



**REGULAR MEETING OF THE
CITY OF CONCORD
ZONING ADMINISTRATOR**

**9:00 a.m., Wednesday, August 25, 2010
CITY COUNCIL CHAMBERS
1950 Parkside Drive, Concord**

AGENDA

PUBLIC COMMENT PERIOD

(The public may speak on any item within the jurisdiction of the Zoning Administrator not listed on this agenda. Approximately 15 minutes is allocated for the Public Comment Period, and each speaker will be allowed approximately 3 minutes.)

HEARINGS:

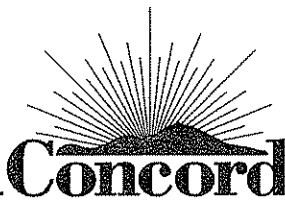
1. **Anthony Estates Minor Subdivision (PM 09-002, VA 09-004)** – Application for a three-lot Minor Subdivision and Variance for lot width on a 1.61-acre site at 1611 Ayers Road. The General Plan designation is Low Density Residential; Zoning classification is R-8 (Single Family Residential, 8,000 sq. ft. minimum lot size); APN 116-170-020. **Project Planner: Frank Abejo @ (925) 671-3128.**

ADJOURNMENT

Next Zoning Administrator's Meeting: September 8, 2010

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) 671-3025, 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.

Correspondence and writings received within 72 hours of the scheduled Zoning Administrator 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.



REPORT TO ZONING ADMINISTRATOR

DATE: August 25, 2010

SUBJECT: ANTHONY ESTATES MINOR SUBDIVISION (PM 09-002, VA 09-004)

Recommendation: Adopt Zoning Order No. 10-011, approving the Anthony Estates Minor Subdivision (PM 09-002, VA 09-004).

I. Introduction

A. Application Request

Application for a three-lot Minor Subdivision and Variance for lot width on a 1.61-acre site located at 1611 Ayers Road.

B. Location

The project site is located at 1611 Ayers Road; APN 116-170-020



C. Applicant/Owner

Discovery Builders
Attn: Jackie Seeno
4061 Port Chicago Highway, Suite H
Concord, CA 94520
(925) 603-2616

II. Background

On October 16, 2009, Discovery Builders submitted an application for a Parcel Map to subdivide the site into three lots and a Variance for an exception to the minimum lot width of 80 feet required by Zoning. Following a review of the application on November 13, 2009, the Development Advisory Committee (DAC) deemed the application incomplete and requested additional clarification for items such as the proposed driveway, tree removal, sewer service, and grading.

On May 12, 2010, Discovery Builders and staff met with the neighboring property owners of 1613 and 1615 Ayers Road to inform them of the proposed project. The neighbors expressed concerns that the new driveway within the 25-foot access easement would impact their properties. The neighbors explained the current 12-foot driveway allowed them to use the remaining 13 feet of the access easement for guest parking, landscaping, and yard areas that will be eliminated as a result of the 20-foot driveway proposed by the project.

The Applicant revised the plans in response to comments from DAC and the neighbors. One of the key revisions to the project was the redesign of a gravity flow sewer system into a forced main system in response to staff's concerns with the impacts of grading work required for a gravity flow system. Additionally, the proposed driveway was moved closer to the north edge of the easement to minimize impacts on existing improvements in front of the neighbors' properties. Final plan revisions and corrections were submitted on July 21, 2010, and the plans were subsequently deemed complete on August 5, 2010.

III. General Information

A. **General Plan**

The General Plan designation is Low Density Residential.

B. **Zoning**

The project is zoned R-8 (Single-family residential; minimum 8,000 square foot).

C. **CEQA Status**

The project is classified as Categorically Exempt pursuant to Section 15332, Class 32 "In-fill Development Projects," and therefore no further environmental review is required.

D. **Site Description**

The 1.61-acre site is an irregularly-shaped parcel located west of Ayers Road. The site is accessed from Ayers Road via a 25-foot wide access easement shared with two adjacent properties east of the site (i.e., 1613 and 1615 Ayers Road). The easement is improved with a 12-foot wide driveway in addition to landscaping and driveways used by the adjacent properties.

Site topography is flat except for the Mt. Diablo Creek bank along the west and south perimeter. The designated floodway for this portion of Mt. Diablo Creek extends up to 60 feet past the top of the creek bank, resulting in a significantly reduced buildable site area.

Existing vegetation is characterized by a variety of mature trees planted as landscape elements, orchard trees, and screen trees (particularly along the east property line). Existing site improvements consist of a single family residence with detached garage, in-law unit, storage shed, and barn.

E. Surrounding Land Use

The site is surrounded by the following uses:

	Land Use	General Plan Designation	Zoning
North	Single-family residential	Low Density Residential	R-8
South	Single-family residential	Low Density Residential	R-8
East	Single-family residential	Low Density Residential	R-8
West	Mt. Diablo Creek/ Single-family residential	Low Density Residential	R-8

IV. Project Description and Discussion

A. Site Plan/Circulation

The project proposes to subdivide a 1.61-acre site into three residential lots ranging in size from 9,531 to 10,605 net square feet. The project proposes to remove all existing structures but does not include a development plan for the lots. The Parcel Map shows conceptual building envelopes for illustrative purposes only. Specific site plans may vary from what is illustrated on the Parcel Map subject to staff's review of development plans under a separate Design Review application.

The site will continue to be accessed by the existing 25-foot wide shared access easement. However, the existing 12-foot wide driveway does not meet Contra Costa County Fire Protection District's access requirements and must be replaced with a 20-foot wide driveway. A new compliant driveway will be constructed along the entire length of the access easement with a hammerhead turnaround.

The proposed driveway will result in the removal of existing landscaping and driveway improvements currently used by the neighboring properties at 1613 and 1615 Ayers Road. To minimize the removal of existing improvements, the new driveway is designed so that approximately five feet will remain between the edge of the driveway and the south boundary of the access easement. Additionally, the applicant obtained Fire District approval to design the driveway to go around the 24-inch Oak tree located in front of 1615 Ayers. An arborist letter was provided that determined the redesigned driveway avoids having to remove the Oak tree (see Exhibit C).

B. Development Regulations

The R-8 zoning district requires lots to have at least 8,000 square feet of net lot area, 80 feet of width, and 85 feet of depth. The table below provides the development standards proposed for this subdivision.

Lot	Gross Area	Net Area*	Lot Width (avg.)	Lot Depth
1	19,962 s.f.	10,605 s.f.	65-107 ft. (85 ft.)	>85 ft.
2	21,550 s.f.	9,531 s.f.	55-100 ft. (77.5 ft.)	>85 ft.
3	28,498 s.f.	10,468 s.f.	62-101 ft. (81.5 ft.)	>85 ft.

**Net area is gross area minus areas located within the floodway and access easement.*

This table shows the lots have varying lot widths that fall below the required 80 feet width due to the irregular, triangular shape of each lot. The City's Zoning Ordinance does not contain guidelines on how varying lot widths are calculated for such lots. Staff's past practice in evaluating irregular-shaped lots is to provide a range of the dimensions. The table provides the widths measured at the required front and rear yard setbacks. An average of the range is provided in parentheses where lots have dimensions that are substandard to the minimum required.

A variance is required for the project because the lot width ranges fall below the required 80 feet. Staff believes a variance is justified in this case because the unusual shape of the site requires creating triangular lots with narrow widths. There is not an alternative to the current proposal that would result in three lots with compliant widths despite the seemingly generous size of each lot (based on gross area). Furthermore, in the absence of City guidelines on how to treat irregular-shaped parcels, staff finds it is appropriate to grant a variance when the average width of each lot is generally consistent with the requirement, and each lot is up to 100 feet wide at certain locations.

C. Biological Resources/Heritage Tree

The Municipal Code defines a Heritage Tree as a tree of any species with a trunk diameter of at least 24 inches or a multi-stemmed tree where one of the trunks is at least 24 inches in circumference (approximately 7.5-inch diameter). A tree report was prepared that surveyed and evaluated 50 trees located on-site. Of the trees surveyed, four single trunk trees and seven multi-trunk trees meet the Heritage Tree criteria.

No on-site development is proposed as part of this application, therefore no trees are proposed for removal at this time. However, it is anticipated that future construction of the homes will require removal of Heritage Trees. As a Condition of Approval, staff will evaluate the removal of Heritage Trees under a subsequent Tree Removal application when development plans are submitted.

V. **Public Contact**

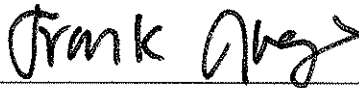
Notification was mailed to all owners and occupants of property within three-hundred (300) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days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

VI. **Summary and Recommendations**

Staff believes the proposal to subdivide the property into three residential parcels is compatible with the surrounding area. The project complies with the General Plan and substantially conforms to R-8 zoning with respect to land use and lot area. Moreover, staff believes that the irregular shape of the site is a special circumstance that justifies the variance requested for lot width.

Therefore, staff recommends the Zoning Administrator open the public hearing, consider the staff report, the applicant's presentation, public testimony, and any issues identified. Following testimony and discussion, staff recommends the Zoning Administrator adopt Zoning Order No. 10-011 approving the Anthony Estates Minor Subdivision (PM 09-002, VA 09-004), subject to the findings and conditions of approval contained in ZA Order No. 10-011.

Prepared by:



Frank Abejo
Senior Planner
(925) 671-3128
fabejo@ci.concord.ca.us

Exhibits:

- A - ZA Order No. 10-011
- B - Project Plans date-stamped July 21, 2010
- C - Arborist Letter from Ed Brennan dated July 20, 2010

ZA ORDER NO. 10-011

**OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
APPROVING PARCEL MAP AND VARIANCE PM 09-002, VA 09-004
Applicant: Discovery Builders, Inc.
Owner: Discovery Builders, Inc.
Project Name: Anthony Estates Minor Subdivision**

WHEREAS, on October 16, 2009, Discovery Builders, Inc., submitted an application for a three-lot Minor Subdivision and Variance from the required lot width of 80 feet on a 1.61-acre site located at 1611 Ayers Road, APN 116-170-020; and

WHEREAS, on August 5, 2010 the application was deemed complete for processing; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Categorically Exempt pursuant to Section 15332 Class 32 "In-Fill Development Projects," and therefore no further environmental review is required.

WHEREAS, the Zoning Administrator, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on August 25, 2010 regarding the subject proposal; and

WHEREAS, the Zoning Administrator considered testimony and information received at the public hearing and the oral and written reports from staff, as well as other documents contained in the record of proceedings relating to the project, maintained at the offices of the City of Concord Planning Division; and

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby approve the Anthony Estates Minor Subdivision (PM 09-002, VA 09-004) subject to the attached Conditions of Approval referenced in Attachment A, based on the following findings:

CEQA Findings

1. The project is classified as Categorically Exempt pursuant to Section 15332, Class 32 "In-Fill Development Projects," and therefore no further environmental review is required.

General

2. The project will result in a density of 4.28 units per net acre, which is consistent with the density of 2.5 to 10 units per acre allowed by the site's General Plan designation of Low

1 Density Residential.

2 3. The project will not be detrimental to the health, safety and general welfare of
3 persons residing or working in the neighborhood of such project.

4 4. The project will not be injurious or detrimental to property or improvements in
5 the neighborhood in that the proposed subdivision is in substantial conformance with R-8 lot
6 standards and the Subdivision Ordinance, and will be conditioned to ensure that future development of
7 the lots comply with R-8 standards related to setbacks, height, and lot coverage for residential
8 development.

9 5. Plans for the development on each parcel will be reviewed under a separate
10 Design Review application.

11 6. Any Heritage Tree proposed for removal as a result of future development will
12 be reviewed under a separate Tree Removal permit.

13 Variance Findings

14 7. The site's irregular size, shape, topography, location, and surroundings are a
15 special circumstance that does not apply generally to other R-8 zoned properties in the vicinity.

16 8. Granting the variance will not adversely affect the health or safety of persons
17 residing or working in the neighborhood of the property, and will not be materially detrimental to the
18 public welfare or injurious to property or improvements in the neighborhood.

19 Measure J

20 9. The project meets or exceeds the performance standards outlined in the City of
21 Concord's General Plan and is therefore compliant with Measure "J".

22 Based on the above findings, the Zoning Administrator approved said application subject to
23 the attached Conditions of Approval, referenced as Attachment A.

24
25
26 _____
G. Ryan Lenhardt
Zoning Administrator

27 Attachments: A – Conditions of Approval

1 ATTACHMENT A

2 "DRAFT" CONDITIONS OF APPROVAL

3 ANTHONY ESTATES MINOR SUBDIVISION (PM 09-002, VA 09-004)

4 Applicant/Owner: Discovery Builders, Inc.

5 Project Name: Anthony Estates Minor Subdivision

6 PERMIT DESCRIPTION

- 7
8 1. These Conditions of Approval apply to and constitute the approval of a **Tentative Parcel Map (PM 09-002)** consisting of three individual parcels with the following development standards:

Lot	Gross Area	Net Area	Lot Width (avg.)	Lot Depth
1	19,962 s.f.	10,605 s.f.	65-107 ft. (85 ft.)	>85 ft.
2	21,550 s.f.	9,531 s.f.	55-100 ft. (77.5 ft.)	>85 ft.
3	28,498 s.f.	10,468 s.f.	62-101 ft. (81.5 ft.)	>85 ft.

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14 2. These Conditions of Approval apply to and constitute the approval of a **Variance (VA 09-004)** from the lot width requirement of 80 feet and allow lot widths ranging from 55 to 65 feet.

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16 GENERAL CONDITIONS

- 17 3. The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

	Prepared on	Prepared by	Sheet Number
Title Sheet	March 2010	Kimley-Horn and Associates	1
Existing Conditions	March 2010	Kimley-Horn and Associates	2
Tentative Parcel Map	July 2010	Kimley-Horn and Associates	3
Cross Sections	July 2010	Kimley-Horn and Associates	4

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23 *All construction plans shall conform to these exhibits except as modified by these conditions. Where a plan or further information is required, it is subject to review and approval by the Planning Division, Building Division, and/or Engineering Services/Current Development Division as required. (PLNG/BLDG/ENGR)*

- 24
25
26 4. The building envelopes shown on the Parcel Map are for illustrative purposes only and are not approved under this permit. Future development shall comply with the following standards of R-8 zoning and shall be approved through a separate Design Review application process through the Planning Division prior to the issuance of any permits: **(PLNG)**

Standard	Required
Front Yard	20 feet minimum
Side Yard	5 ft. + 10 ft. minimums
Rear Yard	20 feet minimum
Building Height	30 ft. maximum from existing grade
Off-street Parking	Two covered parking spaces per unit; minimum one covered parking

5. 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) Prior to Construction.
 - (b) With the submittal of Grading, Improvement, Landscape, or Building Plans.
 - (c) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
 - (d) On going during Construction.
 - (e) Prior to Approval of the Parcel 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)**
6. 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)**
7. The development/project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. **(PLNG, BLDG, ENGR)**
8. Minor modifications that are found to be in substantial conformance with the approved plans such as minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body. **(PLNG, ENGR)**
9. 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)**
10. 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)**
11. For projects that abut residential uses, the perimeter fence/wall shall be commenced within three weeks from completion of site demolition or grading work in the area of the fence/wall.

1 If the fence at an abutting residential property is planned for removal, or if an existing
2 residential property does not have a fence, the replacement perimeter fence/wall shall be
3 commenced within three weeks from removal of the original fence, unless otherwise approved
4 by the Planning Division. *(PLNG, ENGR)*

4 12. Prior to final approval of the new driveway, applicant shall consult with the post office and
5 property owners of 1613 and 1615 Ayers Road to identify an acceptable alternative location
6 for the existing mailboxes adjacent to the driveway entrance at Ayers Road. The cost of
7 relocating the mailboxes shall be borne entirely by the applicant. *(PLNG/ENGR)*

7 13. Prior to submitting plans for the new driveway, applicant shall work with the property owner
8 of 1613 Ayers Road to identify an acceptable alternative location for the utility pole within the
9 25-foot access easement, unless otherwise required by Contra Costa County Consolidated Fire
10 Protection District. *(PLNG)*

10 14. Applicant shall work with adjacent property owner(s) to protect and maintain existing trees,
11 shrubs, or other vegetation on adjacent properties. Except for landscaping located within the
12 proposed 20-foot driveway, any vegetation on adjacent properties that is damaged, destroyed,
13 or removed by construction activities shall be replaced with like or comparable plant material
14 as approved by the property owner(s) and the Planning Division, prior to the City accepting
15 the driveway. *(PLNG)*

14 **DESIGN REVIEW**

15 15. Development of the lots shall be reviewed and approved through a separate Design Review
16 application prior to an application for any construction permits. *(PLNG)*

17 **TREE PRESERVATION**

18 16. Any Heritage Tree proposed for removal requires approval of a Tree Removal permit prior to
19 removal. *(PLNG)*

20 17. Demolition, Grading, Utility, Landscape, and Building Plans shall show all Heritage trees to
21 be preserved, with accurate trunk location, drip line, and existing grade. The Plans shall show
22 the location and type of protective fencing, and the location of on-site construction materials
23 storage. The protective fencing shall be installed and inspected prior to the issuance of any
24 Demolition, Grading, or Building Permit. *(PLNG, ENGR, BLDG, PARKS)*

23 18. The existing Valley Oak (*Quercus lobata*) located within the access easement in front of 1615
24 Ayers Road shall be preserved. Plans for the new driveway shall be reviewed by the
25 consulting arborist prior to the issuance of a permit to construct the driveway. The arborist
26 shall ensure the plans incorporate the recommendations contained in the July 20, 2010 letter
27 from Ed Brennan, consulting arborist. *(PLNG)*

- 1 19. The consulting arborist shall conduct site inspections during grading and construction of the
2 driveway, and may require additional measures to protect the trees to be preserved, including
3 stopping construction activities, if necessary. *(PLNG)*
- 4 20. One year after completion and acceptance of the driveway by the Planning Division and
5 Engineering Division, the consulting arborist shall evaluate the Oak tree's health, vigor and
6 acclimation to the new environment. If the tree is found to be in poor condition, the arborist
7 shall identify measures to restore the tree's health. If the tree can't be restored, replacement
trees shall be required at a ratio and size consistent with the value of the damaged tree, but no
less than a minimum ratio of three to one 36-inch box trees or as otherwise determined by the
City. *(PLNG, ENGR)*

8 **STREET IMPROVEMENTS**

- 9 21. Construct driveway improvements for the private drive that will access the three new parcels
10 and the properties at 1613 and 1615 Ayers Road. The driveway improvements shall include,
11 but are not limited to: driveway reconstruction; pavement replacement on Ayers Road on the
12 project side; pavement widening of Ayers Road on the project side; concrete valley gutter;
13 storm drainage system; conforms to existing improvements; and repair/replacement of
14 deficient frontage improvements as determined by the City Engineer, prior to occupancy or
15 acceptance of improvements. *(ENGR)*
- 16 22. Install slurry seal on Ayers Road on the project side from edge of pavement to street
17 centerline, after completion of utility undergrounding and frontage improvements, prior to the
18 acceptance of improvements. *(ENGR)*
- 19 23. Any trenching for underground utilities shall comply with the modified City standard Detail S-
20 17 for pavement repair and possible slurry placement. *(ENGR)*
- 21 24. Prohibit parking on private lane. Paint curb face with red and install "No Parking" signs
22 where no parking is allowed, prior to acceptance of improvements or the first occupancy,
23 whichever comes first. *(ENGR)*
- 24 25. Construct all public facilities in accordance with the current Americans with Disabilities Act
25 (ADA), including driveways and curb ramps. *(ENGR)*

26 **NOISE**

- 27 26. Noise producing site preparation and construction activities shall be limited to the days and
28 hours as set forth below:

Monday through Friday7:30 a.m. to 6:00 p.m.

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

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CONSTRUCTION ACTIVITIES

27. Contact Engineering Services to arrange for a pre-construction meeting prior to issuance of Grading or Building Permits, whichever comes first. **(ENGR)**
28. Implement a dust and construction noise control plan. Submit the plan to Engineering Services for review and approval prior to. **(ENGR)**
29. Construction equipment shall not be serviced at the site at any time. Between 6:00 p.m. and 7:30 a.m. on weekdays, and between 5:00 p.m. and 8:00 a.m. on weekends and federal holidays, no deliveries shall be made to the site; no delivery vehicles (including gasoline tanker trucks) shall enter the site. Delivery vehicles shall have their engines turned off during unloading. **(BLDG, ENGR, PLNG)**
30. 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)**
31. 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, guniting, plaster, or similar supply trucks do not discharge wash water into street gutters or drains. **(ENGR, BLDG)**
32. 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)**

- 1 33. Ensure that no debris or construction scrap material is placed on any adjoining lot, open space
2 area, or street, and that any such material stored on an adjoining site shall be completely
3 removed and the site cleaned, prior to occupancy approval. *(ENGR, BLDG)*
- 4 34. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or
5 sleeping quarters on the construction site unless authorized for site security. *(ENGR, BLDG)*
- 6 35. To the extent possible, there shall be no parking of construction equipment or construction
7 worker's vehicles on residential streets at any time; all vehicles shall be maintained on-site.
8 *(ENGR, BLDG)*
- 9 36. Portable toilets used during construction shall be kept as far as possible from adjacent
10 properties and shall be emptied on a regular basis as necessary to prevent odor. *(ENGR,*
11 *BLDG)*
- 12 37. Identify truck routes for the import or export of cut/fill material and/or construction debris for
13 review and approval by the City Engineer prior to the issuance of permits. Repair any damage
14 to city streets (private and public) caused by activity associated with this project. *(ENGR)*
- 15 38. In the event of the encounter of subsurface materials suspected to be of an archaeological or
16 paleontological nature, all grading and/or excavation shall cease, the find shall be left
17 untouched, and the City Planning Division shall be immediately notified. The County Coroner
18 and the Native American Heritage Commission shall also be notified and the procedures
19 required in §15064.5 of CEQA shall be followed. This requirement shall be noted on the
20 Grading and Building Plans, prior to issuance of permits. *(PLNG, ENGR, BLDG)*
- 21 39. In the above event, retain a qualified professional archaeologist certified by the Register of
22 Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to
23 evaluate and make recommendations as to disposition, mitigation and/or salvage. The
24 recommendation shall be implemented before work may proceed. The applicant shall be liable
25 for all costs associated with the professional investigation and implementation. *(PLNG,*
26 *ENGR, BLDG)*

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

- 28 40. Submit two copies of preliminary title report, prepared within three months prior to plan
submittal. *(ENGR)*
41. The proposed buildings are within 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*
42. The Improvement Plans shall show improvements in front of project property 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 in front of project property as determined by the City

1 Engineer. Any unusable existing driveway shall be replaced with standard curb, gutter, and
2 sidewalk per S-10 above. Any trenching for utility installation shall comply with the modified
3 City Standard Detail S-17 for pavement repair and possible slurry placement. **(ENGR)**

- 4 43. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer
5 improvements and details for curb, gutter, sidewalk, and driveway construction. **(ENGR)**
- 6 44. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight
7 distance, sidewalk, back up, fencing, geometrics at intersection and corner setback
8 requirements, prior to the acceptance of improvements. Plans shall be subject to review and
9 approval by Engineering Services. **(ENGR)**
- 10 45. Obtain an encroachment permit from the City prior to performing any work within the public
11 right-of-way or public easements. **(ENGR) CMC**

12 **SUBDIVISIONS/SITE DEVELOPMENT PLANS**

- 13 46. The Vesting Tentative Parcel Map prepared by and date stamped received July 21, 2010 by the
14 Planning Division is not approved for construction. Submit grading, erosion control,
15 improvement, stormwater pollution prevention plans (SWPPP), and stormwater control plans
16 prepared by a Registered Civil Engineer to Engineering Services for review and approval prior
17 to issuance of an Encroachment Permit and Grading Permit. **(ENGR)**
- 18 47. The Parcel Map shall be prepared by a qualified civil engineer or licensed land surveyor and
19 shall be subject to review and approval by Engineering Services. **(ENGR)**
- 20 48. Approved street names shall be shown on the Parcel Map prior to recordation of the map.
21 **(ENGR, PLNG)**

22 **GRADING/EROSION CONTROL/GEOLOGIC**

- 23 49. Submit a geologic investigation to demonstrate that proposed buildings will not be constructed
24 across active faults. A licensed geologist must prepare an evaluation and written report. If an
25 active fault is found, a structure for human occupancy cannot be placed over the trace of the
26 fault and must be set back from the fault (generally 50 feet). **(ENGR)**
- 27 50. Submit a geotechnical report with the Grading Plans and Building Plans, pursuant to CMC
28 Section 94-51 and Section 86-73 that addresses and provides recommendations for grading,
drainage, walls, building foundations, and pavement structural sections. **(ENGR)**
51. 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)**
52. 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

1 minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet
2 in height shall be rounded both horizontally and vertically. **(ENGR)**

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

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

9 55. The applicant's engineer shall inspect the finished grading and certify that it conforms to the
10 compaction and elevations shown on the Grading Plan and Soils Report. **(ENGR) CMC**

11 56. Erosion control measures shall be implemented per plans approved by the City Engineer for all
12 grading work seasonally appropriate. At the time of approval of the improvement and/or
13 grading plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall
14 be filed with the City Engineer. **(ENGR)**

15 57. All graded slopes and stockpiles of loose soil shall have seasonally appropriate erosion control
16 measures. If during grading work between October 15th and April 1st, a rain is forecast, stop
17 all grading work two (2) days before the rain forecast and implement BMP's to insure that the
18 site is protected from erosion unless otherwise approved by City Engineer. **(ENGR)**

19 58. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan
20 (SWPPP), and Stormwater Control Plans to Engineering Services for review and approval
21 prior to the issuance of grading, encroachment, and building permits. **(ENGR) CMC**

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

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

28 61. Provide a geotechnical report that provides guidelines, structural section and any subdrainage
requirements for the pervious surface road. The maintenance of the pervious road shall be
included in the Private Road Maintenance Agreement.

62. Designate the private street as a required fire access lane with parking prohibited on the private
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)**

1 **UTILITIES**

- 2 63. New electrical transformers shall be placed underground or screened from view. *(PLNG,*
3 *ENGR)*
- 4 64. No above ground utility facilities/structures shall be located within the public right-of-way
5 except for existing utilities outside the project lots. No new above ground utilities will be
6 installed in public right of way. *(ENGR)*
- 7 65. The City will not accept maintenance of forced sewer main that will be serving the building
8 laterals. The installation and maintenance of each forced main will be the sole responsibility of
9 each individual parcel. *(ENGR)*
- 10 66. All new utilities for the project lots shall be constructed underground prior to issuance of
11 certificate of occupancy pursuant to CMC Section 110-93. *(ENGR)*
- 12 67. Comply with the City of Concord sewer design flow criteria and sewer construction
13 requirements of the Central Contra Costa Sanitary District. *(ENGR)*
- 14 68. Submit to Engineering Services sanitary sewer calculations with the Improvement Plans
15 stamped and signed by a Registered Civil Engineer for review. *(ENGR)*
- 16 69. Coordinate all facility adjustments, relocations, or additions to utility services with the
17 appropriate utility companies. *(ENGR)*
- 18 70. Utility areas, electrical and gas meters shall be architecturally screened from view. *(PLNG)*
- 19 71. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility
20 equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention
21 devices, and the like shall be subject to approval by Planning and Engineering Services prior
22 to the issuance of the Grading or Building Permit, whichever comes first.. All such equipment
23 shall be screened from view either architecturally or by landscaping and painted forest green or
24 other approved color as approved by the Planning Division. Any changes to the approved
25 utility plans, including location or screening details shall be reviewed and approved by the
26 Planning Division. *(PLNG, ENGR)*
- 27 72. Provide cable companies a set of approved site diagrams in electronic format showing the joint
28 trench layout for dry utilities for cable service to be provided to the site. *(ENGR)*
73. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current
sewer connection and service fees prior to occupancy. *(ENGR) CMC*
74. Submit proof acceptable to Engineering Services that all work within the existing private
waterline easement(s) are reviewed and approved by the easement owner of record. *(ENGR)*

1 **DRAINAGE/STORMWATER C.3 REQUIREMENTS**

- 2 75. Stormwater Control Plan shall be certified by a registered civil engineer, and by a registered
3 architect or landscape architect as applicable. Professionals certifying the Stormwater Control
4 Plan shall be registered in the State of California and submit verification of training, on design
5 of treatment measures for water quality, not more than three years prior to the signature date
6 by an organization with stormwater treatment measure design expertise (e.g., a university,
7 American Society of Civil Engineers, American Society of Landscape Architects, American
8 Public Works Association, or the California Water Environment Association), and verify
9 understanding of groundwater protection principles applicable to the project site (see Provision
10 C.3.i of Regional Water Quality Control Board Order R2 2009-0074). *(ENGR)*
- 11 76. Prior to issuance of permits for building, site improvements, or landscaping, applicant shall
12 submit a permit application consistent with the applicant's approved Stormwater Control Plan,
13 and include drawings and specifications necessary for construction of site design features,
14 measures to limit directly connected impervious area, pervious pavements, self-retaining areas,
15 treatment BMP's, permanent source control BMP's, and other features that control stormwater
16 flow and potential stormwater pollutants. The permit application shall include a completed
17 "Construction Plan C.3 Checklist" as described in the Stormwater C.3 Guidebook (page 36),
18 and a detailed draft Stormwater BMP Operation and Maintenance Plan consistent with the
19 general O&M plan included in the applicant's approved Stormwater Control Plan. Guidelines
20 for the preparation of Stormwater BMP Operation and Maintenance Plans are in Appendix F
21 of the Stormwater C.3 Guidebook. *(ENGR)*
- 22 77. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall
23 submit, for review and approval by City, a final Stormwater BMP Operation and Maintenance
24 Plan in accordance with City of Concord guidelines. This O&M plan shall incorporate City
25 comments on the draft O&M plan and any revisions resulting from changes made during
26 construction. *(ENGR)*
- 27 78. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall
28 execute any agreements identified in the Stormwater Control Plan which pertain to the transfer
of ownership and/or long-term maintenance of stormwater treatment or hydrograph
modification BMP's. *(ENGR)*
79. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
(ENGR)
80. Collect and convey all stormwater entering, and/or originating from, the site to an adequate
downstream drainage facility. Submit a detailed hydrologic and hydraulic study including
calculations for a 100-year flood as well as a capacity study accounting for off site sources
with the Improvement Plans to Engineering Services for review and approval. *(ENGR)*
81. Submit proof of filing of a Notice of Intent (NOI) with the Regional Water Quality Control
Board and submit a Stormwater Pollution Prevention Plan (SWPPP) with the Grading and
Improvement Plans to Engineering Services for review, and approval prior to issuance of the
grading permit. *(ENGR)*

- 1 82. Implement a long term Stormwater Control Plan (SWCP) prior to occupancy. The long term
2 SWCP shall be incorporated into the Declaration of Covenants, Codes and Restrictions
3 (CC&R's). The SWCP shall include post-construction stormwater management controls (and
4 maintenance schedules if applicable) such as minimizing the amount of directly connected
5 impervious surface area, constructing concrete driveway weakened plane joints at angles to
6 assist in directing run-off to landscaped/pervious areas prior to entering the street curb and
7 gutter. *(ENGR)*
- 8 83. Install City of Concord "No Dumping, Drains to Creek" curb marker (English and Spanish
9 version) on all catch basins. *(ENGR)*
- 10 84. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the
11 storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning
12 agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer,
13 subject to the approval of the sanitary Sewer District. *(ENGR)*
- 14 85. If not covered by the General Construction Permit Submit a Construction Best Management
15 Practice (BMP) Program for review and approval by the Engineering Development Services
16 Department prior to issuance of a building and/or grading permit. The general contractor and
17 all subcontractors and suppliers of materials and equipment shall implement these BMP's.
18 Construction site cleanup and control of construction debris shall also be addressed in this
19 program. Failure to comply with the approved construction BMP may result in the issuance of
20 correction notices, citations, or a project stop work order. *(ENGR)*
- 21 86. Ensure that the area surrounding the project such as the streets stay free and clear of
22 construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way
23 related to project construction. Areas that are exposed for extended periods shall be watered
24 regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular
25 basis. All trucks shall be covered. *(ENGR)*
- 26 87. Clean all on-site stormdrain facilities a minimum of twice a year, once immediately prior to
27 October 15 and once in January. Additional cleaning may be required if found necessary by
28 the City Engineer/Director of Building Inspection. *(ENGR)*

SOLID WASTE/RECYCLING

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

AGREEMENTS, FEES, BONDS

- 29 89. Provide a \$2,500 cash deposit to cover Condition Compliance costs at the time of submittal of
30 plans and documents to Engineering Services or the Building Division for plan check. Staff's
31 time will be charged to this deposit for work performed to implement the Conditions of
32 Approval, from the time of project approval to recordation of the Parcel Map. The deposit will
33 be placed in a refundable account and any unused funds will be returned upon completion. If
34 the initial deposit is insufficient to cover actual costs, an additional deposit in an amount
35 determined by the Project Planner will be required (per City Resolution, Fees and Charges for

1 Various Municipal Services). This deposit will also be used to cover the Document Imaging
2 Fee per City Resolution "Fees and Charges for Various Municipal Services" to reimburse the
3 City for implementation of the Document Imaging and File Retention programs, prior to
4 issuance of Grading or Building Permits (*PLNG*)

- 5 90. All onsite storm drain and sanitary sewer systems are to be privately maintained by each
6 individual parcel. The maintenance requirements of the sewer and stormdrain shall be
7 included in the Private Road Maintenance Agreement. The Private Road Maintenance
8 agreement shall stipulate a maintenance responsibility to owners and cost recovery for
9 reimbursement to City of Concord, to be paid by owners of the three parcels if an emergency
10 repair, done by the City, should occur. (*ENGR*)
- 11 91. Enter into a Maintenance Agreement acceptable to the City prior to the approval of Parcel
12 Map, agreeing to provide for proper maintenance of the private street outside of the public
13 street right of way, street lights and other privately maintained improvements pursuant to
14 CMC Section 94-33. (*ENG*)
- 15 92. Enter into a Subdivision Agreement with the City agreeing to construct and complete all
16 improvements necessary to service the subdivision. The Agreement shall be executed and
17 submitted to the City prior to approval of the Parcel Map or issuance of a Building or Grading
18 Permit, whichever comes first. As part of the Agreement, provide securities acceptable to the
19 City, guaranteeing construction of the required improvements. (*ENGR*)
- 20 93. All required securities in an amount equal to 100 percent of the approved estimates of
21 construction costs of improvements shall be submitted to and approved by the City and other
22 agencies having jurisdiction prior to approval of the Parcel Map or issuance of the Building or
23 Grading Permit, whichever comes first. (*ENGR*)
- 24 94. All improvement agreements required in connection with said plans shall be submitted to and
25 approved by the City and other agencies having jurisdiction over said project prior to approval
26 of the Parcel Map or issuance of the building or grading permit, whichever comes first.
27 (*ENGR*)
- 28 95. All fees noted below are the fees currently in effect per the Resolution of Fees and Charges.
The fees are adjusted annually by City Council action every June and new fees become
effective on July 1. (*ENGR*)
96. 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
\$90.00.
 - 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.

- 1 c. Provide a \$2,000 cash deposit to cover Condition Compliance costs at the time of
2 submittal of plans and documents to Engineering Services for review. The deposit will
3 be placed in a refundable account. Condition Compliance costs will be charged to this
4 deposit over the life of the project permit. 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)*

5 97. Grading Permit Application:

- 6 a. Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee
7 is determined based on cubic yardage of cut and fill combined, or at the hourly rate of
\$190.00 if the hourly rate is used.
8 b. Provide a \$2,000 cash deposit for erosion control prior to issuance of grading permit.
9 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
10 additional deposit in an amount determined by the City Engineer will be required.
11 c. Pay stockpile and erosion control monitoring fee prior to issuance of grading permit.
12 The stockpile and erosion control monitoring fee is currently \$21.00 per calendar day
and is collected for the life of the grading permit activity. *(ENGR)*

13 98. Parcel Map Application:

- 14 a. Pay the Parcel Map review fee at the time of submittal of Parcel Map documents to
15 Engineering Services for review. Current fee is estimated to be \$2,470.00 (based on 3
16 parcels), plus additional review time at \$190.00/hour if required.
17 b. 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
18 estimated to be \$5,700.00 (based on 3 parcels), plus additional review time at
\$190.00/hour if required.
19 c. Pay the construction inspection fee prior to issuance of any construction permits. The
current fee is based on 9% of the estimated cost of constructing the required
20 improvements to support the subdivision.
21 d. There is no fee established for this drainage area Per Resolution 09-15.
22 e. Per Resolution 09-15 the Parkland shall be paid prior to certificate of occupancy for
each individual parcel. The fee will be the current fee per City Resolution, Fees and
23 Charges for Various Municipal Services at the time of building permit issuance for
each individual parcel.
24 f. Pay new street monument fee of \$380.00 per monument, prior to approval of the Parcel
Map.
25 g. Pay new parcel fee of \$380.00 per parcel prior to the approval of the Parcel Map.
26 h. Pay acceptance of improvements fee of \$1900.00 prior to scheduling items for action
by City Council.
27 i. Provide a \$1000.00 deposit for archiving permanent records prior to approval of the
Parcel Map. Actual fees will be charged following completion of work.
28 j. Provide a \$2,000 deposit for specialty inspections prior to issuance of any construction
permit. *(ENGR)*

99. Sewer Connection Permit:

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- a. Per Resolution 09-15 the Sanitary Sewer connection fee shall be paid prior to certificate of occupancy for each individual parcel. The fee will be the current fee per City Resolution, Fees and Charges for Various Municipal Services at the time of building permit issuance for each individual parcel.
 - b. Per Resolution 09-15 the current sewer service fee shall be paid prior to certificate of occupancy for each individual parcel. The fee will be the current fee per City Resolution, Fees and Charges for Various Municipal Services at the time of building permit issuance for each individual parcel. **(ENGR)**

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100. Traffic Mitigation Fee:

Per Resolution 09-15 the Offsite Street Improvement Program (OSIP) fee shall be paid prior to certificate of occupancy for each individual parcel. The fee will be the current fee per City Resolution, Fees and Charges for Various Municipal Services at the time of building permit issuance for each individual parcel. **(ENGR)**

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OTHER/MISCELLANEOUS

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101. 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)**

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102. The compliance with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells shall be the sole responsibility of each adjacent parcel property owner. **(ENGR) CMC**

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103. 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:

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21

Contra Costa County Fire Protection District
2010 Geary Road
Pleasant Hill, CA 94523

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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)**

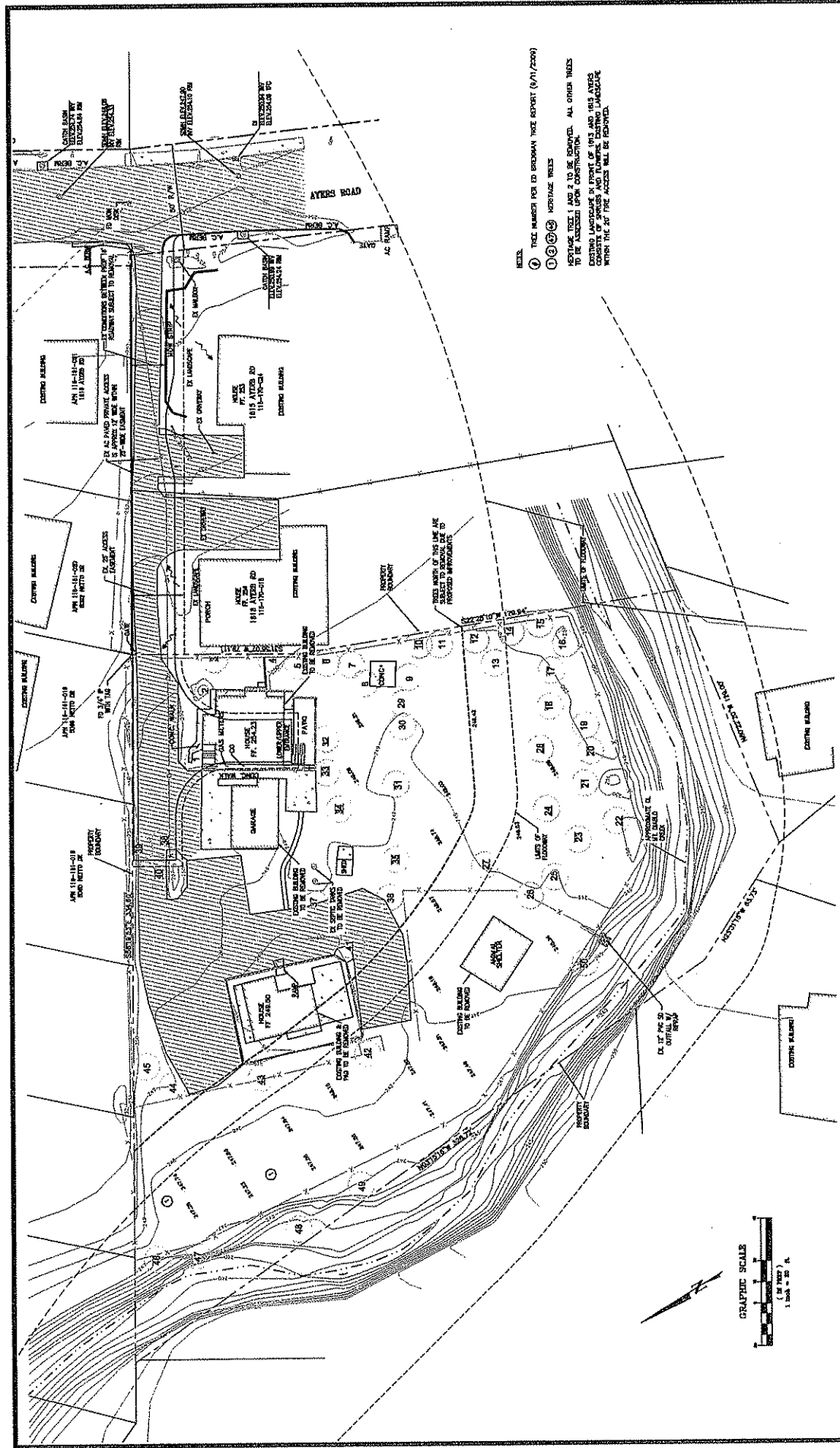
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104. Applicant and/or subdivider shall defend, indemnify and hold harmless the City, its agents, officials and employees from any claim, action or proceeding brought by a third party to set aside, annul, attack or otherwise void the approval of the Parcel Map by the Zoning Administrator, 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)**

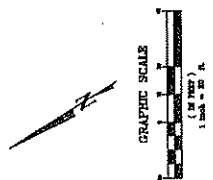
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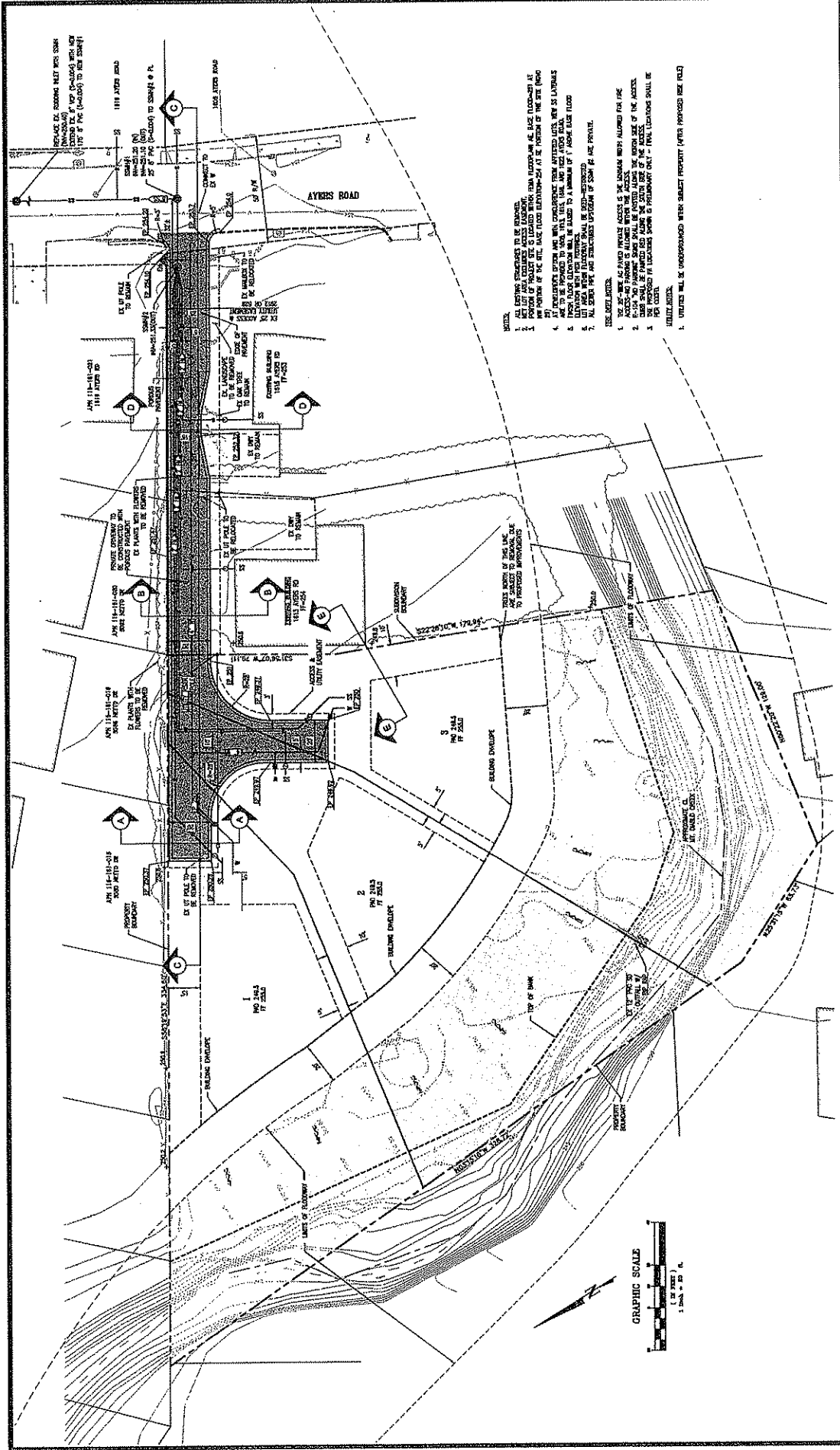
105. The permit and approval shall expire in two years from the date on which they became effective unless construction permits are obtained and work begun on the driveway improvements. The effective date of the permit and approval is *August 25, 2010*. (PLNG)

106. A request for a time extension from the expiration date of *August 25, 2012* 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)



ANTHONY ESTATES TENTATIVE PARCEL MAP EXISTING CONDITIONS		SCALE: 1"=20' DATE: 11/11/09 SHEET NO. 2 of 4
CIVIL ENGINEER FELICIA C. DEAN REG. NO. 45861 EXP. 12/31/10 CHECKED BY: FCD DESIGNED BY: KGT DRAWN BY: KGT	REFERENCE No. DATE BY	CONCEDED CONTRA COSTA CALIFORNIA
Kimley-Horn and Associates, Inc. 505 15th Street, Suite 1000 Concord, California 94520 Tel. No. (925) 835-5071 © 2010 Fax No. (925) 835-5071		





- NOTES:**
1. ALL LOTTING REQUIREMENTS TO BE REVIEWED.
 2. THE POSITION OF THE CENTER LINE OF THE PROPOSED ROAD SHALL BE DETERMINED BY THE POSITION OF THE CENTER LINE OF THE EXISTING ROAD.
 3. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 1' BELOW THE FLOOD ELEVATION.
 4. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 1' BELOW THE FLOOD ELEVATION.
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 7. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 1' BELOW THE FLOOD ELEVATION.
- GENERAL NOTES:**
1. THE 100-YEAR FLOOD ELEVATION IS THE HIGHEST FLOOD ELEVATION FOR THE AREA.
 2. THE 100-YEAR FLOOD ELEVATION IS THE HIGHEST FLOOD ELEVATION FOR THE AREA.
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SCALE: 1" = 40'
 DATE: JAN 1988
 SHEET NO. 3 OF 4

ANTHONY ESTATES
 TENTATIVE PARCEL MAP
 CONCORD CALIFORNIA

NO.	DATE	BY	REFERENCE



CIVIL ENGINEER
 FELICIA C. DEAN
 REG. NO. 44289 EXP. 12/31/2008
 CHECKED BY: FCD
 DESIGNED BY: KGT
 DRAWN BY: KGT

Kimley-Horn and Associates, Inc.
 1501 12th Street, Suite 200
 Concord, California 94520
 Tel: (925) 422-0774
 Fax: (925) 422-0774
 © 2008



RECEIVED

JUL 21 2010

PLANNING

July 20, 2010

Jackie Seeno
Discovery Builders, Inc.
4061 Port Chicago Highway, Suite H
Concord CA 94520

Subject: Anthony Estates, 1611 Ayers Rd., Concord

Dear Ms. Seeno:

Discovery Builders, Inc. is planning to develop the subject property in Concord. I prepared a Tree Report for the property, dated August 11, 2009. You recently requested that I review potential development impacts to an off-site tree. This letter responds to your request.

I visited the site on July 6th. The tree is a valley oak (*Quercus lobata*) growing in the front yard of 1615 Ayers Road, adjacent to the entry access roadway serving your Anthony Estates property. The tree is in good health, although its crown has been pruned to provide clearance to overhead utility lines. In assessing impacts to the tree I reviewed the Tentative Parcel Map and cross section sheet, dated 7/14/10, prepared by Kimley-Horn and Associates, Inc. Plans call for replacing the access roadway and underground utilities that run beneath it.

The major impacts to the tree would come from excavating a 12" section for the new driveway, and trenching to install a 4" water line. The driveway excavation will occur where the existing driveway is located, making it unlikely that large roots have developed there. However, the new driveway will be 24" closer to the trunk. I recommend excavating the driveway section using hand tools or small excavation equipment in an 8' stretch where it is closest to the tree trunk, and preserving any roots encountered greater than 3" in diameter.

Trenching for the water line will be allowed to occur within 7' from the trunk. Existing underground utilities beneath the driveway are likely to have prevented large scale root development in this area, so I would not expect significant root injury to occur from trenching for the water line. Trenching for the other utilities would be farther from the trunk than the water line, and therefore will not impact the tree.

Based on my evaluation of the plans, I believe the valley oak will tolerate the impacts of roadway construction and utility trenching if my recommendations are followed.

Please contact me if you have any questions regarding my observations or evaluations.
Sincerely,

Certified Arborist #WC-0105
Registered Consulting Arborist #373