

**PLANNING COMMISSION  
RESOLUTION # 2022-29**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THE CITY COUNCIL APPROVE THE VESTING TENTATIVE  
SUBDIVISION MAP EXTENSION FOR APPROVING OF THE VESTING TENTATIVE  
SUBDIVISION MAP (VSTM 9501) FOR THE CREEKSIDE/VINEYARDS AT SAND CREEK  
PROJECT**

**WHEREAS**, the City of Antioch (“City”) received an application from GBN Partners, LLC (“Applicant”) and approved a General Plan Amendment; Master Development Plan/Rezone; Vesting Tentative Subdivision Map; Design Review; and Resource Management Plan for the development of a 220-unit residential community and associated improvements on approximately 58.9 acres of the 158.2-acre project site, as well as 1.8-acres of off-site improvements, which is known as the Creekside/Vineyards at Sand Creek Project (“Project”) (GP-19-06, PD-19-02);

**WHEREAS**, the project site consists of a 158.2-acre parcel located south of the future extension of Sand Creek Road in the southeastern portion of the City of Antioch, California;

**WHEREAS**, the project site is bordered by the City of Antioch/Contra Costa County line to the south and the City of Antioch/City of Brentwood limit to the east and is identified by Assessor’s Parcel Number (APN) 057-050-024. Sand Creek is located to the north of the site, and State Route (SR) 4 is located approximately 0.38-mile east of the site. The project site is situated within the Sand Creek Focus Area of the General Plan;

**WHEREAS**, a Final Environmental Impact Report and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, and approved by the City Council on March 23, 2021, based on findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

**WHEREAS**, the Vesting Tentative Subdivision Map, Design Review, and Resource Management Plan were approved by the City Council on March 23, 2021;

**WHEREAS**, the applicant received approval of Design Guidelines for the Project establishing guidelines for future development within the Creekside/Vineyards at Sand Creek Project on March 23, 2021;

**WHEREAS**, the applicant received approval of a Resource Management Plan for the Project as called for in Section 10.3.2.(e) of the Antioch General Plan and consistent with the “Framework for a Resource Management Plan for the Sand Creek Focus Area” contained in General Plan Appendix A. The Resource Management Plan incorporates the biological resources mitigation measures identified in the Final Environmental Impact Report; and

**WHEREAS**, on September 19, 2022 an extension request was received from the Applicant requesting review of an extension of VTSM 9501 and Design Review approvals;

**WHEREAS**, on November 4, 2022 a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 for the Planning Commission public hearing held on November 16, 2022;

**WHEREAS**, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby make the following findings for extension of a Vesting Tentative Subdivision Map:

1. That the subdivision, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations.

**Finding:** The site has a General Plan Designation of Medium Low Density Residential and is zoned Planned Development. The proposed subdivision will accommodate uses that are consistent with the General Plan.

2. That the subdivision proposed by the Vesting Tentative Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations.

**Finding:** The proposed subdivision meets the City's criteria for the map. The City's Planning and Engineering staff have reviewed the Vesting Tentative Map and evaluated the effects of the subdivision proposed and have determined that the Vesting Tentative Map as conditioned complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations; and

3. The Conditions of Approval protect the public safety, health and general welfare of the users of the project and surrounding area.

**Finding:** The previously approved Conditions of Approval include detailed requirements for construction, grading, utilities, compliance with City standards, and project phasing.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission hereby recommends the City Council approve the extension request for VTSM 9501 "Creekside Vineyards at Sand Creek" subject to the Findings and Exhibit A Conditions of Approval.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 16th day of November, 2022, by the following vote:

**AYES: Gutilla, Hills, Lutz, Martin, Motts, Schneiderman**

**NOES:**

**ABSENT: Riley**

**ABSTAIN:**

  
Forrest Ebbs (Nov 17, 2022 09:07 PST)

**FORREST EBBS**  
**Secretary to the Planning Commission**

**EXHIBIT A CONDITIONS OF APPROVAL: CREEKSIDE**

**A. GENERAL CONDITIONS**

1. The development shall comply with the City of Antioch Municipal Code, unless a specific exception is granted thereto, or is otherwise modified in these conditions.
2. Concurrent with the first submittal of grading or improvement plans, the applicant shall submit a site plan exhibit showing the site plan as modified by conditions and approvals.
3. This approval expires two years from the date of approval by the City Council (March 23, 2023), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted.
4. The applicant shall defend, indemnify, and hold harmless the City in any action brought challenging any land use approval or environmental review for the Project. In addition, applicant shall pay any and all costs associated with any challenge to the land use approval or environmental review for the Project, including, without limitation, the costs associated with any election challenging the Project.
5. A final and unchallenged approval of this project supersedes previous approvals that have been granted for this site.
6. Permits or approvals, whether discretionary or ministerial, will not be considered if the applicant is not current on fees, reimbursement and/or other payments that are due the City.
7. All advertising signs shall be consistent with the Sign Ordinance or as approved by the Community Development Director.
8. All required easements or rights-of-way for improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or, if required from easement holders, for any work done within such property or easements.
9. All easements of record that are no longer required and affect individual lots or parcels within this project shall be removed prior to or concurrently with the recordation of the final map or subsequent separate document as approved by City Engineer.

**B. VESTING TENTATIVE MAP CONDITIONS**

1. The Vesting Tentative Map approval is subject to the timelines established in the State of California Subdivision Map Act.
2. Approval is based upon substantial conformance with the Vesting Tentative Map dated December 13, 2019.

3. Approval of this Vesting Tentative map shall not constitute the approval of any improvements shown on the Vesting Tentative map and shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.

**C. DISTRICTS AND ANNEXATION**

1. Prior to filing of a final map for recording, the applicant shall annex into CFD 2018-02 (Police Protection).
2. The property shall annex into CFD 2018-01 (Public Services) and accept a level of annual assessments enough to maintain public facilities in the vicinity of the project area at no cost to the City. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.
3. The applicant shall agree to participate and/or assist in the formation of a Community Facilities District (CFD) to fund the incremental cost of fire protection and ambulance service delivery. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

**D. HOMEOWNERS ASSOCIATION AND CC&RS**

1. The applicant shall establish a Homeowners Association (HOA) for this project in conformance with the regulations set forth by the California Department of Real Estate. The HOA shall be responsible for maintaining:
  - All front yard landscaping.
  - All HOA owned parcels unless maintained by another HOA (Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O' and 'P').
  - Storm drain facilities (pipes, structures and Parcel 'D' basin)
  - Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'.
  - The City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), storm drain facilities, street lighting, and all other HOA facilities and amenities not maintained by the HOA to an acceptable City level.
2. Subject to approval by the state, the Codes, Covenants and Restrictions (CC&Rs) for the subdivision shall include a provision indicating that the City of Antioch is named as a third-party beneficiary with the right, but not the obligation, to enforce the provisions of the CC&Rs relating to the maintenance and repair of the property and improvements, including but not limited to landscaping, streets, curbs, gutters, street lights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with

applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and the City Attorney of the City of Antioch. Material changes are those that would change the fundamental purpose of the development including but not limited to:

- City approvals of uses or external modifications.
- Property ownership or maintenance obligations including, but not limited to, common areas, storm water and landscaping.

The CC&Rs for this project shall be reviewed and approved by the City Attorney and the Community Development Director prior to the issuance of the first building permit.

3. The property shall annex into or establish and participate in a Lighting and Landscape District (LLD) and accept a level of annual assessments enough to maintain:
  - a. The streetlights along frontage of public streets.
  - b. Landscaping along frontage of public streets.

**E. CONSTRUCTION CONDITIONS**

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code and is restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration.
2. The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with a contact number of the applicant, City staff, and the air quality control board.
4. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

**F. SITE AND PROJECT DESIGN**

1. Provisions for mail delivery and locations of mailbox facilities shall be reviewed by the USPS and approved by the City Engineer prior to the approval of the final map.
2. All proposed improvements shall be constructed to City standards or as approved by the City Engineer.

3. All public streets shall intersect at approximately 90 degrees and meet the requirements of Caltrans Highway Design Manual for Intersection Design Standards (Topic 405), as approved by the City Engineer.
4. All driveways shall be perpendicular or radial to the street centerline, or as approved by the City Engineer.
5. Maximum driveway slope shall be 12% or as approved by the City Engineer.
6. All driveways shall be a minimum of five feet (5') from the curb return.
7. All public road right-of-way shall be located ten feet (10') behind the face-of-curb.
8. Curb ramps shall meet the latest version of Caltrans ramps.
9. Monolithic sidewalks with beveled curb shall be six inches (6") thick and reinforced as approved by the City Engineer. Sidewalks at driveway approaches shall be ADA compliant. Minimum sidewalk widths shall be as follows:
  - Adjacent to beveled curb, 4 feet excluding curb (bevel curb to be 12" deep by 3" high with ½" lip and 18" gutter).
  - Adjacent to vertical curb, 4.5 feet excluding curb.
10. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as approved by the City Engineer.
11. A minimum of twenty feet (20') tangent shall extend beyond the return at intersections at public streets, or as approved by the City Engineer.
12. All lot sidelines shall be perpendicular or radial to the fronting street centerline at public streets for a distance of 20 feet, or as approved by the City Engineer.
13. Rear and side yard fencing shall be provided for all units. All fences shall be located at the top of slope, or as approved by the City Engineer.
14. In cases where a fence is to be built in conjunction with a retaining wall, and the wall face is exposed to a side street, the fence shall be setback a minimum of three feet (3') behind the retaining wall per Antioch Municipal Code § 9-5.1603, or as approved by the City Engineer.
15. The proposed street names listed below shall be approved by Planning Commission prior to recordation of the first final map. Changes to street names shall require Planning Commission review and approval.
  - Hillcrest Avenue (Existing).
  - Streets 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'I'.
  - Court 'A'.
16. The applicant shall provide a "checklist" of universal design accessibility features to home buyers as required by Health and Safety Code § 17959.6.

17. All improvements for each lot (water meters, sewer cleanouts, etc.) shall be contained outside of the driveway and within the lot and the projection of its sidelines, or as approved by the City Engineer.
18. One (1) on-street parking space per lot shall be located within close proximity to the unit served, as shown on the vesting tentative map dated December 13, 2019, or as approved by the City Engineer.
19. Cul-de-sac parking shall be provided as required by the City Engineer.
20. All fencing adjacent to open space (trails and basins) shall be wrought iron or other material as approved by the City Engineer. All fences shall be located at the top of slope, or as approved by the City Engineer.
21. All two-car garages shall be a minimum of twenty feet by twenty feet (20' x 20') clear inside dimensions or as approved by the Community Development Director.
22. The applicant and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.

**G. UTILITIES**

1. Public utilities shall be constructed to their ultimate size and configuration with the road construction in which they are to be located.
2. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, except the existing PG&E towers or as approved by the City Engineer.
3. All sewage shall flow by gravity to the intersecting street sewer main.
4. Sewer main system shall be designed to drain northerly on Hilcrest Avenue and connect to the existing or proposed future 15" sanitary sewer main at Heidorn Ranch Road through 'B' Street or as approved by the City Engineer.
5. Sewer system for interior private streets shall all be 8" unless approved by City Engineer otherwise.
6. All public utilities, including storm drain pipes and ditches, shall be installed in streets avoiding between lot locations. All proposed drainage facilities, including open ditches, be constructed of Portland Concrete Cement or as approved by the City Engineer.
7. Prior to the recordation of the first final map, the applicant shall submit hydrology and hydraulic analyses with a storm water control plan to Contra Costa County Flood Control District and the City of Antioch for review and approval and pay all related drainage fees at no cost to the City as directed by the City Engineer.

8. The main storm drain system shall flow generally in a northeasterly direction into a detention basin system and eventually flow into Sand Creek through a proposed 60" storm drain outfall subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
9. The secondary storm drain system along Hillcrest Avenue shall flow generally in a northerly direction into a 48" storm drain and proposed clean water outfall system and eventually flow into Sand Creek subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
10. The detention basin and associated improvements shall be constructed prior to issuance of first building permit for residential structures.
11. The applicant shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.
12. Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, developer shall be responsible for installing any water mains to create a looped system at no cost to the City.
13. No utility system lines and crossings shall run in between two lots.
14. The houses shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.
15. Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all in and above ground assets. This includes all Water Distribution Utility features, Collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer is to also include GPS coordinates of metal subdivision entryway signs, street signs, light poles, and irrigation controllers. These GPS coordinates must be taken on a survey-grade sub-meter GPS data receiver/collector and provided in GIS shapefile format using the North American 1983 Coordinate System.

#### **H. LANDSCAPING**

1. Landscaping on all slopes, medians, C.3 basins and open space areas shall be approved by the City Engineer and shall be installed, at no cost to the City.
2. The type and location of trees shall be as outlined in the project's Design Guidelines (Exhibit C).
3. Prior to issuance of residential building permits, developer shall submit typical front yard landscape plan(s) to demonstrate compliance with water conserving landscape requirements. Developer shall submit a landscape plan for each residential lot that City shall review for compliance with typical landscape plan(s) and approve prior to issuance of building permit.



4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.

**I. FIRE REQUIREMENTS**

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
  - a. Fire access roadways of less than 28-feet unobstructed width shall have NO PARKING – FIRE LANE signs posted, or curbs painted red with the words NO PARKING – FIRE LANE clearly marked, per 22500.1 CVC unless approved by the Fire Department and the City Engineer.
  - b. The cul-de-sacs or turnarounds shall have an outside turning radius of a minimum of a 45' or as approved by the City Engineer. Should the sidewalk be included in the turning radius, it shall be clear of streetlights, fire hydrants and other obstructions.
  - c. The applicant shall provide an adequate reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow shall be delivered from not more than one hydrant flowing simultaneously for the duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC
  - d. The applicant shall provide hydrants of the East Bay type, which shall be maintained by the City. Approximate hydrant locations will be determined by the Fire District and approved by the City Engineer.
  - e. Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC. Gravel roads are not considered all-weather roadways for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum subbase materials and capable of supporting the designated gross vehicle weight specified above.
  - f. Premises identification shall be provided. Such numbers shall contrast with their background and be a minimum of four inches high with ½-inch stroke or larger as required to be readily visible from the street. (505.1) CFC, (501.2) CBC
  - g. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to Contra Costa County Fire Protection District (CCCFPD).
  - h. All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans for each model home to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CFC.

- i. The developer shall submit a computer-aided design (CAD) digital file copy of the site plan to the Fire District upon final approval of the site improvements plans or subdivision map. CAD file shall be saved in the latest AutoCAD.DXF file format. (501) CFC
- j. Submit plans to: Contra Costa County Fire Protection District, 2010 Geary Road, Pleasant Hill, CA 94523.
- k. A Community Facilities District (CFD) for fire protection is required for the Fire District to support this project. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

**J. FEES**

- 1. The applicant shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
- 2. The applicant shall pay all pass-through fees. Fees include but are not limited to:
  - a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
  - b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
  - c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
  - d. Contra Costa County Flood Control District Drainage Area fee.
  - e. School Impact Fees.
  - f. Delta Diablo Sanitation Sewer Fees.
  - g. Contra Costa Water District Fees.

**K. MODEL HOMES**

- 1. If developer requests model homes or sales trailer, prior to the placement of any sales trailers, plans shall be submitted to the Engineering Department for review and approval. Any trailer shall be placed out of the public right-of-way and shall have its own parking lot.
- 2. The model home complex parking lot location and design shall be subject to the City Engineer's approval.
- 3. The model home landscaping shall be drought tolerant, with total area of spray irrigation for the complex not to exceed 50 percent of the landscaping area.

**L. GRADING**

- 1. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify

implementation of the plans. Costs for these services shall be borne by the applicant.

2. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.
3. A grading permit shall be pulled prior to any grading operations.
4. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
5. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
6. All lots shall be graded to drain positively from the rear to the street or as approved by the City Engineer.
7. The swales adjacent to the house structure shall have a minimum of a two percent (2%) slope or as directed by the City Engineer.
8. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The applicant shall submit written authorization to "access, enter, or grade" adjacent properties prior to performing any work.
9. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of this resolution.
10. The grading plan for this development shall be approved by the City Engineer.
11. All elevations shown on the plans shall be on NAVD 88 as approved by the City Engineer.
12. Retaining or sound walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
13. All retaining and sound walls shall be of masonry construction.
14. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.
15. The back-to-back or side-to-side grading transitions from lot-to-lot shall have a maximum slope of 2:1 and shall be accommodated entirely on the lower lot or as approved by the City Engineer.
16. The minimum concrete gutter flow slope shall be 0.75%.

17. All property lines shall be located at the top of slope.

**M. CONSERVATION/NPDES**

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping, shall be used.
2. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). (Note: Per State Regulations, NPDES Requirements are those in affect at the time of the Final Discretionary Approval.) Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs. Already stated in COAs below, 5.c and 5.h.w.
3. Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed Vesting Tentative Map may be required in order to comply with C.3 regulations.
4. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
  - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
  - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of

Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).

- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Division for review and approval.
- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Always implement Best Management Practices (BMP's).
- j. Install on all catch basins "No Dumping, Drains to River" decal buttons.
  
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used,



- iii. An irrevocable letter of credit in form acceptable to the City Attorney issued by a financial institution acceptable to the City Attorney in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, no part thereof to be released until such time as specified by state law.
- b. An original, signed subdivision agreement, to be executed by the subdivider or his agent, guaranteeing the completion of the construction of the improvements required by the governing body within a specified time and payment therefore, satisfactory to the City Attorney as to legality and satisfactory to the City Engineer as to amount.
- c. A letter from the Tax Collector showing that all payable taxes have been paid and a bond for the payment of taxes then a lien but not yet payable, as required by the Subdivision Map Act.
- d. A cash payment, or receipt therefore, of all the fees required for the checking and filing of the maps and the inspections of the construction; payment for the street signs to be furnished and installed by the city, if required by the subdivider; a cash deposit for the payment of such fire hydrant rental fees as may be established by the respective fire districts or water company or district having jurisdiction; and any other applicable fees or deposits.
- e. Deeds for the easements or rights-of-way for road purposes map.
- f. Written evidence acceptable to the city, in the form of rights of entry or permanent easements across private property outside the subdivision, permitting or granting access to perform the necessary construction work and permitting the maintenance of the facility.
- g. Agreements acceptable to the city, executed by the owners of existing utility easements within the proposed roads rights-of-way, consenting to the dedication of roads or consenting to the joint use of the rights-of-way as may be required by the city for the purpose use and convenience of the roads.
- h. A surety bond acceptable to the city, guaranteeing the payment of the taxes and assessments which will be a lien on the property, as set forth in the Subdivision Map Act, when applicable.
- i. Payment of map maintenance fee.
- j. Payment of the assessment district apportionment fee, if applicable.
- k. Consent and election form for annexation into Police Services Fee CFD.
- l. Evidence of payment of Contra Costa County Flood Control District fees.

- m. A preliminary soil report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations of every subdivision, as defined in Cal. Gov't Code §§ 66490 and 66491. The preliminary soil report may be waived if the City Engineer shall determine that, due to the knowledge of such department as to the soil qualities of the subdivision, no preliminary analysis is necessary.
2. Concurrent with submittal of the first Final Subdivision Map, the applicant shall submit a consent and election form for annexation into all required districts, including Community Facilities District and Lighting and Landscape District.
3. All easements of record that are no longer required and affect individual lots or parcels within this project site shall be removed prior to or concurrently with the recordation of the Final Subdivision Map.

**O. MITIGATION MONITORING AND REPORTING PROGRAM**

1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program.

**P. PROJECT SPECIFIC CONDITIONS**

1. All private streets shall be HOA maintained.
2. All private streets shall have sidewalks on both sides to the satisfaction of the City Engineer.
3. Right-of-way shall be acquired from Pacific Gas & Electric (PG&E) for the construction and dedication of Hillcrest Avenue to the City at no cost to the City.
4. Roadways may be configured for storm water treatment directed towards center medians, designs shall be as approved by City Engineer.
5. A four (4)-lane Hillcrest Avenue bridge over Sand Creek shall have a width of 92' edge to edge or as approved by the City Engineer.
6. Hillcrest Ave shall have a right-of-way width of 112' and designed with a minimum traffic index (TI) of 8 and a minimum pavement thickness of 6" AC over 16" Class II AB.
  - The Creekside Project shall dedicate the entire 112' right-of-way width for Hillcrest Avenue.
  - The Creekside Project shall build Interim Hillcrest Avenue, which shall include full frontage improvements on the east and west side including curb, gutter, 6' sidewalk, and landscaping.
  - Construction of northbound and southbound #2 travel lanes shall include bike lanes, interim 40'-wide concrete median curb, center median LED streetlights, and center median landscaping.
  - Ultimate Hillcrest Avenue in a four (4) lane configuration including ultimate median islands shall be the responsibility of future development.



- Medians and shoulders shall be landscaped to the satisfaction of the City Engineer.
7. Slope on westerly frontage of Hillcrest Avenue shall be 3:1 maximum.
  8. An emergency vehicle access shall be provided and design shall be satisfactory to Contra Costa County Fire Protection District and as approved by the City Engineer.
  9. Curb ramps shall be installed per current ADA standards on the corners of the intersections for the following locations:
    - 'I' Street and Hillcrest Avenue
  10. 'I' street shall be a public street and have a full right-of-way width of 60'.
  11. A reimbursement agreement shall be conditioned onto future development of adjacent properties (APNs 057-050-021 & 057-042-006) in order to provide reimbursement for the fair share of design and construction costs of 'I' street and oversized utilities. Total costs shall be submitted to the City after completion of construction and fair share amounts shall be determined and approved by the City Engineer.
  12. Minimum pavement thickness and design for this development shall be as follows:
    - Public Streets ('I' Street): width of 60', TI = 6, and 4" AC over 12" CL II AB.
    - Private Streets (Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'): widths may vary subject to the approval of the City Engineer, TI = 6, 4" and AC over 12" CL II AB.
  13. Trail system pathways shall be a minimum width of 10' feet with concrete or asphalt concrete.
  14. 6' masonry sound wall shall be installed on the backs of all residential lots and sides of corner lots along the frontage of Hillcrest Avenue. Decorative stone veneer pilasters shall be located at regular intervals of between 8 and 25 feet, to the satisfaction of the Community Development Department staff. Pilasters may be located further than 25 feet apart provided additional vertical design enhancements

are vertical design enhancements are provided and reviewed and approved by the Planning Commission as part of the Design Review process.

15. Fencing around stormwater detention basin, Parcel 'D' shall be wrought iron fencing or as approved by the City Engineer.
16. Project shall comply with all recommendations from the Traffic Impact Analysis (TIA) and Environmental Impact Report (EIR).
  - A new traffic signal to be installed at the intersection of 'B' Street and Hillcrest Avenue (Main entry to the development).
  - Sand Creek Road/Hillcrest Avenue traffic signal to be modified.
  - Any other traffic related modifications, lane widening, turn lanes as identified in the Traffic Impact Analysis (TIA), including payment of regional fees.
  - All costs shall be borne by the developer.
17. All park and picnic equipment and materials are to follow current City standards or as approved by the City Engineer.
18. No in-between lot openings shall be allowed for ingress/egress or utility crossings.
19. As recommended by the Parks and Recreation Commission, the following conditions shall apply:
  - a. The Creekside Vineyards at Sand Creek project shall meet its park land dedication requirements through the payment of park-in-lieu fees in the amount of \$330,000;
  - b. The "private park" shall meet all the City's Park Design Standards current at the time of the park's construction; and
  - c. The City will consider a park-in-lieu fee credit based on the detail park parcels "B" and "C" submittal incorporating the "local park basic elements" and meeting the qualification criteria per Code Section 9-4.1010(C) and (D)(6).
20. The project shall be built in conformance with the Design Guidelines (Exhibit C) unless modified by conditions of approval. Any deviation from or modification to the Design Guidelines shall be approved by the Planning Commission.

#### **Q. PHASING CONDITIONS**

1. Prior to development of any phase of the subdivision, the applicant shall secure a use permit and design review approval from the Planning Commission for that phase.
2. The order and phasing boundaries of project construction shall conform to the

proposed Phasing Plan, dated December 10, 2019, Exhibit A to this resolution. Proposed changes to the Phasing Plan shall be submitted to the City prior to or in conjunction with the use permit application required for the affected phase(s). Changes in the Phasing Plan are subject to approval by the Zoning Administrator or the Planning Commission. Use permit applications are subject to approval by the Planning Commission.

**3. Phase One:**

Prior to the issuance of the 1st building permit within Phase One, the following improvements shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue from the intersection at Sand Creek Road south to 'B' Street, including the bridge over Sand Creek.
- b. Interim Hillcrest Avenue shall be constructed with east and west side curb, gutter, sidewalk and landscaping including Parcel H, 12' northbound and southbound #2 travel lanes with 8' bike lanes, interim 40'-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities from the bridge over Sand Creek to the south curb returns of 'B' Street. The transition from the bridge section shall be as approved by the City Engineer. Improvements shall include conduits and pull boxes for the portion of a traffic signal at Hillcrest Avenue and 'B' Street located within the improvement limits, all as approved by the City Engineer.
- c. 'B' Street (Neighborhood Entry): 'B' Street shall be fully constructed from Hillcrest Avenue to the Community Site including lighting and median and right of way landscaping.
- d. Parcel B (Community Site): The community park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- e. Parcel C (Park): The park and trail design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- f. Parcel G (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- g. Parcel D (Detention Basin): Parcel 'D' shall be fully constructed.

Prior to the issuance of the 75th building permit and the 30th Certificate of Occupancy, the following improvements shall be completed to the satisfaction of the City Engineer:

- h. Heidorn Ranch Road EVA Connection as required by CCCFPD.
- i. Parcel B (Community Site): Park shall be fully constructed.

- j. Parcel C (Park): Park shall be fully constructed.
- k. Parcel G (Park): Park shall be fully constructed.

**4. Phase Two:**

Prior to the issuance of the 1st building permit for a lot within Phase Two, the following shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue/'B' Street Traffic Signal: The applicant shall fully construct a traffic signal at the intersection of Hillcrest Avenue and 'B' Street. Upon concurrence of the applicant and the City, the applicant may deposit payment into the City's traffic signal account for traffic signal design and construction.
- b. Remaining portion of interim Hillcrest Avenue through to 'G' Street shall be fully constructed with east side and west curb, gutter, sidewalk and landscaping including Parcel I, 12' northbound and southbound #2 travel lanes with 8' bike lanes, interim 40'-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities, including interconnect conduit and pull boxes. Improvements shall include conduits and pull as approved by the City Engineer.

**5. Phase Three:**

Prior to the issuance of the 1st building permit for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- a. 'I' Street: 'I' Street shall be fully constructed from Hillcrest Avenue westerly to the Phase boundary, including lighting. The easterly connection to Hillcrest Avenue will be in an interim manner, as approved by the City Engineer.
- b. Parcel O (Detention Basin): Parcel 'O' shall be fully constructed.
- c. Parcel J (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.

Prior to the issuance of the 10<sup>th</sup> Certificate of Occupancy for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- d. Parcel J (Park): Park shall be fully constructed.

**EXHIBIT B**

**VESTING TENTATIVE SUBDIVISION MAP**

## EXHIBIT C

### DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

The Development Standards and Design Guideline booklet is available on the City of Antioch website at <https://www.antiochca.gov/fc/community-development/planning/ProjectDOCs/GP-19-06.pdf>.








# Resolution 2022-29 Renewal VTSM 9501 Creekside Vineyards

Final Audit Report

2022-11-17

Created:	2022-11-17
By:	Anne Hersch (ahersch@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-nuHxnY4Fy0kGZA-Ck-rVn4w2zG_ztq9

## "Resolution 2022-29 Renewal VTSM 9501 Creekside Vineyards" History

-  Document created by Anne Hersch (ahersch@antiochca.gov)  
2022-11-17 - 4:32:08 PM GMT
-  Document emailed to Forrest Ebbs (febbs@ci.antioch.ca.us) for signature  
2022-11-17 - 4:32:28 PM GMT
-  Email viewed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
2022-11-17 - 5:07:08 PM GMT
-  Document e-signed by Forrest Ebbs (febbs@ci.antioch.ca.us)  
Signature Date: 2022-11-17 - 5:07:24 PM GMT - Time Source: server
-  Agreement completed.  
2022-11-17 - 5:07:24 PM GMT