
25. DECORATIVE COLUMNS
26. 4" ACCENT BAND
27. NARROW STYLE ALUMINUM STOREFRONT DOOR
28. PAINTED PLASTER FINISH
29. CORNICE & TRIM

0 16' 32' 64'

A-5.2

11-329 12.21.2012

RENAISSANCE PHASE II CONCORD, CA

CONCEPTUAL EXTERIOR ELEVATIONS

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Under such protection, unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.

EAST ELEVATION

WILLOW PASS RD ELEVATION - NORTH

MATERIAL LEGEND

DESCRIPTION

1. CONCRETE ROOF TILE
2. EXTERIOR PLASTER FINISH
2A. EXTERIOR PLASTER FINISH - SMOOTH
3. PLASTER TRIM
4. CANVAS AWNING W/ DECORATIVE METAL ROD
5. METAL CANOPY W/ SUPPORT RODS
6. DECORATIVE METAL GRILLE SYSTEM
7. STONE VENEER
8. EXT. CEMENT PLASTER MOULDING (SIMULATED STONE FINISH)
9. WOOD TRIM
10. WOOD CORBEL
11. DECORATIVE METAL JULIET BALCONY
12. DECORATIVE WOOD JULIET BALCONY
13. ~~DECORATIVE METAL GUARDRAIL~~
14. WOOD POST
15. WOOD TRELLIS
16. ~~WALL SCONCE / FIXTURE~~
17. PRECAST TRIM
18. PRECAST CAP STONE
19. DECORATIVE CHIMNEY
20. DECORATIVE SHUTTER
21. METAL RAILING
22. OPERABLE WINDOW SYSTEM
23. FRENCH DOOR
24. DECORATIVE SECURITY GATE ENTRANCE
25. DECORATIVE COLUMNS
26. 4" ACCENT BAND
27. NARROW STYLE ALUMINUM STOREFRONT DOOR
28. PAINTED PLASTER FINISH
29. CORNICE & TRIM

A-5.3

11-329 12.21.2012

0 16' 32' 64'

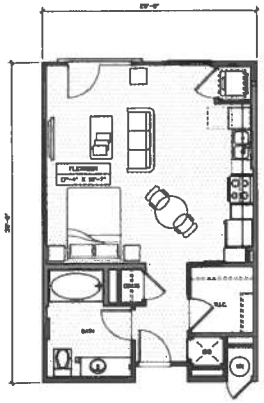
RENAISSANCE PHASE II CONCORD, CA

CONCEPTUAL EXTERIOR ELEVATIONS

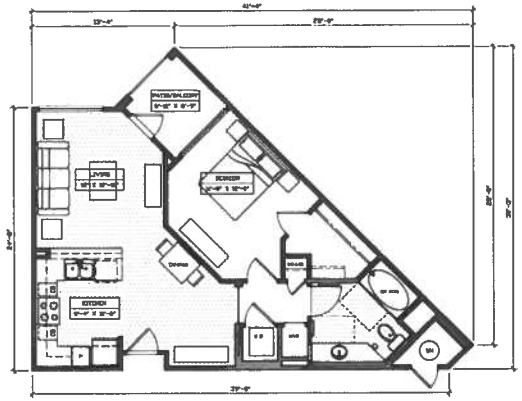
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

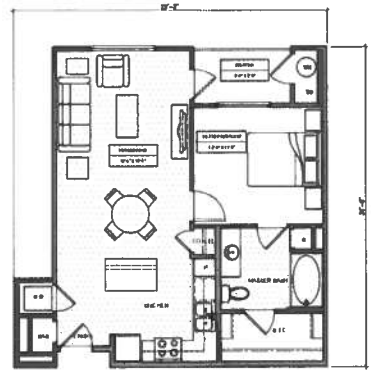
© 2012 Architects Orange



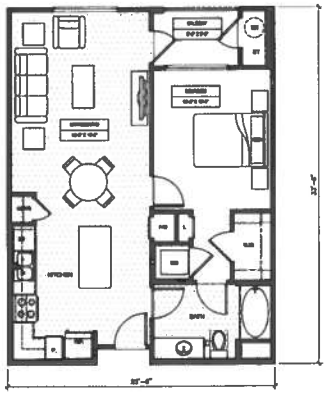
[illegible]
[illegible]
[illegible] AREA [illegible] SQ. [illegible]



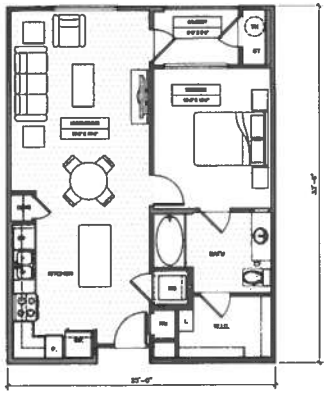
[illegible]
[illegible] BEDROOM [illegible]
[illegible] AREA [illegible] SQ. [illegible]
PA[illegible] A[illegible] CON[illegible] SQ. [illegible]



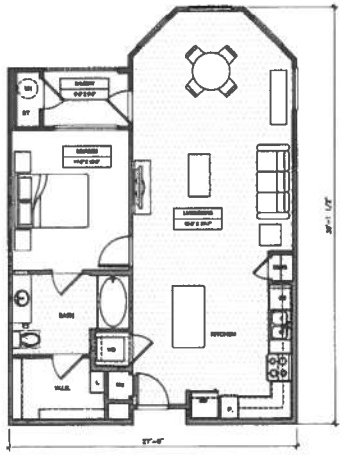
[illegible]
[illegible] AREA [illegible] SQ. [illegible]
PA[illegible] A[illegible] CON[illegible] SQ. [illegible]



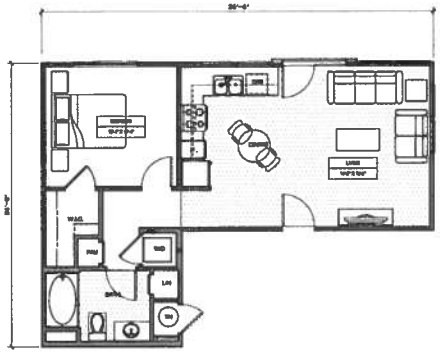
UNIT A3
1 BEDROOM - 1 BATH
LIVABLE AREA: 768 SQ. FT.
PATIO/BALCONY: 40 SQ. FT.



UNIT A3-alt
1 BEDROOM - 1 BATH
LIVABLE AREA: 768 SQ. FT.
PATIO/BALCONY: 40 SQ. FT.



UNIT A3-alt2
1 BEDROOM - 1 BATH
LIVABLE AREA: 901 SQ. FT.
PATIO/BALCONY: 40 SQ. FT.



UNIT A-4
1 BEDROOM - 1 BATH
LIVABLE AREA: 720 SQ. FT.

A-6.1

11-329 11.16.2012

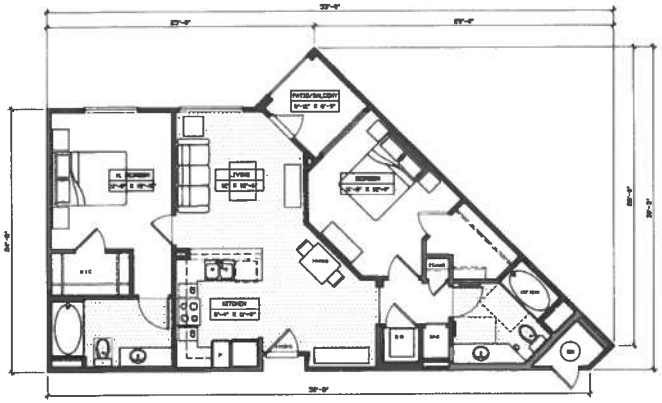
RENAISSANCE PHASE II CONCORD, CA

UNIT PLANS
SCALE 3/16" = 1'-0"

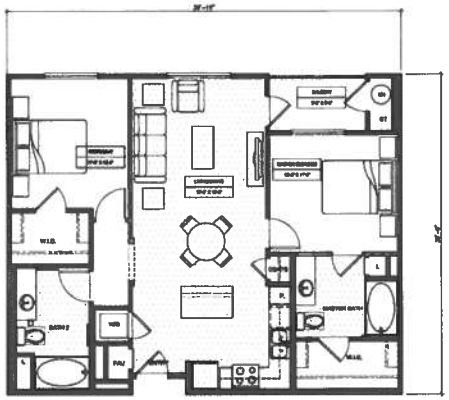
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

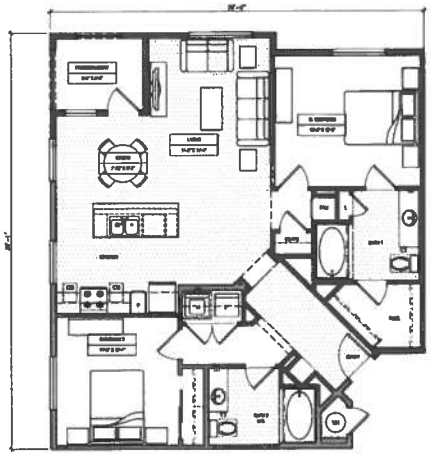
© 2012 Architects Orange
These plans are copyright protected. Under such protection, unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.



UNIT B1
2 BEDROOM - 2 BATH
LIVABLE AREA: 1024 SQ. FT.
PATIO/BALCONY: 47 SQ. FT.



UNIT B2: 2BR / 2BA
LIVABLE AREA: 1032 SQ. FT.
PATIO/BALCONY: 45 SQ. FT.



UNIT [illegible]
[illegible]BEDROOM [illegible]BATH
[illegible]A[illegible]E AREA[illegible] SQ. [illegible]
PA[illegible]IO/BALCON[illegible] SQ. [illegible]

A-6.2

11-329 11.16.2012

RENAISSANCE PHASE II CONCORD, CA

UNIT PLANS
SCALE 3/16" = 1'-0"

BEHRINGER HARVARD

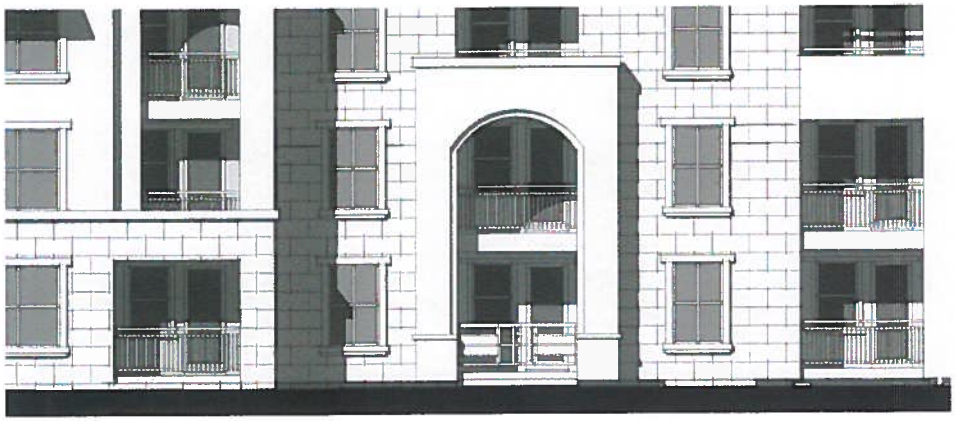
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange.

LEASING OFFICE ELEVATION - EAST



CONCORD BLVD FRONTAGE

CONCORD BLVD TOWER ENTRY

A-7.0

11-329 11.16.2012

RENAISSANCE PHASE II CONCORD, CA

ENLARGED EXTERIOR DETAILS

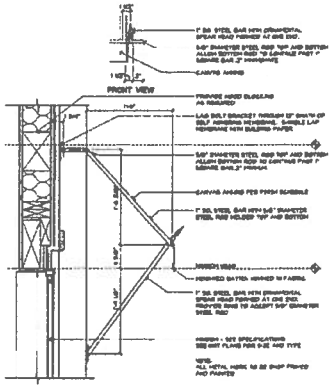
BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

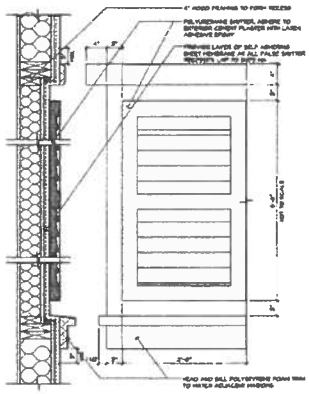
ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

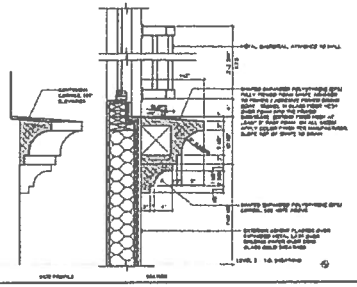
© 2012 Architects Orange



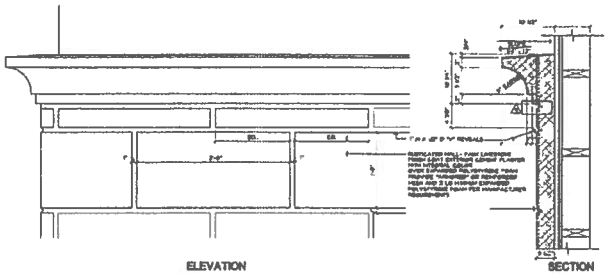
TYPICAL AWNING DETAIL



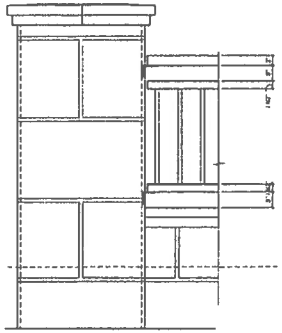
TYPICAL SHUTTER DETAIL



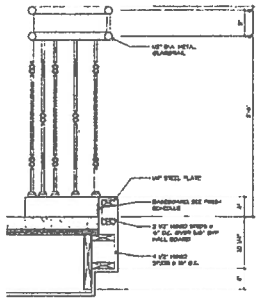
TYPICAL TRIM DETAIL



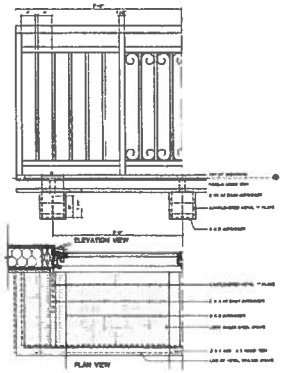
TYPICAL RUSTICATED WALL DETAIL



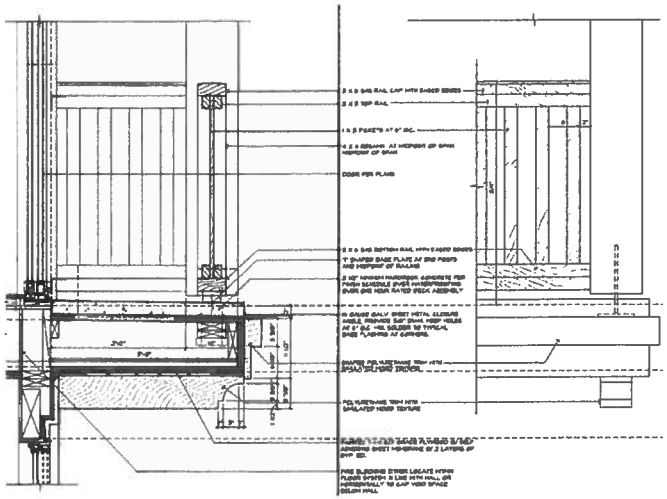
TYPICAL RAILING W/PILLAR DETAIL



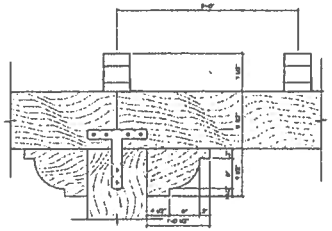
TYPICAL RAILING DETAIL

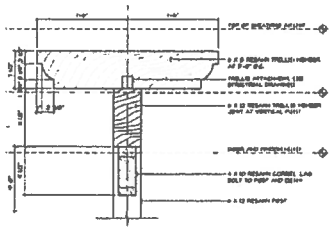


TYP. JULIETTE BAL. DETAIL



TYPICAL WOOD RAILING BALCONY DETAIL





TYPICAL TRELLIS DETAIL

A-7.1

11-329 11.16.2012

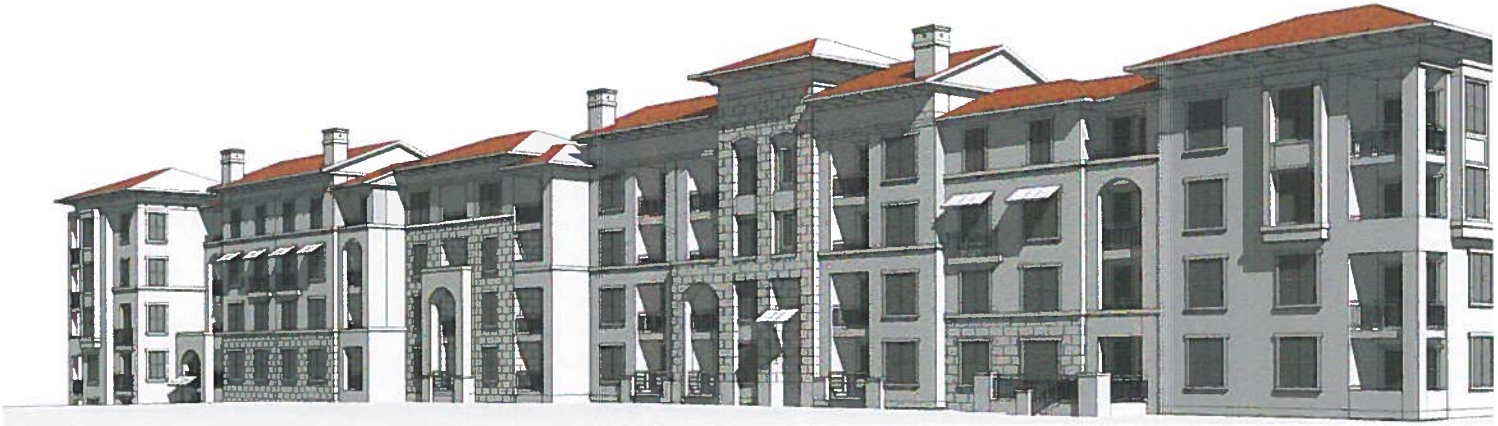
RENAISSANCE PHASE II CONCORD, CA

CONCEPT ARCHITECTURAL DETAILS

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange



CONCORD BLVD- NORTHWEST VIEW

ENTRY DRIVE - NORTHWEST VIEW

A-7.2

11-329 12.21 2012

RENAISSANCE PHASE II CONCORD, CA

MASSING STUDIES

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

CONCORD BLVD- NORTHEAST VIEW

CONCORD BLVD- NORTHWEST VIEW

MIRA VISTA TERRACE- NORTHEAST VIEW

WILLOW PASS ROAD- SOUTHWEST VIEW

A-7.3

11-329 12.21.2012

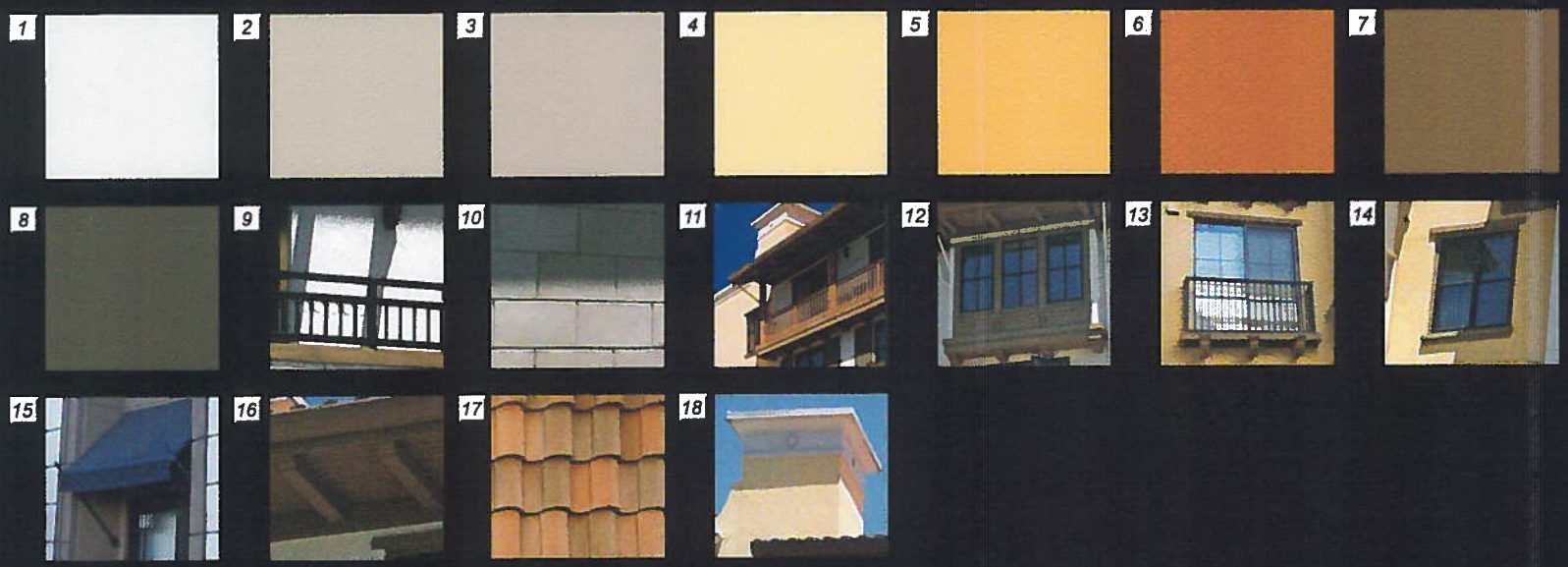
RENAISSANCE PHASE II CONCORD, CA

MASSING STUDIES

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 855-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange



MATERIAL AND COLOR LEGEND

*PRIMARY WILL BE SHERWIN WILLIAMS AND DUNN EDWARDS

1. EXTERIOR PLASTER FINISH / EXTRA WHITE (SW 7006)
2. SIMULATED STONE FINISH / ACCESSABLE BEIGE (SW 7036)
3. EXTERIOR PLASTER FINISH / BALANCED BEIGE (SW 7037)
4. EXTERIOR PLASTER FINISH / CLASSICAL YELLOW (SW 7865)
5. YARROW (SW 6699)
6. COPPER MOUNTAIN (SW 6350)
7. UMBER (SW 6149)
8. METAL RAILINGS / THUNDER GRAY (SW 7645)
9. METAL RAILINGS
10. SIMULATED STONE FINISH
11. WOOD BALCONY
12. BAY WINDOW WITH WOOD TRIM
13. DECORATIVE WOOD JULIET BALCONY
14. WINDOW
15. CANVAS AWNING WITH DECORATIVE METAL RODS
16. WOOD CORBEL
17. CONCRETE ROOF TILE (TO MATCH PHASE I)
18. DECORATIVE CHIMNEY

A-7.4

11-329 12.21.2012

RENAISSANCE PHASE II CONCORD, CA

COLOR AND MATERIALS NOTE: EXTERIOR BUILDING COLORS TO BE FIELD MATCHED TO PHASE I COLORS

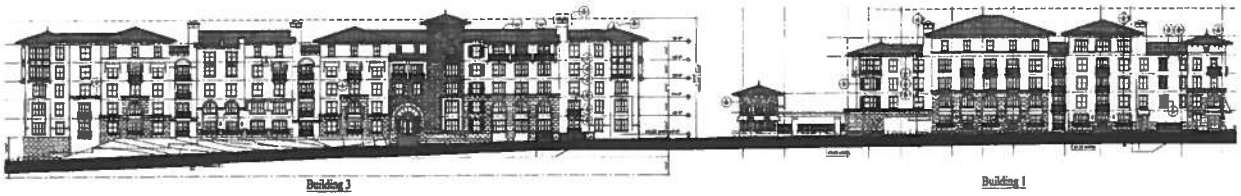
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9900

© 2012 Architects Orange

PREVIOUSLY APPROVED PHASE II

PHASE I

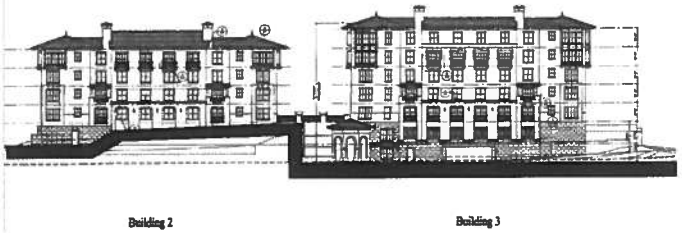


CONCORD BOULEVARD

PREVIOUSLY APPROVED PHASE II

PRIVATE DRIVE

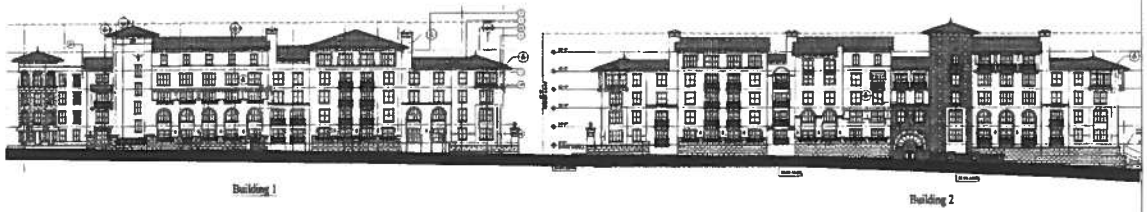
PREVIOUSLY APPROVED PHASE II



MIRA VISTA TERRACE

PHASE I

PREVIOUSLY APPROVED PHASE II



WILLOW PASS ROAD

A-8.0

11-329 11.30.2012

RENAISSANCE PHASE II CONCORD, CA

PHASE 1 ELEVATIONS REFERENCE

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange

PROPOSED PHASE II

PHASE I

CONCORD BOULEVARD

PROPOSED PHASE II

PRIVATE DRIVE

PROPOSED PHASE II

MIRA VISTA TERRACE

PHASE I

PROPOSED PHASE II

WILLOW PASS ROAD

A-8.1

11-329 12.21.2012

RENAISSANCE PHASE II CONCORD, CA

COMPARISON WITH PROPOSED PHASE 2

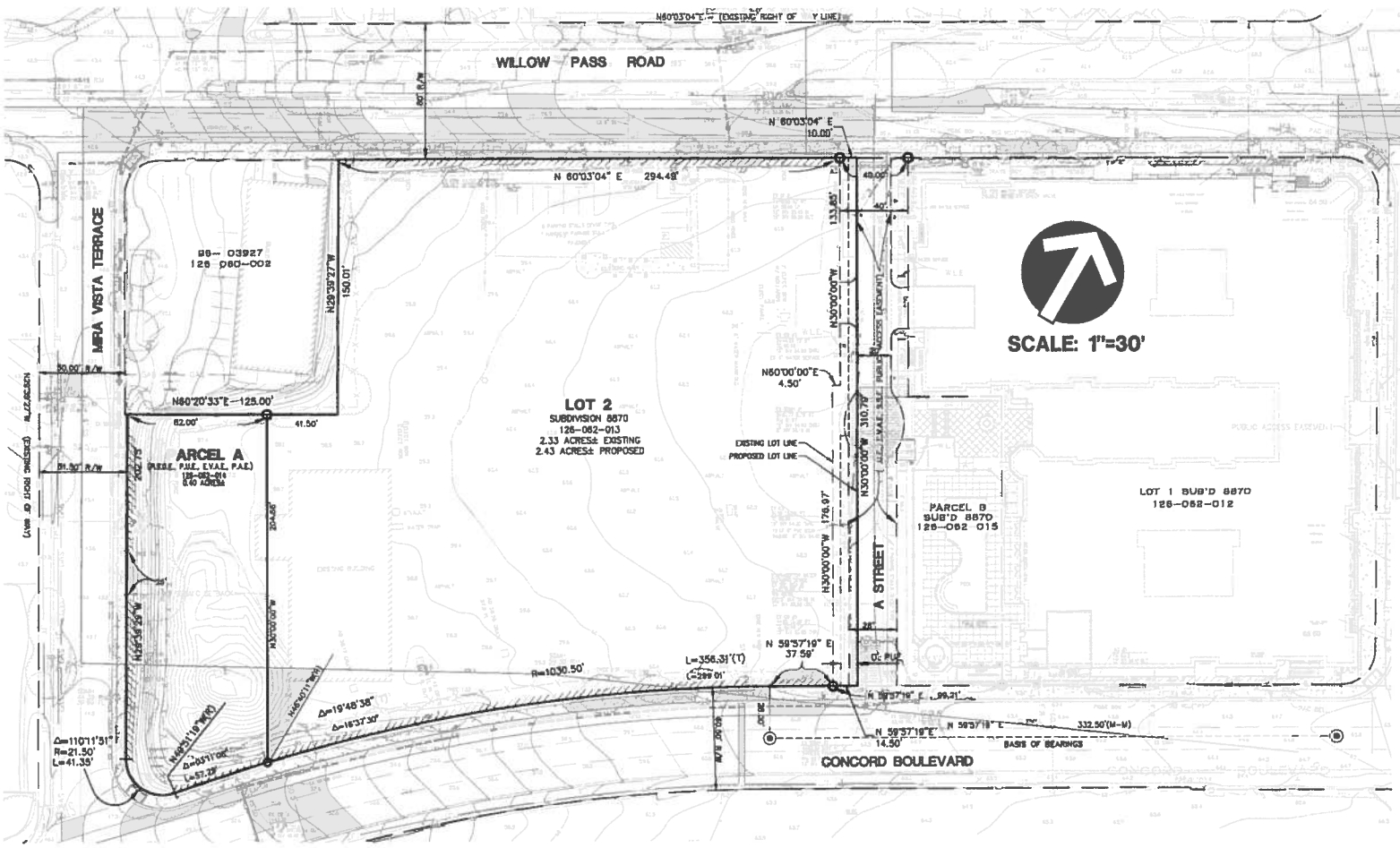
BEHRINGER HARVARD

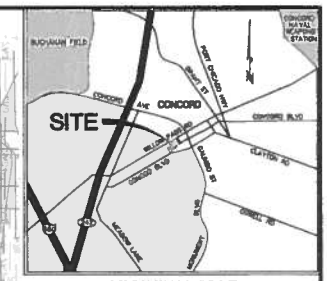
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange





VICINITY MAP

NOT TO SCALE

ABBREVIATIONS

AD	AREA DRAIN
BW	BOTTOM OF WALL
CCWD	CONTRA COSTA WATER DISTRICT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FC	FACE OF CURB
FG	FINISH GRADE
FH	FIRE HYDRANT
INV	INVERT
MAX	MAXIMUM
PAE	PUBLIC ACCESS EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
POC	POINT OF CONNECTION
PUE	PUBLIC UTILITY EASEMENT
RET	RETAINING
R/W	RIGHT-OF-WAY
SSCO	SANITARY SEWER CLEANOUT
TW	TOP OF WALL

LEGEND

DESCRIPTION	EXISTING
BOUNDARY / RIGHT OF WAY	
EXISTING PROPERTY LINE	
MONUMENT LINE	
RELINQUISHMENT OF ABUTTER'S RIGHTS	
SPOT ELEVATION	
BUILDING	
EASEMENT	
MANHOLE	
CONTOUR – MAJOR	
CONTOUR – MINOR	
WATER LINE	
WATER VALVE	
WATER METER	
FIRE HYDRANT	
SEWER	
STORM DRAIN	
FIELD INLET	
AREA DRAIN	
CURB AND GUTTER	
CONCRETE CURB	
RETAINING WALL	
SIDEWALK	

(R)	RADIAL
(T)	TOTAL
S.S.E.	SANITARY SEWER EASEMENT
P.U.E.	PUBLIC UTILITIES EASEMENT
E.V.A.E.	EMERGENCY VEHICLE ACCESS EASEMENT
P.A.E.	PRIVATE ACCESS EASEMENT
P.S.D.E.	PRIVATE STORM DRAIN EASEMENT
(M-M)	MONUMENT TO MONUMENT
	FOUND STANDARD STREET MONUMENT LS 4310
	SET 5/8" REBAR & CAP-LS 6333

NOTES:

LEGAL DESCRIPTION: LOT 1 AND PARCEL A\B AS SHOWN ON THE FINAL MAP ENTITLED "RENAISSANCE SQUARE" SUBDIVISION 8870 FILED IN BOOK 463 OF MAPS AT PAGE 32-34 CONTRA COSTA CO. RECORDS.

ASSESSOR PARCELS NUMBERS: 126-062-013 AND 126-062-014

EXISTING ZONING: CONDOMINIUM

UTILITIES:

PROPOSED WATER SUPPLY:	C.C.W.D.
PROPOSED SEWER SUPPLY:	CITY OF CONCORD
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	SBC
CABLE:	COMCAST CABLE

FLOOD ZONE: SAID PARCEL OF LAND IS DESIGNATED AS ZONE "X" AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY-PANEL 281 OF 602 MAP NO. 06013C0281F REVISED JUNE 16, 2009

CONTOUR INTERVAL: 1 FOOT

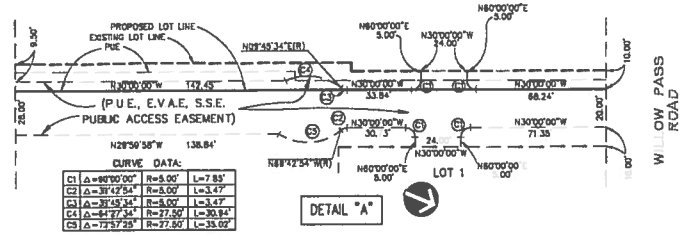
GROSS LOT AREA: 118,787 SF

NET AREA: 101,916 SF

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.



CURVE DATA:

C1	Δ=90°00'00"	R=5.00'	L=7.85'
C2	Δ=39°42'54"	R=5.00'	L=3.47'
C3	Δ=39°45'34"	R=5.00'	L=3.47'
C4	Δ=64°27'34"	R=27.50'	L=30.94'
C5	Δ=72°57'25"	R=27.50'	L=35.02'

BASIS OF BEARINGS:

TAKEN AS: N 59°57'19" E BETWEEN FOUND STANDARD STREET MONUMENTS IN CONCORD BOULEVARD, AS SHOWN ON PARCEL MAP MS 401-98, FILED IN BOOK 177 OF PARCEL MAPS AT PAGE 15, CONTRA COSTA COUNTY RECORDS. BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE III. DISTANCES SHOWN ARE GROUND. TO OBTAIN GRID, MULTIPLY BY: 0.999963787

BENCHMARK:

CITY OF CONCORD BM 301R H-14, BEING A CUT X IN TRAFFIC SIGNAL BOLT AT THE SE CORNER OF THE INTERSECTION OF WILLOW PASS ROAD AND SUTTER STREET MARKED "V.C. 301R".
ELEVATION = 38.73

DATE 12-13-12	NO.	BY	DATE	REVISION	dk APPROV.	AGENCY APPROV.
SCALE: HORIZ 1"=30' VERT. NONE						
DESIGNED DBR						
DRAWN DBR						
PROJ. ENGR. ADP						
C1 EXISTING						

REGISTERED PROFESSIONAL ENGINEER ANDREW D. PALMER No. C 43704 CIVIL STATE OF CALIFORNIA

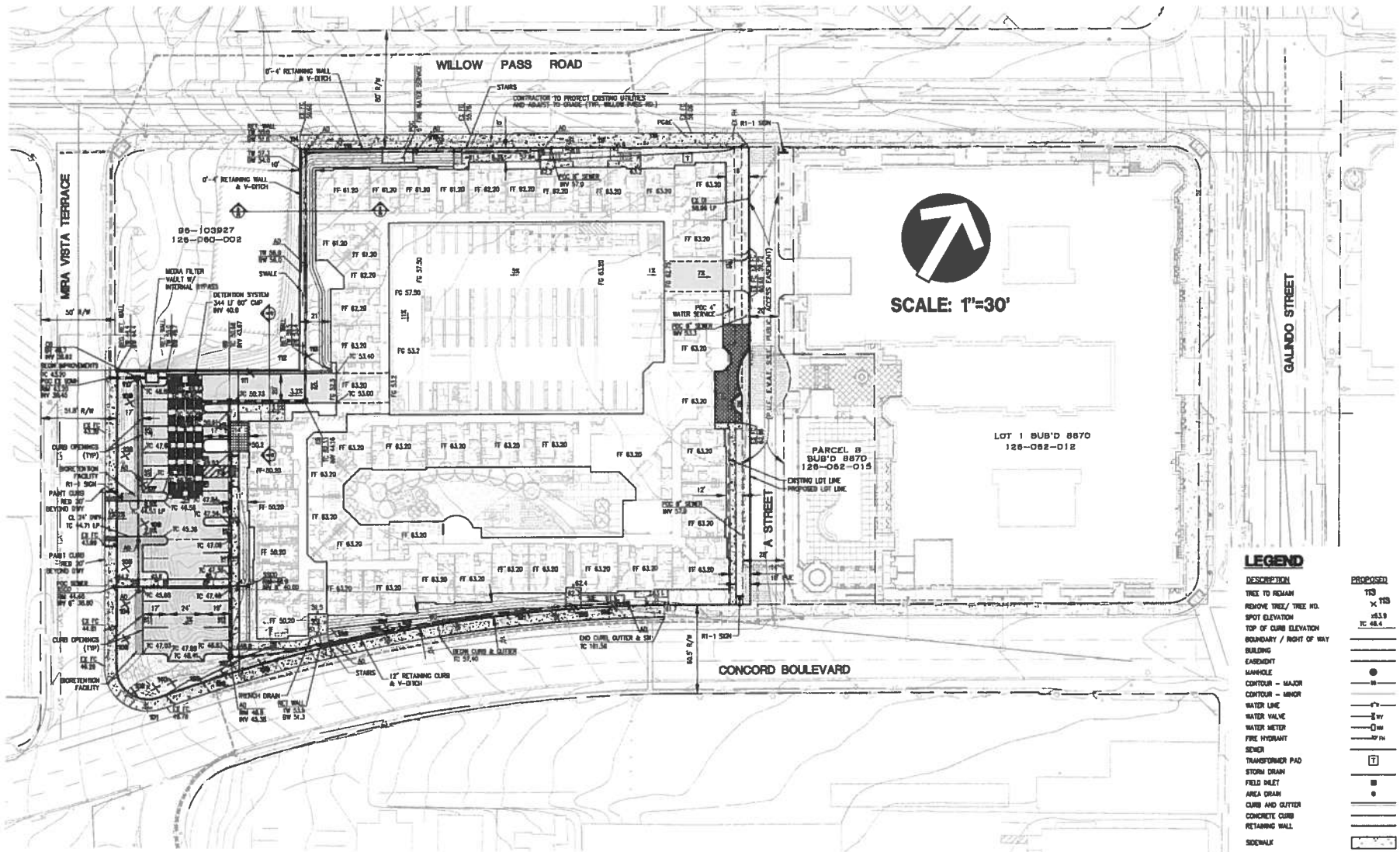
EXP DATE 3-31-13

dk CONSULTING
PLANNING · ENGINEERING · CONSTRUCTION
1440 Marsh Lane, Suite 200, Walnut Creek, California 94596 · (925) 933-8888 Tel. · (925) 933-8816 Fax

RENAISSANCE PHASE II
BEHRINGER HARVARD
CITY OF CONCORD CALIFORNIA

EXISTING BOUNDARY AND TOPOGRAPHY

SHEET C1
1 OF 3
DK JOB NO. 11-1039-20



LEGEND

DESCRIPTION	PROPOSED	EXISTING
TREE TO REMAIN	113	
REMOVE TREE/ TREE NO.	× 113	
SPOT ELEVATION	x63.9	
TOP OF CURB ELEVATION	TC 48.4	
BOUNDARY / RIGHT OF WAY		
BUILDING		
EASEMENT		
MANHOLE		
CONTOUR - MAJOR		
CONTOUR - MINOR		
WATER LINE		
WATER VALVE		
WATER METER		
FIRE HYDRANT		
SEWER		
TRANSFORMER PAD	T	
STORM DRAIN		
FIELD INLET		
AREA DRAIN		
CURB AND GUTTER		
CONCRETE CURB		
RETAINING WALL		
SIDEWALK		
PAVEMENT		
BIORETENTION FACILITY		

NOTE: TREE IDENTIFICATION BASED ON ARBORIST REPORT PREPARED BY HORTSCIENCE DATED JANUARY, 2004

PRELIMINARY EARTHWORK SUMMARY

CUT: 13,900 CY
FILL: 2,900 CY
NET: 11,000 CY CUT

DATE 12-13-12	NO.	BY	DATE	REVISION	⚠ APPROV.	AGENCY APPROV.
SCALE: HORIZ. 1"=30' VERT. NONE						
DESIGNED DBR						
DRAWN DBR						
PROJ. ENGR. ADP						
C2 PRELIM.DWG						

REGISTERED PROFESSIONAL ENGINEER ANDREW D. PAUTY No. C 43704 DATE CIVIL STATE OF CALIFORNIA

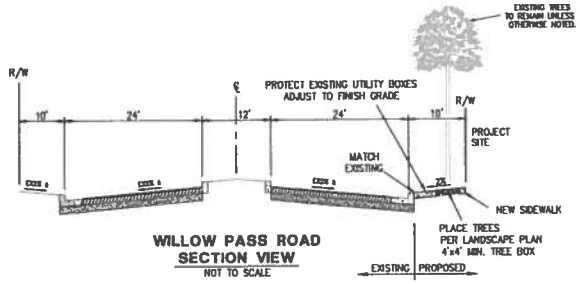
EXP. DATE 3-31-13

CONSULTING
PLANNING · ENGINEERING · CONSTRUCTION
1440 Maria Lane, Suite 200, Walnut Creek, California 94596 · (925) 933-6900 Tel. · (925) 933-0910 Fax

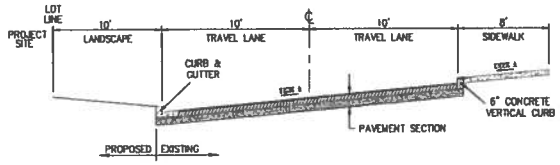
RENAISSANCE PHASE II
BEHRINGER HARVARD
CITY OF CONCORD CALIFORNIA

PRELIMINARY GRADING, DRAINAGE AND UTILITIES PLAN

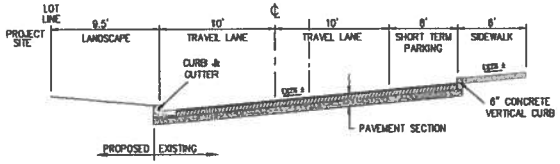
SHEET C2
2 OF 3
DK JOB NO. 11-1039-20



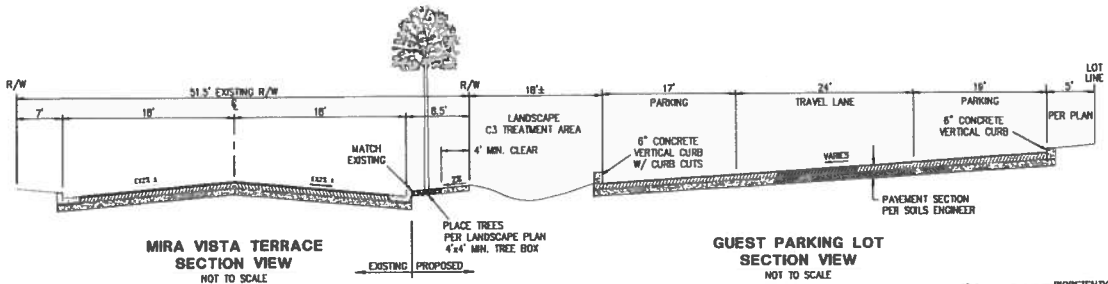
WILLOW PASS ROAD
SECTION VIEW
NOT TO SCALE



'A' STREET- NORTH OF BULB
SECTION VIEW
NOT TO SCALE

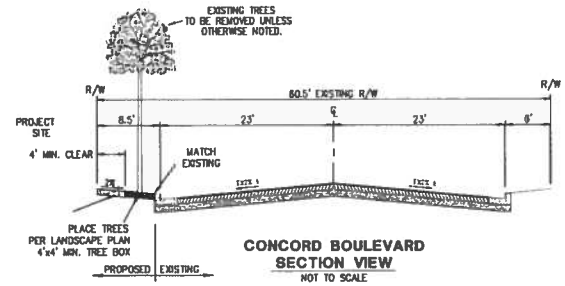


'A' STREET - SOUTH OF BULB
SECTION VIEW
NOT TO SCALE

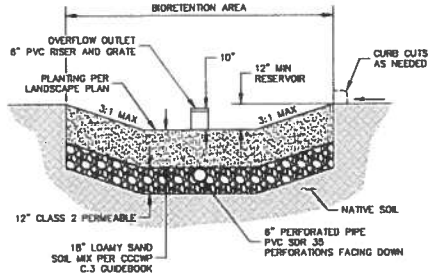


MIRA VISTA TERRACE
SECTION VIEW
NOT TO SCALE

GUEST PARKING LOT
SECTION VIEW
NOT TO SCALE

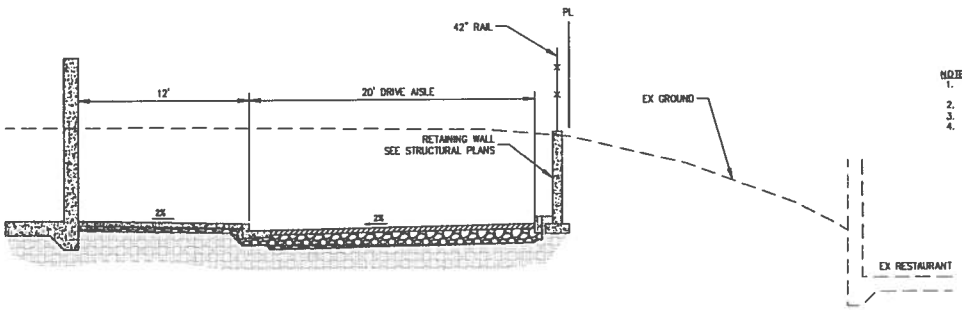


CONCORD BOULEVARD
SECTION VIEW
NOT TO SCALE

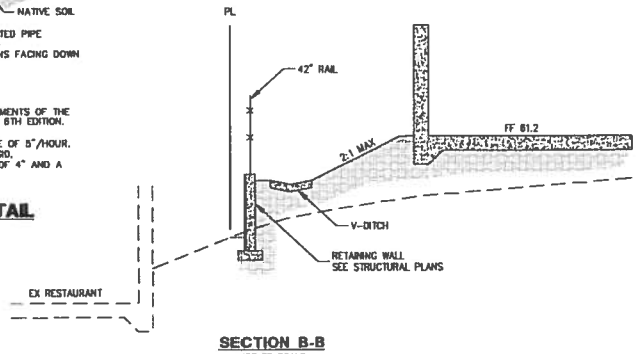


NOTES:
1. BIORETENTION FACILITY SHALL CONFORM TO THE REQUIREMENTS OF THE CONTRA COSTA CLEAN WATER PROGRAM C.3 GUIDEBOOK, 6TH EDITION.
2. NO FILTER FABRIC OR LINERS SHALL BE USED.
3. LOAMY SAND SHALL HAVE A MINIMUM PERCOLATION RATE OF 5"/HOUR.
4. UNDERDRAIN SHALL HAVE CLEANOUTS CONSISTING OF RIGID, NON-PERFORATED PVC PIPE WITH A MINIMUM DIAMETER OF 4" AND A WATERTIGHT CAP.

BIORETENTION FACILITY DETAIL
NOT TO SCALE



SECTION A-A
NOT TO SCALE



SECTION B-B
NOT TO SCALE

DATE 12-13-12	NO.	BY	DATE	REVISION	dk APPROV.	AGENCY APPROV.
SCALE: HORIZ. 1"=30' VERT. NONE						
DESIGNED DBR						
DRAWN DBR						
PROJ. ENGR. ADP						
C3 SECTIONS.DWG						

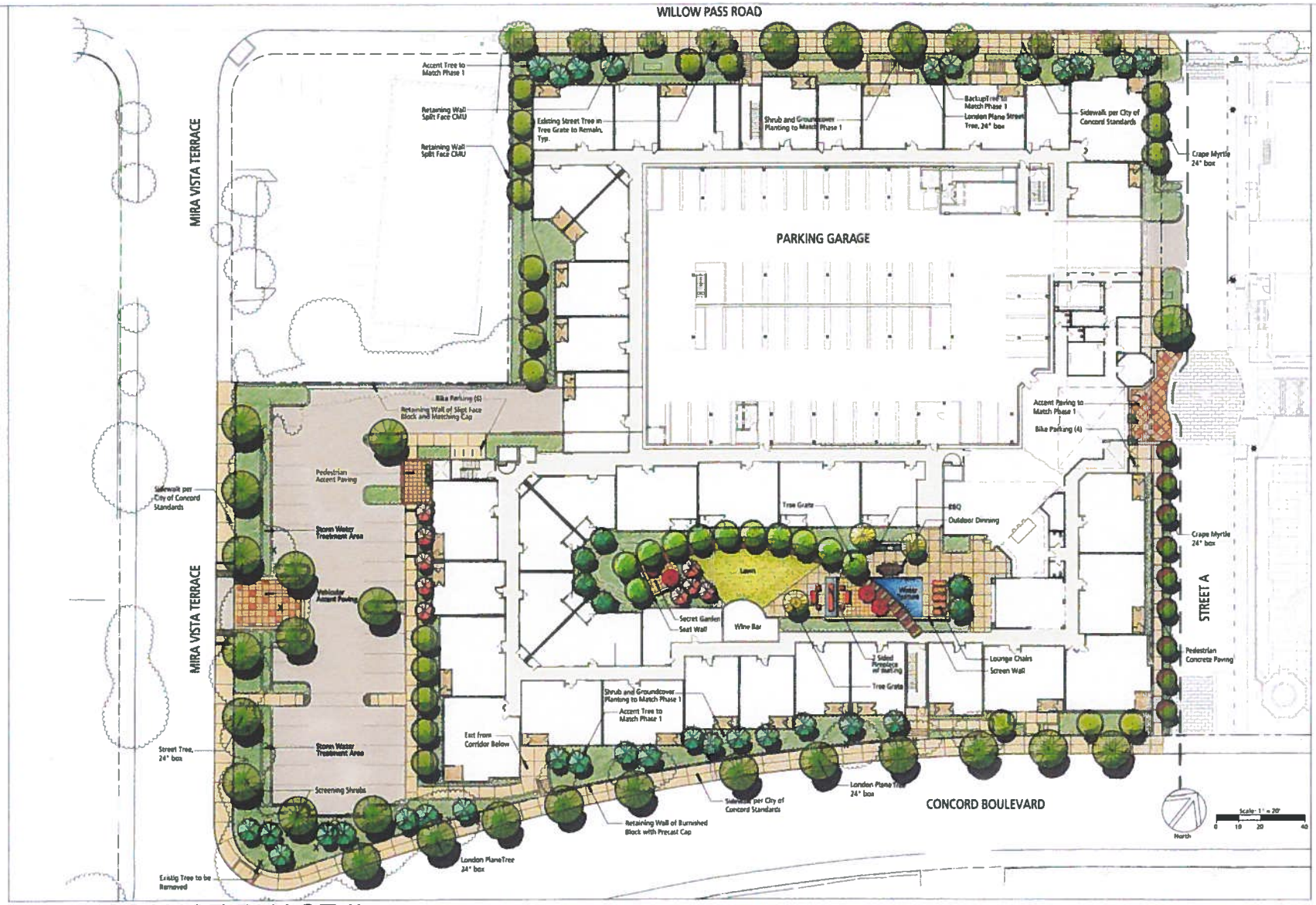
RICHARD BRADFORD PROFESSIONAL ENGINEER No. C 43704 DATE CIVIL STATE OF CALIFORNIA
EXP. DATE 3-31-13

CONSULTING
PLANNING · ENGINEERING · CONSTRUCTION
1440 Marks Lane, Suite 202, Walnut Creek, California 94596 · (925) 933-6969 Tel. · (925) 933-0910 Fax

RENAISSANCE PHASE II
BEHRINGER HARVARD
CITY OF CONCORD CALIFORNIA

STREET SECTIONS

SHEET C3
3 OF 3
DK JOB NO. 11-1039-20



RENAISSANCE PHASE II CONCORD, CA

Illustrative Site Plan L-1

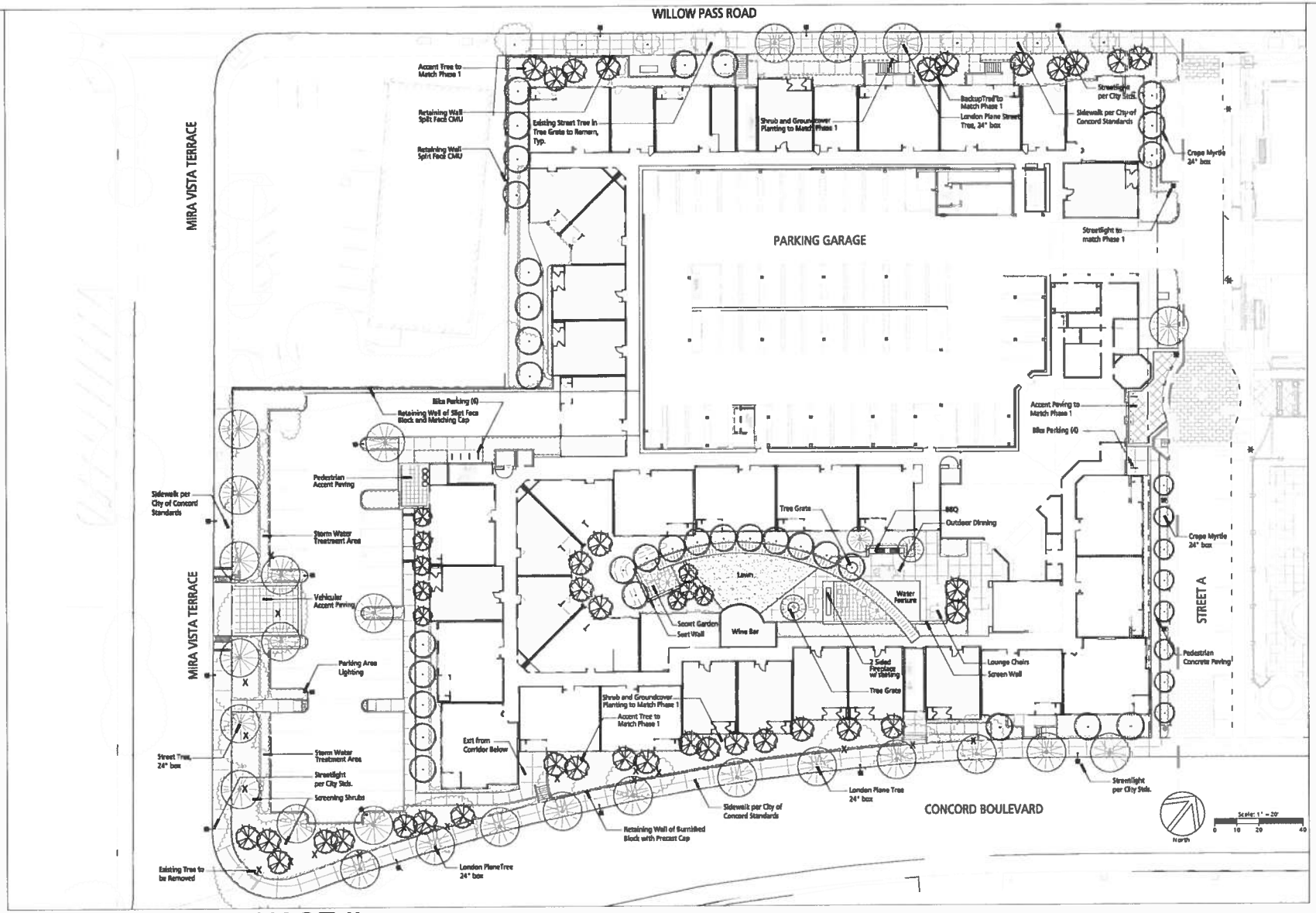
THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5003

11-329 12.13.2012

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Unauthorized use or sale prohibited. These plans shall not be reproduced or used without written permission by Architects Orange.



THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 3008

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

Schematic Landscape Plan L-2

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 855-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use is not permitted. These plans shall not be reproduced or used without written permission by Architects Orange

IRRIGATION NOTES

All project landscape, irrigation and maintenance of same shall conform to the City of Concord Landscape and Irrigation Guidelines.

All planted areas are to be watered with an approved automatic underground irrigation system. The system shall be designed to make efficient use of water through conservation techniques. The backflow device shall be screened from view with plantings.

The minimum slope in all planting areas shall be 2%, maximum to be 3:1. The minimum slope on landscape paving shall be 3/4%, maximum to be 2%.

PLANT SPACING DIAGRAM

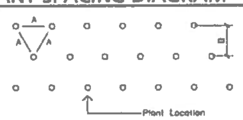


Diagram for use when plants are spaced equidistant from each other as in all ground cover plantings and massed shrub plantings

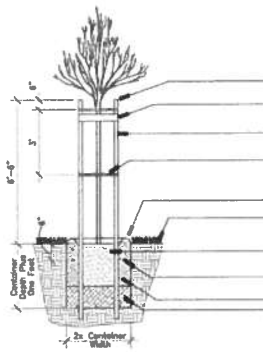
PLANT CALLOUT SYMBOL

Quantity (or See Spacing Comments)
Plant Key (See Plant List)

PLANT QUANTITY DIAGRAM

SPACING 'A'	SPACING 'B'	NO. OF PLANTS/SQUARE FOOT
6" O.C.	5.20"	4.60
8" O.C.	6.93"	2.60
9" O.C.	7.79"	1.78
10" O.C.	8.66"	1.66
12" O.C.	10.40"	1.15
15" O.C.	13.00"	0.74
18" O.C.	15.60"	0.51
24" O.C.	20.80"	0.29
30" O.C.	26.00"	0.18
36" O.C.	30.00"	0.12
48" O.C.	40.00"	0.07
72" O.C.	62.35"	0.04

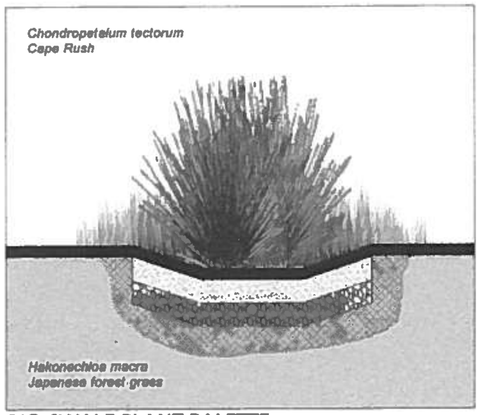
See Plant Spacing Diagram for maximum triangular spacing 'A'. This chart is to be used to determine number of ground cover plants required in a given area.



NOTES:
Trees in lawn shall not have sod or seed placed over the rootball.
Hold all mulch 6" (six inches) from trunk of tree where mulch applied over rootball

Tree Staking Diagram

Not to Scale



BIO-SWALE PLANT PALETTE

SHRUBS				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	LOCATION
	5 gal	Chondropetalum tectorum	Cape Rush	Mira Vista Terr
	5 gal	Hakonechloa macra	Japanese Forest Grass	Mira Vista Terr
	5 gal	Cistus l. "Blanche"	Rockrose	Mira Vista Terr
	5 gal	Hypericum moseranum	Goldflower	Mira Vista Terr
	5 gal	Lavendula angustifolia	Lavender	Mira Vista Terr

PLANT PALETTE (Plants for the project will be selected from this list)

TREES (* 15 Gallon Standard Unless Noted Otherwise on Plans)				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	LOCATION
ACE PAL	*	Acer palmatum	Japanese Maple	Courtyard
ARB MAR	*	Arbutus 'Marina'	Strawberry Tree 'Marina'	Courtyard
CEL SIN	*	Celtis sinensis	Chinese Hackberry	Mira Vista Terr
CER CAN	*	Cercis canadensis	Eastern Redbud	Mira Vista Terr
CHA HUM	*	Chamaerops humilis	Mediterranean Fan Palm	Courtyard
CUP SEM	*	Cupressus sempervirens	Italian Cypress 'Stricta'	Courtyard
DIC ANT	*	Dicksonia antarctica	Tasmanian Tree Fern	Courtyard
FRA UHE	*	Fraxinus uhdei 'Majestic Beauty'	Evergreen Ash	Mira Vista Terr
GIN BIL	*	Ginkgo biloba 'Fairmount'	Maidenhair Tree	Mira Vista Terr
LAG IND	*	Lagerstroemia indica 'Catawba'	Crape Myrtle	Street A
LAU SAR	*	Laurus nobilis 'Saratoga'	Sweet Bay	Willow Pass Rd
MAG SOU	*	Magnolia x s. 'Alexandrina'	Saucer Magnolia	Willow Pass Rd
OLE EUR	*	Olea europa 'Swan Hill'	Olive	Concord Blvd
PHO FRA	*	Photinia fraseri	Photinia	Mira Vista Terr
PLA ACE	*	Platanus acerifolia 'Columbia'	London Plane Tree	Willow Pass Rd
POD GRA	*	Podocarpus gracilior	Fern Pine	Courtyard
PRU CER	*	Prunus caroliniana	Carolina Laurel Cherry	Concord Blvd
PYR CAL	*	Pyrus calleryana 'Whitehouse'	Whitehouse Pear	Courtyard
QUE ILE	*	Quercus ilex	Holly Oak	Mira Vista Terr
TRI CON	*	Tristania conferta	Brisbane Box	Mira Vista Terr
WAS FIL	*	Washingtonia filifera	California Fan Palm	Courtyard

SHRUBS				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	LOCATION
1	5 gal	Arbutus unedo compacta	Strawberry Bush	Street A
2	5 gal	Abelia g. 'Edward Goucher'	Glossy Abelia	Mira Vista Terr
3	5 gal	Buxus m. j. 'Green Beauty'	Japanese Boxwood	Courtyard
4	5 gal	Camellia japonica cvs	Camellia	Willow Pass Rd
5	5 gal	Camellia sasanqua cvs	Camellia	Courtyard
6	5 gal	Ceanothus 'Concha'	California Wild Lilac	Mira Vista Terr
7	5 gal	Cistus l. "Blanche"	Rockrose	Mira Vista Terr
8	5 gal	Coleonema pulchrum	Breath of Heaven	Courtyard
9	5 gal	Coprosma repens	Mirror Plant	Concord Blvd
10	5 gal	Escallonia exoniensis 'Frades'	Escallonia	Street A
11	5 gal	Fatsia japonica	Japanese Aralia	Courtyard
12	5 gal	Griselinia littoralis	Griselinia	Mira Vista Terr
13	5 gal	Heteromeles arbutifolia	Toyon	Mira Vista Terr
14	5 gal	Hydrangea 'Tricolor'	Hydrangea	Courtyard
15	5 gal	Hypericum moseranum	Goldflower	Mira Vista Terr
16	5 gal	Juniperus chinensis 'Columnaris'	Blue Column Juniper	Street A
17	5 gal	Loropetalum chinensis	Loropetalum	Courtyard
18	5 gal	Myrica californica	Pacific Wax Myrtle	Mira Vista Terr
19	5 gal	Photinia fraserii	Photinia	Concord Blvd
20	5 gal	Pittosporum eugenoides	Pittosporum	Mira Vista Terr
21	5 gal	Pittosporum tobira	Tobira	Mira Vista Terr
22	5 gal	Prunus c. 'Bright & Tight'	Carolina Laurel Cherry	Concord Blvd
23	5 gal	Podocarpus macrophyllus maki	Shrubby Yew Pine	Courtyard
24	5 gal	Prunus laurocerasus 'Zabeliana'	Zabel Laurel	Willow Pass Rd
25	5 gal	Prunus laurocerasus	Portugese Laurel	Willow Pass Rd
26	5 gal	Rhamnus alaternus	Italian Buckthorn	Concord Blvd
27	5 gal	Rhaphiolepis indica 'Clara'	India Hawthorn	Street A
28	15 gal	Tibouchina urvilleana	Princess Flower	Concord Blvd
29	5 gal	Viburnum plicatum t. 'Shasta'	Doublefile Viburnum	Concord Blvd
30	5 gal	Viburnum tinus 'Spring Bouquet'	Laurustinus	Courtyard
31	5 gal	Chondropetalum tectorum	Cape Rush	Mira Vista Terr
32	5 gal	Hakonechloa macra	Japanese Forest Grass	Mira Vista Terr

SUB-SHRUBS AND ACCENT SHRUBS				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	Location
50	1 gal	Acanthus mollis	Bears Breech	Courtyard
51	5 gal	Agapanthus orientalis	Agapanthus	Mira Vista Terr
52	1 gal	Aster frikartii 'Monch'	Aster 'Monch'	Concord Blvd
53	1 gal	Crocosmia x 'Lucifer'	Crocosmia 'Lucifer'	Courtyard
54	5 gal	Dietes vegeta	Fortnight Lily	Concord Blvd
55	1 gal	Hemerocallis hybrida (Evergreen)	Evergreen Day Lily	Street A
56	1 gal	Liriope muscari 'Majestic'	Lily Turf	Willow Pass Rd
57	1 gal	Miscanthus transmorrisonensis	Evergreen Miscanthus	Concord Blvd
58	5 gal	Nephrolepis cordifolia	Southern Sword Fern	Willow Pass Rd
59	5 gal	Pittosporum t. 'Wheeler's Dwarf'	Pittosporum	Street A
60	1 gal	Polystichum munitum	Western Sword Fern	Courtyard
61	5 gal	Rosa rugosa	Rugosa Rose	Mira Vista Terr
62	5 gal	Phormium 'Variegata'	Variegated Flax	Street A
63	5 gal	Woodwardia fimbriata	Giant Chain Fern	Willow Pass Rd
64	1 gal	Stipa gigantea	Giant Feather Grass	Concord Blvd
65	1 gal	Lavendula angustifolia	Lavender	Mira Vista Terr

GROUNDCOVERS					
KEY	SIZE	BOTANICAL NAME	COMMON NAME	SPACING	LOCATION
AR	1 gal	Acacia redolens	Acacia	48" O.C.	Mira Vista Terr
BC	1 gal	Bergenia cordifolia	Heartleaf Bergenia	18" O.C.	Courtyard
CP	1 gal	Campanula portenschlagiana	Campanula	18" O.C.	Street A
CS	1 gal	Cotoneaster salicifolius 'Repens'	Willow Cotoneaster	24" O.C.	Concord Blvd
FC	1 gal	Fragaria chiloensis	Wild Strawberry	12" O.C.	Willow Pass Rd
GI	1 gal	Geranium incanum	Geranium	24" O.C.	Concord Blvd
JC	1 gal	Juniperus chinensis p. 'Nana'	Juniper	36" O.C.	Concord Blvd
LM	1 gal	Liriope muscari 'Majestic'	Giant Lily Turf	18" O.C.	Courtyard
LJ	1 gal	Lonicera japonica 'Halliana'	Hall's Honeysuckle	48" O.C.	Mira Vista Terr
OF	1 gal	Osteospermum f. 'African Queen'	Freeway Daisy	24" O.C.	Concord Blvd
PC	1 gal	Perennial Color	See planting note #15	12" O.C.	Courtyard
RP	1 gal	Rubus p. 'Emerald Carpet'	No Common Name	30" O.C.	Mira Vista Terr
SM	1 gal	Scaevola 'Mauve Clusters'	Fan Flower	24" O.C.	Street A
TJ	1 gal	Trachelospermum jasminoides	Star Jasmine	18" O.C.	Willow Pass Rd
VM	1 gal	Vinca Minor	Dwarf Periwinkle	18" O.C.	Willow Pass Rd

VINES				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	LOCATION
CM	1 Gal	Clematis montana	Anemone clematis	Willow Pass Rd
FP	1 Gal	Ficus pumila	Creeping Fig	Willow Pass Rd
HV	1 Gal	Hardenbergia violacea	Happy Wanderer	Concord Blvd
PT	1 Gal	Parthenocissus tricuspidata	Boston Ivy	Willow Pass Rd
RL	5 Gal	Rosa laevigata	Cherokee Rose	Concord Blvd
WF	5 Gal	Wisteria floribunda	Japanese Wisteria	Courtyard

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5003

11-329 12.13.2012

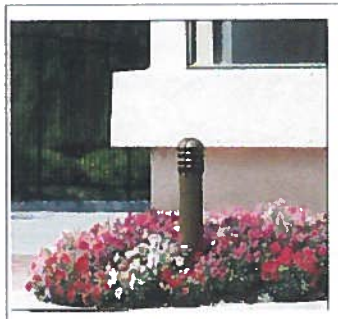
RENAISSANCE PHASE II CONCORD, CA

Notes And Legends L-3

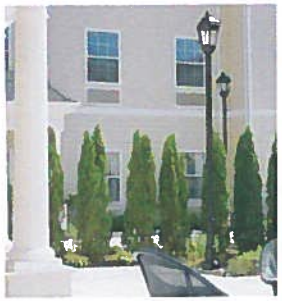
BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange



Light Bollard By Kim
To Match Phase 1



Pedestrian Scale Pole Light
By AAL To Match Phase 1

Planter Pot By Quick Crete
To Match Phase 1

Outdoor Wood Furniture
By Gardenside To Match Phase 1

Outdoor Wood Furniture
By Gardenside To Match Phase 1

London Plane Tree

Crape Myrtle

Ash Tree

Vine on Block Wall

Water Feature

Pedestrain Accent Paving By
Acker-Stone To Match Phase 1

Pedestrain Concrete Paving
To Match Phase 1

Vine on Block Wall

Vine on Block Wall

Typical Stormwater Treatment
Area Planting

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5803

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

Landscape Images L-4

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Under
any protection unauthorized use or not permitted
these plans shall not be reproduced or used
without written permission by Architects Orange

INTERIOR STREET ELEVATION - EAST

WILLOW PASS RD ELEVATION - NORTH

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

Conceptual Exterior Elevations L-5

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange

CONCORD BLVD ELEVATION - SOUTH

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

Conceptual Exterior Elevations L-6

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange

LEASING OFFICE ELEVATION - EAST

CONCORD BLVD TOWER ENTRY

CONCORD BLVD FRONTAGE

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

11-329 12.13.2012

RENAISSANCE PHASE II CONCORD, CA

Enlarged Exterior Details L-7

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9660

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use or reproduction of these plans shall not be reproduced or used without written permission by Architects Orange.

SECTION THROUGH MIRA VISTA PARKING LOT

SCALE: 1 1/2" = 1'-0"

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners

11-329 12.13.2012

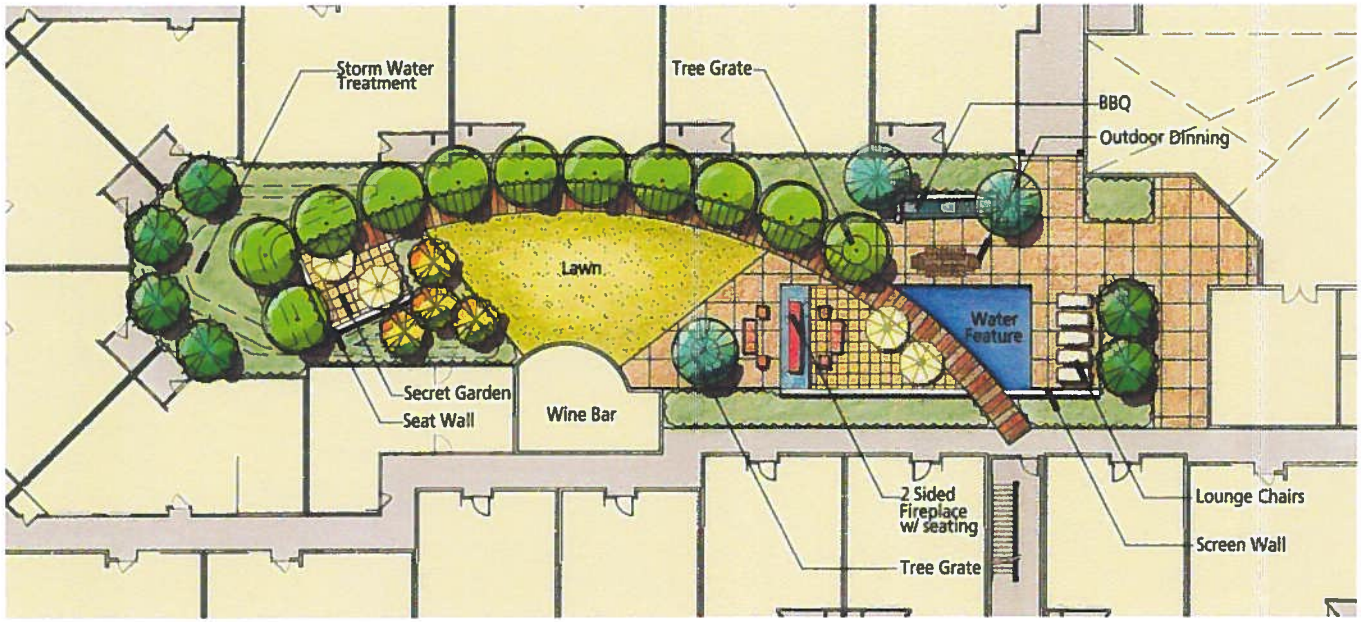
RENAISSANCE PHASE II CONCORD, CA

Enlarged Exterior Details L-8

BEHRINGER HARVARD
15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use of said portion of these plans shall not be reproduced or used without written permission by Architects Orange.



Courtyard Enlargement

SCALE: 1"=10'-0"

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners

11-329 12.13.2012

RENAISSANCE PHASE II *CONCORD, CA*

Courtyard Enlargement L-9

BEHRINGER HARVARD

15601 DALLAS PARKWAY SUITE 600, ADDISON, TX 75001 (214) 655-1600

ARCHITECTS ORANGE

144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92866 (714) 639-9860

© 2012 Architects Orange
These plans are copyright protected. Under such protection unauthorized use of said permitted. These plans shall not be reproduced in part without written permission by Architects Orange

EXHIBIT D

ADDENDUM TO THE DOWNTOWN CONCORD CONDOMINIUMS INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

THE CITY OF CONCORD

November 2013

URBAN
PLANNING
PARTNERS
INC.

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	PROJECT INFORMATION	3
III.	ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS	9
IV.	CONCLUSION	40
V.	REFERENCES	42

I. INTRODUCTION

A. DETERMINATION

This document is an Addendum to the June 2004 Initial Study/Mitigated Negative Declaration (2004 IS/MND) originally prepared for the Downtown Concord "Renaissance Square" Condominium project approved by the City of Concord (hereafter referred to as the "Approved Project" or "Project"). The 2004 IS/MND was prepared and circulated pursuant to CEQA. The Approved Project, the 2004 IS/MND and the associated Mitigation and Monitoring Matrix ("MMX," which MMX is included within the definition of "2004 IS/MND") were considered by the Planning Commission on June 16, 2004 (Planning Commission Resolutions No. 04-13PC and No. 04-15PC) and were approved and adopted by the Concord City Council on July 6, 2004 (City Council Resolution No. 04-4823.2) with the finding that, with implementation of all required mitigation measures, the Approved Project's environmental impacts would be less than significant.

The Approved Project approvals allowed development of a 5.16-acre site located at 1851 Galindo Street in the City of Concord ("City") with up to 314 residential units to allow for 309 residential units and one retail space with the option to divide and/or convert the retail space into as many as five spaces for residential or live/work units; recreational facilities; and podium style parking. In 2008, the original developer/applicant, Signature Properties, completed a portion of the Approved Project consisting of:

- 135 multi-family residential units[1]
- Recreational facility including the pool
- A private Street (Street A)
- Dedication of right-of-way to the City along Galindo Street, Concord Boulevard, and Mira Vista Terrace as specified in Condition of Approval 71.

This completed portion of the Approved Project ("Completed Construction") is located on a 2.24-acre portion of the Project site.

[1] 132 multifamily residential units and 4,500 square feet of retail space were origiinally completed, but the 4,500 square feet of retail space was subsequently converted into 3 multifamily residential units, bringing the total completed construction to 135 multifamily residential units.

Behringer Harvard, the current developer, purchased the site with all entitlements in 2012. Behringer Harvard intends to complete the construction of the Approved Project in manner substantially similar to the Approved Project, but has proposed modifications to architectural detail, unit type and mix, parking, and total building area. Chapter II Project Information, including Table 1 Comparison Chart, details the proposed modifications to the Approved Project. The portion of the Approved Project not yet constructed together with the proposed modifications is referred to as the "Remaining Construction," and the Completed Construction together with the Remaining Construction (including the proposed modifications) are referred to as the "Modified Project" throughout this Addendum.

This Addendum evaluates whether the Remaining Construction proposed changes to the Approved Project would result in any new or substantially more adverse significant effects or require any new mitigation measures not identified in the 2004 IS/MND, and concludes that the analysis and the conclusions of the 2004 IS/MND remain current and valid. No substantial changes have occurred with respect to existing conditions that would cause new or substantially more severe significant environmental effects than were identified in the 2004 IS/MND. Additionally, no new meaningful information indicates that the proposed modifications would cause new or substantially more severe significant environmental effects that were analyzed in the 2004 IS/MND.

This Addendum considers whether any substantial changes have occurred with respect to the circumstances under which the Remaining Construction will be undertaken which would require major revisions to the 2004 IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As discussed in the following chapter, while there have been regulatory changes since the 2004 IS/MND (e.g., requirement for an analysis of greenhouse gas emissions), in all instances, the changes in circumstances do not result in new or substantially more severe significant effects or the need for new mitigation measures. This Addendum finds that, notwithstanding the changes in circumstances, completion of the Modified Project would not result in new significant or substantially more severe environmental impacts than those analyzed in the 2004 IS/MND, and no additional mitigation measures are required.

The 2004 IS/MND requires mitigation measures in connection with the Approved Project; the General Mitigation Measure (see pages 23-24 of the MMX) further requires that all construction-related mitigation measures be included as a separate plan sheet of the project plans. The same mitigation measures developed for the overall Approved Project will apply to the Remaining Construction. The mitigation measures described in the 2004 IS/MND (including the MMX) are within the jurisdiction of the City of Concord to adopt, and will in fact be implemented by the applicant.

B. CEQA FRAMEWORK FOR ADDENDUM

The City of Concord is the CEQA lead agency responsible for the Approved Project, including the proposed Remaining Construction. The Applicant submitted the following requests to modify the unconstructed portion of the Approved Project:

- Use Permit Amendment (UA-12-005)
- Design Review (DR 12-028)

Since the Use Permit request is for a modification to a previously approved project (the Approved Project), it is subject to subsequent review standards under Public Resources Code Section 21166. Under the California Environmental Quality Act of 1970, Public Resources Code Sections 21000, et seq. and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations, as amended (collectively, "CEQA"), [W]hen a project that was studied and approved under an approved mitigated negative declaration (MND) is proposed to be modified, an Addendum to the MND may satisfy CEQA regulations. Each Public Resources Code Section 21166 and CEQA Guidelines Section 15162 provides that when an EIR has been certified or a negative declaration has been adopted for that project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- Substantial changes in the project that require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of MND adoption, shows any of the following:

  i) the project will have one or more significant effects not discussed in the MND,

  ii) the project will result in impacts substantially more severe than those disclosed in the MND,

iii) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative, or

iv) mitigation measures or alternatives that are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

Per CEQA Guidelines Section 15164(a), the lead agency shall prepare an addendum to a previously certified EIR if some changes are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred. Furthermore, Section 15164(b) states that an addendum to an approved MND is appropriate when only minor technical changes are made and none of the conditions in Section 15162 are triggered. These provisions also apply to preparation of subsequent negative declarations.

As discussed herein, none of the elements requiring preparation of a subsequent EIR exists, and the City of Concord has determined that it is not necessary to prepare a subsequent EIR or MND. Rather, this Addendum to the 2004 IS/MND is the appropriate CEQA document.

This Addendum reflects the independent judgment and analysis of the City as the lead agency, demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the 2004 IS/MND remain substantively unchanged by the situation described herein, and supports the finding that the proposed project modifications do not raise any new issues, result in any new impacts, and do not exceed the level of impacts identified in the 2004 IS/MND. To support this decision, the following discussion describes the proposed project modifications and the environmental analysis.

Per CEQA Guidelines Section 15164(c), an addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted mitigated negative declaration. Per CEQA Guidelines Section 15164(d), the decision-making body shall consider an addendum with the final EIR or adopted mitigated negative declaration prior to making a decision on the project. Accordingly, this Addendum will be attached to the 2004 IS/MND, and will be considered by the decision-making body with the 2004 IS/MND before making a decision on the Remaining Construction. The 2004 IS/MND is on file with and may be obtained from the Office of the City Clerk at 1950 Parkside Drive MS/03, Concord, California 94519.

II. PROJECT INFORMATION

A. BACKGROUND

The Project site is located in the City of Concord and is bounded by Concord Boulevard to the south, Willow Pass Road to the north, Mira Vista Terrace to the west, and Galindo Street to the east. The site is in central Concord, approximately 0.4 miles from the Concord Bay Area Rapid Transit (BART) station. The site is surrounded by a mix of land uses, including commercial uses such as a movie theater, bank, grocery store, and restaurants, as well as a high-rise office building. The site was formerly an automobile dealership, and currently has one vacant building.

The Approved Project is a residential condominium project with some retail spaces on the ground floor, resident amenities, and associated parking. Signature Properties built the Completed Construction. Behringer Harvard has submitted a Use Permit Amendment (UA-12-005) and Design Review (DR 12-028) requesting certain modifications to the Approved Project in connection with completing the Remaining Construction.

B. SUMMARY OF APPROVED PROJECT AND COMPLETED CONSTRUCTION

In 2004, the City of Concord approved the Renaissance Square Condominium project, which proposed development of up to 314 residential units to allow for 309 residential units and one retail space with the option to divide and/or convert the retail space into as many as 5 additional residential or live/work units. The 2004 IS/MND was prepared and circulated pursuant to CEQA. The 2004 IS/MND and the associated Mitigation Monitoring and Reporting Program were approved on June 16, 2004 with the finding that, with implementation of all required mitigation measures, the Approved Project's environmental impact would be less than significant.

The Approved Project includes 314 units within three buildings, each with heights of four to five stories. Proposed floor plans featured one and two bedroom units in a variety of types including flats, stacked townhouses, lofts, and live/work lofts. Street level units along Galindo Street would consist of five live/work lofts located at the southern half of the block along Concord Boulevard, with the retail space located at the northern half of the block along Willow Pass Road (consistent with Project approvals, the original developer converted this retail space into multi-family residential units). The Completed Construction consists of 135 multi-family residential units located in a single building over a subterranean parking garage on a 1.73-acre portion of the Project site. Resident amenity spaces, including a pool, recreation room, courtyards, and paseos, were also

developed and a total of 285 subterranean parking spaces were constructed. Table 1: Comparison Chart in Section D provides a more detailed description of the Completed Construction.

C. SUMMARY OF REMAINING CONSTRUCTION

The Remaining Construction would complete development of the Approved Project on the remaining 2.75 acres of the Approved Project site. Currently, the 2.75 acres are primarily paved, with some landscaping on the perimeter and one vacant building (which will be demolished) on the southwest corner. The Remaining Construction would include a five-story parking garage on the northern half of the site, with a four to five story building containing 179 residential units wrapped around the garage. This parking garage, as well as some surface parking, would provide a total of approximately 371 parking spaces for residents and guests. A courtyard at the southern portion of the site would include barbecue and outdoor dining areas, and other amenities. Landscaping would be provided in the courtyard, around the surface parking area, and around the perimeter of the 2.75 acres. The Completed Construction is located to the east of the Remaining Construction site, on the opposite side of a private street that accesses both areas.

The design of the Remaining Construction would continue the Completed Construction's interpretation of traditional Italianate Revival with selected contemporary design elements. The proposed design for the Remaining Construction features Juliet balconies with metal railings and canvas awnings, cornice ledges, arched forms, bay windows, and gable and hip roof forms. Exterior building materials include concrete roof tiles, cement plaster finish and trim, canvas awnings, and metal balcony railings. The landscape plan proposes landscaping for the Completed Construction, and features London Plane street trees in 24-inch boxes, over ten species of accent trees (15-gallon), and an extensive list of shrubs and groundcover options. New site furniture and hardscape matching the Completed Construction are also proposed.

D. COMPARISON OF APPROVED PROJECT AND MODIFIED PROJECT (COMPLETED + REMAINING CONSTRUCTION)

Table 1 below provides a comparison of the development rights of the Approved Project, the Completed Construction, the Remaining Construction, total build-out, and the difference between buildout under the Approved Project and the Modified Project that would result from the Completed Construction and the Remaining Construction (as proposed to be modified).

TABLE 1: COMPARISON CHART

	Approved Project	*Completed Construction*	*Proposed Remaining Construction*	*Total Modified Project (Completed + Remaining)*	*Change (Approved Project – Total)*
Total Residential Units	314	135	179	314	0
Studios (# of units)	0	0	12	12	12
One-Bedroom (# of units)	96	44	83	127	31
Two-Bedroom (# of units)	213	88	84	172	-41
Undefined (# of units)[1]	5	3	0	3	-2
Number of Bedrooms[2]	522	220	263	483	-39
Total Building Area (sf)	727,079	306,381	370,260	676,641	-50,438
Building (sf)	469,079 Apt/corridor/rec/ retail,etc)	194,129 (apt/corridor/ rec-fit/retail)	222,8000 (apt/corridor/f itness)	416,929	-52,150
Parking Garage (sf)	258,000	112,252	147,460	259,712	1,712
Parking Spaces[3]	764	292	364	656	-108
Height (feet)	75	75	65	75 Maximum	n/a

[1] These were approved to allow for either one retail space or 5 residential units. Three residential units were subsequently constructed.
[2] Does not include the number of bedrooms for the Undefined units as the number of bedrooms for those units was not specified in the Approved Project.
[3] The Approved Project included a number of parking spaces beyond what was required by the Development Code. Since the approval of the Approved Project, the Development Code has been updated to reduce the parking requirement.

Source: Behringer Harvard and City of Concord, 2013.

The total Modified Project (Completed Construction + Remaining Construction) differs from the Approved Project's approved development rights in the following ways:

- While the total multi-family residential units for Modified Project is the same as the Approved Project (314), the unit mix has changed slightly to include more studios (12 more) and one-bedrooms (31 more) and fewer two-bedrooms (41 fewer);

- The Modified Project total building square footage has decreased overall by 50,438 square feet, with a decrease in building square footage (52,150 square feet) as a result of a change in the unit mix and a slight increase in the square

footage of the parking areas (1,712 square feet) to accommodate the final garage design;

- The Modified Project would is allowed to provide fewer parking spaces than the Approved Project (108 fewer spaces) due to a change in parking requirement resulting from a Development Code Update and a reduction in the total number of bedrooms resulting from the shift in unit mix; and

- The Remaining Construction would consist of a wrap-style building around a parking garage, instead of a podium building over subterranean parking as specified in the Approved Project.

As discussed previously, the Approved Project was approved for up to 314 condominium units. Due to the depressed condominium market, the Completed Construction residential units were ultimately rented; it is not known whether or when they will be sold. The Remaining Construction will also be condominium units, but is not known whether the remaining 179 units would be rented or sold.

III. ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS

The following discussion analyzes the likelihood of the Modified Project (Completed Construction + Remaining Construction) to result in new or substantially more severe significant effects or the need for new mitigation measures as compared to those studied in the 2004 IS/MND. This Addendum discusses the topic areas in the sequence that they are addressed in the 2004 IS/MND. This section concludes by finding that no new or substantially more severe significant effects than those identified in the 2004 IS/MND would result from Modified Project (Completed Construction + Remaining Construction) and that no new additional or changed mitigation measures would be required. Mitigation Measures identified in the 2004 IS/MND that remain applicable to the Remaining Construction are referenced in this Addendum.

A. AESTHETICS

The 2004 IS/MND studied whether the Approved Project, as a whole, would result in a substantial adverse effect on a scenic vista, substantially damage scenic resources within a State Scenic Highway, substantially degrade the visual character or quality of the site, or create a substantial new source of light or glare. The 2004 IS/MND concluded that the Approved Project would have either less-than-significant or no impacts on aesthetic resources, and no mitigation measures were required.

The Remaining Construction would be located on a 2.75-acre portion of the Project site. This portion of the Project site remains primarily vacant and paved. The Remaining Construction would consist of the same type of land use and operations, would create a similar mass, and would be constructed using similar materials as the Approved Project. Additionally, the Remaining Construction would not exceed the Approved Project's maximum height of 75 feet. As discussed in the 2004 IS/MND, the views from the Project site consist of adjacent commercial buildings and major roadways including Concord Boulevard and Willow Pass Road. Although the Approved Project would block views to the west and south, these views do not include scenic resources, and there would be no impact to scenic resources. This condition would remain the same for the Remaining Construction.

As described in the 2004 IS/MND, the Project site does not include any State Scenic Highway designations and is not located in the vicinity of a State Scenic Highway. The site is approximately 7 miles northeast of any designated State Scenic Highways. The 2004 IS/MND also found that the Project site and the vicinity do not include any designated

scenic resources. The 2004 IS/MND describes the existing visual quality of the site and concludes the Project would improve the visual quality of the site by improving the site. All of these conditions are true for the Remaining Construction. As a result, development of the remaining portion of the Project site would not substantially degrade the visual quality of the site or its surroundings.

Similar to the Approved Project, the Remaining Construction would result in the installation of streetlights or the replacement/upgrade of existing lights. Lights would be installed where needed for the protection of public safety and would not create new or substantial light or glare consistent with the findings of the 2004 IS/MND. Because the site is surrounded by fully urbanized neighborhoods of residential, industrial and public uses, project lighting would not substantially degrade nighttime views.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to aesthetics under which the Remaining Construction would be undertaken have not changed. Additionally, none of the modifications proposed as part of the Remaining Construction would change the findings of the 2004 IS/MND related to aesthetics. As a result, the Modified Project (Completed Construction + Remaining Construction), similar to the Approved Project, would not result in any new or substantially more severe impacts on aesthetic resources. The 2004 IS/MND required no mitigation measures related to aesthetic resources for the Approved Project; no new mitigation measures are necessary for the Remaining Construction.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

B. AGRICULTURE AND FOREST RESOURCES

The 2004 IS/MND analyzed the potential impacts to agricultural resources that could occur resulting from the Remaining Construction as part of the Approved Project. The 2004 IS/MND determined that the Approved Project would have no impacts on agricultural resources, and no mitigation measures were required.

The 2004 IS/MND determined that the Project would neither convert nor impact farmland to a non-agriculture use or result in the conversion of other farmland to non-agricultural uses, nor would the Project conflict with existing zoning for agricultural use or a Williams Act contract. There remains no active agricultural uses at the Project site or vicinity, and therefore no new potential to convert surrounding farmland to non-agricultural uses exists.

In 2009, the CEQA Guidelines were amended (adopted December 30, 2009, effective March 18, 2010) to include consideration of forest resources and the Environmental Checklist Form (Appendix G) was modified to reflect this amendment. As the 2004 IS/MND was prepared prior to 2009, it did not consider forest resources. The Approved Project site is not zoned for forest resources and does not contain any forest resources. Therefore, the Approved Project would not result in a zoning conflict for forest resources, nor would it result in the loss of forest land or conversion of forest land to non-forest use.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to agriculture and forest resources under which the Remaining Construction would be undertaken have not changed. As a result, the Modified Project (Completed Construction + Remaining Construction), similar to the Approved Project, would have no impacts on agriculture and forest resources. The 2004 IS/MND required no mitigation measures related to agriculture for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

C. AIR QUALITY

The 2004 IS/MND analyzed effects to air quality associated with implementation of the Approved Project. The 2004 IS/MND determined that the Approved Project would not conflict with or obstruct implementation of the applicable air quality plan, would not cause or contribute substantially to any existing or projected air quality violation, would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, would not expose sensitive receptors to substantial pollutant concentrations, and would not be considered to create objectionable odors affecting a substantial number of people. These impacts were considered less-than-significant air quality impacts; however, one mitigation measure (Mitigation Measure III.I) was required to control PM_{10} emissions from construction activities.

The 2004 IS/MND determined that the Approved Project would not conflict or obstruct the Bay Area 2001 Ozone Attainment Plan or the 2000 Clean Air Plan. Since the Project was approved in 2004, the Bay Area Air Quality Management District (BAAQMD) has adopted the 2010 Clean Air Plan. The 2010 Clean Air Plan, like the Bay Area 2001Ozone Attainment Plan and the 2000 Clean Air Plan, contains stationary and area source, transportation, and mobile source control measures, but also includes land use and local impact control measures as well as energy and climate control measures. Similar to the Approved Project, the Modified Project would not conflict with control measures contained in an applicable air

quality plan as the number of units proposed is the same and none of the other revisions proposed as part of the Remaining Construction (i.e., reduced parking, change in unit mix) would impact the Modified Project's relationship to these plan since the total building square footage decreased and the number of units remained the same. In fact, the Remaining Construction would help fulfill applicable transportation control measures through improved bicycle facilities. Further, the reduction in the total number of bedrooms (see Table 1) would likely result in a lower residential population incrementally decreasing GHG emissions associated with the Remaining Construction.

The 2004 IS/MND determined that with implementation of Mitigation Measure III.I, the air quality impacts from construction activities would be less than significant. The Remaining Construction would also be required to comply therewith. The Modified Project's changes to the Approved Project would actually slightly reduce the potential impacts of construction activities. The Approved Project proposed to provide parking partially in two levels of subterranean parking, requiring a maximum vertical excavation of 23 feet. The Remaining Construction would be located on a portion of the Approved Project site and would be constructed using similar grading and building practices. However the Remaining Construction would result in no more than one level of subterranean parking and approximately 13 feet less of vertical excavation.

The 2004 IS/MND determined that operation of the Approved Project would not cause or contribute substantially to any existing or projected air quality violation, nor would it exceed the BAAQMD thresholds in place in 2004.[2] The 2004 IS/MND concluded that since the Approved Project generated a little fewer than 1,400 trips per day, the Approved Project did not exceed the BAAQMD thresholds in place, where a residential project would have potentially significant emissions impacts if the project generated more than 2,000 vehicle trips per day. As discussed in Section P Transportation/Traffic, the Approved Project operating as condominiums would generate approximately 1,370 daily vehicle trips while the Modified Project (Completed Construction + Remaining Construction) operating as rental units would generate approximately 1,570 daily vehicle trips. So while

[2] BAAQMD 1999 CEQA Guidelines. Since the adoption of the 2004 IS/MND, the BAAQMD has adopted updated CEQA Guidelines in June 2010 with a subsequent update in May 2011. The updated Air Quality Guidelines contain new recommended thresholds and methodologies. An Alameda Superior Court ruled in January 2012, in California Building Industry Association v. Bay Area Air Quality Management District, that the BAAQMD violated CEQA by adopting thresholds. Reversing the trial court in August 2013, the court of appeal found that adoption of thresholds for CEQA review was not a "project" itself subject to CEQA review, and rejected claims that the thresholds were unsupported. However, BAAQMD has not reinstated the thresholds and their website states that "lead agencies may continue to rely on the Air District's 1999 Thresholds of Significance."

the Modified Project would result in approximately 200 more daily vehicle trips than the Approved Project, the total daily vehicle trips for the Modified Project would still be below the BAAQMD threshold of 2,000 vehicle trips per day.

The 2004 IS/MND determined that the Approved Project would not cause a cumulatively considerable increase in criteria pollutants based on the 1999 cumulative thresholds. None of the project refinements that would result under the Modified Project would change this finding as the total number of units and the permitted General Plan density ranges remain the same as what was considered for the Approved Project.

The 2004 IS/MND determined that the Approved Project would not expose receptors to substantial pollutant concentrations or create objectionable odors. The Remaining Construction would be located on a portion of the Approved Project site and the Remaining Construction would consist of the same type of land use and operations as the Approved Project. Additionally, no new sensitive receptors have been located adjacent to Project site since 2004. As a result, no new analysis of the Modified Project's impact on sensitive receptors or related to odors is required.

The 2004 IS/MND requires compliance with Mitigation Measure III.1 (see pages 1-3 of the MMX). The Remaining Construction would also be required to comply therewith. Consequently, the impacts related to air quality that could occur as a result of the Remaining Construction would be less-than-significant and consistent with the impacts and mitigation measures identified for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

D. BIOLOGICAL RESOURCES

The 2004 IS/MND analyzed the potential impacts to biological resources that could occur as a result of the Approved Project. In the topics analyzed, the 2004 IS/MND determined that the Approved Project would have either less-than-significant or no impacts on biological resource.

The Remaining Construction represents a minor modification of the Approved Project. The Remaining Construction would be located on a portion of the same site, would consist of the same type of land use and operations, would create a similar footprint, and would be constructed using similar grading and building practices. The 2004 IS/MND determined that no identified candidate, sensitive or special status species inhabit the Project site. Nor does the site contain riparian habitat, active drainage channels, wildlife corridors, or

native wildlife nurseries. Similarly, no adopted habitat conservation plans or community conservation plans impact the site.

None of the conditions related to biological resources on the site described in the 2004 IS/MND have changed substantially since the 2004 IS/MND was prepared. The Remaining Construction would occur in the same location as the Approved Project and as described above, circumstances related to biological resources under which the project would be undertaken have not significantly changed. As a result, the Modified Project (Completed Construction + Remaining Construction) would have no additional impacts on biological resources.

While the Project site does not contain any trees meeting the criteria for a heritage tree under the Concord Municipal Code, the 2004 IS/MND required the preservation of 13 London Plane trees along Willow Pass Road. Therefore, the seven London Plane trees along the frontage of the portion of the Project site where the Remaining Construction would occur along Willow Pass Road would be preserved.

The 2004 IS/MND requires compliance with Mitigation Measure IV.1 (see page 4-5 of the MMX). The Remaining Construction would also be required to comply therewith. Consequently, the impacts related to biological resources that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less-than-significant and consistent with the impacts and mitigation measures identified for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

E. CULTURAL RESOURCES

The 2004 IS/MND analyzed the potential impacts to cultural resources that could occur as a result of the Approved Project. In the topics analyzed, the 2004 IS/MND determined that the Approved Project could have potentially significant impacts on cultural resources unless mitigation measures were incorporated.

The 2004 IS/MND determined that the Approved Project would have no impact on a historical resource as defined in Section 15064.5 because the site's existing buildings were not listed on any local, State or federal inventory or other historic literature or map consulted by the Northwest Information Center. The Remaining Construction would occur on a portion of the same site and thus would not impact structures with historic potential as the existing conditions remain the same as described in the 2004 IS/MND.

The 2004 IS/MND determined that there is a low potential for Native American sites, unique paleontological resources or human remains, in the project area. However, recognizing there is some possibility (albeit low) of encountering archaeological or paleontological resources or human remains during excavation, three mitigation measures were recommended. These conditions remain today and the MMX for the overall Approved Project also applies to the Remaining Construction.

A 2013 memo from Tom Origer & Associates (see Appendix) confirms that, based on examination of the environmental setting and archival research, there is a low possible of there being archeological resources in the Remaining Construction area. The cultural resources report was updated in order to affirm there would be no potentially significant impacts as a result of the Remaining Construction.

Modifications under the Remaining Construction would incrementally reduce the potential of impacts to cultural resources. The Approved Project proposed to provide parking partially in two levels of subterranean parking, requiring a maximum vertical excavation of 23 feet. The Remaining Construction would be located on a 2.75-acre portion of the same site, would consist of the same type of land use and operations, would create a similar footprint, and would be constructed using similar grading and building practices. However, the Remaining Construction would result in no more than one level of subterranean parking and approximately ten vertical feet of excavation. Thus, the potential of the Remaining Construction to impact cultural resources is lower than the Approved Project, as less vertical excavation would be required.

The 2004 IS/MND requires compliance with Mitigation Measures V.1 through V.3 (see pages 7-8 of the MMX). As the Remaining Construction is a modification of the Approved Project, the Remaining Construction would also be required to comply therewith. Consequently, the impacts related to cultural resources that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less than significant and consistent with the impacts and mitigation measures identified for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

F. GEOLOGY AND SOILS

As described in the 2004 IS/MND, a trace of the Concord-Green Valley Fault extends through the southwest end of the Project site. Section VI of the 2004 IS/MND analyzed the geological, seismic, and soil conditions in connection with the Approved Project. The 2004 IS/MND identified areas of potential impact, including damage due to seismic

ground shaking, substantial soil erosion or loss of topsoil, seismic-related ground failure (liquefaction), lurching, and expansive soils. The Remaining Construction would occur within the same study area evaluated in the 2004 IS/MND and would be subject to similar geological, seismic and soil conditions. Similar to the Approved Project, the Remaining Construction would implement the findings of the geotechnical investigation and associated peer review and be constructed in compliance with applicable construction codes and requirements intended to mitigate any adverse impacts resulting from ground shaking, ground failure, liquefaction, and expansive soils. Engeo Incorporated's geotechnical investigation prepared for the Approved Project identifies recommendations to reduce the potential of detrimental effects caused by the Approved Project. The Remaining Construction would comply with the recommendations indicated in the geotechnical investigation to reduce potential impacts to a less-than-significant level consistent with the findings of the 2004 IS/MND.

The 2004 IS/MND requires compliance with Mitigation Measures Mitigation Measure VI.1 (see page 10 of the MMX), and implementation of Mitigation Measure VI.1, identified in the 2004 IS/MND, requires a full peer review of the geotechnical study prior to the City accepting the report as final. As part of the Approved Project, the applicant's geotechnical consultant, Engeo Inc., prepared a geotechnical investigation (2003) that the City had peer reviewed. Engeo and the City's consulting geologist made recommendations to ensure that fault rupture would not be significant; those recommendations included a geotechnical setback zone. This report has/has not been deemed final by the City. As the Remaining Construction is a modification of the Approved Project, the Remaining Construction would also be required to comply with both the mitigation measure and the geologist recommendations. Consequently, the impacts related to geology and soils that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less than significant and consistent with the impacts and mitigation measures identified for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

G. GREENHOUSE GAS EMISSIONS

Since adoption of the 2004 IS/MND, the CEQA Checklist has been updated to include a discussion of potential project impacts on Greenhouse Gas GHG emissions (GHGs). As GHG emissions were not evaluated in the 2004 IS/MND, the Modified Project's potential to generate GHG emissions and/or conflict with an applicable plan or policy adopted for the purpose of reducing GHG emissions is described below.

It is important to note that while the CEQA requirement was imposed after the 2004 IS/MND was adopted, global warming has been known since the 1970s. That information, together with information about potential impacts relating to global warming caused by GHGs was available at the time the 2004 IS/MND was adopted, and so is not "new information of substantial importance which was not known and could not have been known" at the time the 2004 IS/MND was prepared.

Scientists widely acknowledge that global climate change is occurring and is caused by increased emissions of GHGs that keep the earth's surface warm by trapping heat. Climate change is measured by alterations to traditional wind patterns, storms, precipitation, and temperature. The earth's atmosphere is responsible for maintaining a habitable climate, but human activity has caused increased emissions and concentrations of GHGs dissimilar to historical patterns. This increase in emissions is contributing to an increase in climate change.

The United Nations Intergovernmental Panel on Climate Change (IPCC) calculated various emission trajectories and the resulting effects on global temperatures and climate change impacts. The IPCC predicted that global average temperature change from 1990 to 2100 could range from 1.1°C to 6.4°C. Regardless of methodology, global average temperatures and sea levels are expected to rise under all scenarios.

The Remaining Construction would complete the Approved Project, resulting in a total of 314 units. As the Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project, none of the proposed Project revisions would cause the Project Completion to trigger any significant greenhouse gas impacts. Further, the reduction in the total number of bedrooms (see Table 1) would likely result in a lower residential population incrementally decreasing GHG emissions associated with the Remaining Construction.

After approval of the Approved Project in 2004, a General Plan Update was initiated. Given that the Notice of Preparation for the General Plan EIR was circulated in June 2006, the Approved Project was considered, and included as anticipated development, in preparation of the General Plan and General Plan EIR. As the Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project, one can conclude that the Modified Project was considered as anticipated development within the General Plan and General Plan EIR. In fact, the General Plan and General Plan EIR anticipated a higher density development than the Modified Project.

A Supplemental General Plan EIR (State Clearinghouse No. 2006062093) was prepared in 2012 to analyze Amendments to the City's General Plan, including a new Area Plan for the Concord Naval Weapons Station, as well as a revised Development Code and Zoning Map. The Supplemental General Plan EIR analyzed potential impacts to greenhouse gas

emissions. The General Plan amendments analyzed in the Supplemental General Plan EIR do not make any changes to the General Plan designation or anticipated capacity of the Remaining Construction site that would make the Remaining Construction incompatible with the General Plan. Therefore, the Modified Project is included within the analysis of greenhouse gas emissions in the Supplemental General Plan EIR.

The Supplemental General Plan EIR determined that with Mitigation Measure GHG-1, which requires the incorporation of performance measures into a citywide Climate Action Plan, potential impacts of development under the amended General Plan and Development Code would have less-than-significant impacts related to greenhouse gas emissions. The Supplemental General Plan EIR found impacts of compatibility with plans, policies, and regulations adopted to reduce greenhouse gas emissions to be less than significant. In accordance with Mitigation Measure GHG-1, the City of Concord adopted a Citywide Climate Action Plan and certified the accompanying Negative Declaration on July 23, 2013. The Citywide Climate Action Plan is considered a qualified greenhouse gas reduction strategy. Table 2 below shows how Remaining Construction is consistent with the Citywide Climate Action Plan.

TABLE 2: CONSISTENCY WITH CITYWIDE CLIMATE ACTION PLAN

Citywide Climate Action Plan Strategies	Discussion
BEI - Green Building Ordinance	The California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations (CALGreen) was adopted in January 2010, effective January 2011. The purpose of CALGreen is to implement sustainable construction practices, addressing energy and water efficiency and conservation, as well as material conservation and resource efficiency. The City of Concord adopted CALGreen by reference in Municipal Code Article XX, Sec. 14-800 Green Building Standards Code adopted. The Remaining Construction will have to comply with CALGreen, which was not in effect during the Approved Project. Therefore, the greenhouse gas impacts of Modified Project may be slightly less than that of the Approved Project due to adherence to CALGreen.
BE5: Efficient Appliances	Strategy BE5 calls for the City to promote targeted appliance improvement through outreach to local appliance vendors and by disseminating information on rebate programs. City will provide rebate and incentive programs for EnergyStar appliances as they are made available.

BH1: Water Efficient Indoor Fixtures and Appliances	Strategy BH1 calls for improving fixture and appliance water efficiency in commercial and residential buildings by promoting information about rebates and incentives, and by continuing to ensure implementation of the CALGreen code. City will provide rebate and incentive information on water efficient appliances as they are made available. The Remaining Construction will have to comply with CALGreen, which was not in effect during the Approved Project. Therefore, the greenhouse gas impacts of Modified Project may be slightly less than that of the Approved Project due to adherence to CALGreen.
BH2: Water-Efficient Outdoor Irrigation	The City of Concord Development Code, Article IV, Division 5 contains water efficient landscaping standards. The Remaining Construction will have to comply with these water efficient landscaping standards, which were not in effect when the Approved Project was approved. Therefore, the greenhouse gas impacts of the Modified Project may be slightly less than that of the Approved Project due to adherence to these standards.
TL1: Pedestrian Master Plan	Condition of Approval 71 for the Approved Project required the dedication of right-of-way for the following: b. Along the Concord Boulevard frontage to accommodate the construction of concrete sidewalk. c. Along the Galinido Street frontage a 5' x 60' public access easement directly opposite the drop off area for pedestrian access. d. along the Mira Vista Frontage to accommodate the construction of concrete sidewalk. While Strategy TL1 calls for the development of a Pedestrian Master Plan, the goal of the strategy is to minimize barriers to pedestrian access and maximize pedestrian connectivity throughout the City. The Approved Project, through compliance with Condition of Approval 71, supports this goal through the provision of sidewalks and additional pedestrian amenities such as street trees and street furniture. As the Remaining Construction is a modification of the Approved Project, the Remaining Construction would also be required to comply with Condition of Approval 71.
TL5: Bike Parking Installations	The City of Concord Development Code, Article IV, Division 3, Section 122-393 contains standards for bicycle parking.

	The Remaining Construction will have to comply with these bicycle parking standards that require bicycle parking to be provided for all multi-family projects, which were not in effect when the Approved Project was approved. Therefore, the greenhouse gas impacts of the Modified Project may be slightly less than that of the Approved Project due to adherence to these standards.
TL21: Dense and Accessible Station Areas	Strategy TL21 calls for dense development around transit stations that encourage access to transit on foot and bicycle. The Project site is within ½ mile of Downtown Concord BART station and can be classified as high density development. The Modified Project would result in the same number of housing units as the Approved Project on the same site. Thereby, the Modified Project, like the Approved Project, results in high density residential development in proximity to transit. The Modified Project also provides more bike storage facilities than the Approved Project.

Source: City of Concord, 2013

H. HAZARDS AND HAZARDOUS MATERIALS

The 2004 IS/MND analyzed the potential impacts to hazards and hazardous materials that could occur as a result of the Approved Project. The 2004 IS/MND determined that the Approved Project would have less-than-significant impacts on hazards and hazardous materials with the incorporation of mitigation.

A Phase I Environmental Site Assessment (ESA) was conducted in 1998 and later reviewed and updated by Engeo in 2003 (Update). The ESA and Update included review of a search conducted by Environmental Data Resources (EDR). The EDR search revealed that the Project site is not listed as a Leaking Underground Storage Tank (LUST) site or a Cortese Site. (A search of the Department of Toxic Substances Control EnviroStor website and the State Water Resources Control Board Geotracker website confirms that the Project site is still not listed as a LUST site or a Cortese site.).[3][4] However, the site is listed on the State

[3] State of California, Department of Toxic Substances Control EnviroStor website. www.envirostor.dtsc.ca.gov, accessed August 1, 2013.

[4] State of California Water Resources Control Board website, geotracker.waterboards.ca.gov, accessed October 24, 2013.

Water Resources Control Board of historical listing of active and inactive UST sites (CA FID), a historical listing of UST sites (HIST UST), and the Hazardous Waste Information System (HAZNET) that lists facility and manifest data regarding hazardous waste shipments. As a result of both on- and off-site hazardous material concerns, a Phase II Soil Investigation (Soil Investigation) was conducted.

In connection with the ESA Update and Soil Investigation, the 2004 IS/MND determined that the Approved Project would create potentially significant impacts unless mitigation measures were incorporated. The Approved Project proposed to provide a portion of the parking in two levels of subterranean parking, requiring a maximum vertical excavation of 23 feet. The Remaining Construction would include no more than one level of subterranean parking and approximately 10 feet of vertical excavation. Thus, the Remaining Construction would likely create less impacts related to underground hazards and hazardous materials than the Approved Project because less vertical excavation would be required.

The 2004 IS/MND requires compliance with Mitigation Measures VI.1 and VII.1 through VII.8 (see page 11-17of the MMX). The Remaining Construction would also be required to comply therewith. Additionally, the Remaining Construction would be subject local, regional, and state polices that regulate hazards and hazardous materials impacts identified in the General Plan EIR. Consequently, the impacts related to hazards and hazardous materials that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less than significant and consistent with the impacts and mitigation measures identified for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

I. HYDROLOGY AND WATER QUALITY

The 2004 IS/MND analyzed effects to hydrology and water quality associated with implementation of the Approved Project and determined that the Approved Project would have a less-than-significant effect on hydrology and water quality.

The Approved Project proposed a decrease in the existing impervious surfaces on the Project site. Similarly, the Remaining Construction, together with the Completed Construction would result in a decrease in the existing impervious surfaces. Similar to the Approved Project, the Remaining Construction would not substantially increase runoff from the Project site during storm events as stormwater would percolate into the unpaved portions of the Project site. Further, the installation of pervious surfaces proposed as part of the Remaining Construction would allow for the infiltration of precipitation and

recharge of groundwater supplies. Like the Approved Project, the Remaining Construction would not require the use or extraction of groundwater. Similar to the Approved Project, the Remaining Construction would not alter the course of a stream or river within the Project site, is not located within a 100-year flood hazard area, nor is located in a specific dam failure inundation area. Finally, no bodies of water large enough to cause a tsunami or a seiche are in close proximity to the site.

The Approved Project would have required a significant amount of earthmoving, grading, and compaction involving approximately 11,500 cubic yards of materials. The Remaining Construction, together with the Completed Construction would involve less material as the Remaining Construction would include no more than one level of subterranean parking and approximately 10 feet of vertical excavation.

The 2004 IS/MND concluded that regional controls established by the RWQCB and NPDES permit would reduce the construction impacts of the Approved Projects to less-than-significant levels by requiring the preparation of an Erosion Control Plan and a Stormwater Pollution Prevention Manual. The Remaining Construction will also be required to adhere to controls established by the RWQCB and NPDES permit. As the Remaining Construction would cause a land disturbance of one acre or more (i.e., clearing, grading, excavation, etc.), the applicant must obtain coverage under the State's General Construction Activity Stormwater Permit (General Construction Permit). The General Permit requires the applicant to prepare and implement a "Stormwater Pollution Prevention Plan" (SWPPP). The SWPPP must identify appropriate stormwater pollution prevention measures or best management practices (BMPs) to eliminate or reduce pollutants in stormwater discharges from the construction site both during construction and after construction is complete. In October 2009, a final Municipal Regional Stormwater NPDES Permit (MRP) was adopted by the RWQCB. Provision C.3 in the MRP requires site designs for new developments and redevelopments to minimize the area of new roofs and paving. Where feasible, pervious surfaces should be used instead of paving so that runoff can infiltrate to the underlying soil. Remaining runoff from impervious areas must be captured and used or treated using bioretention.

As the Approved Project was required to comply with applicable State requirements in regards to hydrology and water quality, the Remaining Construction would also be required to comply with such requirements. Although the Remaining Construction would slightly modify of the Approved Project, the Remaining Construction would also be required to comply with applicable Conditions of Approval such as 39, 50, 60, 61, 67, 68, 71, 75, 76, and 91 through 102 which pertain to drainage, NPDES, and clean water. Consequently, the impacts related to hydrology and water quality that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less-than-significant consistent with the impacts and identified for the Approved

Project. The 2004 IS/MND required no mitigation measures related to hydrology and water quality for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

J. LAND USE AND PLANNING

The 2004 IS/MND analyzed effects of land use and planning policy associated with implementation of the Approved Project and determined that the Approved Project would result in less-than-significant impacts in regards to physically dividing an established community and conflicts with applicable land use plan, and no impacts in regards to conflict with habitat or natural community conservation plan and no mitigation measures were required.

The Approved Project was described as an in-fill development that would result in an increase in land use intensity at the site and improve the pedestrian and urban environment by establishing a more consistent block frontage and increasing activity at the site. The 2004 IS/MND concluded that the project would not physically divide an established community. The site of the Remaining Construction is part of the larger Approved Project site, and the Modified Project would result in the same number of units as the Approved Project. The Remaining Construction would continue the consistent block frontage and activity from the Completed Construction. As a result, the Remaining Construction, similar to the Approved Project, would not physically divide an established community.

The 2004 IS/MND determined that a General Plan Amendment and a Municipal Code Amendment approved as part of the Approved Project would ensure consistency with the 1994 General Plan and the zoning designation at the time.

In 2007, the General Plan Amendment changed the site's General Plan designation from Central Area Multiple Use Regional Office to High Density Residential, which allowed for high-rise residential development at a density range of 44 to 100 units per acre, and for street level commercial or office uses. In 2007, the City adopted the Concord 2030 General Plan, amended in 2012, which changed the site's General Plan designation to Downtown Mixed Use (DTMU), which allows a residential density range from 33 to 100 units per acre. As the total number of housing units of the Approved Project is the same as the Modified Project, the density is also the same which is approximately 60 dwelling units per acre. This density is within the density range of the Downtown Mixed Use General Plan land use designation.

Concord's Housing Element, adopted in 2010, included 2.35 acres of the Project site as an opportunity site, and indicated 180 housing units as the site's capacity. The Remaining Construction would result in 179 housing units on the site, and therefore would produce a level of growth within the capacity identified by the Housing Element. Additionally, because the Housing Element IS/ND found that growth under the Housing Element would not result in any development beyond that which is anticipated in the 2030 General Plan, the Modified Project (Completed Construction + Remaining Construction) is considered to be within the buildout of the General Plan.

In 2004, as part of the Approved Project, a Municipal Code Amendment was approved to amend the site's overlay zoning classification from Office to Commercial/Residential to allow for ground floor residential uses. The base zoning classification remained Downtown Business District. In 2012, the City updated the City of Concord Development Code to create the Downtown Mixed Use (DMX) zoning classification to implement the Downtown Mixed Use General Plan 2030 land use designation, and as part of that update, changed the site's zoning designation to DMX which allows for ground floor residential uses. As the uses of the Approved Project are the same as the Modified Project, they are consistent with the Commercial/Residential and DMX zoning classifications.

The 2004 IS/MND determined that the Approved Project was consistent with Land Use Objectives in the Concord 1994 General Plan. The Remaining Construction would support the land use objectives in the Concord 2030 General Plan, and the Modified Project would achieve similar land use objectives as the Approved Project, as shown in Table 3 below.

TABLE 3: GENERAL PLAN COMPARISON

Concord 1994 General Plan	Concord 2030 General Plan	Discussion
Land Use Objective 1.4 Policy 1.4.1: Encourage integration of residential uses within the Central Area	Policy LU-1.3.3: Support higher density and mixed use development in Downtown and near transit centers and corridors. Policy LU-1.3.1: Encourage a variety of housing types on infill development sites.	The Remaining Construction and the Modified Project will provide high density residential housing in the Downtown central area located approximately 0.4 miles from the Downtown Concord BART station.
Land Use Objective 7.2: Provide opportunities for residential development in Central Concord to complement and support commercial, office and entertainment uses, and to provide for those residents who prefer "downtown" living.	Principle LU-4.1: Promote Central Concord as the economic, social, symbolic, and historic center of the City. Policy LU-4.1.3: Integrate mixed uses at an urban scale. Principle LU-4.2: Capitalize on Downtown's Sense of Place.	The Remaining Construction and the Modified Project will provide high density residential housing in the Downtown central area, offering housing opportunities in the Downtown area.

	Policy LU-4.2.1: Require a mix of uses to promote an active commercial and residential center.	

Source: City of Concord 2012; City of Concord 2004.

In addition to land use objectives in the General Plan, the Approved Project met the goals of the 2003 Housing Element that were established for the 2006 planning period. The Remaining Construction would meet the goals of the 2010 Housing Element, and the Modified Project would achieve the goals of the Approved Project, as shown in Table 4 below.

As part of the City of Concord Development Code update, updated parking standards reduced parking requirements for the Modified Project compared to the Approved Project as shown in Table 5. The Modified Project would result in 108 fewer parking spaces than the Approved Project. This is a result of the developer initially proposing more parking than the Development Code required, a change in the parking requirements and a change in the unit mix and number of bedrooms with Modified Project. Additionally, where the Approved Project was not required to provide bicycle parking, the Modified Project includes bicycle parking consistent with the requirements of the updated Development Code.

TABLE 4: HOUSING ELEMENT COMPARISON

2003 Housing Element	2010 Housing Element	Discussion
Goal 1. Housing Supply and Mix Promote a balanced supply of housing for all income groups residing or who wish to reside in Concord.	GOAL H-1: HOUSING SUPPLY AND MIX Promote a balanced supply of housing types, densities and prices to meet the needs of all income groups residing or who wish to reside in Concord.	The Remaining Construction and the Modified Project will result in housing located in Downtown.
Goal 2. Quality Neighborhoods Preserve and enhance Concord's residential neighborhoods and improve the quality of life for all residents.	GOAL H-2: QUALITY NEIGHBORHOODS Preserve and enhance Concord's residential neighborhoods and improve the quality of life for all residents.	The Remaining Construction and the Modified Project will result in housing located in Downtown, surrounded by commercial and office uses, approximately 0.4 miles from the Downtown Concord BART station.

Source: City of Concord, 2010.

TABLE 5: ON-SITE PARKING COMPARISON

On-Site Parking	Requirements for On-Site Parking for Completed Construction	Requirements for On-Site Parking for Proposed Remaining Project	Total Required On-Site Parking Spaces (Completed + Remaining)
Studio	1.5 spaces/unit	1 space/unit	12
1 Bedroom	1.5 spaces/unit	1.5 spaces/unit	190
2 + Bedrooms	2 spaces/unit	2 spaces/unit; plus 0.5 space/bedroom for 3 plus bedrooms	350
Guest Parking	1 space/3 units	1 space/3 units	105
TOTAL	292	364	656

Source: City of Concord Development Code, 2013.

The 2004 IS/MND determined that there would be no impact in regards to conflict with an applicable habitat conservation or natural community conservation plan. The site of the Remaining Construction is part of the larger Approved Project site, and similar to the Approved Project, would have no impact regards to conflict with an applicable habitat conservation or natural community conservation plan.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to land use under which the project would be undertaken have not substantially changed. As a result, the Modified Project (Completed Construction + Remaining Construction), similar to the Approved Project, would have less-than-significant impacts on land use. The 2004 IS/MND required no mitigation measures related to land use for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

K. MINERAL RESOURCES

The 2004 IS/MND evaluated the Approved Project site and concluded that there would be no impacts to mineral resources.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to mineral resources under which the project would be undertaken have not changed. As a result, the Modified Project (Completed Construction + Remaining Construction), similar to the Approved Project, would have no impacts on mineral resources. The 2004 IS/MND required no mitigation measures related to mineral resources for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

L. NOISE

The 2004 IS/MND evaluated the Remaining Construction site and analyzed the potential noise impacts that could occur and determined that the Approved Project could have potentially significant noise impacts related to: (a) exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance; (d) a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; and (e) exposure of persons residing or working in the project area to excessive noise levels associated with the nearby public airport. Mitigation measures were recommended to reduce each of these impacts to a less-than-significant level. The 2004 IS/MND determined that there would be less-than-significant impacts in regards to: (b) exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels and to: (c) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The 2004 IS/MND determined that there would be no impact in regards to: (f) exposure of people residing or working in the project area to excessive noise levels from a private airstrip.

Noise Compatibility

The 2004 IS/MND indicated that absent mitigation, some of the units along Galindo Street, Concord Avenue, and Willow Pass Road could be exposed to noise levels that are conditionally acceptable (70 to 80 dB CNEL). The site of the Remaining Construction is part of the larger Approved Project site and the Remaining Construction would have frontage along Concord Avenue and Willow Pass Road. The General Plan Supplemental EIR indicates that with the General Plan, the Remaining Construction frontages along Concord

Boulevard and Willow Pass Road may continue to be exposed to noise levels that are conditionally acceptable. The 2004 IS/MND requires compliance with Mitigation Measure XI.1 (see pages 17-20 of the MMX) and the Approved Project was required to comply with Conditions of Approval 56 and 57 which establish maximum noise levels for the Project. The Remaining Construction would also be required to comply therewith.

Increase in Ambient Noise Levels

The 2004 IS/MND determined that the Approved Project would not result in any significant increases in noise levels. The 2004 IS/MND indicated that over the long term, the Approved Project would affect the ambient noise environment in the Project vicinity by generating motor vehicle trips on the local road network. As indicated in the Fehr & Peers memo (see Appendix), the Approved Project as for-sale condominium units would generate 1,370 daily vehicle trips. The Modified Project (Completed Construction + Remaining Construction) as rental units would generate 1,570 daily vehicle trips, resulting in 200 additional daily vehicle trips.

The City's General Plan considers a 3 dB change in sound as a "just noticeable difference," and changes of less than 3 dB are often imperceptible. A 3 dB change in sound would result if traffic was doubled.[5] The Fehr & Peers memo shows that considering the Modified Project (Completed Construction + Remaining Construction) as rental units would not double daily vehicle trips. Rather, this modification to the Approved Project would only result in 200 additional daily vehicle trips and would result in an approximate 0.6 dB increase in noise levels which would most likely be imperceptible. Additionally, like the Approved Project, the heating, ventilation and air conditioning (HVAC) equipment for the Remaining Construction would also be located on the rooftop and would be visually and acoustically screened. Consequently, the impacts related to ambient noise levels that could occur as the result of the Remaining Construction would be consistent with the impacts identified for the Approved Project.

The 2004 IS/MND indicated that the Approved Project would not result in exposure to excessive construction noise or groundborne vibration. The Remaining Construction could generate similar levels of temporary construction noise and groundborne vibration as the Approved Project. The site's surrounding uses have not substantially changed since the 2004 IS/MND was published, thus the residents would be exposed to similar levels of noise as previously studied. In fact, the Remaining Construction may generate marginally

[5] Caltrans. Technical Noise Supplement, November 2009. P. 2-48.

less construction noise as less excavation is required. The 2004 IS/MND requires compliance with Mitigation Measure XI.2 and XI.3 (see pages 20-22 of the MMX) and the Approved Project was required to comply with Condition of Approval 60 which limits allowed construction hours for the project. Although the Remaining Construction would modify the Approved Project, the Remaining Construction would also be required to comply therewith.

Airport

The 2004 IS/MND indicated that the Approved Project site is located just under one mile from the Buchanan Field Airport, a public use airport. The site of the Remaining Construction is a part of the larger Approved Project site, and circumstances related to airport noise have not changed. The 2004 IS/MND requires compliance with Mitigation Measure XI.4 (see page 23 of the MMX). Although the Remaining Construction would modify the Approved Project, the Remaining Construction would also be required to comply therewith.

The 2004 IS/MND indicated that while the Approved Project site is not within the vicinity of a private airstrip, it is within about 0.4 miles of the Mount Diablo Hospital Medical Center helipad. However, the Approved Project site is located outside of the Hospital's 55 Ldn noise contours and therefore would not be exposed to excessive noise associated with the hospital helipad. The site of the Remaining Construction is a part of the larger Approved Project site, and circumstances related to noise associated with the hospital helipad have not changed.

Overall

The 2004 IS/MND requires compliance with Mitigation Measures XI.1 through XI.4 (see pages 20-23 of the MMX). Although the Remaining Construction would modify the Approved Project, the Remaining Construction would also be required to comply therewith. Consequently, the impacts related to noise that could occur as a result of the Modified Project (Completed Construction + Remaining Construction) would be less-than-significant for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

M. POPULATION AND HOUSING

The 2004 IS/MND evaluated the Approved Project and concluded that there would be a less-than-significant impact in regards to inducing substantial population growth and

there would be no impact to the displacement of housing and people, necessitating the construction of replacement housing elsewhere.

The Remaining Construction would complete the Approved Project, resulting in a total of 314 units. As the Modified Project (Completed Construction + Remaining Construction) will result in the same number of residential units as the Approved Project, it is not anticipated that the Modified Project population will exceed that of the Approved Project. Rather, the reduction in number of overall bedrooms in the Modified Project could result in a population incrementally lower than that considered in connection with the Approved Project.

The 2004 IS/MND determined that the Approved Project would result in an increase in the City of Concord's resident population by approximately 0.4 percent of Concord's 2002 total population of 122,225. In 2010, the City of Concord's population decreased to 122,067. While the Remaining Construction may increase Concord's total population, the total population would be similar to the City of Concord population in 2002 with the Approved Project.

The Housing Element included the Project's Construction site as a housing opportunity site, and indicated 180 housing units as the site's capacity. The Remaining Construction would result in 179 housing units on the site, and therefore would produce a level of growth within the capacity identified by the Housing Element. Additionally, because the Housing Element IS/ND found that growth under the Housing Element would not result in any development beyond that which is anticipated in the 2030 General Plan, the Modified Project is considered to be within the buildout of the General Plan.

The environmental review for these two documents (General Plan and Housing Element) did not identify any significant impacts related to population and housing.

The 2004 IS/MND determined that there would be no impact to displacement of housing and people as the Approved Project site did not include any existing residential uses. This remains true for that portion of the Approved Project site being utilized for the Remaining Construction.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to population and housing under which the project would be undertaken have not changed. As a result, the Modified Project, similar to the Approved Project, would have less-than-significant or no impacts on population and housing. The 2004 IS/MND required no mitigation measures related to population and housing for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

N. PUBLIC SERVICES

The 2004 IS/MND analyzed effects to public services associated with implementation of the Approved Project. The 2004 IS/MND determined that the Approved Project would have less-than-significant impacts on public services, and no mitigation measures were required.

The Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project. The Remaining Construction would be located in the same Project area evaluated in the 2004 IS/MND. Therefore, like the Approved Project, the Modified Project (Completed Construction + Remaining Construction) would not result in the need for increased public services, including fire protection, police protection, schools, parks, and other public facilities that would result in substantial adverse physical impacts. Furthermore, the Housing Element IS/ND, which assumed the development of 180 housing units on the Remaining Construction Project site, would result in less-than-significant impacts related to all public services. Rather, the reduction in number of overall bedrooms in the Modified Project could result in a population incrementally lower than that considered in connection with the Approved Project.

The site of the Remaining Construction is part of the larger Approved Project site and the Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project. Circumstances related to public services under which the Remaining Construction would be undertaken have not changed. As a result, the Modified Project, similar to the Approved Project, would have less-than-significant impacts on public services. The 2004 IS/MND required no mitigation measures related to public services for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

O. RECREATION

The 2004 IS/MND analyzed the potential impacts on recreational facilities that could occur as a result of the Approved Project. The 2004 IS/MND determined that the Approved Project would have less-than-significant impacts on recreational facilities, and no mitigation measures were required.

The 2004 IS/MND determined that while the Approved Project would provide on-site recreation amenities, it was likely that the Approved Project would generate additional demand for existing neighborhood and regional parks and other recreational facilities.

After approval of the Approved Project, a General Plan Update was initiated. Given that the Notice of Preparation for the General Plan EIR was circulated in June 2006, the Approved Project was considered, and included as anticipated development, in preparation of the General Plan and General Plan EIR. As the Modified Project (Completed Construction + Remaining Construction) results in the same number of residential units as the Approved Project, the Modified Project can be considered as anticipated development within the General Plan and General Plan EIR.

The Housing Element included the Remaining Construction site as a housing opportunity site, and indicated 180 housing units as the site's capacity. The Remaining Construction would result in 179 housing units on the site, and therefore would produce a level of growth within the capacity identified by the Housing Element. Additionally, because the Housing Element IS/ND found that growth under the Housing Element would not result in any development beyond that which is anticipated in the 2030 General Plan, the Modified Project (Completed Construction + Remaining Construction) is considered to be within the buildout of the General Plan. The environmental review for these two documents did not identify any significant impacts related to parks and recreation. Additionally, like the Approved Project and the Completed Construction, the Remaining Construction will be subject to relevant parkland impact fees.

The site of the Remaining Construction is part of the larger Approved Project site, and the Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project. Circumstances related to parks and recreation under which the project would be undertaken have not changed. As a result, the Modified Project, similar to the Approved Project, would have less-than-significant impacts on park and recreation resources. The 2004 IS/MND required no mitigation measures related to parks and recreation for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

P. TRANSPORTATION/TRAFFIC

The 2004 IS/MND analyzed the potential impacts on transportation and traffic that could occur as a result of the Approved Project and determined that it would have less-than-significant or no impacts on transportation and traffic related topics, and no mitigation measures were required.

The initial transportation impact analysis for the Approved Project was prepared in 2004, and analyzed of 305 condominium units, replacing an existing 62,500-square foot auto dealership. The Approved Project consisted of 314 dwelling units; supplemental analysis conducted around the time of project approvals indicated that the additional trip generation resulting from nine additional units was not sufficient to trigger project-specific impacts.

A Transportation Assessment Memo prepared by Fehr & Peers in October 2013 (see Appendix) concludes that the Modified Project (Completed Construction + Remaining Construction) could generate slightly more traffic than the Approved Project. As traffic conditions in the downtown area have not significantly worsened from 2004 conditions, this slight increase in traffic is not expected to change the overall results and conclusions from the 2004 study.

The Approved Project included 314 condominiums. Based on trip generation rates presented in the 9th Edition of the Institute of Transportation Engineers (ITE) publication *Trip Generation Manual,* when considering the central business district (CBD) reduction of 25 percent, the Approved Project was expected to generate approximately 1,370 daily vehicle trips, including 103 morning peak hour and 123 evening peak hour trips.

The Completed Construction consists of 135 condominium units that are currently leased as apartments, which based on ITE rates, generates more traffic than condominiums. If the remaining units are constructed as apartments, the Modified Project (Completed Construction + Remaining Construction) would generate approximately 200 more vehicle trips on a daily basis, including 17 more trips during the AM peak hour and 23 more trips during the PM peak hour than the Approved Project.

Although the Modified Project (Completed Construction + Remaining Construction) operating as rental units would generate more traffic than the Approved Project, the level of additional trip generation is not sufficient to trigger additional analysis to satisfy Measure J requirements, which requires analysis of projects expected to generate more than 100 peak hour trips.

The Transportation Assessment Memo evaluated traffic volumes and operations of the three intersections analyzed in the 2004 study and also included in the more recent Downtown Specific Plan. Traffic conditions from the 2004 study are reflective of conditions in 2004 while the more recent Downtown Specific Plan existing conditions analysis reflects 2013 conditions. The intersections included in the review are:

1. Galindo Street / Willow Pass Road
2. Galindo Street / Concord Boulevard
3. Galindo Street / Clayton Road

Comparing the AM and PM peak hour traffic volumes at the intersections listed above between the 2004 and 2013 counts shows that traffic volumes in the vicinity of the study area have decreased slightly for some intersections, and increased slightly at other intersections. Overall, traffic volumes in the area have increased by approximately 4 percent during the AM peak hour and decreased by approximately 1 percent during the PM peak hour. These changes are within the expected range of daily variation as traffic flows can differ throughout the week, and overall traffic conditions based on the volume comparison are relatively unchanged.

While the Modified Project (Completed Construction + Remaining Construction) could generate slightly more traffic than the Approved Project, conditions in the downtown area have not significantly worsened from 2004 conditions. The slight increase in traffic is not expected to change the overall results and conclusions from the 2004 study and circumstances related to transportation under which the Remaining Construction would be undertaken have not substantially changed. As a result, the Modified Project, similar to the Approved Project, would have less-than-significant transportation impacts. The 2004 IS/MND required no mitigation measures related to transportation for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

In 2009, the CEQA Guidelines were amended (adopted December 30, 2009, effective March 18, 2010) to remove consideration of parking and the Environmental Checklist Form (Appendix G) was modified to reflect this amendment. However, a discussion of parking is provided in Section J Land Use and Planning which evaluates the Modified Project's total parking spaces as compared to the Approved Project in light of the City of Concord Development Code Update.

Q. UTILITIES AND SERVICES SYSTEMS

The 2004 IS/MND analyzed effects to utilities associated with implementation of the Approved Project. The 2004 IS/MND determined that the Approved Project would have less-than-significant impacts on utilities, and no mitigation measures were required.

The Modified Project (Completed Construction + Remaining Construction) would result in the same number of residential units as the Approved Project. Table 6 lists the utility and/or service provider and explains if circumstances related to utilities under which the Remaining Construction would be undertaken have changed.

TABLE 6: UTILITIES AND SERVICE SYSTEM

Utility/Service	Servicer	Requirements or Changes Since 2004 IS/MND
Wastewater treatment requirements	Regional Water Quality Control Board	No changes
Construction of new, or expansion of existing, water or wastewater treatment facilities	City of Concord Community & Economic Development Department (Engineering-Current Development)	Given that the population decreased to 122,067 in 2010, the existing conditions identified in the 2004 IS/MND are likely still representative of current conditions. If it is determined that upsizing of sewer mains affected by the Remaining Construction are needed, the project sponsor would be required to pay the applicable fees for the connection from the Project site to the sewer main.
Construction of new, or expansion of existing, storm water drainage facilities	City of Concord Community * Economic Development Department (Engineering-Current Development)	The Approved Project would have resulted in incrementally less impervious surface than what existed prior to construction. Similarly, the Remaining Construction, together with the Completed Construction, would result in a decrease in the existing impervious surfaces. Like the Approved Project, the Remaining Construction would have to adhere to regional controls such as provision C.3 in the MRP which requires site designs for new developments and redevelopments to minimize the area of new roofs and paving, and to Conditions of Approval 97 through 103. Thus, the Modified Project (Completed Construction +

		Remaining Construction) would not create additional demand on the stormwater drainage facilities.
Water supplies	Contra Costa Water District	Given that the population decreased to 122,067 in 2010, the existing conditions identified in the 2004 IS/MND are likely still representative of current conditions in regards to existing demand for water.
Wastewater treatment servicer capacity	Contra Costa Sanitary District	Given that the population decreased to 122,067 in 2010, the existing conditions identified in the 2004 IS/MND are likely still representative of current conditions in regards to existing wastewater generation. Like the Approved Project, if it is determined that the Remaining Construction's contribution of wastewater exceeds capacity, the project sponsor would be required to pay the Project's proportional share of upgrading the sanitary sewer main serving the Project site. In addition, like the Approved Project, the Remaining Construction would have to comply with Conditions of Approval 95 and 109 pertaining to sewer connections and upgrades. .
Landfill	Concord Disposal Service and Potrero Hills Landfill	When the 2004 IS/MND was approved, the Potrero Hills Landfill was estimated at 64

		percent capacity and not expected to close until 2035. In 2010, the Potrero Hills Landfill was granted a marsh permit from the Bay Conservation and Development Commission to expand its capacity from 21.5 million cubic yards to 83.1 million cubic yards. However, the permit has been challenged and a resolution has not been reached. Even without additional capacity, Potrero Hills Landfill would still have available capacity for the Remaining Construction.
Federal, State, and local statutes and regulations related to solid waste	N/A	State law requires at least 50 percent of solid waste generated in a community be recycled. The City of Concord adopted a local Construction and Demolition Materials Recycling Ordinance (C&D Ordinance) effective July 1, 2007. The C&D Ordinance requires that at least 50 percent of the waste materials generated by a construction or demolition project be diverted from the landfill through waste management options such as reuse or recycling. The C&D Ordinance also requires that at least 75 percent of all inert debris generated by a construction or demolition project be diverted from the landfill. Inert debris includes concrete, asphalt, brick and similar masonry products. Similar to the Approved Project, the Remaining Construction would have to Comply with the City of Concord Municipal Code as required in Condition of

		Approval 15.

Source: Urban Planning Partners, 2013.

After approval of the Approved Project, a General Plan Update was initiated. Given that the Notice of Preparation for the General Plan EIR was circulated in June 2006 the Approved Project was considered, and included as anticipated development, in the preparation of the General Plan and General Plan EIR. As the Modified Project (Completed Construction + Remaining Construction) results in the same number of residential units as the Approved Project, the Modified Project can be considered as anticipated development within the General Plan and General Plan EIR.

The Housing Element included the Remaining Construction site as a housing opportunity site, and indicated 180 housing units as the site's capacity. The Remaining Construction would result in 179 housing units on the site, and therefore would produce a level of growth within the capacity identified by the Housing Element. Additionally, because the Housing Element IS/ND found that growth under the Housing Element would not result in any development beyond that which is anticipated in the 2030 General Plan, the Modified Project (Completed Construction + Remaining Construction) is considered to be within the buildout of the General Plan. The environmental review for these two documents did not identify any significant impacts related to utilities.

The site of the Remaining Construction is part of the larger Approved Project site, and circumstances related to utilities under which the project would be undertaken have not changed. As a result, the Modified Project, similar to the Approved Project, would have less-than-significant impacts on utilities. The 2004 IS/MND required no mitigation measures related to utilities for the Approved Project.

No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

R. MANDATORY FINDINGS OF SIGNIFICANCE

Section XVII of the 2004 IS/MND addressed mandatory findings of significance associated with the Approved Project. The Approved Project was found to have no impact on the quality of the environment with respect to habitat of fish or wildlife as any rare or endangered plants or animals exist on or near the site. The 2004 IS/MND identified mitigation measures to reduce all potentially cumulative impacts related to traffic, air quality, and noise to a less-than-significant level. Other identified impacts were site-specific and would not combine with impacts from other projects. Finally, the Approved

Project was found to not cause substantial adverse effects on humans upon implementation of the identified mitigation measures.

The Remaining Construction would be located on a portion of the same site as the Approved Project and would be subject to similar environmental conditions. No new resources would be impacted and no increase in effects would occur. Implementation of mitigation measures discussed in the 2004 IS/MND would ensure that effects associated with the Modified Project would be less than significant. No new or substantially more severe significant effects would occur and no mitigation measures are required.

IV. CONCLUSION

On the basis of the evaluation presented in this Addendum, the changes associated with the Modified Project (Completed Construction + Remaining Construction) would not trigger any of the conditions listed in Section I.D of this Addendum, requiring preparation of a subsequent or supplemental EIR or MND. Thus, this Addendum satisfies the requirements of CEQA Guidelines sections 15162 and 15164. The Modified Project (Completed Construction + Remaining Construction) would not introduce new significant environmental effects, substantially increase the severity of previously identified significant environmental effects, or show that mitigation measures previously found not to be feasible would in fact be feasible.

Overall, the Modified Project (Completed Construction + Remaining Construction) would result in similar effects to those of the Approved Project due to similar density, operations, and construction requirements as those which were originally proposed and would therefore generate comparable effects. The Modified Project (Completed Construction + Remaining Construction) would not result in new significant effects or effects that would be substantially more severe than those identified in the 2004 IS/MND. The mitigation measures included in the 2004 IS/MND that remain applicable are listed with page numbers in this Addendum for easy reference.

The analyses and conclusions in the 2004 IS/MND remain current and valid. The Modified Project would not cause new or substantially more severe significant effects than identified in the 2004 IS/MND, and thus no new mitigation measures would be required. No change has occurred with respect to circumstances surrounding the Modified Project that would cause new or substantially more severe significant environmental effects than identified in the 2004 IS/MND, and no new information has become available that shows that the Modified Project would cause significant environmental effects not already analyzed in the 2004 IS/MND. Therefore, no further environmental review is required beyond this Addendum to the 2004 IS/MND.

None of the elements set forth in Public Resources Code Section 21166 or CEQA Guidelines Section 15162 exists, and in accordance with Public Resources Code Section 21166 and CEQA Guidelines Section 15162, no subsequent or supplemental EIR or MND is required. Thus, this Addendum satisfies the requirements of CEQA, including CEQA Guidelines sections 15162 and 15164.

V. REFERENCES

ABAG and MTC, Plan Bay Area Environmental Impact Report, 2013.

Bay Area Air Quality Management District. CEQA Guidelines. http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx, accessed October 25, 2013.

Caltrans, http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed August 15, 2013.

Caltrans Technical Noise Supplement, November 2009. P. 2-48.

City of Concord, *2030 Urban Area General Plan Environmental Impact Report*, 2006.

City of Concord, *2030 General Plan*, 2012.

City of Concord, *Citywide Climate Action Plan*, March 2013 Public Review Draft, Adopted July 23, 2013. http://www.cityofconcord.org/pdf/citygov/agendas/council/2013/0723/3B.pdf, accessed August 16, 2013.

City of Concord, *Downtown Concord Condominiums Initial Study/Mitigated Negative Declaration*, 2004.

City of Concord, *Housing Element*, 2010.

City of Concord, *Housing Element Initial Study/Negative Declaration,* 2010.

City of Concord, *Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR for the concord Development Code Project*, 2012.

Contra Costa County, 2011 Congestion Management Program, http://www.ccta.net/assets/documents/CMP/2011%20Final%20CMP_ExecSum_Chp1-9.pdf. Accessed August 15, 2013.

Fehr & Peers, *Concord Residential - Lehmers Site Concord*, CA, April 2004.

Fehr & Peers, *Renaissance Square Transportation Assessment*, 2013.

HortScience, Inc. *Preliminary Tree Report*, January 2004.

Tom Origer & Associates, *Cultural Resources Memo*, 2013.

State of California, Department of Toxic Substances Control EnviroStor website. www.envirostor.dtsc.ca.gov, accessed August 1, 2013.

State of California Water Resources Control Board website, geotracker.waterboards.ca.gov, accessed October 24, 2013.

ATTACHMENT 1

Environmental Checklist

California Environmental Quality Act

Concord

CITY OF CONCORD
Planning Division
1950 Parkside Drive, MS 53
Building D, Permit Center
Concord, CA 94519

PHONE (925) 671-3152
FAX: (925) 671-3381

---

1. Project Title: **Downtown Concord Condominiums**

2. Lead Agency Name and Address: **City of Concord**
Planning Division
1950 Parkside Drive, MS/53
Building D, Permit Center
Concord, CA 94519

3. Contact Person and Phone Number: **Project/CEQA – Frank Abejo – (925) 671-3128**

4. Project Location: **1851 Galindo Street (south of Willow Pass Road, north of Concord Boulevard, and east of Mira Vista Terrace)**
APN: 126-062-010

5. Project Sponsor's Name and Address: **Signature Properties, Inc.**
4670 Willow Road, Suite 200
Pleasanton, CA 94588

6. General Plan Designation: **Central Area Multiple Use Office**

7. Zoning: **DBD (Downtown Business District)**

8. Description of Project:
The proposed project is a residential infill project within a redevelopment area of downtown Concord and would reuse a 5.16-acre site currently serving a car dealership and automotive repair use occupying approximately 50,500 gross square feet of building space. The proposed project would include demolition of existing structures and construction of three new buildings with up to 310 residential units, comprised of up to 283 condominium flats, 22 townhome-style units, and 5 live work lofts (along Galindo Street). Additionally, the project would provide approximately 5,000 square feet of pedestrian-oriented retail at the corner of Galindo and Willow Pass Road. The project would provide approximately 764 on-site parking spaces comprised of 661 stalls for residents (2.0– spaces/unit) and 103 spaces for guests (1 space/3 units).

Project amenities include a pool, spa, fitness center, private storage space, and balconies. The buildings would be constructed on a podium-level, rising 4 or 5 stories to a maximum height of 75 feet with two-story parking garages constructed partially below grade. The project would also widen Galindo Street by 15 feet from 60 feet to 75 feet and improve the landscape/streetscape around the perimeter of the project site.

The project would require a General Plan Amendment from Central Area Multiple Use/Regional Office to High Density Residential, an Amendment to the Zoning Ordinance to change the land use designation in Exhibit A of the Downtown Business District regulations from Office to Residential, a Variance for the setback along Galindo Street from the requirement of 20 feet to 10 feet, and Design Review.

9. Surrounding Land Uses and Setting. (Briefly describe the project's surroundings.):
The project site is surrounded by a variety of commercial uses including a restaurant, office buildings, and a movie theatre/parking garage structure across Willow Pass Road; a gas station, office buildings and banks across Galindo Street; a used car lot, place of worship and residential units across Concord Boulevard; and office buildings across Mira Vista Terrace. A restaurant/office building is located adjacent to the project site, on the corner of Willow Pass Road and Mira Vista Terrace.

10. Other agencies whose approval is required (e.g. permits, financing approval, or participation agreement.):
None.

Environmental Factors Potentially Affected:

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

- [ ] Aesthetics
- [ ] Agriculture Resources
- [X] Air Quality
- [ ] Biological Resources
- [X] Cultural Resources
- [ ] Geology/Soils
- [X] Hazards & Hazardous Materials
- [ ] Hydrology/Water Quality
- [ ] Land Use/Planning
- [ ] Mineral Resources
- [X] Noise
- [ ] Population/Housing
- [ ] Public Services
- [ ] Recreation
- [ ] Transportation/Traffic
- [ ] Utilities/Service Systems
- [ ] Mandatory Findings of Significance

Determination:

On the basis of this initial evaluation:

- [ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- [X] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- [ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- [ ] I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- [ ] I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Frank Abejo — Signature — 5-26-04 — Date

Frank Abejo — Printed Name — 5-26-04 — Date

Evaluation of Environmental Impacts:

(1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

(2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

(3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

(4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," may be cross-referenced).

(5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

(6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g.. general plans. zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

(7) Supporting Information Sources: A source list should be attached. and other sources used or individuals contacted should be cited in the discussion.

(8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

(9) The explanation of each issue should identify:

   (a) The significance criteria or threshold, if any, used to evaluate each question; and

   (b) The mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
I. AESTHETICS -- *Would the project:*				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion:

a) The project site is not identified in the City of Concord General Plan as a scenic vista. Views from the project site consist of adjacent commercial buildings and major roadways including Concord Boulevard and Willow Pass Road. The proposed project would alter the visual quality of the site, by increasing the on site density and introducing new landscaping along the street frontages. Although the proposed project would block views to the west and south from the out-parcel, these views do not include scenic resources, and there would be no impact to scenic resources.

b) The California Department of Transportation administers California's Scenic Highways Program. There are two designated California Scenic Highway roadway segments in Contra Costa County including an 8.9-mile roadway segment of State Route 24, from East Portal of Caldecott Tunnel to I-680 near Walnut Creek and a 14.4-mile roadway segment of I-680 from Alameda County line to State Route 24 (California Department of Transportation, 2004). The project site is approximately seven miles northeast of these designated highway segments and therefore would have no effect. The project site does not contain, nor is it in the immediate vicinity of scenic resources such as trees, rock outcroppings, or historic buildings. Therefore the project would have no impact to such resources.

c) A substantial portion of the project site consists of surface vehicular storage areas, and the balance of the site consists of automobile-related buildings. Vegetation is limited and the site does not contain visually prominent resources. The proposed project would construct residential buildings between four and five stories tall (e.g. maximum of 75 feet) and construct a new roadway (Street A) bisecting the site. The project sponsor has presented the project to the Ad-Hoc Design Review Board three times.[1] Throughout the design review process, the project sponsor has incorporated design modifications, pursuant to the review comments from staff and the Ad-Hoc Design Review Board, including the creation of an "urban retail plaza" at Willow Pass Road and Galindo Street, revision of elevations to vary texture and materials and stronger landscape and streetscape characteristics within the project. The proposed buildings would improve the visual quality of the site by adding new landscaping around the street frontages and create a more continuous block frontage that would improve the pedestrian environment. The proposed project would therefore have a beneficial effect on visual quality at the site.

d) The project site is located in a built-out urban environment that includes exterior lighting associated with existing commercial buildings adjacent to the project site, and exterior lighting on the site associated with the existing automobile-related commercial uses. The site is also adjacent to major roadways, Willow Pass Road and Concord Boulevard, which provide street lighting. The proposed project would include exterior lighting along pedestrian and vehicle access ways and within outdoor public spaces. There would also be exterior lighting at building entries and exits. Exterior lighting throughout the project site would utilize fixtures designed to minimize light spillage. Because the project is within an urban setting, the increases in light attributed to the proposed project are not considered substantial and would not adversely affect day or nighttime views in the

[1] The Ad-Hoc Design Review Board is comprised of two City Council Members and two regular Design Review Board Members, and its purpose is to gather feedback from the City Council and other staff, early in the project development process. Thus, when the City Council is later asked to approve the General Plan Amendment, they have had the opportunity to provide initial comments to add-value.

area. The project sponsor would also be required to submit a Photometric Study to be reviewed by City staff for compliance with city standards as a condition of approval. The project sponsor would comply with existing City standards and recommendations provided by City staff regarding light and glare. Therefore the proposed project would not result in significant new light or glare impacts.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
II. AGRICULTURE RESOURCES --*Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Discussion:

a) The project site presently consists of a car dealership, automotive repair shop and surface vehicular storage. There are no active agricultural uses at the project site or in the vicinity. The area is designated by the California Department of Conservation as urban and built-up land, defined as "land occupied by structures with a building density of at least one unit to one and one-half acres" as shown on the Important Farmland Map for Contra Costa County. Thus, the proposed project would not convert Farmland to non-agricultural use and there would be no impact (California Department of Conservation, 1990).

b) The current zoning designation for the project site is Downtown Business District (DBD) and there is no agricultural zoning at the site. Therefore the proposed project would not conflict with zoning for agricultural use and there is no Williamson Act contract that applies (City of Concord, 2004).

c) The project site is within an urbanized area in the City of Concord. There are no active agricultural uses as the site or in the vicinity, and therefore no potential to convert Farmland to non-agricultural uses.

III. AIR QUALITY – *Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative threshold for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Discussion:

a) The proposed project is located in the San Francisco Bay Area Air Basin, which is a state and federal "non-attainment" area for ozone and a state "non-attainment" area for particulate matter with less than a 10-micron diameter (PM_{10}). To achieve attainment, the Bay Area Air Quality Management District has developed both the *Revised San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard* (in compliance with the Federal Clean Air Act) and the *Bay Area*

2000 Clean Air Plan (in compliance with state law). These plans contain mobile source controls, stationary source controls and transportation control measures to be implemented in the region to attain the State and Federal ozone standards within the Bay Area Air Basin. The proposed project is a residential infill project within a redevelopment area of downtown Concord and would reuse a site currently serving a car dealership and automotive repair use. By providing infill residential development near the Concord BART Station, the proposed project would implement applicable transportation control measures. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

b) During construction, the operation of equipment would emit hydrocarbons, oxides of nitrogen, carbon monoxide, and particulate matter (consisting of windblown dust and diesel particulate). These emissions would occur at less-than-significant levels. The BAAQMD's approach to analysis of construction impacts is to emphasize implementation of effective and comprehensive control measures rather than detailed quantification of emissions (BAAQMD 1996). The project would be required to implement BAAQMD control measures (**Mitigation Measure III.1**) for controlling PM_{10} emissions from construction activities.

Operation of the project would not cause or contribute substantially to any existing or projected air quality violation. According to the BAAQMD CEQA *Guidelines*, a residential project would have potentially significant emissions impacts if the project generated more than 2,000 vehicle trips per day. The 310-unit proposed condominium project would generate about 1,384 vehicle trips per day, with about 100 and 120 trips during the AM and PM peak hours, respectively. The proposed 5,000 square feet of ancillary retail space would generate about 125 net daily vehicle trips (assuming that 50 percent of the trips are "pass-by" trips; that is, en route to and from other destinations). At fewer than 1,400 trips per day, the proposed project would not approach BAAQMD's threshold for individualized air quality analysis.

c) Although project-specific air quality impacts would be less-than-significant, a separate evaluation must be completed to determine whether the project would "result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment." The BAAQMD CEQA Guidelines recommend that this cumulative analysis be based on project consistency with the General Plan and General Plan consistency with the Clean Air Plan. The proposed project is not consistent with the applicable General Plan (i.e., it requires a General Plan amendment). However, when the General Plan was adopted it was determined to be consistent with the Clean Air Plan. Based on BAAQMD guidance, the cumulative effect would be less than significant if the project would not result in a greater increase in auto use (measured as vehicle-miles traveled, or VMT) and would not result in land use conflicts (measured by evaluating whether the project would be in close proximity to sources of objectionable odors, toxics, or accidental releases of hazardous materials). As to the latter, the proposed project would not result in such land use conflicts, as surrounding land uses are primarily commercial, including office buildings, gas stations, restaurants, and parking facilities (surface lots and structures). There are no known sources of objectionable odors, toxics, or users of major quantities of hazardous materials in the immediate vicinity.

The project site has a General Plan land use designation of Central Area Multiple Use Regional Office. This designation permits office development at a floor-area ratio of up to 4.0, meaning that nearly 900,000 square feet of office use could be constructed on the 5.16-acre site. A project of this magnitude would generate more than four times the daily traffic of the project, even with a comparable 25 percent reduction in trip generation based on proximity to BART. Even assuming development of a residential project at a density of 100 units per acre, the maximum permitted under the proposed High Density Housing land use designation, office trip generation would be more than 2.5 times residential trip generation. Therefore, the proposed General Plan amendment would not increase VMT compared to VMT under the existing General Plan land use designation, and the proposed project would not cause a cumulatively considerable net increase in criteria pollutants for which the region is in non-attainment.

d) The proposed project would not expose sensitive receptors to substantial pollutant concentrations. The project site is not adjacent to any significant existing or planned stationary sources of pollutants. The project site is adjacent to Galindo Street, and measures to improve traffic flow along Galindo Street in the study area have been proposed by the City. As described in the Galindo Street General Plan Amendment Traffic Study, these improvements include the addition of a third through lane on southbound Galindo Street between Willow Pass Road and Concord Boulevard; that segment borders the project site on the east. As discussed in the traffic section, construction of the proposed project could impede the ability of the City to implement these improvements if sufficient right-of-way is not preserved. However, as part of the proposed project, Galindo Street would be widened 15 feet along the project frontage (within right-of-way dedicated to the City) to accommodate the planned improvements.

e) The proposed project is residential and therefore would not be considered to create objectionable odors affecting a substantial number of people.

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

Discussion:

a) The 5.16-acre project site is within the Central Area of the City of Concord, within Contra Costa County. The site generally consists of two structures and surface parking with automobile-related commercial uses. Vegetation is limited to the perimeter of the site including street trees on Willow Pass Road and Concord Boulevard. bushes on Concord Boulevard and trees on the hillside on Mira Vista Terrace. No identified candidate. sensitive. or special status species inhabits the project site. thus the proposed project would not adversely affect any such species.

b) There is no riparian habitat or any other sensitive natural community on the site. The proposed project would therefore have no effect on riparian habitat or other sensitive natural communities identified in local or regional plans. policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife.

c) The project site is relatively level and contains no active drainage. Therefore, there will be no impact on wetlands as defined by Section 404 of the Clean Water Act.

d) The project site is located within an existing urban environment. The project site has existing commercial uses, and the area surrounding the project site is also developed. No wildlife corridors or native wildlife nurseries are within the project area. Thus the project would not interfere with fish or wildlife movement.

e) The Concord Municipal Code includes a tree protection ordinance that applies to heritage trees. Heritage trees are defined as trees that are at least 72 inches in circumference (approximately 24 inches in diameter) measured 4 1/2 feet above natural or established grade, a multi-stemmed tree which has one stem of at least 24 inches or more in circumference, or any tree or group of trees which has a relationship to an event of historical significance or is of public interest and which has been designated by action of the Planning Commission as a heritage tree (Code 1965, § 4301: Ord. No. 89-15).

The project site does not contain any trees meeting the criteria for a heritage tree (HortScience, Inc., 2004). However, the site does contain 13 London Plane trees along Willow Pass Road that are recommended for preservation. Preservation of these trees would require implementation of **Mitigation Measure IV.1**.

f) The project site is a developed urban area that does not have any applicable adopted habitat conservation plan or natural community conservation plan. The project would therefore have no impact on any habitat conservation plan.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
V. CULTURAL RESOURCES -- *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion:

a) The existing structures on the project site are used for Lehmer's automobile dealership and automotive repair shop. In addition to state and federal inventories, the other historical literature and maps consulted by the Northwest Information Center did not indicate the presence of any historic-period buildings or structures. Therefore, the proposed project would have no significant effect on these buildings (Northwest Information Center, 2004).

b) The project site contains no recorded Native American or historic-period archaeological resources listed with the Historical Resources Information System (Northwest Information Center, 2004). Native American archaeological sites in the Concord area of Contra Costa County tend to be situated on alluvial flats, marsh margins and near sources of water including springs. The project site is situated on a broad alluvial plain without any freshwater sources nearby. Therefore, there is low potential for Native American sites in the project area. Historical literature and maps on file at the Northwest Information Center, also gave no indication of historic activity in the project area, thus there is low possibility of identifying historic-period archaeological deposits at the project site. In the event that archaeological resources are encountered during the project excavation, implementation of **Mitigation Measure V.1** would apply.

c) No recorded unique paleontological resources or unique geologic features are listed by the University of California, Berkeley Museum of Paleontology, which includes an extensive listing of recorded paleontological sites. Additionally, excavation would be limited to a depth of between zero and 23 feet, therefore the likelihood of encountering unique paleontological resources or geologic features would be low. In the event that paleontological resources are encountered during the project excavation, implementation of **Mitigation Measure V.2** would apply.

d) The project site is undeveloped and archival research has indicated that the site does not contain any recorded Native American sites or historic-period archaeological sites listed within the Historical Resources Information System. As discussed under Comment V.b, archival research has indicated that the site does not contain any recorded Native American sites or historic-period archaeological sites listed within the Historical Resources Information System, nor is there indication that the site has been used for burial purposes in the recent or distant past. Thus it would be unlikely to encounter human remains at the project site. In the event that human remains are encountered during project excavation, **Mitigation Measure V.3** would apply.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- *Would the project:*				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X		
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Discussion:

a.i) This section is based on a geotechnical investigation for the proposed project conducted by Engeo Incorporated (Engeo) in 2003.

Fault rupture on the project site is a potential seismic hazard during an earthquake on the Concord-Green Valley fault because a trace of the Concord-Green Valley Fault extends through the southwest end of the property. Surface fault rupture can occur along traces of active faults during major earthquakes and result in observable offsets on the ground surface. On faults that generate horizontal movement (referred to as strike-slip faults) this displacement along a fault trace can cause considerable damage to a structure, even collapse. Non-structural damage from fault rupture includes distorted asphalt, severe utility damage, distressed foundations and extensive service disruption for transportation facilities. Surface fault rupture presents a significant potential risk to people and property, especially in the San Francisco Bay Area where there are several active faults. The State of California, through the Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act), prohibits the development of structures for human occupancy across active fault traces.[2] Under the Alquist-Priolo Act, the California Geological Survey (CGS) must establish zones on either side of the active fault that delimit areas susceptible to surface fault rupture. These zones are referred to as fault rupture hazard zones and are shown on official maps published by the CGS. The Alquist-Priolo Act requires setbacks from active fault traces for structures of human occupancy (generally 50 or 100 feet).

[2] Alquist-Priolo Zones designate areas most likely to experience fault rupture, although surface fault rupture is not necessarily restricted to those specifically zoned areas. Zones are defined by the California Geological Survey (CGS). An active fault is defined by the State of California as a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A potentially active fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. Sufficiently active is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches. A structure for human occupancy is one that is intended for supporting or sheltering any use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person hours per year (Hart, 1997).

The Concord-Green Valley Fault Zone is designated as an active fault and is consequentially mapped under the Alquist-Priolo Act. The southwest half of the project site is located within the fault rupture hazard zone for this fault and various researchers have mapped its inferred trace extending in a northwest direction, either adjacent to or through the extreme southwest end of the project site. The fault traces shown on published maps vary depending on the particular researcher because, often, the mapped trace must be inferred if it is not verified by actual fault trenching studies. Development in an Alquist-Priolo fault rupture hazard zone requires geologic investigations that include trenching across a fault to identify and map active fault traces. In 1974 and 1976, Berlogar Long and Associates (BLA) completed several fault study trenches on the project site, including the southwest end of the site, to determine whether the fault trace extended through the property. BLA identified fault displacement features in four trenches that verified the location of Concord-Green Valley fault on the project site approximately 40 feet northeast of the east curb of Mira Vista Terrace (Engeo, 2003). The Alquist-Priolo official map (originally issued in 1974 and revised in 1993) similarly shows the accurately located Concord-Green Valley fault trace extending through the project site. For its investigation, Engeo conducted standard and accepted engineering tasks to prepare geotechnical recommendations for grading, foundation design, retaining walls, trench backfill, and preliminary asphalt paving. In addition, Engeo reviewed previous earthquake fault studies performed by BLA (previously mentioned) and Purcell Rhoades and Associates (PRA). PRA conducted fault investigations similar to BLA but on the parcel adjacent to and south of the project site. Based on its investigation, Engeo delineated a 50-foot setback from the trace identified by BLA in 1974 and 1976 and recommended that all structures intended for human occupancy be constructed outside this setback zone.

The setback zone established by Engeo, which is based on previous fault studies, would restrict structures for human occupancy from this zone and thereby substantially reduce seismic risk to people and property. As required by the Alquist-Priolo Act, the City of Concord, as lead agency, contracted for review, by a registered geologist, of Engeo's 2003 report. This review is intended to advise the City and allow the City to accept the Engeo report. The geotechnical review determined that the level of study undertaken by Engeo was acceptable and their recommendations sufficient to adequately reduce seismic risk associated with fault rupture. Therefore, based on the current project design, fault rupture is not considered a significant impact. Furthermore, as is typically required by the City, **Mitigation Measure VI.1** will require a full peer review of the complete Engeo report by the City's consulting geologist prior to the City accepting the Engeo report as final. The project sponsor has agreed to implement the recommendations of the Engeo report, as it may be revised by the City's consulting geologist.

a.ii) The U.S. Geological Survey (USGS) 2002 Working Group on California Earthquake Probabilities (USGS WG02) evaluated the likelihood of one or more earthquakes of moment magnitude 6.7 or higher occurring in the San Francisco Bay Area.[3] The result of the evaluation indicated a 62 percent likelihood that such an earthquake event will occur in the Bay Area before 2032. Within this 62 percent probability, the Hayward-Rodgers Creek and San Andreas Fault systems are the two most likely fault systems to cause the event (USGS WG02, 2003). Therefore, the proposed project would likely experience at least one major earthquake (greater than moment magnitude 6.7) before 2032. The intensity of such an event would depend on the causative fault and the distance to the epicenter, the moment magnitude, and the duration of shaking.

As with the entire Bay Area, the project site is located in Seismic Zone 4 as designated by the current Uniform Building Code. According to the CGS Probabilistic Seismic Hazard Assessment (PSHA), peak ground acceleration at the project site could reach or exceed 0.7 to 0.8 g (CGS, 2003a).[4] The PSHA identifies the hazard from earthquakes that geologists and seismologists agree could occur. It is "probabilistic" in the sense that the analysis takes into consideration the uncertainties in the size and location of earthquakes and the resulting ground motions that can affect a particular site.[5] As a comparison, the maximum ground accelerations recorded in San Francisco and Oakland during the 1989 moment magnitude 6.9 Loma Prieta earthquake were approximately 0.3g. However, the recording sites were located more than 40 miles from the earthquake epicenter.

---

3 Moment magnitude is related to the physical size of a fault rupture and movement across a fault. The Richter magnitude scale reflects the maximum amplitude of a particular type of seismic wave. Moment magnitude provides a physically meaningful measure of the size of a faulting event (CGS, 1997).

4 g is gravity = 980 centimeters per second squared. Acceleration is scaled against acceleration due to gravity or the acceleration with which a ball falls if released at rest in a vacuum (1.0 g). Acceleration of 1.0 g is equivalent to a car traveling 100 meters (328 feet) from rest in 4.5 seconds.

5 The maps are typically expressed in terms of probability of exceeding a certain ground motion. For example, the 10 percent probability of exceedance in 50 years maps depict an annual probability of 1 in 475 of being exceeded each year. This level of ground shaking has been used for designing buildings in high seismic areas. The maps for 10 percent probability of exceedance in 50 years show ground motions that geologists and seismologists do not think will be exceeded in the next 50 years. In fact, there is a 90 percent chance that these ground motions will not be exceeded. This probability level allows engineers to design buildings for larger ground motions that geologists and seismologists think will occur during a 50-year interval, which makes buildings safer than if there were only designed for the ground motions that are expected to occur in the next 50 years. Seismic shaking maps are prepared using consensus information on historical earthquakes and faults. These levels of ground shaking are used primarily for formulating building codes and for designing buildings. The maps can also be used for estimating potential economic losses and preparing for emergency response (Peterson *et al.*, 1999)

Ground motions within the Loma Prieta epicenter region were approximately 0.6 g (CGS, 1990). Structures on alluvium or artificial fill are generally more susceptible to damage than structures on bedrock.[6] In addition, the Association of Bay Area Governments (ABAG) (2003a) determined that ground shaking on the project site will most likely be felt as very violent if a moment magnitude 6.7 earthquake were to occur on the Concord-Green Valley fault zone.

Ground shaking from a moderate to strong earthquake could generate ground accelerations at the proposed project site that could cause damage to structures, utilities, and/or unsecured equipment and objects (CGS, 2003b). Specifically, the condominium buildings and underground utilities could sustain structural damage, potentially causing injury to residents and/or visitors. Damage from ground shaking could include cracking in walls and pavement and damage to exterior building elements.

Although some structural damage is typically not avoidable during an earthquake, building codes and construction ordinances have been established to protect against building collapse and major injury during a seismic event. Recommendations given in the geotechnical report by Engeo (2003) require design and construction of the proposed project to strictly adhere with current standards for earthquake-resistant construction. The design and construction of the proposed facilities in accordance with the engineering recommendations of the geotechnical report would ensure that the level of risk from ground shaking is at less-than-significant levels.

a.iii) Liquefaction is the sudden temporary loss of shear strength in saturated, loose to medium dense, granular sediments subjected to ground shaking. It generally occurs when seismically induced ground shaking causes pore water pressure to increase to a point equal to the overburden pressure. Liquefaction can cause foundation failure of buildings and other facilities due to the reduction of foundation bearing strength.

Engeo (2003) concluded that liquefaction potential at the proposed project site is considered low due to the densities of granular materials underneath the site. Groundwater was encountered in their borings 14 to 18 feet below ground surface, well below the level which favors liquefaction conditions. The CGS has not at this time completed seismic hazard mapping within the USGS 7.5-Minute topographic quadrangle for Walnut Creek that includes the proposed project site. However, determinations by ABAG (2003b) revealed that the project area has a low potential for liquefaction. Considering the limited extent of liquefiable soils, low groundwater table, and the low potential for liquefaction as determined by ABAG, liquefaction is considered a less-than-significant impact.

a.iv) Slope failures, including landslides, include many phenomena that involve the down-slope displacement and movement of material, either triggered by static (i.e. gravity) or dynamic (i.e. earthquake) forces. Under existing conditions, the proposed project site is flat with no hill or slope features susceptible to landslides either by static or dynamic forces. Landslides are therefore considered a less-than-significant impact.

b) Construction activities associated with the proposed project will require a significant amount of earthmoving, grading, and compaction involving approximately 115,000 cubic yards of material. These activities will expose areas of soil that have previously been covered with concrete. This temporary loss of erosion control will expose bare soil, which will be subjected to erosion by wind and storm water runoff. Concentrated water erosion, if not managed or controlled, can eventually result in significant soil loss and/or discharging of sediment into utilities and/or adjacent lots. Sediment from project-induced onsite erosion can also accumulate in downstream drainage facilities, interfere with flow, and aggravate downstream flooding conditions.

In order to minimize erosion impacts, the proposed project is applying for the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit), which involves preparing a Storm Water Pollution Prevention Plan (SWPPP) for all construction phases of the proposed project. This permit is required by the Regional Water Quality Control Board (RWQCB). The objectives of the SWPPP are to identify pollutant sources (such as sediment) that may affect the quality of storm water discharge and to implement Best Management Practices (BMPs) to reduce pollutants in storm water discharges. BMPs are individual or combined measures that can be implemented in a practical and effective manner on the project site which, when applied, prevent or minimize the potential release of contaminants into surface waters and groundwater. In addition, the project sponsor will be preparing an Erosion Control Plan (ECP) designed for implementation during construction.

Since BMPs have been recognized as methods to effectively prevent or minimize the potential release of contaminants into surface waters and groundwater, and that the project sponsor will be requiring the contractor to adhere to the project's ECP,

[6] Alluvial and alluvium refers to deposits of clay, silt, sand, and gravel deposited by a stream or running water.

compliance with the SWPPP and the ECP would reduce potential erosion impacts during project construction to less-than-significant levels.

To comply with Phase I NPDES regulations, Contra Costa County, eighteen of its incorporated cities, and the Contra Costa County Flood Control and Water Conservation District combined to form the Contra Costa Clean Water Program. The Contra Costa Clean Water Program obtained a joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCBs. The permit contains a comprehensive plan to reduce the discharge of pollutants to the "maximum extent practicable." The proposed project would operate under the jurisdiction of this NPDES permit during the life of the project. In addition, a preliminary hydrology study for the proposed project site by dk Associates (2004) indicated that surface water flow would be decreased by implementation of the proposed project from 11.61 cubic feet per second (cfs) to 11.28 cfs. A decrease in surface water flow will most likely decrease the potential for long-term sediment erosion on the site. Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit and the projected decrease in surface water flow would reduce erosion impacts to less-than-significant levels.

c) The project site is entirely underlain by geologic materials that are stable, evidenced by the fact that the materials are currently able to serve as a suitable foundation for the existing site buildings. All areas left exposed would be developed or otherwise stabilized, making landslides, lateral spreading, subsidence, liquefaction, or collapse unlikely. Thus, this impact is considered less than significant.

d) Geotechnical conclusions by Engeo Incorporated (2003) indicate that the soils on the project site are highly expansive, presenting a constraint to development on the project site. The effects of expansive soils could damage foundations and aboveground structures, paved parking areas, and concrete slabs. Surface structures with foundations constructed in expansive soils would experience expansion and contraction depending on the season and the amount of surface water infiltration. The expansion and contraction due to the behavior of expansive soils could exert enough pressure on the structures to result in cracking, settlement, and uplift.

Engeo (2003) indicates that the potential detrimental effects of expansive soils and/or settlement (soil movement) can be reduced by proper foundation design and foundation recommendations given in the report. Recommendations given in the geotechnical report require design and construction of the proposed project to strictly follow engineering recommendations needed to improve and/or eliminate settlement and expansive soils conditions. The design and construction of the proposed facilities in accordance with the engineering recommendations of the geotechnical report would ensure that the level of risk from expansive soils remains less-than-significant levels.

e) Implementation of the proposed project would not involve the use of septic tanks or alternative wastewater treatment disposal systems to handle wastewater generation. Therefore, no impacts would result from project implementation.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS -- *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS (cont.):				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Discussion:

a,b) A Phase I Environmental Site Assessment (Phase I) was conducted by Subsurface Consultants, Inc. (SCI) in 1998, the information was reviewed and updated by Engeo Inc. (Engeo) in 2003 (Engeo, 2003a). The site condition, building configuration and site use of the project area at the time of the Phase I in 1998 is similar to present day conditions. An automobile dealership occupies the subject property. The report documented automobile sales, service, and repair on the 1851 Galindo Street parcel since 1952. A restaurant was reported to occupy the 1795 Galindo Street parcel from 1949 through 1973, and by used car/vehicle storage since 1974. The Phase I reported that prior to construction of the restaurant and auto dealership, an almond orchard occupied the property from the 1920s. Prior to the 1920s, the site was reportedly undeveloped.

The Phase I and Update included review of a search conducted by Environmental Data Resources (EDR) of available environmental records and provided results in a database report. The report meets the government records search requirements of the American Society for Testing Materials (ASTM) "Standard Practice for Environmental Site Assessments. E 1527-00." The databases searched included, among others, the State of California Hazardous Waste and Substances List (Cortese List) and the Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS). DTSC maintains the Cortese List is a compilation of information from various sources listing potential and confirmed hazardous waste and hazardous substance sites in California. A summary of the database search for the project site as well as for nearby surrounding sites is provided below.

The regulatory database records search performed by EDR revealed that the project site is not listed as a Leaking Underground Storage Tank (LUST) site or a Cortese Site. However, the site is listed on the State Water Resources Control Board of historical listing of active and inactive UST sites (CA FID), a historical listing of UST sites (HIST UST), and the Hazardous Waste Information System (HAZNET) that lists facility and manifest data regarding hazardous waste shipments. The transport of hazardous wastes, such as waste oil and spent oil filters, from the site results in the listing of the site in the HAZNET database. The remaining listings are associated with the presence of former USTs at the property.

During the Update, Engeo observed twelve above ground storage tanks (AGTs) inside the service areas of the main site structure. The tanks varied in capacity from approximately 75 gallons to around 500 gallons. Tank contents included petroleum products and spent fluids. In addition to the above ground tanks, Engeo observed numerous of drums containing chemicals or hazardous materials. **Mitigation Measure VII.1** will reduce impacts associated with the above ground tank removal to less than significant.

A main building containing 26 in-ground hydraulic hoists, a body shop with one hoist and a car lot office occupies the 1851 Galindo Street Parcel. An office structure is located on the 1795 Galindo Street parcel. The report states the hydraulic hoists were switched from traditional petroleum-based oils to vegetable-based oils. The Phase I report documented the removal of six USTs between 1987 and 1989 at the 1851 Galindo Site. The Phase I described the tanks as one gasoline, one diesel, one solvent, and three waste oil USTs. Soil excavated in association with the tank removals was reported to contain concentrations

of residual fuel and waste oil components. Soil from the waste oil UST was reported to contain 1,015 parts per million (ppm) of oil and grease, and 53 ppm of diesel. Stockpiled soil from the diesel tank excavation was reported to contain diesel range petroleum hydrocarbons up to 260 ppm (Engeo, 2003b). Although unlikely, if construction activities encounter additional USTs, **Mitigation Measure VII.2** will ensure that the USTs are removed and impacts related to UST removal will be less than significant.

During the site reconnaissance, Engeo observed one pad-mounted transformer that may contain polychlorinated biphenyls (PCBs) (Engeo, 2003a). Implementation of **Mitigation Measure VII.3** would reduce any risk associated with hazardous materials used during construction to a less than significant level.

The Phase I also reported information pertaining to a 1987 hazardous material spill at 1851 Galindo Street. The nature and extent of the release was not identified (Engeo, 2003a).

Out of 439 properties identified within one mile of the site on one or more of the database lists reviewed for the report. However three UST sites, including two adjacent service stations were identified that may have impacted the site. As a result of both on- and off- hazardous material contamination concerns a Phase II Soil Investigation (Phase II) was conducted. The investigation concentrated on areas around the hydraulic lifts, USTs, oil/water separator, and area drain. The investigation concluded that concentrations of petroleum hydrocarbons and VOCs for the site are below recognized thresholds for residential development. Localized areas containing chemical concentrations exceeding regulatory thresholds may exist.

Based on the reported chemical concentrations, exposure to the soil at the site does not represent a health risk for the proposed residential development. Based on the average petroleum concentrations reported for the soils, exported material could be reused as engineered fill or handled at a Class III landfill facility. **Mitigation Measures VII.4** will ensure that soils destined for off-site disposal or on-site reuse will be properly classified.

A survey of asbestos containing material (ACM) and lead based paint (LBP) has not been conducted at the site. However, given the age of the structures it is likely that ACM and LBP is likely to exist (Engeo, 2003a). Implementation of **Mitigation Measures VII.5** and **VII.6** would reduce any risks associated with ACM and LBP to a less than significant level.

The proposed project includes re-grading of the site prior to construction. According to the project description, at the conclusion of construction 78 percent of the site will be paved. Construction would require the use of certain hazardous materials such as fuels, oils, solvents, and glues. Inadvertent release of large quantities of these materials into the environment could adversely impact soil, surface waters, or groundwater quality. On-site storage and/or use of large quantities of materials capable of impacting soil and groundwater are not typically required for this type of projects (Engeo, 2003c). However, implementation of **Mitigation Measure VII.7** would reduce any risk associated with hazardous materials used during construction to a less than significant level.

Groundwater fluctuates across the site and throughout the year. Depth to groundwater measured in monitoring wells at the site ranges between 10 feet and 23 feet below ground surface. As a result, groundwater may be encountered during construction since cuts to 23 feet below ground surface may occur (Engeo, 2003b). Implementation of **Mitigation Measure VII.8** would reduce any risk associated with encountering contaminated groundwater during project construction to less than significant level.

c) There are no existing or proposed schools within one-quarter mile of the project site. The proposed project will not emit or use acutely hazardous materials during either construction or operation.

d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Engeo, 2003a).

e.f) The project site is located approximately 1 mile east of Buchanan Air Field, within the Buchanan Airport Influence area, but not within the Airport Safety Zone (City of Concord, 1994). Compliance with Policies 11.1.1 through 11.1.3 of the Concord General Plan will ensure that the project provides adequate noise, safety, and airspace protection criteria.

f) The project site is not located within the vicinity of a private airstrip.

g) The proposed project would not impair implementation of or physically interfere with any emergency response plan or emergency evacuation plan because the project site is not an evacuation route.

h) The project site is located in a built-out area and surrounded by mixed use commercial, retail, office use, gas stations, and parking garages. The project site is not intermixed or located adjacent to wildlands. The new buildings would be required to comply with all applicable Fire Code and fire suppression systems, as required by the Contra Costa County Fire Protection District. Therefore, the proposed project would not expose people or structures to significant risks associated with wildland fires.

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

Discussion:

a) Two types of potential impacts exist as a result of the proposed project. During project construction, there could be potential water quality impacts due to various construction activities. After construction is completed, there is also the possibility that project operation could result in adverse water quality impacts.

As discussed in Section VI.b Geology and Soils, Construction activities associated with the proposed project would require a significant amount of earthmoving, grading, and compaction involving approximately 11,500 cubic yards of material. These activities could cause erosion and transportation of soil particles that, once in surface water runoff, could cause sediment and other pollutants to leave the site and ultimately affect water quality. However, regulatory controls in place by the RWQCB and the applicant's preparation of an Erosion Control Plan (ECP) would reduce construction impacts to less-than-significant levels.

Also, as discussed in Section VI.b Geology and Soils, during project operation the proposed project would operate under the jurisdiction of the Contra Costa Clean Water Program's joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCBs. The permit contains a comprehensive plan to reduce the discharge of pollutants to the "maximum extent practicable." Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit would reduce potential water quality impacts to less-than-significant levels.

b) Increased impervious surfaces reduce the amount of surface water available for infiltration to groundwater sources. However, the proposed project would result in a minor decrease in the amount of impervious surfaces on the site, from 4.75 acres to 4.52 acres (dk Associates, 2004). Geotechnical investigation of the proposed project site indicates the site is underlain by subsurface geologic materials that consist of engineered fill associated with previous development on the site. Groundwater was encountered in borings at 14-18 feet below the ground surface. Fluctuations in the groundwater levels occur seasonally and over a period of years due to variations in precipitation, temperature, and irrigation, among other factors. Groundwater beneath the project site is not considered a beneficial use groundwater source and is not used as a municipal supply. Water for the proposed project is supplied by surface water sources managed by the Contra Costa Water District and is not drawn from the groundwater table below the project site. Considering that the proposed project would not result in an increase in impervious surfaces and that groundwater beneath the site is not a beneficial use groundwater source, no depletion in beneficial groundwater supplies would occur. Therefore, this impact is considered less than significant.

c) As discussed in part (a), construction of the proposed project would involve a significant amount of earthmoving, grading, and compaction involving 11,500 cubic yards of material. These activities would expose areas of soil that have previously been covered with concrete and could cause erosion and transportation of soil particles that, once in surface water runoff, could cause sediment and other pollutants to leave the site and ultimately affect water quality.

Since the project site exceeds one acre in size the proposed project would be required to comply with the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The NPDES permit requires the applicant to prepare a SWPPP for construction phases of the proposed project, as required by the RWQCB. Compliance with the SWPPP and the prescribed BMPs would ensure that impacts associated with erosion during project construction would remain less than significant.

As discussed in part (a), during project operation the proposed project would operate under the jurisdiction of the Contra Costa Clean Water Program joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCB's. Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit would reduce potential water quality impacts to less than significant levels.

d) As mentioned in part (b) above, the proposed project represents a decrease in impervious surfaces on the site of 0.23 acres, which would subsequently cause a decrease in surface water flow being collected on the site by the storm drain system. The project would be connecting to the City of Concord's existing storm water system. This existing storm water system is adequate to handle flow that would result from the proposed project, because the current storm water system is able to serve as adequate drainage for the existing site buildings. Thus, runoff generated by the proposed project could be adequately managed by existing utilities and this impact would be less than significant.

e) As discussed in part (d) above, the proposed project represents a decrease in impervious surfaces on the site. The utilities infrastructure in this area is currently adequate for the existing site buildings. Runoff that would result from the proposed project could be adequately managed by existing utilities. Therefore, this impact would be considered less than significant.

f) As discussed in parts (a) and (c), water quality impacts would all be considered less than significant due to current regulatory controls that the project sponsor must follow during construction and project operation.

g) According to the Federal Emergency Management Agency (FEMA), housing in the project site is not located in a 100-year floodplain (FEMA, 2001). Consequently, the proposed project would not expose housing to any adverse impacts due to flooding. Therefore, this impact is considered less than significant.

h) As stated in part (g), the project site is not located in a 100-year floodplain (FEMA. 2001). Thus, this impact is considered less than significant.

i) The project site is not located in any specific dam failure inundation area (Association of Bay Area Governments (ABAG), 1995). Therefore, this impact is considered less than significant.

j) Although tsunamis can occur and cause tidal surges in San Francisco Bay, these events are extremely rare and would not result in wave run-up capable of causing flood damage within the project site. San Francisco Bay greatly attenuates tsunamis that might reach the Golden Gate area. No bodies of water large enough to cause a seiche are present near the project site. Therefore, tsunami and seiche hazards are considered less than significant.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
IX. LAND USE AND PLANNING -- *Would the project:*				
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion:

a) The proposed 5.16-acre project site is within the City of Concord's urbanized downtown, or the area referred to as Central Concord. Presently, the project site consists of two structures and surface parking, and the land use is automobile-related, including sales, repair and storage. Surrounding land uses are primarily commercial, including office buildings, gas stations, restaurants, and parking facilities (surface lots and structures). In the immediate project vicinity, there are not any existing residential uses. The proposed project is considered in-fill development and would result in an increase in land use intensity at the site. Further, the project would improve the pedestrian and urban environment by establishing a more consistent block frontage and increasing activity at the site. Thus, the project would not physically divide an established community.

b) The project site has a General Plan land use designation of Central Area Multiple Use/Regional Office. This designation allows residential uses on the site at a "building intensity range of >10 to 43 units per net acre" (City of Concord, 1994). The project site is 5.16 acres (5.06 acres excluding the new roadway, Street A), thus up to approximately 221 (217) residential units would be allowed. The proposed density is approximately 60 du/ac; therefore in order to be consistent, the sponsor is requesting a General Plan Amendment to "High Density Residential" which would allow a density range of 24 du/ac to 100 du/ac. Potential environmental affects of the project have been evaluated in this document under other topical areas.

The 1994 Concord General Plan is the community's long-range planning document that contains goals and policies intended to guide development within the City. The proposed project is consistent with the following General Plan policies:

- Land Use Objective 1.4. Policy 1.4.1. Encourage integration of residential uses within the Central Area.
- Land Use Objective 7.2 Provide opportunities for residential development in Central Concord to complement and support commercial. office and entertainment uses, and to provide for those residents who prefer "downtown" living.

The project site is within the City's Central Concord Redevelopment Plan Area, which includes Todos Santos Plaza. the Bay Area Rapid Transit District station, and the Metro Plaza, all within Central Concord. The site is zoned Downtown Business

District (DB) with an "Office" use overlay (see Exhibit A in the DB zoning). The Office overlay allows ground floor commercial uses including "offices, restaurants and other eating places..." (Code 1965, § 10482; Ord. No. 94-9). Floors above the ground floor allow "all ground floor uses, plus commercial uses (as defined above) and residential uses" (Code 1965, § 10482; Ord. No. 85-22). In order to accommodate residential uses at the ground floor, the project proposes to amend the subject property's Office overlay to a "Commercial/Residential" overlay that would allow for both commercial and residential ground floor uses (City of Concord, 1994).

c) The project site is a developed urban area that does not have any applicable adopted habitat conservation plan or natural community conservation plan. Thus the project would have no impact.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
X. MINERAL RESOURCES -- *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion:

a) The project site is designated by the California Geological Survey as a MRZ-1 zone, which is defined as an "area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." The proposed project would therefore not affect the availability of mineral resources, and no impact would occur (Stinson, M. C, et al., 1982).

b) There are no operational mineral resource recovery sites at the project area or in the vicinity, and therefore no operations or accessibility would be affected by the construction and operation of the project.

XI. NOISE – *Would the project:*				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?		X		
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

Noise Principles and Descriptors

Noise can be defined as unwanted sound. Environmental noise is usually measured in A-weighted decibels (dBA). Environmental noise typically fluctuates over time, and different types of noise descriptors are used to account for this variability. Typical noise descriptors include the energy-equivalent noise level (L_{eq}), and the day-night average noise level (L_{dn}). The L_{dn} is commonly used in establishing noise exposure guidelines for specific land uses. In areas where noise is dominated by traffic, the L_{eq} during the peak-hour is roughly equivalent (within about 2 dBA) to the L_{dn} at that location (Caltrans, 1998). By virtue of the logarithmic nature of the decibel, a doubling of a noise source results in an increase of three dBA. In general, a change of 3-dBA is a noticeable difference and a change of 10-dBA is heard as a doubling of noise.

The noise level experienced at a receptor depends on the distance between the source and the receptor, presence or absence of noise barriers and other shielding features, and the amount of noise attenuation (lessening) provided by the intervening terrain. For line sources, such as motor or vehicular traffic, noise decreases by about 3.0 to 4.5 dBA for every doubling of the distance from the roadway. For point or stationary noise sources, such as electric motors or construction equipment, a noise reduction of 6.0 to 7.5 dBA is experienced for each doubling of the distance from the source.

Existing Noise Sources and Levels

Transportation-related noise sources, primarily automobiles and trucks, on Willow Pass Road, Galindo Street, Concord Avenue, other local arterials and Highway 242 (located just under 0.5 miles from the site) determine ambient noise levels in the project vicinity.

To characterize ambient noise conditions in the project vicinity, noise measurements were conducted by Charles M. Salter Associates, Inc. as part of a Noise Study prepared in support of this project to determine the compatibility of the site for the proposed uses (Charles M. Salter Associates, Inc., 2003). Two long-term noise measurements (48 hour) and several short-term "spot" measurements were taken at various locations on the site that reflect the approximate setback of the proposed condominium buildings. The long-term data was used in connection with the short-term data to estimate existing noise levels at each of the building facades, as shown in Table XI-1.

TABLE XI-1
EXISTING NOISE ENVIRONMENT

Location (Approx. setback of proposed buildings)	**Existing L_{dn}**
Willow Pass Road Facade	70 dBA
Galindo Street Facade	74 dBA
Concord Boulevard Facade	73 dBA
Mira Vista Terrace Facade	58 dBA

Sensitive Receptors

The project site is surrounded by a variety of commercial uses including a restaurant, office buildings, and a movie theater parking

garage structure across Willow Pass Road; a gas station, office buildings and banks across Galindo Street (multi-family residential areas are located beyond the first row of commercial uses); a used car lot, place of worship and residential units across Concord Boulevard; and office buildings across Mira Vista Terrace. A restaurant/office building is located adjacent to the project site, on the corner of Willow Pass Road and Mira Vista Terrace. Occupants of the multi-family residential units located off of Galindo Street and the church and residential units across Concord Boulevard would be considered off-site noise-sensitive receptors.

a,c) *Operation – Noise Compatibility of Proposed Use*

Development at the site is constrained by transportation noise. City of Concord General Plan Noise Policy 2.1.4 requires mitigation measures for new residential development that would reduce noise exposure in private open space areas to 60 L_{dn}.

When considering the City of Concord land use compatibility criteria for residential uses and the existing noise levels shown in Table XI-1 above, noise levels on the project site range between "normally acceptable" (60 L_{dn} or lower) for the Mira Vista Terrace Facade to the upper limit of the "conditionally acceptable" range (60 to 75 L_{dn}) for all other building facades. "Normally acceptable" indicates that no special noise requirements would apply; "conditionally acceptable" requires that noise insulation features be incorporated into the project design to achieve noise standards contained in Title 24 of the California Code of Regulations (Part 2, Appendix Chapter 12A). These regulations are intended to limit the extent of noise transmitted into habitable spaces. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor-ceiling assemblies must block or absorb sound. For limiting noise from exterior sources, the noise insulation standards set forth an interior standard of 45 L_{dn} in any habitable room and, where units are exposed to exterior noise levels greater than 60 L_{dn}, (such as the proposed project), require an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard.

Absent mitigation, some of the proposed condominium units could be exposed to existing exterior noise levels of 74 L_{dn} (units along Galindo Street), 73 L_{dn} (units along Concord Avenue) and 70 L_{dn} (units along Willow Pass Road). Modeling conducted as part of the analysis of traffic-related increases in ambient noise levels below, shows that under General Plan buildout cumulative traffic conditions, noise levels along these segments would increase by less than 1 dBA relative to existing conditions.

The City does not require the small French-style balconies on the exterior of the proposed condominium units facing Galindo Street, Willow Pass Road, and Concord Boulevard to adhere to the 60 L_{dn} exterior noise standard, in part because these balcony-type areas are not large enough to serve as open space areas and also because the project provides other open space areas (interior courtyards and balconies) and open space amenities (pool and spa area) that meet open space needs of project residents. If such an exemption did not apply, these outdoor balcony-type areas would need to be either fully enclosed or eliminated from further consideration as a project design feature in order to achieve the City's exterior noise standard. With the outdoor activity areas (i.e., interior courtyards and the pool and spa area) sited centrally on the project site such that these areas are completely shielded from roadway traffic and related noise by the condominium buildings or walls, none of the condominium units associated with the project would experience noise exceeding the City's 60 L_{dn} exterior noise standard for private open space areas.

Standard building construction typically reduces exterior to interior noise levels by a minimum of 15 to 20 dBA. Implementation of **Mitigation Measure XI.1** would ensure that the state-mandated 45 L_{dn} interior noise standard was achieved and would prevent any significant impact. The City's Building Division would be responsible for reviewing the final buildings plans for the project to ensure that it is designed and constructed in compliance with Title 24 standards.

Operation – Increase in Ambient Noise Levels

Over the long term, the proposed project would affect the ambient noise environment in the project vicinity by generating motor vehicle trips on the local road network. While the existing car sales business generates noise in the immediate proximity of the site, car sale activities (e.g., any loudspeaker use or service activities) and associated trips are limited to those hours when the business is open, whereas the project could introduce trips that occurred at all hours of the day (including noise-sensitive nighttime hours) and could affect roadside noise levels at more distant locations. Net increases in vehicle trips generated by the proposed project would be distributed over the local street network and could affect roadside noise levels at sensitive receptor locations. The proposed approximately 310 -unit project would be expected to generate up to 1,250 net new vehicle trips per day.

To assess the impact of project traffic on roadside noise levels, noise predictions were made using the Federal Highway Administration's (FHWA) Noise Prediction Model for those roadway segments that would experience the greatest increase in

traffic volumes due to the project (segments of Willow Pass Road, Galindo Street, and Concord Avenue adjacent to the project site). For the modeling effort, weekday p.m. peak-hour traffic volumes were used, with the exception of the modeled segment of Concord Boulevard where a.m. peak hour traffic volumes were greater. The estimated noise levels corresponded to a distance of approximately 50 feet from the centerline of the applicable roadway segment. Project-generated traffic alone or combined with short-range or General Plan buildout cumulative traffic would increase noise levels by 1dBA or less along modeled roadway segments. Because project-generated traffic would not cause noise levels to significantly increase (by 3 dBA or more). the proposed project would not result in any significant project or cumulative increases in noise levels for residents or other noise-sensitive land uses along roadways affected by the project.

The proposed project could also affect the ambient noise environment in the project vicinity by introducing stationary sources of noise, including heating, ventilation and air conditioning (HVAC) equipment. These stationary noise sources would replace noise-generating activities associated with the existing car sales businesses, but could again occur during hours in which the car sales businesses is inoperable, including during nighttime noise-sensitive hours. All proposed HVAC equipment would be located on the rooftop of the three condominium buildings. The HVAC equipment would be located such that it is visually and acoustically screened by its position on the rooftop and rooftop architectural features from on-site uses and off-site receptors. Consequently, the related noise impact to on-site residences and adjacent land uses would not be significant.

b) The project would generate groundborne vibration and potentially groundborne noise during construction. However, excavation, grading and earth movement operations associated with the construction of the proposed project do not typically result in significant groundborne vibration or groundborne noise effects. The project may require a pile driven foundation that poses more of a concern with respect to these types of impacts. During pile driving activities, sensitive receptors located as close as 50 feet from the project site, could experience noise levels of up to 101 dBA (Cunniff, 1977). Impulsive noises (such as pile driving) can be particularly annoying. The noise-related effects of pile driving and other project-related construction activities are discussed under Item XI.d below.

With respect to ground borne vibration, the most common impacts include: annoyance; damage to structures and/or equipment; disruption of sensitive operations or activities; and triggering of landslides. There are no high-tech facilities or historic structures that are sensitive to vibration located in close proximity to the project site. Ground vibrations from construction activities very rarely reach the levels that can damage structures, but can achieve the audible and feelable ranges in buildings very close to construction sites (FTA, 1995). Pile driving, pavement breaking, blasting, and demolition of structures generate among the highest construction vibrations. These operations are potentially damaging to buildings at distances of less than 25 feet from the source (Hendricks, 2002). At 50 feet, vibrations are readily perceptible, but pose virtually no risk of "architectural" damage to normal buildings (Hendricks, 2002). The closest buildings to the project site and possible pile driving activities are located at a minimum of 50 feet from any pile driving activities and, as such, would not be exposed to excessive groundborne vibration.

With respect to project operations, the proposed project is not an industrial use that might generate excessive groundborne vibration or excessive groundborne noise levels. Similarly, the proposed project is not adjacent to any industrial use that might expose project residents to groundborne vibration or noise.

d) Noise associated with construction of the proposed project would result in a temporary increase in ambient noise levels in the vicinity of the project site. Residences and other sensitive land uses along haul routes to the site could experience short-term increases in noise levels. Residences nearest the project site would experience some substantial increases in noise levels above existing conditions for the duration of the construction period. Construction activities would involve demolition, excavation, grading, earth movement, and vehicle travel to and from the project site. Construction activities such as foundation laying, building construction, and finishing operations would also generate noise. Typical noise levels generated during various phases of construction for domestic housing projects at 50 feet from the noisiest piece of equipment range from about 78 to 89 dBA (U.S. EPA, 1971). In addition, certain types of construction equipment generate impulsive noises (such as pile driving), which can be particularly annoying. As discussed under Item XI.b above, the project may require a pile driven foundation. During pile driving activities, sensitive receptors located as close as 50 feet from the project site, could experience noise levels of up to 101 dBA (Cunniff, 1977). The nearest off-site residential structures to the project boundary are those located across Concord Boulevard to the south (as close as 50 feet away), and across Galindo Street to the east beyond the first row of commercial development (an estimated 125 feet away).

Although construction activities would likely occur only during daytime hours, construction noise would still be considered substantially disruptive to local residents, particularly if it is determined that pile driving activities are required for project

construction. For these reasons, project construction noise would be considered a potentially significant impact. With implementation of the City's standard Mitigation Measure **(Mitigation Measure XI.2)** and **Mitigation Measure XI.3** that addresses pile driving (if required), noise from construction of the project would be reduced to a less-than-significant level.

Cumulative construction noise impacts would not be significant. There is a proposed new residential complex (named Legacy Apartments) consisting of 259 units that would be located at the southwest corner of the intersection of Galindo Street and Clayton Road (roughly 1,000 feet south of the project site) in the same general neighborhood as the Downtown Concord Condominiums Project. Construction of the Legacy Apartments project would be subject to similar mitigation measures that would apply to the Downtown Concord Condominiums Project. The Legacy Apartment project is fully constructed and the units have been rented. As such, there would be no overlap in construction-related noise impacts.

e) While the proposed project site is located just under one mile from the Buchanan Field Airport, a public use airport, it is located well outside the Airport's 60 L_{dn} noise contour and is not exposed to excessive noise levels related to airport operations (McClintock, Becker & Associates, 1989; Arens, 2004). Buchanan Field Airport staff have indicated that the Airport is in the process of initiating an update to the Part 150 Study, but does not expect that the noise contour footprints will change substantially from those shown in the current Part 150 Study (even though operations have doubled) given current restrictions on aircraft type and hours of airport use for certain aircraft types (Arens, 2004). As such, the project site would similarly not be exposed to excessive airport noise levels into the future.

Because the project site is located within the Airport's Influence Area (defined as extending 2.65 miles from each airport runway), it is subject to County Airport Land Use Commission (ALUC) real estate disclosure requirements (Arens, 2004). Implementation of Mitigation Measure XI.4 would ensure that the project is consistent with County ALUC policy.

f) The project site is not within the vicinity of a private airstrip. The project site is within about 0.4 miles of the Mount Diablo Hospital Medical Center helipad. Because the project site is located well outside of the hospital's 55 L_{dn} (City of Concord, 1994), it is not exposed to excessive noise levels associated with the hospital helipad.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XII. POPULATION AND HOUSING -- *Would the project:*				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

a) The proposed project would result in an increase in the City of Concord's resident population by constructing up to 310 new housing units. According to the project sponsor, the project would generate about 450 additional residents at the site, which represents approximately 0.4 percent of Concord's 2002 total population of 125,225 (U.S. Census Bureau, 2004). The population and household growth attributed to the proposed project would account for less than 0.3 percent of Concord's growth by 2010, and would be considered a less-than-significant impact and within ABAG projections (ABAG, 2002).

In the project vicinity, surrounding land uses are mixed, including office buildings, restaurants, gas stations and parking garages and lots. The project site, located within downtown Concord, would be considered in-fill development and result in an intensification and change in land use from commercial to residential. Although infrastructure improvements would be necessary on site, extension of off site infrastructure which could indirectly contribute to growth would not occur. The project would therefore not induce substantial growth in the area either directly or indirectly.

b) Existing land use at the proposed project site includes automobile-related commercial uses (Lehmer's Jeep Pontiac GMC auto

dealership and automotive repair shop) and surface vehicular storage areas. The project would therefore not result in the displacement of existing housing.

c) As discussed in Comment XII.b, the project site does not contain residential uses; therefore, the project would not result in the displacement of substantial numbers of people.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XIII. PUBLIC SERVICES -- *Would the project:*				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion:

Fire Protection & Police Protection. The Concord Police Department and Consolidated Fire Protection district have reviewed the project plans and determined that adequate service is available to serve the project.

Schools. The California State Department of Education has developed student generation rates that are routinely used by school districts that have not developed its own rates. The State's student generation rates are a result of statewide sampling and include areas that vary demographically. The State Department of Education estimates that one dwelling unit would generate an average of 0.7 students per unit: 0.5 elementary or middle school students and 0.2 high school students (Yeager, 2004). Thus the proposed project would result in approximately 154 elementary or middle school students and 61 high school students.

The proposed project site would be within the Mt. Diablo Unified School District, which operates 15 elementary schools, 7 middle schools and 6 high schools. Currently, public elementary and middle schools in the District are operating at 91 percent of capacity and the high schools at about 95 percent of capacity. The additional students generated by the project would represent about one percent of existing student enrollment, and would not have a substantial effect on public schools, nor require the construction of additional facilities. The project sponsor would be subject to relevant school impact fees.

Parks. The project will be required to pay parkland dedication fees per the Concord Municipal Code.

XIV. RECREATION -- *Would the project:*				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			X	

Discussion:

a) The City of Concord owns and maintains 23 parks and recreational facilities and community facilities throughout the city. The proposed project is located within a one-mile radius of six existing parks providing a mix of active and passive recreation facilities. These parks include John F. Baldwin Park, the BART Park, Concord Skate Park, Ellis Lake Park, Krueger Fields and Todos Santos Plaza. The proposed project would provide on site recreation amenities including a swimming pool, spa, fitness center and four internal courtyards, however it is likely that the project would generate additional demand for existing neighborhood and regional parks and other recreational facilities. As discussed under section XIII, Public Services, the proposed project is consistent with land use identified in the General Plan for the site, thus it is likely that the General Plan has accounted for the increase demand associated with the proposed project and the project would not cause substantial physical deterioration of existing parks or recreational facilities. The project sponsor will also be subject to relevant impacts fees as per the City fee guidelines; thus, the impact to recreation would be less than significant.

b) The proposed project would provide on site recreation amenities for residents including an outdoor swimming pool and spa (approximately 7,100 square feet) and indoor fitness center and recreation room (approximately 2,000 square feet). Private balconies of about 8,900 square feet would also be provided for selected residential units fronting Willow Pass Road, Concord Boulevard and the internal pedestrian mews. The proposed project would not require the construction of new recreational facilities or the expansion of existing facilities. Therefore, the project would not cause any adverse physical effect on the environment from the construction or expansion of such facilities.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC -- *Would the project:*				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

Discussion:

a) The 310-unit proposed condominium project (with up to 5,000 square feet of gross floor area of retail space) would generate about 1,384 vehicle trips per day, with about 100 and 120 trips during the AM and PM peak hours, respectively. That trip generation estimate reflects application of a 25 percent reduction to account for the site being in the Central Business District (i.e., close to nearby compatible land uses) and being in proximity to transit (e.g., the Concord BART Station). It is noted that the City's General Plan EIR assumes a 33 percent reduction in trips for residences located within one-half mile of BART. On the basis of the above-cited peak-hour trips, the displacement of vehicle trips currently generated by the project site's existing car dealership (to be relocated about 0.6 mile away), and trips generated by approved developments in the site vicinity, the proposed project would not cause a significant impact on AM and PM peak-hour traffic levels of service at area intersections.

Nevertheless, the proposed project would be required to pay the City's traffic impact fee.

Measures to improve traffic flow along Galindo Street in the study area have been proposed by the City. As described in the Galindo Street General Plan Amendment Traffic Study, these improvements include the addition of a third through lane on southbound Galindo Street between Willow Pass Road and Concord Boulevard; that segment borders the project site on the east. Other modifications include the extension of the northbound left-turn lane at Willow Pass Road back to Concord Boulevard. Construction of the proposed project could impede the ability of the City to implement these improvements if sufficient right-of-way is not preserved. However, as part of the proposed project, Galindo Street would be widened 15 feet along the project frontage (within right-of-way dedicated to the City) to accommodate the planned improvements. That proposed widening would be consistent with design recommendations in the above-referenced traffic study.

b) The proposed project would not cause any exceedance of CMA standards. The project would have negligible effect on CMA roadways and no significant cumulative impacts on these roadways are anticipated.

c) The proposed project would not change air traffic patterns. The project site is not within any Airport Safety Zone.

d) The proposed project would not substantially increase traffic hazards. It would not include design features that would create a traffic safety hazard, nor would it introduce uses that are incompatible with existing uses served by the street network.

e) The proposed project would provide multiple access points to the site, which would adequate emergency access. The project would be required to comply with any access requirements that may be set forth by the Contra Costa County Fire Protection District.

f) The Concord Municipal Code (Sec. 122-845) requires that condominiums shall provide 1.5 parking spaces for each studio or one-bedroom unit, two parking spaces for each unit with two or more bedrooms, and one additional space for every three units for guest parking. The proposed 310-unit project would provide approximately 764 onsite parking spaces (i.e., 661 spaces for project residents [a composite rate of 2.13 spaces per unit], and 103 spaces for project visitors [one space per three units]). Those components of the parking supply would each meet the City's standards for parking capacity for residential uses.

The Municipal Code (Sec. 122-848) requires that commercial retail space (excluding restaurants and cocktail lounges) located in the Downtown Business District shall provide one parking space per 250 square feet of gross floor area, or 20 parking spaces for the project's up to 5,000 square-foot retail space. However, Municipal Code Sec. 122-844(b) provides that shared parking may be permitted under certain conditions (the proposal is in the best interests of the city and does not inhibit the implementation of other city ordinances, policies, or plans; the peak hours of use will not overlap; the shared parking facility is within 700 feet of the principal entrance; and a written agreement is provided). There are publicly accessible parking facilities in close proximity to the proposed retail use (public and private parking garages). Further, the City may require parking in-lieu fees if necessary.

g) The proposed project would not conflict with adopted policies, plans and programs supporting alternative transportation because it is an infill residential project in proximity to the Concord BART station. See Air Quality Policy 1.1.1 (General Plan Public Health and Safety Element), which promotes development near transit.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XVI. UTILITIES AND SERVICES SYSTEMS -- *Would the project:*				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause			X	

significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XVI. UTILITIES AND SERVICES SYSTEMS (cont.)				
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion:

a) The proposed residential project would not violate any wastewater treatment requirements.

b) The City of Concord Public Works Engineering Services Department maintains the City's wastewater collection systems, but does not treat the raw sewage. Instead, it is pumped to and treated by the Central Contra Costa Sanitary District. Currently, the City has a $12.2 million budget to improve undersized sewer mains throughout the City. The proposed project would generate an additional 0.05 million gallons per day (mgd) of wastewater from the site. According to the Public Works Engineering Services Department, there is adequate capacity in the City's wastewater collection systems to handle the increased volume of wastewater (Pascual, 2004). If it is determined that upsizing of sewer mains affected by the project are needed, the project sponsor would be responsible for payment relative to the project's portion of the capacity (0.05 mgd). The project sponsor is also required to pay the applicable fees for the connection from the project site to the sewer main. Existing water or wastewater treatment facilities are adequate to serve the proposed project and new or expanded facilities would not be required. Thus the impact would be less than significant.

c) The proposed project would result in incrementally less impervious surface than what currently exists with the addition of landscaping throughout the site; thus, the proposed project would not require new or expanded stormwater drainage facilities.

d) The Contra Costa Water District has confirmed that there is adequate water supply to serve the proposed project. The proposed project would have sufficient water supplies available from existing entitlements and resources (Dunn, 2004).

e) The Contra Costa Sanitary District is the wastewater treatment provider that would serve the project site. The proposed project would generate a sewer demand of approximately 0.5 mgd of wastewater, which would be a higher sewer load than a mixed use project on the site. The Contra Costa Sanitary District has adequate capacity to serve the proposed project. As discussed under Section XVI.b, the project sponsor would be required to pay the project's proportional share of upgrading the sanitary sewer main serving the project site if the project's contribution of wastewater exceeds available capacity.

f) The Concord Disposal Service handles the residential and commercial waste stream in the City of Concord, collecting both solid waste and recycled materials. Concord Disposal Service transports waste to the Pittsburg Transfer Station and Recycling Center, where recycled materials are transported to the Mt Diablo Recycling Center in Concord, and solid waste is transported to the Potrero Hills Landfill in Solano County. The remaining capacity at the Potrero Hills Landfill is about 13,800,000 cubic yards, or 64 percent of the Landfill's total capacity. and the Landfill is not expected to close until 2035 (CIWMB, 2004a). The proposed project would result in approximately 450 new residents at the site that would generate approximately 495 pounds of household waste per day or 1.1 pounds per resident per day (CIWMB, 2004b). The Potrero Hills Landfill would have adequate capacity to serve the proposed project.

g) Assembly Bill 939 (AB939), enacted in 1989, requires each city's and county's Source Reduction and recycling Element to include an implementation schedule to divert 25 percent diversion of its solid waste from landfill disposal by January 1, 1995,

through source reduction, recycling, and composting activities, followed by an increase to a 50 percent reduction to the waste stream by January 1, 2000. As of 2000, the total annual waste diversion for the City of Concord was approximately 50 percent (CIWMD, 2004b). The proposed project would comply with all federal, state, and local statutes and regulations related to solid waste, thus there would be no impact would be less than significant.

	Summary of Impacts			
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

a) The proposed project will not degrade the quality of the environment with respect to habitat of fish or wildlife species or fish or wildlife populations as the project site is an infill site located within an urban downtown area and currently being used for automobile-related uses. No rare or endangered plant or animals exist. No important examples of major periods of California history or prehistory exist on the site. As per the tree survey, a number of trees will be removed; however, none of the trees are considered heritage trees, and new trees and landscaping would be provided as part of the proposed project.

b) It is not anticipated that the proposed project would result in any significantly considerable cumulative effects. With mitigation measures proposed in this environmental document, the proposed project would have no cumulatively considerable impacts. The proposed project's less than significant traffic, air quality and noise impacts would not be cumulatively considerable (see sections III, XI and XV above). Other less-than-significant impacts (e.g., geology and soils) are site specific and would not cumulate with potential impacts from other projects. Additional residential projects planned in the project vicinity include the Denova project (approximately 243 residential units) and the Olsen project (approximately 160 residential units). Even combined with impacts of these projects, the relatively modest impacts of the proposed project, when mitigated by the measures included herein, would not result in cumulatively considerable effects.

c) The potential effects of the proposed project on human beings have been analyzed within the document. The proposed project will not cause substantial adverse effects on human beings, either directly or indirectly, upon implementation of the identified mitigation measures.

Attachments:

Exhibit A. Comprehensive Source List
Exhibit B. Project Location and Vicinity Map
Exhibit C. Project Site Plans and Elevations
Exhibit D. Mitigation Measure and Monitoring Program

EXHIBIT A
Renaissance Square Condominiums
General Plan Amendment (GP 03-005), Municipal Code Amendment (MC 04-002) Vesting Tentative Map (TM 04-002), Use Permit (UP 04-005), Variance (VA 03-005), and Design Review (DR 03-043)
Mitigation and Monitoring Matrix
Date of Approval: June 16, 2004

Mitigation Number	Mitigation Measure	Monitoring Task	Responsible Division / Agency	Timing of Monitoring Task	Monitoring Verification (Initials and Date)	Status / Verification / Notes
	AIR QUALITY					
III.1:	Control PM10 Emissions in Accordance with BAAQMD Standards. The BAAQMD guidelines identify feasible control measures for construction emissions of PM10. The following list of measures was developed from the BAAQMD master list based on an understanding of the project: a) Water all active construction areas at least twice daily. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of space from the top of the holding area. c) Apply water three times daily or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas.	The Engineering Department's current development staff will verify that the required dust suppression requirements are included on grading and improvement plans. The Engineering Department construction inspectors shall inspect the site for compliance during on-site inspections throughout the life of the project construction	Engineering Department	The timing of this require-ment shall be ongoing during all phases of construction.		

	d) Sweep daily (preferably with water sweepers) all paved access roads, parking areas, and staging areas, and adjacent public streets if soil material is visible. e) Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more). f) Enclose, cover, water twice daily, or apply soil stabilizers (non-toxic) to exposed stockpiles (dirt, sand, etc.). g) Limit traffic speeds on unpaved roads to 15 miles per hour (mph). h) Revegetate disturbed areas as soon as possible. i) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. j) To minimize combustive emissions from construction equipment, internal combustive engines should be idled at a minimum and properly maintained and operated.					

EXHIBIT A
Renaissance Square Condominiums
General Plan Amendment (GP 03-005), Municipal Code Amendment (MC 04-002)
Vesting Tentative Map (TM 04-002), Use Permit (UP 04-005), Variance (VA 03-005), and Design Review (DR 03-043)
Mitigation and Monitoring Matrix
Date of Approval: June 16, 2004

	BIOLOGICAL RESOURCES					
IV.1	a) The construction superintendent shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection. b) All trees to be preserved (London Plane trees) shall be enclosed around the Tree Protection Zone (TPZ). The TPZ shall be defined five feet from the trunk. No grading, excavation, construction or storage of materials shall occur within the TPZ. c) Trees to be preserved shall be pruned by a Certified Arborist or Tree Worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the BMPs – Tree Pruning published by the International Society of Arboriculture. d) No grading, excavation, construction or storage of materials shall occur within the TPZ. Any modifications must be approved and monitored by the Consulting Arborist.	Prior to the issuance of a grading or other site improvement permit, the Consulting Arborist shall submit a letter to the Engineering Department's current development staff documenting that consultation between the Arborist and the construction superintendent has occurred. The Engineering Department's current development staff shall verify, on plans and in the field, that the TPZ has been established. The Engineering Division construction inspectors shall inspect the site for compliance during on-site inspections throughout the construction phase of the project. Prior to the issuance of a certificate of occupancy, the Consulting Arborist shall submit a report or letter report to the Building Division, with copies to the Planning Division and Engineering Department, documenting compliance with Mitigation Measure IV.1 during the construction period.	Engineering Department, Building Division, and Planning Division	Prior to approval of grading and improvement plans and throughout the construction phase of the project. Consulting arborist report to be submitted prior to the issuance of a certificate of occupancy.		

	e) Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the Consulting Arborist. f) Supplemental irrigation will be required for trees to be preserved and shall be applied at a rate determined by the Consulting Arborist. g) If injury should occur to the trees to be preserved during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatment can be applied. h) No excess soil, chemicals, debris, equipment or other material shall be dumped or stored within the TPZ.					

EXHIBIT A
Renaissance Square Condominiums
General Plan Amendment (GP 03-005), Municipal Code Amendment (MC 04-002) Vesting Tentative Map (TM 04-002), Use Permit (UP 04-005), Variance (VA 03-005), and Design Review (DR 03-043)
Mitigation and Monitoring Matrix
Date of Approval: June 16, 2004

	CULTURAL RESOURCES					
V.1	a) In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources be discovered, earthwork within 100 feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) can evaluate the significance of the find and suggest appropriate mitigation(s).	Engineering Department staff will field-check the grading operations. In the event any previously unknown historic or prehistoric resources are discovered, the City Engineer and Planning Manager will evaluate the paleontologist's findings.	Engineering Department and Planning Division	Ongoing during construction.		

V.2	a) In the event that paleontological resources are encountered during the project excavation, these resources would be treated as archaeological resources. The exposure of fossils may require temporary diversion of grading away from the exposed fossils in order to recover and/or document the fossil specimens. Recovered fossils will be prepared to the point of curation, identified by qualified experts, listed in a database to allow analysis, and deposited in a designated repository such as the Geology Department at Sonoma State University or a Contra Costa County facility, which shall have the first right of refusal of the collection. At each fossil discovery location field data forms will record the locality, stratigraphic columns will be measured and appropriate scientific samples submitted for analysis.	Engineering Department staff will field-check the grading operations. In the event any previously unknown historic or prehistoric resources are discovered, the City Engineer and Planning Manager will evaluate the paleontologist's findings.	Engineering Department and Planning Division	Ongoing during construction.		

V.3	a) In the event of an accidental discovery or recognition of any human skeletal remains during project construction or ground breaking activities, all excavation or disturbance must cease at the site or any nearby area reasonably suspected to overlie adjacent human remains until the Project Applicant complies with the procedures outlined in CEQA Section 15064.5.	Engineering Department staff will field-check the grading operations. In the event human remains are discovered, the City Engineer and Planning Manager will evaluate the County Coroner's findings.	Engineering Department and Planning Division	Ongoing during construction.		
	GEOLOGY AND SOILS					
VI.1	The project sponsor shall ensure that any revisions to the geotechnical investigation prepared by Engeo Incorporated in 2003 that may be required as a result of peer review by the City's consulting geologist are incorporated into the Engeo report. The sponsor shall further incorporate into construction of the project all recommendations of the Engeo report, as it may be revised by the City's consulting geologist.	Engineering Department staff shall review the results of the geotechnical peer review and shall request any necessary modifications to the Engeo report. Engineering Department staff shall verify that the recommendations of the Engeo report are included on project plans, and shall conduct field inspections to ensure that the recommendations are incorporated into project construction.	Engineering Department	Prior to the issuance of grading or other site improvement permits and building permit(s), and ongoing during grading, site preparation, and construction.		

EXHIBIT A
Renaissance Square Condominiums
General Plan Amendment (GP 03-005), Municipal Code Amendment (MC 04-002) Vesting Tentative Map (TM 04-002), Use Permit (UP 04-005), Variance (VA 03-005), and Design Review (DR 03-043)
Mitigation and Monitoring Matrix
Date of Approval: June 16, 2004

	HAZARDS AND HAZARDOUS MATERIALS					
VII.1	Contra Costa Environmental Health (CCEH), the local oversight program (LOP) shall be contacted to oversee removal of the AGTs and determine appropriate remediation measures, if any. Removal of the AGTs shall require, as deemed necessary by the LOP, over-excavation and disposal of any impacted soil that may be associated with such tanks to a degree sufficient to the oversight agency.	The project sponsor or sponsor's consultant shall submit a report or letter report to the Engineering Department prior to the issuance of a certificate of occupancy documenting removal of the above-ground storage tanks and compliance with any remediation measures that may be required by CCEH.	Engineering Department, Building Department.	Prior to the issuance of the certificate of occupancy for the first residential units.		
VII.2	If construction activities encounter USTs, construction in the immediate area shall cease until the UST is removed and Contra Costa Environmental Health is contacted to oversee removal and determine appropriate remediation measures. Removal of the UST shall require, as deemed necessary by the LOP, over-excavation and disposal of any impacted soil that may be associated with such tanks to a degree sufficient to the oversight agency	The project sponsor or sponsor's consultant shall submit a report or letter report to the Engineering Department prior to the issuance of a certificate of occupancy documenting discovery of underground storage tanks (if any are found); removal of any such tanks; and compliance with any remediation measures that may be required by CCEH.	Engineering Department, Building Department.	Prior to the issuance of the certificate of occupancy for the first residential units.		

VII.3	PCB-containing materials identified prior to demolition activities shall be removed and be disposed of by a licensed transportation and disposal facility in Class I hazardous waste landfill cells.	The project sponsor or sponsor's consultant shall submit a report or letter report to the Engineering Department prior to the issuance of a certificate of occupancy documenting removal and appropriate disposal of PCB-containing materials.	Engineering Department, Building Department.	Prior to the issuance of the certificate of occupancy for the first residential units.		
VII.4	Prior to reuse or off-site disposal, the project sponsor shall perform total and soluble lead analyses of in-place or excavated soils to confirm the classification of the soils. If the soils are classified as a California hazardous waste, the project sponsor shall dispose of the soils at a Class I disposal facility in California or an out of state non-RCRA facility permitted to accept wastes at concentrations of the excavated soils.					

VII.5	A pre-demolition ACM survey shall be performed prior to demolition of the structures. Abatement of identified or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, a state certified asbestos contractor shall remove and appropriately dispose of all ACMs.	Prior to the issuance of a demolition permit, the project sponsor or sponsor's consultant shall submit to the Engineering Department the results of survey(s) for asbestos-containing materials. If ACMs are discovered, the project sponsor shall ensure that an asbestos abatement plan developed by a state-certified asbestos consultant is prepared and submitted to the City prior to any building demolition. Following demolition, the project sponsor or sponsor's consultant shall submit a report or letter report to the Engineering Department documenting appropriate remediation of any ACMs discovered.	Engineering Department, Building Department.	Prior to the issuance of a demolition permit (ACM survey) and prior to the issuance of a certificate of occupancy for the first residential units (report on ACM remediation).		
VII.6	A pre-demolition lead-based paint (LBP) survey shall be performed prior to demolition of the structures. Abatement of identified or suspected LBP shall occur prior to demolition or construction activities that would disturb those materials. The project sponsor shall implement a lead-based paint abatement plan, which shall include the following components: a) A Certified Project Designer shall develop an abatement specification.	Prior to the issuance of a demolition permit, the project sponsor or sponsor's consultant shall submit to the Engineering Department the results of survey(s) for lead-based paint. If lead-based paint is discovered, the project sponsor shall ensure that a lead-based paint abatement plan developed by a state-certified asbestos consultant is prepared and submitted to the City prior to any building demolition. Following demolition, the project sponsor or sponsor's consultant shall submit a report or letter report to the Engineering Department documenting	Engineering Department, Building Department.	Prior to the issuance of a demolition permit (lead paint survey) and prior to the issuance of a certificate of occupancy for the first residential units (report on lead paint remediation).		

	b) A site Health and Safety Plan, as needed. c) Containment of all work areas to prohibit off-site migration of paint chip debris. d) Removal of all peeling and stratified lead-based paint on building surfaces and on non-building surfaces to the degree necessary to safely and properly complete demolition activities per the recommendations of the survey. The demolition contractor shall be responsible for properly containing and disposing of intact lead-based paint on all equipment to be cut and/or removed during the demolition. e) Appropriately remove paint chips by vacuum or other approved method. f) Collection, segregation, and profiling waste for disposal determination. g) Appropriate disposal of all hazardous and non-hazardous waste.	appropriate remediation of any lead-based paint discovered.				

VII.7	Signature Properties shall require the use of construction best management practices typically implemented as part of its construction activities to minimize the potential adverse effect of the project to groundwater and soils from construction activities. These shall include the following: a) Follow manufacturer's recommendations on use, storage and disposal of chemical products used in construction; b) Avoid overtopping construction equipment fuel gas tanks; c) During routine maintenance of construction equipment, properly contain and remove grease and oils; and d) Properly dispose of discarded containers of fuels and other chemicals.	At the conclusion of construction, the project sponsor or construction contractor shall submit a report or letter report to the City documenting compliance with the construction best management practices identified in Measure VII.7.	Engineering Department, Building Department.	Prior to the issuance of a certificate of occupancy for the first residential units.		
VII.8	Groundwater generated during construction dewatering shall be contained and transported offsite for disposal at an appropriate facility, or treated, if necessary, prior to discharge into the sanitary sewer to levels acceptable to the	Prior to approval of grading plans, the project sponsor shall both file a Notice of Intent (NOI) and submit a SWPPP to the State of California Regional Water Quality Control Board for approval. The Plan must be implemented as part of the City's compliance with the	Engineering Department	Prior to the approval of grading plans.		

	Contra Costa County Sanitation District. Discharge of water shall be in accordance with a NPDES permit obtained by the applicant.	National Pollution Discharge Elimination System (NPDES) requirements.				
	NOISE					
XI.1	The City shall require noise insulation for all condominium units proposed under the Downtown Concord Condominium Project that would face Willow Pass Road, Galindo Street, and Concord Boulevard. Noise insulation shall be such that interior noise levels do not exceed 45 Ldn, as required under Title 24 of the California Code of Regulations (Part 2, Appendix Chapter 12A). Given the existing and predicted future exterior noise levels, the noise insulating features must be able to demonstrate a minimum reduction in exterior to interior noise levels of 30 dBA. Noise attenuation features to minimize interior noise should consider the combined effect walls, windows and doors have on interior noise levels. The City's Building Division shall be responsible for ensuring the final building plans	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 construction inspection process.	Engineering Department, Building Division, and Planning Department.	Engineering Department and/or Building Division shall confirm that appropriate construction techniques have been employed prior to issuance of a certificate of occupancy.		

	for the project are in compliance with Title 24 standards. The noise insulation features for condominium units facing adjacent roadways shall include the following: a) Units shall be configured such that bedrooms and other noise-sensitive rooms are located away from the street, where feasible. b) Air conditioning shall be installed in all condominium units to ensure that windows can be kept closed, if desired. c) Noise attenuation features should be employed in the building design and construction. Noise attenuation construction measures should consider a combination of the following: i. Reducing the total area of windows or acoustically weaker building elements; ii. Sealing off "leaks" around windows, doors, and vents; iii. Improving the actual sound attenuating properties of small building elements such as windows, doors, etc. The					

	Noise Study completed in support of this project recommended that windows with acoustic ratings of Standard Transmission Class (STC) 33 to 36 be required. The STC rating is used as a measure of a material's ability to reduce sound. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material; iv. Improving the actual sound attenuating properties of major building elements such as wall construction (e.g., by use of additional layer(s) of gypsum board, increased width of airspace between wallboards or between studs, staggered studs, and/or the use of resilient channels to reduce noise and vibration). d) A qualified acoustical consultant/engineer shall be retained during the final design phase to verify the noise control recommendations have been properly implemented and would protect against interior					

	noise.					
XI.2	The following measures shall be implemented during project construction: a) Noise-generating activities at the construction site or in the areas adjacent to the construction site associated with the project shall be restricted to daytime hours of 7:30 a.m. to 6:00 p.m. Construction on Saturdays shall be allowed based on 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. b) The applicant shall designate a contact person available during the evenings and on weekends to respond to complaints and take appropriate action to reduce noise. c) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for	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.	Building Division, Transportation Division, Engineering Department, and Planning Division.	On going during all phases of construction and until a Certificate of Occupancy is issued for the entire project.		

	the equipment. d) Unnecessary idling of internal combustion engines within 100 feet of residences shall be strictly prohibited. Avoid staging of construction equipment within 200 feet of residences and locate all stationary noise-generating construction equipment, such as air compressors and portable power generators, as far away as practical from noise sensitive residences.					
XI.3	If pile driving is required for the proposed Downtown Concord Condominium Project, the following measure shall be implemented during project construction: a) If possible, sonic or vibratory pile drivers shall be used instead of impact pile drivers (sonic pile drivers are only effective in some soils). b) Engine and pneumatic exhaust controls on pile drivers will be required as necessary to ensure that exhaust noise from pile driver engines are minimized to the extent feasible.	Engineering Department shall review plans and specifications for pile driving, if required, and shall confirm that the least noisy pile-driving equipment feasible is scheduled for use on the project site. Engineering Department construction inspectors shall inspect the site for compliance during on-site inspections throughout the duration of pile driving, if any. 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.	Building Division, Transportation Division, Engineering Department, and Planning Division.	On going during all phases of construction and until a Certificate of Occupancy is issued for the entire project.		

	c) Where feasible, pile holes shall be pre-drilled to reduce potential noise and vibration impacts.					

XI.4	Consistent with County Airport Land Use Commission Policy, the project sponsor shall ensure that the following disclosure statement (constructive notice) be made to all prospective buyers and tenants of the proposed project: "This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitive to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."	Planning Division (with consultation by City Attorney) shall review and approve form of disclosure statement.	Planning Division, Building Division, City Attorney.	Prior to issuance of a certificate of occupancy.		
	GENERAL					
	All construction-related mitigation measures shall be included as a separate plan sheet as part of the project plans.	The City will require a copy of the plans prior to approval.	Engineering Department and Building Division.	Prior to approval of improvement plans.		

EXHIBIT E

FINAL CONDITIONS OF APPROVAL
RENAISSANCE
UA 12-005, DR 12-028
1825 GALINDO STREET
APN: 126-062-013, -014

PERMIT DESCRIPTION

1. These Conditions apply to and constitute the approval of a **Use Permit Amendment (UA 12-005)** to modify the remaining construction of the 314-unit Renaissance project at ~~1851~~ **1825** Galindo Street.

2. These Conditions apply to and constitute approval of **Design Review (DR 12-028)** to modify building, landscaping, and related improvements on the remaining construction of the Renaissance project. Exterior building materials and colors shall be in substantial conformance with the approved color and materials board dated December 12, 2012, prepared by Architects Orange.

3. These Conditions replace, incorporate, and/or amend all applicable conditions associated with the Renaissance Square Condominiums (i.e., TM 04-002, UP 04-005, VA 03-005and DR 03-043) approved by Planning Commission Resolution No. 04-15PC. These Conditions shall supersede all prior conditions.

4. The **Variance (VA 03-005)** approved by ***Planning Commission Resolution No. 04-15PC*** allowing universal parking stall dimensions of 9'x18' for the project is incorporated by reference.

5. The **Mitigation and Monitoring Matrix ("MMX")** adopted by ***Council Resolution No. 04-4823.2*** is incorporated by reference. The project shall comply with all applicable mitigation measures. If there is an inconsistency between the Conditions of Approval and the MMX, the MMX shall govern.

6. The following Exhibits, date stamped received by the City of Concord, on January 4, 2013, are approved and shall be incorporated as Conditions of Approval.

Plan	Date Prepared	Prepared by	Sheet
Title Sheet	12-13-12	Architects Orange	A-0
Perspective Sketches	12-13-12	Architects Orange	A-0.2
Egress Diagrams	12-13-12	Architects Orange	A-1.0, A1.1
Site Plan	12-13-12	Architects Orange	A-1.2
Building Floor Plans	12-13-12	Architects Orange	A-2.0 to A-2.5
Roof Plan	12-13-12	Architects Orange	A-3
Building Sections	12-13-12	Architects Orange	A-4
Building Elevations	12-13-12	Architects Orange	A-5.1 thru A-5.3
Unit Plans	12-13-12	Architects Orange	A-6.1, A-6.2
Enlarged Elevation Details	12-13-12	Architects Orange	A-7.0

Architectural Details	12-13-12	Architects Orange	A-7.1
Massing Study	12-13-12	Architects Orange	A-7.2, A-7.3
Existing Boundary and Topo	12-13-12	dk Consulting	C-1
Grading, Drainage and Utilities Plan	12-13-12	dk Consulting	C-2
Landscape Plan	12-13-12	Guzzardo Partnership	L-1 thru L-8

GENERAL CONDITIONS

7. Compliance with these conditions and the City of Concord Municipal Code shall be required for all permits and inspections associated with this entitlement. ***(PLNG, ENGR)***

8. 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.
   (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)***

9. 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)***

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

11. 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)***

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

13. Two annotated copies of the Conditions of Approval and Mitigation and Monitoring Matrix 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)***

14. Renaissance shall be operated as one residential complex. Applicant shall provide and record all agreements and/or cross easements required by the City to address the shared use and maintenance of project amenities between the properties, prior to occupancy approval, unless otherwise specified by the following conditions. ***(PLNG, ENGR, BLDG)***

15. The project shall not be sold as condominium units without prior approval from the City and compliance with local and State laws on condominium conversions, including the Concord Municipal Code, Chapter 94 Subdivisions, Article VII Common Interest Developments. ***(PLNG)***

16. Submit three signed copies, one notarized, of the City's "Property Maintenance Agreement", to ensure on-going repair, replacement and maintenance of all exterior improvements including buildings, parking areas, private roads, walkways, landscaping, irrigation, signs, fences, walls, and other improvements, prior to issuance of Grading or Building permits, whichever comes first. ***(PLNG)***

17. 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)***

ARCHITECTURAL

18. Rooftop equipment (HVAC, meters, refrigeration equipment, plumbing lines, ductwork and transformers), shall not extend above the building parapet and shall be screened from view on all sides with materials architecturally compatible with the main structure. Screening details shall be shown on the Building Plans and submitted for review and approval by the Planning Division, prior to the issuance of Building Permits and installed prior to occupancy approval. ***(PLNG)***

19. All other utility structures and equipment, including backflow preventers and electrical and gas meters shall be architecturally screened from view. ***(PLNG)***

20. Utility plans and construction drawings showing specific site and building details, including equipment and utility screening, architectural features (windows, doors, entries, trellises, siding, light fixtures, and landscaping/patio details), and final landscaping and irrigation shall be reviewed and approved by the Planning Division for conformance with the approved plans and/or Conditions of Approval prior to the issuance of building permits. ***(PLNG)***

21. 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

22. Submit Final Landscape Plans prepared by a Landscape Architect, registered by the State of California, for review and approval with the Grading, Improvement, or Building Plans, whichever comes first. The Plan shall be drawn on or consistent with the Grading, Improvement, Utility, and Stormwater Plans 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-retention or other stormwater treatment areas. Plants for bio-retention facilities should be compatible with temporarily flooded conditions.
c. Utility and Grading information on the base map, screened back.
d. All trees shall be a minimum size of 15 gallons and twenty-five (25) percent of the trees shall be 24 inch box in size or larger and 70% of the shrubs shall be a minimum size of five (5) gallons or larger.
e. A soils and plant laboratory analysis with recommendations for fertilization and mulching to be incorporated into the planting specifications.
f. Show all protected trees.
g. Root control barriers and four-inch perforated pipes for parking lot trees, street trees, and trees within 6 inch of any paved area or curb.
h. Six-inch vertical concrete curbs shall be installed between paved and landscaped areas.
i. A Layout/Hardscape Plan showing the location and details of all non-plant improvements, with dimensions and call outs, showing finished grades, hardscape/paving treatment, planter details, arbors, trellis', fences, walls, trash enclosures, and other features.
j. Details for street trees in accordance with City Standard Plan S-38, "Street Tree Planting Detail". ***(PLNG, ENGR)***

23. Final landscape plans shall include an automatic irrigation system 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)***

24. The final landscape plan and irrigation plan shall be peer reviewed and approved by a registered landscape architect chosen by City prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first. ***(PLNG)***

25. 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, signs, lighting, walls, fences, and trash enclosures. ***(PLNG)***

26. The establishment of plant materials shall be guaranteed for a period of two years after occupancy approval. A cash or equivalent guarantee shall be posted in an amount equal to 10 % of the value of the improvements, which will be released upon final inspection and acceptance of landscape improvements by a registered Landscape Architect at the end of the two-year period. ***(PLNG)***

27. The project landscape architect shall certify that there will be a minimum 60-day maintenance period for all landscape improvements. ***(PLNG)***

28. 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)***

29. Any vegetation damaged or destroyed by construction activities 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)***

30. 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)***

31. 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)***

32. 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)***

33. 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. Fences off-set twenty four inches or greater from retaining walls shall be considered as separate structures. ***(PLNG)*** **CMC**

34. Any embankment to be retained that is over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 48 inches tall from finished grade, and each bench has a minimum depth of 24 inches. ***(PLNG)***

35. All retaining walls shall be designed and constructed to visually blend into the adjacent slopes using geo-grid retaining wall systems or similar products. The style, materials, and colors for all walls shall be approved by the Planning Division prior to the issuance of Grading or Building permits, whichever comes first. ***(PLNG)***

TREE PRESERVATION

36. The project shall comply with the applicable tree protection measures outlined in Mitigation IV.1 of the approved Mitigation Monitoring Matrix and the following recommendations and guidelines of the Preliminary Tree Report by HortScience, Inc., dated January 2004, relating to the London plane trees on Willow Pass Road that are identified for preservation.

a. A Tree Protection Zone (TPZ) shall be established around each tree. For design purposes the TPZ shall be defined five feet from the trunk. No grading, excavation, construction or storage materials shall occur within that zone.

b. No underground services including utilities, sub-drains, water or sewer shall be placed in the TPZ.

c. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.

d. Irrigation systems must be designed so that no trenching will occur within the TPZ.

e. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.

f. Fence all trees to be retained to completely enclose the TPZ prior to demolition, grubbing or grading. Fences shall be chain link, orange plastic or equivalent as approved by the consulting arborist.

g. Prune trees to be preserved to provide adequate clearance and correct any existing defects in structure. All pruning shall be completed by a certified arborist or tree worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the Best Management Practices – Tree Pruning published by the International Society of Arboriculture.

h. No grading, construction, demolition or other work shall occur within the TPZ. Any modifications must be approved and monitored by the consulting arborist.

i. Any root pruning required for construction purposes shall receive the approval prior of, and be supervised by, the consulting arborist.

j. Supplemental irrigation will be required for trees to be preserved and shall be applied at a rate determined by the consulting arborist.

k. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

l. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the TPZ.

m. Any additional tree pruning needed for clearance during construction must be performed by a certified arborist and not by construction personnel.

n. Demolition, Grading, Utility, Landscape, and Building Plans shall show all trees to be preserved, with accurate trunk location, drip line, and existing grade. The Plans shall include Tree Protection Zones (TPZ) and protection measures consistent with the approved Mitigation Monitoring Program. ***(PLNG, ENGR)***

37. The property owner shall comply with the Tree Preservation Guidelines contained in the report relating to existing trees on Willow Pass Road. If any tree(s) is determined to be in poor condition and is dying due to the impact of construction, it shall be replaced with a minimum 36-inch box-size tree. **(PLNG, ENGR)**

38. The applicant shall submit a demolition plan with the building plan set of drawings, prior to issuance of a building permit. The demolition plan shall clearly indicate vegetation scheduled for demolition, show protection for trees to be preserved, and designate the location of on-site construction materials storage. **(PLNG)**

39. The arborist shall conduct site inspections during grading and construction, and may require additional measures necessary to protect the roots of trees to be preserved including stopping construction activities, if necessary to protect the trees. **(PLNG)**

LIGHTING

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, 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 the Transportation Division for compliance with City standards. ***(ENGR, TRANS, BLDG, PD)***

SIGNAGE

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

PARKING

44. Guest parking spaces shall be provided within the project site per the City's Parking Ordinance. ***(PLNG)***

45. All parking spaces shall be striped. Universal spaces shall measure 9 ft. by 18 ft. and oversized spaces shall measure 9 ft. by 20 ft. Compact spaces are not allowed. Two feet shall be provided at the front of the uncovered guest parking spaces proposed off Mira Vista Terrace to accommodate the overhang of automobiles. ***(PLNG/ENGR)***

46. Comply with the following prior to occupancy to promote safety within the parking garages:

    a. Garages shall have gated access as shown on the approved plans.
    b. Adequate lighting shall be provided in the parking stall areas in addition to driveway aisles throughout the garages. Priority shall be given to lighting of the parking stall areas if lighting cannot be provided for both. ***(PLNG)***

47. The front end of unenclosed parking stalls shall be screened with landscaping to minimize impacts to neighboring properties or abutting ground floor units. This requirement may be waived if the parking space is sited relative to abutting ground floor units such that automobile headlights do not shine directly into ground floor doors or windows. ***(PLNG)***

48. Plans shall be revised to include additional short-term and long-term bicycle parking spaces for the project in compliance with Development Code Section 122-393. ***(PLNG, ENGR, TRANS)***

49. 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

50. Refinish the traffic signal poles, mast arms, and signal heads at the north, east and west corners of the Willow Pass Road and Galindo Street intersection. ***(ENGR)***

51. Construct improvements along the frontage on **Concord Boulevard and Mira Vista Terrace** including but not limited to: driveway removal; pavement replacement; pavement widening; concrete valley gutter; wheel chair 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)***

52. Install slurry seal and replace pavement markers, markings, and lines along the frontage on **westbound Concord Boulevard between Galindo Street and Mira Vista Terrace, along northbound Mira Vista Terrace between Concord Boulevard and ~~Galindo Street~~ Willow Pass Road, and eastbound Willow Pass Road between Mira Vista Street and Galindo Street,** from lip of gutter to lip of gutter, or as directed by the City Engineer, after completion of utility undergrounding and frontage improvements and prior to the Acceptance of Improvements. ***(ENGR)***

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

54. The curb at Mira Vista Terrace shall be painted red and prohibit parking for a length of 20 feet at both edges of the property driveway along Mira Vista Terrace. ***(TRANS)***

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

56. Show construction details for all pedestrian paths on the Improvement Plans and Final Landscape Plans. Pedestrian crossings of streets shall have curb cuts, ramps, signs, and pavement markings as approved by Engineering Services. ***(ENGR, PARKS)***

CONSTRUCTION ACTIVITIES

57. 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., excluding federal holidays.

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)***

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

59. 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)***

60. 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)***

61. 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)***

62. 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)***

63. 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)***

64. 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)***

65. 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)***

66. 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)***

67. 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)***

68. 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)***

CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS

69. Submit two copies of Preliminary Title Report, prepared within three months prior to plan submittal. ***(ENGR)***

70. 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)***

71. 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)***

72. 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)***

73. 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

74. The plans prepared by and date stamped received ***January 4, 2013*** by the Planning Division is not approved for construction. 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 and Grading Permit. ***(ENGR)***

75. 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

76. 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)***

77. 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)***

78. 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)***

79. 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)***

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

81. 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)***

82. 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***

83. 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)***

84. 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)***

85. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan (SWPPP), 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***

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

87. 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) CMC***

UTILITIES

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

89. 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)***

90. Install streetlights along ***Concord Boulevard and Mira Vista Terrace*** frontages. 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, TRAN)***

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

92. Undergrounding of all existing overhead utilities along the north side of Concord Boulevard between Mira Vista Terrace and Galindo Street, and the east side of Mira Vista Terrace between Willow Pass Road and Concord Boulevard, including aerial street crossings shall be required pursuant to CMC Section 110-93. All new utilities shall be constructed underground prior to issuance of occupancy approval. ***(ENGR)***

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

94. Submit sanitary sewer calculation to Engineering Services with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. ***(ENGR)***

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

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

97. 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)***

98. 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)***

99. 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***

100. Remove all unusable laterals (sewer, water, and gas) in the street area and install cap at the main line. ***(ENGR)***

DRAINAGE/STORMWATER C.3 REQUIREMENTS

101. 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)***

102. 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)***

103. Construct stormwater treatment measures per the approved SWCP prior to occupancy approval. ***(ENGR)***

104. Submit a final 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 occupancy approval. 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)***

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

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

107. 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. ***(ENGR)***

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

109. 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)***

110. 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)***

111. 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)***

112. Clean all on-site stormdrain 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

113. 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)***

114. Design and implement City approved Source Reduction/Recycling Plan and demonstrate that 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)***

115. 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. ***(NS)***

116. 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. ***(CCCSD, ENGR)***

AGREEMENTS, FEES, BONDS

117. All fees noted **in Sections 122-124** below are the fees currently in effect as of July 1, ~~**2014**~~ **2015** 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 **applicable** 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)**

118. Provide a $10,000 cash deposit to the Planning Division to cover Condition Compliance and mitigation monitoring costs, at the time of submittal of plans and documents to Engineering Services or the Building Division for plan check. Planning staff and City consultant time will be charged to this deposit for work performed to implement the Conditions of Approval and Mitigation Monitoring Program. 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)***

119. 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)***

120. Enter into a Maintenance Agreement acceptable to the City prior to Acceptance of Improvements, agreeing to provide for proper maintenance of the private street, storm drain outside of the public street right of way, street lights and other privately maintained improvements pursuant to CMC Section 94-33. ***(ENGR)***

121. 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 issuance of the Building or Grading Permit, whichever comes first. ***(ENGR)***

122. 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. The current fee is $86.00.

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)***

123. 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, or at the hourly rate of $172.00 if the hourly rate is used.

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. The stockpile and erosion control monitoring fee is currently $23.00 per calendar day and is collected for the life of the Grading Permit activity. ***(ENGR)***

124. Sewer Connection Permit:

a. Pay Sanitary Sewer connection fee for three units converted from office units to one-bedroom dwelling units in 2009. The current sewer connection fee is $2,774.00 per ~~single family~~ dwelling unit and shall be paid prior to issuance of the grading permit.

b. Pay the current sewer service fee prior to issuance of the grading permit. The current fee **for Fiscal Year 2015 – 2016** is ~~$402.00~~ **$463.00** per year and is pro-rated by the month that connection is made.
(ENGR)

OTHER/MISCELLANEOUS

125. 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)***

126. Contact the Geographic Information Systems (GIS) Technician, in the Information Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the Contra Costa Fire Protection District for their approval, prior to issuance of a Building Permit. ***(PLNG)***

127. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. ***(ENGR) CMC***

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

129. 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. ***(PLNG)***

130. The permit and approval shall expire in one year from the date ~~on which they became effective~~ of the extension approval unless construction permits are obtained and work has begun. ~~All permits approved concurrently with a Tentative Map shall be valid for the life of the map~~. The effective date of the ~~permit and~~ extension approval is ***December 16, ~~2014~~ 2015***. ***(PLNG)***

131. A request for a time extension from the expiration date of ***December 16, ~~2015~~ 2016*** 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)***

Concord REPORT TO PLANNING COMMISSION

DATE: December 16, 2015

SUBJECT: Autumn Brook Subdivision (PL140280-RZ, TM, DR, AA, RT)

Recommendation:

1) **Resolution No. 15-15PC recommending that the City Council adopt the Autumn Brook Subdivision Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

2) **Resolution No. 15-17PC recommending that the City Council adopt and approve the rezoning of 1890 Risdon Road from R-7 To RL (Residential Low) for the Autumn Brook Residential Subdivision (PL140280-RZ).**

3) **Adopt Resolution No. 15-18PC, recommending that the City Council approve the Autumn Brook Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal (PL140280-TM, DR, AA, RT).**

I. Introduction

A. Application Request

Application for a Rezoning from R-7 to RL (Residential, Low Density), Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal for eight single-family homes on a 2.02-acre site.

The applicant is requesting a Rezoning from RS-7 (Single-Family Residential; 7,000 square foot minimum lot size) to RL (Residential Low Density), which is a legislative action by the City Council. The Planning Commission will make a recommendation to the City Council on (1) adoption of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), (2) approval of the Rezoning, and (3) approval of the Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal subject to the attached conditions of approval. The Rezoning and entitlement approvals are contingent upon City Council adoption of the MND and MMRP, and the entitlement approvals are contingent upon City Council's approval of the Rezoning.

B. Location

The project site is located at 1890 Risdon Road; APN 147-350-003.

C. Applicant/Owner

Zheng Tan
1233 Pine Creek Way, Unit A
Concord, CA 94520
(530) 219-3486

II. Background

On April 12, 2014, the applicant hosted a neighborhood meeting prior to the submittal of a formal development application. At the neighborhood meeting, the applicant proposed rezoning the site to allow nine housing units. At that meeting, several concerns were raised by the residents: they considered nine lots too many for the site, the lot widths were too narrow, the two story homes were too tall, the building mass should be reduced, there would be loss of privacy, parking impacts, construction noise, and pedestrian and vehicle safety issues.

On July 21, 2014, a Preliminary Application was submitted to subdivide the 2.02-acre site into eight lots ranging in size from 4,219 to 6,779 square feet. On August 28, 2014, 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 August 25, 2014, staff and the applicant conducted a neighborhood meeting. At that meeting, the applicant presented a revised site plan and preliminary architecture. The neighbors made a number of comments and asked questions but were mostly supportive and thanked the applicant for responding to their concerns raised at the first neighborhood meeting. The neighbors asked when the construction of the project would start and how long the construction would last.

On October 17, 2014, the applicant submitted a formal development application along with the following related applications: Rezone, Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal. The application was reviewed by the Development Advisory Committee (DAC) on November 12, 2014 and deemed incomplete by staff on November 14, 2014.

On December 11, 2014, the DRB reviewed the revised site plan and architecture. After review of the revised plans, the DRB recommended design approval with conditions.

On December 23, 2014, the applicant submitted a revised application that was deemed incomplete by staff on January 22 and 23, 2015. The revised project proposed eight lots ranging in size from 3,653 to 6,779 net square feet. The applicant submitted revised plans on April 9, 2015 in response to staff's incomplete letter. The DAC reviewed the revised submittal of April 28, 2015 and staff deemed the application complete on May 5, 2015.

On February 20, 2015, the City hired Analytical Environmental Services (AES) to prepare the environmental analysis and documentation for the project.

III. General Information

A. General Plan

The General Plan designation is Low Density Residential.

B. Zoning

The site is zoned RS-7 (Single-Family Residential; 7,000 square foot minimum lot size).

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 20-day comment period began October 6, 2015 and ended October 26, 2015, pursuant to the requirements of CEQA. During that review period, staff received two written comments from neighbors that raised issues unrelated to CEQA. Copies of the MND and MMRP are attached to Resolution 15-15PC as Attachments

[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.

A and B and incorporated therein by reference. Copies of the comment letters are attached to this staff report as Exhibit E and incorporated by reference.

The Draft MND determined that although the proposed project could have potentially significant impacts on Biological and Cultural Resources and Geology and Soils, 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.

D. Site Description

The 2.02-acre flat site is bordered on the north by Risdon Road and on all other sides by low density residential development. Holiday Court and David Avenue are west and south of the project site. Approximately 240 feet south of the project site, Bay Area Rapid Transit's (BART's) Pittsburg/Bay Point line runs northeast to southwest, with the nearest crossing located at Oak Grove Road approximately 0.25 miles to the southeast of the project site. The project site is vacant with the exception of an unoccupied single-family residence at the northern end of the property. A flood control channel and associated easement maintained by the Contra Costa County Flood Control District (CCCFCD) traverses the eastern portion of the project site. Approximately 42 trees have been inventoried on the project site, including 21 Valley Oaks.

E. Surrounding Land Use

The project site is surrounded by single-family residential uses. There are seven homes to the southwest of the project site, two homes to the south, two homes to the southeast, three homes to the northeast, and three homes to the north (across Risdon Road). The nearest school is Oak Grove Middle School, approximately 680 feet southwest of the project site, across the BART tracks. The nearest public gathering place is Fair Oaks Church on Risdon Road approximately 225 feet east of the project site. The nearest public park is Ygnacio Valley Park, approximately 0.22 miles east of the project site, adjacent to Oak Grove Road.

	Land Use	General Plan Designation	Zoning
North, South, East, and West	Single-family residential	Low Density Residential	RS-7

IV. Project Description & Analysis

A. General Plan

The General Plan designates the site as Low Density Residential with an allowable density from 2.5 to 10 dwelling units per net acre. The project will have a density of 10 dwelling units per net acre. The project is consistent with General Plan policies related to residential development, as discussed below.

1) *Support land use decisions that reinforce and capitalize on neighborhood strengths and benefit neighborhood identity and scale. (Policy LU-1.1.1)*

   The project reinforces neighborhood identity and strengths by proposing building designs and materials that are consistent with the neighborhood and architecture that mitigates the mass of the two-story homes with setbacks, hipped and sloped roofs, and careful use of landscaping to blend with the surrounding neighborhood. The Development Code and the applicable zoning district implement the General Plan. In this case, the development standards for the RL district regulate the size and scale of residential developments through restrictions on building height and lot coverage. The project complies with the 30 foot building height limitation and 50 percent lot coverage established in the district and is thus consistent with the General Plan and appropriate for the neighborhood.

2) *Require new development in residential areas to preserve and enhance positive neighborhood characteristics. (Policy LU-1.1.2)*

   The project preserves and enhances neighborhood characteristics by creating lots that meet the minimum size allowed by zoning, preserving the existing pattern of home massing adjacent to Risdon Road, and by designing homes determined by the DRB to be compatible with the neighborhood.

3) *Require all new development to locate structures to accommodate ultimate street widths and required setbacks, provide adequate right-of-way, and construct ultimate on and off-site improvements. (Policies T-1.1.6 and T-1.1.7)*

   A private access road (Autumn Brook Lane) is proposed with curb and gutter improvements, street parking, and a sidewalk on one side of the road. The project also proposes improvements to the street frontage by filling in the roadside ditches and constructing a curb and gutter and sidewalk.

B. Rezoning

Pursuant to Development Code Chapter 18.455.070, the following findings are required for approval of a Zoning Map Amendment. Staff analysis on how the project meets each finding is provided.

1) *The proposed zoning map amendment is consistent with the general plan.*

   The proposed rezoning from R-7 to RL is consistent with the general plan, which allows residential development at densities from 2.5 to 10 units per net acre (see also discussion in Section IV-A above).

2) *The proposed zoning map amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city.*

The proposed zoning map amendment is in the public interest and reflects the input of residents, decision-makers, and other stakeholders in the community. There are no changes proposed under the zoning map amendment that would reduce or compromise existing standards that protect the health, safety or general welfare of the City. Furthermore, the proposed zoning map amendment would improve an underutilized site with new homes that complement the neighborhood and meet the current development regulations outlined in the RL district.

3) *Zoning map amendments shall also find that the affected site is physically suitable, including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities, for the requested zoning designation and proposed or anticipated uses and/or development.*

Pursuant to CEQA, an Initial Study, MND, and MMRP were prepared to ensure compliance with the mitigation measures identified in the MND. The Draft MND determined that although the proposed project could have potentially significant impacts on Biological and Cultural Resources and Geology and Soils, 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 Low Density Residential land use designation and RL zoning permit single-family uses by right. The design features of the proposed project are similar to other existing and approved residential subdivisions and there are no constraints that prevent suitable access, installation of utilities, and compatible building design for the project.

C. Development Regulations

The project meets standards for lot area, lot coverage, setbacks, and building of RL zoning (as noted in the table below), and all applicable requirements under the Development Code, Article IV, Development Standards. The requested Minor Exception for an increase in fence height is discussed in the Minor Exception section below.

Standards	Required/Allowed	Additional Standards	Proposed
Lot Area (minimum)	1,920 sq. ft.		3,653 sq. ft.
Density (net)	2.5 - 10 du/ac		10 du/ac
Lot width (minimum)	24 ft.		50 ft.
Lot Depth (minimum)	80 ft.		137 ft.
Lot Coverage (maximum)	50%		48%
Setbacks (minimum)			
Front yard	5 ft.		13 ft.
Side yard	5 ft.		5 ft.
Corner Side	10 ft.		10 ft.
Rear yard	5 ft.		6 ft.

Garage street access	20 ft.	Note: Minimum five feet behind primary building facade.	21 ft.
Open space/unit (minimum)	200 sq. ft.	See CDC 18.150.100, Open space and recreational facilities for residential developments, and Chapter 18.155 CDC for small lot subdivisions	1,100 sq. ft.+
Building Height (maximum)	2 ½ stories or 30 ft.	Additional height may be approved with a use permit.	28'-6" ft.
Parking Spaces	2 spaces total, minimum 2 enclosed garage spaces for 4 bedrooms or less		2 enclosed garage spaces

D. Site Planning/Circulation/Parking

A private access road (Autumn Brook Lane) is proposed, which will connect all eight residences to Risdon Road. The road would be designed and constructed in accordance with City Engineer requirements. No connection would be provided to David Avenue based on the design of the subdivision. The private access road would be approximately 28 feet wide and include eight compact parallel (8' x 22') guest parking spaces. The private access road design includes a turnaround meeting the Fire Protection District's standards for vehicle access and maneuverability. The proposed road within the subdivision would be private and maintained by the Homeowner's Association.

Staff finds the site plan practical and responsive to neighborhood constraints and opportunities. The site plan will orient the homes toward the proposed private access road with rear yards oriented to adjacent rear yards similar to existing subdivisions in the neighborhood. The proposed homes and yards are situated to reduce impacts on the privacy of neighboring properties. Risdon Road would be widened and improved on the south side of the street by continuing the sidewalk west of the project site along the project's frontage. Approximately 1,050 square feet of the frontage of the project site would be dedicated to the City for right-of-way purposes. The widening of Risdon Road would provide four off-site parking spaces for public use.

E. Tentative Map

Pursuant to Concord Municipal Code Section 17.15.060(d), the Planning Commission is typically responsible for considering tentative maps and making the findings listed below to approve the subdivision map. However, pursuant to Development Code Section 18.405.020,

if an applicant submits more than one planning permit application for the same project, all applications shall be filed and processed concurrently and each application shall be considered and acted upon by the appropriate review authority, as shown in Development Code Table 18.400.020. Because the applicant has filed for a rezoning, the Planning Commission is a recommending body only, and the City Council is responsible for making final decisions on this project.

Staff analysis on how the project meets each finding is provided.

1) *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code.*

   The project falls within the density allowed under the General Plan's Low Density Residential designation and is consistent with policies related to residential development, as explained in Section IV-A above.

2) *The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accord with Section 66473.1 of the Subdivision Map Act.*

   The project provides for passive and natural heating to the extent possible given the configuration of the site and the need to orient homes toward Autumn Brook Lane, and because the side and rear of each home will be exposed to the south as recommended by the Subdivision Map Act.

3) *Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accord with Section 66473.7 of the Subdivision Map Act.*

   This finding does not apply because the project will not result in more than 500 dwelling units.

F. Building Architecture

The applicant proposes to subdivide the site creating eight lots ranging in size from 3,653 to 6,779 net square feet. The subdivided lots would support development of eight Craftsman-style single-family detached homes ranging from 3,094 to 3,496 square feet in size. Three different floor plans are proposed each of which includes a two-car garage. Each floor plan would have two different elevation options. All proposed homes would be two-story with the tallest floor plan option measuring approximately 30-feet tall. Floor plan and elevation details of the plans recommended for approval are provided in the following table.

Lot	*Plan Number*	*Sq. Ft.*[2]	*Floors*	*Bed/Bath*	*Garage*
1	3B (Enhanced)	3,496 sq. ft.	2	4-5/3	2 car
2	1B (R)	3,109 sq. ft.	2	3-5/3	2 car
3	1A	3,094 sq. ft.	2	3-5/3	2 car
4	2A	3,195 sq. ft.	2	3-5/3	2 car
5	2B (R)	3,218 sq. ft.	2	3-5/3	2 car
6	3A	3,467 sq. ft.	2	4-5/3	2 car
7	3B (R)	3,496 sq. ft.	2	4-5/3	2 car
8	1A	3,094 sq. ft.	2	3-5/3	2 car

The DRB recommended approval of the project on December 11, 2014 following revisions to the project's design to address architectural detailing, changing the plan type on Lot 1, and clarifying the location of existing landscaping. As part of the DRB's recommendation, the final architectural details are to return to the Board for further review prior to building permit issuance.

G. Landscaping/Fencing

The project will provide new landscaping. The conceptual planting palette includes flowering trees such as Chinese Pistache, Red Crape Myrtle and Western Redbud and native trees such as Coast Live Oak. Shrubs, groundcovers, vines, and bioswale area plantings are also proposed. A five-foot wide landscape buffer is planned along the western property line adjacent to the existing single-family homes. All of the existing trees within the drainage channel easement would be preserved while eight protected trees along Risdon Road and in the northwest portion of the site are proposed to be removed as shown on the Tree Exhibit and Demolition Plan. Most of the protected trees along the western property line would remain, providing additional privacy and screening for the adjacent existing single-family homes. Typical project fencing is shown on the landscape cross-sections and consists of a combination of six-foot tall good neighbor fences, 7½-foot tall rear yard privacy fences, and 3½ -foot tall black tubular steel fencing along the C.3 treatment area adjacent to the canal.

The DRB recommended design review approval with the condition that the final landscape plan return for approval as a staff report item.

H. Design and Site Development Review

Pursuant to Development Code Chapter 18.415, the following findings are required for approval of the Design Review application. Staff analysis on how the project meets each finding is provided.

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 IS/MND refers to "total living area" and excludes garage area however it assesses the whole pad as the area of disturbance, the proposed lot sizes, and two story homes.

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 project will orient the homes toward Autumn Brook Lane and Risdon Road to allow for surveillance of the street within the homes and properties.

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

   The area is not recognized as a historical, architectural, or scenic area by the City.

   (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 new streetlights are proposed along Autumn Brook Lane and Risdon Road to 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 the DRB, include orienting homes and access toward Autumn Brook Lane and Risdon Road streets to interact with the neighborhood, and design enhancements such as building pop-outs

and four-sided design to reduce mass and create visual interest.

(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 includes, among other things, the following design features to enhance the functionality of the proposed homes and the attractiveness and comfort of occupants, visitors, and the general community: off-street parking in excess of what is required by Code; landscaping that provides screening and shade; stormwater facilities to reduce and treat runoff; and improvements along Autumn Brook Lane and Risdon Road for circulation, safety, parking, drainage, and lighting.

(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 meets the criteria because similar building materials and colors will be used between the homes, and a unifying landscape palette will be used for the entire project.

(i) *The project is compatible with neighboring development in the same 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 meets the criteria and is similar in scale to other two-story homes in the neighborhood, the second story elements are pulled back to allow for larger setbacks between properties, a landscape buffer is provided at the rear of the home, similar rear yard setbacks are proposed, and the project complies with RL development standards, which are similar to the RS-7 district, which also allow two-story homes.

(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 and creates an attractive and visually interesting built environment featuring different architectural styles with various design elements including varied roof forms; decorative elements such as covered porches, and shutters; and a mix of building materials that create interesting textures and a quality look to the buildings. Similarities in the design elements, materials, and colors between the homes create a unifying context for the project.

(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 DRB has reviewed the landscape plan and determined that it is compatible with the building architecture. The landscape plan will return to the DRB for final approval with revisions to ensure the landscaping complements the homes and replacement planting is provided.

(l) Stormwater treatment areas have been integrated into the landscape design.

The project includes bio-retention and self-treating areas integrated into the landscape design adjacent to the canal.

(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 match surrounding homes but meets the criteria because it will improve and enhance an underutilized site with new homes designed in Craftsman architecture to complement the neighborhood's design vernacular.

3) The project is consistent with all applicable Design Guidelines adopted by the City Council that are in effect at the time of approval.

Concord's Community Design Guidelines were adopted by the City Council in 1987. Most of the recommendations contained in the Guidelines pertain to larger commercial or multi-family developments, where the potential for differences in scale and operational compatibility between sites and uses is greater. The Guidelines also contain recommendations for single-family developments that the project complies with, as follows:

- Exterior building colors and materials consist of earth tone colors, wood, stone, and other materials that are compatible with the neighborhood;
- Homes are sited and designed with a functional relationship to the site and street, and in compliance with setbacks to provide accessible and usable yard areas;
- Front yard setbacks reinforce a spacious suburban character and consistent streetscape;
- Homes are sited to minimize second story windows overlooking private yards of adjacent residences;

- Homes are sited parallel to the street to avoid residual pockets resulting from varying setbacks and building angles relative to the street;

- Elevations facing exterior side yard areas will be designed with the same quality as the front elevation;

- The project provides emergency access as required by Contra Costa County Fire Protection District;

- Building lighting design is compatible with the architecture and will be operated at levels consistent with lighting in the area;

- Street lighting will comply with City photometric standards to ensure lighting levels are kept to the minimum necessary for public safety;

- Perimeter fencing will be constructed of durable high quality wood material;

- Exterior yards are landscaped to provide a continuity of the landscape palette and concept along Risdon Road;

- Required off-street parking is provided for each home.

4) *The interrelationship between the orientation, location, and elevations of buildings and structures and site improvements are mutually compatible and aesthetically harmonious.*

   The homes on Autumn Brook Lane provide a consistent pattern oriented towards the street and are thus aesthetically harmonious with each other and the streetscape. The homes internal to the site will be accessed by a private road, which requires the homes to be compatible with each other in order for the shared access to function. As discussed above, the homes will be designed with similar design elements, materials, and colors to create a unifying/harmonious context.

5) *The orientation, location, and elevation of the buildings and structures and site improvements are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.*

   The project will be harmonious with the pattern of existing homes in the neighborhood and will use architectural styles that the DRB finds to be aesthetically compatible with homes in the neighborhood.

6) *Landscaping, irrigation systems, walls and fences, or features to conceal outdoor activities, utility enclosures, and trash facilities meet current requirements or provide a significant upgrade and improvement to the site and the appearance of the neighborhood.*

New landscaping and fencing designed to meet current requirements will result in a significant improvement to existing site conditions and a visual upgrade to the neighborhood in general.

7) *Parking, pedestrian access, and traffic circulation are adequate or improved for all modes of circulation.*

The project meets this finding because it will construct improvements that enhance parking, pedestrian safety, and access for the neighborhood, including the widening of Risdon Road and construction of Autumn Brook Lane thus creating on-street parking, adding sidewalks, and installing street lighting.

I. Easement

There is an existing non-exclusive roadway and utility easement centered on the project's southwest property line (10 feet of the easement is on the project side and 10 feet is on the adjacent neighbors). The easement was recorded in 1950 to provide access to large parcels in the area. Since that time, the land in the area has been subdivided and local streets with utilities have been constructed. The easement does not have an outlet, as there is an existing house and property line fence located at its terminus. Adjacent neighbors have built additions and made improvements within the easement.

The applicant proposes to pursue a quit claim or quiet title action to abandon the easement. There is no evidence of any existing or past utilities in this easement based on a review of public utility records and a surface field observation. The streets that surround the project provide public access and public utilities to the proposed project and all surrounding and adjacent neighborhood lots. Therefore, there is no need for the easement.

Staff has added a condition of approval requiring a deed restriction that structures are prohibited within the 10-foot easement (that encumbers Lots 1 - 8 on the project site) until such time that it is removed from the property.

J. Minor Exception

The applicant has requested a Minor Exception to increase the rear and side yard fence from 6 ft. to 7 ½ ft. Pursuant to Development Code Section 18.425.060, the findings listed below to are required for approval of the Minor Exception. Staff analysis on how the project meets each finding is provided below.

1) *No practical alternative exists.*

A 7½-foot tall fence will help screen views of the project at the pedestrian level while existing mature landscaping and proposed new landscaping will screen views of the upper portions of the homes. The use of taller fences in conjunction with landscaping is typical

in residential districts throughout the City especially when there are grade differences between properties.

2) *Other provisions of the Development Code will not be compromised.*

The proposed lots comply with all other applicable standards in the RL district such as lot area, depth, and setbacks. The Minor Exception process permits up to two additional feet of height for residential fences consistent with parcels in other residential districts. In this case, the fence along the south and west property lines would be 7½ feet tall, six inches less than what is permitted by the Development Code. As such, other provisions of the Development Code would not be compromised.

3) *No negative aesthetic impact will result.*

No negative impact would result from the requested Minor Exception as the proposed increase in fence height is consistent with other approvals in similar residential districts. The decorative lattice will allow light and air to pass through it further mitigated the overall height.

4) *The project will otherwise comply with all applicable Development Code standards and requirements.*

The project complies with all other applicable Development Code standards and requirements aside from the proposed increase in fence height for which the Minor Exception is requested.

K. Tree Removal

The project is surrounded by urban/developed residential subdivisions. The northern half of the property consists of various trees and ornamental vegetation surrounding an unoccupied residence, on the west and south sides, trees and shrubs grow intermixed with ornamental vegetation. Non-native grassland habitat dominates the center and southern portion of the property. On the east side, a flood control channel runs north/south and is vegetated within the channel easement. There is no riparian habitat located on the project site.

On October 16, 2014, an ISA Board Certified Master Arborist conducted a tree survey of the project site as required under Development Code Section 18.310.040 and inventoried 42 trees. The survey identified 18 trees requiring removal due to poor health and 24 trees recommended for incorporation into the subdivision. Of those trees recommended for removal, eight are considered Protected Trees[3] (see the following table).

[3]A Protected Tree is any of the following trees: (a) native Valley oak, Blue oak, Coast live oak, California bay, California buckeye, and California sycamore with a diameter of 12 inches or more, (b) single trunk tree with a diameter of 24 inches or more, and (c) multi-stemmed tree where the sum of all stem diameters is 24 inches or more.

Protected Trees Proposed for Removal		
Tree No.	Size - Species[4]	Notes
1	13" - Valley Oak	Located in front drainage ditch. Topped by PG&E. Drainage ditch to be backfilled and walkway installed.
2	35.5" - Valley Oak	Located in front drainage ditch. Topped by PG&E. Drainage ditch to be backfilled and walkway installed.
6	28" - Mulberry	Canopy in severe decline. Within proposed building footprint.
9	24" - Western Cottonwood	80% dead. Within driveway entrance.
21	39" - Modesto Ash	Large tree in middle of property. Within proposed private access road.
28	33" - Fruiting Plum	Old dense tree with impenetrable foliage to the ground. Within building footprint.
37	18" - Valley Oak	One-sided canopy with a 15 degree lean to the east. Within building footprint.
41	13" - Valley Oak	Tip decline in upper canopy (10%). Within building footprint.

Planning Commission approval of a Tree Removal permit is required because the applicant proposes to remove some of the Protected Trees from the site. The findings required for approving a Tree Removal permit are listed below followed by a discussion on how the project meets each finding.

1) *The tree removal is consistent with the provisions of Development Code Chapter 18.310, Tree Preservation and Protection, and will not be detrimental to the public health, safety or welfare.*

   The project would provide 15 replacement trees, or a ratio of 1.9 replacement trees for each Protected Tree to be removed, which is less than the required replacement ratio of "three replacement trees for every one that is removed." Staff is concerned the site cannot physically accommodate 24 replacement trees and that imposing the City's replacement ratio would compromise the trees' health due to overcrowding. Staff is proposing a condition of approval that requires the City Arborist and the Design Review Board to determine whether all 24 replacement trees can be accommodated on site or whether fewer, 36 inch-box size trees are appropriate.

   The removal and installation of replacement trees would be coordinated through a demolition permit reviewed by the City to ensure that proper procedures are followed and would therefore not be detrimental to the public health, safety or welfare.

[4] Sum of tree trunks provided for multi-stem trees.

2) *The tree removal is consistent with the appropriate criteria in Sections 18.310.070(A) and (B).*

Sections 18.310.070(A) and (B) list criteria to consider in evaluating a Tree Removal permit, including tree health, physical conditions unique to the site, and project alternatives to allow for tree preservation. An analysis of the proposed tree removal against these criteria is provided below.

18.310.070(A) Criteria for Evaluation

(1) The extent of proposed building or development activity that does not require the removal of protected trees, relative to the extent of proposed building or development activity that requires such removal.

Based on the grading and drainage plans, the arborist report concluded that eight Protected Trees would have to be removed along Risdon Road and in the northwest portion of the site as shown on the Tree Exhibit and Demolition Plan.

(2) Design features of the project in comparison with other existing or approved projects in Concord that have (or had) protected trees on their sites.

The design features of the proposed project are similar to other existing and approved residential subdivisions in Concord that have required the removal of Protected Trees to accommodate roadways, utilities, and homes. In this case, all of the Protected Trees slated for removal are located in areas proposed for public/private improvements and building footprints.

(3) Factors that are unique to the site, such as topographic constraints, lot configuration and physical limitations.

As discussed above, the proposed lot configuration has been reduced from nine to eight lots in response to neighborhood concerns regarding the initial proposed density. While the proposed project density is now consistent with the surrounding single-family development, the revised lot configuration requires the removal of the Protected Trees because they conflict with proposed public/private improvements and building footprints.

(4) The overall health and structural condition of the potentially impacted protected trees.

Some of the Protected Trees planned for removal have health or structural issues in addition to conflicting with the location of public improvements and building footprints. These conditions are potentially hazardous and would likely require removal over time.

(5) The approximate age of each protected tree compared with the average life span for each species.

According to the City's arborist, the anticipated lifespan of a Valley Oak tree can be approximately up to 80 years as part of an urban landscape. However, this anticipated lifespan would likely be 10 years or less if the area around the tree is disturbed via grading and landscape design.

(6) The number of healthy, protected trees that the site will support, with and without the proposed development.

As outlined in the arborist report, most of the Protected Trees planned for removal have health or structural issues and are not viable candidates for preservation. In addition, some of the trees are located where the private road is proposed, which is required for emergency vehicle access to the site. The preliminary landscape plan indicates the site can support 15 replacement trees. Staff is proposing a condition of approval that requires the City Arborist and the Design Review Board to determine whether all 24 replacement trees can be accommodated on site or whether fewer, 36 inch-box size trees are appropriate.

(7) The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes.

An existing flood control channel is located on the east half of the property; there are no steep slopes at the project site. Tree removal is proposed along the west half of the property, away from this area. The proposed conditions of approval would address any soil stability/erosion issues that may result from the proposed tree removal.

(8) Whether any alternatives would allow for preservation of the protected tree.

Staff was unable to identify alternatives that would allow the construction of eight homes while preventing the removal of Protected Trees without potentially further compromising their health or significantly changing the project design. Staff considered the possibility of relocating or retaining some of the Oak trees but the City's arborist recommended against this because oaks are extremely difficult to relocate, and require long-term monitoring and care to ensure their survival. The plan maintains all trees where feasible to provide screens between properties.

18.310.070(B) Criteria for Removal

(1) The age of the protected tree(s) with regard to whether removal would encourage healthier, more vigorous growth of younger similar trees in the area.

As discussed above, the anticipated lifespan of the dominant Protected Tree at the site is 10 years when surrounded by development. The replacement trees would be appropriately located and planted to encourage their vigorous growth as younger similar trees.

(2) The number of existing protected trees in the area and the effect of removal on the public health, safety, and general welfare of the area.

The proposed tree removal would not be detrimental to the public health, safety, or welfare because it would comply with City requirements and procedures for the proper removal of the trees. Further, the arborist report notes that most of the Protected Trees have health or structural issues and have been neglected. Therefore they are not viable candidates for preservation.

(3) The potential for the protected tree to become a public nuisance or interfere with utility service(s) and existing structures.

If preserved, the Protected Trees, near the proposed entry to the site, would interfere with the proposed access by emergency personnel and public and private improvements.

(4) Present and future shade potential with regard to solar heating and cooling.

Although the Protected Trees at the project site currently offer shade, this is not guaranteed for the long-term because of health or structural issues identified in the arborist report. Appropriately planted and maintained replacement trees would offer ample future shade potential with regard to solar heating and cooling.

Findings for denial of a Tree Permit include failure to consider reasonable redesign of the site plan prior to construction, tree trimming, anticipated issues with drainage, erosion control, and buffers related to proposed tree removal, and an active nest of a bird covered by the Migratory Bird Treaty Act being identified within a Protected Tree.

Drainage, erosion control, and buffer issues are not anticipated as a result of the proposed tree removal and mitigation measures "Bio1-3" are proposed to document bird nesting sites and mitigate their removal in compliance with the California Department of Fish and Wildlife.

The Review Authority may specify the type and size of required replacement trees as a condition of a Tree Removal permit. Staff recommends adding the following condition to the Tree Removal permit as recommended by the DRB:

- At least 50 percent of the replacement trees shall be 36-inch box in size.
- The landscape plan is required to return to the DRB for approval.

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 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. City staff field-verified that a) copies of the notices were posted in a clearly visible location on each frontage of the property in accordance with Development Code Section 18.500.020(B), and b) such notices were posted in compliance with City's posting guidelines and could be read by interested parties. Applicant's Certification of Posting of Notice for Public Hearing is due to the Planning Division by 5:00 p.m. on the day of the hearing.

VII. Summary and Recommendations

Staff is pleased with the proposed project. With input from staff and the DRB, 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. The use will be a low intensity/low intrusive use, thus 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.

Staff recommends that the Planning Commission recommend City Council (1) adoption of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), (2) approval of the Rezoning and (3) approval of the Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal subject to the attached conditions of approval. As stated above, the Rezoning and entitlement approvals are contingent upon City Council adoption of the MND and MMRP, and the entitlement approvals are contingent upon City Council's approval of the Rezoning.

VIII. Motions

CEQA Action

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 15-15PC recommending that the City Council adopt the Autumn Brook Subdivision Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. (Seconded by Comm. _____.)

Rezoning

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 15-17PC recommending that the City Council adopt and approve the rezoning of 1890 Risdon Road from R-7 to RL (Residential Low) for the Autumn Brook Residential Subdivision (PL140280-RZ). (Seconded by Comm. _____)

Project Approvals

I (Comm. _____) hereby move that the Planning Commission adopt Resolution No. 15-18PC, recommending that the City Council approve the Autumn Brook Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal (PL140280-TM, DR, AA, RT). (Seconded by Comm. _____.)

Prepared by:
G. Ryan Lenhardt
Senior Planner
(925) 671-3162
ryan.lenhardt@cityofconcord.org

Reviewed by:
Laura Simpson
Planning Manager
(925) 671-3369
laura.simpson@cityofconcord.org

Exhibits:

A - Resolution No. 15-15PC recommending that the City Council adopt the Autumn Brook Subdivision Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program*

B - Resolution No. 15-17PC recommending that the City Council adopt and approve the rezoning of 1890 Risdon Road from R-7 To RL (Residential Low) for the Autumn Brook Residential Subdivision (PL140280-RZ)

C - Adopt Resolution No. 15-18PC, recommending that the City Council approve the Autumn Brook Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal (PL140280-TM, DR, AA, RT)

D - Project plans date stamp received December 23, 2014 and April 9, 2015

E - Correspondence from neighbors dated October 22, 2015

**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

15srpc.070

EXHIBIT A

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

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE AUTUMN BROOK SUBDIVISION MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

Resolution No. 15-15PC

WHEREAS, on October 17, 2014, Zheng Tan submitted an application for a Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal application to construct eight single-family homes on a 2.02-acre site at 1890 Risdon Road, APN 147-350-003 (referred to herein as the "project"); and

WHEREAS, on May 5, 2015, the application was deemed complete for processing; and

WHEREAS, pursuant to 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"), an Initial Study and Mitigated Negative Declaration (collectively, "Mitigated Negative Declaration" or "MND"), dated September 2015, attached hereto as Attachment A and incorporated by reference, was prepared for the project by Analytical Environmental Services (AES) on behalf of the City. The purpose of the Mitigated Negative Declaration was to ascertain whether the project would have a significant effect on the environment, and to identify and impose appropriate project changes and mitigation measures to avoid any such impacts or reduce such impacts to a less than significant level; and

WHEREAS, the Mitigated Negative Declaration analyzed the environmental effects of the project and concluded that the project, with the incorporation of the mitigation measures contained in the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program ("Mitigated Monitoring and Report Program" or "MMRP") attached hereto as Attachment B and incorporated by reference, would not have a significant adverse effect on the environment; and

WHEREAS, the Initial Study examined all of the environmental issues associated with the project and concluded that, with the incorporation of identified mitigation measures, the project would

not have a significant effect on the environment. A Notice of Intent to Adopt a Mitigated Negative Declaration, along with a Mitigation Monitoring and Reporting Program, was prepared and circulated for review from October 6, 2015 to October 26, 2015, during which period comments from neighbors were received by the City; and

WHEREAS, the Applicant has agreed to incorporate in the project all applicable mitigation measures identified in the MND and MMRP, to reduce environmental impacts to less than a significant level; 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 December 16, 2015, on the subject proposal; and

WHEREAS, at such public hearing the Planning Commission considered all oral testimony and written comments received during the public review process, the testimony and information received at the public hearing, the oral report from City staff, the written report from City staff dated December 16, 2015, exhibits presented, pertinent plans and documents, the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, the application of all mitigating measures, and other materials and information contained in the record of proceedings relating to the project, which are maintained at the offices of the City of Concord Planning Division (collectively, "Environmental Information"); and

WHEREAS, on December 16, 2015, the Planning Commission, after consideration of the Environmental Information and all other pertinent plans, documents and testimony, declared their intent to recommend that the City Council adopt the MND and the MMRP.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the Planning Commission does hereby make the following findings:

<u>CEQA</u>

1. A Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program is the appropriate environmental document for this project.

1. The environmental documents for the project have been prepared, published, circulated, and reviewed in accordance with CEQA.

2. The Planning Commission has reviewed, considered, and evaluated all of the Environmental Information and all other pertinent plans, documents and testimony.

3. The Initial Study and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program reflect the independent judgment and analysis of the City as the lead agency for the project.

4. The mitigation measures described in the Initial Study and Mitigated Negative Declaration are within the jurisdiction of the City of Concord to adopt, and will in fact be implemented by the applicant.

5. There is no substantial evidence in light of the whole record before the Planning Commission, that the project, with the incorporation of the Mitigation Monitoring and Reporting Program, would have a significant effect on the environment.

2. The mitigation measures described in the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program are within the jurisdiction of the City of Concord to adopt, and will in fact be implemented by the Applicant.

3. The Planning Commission hereby finds and determines that there is no substantial evidence in light of the whole record before the Planning Commission, that the project, with the incorporation of the Mitigation Monitoring and Reporting Program, would have a significant effect on the environment.

4. All feasible mitigation measures for the project identified in the Mitigation Monitoring and Reporting Program and accompanying studies are hereby incorporated into this resolution.

5. The Planning Commission does hereby recommend that the City Council adopt the Mitigated Negative Declaration (Exhibit A) and the Mitigation Monitoring and Reporting Program (Exhibit B), based on the foregoing findings.

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

PASSED AND ADOPTED this December 16, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

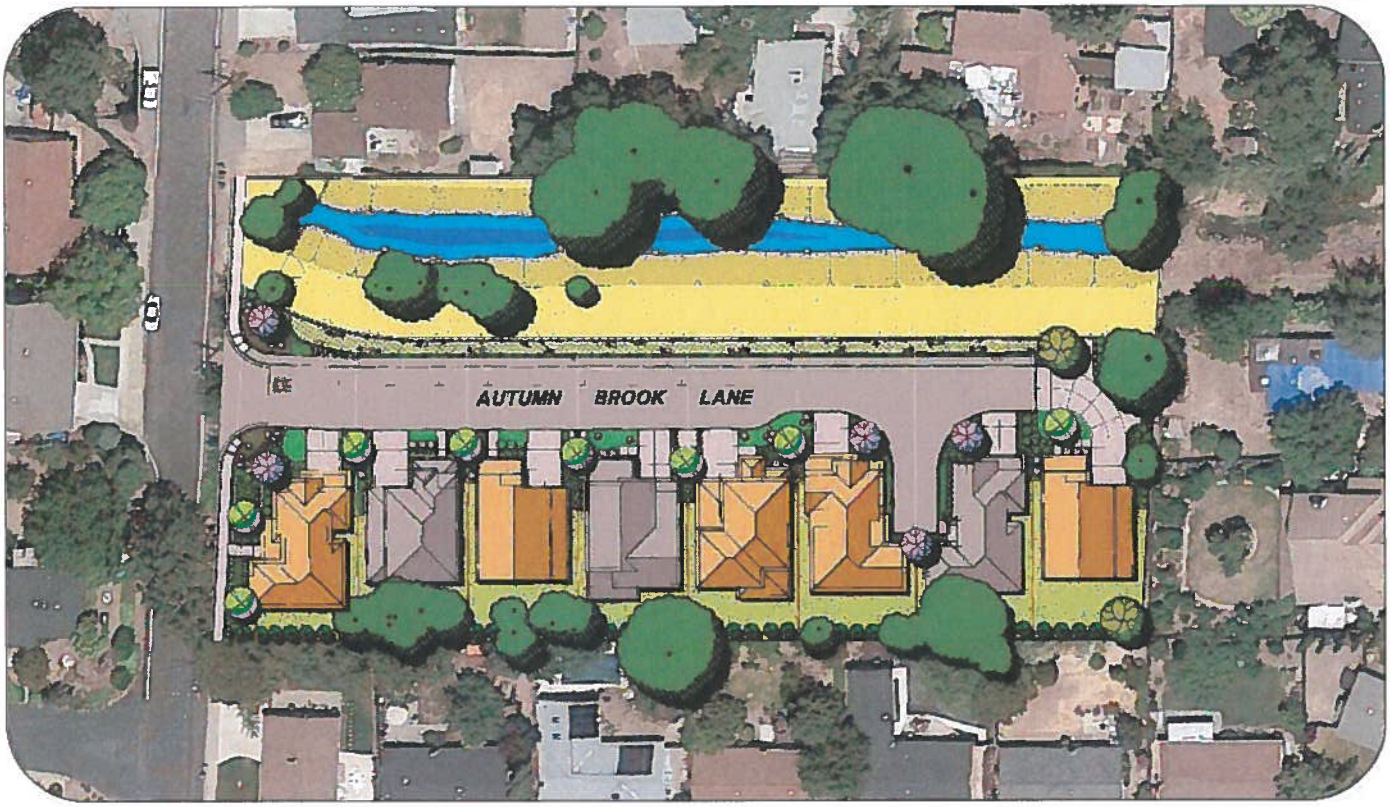
ABSENT:

_____
Laura Simpson, AICP
Secretary to the Planning Commission

Attachments:

A - Initial Study and Mitigated Negative Declaration (MND)
B - Mitigation Monitoring and Reporting Program (MMRP)

ATTACHMENT "A"



AUTUMN BROOK SUBDIVISION

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SEPTEMBER 2015

PREPARED FOR:

City of Concord Civic Center
1950 Parkside Drive, MS/07
Concord, CA 94519
(925) 671-3219

PREPARED BY:

Analytical Environmental Services
1801 7th Street, Suite 100
Sacramento, CA 95811
(916) 447-3479
www.analyticalcorp.com

AUTUMN BROOK SUBDIVISION
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SEPTEMBER 2015

PREPARED FOR:

City of Concord Civic Center
1950 Parkside Drive, MS/07
Concord, CA 94519
(925) 671-3219

PREPARED BY:

Analytical Environmental Services
1801 7th Street, Suite 100
Sacramento, CA 95811
(916) 447-3479
www.analyticalcorp.com

Table Contents

SECTION 1.0 – INTRODUCTION 1-1
1.1 Purpose of Study 1-3
1.2 Environmental Factors Potentially Affected 1-3
1.3 Significance Determination 1-4
SECTION 2.0 – PROJECT DESCRIPTION 2-1
2.1 Location and Existing Setting 2-1
2.2 Project Description 2-6
2.3 Background 2-20
2.4 Regulatory Requirements, Permits, and Approvals 2-22
SECTION 3.0 – ENVIRONMENTAL CHECKLIST 3-1
3.1 Aesthetics 3-1
3.2 Agriculture and Forestry Resources 3-4
3.3 Air Quality 3-7
3.4 Biological Resources 3-11
3.5 Cultural Resources 3-17
3.7 Greenhouse Gas Emissions 3-28
3.8 Hazards and Hazardous Materials 3-30
3.9 Hydrology and Water Quality 3-35
3.10 Land Use and Planning 3-40
3.11 Mineral Resources 3-43
3.12 Noise 3-44
3.13 Population and Housing 3-49
3.14 Public Services 3-50
3.15 Recreation 3-52
3.16 Transportation and Circulation 3-53
3.17 Utilities and Service Systems 3-56
3.18 Mandatory Findings of Significance 3-59
SECTION 4.0 – PREPARERS 4-1
SECTION 5.0 – REFERENCES CITED 5-1

FIGURES

Figure 1: Regional Location 2-2
Figure 2: Site and Vicinity 2-3
Figure 3: Aerial Photograph 2-4
Figure 4: Proposed Rendition 2-7
Figure 5: Proposed Site Plan 2-8
Figure 6: Noise Monitoring Sites 3-45

LIST OF TABLES

Table 1: Development Standards 2-9
Table 2: Permanent and Operational Source Control Measures 2-14
Table 3: Water Management Plan 2-18
Table 4: Summary of 15-Minute Noise Level Measurements 3-46
Table 5: Nearby Schools 3-51

LIST OF APPENDICES

Appendix A - Tree Preservation Report
Appendix B - Design Plans
Appendix C - Stormwater Control Plan
Appendix D - Geotechnical Survey
Appendix E - Trust Resource Report
Appendix F - Historic Records Search-Confidential
Appendix G - Screening Criteria Table 3-1
Appendix H - FEMA Mapping
Appendix I - ENGEO Report

SECTION 1.0 – INTRODUCTION

The proposed Autumn Brook Subdivision Project is a project as defined under the California Environmental Quality Act (CEQA). This Initial Study (IS) was prepared by Analytical Environmental Services for the City of Concord (City), Community and Economic Development Department, Planning Division. This IS was prepared pursuant to 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).

1. **Project Title:**	Autumn Brook Subdivision
2. **Lead Agency Name and Address:**	City of Concord 1950 Parkside Drive Concord, CA 94519
3. **Contact Person and Phone Number:**	Ryan Lenhardt, Senior Planner (925) 671-3162
4. **Project Location:**	1890 Risdon Road, Concord, CA 94518
5. **Project Sponsor's/Applicant's Name and Address:**	Zheng Tan 1233 Pine Creek Way, Unit A Concord, CA 94520-3642
6. **General Plan Land Use Designation:**	LDR (Low Density Residential)
7. **Zoning:**	RS-7 (Residential Single-Family, 7,000 square foot minimum lot size)
8. **Surrounding Land Uses and Setting:**	Residential and urban development and supporting infrastructure
9. **Description of Project:**	Development of eight lots ranging in size from 3,653 to 6,779 net square feet at the subject site and the construction of eight Craftsman-style single-family detached homes range from 2,612 to 3,043 square feet in size.
10. **Project Entitlements:**	Approval of Tentative Map Subdivision, Re-Zoning, Design Review, Stormwater Control Plan, Tree Removal, and Minor Exception.
Date Initial Study Completed:	September 2015

1.1 PURPOSE OF STUDY

This IS examines the potential effects on the environment of the City of Concord's (City's) potential approval of a Tentative Map Subdivision, Re-Zoning, Design Review, Stormwater Control Plan, Tree Removal, and Minor Exception for development of 8 residential lots ranging in size from 3,653 to 6,779 net square feet at 1890 Risdon Road (Proposed Project). This IS was prepared pursuant to CEQA.

This IS has identified potentially significant impacts and mitigation measures, which, when incorporated into the project, will reduce these impacts to less than significant levels. Therefore, this IS would support a Mitigated Negative Declaration under CEQA Guidelines Section 15070.

This IS is organized into the following sections:

Section 1.0 - Introduction: Provides an overview of the Proposed Project, location, sponsor, when the IS was completed, environmental resources potentially affected by the Proposed Project, and the significance determination of the Proposed Project on the environment by the lead agency.

Section 2.0 - Project Description: Includes project a detailed description of the Proposed Project and background information.

Section 3.0 - Environmental Checklist and Discussion: Contains the Environmental Checklist form together with a discussion of the environmental issues. Mitigation measures, if necessary, are noted, following each impact discussion. The numbering sequence for each of the mitigation measures is related to their associated topical sections.

Section 4.0 - List of Preparers

Section 5.0 - Bibliography

1.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below could be potentially affected by the Proposed Project, involving at least one impact requiring mitigation to bring it to a less-than-significant level. Impacts to these resources are evaluated using the checklist included in **Section 3.0**. The Proposed Project was determined to have a less-than-significant impact or no impact, even without mitigation, on unchecked resource areas.

- ☐ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☐ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☒ Geology and Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☐ Hydrology and Water Quality
- ☐ Land Use and Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation and Circulation
- ☐ Utilities and Service Systems
- ☐ Mandatory Findings of Significance

1.3 SIGNIFICANCE DETERMINATION

On the basis of the environmental evaluation presented in **Section 3.0**:

☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project design and project-specific mitigation measures described in **Section 3.0** have been agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION is recommended to be adopted.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

_____	_____
Signature	Date
_____	City of Concord
Printed Name	Lead Agency

SECTION 2.0 – PROJECT DESCRIPTION

2.1 LOCATION AND EXISTING SETTING

The project site is located within the limits of the City of Concord (City) in Contra Costa County (**Figure 1**). The 2.02-acre project site (Assessor Parcel Number [APN] 147-350-003) is located at 1890 Risdon Road in the southern part of the City, approximately 2 miles east of Highway 680 (**Figure 2**). The project site is bordered on the north by Risdon Road and on all other sides by low density residential development. Holiday Court and David Avenue are west and south of the project site. Approximately 240 feet south of the project site, Bay Area Rapid Transit's (BART's) Pittsburg/Bay Point line runs northeast to southwest, with the nearest crossing located at Oak Grove Road approximately 0.25 miles to the southeast of the project site. The project site is currently vacant with the exception of an unoccupied single-family residence at the northern end of the property. A flood control channel and associated easement maintained by the Contra Costa County Flood Control District (CCCFCD) traverses the eastern portion of the project site. Approximately 42 trees have been inventoried on the project site, including 21 Valley Oaks (**Appendix A**). The tree inventory is further discussed in **Section 3.0** under ***Biological Resources***.

2.1.1 ZONING

The project site is zoned RS-7. The Residential Single-Family (RS) zoning district is applied to areas of the City designated for single-family residential uses in neighborhoods at densities of 2.5 to 10 units per acre. The specific allowable density for each parcel is identified by the number following the zoning identifier and corresponds to the minimum lot size. Accordingly, the project site is zoned for single-family residential units with a minimum lot size of 7,000 square feet. The RS district is consistent with and implements the low density residential (LDR) land use designation of the Concord 2030 General Plan (General Plan). Under the General Plan, the project site is designated for LDR land use.

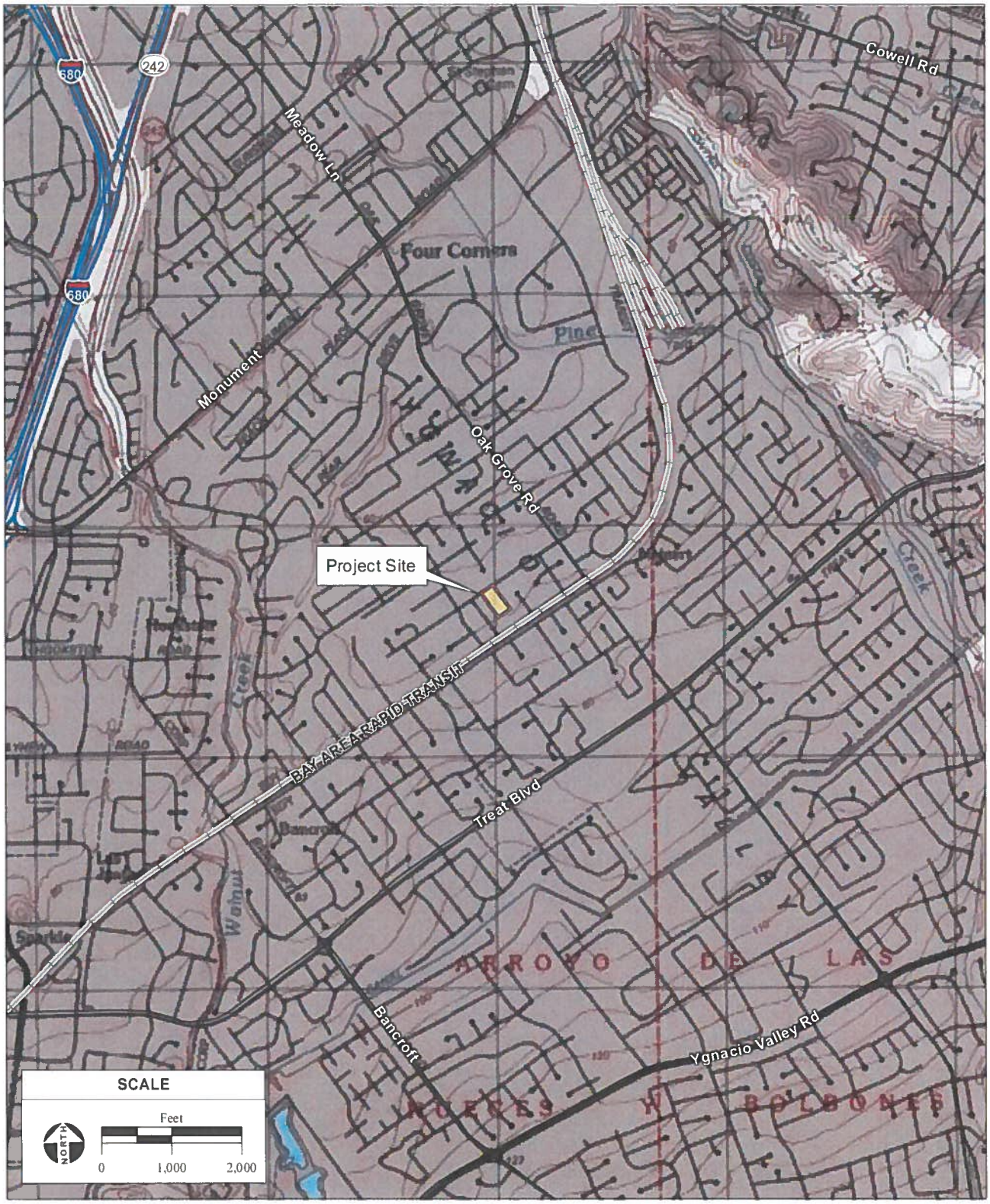
2.1.2 EXISTING LAND USES

Currently, the project site consists of mainly open space with an unoccupied 1952 residence that is in disrepair, a small storage shed which is not in use, and a small fence around the residence (**Figure 3**). A 72-foot CCCFCD easement traverses the eastern edge of the project site and includes an excavated flood control channel and a 22-foot wide unpaved service road along the western bank of the canal.

A non-exclusive 20-foot roadway and utility easement centered on the southwest property line was created in 1950 to provide access to large parcels in the area. A 10 foot portion of the easement is on the project site and a 10 foot portion is on the adjacent neighbors' properties. Since that time, the land in the area has been subdivided and David Avenue, BART, Minert Road, Holiday Court, and Risdon Road were improved with public utilities. These streets surrounding the project site provide public access and public utilities to the project site and all neighboring lots. The applicant has informed the City that the easement is no longer necessary to provide access to the neighborhood, that the easement is no longer in use, and that two of

SOURCE: ESRI Data, 2015; AES, 4/24/2015

Figure 1
Regional Location



SOURCE: "Walnut Creek, CA" USGS 7.5 Minute Topographic Quadrangle, T1N, R1W, Unsectioned Area of Walnut Creek, Mt. Diablo Baseline & Meridian; ESRI Data, 2015; AES, 4/24/2015

Figure 2
Site and Vicinity

SOURCE: DigitalGlobe aerial photograph, 6/9/2014; AES, 5/7/2015

Figure 3
Aerial Photograph

the adjacent neighbors have built a home addition and a swimming pool over their side of this easement. Accordingly, the applicant intends to pursue a quit claim of quiet title action to abandon the easement.

2.1.3 SURROUNDING LAND USES

The project site is surrounded by residential development and associated infrastructure. All surrounding residences are single-family homes located within a subdivision. There are seven homes to the southwest of the project site, two homes to the south, two homes to the southeast, three homes to the northeast, and three homes to the north (across Risdon Road). The nearest school is Oak Grove Middle School, approximately 680 feet southwest of the project site, across the BART tracks. The nearest public gathering place is Fair Oaks Church on Risdon Road approximately 225 feet east of the project site. The nearest public park is Ygnacio Valley Park, approximately 0.22 miles east of the project site, adjacent to Oak Grove Road.

2.1.4 TRANSPORTATION AND CIRCULATION

The project site is bounded on the north by a narrowed portion of Risdon Road. Heading west away from Ygnacio Valley Park, Risdon Road abruptly narrows as the sidewalk ends just before the project site on the northern side of the roadway. No sidewalks or street parking is provided on the southern side of the roadway for approximately 720 feet. Approximately 240 feet west of the intersection with Woodmoor Drive, Risdon Road widens, providing a sidewalk and street parking on the southern side of the roadway. Risdon Road then connects to Oak Grove Road approximately 0.20 miles to the east of the project site. Risdon Road connects with multiple residential streets southward, such as Holiday Court and Woodmoor Drive, before ending approximately 0.3 miles west of the project site at the intersection with Estrella Court. Regional access to the project site is provided via Monument Boulevard to the north and Treat Boulevard to the south of the project site. Both provide access from State Route (SR) 242/Interstate 680 to Oak Grove Avenue, hence Risdon Road and the project site. The Pittsburg/Bay Point BART line provides access from Pittsburg in the East Bay to Millbrae in the southern portion of the San Francisco Peninsula in San Mateo County. Additional discussion of the surrounding transportation network is provided in **Section 3.0** under ***Transportation and Circulation***.

2.1.5 DRAINAGE

Excluding the existing CCCFCD flood control channel, there are no off-site areas draining onto the project site. The site drains by overland flow either to the existing flood control canal or to the existing drainage ditch along the southeast side of Risdon Road. The existing impervious area on the site, which consists of an existing residential structure, gazebo, fence, and shed, covers an area of approximately 2,700 square feet and is shown on **Figure 3**.

2.1.6 INFRASTRUCTURE/UTILITIES

Existing utility lines to the unoccupied residence are located on the north end of the project site approximately 20 feet from the entrance to the property. A 50-foot long driveway provides access to the existing home from Risdon Road. A well is located approximately 90 feet south of the existing residence, approximately 40 feet east of the western project boundary. Along the eastern edge of the project site, a 72-foot CCCFCD easement traverses the length of the project

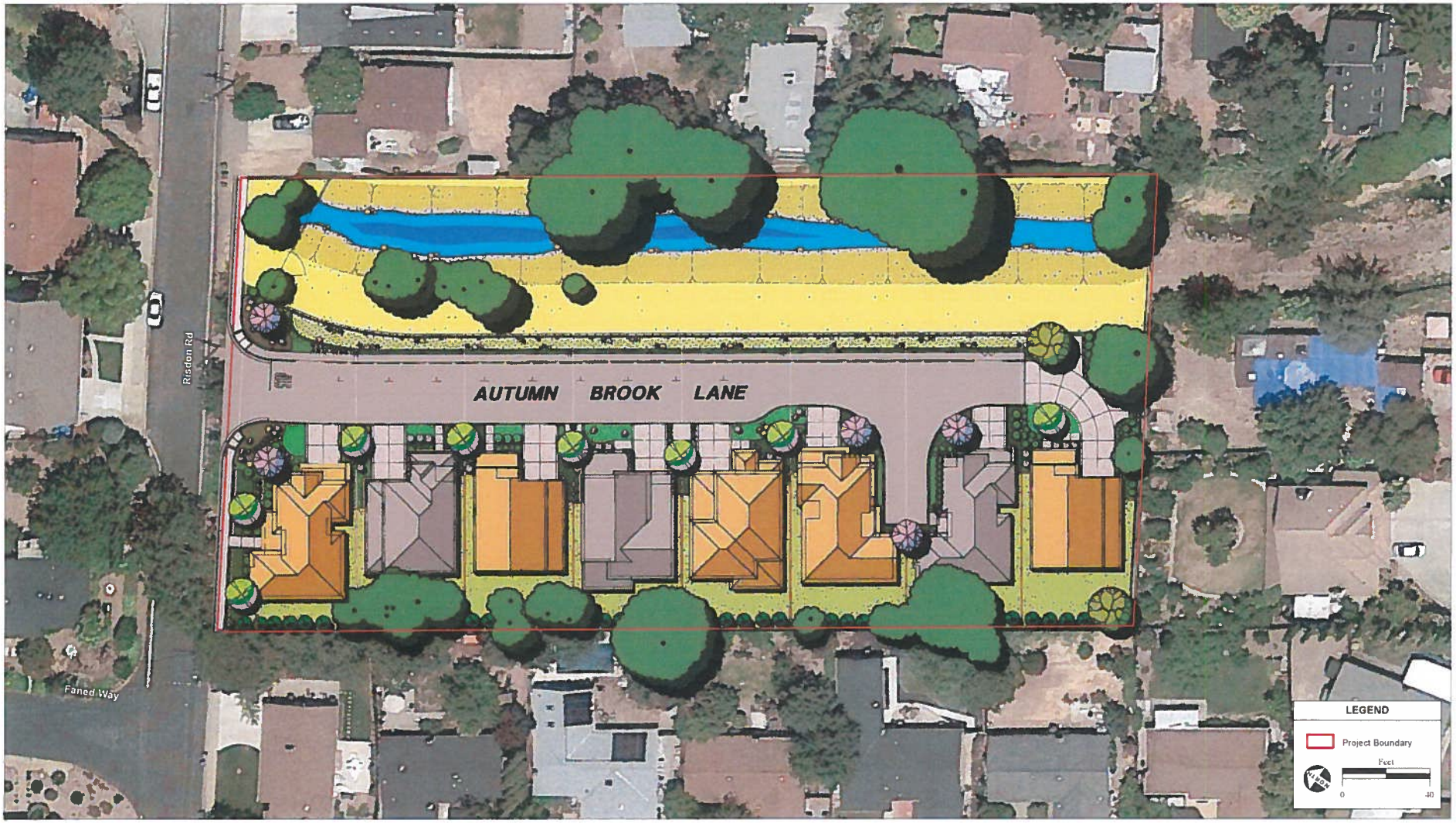
site and includes the excavated channel and a 22-foot wide unpaved service road adjoining the western bank of the canal. The flood channel is discussed in more detail in **Section 3.9.1** under ***Flooding***. Along the western edge of the project site, a 10-foot road and utility easement traverses the length of the project site. Potable water is supplied by the Contra Costa Water District (CCWD), Water Zone 2. Sewerage conveyance is provided by the City Public Works Department, with treatment provided at the Central Contra Costa Sanitary District Treatment Plant in Martinez, California. Gas and electrical services are provided by Pacific Gas and Electric (PG&E). Electrical and telephone are provided via overhead lines.

2.2 PROJECT DESCRIPTION

The applicant proposes to subdivide the 2.02-acre project site creating 8 lots ranging in size from 3,653 to 6,779 net square feet. The subdivided lots would support development of eight Craftsman-style single-family detached homes ranging from 2,612 to 3,043 square feet in size. A rendition of the project is provided as **Figure 4**. Six different floor plans are proposed, each of which includes a two-car garage with each floor plan having different elevations. All proposed homes would be two-story, with the tallest floor plan option at approximately 29 feet in height. Approximately 0.87 acres of the project site would be developed with impervious surfaces (homes, driveways, private roadway, and sidewalk), while the remaining 1.15 acres would be kept pervious and include landscaping, a bioswale area, and the existing easement for the county to access the flood control channel; depicted in the proposed site plan (**Figure 5**). Because the project site is zoned RS-7, which requires a minimum 7,000-square-foot lot area, the project applicant is seeking the approval of a Tentative Map Subdivision, Re-Zoning, Design Review, Stormwater Control Plan, Tree Removal, and Minor Exception. The Proposed Project is consistent with the vision for growth and development detailed in the 2030 Contra Costa County General Plan.

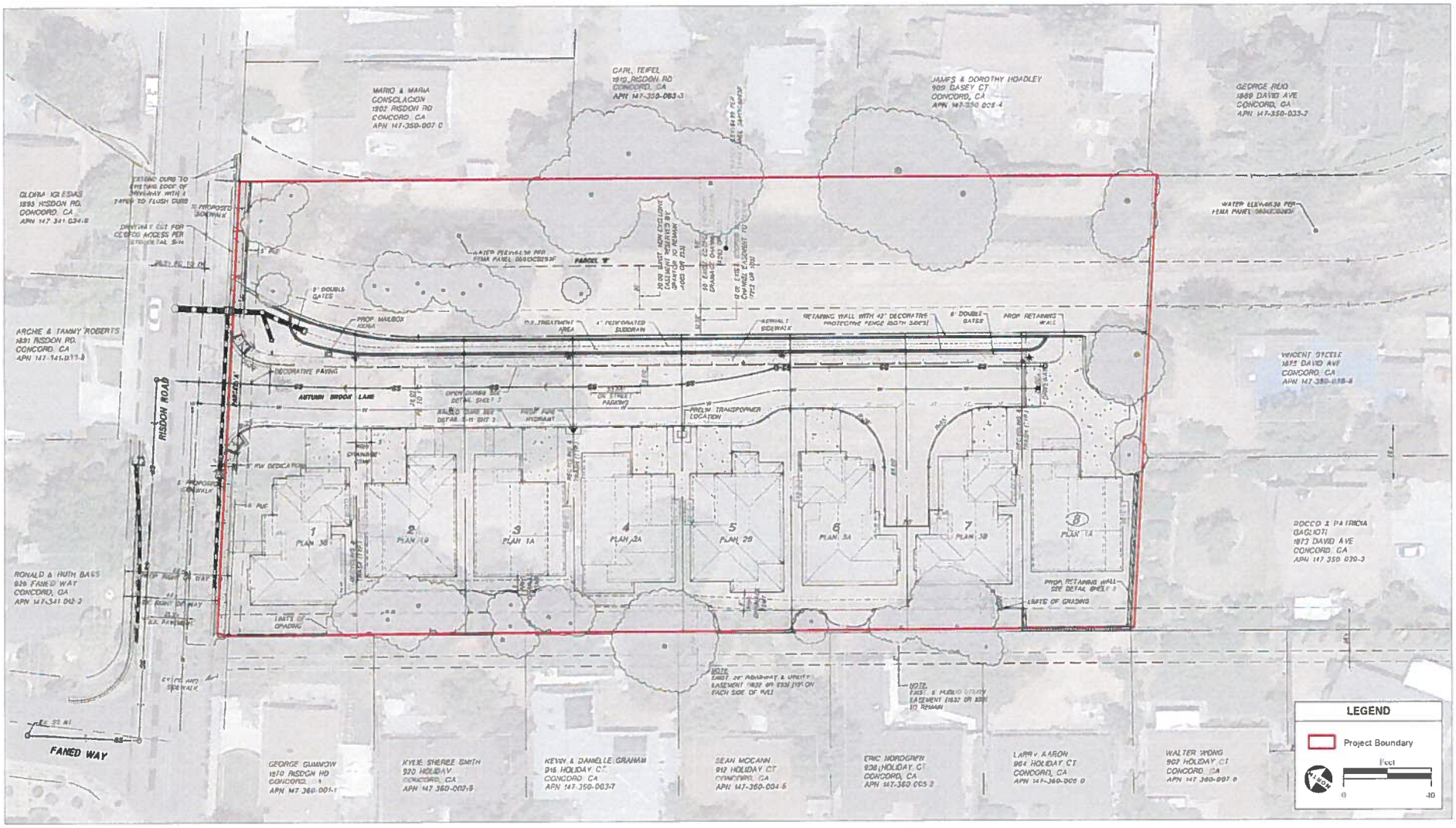
2.2.1 LAND USE

The Applicant is pursuing approval of the proposed small lot subdivision, which is within the densities prescribed by the 2030 General Plan, but at a density higher than currently allowed under the existing RS-7 zoning designations. The Applicant is therefore requesting a zoning change from RS-7 to Residential Low Density (RL). The RL District is applied to areas of the City appropriate for low density residential uses in a neighborhood with predominately detached single-family dwellings, but allows a diversity of compatible housing types and lot sizes from larger lot single-family dwellings to cottages, cluster, courtyard, and patio homes, and duplexes, at densities of 2.5 to 10 units per net acre. The RL District is consistent with and implements the Low Density Residential (LDR) land use designation of the General Plan. The Applicant would be required to adhere to the following RL development standards found in Table 18.30.040 of the City of Concord Development Code (codified as Chapter 18 of the City of Concord Municipal Code and referred to herein as the Development Code):



SOURCE: P A Design Resources, Inc., 2014; DigitalGlobe aerial photograph, 6 9 2014; AES 4 24 2015

Figure 4
Proposed Rendition



SOURCE: P A Design Resources, Inc., 2014; DigitalGlobe aerial photograph 6/9/2014; AES 4/24/2015

Figure 5
Proposed Site Plan

TABLE 1
DEVELOPMENT STANDARDS

Standards	RL Requirements	Additional Standards
Density (du/net acre) minimum/maximum	2.5 – 10	
Lot Area (square feet) minimum	1,920	
Lot Width (feet) minimum	24	
Lot Depth (feet) minimum	80	
Lot Coverage (percent) maximum	50	
Building Height maximum	2.5 stories or max. 30 ft.	Additional height may be approved with a use permit.
Setbacks (feet)(2)	The area between the street improvements and street setback line shall be landscaped in compliance with Chapter 18.165 CDC (Landscaping).	
Front, minimum	5	Additional setback standards may apply in small lot subdivisions pursuant to Chapter 18.155 CDC.
Interior Side, minimum	5	
Corner Side, minimum	10	
Rear, minimum	5	
Garage, Street Access	20	Note: Minimum five feet behind primary building facade.
Garage, Alley Access, minimum	4	
Open space/unit (square feet) minimum	200(1)	See CDC 18.150.100, Open space and recreational facilities for residential developments, and Chapter 18.155 CDC for small lot subdivisions

(1) Additional requirements may apply pursuant to Chapter 18.155 CDC (Standards for Small Lot and Medium Density Development) and Division V of this title (Standards for Specific Uses).
(2) Unless otherwise approved through a planned unit development (PUD).
[Ord. 12-4. DC 2012 § 122-80].

Under a conventional rezoning application, the development proposal would be reviewed by the Planning Commission at a public hearing for recommendation to the City Council at a public hearing. The Planning Commission would be a recommending body only, and the City Council would be the decision-making body. In addition, the rezoning may only be approved if all of the following applicable findings are made:

1. The proposed amendment is consistent with the general plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city; and
3. Zoning map amendments shall also find that the affected site is physically suitable, including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities, for the requested zoning designation and proposed or anticipated uses and/or development.

ADDITIONAL ACTIONS

The applicant must obtain the Planning Commission's recommendation and approval of each of the applications by the City Council. The Applicant received Design Review recommendation of approval on November 20, 2014 with a vote of 5-0 with the following conditions:

1. Final landscape plan to include wall detail within site visibility triangle, street sign detail, street trees along Risdon Road; and 36-inch box size for at least 50 percent of the proposed replacement trees; and

2. Home elevations to reflect additional gable and centered window on the left elevation of Plan 3A.

For tentative subdivision maps, the Planning Commission is required to approve, conditionally approve, or deny the tentative subdivision map within 50 days after certification of an environmental impact report, adoption of a negative declaration, or a determination by the city that the project is exempt from the requirements of CEQA. In accordance with the Municipal Code (17.15.060), a tentative subdivision map may be approved or conditionally approved only if the Planning Commission finds that the proposed tentative subdivision map, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code.

EASEMENTS

The existing 72-foot CCCFCD easement along the eastern portion of the project site would remain under the Proposed Project. A buffer feature discussed below under ***Drainage*** has been included in the project site plans to ensure development does not conflict with the use of the easement.

It is in the intent of the applicant to pursue a quit claim or quiet title action to abandon the existing non-exclusive 20-foot roadway and utility easement located along the eastern property

boundary. The easement is no longer in use and two of the adjacent neighbors have built a home addition and a swimming pool over this easement on their side.

2.2.2 SITE ACCESS/CIRCULATION

Risdon Road would be widened and improved by continuation of the sidewalk west of the project site along the project's frontage. Approximately 1,050 square feet of the frontage of the project site would be dedicated to the City for right-of-way purposes. The widening of Risdon Road would provide 4 public parking spaces. The Proposed Project would include the construction of an access lane proposed to be named "Autumn Brook Lane," which will connect all eight residences to Risdon Road. The private roadway would be designed and constructed in accordance with City Engineer requirements. No connection would be provided to David Avenue based on the design of the subdivision. The private lane would be approximately 28 feet wide and include 8 full size (8 feet by 22 feet) guest parking spaces. The lane design includes a turnout meeting the CCCFPD's needs for vehicle access and maneuverability. The proposed road within the subdivision would be private and maintained by a Homeowner's Association (HOA).

2.2.3 DRAINAGE

In February 2003, the California Regional Water Quality Control Boards for the San Francisco Bay Region and the Central Valley Region revised Provision "C.3" in the NPDES permit governing storm water discharges in the City. Accordingly, prior to issuance of permits for building, site improvements, or landscaping, applicants must submit a permit application consistent with the applicant's approved Stormwater Control Plan, 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 BMPs, permanent source control BMPs, and other features that control stormwater flow and potential stormwater pollutants. The project drainage scheme has been designed to conform to the stormwater quality requirements of the City Design Review Application Checklist (Application Checklist) and the Contra Costa County Clean Water Program's Stormwater C.3. Guidebook (C.3 Guidebook). The stormwater design plan and engineered features are presented on **Sheet 18** of **Appendix B**. The total amount of impervious area (buildings and all other hardscape surfaces) created and replaced as a result of the Proposed Project would be 36,373 square feet, or 0.83 acres. Accordingly, a Stormwater Control Plan was developed by the Applicant in accordance with the Application Checklist and is included as **Appendix C**.

According to the C.3. Guidebook, the Proposed Project falls within the threshold of Group 2 (greater than 10,000 Square Feet to less than 1 Acre) for replacement or creation of new impervious surfaces as shown on Table 1-1 in the C.3 Guidebook. Therefore, Treatment and Source Control Measures for stormwater runoff are required, while a Hydromodification Plan (HMP) or flow control is not applicable to the Proposed Project.

The project site is relatively flat and the runoff generated by the new development (excluding the flood control channel area) would require treatment. The drainage improvements include a conventional storm drain system with retention and water quality improvement features. The

storm drainage improvements for the project are designed to convey 10-year storm drainage flows through the project site as well as to provide overland release for up to a 100-year storm. These drainage facilities are designed to prevent interference with the operation of the water quality improvement measures described below. Preliminary sizing calculations were conducted using the modified rational method and flood routing techniques to ensure that adequate open space was incorporated into the site plan to ensure stormwater conveyance and treatment features function according to C.3 Guidebook requirements. The primary stormwater facility proposed for the project design is a bioswale for treatment of the runoff generated by the development (excluding the CCCFCD facilities). The proposed on-site stormwater facilities incorporate sub-drains and overflow outlet piping to insure positive drainage from the site. The ultimate outlet for both storm drainage and water quality treatment is the existing 33-inch diameter City storm drainage line that is located just to the northwest of the site within Risdon Road.

To facilitate stormwater facility designs, the site was divided into five Drainage Management Areas (DMAs). Disposal of runoff via deep infiltration was determined by a Geotechnical Survey attached as **Appendix D** to not be feasible due to the low permeability of the clay soils. As an alternative to infiltration, the bioswale would be developed along the eastern edge of the development site and would also act as a buffer between the proposed Autumn Brook Lane and residential development and the CCCFCD right-of-way and flood channel. The bioswale would cover an area of approximately 1,950 square feet and reduce stormwater flow velocities during low flow events. The bioswale would outlet into an on-site storm drain located at the northwest side of the bioswale which would discharge into the City's existing 33-inch storm drain along Risdon Road. The bioswale is designed to treat the low flows from the project site in accordance with the C.3 Guidebook and to pass through higher storm flows that do not require treatment into the storm drain line. The bioswale would be easily accessible for inspection and maintenance activities.

Runoff from roofs, parking stalls, driveways, pavement areas as well as lawn areas from each DMA will be collected via a closed conduit drainage system and drained to the bioswale. Runoff from roofs will have gutters which will drain to downspouts. The downspouts will discharge to splash blocks at each downspout location. The splash blocks located to the northeast of the high points at the rear corner of the buildings will surface drain toward and across the access road, across the sidewalk, through the concrete curb and gutter with 24-inch openings every ten feet and into the bioswale before discharging off-site via the on-site drain connecting to the City's 33-inch stormwater line within Risdon Road.

Additional stormwater improvements include removal of the 15-inch and 18-inch stormwater lines located within the existing frontage of the property to allow widening of Risdon Road. In place of the two drains, the Applicant would install a new 12-inch line that would connect to the existing 12-inch stormwater drain located along the southern portion of Risdon Road as it passes the western boundary of the project site. The 12-inch connection would run along the dedicated right-of way along the gutter of the new sidewalks, discharging into a drain line connecting the bioswale to the 33-inch City stormwater line. A storm drain would also be

installed within the gutter at the connection of the 12-inch line with the line draining the bioswale.

STORMWATER QUALITY

The bioswale would serve to not only reduce and convey flows to the City's stormwater system, but also treat stormwater runoff in accordance with the C.3 Guidebook. The vegetation within the bioswales would filter suspended sediments from the water passing through them. While the plants remove these large particles, microbes in the soil digest organic nutrients which in high concentrations can be considered pollutants.

Source control measures would be included within the project design and when homeowners occupy the residences. Source controls include the prevention of, or limitation of, pollutants being released into surface water as a result of stormwater runoff. This is the preferred method of pollution control since it is aimed at keeping pollutants out of the stormwater. The following table demonstrates that both types of source control measures have been considered to the maximum extent practicable.

TABLE 2
PERMANENT AND OPERATIONAL SOURCE CONTROL MEASURES

Potential Source	Permanent BMPs	Operational BMPs
Indoor and structural pest control		Provide Integrated Pest Management (IPM) information to homeowners, lessees and operators
Landscape and outdoor pesticides, herbicides, rodenticides, fungicides and fertilizers	Final Landscape Plans will: 1)Minimize irrigation and runoff and promote infiltration where appropriate 2)Minimize use of fertilizers and pesticides 3)Use pest-resistant plants, especially adjacent to hardscape when possible 4)Use plantings appropriate for the site soils, slopes, climate, sun, wind, land use, ecological consistency and plant interactions	Landscape will be maintained using minimum or no pesticides Landscape will be maintained using minimum fertilizer application especially adjacent to hardscape IPM information will be provided to homeowners and lessees
Vehicle washing		Stormwater pollution prevention information will be distributed to homeowners and lessees

Potential Source	Permanent BMPs	Operational BMPs
On-Site drain Inlets	Stencil the storm drain inlets at the bioretention pond with "No Dumping, Drains to Creek" using thermoplastic tape	
Interior floor drains	Interior floor drains will be plumbed to sanitary	
Need for future indoor and structural pest control	Obtain a letter from the Project Architect regarding the type of pest control that will be required for the type of building construction on the site.	

STORMWATER FACILITY MAINTENANCE

The proposed stormwater facilities remove pollutants primarily by filtering runoff slowly through an active layer of soil. Routine maintenance is needed to ensure that flow is unobstructed, that erosion is prevented, and that plant roots hold soils together and are biologically active. The detailed maintenance requirements for the proposed stormwater facility will be presented in an Operations and Maintenance Plan and Schedule which will be submitted to the City with the application for building permits, which will include, at a minimum, the general maintenance requirements listed below.

1. Inspect inlets for channels, exposure of soils, or other evidence of erosion. Clear any obstructions and remove any accumulation of sediment. Examine rock or other material used as a splash pad and replenish if necessary.
2. Inspect outlets for erosion or plugging.
3. Inspect side slopes for evidence of instability or erosion and correct as necessary.
4. Observe soil at the bottom of the swale or filter for uniform percolation throughout. If portions of the swale or filter do not drain within 48 hours after the end of a storm, the soil should be tilled and replanted. Remove any debris or accumulations of sediment promptly.
5. Examine the vegetation to ensure that it is healthy and dense enough to provide filtering and to protect soils from erosion. Replenish mulch as necessary, remove fallen leaves and debris, prune large shrubs or trees, and mow turf areas. When mowing, remove no more than 1/3 height of grasses. Confirm that irrigation is adequate and not excessive (no runoff should occur). Replace dead plants and remove noxious and invasive vegetation.
6. Abate any potential vectors by filling holes in the ground in and around the swales and bioretention and by ensuring that there are no areas where water stands longer than 48 hours following a storm. If mosquito larvae are present and persistent, contact the Contra Costa Mosquito and Vector Control District for information and advice.

Mosquito larvicides should be applied only when absolutely necessary and then only by a licensed individual or contractor.

2.2.4 GRADING

The project site is relatively flat and minimal grading would be required for the development and the proposed road and bioswale located on the east side of the project site. Construction activities would result in a net export of approximately 3,500 cubic yards of excavated soils.

The project site is located on expansive soils as defined in Table 18-1-B of the Uniform Building Code; however a completed geotechnical survey states that these soils are only in the topsoil and would not impact any infrastructure as special attention would be given during grading, including keeping the exposed soils moist by occasional sprinkling (**Appendix D**).

2.2.5 LANDSCAPING/LIGHTING

The Proposed Project will provide new landscaping. The preliminary planting palette includes flowering trees such as standard white oleander, red crape myrtle and western redbud and native trees such as coast live oak. As indicated on the preliminary landscape plan (**Sheet 19** of **Appendix B**), shrubs, groundcovers, vines, moss rock boulders, and bioswale area plantings are also proposed.

The Proposed Project requires the removal of protected trees which requires a City permit. The application to remove a Protected Tree requires the information be submitted to the Public Works Parks Division for review and response. Only protected trees require a permit prior to removal and there is currently no fee associated with a single permit. Non-protected trees do not require a City issued permit prior to removal.

1. A letter of intent from the property owner:
   a. A plan showing the location of the tree(s) to be removed and the quantity and species of trees to be planted in exchange for the protected tree; and
   b. Statement of specific reasons for the proposed removal
2. Arborist report including the following for each tree:
   a. A written narrative from an I.S.A. Certified Arborist
   b. Arborist Name, Certification # and company letterhead
   c. Species (common and scientific name)
   d. Size (diameter, height, crown spread)
   e. Condition of the tree (foliage, vigor, structural integrity, etc.)
   f. Prognosis
   g. Life expectancy
   h. Location diagram (and photos, if desired)

As shown on the Tree Exhibit and Demolition Plan, included as **Sheet 8** of **Appendix B**, most trees within the drainage channel easement would be preserved while several protected trees along Risdon Road and in the northwest portion of the site are slated for removal. Most of the protected trees along the western property line would also be retained providing additional privacy and screening for the adjacent existing single-family homes. In accordance with permit requirements, a Tree Preservation Report is included as **Appendix A**. Typical Proposed Project fencing is shown on the landscape cross-sections **(Sheet 20** of **Appendix B**) and consists of a combination of six-foot tall good-neighbor fences, 7.5-foot tall rear yard privacy fences, and 3.5-foot tall black tubular steel fencing along the proposed bioswale area.

The Proposed Project would have a rear (west) and side (south) 7.5-foot high wood privacy fence with decorative lattice, and on the side of the proposed housing developments, there would be a five-foot wide landscaped planter strip bordering the fence which would be planted with fast growing evergreen screen shrubs such as pacific wax myrtle, oleander, and toyon.

The proposed lighting plan would include four street lamps placed in front of/between each of the developed residences on the opposite side of Autumn Brook Lane. The street lamps would be consistent with the City standard height and are compatible with existing street lights in the vicinity. All street lamps located on Autumn Brook Lane would be connected to new utility lines and would be fitted with a cast aluminum base with a height of 32 inches and width of 15.5 inches. Light sources on the project site from the Proposed Project would also include light from the residences themselves at 34 total locations (east, north, south) that could potentially be seen from Risdon Road, neighbors to the west (although most would be blocked by the proposed landscaping and existing and replacement trees [50 percent of replacement trees are required to be 36-inch box trees] including the 7.5-foot privacy fence that would be constructed), and neighbors to the southwest and east. Lighting would be consistent with the surrounding residential neighborhoods.

2.2.6 INFRASTRUCTURE/UTILITIES

ELECTRICAL

According to Section 13.10.130 of the City Municipal Code, all utility facilities installed within public rights-of-way and on private property shall be installed and maintained underground unless the following apply:

1. Such lot is not contiguous to a property having underground facilities,
2. More than 50 percent of the street frontage within the block has aboveground facility service connections, and
3. The lots are less than 5,000 square feet in area and the floor area of the structures being constructed are less than 2,500 square feet.

Special exemptions to the undergrounding requirement may be granted by the City Council in cases where such undergrounding cannot be accomplished feasibly within the applicable safety regulations and other laws applying to the installation or in cases of unnecessary or unusual hardship. The Applicant proposes to install two power-line poles, both on the north side of the

project site adjacent to Risdon Road, providing a continuation of the existing overhead utility lines that run along the entire 0.54 mile length of Risdon Road. One power-line pole with overhead lines would be constructed near the corner of Autumn Brook Lane and Risdon Road on the east corner approximately 30 feet set back from the corner. The second power-line pole with overhead lines would be constructed near the first proposed house on the western corner of Autumn Brook Lane and Risdon Road approximately 30 feet set back from the corner. The remaining utilities would be undergrounded in accordance with Section 13.10.130 of the City Municipal Code. Joint trenching for utility lines would be developed along the edge of the proposed housing lawns for the entire length of Autumn Brook Lane and would connect to each housing unit on either the northeast or southeast corner of each, as well as connecting all four proposed street lamps on the eastern side of Autumn Brook Lane (**Sheet 15** of **Appendix B**). A proposed electrical transformer would be located in front of housing units #4 and #5.

For the continuation of the overhead utility lines along Risdon Road, the Proposed Project meets exemption conditions 1 and 2 of Section 13.10.130 of the City Municipal Code. However, the proposed lot sizes and floor areas would exceed the maximum criteria established under Condition 3. Therefore, the Applicant would request a special exemption from the City Council due to the unnecessary hardship that would result from undergrounding of the utilities along Risdon Road, preventing the ability to widen Risdon Road and construct sidewalks along the project's frontage.

The proposed sanitary sewer lines would be installed under Autumn Brook Lane approximately 20 feet west of the eastern curb and approximately 40 feet east of the proposed housing units. All housing units would be connected to the sanitary sewer system by underground piping. Clean outs would be located approximately 20 feet from each proposed housing unit.

POTABLE WATER

Potable water lines would be installed under Autumn Brook Lane on the eastern half nearest to the proposed housing units. All water lines would be parallel to the sanitary sewer lines in a separate trench. A proposed fire hydrant would be located on the west side of Autumn Brook Lane between the proposed housing units of #3 and #4 and would be connected to the proposed water lines.

The CCWD has a preliminary Water Management Plan for single-family residences in the county to implement a 25 percent reduction in residential water use in accordance with Executive Order B-29-15, which requires the State Water Resources Control Board to impose restrictions to achieve a statewide 25 percent reduction in potable urban water use. These water management practices will be implemented in the final design of the Proposed Project and are listed and detailed in **Table 3**.

TABLE 3
WATER MANAGEMENT PLAN

Activity	BMPs	Design Features
Landscape and outdoor irrigation	1) No watering of outdoor landscapes in a manner that causes excessive runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures. 2) No watering of landscapes during and up to 48 hours after measureable rainfall. 3) No watering of outdoor landscapes more than two days per week or during the daylight hours of 9am-5pm. 4) No watering of landscape of newly constructed homes and buildings that is not delivered by drip or microspray systems.	Use of drought resistant vegetation will be priority along with green space around most of the impervious areas to reduce runoff of any water uses. All front yard planting areas, including private lane and easements will be irrigated by an automatic sprinkler system utilizing matched, low precipitation heads along with drip irrigation and include an automatic multi-programmable controller equipped with rain sensors and automatic shut off devices.
Vehicle and outdoor Structural washing	1) No washing of vehicles, trailers, boats, or outdoor structures using a hose without a shut off nozzle or within 48 hours of a measureable rainfall event.	C.3 treatment areas located on the opposite side of Autumn Brook Lane will collect all runoff water through the concrete curb and gutter system and filtered through a series of materials to reduce contaminants.
Decorative fountains, lakes, ponds	1) No water shall be used for outdoor non-recirculating decorative fountains or filling of decorative lakes or ponds. 2) Decorative fountains, lakes, and ponds shall not be allowed to run-over and overflow onto the ground at any time.	No decorative non-circulating fountains, lakes, or ponds are part of the final design of the Proposed Project.

2.2.7 CONSTRUCTION

Project improvements would be construction in one phase and would commence in the summer of 2015. Construction activities would be limited to 7:30 A.M to 6:00 P.M on the weekdays and 8:00 A.M. to 5:00 P.M. on weekends as per the City of Concord Police Department's *Excessive Noise Resource Guide* Handout. In addition, construction contractors are required to use power construction equipment with state-of-the-art noise and muffling devices. All internal combustion engines used on the Proposed Project shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components. Construction contractors are required to locate stationary noise generating equipment as far as possible from sensitive receptors. All construction activities would be conducted in accordance with applicable provisions of the California State Building Code (CBC), the Uniform Building Code (UBC), and applicable City requirements. The following equipment may be utilized during construction of the Proposed Project:

- Tunnel boring machine
- Pavement saw
- Jack hammers
- Excavators
- Front-end loaders
- 10-wheel dump trucks
- Bulldozers
- Water truck
- Paving equipment: back hoe, asphalt hauling trucks, compactors, paving machine, rollers Crane Trench shields
- Air compressors
- Flat-back delivery truck
- Concrete trucks
- Sweepers
- Road grader
- Concrete pumper trucks
- Welding trucks
- Side boom pipe handler tractor
- Earth mover

HAZARDOUS MATERIALS

The Applicant would ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines. Recommendations would include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.

ASBESTOS CONTAINING BUILDING MATERIALS

DEMOLITION SURVEY

In accordance with Bay Air Quality Management District (BAAQMD) Regulation 11, Rule 2 Section 303.8, the Applicant would have the existing residence and associated structures thoroughly surveyed for the presence of asbestos-containing material (ACM), including Category I and Category II nonfriable ACM. The survey would be performed by a person who is certified by the Division of Occupational Safety and Health, and who has taken and passed an EPA-approved Building Inspector course and who conforms to the procedures outlined in the course. The survey would include sampling laboratory analysis all suspected asbestos-containing materials. This survey would be made available, upon request by the BAAQMD Air Pollution Control Officer (APCO), prior to the commencement of any ACM removal or any demolition.

DEMOLITION AND REMOVAL OF ACMS

Should the results of the survey indicate the presence of ACMs, the Applicant, through contractual obligations, would ensure compliance with BAAQMD Regulation 11, Rule 2, Section 303. Section 303 outlines the procedures required to remove ACMs, ensure oversight is provided by a qualified professional, and ensure adequate containment is provided to prevent release of asbestos fibers during removal. In addition, waste disposal of ACMs would be accomplished in accordance with BAAQMD Regulation 11, Rule 2, Section 304.

LEAD-BASED PAINT

The Applicant would have the existing residence and associated structures thoroughly surveyed for the presence of lead-based paint by a qualified environmental professional. If lead-based

paint is identified and is loose and peeling, the paint would be removed by a qualified lead abatement contractor. In accordance with U.S. EPA and California Department of Toxic Substances Control (DTSC) requirements, if the paint is securely adhering to the substrate, the entire material would be disposed of as demolition debris, which is a nonhazardous waste. Loose and peeling paint would be disposed of as a State and/or federal hazardous waste, if the concentration of lead exceeds applicable waste thresholds. Hazardous wastes would be appropriately managed, labeled, transported, and disposed of in accordance with local requirements by trained workers, as described above. State and federal construction worker health and safety regulations would require air monitoring and other protective measures be conducted during demolition activities should lead-based paint be present.

2.3 BACKGROUND

2.3.1 CCCFCD COORDINATION

The Applicant has initiated dialogue with the CCCFCD to address concerns regarding the easement on the east side of the property for flood control and maintenance purposes. Even though the CCCFCD holds a 72-foot wide easement, it requested an additional one-foot wide "clear offset buffer" from the easement line to make certain that no aspect of the proposed development would encroach into the existing easement. Additionally, it requested the installation of a (institutional) chain link fence along the easement line at no cost to the District. There has not been a fence along the easement line since the channel was constructed between 1958 and 1968. As requested, a one-foot wide "clear offset buffer" is now a part of the Tentative Map. In addition, the Applicant proposes to construct decorative black aluminum fencing, planted with a softly spreading vine which would be owned and maintained by the HOA (instead of an institutional chain link fence) to separate the CCCFCD channel from the residential development and associated infrastructure.

2.3.2 CITY AND PUBLIC COORDINATION

The Proposed Project and associated design details were formulated through a public and City vetting process than began in 2013. The Applicant's original site design consisted of a 12 lots on a double loaded private lane in the middle of the site. The Proposed Project was redesigned as a 10 lot plan, then redesigned to a 9 lot plan on a single loaded lane in an effort to address City and County concerns.

As part of the Applicant's outreach program, a neighborhood meeting was held on April 12, 2014. Individual invitations were mailed to approximately 63 households within 300 feet of the Proposed Project boundary. The meeting and site tour was conducted on a Saturday morning in an effort to maximize neighborhood participation. The nine-lot plan was presented at the first neighborhood meeting. A number of questions, concerns and recommendations were raised by the neighbors as discussed below.

Concerns about the number of lots on the project site resulted in the decrease from nine to eight, resulting in wider lots, improving the architectural elevations, and delineating a two-car garage and driveway apron for each lot. Additional parking spaces, including four overflow/public parking spaces on the south side of Risdon Road, were also added when the

lots were widened. The two-story homes were revised to create predominantly hipped roofs to reduce the building mass and soften the shape of the roofs as viewed from the surrounding neighbors. This also reduced impacts to the existing trees along the west property line with regard to trimming and/or limb removal.

Proposed house sizes would be consistent with surrounding housing to address concerns regarding stable property values for surrounding residences. The sales prices for the Proposed Project houses would be in the range of $700,000 to $825,000. This price range would be consistent with the surrounding residences.

Privacy concerns were addressed by maximizing the preservation of mature trees along the east, west, and south boundary lines to provide screening. In addition, a privacy fence 6 feet high with an additional 1.5-foot decorative lattice, for a total of 7.5 feet, was added to the plans for the perimeter of the project site. A five-foot wide planter strip was added to the final design for additional privacy screening along the new fence.

Neighboring property owners' concerns about construction-related noise and dust will be addressed through required conditions of approval, existing municipal code, and City required Certificates of Appropriateness such as wetting of disturbed soils during construction and through the installation of privacy fencing to lower the impact of operational noise sources that have been added. Design alterations have also been added to the southern-most house (closest to BART) in order to add protection from the noise. Noise and dust concerns are further discussed in **Section 3.0** under ***Noise***.

Safety concerns related to refuse collection cart locations, pedestrians, and vehicles were addressed and incorporated into the design of the final Proposed Project. Refuse collection carts would be conveniently located on the land in front of the new houses and would avoid the use of Risdon road for collection. This will allow the collection carts to be wheeled down the driveway and placed at the curb in front of each house as required by the waste collection company. The Proposed Project frontage improvements include filling in the road, roadside ditches, concrete curbs and gutters, and sidewalk.

To address intermittent noise from BART, located approximately 240 feet south of Lot 8, the construction of a southeast wall of the house on Lot 8 with 2 feet x 6 inches framing, the addition extra insulation, and the installation of triple-pane windows on this wall are proposed. These measures are intended to protect this house and in turn, this house will buffer the noise for the rest of the new houses to the northwest of Lot 8.

On August 25, 2014, the City conducted the first City-sponsored neighborhood meeting. The revised site plan and preliminary architecture were introduced by City staff and presented by the Applicant. A number of comments and questions were posed by the neighbors. The questions were mostly regarding when the construction of the Proposed Project would start and how long the construction would last.

Between August 28, 2014 and April 9, 2015, representatives of the Applicant met with the public at various meetings for review and comments from the public. Tentative Map packages were

submitted and revised while two Incomplete Letters were received. The latest, third, official Tentative Map package was submitted on April 9, 2015 and is presented as the Proposed Project within this IS.

2.4 REGULATORY REQUIREMENTS, PERMITS, AND APPROVALS

As part of the implementation of the Proposed Project, the following permits and approvals may be necessary:

CITY OF CONCORD

The City is the approval authority for the Tentative Subdivision Map and all other applications associated with the Proposed Project (listed below). Pursuant to Development Code Section 18.405.020, if an applicant submits more than one planning permit application for the same project, all applications shall be filed and processed concurrently and each application shall be considered and acted upon by the appropriate review authority. When a single project requires both legislative (e.g. zoning map amendment) and discretionary permit applications (e.g. major subdivision, use permit, variance, design and site review, etc.) or any other discretionary approval where Table 18.400.020 shows more than one review authority, all applications shall be filed, processed, reviewed, and approved or disapproved concurrently by the highest level of authority required for any one application. For example, a project with a zoning map amendment and use permit shall be filed, processed, reviewed, and approved or disapproved by the City Council (after a recommendation from the Planning Commission) where a use permit application by itself may be reviewed and acted upon by the planning commission.

- Adoption of a Mitigated Negative Declaration for the Proposed Project
- Approval of a Tentative Subdivision Map
- Rezone of the project site from RS7 to RL.
- Approval of the Stormwater Control Plan
- Approval of the Tree Removal Plan
- Approval of Minor Exception

SECTION 3.0 – ENVIRONMENTAL CHECKLIST

Pursuant to CEQA *Guidelines* Section 15063, an IS should provide the lead agency with sufficient information to determine whether to prepare an environmental impact report (EIR), negative declaration (ND), or Mitigated ND (MND) for a proposed project. The CEQA *Guidelines* state that an IS may identify environmental impacts by use of a checklist, matrix, or other method, provided that conclusions are briefly explained and supported by relevant evidence. If it is determined that a particular physical impact to the environment could occur, then the checklist must indicate whether the impact is Potentially Significant, Less Than Significant with Mitigation, or Less Than Significant. Findings of No Impact for issues that can be demonstrated not to apply to a proposed project do not require further discussion.

This IS was prepared to assess the environmental impacts of the Proposed Project in accordance with CEQA to provide State permitting agencies with sufficient information to determine whether to prepare an EIR, ND or MND for the Proposed Project.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.1 AESTHETICS				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

3.1.1 ENVIRONMENTAL SETTING

The project site consists of an unoccupied building, open space with non-native grassland, and several trees (ornamental and native) which blend with the surrounding residential landscaping. The project site is surrounded on three sides by single-story residential structures. All surrounding residential structures face away from the project site, except for the two homes along Risdon Road, which share a side property line with the project site.

CITY PLANNING

In accordance with Municipal Code Section 17.35.120 and to ensure high quality site design, the Planning Division may refer a tentative map to the Design Review Board. In accordance with Development Code Section 18.400, the Design Review Board provides recommendations to the approving body (Planning Commission/City Council under a zoning change and the Planning Commission under a Planned Use Development Permit) regarding elements such as, but not limited to: siting of buildings and project grading, architectural relationship among project buildings and with neighboring properties, layout of streets and driveways, landscaping, walls and fences, and lighting. Accordingly, the Proposed Project was referred to the Design Review Board and at the regular meeting held on December 11, 2014, the Design Review Board recommended approval of the Proposed Project 5-0, including approval of the project setbacks as proposed (refer to **Figure 5**), with the following items to return as a staff report:

1. Final landscape plan to include wall detail within site visibility triangle, street sign detail, street trees along Risdon Road; and 36-inch box size for at least 50 percent of the proposed replacement trees; and
2. Home elevations to reflect additional gable and centered window on the left elevation of Plan 3A.

Both conditions were included within the updated project plans that comprise the Proposed Project.

3.1.2 IMPACT DISCUSSION

QUESTIONS A AND B

The project site is an existing open lot with an unoccupied house in advanced stages of disrepair. The existing scenic vista would not be adversely affected by the Proposed Project. The project site is not located within a state scenic highway and thus will not damage scenic resources such as trees, rock outcroppings, or historic buildings within the viewshed of such a highway. **No Impact.**

QUESTION C

Development of the Proposed Project would result in aesthetic features similar to the surrounding residential neighborhoods, would result in improved conditions, and Proposed Project features have been approved by the Design Review Board. While the proposed units would be two stories in height in an area dominated by single story residences, the Applicant revised design plans in consideration of concerns from surrounding residents. The two-story homes were revised to create predominantly hipped roofs to reduce the building mass and soften the shape of the roofs as viewed from the surrounding neighbors. Concerns for privacy were addressed by maximizing the preservation of mature trees along the east, west, and south boundary lines to provide screening. In addition, a privacy fence 6 feet high with an additional 1.5 feet of decorative lattice, total of 7.5 feet, has been added to the plans for the perimeter of the project site. A five-foot wide planter strip was added to the final design for additional privacy screening along the new fence. On October 16, 2014, an ISA Board Certified Master Arborist conducted a tree survey of the project site (**Appendix A**). The survey identified 18 trees

requiring removal due to poor health and 24 trees that should be incorporated into the site design. **Sheet 8** of **Appendix B** identifies the location of those 24 trees that would be incorporated into the site plan. Accordingly, implementation of the Proposed Project would result in a less-than-significant impact to the existing visual character. **Less Than Significant**.

QUESTION D

Currently there are limited sources of light on the project site being an open lot with an unoccupied residence in the advanced stages of disrepair. The Proposed Project will add eight new housing units and four street lamps to the project site (as discussed above under **Section 2.2.5 Landscaping/ Lighting**). The new lights on the property would increase security and deter vagrancy and loitering that currently exist on the project site. With the implementation of the Lighting Plan as proposed by the Applicant (**Sheet 16** of **Appendix B**); light from the Proposed Project's final design would be consistent with the surrounding residential neighborhood including the existing street lighting and would not constitute the addition of substantial sources of new daytime or nighttime lighting or glare. **Less Than Significant**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact

3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

3.2.1 ENVIRONMENTAL SETTING

The project site is surrounded entirely by urban/developed residential subdivisions. It is located approximately 0.22 miles west of Ygnacio Valley Park (0.35 miles driving distance) and approximately 2.37 miles south of downtown Concord. The project site is relatively flat with ornamental tree and shrub vegetation. There is an abandoned residence on the northern half of the property, and not all ornamental vegetation has been maintained. The southern half of the

property is dominated by non-native grassland habitat with a few small trees growing along the southern and western boundaries. The property has not been used for agricultural purposes nor has it been used as forest land or timber harvest.

3.2.2 REGULATORY SETTING

FARMLAND MAPPING AND MONITORING PROGRAM

The U.S. Department of Agriculture (USDA) and the California Department of Conservation (CDC) have become involved with analyzing farmland losses. In 1975, the USDA Soil Conservation Service (SCS) began a mapping program to produce agricultural resource maps based on soil quality and land use across the nation. In 1982, the State of California created the Farmland Mapping and Monitoring Program (FMMP) within the CDC to carry on the mapping activity from the USDA-SCS on a continuing basis. The FMMP produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status and is usually based on information obtained from aerial photographs and data from the NRCS (NRCS, 2015).

WILLIAMSON ACT

The California Legislature passed the California Land Conservation Act (commonly referred to as the "Williamson Act") in 1965 to preserve agricultural lands and open space by discouraging premature and unnecessary conversion to urban uses. Under the Williamson Act, private landowners contract with counties and cities to voluntarily restrict privately-owned land to agricultural and compatible open-space uses. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than their potential market value. The vehicle for these agreements is a rolling-term, ten-year contract that is automatically renewed unless either party files a "notice of nonrenewal." The project site is not subject to a Williamson Act contract (California Department of Conservation, 2013).

CITY PLANNING

The City of Concord is dominated by urban/residential/commercial zoned land. There is no land that is zoned for agriculture, forest land, timberland, or timberland zoned for Timberland Production. However, permitted agricultural uses are allowed in the OS, PR, RLC, and WRC districts in the City. Outside of the open space land use designated for the CCCFCD easement, the nearest land use where agricultural operations can be permitted is located approximately one mile east of the project site. Prime Farmland, Unique Farmland, and Farmland of Statewide Importance have not been identified within the City (FMMP, 2015).

3.2.3 IMPACT DISCUSSION

QUESTIONS A THROUGH E

The Proposed Project is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and would not convert any farmland to a non-agricultural use. As stated above, there is no existing agricultural zoned land or forest land, timberland, or timberland zoned for Timberland Production within the city limits of Concord and there are no land uses allowing permitted agricultural operations within one mile of the project site. Accordingly, there

would be no conflict with existing zoning nor would the Proposed Project conflict with the Williamson Act as the project site is not subject to a Williamson Act contract. **No Impact**.

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

3.3.1 ENVIRONMENTAL SETTING

Two types of air pollutants affect air quality in Concord: criteria air pollutants (CAPs) and toxic air contaminants (TACs). The major source of air pollutants in Concord is motor vehicle emissions. Heavy commute patterns throughout the San Francisco Bay Area have resulted in poor regional air quality levels.

Air quality issues in the City are under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), as the City is located in the San Francisco bay area air basin. Contra Costa County is one of seven counties that compromise the basin. The project site is located within the city limits of Concord and is surrounded by residential and urban developed land.

3.3.2 REGULATORY SETTING

The 1977 Federal Clean Air Act (CAA) required the United States Environmental Protection Agency (EPA) to identify National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. NAAQS have been established for the six "criteria" air pollutants: ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), respirable particulate matter (PM_{10}), and lead. Pursuant to the 1990 CAA Amendments (CAAA), the EPA has

classified air basins (or portions thereof) as either "attainment" or "non-attainment" for each criteria air pollutant, based on whether or not the NAAQS have been achieved. Under the NAAQS, County of Contra Costa is currently designated as non-attainment for ozone and particulate matter 2.5 microns and less in size.

The California Air Resources Board (CARB) regulates mobile emissions sources and oversees the activities of County Air Pollution Control Districts (APCDs) and regional Air Quality Management Districts (AQMDs). CARB regulates local air quality indirectly by State Ambient Air Quality Standards (CAAQS) and vehicle emission standards by conducting research activities, and through its planning and coordinating activities.

California has adopted ambient standards that are more stringent than the Federal standards for the criteria air pollutants. Under the California Clean Air Act (CCAA), patterned after the Federal CAA, areas have been designated as attainment or non-attainment with respect to CAAQS. Under the CAAQS, the Contra Costa County is designated a transitional non-attainment area for 1-hour O_3 and nonattainment for particulate matter ten micron in size (PM_{10}).

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

The BAAQMD controls criteria and toxic air pollutants. The primary role of cities in achieving and maintaining regional air quality is through land use decision-making, which can affect vehicle miles traveled, and through other measures to manage the emission of pollutants. BAAQMD identifies specific Transportation Control Measures (TCMs) that, together with other approaches, may help reduce emissions in Concord, contributing to regional pollution control and greenhouse gas reduction efforts.

The BAAQMD notes a particular need to reduce exposure to particulates and air toxics related to freeways and major arterials, especially those with high volumes of truck traffic, as well as exposure related to goods movement and distribution centers. Generally, ambient concentrations of toxic air contaminants are similar throughout the urbanized area of the Bay Area. BAAQMD regulates toxic air contaminants from stationary sources through their permit process; mobile sources of toxic air contaminants are regulated indirectly through vehicle emissions standards and though fuel specifications.

BAAQMD operates a regional network of air pollution monitoring stations that provide information on ambient concentrations of criteria air pollutants and toxic air contaminants. Two stations are operated within the City limits: number 2018, located at 2975 Treat Boulevard, and number 2032, located at 2477 Arnold Industrial Way (0.9 miles south of project site).

CEQA SIGNIFICANCE CRITERIA

City regulations for Air Quality fall under the BAAQMD's jurisdiction. In June of 2010, the BAAQMD adopted Draft CEQA Guidelines (May 2010 Draft CEQA Guidelines), including significance thresholds and project screening criteria to determine if project specific air quality analysis is required. However, a lawsuit was filed contending that the adoption of the thresholds and criteria the Air District did not follow the CEQA process. The responsible court found that the BAAQMD did not comply with CEQA and that an assessment of the potential environmental

impacts from the adoption of the thresholds and criteria was required. The court did not determine whether the thresholds are or are not based on substantial evidence and thus valid on the merits. The court issued a writ of mandate ordering the District to set aside the thresholds and cease dissemination of them until the Air District had complied with CEQA. However, the court's order permits the BAAQMD to develop and disseminate the CEQA Guidelines, as long as they do not implement the thresholds of significance. Accordingly, an updated CEQA guidance document was approved in May of 2012 (BAAQMD, 2013). The updated guidance document states that in accordance with the court order, the CEQA lead agency assessing air quality impacts within the BAAQMD's jurisdiction will need to determine appropriate air quality thresholds. Because the Court did not invalidate the significance thresholds and screening criteria, the City, acting as Lead Agency under CEQA for the Proposed Project, has adopted the May 2010 Draft CEQA Guidelines including significance thresholds and associate screening criteria to address impacts to air quality.

Section 3.1.1 of the May 2010 Draft CEQA Guidelines states that if a project meets the screening criteria in Table 3-1, the project would not result in the generation of operational or construction-related CAPs or precursors that exceed the CEQA thresholds of significance. For single-family residences, the screening criteria for construction-related emissions is the development of 114 residences or less. For operational emissions, the screening criteria is the development of 325 residences or less.

SENSITIVE RECEPTORS

Some receptors are considered more sensitive than others to air pollutants. The reasons for greater than average sensitivity include pre-existing health problems, proximity to emissions and odor sources, or duration of exposure to air pollutants or odors. Schools, hospitals, and convalescent homes are considered to the relatively sensitive to poor air quality because children, elderly people, and the infirmed are more susceptible to respiratory distress and other air quality related health conditions. Residential areas are considered sensitive to air quality because people usually stay home for extended periods of time with an increased exposure to ambient air quality.

The closest sensitive receptor is located approximately 10 feet from the project site boundary on the west side and approximately 20 feet from the extent of planned grading. This sensitive receptor is a residence where the existing homeowner has built an addition farther onto the easement (closer to the project site) than the other homeowners surrounding the project site (**Sheet 10** of **Appendix B**). The next closest sensitive receptor on the west side of the project site is located approximately 35 feet from the extent of the planned grading area.

3.3.3 IMPACT DISCUSSION

QUESTIONS A, B, AND C

Implementation of the Proposed Project would result in the construction and operation of eight new residences within the air basin. In accordance with the screening criteria adopted by the City for the Proposed Project, the construction and operation of eight new residences would not result in emission exceeding the significance thresholds for CAPs and associated precursors.

Therefore, in accordance with the May 2010 Draft CEQA Guidelines, the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan set forth by the BAAQMD to meet the NAAQS (BAAQMD, 2010). Accordingly, there would not be a violation of any air quality standard or contribution to an existing or projected air quality violation. In accordance with the results of the screening criteria, the Proposed Project would not result in a cumulatively considerable net increase of any CAP. **Less Than Significant**.

QUESTIONS D AND E

The Proposed Project would be consistent with surrounding land uses such as residential housing. There would be no alterations or additions to the existing flood canal and it would remain in working condition. Construction equipment has the potential to emit odor in the vicinity of the project site. Generally construction odors are not detected beyond the project site boundaries. Under the BAAQMD Guidelines, the Proposed Project is not considered an odor generating land use. Additionally, in accordance with BAAQMD Regulation 7, the Proposed Project would be restricted from emitting quantities of pollutants that would cause detriment, nuisance, or annoyance to any persons or to the public. The Proposed Project would not expose sensitive receptors, as defined above, to substantial pollutant concentrations or odors. **Less Than Significant**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.4 BIOLOGICAL RESOURCES				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, *etc.*) through direct removal, filling, hydrological interruption or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

3.4.1 ENVIRONMENTAL SETTING

The Proposed Project is surrounded entirely by urban/developed residential subdivisions. The northern half of the property consists of various trees and ornamental vegetation surrounding an unoccupied residence, on the west and south sides, trees and shrubs grow intermixed with ornamental vegetation. Non-native grassland habitat dominates the center and southern portion of the property. On the east side, a flood control channel runs north/south and is not vegetated within the channel. There is no riparian habitat located on the project site. The project site is

nearly isolated from any other open space/ native habitat, with the closest undeveloped area approximately 1.1 miles east.

FIELD SURVEY AND ANALYSIS

A field survey of the project site was conducted in April 2014 by Marylee Guinon LLC with Olberding Environmental, INC. An updated record search of critical habitat and special-status species and a field survey for verification of sensitive plant and wildlife species, habitats, and biological constraints potentially occurring on the project site was conducted on April 30, 2015 by biologist Nicholas Bonzey of AES. This survey verified the earlier survey results of occurring species. During the April 30 survey, five mallard (*Anas platyrhynchos*) drakes were observed on the flood control channel and no other wildlife species were witnessed on the site. A summary of the results of the 2014 assessment and 2015 field verification are provided below.

CRITICAL HABITAT

A California Native Diversity Database (CNDDB) and Unites States Fish and Wildlife Service (USFWS) map was consulted for areas marked as critical habitat for listed species. Critical habitat Unit 1 and Unit 4 (Alameda whipsnake *Masticophis lateralis euryzanthus*) and critical habitat CCS-1 and CCS-2A (California red-legged frog *Rana daytonii*) occur within a five-mile radius of the project site.

SPECIAL-STATUS SPECIES

For the purposes of this assessment, special status has been defined to include those species that are:

- Listed as endangered or threatened under the Federal Endangered Species Act (FESA) (or formally proposed for, or candidates for, listing);
- Listed as endangered or threatened under the California Endangered Species Act (CESA) (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Wildlife (CDFW) Code (§1901);
- Designated as fully protected, pursuant to CDFW Code (§3511, §4700, or §5050);
- Designated as species of concern to the CDFW;
- Covered under the International Migratory Bird Treaty Act; or
- Defined as rare or endangered under CEQA.

SPECIAL STATUS WILDLIFE

A Trust Resource Report was generated from the US Fish and Wildlife Service (USFWS) Information, Planning, and Conservation (IPaC) system web site (see **Appendix E**). The report lists two amphibian species, two bird species, one crustacean species, two fish species, two flowering plant species, one insect species, and two reptile species that are proposed, candidate, threatened, or endangered federal status and have the potential to occur on the

project site. These are listed below. Critical habitat and details for each are further discussed in **Appendix E**.

- California Red-Legged Frog
- California Tiger Salamander
- California Clapper Rail
- California Least Tern
- Vernal Pool Fairy Shrimp
- Delta Smelt
- Steelhead
- Antioch Dunes Evening-primrose
- Contra Costa Wallflower
- Callippe Silverspot Butterfly
- Alameda Whipsnake
- Giant Garter Snake

No special status species were observed on the project site, and based on site conditions and both field surveys, no habitat exists to support a population of the protected species mentioned above. Both the California Red-Legged Frog (*Rana daytonii)* and the Alameda whipsnake (*Masticophis lateralis euryzanthus*) have critical habitat within five miles of the project site. However, due to the dense urban developed area between the critical habitat and the project site, it is unlikely for these species to be affected by the Proposed Project.

Migratory birds are listed in the IPaC report that have the potential to occur on the project site or fly over the project site. Not included in the IPaC report was the mallard (*Anas platyrhynchos*), a migratory species of waterfowl, which was observed on the project site in the flood control channel by the biologist.

3.4.2 REGULATORY SETTING

FEDERAL ENDANGERED SPECIES ACT

Under the FESA, the Secretary of the Interior and the Secretary of Commerce have the joint authority to list a species as threatened or endangered (16 United States Code [U.S.C.] 1533c). The purposes of the FESA are to provide a means to conserve the ecosystems that endangered and threatened species depend on and to provide a program for conservation and recovery of the species with the intent of removing the species from a listed, protected status. Regulatory protection is given to any species listed as endangered or threatened.

The Service and the National Marine Fisheries Service (NMFS) are the federal agencies that enforce the FESA. Pursuant to the requirements of the FESA, an agency reviewing a project within its jurisdiction must determine whether any federally listed threatened or endangered species may be present in the project area and determine whether the Proposed Project will have an impact on such species. Under the FESA, habitat loss is considered to be an impact to the species. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed for listing under the FESA or result

in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 U.S.C. 1536).

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

California Law, Fish and Game Code sections 3503 and 3503.5 provide for the protection of birds and birds' nests by prohibiting the take of birds, their nests, or their eggs.

California Law, Fish and Game Code section 1600 et seq., requires notification to the CDFW for proposed projects that may: divert, obstruct, or change the natural flow or the bed, channel or bank of any river, stream, or lake; use material from a streambed; or result in the disposal or deposition of debris, waste, or other material where it may pass into any river stream, or lake.

CEQA GUIDELINES

Several federal and state statutes protect rare, threatened, and endangered species. The CEQA Guidelines Article 20, Section 15380 provides that a species not listed on the federal or state list of protected species may be considered rare, threatened, or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definitions of endangered, rare, or threatened provided in the FESA and the CESA. This section of the Guidelines provides public agencies with the ability to protect a species from any potential impacts of proposed projects until the respective government agency has the opportunity to designate (list) that species as protected, if warranted.

The California Native Plant Society (CNPS) maintains an extensive list of plant species that it considers to be rare, threatened, or endangered, but have no designated status or protection under federal or state endangered species legislation. Impacts to CNPS listed species (e.g., CNPS list 1B and 2) are considered pursuant during CEQA environmental review.

CALIFORNIA ENDANGERED SPECIES ACT

Under the California Endangered Species Act (CESA), it is unlawful to take a State-listed endangered or threatened species. Fish and Game Code section 86 defines take as "hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture or kill." CESA take authorization, from the CDFW, should be obtained if there is potential of take of a State-listed plant or wildlife species.

MIGRATORY BIRD TREATY ACT

Migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. As such, project-related disturbances must be reduced or eliminated during the nesting season.

3.4.3 IMPACT DISCUSSION

QUESTION A

The Proposed Project would not have a substantial adverse effect on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS) because no species within these categories have a potential to occur on the project site as explained previously. **Less Than Significant**.

QUESTION B

The project site does not consist of riparian habitat or any other sensitive natural community identified in local or regional plans, policies, or regulations by the CDFW or USFWS. **No Impact**.

QUESTION C

The Proposed Project is not located on or near a federally protected wetland as defined by Section 404 of the Clean Water Act and will not have an adverse effect through direct removal, filling, hydrological interruption, or any other means. **No Impact**.

QUESTION D

The project site is not located within a wildlife nursery site. The Proposed Project would not interfere with the movement of any native resident or migratory fish species. Nesting habitat for migratory birds and other birds of prey protected under the MBTA may include the trees scheduled for removal and annual grassland within the project site and vicinity. Potential disruption of nesting migratory birds and other birds of prey during construction could result in nest abandonment or mortality. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact birds if their nests are located within the vicinity of development areas. These impacts are potentially significant. With implementation of **Mitigation Measures Bio-1** through **Bio-3**, impacts would be less than significant. **Less than Significant with Mitigation**.

QUESTION E

As shown on **Sheet 8** of **Appendix B,** the Proposed Project would preserve 24 trees existing on the project site and would remove 18 trees. This is in accordance with the City of Concord tree ordinance for the preservation of the City's mature and special trees. The Proposed Project would not conflict with any local policies protecting biological resources. **Less Than Significant**.

QUESTION F

The project site is not located on or near an area of Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan and thus would not affect any such plans or areas. **No Impact**.

MITIGATION MEASURES

Bio-1 A qualified biologist shall conduct a pre-construction bird survey for nesting birds within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the City within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the City Planning Department prior to commencement of construction activities.

Bio-2 If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.

Bio-3 Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.5 CULTURAL RESOURCES				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21704?	☐	☐	☒	☐

3.5.1 ENVIRONMENTAL SETTING

ARCHAEOLOGICAL SETTING

This section presents information based on a record search provided by the Northwest Information Center (NWIC File No. 14-1366), a field survey conducted on April 30, 2015, and an on-line paleontological database search conducted on April 13, 2015 (**Appendix F-Confidential**).

The record search failed to identify any cultural resources within one half-mile of the project site. The record search identified only two previous studies which were conducted within one half-mile of the current project location, however those studies did not result in the recordation of any cultural resources. The only resources identified during the field effort consisted of a dilapidated residence and a segment of Ditch #2 of the Contra Costa Canal. The ditch segment measured approximately 40 feet wide and 10-12 feet deep; the ditch was lined with a combination of rock, concrete, and earth. The residence, now abandoned, has a front-facing U-shaped floor plan, including an attached garage, wood cladding, and a central ridge chimney and composition shingle roof. The front windows are single-hung, but the back windows have been replaced with aluminum sliders. All doors appear to have been replaced by plywood. There is also a shed in

the back yard, as well as two fenced garden areas. There are some associated decorative plantings, including ivy, fig trees, bamboo, roses, and palm.

A title search on the property indicated that an exclusive 20-foot roadway and utility easement centered on the southwest property line was filed in 1950, and a search of the Contra Costa County Assessor's records performed on April 13, 2015 indicated that the residence was constructed in 1952 and the 72-foot flood control easement was recorded in 1961.

HISTORICAL SETTING

The project site lies within the historic Rancho Arroyo de Las Nueces y Bolbones (also called "San Miguel"), a 17,782-acre Mexican land grant given to Juana Sanchez de Pacheco in 1834. Juana was the widow of soldier Miguel Pacheco, son of members of the 1776 De Anza Expedition. The Pacheco family used the rancho for cattle, but did not occupy the land.

ETHNOGRAPHIC SETTING

Prehistorically, the Concord area was occupied by Bay Miwok Indians, organized in triblets of related families, who were well-placed to exploit the rich resources offered by estuaries and grasslands. Proximity to Spanish missions led to early resettlement and conversion at the same time European diseases were taking significant toll on the population by the first half of the 19th century.

3.5.2 REGULATORY SETTING

CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA requires that, for projects financed by, or requiring the discretionary approval of public agencies in California, that the effects that a proposed project has on historical or unique archaeological resources be considered (Public Resources Code Section 21083.2). Historical resources are buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance (PRC Section 50201). CEQA Guidelines Section 15064.5 define three cases in which a property may qualify as a historical resource for the purpose of CEQA review:

1. If it is listed in, or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (CRHR); or

2. It is included in a local register of historical resource or identified as significant in a qualifying historical resource survey; or

3. The resource appears in, or is determined eligible for the listing, in the CRHR. Public Resources Code Section 5024.1 and CEQA Guidelines 15064.5 define eligibility requirements and states that a resource may be eligible for inclusion in the CRHR if it:

    a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

    b. is associated with the lives of persons important in our past;

c. embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or

d. has yielded, or may be likely to yield, information important in prehistory or history.

Sites younger than 45 years, unless of exceptional importance, are not eligible for listing in the CRHR.

Properties must retain integrity to be eligible for listing on the CRHR. Properties that are listed in or eligible for listing in the National Register of Historic Places are automatically considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC section 5024.1(d)(1)).

a) The resource is included in a local register of historic resources, as defined in section 5020.1(k) of the PRC, or is identified as significant in a historical resources survey that meets the requirements of section 5024.1(g) of the PRC (unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant).

b) The lead agency determines that the resource may be a historical resource as defined in PRC section 5020.1(j), 5024.1, or significant as supported by substantial evidence in light of the whole record.

Public Resources Code Section 21083.2 governs the treatment of unique archaeological resources, defined as "an archaeological artifact, object, or site about which it can be clearly demonstrated" as meeting any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

CALIFORNIA PUBLIC RESOURCES CODE

Public Resources Code Section 5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, or defacement of paleontological resources on public lands without prior permission from the appropriate agency. Public lands include those "owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof." If paleontological resources are identified within a given project area, the lead agency must consider those resources when evaluating a proposed project's impacts. The level of consideration may vary with the importance of the resource in question.

ASSEMBLY BILL 52

On September 25, 2014, Governor Edmund G. Brown, Jr., signed Assembly Bill No. 52 ("AB 52") into law. The new law expands CEQA to provide that any public or private "project with an

effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." The law will apply to any project that has a notice of preparation, a notice of negative declaration, or mitigated negative declaration filed on or after July 1, 2015. More specifically, the law creates a new category of resources in CEQA called "tribal cultural resources" and seeks to engage the expertise of Native American tribes in the protection and preservation of those resources. To fulfill that purpose, the new law requires the lead agency to consult with a local Native American tribe as part of the environmental review process.

AB 52 requires consultation with California Native American tribes before the release of any environmental document (e.g., mitigated negative declaration or environmental impact report). The process is initiated by contacting the Native American Heritage Commission (NAHC) for a list of tribes specifically identified for AB 52; after receipt of results, the Lead Agency has 14 days to notify all tribes who've previously signed up for notification within set geographies. The lead agency must consult with a tribe within the geographical area of the project if the tribe (1) requested the lead agency to inform it of proposed projects within its area, and (2) the tribe responds within 30 days of receiving notification and requests consultation. During consultation, the parties may discuss possible mitigation measures to avoid or lessen the impact on tribal cultural resources. To protect the resource, any information submitted by a tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed to the public.

A request to search the Sacred Lands Files for a list of tribal organizations/individuals that may have information regarding cultural resources in the project area was sent to the NAHC on April 7, 2014. A response was received from the NAHC on April 29, 2015 listing three contacts that may have knowledge of cultural resources in the project area. Letters to these individuals were sent on June 21, 2015. To date, no response has been received.

PALEONTOLOGICAL RESOURCES REGULATORY SETTING

CEQA provides protection for unique paleontological resources and unique geologic features, and requires that planners consider impacts to such resources in the project review process. The Act distinguishes between ubiquitous fossils that are of little scientific consequence, and those, which are of some importance by providing protection for the latter. While CEQA does not precisely define unique paleontological resources, criteria established by the Society of Vertebrate Paleontology (SVP) provide guidance. The SVP defines a significant paleontological resource as one that meets one or more of the following criteria (SVP, 1995):

- Provides important information shedding light on evolutionary trends and/or helping to relate living organisms to extinct organisms;
- provides important information regarding the development of biological communities;
- demonstrates unusual circumstances in the history of life;
- represents a rare taxon or a rare or unique occurrence, is in short supply and in danger of being destroyed or depleted;

- has a special and particular quality, such as being the oldest of its type or the best available example of its type; or
- provides important information used to correlate strata for which it may be difficult to obtain other types of age dates.

CEQA similarly fails to define precisely a unique geologic feature. For the purpose of this analysis, a *unique geologic feature* is a resource or formation that:

- Is the best example locally or regionally;
- embodies distinct characteristics of a geologic principal that is exclusive locally or regionally;
- provides a key piece of geologic information important in geology or geologic history;
- is a type locality of a geologic feature; or
- contains a mineral not known to occur elsewhere locally or regionally; or is a common teaching tool.

3.5.3 IMPACT DISCUSSION

QUESTION A

No historical resources, as defined in CEQA Guidelines15064.5, were identified either during the background research or the field survey. Therefore, construction of the Proposed Project will have no impact on historical resources. **No Impact.**

QUESTION B

It is unlikely that archaeological resources exist within the Proposed Project site due to the lack of water sources or other features that would attract prehistoric use or occupation of the area. If any archaeological resources are encountered during construction of the Proposed Project, impacts to these resources would be potentially significant. With implementation of **Mitigation Measure CR-1**, impacts to archaeological resources discovered during construction of the Proposed Project would be reduced to less than significant. **Less Than Significant With Mitigation**.

QUESTION C

The project site is located on recent alluvial deposits underlain by Pleistocene alluvial fans, and construction impacts, anticipated to range from 1 to 3 feet below surface, are unlikely to penetrate sufficiently deep to affect any underlying formations that would include paleontological materials. Further, an on-line search of the University of California Museum of Paleontology on April 13, 2015 failed to identify any fossil localities in or near the project site. Therefore, construction of the Proposed Project will have no impact on paleontological resources. **No Impact.**

QUESTION D

It is unlikely that human remains are located within the Proposed Project site due to the lack of water sources or other features that would attract prehistoric use or occupation of the area. If any human remains are encountered during construction, impacts to these remains would be potentially significant. With implementation of **Mitigation Measure CR-2**, impacts to human remains discovered during construction would be reduced to less than significant. **Less Than Significant With Mitigation**.

QUESTION E

Although no responses have been received following the required consultation criteria under AB 52, the potential for the Proposed Project to cause a substantial adverse change in the significance of a tribal cultural resource is minimal considering that the project site is relatively disturbed and surrounding by existing development and the site exhibits a lack of potential resources available for exploitation prehistorically. Accordingly, implementation of the Proposed Project would result in a less-than-significant impact on tribal cultural resources. **Less Than Significant**.

MITIGATION MEASURES

CR-1 Stop Potentially Damaging Work if Archaeological Resources Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. If previously unrecorded cultural resources (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) are encountered during surveys of previously unexamined area where ground disturbance is planned or during project-related ground-disturbing activities, all ground-disturbing activities shall be halted within a 100-foot radius of the find. A qualified professional archaeologist shall identify the materials, determine their possible significance, and formulate appropriate measures for their treatment, which shall be implemented by the project applicants and their contractors. Potential treatment methods for significant and potentially significant resources may include, but would not be limited to avoidance of the resource through changes in construction methods or project design or implementation of a program of testing and data recovery, in accordance with all applicable federal and state requirements.

CR-2 Stop Potentially Damaging Work if Human Remains Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §7050.5 and §7052 and California Public Resources Code §5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities within a 100-foot radius of the find shall be halted immediately and the project applicants' designated representative shall be notified. The project applicants shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to

examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The project applicant or its appointed representative and the professional archaeologist shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the property owner and the lead agencies shall determine the ultimate disposition of the remains.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.6 GEOLOGY AND SOILS				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines & Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

3.6.1 ENVIRONMENTAL SETTING

A preliminary geotechnical exploration was conducted on February 18, 2014 by ENGEO Incorporated and it is attached as **Appendix D**.

The project site is located in the Coast Ranges geomorphic province of California. The Coast Ranges are characterized by a series of northwest-trending valleys and mountain ranges. The site is located in a broad valley underlain by thick alluvial deposits. Previous mapping efforts (refer to **Appendix D**) indicates that the site is underlain by late Pleistocene alluvial fan deposits The site is relatively flat and not susceptible to landslides, although the southern portion of the site appears to be elevated by two to three feet with fill.

SEISMICITY

The nearest known active fault is the Concord fault located approximately one mile northeast of the project site. The Calaveras, Hayward, and San Andreas faults are located approximately 3 miles, 16 miles, and 40 miles to the southwest, respectively. The Greenville-March Creek fault is located approximately five miles to the northeast. Because of the proximity of the faults, the region is considered seismically active. Numerous, small, earthquakes occur every year in the region, and large earthquakes have been recorded and can be expected to occur in the future.

The primary seismic hazards in the project site are considered to be ground shaking and ground failure. Ground shaking occurs as energy. It is transmitted as elastic waves up through the bedrock to become a series of complex waves or oscillations in the ground surface. Such ground shaking is one of the main causes of earthquake damage. According to the Seismic Shaking Hazards in California map, the project site is located in an area with relative high potential for peak ground acceleration during a seismic event (CGS, 2015). Liquefaction and landslides can increase damage from ground shaking. Liquefaction changes water-saturated soil to a semi-liquid state, removing support from foundations and causing buildings to sink. Liquefaction is determined by a number of factors, including soil type, depth to water, soil density, and the duration and intensity of ground shaking (USGS, 2008). Alluvial deposits consisting of stiff clay were encountered during the soil exploration (**Appendix D**) to depths of about 52 feet that are not considered susceptible to liquefaction. On this basis, the potential for liquefaction at the site appears to be low.

SOIL AND SOIL HAZARDS

Soil sampling conducted as part of the preliminary geotechnical exploration indicates that the project site is located on expansive soils as defined in Table 18-1-B of the Uniform Building Code. However, the results indicate that these soils are only in the topsoil and would not impact any building of infrastructure if special attention during grading is given. Expansive soils are largely comprised of clays, which greatly increase in volume when water is absorbed and shrink when dried. Expansive soils are of concern because building foundations may rise during the rainy season and fall during the dry season in response to the clay's action; this can cause structural distortion.

3.6.2 REGULATORY SETTING

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972; it prohibits the placement of structures intended for human occupancy from being built across active fault traces in California. The Act requires delineation of zones (Alquist-Priolo zones) along active faults in order to address seismic concerns as they relate to public safety and project design. The Act only addresses the hazards of surface fault rupture and is not intended to regulate activities relating to other earthquake hazards such as liquefaction, landslides, or tsunamis. Cities and counties are required to regulate development projects within Alquist-Priolo zones.

SEISMIC HAZARDS MAPPING ACT

This Seismic Hazards Mapping Act requires cities, county, and local permitting agencies to regulate urbanization development and redevelopment projects within seismic hazard zones that have been delineated by the State Geologist. Before a development permit can be granted to a proposed project located near a seismic hazard zone, a geotechnical investigation of the site must be conducted and appropriate mitigation measures incorporated into the project design.

3.6.3 IMPACT DISCUSSION

QUESTION A

The Proposed Project would not be developed on a fault line as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area and therefore no adverse impacts from fault rupture would result from project development. While there would be a potential for strong seismic ground shaking or seismic-related ground failure, the residences are required to be constructed in accordance with the California Building Code and associated seismic provisions for this region of California. Due to the relatively flat topography and soil structure, there would not be a risk for landslides based on the activities of the Proposed Project. The Proposed Project would not expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death. **Less Than Significant.**

QUESTION B

There would be no substantial soil erosion or loss of topsoil from the Proposed Project. A stormwater control plan attached as **Appendix C** has been incorporated into the design of the Proposed Project to ensure that soil erosion would be minimized and in compliance with local discharge limits. The Proposed Project would disturb less than one acre of soil and therefore does not require coverage under the National Pollutant Discharge Elimination System general permit for construction activities. The Proposed Project is required to comply with all City development standards and with the inclusion of the grading and drainage plan (**Sheet 12** of **Appendix B**) impacts would be less than significant in relation to soil erosion. **Less Than Significant.**

QUESTION C

The Proposed Project is not located on a geological soil that is unstable or would become stable as a result of the Proposed Project activities. The site is relatively flat and not susceptible to landslides, lateral spreading, subsidence, liquefaction, or collapse. **No Impact**.

QUESTION D

While the project site is located on expansive soils as defined in Table 18-1-B of the Uniform Building Code; the results of the preliminary geotechnical exploration conclude that due to the shallow depth of the expansive soils, conventional grading operations, incorporating fill placement specifications tailored to the expansive characteristics of the soil, and use of a mat foundation (either post-tensioned or conventionally reinforced) are common, generally cost-effective measures to address the expansive potential of the foundation soils. Based upon our initial findings, the effects of expansive soils are expected to pose a low impact when properly addressed during construction. As discussed in **Section 2.2.4**, implementation of the Proposed Project includes ensuring adequate watering of the soils as recommended by the preliminary geotechnical exploration to address expansive soils during construction activities minimizing the potential for adverse impacts from soil expansion and contraction (**Appendix D**). **Less Than Significant.**

QUESTION E

The project site consists of connection to the City's municipal utility wastewater conveyance system and therefore no on site wastewater disposal system would be developed on the project site and accordingly there would be no impact concerning soil suitability for such disposal. **No Impact**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.7 GREENHOUSE GAS EMISSIONS				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.7.1 ENVIRONMENTAL SETTING

The project site is located within the city limits of Concord and is surrounded by residential development. Approximately 240 feet south of the project site, Bay Area Rapid Transit's (BART's) Pittsburg/Bay Point line runs northeast to southwest and all connecting roadways to the project site are residential roads. Landscaping and a bioretention/ bioswale designated areas will be implemented throughout the project site and near the CCCFCD's canal located on the east side of the project site. The City adopted a Citywide Climate Action Plan (CAP) July 23, 2013 (source: http://www.cityofconcord.org/pdf/dept/planning/climate.pdf) and utilizes the BAAQMD as its regulatory authority.

3.7.2 REGULATORY SETTING

In references to greenhouse gases (GHGs) on a global level, activities such as motor vehicle use, manufacturing, and power plant operations are generating carbon dioxide, methane, and other GHGs faster than the earth's atmosphere can absorb them. These emissions are expected to lead to global temperature increases in the next century, potentially affecting Concord's flora and fauna, water supply, and climate. Assembly Bill (AB) 32, approved by the State legislature in 2006, required the California Air Resources Board to develop regulations and programs to reduce the state's GHG emissions to 1990 levels by 2020. Subsequently, Senate Bill (SB) 375 was adopted to reduce statewide motor vehicle emissions, in part by improving coordination between land use, transportation and housing decisions. Like other cities in California, the City is taking action to address climate change through its land use and transportation policies. The City has adopted a City-Wide CAP which outlines the strategies for achieving this objective. The most basic elements of this CAP are to concentrate new development around BART; build at densities that support transit use; develop a well-connected bicycle and pedestrian system; provide a balanced mix of employment, services, and housing to minimize trip lengths; and incorporate advanced energy conservation and efficiency measures in the design of new buildings and infrastructure. While the CAP does not include significance thresholds for CEQA impact analyses the City has adopted the BAAQMD May 2010 Draft

CEQA Guidelines. Those guidelines also include significance thresholds and screening criteria to address potential GHG emissions impacts.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

As discussed under Air Quality, the City, acting as Lead Agency under CEQA for the Proposed Project, has adopted the BAAQMD May 2010 Draft CEQA Guidelines which also include significance thresholds and associated screening criteria to address impacts from GHG emissions. Section 3.1.1 of the May 2010 Draft CEQA Guidelines states that if the Proposed Project meets the screening criteria in Table 3-1 (attached as **Appendix G**), the Proposed Project would not result in the generation of GHGs that exceed the CEQA thresholds of significance. For single-family residences, the screening criteria for GHGs is the development of 56 residences or less.

3.7.3 IMPACT DISCUSSION

QUESTIONS A AND B

Implementation of the Proposed Project would result in the development of eight new residences within the air basin. In accordance with the screening criteria adopted by the City for the Proposed Project, the development of eight new residences would not result in emission exceeding the significance thresholds for GHGs. The Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. In accordance with the results of the screening criteria, the Proposed Project would not result in a cumulatively considerable net increase of GHGs. **Less Than Significant**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.8 HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or to the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

3.8.1 ENVIRONMENTAL SETTING

HAZARDOUS MATERIALS

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR) as:

> "A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed" (CCR, Title 22, Section 66260.10).

3.8.2 REGULATORY SETTING

CORTESE LIST

California Government Code Section 65962.5(a) states that The DTSC shall compile and update as appropriate, but at least annually a list of detailing the following (commonly known as the Cortese List):

1. All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.
2. All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.
3. All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.
4. All sites listed pursuant to Section 25356 of the Health and Safety Code.

ASBESTOS CONTAINING BUILDING MATERIALS

Under District Regulation 11, Rule 2, the BAAQMD regulates the demolition of buildings and structures which may contain asbestos. Because asbestos has been used extensively in residential, commercial and industrial construction, BAAQMD Regulation 11-2-401.3 requires that for every demolition (even when no asbestos is present), a notification must be made to the BAAQMD at least 10 working days (except in special circumstances) prior to commencement of demolition.

REGIONAL SETTING

EnviroStor is a search tool for the DTSC that contains information on hazardous materials incidents in California, including contaminated sites as well as lists of facilities that process or

transfer toxic waste, including the sites listed on the Cortese List. The database includes federally designated sites, state response sites, military sites, school sites and voluntary cleanup sites. Each entry in the database contains a report which includes information on the current address, site status, past contaminating uses, history of the site, current and historical toxic substances present, and land use restrictions, potential environmental impacts of toxic substances present as well as completed or planned projects. Sites that were once listed as contaminated but have been cleaned up or have had project completed are also specially listed. A search of the Proposed Project area indicated that there are no sites listed on the EnviroStor database within 1,000 feet of the project site (DTSC, 2015). Accordingly, there are no sites listed on the Cortese Listed located within 1,000 feet of the project site. The nearest EnviroStor listing (ID# 60000557) is located approximately 1 mile northeast of the project site. The listed incident pertains to a polychlorinated biphenyls soil remediation project for which the case was closed in 2007 (DTSC, 2015).

PROJECT SITE

The unoccupied residence on the project site was built in 1952 and may contain asbestos and/or lead-based paint within the structure and building/finishing materials. State-level agencies, in conjunction with the USEPA and Occupational Safety and Health Administration (OSHA) regulate removal, abatement, and transport procedures for asbestos-containing materials (ACMs). ACMs are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. Releases of asbestos from industrial, demolition or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include mandatory warnings and practices that must be followed to reduce the risk for asbestos emissions and exposure. Federal, state and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. Lead-based paint (LBP), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system. Like ACMs, LBP generally does not pose a health risk to occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was banned. Therefore, only buildings built before 1978 are presumed to contain LBP.

AIRPORT HAZARD ZONES

Airports and air strips are considered to contain harmful material and are considered potentially hazardous zones. The project site is located 4.3 miles south of the nearest airport to the project site (Buchanan Field Airport), and therefore is located outside of any airport hazard zone.

WILDLANDS

The project site is within an urban neighborhood surrounded by residential land use, which is typically not extremely susceptible to wildland fire. The project site is located in a non-Very High Fire Hazard Severity Zone (CAL FIRE, 2009).

3.8.3 IMPACT DISCUSSION

QUESTION A AND B

The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials as all federal, state, and local regulations and mandatory steps will be taken to ensure any hazardous materials are properly transported, used, and disposed of. During grading and construction activities, it is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. would be brought onto the site. Temporary storage units (bulk above-ground storage tanks, 55-gallon drums, sheds/trailers, etc.) would likely be used by various contractors for fueling and maintenance purposes. As with any liquid and solid, the handling and transfer between one container to another has the potential for an accidental release. Construction contractors will be required to comply with applicable federal and State environmental and workplace safety laws. Adherence to these regulatory requirements would ensure that this impact is less than significant. The demolition of the existing residence on the project site requires compliance with BAAQMD rules to ensure minimal releases of ACMs and lead-based paint. As stated in **Section 2.2**, the Applicant would ensure the Proposed Project would be constructed in compliance with BAAQMD Regulation 11, Rule 2 and LBP removal protocols and therefore would result in a less than significant impact in relation to asbestos and lead. **Less than Significant**.

QUESTION C

The project site is not located within 0.25 miles of a proposed or existing school; the closest school is Oak Grove Middle School, which is located 0.6 miles from the project site. In addition, through compliance with BAAQMD Regulation 11, Rule 2 BAAQMD Regulation 11, Rule 2 and LBP removal protocols, demolition activities associated with the Proposed Project would result in a minimal potential for asbestos and lead emissions. **Less than Significant**.

QUESTION D

There are no listings of hazardous materials incidents compiled pursuant to Government Code §65962.5 (Cortese List) within 1,000 feet of the project site. Implementation of the Proposed Project would not create a significant hazard to the public or environment. **No Impact**.

QUESTIONS E AND F

The Proposed Project would not result in a safety hazard for people residing or working on the project site. The project site is not located within two miles of land that is used as an airstrip, nor is it located within two miles of a public or private airport. **No Impact**.

QUESTION G

The Proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Proposed Project would be developed on existing open space and would not result in the blockage of access routes or evacuation routes adopted within an emergency response plan or emergency evaluation plan. In addition, the Proposed Project has implemented a standard fire department turnaround area

between houses 6 and 7 of the final site plan to ensure the efficiency of emergency response plans. **No Impact**.

QUESTION H

The Proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. **No Impact**.

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

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

3.9.1 ENVIRONMENTAL SETTING

Concord sits south of Suisun Bay. Surface water bodies within Concord include Mallard Reservoir, Walnut Creek, Pacheco Creek, Kirker Creek, Mt. Diablo Creek, Pine Creek, Galindo Creek, Grayson Creek, Clayton Canal, Contra Costa Canal, and slough and wetlands located along the bay. The City is primarily in the Mt. Diablo Creek and Walnut Creek watersheds. Concord is underlain by two groundwater basins, Clayton Valley and Ygnacio Valley.

The project site is located within an urban setting with storm water draining either to the City municipal system or the flood control canal (discussed below under *Flooding*). Apart from the CCCFCD canal, the project site has no direct access to surface waters and therefore currently does not directly discharge to a surface water feature. The City is incorporated into the Contra Costa Clean Water Project and associated National Pollutant Discharge Elimination System (NPDES) Permit for municipal storm water systems (Municipal Regional Permit). Provision C.3 in the Municipal Regional Permit requires site designs for new developments and redevelopments to minimize the area of new roofs and paving. Where feasible, pervious surfaces should be used instead of paving so that runoff can infiltrate to the underlying soil. Remaining runoff from impervious areas must be captured and used or treated using bioretention. In some developments, the rates and durations of site runoff must also be controlled. The C.3 requirements are separate from, and in addition to, requirements for erosion and sediment control and for pollution prevention measures during construction. Adherence to the C.3 requirements minimizes water quality impacts from new development to maintain regional compliance with the Municipal Regional Permit.

There is an existing domestic well located on the project site just south of the existing fence and residence (located on the northern part of the project site) and just southeast of the existing shed. This well is currently not in use and is planned to be capped.

FLOODING

Flood zone mapping by the Federal Emergency Management Agency (FEMA) indicated that the project site is prone to flooding near the Contra Costa Canal Ditch No. 2 (on the east side of the project site) and further discussion on FEMA mapping for the project site is attached as **Appendix H**. FEMA Flood Insurance Map, Community-Panel Number 06013C0283F and located in area designated as "Zone AE within the canal and Zone X (500 year floodplain)

outside of the channel." FEMA categorizes a 1 percent annual flood (100-year flood) or "base flood" as a flood that has a 1 percent chance of being equaled or exceeded in any given year. The flood zone AE is an area in which base flood elevations have been determined. Flood zone X areas are areas of minimal flooding , which are outside of the Special Flood Hazard Areas and higher than the elevation of the 0.2 percent annual chance of flood (also known as the 500-year flood) (FEMA, 2009). There are no off-site areas draining onto the project site. The site drains by overland flow either to the existing flood control canal or the existing drainage ditch along the southeast side of Risdon Road.

In the early 1950's, CCCFCD was formed to provide flood protection. A series of flood control channels and ditches were constructed beginning in the early 1950's to protect structures and the City. CCCFCD's Ditch Number 2 runs through the project site on the east side. Ditch No. 2 was constructed sometime between 1958 and 1968, according to an online database (HistoricAerials, 2015). The flow line of the canal is typically about nine feet below the adjacent grades. The slopes of the side of the canal are about 2:1 (horizontal: vertical). The total drainage area for Ditch No. 2 is 5.40 square miles. Where the canal crosses under Risdon Road and David Avenue, existing concrete drop structures limit the potential for erosion of the canal. The banks are currently vegetated with grasses and scattered trees. At the drop structures, there are approximately 20 feet of grouted riprap for the full height of the bank. An unpaved 22-foot wide service road is situated along the entire southwest side of the canal from Risdon Road to David Avenue and is located within the CCCFCD easement. The canal was be constructed by an excavation into the native soils and alluvium. There was no fill indicated during the October 14, 2014 (**Appendix I**) survey conducted by ENGEO, nor was instability indicated through borings.

3.9.2 IMPACT DISCUSSION

QUESTION A

STORMWATER

As discussed in **Section 2.2**, the Proposed Project has been designed to conform to the stormwater quality requirements of the City of Concord Design Review Application Checklist and the Contra Costa County Clean Water Program's Stormwater C.3. Guidebook (C.3 Guidebook). Stormwater generated from the impervious surfaces of the Proposed Project would be treated via a bioswale that would run the length of the eastern boundary of the project site, adjacent to the CCCFCD easement. With project site design in compliance with the C.3 Guidebook which, when followed, provides for compliance with the Municipal Regional Permit and associated waste discharge requirements and adequately sized infrastructure (refer to **Section 3.17** for the analysis of stormwater infrastructure), implementation of the Proposed Project and subsequent treatment of the waste generated by the new residences would not result in CCCSD violating the waste discharge requirements of the Municipal Regional Permit and water quality would not be significantly impacted. **Less Than Significant**.

WASTEWATER

Wastewater would be conveyed to the Central Contra Costa Sanitary District (CCCSD) Wastewater Treatment Plant in Martinez (WWTP) for treatment and disposal. The WWTP operates under an NPDES permit and associated waste discharge requirements issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) under order number R2-2012-0016 (Order) that prevent impacts to receiving water quality. The Order establishes numerical limitations for biological activity (carbonaceous biological oxygen demand), total suspended solids, oil and grease, pH, bacteria, copper, cyanide, dioxin-TEQ, acrylonitrile, Bis(2-ehtylhecy) phthalate, and ammonia. The CCCSD treatment system was designed to handle residential waste and must satisfy the numerical requirements or the RWQCB has the authority to levy penalties, impose cease and desist orders, and issue moratoriums for new sewer service connections if waste discharge requirements are violated. The proposed residences would generate waste that is within the design parameters of the wastewater treatment facility and therefore would not introduce a new source of pollutants that could result in exceeding the numerical limitations. The addition of residential wastewater would not cause CCCSD to exceed wastewater treatment requirements as established by the Order to protect water quality (infrastructure capacity is assessed in **Section 3.17**); thus, a less-than-significant impact would occur. **Less than significant**.

QUESTION B

Potable water would be supplied through the City Public Works Department and no groundwater wells would be developed on site. The existing on-site well would be capped and could no longer be used. Minimal increase in consumption of surface water resources attributable to the eight new residential units would result from the Proposed Project. **Less-Than Significant**.

QUESTION C AND D

The Proposed Project would not significantly alter the drainage patterns existing on the project site or surrounding area as there would be minimal grading and the existing drainage patter would be kept in the same direction (easterly). There would be a minimal impact on erosion and siltation through the development of the bioswale and "green space" as a buffer between the development and the CCCFCD canal. In addition, the storm water generated under the Proposed Project would drain to the City's municipal system, consistent with existing conditions. Accordingly, the Proposed Project would not alter the existing drainage pattern or the site or area through alteration of or course of a stream, river, or substantially increase the amount of runoff which would result in flooding. **Less Than Significant**.

QUESTION E

The project site would contain a bioswale area that will convey runoff and reduce runoff pollutants from the developed impervious areas preventing runoff generated by the new impervious surfaces of the Proposed Project from entering the CCCFCD channel Ditch No.2. According to pre- and post-development runoff calculations submitted by the Applicant to the City, the bioswale would also reduce the Proposed Project's peak stormwater flow rate to a level below the existing peak stormwater runoff rate at the project site. Accordingly, the Proposed Project would not create runoff water which would exceed the capacity of existing or planned

stormwater drainage systems (Parsons, 2015.) . Refer to **Question A** regarding the storm water quality of runoff generated by the Proposed Project. **Less than Significant**.

QUESTION F

The Proposed Project would not cause a degradation of water quality due to the design features incorporated into the Proposed Project specifically to address stormwater quality. The final design of the Proposed Project includes a bioswale area to reduce runoff and water quality issues, as well as grading implementations to reduce runoff on impervious surfaces. **No Impact**.

QUESTION G AND H

The Proposed Project would not place housing in a 100-year flood hazard zone area. As stated above, the project site is located in area designated as "Zone AE within the canal and Zone X (500 year floodplain) outside of the channel." Zone AE corresponds to the ability of the channel to contain the a 500 year flood event resulting in the areas outside of the canal being designed as being located outside of a 500 year flood plain (Zone X). Accordingly, with all construction activity proposed within the Zone X or zone outside of the 500-year floodplain, there would be no structures which would impede or redirect flood flows as a result of the Proposed Project. **No Impact**.

QUESTION I

The Proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including the failure of a dam or levee as there are no dams or levees upstream or on the project site. **No Impact**.

QUESTION J

There are no tsunami inundation areas in the Walnut Creek Quadrangle where the project site is located. The closest tsunami inundation is in the Benicia Quadrangle, located northwest of the project site. The project site is not located adjacent to a lake nor is the portion of the Bay susceptible to seiche. The project site is located in an area with generally flat topography. Because there are no drastic changes in elevation, there are no risks of mudflows onto the project site or as a result from development of the Proposed Project. The Proposed Project would not cause inundation by seiche, tsunami, or mudflow. **No Impact**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.10 LAND USE AND PLANNING				
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

3.10.1 ENVIRONMENTAL SETTING

Single-family residential is the most significant land use within the city limits according to the land use designation. The project site is not within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other conservation plan.

3.10.2 REGULATORY SETTING

The Development code defines zoned residential areas as RR, RS, RL, RM, and RH. The project site is located on RS7. The RS District is applied to areas of the City appropriate for single-family residential uses in neighborhoods at densities of 2.5 to 10 units per net acre, subject to appropriate standards. The RS zoning districts generally apply to the single family residential districts with development existing at the time of the adoption of the Development Code on July 24, 2012. The specific allowable density for each parcel is shown on the Zoning Map by a numerical suffix residential density designator (RS-12, RS-10, RS-8, RS-7.5, RS-7, and RS-6) corresponding to the minimum lot size (12,000, 10,000, 8,000, 7,500, 7,000, 6,000 square feet, respectively. The RS District is consistent with and implements the Low Density Residential (LDR) land use designation of the General Plan.

The proposed rezone if selected by the Applicant would be RL (Residential Low Density): The RL District is applied to areas of the City appropriate for low density residential uses in a neighborhood with predominately detached single-family dwellings, but allows a diversity of compatible housing types and lot sizes from larger lot single-family dwellings to cottages, cluster, courtyard, and patio homes, and duplexes, at densities of 2.5 to 10 units per net acre. The RL District requires a minimum of1,920 square foot lot area and is consistent with and implements the LDR land use designation of the General Plan.

3.10.3 IMPACT DISCUSSION

QUESTION A

The project site currently consists of residential land use, although a majority of the project site is undeveloped. Implementation of the Proposed Project would be a continuation of the surrounding residential development. Implementation of the Proposed Project would not impact the transportation network nor establish a barrier for residents to move amongst the community. Although, the Proposed Project would not physically divide an established community, implementation would result in the elimination of the exclusive 20-foot roadway and utility easement centered on the southwest property line. The easement is not currently utilized and therefore removal would result in a less-than-significant impact to land use. **Less Than Significant.**

QUESTION B

The 2030 General Plan designation for the project site is Low Density Residential (LDR). With the project's proposal for eight on-site units on a 2.02-acre site, the resulting unit density of 10 units per acre would comply with the 2030 General Plan Designation density range (2.5 to 10).

Under the development code, the project site is currently zoned as RS-7 requiring minimum net lot sizes of 7,000 square feet. The net lot size excludes rights of ways and other environmental or development constraints such as the proposed access lane and the 72-foot CCCSD easement on the project site. Implementation of the Proposed Project would result in the development of net lot sizes ranging from 3,653 feet to 6,779 feet. Therefore, the Proposed Project would not comply with the existing zoning. Accordingly, the Applicant is requesting a rezone of the project site as part of the Proposed Project, which has been designed to be consistent with the RL zoning and associated development requirements as described in **Section 2.2**. In accordance with Section 18.455.070 of the Development code, the rezoning may only be approved if all of the following applicable findings are made:

1. The proposed amendment is consistent with the general plan.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

3. Zoning map amendments shall also find that the affected site is physically suitable, including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities, for the requested zoning designation and proposed or anticipated uses and/or development.

As stated above, the resulting unit density of the Proposed Project of 10 units per acre is consistent with the 2030 General Plan Low Density Residential land use designation of the project site. As shown in **Figure 4**, the rendition of the Proposed Project indicates that the lot alignments and home orientations would be compatible and well integrated with the existing neighborhood and would not be detrimental to the public interest, convenience, or welfare of the City. For example, the proposed homes would align with the residential units along the western

border of the project site. Within an area similar to that of the Proposed Project, the RS-7 district supports development of six residential units. The variance to the RS-7 zoning district requested by the Applicant would result in the development of eight residential units. The increase in density of two additional homes in the same general housing area within the existing zoning district would be well integrated into the neighborhood and would not appear to result in an obvious clustering of homes inconsistent with the existing zoning requirements. Furthermore, the development would not interfere with the flood protection provided by the CCCSD canal located along the eastern boundary of the project site and the proposed development includes an emergency services vehicle turn-around area between lots 6 and 7 for ease of access. All public service and utility amenities would be easily accessible and development would not endanger, jeopardize, or otherwise constitute a hazard to the public. With the inclusion of the private easement to allow development of the access road, and with the dedication of the right-of-way of the project frontage along the northern border of the project site, implementation of the Proposed Project would provide additional parking amenities to the neighborhood as well as improve pedestrian safety through the widening of Risdon Road and the associated development of sidewalks. With the proposed rezoning, the Proposed Project would comply with regulations and policies related to the new designations or development requirements and would meet the findings required for approval of the rezone in accordance with the Development code. Accordingly, implementation of the Proposed Project would result in a less-than-significant impact to the applicable land use plan, policy, or regulation. **Less Than Significant**.

QUESTION C

There will be no conflicts with any applicable habitat conservation plan or natural community conservation plan. **No Impact**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.11 MINERAL RESOURCES				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

3.11.1 ENVIRONMENTAL SETTING

The project site is not currently being mined nor does it have a known valuable mineral resource (California Department of Natural Resources, 2015). The project site is not a main access point for any other mined resources in the area. Mineral and aggregate resources exist in areas on the southern limits of the City. Access to these resources is restricted by existing developed areas in residential neighborhoods and commercial developments along with existing roadways.

3.11.2 IMPACT DISCUSSION

QUESTIONS A AND B

Based on the lack of valuable mineral resources on the project site, the Proposed Project will not result in the loss of availability of a known mineral resource that would be of future value to the region and residents of the state, nor would it result in the loss of availability of a locally important mineral resource recovery site. **No Impact.**

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.12 NOISE				
Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing in or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing in or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.12.1 ENVIRONMENTAL SETTING

The major existing noise source in Concord is vehicle traffic, including the Bay Area Rapid Transit (BART) system which is located approximately 250 feet south of the project site. The BART tracks are elevated and noise from BART tends not to be amplified towards the project site, however the BART train does cause light vibrations and a low-toned noise that can be heard from all the way to the north end of the project site. To the north, east, and west of the project site, the main sources are from residential and neighborhood daily noise.

A noise survey was conducted on April 30, 2015 at three locations on the project site (**Figure 6**). The first reading (Site A) was taken on the northern part of the project site on the driveway of the existing abandoned residence, the second reading (Site B) was taken near the center of the project site just south of a set of large trees, and the last reading (Site C) was taken on the southern side of the project site. Readings were taken between 10:15 a.m. and 11:10 a.m.

SOURCE: DigitalGlobe aerial photograph, 6/9/2014; AES, 9/25/2015

Figure 6
Noise Monitoring Sites

The ambient noise levels were found to be between 47.6 and 49.2 A-weighted decibels (dBA). A-weighted decibels are an expression of the relative loudness of sounds in air as perceived by the human ear; equipment is corrected to reduce readings of low frequencies. This correction is made because the human ear is less sensitive at low audio frequencies, especially below 1000 Hz, than at high audio frequencies. Due to the surrounding land uses of residential streets and residences, ambient noise levels would not vary significantly during the day. The BART approximately 250 feet south of the Proposed Project site is the main source for noise. The BART runs every 15 minutes and on average for 20 hours each day (weekends run different hours), an evening noise monitoring is not expected to produce dissimilar results. A table with each site noise monitoring detail is listed below:

Table 4
SUMMARY OF 15-MINUTE NOISE LEVEL MEASUREMENTS

Site	Date (2015)	Start Time	End Time	Noise Source	Receptor	Measure Noise Level (dBA Leq)[1]
A	April 30	10:15am	10:30am	Risdon Road, Residences, BART	Residential	49.2
B	April 30	10:35am	10:50am	Risdon Road, Residences, BART	Residential	48.3
C	April 30	10:54am	11:09am	Risdon Road, Residences, BART	Residential	47.6

Source: AES Noise Monitoring, 2015.
1) All measurements are A-Weighted.

SENSITIVE NOISE RECEPTORS

Some land uses are considered more sensitive to noise than others due to the amount of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities typically involved. Residences, motels and hotels, schools, libraries, churches, hospitals, nursing homes, auditoriums, and parks and other outdoor recreation areas generally are more sensitive to noise than commercial and industrial land uses. A sensitive receptor is defined as any living entity or aggregate of entities whose comfort, health, or well-being could be impaired or endangered by the existence of noise.

The closest sensitive receptor is located approximately 10 feet from the project site boundary on the west side and approximately 20 feet from the extent of planned grading. This sensitive receptor is a residence where the existing homeowner has built an addition onto the exclusive 20-foot roadway and utility easement centered on the southwest property line (closer to the project site) than the other homeowners surrounding the project site (**Sheet 10** of **Appendix B**). The next closest sensitive receptor on the west side of the project site is located approximately 35 feet from the extent of the planned grading area.

CITY OF CONCORD NOISE RESTRICTIONS

City Municipal Code section 8.25020(1)(y) restricts the hours that construction work can take place to reduce noise impacts on the public near construction projects. Allowed construction times are Monday-Friday 7:30a.m. until 6:00p.m. and 8:00a.m. until 5:00p.m. on the weekends. Construction activities will not take place outside of the allowed hours unless otherwise

indicated on the use permit or building permit or imposed under an environmental mitigation and monitoring program.

3.12.2 IMPACT DISCUSSION

QUESTION A

During construction, the Proposed Project would expose persons to noise levels in excess of standards established in the local general plan. The duration of the construction would be reduced as all houses will be completed in one phase and as discussed in **Section 2.2**, construction would be limited to the times provided in the Municipal Code. Noise impacts resulting from construction would depend on: 1) the noise generated by various pieces of construction equipment; 2) the timing and duration of noise generating activities; 3) the distance between construction noise sources and noise sensitive receptors; and 4) existing ambient noise levels.

As discussed in **Section 2.2.7**, construction contractors are required use power construction equipment with state-of-the-art noise and muffling devices. All internal combustion engines used on the Proposed Project shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components. Construction contractors shall locate stationary noise generating equipment as far as possible from sensitive receptors.

As stated in **Section 2.0** under *Landscaping*, a privacy fence would be installed on the west and south sides of the project site to buffer noise generated from construction and operational sources. A five-foot buffer planter strip would also be installed and implemented with fast-growing shrubs and trees to decrease noise sources from construction and operation of the Proposed Project.

Post-construction would not expose persons to noise levels in excess of standards established in the local general plan. The Proposed Project would occur only between the allowed hours for any on-site or off-site work. Ambient noise levels would be consistent with the local surroundings of residential noise. **Less Than Significant**.

QUESTION B

The Proposed Project would not expose persons to excessive ground borne vibrations or ground borne noise levels. Generally, excessive vibration is only an issue when construction requiring the use of equipment with high vibration levels (i.e., compactors, large dozers, etc.) occurs within 25 to 100 feet of an existing structure. Impact pile driving, which typically produces the highest vibration levels, is not anticipated to occur. No pile drivers, blasting, or major earthmoving with large dozers would take place during construction. All equipment, as stated in **Section 2.0**, would be considered standard construction equipment would not produce substantial vibration of the project areas. Given the infrequent use of heavy equipment and the distance to the nearest sensitive receptor, exposure to groundborne vibration from construction activities would be minimal.

Operation of the Proposed Project would not create groundborne vibration. There would be no post-construction ground borne vibrations caused by the Proposed Project as single-family residences surround the project site and only single-family residences would be built and the impact would be less than significant. **Less Than Significant**.

QUESTION C

The Proposed Project consists of an eight-house subdivision which is consistent with the surrounding residential land uses and would not substantially increase the permanent ambient noise levels in the project vicinity above existing levels. As described in **Section 2.2**, a privacy fence 6 feet high with an addition 1.5 feet of decorative lattice for a total of 7.5 feet-high would be constructed on the south, west and partially north side of the project site to reduce impacts of permanent noise sources. Landscaping would be consistent with all surrounding landscaping and would be also used as a sound buffer. The southernmost house would be fixed with triple-paned windows and added insulation and thicker walls to reduce sound from the BART system. **Less than Significant**.

QUESTION D

There would be a temporary increase in ambient noise levels in the project vicinity during the construction phase of the Proposed Project. Refer to the discussion under *Question A* concerning construction noise. Development of the Proposed Project would result in noise levels and durations consistent with the existing residential setting. **Less Than Significant**.

QUESTIONS E AND F

The Proposed Project is not located within an airport land use plan or within two miles of a public airport, public use airport or a private airstrip exposing people residing in or working in the project area to excessive noise levels. The closest airport is Buchannan Field Airport located approximately 4.3 miles north of the project site. **No Impact**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.13 POPULATION AND HOUSING				
Would the project:				
a) Induce substantial population growth in an area either directly (*e.g.*, by proposing new homes and businesses) or indirectly (*e.g.*, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.13.1 ENVIRONMENTAL SETTING

The City had a population of 122,067 in 2010, and Contra Costa County had a population of 1,049,025, with a projection for 2015 of 125,826 and 1,085,733 respectively (U.S. Census, 2010). There were an estimated 44,878 households within the City in 2010, with an approximate 2.73 persons per household (U.S. Census, 2010). According to the Regional Housing Needs Allocation, between 2014 and 2022 the City needs an additional 2,236 homes for moderate to above moderate income households (City of Concord, 2014).

3.13.2 IMPACT DISCUSSION

QUESTIONS A THROUGH C

Based on the conservative assumption that each of the 8 single family residences will house 1 standard family of 5 individuals, there will be an estimated maximum population increase of 40 individuals as a result of the Proposed Project. The Proposed Project would not induce substantial population growth in the area directly or indirectly. Removing one residence to develop eight would not constitute displacement of a substantial number of existing housing units or people necessitating the construction of housing elsewhere. The Proposed Project assists the City in meeting the Regional Housing Needs Allocations. **No Impact**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact

3.14 PUBLIC SERVICES

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

a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

3.14.2 ENVIRONMENTAL SETTING

The project site is located in a residential area that is served by the Contra Costa Police Department. The City of Concord is divided into six beats of patrolling areas. The project site is located in the third beat and is normally patrolled by one or two officers. Each beat consists of an approximate 22,000 citizens. Between January 1, 2015 and April 6, 2015 there have been 51 service calls in beat #3 (CPD, 2015).

The nearest Fire Department Station to the project site is the Contra Costa Fire Training Center on Treat Boulevard which is an active fire station with up to 4 engines working at any given time. Treat Boulevard is approximately 0.9 miles south of the project site and response time is approximately five minutes for emergency calls (CPD, 2015).

The project site is located in the Mt. Diablo Unified School District, the 23rd largest school district in the State has an approximate 33,977 students attending (Niche, 2015). This District is composed of 31 elementary schools, 9 middle schools, 5 high schools, and 19 alternative schools and programs. **Table 5** lists the closest schools to the project site of which none have been reported as being overcrowded.

The closest city park, Ygnacio Valley Park, is located approximately 0.22 miles east of the project site. Ygnacio Valley Park is located at the northeast corner of Oak Grove Road and David Avenue. The total area of the park is 9.5 acres consisting of ball fields, jogging paths, picnic and barbeque facilities, and is a popular children's play area with a large expanse of turf for free play.

TABLE 5
NEARBY SCHOOLS

School	Location Relative to the Project Site (miles)	Within Mt. Diablo Unified School District?
Ygnacio Valley Elementary	0.75 Northeast	Yes
Woodside Elementary	2.0 East	Yes
Oak Grove Middle	0.6 South	Yes
Ygnacio Valley High	3.0 Southeast	Yes
De La Salle High	2.0 South	No

3.14.2 IMPACT DISCUSSION

QUESTIONS A THROUGH E

The Proposed Project would not result in a an increase in the use of public services that would result in the need for new or physically altered government facilities, the construction of which could impact the environment. With the development of eight residences, construction and operation of the Proposed Project would not cause significant impacts to service ratios, response times, or other performance objectives to fire protection, police protection, parks, or other public facilities in the area. Assuming each of the eight residences would house a family of five, three of those individuals are assumed to be school-aged children. Therefore, a conservative assumption would be that implementation of the Proposed Project would result in the addition of 24 children to the nearby schools. **Less Than Significant**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.15 RECREATION				
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.15.1 ENVIRONMENTAL SETTING

As previously discussed, Ygnacio Valley Park is the closes park to the project site. Len Hester Park is located approximately 0.90 miles west of the project site and approximately 1.6 miles driving/walking distance. Len Hester Park is composed of 9.5 acres of gently rolling terrain with lawn and trees suitable for children's play, walking, jogging, and has several picnic areas located throughout.

3.15.2 IMPACT DISCUSSION

QUESTION A AND B

Assuming 40 new individuals would inhabit the neighborhood after development, with over 9.5 acres of parks within 0.90 miles of the project site, the Proposed Project would not increase the use of existing neighborhood parks or recreational facilities such that a substantial accelerated physical deterioration of the 9.5 acres of facilities would occur. There would be no recreational facilities included in the Proposed Project, nor would it require expansion of recreational facilities that may have an adverse physical effect on the environment. **No impact.**

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.16 TRANSPORTATION AND CIRCULATION				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (*e.g.*, sharp curves or dangerous intersections) or incompatible uses (*e.g.*, farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of such facilities?	☐	☐	☒	☐

3.16.1 ENVIRONMENTAL SETTING

Roadways are the primary existing transportation facilities within the City. The existing roadway network near the project site consists of local streets. Existing bicycle, pedestrian, and transit facilities are also present in the city and are located within 0.25 miles of the project site. Major roadways within the city limits are Interstate 680, State Routes 4 and 242, Willow Pass Road, Clayton Road, Monument Boulevard, Ygnacio Valley Road, Concord Avenue, and Treat Boulevard. Transit service in Concord is provided by County Connection bus and two BART

stations within the City which connect via the BART tracks located just south of the project site within 250 feet.

The Buchanan Field Airport is located on Sally Rise Drive approximately 4.3 miles north of the project site. The Buchanan Field Airport has an average of 225 operations per day and 392 aircraft that are based there (FlightAware.com, 2015).

Risdon Road boarders the project site to the north. Risdon Road narrows from its connection to Faned Way heading east towards the project site. This narrowing does not allow for adequate public parking along the side of the road, nor does it provide a safe pedestrian environment. The Proposed Project will widen this section of Risdon Road from the current 44 feet to 49 feet. There will be a dedicated 1,050 square foot right-of-way to the City adjacent to the project site and Risdon Road. This right-of-way will allow pedestrians to walk along Risdon Road safely. All gutter and curb infrastructures will be per City standards, with an open curb every 12 feet on center to allow for surface drainage to the CCCFCD facilities.

Regional access to the project site is provided via Monument Boulevard to the north and Treat Boulevard to the south of the project site. Both provide access from SR 242/Interstate 680 to Oak Grove Avenue hence Risdon Road and the project site. The Pittsburg/Bay Point BART line provides access from Pittsburg in the East Bay to Millbrae in the southern portion of the San Francisco Peninsula in San Mateo County.

To avoid an inadequate access for emergency vehicles, the Proposed Project contains a fire engine/ emergency services turn-around area located between the residences of #6 and #7 which is a standard size under the City's planning division.

3.16.2 REGULATORY SETTING

The City follows guidelines under the 2011 Contra Costa Congestion Management Program (CMP), which requires every jurisdiction to conduct a traffic impact analysis for any proposed development project, development plan, or General Plan Amendment that would generate more than 100 vehicle trips in the peak hour (Page v, CCTA, 2013). Under the CMP, and using the highest trip generation rate published by the Institute of Transportation Engineers for P.M. peak hour trips generated by single-family detached homes (2.98 trips per residence), the addition of eight new residences would result in the addition of approximately 24 weekday P.M. peak hour vehicle trips to the existing roadways (ITE, 2008) and therefore does not warrant the development of a traffic impact study and impacts to levels of services are assumed to be less than significant.

3.16.3 IMPACT DISCUSSION

QUESTIONS A, B, AND F

The Proposed Project and associated development of eight homes within an area designed in the General Plan and Zoning Ordinance for residential development would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking in account all modes of transportation including mass transit

and non-motorized travel and relevant components of the circulation system including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. The Proposed Project would not conflict with an applicable congestion management program including level-of-service standards and travel demand measures, or other standards established by the county due to the low number of new units that would be developed. As discussed above, the Proposed Project will increase safety and traffic flow by widening Risdon Road where it connects with the project site. **Less Than Significant**.

QUESTIONS C THROUGH E

The Proposed Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. There would not be a substantial increase in hazards due to a design feature or incompatible uses with the Proposed Project. There would not be a result of inadequate emergency vehicle/ service access due to the Proposed Project, as stated above, the implemented designs allow for a turn-around for emergency medical and service vehicles and personnel. **No Impact**.

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

3.17.1 ENVIRONMENTAL SETTING

CCCSD permits, inspects and treats wastewater discharged by the business and residences of Concord. Wastewater within CCCSD is primarily conveyed to the Central Contra Costa Sanitary District Treatment Plant (CCCSDTP) through pipes by the force of gravity. Located in Martinez, the plant has a treatment capacity of 54 million gallons per day (mgd) and 240 mgd of wet weather flow. The facility is staffed 24 hours a day, 365 days a year. Wastewater moves through the District's 1,500 miles of sewer lines, finally arriving at the plant's headworks to begin treatment. Most of the wastewater is treated to a secondary level, disinfected by ultraviolet light, and then discharged into Suisun Bay. Approximately 600 million gallons per year are treated to

a tertiary level through additional filtration and disinfection before being distributed as recycled water for landscape irrigation, industrial processes, and plant operations (CCCSD, 2009).

Contra Costa Water District acts as the city's water supplier, providing water supplies to the City municipal system from the Sacramento/ San Joaquin Delta. CCWD serves treated and raw water to central and eastern parts of the county.

According to the City Public Works Department, existing sewer lines at the intersection of Whitman Road and Getoun Drive, and Whitman Road and Oak Grove Road, are currently flowing at less than one-half and one-third, respectfully, of the pipes' capacities.

The Concord Disposal Service handles the residential and commercial waste stream in the City of Concord, collecting both solid waste and recycled materials. All solid waste will go to the local landfill called Keller Canyon Landfill. The capacity is at approximately 63,400,000 cubic yards (or 85 percent) and is expected to last until year 2030 (PlaceWorks, 2014). Pacific Gas & Electric Company (PG&E) is the gas and electric provider for the project site. PG&E serves most of Contra Costa County.

3.17.2 REGULATORY SETTING

The City is responsible for most of the wastewater collection system, while treatment service is provided by the CCCSD. CCCSD has sufficient existing infrastructure capacity to provide wastewater treatment service to additional planned development that could be served by the City's system. CCCSD's effluent discharge limit would be sufficient to accommodate wastewater expected to be generated from currently planned growth within the Central service area. However, redevelopment projects within the City could eventually require an amendment to the National Pollution Discharge Elimination System (NPDES) permit to reflect higher effluent volumes. New wastewater collection lines will be needed to serve the Concord Reuse Project, and improvements to transmission mains and pumping stations in North Concord may also be needed. A growing percentage of the wastewater received at the CCCSD treatment plant is treated to a level high enough to enable its reuse for irrigation and other non-potable purposes within the service area.

In 2009, about 200 million gallons a year were treated at the plant and then recycled via a network of transmission facilities serving golf courses, parks, and other landscaped areas. CCCSD is exploring other ways to expand the use of reclaimed Concord 2030 water in order to be better prepared for drought and avoid future diversions of water from the Delta (General Plan, 2015).

3.17.3 IMPACT DISCUSSION

QUESTION A, B, AND E

The Proposed Project would not exceed wastewater treatment requirements as all regulations from the Regional Water Quality Control Board and associated permitted responsibilities of the CCSD will be followed and the development of eight homes would not result in permit upset conditions. With the addition of eight new residences, the Proposed Project would generate

approximately 6,410 gallons per day of wastewater, which accounts for 0.03 percent of the facility design flow (53,800,000 gallons per day). With an average daily flow rate of 30,400,000 gallons per day (Leavitt, 2015), adequate capacity remains at the treatment facility to serve the Proposed Project. Based on evidence from field inspections and observations of the wastewater conveyance system conducted by the City, it was determined that the Proposed Project's wastewater generation rate of 0.01 cubic feet per second (cfs) would not adversely impact the sanitary sewer system because of the observed available capacity within the system (approximately 29% available capacity in the smaller of the conveyance pipelines) (Parsons, 2015). The Proposed Project would not result in the need for a new water or wastewater treatment facilities or expansion of existing facilities. The existing wastewater treatment facility has adequate capacity to serve the Proposed Project's projected demand and existing obligations. **Less Than Significant**.

QUESTION C

According to City Public Works, the 33-inch storm drain which would receive the storm water generated by the Proposed Project after traversing through the bioswale has adequate capacity and no new municipal facilities would be required to serve the Proposed Project. **Less Than Significant**.

QUESTION D

According to a personal confidential communication with CCSD, there are sufficient water supplies available to serve the Proposed Project from existing entitlements. Accordingly no new facilities or new or expanded entitlements would be needed to meet the water demands of the Proposed Project. **No Impact**.

QUESTION F AND G

The Proposed Project will comply with all federal, state, and local statutes and regulations related to solid waste. The project site is within the service area of the Concord Disposal Service and all solid waste is taken to the Keller Canyon Landfill. The landfill is expected to have available capacity through the year 2030. Utilizing the most conservative daily solid waste generation rate published by CalRecycle (CalRecycle, 2015), each residence is anticipated to generate approximately 12.23 pounds of solid waste per household per day; resulting in a total daily solid waste generation rate of approximately 98 pounds per day for the Proposed Project. With a remaining permitted capacity over 63,000,000 cubic yards, the generation of 98 pounds of solid waste per day (which is roughly equivalent to 1.0 cubic yard of paper and cardboard) from the Proposed Project would not result in the exceedance of the landfill's permitted capacity. **Less Than Significant**.

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
3.18 MANDATORY FINDINGS OF SIGNIFICANCE				
Would the project:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☒	☐	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.18.1 IMPACT DISCUSSION

QUESTION A

As discussed in the preceding sections, the Proposed Project has a potential to create short term impacts which could degrade the quality of the environment by adversely impacting biological resources and cultural resources. However, with implementation of the identified mitigation measures, potential impacts would be reduced to a less-than-significant level. The long term effect of the Proposed Project is the overall safety improvement of the site as well as meeting the City's Regional Housing Needs Allocations. **Less Than Significant With Mitigation.**

MITIGATION MEASURES

Bio-1 A qualified biologist shall conduct a pre-construction bird survey for nesting birds within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in

a letter to CDFW and the City within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the City Planning Department prior to commencement of construction activities.

Bio-2 If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.

Bio-3 Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

QUESTION B

Potential adverse environmental impacts of the Proposed Project, in combination with the impacts of other past, present, and future projects, would not contribute to cumulatively significant effects on the environment with implementation of the above-mentioned mitigation measures. **Less Than Significant With Mitigation.**

MITIGATION MEASURES

Biological Resources

Bio-1 A qualified biologist shall conduct a pre-construction bird survey for nesting birds within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the City within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be

submitted to the City Planning Department prior to commencement of construction activities.

Bio-2 If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.

Bio-3 Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

Cultural Resource Impacts

CR-1 Stop Potentially Damaging Work if Archaeological Resources Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. If previously unrecorded cultural resources (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) are encountered during surveys of previously unexamined area where ground disturbance is planned or during project-related ground-disturbing activities, all ground-disturbing activities shall be halted within a 100-foot radius of the find. A qualified professional archaeologist shall identify the materials, determine their possible significance, and formulate appropriate measures for their treatment, which shall be implemented by the project applicants and their contractors. Potential treatment methods for significant and potentially significant resources may include, but would not be limited to avoidance of the resource through changes in construction methods or project design or implementation of a program of testing and data recovery, in accordance with all applicable federal and state requirements.

CR-2 Stop Potentially Damaging Work if Human Remains Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §7050.5 and §7052 and California Public Resources Code §5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities within a 100-foot radius

of the find shall be halted immediately and the project applicants' designated representative shall be notified. The project applicants shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The project applicant or its appointed representative and the professional archaeologist shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the property owner and the lead agencies shall determine the ultimate disposition of the remains.

QUESTION C

After the implementation of design features, municipal code requirements, and standard conditions of approval, there would be no environmental effects caused by the Proposed Project that will cause a substantial adverse effect on human beings, either directly or indirectly. **Less Than Significant**.

SECTION 4.0 – PREPARERS

ANALYTICAL ENVIRONMENTAL SERVICES

Project Manager	Trenton Wilson
Deputy Project Manager	Kassandra Dickerson
Technical Staff	Erin Quinn, Air Quality Specialist
	Charlane Gross, Archaeologist
	Peter Bontadelli, Senior Biologist
	Nicholas Bonzey, Biologist
	Dana Hirschberg, Senior Graphics Specialist
	Glenn Mayfield, Graphics Specialist

SECTION 5.0 – REFERENCES CITED

Bay Area Air Quality Management District (BAAQMD), 2010. California Environmental Quality Act Air Quality Guidelines. Available online at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Draft_BAAQMD_CEQA_Guidelines_May_2010_Final.ashx?la=en. Accessed June 8, 2015.

BAAQMD, 2013. Updated CEQA Guidelines Available online at: http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx. Accessed June 8, 2015.

BAAQMD, 2015. Available online at: http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm Accessed 4/10/2015

California Department of Conservation (DOC), 2013. Contra Costa County Tsunami Inundation USGS 24K Quads. Available online at: http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Contra Costa/Pages/ContraCosta.aspx. Accessed April 2015.

California Department of Forestry and Fire Protection (CAL FIRE), 2009. Contra Costa County FHSZ Map. Available online at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_contracosta.php

California Geological Survey (CGS), 2015. Seismic Shaking Hazards in California. Available online at: http://redirect.conservation.ca.gov/cgs/rghm/pshamap/pshamain.html. Accessed May 6, 2015.

California Department of Conservation, 2013. Williamson Act Mapping for years 2012/2013 in Contra Costa County. Available online at: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/contra_costa_12_13_WA.pdf. Accessed 6/14/2015.

California Department of Natural Resources, 2015. Contra Costa County Map of Mines, Quarries, Gas Wells. Available online at: http://cgsdigitalarchive.conservation.ca.gov/cdm/ref/collection/p16780coll6/id/384. Accessed 6/12/2015.

CalRecycle, 2015. Residiential Developments: Estimated Solid Waste Generation Rates. Available online at: http://www.calrecycle.ca.gov/wastechar/wastegenrates/Residential.htm. Accessed June 10, 2015.

City of Concord, 2013. City of Concord Citywide Climate Action Plan. Available Online at: http://www.cityofconcord.org/pdf/dept/planning/EIR/climate_study_review.pdf Accessed 4/27/2015.

City of Concord, 2014. City of Concord Housing Element Update – Final 2014-2022. Bae Urban Economics. Available online at:

http://www.cityofconcord.org/pdf/projects/housingElement/11072014.pdf. Accessed May 6, 2015.

City of Concord, 2015a. Concord 2030 General Plan. Available online at: http://www.cityofconcord.org/page.asp?pid=6100 Accessed 4/24/2015.

City of Concord, 2015b. Concord Municipal Code: A Codification of the General Ordinances of the City of Concord, California. Code Publishing Company Seattle, Washington. Available online at: http://www.codepublishing.com/ca/concord/ Accessed 4/24/2015.

City of Concord, 2015c. City of Concord Development Code. Title 18 Development Code. Effective Date: November 7, 2013. Available online at: http://www.codepublishing.com/ca/concord/ Accessed 4/27/2015.

Concord Police Department (CPD), 2015. City of Concord Police Department. Telephone Conversation Regarding Emergency Response Times and Capacities on April 6, 2015.

Central Costa County Sanitary District (CCCSD), 2009. Treatment Plant. Available online at: http://www.centralsan.org/index.cfm?navId=154 Accessed 4/23/2015

Contra Costa County, 2011. Contra Costa County Transportation Authority. Contra Costa Congestion Management Program 2011. Available online at: http://www.cccounty.us/DocumentCenter/Home/View/34173 Accessed 4/27/2015.

Contra Costa Transportation Authority, 2013. 2013 Contra Costa Congestion Management Program. Available online at: file:///N:/Projects/2015%20AES%20Projects/215507%20-%20City%20of%20Concord%20Autumn%20Brook%20IS/Transportation/2013%20CMP.pdf. Accessed June 10, 2015.

Department of Toxic Substances Control (DTSC), 2015a. EnviroStor. Available online at: http://www.envirostor.dtsc.ca.gov/public/. Accessed May 1, 2015.

Farmland Mapping and Monitoring Program (FMMP), 2015. City of Concord Farmland Mapping Program. Available online at: http://maps.conservation.ca.gov/ciff/ciff.html Accessed 4/10/2015.

Federal Emergency Management Agency (FEMA), 2009. Walnut Creek flood map 06013C0283F, effective on 06/16/2000. Available online at http://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O_X=10455&O_Y=6835&O_ZM=0.106978&O_SX=844&O_SY=751&O_DPI=400&O_TH=60762025&O_EN=60838951&O_PG=1&O_MP=1&CT=0&DI=0&WD=14400&HT=10350&JX=982&JY=812&MPT=0&MPS=0&ACT=0&KEY=60761521&ITEM=1&ZX1=375&ZY1=519&ZX2=443&ZY2=564. Accessed on June 3, 2015.

HistoricAerials.com (HistoricAerials), 2015. Concord, California Historic Aerial Photographs. Available online at: http://www.historicaerials.com/ Accessed 4/24/2015.

Institute of Transportation Engineers, 2008. Trip Generation, 8th Edition.

Leavitt, Russell; 2015. Engineering Assistant III, Contra Costa County Central Sanitation Department, Wastewater Treatment Phone conversation on 8/6/2015 regarding capacity and average daily flows.

National Resource Conservation Service (NRCS), 2015. Available online at: http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/about/?cid=stelprdb1041450 Accessed 5/1/2015.

Niche, 2015. Niche.com K-12 School District Ranks and Information. Available online at: https://k12.niche.com/rankings/public-school-districts/largest-enrollment/s/california/. Accessed 6/24/2015.

Parsons, Jim 2015. Email communication dated September 2, 2015 regarding the Autumn Brook Sewer Conclusion 13019-11-0340. Received September 2, 2015 at 9:32 A.M.

PlaceWorks, 2015. Initials Study and Environmental checklist: Housing Element Update (201-2022) Project. Available online at: http://www.cityofconcord.org/pdf/projects/housingElement/09102014.pdf. Accessed June 10, 2015.

Society of Vertebrate Paleontology (SVP), 1995. SVP News Bulletin. Society of Vertebrate Paleontology 163(February).

U.S. Census, 2010. Population and Housing Available online at: http://quickfacts.census.gov/qfd/states/06/0616000.html Accessed on 4/10/2015

United States Code, 2015. United States Code Chapter 16 §1533c. Endangered Species and Threatened Species. Available online at: https://www.law.cornell.edu/uscode/text/16/1533. Accessed 6/10/2015.

CITY OF CONCORD AUTUMN BROOK SUBDIVISION PROJECT

MITIGATED NEGATIVE DECLARATION

MITIGATION MONITORING AND REPORTING PROGRAM

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code. A MMRP is required for the Approved Project because the Mitigated Negative Declaration (MND) has identified potential adverse effects that will be reduced to less-than-significant levels through the implementation of mitigation measures. The numbering of the individual mitigation measures follows the numbering sequence as found in the MND.

Mitigation Monitoring and Reporting Program

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the MND.

The City of Concord (City) will be the primary agencies responsible for implementing the mitigation measures. The City may choose to require the project contractor to implement specific mitigation measures prior to and/or during construction. In some cases, the City or other public agencies will implement measures.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken verbatim from the MND, in the same order that they appear in the MND.
- **Timing/Frequency of Action:** Identifies at which stage of the project mitigation must be completed and how it will be implemented.
- **Responsible of Implementing:** Identifies the agency or department within the City responsible for implementing the mitigation measure.
- **Responsible for Monitoring:** Identifies the agency or department within the City responsible for mitigation monitoring and enforcement.
- **Verification of Compliance:** Identifies the initials of the responsible agency's representative and the date the representative verified implementation of the specific mitigation measure.

Mitigation Monitoring and Reporting Plan

	Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
3.4	**BIOLOGICAL RESOURCES**					
3.4.3a	A qualified biologist shall conduct a pre-construction bird survey for nesting birds within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the City within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the City Planning Department prior to commencement of construction activities.	Prior to issuance of grading building permits	PD/CDFW	PD/CDFW	Verify completion of surveys and submittal of letter reports	
3.4.3b	If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.	Prior to construction	PD/CDFW	PD/CDFW	Verify completion of surveys and additional stipulated mitigation if necessary	
3.3-4c	Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are	Prior to construction	PD/CDFW	PD/CDFW	Verify completion of survey	

PD = City of Concord Planning Division; PWS= City of Concord Public Works Services; CDFW = California Department of Fish and Wildlife; USFWS = United State Fish and Wildlife Service; NAHC = Native American Heritage Commission; MLD = Most Likely Descendant

	Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
	located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.					
3.5.3	**CULTURAL**					
3.5.3a	Stop Potentially Damaging Work if Archaeological Resources Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. If previously unrecorded cultural resources (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) are encountered during surveys of previously unexamined area where ground disturbance is planned or during project-related ground-disturbing activities, all ground-disturbing activities shall be halted within a 100-foot radius of the find. A qualified professional archaeologist shall identify the materials, determine their possible significance, and formulate appropriate measures for their treatment, which shall be implemented by the project applicants and their contractors. Potential treatment methods for significant and potentially significant resources may include, but would not be limited to avoidance of the resource through changes in construction methods or project design or implementation of a program of testing and data recovery, in accordance with all applicable federal and state requirements.	Ongoing and During Construction	PWS	PWS	Verify that a qualified archaeologist would be available. If any find is determined to be significant, verify completion and implementation of Treatment Plan according to current professional standards	

PD = City of Concord Planning Division; PWS= City of Concord Public Works Services; CDFW = California Department of Fish and Wildlife; USFWS = United State Fish and Wildlife Service; NAHC = Native American Heritage Commission; MLD = Most Likely Descendant

	Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
3.5.3b	Stop Potentially Damaging Work if Human Remains Are Uncovered During Construction, Assess the Significance of the Find, and Pursue Appropriate Management. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §7050.5 and §7052 and California Public Resources Code §5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities within a 100-foot radius of the find shall be halted immediately and the project applicants' designated representative shall be notified. The project applicants shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The project applicant or its appointed representative and the professional archaeologist shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the property owner and the lead agencies shall determine the ultimate disposition of the remains.	Ongoing and During Construction	PWS	PWS	In the event of discovery of human remains, verify County Coroner is contacted and NAHC is notified if remains are of Native American origin.	
4.8	**NOISE**					
4.8-1	The project applicant shall ensure through contractual agreements that the following measures are implemented during construction: • Construction shall occur only between the hours of 7:30 a.m. to 6:00 p.m. Monday through Friday and 8:00a.m. to 5:00p.m. on the weekends for any on-site or off-site work.	Ongoing and During construction	PD	PD	Site inspection to verify compliance with mitigation measures during construction	

PD = City of Concord Planning Division; PWS= City of Concord Public Works Services; CDFW = California Department of Fish and Wildlife; USFWS = United State Fish and Wildlife Service; NAHC = Native American Heritage Commission; MLD = Most Likely Descendant

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
• Construction contractors shall use power construction equipment with state-of-the-art noise and muffling devices. All internal combustion engines used on the Proposed Project shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components. • Construction contractors shall locate stationary noise generating equipment as far as possible from sensitive receptors.					

PD = City of Concord Planning Division; PWS= City of Concord Public Works Services; CDFW = California Department of Fish and Wildlife; USFWS = United State Fish and Wildlife Service; NAHC = Native American Heritage Commission; MLD = Most Likely Descendant

EXHIBIT B

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

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE THE REZONING OF 1890 RISDON ROAD FROM R-7 TO RL (RESIDENTIAL LOW) FOR THE AUTUMN BROOK RESIDENTIAL SUBDIVISION (PL140280-RZ)

Resolution No. 15-17PC

WHEREAS, on October 17, 2014, Zheng Tan submitted an application for a Rezoning from RS-7 (Single-Family Residential; 7,000 square foot minimum lot size) to RL (Residential, Low Density) (Attachment A) to construct eight single-family homes at 1890 Risdon Road, APN 147-350-003; and

WHEREAS, on May 5, 2015, the application was deemed complete for processing; and

WHEREAS, pursuant to the provisions 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"), an Initial Study was prepared for the Project. The purpose of the Initial Study was to ascertain whether the Project would have a significant effect on the environment, and to identify and impose appropriate Project changes and mitigation measures to avoid any such impacts or reduce such impacts to a less than significant level.

WHEREAS, the Initial Study examined all of the environmental issues associated with the Project and concluded that, with the incorporation of identified mitigation measures, the Project would not have a significant effect on the environment. A Notice of Intent to Adopt a Mitigated Negative Declaration, along with a Mitigation Monitoring and Reporting Program, was prepared and circulated for review from October 6, 2015 to October 26, 2015, during which period comments from neighbors were received by the City; 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 December 16, 2015 on the subject proposal; and

WHEREAS, the Planning Commission considered testimony and information received at the public hearing and oral and written reports from City staff dated December 16, 2015, as well as other documents contained in the record of proceedings for the project, which are maintained at the City of Concord Planning Division offices; and

WHEREAS, prior to acting on this Resolution No. 15-17PC, on December 16, 2015, the Planning Commission adopted Resolution No 15-15PC recommending that the City Council adopt the MND and MMRP. Resolution No. 15-15PC, the MND, and the MMRP, are maintained at the City of Concord Planning Division offices.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS that the Planning Commission does hereby make the following findings:

Rezoning

1. The proposed zoning map amendment is consistent with the general plan, which allows residential development at densities from 2.5 to 10 units per net acre.

2. The proposed zoning map amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city as it reflects the input of residents, decision-makers, and other stakeholders in the community. There are no changes proposed under the zoning map amendment that would reduce or compromise existing standards that protect the health, safety or general welfare of the City. Furthermore, the proposed zoning map amendment would improve an underutilized site with new homes that complement the neighborhood and meet the current development regulations outlined in the RL district.

3. The affected site is physically suitable for development, including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities, for the requested zoning map amendment and proposed uses and development. Pursuant to CEQA, an Initial Study, MND, and MMRP were prepared to ensure compliance with the mitigation measures identified in the MND. The Draft MND determined that although the proposed project could have potentially significant impacts on Biological and Cultural Resources and Geology and Soils, 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 Low Density Residential land use designation and RL

zoning permit single-family uses by right. The design features of the proposed project are similar to other existing and approved residential subdivisions and there are no constraints that prevent suitable access, installation of utilities, and compatible building design for the project.

General

4. The project will provide a development that is consistent with its context and contributes to the achievement of the City's General Plan Goals and Objectives.

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

PASSED AND ADOPTED this 16th day of December 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Laura Simpson, AICP
Secretary to the Planning Commission

Attachment:
A – Map of Rezone to RL (Residential, Low Density)

ATTACHMENT A

Rezoning (PL140280-RZ)

AUTUMN BROOK RESIDENTIAL SUBDIVISION
1890 Risdon Road
APN 147-350-003

Existing: RS-7 (Single Family Residential, Minimum lot size 7,000 sq. ft.)

Proposed: RL (Residential Low Density, Minimum lot size 1,920 sq. ft.)

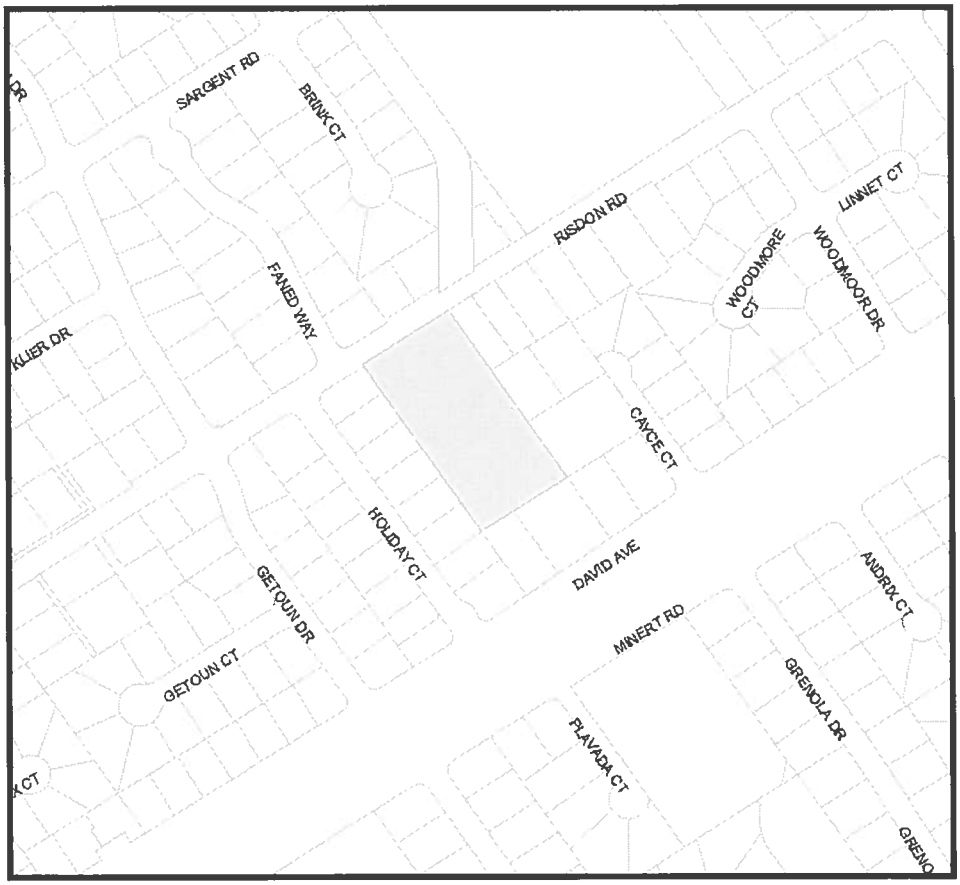


EXHIBIT C

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

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE THE AUTUMN BROOK SUBDIVISION TENTATIVE SUBDIVISION MAP, DESIGN REVIEW, MINOR EXCEPTION, AND TREE REMOVAL (PL140280-TM, DR, AA, RT)

Resolution No. 15-18PC

WHEREAS, on October 17, 2014, Zheng Tan submitted an application for a Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal application to construct eight single-family homes on a 2.02-acre site at 1890 Risdon Road, APN 147-350-003 (referred to herein as the "project"); and

WHEREAS, on May 5, 2015, the application was deemed complete for processing; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act 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 (collectively "CEQA"), an Initial Study was prepared for the project. The purpose of the Initial Study was to ascertain whether the project would have a significant effect on the environment, and to identify and impose appropriate project changes and mitigation measures to avoid any such impacts or reduce such impacts to a less than significant level.

WHEREAS, the Initial Study examined all of the environmental issues associated with the project and concluded that, with the incorporation of identified mitigation measures, the project would not have a significant effect on the environment. A Notice of Intent to Adopt a Mitigated Negative Declaration, along with a Mitigation Monitoring and Reporting Program (MMRP), was prepared and circulated for review from October 6, 2015 to October 26, 2015, during which period comments from neighbors were received by the City; 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 December 16, 2015, 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 December 16, 2015, 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; and

WHEREAS, prior to acting on this Resolution No. 15-18PC, on December 16, 2015, the Planning Commission adopted Resolution No 15-15PC recommending that the City Council adopt the Autumn Brook Subdivision Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and Resolution No. 15-17PC recommending that the City Council adopt and approve the rezoning of 1890 Risdon Road from R-7 To RL (Residential Low) for the Autumn Brook Residential Subdivision (PL140280-RZ). Such Resolutions, the MND, and the MMRP, are maintained at the City of Concord Planning Division offices.

WHEREAS, on December 16, 2015, 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 Attachment A.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the Planning Commission does hereby approve the Autumn Brook Subdivision (PL140280-TM, DR, AA, RT) Tentative Subdivision Map, Design Review, Minor Exception, and Tree Removal subject to the Conditions of Approval and further makes the following findings:

General Plan

1. *Low Density Residential.* The project's density of 10 dwelling units per net acre is within the density of 2.5 - 10 dwelling units per net acre allowed by the Low Density Residential designation.

2. *Support land use decisions that reinforce and capitalize on neighborhood strengths and benefit neighborhood identity and scale. (Policy LU-1.1.1).* The project is consistent with this policy because it enforces neighborhood identity and strengths by proposing building designs and

materials that are consistent with the neighborhood and architecture that mitigates the mass of the two-story homes with setbacks, hipped and sloped roofs, and careful use of landscaping to blend with the surrounding neighborhood.

3. *Require new development in residential areas to preserve and enhance positive neighborhood characteristics. (Policy LU-1.1.2).* The project is consistent with this policy because proposed lots meet the minimum size allowed by zoning, preserving the existing pattern of home massing adjacent to Risdon Road, and by designing homes determined by the Design Review Board to be compatible with the neighborhood.

4. *Require all new development to locate structures to accommodate ultimate street widths and required setbacks, provide adequate right-of-way, and construct ultimate on and off-site improvements. (Policies T-1.1.6 and T-1.1.7).* The project is consistent with the findings because a private access road (Autumn Brook Lane) is proposed with curb and gutter improvements, street parking, and a sidewalk on one side of the road. The project also proposes improvements to the street frontage by filling in the roadside ditches and constructing a curb and gutter and sidewalk.

Development Code

5. The project meets standards for lot area, lot coverage, setbacks, and building height of RL zoning, and all applicable requirements under Development Code, Article IV, Development Standards.

Tentative Map

6. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code.* The project falls within the density allowed under the General Plan's Low Density Residential designation, is consistent with General Plan and Development Code policies related to residential development and the applicable provisions of the Municipal Code.

7. *The design of the subdivision shall provide, to the extent feasible, for future passive*

and natural heating and cooling features in accord with Section 66473.1 of the Subdivision Map Act. The project meets the finding because passive and natural heating will be provided to the extent possible given the configuration of the site and the need to orient homes toward Autumn Brook Lane or Risdon Road, and because the side and rear of each home will be exposed to the south as recommended by the Subdivision Map Act.

8. *Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accord with Section 66473.7 of the Subdivision Map Act.* This finding does not apply because the project will not result in more than 500 dwelling units.

Tree Removal

9. *The tree removal is consistent with the provisions of Article VI, Division 3, Tree Preservation and Protection, and will not be detrimental to the public health, safety or welfare.* The project meets this finding because it will provide 24 replacement trees, or a ratio and size deemed appropriate by the City Arborist and the Design Review Board to ensure adequate coverage, health, and vitality of the replacement trees. The removal and installation of replacement trees would be coordinated through a demolition permit reviewed by the City to ensure that proper procedures are followed and would therefore not be detrimental to the public health, safety or welfare.

10. *The tree removal is consistent with the appropriate criteria in Section 18.310.070(A) and (B).* The project meets this finding because no feasible alternatives exist to preserve the trees, including tree relocation, due to the trees conflicting with proposed improvements.

11. *Measures have been incorporated into the project or permit to mitigate impacts to remaining trees or to replace the trees that have been removed.* The project meets the finding because City standards will be followed for protecting remaining trees during construction. These conditions require, among other things, fencing around the drip line of trees prior to grading and construction activities, City inspection of the fencing and protection zone prior to the start of work, and site inspections by the project arborist during grading and construction to determine if additional protection measures are needed. Moreover, three new trees will be provided for each Protected Tree

to be removed, in accordance with the Development Code.

Design and Site Development Review

12. The project is consistent with the General Plan as addressed in findings 1 through 4 above.

13. The project meets the following criteria in Section 18.415.080 (Design Criteria):

(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 project will orient the homes toward Autumn Brook Lane and Risdon Road to allow for surveillance of the street within the homes and properties.

(b) The design is compatible with the historical or visual character of any area recognized by the City as having such character. The area is not recognized as a historical, architectural, or scenic area by the City.

(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 new street lights are proposed along Autumn Brook Lane and Risdon Road to improve night time 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 environment, including its scale, massing, site plan, and exterior design. These changes, which were recommended for approval by the Design Review Board, include design enhancements such as four-sided design to reduce mass and create visual interest.

(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 includes, among other things, the following design features to enhance the functionality of the proposed homes and the attractiveness and comfort of the general community: off-street parking in excess of what is required by Code; landscaping that provides screening and shade; a sidewalk on one side of Autumn Brook Lane, stormwater facilities to reduce and treat runoff; and improvements along Risdon Road to improve circulation, parking, drainage, and lighting for the area.

(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 meets the criteria because similar building materials and colors will be used between the homes, and a unifying landscape palette will be used for the entire project.

(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 meets the criteria and is similar in scale to other two-story homes in the neighborhood, the second story elements are pulled back to allow for larger setbacks between properties, a landscape buffer is provided at the rear of the home, similar rear yard setbacks are proposed, and the project complies with RL development standards, which are similar to the RS-7 district, which also allow two-story homes.

(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 and creates an attractive and visually interesting built environment featuring different architectural styles with various design elements including varied roof forms; decorative elements such as covered porches, and shutters; and a mix of building materials that create interesting textures and a quality look to the buildings. Similarities in the design elements, materials, and colors between the homes create a unifying context for the project.

(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 DRB has reviewed the landscape plan and determined that it is compatible with the building architecture. The landscape plan will return to the DRB for final approval with revisions to ensure the landscaping complements the homes and replacement planting is provided.

(l) Stormwater treatment areas have been integrated into the landscape design. The project includes bio-retention and self-treating areas integrated into the landscape design adjacent

to the canal.

(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 match surrounding homes but meets the criteria because it will improve and enhance an underutilized site with new homes designed in Craftsman architecture to complement the neighborhood's design vernacular.

14. 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) Exterior building colors and materials consist of earth tone colors, wood, stone, and other materials that are compatible with the neighborhood;

(b) Homes are sited and designed with a functional relationship to the site and street, and in compliance with setbacks to provide accessible and usable yard areas;

(c) Front yard setbacks reinforce a spacious suburban character and consistent streetscape;

(d) Homes are sited to minimize second story windows overlooking private yards of adjacent residences;

(e) Homes are sited parallel to the street to avoid residual pockets resulting from varying setbacks and building angles relative to the street;

(f) Elevations facing exterior side yard areas will be designed with the same quality as the front elevation;

(g) The project provides emergency access as required by Contra Costa County Fire Protection District;

(h) Building lighting design is compatible with the architecture and will be operated at levels consistent with lighting in the area;

(i) Street lighting will comply with City photometric standards to ensure lighting levels are kept to the minimum necessary for public safety;

(j) Perimeter fencing will be constructed of durable high quality wood material;

(k) Exterior yards are landscaped to provide a continuity of the landscape palette and concept along Risdon Road; and

(l) Required off-street parking is provided for each home.

15. The interrelationship between the orientation, location, and elevations of buildings and structures and site improvements are mutually compatible and aesthetically harmonious. The homes on Autumn Brook Lane provide a consistent pattern oriented towards the street and are thus aesthetically harmonious with each other and the streetscape. The homes internal to the site will be accessed by a shared driveway, which requires the homes to be compatible with each other in order for the shared access to function. As discussed above, the homes will be designed with similar design elements, materials, and colors to create a unifying/harmonious context.

16. The orientation, location, and elevation of the buildings and structures and site improvements are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood. The project will be harmonious with the pattern of existing homes in the neighborhood and will use architectural styles that the Design Review Board finds to be aesthetically compatible with homes in the neighborhood.

17. Landscaping, irrigation systems, walls and fences, or features *to conceal outdoor activities, utility enclosures, and trash facilities meet current requirements or provide a significant upgrade and improvement to the site and the appearance of the neighborhood.* New landscaping and

fencing designed to meet current requirements will result in a significant improvement to existing site conditions and a visual upgrade to the neighborhood in general.

18. Parking, pedestrian access, and traffic circulation are adequate or improved for all modes of circulation. The project meets this finding because it will construct improvements that enhance parking, pedestrian safety, and access for the neighborhood, including the widening of Risdon Road and construction of Autumn Brook Lane thus creating on-street parking, adding sidewalks, and installing street lighting.

Minor Exception

19. No practical alternative exists. A 7½-foot tall fence will help screen views of the project at the pedestrian level while existing mature landscaping and proposed new landscaping will screen views of the upper portions of the homes. The use of taller fences in conjunction with landscaping is typical in residential districts throughout the City especially when there are grade differences between properties.

20. Other provisions of the Development Code will not be compromised. The proposed lots comply with all other applicable standards in the RL district such as lot area, depth, and setbacks. The Minor Exception process permits up to two additional feet of height for residential fences consistent with parcels in other residential districts. In this case, the fence along the south and west property lines would be 7½ feet tall, six inches less than what is permitted by the Development Code. As such, other provisions of the Development Code would not be compromised.

21. No negative aesthetic impact will result. No negative impact would result from the requested Minor Exception as the proposed increase in fence height is consistent with other approvals in similar residential districts. The decorative lattice will allow light and air to pass through it further mitigated the overall height.

22. The project will otherwise comply with all applicable Development Code standards and requirements. The project complies with all other applicable Development Code standards and

requirements aside from the proposed increase in fence height for which the Minor Exception is requested.

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

PASSED AND ADOPTED this December 16, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Laura Simpson, AICP
Secretary to the Planning Commission

Attachment:
A – Draft Conditions of Approval

ATTTACHMENT A

DRAFT

CONDITIONS OF APPROVAL

AUTUMN BROOK SUBDIVISION
PL140280-TM, DR, AA, RT
1890 Risdon Road
APN 147-350-003

PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of **Autumn Brook Subdivision (PL140280-TM (Tract 9392)) for eight individual parcels on a 2.02-net acre lot**.

2. These Conditions apply to and constitute approval of **Design Review (PL140280-DR)** for building elevations and landscape plans for eight single-family homes. Final colors and materials shall be consistent with the color and materials exhibit dated **revised December 24, 2014**, prepared by **Hunt Hale Jones** and approved by the Design Review Board.

3. These Conditions apply to and constitute approval of a **Minor Exception (PL140280-AA) to increase the height of the west and south property line fence to 7½ feet (which include 1½ feet of lattice).**

4. These Conditions apply to and constitute approval of **Tree Removal Permit (PL140280-RT)** for the removal of eight Protected Trees, as follows:

Tree No.	Size - Species[1]	Notes
1	13" - Valley Oak	Located in front drainage ditch. Topped by PG&E. Drainage ditch to be backfilled and walkway installed.
2	35.5" - Valley Oak	Located in front drainage ditch. Topped by PG&E. Drainage ditch to be backfilled and walkway installed.
6	28" - Mulberry	Canopy in severe decline. Within proposed building footprint.
9	24" - Western Cottonwood	80% dead. Within driveway entrance.
21	39" - Modesto Ash	Large tree in middle of property. Within proposed private access road.

1 Sum of tree trunks provided for multi-stem trees.

28	33" - Fruiting Plum	Old dense tree with impenetrable foliage to the ground. Within building footprint.
37	18" - Valley Oak	One-sided canopy with a 15 degree lean to the east. Within building footprint.
41	13" - Valley Oak	Tip decline in upper canopy (10%). Within building footprint.

5. The following Exhibits, date stamped received by the City of Concord, on **December 23, 2014** and **April 9, 2015**, are approved and shall be incorporated as Conditions of Approval.

Plan	Date Prepared	Prepared by	Sheet
Cover Sheet	4/8/15	P/A Design Resources, Inc.	N/A
General Notes	4/8/15	P/A Design Resources, Inc.	1
Legend and Details	4/8/15	P/A Design Resources, Inc.	2
Street Sections and Details	4/8/15	P/A Design Resources, Inc.	3
Aerial Photo/Photo Context Exhibit	4/8/15	P/A Design Resources, Inc.	4
Zoning District Exhibit	4/8/15	P/A Design Resources, Inc.	5
Site Photo Exhibit	4/8/15	P/A Design Resources, Inc.	6
Existing Site Topographic Conditions	4/8/15	P/A Design Resources, Inc.	7
Tree Exhibit and Demolition Plan	4/8/15	P/A Design Resources, Inc.	8
Tentative Map – Lot Layout	4/8/15	P/A Design Resources, Inc.	9
Tentative Map – Building Setback Exhibit	4/8/15	P/A Design Resources, Inc.	10
Tentative Map – Site Plan	4/8/15	P/A Design Resources, Inc.	11
Preliminary Grading & Drainage Plan	4/8/15	P/A Design Resources, Inc.	12
"True" Cross – Sections	4/8/15	P/A Design Resources, Inc.	13
"Engineered" Cross – Sections	4/8/15	P/A Design Resources, Inc.	14
Preliminary Utility Plan	4/8/15	P/A Design Resources, Inc.	15
Lighting Plan	4/8/15	P/A Design Resources, Inc.	16
Traffic Signing/Striping/Corner Setback Plan	4/8/15	P/A Design Resources, Inc.	17
Preliminary Stormwater Control Plan	4/8/15	P/A Design Resources, Inc.	18
Preliminary Landscape Plan	4/8/15	P/A Design Resources, Inc.	19
Landscape Details	4/8/15	P/A Design Resources, Inc.	20

Building Elevations	12/24/14	Hunt Hale Jones	17 sheets

GENERAL CONDITIONS

6. **The applicant shall record a deed restriction that states, "structures cannot be built within the existing non-exclusive roadway and utility easement that encumbers the rear 10 feet of Lots 1 - 8 until such time that it is removed from the property," prior to the approval of the final map. Such restriction may be removed if the easement is extinguished or otherwise terminated through a duly recorded written agreement, court order, or similar method satisfactory to the City Attorney and subject to City Attorney and Planning Manager approval.** ***(PLNG, ENGR)***

7. 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)***

8. 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)***

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

10. 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)***

11. 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)***

12. 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)***

13. 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)***

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

ARCHITECTURAL

15. **The applicant shall return to the Design Review Board as a staff report item with revised elevations reflecting an additional gable and centered window on the left elevation of Plan 3A prior to the issuance of the first building permit.** ***(DRB, PLNG)***

16. 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

17. **The applicant shall return to the Design Review Board as a staff report item with the final landscape plan that reflects the wall detail within site visibility triangle, street sign detail(s), street trees along Risdon Road, and a reference to 50 percent of the 24 required replacement trees measuring 36-inch box size. The City Arborist and the Design Review Board shall determine whether all 24 replacement trees can be accommodated on site or whether fewer replacement trees are appropriate with more than 50 percent of those trees measuring 36"-box size prior to the issuance of the first building permit.** ***(DRB, PLNG)***

18. 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 **along the private lane**. ***(PLNG, ENGR)***

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 approved by the property owner and the Planning Division, prior to occupancy approval. ***(PLNG)***

23. 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)***

24. 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**

<u>TREE PRESERVATION</u>

25. The removal of eight Protected Trees shall be mitigated by planting 24 replacement trees, unless specified otherwise by the City arborist and the Design Review Board as referenced in condition of approval no. 17. The size, species, and location of all replacement trees shall be identified on the Final Landscape plan, consistent with the Design Review approval. ***(PLNG)***

26. Demolition, Grading, Utility, Landscape, and Building Plans shall show all Protected trees to be preserved, with accurate trunk location, drip line, and existing grade. The Plans shall show the location and type of protective fencing, and the location of on-site construction materials storage. The protective fencing shall be installed and inspected prior to the issuance of any Demolition, Grading, or Building Permit. ***(PLNG, ENGR, BLDG, PARKS)***

27. Prior to demolition, site preparation, grading, or construction activity on a site with trees to be preserved , the following measures from CMC §114-68, shall be required:
    (a) All trees to be preserved shall be clearly indicated on the Grading, Utility, Civil Site, and Landscape Plans.
    (b) A temporary six foot construction fence shall be installed around the drip line of the trees, prior to on-site activity such as grading and construction activities. Prior to grading or construction, the City shall inspect and approve the placement of the fencing.
    (c) No grading, compaction, stockpiling, trenching, paving or change in ground elevation shall be permitted within the drip line of any tree to be saved, until a report prepared by a certified Arborist has been submitted to and approved by the City, providing specific guidelines for each case.
    (d) No construction waste, either liquid or solid or other substance (oil, gasoline, chemicals, or other harmful materials) shall be deposited, disposed of, or stored, within the drip line or within an area near the tree, which could enter into the root system of the tree.
    (e) Wires, signs, ropes, pulleys, etc., shall not be attached to any tree. ***(PLNG, PARKS)*** **CMC**

28. The Arborist shall conduct site inspections during grading and construction, and may require additional measures to protect the trees to be preserved, including stopping construction activities, if necessary. ***(PLNG, PARKS)***

29. The Review Authority may require that a monetary security deposit be posted and maintained where deemed necessary to ensure the preservation of protected trees during construction and the completion of required mitigation measures. The deposit shall be posted in a form acceptable to the City, prior to any grading, movement of heavy equipment onto the site, or issuance of any permits. Each violation of a Tree Permit condition shall result in forfeiture of a portion or the entirety of the deposit, at the discretion of the Review Authority. This determination may be appealed in compliance with Article VIII (Administration). ***(PLNG)***

30. A Tree Permit may be revoked or modified, as provided in Article VIII, Division 8 (Enforcement), if it is found that the tree removal, relocation, or protection activities: (1) No longer support the original findings; (2) Resulted from misrepresentation or fraud; (3) Have not met, or have violated any condition of approval; or (4) Constitute a nuisance. ***(PLNG, CA)***

31. Whenever any construction or work is being performed contrary to the provisions of this Division or applicable conditions of approval, a written notice may be served on the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation and the risk to the trees. No further work shall be allowed until the violation had been corrected. ***(PLNG, ENGR, CA)***

32. Any person, including but not limited to the property owner, the person performing the work and/or any other responsible person, who violates these tree protection conditions or the provisions of *Development Code Article IV, Division 3, Tree Preservation and Replacement*, shall be liable to the City for a civil penalty of three times the damage caused to a protected tree, or $5,000, whichever is greater. For purposes of calculating the damage to the protected tree, the then-current edition of the "Guide for Establishing Values of Trees and Other Plants" by the Council of Tree and Landscape Appraisers shall be presumed to provide the appropriate basis for determining damages. ***(PLNG, ENGR, CA)***

LIGHTING

33. 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 the first building permit. The height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on the plans. ***(PLNG, ENGR, BLDG)***

34. 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 the Transportation Division for the determination of streetlight spacing. ***(ENGR, TRANS, BLDG, PD)***

STREET IMPROVEMENTS

35. Dedicate 5 ft. of right-of-way to the City along Risdon Road frontage, to accommodate the ultimate half-width roadway right-of-way of approximately 27 feet, with the recording of the Final Map or issuance of Permits, whichever comes first. ***(ENGR)***

36. Construct improvements along the frontage on Risdon Road including but not limited to: driveway removal; pavement replacement; pavement widening; concrete valley gutter; wheel chair 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)***

37. Install slurry seal on Risdon Road from lip of gutter to street centerline, after completion of utility undergrounding and frontage improvements, prior to the Acceptance of Improvements. ***(ENGR)***

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

39. Paint curb face with red and install "No Parking" signs where parking is prohibited, prior to Acceptance of Improvements or the first Occupancy, whichever comes first. ***(ENGR)***

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

NOISE

41. 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., excluding federal holidays.

    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

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

43. 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)***

44. 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)***

45. 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)***

46. 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)***

47. 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)***

48. 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)***

49. 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)***

50. 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)***

51. 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)***

52. 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)***

53. 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)***

54. 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

55. Submit two copies of Preliminary Title Report, prepared within three months prior to plan submittal. ***(ENGR)***

56. The proposed buildings are outside the 100-year Floodplain Zone ***(AE)*** 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***

57. 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)***

58. 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)***

59. 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)***

60. 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

61. The Tentative Map received by the Planning Division is not approved for construction. 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 and Grading Permit. ***(ENGR)***

62. The Final Map shall be prepared by a qualified Civil Engineer or Licensed Land Surveyor and shall be subject to review and approval by Engineering Services. ***(ENGR)***

63. 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)***

64. Approved street names shall be shown on the Final Map prior to recordation of the map. ***(ENGR, PLNG)***

65. Three copies of project Covenants, Codes and Restrictions (CC&Rs) shall be submitted with the Grading and Improvement Plans and Final Map, for review and approval. The CC&Rs shall include the following provisions and shall be recorded with the Final Map:

(a) A Homeowners Association (HOA), shall be formed and shall be responsible in perpetuity, for the maintenance, repair, and replacement of:

i. All parcels **and improvements** held in common, open space and common area improvements including, private streets, access easements, pedestrian paths, landscaping, irrigation systems, fencing, retaining walls, soundwalls, signage, trash and recycling areas and utilities.

ii. All landscaping and irrigation equipment within the **common area and** public right-of-way.

iii. All permanent stormwater management facilities included in the approved Stormwater Control Plan and the approved Stormwater Control Operations and Maintenance Plan.

iv. All private sanitary sewer and storm drain lines within the private road or easements.

(b) Contain a statement that in the event these areas or facilities are not properly maintained, repaired or replaced according to the approved plans, each property owner shall be responsible for their proportionate share of these costs, secured by a lien on the property in favor of the HOA, in accordance with the HOA procedures.

(c) Provide reciprocal easements over all common parcels for maintenance purposes.

(d) The HOA shall be responsible for enforcing the CC&Rs and providing written notice of any violation to the property owners.

(e) The HOA shall provide the Planning Division with the name, address and phone number of the current HOA representative. ***(PLNG, ENGR, CA)***

GRADING/EROSION CONTROL/GEOLOGIC

66. 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)***

67. 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)***

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. Contour grading techniques shall be employed, to the maximum extent practicable, 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)***

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

71. 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)***

72. 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***

73. 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)***

74. 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)***

75. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan (SWPPP), 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***

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

77. 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) CMC***

78. Improve interior private street in accordance with the City of Concord standards. ***(ENGR) CMC***

79. For the portion of the work shown at the rear of Lot 8, within the existing 20' roadway & utility easement, provide document supporting the intent of quit claim to abandon the non-exclusive easement prior to **recordation of the final map**. If required, necessary rights-of-entry shall be obtained from the affected property owners. ***(ENGR)***

80. Designate the private street, if required, as a fire access lane thereby prohibiting parking on one or both sides of the street at all times. Signs and/or curb striping shall be installed according to the regulations established by the Contra Costa County Fire Protection District, the Concord Police Department, and Engineering Services. The signs shall include, the Police Department telephone number and a notification that a citation may be issued for the violation with vehicle removal at the owner's expense. ***(ENGR, UFC)***

UTILITIES

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

82. 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)***

83. Dedicate, within the 42' private road access, a public utility easement as well as private storm drain and private sanitary sewer easements prior to recording of the Final Map or Building occupancy approval, whichever comes first. The City will not accept maintenance of any utilities within the private road. ***(ENGR)***

84. Install streetlights along the Risdon Road frontage. 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)***

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

86. Undergrounding of all existing overhead utilities along Risdon Road, including aerial street crossings, shall be required pursuant to CMC Section 17.35.020. All such utilities shall be constructed underground prior to issuance of occupancy approval. ***(ENGR)***

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

88. Submit to Engineering Services sanitary sewer calculations with the Improvement Plans stamped and signed by a Registered Civil Engineer for review. ***(ENGR)***

89. Any existing sanitary sewer pipes traversing the site shall be removed. Details for the pipe removal shall be submitted to Engineering Services prior to the issuance of Construction Permits. Any property presently served by this sewer line shall be provided a side sewer connected to the sewer system with no interruption of service. Necessary rights-of-entry shall be obtained from the affected property owners. ***(ENGR)***

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

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

92. Utility areas, electrical and gas meters shall be screened from view architecturally or with landscaping. ***(PLNG)***

93. 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)***

94. 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)***

95. 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***

96. 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

97. 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)***

98. 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)***

99. Construct stormwater treatment measures per the approved SWCP prior to occupancy approval. ***(ENGR)***

100. Submit a final 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 issuance of Grading, Encroachment, or Building permits, whichever comes first. 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)***

101. Execute any agreements identified in the SWCP which pertain to the transfer of ownership, right-of-entry for inspection or abatement, and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs, prior to issuance of Grading, Encroachment, or Building permits, whichever comes first. ***(ENGR)***

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

103. 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. ***(ENGR)***

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

105. 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)***

106. 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)***

107. Clean all on-site stormdrain 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

108. 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)***

109. 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)***

110. 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. ***(NS)***

111. Comply with the provisions of the CMC, Central Contra Costa Sanitary District and the disposal service regarding access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules.

AGREEMENTS, FEES, BONDS

112. All fees noted below are the fees currently in effect as of July 1, 2015 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)**

113. Provide a **$3,500** cash deposit to the Planning Division to cover Condition Compliance and Mitigation Monitoring 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. Mitigation Monitoring costs will be charged at cost over the life of the project mitigation requirements. 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)***

114. 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)***

115. Enter into a Maintenance Agreement **or CC&R's** acceptable to the City prior to the approval of Final Map, agreeing to provide for proper maintenance of the private street, sanitary sewer and storm drain outside of the public street right of way, street lights and other privately maintained improvements pursuant to CMC Section 94-33. ***(ENGR)***

116. 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)***

117. 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 approval of the Final Map or issuance of the Building or Grading Permit, whichever comes first. ***(ENGR)***

118. 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)***

119. 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. The current fee is **$86.00**.

(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)***

120. 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, or at the hourly rate of **$172.00** if the hourly rate is used.

(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. The stockpile and erosion control monitoring fee is currently **$23.00** per calendar day and is collected for the life of the Grading Permit activity. ***(ENGR)***

121. Final Map Application:

(a) Pay the Final Map review fee at the time of submittal of Final Map documents to Engineering Services for review. Current fee is estimated to be **$2,752** plus **$172.00** per lot, plus additional review time at **$172.00**/hour if required.

(b) Pay the Final Map filing fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is **$1,720.00**.

(c) Pay the Improvement Plan review fee at the time of submittal of Improvement Plans and supporting documents to Engineering Services for review. The current fee is estimated to be **$1,204.00** per lot, plus additional review time at **$172.00**/hour if required.

(d) 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 9% of the estimated cost of constructing the required improvements to support the subdivision.

(e) Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is **$0.17**/foot. (Drainage Area 128)

(f) Pay the Parkland Fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is **$16,691** per living unit for Low Density Designation.

(g) Submit a fully executed Subdivision Agreement and provide all necessary bonds, securities, and insurance required in the Agreement prior at the time the Final Map is scheduled for consideration by the City Council.

(h) Pay new street monument fee of **$344.00** per monument, prior to approval of the Final Map.

(i) Pay new parcel fee of **$344.00** per parcel prior to the approval of the Final Map.

(j) Pay acceptance of improvements and dedications fee of **$3,440.00** prior to scheduling items for action by City Council.

(k) Provide a **$1,000.00** deposit for archiving permanent records prior to approval of the Final Map. Actual fees will be charged following completion of work.

(l) Provide a **$5,000** deposit for specialty inspections prior to approval of the Final Map. ***(ENGR)***

122. Sewer Connection Permit:

(a) Pay Sanitary Sewer connection fee. The current sewer connection fee is **$5,043.00** 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. The current fee is **$452.00** per year and is pro-rated by the month that connection is made. ***(ENGR)***

123. Traffic Mitigation Fee:

Pay Offsite Street Improvement Program (OSIP) fee less possible fee credit. The OSIP fee shall be the fee in effect at the time of approval of the Final Map. The current OSIP Fee is **$3,251.00** per single-family dwelling unit and shall be paid prior to Acceptance of the Final Map. ***(ENGR)***

OTHER/MISCELLANEOUS

124. 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)***

125. ***(For all tentative maps, proposed new street , street name or name change)*** Submit a written request for new street names with a site plan showing their location to the Planning Division for review and approval, at the time of submittal of Improvement Plans and Final Map. Include a list of alternatives for each name, as some names may not be acceptable. ***(PLNG)***

126. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. ***(ENGR) CMC***

127. 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 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)***

128. Approval of this project requires certain legislative actions by the City Council. The approval of the ***(Preliminary Development Plan, Use Permit, Design Review)*** is contingent upon the approval of the ***(Rezone)*** by the City Council. ***(PLNG)***

129. The applicant/subdivider shall defend, indemnify and hold harmless the City, its agents, officials and employees from any claim, action or proceeding brought by a third party to set aside, annul, attack or otherwise void the approval of the Tentative Map by the City Council, which action is brought within the time period provided for in Government Code section 66499.37. The City shall promptly notify the applicant/subdivider of any claim, action or proceeding against the City of Concord and that the City will cooperate fully in the defense. ***(PLNG)***

130. 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 Tentative Map shall be valid for the life of the map. The effective date of the permit and approval is **the City Council approved date to be determined**. ***(PLNG)***

131. A request for a time extension from the expiration date of **(the City Council approved date to be determined)** 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)***

Autumn Brook

CITY OF CONCORD, CALIFORNIA

OCTOBER 8, 2014 **REVISED: DECEMBER 23, 2014**
REVISED APRIL 8, 2015

1"=30'
0 15 30 60

RECEIVED
APR - 9 2015
PLANNING

P/A Design Resources, Inc.
Planning • Engineering • Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

EXHIBIT D

AUTUMN BROOK • SUBDIVISION 9392

A QUALITY SINGLE - FAMILY DETACHED RESIDENTIAL PROJECT
CITY OF CONCORD, CALIFORNIA

RE-ZONING, PLANNED DEVELOPMENT USE PERMIT, MINOR USE PERMIT, DESIGN REVIEW, MAJOR SUBDIVISION / TENTATIVE MAP, STORMWATER CONTROL PLAN, TREE REMOVAL AND MINOR EXCEPTION

DATE: OCTOBER 8, 2014 REVISED: DECEMBER 23, 2014 REVISED: APRIL 8, 2015

GENERAL NOTES

1. **LEGAL PROPERTY OWNER / APPLICANT**
   ZHENG TAN
   1223 PINE CREEK WAY UNIT A
   CONCORD CA 94520-3842
   CONTACT ZHENG TAN
   TEL (510) 219 3458

2. **ARCHITECT**
   HUNT HALE JONES
   444 SPEAR STREET SUITE 105
   SAN FRANCISCO, CA 94105 1693
   CONTACT RICHARD HUNT
   TEL (415) 512 1300

3. **PLANNERS, ENGINEERS & SURVEYORS**
   P/A DESIGN RESOURCES, INC
   3021 CITRUS CIRCLE SUITE 150
   WALNUT CREEK, CA 94598-2623
   CONTACT JON PARSONS
   TEL (925) 210 9300

4. **GEOTECHNICAL ENGINEER**
   ENGEO INCORPORATED
   2401 CROW CANYON ROAD, SUITE 200
   SAN RAMON, CA 94583 1343
   CONTACT RAY SKINNER
   TEL (925) 828 9800

5. **ARBORIST**
   HAYNESID TREE SERVICE
   3354 FREEMAN ROAD
   WALNUT CREEK, CA 94598 1310
   CONTACT JOHN TRAVERSO
   TEL (925) 930 7901

6. **BIOLOGICAL CONSULTANT**
   MARYLEE GUNDON
   354 BOHEMIAN HIGHWAY
   FREESTONE, CA 95472
   CONTACT MARYLEE GUNDON
   TEL (707) 874 9663

7. **TOTAL SITE ACREAGES**
   GROSS AREA 87.9912± OR 2.02± AC PER COUNTY ASSESSOR
   NET DEVELOPABLE AREA 36.6781 SF OR 0.84± AC

8. **ASSESSOR'S PARCEL NUMBER**
   APN 147 350 003

10. **CITY OF CONCORD GENERAL PLAN LAND USE DESIGNATION**
    LD LOW DENSITY RESIDENTIAL
    (2.5 to 10 dwellings per acre)

11. **EXISTING LAND USE**
    SINGLE FAMILY RESIDENTIAL

12. **INTENDED LAND USES**
    SINGLE FAMILY RESIDENTIAL

    PARCEL A TO BE DEDICATED TO THE CITY OF CONCORD FOR RIDDON ROAD RIGHT OF WAY INCLUDING MAINTENANCE RESPONSIBILITIES

    PARCEL B TO BE OWNED BY THE AUTUMN BROOK LANE HOA SUBJECT TO THE CCCFCD EASEMENT

13. **PROPOSED SUBDIVISION**
    8 SINGLE FAMILY RESIDENTIAL LOTS

14. **ALLOWABLE DENSITY UNDER THE GENERAL PLAN**
    2.5 to 10 dwellings per acre = 8.84 acres x 2.5 to 8.84 units

15. **EXISTING CITY OF CONCORD ZONING DISTRICT**
    R-7 SINGLE-FAMILY RESIDENTIAL

16. **PROPOSED CITY OF CONCORD ZONING DISTRICT**
    RL LOW DENSITY RESIDENTIAL DEVELOPMENT

17. **PUBLIC UTILITIES**

SOURCE OF WATER SUPPLY	CONTRA COSTA WATER DISTRICT
WATER PRESSURE ZONE	ZONE 1
SEWAGE DISPOSAL	CITY OF CONCORD
GAS & ELECTRIC	PACIFIC GAS & ELECTRIC COMPANY
TELEPHONE SERVICE	AT&T
CABLE TELEVISION	AT&T U-VERSE

18. **PUBLIC SERVICES**

FIRE PROTECTION	CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
POLICE SERVICE	CONCORD POLICE DEPARTMENT
SCHOOL DISTRICTS	MT DIABLO UNIFIED SCHOOL DISTRICT
	• IGNACIO VALLEY ELEMENTARY (GRADES K-5)
	• OAK GROVE MIDDLE SCHOOL (GRADES 6-8)
	• IGNACIO VALLEY HIGH SCHOOL (GRADES 9-12)
PARK SERVICES	CITY OF CONCORD
	EAST BAY REGIONAL PARK DISTRICT
	MT DIABLO STATE PARK

19. **TOPOGRAPHY**
    EXISTING TREE LOCATIONS AND TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY CONDUCTED BY P/A DESIGN RESOURCES INC IN MAY 2014

20. **BASIS OF ELEVATION**
    ELEVATIONS SHOWN HEREON ARE BASED ON MONUMENT NUMBER 1645 SET 2/20/70 REF CONTRA COSTA COUNTY R/W DWG NUMBER ED 10086 WITH ELEVATION OF 57.77 NGVD 29 12" BRASS DISC, STAMPED SDMD 1 1645

21. **BASIS OF BEARINGS**
    BASIS OF BEARINGS IS BASED ON THE CONTRA COSTA COUNTY R/W MAP ED 10086 TAKEN BETWEEN SDMM #1 1645 AND SDMM #1 1646

22. **SUBDIVISION BOUNDARY**
    THE BOUNDARY LINE SHOWN HEREON IS NOT BASED UPON A FIELD SURVEY BUT IS AN APPROXIMATE BOUNDARY COMPILED FROM AVAILABLE PUBLIC RECORD DATA

23. **CONTOUR INTERVALS**
    EXISTING 2 FOOT INTERVALS
    DESIGN SPOT ELEVATIONS

24. **STREETS**
    RIDDON ROAD TO BE WIDENED AND DEDICATED TO THE PUBLIC FOR MAINTENANCE PURPOSES. THE PRIVATE ACCESS LANE (EASEMENT "AUTUMN BROOK LANE") TO BE PRIVATE AND OWNED AND MAINTAINED BY THE HOA

25. **EXISTING SITE AVERAGE SLOPE**
    (728 - 669.7) / 473.0 = 12.4% AVERAGE SLOPE

26. **EARTHWORK QUANTITIES**
    1,500 CUBIC YARDS EXPORT

27. **PROPOSED LOT SIZES**

	GROSS	NET
LOT 1	8,193 ± SF	4,391 ± SF
LOT 2	6,810 ± SF	3,633 ± SF
LOT 3	6,666 ± SF	3,991 ± SF
LOT 4	6,883 ± SF	3,964 ± SF
LOT 5	6,855 ± SF	4,073 ± SF
LOT 6	7,237 ± SF	3,957 ± SF
LOT 7	7,323 ± SF	3,934 ± SF
LOT 8	7,350 ± SF	6,779 ± SF

AVG. NET LOT SIZE: 4,346± SF
AVG. GROSS LOT SIZE: 7,221 ± SF

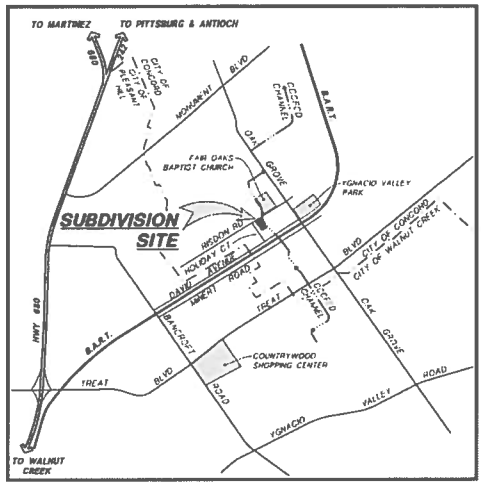
28. **PROPOSED PERCENT LOT COVERAGE TABLE**

	TOTAL GROUND FLOOR AREA	NET LOT AREA	PERCENT OF NET LOT COVERAGE	PERCENT OF LANDSCAPE COVERAGE	PRIVATE USEABLE OPEN SPACE AREA
LOT 1	1,890	4,391 ± SF	42.07%	53.93%	1,123± SF
LOT 2	1,768	3,633 ± SF	48.24%	48.10%	1,762± SF
LOT 3	1,768	3,991 ± SF	44.29%	48.87%	1,784± SF
LOT 4	1,775	3,964 ± SF	44.78%	49.18%	1,302± SF
LOT 5	1,775	4,073 ± SF	43.58%	53.38%	1,544± SF
LOT 6	1,830	3,957 ± SF	46.25%	49.39%	1,816± SF
LOT 7	1,830	3,934 ± SF	46.53%	48.35%	1,879± SF
LOT 8	1,786	6,779 ± SF	26.35%	36.68%	1,857± SF

29. **PROPOSED PARKING SPACES**

	PROPOSED COVERED / UNCOVERED		PROPOSED COVERED / UNCOVERED
LOT 1	2 / 2	LOT 5	2 / 2
LOT 2	2 / 2	LOT 6	2 / 2
LOT 3	2 / 2	LOT 7	2 / 2
LOT 4	2 / 2	LOT 8	2 / 2

NOTE: PLAN PROVIDES 8 FULL SIZE (9' x 23') GUEST PARKING SPACES ON THE PROJECT AUTUMN BROOK LANE (PRIVATE) AND 4 PUBLIC PARKING SPACES ALONG THE RIDDON ROAD FRONTAGE



NORTH **VICINITY MAP** NTS

30. **IMPORTANT NOTES**
    A. THERE ARE NO EXISTING AREAS SUBJECT TO INUNDATION OR PONDING WITHIN THE PROPOSED SUBDIVISION. THE SUBJECT DEVELOPMENT AREA CAN BE FOUND ON THE FEMA FLOOD INSURANCE RATE MAP (FIRM) PANEL 283 OF 602 MAP NUMBER 06013C0283F AND IS LOCATED IN AN AREA DESIGNATED AS "ZONE X".

    THE EXISTING CONTRA COSTA COUNTY FLOOD CONTROL CHANNEL IS ALSO SHOWN SEPARATELY ON THIS SAME FEMA PANEL AND THE CHANNEL ITSELF IS DESIGNATED AS "ZONE AE".

    THE EXISTING FLOOD CONTROL CHANNEL HAS A RANGE OF ELEVATIONS FROM 67 AT THE NORTH END OF THE CHANNEL AT THE EXISTING DROP STRUCTURE AND ENTRY TO THE RIDDON ROAD BOX CULVERT TO ELEVATION 69 AT THE SOUTH END OF THE PROPERTY. THESE FEMA FLOOD ELEVATIONS ARE BASED ON NAVD 1988. FOR CONVERSION TO NGVD 1929 ELEVATIONS THE DATUM DIFFERENCE IS 2.63 FEET THEREFORE, THE FLOOD ELEVATION OF 67 WOULD BE 64.38 AND FLOOD ELEVATION OF 69 WOULD BE 66.38. THE PROPOSED FINISH FLOOR ELEVATIONS ARE 70.30 FOR LOT 7 AND 71.50 FOR LOT 8. SO THE PROPOSED FINISH FLOOR ELEVATION FOR LOT 7 WOULD BE 3.92 FEET ABOVE THE FLOOD ELEVATION AND THE PROPOSED FINISH FLOOR ELEVATION FOR LOT 8 WOULD BE 5.12 FEET ABOVE THE FLOOD ELEVATION.

    B. THERE ARE NO AREAS TO BE USED FOR PUBLIC PURPOSES EXCEPT FOR THE RIGHT OF WAY DEDICATION (PARCEL "A") FOR RIDDON ROAD.

    C. THE PROJECT IMPROVEMENTS ARE PROPOSED TO BE CONSTRUCTED IN ONE PHASE.

    D. FOR COMPLIANCE WITH THE CONTRA COSTA CLEAN WATER PROGRAM SEE SHEET 18.

    E. THERE HAVE BEEN NO PRIOR DEVELOPMENT APPROVALS FOR THIS PROPERTY.

    F. APPLICANT PROPOSES TO WIDEN AND IMPROVE THE NORTH SIDE OF RIDDON ROAD IN LIEU OF UNDERGROUNDING THE EXISTING OVERHEAD UTILITIES ALONG THE PROJECT FRONTAGE ONLY.

    G. 8 SINGLE FAMILY UNITS × 2.7 PERSONS PER HOUSEHOLD = 22 PERSONS (THIS INFORMATION IS BASED ON THE 2010 US CENSUS FOR CONCORD).

    H. NOT TREES OR STRUCTURES SHALL BE PLANTED OVER UTILITY LINES.

    I. FOR PHOTOMETRIC PLAN, REFER TO SEPARATE EXHIBIT PREPARED BY ALR (ASSOCIATED LIGHTING REPRESENTATIVES, INC) DATED 3/26/2015 SHEET 1 OF 1.

TABLE OF CONTENTS:

GENERAL NOTES / VICINITY MAP / SHEET INDEX	1
LEGEND AND DETAILS	2
STREET SECTIONS AND DETAILS	3
AERIAL PHOTO / PROJECT CONTEXT EXHIBIT	4
ZONING DISTRICT EXHIBIT	5
SITE PHOTO EXHIBIT	6
EXISTING SITE TOPOGRAPHIC CONDITIONS	7
TREE EXHIBIT AND DEMOLITION PLAN	8
TENTATIVE MAP - LOT LAYOUT	9
TENTATIVE MAP - BUILDING SETBACK EXHIBIT	10
TENTATIVE MAP - SITE PLAN	11
PRELIMINARY GRADING & DRAINAGE PLAN	12
"TRUE" CROSS - SECTIONS	13
"ENGINEERED" CROSS - SECTIONS	14
PRELIMINARY UTILITY PLAN	15
LIGHTING PLAN	16
TRAFFIC SIGNING / STRIPING / CORNER SETBACK PLAN	17
PRELIMINARY STORMWATER CONTROL PLAN	18
PRELIMINARY LANDSCAPE PLAN	19
PRELIMINARY LANDSCAPE SECTION & DETAILS	20

NOTE:

THESE PLANS IDENTIFIED AS "AUTUMN BROOK • SUBDIVISION 9392 A QUALITY SINGLE FAMILY DETACHED RESIDENTIAL PROJECT CITY OF CONCORD, CALIFORNIA" SHEET 1 THROUGH 20 INCLUSIVE DATED OCTOBER 8, 2014, REVISED DECEMBER 23, 2014 AND REVISED APRIL 8, 2015 HAVE BEEN PREPARED UNDER THE DIRECTION OF AND APPROVED BY

REGISTERED PROFESSIONAL ENGINEER RAZWIK AYEDIAN No. C 53063 Exp. 06/30/15 Civil STATE OF CALIFORNIA

RAZWIK AYEDIAN DATE
RCE 53063 EXPIRES 6/30/15
P/A DESIGN RESOURCES, INC.

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK

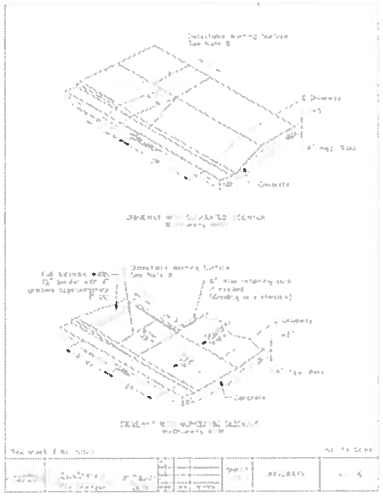
CONCORD, CALIFORNIA

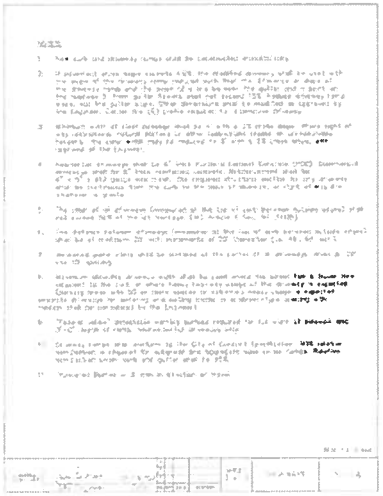
LEGEND AND DETAILS

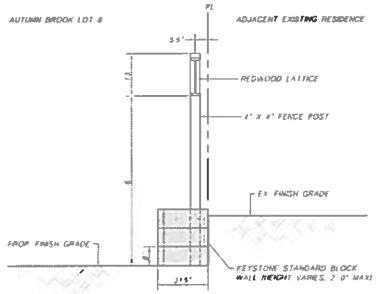
OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

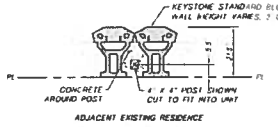
REVISED APRIL 8, 2015







SECTION VIEW



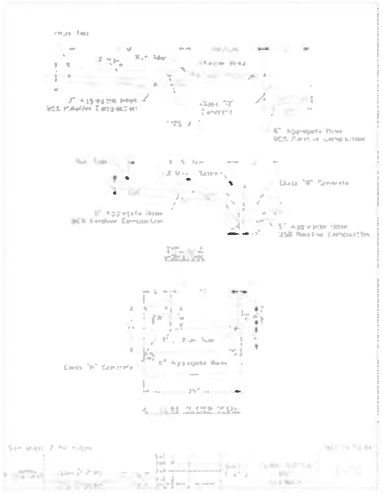
PLAN VIEW

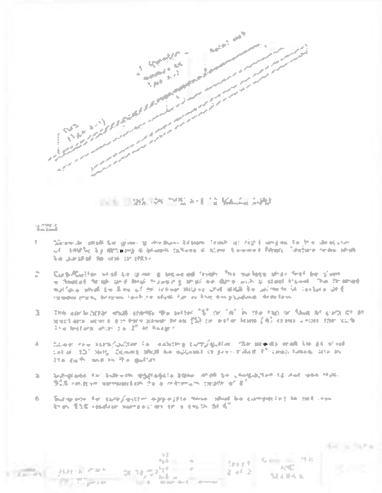
RETAINING WALL DETAIL

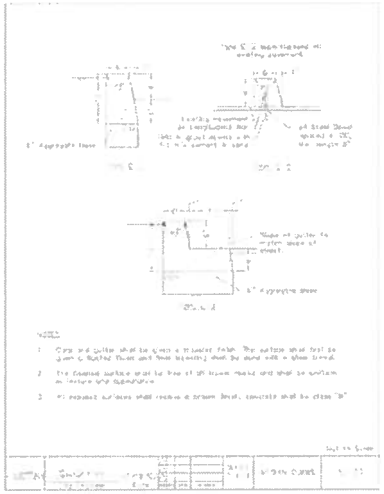
LOT 8 SIDE/REAR YARD NTS

LEGEND

PROPOSED	ITEM	EXISTING
	SUBDIVISION BOUNDARY	
	LOT LINE	
	CENTER LINE	
	EASEMENT LINE	
	LIMITS OF CIVIL GRADING	
W	DOMESTIC WATER LINE	
SS	SANITARY SEWER LINE	
JT	JOINT TRENCH	
	STORM DRAIN LINE (PUBLIC)	
	GAS LINE	
	EXISTING DRAINAGE	
	FIRE HYDRANT	
	SANITARY SEWER MANHOLE	
O OR	STORM DRAIN CATCH BASIN	
	WATER VALVE	
	JOINT POLE W/GUY ANCHOR	
AB	AGGREGATE BASE	
AC	ASPHALT CONCRETE	
CB	CATCH BASIN	
CO	CLEAN OUT	
CONC	CONCRETE	
ESMT or ESM'T	EASEMENT	
EX or EXIST	EXISTING	
F/C or FC	FACE OF CURB	
FF	FINISH FLOOR	
FH	FIRE HYDRANT	
FL	FLOW LINE	
GAR	GARAGE FINISH FLOOR	
JP	JOINT POLE	
MIN	MINIMUM	
OHW	OVERHEAD WIRE	
P/L or PL	PROPERTY LINE	
PAE	PUBLIC ACCESS EASEMENT	
PAV	PAVEMENT	
RI	RODDING INLET	
R/W or RW	RIGHT OF WAY	
TC	TOP OF CURB	
SDMH	STORM DRAIN MANHOLE	
SS	SANITARY SEWER	
W	WATER	
WV	WATER VALVE	







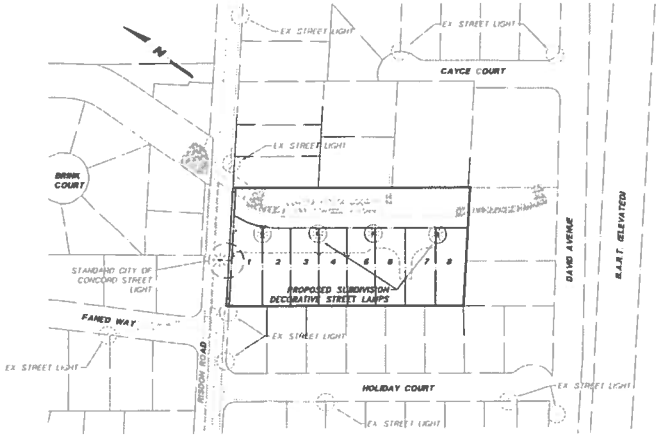
P/A Design Resources, Inc.

Planning ■ Engineering ■ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

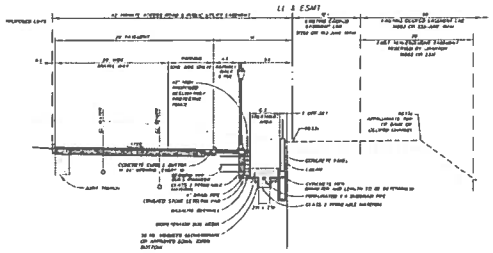
AUTUMN BROOK
CONCORD, CALIFORNIA

STREET SECTIONS AND DETAILS
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015

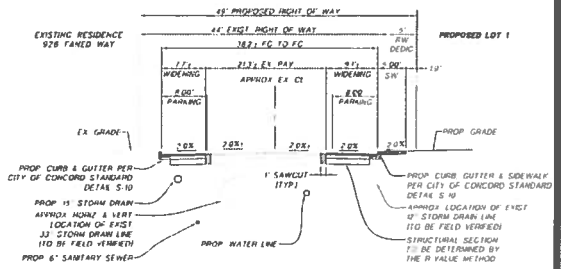


EXISTING & PROPOSED LIGHT LOCATIONS
SCALE 1" = 100'

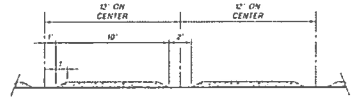
LEGEND:
- INDICATES PROPOSED STANDARD CITY OF CONCORD STREET LIGHT
- INDICATES PROPOSED SUBDIVISION DECORATIVE STREET LAMP



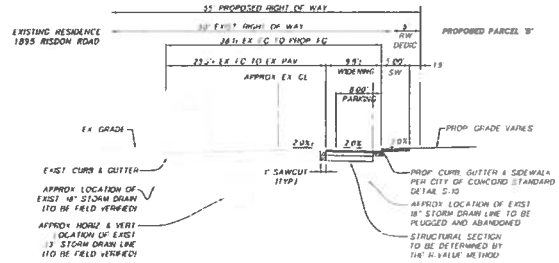
AUTUMN BROOK LANE
LOOKING NORTHWEST TOWARDS RISDON ROAD
(PRIVATE PARKING ALLOWED ON ONE SIDE ONLY)
N.T.S.



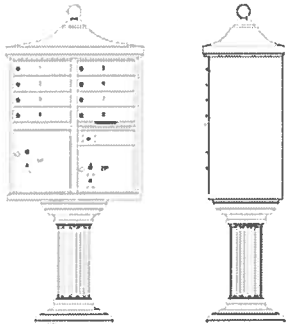
RISDON ROAD SECTION 1 - 1
LOOKING NORTHEAST TOWARD OAK GROVE ROAD
SEE SHEET 11 FOR SECTION LOCATION
PUBLIC PARKING ALLOWED BOTH SIDES. SEE PLAN VIEW FOR LOCATION
N.T.S.



TYPICAL OPEN CURB PROFILE DETAIL
SEE AUTUMN BROOK LANE FOR LOCATION
(ALLOWS FOR SURFACE DRAINAGE TO THE C3 FACILITY)
N.T.S.



RISDON ROAD SECTION 2 - 2
LOOKING NORTHEAST TOWARD OAK GROVE ROAD
SEE SHEET 11 FOR SECTION LOCATION
(PUBLIC PARKING ALLOWED BOTH SIDES. SEE PLAN VIEW FOR LOCATION)
N.T.S.



MAILBOX KIOSK DETAIL
CUSTOM HOME ACCESSORIES, INC
REGENT ASSEMBLY 8 DOOR MAILBOX
N.T.S.

COMPLETE SIGN UNIT

POLE
SP4X14 - 4" X 4" FLUTED POLE
EXTRUDED ALUMINUM ALLOY 6005-T5
WALL THICKNESS 0.125"

FINIAL
FIN A4 - ACORN FINIAL FOR 4"OD ROUND POLE
HEIGHT 8"
WIDTH 4.75"
CAST ALUMINUM ALLOY 8356

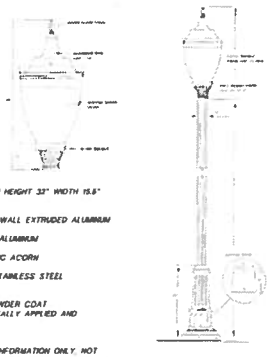
TRIM
TDS0836 - TRIM FOR 8" X 36" STREET SIGN
CAST ALUMINUM BACK PLATE ALLOY 8356
EXTRUDED FRAME ALLOY 88003

SIGNS
DS36DS - DOUBLE SIDED 8" X 36" REFLECTIVE STREET SIGN W/4" LETTERS
SPECIFY VINYL TYPE
STOP SIGN TO COMPLY WITH CAMUTCD R1-1

BASE
SB-B4 - SLIP OVER BASE FOR 4" OD POST
HEIGHT 16"
WIDTH 13"
CAST ALUMINUM ALLOY 8356

NOTES:
COMPLETE UNIT SHOWN WITH 3' BELOW GRADE BURIAL.
DRAWING FOR INFORMATION ONLY. NOT INTENDED FOR CONSTRUCTION PURPOSES.

STREET SIGN DETAIL
PRODUCT BY CUSTOM HOME ACCESSORIES, INC. N.T.S.
STREET SIGNAGE POLE WITH STOP SIGN OPTION ADDED



BASE:
CAST ALUMINUM HEIGHT 33" WIDTH 15.6"

POLE:
4" OD X 0.125" WALL EXTRUDED ALUMINUM

HOLDER: CAST ALUMINUM

GLOBE: ACRYLIC ACORN

FASTENERS: STAINLESS STEEL

FINISH
POLYESTER POWDER COAT
ELECTROSTATICALLY APPLIED AND THERMOCURED

NOTES:
DRAWING FOR INFORMATION ONLY. NOT INTENDED FOR CONSTRUCTION PURPOSES.

DECORATIVE STREET LAMP
REFER TO PHOTOMETRIC PLAN PREPARED BY ALG ASSOCIATED LIGHTING REPRESENTATIVES, INC. FOR MORE DETAILS
N.T.S.

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

PROJECT CONTEXT EXHIBIT
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015

1"=40'

0 20 40 80

IMPORTANT NOTES

BOUNDARY NOTE

THE BOUNDARY SHOWN HEREON IS NOT BASED ON A BOUNDARY SURVEY BUT IS AN APPROXIMATE BOUNDARY COMPILED FROM AVAILABLE PUBLIC RECORD DATA

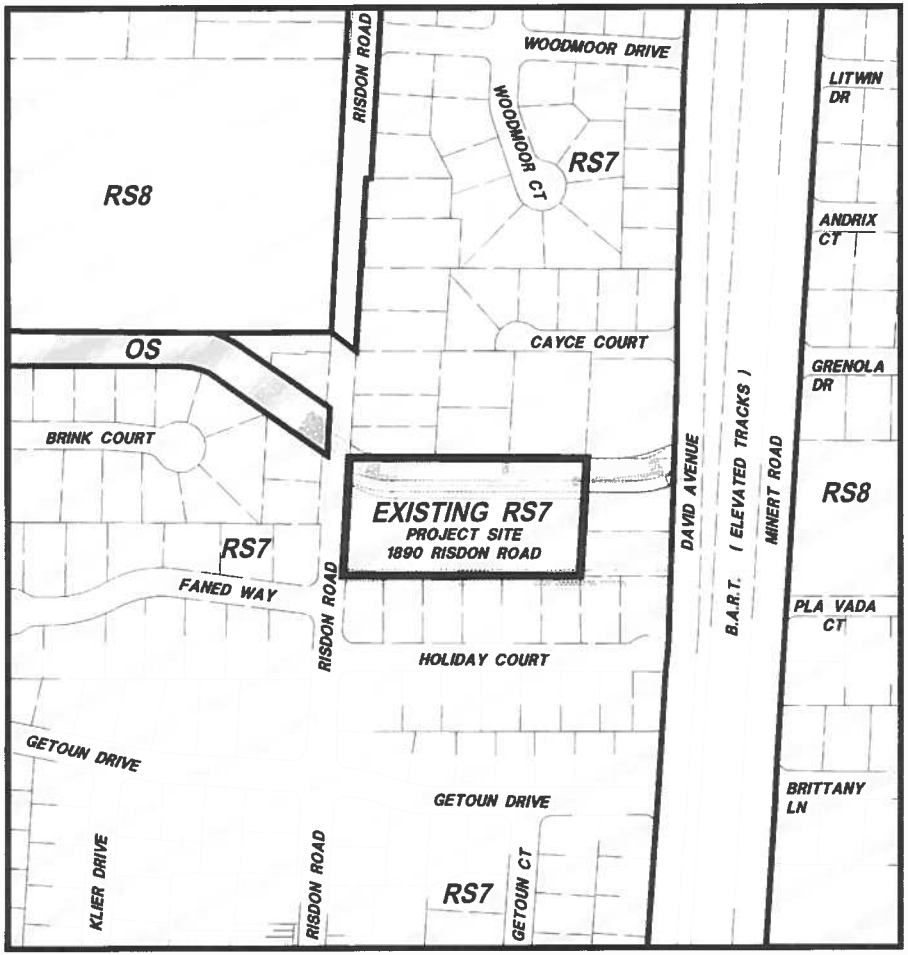
AERIAL PHOTO NOTE

AERIAL PHOTOGRAPHY SHOWN HEREON IS AVAILABLE PER CONTRA COSTA COUNTY GIS DATA DATED 2008

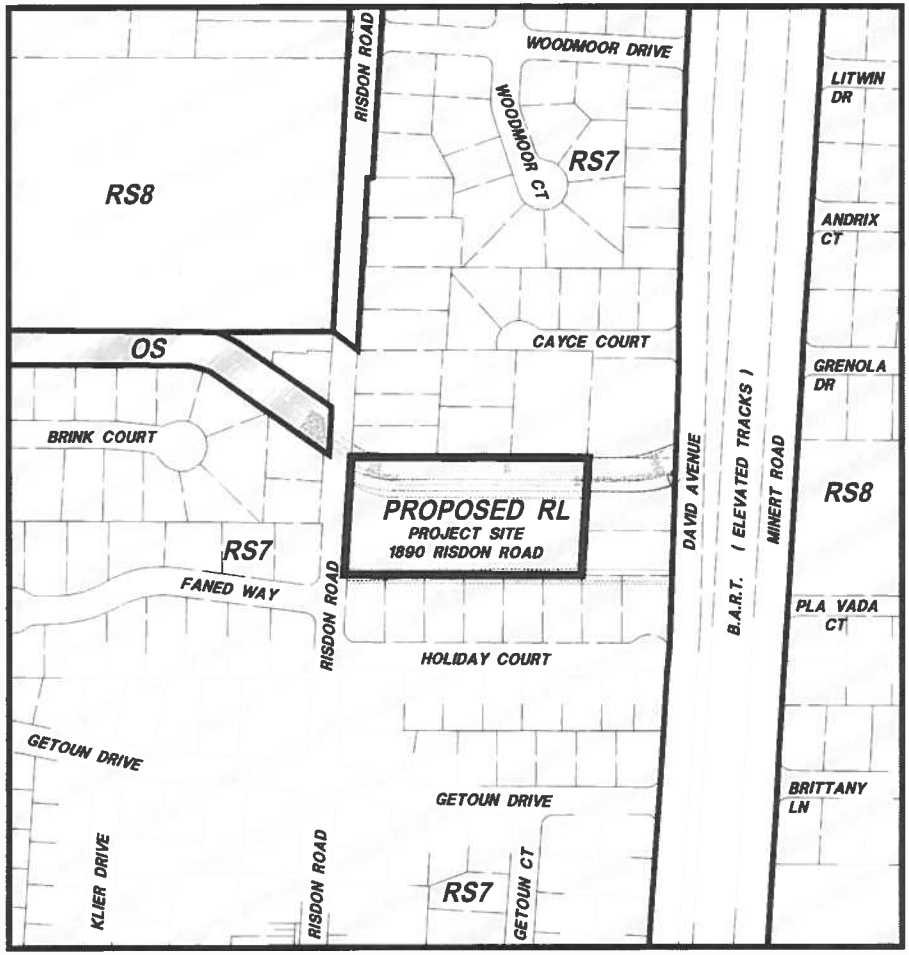
P/A Design Resources, Inc.
Planning ▪ Engineering ▪ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

ZONING DISTRICT EXHIBIT
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



EXISTING ZONING DISTRICTS



PROPOSED ZONING DISTRICT

1"=100'
0 50 100 200

IMPORTANT NOTE

ZONING NOTE

EXISTING ZONING DISTRICTS SHOWN ARE BASED ON THE CITY OF CONCORD ZONING MAP PAGE #10 EFFECTIVE DATE AUGUST 23, 2012

LEGEND

- OS : OPEN SPACE
- RS7 : SINGLE FAMILY RESIDENTIAL LOW DENSITY (2.5 TO 10 DU/NET ACRE)
- RS8 : SINGLE FAMILY RESIDENTIAL LOW DENSITY (2.5 TO 10 DU/NET ACRE)
- RL : LOW DENSITY RESIDENTIAL: LOW DENSITY (2.5 TO 10 DU/NET ACRE)

REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA No. C 53063 Exp. 09/30/15

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

SITE PHOTO EXHIBIT
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015

1.) VIEW LOOKING SOUTHWEST ALONG THE RISDON ROAD FRONTAGE WITH THE PROPERTY ON THE LEFT BEYOND THE FENCE

2.) VIEW LOOKING SOUTH FROM ACROSS RISDON ROAD TOWARDS THE EXISTING VACANT HOUSE AND DRIVEWAY

3.) VIEW LOOKING EAST FROM FAMED WAY TOWARDS THE EXISTING VACANT HOUSE. SHOWS EXISTING CURB, GUTTER AND SIDEWALK ENDING AT PROPERTY LINE

4.) VIEW LOOKING NORTHEAST ALONG RISDON ROAD TOWARDS OAK GROVE ROAD. THE PROPERTY BEGINS ON THE RIGHT HAND SIDE AFTER THE SIDEWALK ENDS AND PAVEMENT NARROWS.

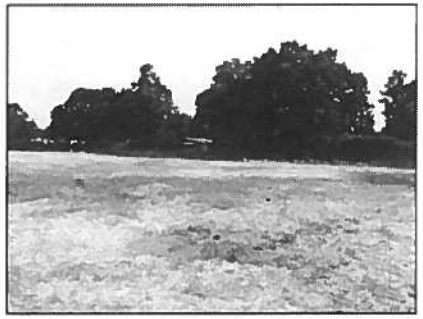
THIS VIEW ALSO SHOWS THE ABRUPT PAVEMENT NARROWING ON THE LEFT HAND SIDE WHERE IT ABRUPTLY JOGS OUT FROM THE TRUNCATED SIDEWALK AT 1891 RISDON ROAD. THIS IS THE AREA PROPOSED FOR WIDENING IN LIEU OF UNDERGROUNDING AN ISOLATED SECTION OF OVERHEAD UTILITIES ALONG THE PROJECT FRONTAGE SIDE.

5.) NORTHEAST VIEW OF THE EXISTING EDGE OF PAVEMENT ALONG THE FRONTAGE OF THE PROPERTY INCLUDING A STEEP ROADSIDE DRAINAGE DITCH DRAINING NORTHEAST TO BOX CULVERT.

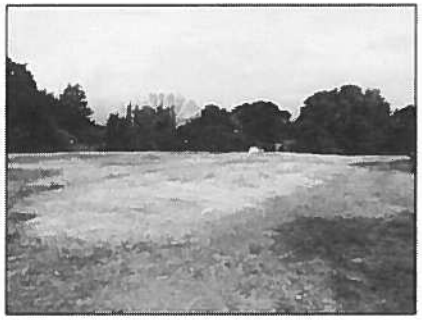
6.) VIEW LOOKING NORTHEAST FROM THE PROPOSED LOT 2 TOWARDS THE CONTRA COSTA COUNTY FLOOD CHANNEL AND THE EXISTING HOUSE BEYOND LOCATED AT 1902 RISDON ROAD

7.) VIEW LOOKING EAST ACROSS THE PROPERTY TOWARDS THE CONTRA COSTA COUNTY FLOOD CONTROL CHANNEL AND EXISTING HOUSES ON THE OTHER SIDE OF THE CHANNEL

KEY TO SITE PHOTOS
NTS



8.) VIEW LOOKING NORTHEAST ACROSS THE PROPERTY TOWARDS THE CONTRA COSTA COUNTY FLOOD CONTROL CHANNEL AND EXISTING HOUSES ON THE OTHER SIDE OF THE CHANNEL



9.) VIEW LOOKING WEST ACROSS THE PROPERTY TOWARDS THE REAR PROPERTY LINE OF THE EXISTING HOUSES ALONG HOLIDAY COURT

10.) VIEW LOOKING NORTHWEST FROM DAVID DRIVE ALONG THE FLOOD CONTROL CHANNEL TOWARDS THE PROPERTY (AS SEEN IN THE CLEARING BEYOND)

Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK

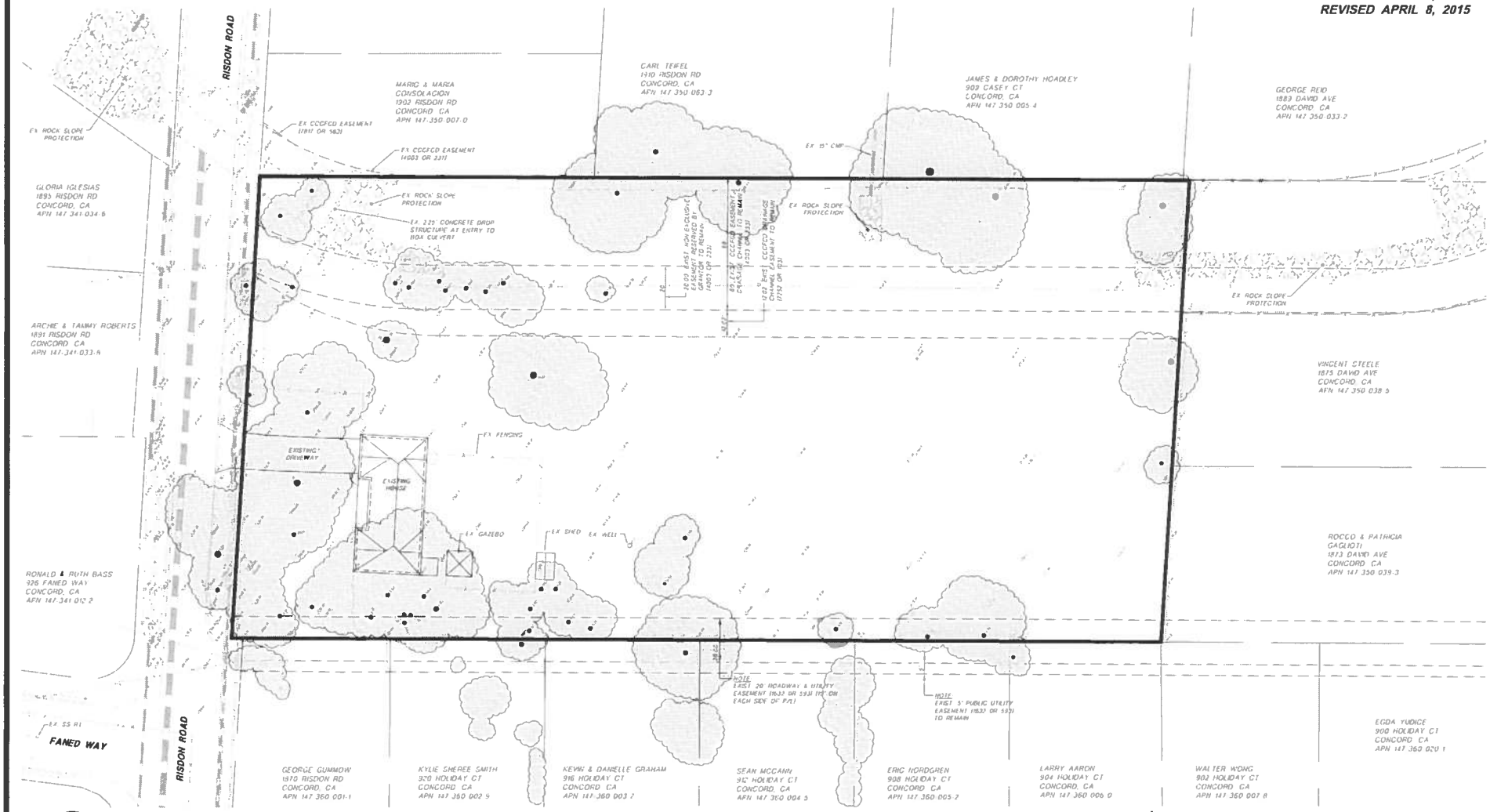
CONCORD, CALIFORNIA

EXISTING SITE TOPOGRAPHIC CONDITIONS

OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

REVISED APRIL 8, 2015



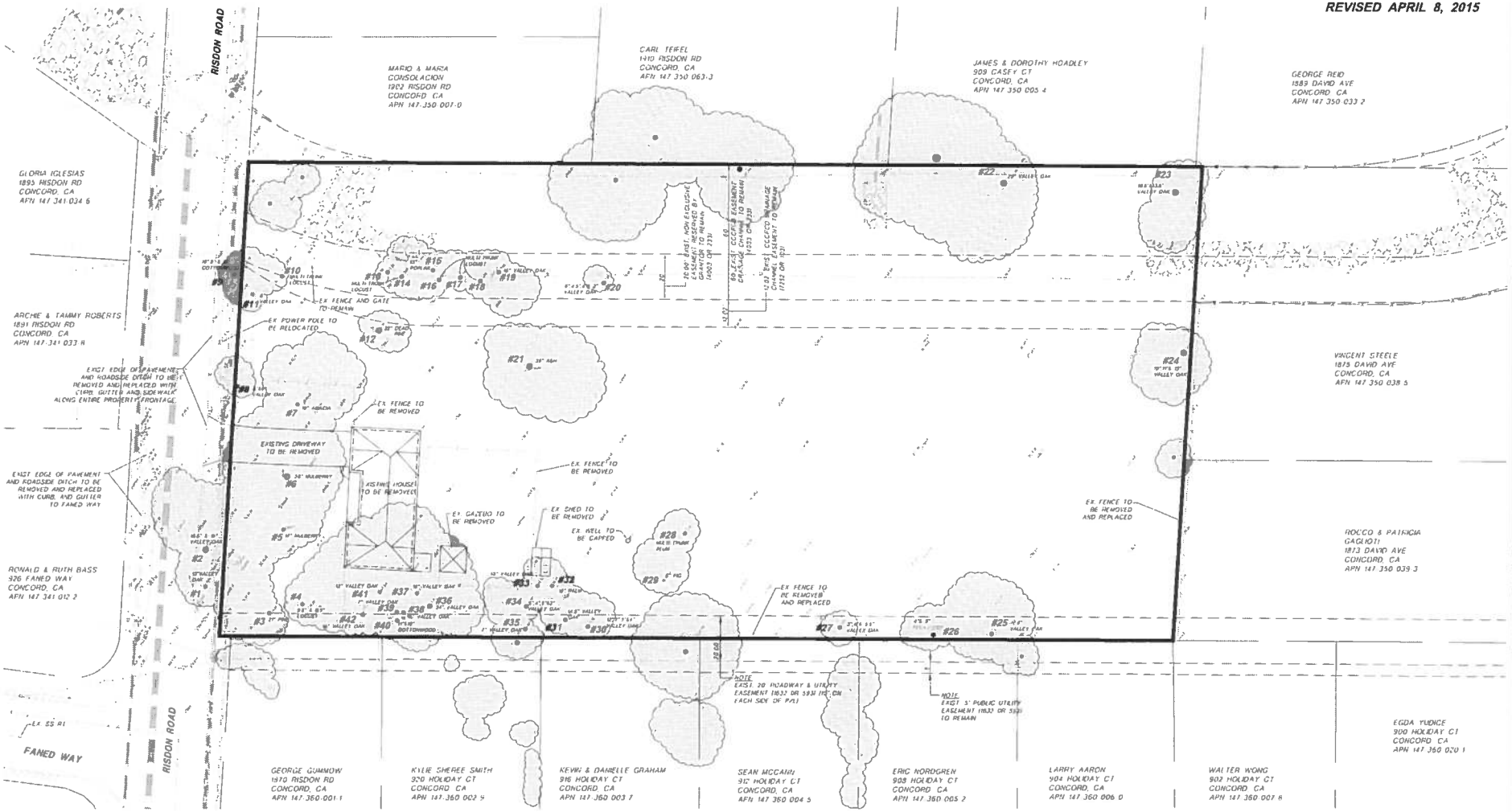
P/A Design Resources, Inc.

Planning ■ Engineering ■ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

TREE EXHIBIT & DEMOLITION PLAN
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



LEGEND

#25	TREE NUMBER PER ARBORIST REPORT
●	TREE TO BE SAVED IF POSSIBLE
●	TREE TO BE REMOVED

1"=20'
0 10 20 40

NOTES

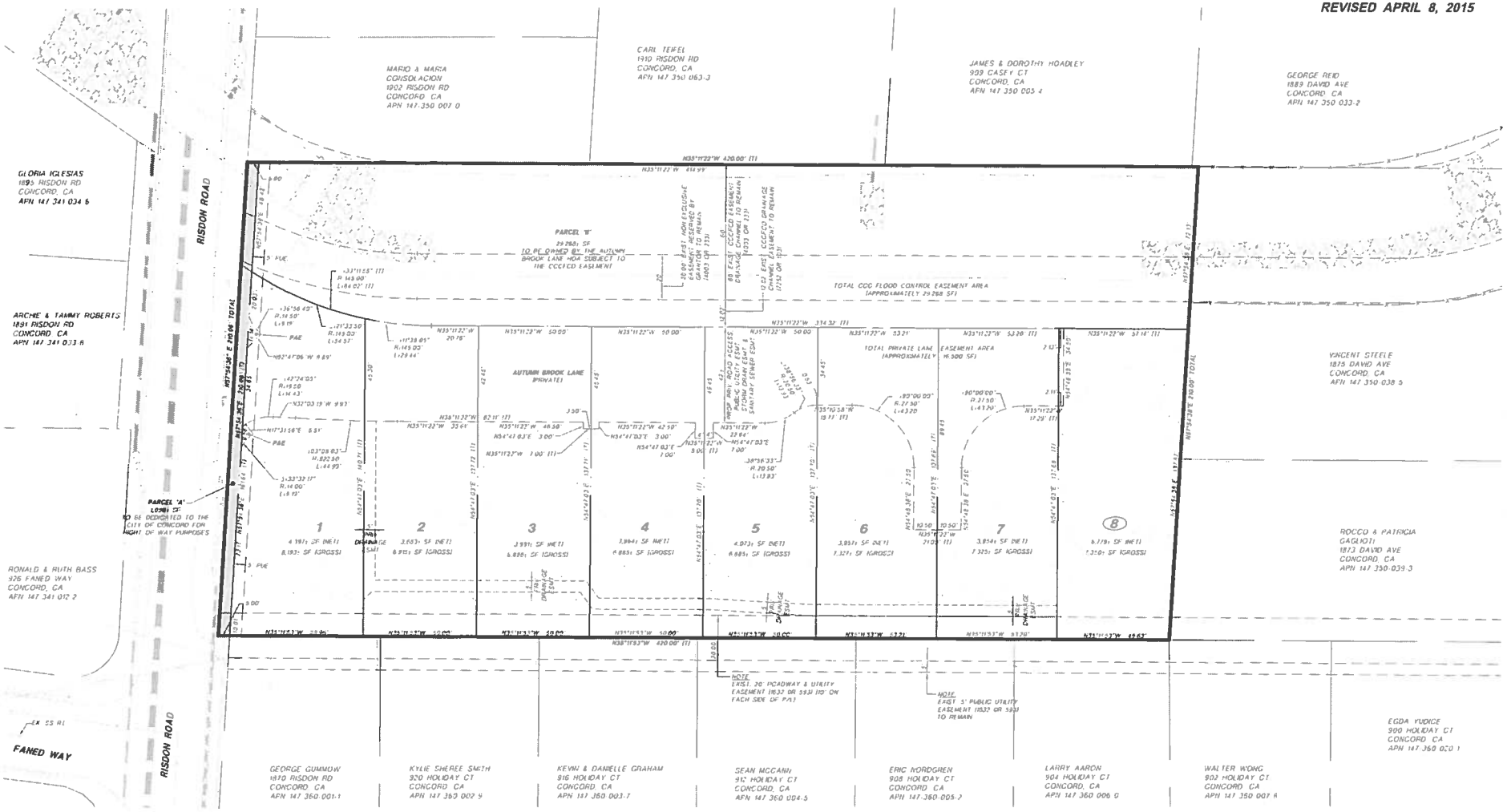
1. TREE LOCATIONS, TREE NUMBERS, SPECIES AND SIZES WERE FIELD IDENTIFIED BY THE ARBORIST AND ARE DISCUSSED IN THE TREE INVENTORY & PRELIMINARY ASSESSMENT FOR 1890 RISDON ROAD PREPARED BY JOHN TRAVERSO, DATED APRIL 2014

REGISTERED PROFESSIONAL ENGINEER RAZMIK AVEDIAN No. C 53063 Exp. 06/30/15 CIVIL STATE OF CALIFORNIA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

TENTATIVE MAP - LOT LAYOUT
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



LEGEND

INDICATES NET LOT AREA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK

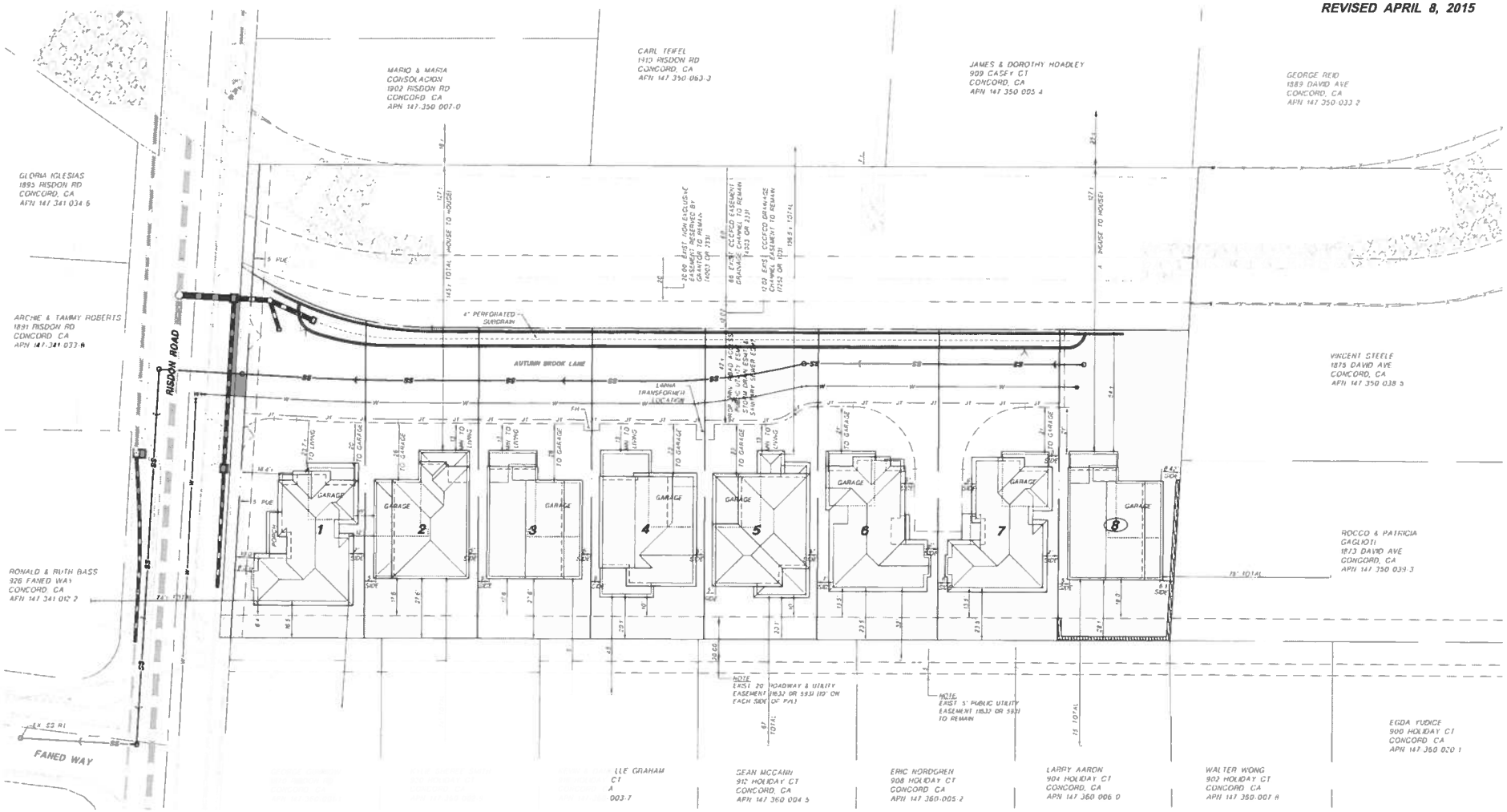
CONCORD, CALIFORNIA

TENTATIVE MAP - BUILDING SETBACK EXHIBIT

OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

REVISED APRIL 8, 2015



1"=20'

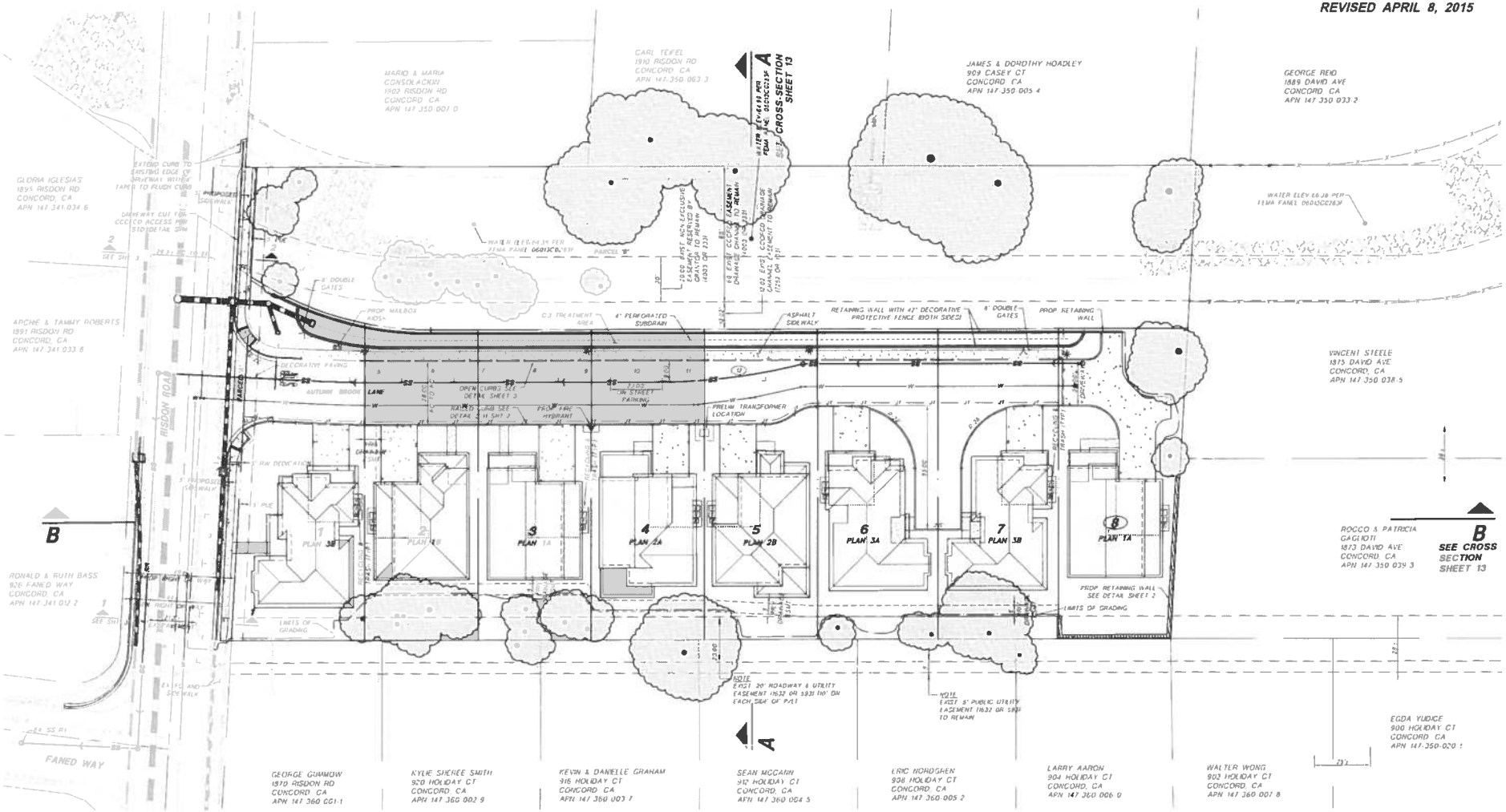
0 10 20 40

No. C 53063 Exp. 06/30/15 CIVIL STATE OF CALIFORNIA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

TENTATIVE MAP - SITE PLAN
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



IMPORTANT NOTES

BOUNDARY NOTE

THE BOUNDARY SHOWN HEREON IS NOT BASED ON A BOUNDARY SURVEY BUT IS AN APPROXIMATE BOUNDARY COMPILED FROM AVAILABLE PUBLIC RECORD DATA

TOPOGRAPHY NOTE

EXISTING TREE LOCATIONS AND TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY CONDUCTED BY P/A DESIGN RESOURCES, INC. IN MAY 2014

SETBACKS

SEE SHEET 9 FOR TYPICAL FRONT SIDE AND REAR YARD SETBACKS ALL DRIVEWAYS ARE A MINIMUM OF 20' DEEP FROM FACE OF CURB TO FACE OF GARAGE DOOR ALL GARAGES ARE A MINIMUM OF 22 FEET DEEP

1"=20'

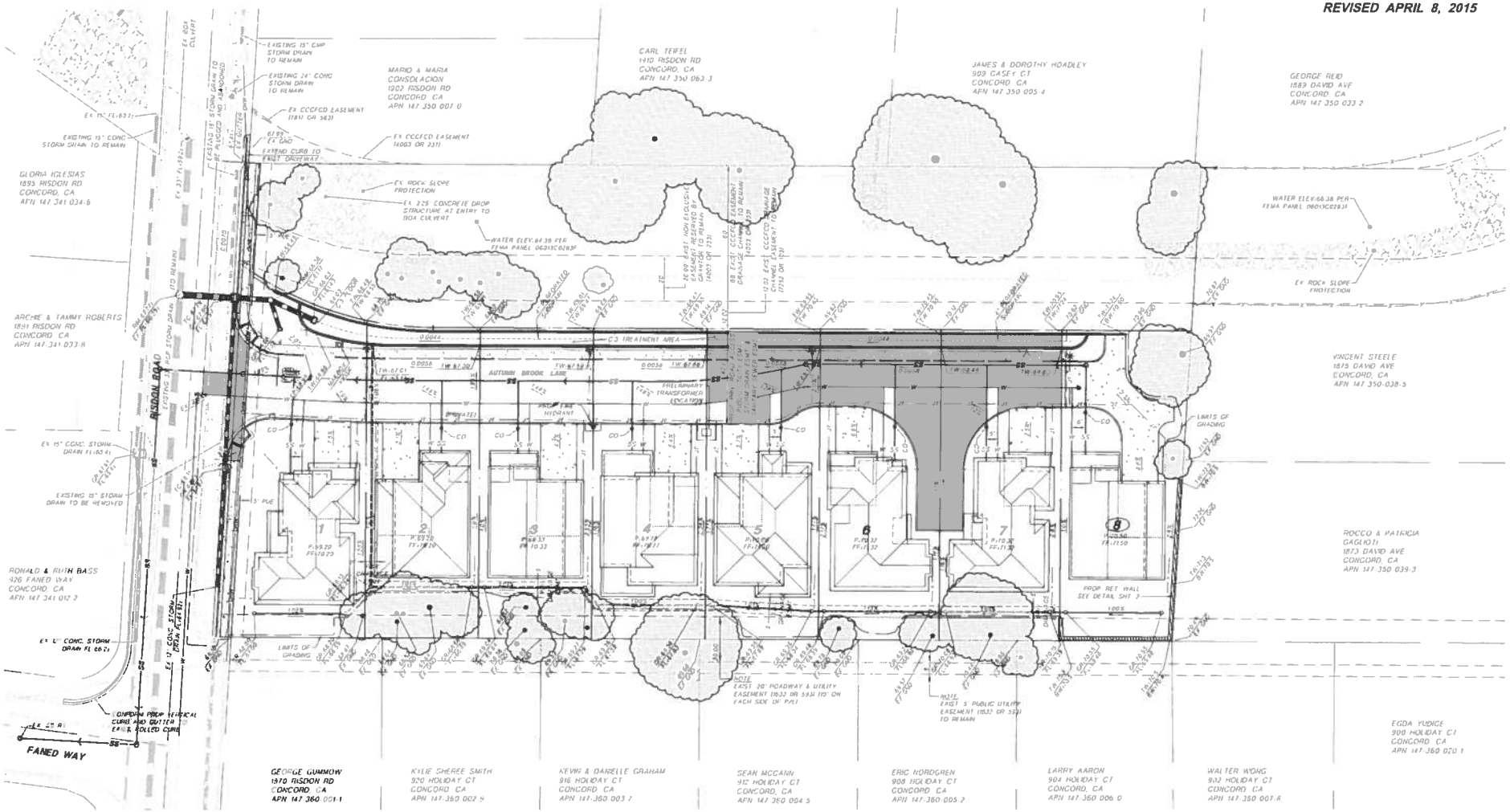
0 10 20 40

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

PRELIMINARY GRADING & DRAINAGE PLAN

OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



IMPORTANT NOTES

BOUNDARY NOTE

THE BOUNDARY SHOWN HEREON IS NOT BASED ON A BOUNDARY SURVEY BUT IS AN APPROXIMATE BOUNDARY COMPILED FROM AVAILABLE PUBLIC RECORD DATA

TOPOGRAPHY NOTE

EXISTING TREE LOCATIONS AND TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD SURVEY CONDUCTED BY P/A DESIGN RESOURCES, INC. IN MAY 2014

DESIGN GRADES/SLOPES

DESIGN GRADES AND SLOPES HAVE BEEN CALCULATED AND WILL BE FURTHER REFINED DURING FINAL ENGINEERING

TREES

- TREE TO BE SAVED IF POSSIBLE

1"=20'

0 10 20 40

REGISTERED PROFESSIONAL ENGINEER
ALVIN NICOLAS
No. C 53083
Exp. 06/30/15
Civil
STATE OF CALIFORNIA

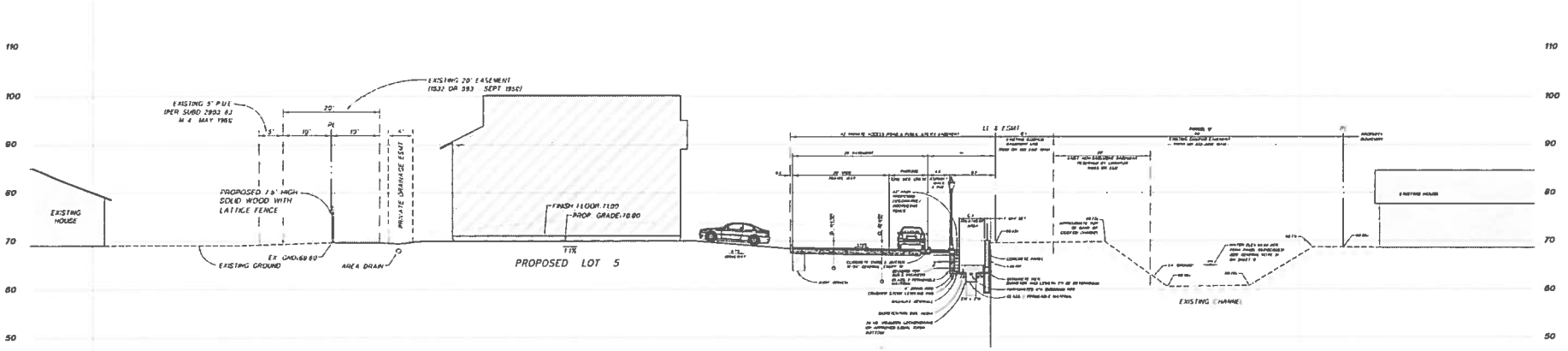
P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK

CONCORD, CALIFORNIA

"TRUE" CROSS - SECTIONS

OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



"TRUE" CROSS SECTION A - A

LOOKING NORTH THRU LOT 5

HORIZ & VERT SCALE 1"=10'
(SEE SHEET 11 FOR LOCATION)

"TRUE" CROSS SECTION B - B

LOOKING EAST THRU PROPOSED HOUSES

HORIZ & VERT SCALE 1"=20'
(SEE SHEET 11 FOR LOCATION)

P/A Design Resources, Inc.
Planning ▪ Engineering ▪ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK

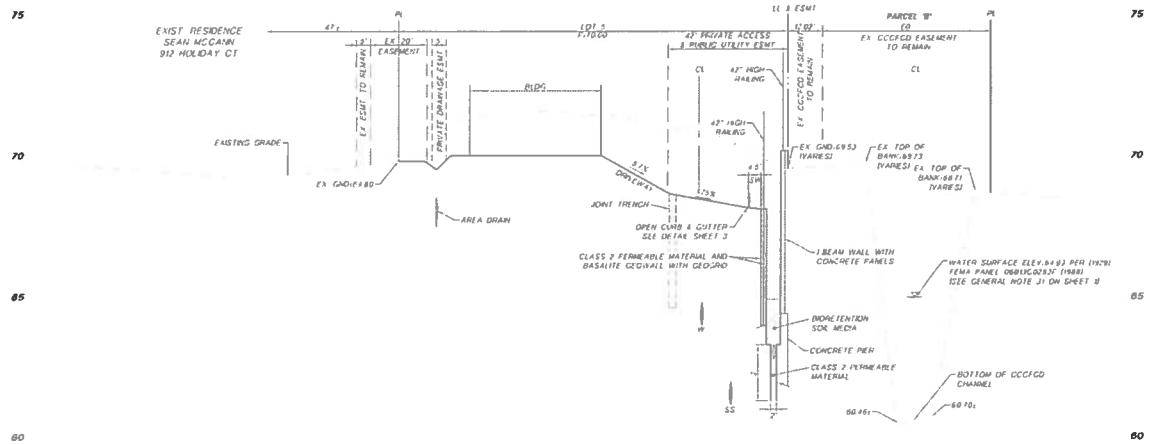
CONCORD, CALIFORNIA

"ENGINEERED" CROSS - SECTIONS

OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

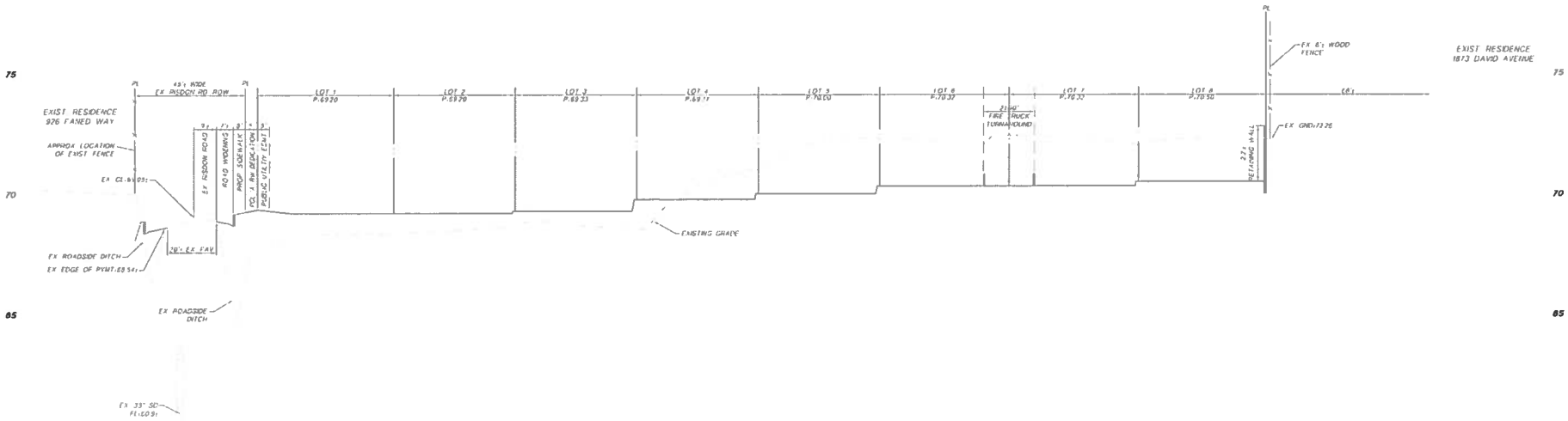
REVISED APRIL 8, 2015



"ENGINEERED" CROSS SECTION A - A

LOOKING NORTH THRU LOT 5

SCALE: HORIZ 1" = 20' VERT 1" = 2'
(SEE SHEET 11 FOR LOCATION)



"ENGINEERED" CROSS SECTION B - B

LOOKING EAST THRU PROPSED HOUSES

SCALE: HORIZ 1" = 20' VERT 1" = 2'
(SEE SHEET 11 FOR LOCATION)

REGISTERED PROFESSIONAL ENGINEER No. C 53063 Exp. 06/30/15 CIVIL STATE OF CALIFORNIA

P/A Design Resources, Inc.

Planning ▪ Engineering ▪ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK

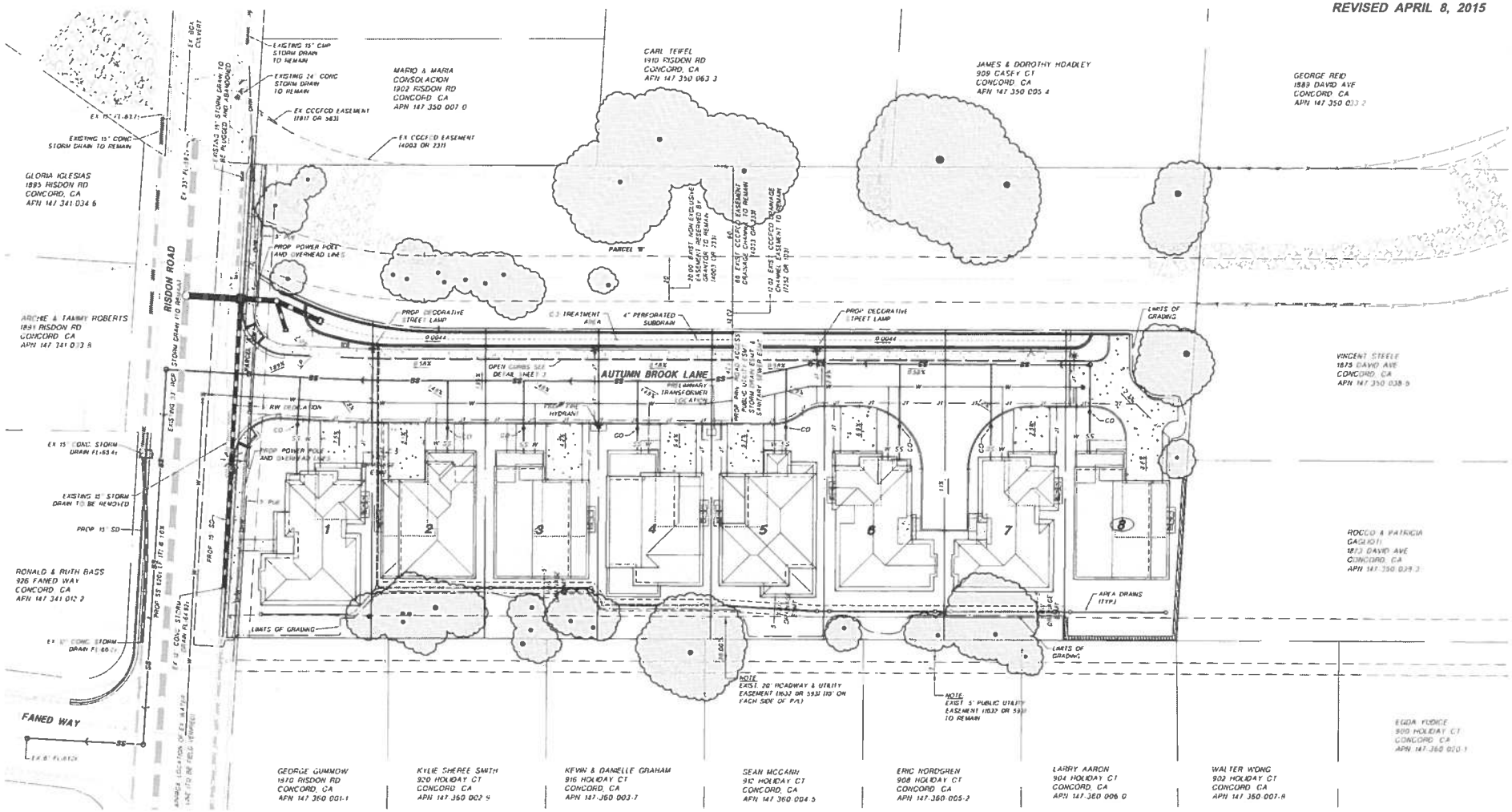
CONCORD, CALIFORNIA

PRELIMINARY UTILITY PLAN

OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

REVISED APRIL 8, 2015



IMPORTANT NOTE

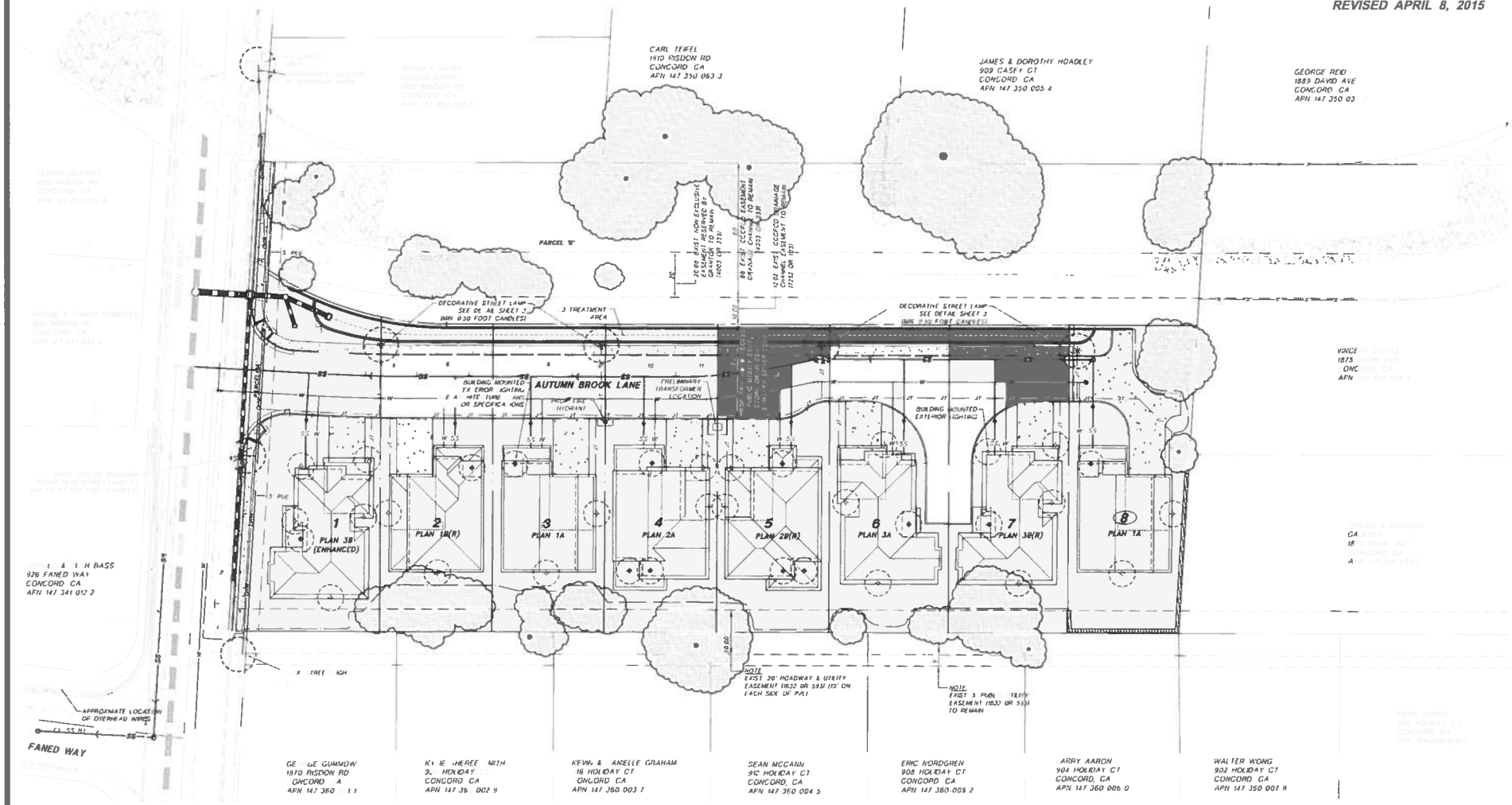
UTILITY LATERALS NOTE

FINAL LOCATION OF WATER AND SANITARY SEWER LATERALS WILL BE DETERMINED BY THE BUILDER

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

LIGHTING PLAN
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



NOTES

1. SEE ARCHITECTURAL PLANS FOR LOCATION AND TYPE OF BUILDING MOUNTED EXTERIOR LIGHTING AND ILLUMINATED ADDRESS SIGNS.
2. FOR PHOTOMETRIC PLAN REFER TO SEPARATE EXHIBIT PREPARED BY ALR (ASSOCIATED LIGHTING REPRESENTATIVES, INC.) DATED 3/26/2015 SHEET 1 OF 1

1"=20'

0 10 20 40

LEGEND

INDICATES EXISTING STREET LIGHT

INDICATES PROPOSED STANDARD CITY OF CONCORD STREET LIGHT

OR INDICATES APPROXIMATE LOCATON OF BUILDING MOUNTED EXTERIOR LIGHTING

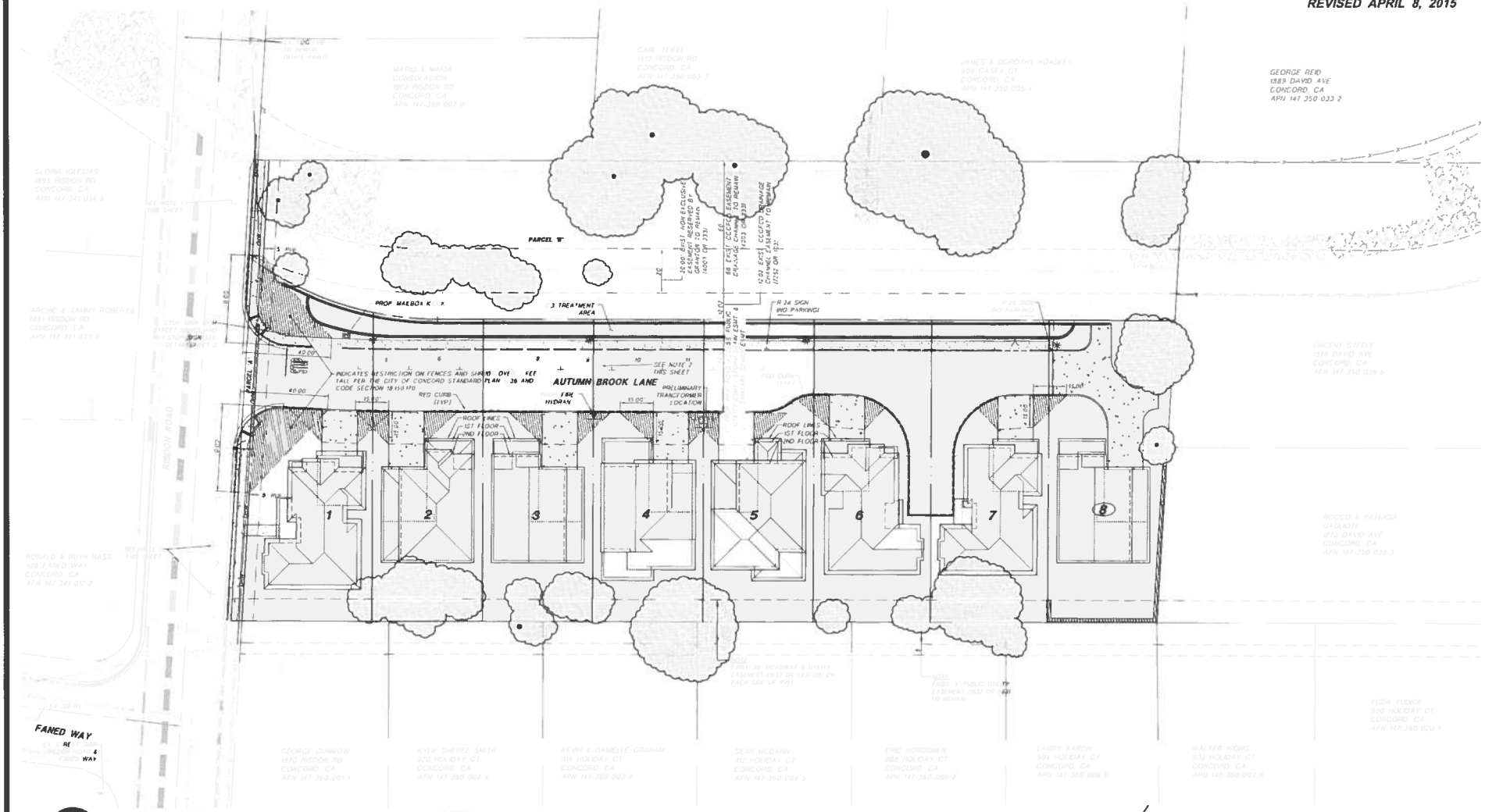
REGISTERED PROFESSIONAL ENGINEER
RAZAK AMEDAKE
No. C 53063
Exp. 08/30/15
CIVIL
STATE OF CALIFORNIA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

TRAFFIC SIGNING / STRIPING / CORNER SETBACK PLAN

OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



LEGEND

- - - - INDICATES RED PAINTED CURB

1"=20'

NOTES:

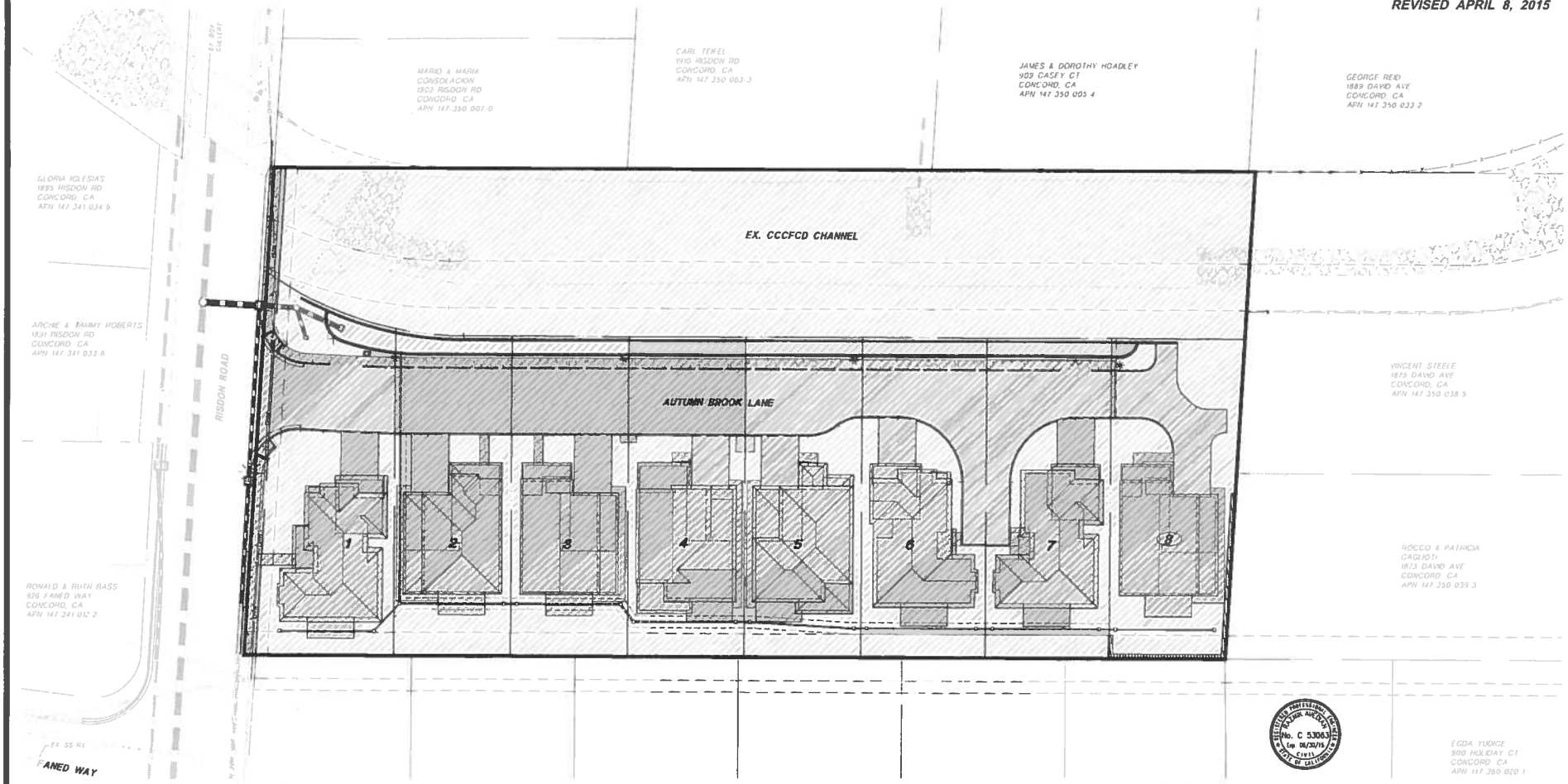
1. PARKING INDICATED ON RIBBON ROAD (SPACES 1 THOUGH 4) ARE FOR REFERENCE ONLY AND WILL NOT BE STRIPED
2. PARKING INDICATED ON AUTUMN BROOK LANE (SPACES 5 THROUGH 10) WILL BE STRIPED
3. THE VISIBILITY TRIANGLES AS SHOWN ARE PER THE CITY OF CONCORD STANDARD DETAIL S 36

REGISTERED PROFESSIONAL ENGINEER
No. C 53063
Exp. 06/30/15
Civil
STATE OF CALIFORNIA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635
TEL (925) 210-9300

AUTUMN BROOK
CONCORD, CALIFORNIA

PRELIMINARY STORMWATER CONTROL PLAN
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



LEGEND

	IMPERVIOUS AREAS DRAINING TO IMP	
	DMA 1 (BUILDING FOOTPRINT)	17,489± SF
	DMA 2 (DRIVEWAYS, WALKWAYS & PATIOS)	7,280± SF
	DMA 3 (PRIVATE LANE & SIDEWALK)	13,365± SF
	PERVIOUS AREAS DRAINING TO IMP	
	DMA 4 (LANDSCAPED AREAS)	17,361± SF
	BIORETENTION / BIOSWALE AREA (IMP)	
	DMA 5 (SIZED PER CCCWP REQUIREMENTS)	1,956± SF
	SELF-TREATING AREA	
	CONTRA COSTA COUNTY FLOOD CONTROL CHANNEL	

1"=20'

0 10 20 40

DMA NAME	AREA SF	POST PROJECT SURFACE TYPE	DMA RUNOFF FACTOR	DMA AREA x RUNOFF FACTOR	IMP SIZING			
					IMP SIZING FACTOR	RAIN ADJUSTMENT FACTOR	MINIMUM AREA OR VOLUME	PROPOSED AREA OR VOLUME
DMA 1	17,489	CONVENTIONAL ROOF	1.00	17,489				
DMA 2	7,280	CONCRETE OR ASPHALT	1.00	7,280				
DMA 3	13,365	CONCRETE OR ASPHALT	1.00	13,365				
DMA 4	17,361	LANDSCAPE	0.10	1,736				
DMA 5	1,956	LANDSCAPE	0.10	195				
			TOTAL	40,066				
				AREA	0.0400	1.0000	1,603	1,956

IMPORTANT NOTE:

EXISTING IMPERVIOUS SURFACE AREA OF EXISTING HOUSE AND CONCRETE DRIVEWAY IS APPROXIMATELY 2,731± SF, WHICH HAS NOT BEEN CONSIDERED IN THE CLEAN WATER CALCULATIONS.

NOTE:

BUILDING FOOTPRINTS, WALKWAYS AND PATIOS SHOWN ARE ILLUSTRATIVE ONLY FOR CALCULATING THE APPROXIMATE IMPERVIOUS AREA USED IN DETERMINING THE REQUIRED C.3 TREATMENT AREA AND MAY NOT REPRESENT THE FINAL CONFIGURATION.

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying

3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK

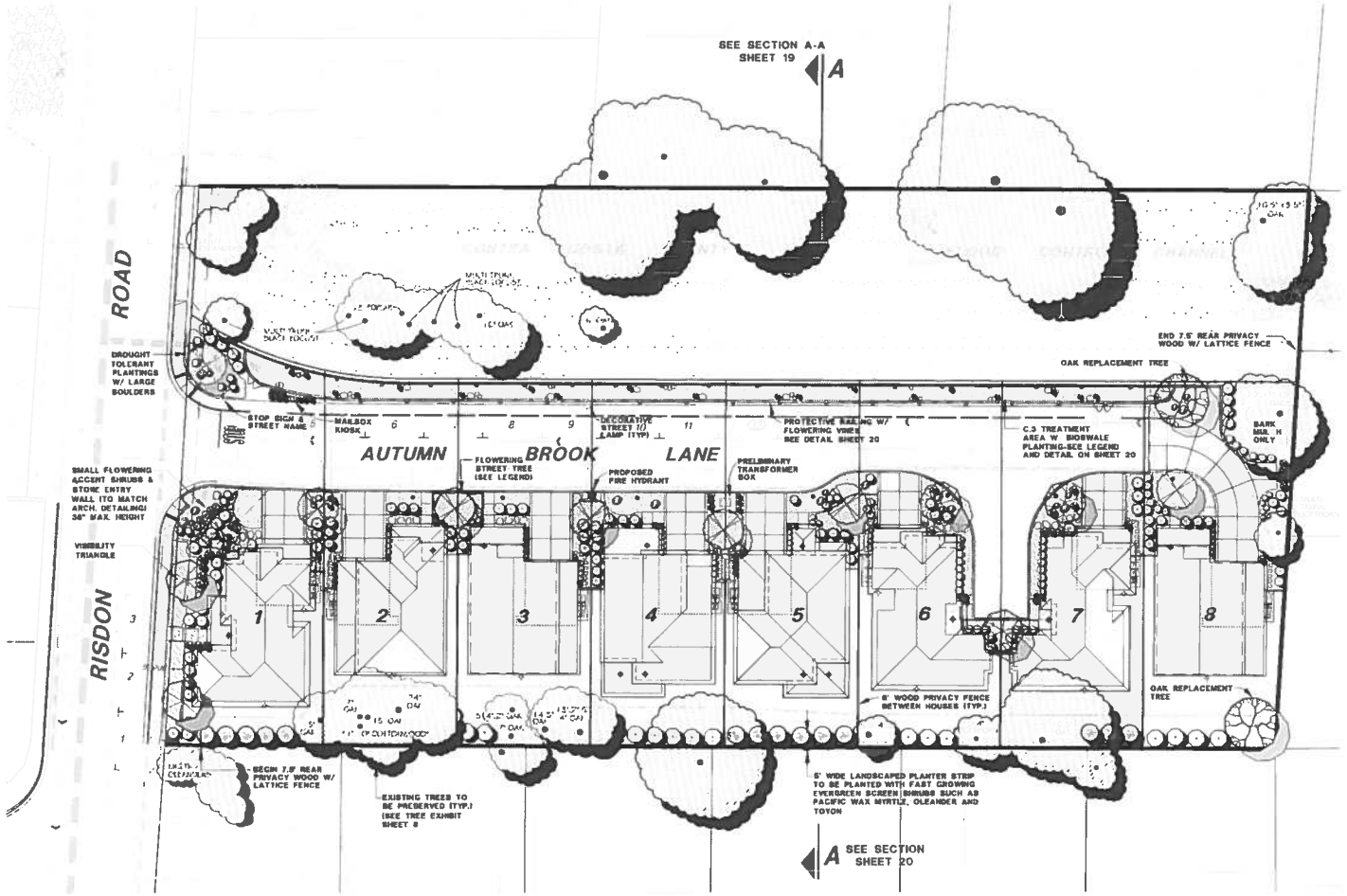
CONCORD, CALIFORNIA

PRELIMINARY LANDSCAPE PLAN

OCTOBER 8, 2014

REVISED DECEMBER 23, 2014

REVISED APRIL 8, 2015



KEY PRELIMINARY PLANT PALETTE

TREES

LAGERSTROEMIA I. 'NATCHEZ' WHITE CRAPE MYRTLE *

SHRUBS

AGAPANTHUS 'PETER PAN' DWARF LILY OF THE NILE
BORDERS CARISSO 'PIGGY' NEW JAPANESE HONEYSUCKLE
CEANOTHUS M. 'VALLEY VIOLET' DWARF CALIFORNIA LILAC
COREOPSIS V. 'SUNSET GOLD' BREATH OF HEAVEN
LIRIOPE VERDE 'FOPTINGH' DWARF
FESTUCA G. 'BLUE BLUE' BLUE FESCUE
HEMEROCALLIS 'STELLA' DAYLILY
HETEROMELES ARBUTIFOLIA TOYON
HYPERICUM CALYCINUM 'CARIBBEAN' ST. JOHN'S WORT
KOELERIA 'CARB' BLUE HAIR GRASS
MYRICA CALIFORNICA 'PACIFIC' PACIFIC WAX MYRTLE
NANDINA DOMESTICA 'NANA' DWARF HEAVENLY BAMBOO
PITTOSPORUM 'WHEELER'S DWARF' DWARF MOCK ORANGE
NERIUM OLEANDER 'PETITE SALMON' DWARF OLEANDER
PHORMIUM 'DARK DELIGHT' DWARF NEW ZEALAND FLAX
ROSMARINUS OFFICINALIS 'TUSCAN BLUE' TUSCAN BLUE ROSEMARY
SALVIA LEUCANTHA MEXICAN SAGE
TULBAGHIA V. 'SILVER LACE' VARIEGATED SOCIETY GARLIC

GROUNDCOVERS

ARCTOSTAPHYLOS EMERALD CARPET CARPET MANZANITA
FRAGARIA CHILOENSIS WILD STRAWBERRY
LAMPRANTHUS DUNCAN ORANGE ICE PLANT
MYOPORUM PARVIFOLIUM MYOPORUM
VINCA MINOR 'DOWELLII' DWARF PERIWINKLE

VINES

CEANOTHUS CEANOTHUS
GOODENIA HEDERACEA KIDNEY POTATO VINE
CLYTOSTOMA CALLISTEGIOIDES VIOLET TRUMPET VINE

BIOSWALE C.3 PLANTING

CAREX STR. SEDGE
JUNCUS SPP. RUSH
IRIS DOUGLASIANA DOUGLAS IRIS

MOSS ROCK BOULDERS

EXISTING TREE

FENCING LEGEND

6' HIGH WOOD PRIVACY FENCING (7.5' HIGH IN REARYARDS ADJACENT TO NEIGHBORS)

42" BLACK TUBULAR STEEL FENCING (AROUND C.3 WATER QUALITY TREATMENT AREA)

* NOTES

1. TREES COMPLY WITH PACIFIC GAS AND ELECTRIC'S PUBLICATION "A SELECTION & PLANTING GUIDE TO SMALL TREES NEAR DISTRIBUTION LINE FOR NORTHERN CALIFORNIA" DATED 2010
2. NO TREES OR STRUCTURES SHALL BE PLANTED OVER UTILITY LINES.

NOTES:

1. ALL FRONTYARD PLANTING AREAS, INCLUDING THE PRIVATE LANE AND C.3 EASEMENT, SHALL BE IRRIGATED AND MAINTAINED BY THE HOA. PLANTS SHALL BE IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM UTILIZING MATCHED, LOW PRECIPITATION HEADS ALONG WITH DRIP IRRIGATION AND INCLUDE AN AUTOMATIC MULTI-PROGRAMMABLE CONTROLLER EQUIPPED WITH RAIN SENSORS AND AN AUTOMATIC SHUT-OFF DEVICE.
2. ALL PLANTING AREAS SHALL RECEIVE A 3" LAYER OF 1/4 -3/4 BARK MULCH. BARK TO BE KEPT CLEAR OF TRUNKS TO AVOID ROOT ROT.
3. PLANTING SIZE. STREET TREES SHALL BE - 24" BOX. SHRUBS - 5 GALLON. ACCENT PERRENIALS GROUNDCOVERS AND VINES - 1 GALLON.
4. PLANT MATERIAL AND IRRIGATION DESIGN SHALL COMPLY WITH THE CALIFORNIA WATER EFFICIENCY STANDARDS
5. SEE SHEET 3 FOR MAILBOX KIOSK, DECORATIVE STREET LAMP AND COMBINATION STOP SIGN AND STREET SIGN DETAILS
6. SEE SHEET 20 FOR FENCING DETAILS
7. SEE SHEET 8 FOR THE LOCATION OF ALL EXISTING TREES ON THE SITE WITH A TRUNK DIAMETER OF 4" OR GREATER (MEASURED 4-1/2" ABOVE GRADE). TREES ARE IDENTIFIED BY SIZE AND SPECIES AND WHETHER THEY ARE TO BE REMOVED OR PRESERVED. FOR SPECIFIC CONDITION AND RECOMMENDATION OF INDIVIDUAL TREES SEE ARBORIST REPORTS.
8. EXISTING AND PROPOSED UTILITIES ARE SHOWN AS SCREENED LINES FOR REFERENCE ONLY TO IDENTIFY AND AVOID POTENTIAL CONFLICT BETWEEN UTILITIES AND TREE PLANTINGS.
9. TRASH RECEPTICLES SHALL BE PLACED BEHIND A SOLID GATED WOOD FENCE ON CONCRETE PAVERS LOCATED ON THE SERVICE SIDE OF THE BUILDING.

1"=20'

0 10 20 40

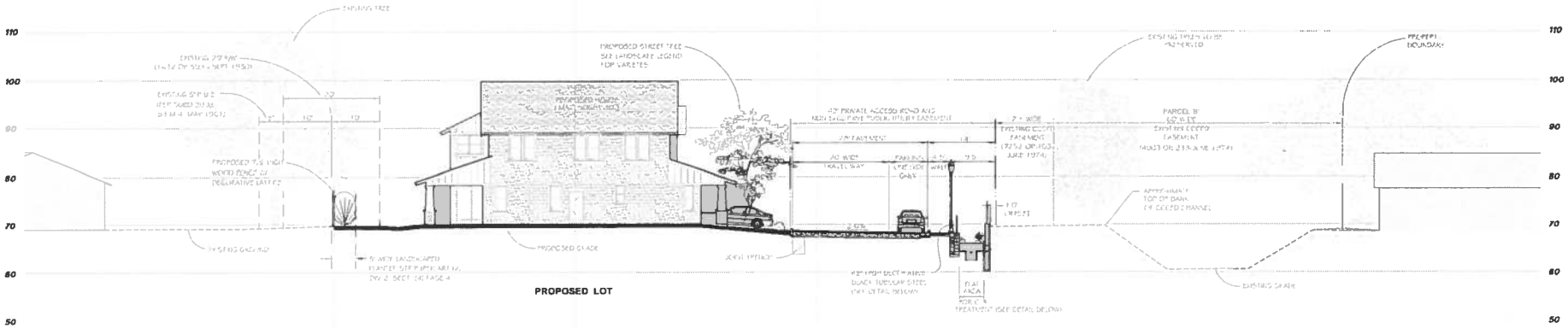
REGISTERED PROFESSIONAL ENGINEER RICHARD AVERNA No. C 53063 Exp. 06/30/15 CIVIL STATE OF CALIFORNIA

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

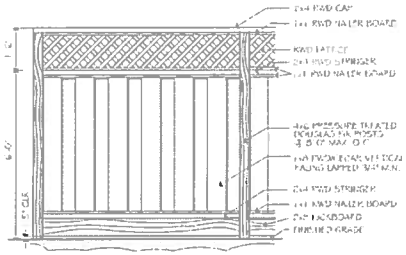
AUTUMN BROOK
CONCORD, CALIFORNIA

PRELIMINARY LANDSCAPE SECTIONS & DETAILS

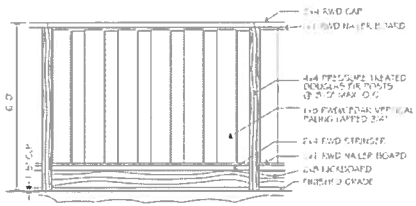
OCTOBER 8, 2014
REVISED DECEMBER 23, 2014
REVISED APRIL 8, 2015



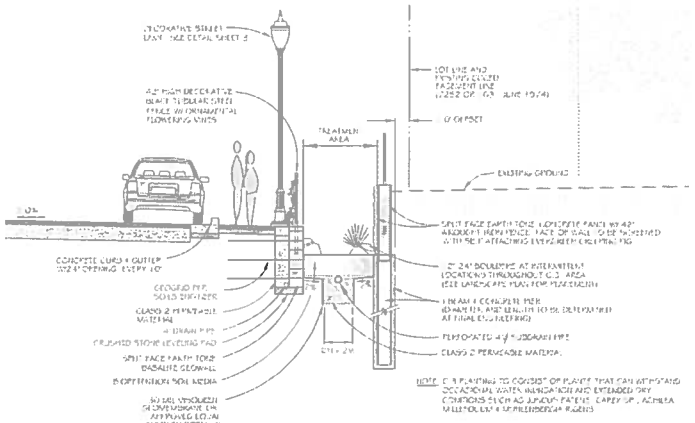
SECTION / ELEVATION A - A SCALE: 1" = 10'
LOOKING NORTH THRU MIDDLE OF SITE TOWARD RISDON ROAD



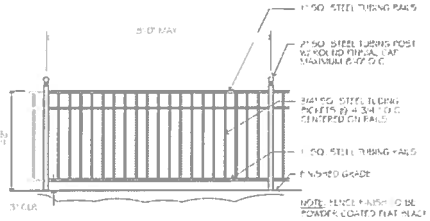
7.5' REAR PRIVACY FENCE DETAIL
N.T.S.



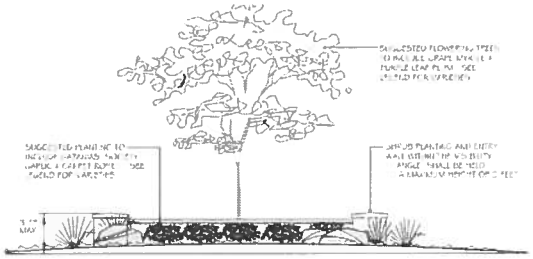
6' WOOD PRIVACY FENCE DETAIL
N.T.S.



C.3 TREATMENT AREA DETAIL
N.T.S.



42" BLACK TUBULAR STEEL FENCE DETAIL @ C.3 TREATMENT ARI
N.T.S.



ENTRY WALL PLANTING - ELEVATION
N.T.S.

P/A Design Resources, Inc.
Planning ■ Engineering ■ Surveying
3021 Citrus Circle, Suite 150
Walnut Creek, California 94598-2635 TEL (925) 210-9300

AUTUMN BROOK HOMES
1890 RISDON ROAD
CONCORD, CA

DESIGN REVIEW SUBMITTAL: 10/08/14

REVISED: 12/24/14

DRAWING INDEX

	COVER SHEET
A1.0	PLAN 1A - FLOOR AND ROOF PLANS
A1.1	PALN 1B - FLOOR AND ROOF PLANS
A1.2	PLAN 1A - ELEVATIONS
A1.3	PLAN 1B - ELEVATIONS
A2.0	PLAN 2A - FLOOR AND ROOF PLANS
A2.1	PLAN 2B - FLOOR AND ROOF PLANS
A2.2	PLAN 2A - ELEVATIONS
A2.3	PLAN 2B - ELEVATIONS
A3.0	PLAN 3A - FLOOR AND ROOF PLANS
A3.1	PLAN 3B - FLOOR AND ROOF PLANS
A3.1a	PLAN 3B ENHANCED - FLOOR AND ROOF PLANS
A3.2	PLAN 3A - ELEVATIONS
A3.3	PLAN 3B - ELEVATIONS
A3.3a	PLAN 3B ENHANCED - ELEVATIONS
A4.0	STREETSCAPE
A5.0	COLORS AND MATERIALS

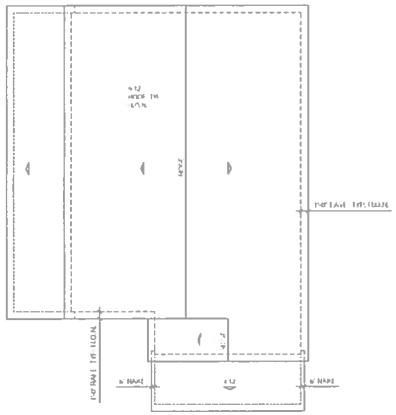
HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

RECEIVED
DEC 23 2014
PLANNING

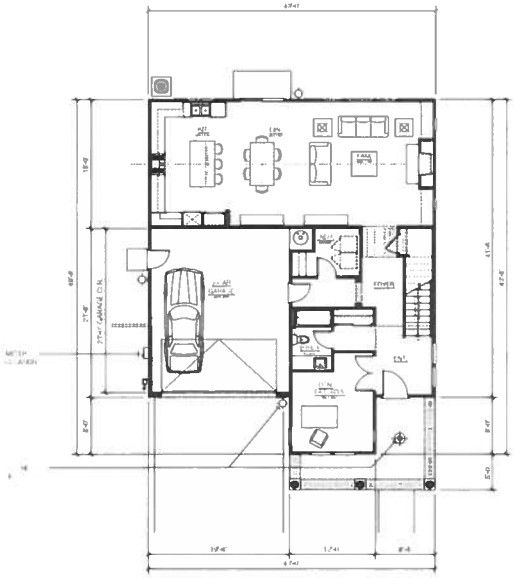


ROOF PLAN

PLAN 1A

UPPER FLOOR PLAN

PLAN 1A



MAIN FLOOR PLAN

PLAN 1A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

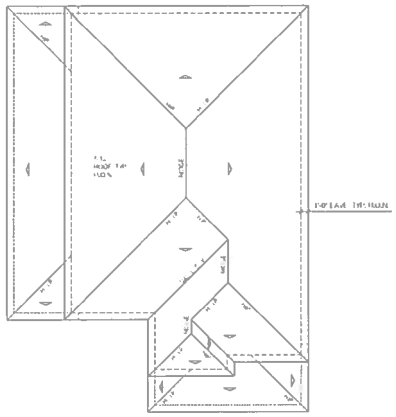
t. 415-512-1300
f. 415-288-0288

PLAN 1A - FLOOR AND ROOF PLANS

A1.0

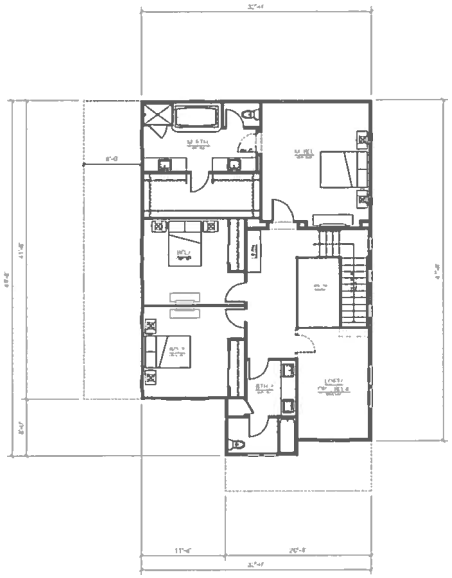
SCALE: 1/8" = 1'-0"
DATE: 10/8/2014
REVISED: 12/24/2014
PROJECT: 329001.00

©HUNT HALE JONES ARCHITECTS



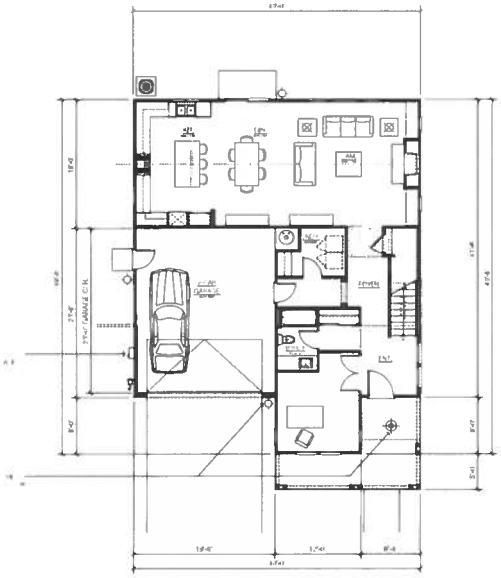
ROOF PLAN

PLAN 1B



UPPER FLOOR PLAN

PLAN 1B



MAIN FLOOR PLAN

PLAN 1B

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

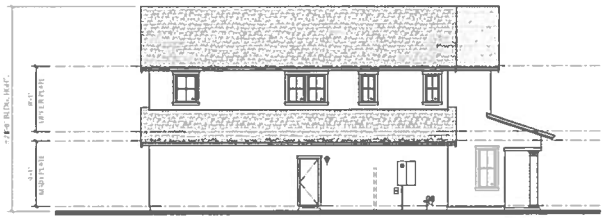
t. 415-512-1300
f. 415-288-0288

PALN 1B - FLOOR AND ROOF PLANS

A1.1

SCALE: 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

©HUNT HALE JONES ARCHITECTS



LEFT ELEVATION

PLAN 1A

FRONT ELEVATION

PLAN 1A

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- STUCCO
- DECORATIVE WOOD SHUTTERS
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

RIGHT ELEVATION

PLAN 1A

REAR ELEVATION

PLAN 1A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

PLAN 1A - ELEVATIONS

A1.2

SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

©HUNT HALE JONES ARCHITECTS

LEFT ELEVATION

PLAN 1B

FRONT ELEVATION

PLAN 1B

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- BOARD & BATTEN
- METAL RAILING
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

RIGHT ELEVATION

PLAN 1B

REAR ELEVATION

PLAN 1B

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

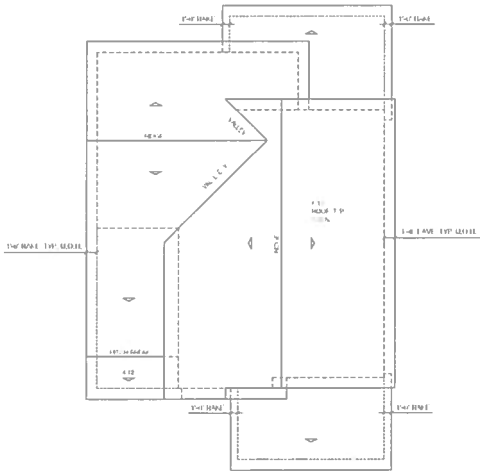
t. 415-512-1300
f. 415-288-0288

PLAN 1B - ELEVATIONS

A1.3

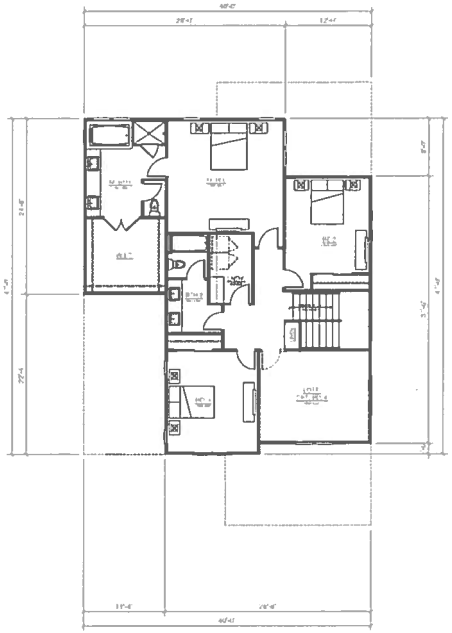
SCALE: 1/8" = 1'-0"
DATE: 10/8/2014
REVISED: 12.24/2014
PROJECT: 329001.00

©HUNT HALE JONES ARCHITECTS



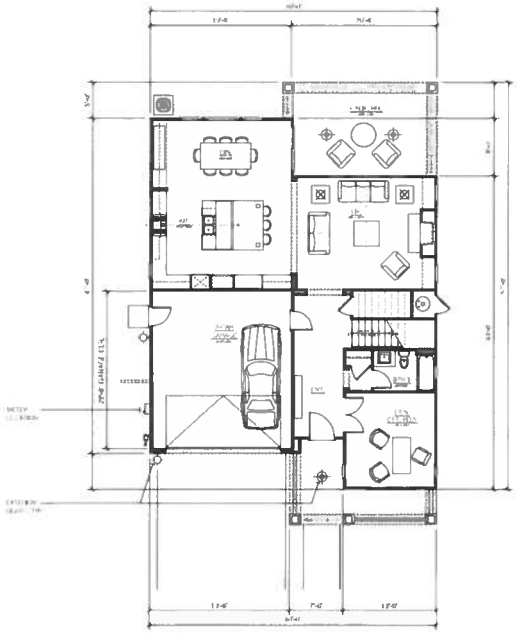
ROOF PLAN

PLAN 2A



UPPER FLOOR PLAN

PLAN 2A



MAIN FLOOR PLAN

PLAN 2A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

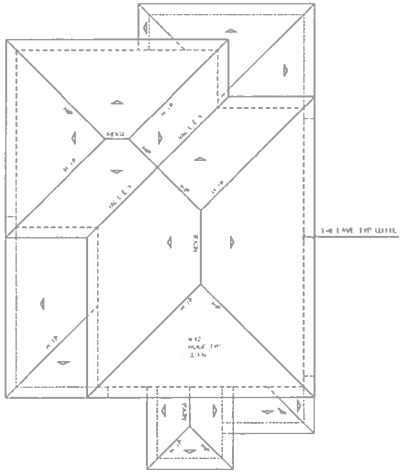
t. 415-512-1300
f. 415-288-0288

PLAN 2A - FLOOR AND ROOF PLANS

A2.0

SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 32900.00

©HUNT HALE JONES ARCHITECTS

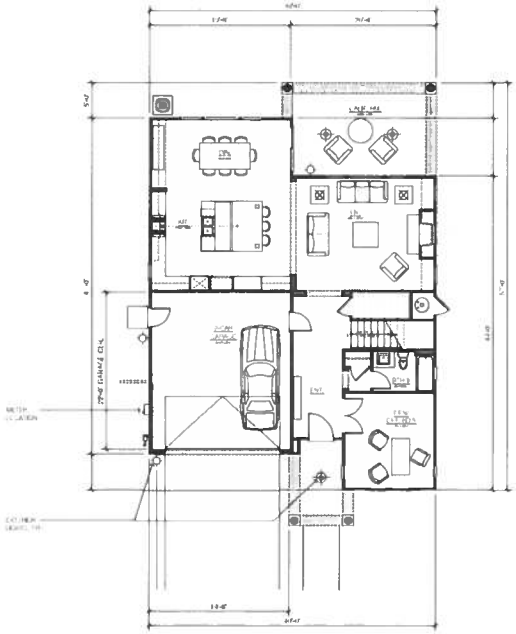


ROOF PLAN

PLAN 2B

UPPER FLOOR PLAN

PLAN 2B



MAIN FLOOR PLAN

PLAN 2B

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

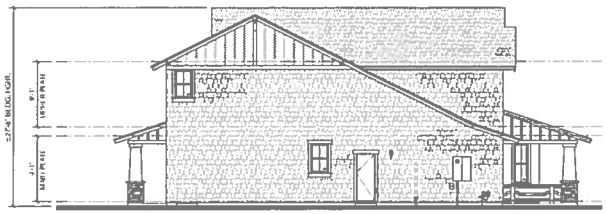
t. 415-512-1300
f. 415-288-0288

PLAN 2B - FLOOR AND ROOF PLANS

A2.1

SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

©HUNT HALE JONES ARCHITECTS



LEFT ELEVATION

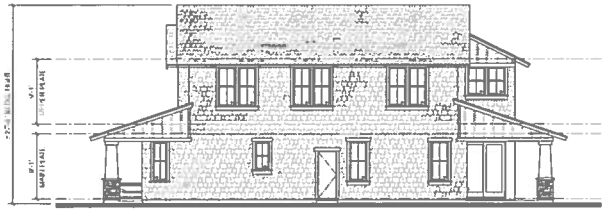
PLAN 2A

FRONT ELEVATION

PLAN 2A

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- HARDIE SHINGLE SIDING
- BOARD & BATTEN
- MASONRY
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR



RIGHT ELEVATION

PLAN 2A

REAR ELEVATION

PLAN 2A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

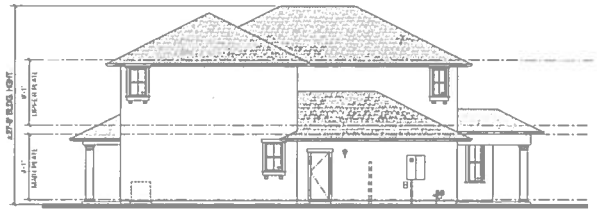
t. 415-512-1300
f. 415-288-0288

PLAN 2A - ELEVATIONS

A2.2

SCALE: 1/8"=1'-0"
DATE: 10/8/2014
REVISED: 12/24/2014
PROJECT: 329001.00

©HUNT HALE JONES ARCHITECTS



LEFT ELEVATION
PLAN 2B

FRONT ELEVATION
PLAN 2B

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- STUCCO
- DECORATIVE WOOD SHUTTERS
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

RIGHT ELEVATION
PLAN 2B

REAR ELEVATION
PLAN 2B

AUTUMN BROOK HOMES

1890 RISDON ROAD
CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

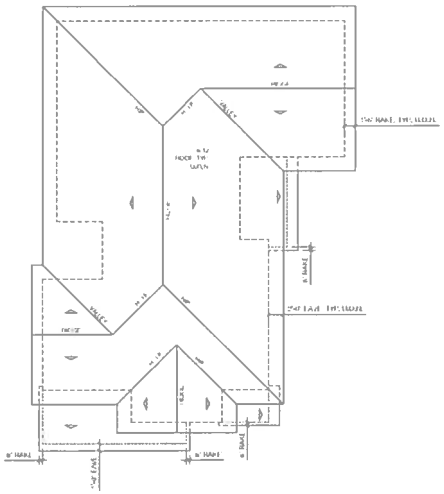
t. 415-512-1300
f. 415-288-0288

PLAN 2B - ELEVATIONS

A2.3

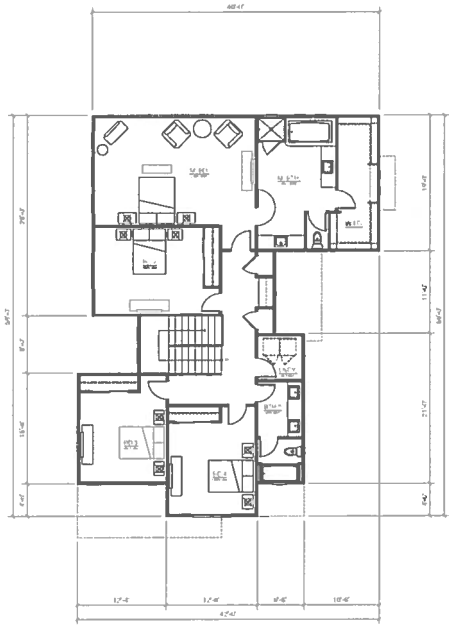
SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

©HUNT HALE JONES ARCHITECTS



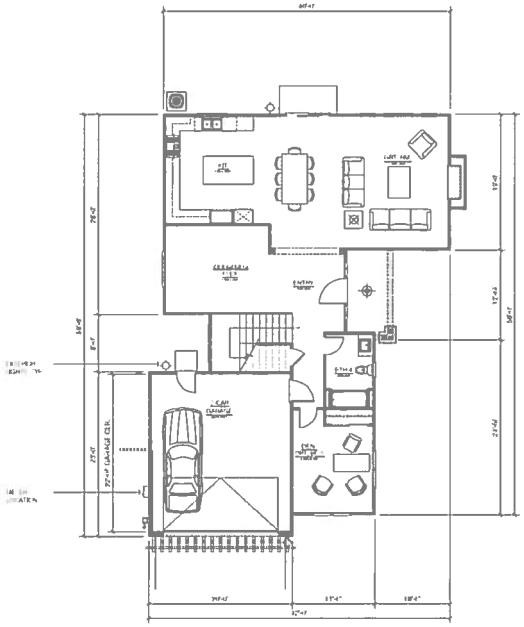
ROOF PLAN

PLAN 3A



UPPER FLOOR PLAN

PLAN 3A



MAIN FLOOR PLAN

PLAN 3A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

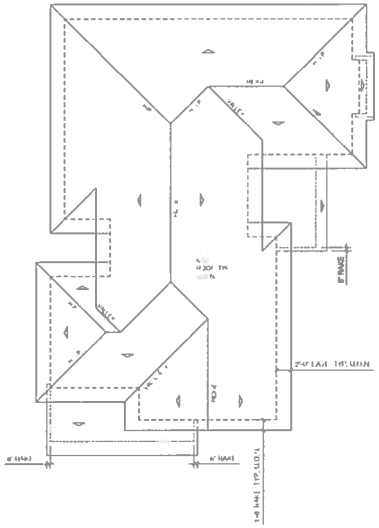
t. 415-512-1300
f. 415-288-0288

PLAN 3A - FLOOR AND ROOF PLANS

A3.0

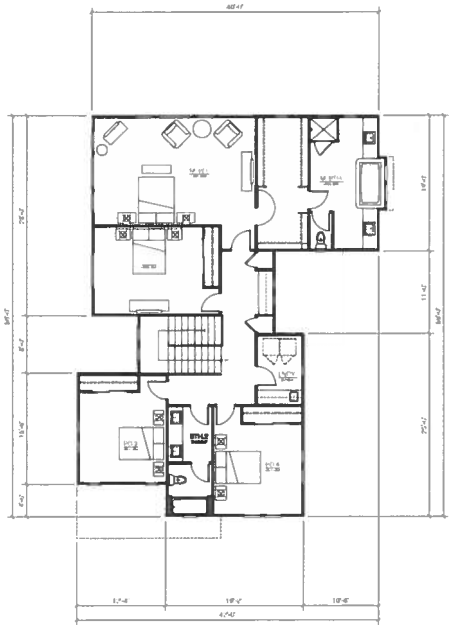
SCALE: 1/8" = 1'-0"
DATE: 10/8/2014
REVISED: 12/24/2014
PROJECT: 329001.00

© HUNT HALE JONES ARCHITECTS



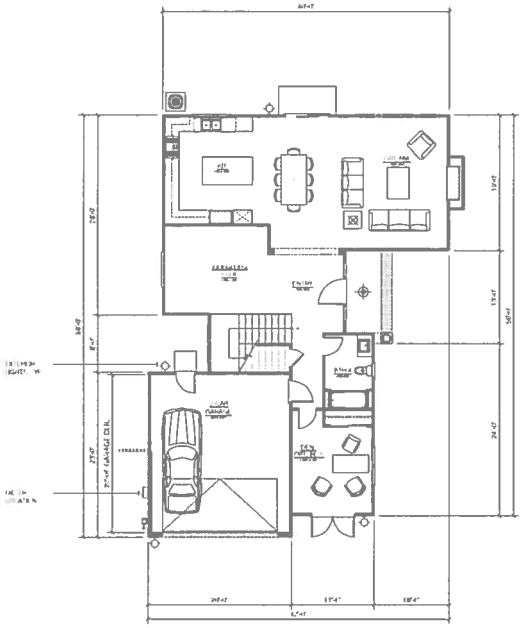
ROOF PLAN

PLAN 3B



UPPER FLOOR PLAN

PLAN 3B



MAIN FLOOR PLAN

PLAN 3B

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

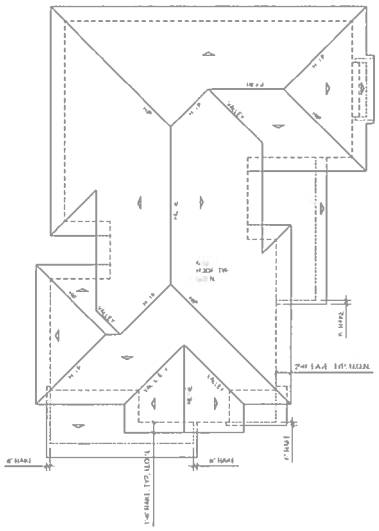
t. 415-512-1300
f. 415-288-0288

PLAN 3B - FLOOR AND ROOF PLANS

A3.1

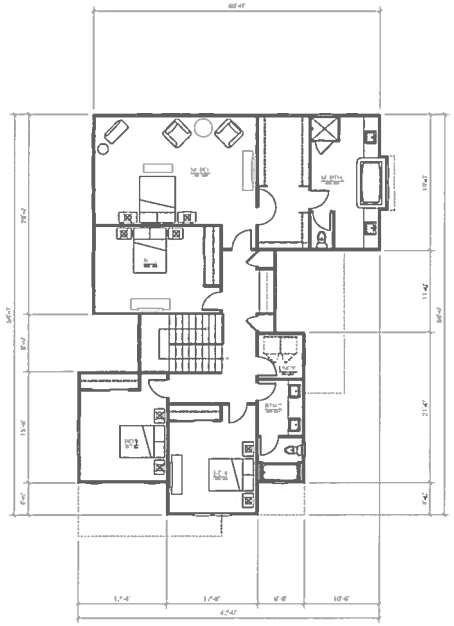
SCALE: 1/8" = 1'-0"
DATE: 10/8/2014
REVISED: 12/24/2014
PROJECT: 329001.00

©HUNT HALE JONES ARCHITECTS



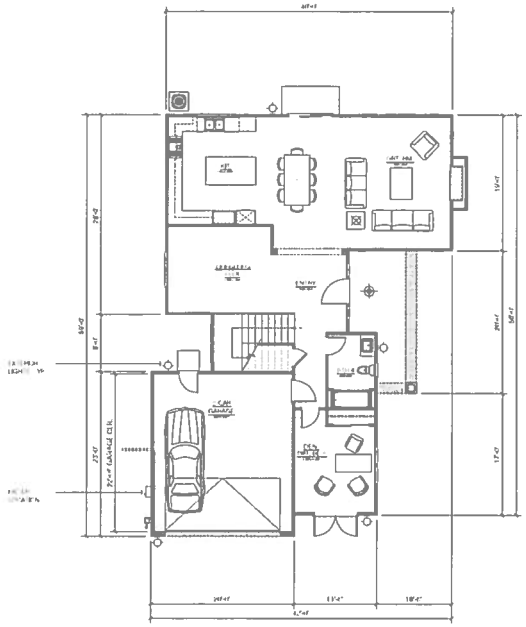
ROOF PLAN

PLAN 3B - ENHANCED SIDE (LOT 1)



UPPER FLOOR PLAN

PLAN 3B - ENHANCED SIDE (LOT 1)



MAIN FLOOR PLAN

PLAN 3B - ENHANCED SIDE (LOT 1)

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

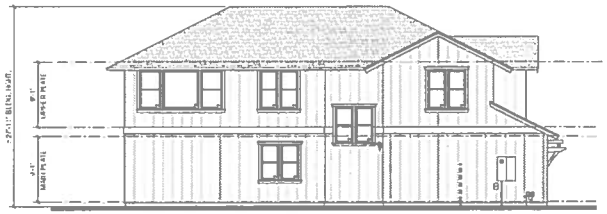
t. 415-512-1300
f. 415-288-0288

PLAN 3B ENHANCED - FLOOR AND ROOF PLANS

A3.1a

SCALE 1/8"= 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

© HUNT HALE JONES ARCHITECTS



LEFT ELEVATION

PLAN 3A

FRONT ELEVATION

PLAN 3A

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- BOARD & BATTEN
- MASONRY
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

RIGHT ELEVATION

PLAN 3A

REAR ELEVATION

PLAN 3A

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

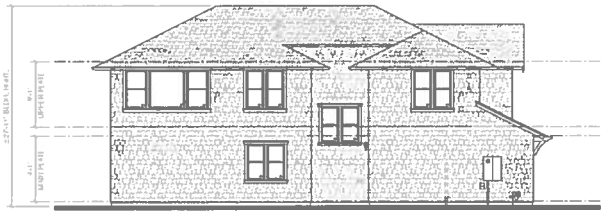
t. 415-512-1300
f. 415-288-0288

PLAN 3A - ELEVATIONS

A3.2

SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

© HUNT HALE JONES ARCHITECTS



LEFT ELEVATION

PLAN 3B

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- HARDIE SHINGLE SIDING
- MASONRY
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

FRONT ELEVATION

PLAN 3B

RIGHT ELEVATION (ELEVATION FACING RISDON ROAD)

PLAN 3B

REAR ELEVATION

PLAN 3B

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

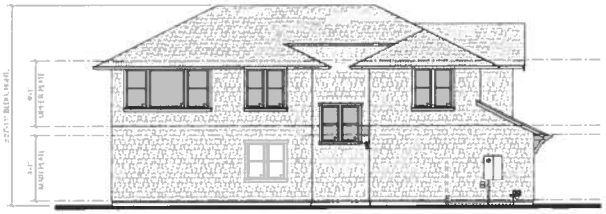
t. 415-512-1300
f. 415-288-0288

PLAN 3B - ELEVATIONS

A3.3

SCALE 1/8" = 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

© HUNT HALE JONES ARCHITECTS



LEFT ELEVATION

PLAN 3B - ENHANCED SIDE (LOT 1)

MATERIALS

- COMPOSITION ROOF SHINGLE
- WOOD TRIM & DETAILING
- HARDIE SHINGLE SIDING
- MASONRY
- CARRIAGE STYLE METAL ROLL-UP GARAGE DOOR

FRONT ELEVATION

PLAN 3B - ENHANCED SIDE (LOT 1)

RIGHT ELEVATION (ELEVATION FACING RISDON ROAD)

PLAN 3B - ENHANCED SIDE (LOT 1)

REAR ELEVATION

PLAN 3B - ENHANCED SIDE (LOT 1)

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

PLAN 3B ENHANCED - ELEVATIONS

A3.3a

SCALE: 1/8" = 1'-0"
DATE: 10/8/2014
REVISED: 12.24.2014
PROJECT: 329001.00

© HUNT HALE JONES ARCHITECTS

LOT	8	7	6	5	4	3	2	1
PLAN TYPE	1A	3B	3A	2B	2A	A	1B	3B ENHANCED
COLOR SCHEME	A	B	C	A	B	A	C	A

STREETSCAPE

AUTUMN BROOK HOMES

1890 RISDON ROAD

CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

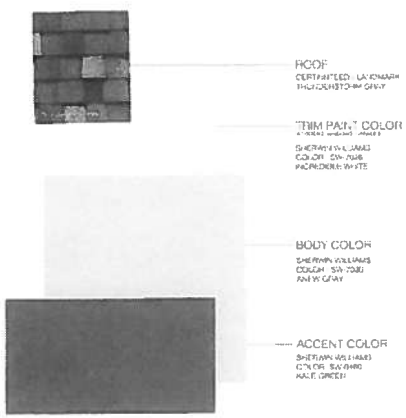
STREETSCAPE

A4.0

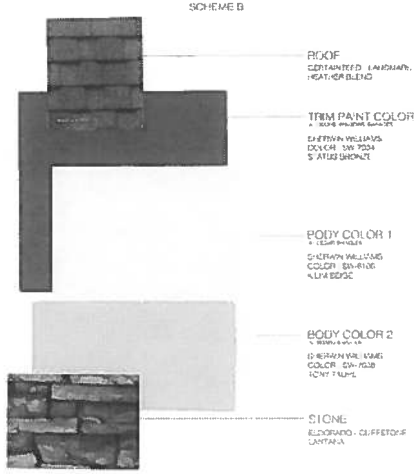
SCALE 1/16"= 1'-0"
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

© HUNT HALE JONES ARCHITECTS

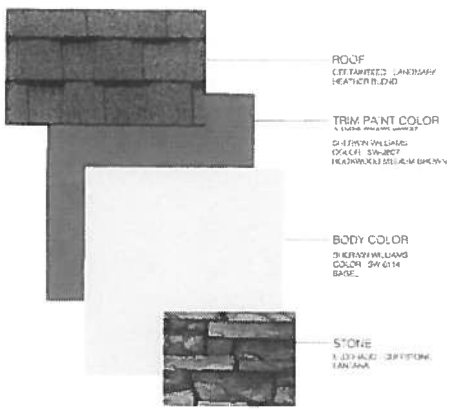
COLOR & MATERIALS
SCHEME A



COLOR & MATERIALS
SCHEME B



COLOR & MATERIALS
SCHEME C



FOR REFERENCE

*NOTE: FOR ACCURATE/ACTUAL COLORS & MATERIALS SEE COLOR BOARDS

AUTUMN BROOK HOMES
1890 RISDON ROAD
CONCORD, CA

HUNT HALE JONES

Architecture | Planning | Interiors
444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

COLORS AND MATERIALS
A5.0

SCALE N/A
DATE 10/8/2014
REVISED 12/24/2014
PROJECT 329001.00

©HUNT HALE JONES ARCHITECTS

EXHIBIT E

920 Holiday Court
Concord, CA 94518

City of Concord
Attn: Ryan Lenhardt
1950 Parkside Drive, MS/53
Concord CA 94519

October 19, 2015

RECEIVED
OCT 22 2015
PLANNING

PROJECT: Autumn Book Subdivision, PL 140280

I am writing in response to your Mitigated Negative Declaration letter, there are several issues with the development density, privacy of surrounding residences and construction planning I would like to address.

Infilling is the best way to maximize growth, land use and infrastructure already in place. It is essential to providing the needed housing for a growing community at a low cost to the city. Unlike large subdivisions, building within established neighborhoods requires thoughtful consideration of the existing residences. This requires smart architectural planning and construction methods.

This new project should conform to current standards of R7. Area taken for the bioswale, canal easement sidewalks and road will push the houses to the West side of the property. Adding another lot will mean the houses will be closer together and closer to the western lot line causing privacy issues for the adjacent homes. This will create a density similar to condominiums in a single-family residential area.

The second story windows will be looking directly into the back yards of the current houses along Holiday Court and Risdon Road. Having the houses even closer to the property line due to density will only exacerbate the privacy issues. To help mitigate the problem the houses should be set closer to the front of the lots to allow for larger backyards and distance from the property line. The bedroom windows on the west facing upper stories should be set high to allow for air and sunlight but not direct line of sight.

The proposed buffer zone with native oaks and vegetation on the West side of the property should be separated from the backyards by a fence that indicates this is not part of the housing lots. The concern is to keep this native buffer zone from being cleared by residence to make larger back yards.

In order to keep rodent and insect infestations down in the surrounding houses the developer should start an extermination process prior to the demolition of the house and outbuildings as well as prior to removing vegetation, trees and grading the property. There has been a problem with infestations migrating from the renovation of overgrown properties in the neighborhood. The property has been vacant and overgrown for some time and is most likely harboring a large population that will be disturbed.

I am not opposed to the development of the property. I know it will add value to neighborhood and provide much needed housing for our city. Maintaining the residential feeling of the area and developing a smart plan for making it happen is the aim of these observations.

Sincerely,

William Vickery

City of Concord
Attn: Ryan Lenhardt
1950 Parkside Drive, MS/53
Concord CA 94519

10/21/15

RECEIVED
OCT 22 2015
PLANNING

AUTUMN Brook Subdivision

I am writing with great concern over the Risdon project located near my home. I believe originally the plan had called for 7 homes to be built and I see no reason to try and squeeze in an 8th home onto the lot. In a time of severe drought I don't like the idea that we are doing all we can to save water and the city is allowing beautiful life giving trees to be taken down to be replaced with large single family homes. I believe the project should have only the 7 homes initially proposed.

As neighbors we also have a concern with our homes and yards being overrun with rodents when this project begins. Has the owner taken any steps to mitigate this? We were hoping that a construction fence would be in place before any work on the property begins. Many animals will be loosing there homes and we are worried about the fact that many of them will find homes in the attics and under our homes when construction begins, bringing disease, fleas, and ticks. Our children play in our backyards and we need to know how to keep then safe from this exposure.
Will the owner of the project start on any kind of pest control before demolition?

As we will be loosing much of the privacy we now have in our homes when you cut down the trees on the property, we are asking if there will be a set back for the large lot lines homes being built on the property. If so, what will it be and please share with us the design on the window placement on the new homes as to afford us as much privacy as can be afforded as we have lived here many years and spend time in our yards with our children and don't want to have people looking into our homes from poorly placed windows in the new construction facing directly into our yards.

Thank you,

Lisa Rogers