

CITY OF NEWARK PLANNING COMMISSION

37101 Newark Boulevard, Newark, California 94560-3796 ☐ 510/578-4330 ☐ FAX 510/578-4265

City Administration Building
7:30 p.m.
City Council Chambers

AGENDA Tuesday, June 12, 2018

- A. ROLL CALL
- B. MINUTES
 - B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, May 29, 2018. (MOTION)
- C. WRITTEN COMMUNICATIONS
- D. ORAL COMMUNICATIONS (Anyone wishing to address the Commission on any planning item not on the Agenda may take the podium and state his/her name and address clearly for the recorder.)
- E. PUBLIC HEARINGS
 - E.1 Hearing to consider a conditional use permit, U-18-11, to allow a modification to an existing monopole communication tower located at 37900 Timber Street (APN: 92A-2125-12-4) – from Deputy Community Development Director Interiano. (RESOLUTIONS-2)
- F. STAFF REPORTS
- G. COMMISSION MATTERS
 - G.1 Report on City Council actions.
- H. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the Planning Commission, will be made available for public inspection at this meeting and at the Planning Division Counter located at 37101 Newark Boulevard, 1st Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

CITY OF NEWARK

PLANNING COMMISSION

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4330 • FAX 510-578-4265

City Administration Building
7:30 p.m.
City Council Chambers

MINUTES

Tuesday, May 29, 2018

A. ROLL CALL

At 7:30 p.m., Chairperson Fitts called the meeting to order. All Planning Commissioners were present.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, May 8, 2018.

Vice-Chairperson Aguilar moved, Commissioner Nillo seconded, to approve the revised Minutes of May 8, 2018. The motion passed 5 AYES.

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider P-18-6, a planned development, and TTM-18-07, vesting tentative tract map 8409, for a 6-unit multi-family residential townhome subdivision located at 36589 Newark Boulevard (APN: 92A-623-43) – from Assistant Planner Bowab. (RESOLUTION)

Assistant Planner Bowab gave the staff report.

Chairperson Fitts opened the Public Hearing.

Applicant David Langon, 3189 Danville Boulevard, Suite 245, Alamo, CA 94507, stated he has read and is in agreement with the Conditions listed in Resolution 1959.

Answering Vice-Chairperson Aguilar, Mr. Langon stated the site was deemed environmentally cleared for residential development in 2016, but as a precautionary measure, the City required soil testing to continue until construction begins. Assistant City Manager Grindall further clarified that documentation of environmental clearance from the Regional

Water Quality Control Board is required prior to any residential construction is approved and additional testing is to assure no contamination is found in the right-of-ways.

Chairperson Fitts closed the Public Hearing.

Addressing Chairperson Fitts concerns, ACM Grindall stated the Home Owners Association will include and enforce the parking of vehicles inside garages as part of their CC&Rs. If the City receive complaints the City does have the ability to enforce compliance of condition “e” of Resolution 1959.

Answering Commissioner Bridges, ACM Grindall stated the Public Works Department has landscaping experts on staff, and City Planners also review the submitted landscape plans.

Motion by Vice-Chairperson Aguilar, seconded by Commissioner Nillo, to approve Resolution 1959 with modified conditions “y”, “jjj” and “kkk”, approving P-18-6, a planned development, for a six unit multi-family residential townhome subdivision located at 36589 Newark Boulevard (APN: 92A-623-43), with Exhibits A and B; and approving Resolution 1960, approving TTM-18-7, vesting tentative tract map 8409 with Exhibit A. Motion passed 5 AYES.

E.2 Hearing to consider P-18-5, a planned development to allow construction of a 6-unit apartment project located at 37093 Locust Street (APN: 92-125-10). The subject site is a landlocked site adjacent to railroad tracks between Locust Street and Walnut Street – from Associate Planner Mangalam.

(RESOLUTION)

Associate Planner Mangalam gave the staff report.

Answering Commissioner Otterstetter, AP Mangalam stated a fence, not a sound wall, is proposed to be built along the railroad tracks.

ACM Grindall stated trains utilize the railroad tracks less than one time per week.

Addressing Commissioner Bridges concerns, AP Mangalam stated the Applicant agreed to additional building improvements which mitigate train noise, at the time of construction, per Condition “w” of Resolution 1961.

Answering Chairperson Fitts, ACM Grindall stated, if deemed necessary, the City would be able to contact the Developer to build the sound wall.

Chairperson Fitts opened the Public Hearing.

Applicant Stanley Cherry, 321 Woodrow Avenue, Vallejo, CA 94591, stated he has read and is in agreement with the conditions listed in Resolution 1961.

Answering Chairperson Fitts, Mr. Cherry stated he will install the sound wall per condition “x” of Resolution 1961.

Answering Commissioner Nillo, Mr. Cherry hopes to begin construction in April 2019.

Newark resident Ola Verjon stated the area by the railroad tracks has problems with illegal dumping and asked the City to address this issue.

ACM Grindall stated the City did not have too much leverage in getting the Railroad Company to clean up their property but will take in the complaints.

Deputy Community Development Director Interiano stated the public should report any illegal dumping to the Code Enforcement Division.

Mr. Percy Sanchez, 37085 Locust Street, Newark, CA 94560, stated his concerns that the proposed entrance would eliminate two existing carport spaces which would increase the number of cars parking on the public street which is already an issue, and the car exiting the property by the live railroad tracks would create an unsafe condition.

Unidentified speaker #1, 37046 Locust Street, Newark, CA 94560, stated he was concerned with increased traffic and the lack of street parking and the perceived inconvenience during construction.

Unidentified speaker #2, emphasized parking on the street is already an issue and the new entrance and exits would create more traffic.

Mr. Sanchez, 37078 Locust Street, Newark, CA 94560, agreed with his neighbors that traffic and parking is already an issue.

Newark resident David Balthazar stated parking is an issue and he was concern that people driving too fast while turning into the new entrance might hit the side of his house.

Chairperson Fitts closed the Public Hearing.

Answering Chairperson Fitts, ACM Grindall stated the proposed easement and the proposed number of vehicle trips met City standards, and staff does not feel any unsafe conditions would result from this project.

Addressing Chairperson Fitts' and Commissioner Bridges' concerns, AP Mangalam stated condition "e" states garages can only be used for automobile parking.

Answering Vice-Chairperson Aguilar, ACM Grindall stated staff worked extensively with the Applicant in designing the proposed egress and was fortunate he own the adjacent parcel so this egress could work for this project.

ACM Grindall stated any inoperable or unregistered vehicles parked on the public street could be cited and towed through the Police Department.

Public Works Director Fajeau described the criteria for traffic calming measures.

Commissioner Bridges commented that traffic calming measures is listed in the proposed Capital Improvement Plan.

Motion by Commissioner Bridges, seconded by Commissioner Otterstetter, to approve Resolution 1959, approving P-18-5, a planned development, to allow construction of a six-unit apartment project at 37093 Locust Street (APN: 92-125-10) with the amendment to condition “hhh” changing all 7:00 AM construction start times to 8:00 AM. Motion passed 5 AYES.

F. STAFF REPORTS

F.1 Presentation of the 2016-2018 Capital Improvement Plan and finding in conformance with the General Plan – from Public Works Director Fajeau. (MOTION)

PWD Fajeau gave the staff report via a PowerPoint presentation.

Answering Chairperson Fitts, PWD Fajeau stated the Thornton Avenue widening project is classified as Level 3 due mainly because a funding source has not yet been identified.

Answering Chairperson Fitts, PWD Fajeau stated if the Gas Tax Measure is repealed, Newark, as well as all California jurisdictions, would be impacted.

Answering Commissioner Nillo, PWD Fajeau stated streets identified in the “Curb, gutter and sidewalk” replacement project are prioritized by their severity.

Answering Commissioner Nillo, PWD Fajeau stated he reviews all outreach materials prior to the Contractors notifying the Community on the work that will be commencing.

Answering Commisisoner Otterstetter, PWD Fajeau stated street sign replacement is an ongoing project and are prioritized with the least visible street signs being replaced first.

Chairperson Fitts stated his opinion that the Newark Community Park restrooms is an “eyesore” and asked if it could be taken care of quickly. PWD Fajeau answered the complete replacement of that restroom facility was identified in the Citywide Parks Master Plan and will be taken care of this fiscal year in conjunction with the Dog Park project.

Answering Commissioner Otterstetter, PWD Fajeau confirmed many Cities are now using the all-weather artificial turf in their sportsfields.

Answering Vice-Chairperson Aguilar, PWD Fajeau stated large amounts of CIP funding comes from Developers through impact fees, as well as from ballot measures and the gas tax.

Motion finding the 2018-2020 Capital Improvement Plan is in conformance with the General Plan was made by Commissioner Bridges, seconded by Chairperson Fitts. Motion passed 5 AYES.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

None.

Commissioners' Comments

Chairperson Fitts and Vice-Chairperson Aguilar thanked staff on their presentations.

Answering Vice-Chairperson Aguilar, ACM Grindall stated the CIP Project will be heard at a Special City Council Meeting scheduled for May 31, 2018, and the public hearing items will be heard at the June 28, 2018 City Council Meeting.

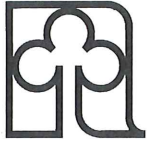
H. ADJOURNMENT

At 9:03 p.m., Chairperson Fitts adjourned the regular Planning Commission meeting of Tuesday, May 29, 2018.

Respectfully submitted,



TERRENCE GRINDALL
Secretary



E. 1 Hearing to consider U-18-11, a Conditional Use Permit to allow an expansion of an existing communication tower located at 37800 Timber Street. The property is zoned Residential High Density– from Deputy Community Development Director Interiano. *A.C.* (RESOLUTION)

Background/Discussion – The City has received an application to expand an existing communication tower located at 37800 Timber Street. The modifications include co-locating an additional service provider who desires to modify the existing structure as follows:

- Remove (3) Antennas
- Remove Existing Equipment Cabinet and Pad
- Install (1) New Cabinet on New Concrete Pad
- Install New PPC Cabinet on Proposed H-Frame
- Install (3) new 1 ¼' Hybrid Cables
- Install (6) New Panel Antennas
- Install (6) New RRUS
- Install New T-Arm Kit

The requested expansion would substantially change the look of the tower and add additional base equipment. Furthermore the requested changes would be in conflict with the existing City conditions on this installation. Therefore a Conditional Use Permit (CUP) is required for this expansion.

Newark's zoning code requires that cellular communication towers have stealth features in this zoning district. This is typically accomplished by disguising the tower as a pine tree. This form of stealth is referred to as a "monopine". The stealth features are intended to reduce the visual nuisance. There are two other "monopine" installations in Newark. Despite this, the applicant objects to the stealth requirement.

The applicant now claims, despite having applied for the Conditional Use Permit, that the improvements are considered non-substantial, as defined by federal law, and therefore do not require approval of a CUP.

Staff disagrees with the applicant's assertion. The proposed installation would dramatically change the look of the tower by adding an array of antennas that would extend approximately 6 feet from the tower. The existing tower was conditioned to have flush mounted antennas to reduce the visual impact. The lack of conformance with existing stealth requirements and the proposals inclusion of additional ground mounted cabinets are inconsistent with the Federal definition of "non- substantial". Therefore, it is subject to a Conditional Use Permit.

An existing Conditional Use Permit is in effect on this site. Resolution 1785, approved in 2010, contains two relevant conditions (1) a condition which requires the siting of equipment and

antennas to be aesthetically desirable as approved by the City and (2) antennas shall be installed as close as possible to the monopole to reduce the antennas' visual impact.

Given the importance of communication for our businesses and residents, staff recommends approval of the proposed application with the condition that the communication tower be camouflaged. Staff does not recommend approval of the application without the condition of the communication tower being stealth.

Required Findings

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code;
Staff: Communication towers may be allowed in the Residential High Density zoning district with the approval of a CUP.
- B. The proposed use is consistent with the General Plan and any applicable specific plan;
Staff: If approved by a CUP, the use would be consistent with the City's General Plan.
- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
Staff: The communication tower is an existing use; therefore staff does not believe there will be any adverse impacts by adding additional equipment as proposed.
- D. Tax revenue generated by the development will exceed the City's cost of the service demand as a result of the development or a compelling community benefit will be provided;
Staff: No additional demand of City's services is expected by the proposed application.
- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Ordinance;
Staff: If the communication tower is camouflaged then it will meet the City's requirements to be stealth per section 17.26.250(B)(2).
- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity;
Staff: The design of the camouflaged communication tower is recommended to be monopine. The final stealth design shall be approved by the Community Development Director.
- G. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
Staff: The existing site was determined to be suitable when the original permit was approved in 1984. Staff does not see any additional site constraints at this time.

CEQA- This project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15301, Class 1, existing facilities.

Action – It is recommended that the Planning Commission, approve by resolution, the public hearing item with all associated conditions.

Attachment

1. Draft Resolution
2. Modification Drawings
3. Resolution 1785
4. Existing Condition Photo
5. Examples of Monopine Type Camouflage

RESOLUTION NO.

RESOLUTION APPROVING U-18-11, A CONDITIONAL USE PERMIT, TO ALLOW MODIFICATION OF AN EXISTING COMMUNICATION TOWER LOCATED AT 37800 TIMBER STREET (APN: 092a-2125-012-04).

WHEREAS, Crown Castle, has filed with the Planning Commission of the City of Newark application for U-18-11, a conditional use permit, to allow modification of an existing communication tower located at 37800 Timber Street; and

PURSUANT to the Municipal Code Section 17.31.060, a public hearing notice was published in The Tri City Voice on May 29, 2018 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on June 12, 2018 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

WHEREAS, the public hearing was scheduled for June 12, 2018; and

WHEREAS, pursuant to Chapter 17.35 (Use Permits), Section 17.35.060 (Action by Planning Commission), the Planning Commission hereby makes the following findings:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code;
- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
- D. Tax revenue generated by the development will exceed the City's cost of the service demand as a result of the development or a compelling community benefit will be provided;
- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Ordinance;
- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity;
- G. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves this application, subject to compliance with the following conditions:

Planning Division

- a) The communication tower shall be camouflaged with a monopine stealth design. The stealth design shall be approved by the Community Development Director.
- b) Building permits shall be required for proposed modifications.

General

- c) All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission review and, if so decided, said changes shall be submitted for the Commission's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of project exhibits requiring Planning Commission review and approval.
- d) If any condition of this conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
- e) The applicant hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.
- f) In the event that any person should bring an action to attack, set aside, void or annul the City's approval of this project, the applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action, or proceeding against the City and/or its agents, officers and employees with counsel selected by the applicant (which shall be the same counsel used by applicant) and reasonably approved by the City. Applicant's obligation to defend, indemnify and hold harmless the City and/or its agents, officers and employees shall be subject to the City's compliance with Government Code Section 66474.9.
- g) The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby further notified that the 90-day approval period in which the applicant may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within

this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

The Commission makes the findings prescribed in Newark Municipal Code Section 17.35.060, and directs a Notice of Action be mailed to the applicant and filed with the City Clerk pursuant to Newark Municipal Code Section 17.31.080.

This Resolution was introduced at the Planning Commission's June 12, 2018 meeting by , seconded by , and passed as follows:

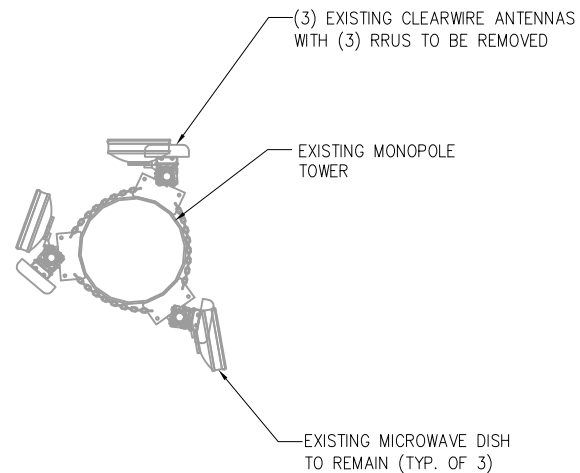
AYES:

NOES:

ABSENT:

TERRENCE GRINDALL, Secretary

BERNIE NILLO, Chairperson



0° = TRUE NORTH

EXISTING ANTENNA & RRU LAYOUT

NO SCALE 1

SECTOR	ANTENNA MODEL	ANTENNA SIZE	ANTENNA FREQUENCY (MHz)	AZIMUTH	RAD CENTER (A.G.L.)	RRU MODEL
1	KMW ETCR-654L12H6 SAMSUNG AAS (64T64R)	84.9" 47.2"	800 1900 2500	0°	84'-0"	RFD01F RRH-P4
2	KMW ETCR-654L12H6 SAMSUNG AAS (64T64R)	84.9" 47.2"	800 1900 2500	120°	84'-0"	RFD01F RRH-P4
3	KMW ETCR-654L12H6 SAMSUNG AAS (64T64R)	84.9" 47.2"	800 1900 2500	240°	84'-0"	RFD01F RRH-P4

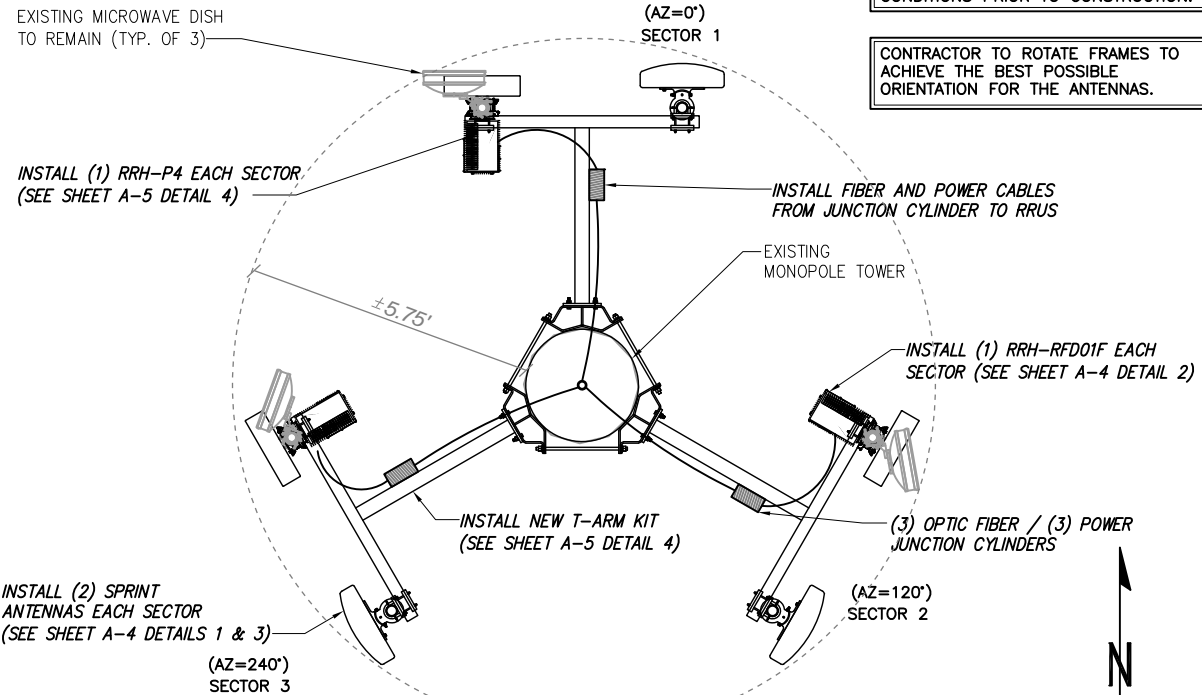
NOTES:

ANTENNA SCHEDULE

NO SCALE 3

DETAIL NOT USED

NO SCALE 5



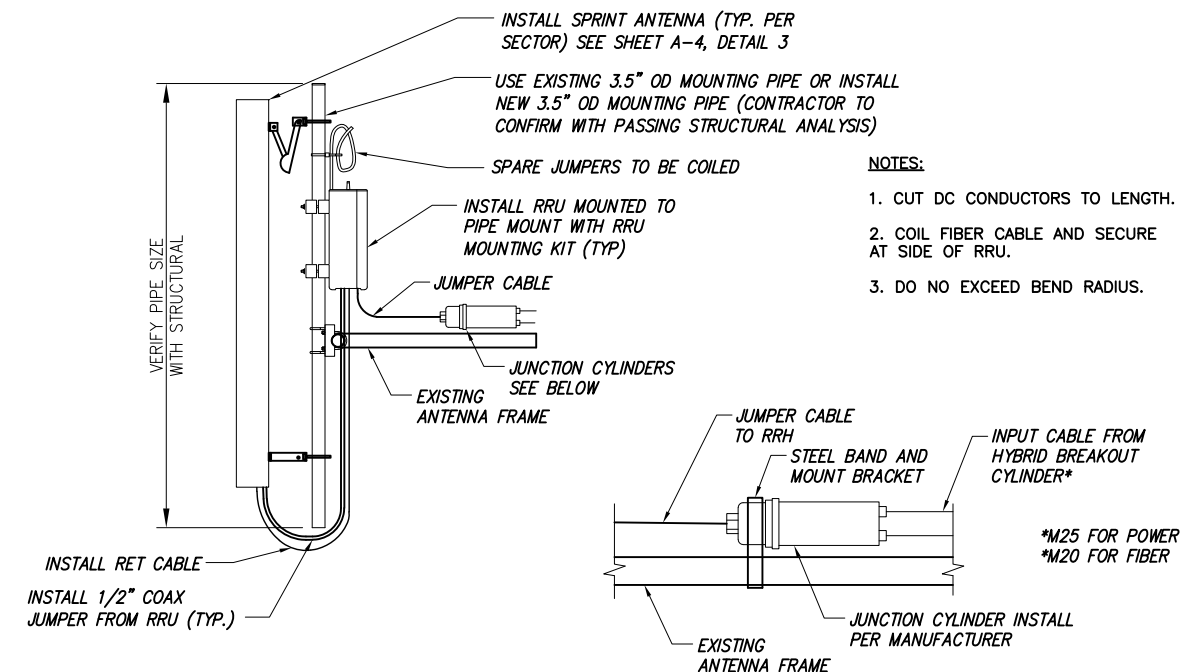
THE CONFIGURATION PLANS ARE BASED ON PROVIDED INFORMATION AND ARE FOR CONCEPTUAL PURPOSES ONLY. CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO CONSTRUCTION.

CONTRACTOR TO ROTATE FRAMES TO ACHIEVE THE BEST POSSIBLE ORIENTATION FOR THE ANTENNAS.

0° = TRUE NORTH

FINAL ANTENNA LAYOUT

NO SCALE 2



- NOTES:**
- CUT DC CONDUCTORS TO LENGTH.
 - COIL FIBER CABLE AND SECURE AT SIDE OF RRU.
 - DO NOT EXCEED BEND RADIUS.

NOTE:
CONTRACTOR TO POSITION RRU ON MOUNT BEHIND ANTENNA SUCH THAT THE RRU DOES NOT INTERFERE WITH THE EXISTING PLATFORM/T-ARM MOUNTING HARDWARE.

NOTE:
THE DIAGRAM IS FOR CONCEPTUAL PURPOSES ONLY. CONTRACTOR IS TO REFER TO PASSING STRUCTURAL ANALYSIS FOR ANTENNA AND RRU MOUNTING DETAILS.

TYPICAL ANTENNA, & RRU MOUNTING DETAILS

NO SCALE 4

PLANS PREPARED FOR:

12657 ALCOSTA BLVD., SUITE 300
SAN RAMON, CA 94583

PLANS PREPARED BY:

FROM ZERO TO INFINIGY
the solutions are endless

2815 MITCHELL DRIVE, BLDG 2, STE 215
WALNUT CREEK, CA 94598
JOB NUMBER 347-000

MLA PARTNER:

4301 HACIENDA DRIVE, SUITE 410
PLEASANTON, CALIFORNIA 94588

REGISTERED PROFESSIONAL ENGINEER

2-5-18

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REVISIONS:

DESCRIPTION	DATE	BY	REV
FOR CONSTRUCTION	02/02/18	SGD	0
ISSUED FOR REVIEW	01/24/18	HL	A

SITE NAME:
NEWARK (REV)

SITE CASCADE:
SF52XC513_CA-SF365

SITE ADDRESS:
37900 TIMBER ST
NEWARK, CA 94560

SHEET DESCRIPTION:
ANTENNA LAYOUT & MOUNTING DETAILS

SHEET NUMBER:
A-3

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REVISIONS:	DESCRIPTION	DATE	BY	REV
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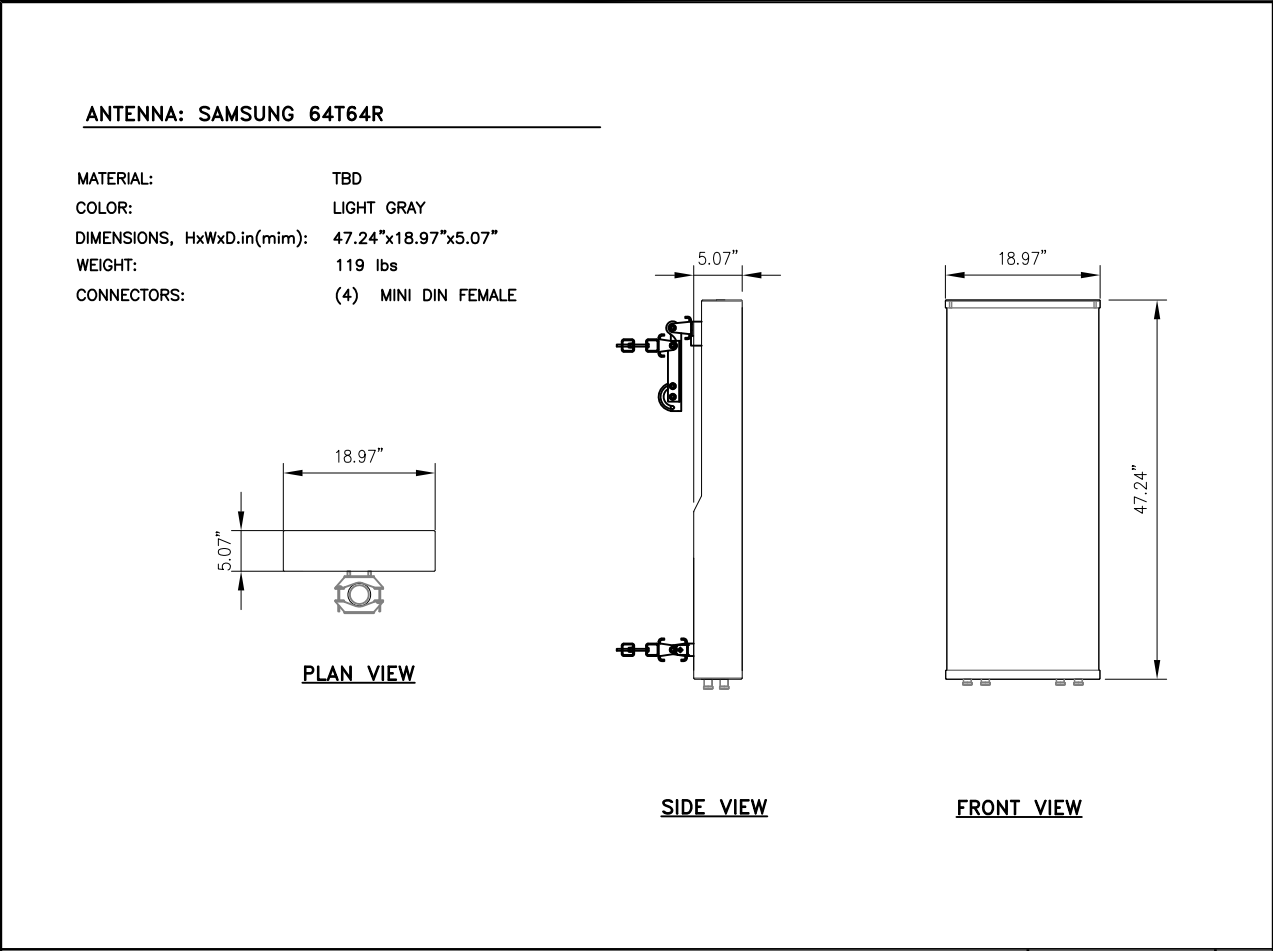
SITE NAME:
NEWARK (REV)

SITE CASCADE:
SF52XC513_CA-SF365

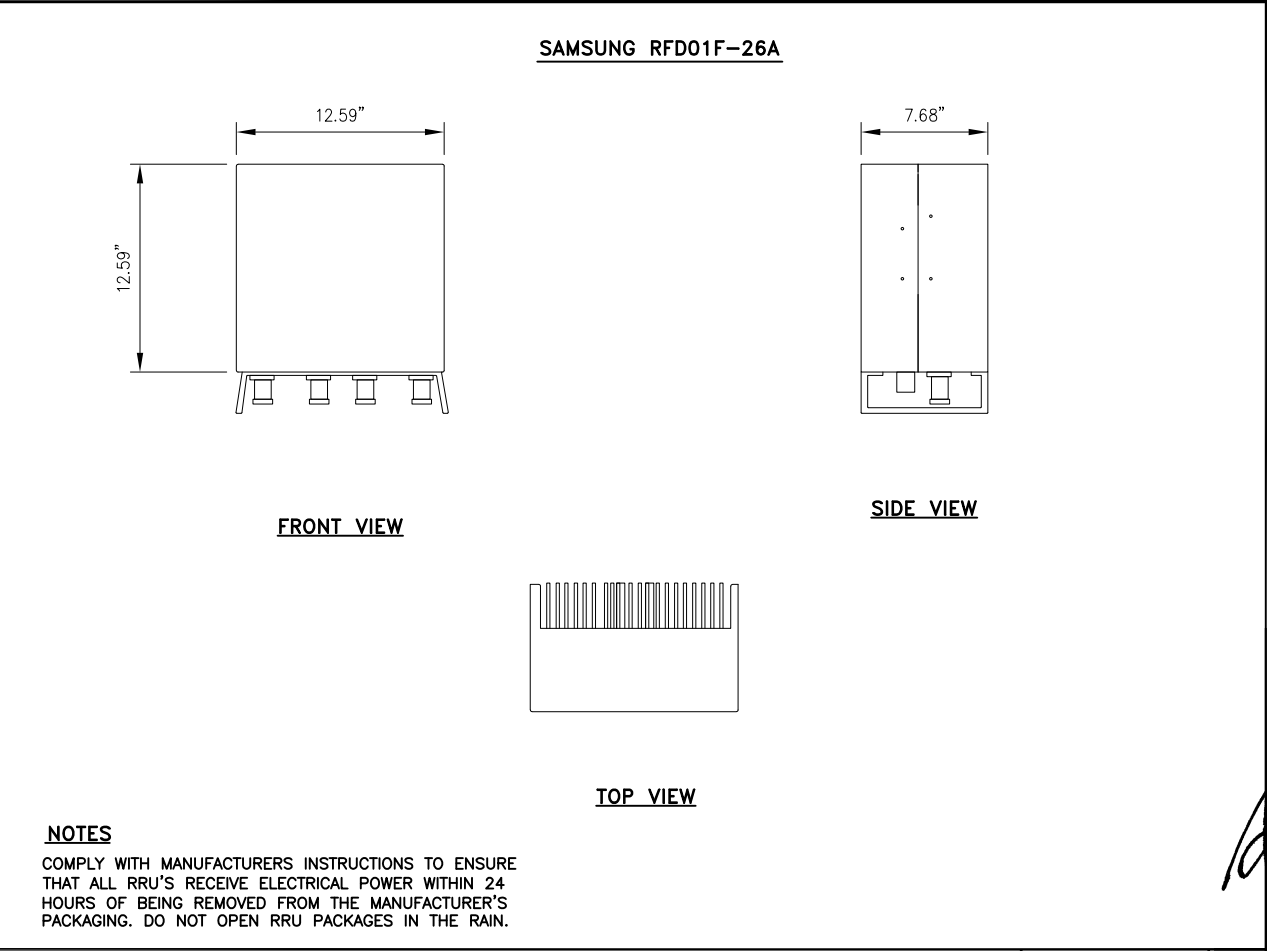
SITE ADDRESS:
 37900 TIMBER ST
 NEWARK, CA 94560

SHEET DESCRIPTION:
EQUIPMENT & MOUNTING DETAILS

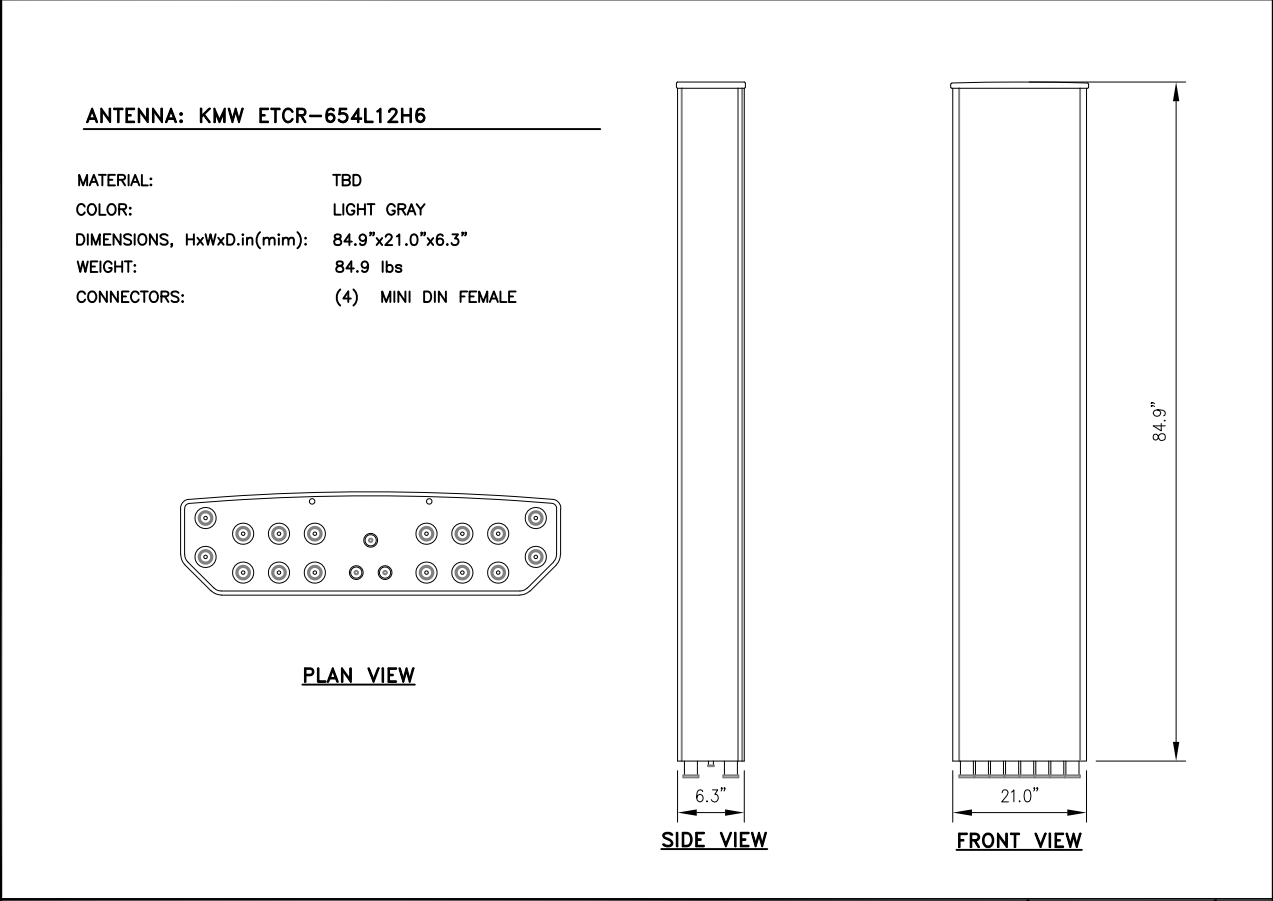
SHEET NUMBER:
A-4



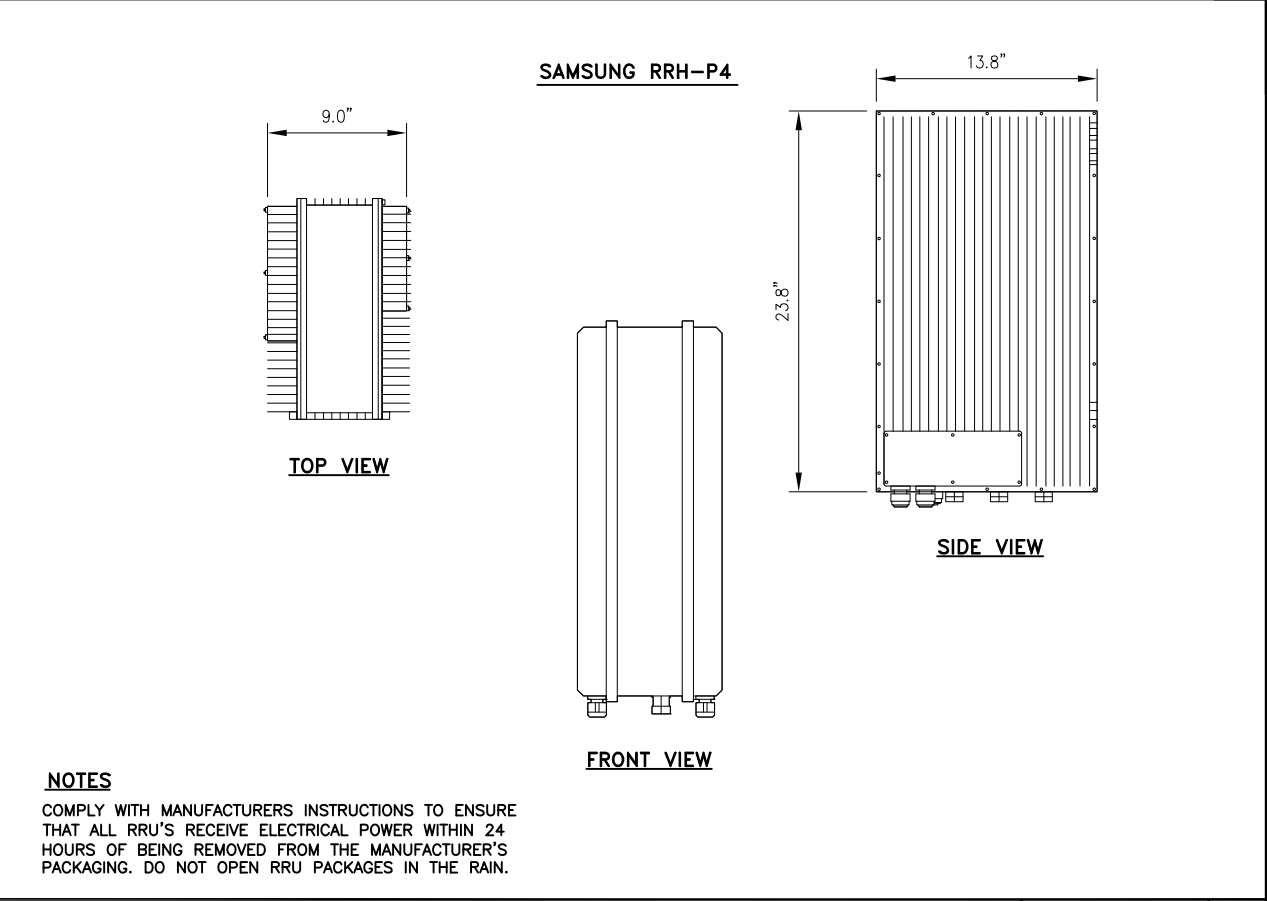
MIMO ANTENNA NO SCALE 1



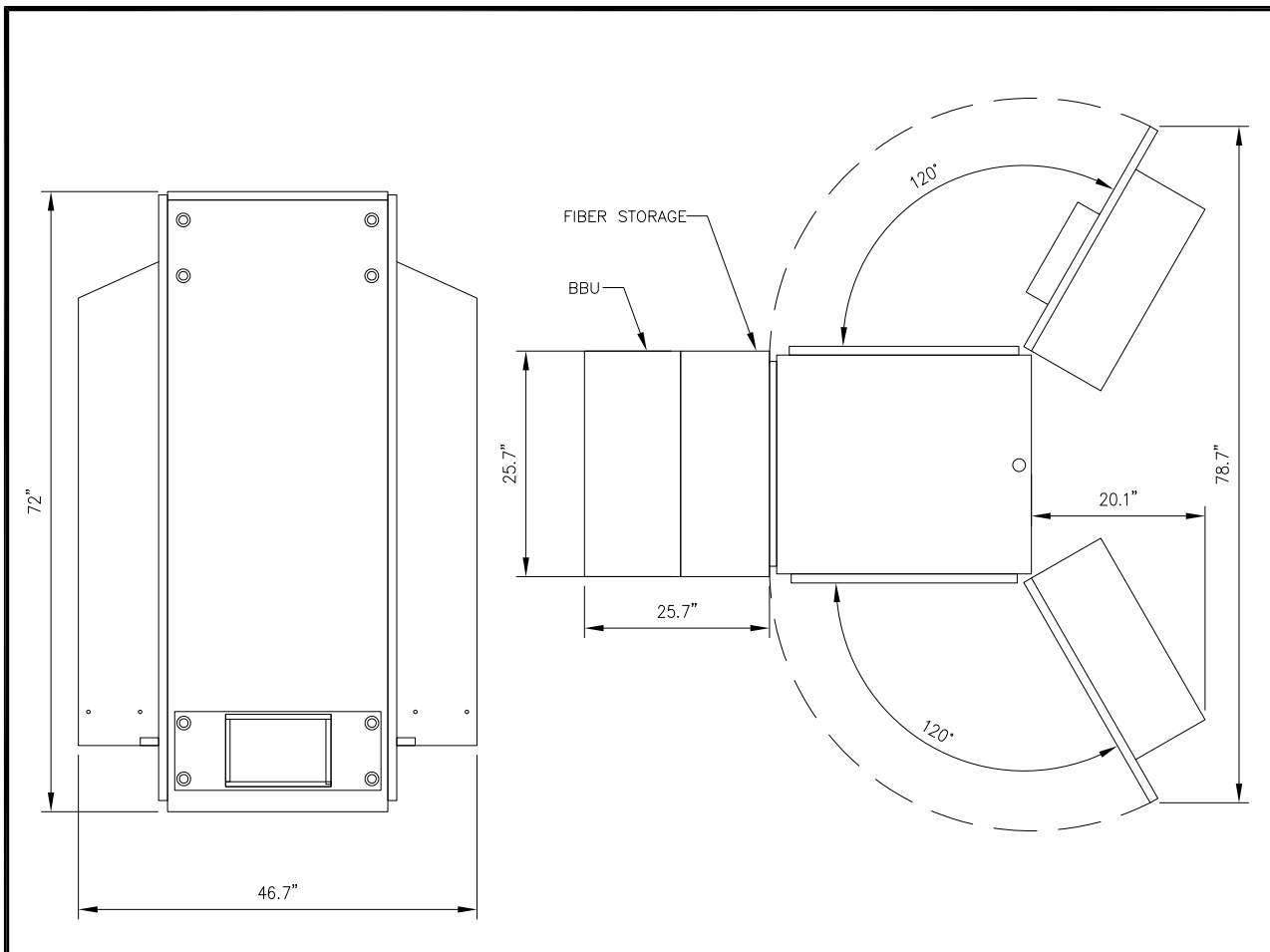
800 RRU NO SCALE 2



TRIBAND ANTENNA NO SCALE 3



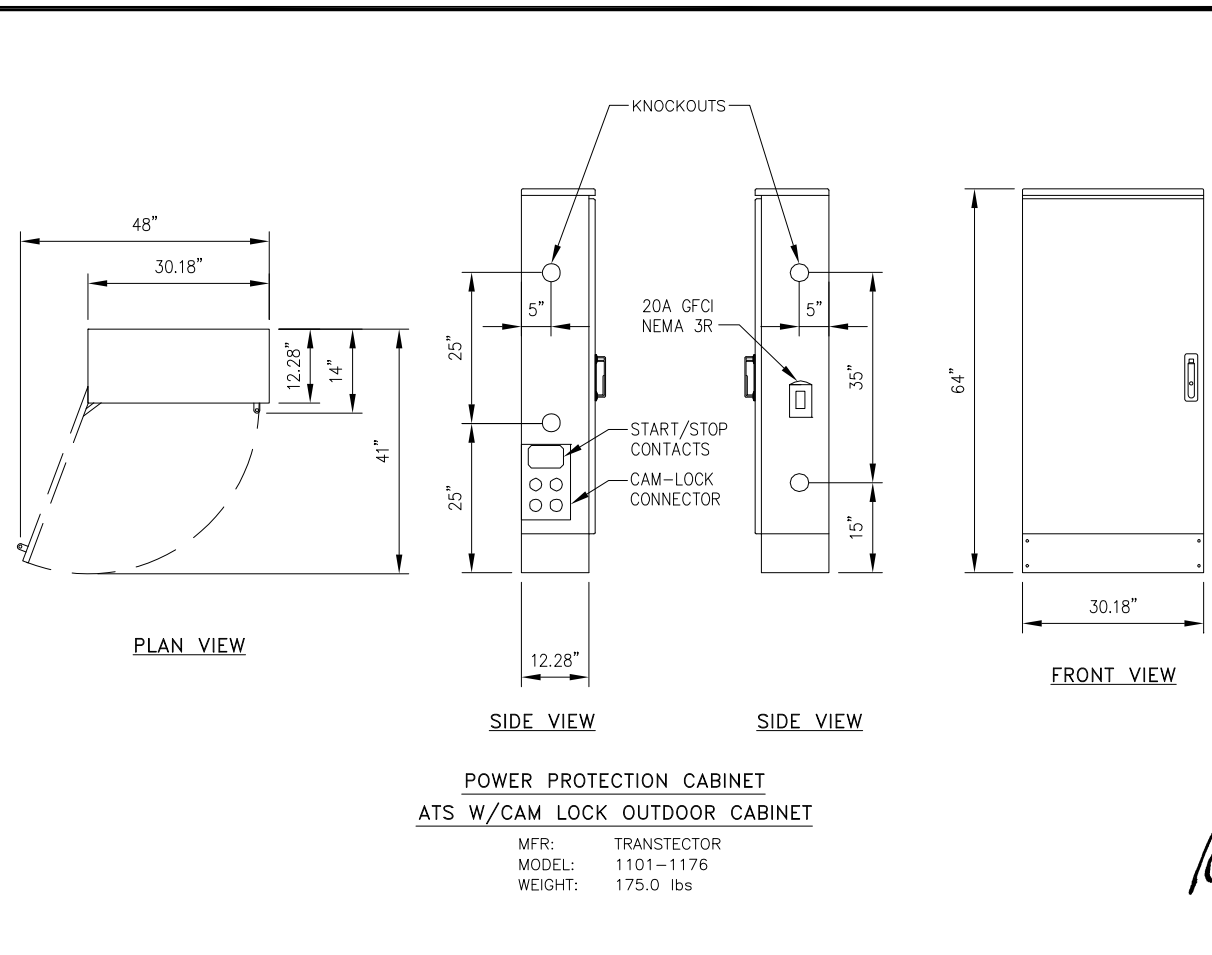
1900 RRU NO SCALE 4



NEW PURCELL EQUIPMENT CABINET

NO SCALE

1



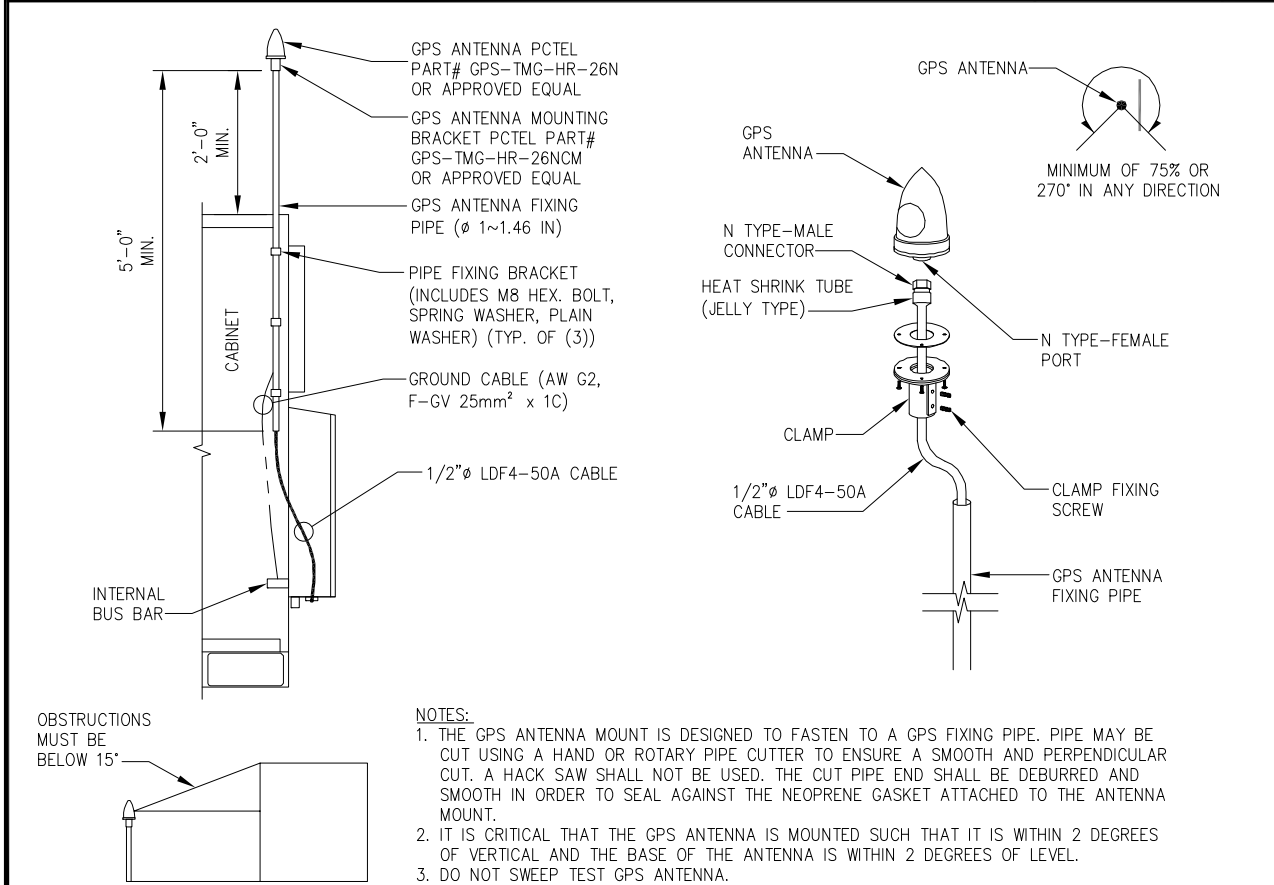
**POWER PROTECTION CABINET
ATS W/CAM LOCK OUTDOOR CABINET**

MFR: TRANSECTOR
MODEL: 1101-1176
WEIGHT: 175.0 lbs

PPC W/ATS CABINET

NO SCALE

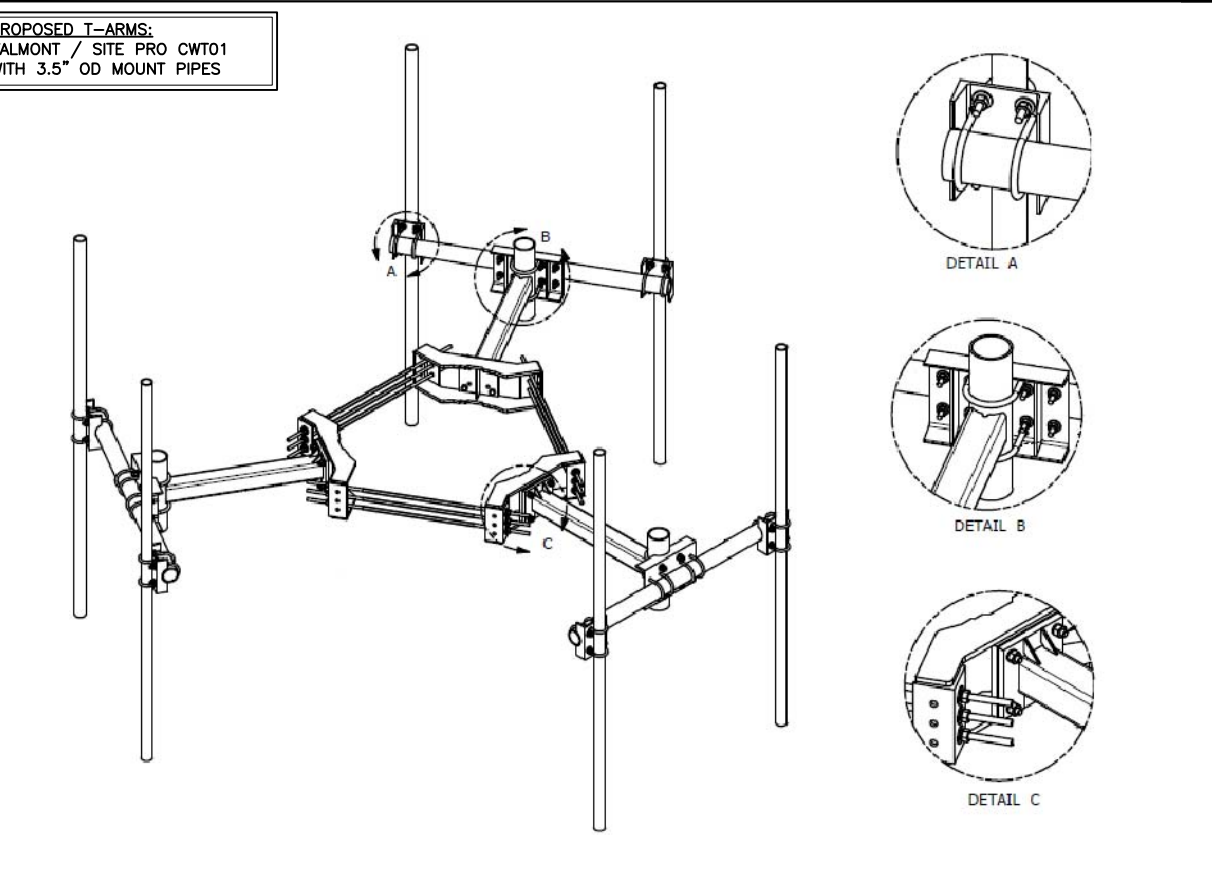
2



TYPICAL GPS MOUNTING DETAIL

NO SCALE

3



NEW T-ARM DETAIL

NO SCALE

4

PLANS PREPARED FOR:

12657 ALCOSTA BLVD., SUITE 300
SAN RAMON, CA 94583

PLANS PREPARED BY:

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JOB NUMBER 347-000

MLA PARTNER:

4301 HACIENDA DRIVE, SUITE 410
PLEASANTON, CALIFORNIA 94588

REGISTERED PROFESSIONAL ENGINEER

Andrew B. Macdonald
No. C63971
Exp. 9-30-18
CIVIL
STATE OF CALIFORNIA

2-5-18

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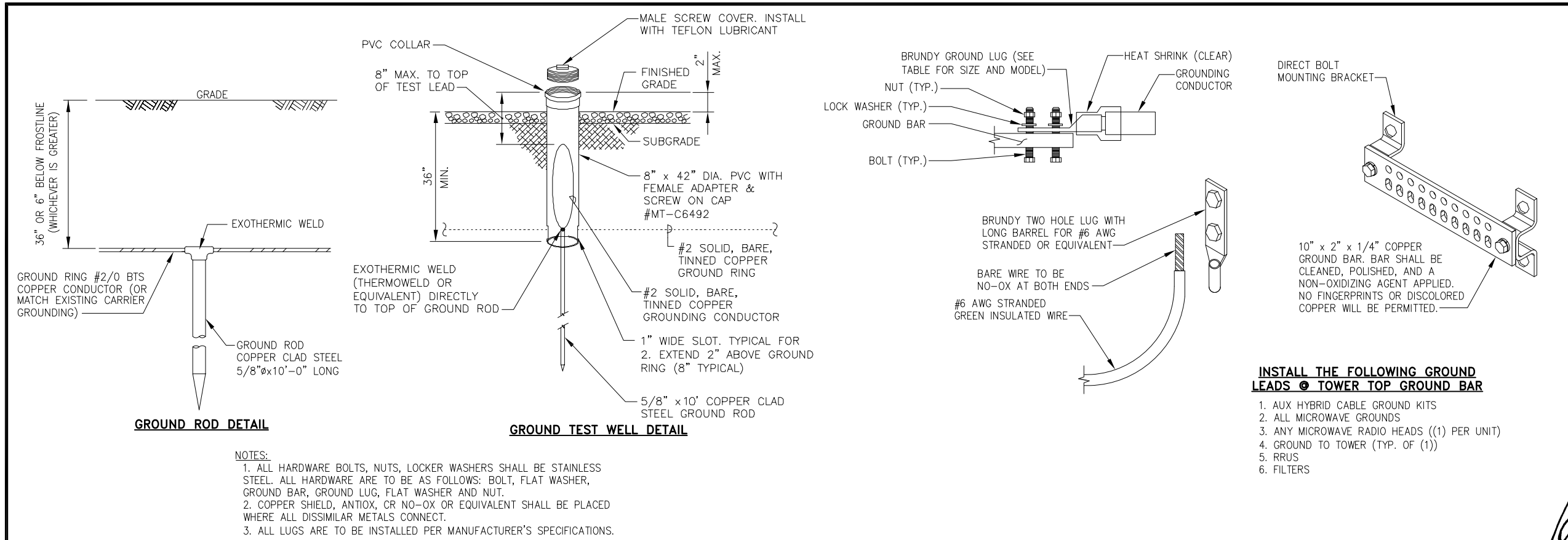
SITE NAME:
NEWARK (REV)

SITE CASCADE:
SF52XC513_CA-SF365

SITE ADDRESS:
37900 TIMBER ST
NEWARK, CA 94560

SHEET DESCRIPTION:
EQUIPMENT & MOUNTING DETAILS

SHEET NUMBER:
A-5



NOTES:

- ALL HARDWARE BOLTS, NUTS, LOCKER WASHERS SHALL BE STAINLESS STEEL. ALL HARDWARE ARE TO BE AS FOLLOWS: BOLT, FLAT WASHER, GROUND BAR, GROUND LUG, FLAT WASHER AND NUT.
- COPPER SHIELD, ANTIOX, CR NO-OX OR EQUIVALENT SHALL BE PLACED WHERE ALL DISSIMILAR METALS CONNECT.
- ALL LUGS ARE TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.

PLANS PREPARED FOR:

12657 ALCOSTA BLVD., SUITE 300
SAN RAMON, CA 94583

PLANS PREPARED BY:

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MLA PARTNER:

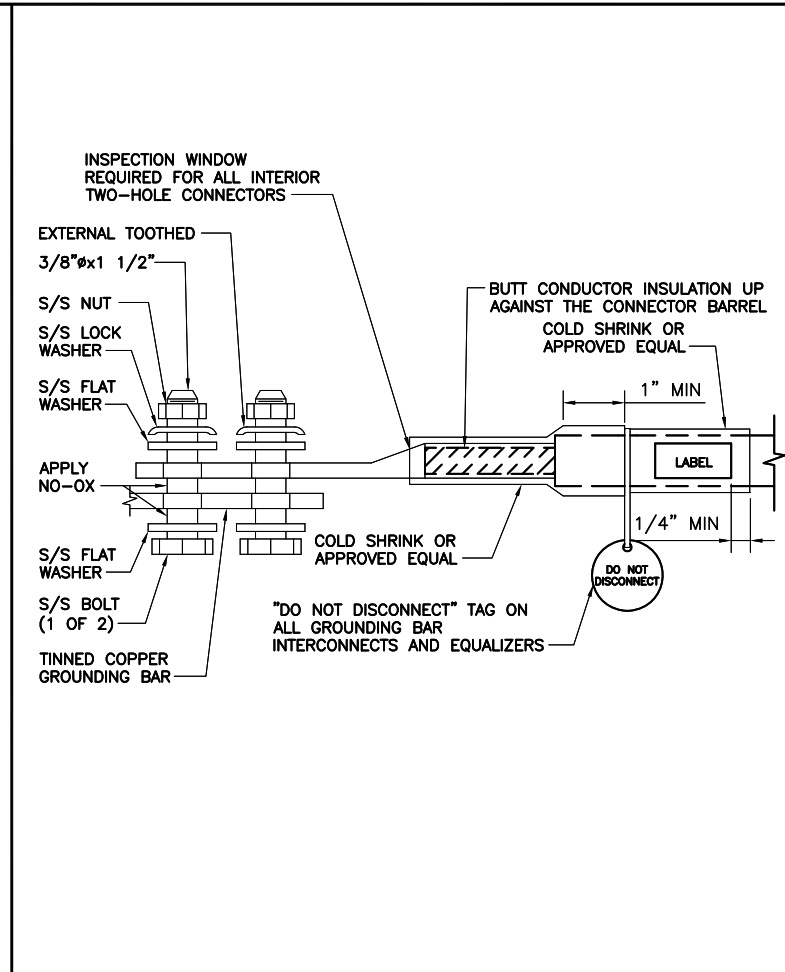
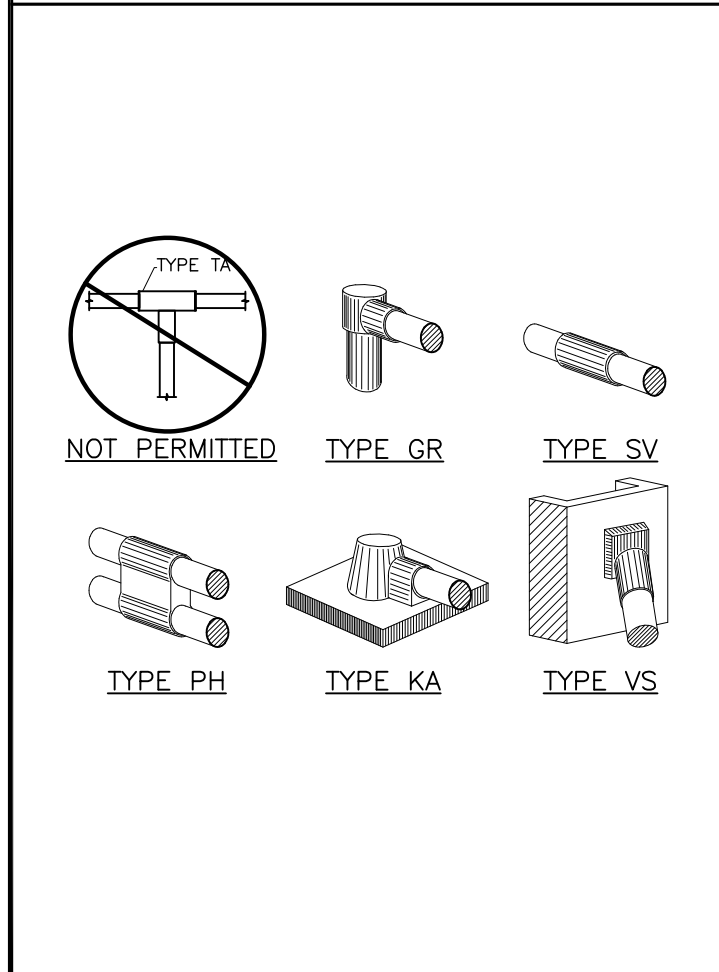
4301 HACIENDA DRIVE, SUITE 410
PLEASANTON, CALIFORNIA 94588

REGISTERED PROFESSIONAL ENGINEER

2-5-18

GROUNDING DETAILS

NO SCALE 1



- TO ENSURE PROPER BONDING, ALL CONNECTIONS SHALL BE AS FOLLOWS:
 - #2/0 BARE TINNED SOLID COPPER CONDUCTOR: EXOTHERMIC WELD TO RODS OR GROUND RING
 - LUGS AND BUS BAR (UNLESS NOTED OTHERWISE): SANDED CLEAN, COATED WITH OXIDE INHIBITOR AND BOLTED FOR MAXIMUM SURFACE CONTACT. ALL LUGS SHALL BE COPPER (NO ALUMINUM SHALL BE PERMITTED). PROVIDE LOCK WASHERS FOR ALL MECHANICAL CONNECTIONS FOR GROUND CONDUCTORS. USE STAINLESS STEEL HARDWARE THROUGHOUT.
- ALL GROUNDING CABLE IN CONCRETE OR THROUGH WALLS SHALL BE IN 3/4" PVC CONDUIT. SEAL AROUND CONDUIT THROUGH WALLS. NO METALLIC CONDUIT SHALL BE USED FOR GROUNDING CONDUCTORS.
- OWNER'S REPRESENTATIVE WILL INSPECT EXOTHERMIC WELD AND CONDUCT MEGGER TEST PRIOR TO BURIAL. MAXIMUM 5 OHMS RESISTANCE IS REQUIRED.
- CONTRACTOR TO INSTALL GROUND RING IN CLOSE PROXIMITY TO EQUIPMENT PLATFORM OR PAD.
- MAKE ALL GROUND CONNECTIONS AS SHORT AND DIRECT AS POSSIBLE. AVOID SHARP BENDS. ALL BENDS SHALL BE A MINIMUM 8" RADIUS AND NO GREATER THAN 90 DEGREES.
- ALL CADWELDS TO BURIED GROUND RING SHALL BE THE PARALLEL TYPE, EXCEPT FOR THE GROUND RODS WHICH SHALL BE THE TEE TYPE.
- BOND SERVICE CONDUITS TO GROUND RING AS THEY CROSS. DO NOT EXOTHERMICALLY WELD TO CONDUITS.
- THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER WHEN THE GROUNDING SYSTEM IS COMPLETE. THE CONSTRUCTION MANAGER SHALL INSPECT THE GROUNDING SYSTEM PRIOR TO BACKFILLING.
- THE MINIMUM SPACING BETWEEN GROUND RODS SHALL BE 6'-0" (MAX. 15'-0").
- BOND CIGBE TO EXTERNAL GROUND RING WITH 2 RUNS OF #2 BARE, TINNED, SOLID COPPER CONDUCTOR IN PVC. CONNECT BAR END WITH 2 HOLE LUG, AND "CADWELD" THE OTHER END TO THE EXTERNAL GROUND ROD.
- THE PREFERRED LOCATION FOR COAX GROUNDING IS AT THE BASE OF THE TOWER PRIOR TO THE COAX BEND.
- BONDING OF THE GROUNDED CONDUCTOR (NEUTRAL) AND THE GROUNDING CONDUCTOR SHALL BE AT THE SERVICE DISCONNECTING MEANS. BONDING JUMPER SHALL BE INSTALLED PER N.E.C. ARTICLE 250-30.

DRAWING NOTICE:

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REVISIONS:			
DESCRIPTION	DATE	BY	REV
FOR CONSTRUCTION	02/02/18	SGD	0
ISSUED FOR REVIEW	01/24/18	HL	A

SITE NAME:

NEWARK (REV)

SITE CASCADE:

SF52XC513_CA-SF365

SITE ADDRESS:

37900 TIMBER ST
NEWARK, CA 94560

SHEET DESCRIPTION:

ELECTRICAL & GROUNDING DETAILS

SHEET NUMBER:

E-3

CADWELDS (TYPICAL)	NO SCALE	2	TWO HOLE LUG	NO SCALE	3	GROUNDING NOTES	NO SCALE	4
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RESOLUTION NO. 1785

RESOLUTION APPROVING U-10-5, A CONDITIONAL USE PERMIT, TO ESTABLISH A WIRELESS TELECOMMUNICATIONS FACILITY (CLEARWIRE) AT 37800 TIMBER STREET

WHEREAS, Cortel, on behalf of Clearwire, has filed with the Planning Commission of the City of Newark application for U-10-5, a conditional use permit, to establish a wireless telecommunications facility at 37800 Timber Street; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Tri-City Voice on May 28, 2010, and mailed as required, and the Planning Commission held a public hearing on said application at 7:00 p.m. on June 8, 2010 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve this application as shown on Exhibit A, pages 1 through 7, subject to compliance with the following conditions:

Planning Division

- a. The wireless telecommunications facility shall not adversely affect the public health, safety or welfare. This shall include, but not be limited to, the facility meeting the radio frequency exposure standards established by the American National Standards Institute (ANSI) and the Federal Communications Commission (FCC). Prior to the issuance of a building permit, the developer shall submit a report from a qualified engineer documenting compliance with these standards for the review and acceptance of the Community Development Director. The report shall take into consideration the existing wireless telecommunications facilities at the subject site.
- b. The wireless telecommunications facility shall not interfere with public safety radio communications. If the wireless telecommunications facility is found to interfere with a public safety radio communications system, the developer shall immediately cease operation of the facility. Operation of the wireless telecommunications facility shall only be allowed to resume upon resolution of the interference to the satisfaction of the Community Development Director.
- c. The developer shall cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site where found by the City to be feasible and aesthetically desirable.

- d. The antennas shall be installed as close as possible to the monopole to reduce the antennas' visual impact, as approved by the Community Development Director.
- e. The antennas and typical antenna attachments including, but not limited to, mounting brackets, shall be painted to match the monopole, as approved by the Community Development Director.
- f. The coaxial cables connecting the antennas to the equipment cabinet shall be placed inside the monopole to eliminate visibility of the cables.
- g. The wireless telecommunications facility and site shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, graffiti removal/repainting and site clean-up on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- h. This conditional use permit shall be returned to the Planning Commission and City Council six (6) months from the date of the City's authorization to energize utilities for this facility. The City Council shall have the right, as it sees fit, and at the conclusion of its review, to add, delete or modify the conditions of approval. The developer shall pay the prevailing fee for this review.
- i. All equipment associated with this wireless telecommunications facility shall be removed within 30 days of the discontinuation of the use and the site shall be restored to its original, pre-construction condition. The developer shall provide the City with a notice of intent to vacate the site a minimum of 30 days prior to the vacation.

Engineering Division

- j. The contractor shall implement all applicable Best Management Practices (BMPs) from the California Stormwater Quality Best Management Practice Handbook for Construction Activities for the duration of all work activity. Additional BMPs may be required by the City Engineer, as necessary, to minimize the pollution of stormwater runoff from the project area. A note to this effect shall appear on the project plans.

Fire Department

- k. Prior to the issuance of a building permit, the developer shall complete a Hazardous Materials Business Plan as required by the Fire Marshal.

Building Inspection Division

- l. This project will require building permits. The developer will need to make a separate application to the Building Inspection Division for a building permit. Such application shall include five (5) sets of complete construction drawings prepared by a California

licensed architect, structural engineer or civil engineer. One (1) of the sets shall be stamped and signed by the architect or engineer of record.

- m. Construction for this project can occur only between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday. The developer may make a written request to the Building Official for extended working hours and/or days. In granting or denying any request, the Building Official will take into consideration the nature of the construction activity which would occur during extended hours/days, the time duration of the request, the proximity to residential neighborhoods and input by affected neighbors. All approvals will be done so in writing. Construction equipment, including compressors, generators and mobile equipment, shall be fitted with heavy-duty mufflers designed to reduce noise impacts.

General

- n. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The developer shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval. All time extensions for this conditional use permit shall be approved by the Planning Commission and City Council.
- o. If any condition of this conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
- p. This conditional use permit shall be given a public hearing before the City Council for the Council's review and approval.
- q. Prior to the submittal for building permit review, all conditional use permit conditions of approval for this project, as approved by the City Council, shall be printed on the plans.
- r. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.
- s. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in

which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

The Commission makes the findings prescribed in Newark Municipal Code Section 17.72.070 and directs a Notice of Decision be mailed to the applicant and filed with the City Clerk who shall present said Notice to the City Council pursuant to Newark Municipal Code Section 17.72.080.

This Resolution was introduced at the Planning Commission's June 8, 2010 meeting by Commissioner Marshall, seconded by Commissioner Blowers, and passed as follows:

AYES: Blowers, Bridges, Drews, Fitts, Marshall, Nillo

NOES: None

ABSENT: Kramer


TERRENCE GRINDALL, Secretary


KAREN BRIDGES, Chairperson

Photo A



Photo B



