

**PLANNING COMMISSION
RESOLUTION # 2023-09**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
APPROVING THE USE PERMIT, DESIGN REVIEW AND DENSITY BONUS FOR THE DELTA
COURTYARD APARTMENTS PROJECT
(UP-22-14, AR-22-14)
(APN: 065-110-006)**

WHEREAS, the City of Antioch (“City”) received an application from 810 Wilbur Associates, LLC for approval of Use Permit, Design Review and Density Bonus for the development of a 74-unit apartment complex and associated site improvements at 810 Wilbur Avenue (UP-22-14, AR-22-14) (APN 065-110-006);

WHEREAS, the application was deemed complete on October 11, 2022;

WHEREAS, the project is Categorical Exempt from CEQA pursuant to Article 19, Section 15332 Infill Development. Class 32 consists of projects characterized as in-fill development;

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; and

WHEREAS, on February 3, 2023 a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on for the public hearing held on February 15, 2023.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Planning Commission hereby make the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) (a-e) of the Antioch Municipal Code:

- a. That the granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

Finding: The Use Permit to exceed 20 units per acre will not be detrimental to the public health or welfare or injurious to the property or improvements in the vicinity, in that the project meets the City of Antioch objective design standards and is adequately served by public utilities.

- b. That the use applied at the location indicated is properly one for which a use permit is authorized.

Finding: The City of Antioch Municipal Code requires that development exceeding 20 units per acre requires a Use Permit for up to 25 units per acre. The Zoning and General Plan designations for the project site are for high density residential development. In addition, State law notes that the applicability of the requested Density Bonus does not require the need for a Rezone or General Plan Amendment.

- c. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required.

Finding: The proposed 74-unit apartment complex is located on a 2.86-acre site. The proposed development complies with all standards identified in the Municipal Code, and state mandated parking maximums. The proposed use is consistent with the type and intensity of development anticipated for the site.

- d. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

Finding: The project site is accessed by Wilbur Avenue, which is designated an arterial in the City’s Circulation Element of the General Plan. Wilbur Avenue is adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

- e. That the granting of such use permit will not adversely affect the comprehensive General Plan because the proposed uses and design are consistent with the General Plan.

Finding: The General Plan designation for the project site is High Density Residential. The proposed apartment complex is consistent with the designation and with the surrounding uses and will not adversely affect the comprehensive General Plan. In addition, the site is identified as an opportunity site in the City’s Housing Element.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission hereby approve the Use Permit, Design Review and Density Bonus for the 74-unit Delta Courtyard Apartments project (UP-22-14, AR-22-14) 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 15th day of February, 2023, by the following vote:

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

NOES:

ABSENT:

ABSTAIN:


Forrest Ebbs (Feb 16, 2023 10:07 PST)

FORREST EBBS
Secretary to the Planning Commission

**EXHIBIT A
CONDITIONS OF APPROVAL
(SEPARATE PAGE)**

**EXHIBIT A: CONDITIONS OF APPROVAL, Delta Courtyard Apartments, 810 Wilbur Avenue (UP-22-14, AR-22-14)
FINAL**

General Conditions		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	Project Approval. This Design Review, Density Bonus, and Use Permit approval is for 810 Wilbur Avenue (APN 065-110-006) as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received September 20, 2022, as presented to the Planning Commission on February 15, 2023 ("Approval Date."). For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	Project Approval Expiration. This Use Permit, Design Review and Density Bonus approval expires on February 15, 2025 (two years from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Zoning Administrator for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration an application for renewal of the approval is filed with the Community Development Department. The Zoning Administrator may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval for up to two additional years from the expiration date.	City of Antioch	On-Going	Planning Department	

EXHIBIT A: CONDITIONS OF APPROVAL

<p>3.</p>	<p>City Fees. The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant.</p> <p><i>Discretionary or ministerial permits/approvals will not be considered if the developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i></p>	<p>City of Antioch</p>	<p>On-Going</p>	<p>Community Development Department</p>	
<p>4.</p>	<p>Pass-Through Fees. The developer shall pay all pass-through fees. Fees include but are not limited to: East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s). Contra Costa County Flood Control District Drainage Area fee. School Impact Fees. Delta Diablo Sanitation Sewer Fees. Contra Costa Water District Fees.</p>	<p>City of Antioch</p>	<p>On-Going</p>	<p>Community Development Department</p>	
<p>5.</p>	<p>Appeals. Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.</p>	<p>City of Antioch</p>	<p>Within 5 Days of Planning Commission Action</p>	<p>Planning Department</p>	

EXHIBIT A: CONDITIONS OF APPROVAL

6.	<p>Requirement for Building Permit. Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or on-site demolition. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the city.</p>	City of Antioch	On-Going	Building Department	
7.	<p>Modifications to Approved Plans. The project shall be constructed as approved and with any additional changes required pursuant to the Zoning Administrator or Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.</p>	City of Antioch	On-Going	Planning Department	
8.	<p>Hold Harmless Agreement/Indemnification. The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The city will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.</p>	City of Antioch	On-Going	Planning Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	Public Works Standard Conditions	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
9.	City Standards. All proposed improvements shall be constructed to City standards or as otherwise approved by the City Engineer in writing.	City of Antioch	On-Going	Public Works Department	
10.	Utility Construction. Relocation of Public utilities and construction of new private utilities shall be constructed to their ultimate size and configuration within the existing parcel boundary of APN 065-110-006-7 as shown on these preliminary entitlement plan documents submitted to the City for review by the developer.	City of Antioch	On-Going	Public Works Department	
11.	Utility Mapping. Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all below ground and above ground utilities. This includes all Water Distribution Utility features, sewer collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer shall 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 NAVD 88 (with conversion information).	City of Antioch	Prior to Acceptance of Public Utilities	Public Works Department	
12.	Sewer. All sewage shall flow by gravity to the intersecting street sewer main located in North Lake Drive. The sewer connection shall be to a concrete manhole installed in the paved street. Compliance to City standard plans and specifications shall be required on all utility connections to the City sewer system. Proper backfill, compaction and road repair shall also be in accordance with City specifications and standard plans.	City of Antioch	On-Going	Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

<p>13.</p>	<p>Storm Drain Design/Construction. The developer shall design, and construct storm drain facilities (bioretention and pipelines) to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility located in North Lake Drive without diversion of the watershed.</p> <p>a. All private utilities, including storm drainpipes and ditches, shall be installed through-out the site low spots and landscape areas surrounding building, parking areas, driveways and sidewalks. Per City requirements drainage pipes should be installed in the sidewalk or curbs or made to flow under the sidewalk or curbs so not to cause a slippery hazardous condition in wet conditions. All proposed drainage facilities, including open ditches, drainage swales in parking lots shall be constructed of Portland Concrete Cement or as approved by the City Engineer.</p> <p>b. Storm drain system shall flow to the Bioretention Basins shown on the site plan with no diversion out of existing watershed(s).</p> <p>c. The Bioretention basin and associated improvements shall be constructed and operational prior to issuance of 1st occupancy permit of the residential apartment complex.</p> <p>d. The Bioretention basin shall be designed to the satisfaction of the City Engineer with an emergency overflow inlet acting as a spillway to provide controlled overflow relief for large storm events. A maintenance vehicle access from the parking lot of the bottom of the bason shall be 15' wide and constructed of 2" thick of ¾" -1" gravel at not to exceed grade of 20% so the basin can be periodically cleaned of silt and debris when</p>	<p>City of Antioch</p>	<p>At the Time of Building Permit Submittal</p>	<p>Public Works Department</p>	
------------	---	------------------------	---	--------------------------------	--

EXHIBIT A: CONDITIONS OF APPROVAL

	basin becomes full of material and does not function properly. An Operations and Maintenance Manual shall be submitted for the basin prior to the issuance of the first building permit.				
14.	Water Pressure. The developer shall provide adequate water pressure and volume for fire flow and domestic use to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest sprinkler unit in the Building and a minimum static pressure of 20 psi at the water service or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.	City of Antioch	On-Going	Public Works Department	
15.	Requirement for a looped Water Main System shall be waived if the developer can prove by sprinkler / water line calculations and analysis by a state approved sprinkler contractor or registered civil engineer that the proposed single line water main through the project can adequately provide enough pressure and fireflow to the building fire sprinkler system to meet minimum flow of 1000 gpm at 20 psi pressure requirements and supply minimum flow of 1500 gpm to the furthest fire hydrant from the public main. If minimum fire flow and pressure requirements for the building sprinkler system and minimum flow and pressure requirements to the farthest fire hydrant cannot be meet, the water system shall be designed as a looped private water main distribution system with the same above requirements. All the proposed fire hydrants shall be connected to this on-site private water line and all fire hydrants shall be privately maintained and connected to double detector check valve assembly per city requirements as approved by the City Engineer. The developer shall be responsible for installing this private water line from the public water main in the street to site and installing the required double detector check valve assembly and 2 water meters (domestic & Irrigation) at no cost to the City in accordance with City standards and City requirements.	City of Antioch	On-Going	Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

16.	<p>Hydrology Analysis. The developer shall submit hydrology and hydraulic analyses and report of the storm drainage system as part of the storm water control plans. The analysis shall demonstrate adequacy of the in-tract drainage system, bioretention basin and have no impacts of flooding the downstream drainage system. The analysis shall be reviewed and approved by Contra Costa County Flood Control and the City of Antioch Engineering Division.</p>	City of Antioch	At the time of Building Permit Submittal	Public Works Department	
17.	<p>Retaining Walls</p> <ol style="list-style-type: none"> 1. Public Right of Way. Retaining walls shall not be constructed in City right-of-way or other City maintained parcels unless otherwise approved by the City Engineer. 2. Materials. All retaining walls shall be of concrete masonry unit construction. 3. Height. 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. 4. There shall be a 1.7' wide concrete lined drainage ditch for catching and removing surface drainage from the retaining slope behind the wall. 5. The 2:1 slope above the retaining wall shall be landscaped with trees, ground cover, grass or erosion control vegetation as shown on the preliminary landscape plans. 	City of Antioch	On-Going	Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	Conservation/NPDES	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
18.	C.3 Compliance. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project are subject to C.3 requirements.	State of California	On-Going	Public Works Department	
19.	<p>NPDES. 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 Discretional Approval.)</p> <p>Under NPDES regulations, the project is subject to provision C.3: "New development and redevelopment regulations for storm water treatment."</p> <p>a. Requirements. 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.</p> <p>b. Storm Water Control Plan. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrate plan compliance. The SWCP shall be submitted to the Building Division for Engineering Division review concurrent with site improvement plans.</p> <p>c. Operation and Maintenance Plan. For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted to the Building Department at the time of permit submittal.</p>	Federal Government	At the Time of Building Permit Submittal	Public Works	
20.	NPDES Plan Submittal Requirements. The following requirements of the federally mandated NPDES program (National Pollutant	Federal Government	At the Time of Building Permit Submittal	Public Works	

EXHIBIT A: CONDITIONS OF APPROVAL

	<p>Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:</p> <p>a. Application. Prior to issuance of permits for building, site improvements, or landscaping, the developer shall submit a permit application consistent with the developer's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious areas, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.</p> <p>b. Certified Professional. The Storm Water Control Plan shall be certified by a registered civil engineer, or by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California 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).</p> <p>c. Final Operation & Maintenance Plan. Prior to building permit final and issuance of a Certificate of Occupancy, the developer 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</p>				
--	--	--	--	--	--

EXHIBIT A: CONDITIONS OF APPROVAL

	<p>resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.</p> <p>d. Long Term Management. Prior to building permit final and issuance of a Certificate of Occupancy, the developer 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.</p> <p>e. Design Details.</p> <p>i. Prevent site drainage from draining across public sidewalks and driveways in a concentrated manner by installing drain pipes within or under the sidewalks per city details.</p> <p>ii. Install on all catch basins "No Dumping, Drains to River" decal buttons in curb at all new curb inlets.</p> <p>f. Hydrology Calculations. 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 the City Engineering Department for review and approval and to Contra Costa County Flood Control District.</p> <p>g. Regional Water Quality Control. 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.</p> <p>h. SWPP. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to</p>				
--	---	--	--	--	--

EXHIBIT A: CONDITIONS OF APPROVAL

	<p>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.</p> <p>i. BMP. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system and Implement Best Management Practices (BMP's) at all times to the project.</p> <p>j. Erosion Control. Include erosion control/storm water quality measures in the grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences or other measures that are subject to review and approval of the City Engineer. A grading plan will be required with the necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.</p> <p>k. On-Going Maintenance.</p> <p>i. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of silt, litter and debris on the site. Corners and hard to reach areas shall be swept manually.</p>				
--	---	--	--	--	--

EXHIBIT A: CONDITIONS OF APPROVAL

	<p>ii. 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, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.</p> <p>iii. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from the project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All loads in dump trucks shall be covered per City requirements.</p> <p>iv. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.</p> <p><i>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.</i></p>				
	Fire Standards	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
21.	All requirements of the Contra Costa County Fire Protection District shall be met including those in the letter dated November 4, 2022 and included as Attachment F to the staff report.	Contra Costa Fire Protection District	On-Going	Contra Costa Fire Protection District	

EXHIBIT A: CONDITIONS OF APPROVAL

	Building Permit Submittal	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
22.	Requirement for Phasing Plan. The project shall be built continuously in one phase. If the project will become a phased project, then the developer shall provide a phasing plan to the Community Development Department and Engineering Department for review and approval. The developer shall install proper erosion control measures on any vacant land area so future building site complies with state and local NPDES requirements.	City of Antioch	At the time of Building Permit Submittal	Community Development Department	
23.	Final Landscape Plans. The applicant shall submit final landscape plans that identify specific plant materials to be used, including all trees, shrubs and groundcover, providing both common and botanical names, sizes and quantities at the time of building permit submittal. Santa Barbara Sage and Mexican Fleabane plants shall be omitted from the final landscape plan (Per Planning Commission review 2/15/23)	City of Antioch	At the time of Building Permit Submittal	Building Department	
24.	Water Efficient Landscape Ordinance. Landscaping for the project shall be designed to comply with the applicable requirements of City of Antioch Ordinance No. 2162-C-S The State Model Water Efficient Landscape Ordinance (MWELo). The applicant shall demonstrate compliance with the applicable requirements of the MWELo in the landscape and irrigation plans submitted to the City.	City of Antioch	At the time of Building Permit Submittal	Community Development Department	
25.	Common Area Landscaping. Landscaping on all slopes, medians, C.3 basins and open space areas shall be approved by the City Engineer and shall be installed at the applicant's expense.	City of Antioch	At the time of Building Permit Submittal	Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

26.	Property Drainage. The site buildings shall contain rain gutters and downspouts that direct water away from the foundation towards the closest drainage inlet of the site in accordance with the international building code and as approved by the City Engineer.	City of Antioch	At the Time of Building Permit Submittal	Public Works Department	
27.	Utility Location on Private Property. All existing improvements that are disturbed shall be relocated within (water meters, sewer cleanouts, etc.) the immediate area of site as defined by the preliminary utility plans and approved by the City Engineer.	City of Antioch	At the Time of Building Permit Submittal	Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

Grading Improvements		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
28.	Requirement for Grading Permit. A grading permit will be required and issued prior to commencement of any grading operations. The permit shall be obtained through the City's Building Department subject to review and approval by the City Engineer. The submitted plans shall incorporate any modifications required by the Conditions of Approval.	City of Antioch	At the time of Building Permit Submittal	Public Works	
29.	Soils. Prior to the approval of the grading plan(s), the City Engineer shall determine if a soils engineer is required to review the building permit plan set submitted for this project. If deemed necessary by the City Engineer, field inspections by such professionals will be required to verify compliance with the approved plans. Costs for these consulting services shall be incurred by the developer.	City of Antioch	At the time of Building Permit Submittal	Public Works	
30.	Off-Site Grading. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The developer shall submit written authorization to "access, enter, and/or grade" adjacent properties prior to issuance of permit and performing any work.	City of Antioch	At the time of Building Permit Submittal	Public Works	
31.	Grading Easements. Any sale of a portion (or portions) of this project to another developer shall include the necessary CCR's , and/or grading easements to assure that project-wide grading conforms to the approved development conditions of approval.	City of Antioch	At the time of Building Permit Submittal	Public Works	

EXHIBIT A: CONDITIONS OF APPROVAL

At the Time of Building Permit Issuance		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
32.	Sewer System Requirements. The sewer system for the subject site shall be designed in accordance with City standard plans and requirements to the satisfaction of the City Engineer prior to issuance of building permit.	City of Antioch	At the time of Building Permit Issuance	Building Department	
33.	Demolition Permit. Site demolition shall not occur until construction permits are issued for the development project. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD).	City of Antioch	At the time of Building Permit Issuance	Community Development Department	
34.	Encroachment Permit. The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.	City of Antioch	At the time of Building Permit Issuance	Community Development Department	

EXHIBIT A: CONDITIONS OF APPROVAL

At the Time of Construction		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
35.	Collection of Construction Debris. During construction the Developer shall place on site a Waste Management dumpster or other container to gather all construction debris on a regular basis and place them in a Waste Management dumpster or other container that is emptied on a regular basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
36.	Construction Hours. Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the City Engineer. days/times restricted to the hours of 8:00 a.m. to 6:00 p.m.	City of Antioch	On-Going	Building Department/ Public Works Department	
37.	Demolition, Debris, Recycling. 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.	City of Antioch	On-Going	Building Department/ Public Works Department	

EXHIBIT A: CONDITIONS OF APPROVAL

38	<p>Filter Materials at Storm Drain Inlet. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:</p> <ul style="list-style-type: none"> a) start of the rainy season (October 1). b) site dewatering activities. c) street washing activities. d) saw cutting asphalt or concrete; and e) order to retain any debris or dirt flowing into the city storm drain system. <p>Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding and erosion of soil on City streets and storm drain system. Dispose of used filter particles in the trash or at local approved landfill facility.</p>	City of Antioch	On-Going	Building Department	
39.	<p>Archeological Remains. In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.</p>	City of Antioch	On-Going	Community Development Department	

EXHIBIT A: CONDITIONS OF APPROVAL

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
40.	Erosion Control Measures. 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.	City of Antioch	On-Going	Community Development Department	
41.	Dust Control. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the air quality control board.	City of Antioch	On-Going	Community Development Department	
42.	Debris Removal. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.	City of Antioch	On-Going	Community Development Department	
	Prior to Issuance of Occupancy Permit	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
43.	Planning Inspection. Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection.	City of Antioch	Prior to Occupancy Permit	Planning Department	

EXHIBIT A: CONDITIONS OF APPROVAL

44.	Debris Removal. All mud, dirt or construction debris shall be carried off the construction site and shall be removed prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.	City of Antioch	Prior to Occupancy Permit	Building Department	
45.	Fire Prevention. A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	Contra Costa County Fire Protection District	Prior to Occupancy Permit	Fire Department	
46.	Damage to Street Improvements. Any damage to existing street and site improvements during construction or adjacent property improvements in the immediate area of the impacts of the project, shall be repaired and/or rebuilt to the satisfaction of the City Engineer at the full expense of the developer. This shall include sidewalks, asphalt and concrete pavement, slurry seal existing AC pavements, parking lot curb and gutter, landscaping, street reconstruction along the project frontage, as may be required by the City Engineer to make the developed area looking new.	City of Antioch	Prior to Occupancy Permit	Building Department	
47.	Right-of-Way Construction Standards. All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be constructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the City Engineer.	City of Antioch	Prior to Occupancy Permit	Public Works	

EXHIBIT A: CONDITIONS OF APPROVAL

	Special Conditions of Approval	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
SP-1	Affordable Housing Agreement. Pursuant to Antioch Municipal Code Section 9-5.3502 (F), the applicant shall enter into a regulatory agreement with the City of Antioch guaranteeing that four (4) units on site will be affordable to very low-income households, consistent with the Density Bonus application request. The City Council shall approve the Affordable Housing Agreement prior to issuance of any demolition, grading or building permit.	City of Antioch	At the time of Building Permit Issuance	Planning Division	
SP-2	Trash Enclosure. Dumpsters shall be stored as shown on the project plans. Dumpster pick-up areas shall be identified on the site so the area is reserved for trash truck pickup. The trash collection area shall be kept clean at all times with the signs specifying when trash collection will occur in these designated areas of the site.	City of Antioch	Prior to Occupancy Permit	Planning Division	
SP-3	Tot Lot. The proposed tot lot shall be graded at a flat 1%-3% maximum grade and normal children play equipment (slide, swings, climbing apparatus, teeter-totter, etc) installed similar to what would be found in a small tot lot in a public park. The area shall have a rubber mats, typical playground floor covering made of similar materials found at City parks in accordance with City park playground standards. A 6' high screen wall shall be placed between the play area and the parking lot to shield it from view. The wall shall be architecturally compatible with the building architecture.	City of Antioch	Prior to Occupancy Permit	Planning Division	

EXHIBIT A: CONDITIONS OF APPROVAL

SP-4	<p>Trash Receptacles. City Park type of trash receptables shall be placed in all barbeques and table eating areas of the site where food would be prepared, eaten and cooked. A trash receptacle shall also be placed in close proximity to the garden area of the site so gardeners can dispose of weeds and excess harvest materials left over from gardening. The barbeque and garden areas shall be kept clean at all times by site maintenance crews.</p>	City of Antioch	Prior to Occupancy Permit	Planning Division	
SP-5	<p>Existing utility easements vacated and new PUE's. The topography survey of the project identifies an existing 15' wide and 20' wide utility easement across the entire parcel (APN 065-244-028) site shall be vacated. A new 5' wide public utility easement (PUE) shall be established over the new underground dry utilities along Wilbur Avenue and under the existing overhead lines and new underground utilities that are to be constructed. If warranted, a new PUE shall be established on site over all new utility lines to be installed from the public right way to the various buildings.</p>	City of Antioch	Prior to Occupancy Permit	Public Works	
SP-6	<p>Pre-Construction Meeting. The developer shall hold a pre-construction meeting at the City offices of the construction of the project, During such pre-construction meeting the developer shall inform the city the construction schedule of the project, provide the listed below items, approximate area of disturbance, time frames he will need inspections, hours of work, construction detours, flagging etc., The developer shall provide the adjacent businesses and adjacent residents to the construction notice of construction flyer 48 hours prior to start of construction of the following:</p> <ul style="list-style-type: none"> Address of Work Start Date of Work End Date of Work Hours of Work Type of Work Contact Person Company Name Telephone 	City of Antioch	Prior to issuance of building permit	Public Works	

EXHIBIT A: CONDITIONS OF APPROVAL

SP-7	Double Detector Check Valve Assembly. The developer shall install the required sprinkler Double Detector Check Valve assembly in an enclosed area screened by landscaping or small 3.5' high masonry walls or placed within the building or in a underground vault so it is not visible from public view.	City of Antioch	Prior to Occupancy Permit	Public Works	
SP-8	25' driveway entrance on Wilbur Ave. The developer shall construct a 25' wide concrete driveway on Wilbur Avenue in accordance with the approved site plan and City standard plans and specifications to the satisfaction of the City Engineer. This driveway shall drain to the public street and shall have vertical curb on each side of the pavement.	City of Antioch	Prior to Occupancy Permit	Public Works	
SP-9	Police Services CFD. The applicant shall annex into the existing Community Facilities District (CFD) 2018-02 (Police Protection).	City of Antioch	Prior to Occupancy Permit	Public Works	
SP-10	Fire Services CFD. The applicant shall annex into CFD 2022-1 (Antioch Fire Protection and Emergency Response Services). This CFD is administered by the Contra Costa County Fire Protection District. To comply with this condition, the applicant must provide the City proof of annexation by furnishing a copy of the resolution passed by the County Board of Supervisors	City of Antioch	Prior to Occupancy Permit	Public Works	
SP-11	Public Services CFD. The applicant shall annex into the existing CFD 2002-01 (Public Services).	City of Antioch	Prior to Occupancy Permit	Public Works	






Resolution 2023-09 UP-22-14, AR-22-15 Delta Courtyard Apartments

Final Audit Report

2023-02-16

Created:	2023-02-16
By:	Anne Hersch (ahersch@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJipPtRmr2xrfEJWADkBxwYWobZL6Dxvb

"Resolution 2023-09 UP-22-14, AR-22-15 Delta Courtyard Apartments" History

-  Document created by Anne Hersch (ahersch@antiochca.gov)
2023-02-16 - 6:02:16 PM GMT
-  Document emailed to Forrest Ebbs (febbs@ci.antioch.ca.us) for signature
2023-02-16 - 6:02:44 PM GMT
-  Email viewed by Forrest Ebbs (febbs@ci.antioch.ca.us)
2023-02-16 - 6:06:53 PM GMT
-  Document e-signed by Forrest Ebbs (febbs@ci.antioch.ca.us)
Signature Date: 2023-02-16 - 6:07:05 PM GMT - Time Source: server
-  Agreement completed.
2023-02-16 - 6:07:05 PM GMT