



ANNOTATED AGENDA

Antioch City Council REGULAR MEETING

**Including the Antioch City Council acting as
Successor Agency/Housing Successor to the
Antioch Development Agency**

Date: Tuesday, September 22, 2020

Time: 7:00 P.M. – Regular Meeting

Place: The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, is making Antioch City Council meetings available via Comcast channel 24, AT&T U-verse channel 99, or live stream (at www.antiochca.gov).

If you wish to make a public comment, you may do so any of the following ways: **(1)** by filling out an online speaker card, located at https://www.antiochca.gov/speaker_card, **(2)** by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us, or **(3)** by dialing **(925) 776-3057** during the meeting.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

Sean Wright, Mayor
Joyann Motts, Mayor Pro Tem
Monica E. Wilson, Council Member
Lamar Thorpe, Council Member
Lori Ogorchock, Council Member

Arne Simonsen, MMC, City Clerk
James D. Davis, City Treasurer
Ron Bernal, City Manager
Thomas Lloyd Smith, City Attorney

Online Viewing: <https://www.antiochca.gov/government/city-council-meetings/>

Electronic Agenda Packet: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>

Project Plans: <https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf>

Hard Copy Viewing: Antioch Public Library, 501 W 18th St, Antioch, CA

SPEAKERS' RULES

IMPORTANT NOTICE REGARDING THIS MEETING: To protect our residents, officials, and staff, and aligned with the Governor's Executive Order N-29-20, certain teleconference requirements of the Brown Act have been suspended, including the requirement to provide a physical location for members of the public to participate in the meeting.

Members of the public seeking to observe the meeting may do so at https://www.antiochca.gov/live_stream, on Comcast Channel 24, or AT&T U-Verse Channel 99.

Members of the public wishing to provide public comment may do so in the following ways (#2 pertains to the Zoom Webinar):

1. Fill out an online speaker card located at: https://www.antiochca.gov/speaker_card.
2. Provide oral public comments during the meeting by clicking the following link to register in advance to access the meeting via Zoom Webinar: <https://www.antiochca.gov/speakers>
 - You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.
 - When the Mayor announces public comments, click the "raise hand" feature in Zoom. For instructions on using the "raise hand" feature in Zoom, visit: https://www.antiochca.gov/raise_hand.
3. Email comments to cityclerk@ci.antioch.ca.us **prior** to the Mayor announcing that public comment is closed, and the comment will be read into the record at the meeting (350 words maximum, up to 3 minutes, at the discretion of the Mayor). **IMPORTANT:** Identify the agenda item in the subject line of your email if the comment is for Announcement of Community Events, General Comment, or a specific Agenda Item number. All emails received will be entered into the record for the meeting.

Speakers will be notified shortly before they are called to speak.

- When called to speak, please limit your comments to the time allotted (350 words, up to 3 minutes, at the discretion of the Mayor).

After having heard from the public, the agenda item will be closed. Deliberations will then be limited to members of the City Council.

If the Council meeting appears to be going late, the City Council may decide to continue some items until a subsequent meeting. We will try to make this determination around 10:00 p.m. It is the goal of the City Council to stop discussing agenda items no later than 11:00 p.m.

In accordance with the Americans with Disabilities Act and California law, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. City Council Agendas, including Staff Reports are posted onto our City's Website 72 hours before each Council Meeting. To be notified when the agenda packets are posted onto our City's Website, simply click on this link: <https://www.antiochca.gov/notifications/> and enter your e-mail address to subscribe. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/city-council/>. Questions may be directed to the staff member who prepared the staff report, or to the City Clerk's Office, who will refer you to the appropriate person.

Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a Speaker Request form online at https://www.antiochca.gov/speaker_card. See the Speakers' Rules on the inside cover of this Agenda. The Council can only take action on items that are listed on the agenda. Comments regarding matters not on this Agenda, may be addressed during the "Public Comments" section.

7:00 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – *All Present*

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS

ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS

- *POLICE CRIME PREVENTION COMMISSION*
- *PARKS AND RECREATION COMMISSION*

PUBLIC COMMENTS – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

CITY COUNCIL COMMITTEE REPORTS/COMMUNICATIONS

MAYOR'S COMMENTS

PRESENTATION – *Economic Development Strategic Plan Update, presented by Roger Dale of The Natelson Dale Group*

1. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**
 - A. APPROVAL OF COUNCIL MINUTES FOR AUGUST 11, 2020
Approved, 5/0
Recommended Action: It is recommended that the City Council approve the Minutes.
 - B. APPROVAL OF COUNCIL MINUTES FOR AUGUST 25, 2020
Approved, 5/0
Recommended Action: It is recommended that the City Council approve the Minutes.
 - C. APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 8, 2020
Continued, 5/0
Recommended Action: It is recommended that the City Council continue the Minutes.
 - D. APPROVAL OF COUNCIL WARRANTS
Approved, 5/0
Recommended Action: It is recommended that the City Council approve the warrants.
 - E. APPROVAL OF HOUSING SUCCESSOR WARRANTS
Approved, 5/0
Recommended Action: It is recommended that the City Council approve the warrants.
 - F. REJECTION OF CLAIM: MAYBEL WRIGHT AND GLEN HOUSTON
Rejected, 5/0
Recommended Action: It is recommended that the City Council reject the claim filed by Maybel Wright and Glen Houston.
 - G. CONFLICT OF INTEREST CODE FOR THE CITY OF ANTIOCH AND CITY AS SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY
Recommended Action: It is recommended that:
Reso. No. 2020/150 adopted, 5/0
 - 1) The City Council adopt a resolution approving the updated Conflict of Interest Code for the City of Antioch and authorizing the City Manager to execute the Biennial Notice; and
SA Reso No. 2020/33 adopted, 5/0
 - 2) The City Council as Successor Agency to the Antioch Development Agency adopt a resolution approving the updated Conflict of Interest Code for the City as Successor Agency to the Antioch Development Agency and authorizing the City Manager to execute the Biennial Notice.

CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – Continued

H. ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE ANTIOCH CAPE SEAL 2020 PROJECT (P.W. 328-12)

Reso. No. 2020/151 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving an amendment to the fiscal year 2020/21 Capital Improvement Budget carrying forward \$27,080 in unspent budgeted Measure J Funds designated for pavement surface treatments such as the Antioch Pavement Rehabilitation Project (“Project”) from fiscal year 2019/20 to fiscal year 2020/21;
- 2) Authorizing the increase to the existing contract with VSS International, Inc. (“VSS”) in the amount of \$27,079.81 for a total contract of \$2,623,199.81; and
- 3) Accepting work and authorizing the City Manager or designee to file a Notice of Completion for the Project.

PUBLIC HEARING / CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY

2. PUBLIC HEARING TO REVIEW ACCOMPLISHMENTS FOR FY 2019-20 CDBG AND HOUSING SUCCESSOR FUNDS, REPORTED IN THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER); AND REVIEW OF PRIORITY NEEDS AND STRATEGIES FOR THE 21-22 ACTION PLAN

Received, 5/0

- Recommended Action:
- 1) It is recommended that the City Council receive and consider public comment on the FY 2019-20 CAPER year-end report and closeout for the 2015-20 Consolidated Plan, detailing achievements of programs funded with CDBG and Housing Successor funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods.
 - 2) It is recommended that the City Council receive and consider public comment on the Priority Needs and Strategies for the 21-22 Action Plan.

PUBLIC HEARING / CITY OF ANTIOCH COUNCIL MEMBERS ACTING AS HOUSING SUCCESSOR TO THE ANTIOCH DEVELOPMENT AGENCY – Continued

3. DELTA FAIR VILLAGE MULTI-FAMILY PROJECT (GP-18-02, PD-18-03, UP-18-19 and AR-18-20)

Postpone indefinitely, 3/2-Wright, Ogorchock

Recommended Action: The Planning Commission recommends that the City Council take the following actions:

- 1) Adopt the resolution approving the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP);
- 2) Adopt the resolution approving a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02);
- 3) Introduce the ordinance rezoning the property to Planned Development District and adopting the development standards (PD-18-03); and
- 4) Adopt the resolution approving a Final Development Plan, Use Permit (UP-18-19), and Design Review (AR-18-20).

COUNCIL REGULAR AGENDA

4. RESOLUTION TO APPROVE OPERATING AGREEMENT WITH CANNABIS BUSINESS OPERATOR THREE HABITAT CONSULTING ANTIOCH LLC DBA ONE PLANT, A LIMITED LIABILITY COMPANY

Reso. No. 2020/152 adopted, 5/0

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC, DBA One Plant; and
- 2) Authorize the City Manager to execute the operating agreement.

COUNCIL REGULAR AGENDA – Continued

5. FOUNDERS' DAY AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE

Dissolve Ad Hoc Committee, 5/0

Recommended Action: It is recommended that the City Council:

- 1) Receive an update from Committee members of the Founders Day Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad hoc committees may be dissolved, and another created with a different and specific purpose, in the same genre).

6. TRANSITIONAL HOUSING AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE

Extend Ad Hoc Committee to the first meeting in January 2021, 5/0

Recommended Action: It is recommended that the City Council:

- 1) Receive an update from Committee members of the Transitional Housing Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad Hoc Committees may be dissolved, and another created with a different and specific purpose, in the same genre).

7. LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS PACKET

Direction provided, 5/0

Recommended Action: It is recommended that the City Council review and discuss the League of California Cities Annual Conference Resolutions Packet and provide direction to the voting delegate (Councilmember Ogorchock).

PUBLIC COMMENT

STAFF COMMUNICATIONS

COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

MOTION TO ADJOURN – *After Council Communications and Future Agenda Items, the Mayor will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.*
Motioned to adjourn meeting at 9:39 p.m., 5/0

BOARDS / COMMISSION / COMMITTEE VACANCY ANNOUNCEMENTS

The City of Antioch encourages residents to become involved in their local community. One way to do so is to serve on various commissions, boards and committees. Any interested resident is encouraged to apply for the vacancy listed below. To be considered for these volunteer positions, a completed application must be received in the Office of the City Clerk **by 5:00 p.m., October 16, 2020**. Applications are available at <https://www.antiochca.gov/#>.

- ***POLICE CRIME PREVENTION COMMISSION***
- ***PARKS AND RECREATION COMMISSION***

Your interest and desire to serve our community is appreciated.

POLICE CRIME PREVENTION COMMISSION

(Deadline date: 10/16/20)

One (1) Commissioner 4-year term vacancy, expiring June 2024

- The Police Crime Prevention Commission makes recommendations to the City Council relative to crime prevention and makes reports on programs, which might be initiated to help the Police Department and the citizens create a safer community.
- Commissioners are involved in public presentations, coordination of Neighborhood Watch groups and programs, and special community events.
- The commission consists of seven members who serve a 4-year term. Applicants cannot be a full-time police officer.
- The Police Crime Prevention Commission meets on the 3rd Monday of each month at 7:00 p.m. in the Police Department Community Room at 300 L Street.
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

PARKS AND RECREATION COMMISSION

(Deadline date: 10/16/20)

Two (2) Commissioners, 4-year term vacancies, expiring March 2024

- Parks and Recreation Commission serves in an advisory capacity to the City Council in matters pertaining to Parks and Recreation functions.
- Must be a resident of the City of Antioch.
- Surveying all current and future public and private recreation facilities.
- Recommend coordinated recreation programs for the City.
- Survey current and future park and recreational needs of the community to provide a sound and year-round recreational program for all ages.
- 7 member board – 4 year terms. These terms expire March 2024.
- Meetings are held the third Thursday of every month at 7:00 p.m.
- Commissioners are required to submit a FPPC Form 700 (Statement of Economic Interests) upon assuming office, and every year thereafter no later than April 1st.
- Newly appointed Commissioners are also required to complete the AB 1234 Ethics training within 1-year of their appointment. All Commissioners must then take the AB 1234 Ethics training every two years thereafter. The Ethics training is available online.

City of Antioch Economic Development Baseline and Strategic Plans

**Status Briefing
to Antioch
City Council**

Sept. 22, 2020

Overall Process

- ***Background research*** about Antioch's current economic conditions
- Identify ***industry clusters*** that Antioch could potentially target
- ***Workshops with stakeholders***: for input on SWOT plus target industries and other strategy options
- Analysis and evaluation of each of Antioch's distinct ***employment centers***, and selection of 2 for additional work
- Prepare ***Strategic Action Plans*** based on the research and stakeholder input

Industry Clusters: Preliminary List of Candidate Clusters

Strategic Approach	Local-serving Clusters	“Traded” Clusters
<i>Build on (or facilitate repositioning of) Antioch’s existing core strengths</i>	<ul style="list-style-type: none"> • Health services • Retail/personal services • Hospitality • Local real estate and construction services • Food and beverage processing/distribution • Local utilities 	<ul style="list-style-type: none"> • Construction products (manufacturing) • Water transportation • Environmental services (waste management) • Distribution/electronic commerce
<i>Tap into dominant East Bay industry clusters that are not currently well represented in the city</i>		<ul style="list-style-type: none"> • IT and analytical instruments • Medical devices mfg. • Automotive mfg. • Biopharmaceuticals • Education and knowledge creation • Business services

Workshops with Stakeholders

3 Economic Development “Summit” sessions:

- Meeting 1: SWOT and general preferences
- Meeting 2: Polling on target industries and focus of economic development department
- Meeting 3: Feedback on strategy options

Antioch's Current Strategic Situation

Assets establish **Strong Potentials**:

Location in region

Workforce

Land/growth capacity

Waterfront access



To address **Chronic Problems**:

Blight

Crime

Homelessness

Education system

By applying **Strategic Actions** and,
immediately, **Systematic Communication** to
clarify and correct misconceptions

Big-Picture Strategy Themes:

Opportunities and challenges typical of suburban cities:

- Some of Antioch's **historic economic functions are now less relevant**
- Housing needed for workforce **commuting towards urban core**
 - Always in **catch-up mode** to maintain jobs/housing balance
 - Retail development **follows** new residential development
- With its location, Antioch is competitive for a range of economic activity, but has **neighbors also competing**
- Historic areas are **unique assets** but also require **ongoing investment**

“Global” Implications of Pandemic Potentially Affecting Antioch:

- Outlying areas of metro regions could be more attractive for both living and working
- Growing, evolving communities will tend to be more adaptable to possible re-designs of urban formats (shopping centers, public spaces, etc.)
- Access to open space in general will likely be more valued by residents

Program Areas, Citywide: 14 programs in 3 overarching categories

Category 1. The core “business” of economic development:

Actions City can undertake largely on its own without necessarily having to commit substantial additional resources.

Category 2. Improving critical foundational conditions (substantial investment or creative use of limited resources):

Items that may require major new resource commitments. Alternatively, programmatic focus might shift toward low-cost solutions.

Category 3. External partner focus: City may have primarily a convening or facilitating/coordinating role.

Category 1. The core “business” of economic development:

1. Development streamlining
2. Diversify economy (industry/cluster targeting program)
3. Existing business retention/expansion
4. Marketing / business attraction

Category 2. Improving critical foundational conditions:

5. Crime reduction efforts
6. Blight reduction efforts
7. Programs to reduce homelessness
8. Other Quality of Life initiatives - how do City entities such as the Recreation Department, Marina and others maintain a Quality of Life programmatic and marketing orientation?
9. Placemaking (e.g., downtown)
10. Targeted infrastructure investment

Category 3. External partner focus:

- 11. K-12 Education
- 12. Workforce development
- 13. Entrepreneurial development
- 14. Leverage philanthropic resources

Employment Centers: 11 Areas Reviewed

A - A Street Interchange

B - Marina/Downtown

C - Wilbur Avenue / Eastern Waterfront

D - Hillcrest Station Area

E – Somersville Mall

F - Lone Tree / Slatten Ranch

G - Kaiser / Sand Creek

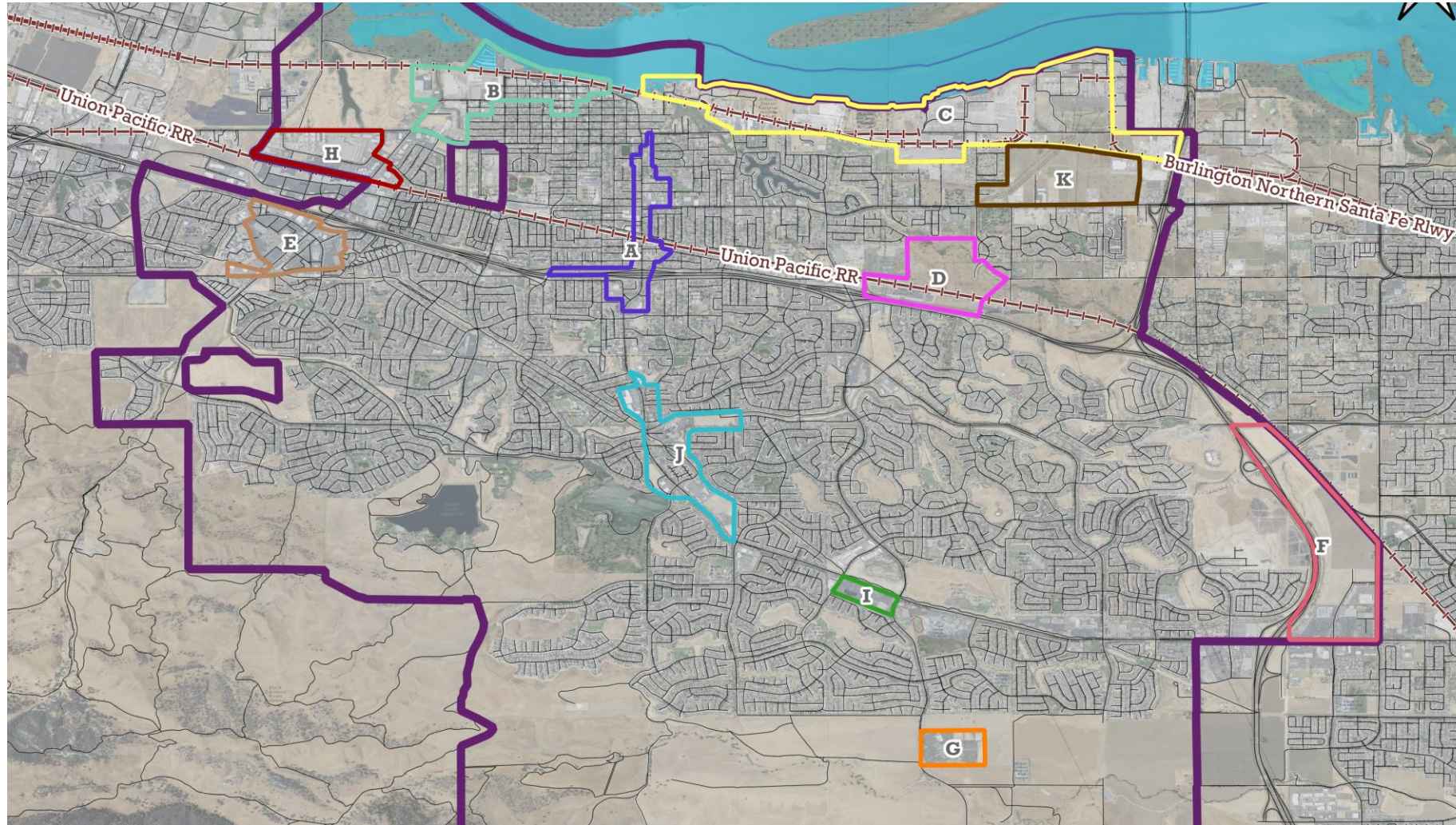
H - Costco Area

I - AMC Theater Area

J - Sutter Delta Hospital Area

K - East 18th Street Specific Plan area

Employment Centers



Employment Centers Evaluation

18 factors grouped under the following 5 headings:

- Physical conditions
- Market demand
- Challenges/opportunities affecting market competitiveness
- Existing conditions affecting market competitiveness
- Performance measures - objectives served

Employment Centers Evaluation - Areas sorted by 2 Main Categories:

- 1) Investment in area will include redevelopment/blight reduction, and
- 2) Investment will involve development of (primarily) new greenfield sites for employers

Employment Centers Evaluation, Characteristics of 2 Selected Areas

Characteristic	Somerville Mall (Area E) Blight Reduction	Slatten Ranch (Area F) Greenfield Development
Estimated Existing Jobs	1,788	1,417
Total Acres	128	315.5
<i>Highest employment (top 3)</i>		
	Health Care	Retail
	Retail	Accommodation/Food Svc
	Accommodation/Food Svc	Other Services



QUESTIONS



**CITY OF ANTIOCH
ECONOMIC DEVELOPMENT BASELINE
AND STRATEGIC PLANS**

STATUS BRIEFING FOR CITY COUNCIL

September 22, 2020



T H E N A T E L S O N D A L E G R O U P , I N C .
YORBA LINDA, CA • www.natelsondale.com
O: 714.692.9596 • F: 714.692.9597

Table of Contents

Overview of Process.....	1
Background Research.....	1
Summary of Industry Cluster Analysis	4
Draft Citywide Strategies	6
Development Focus Areas and Selection of Two Areas for Detailed Strategy Development	8

Overview of Process

The overall process for the Antioch Economic Development Baseline and Strategic Plans is summarized in the following points. This briefing package touches on all of these points, although topics are organized here in a slightly different order.

- Provide **background research** about Antioch's current economic conditions
- Identify **industry clusters** that Antioch could potentially target for future expansion and attraction
- Complete an analysis of area-specific conditions and development capacities for each of Antioch's distinct **employment centers**
- Assess a range of **"foundational issues"** (including infrastructure, workforce, housing, quality of life, development environment) and recommend strategies
- Prepare **strategic Action Plans (citywide programs and area-specific implementation strategies)** based on the consultants' research and that for you local stakeholder input

Background Research

Economic and demographic profile summary

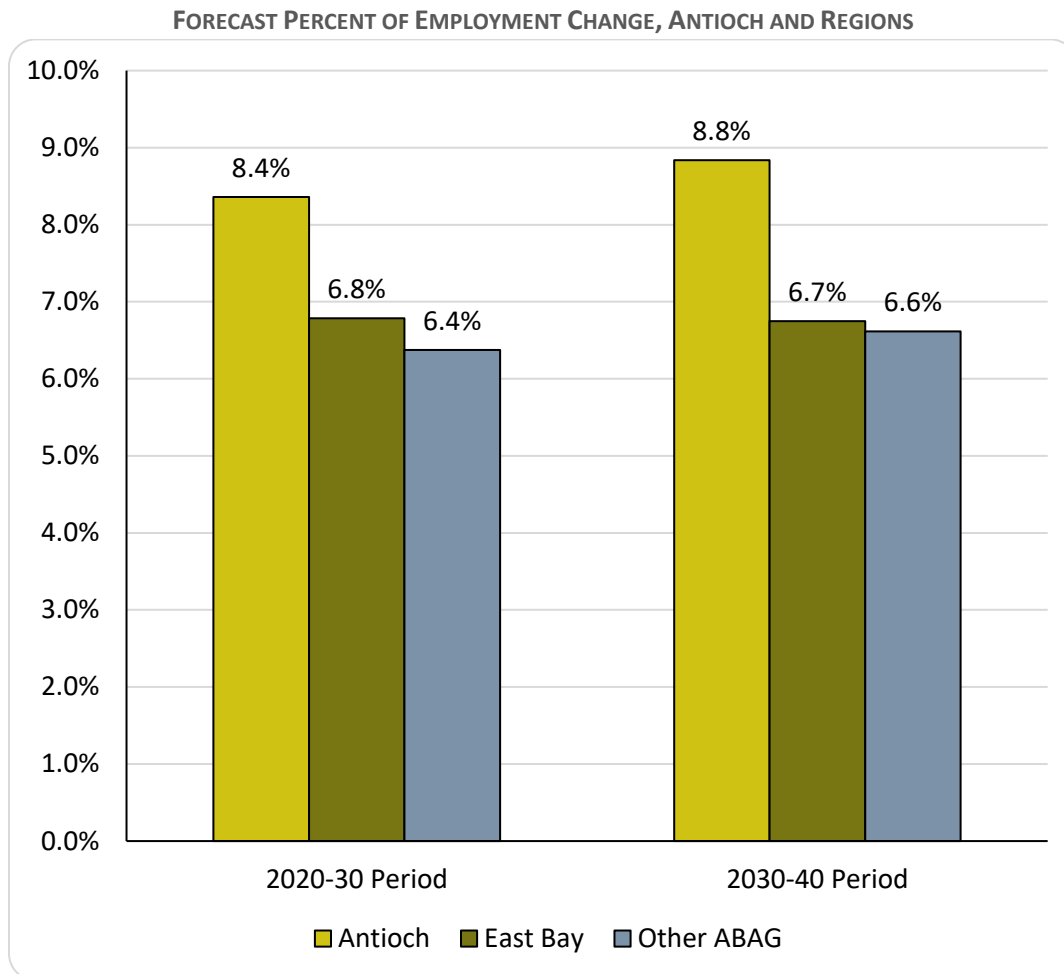
Census-based demographic and resident economic data. Topics addressed current conditions related to households, housing units, race/ethnicity, and characteristics of the resident labor force (commute times, educational attainment). Data generally included comparisons to the East Bay and the State of California. Selected key points are shown below:

- Median household income in Antioch (\$69,925) is in line with the State and below the East Bay median (\$86,767)
- Three-fourths of Antioch's residents in the 20 to 64-age population are in the labor force, similar to the East Bay and State
- Antioch's residents tend to have longer commutes than their East Bay or California counterparts
- For the 18 to 24-age population, Antioch underperforms in terms of educational attainment compared to the East Bay region and the State
- One-third of Antioch's population is of Hispanic/Latino origin, which is above the East Bay (24%) but below the State shares. The "Black or African American alone" racial category is a higher proportion in Antioch (20.1%), relative to the East Bay (10%) and the State. At just over 10%, the "Asian alone" racial category is relatively low in Antioch compared to the East Bay (24%)

Housing. Antioch has a slightly higher share of owner-occupied housing units, 60.8% of the total, compared to the East Bay and the State. Antioch's housing stock is also relatively new compared to the East Bay overall.

Forecasts

Antioch's population is projected to grow at a similar rate as the East Bay and remaining ABAG counties, from 2020-2030, and at a considerably higher rate for 2030-2040. Employment growth in Antioch is also projected to occur at a higher rate than the regions, for the entire time period of 2020 through 2040, as shown below.



Source: ABAG Plan Bay Area 2040; TNDG.

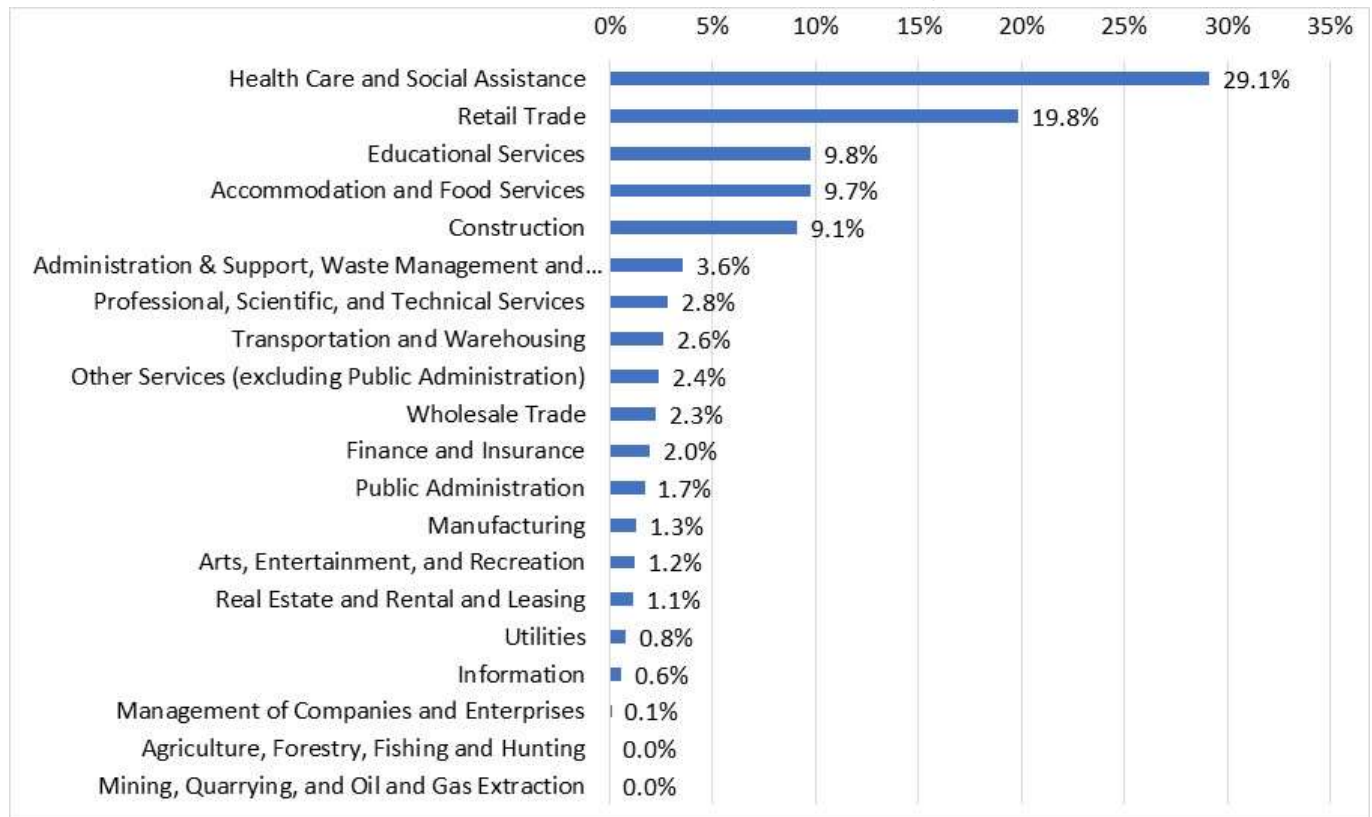
Labor force, employment

During the recovery from the Great Recession (between 2010 and 2015), Antioch's unemployment rates were significantly above those in the East Bay and in California, reaching a high of 15% in 2010 (while the East Bay was only 11%). During the past three years, this gap has narrowed. Antioch has a relatively large share of its labor force that both *lives* and *works* in the City, compared to other cities in Contra Costa County.

Antioch has only about half the jobs located in the City as the City has resident workers. For those jobs located in the City, the share of employment by industry in 2017 is shown in the following figure, which indicates that

Antioch is heavily represented in the Retail Trade and Health Care/Social Assistance industries. These two sectors alone account for about one-half of total City-based jobs.

ANTIOCH'S PERCENT DISTRIBUTION OF JOBS IN THE COMMUNITY, BY INDUSTRY



Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics (LEHD) program. Accessed at <https://onthemap.ces.census.gov>.

Assessed valuation

Net assessed valuation of property in Antioch increased by more than \$3.6 billion over the period FY 2010-11 to FY 2018-19.

Building permits

Residential building activity in Antioch consistently increased/remained high between 2011 and 2013, with a significant drop in 2014. Permit totals have remained relatively depressed through 2018. In 2018, with 6.2% of residential building permits County-wide, Antioch ranked sixth in number of permits among 15 Contra Costa County cities (with Brentwood having over 30% of the County's total permits that year).

Taxable sales

Between 2010 and 2017 taxable retail sales for the City of Antioch increased by \$192.9 million, or by 27%, well below the increases in the East Bay (49%) and State (41%). Taxable sales data also show that Antioch

significantly lags the East Bay and the State on a taxable-sales-per-household basis, and the gap has widened since 2010.

Summary of Industry Cluster Analysis

This section documents an assessment of Antioch's economy in terms of industry "clusters," which forms the basis for recommending potential target industries. Clusters are groups of interrelated industry sectors whose growth potentials within a region tend to be closely aligned, and the concept of industry clusters is an effective framework for economic development programming since it reflects a holistic view of the regional economic conditions driving the growth or retraction of individual sectors.


The table below summarizes key facts about important existing clusters in Antioch. Clusters were included in the table if they are in the top 10 for at least one of the following three variables:

1. 2019 Location Quotient (LQ)
2. Number of jobs in 2019
3. Job growth between 2014 and 2019

TABLE C. TOP 10 CLUSTERS IN ANTIOCH FOR KEY VARIABLES: LQ, JOBS, AND JOB GROWTH

Cluster	2019 LQ	2019 Jobs	2014-19 Jobs Added
Local Retailing of Clothing and General Merch.	2.2	1,674	-55
Local Utilities	2.2	433	35
Environmental Services	1.9	40	25
Local Education and Training	1.7	2,420	-80
Local Community and Civic Organizations	1.7	1,532	267
Local Health Services	1.6	4,875	746
Water Transportation	1.5	81	41
Local Real Estate, Construction, and Development	1.4	2,674	608
Local Personal Services (Non-Medical)	1.4	894	5
Local Hospitality Establishments	1.3	2,849	407
Local Food and Beverage Processing and Distrib.	1.3	220	35
Local Motor Vehicle Products and Services	1.2	891	21
Local Commercial Services	1.2	890	172
Distribution and Electronic Commerce	0.8	399	65
Local Logistical Services	0.5	832	2
Construction Products and Services	0.3	308	90

Source: U.S. Cluster Mapping Project; Chmura Economics; TNDG.

 = Top 10 cluster for specified variable

All clusters are classified under the two headings of "local" and "traded."

- **Local clusters** typically form the core of a region’s economy; they primarily provide goods and services for the local (resident) population.
- **Traded clusters** are “export-oriented” in the sense that they include industries that are engaged in producing goods and services for end-use customers located outside the City.

The table below provides a preliminary list of candidate clusters for the City of Antioch’s industry targeting program (i.e., business retention, expansion and attraction). The preliminary candidate clusters are based on two strategic approaches to industry targeting, and also sorted by “local” and “traded” categories:

1. **Build on Antioch’s existing core strengths.** In some cases (e.g., health services), the core clusters represent strong continuing growth opportunities that could be the focus of business expansion/attraction efforts. In other cases (e.g., the retail industry), the existing core clusters are currently recognized nationally as non-growth or declining industries (in these cases, the City’s industry targeting efforts would appropriately focus on retention/repositioning).
2. **Tap into dominant East Bay clusters that are not currently well represented in Antioch.** This strategic approach leverages Antioch’s competitive strengths to capture increasing shares of projected East Bay employment growth. This component of the City’s business attraction/marketing program would focus on the Antioch’s unique “selling points” relative to the larger Bay Area economy (including the City’s waterfront location, a resident workforce that includes large numbers of commuters potentially eager to work closer to home, and the availability of developable land suitable to land-intensive industries). In developing the preliminary list of candidates for the “tap into dominant East Bay clusters” strategy, the consultant has focused on clusters meeting the following criteria:
 - a. Traded clusters (local clusters are addressed in the other strategic approach);
 - b. Clusters that experienced a net gain in jobs between 2014 and 2019;
 - c. Clusters primarily oriented towards private business investment (in contrast to clusters that are substantially composed of public sector/nonprofit employment).¹

TABLE D. PRELIMINARY LIST OF CANDIDATE CLUSTERS FOR ANTIOCH’S TARGET INDUSTRY PROGRAM

Strategic Approach	Local-serving Clusters	“Traded” Clusters
<i>Build on (or facilitate repositioning of) Antioch’s existing core strengths</i>	<ul style="list-style-type: none"> • Health services • Retail/personal services • Hospitality • Local real estate and construction services • Food and beverage processing/distribution • Local utilities 	<ul style="list-style-type: none"> • Construction products (manufacturing) • Water transportation • Environmental services (waste management) • Distribution/electronic commerce

¹ Based on this criterion, the preliminary list excludes the “Local Community and Civic Organizations” clusters. Whereas civic organizations are clearly critical to a healthy local economy, they are not typically part of an industry attraction effort. As appropriate, the need to leverage or expand the roles of these organizations in Antioch will be addressed in other components of the overall Economic Development Strategic Plan.

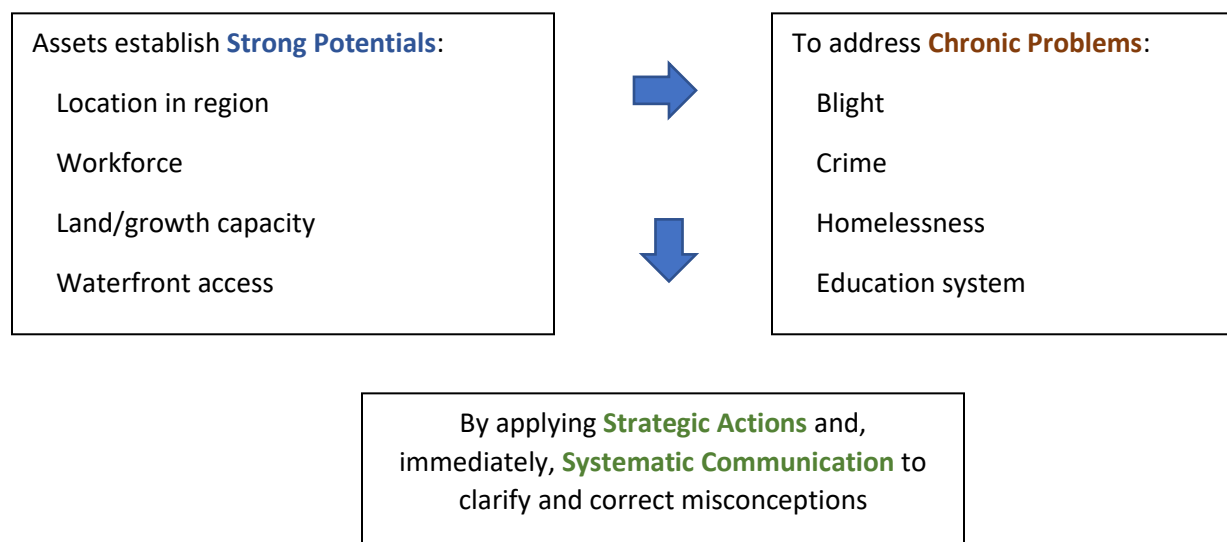
Tap into dominant East Bay industry clusters that are not currently well represented in the city		<ul style="list-style-type: none"> • IT and analytical instruments • Medical devices mfg. • Automotive mfg. • Biopharmaceuticals • Education and knowledge creation • Business services
--	--	---

Source: TNDG

Draft Citywide Strategies

Draft strategies – including initial observations on potential pandemic influences on strategies

The diagram below is a simplified summary of Antioch's current strategic situation:



The categorizations below also provides other ways of structuring economic development strategies.

Big-Picture Strategy Themes: Antioch shares some opportunities and challenges typical of suburban cities in dynamic urban regions:

- Some of Antioch's **historic economic functions are less relevant** today.
- Housing needed for workforce now **commuting towards the urban core**.
 - Always in **catch-up mode** to maintain jobs/housing balance.
 - Retail development **follows** new residential development.
- With its location, Antioch is competitive for a range of economic activity, but has **neighbors also competing**.

- Historic areas are **unique assets** but also require **ongoing investment**.

“Global” Implications of Pandemic Potentially Affecting Antioch:

- Outlying areas of metro regions could be more attractive for both living and working.
- Growing, evolving communities will tend to be more adaptable to possible re-designs of urban formats such as shopping centers, places of public assembly, etc.
- Access to open space in general will likely be more valued by residents.

Program Areas, Citywide. The strategic plan citywide program areas outlined below represent a comprehensive approach to supporting Antioch’s competitiveness. A total of 14 programs are grouped into three overarching categories:

Category 1: The core “business” of economic development: Actions the City can undertake largely on its own without necessarily having to commit substantial additional resources. These include:

1. Development streamlining
2. Diversify economy (industry/cluster targeting program)
3. Existing business retention/expansion
4. Marketing / business attraction

Category 2: Improving critical foundational conditions (substantial investment or creative use of limited resources): These are items that may require capital investments or other major resource commitments. Alternatively, to the extent funds are restricted, programmatic focus might shift toward low-cost design solutions. These include:

5. Crime reduction efforts
6. Blight reduction efforts
7. Programs to reduce homelessness
8. Other Quality of Life initiatives - including coordinating how City entities such as the Recreation Department, Marina and others maintain a Quality of Life programmatic and marketing orientation
9. Placemaking (e.g., downtown)
10. Targeted infrastructure investment

Category 3: External partner focus: The City may have primarily a convening or other facilitating/coordinating role, encouraging partners to, potentially, align pursuit of their own interests with those of the City. These include:

11. K-12 Education
12. Workforce development
13. Entrepreneurial development
14. Leverage philanthropic resources

The programs in the three categories, taken together, constitute a cross-section of: a) levels of effort, b) internal and external entities, and c) subject matter.

Discussion with Chief Brooks, Antioch Police Department

Because of the particular sensitivity of urban policing issues today, TNDG coordinated with Economic Development staff to conduct a key informant interview with Chief Brooks, to explore ways by which the strategic plan could relate most meaningfully to law enforcement in the community. The conversation focused on integrating relevant policing issues into other strategies. One of the key points was that the strategic emphasis should be on both recognizing the severity of certain issues and methods of enhancing communication with the public. It was noted that the City of Stockton may have relevant models for this, which TNDG has investigated and incorporated into draft strategies.

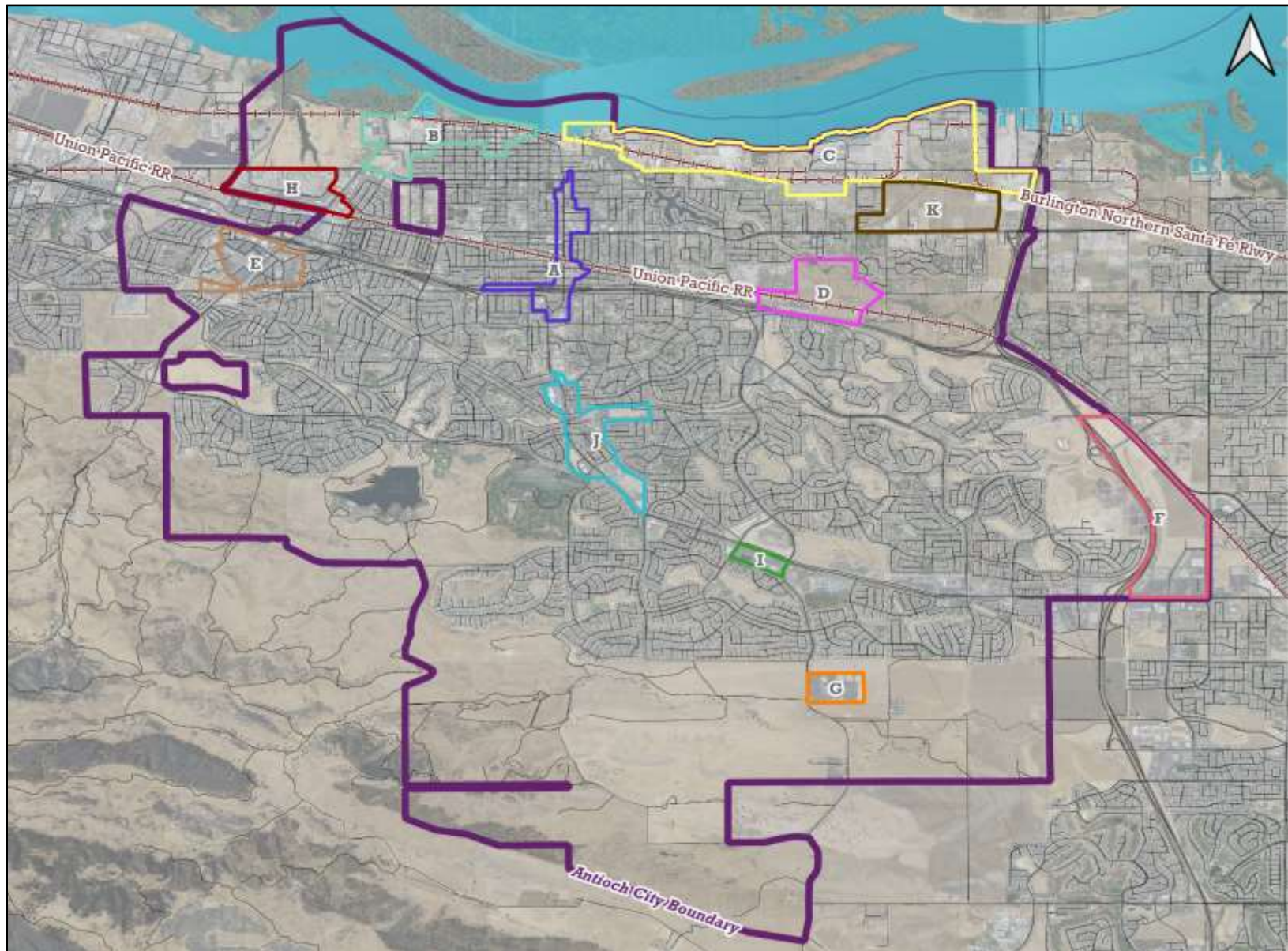
Development Focus Areas and Selection of Two Areas for Detailed Strategy Development

Summary of Focus Area evaluations

The Natelson Dale Group identified and evaluated the following 11 focus areas within Antioch with the intent, as per this project's scope of work, of prioritizing two sites that would each maximize the potential for near-term economic and fiscal impact from development or revitalization/repurposing. Strategies for the two sites are to be coordinated within the overall economic development strategic planning process. The focus areas are listed below and shown on the following map.

- A - A Street Interchange
- B - Marina/Downtown
- C - Wilbur Avenue / Eastern Waterfront
- D - Hillcrest Station Area
- E - Somersville
- F - Lone Tree / Slatten Ranch
- G - Kaiser / Sand Creek
- H - Costco Area
- I - AMC Theater Area
- J - Sutter Delta Hospital Area
- K - East 18th Street Specific Plan area

EVALUATED DEVELOPMENT FOCUS AREAS



Source: TNDG

**Economic Development Baseline and Strategic Plans
Status Briefing for City Council**
The Natelson Dale Group, Inc.

These focus areas had been previously identified, in various forms and in some cases revised, in planning and other study documents for the City over a period of many years. TNDG worked closely with Economic Development staff to refine area boundaries, assemble relevant data from various sources and prepare methods for evaluating these properties. The evaluation process included qualitative assessments by the consultants of 18 factors for each of the 11 areas, which were subsequently given numerical scores based on a scale unique to each line item.

In the next phase of the evaluation process, the 11 areas were divided into two categories:

- Areas A, B, C, E, H, I, J, and K were assigned to the category "Investment in blight reduction," which referred to the fact that these areas included properties that would require redevelopment/revitalization efforts
- Areas D, F, and G were assigned to the category "greenfield development"

Additional "summary" scores were applied to the focus areas within these two categories, based on the following:

- Capacity/cost to develop: Capacity rating is based on size of area plus vacant land as a proportion of total. Costs assumed to be generally higher for redevelopment, so the likely scale of projects is a factor.
- Potential economic and fiscal impact: Size of area and likely scale of individual projects are factors.
- Potential to encourage other development: Potential impact of the project based on visibility, likely scale of typical project.
- Complexity and cost to plan and initiate: Probable range of options, availability of interested parties, etc.

Selection of 2 areas for additional strategy development

Following additional discussions with Economic Development staff, one area was selected from each of the two categories of "blight reduction" and "greenfield development" for additional strategic focus, based primarily on the summary scores. The two areas are listed below, and key characteristics of each are shown in the following table.

1. Somersville Mall (Area E), for blight reduction, and
2. Slatten Ranch (Area F), for greenfield development

TWO SELECTED PROPERTIES

Characteristic	Somersville Mall (Area E) Blight Reduction	Slatten Ranch (Area F) Greenfield Development
Estimated Existing Jobs	1,788	1,417
Total Acres	128	315.5
<i>Highest employment (top 3)</i>		
	Health Care	Retail
	Retail	Accommodation/Food Svc
	Accommodation/Food Svc	Other Services

Selecting an area from each of the two categories was in keeping with one of the principles of the economic development strategic planning process, namely to expedite immediate development options within the community (greenfield development) and also tackle longer-term challenges associated with area revitalization, including a focus on the concept that successful revitalization could benefit the community generally.

CITY COUNCIL MEETING

Regular Meeting
7:00 P.M.

August 11, 2020
Meeting Conducted Remotely

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at www.antiochca.gov). The City Council meeting was conducted utilizing Zoom Audio/Video Technology.

6:30 P.M. - CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to California Government Code section 54956.9(d)(1): Mark Owens Jordan v. City of Antioch, United States District Court Northern District of California Case No. 20-cv-04429-SK.

City Attorney Smith reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, no reportable action.

Mayor Wright called the meeting to order at 7:00 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Motts, Thorpe, Ogorchock and Mayor Wright

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, had made the Antioch City Council meeting available via Comcast channel 24, AT&T U-verse channel 99, or live stream at www.antiochca.gov. Anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, (2) by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or (3) by dialing (925) 776-3057 during the meeting.

1. INTRODUCTION OF NEW CITY EMPLOYEES

Finance Director Merchant introduced Mark Hadox, Accountant I who thanked Finance Director Merchant for the introduction and stated he was pleased to be working for the City of Antioch.

Mayor Wright welcomed Mark Hadox to the City of Antioch.

Code Enforcement Manager Michael introduced Fabian Velazquez Magana, Code Enforcement Officer who thanked Code Enforcement Manager Michael for the introduction and the City for giving him the opportunity to work in Antioch.

Mayor Wright welcomed Fabian Velazquez Magana to the City of Antioch.

Chief Brooks introduced Dustin Dibble, Police Officer who was unable to connect to the meeting via zoom.

Chief Brooks introduced Matthew Mulholland, Police Officer who thanked Chief Brooks for the introduction and stated he was proud to address the Council and serve the residents of Antioch.

Mayor Wright welcomed Matthew Mulholland to the City of Antioch.

Chief Brooks introduced Diane Nieves, Police Records Technician who stated she was happy to join the team and be part of the community.

Mayor Wright welcomed Diane Nieves to the City of Antioch.

Chief Brooks introduced Antonio Quintanilla, Police Records Technician who stated he was excited to be a part of the team and serve the community.

Mayor Wright welcomed Antonio Quintanilla to the City of Antioch.

Chief Brooks introduced Lisa Reinke, Crime Analyst who thanked Chief Brooks for the introduction and stated she looked forward to having the opportunity to support the Antioch Police Department and community.

Mayor Wright welcomed Lisa Reinke to the City of Antioch.

Chief Brooks introduced Joshua Egan, Police Officer who thanked Chief Brooks for the introduction and the City Council for the recognition.

Mayor Wright welcomed Joshua Egan to the City of Antioch.

Director of Public Works/City Engineer Samuelson introduced Manuel Hicks, Water Treatment Plant Maintenance Worker II who was unable to join the meeting this evening.

Director of Public Works/City Engineer Samuelson introduced Matthew Taylor, Water Treatment Plant Supervisor who stated he looked forward to his career in Antioch.

Mayor Wright welcomed Matthew Taylor to the City of Antioch.

Director of Public Works/City Engineer Samuelson introduced Brian Pitts, Lead Street Maintenance Worker who thanked Director of Public Works/City Engineer Samuelson for the

introduction, Council for their time and stated he looked forward to opportunity to serve the City of Antioch.

Mayor Wright welcomed Brian Pitts to the City of Antioch.

Director of Public Works/City Engineer Samuelson introduced Kasey Slick, Maintenance Worker who was unable to join the meeting this evening.

Director of Public Works/City Engineer Samuelson introduced Trino Barajas, Public Works Inspector who thanked Director of Public Works/City Engineer Samuelson for the introduction and the opportunity to work in Antioch.

Mayor Wright welcomed Trino Barajas to the City of Antioch.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – None

PUBLIC COMMENTS

Kevin McMananan, Antioch resident, provided written comment reiterating his concerns regarding the Antioch Police Department.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Ogorchock announced the Stuff the Bus giveaway would be held at 11:00 A.M. on August 15, 2020 in the parking lot of Somersville Towne Center.

Councilmember Motts reported on her attendance at the Lone Tree Golf Course Committee meeting with Mayor Wright.

MAYOR'S COMMENTS

Mayor Wright wished all Councilmembers good luck during the November election season and thanked them for their service.

2. PRESENTATION

Fire Chief Lewis Broschard, Contra Costa County Fire Protection District

Fire Chief Lewis Broschard, Contra Costa County Fire Protection District gave a Contra Costa County Fire Protection District Overview PowerPoint presentation. He encouraged the community to log onto <http://www.alertwildfire.org/> for access to cameras throughout the United States and sign up for the community warning system at cccfld.org.

Mayor Wright thanked Chief Broschard his time this evening. He wished him and his staff safety during this time.

3. CONSENT CALENDAR

- A. APPROVAL OF COUNCIL MINUTES FOR JUNE 23, 2020
- B. APPROVAL OF SPECIAL MEETING MINUTES FOR JUNE 30, 2020
- C. APPROVAL OF COUNCIL MINUTES FOR JULY 28, 2020
- D. APPROVAL OF ADJOURNED REGULAR COUNCIL MEETING MINUTES FOR JULY 31, 2020
- E. APPROVAL OF COUNCIL WARRANTS
- F. REJECTION OF CLAIM: SARBJIT CHOCHAN AND HARPREET SINGH
- G. ORDINANCE NO. 2188-C-S AND ORDINANCE NO. 2189-C-S SECOND READING – THE RANCH MASTER DEVELOPMENT PLAN (GP-20-01, MDP-20-01) (*Introduced on 07/28/20*)
- H. RESOLUTION NO. 2020/123 AUTHORIZE RESPONSE TO THE GRAND JURY REPORT “POLICE DEPARTMENT STAFFING” REPORT 2004
- I. RESOLUTION NO. 2020/124 ANTIOCH MUNICIPAL RESERVOIR AQUATIC VEGETATION REMOVAL PROJECT (P.W. 453-1)
- J. RESOLUTION NO. 2020/125 SUNSET AND BEAR RIDGE BOOSTER PUMP STATION UPGRADES (P.W. 355-G)
- K. RESOLUTION NO. 2020/126 ADOPTING THE MEASURE J GROWTH MANAGEMENT PROGRAM COMPLIANCE CHECKLIST FOR REPORTING CALENDAR YEARS 2018 AND 2019 FOR THE SALES TAX/TRANSPORTATION INITIATIVE
- L. RESOLUTION NO. 2020/127 BRIGHT SECURITY INTEGRATIONS SOLE SOURCE REQUEST FOR CAMERA DATA STORAGE FEES AND MISCELLANEOUS REPAIRS, PROJECTS, AND NEW INTEGRATIONS
- M. RESOLUTION NO. 2020/128 APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH AL FRESCO LANDSCAPING, INC. INCREASING THE CONTRACT AMOUNT FOR ADDITIONAL LANDSCAPE ENHANCEMENT SERVICES IN VARIOUS RIGHTS-OF-WAYS THROUGHOUT THE STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICTS (SLLMDS) AS ALLOWABLE
- N. RESOLUTION NO. 2020/129 APPROVING AGREEMENT FOR WATER PARK REPAIR AND MAINTENANCE SERVICES WITH SOLE SOURCE JUSTIFICATION
- O. RESOLUTION NO. 2020/130 COMPENSATION STUDY

P. RESOLUTION NO. 2020/131 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE ANTIOCH UNIFIED SCHOOL DISTRICT FOR THE COMCAST INTERNET ESSENTIAL SPONSORED SERVICES PROGRAM

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously approved the Council Consent Calendar.

PUBLIC HEARING

4. DENSITY BONUS ORDINANCE AMENDMENTS (Z-20-02)

City Manager Bernal introduced Public Hearing Item #4.

Associate Planner Merideth presented the staff report dated August 11, 2020 recommending the City Council introduce an ordinance amending Title 9 of Chapter 5 of the Antioch Municipal Code related to residential density bonuses.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously introduced an ordinance amending Title 9 of Chapter 5 of the Antioch Municipal Code related to residential density bonuses.

5. PRELIMINARY DEVELOPMENT PLAN FOR UNITED PACIFIC GAS STATION/ CONVENIENCE STORE/CAR WASH (PDP-20-01)

City Manager Bernal introduced Public Hearing Item #5.

Associate Planner Kevin Scudero presented the staff report dated August 11, 2020 recommending the City Council provide feedback to staff regarding the proposal and provide direction to the applicant for any future entitlement submittal.

Mayor Wright opened the public hearing.

Jeff Ferrell, Project Manager with Embree Asset Group, representing United Pacific, explained that the proposed convenience store was a new concept and the location was selected after market research found the site was highly viable for this business. He stated their proposal sought to provide essential service for the surrounding community and would employ 10-12 people. He acknowledged that the rezoning of the property would require them to do environmental research and determinations and they were prepared to move forward with all the required studies. He stated they were here this evening to receive feedback on their proposal.

Joel Keller thanked the City Council for hearing their proposal this evening and staff for the report. He discussed his community outreach efforts and noted residents in the area described the property as a junkyard and not an asset to the neighborhood. He commented that their

concerns regarding noise, odor, and lighting would be addressed in the environmental process. Additionally, he noted they would continue community outreach and broaden the area to ensure neighbors had the opportunity to provide input prior to the project returning to the Planning Commission. He reported that the Assistant Manager of the apartment complex in the area felt the project would be an asset for tenants.

Peter Tobin, Barghausen Engineers, provided the general layout of project and noted a land buffer would help mitigate the projects impacts. He clarified that curb cuts would be right in and right out driveways. He stated they were willing to add additional landscaping along Lone Tree Way and modify the architectural style to blend with the neighborhood. He explained that recessed lighting on the canopies would be motion activated and shielded from the residences. Additionally, the lighting behind the store would be low level. He agreed to work with staff on the design of the deceleration lane along Lone Tree Way and provide the required studies.

The following public comment was read into the record by Administrative Services Director Mastay.

Sandra White, Antioch resident and City Council Candidate District 4, provided written comment urging Council to reject the application from United Pacific Gas Station/Convenience Store stating that there was an oversaturation of these types of businesses in the area.

Mayor Wright closed the public hearing.

In response to Councilmember Motts, Austin Colley, Senior Development Manager, reported that approximately \$2M in gas revenue was leaving the City of Antioch, which showed a gap in the market and the need for another station in the area.

Councilmember Wilson requested staff discuss possible alternative development opportunities for this site.

Councilmember Ogorchock discussed the need for gas stations in the area and noted the applicant proposed a good product.

Councilmember Thorpe stated that it seemed like a worthy opportunity considering there had been no interest in development of the property.

Mayor Wright stated that this property was blighted and while he preferred it to be developed as office space, he understood that it was not likely to occur in the near future. He commented that this would give residents the opportunity to purchase fuel in Antioch and allow Antioch to capture the tax dollars. He noted with staff's recommendations addressed, he would support further consideration of the project.

In response to Mayor Wright, Jeff Ferrell stated they had discussed staff's recommendations with United Pacific Gas Station and their design consultant, and they were willing to do what was needed to accommodate the City.

Councilmember Motts stated her concerns were related to the health risk assessment, emissions, historical significance of the site and the deceleration lane as well as the proximity to the park related to alcohol sales and a 24-hour business.

Councilmember Wilson stated she could not support the project because she believed the site should be utilized for something other than a gas station/convenience store.

Councilmember Ogorchock stated her main concern was for alcohol sales near the park. She reported people were currently living on the property and she discussed the historical value of barn on the property.

Joel Keller stated as the project moved forward there would be an analysis of the buildings on the property to determine their historical value. He commented going forward they would address the specific comments they had received.

COUNCIL REGULAR AGENDA

6. DISCUSSION ON ANTIOCH SMALL BUSINESS COVID-19 RECOVERY, RETENTION, AND THRIVING PLAN CONCEPTS

City Manager Bernal introduced Regular Agenda Item #6.

Director of Economic Development Reed presented the staff report dated August 11, 2020 and Economic Development Vice Chair Tracey Nicks presented a PowerPoint presentation recommending the City Council provide direction on the Economic Development Commission's recommendation for the Antioch Small Business COVID-19 Recovery, Retention, and Thriving Plan ("Plan").

Councilmember Motts thanked the Economic Development Commission (EDC) for their efforts. She explained that restaurants needed assistance immediately and suggested parklets or something similar, to facilitate outdoor dining downtown.

Mayor Wright thanked the EDC for the report noting that he appreciated their expertise.

Director of Economic Development Reed discussed the City's branding opportunities and noted that they would be working with Evviva Brands to partnership with larger businesses to match some funding.

Mayor Wright suggested an Opportunity Lives Here/Shop Antioch/Local campaign marketing concept. He supported developing processes to assist restaurants in opening outdoor dining.

Director of Economic Development Reed reported a budget item would be coming to Council at the next meeting and they could delay discussion on funding specific programs until then. He noted \$120,000 could be re-programmed from the current Economic Development budget and there was also funding through CARES relief.

Following discussion, the City Council directed staff to utilize no-cost resource opportunities that could educate and provide guidance to small businesses. The Council would like to continue doing things that are budgeted and programmed while streamlining the City processes for businesses that could operate outside. The Council would like staff to incorporate the Antioch Chamber of Commerce and Economic Development Commission into efforts related to resources and support when possible. Council also directed staff to proceed with business license relief and grants to assist Antioch small business' COVID-19 recovery efforts.

7. BRACKISH WATER DESALINATION PROJECT (P.W. 694)

City Manager Bernal introduced Regular Agenda Item #7.

Director of Public Works/City Engineer Samuelson presented the staff report dated August 11, 2020 recommending the City Council receive and file the status update on the Brackish Water Desalination Project ("Project").

Mayor Wright thanked Director of Public Works/City Engineer Samuelson for the report and Walter Bishop for his efforts in Sacramento to facilitate this project.

In response to Mayor Wright, Director of Public Works/City Engineer Samuelson stated once they finalized the agreement for the SRF loan and receive plans, they were prepared to go out to bid.

Walter Bishop commented that the permits were processed with no public comment which was a credit to the team who put this project together.

The City Council thanked and congratulated staff and the consultants for all their hard work on the project.

8. DESIGNATION OF A VOTING DELEGATE AND ALTERNATE DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND AUTHORIZATION FOR ASSOCIATED CONFERENCE EXPENSES NOT TO EXCEED \$250 PER PARTICIPANT

City Manager Bernal introduced Regular Agenda Item #8.

Administrative Services Director Mastay presented the staff report dated August 11, 2020 recommending the City Council appoint a Voting Delegate and Alternate Delegate for the 2020 League of California Cities Annual Conference. It is further recommended that the Council authorize the associated conference expenses for one participant in an amount not to exceed \$250.

On motion by Councilmember Wilson, seconded by Councilmember Thorpe the City Council unanimously appointed Councilmember Ogorchock as Voting Delegate for the 2020 League of California Cities Annual Conference.

Mayor Wright volunteered to continue to serve as the Alternate Delegate.

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council unanimously appointed Councilmember Motts as Alternate Delegate for the 2020 League of California Cities Annual Conference.

PUBLIC COMMENTS

The following public comments were read into the record by Administrative Services Director Mastay.

Patricia Granados, Antioch resident, provided written comment reiterating concerns regarding the Antioch Police Department.

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS

Mayor Wright announced that the City had received the RFP for the mediator for upcoming dialog on Police Reform and Cultural Relations and they were going through the process now.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously adjourned the meeting at 9:46 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk

**CITY COUNCIL MEETING
INCLUDING THE ANTIOCH CITY COUNCIL
ACTING AS HOUSING SUCCESSOR
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Special/Regular Meeting
7:00 P.M.**

**August 25, 2020
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at www.antiochca.gov). The City Council meeting was conducted utilizing Zoom Audio/Video Technology.

Mayor Wright called the Special Meeting/Study Session to order at 6:01 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Thorpe, Ogorchock and Mayor Wright
Absent: Council Member Motts (arrived at 6:04 P.M.)

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease, had made the Antioch City Council meeting available via Comcast channel 24, AT&T U-verse channel 99, or live stream at www.antiochca.gov. Anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at <https://www.antiochca.gov/government/city-council-meetings/live/>, (2) by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or (3) by dialing (925) 776-3057 during the meeting.

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

STUDY SESSION

1. FISCAL YEAR 2020-21 BUDGET UPDATE

City Manager Bernal introduced Agenda Item #1.

Finance Director Merchant presented the staff report dated August 25, 2020 recommending the City Council receive the Fiscal Year 2020-21 Budget update and provide direction to staff. She stated she would be coming back to Council in late fall with more accurate budget figures and better estimates for reappropriated capital projects and purchase orders.

In response to Councilmember Motts, Finance Director Merchant explained that some housing developments had been delayed due to COVID-19 and other circumstances, so property tax assessment had been reduced to 5.9 percent. She reported that they received \$106k more in cannabis revenue than was originally budgeted. She commented that once they received data for July, August and September they would do a trend analysis to see how to adjust current year projections.

Councilmember Thorpe thanked Finance Director Merchant for the report and for providing an explanation regarding property tax projections.

Councilmember Ogorchock thanked Finance Director Merchant for the report and for clarifying property tax revenue projections. She stated she understood the consultants were taking the conservative approach and she was pleased to hear the other post-employment benefits (OPEB) projections. She stated she looked forward to receiving more accurate numbers in the fall.

Finance Director Merchant reported that since Council had decided fund the full actuarial determined contribution (ADC) it reduced the OPEB unfunded liability by approximately \$25M, from the prior year.

Councilmember Wilson thanked Finance Director Merchant for the report.

In response to Councilmember Wilson, Finance Director Merchant reported the time had expired for the Nokes Auto Dealership agreement, so was taken out of the budget.

Mayor Wright thanked Finance Director Merchant for the update. He congratulated Council for agreeing to fund the full ADC for OPEB.

In response to Mayor Wright, Finance Director Merchant stated they would come back in the Fall with a budget item, which would include more accurate projections.

PUBLIC COMMENT – None

ADJOURNMENT OF SPECIAL MEETING/STUDY SESSION

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously adjourned the Special Meeting/Study Session at 6:23 P.M.

Mayor Wright called the meeting to order at 7:00 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Motts, Thorpe, Ogorchock and Mayor Wright
Absent: Councilmember Thorpe – arrived at 7:01 P.M.

PLEDGE OF ALLEGIANCE

Mayor Wright led the Council and audience in the Pledge of Allegiance.

ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS – None

PUBLIC COMMENTS

The following public comments were read into the record by Administrative Services Director Mastay.

William Davis Watkins provided written comment expressed concern that the City Council had funded School Resource Officers at a time when school was distance learning.

Michelle Parmenter, Victoria Williams, Vice President of Antioch Council of Teens and Tracy Davis Watkins provided written comment calling for the removal of Officer Mellone from the Antioch Police Department and in support of the City funding community-based resources.

Audrey Davis provided written comment requesting an update regarding the status of town hall meetings and hiring someone to facilitate those discussions.

Megan Watson provided written comment calling for the removal of Officers Mellone and Aiello. She questioned Antioch Police Department had removed a homeless encampment.

Patricia Granados provided written comment discussed police misconduct and spoke in support of the City facilitating open conversations regarding this issue.

Nicole Gardner provided written comment in support of the City opening the Nick Rodrigues Center as a cooling center for the homeless and requesting that it be kept open because the fires had caused bad air quality.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

Andrew Becker reported that he had been corresponding with representatives from the City of Martinez regarding their weekly shower program for the homeless. He reported he had reached out to see if they would be interested in collaborating with Antioch.

COUNCIL SUBCOMMITTEE REPORTS/COMMUNICATIONS

Councilmember Wilson announced that Tri Delta Transit would be meeting on August 25, 2020 and reported on her attendance with Councilmember Thorpe at the Cannabis Standing Committee meeting.

Councilmember Thorpe stated his committee report was the same as Councilmember Wilson.

Mayor Wright reported on his attendance at TRANSPLAN meeting.

MAYOR'S COMMENTS

Mayor Wright announced that he was working with Councilmember Thorpe on the interview process for the facilitator for the Town Hall Meetings. He recognized all the firefighters who were working hard to quell the wildfires.

2. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
 - A. **APPROVAL OF SPECIAL MEETING MINUTES FOR JUNE 30, 2020**
 - B. **APPROVAL OF COUNCIL MINUTES FOR JULY 28, 2020**
 - C. **APPROVAL OF ADJOURNED REGULAR COUNCIL MEETING MINUTES FOR JULY 31, 2020**
 - D. **APPROVAL OF COUNCIL MINUTES FOR AUGUST 11, 2020**
 - E. **APPROVAL OF COUNCIL WARRANTS**
 - F. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**
 - G. **ORDINANCE NO. 2190-C-S SECOND READING – DENSITY BONUS ORDINANCE AMENDMENTS (Z-20-02) (*Introduced on 08/11/20*)**
 - H. **AB 2923 – BART TRANSIT ORIENTED DEVELOPMENT UPDATE**
 - I. **RESOLUTION NO. 2020/132 PUBLIC SAFETY POWER SHUTOFF (“PSPS”) AGREEMENT**
 - J. **RESOLUTION NO. 2020/133 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE CURB, GUTTER, AND SIDEWALK REPAIR INCLUDING TREE REMOVAL AND STUMP GRINDING AND INSTALLATION OF CONCRETE CURB RAMPS AT MISCELLANEOUS LOCATIONS (2017-2018) (P.W. 507-16)**
 - K. **RESOLUTION NO. 2020/134 ACCEPTANCE OF WORK AND NOTICE OF COMPLETION FOR THE INSTALLATION OF CURB RAMPS AT VARIOUS LOCATIONS (P.W. 409-6)**
 - L. **RESOLUTION NO. 2020/135 ACCEPTING COMPLETED IMPROVEMENTS AND THE RELEASE OF BONDS FOR QUAIL COVE, TRACT NO. 7938 (P.W. 696)**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar.

COUNCIL REGULAR AGENDA

3. POLICE CRIME PREVENTION COMMISSION APPOINTMENTS FOR ONE VACANCY EXPIRING JUNE 2023 AND ONE VACANCY EXPIRING OCTOBER 2021

Mayor Wright nominated Jack Bruckman to fill one Police Crime Prevention Commission vacancy expiring June 2023 and Robert Munton to fill one Police Crime Prevention Commission vacancy expiring October 2021 on the Police Crime Prevention Commission.

RESOLUTION NO. 2020/141

On motion by Councilmember Wilson, seconded by Councilmember Motts the City Council unanimously appointed by resolution Jack Bruckman to fill one Police Crime Prevention Commission vacancy expiring June 2023 and Robert Munton to fill one Police Crime Prevention Commission vacancy expiring October 2021 on the Police Crime Prevention Commission.

4. RESOLUTION AMENDING THE FISCAL YEAR 2020/21 BUDGET FOR THE ALLOCATION OF \$300,000 IN CARES ACT FUNDING AND REPROGRAMMING OF \$120,000 IN THE ECONOMIC DEVELOPMENT DEPARTMENTS BUDGET TOWARDS COVID-19 SMALL BUSINESS RELIEF INCLUDING \$15,000 FOR THE ANTIOCH CHAMBER OF COMMERCE FOR THE PURPOSE OF ADMINISTERING THE SMALL BUSINESS GRANT PROGRAM

Mayor Wright announced that due to his association with the Antioch Chamber of Commerce, he would be recusing himself from item #4. He turned the meeting over to Mayor Pro Tem Motts and disconnected his video feed.

City Manager Bernal introduced Regular Agenda Item #4.

Director of Economic Development Reed presented the staff report dated August 25, 2020 recommending the City Council adopt a resolution to approve amending the fiscal year 2020/21 budget for the allocation of \$300,000 in CARES Act funding and reprogramming of \$120,000 in the Economic Development Department budget towards COVID-19 small business relief including \$15,000 for the Antioch Chamber of Commerce for the purpose of administering the small business grant program.

Councilmember Thorpe thanked Director of Economic Development Reed for the report and spoke in support of the Chamber of Commerce playing a role in the program.

In response to Councilmember Thorpe, Director of Economic Development Reed explained that the Economic Development Department would be provide oversight of funding distributed by the City.

In response to Councilmember Wilson, Director of Economic Development Reed provided an estimated timeline for the application process.

Councilmember Ogorchock thanked Director of Economic Development Reed and the EDC for developing this program.

In response to Councilmember Ogorchock, Director of Economic Development Reed clarified that businesses that had not been allowed to reopen would be eligible to apply. He stated staff and the Chamber would push the information out and if EDC members had the ability, they could also participate in outreach.

Mayor Pro Tem Motts discussed the importance of reaching out to the entire business community, as soon as possible. She requested an amendment to the resolution to include \$15K of CARES Act funding for barricades and labor associated, for outdoor dining.

In response to Councilmember Ogorchock, City Attorney Smith confirmed that the outdoor dining funding request fell within the scope of this agenda item.

City Manager Bernal commented the outdoor dining proposal would require an amendment to for the expenditure of the funds and it would be up to Council to determine if it was an appropriate use. He explained that it would cost approximately \$15k to purchase and install barriers for a 120-foot section. He commented that Council could utilize part of the \$300k in CARES Act funding or increase the total amount of allocation to \$315k for the dining proposal.

RESOLUTION NO. 2020/136

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council members present unanimously adopted a resolution to approve amending the fiscal year 2020/21 budget for the allocation of \$315,000 in CARES Act funding and reprogramming of \$120,000 in the Economic Development Department budget towards COVID-19 small business relief including \$15,000 for the Antioch Chamber of Commerce for the purpose of administering the small business grant program. The motion carried the following vote:

Ayes: Wilson, Thorpe, Ogorchock, Motts

Mayor Wright returned to the meeting.

5. SAND CREEK FOCUS AREA ALTERNATIVE PLANNING PROCESS

City Manager Bernal introduced Regular Agenda Item #5.

Director of Community Development Ebbs presented the staff report dated August 25, 2020 recommending the City Council adopt a Resolution repealing Resolution 2005/41 and amending the Sand Creek Focus Area Alternative Planning Process.

RESOLUTION NO. 2020/137

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adopted a Resolution repealing Resolution 2005/41 and amending the Sand Creek Focus Area Alternative Planning Process.

6. TRAFFIC CALMING POLICY (P.W. 282-19)

City Manager Bernal introduced Regular Agenda Item #6.

Director of Public Works/City Engineer Samuelson presented the staff report dated August 25, 2020 recommending the City Council adopt a resolution approving an amendment of the City of Antioch's Traffic Calming Policy ("Policy").

Mayor Wright thanked Director of Public Works/City Engineer Samuelson for the report.

Councilmember Ogorchock spoke in support of staff's recommendation and she suggested traffic calming measures be prioritized in school zones.

Director of Public Works/City Engineer Samuelson recommended that staff look at additional enhancements in areas adjacent to high pedestrian generating facility.

RESOLUTION NO. 2020/138

On motion by Councilmember Ogorchock, seconded by Councilmember Motts the City Council unanimously adopted a resolution approving an amendment of the City of Antioch's Traffic Calming Policy ("Policy").

7. CREATION OF A TRAFFIC CALMING AD HOC COMMITTEE

City Manager Bernal introduced Regular Agenda Item #7.

Councilmember Thorpe withdrew his request for the creation of a Traffic Calming Ad Hoc Committee since Council had adopted a Traffic Calming Policy with the previous agenda item.

8. NORTHEAST ANTIOCH ANNEXATION UTILITY CONNECTION FEES

City Manager Bernal introduced Regular Agenda Item #8.

Director of Public Works/City Engineer Samuelson presented the staff report dated August 25, 2020 recommending the City Council provide direction regarding providing financial assistance for utility connection fees to customers in the Northeast Antioch Annexation area.

Councilmember Ogorchock reported a resident on Viera Lane had discussed a promise by the City that utility connections would go to his house. She questioned how many people had approached the City asking for assistance in bringing sewer and water to their property.

City Manager Bernal stated that he was only aware of one person requesting assistance.

Director of Public Works/City Engineer Samuelson stated he was not aware of any requests for assistance for connections from this neighborhood.

Councilmember Ogorchock reported that a resident was attempting to refinance his property and could not proceed because it was a private street. She noted another resident reported he was losing his well due to PG&E conducting rolling black outs.

Following discussion, City Manager Bernal stated that staff would investigate financing options for the property owners and what it would take to bring private streets up to public street standards. He added that they would also attempt to find solutions for the property owners to economically and reasonably tie into sewer and water, in the future.

9. RESOLUTION APPROVING A NEW CLASS SPECIFICATION OF UNHOUSED RESIDENT COORDINATOR, ASSIGNING A SALARY RANGE, HAVING THIS SALARY RANGE PLACED ON THE HOURLY CLASSIFICATIONS SALARY SCHEDULE, AND AUTHORIZING THE APPROPRIATE BUDGET ADJUSTMENT

City Manager Bernal introduced Regular Agenda Item #9.

Administrative Services Director Mastay presented the staff report dated August 25, 2020 recommending the City Council adopt a resolution: 1) Approving the class specification of Unhoused Resident Coordinator; and 2) Assigning the Unhoused Resident Coordinator classification to a salary range and having this salary range placed on the hourly classification salary schedule; and 3) Authorize the Appropriate Budget Adjustments.

Councilmember Motts and Mayor Wright stated they believed this position would be significant in helping the City address the homelessness issue.

Mayor Wright stated that this position was needed and would enable City Manager Bernal to focus on other things.

RESOLUTION NO. 2020/139

On motion by Councilmember Thorpe, seconded by Councilmember Motts the City Council unanimously adopted a resolution: 1) Approving the class specification of Unhoused Resident Coordinator; and 2) Assigning the Unhoused Resident Coordinator classification to a salary range and having this salary range placed on the hourly classification salary schedule; and 3) Authorize the Appropriate Budget Adjustments.

10. RESOLUTION FOR APPROVING A PARTIAL CHANGE IN OWNERSHIP OF ALLUVIUM, INC.

City Manager Bernal introduced Regular Agenda Item #10.

City Attorney Smith presented the staff report dated August 25, 2020 recommending the City Council adopt the resolution approving a partial change in ownership of Alluvium, Inc.

Ryan Johnson, representing Cookies Inc., stated he was available to answer any questions regarding their partnership with Alluvium to develop the Lemonnade site in Antioch. He noted they took pride in integrating into and giving back to local communities.

Daniel Firtel representing Cookies Inc., gave a brief history of their business and stated they were pleased to be opening the Lemonnade concept in Antioch. He stated that they believed the City would be very happy with the buildout, operation and the benefits they would be providing to the community.

The following public comments were read into the record by Administrative Services Director Mastay.

Candance Ireland, Antioch resident and Patti O'Brien representing Alluvium provided written comment in support of the resolution approving a partial change in ownership of Alluvium, Inc.

In response to Councilmember Ogorchock, Nima Gabbay explained both owners of Alluvium would retain ownership in the company and once opened for operation Alluvium would have 30% ownership.

RESOLUTION NO. 2020/140

On motion by Councilmember Thorpe, seconded by Councilmember Wilson the City Council unanimously adopt the resolution approving a partial change in ownership of Alluvium, Inc.

11. WATERFRONT REVITALIZATION AD HOC COMMITTEE DISSOLUTION OR CREATION OF A STANDING COMMITTEE

City Manager Bernal introduced Regular Agenda Item #11.

City Manager Bernal/Administrative Services Director Mastay presented the staff report dated August 25, 2020 recommending the City Council take the following actions: 1) Receive an update from Committee members of the Waterfront Revitalization Ad Hoc Committee on their ad hoc committee activities. 2) Determine whether to extend the ad hoc committee, dissolve the ad hoc committee or create a standing committee.

Councilmember Wilson and Councilmember Motts reported on the Waterfront Ad Hoc Committee and requested Council consider that it be dissolved to form a Standing Committee.

Following discussion, Mayor Wright thanked Councilmember Wilson and Councilmember Motts for their efforts and announced that consideration of the Waterfront Standing Committee would be placed on the September 8, 2020 City Council agenda.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS – None

COUNCIL COMMUNICATIONS

Councilmember Ogorchock requested staff agendaize insurance opportunities for sewer lines from Delta Diablo to help with costs of failing systems.

Councilmember Motts requested staff agendaize Council consideration of additionally funding for Code Enforcement staffing and establishing a Keep Antioch Beautiful Day in October to coincide with a republic services free disposal day.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe the City Council unanimously adjourned the meeting at 8:54 P.M.

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Christina Garcia, CMC, Deputy City Clerk *Cg*

APPROVED BY: Nickie Mastay, Administrative Services Director *NM*

SUBJECT: City Council Meeting Minutes of September 8, 2020

RECOMMENDED ACTION

It is recommended that the City Council continue the Meeting Minutes of September 8, 2020.

FISCAL IMPACT

None

DISCUSSION

N/A

ATTACHMENT

None.

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

100 General Fund

Non Departmental

00389875	AFLAC	INSURANCE PREMIUM	6,020.57
00389896	BLUE SHIELD LIFE	COBRA VISION PREMIUM	4,189.60
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	43,362.27
00390007	CENTURY COMMUNITIES INC	REFUND ECC FEES	97,459.36
00390010	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
00390011	CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
00390028	HOKE, RICK	REFUND DEPOSIT	4,000.00
00390036	LAW OFFICE OF RUTHANN G ZIEGLER	LEGAL SERVICES RENDERED	4,977.50
00390041	LINA	PAYROLL DEDUCTIONS	3,784.26
00390049	MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	2,094.69
00390057	PARS	PAYROLL DEDUCTIONS	4,325.24
00390061	ROTO ROOTER SERVICES	OVERPAYMENT REFUND	223.56
00390063	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	100.00
00390064	STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
00390073	UNITED STATES POSTAL SERVICE	PRE PAID POSTAGE	11,000.00
00390075	VIVINT SOLAR INC	REFUND CBSC FEE	2.67
00937811	NATIONWIDE RETIREMENT SOLUTIONS	PAYROLL DEDUCTIONS	39,803.41
00937815	VANTAGEPOINT TRANSFER AGENTS	PAYROLL DEDUCTIONS	7,117.53
00937816	NATIONWIDE RETIREMENT SOLUTION	PAYROLL DEDUCTIONS	25,819.29

City Council

00389958	OFFICE DEPOT INC	OFFICE SUPPLIES	81.61
----------	------------------	-----------------	-------

City Attorney

00389958	OFFICE DEPOT INC	OFFICE SUPPLIES	43.67
00389969	SHRED IT INC	SHRED SERVICE	76.10
00389982	VERIZON WIRELESS	DATA SERVICE	54.22
00389995	ATKINSON ANDELSON LOYA RUUD AND ROMO	LEGAL SERVICES RENDERED	22,118.49
00389997	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	377.90
00390002	BERTRAND FOX & ELLIOT	LEGAL SERVICES RENDERED	1,966.34
00390003	BEST BEST AND KRIEGER LLP	LEGAL SERVICES RENDERED	20,342.40
00390008	COLE HUBER LLP	LEGAL SERVICES RENDERED	17,975.84
00390032	JACKSON LEWIS LLP	LEGAL SERVICES RENDERED	2,284.87
00390036	LAW OFFICE OF RUTHANN G ZIEGLER	LEGAL SERVICES RENDERED	4,455.00
00390039	LEXISNEXIS	LEXISNEXIS SUBSCRIPTION	222.00
00390043	MEYERS NAVE	LEGAL SERVICES RENDERED	17,696.03
00390070	TELECOM LAW FIRM PC	LEGAL SERVICES RENDERED	771.00
00937813	RAY MORGAN COMPANY	COPIER USAGE	152.20

City Manager

00389958	OFFICE DEPOT INC	OFFICE SUPPLIES	33.08
00389974	TERI BLACK AND COMPANY LLC	RECRUITING SERVICES	7,405.74
00389982	VERIZON WIRELESS	DATA SERVICE	89.67
00390000	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,203.58
00390016	COSTCO	OFFICE SUPPLIES	118.98
00390052	OFFICE DEPOT INC	OFFICE SUPPLIES	46.67
00390076	VOLER STRATEGIC ADVSIORS INC	CONSULTING SERVICES	8,000.00

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00937658	COMPUTERLAND	COMPUTER EQUIPMENT	3,467.81
00937813	RAY MORGAN COMPANY	COPIER USAGE	152.20
City Clerk			
00389969	SHRED IT INC	SHRED SERVICE	38.06
00389985	WESTAMERICA BANK	COPIER LEASE	270.80
00390078	EIDEN, KITTY J	MINUTES CLERK	3,268.75
City Treasurer			
00390024	GARDA CL WEST INC	ARMORED CAR PICKUP	164.34
00937739	PFM ASSET MGMT LLC	ADVISORY SERVICES	9,320.13
Human Resources			
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	124.36
00389924	FEDEX	SHIPPING	144.01
00389969	SHRED IT INC	SHRED SERVICE	76.11
00389985	WESTAMERICA BANK	COPIER LEASE	270.80
00389987	WILLIAMS, REGINA L	EXPENSE REIMBURSEMENT	29.86
00937658	COMPUTERLAND	COMPUTER EQUIPMENT	1,149.44
Economic Development			
00389982	VERIZON WIRELESS	DATA SERVICE	54.22
00937813	RAY MORGAN COMPANY	COPIER USAGE	152.20
Finance Administration			
00389985	WESTAMERICA BANK	COPIER LEASE	342.57
Finance Accounting			
00389969	SHRED IT INC	SHRED SERVICE	38.06
00389999	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	456.56
00390052	OFFICE DEPOT INC	OFFICE SUPPLIES	40.25
00937776	SUPERION LLC	ASP SERVICES	35,867.22
Finance Operations			
00389979	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	77.00
Non Departmental			
00389999	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	77.48
00390069	T MOBILE FINANCIAL LLC	OVER PAYMENT REFUND	2,408.71
00937696	RETIREE	MEDICAL AFTER RETIREMENT	1,820.54
Public Works Administration			
00389982	VERIZON WIRELESS	DATA SERVICE	38.01
00389985	WESTAMERICA BANK	COPIER LEASE	299.06
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	121.61
Public Works Street Maintenance			
00389982	VERIZON WIRELESS	DATA SERVICE	76.02
00390062	ROYAL BRASS INC	SUPPLIES	72.66
00937812	QUENVOLDS	SAFETY SHOES - E LOPEZ	300.00
Public Works-Signal/Street Lights			
00389878	AMERICAN GREENPOWER USA INC	INDUCTION LIGHTING MATERIALS	15,690.78
00389888	AT AND T MOBILITY	PHONE	45.23
00390013	CONTRA COSTA COUNTY	TRAFFIC SIGNAL MAINTENANCE	40,164.49
00937705	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	6,747.21

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

Public Works-Facilities Maintenance

00389923	FASTENAL CO	SUPPLIES	724.54
00389973	TAP PLASTICS INC	FACILITIES	122.34
00389982	VERIZON WIRELESS	DATA SERVICE	38.01
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	3,256.39
00937803		PARTS FOR REPAIR	737.05

Public Works-Parks Maint

00389879	AMERICAN PLUMBING INC	PLUMBING SERVICES	155.00
00390009	COMBINATION LOCK AND SAFE	RESTROOM DOOR REPAIR	262.86

Public Works-Median/General Land

00389877	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	4,282.40
00389882	ANTIOCH ACE HARDWARE	PARTS	31.63
00389970	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,588.00
00389971	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	1,300.00
00389984	WATERSAVERS IRRIGATION	IRRIGATION PARTS	848.47
00389994	AT AND T MCI	CONNECTION SERVICES	179.00
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,566.63

Police Administration

00389874	ADAMSON POLICE PRODUCTS	WEAPON SIGHTS	2,475.35
00389880	AMERICAN RIVER COLLEGE	TRAINING - N SHIPILOV	182.00
00389896	BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	16.02
00389910	CONTRA COSTA COUNTY	CHILDREN INTERVIEW CENTER	19,354.32
00389912	CRIME SCENE CLEANERS INC	PROFESSIONAL SERVICES	210.00
00389914	CSI FORENSIC SUPPLY	SUPPLIES	420.90
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	392.24
00389918	DONLEAVY, JOSEPH CARTER	TRAINING PER DIEM	355.00
00389924	FEDEX	SHIPPING	35.38
00389931	HAMILTON, JUSTIN MATTHEW	MEAL ALLOWANCE	46.00
00389945	MANLY WILLIAMS, TIMOTHY ALLEN	TRAINING PER DIEM	198.00
00389949	MENDES, TARRA L	TRAINING PER DIEM	355.00
00389954	NET TRANSCRIPTS	TRANSCRIPTION SERVICES	80.16
00389955	NET TRANSCRIPTS	TRANSCRIPTION SERVICES	130.58
00389956	NET TRANSCRIPTS	TRANSCRIPTION SERVICES	39.53
00389959	ON SCENE EVENT MEDICAL SERVICES LLC	AED EQUIPMENT	2,070.81
00389968	SHIPILOV, NICHOLAS VLADIMIR	TRAINING PER DIEM	660.00
00389996	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	4,730.95
00389998	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	10,261.48
00390017	CRYSTAL CLEAR LOGOS INC	LOGO SHIRTS	91.33
00390027	HARLEY DAVIDSON	AUTO PARTS	431.54
00390046	MOTOROLA SOLUTIONS INC	CRIME ANALYSIS SUBSCRIPTION	9,175.00
00390051	OCCUPATIONAL HEALTH CENTERS OF CA	MEDICAL EXAMS	1,229.50
00937644	CANON FINANCIAL SERVICES	COPIER LEASE	1,907.18
00937658	COMPUTERLAND	ADOBE SUBSCRIPTION	39.63
00937706	IMAGE SALES INC	ID CARDS	21.86
00937804	COMPUTERLAND	SOFTWARE	19.81
00937808	IMAGE SALES INC	ID CARDS	21.86

Prepared by: Lauren Posada
Finance Accounting

9/17/2020

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

Police Community Policing

00389884	ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	26.98
00389991	ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	128.07
00389998	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	205.00
00390020	EVANS, JOSHUA FIELD	TRAVEL EXPENSE REIMBURSEMENT	72.83

Police Investigations

00389996	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	763.87
00389998	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	769.41
00390012	CONTRA COSTA COUNTY	CRIME LAB	14,787.50

Police Communications

00389896	BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	41.27
00389907	COMCAST	CONNECTION SERVICES	102.90
00389911	CONTRA COSTA COUNTY	INFO EXCHANGE SYSTEM	35,070.00
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	178.59
00389982	VERIZON WIRELESS	DATA SERVICE	2,774.73
00389996	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	125.30
00390026	GLOBALSTAR	SATELLITE PHONE	218.81
00390055	PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	78.00

Office Of Emergency Management

00389891	BAY AREA BARRICADE	SUPPLIES	233.72
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	32.64
00390052	OFFICE DEPOT INC	OFFICE SUPPLIES	5.45
00937689	HAMMONS SUPPLY COMPANY	SUPPLIES	426.08

Police Facilities Maintenance

00389925	FIRST NET SERVICES	DEPARTMENT CELL PHONE	7,068.24
00389998	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,835.03
00937658	COMPUTERLAND	COMPUTER EQUIPMENT	865.41

Community Development Land Planning Services

00389890	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	508.23
00389921	EIDEN, KITTY J	MINUTES CLERK	712.50
00390075	VIVINT SOLAR INC	GP MAINT FEE REFUND	15.65

CD Code Enforcement

00389882	ANTIOCH ACE HARDWARE	SUPPLIES	1,094.23
00389890	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	551.16
00389898	CACEO	WEBINAR	100.00
00389913	CRYSTAL CLEAR LOGOS INC	UNIFORMS	428.00
00389958	OFFICE DEPOT INC	OFFICE SUPPLIES	37.12
00389967	SHERWIN WILLIAMS CO	SUPPLIES	416.82

PW Engineer Land Development

00389982	VERIZON WIRELESS	DATA SERVICE	76.02
----------	------------------	--------------	-------

Community Development Building Inspection

00389890	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	2,131.63
00389958	OFFICE DEPOT INC	OFFICE SUPPLIES	263.97
00390007	CENTURY COMMUNITIES INC	ADMIN FOR ECC FEES REFUND	984.44
00390052	OFFICE DEPOT INC	OFFICE SUPPLIES	143.61
00390075	VIVINT SOLAR INC	ENERGY INSP FEE REFUND	252.68

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

Capital Imp. Administration

00389892	BAY AREA NEWS GROUP - EAST BAY	LEGAL PUBLICATION	153.00
00389982	VERIZON WIRELESS	DATA SERVICE	38.01

205 CARES Act Grant Fund

Non Departmental

00389906	COLE SUPPLY CO INC	SUPPLIES	377.98
00389923	FASTENAL CO	SUPPLIES	4,909.09
00389989	ANTIOCH AUTO PARTS	AUTO PARTS	3,832.71
00389999	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	85.00
00937689	HAMMONS SUPPLY COMPANY	SUPPLIES	10,171.28
00937805	GRAINGER INC	SUPPLIES	2,227.97
00937806	HAMMONS SUPPLY COMPANY	SUPPLIES	268.91

212 CDBG Fund

CDBG

00937699	HOUSE, TERI	CONSULTING SERVICES	7,310.00
00937807	HOUSE, TERI	CONSULTING SERVICES	9,520.00

CDBG-CV

00937699	HOUSE, TERI	CONSULTING SERVICES	212.50
00937807	HOUSE, TERI	CONSULTING SERVICES	892.50

213 Gas Tax Fund

Streets

00389876	AL FRESCO LANDSCAPING INC	LANDSCAPE ENHANCEMENT	7,680.00
----------	---------------------------	-----------------------	----------

214 Animal Control Fund

Animal Control

00389919	EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	402.70
00389976	TONY LA RUSSA'S ANIMAL RESCUE	MANAGED ADMISSIONS	80.00
00389977	TONY LA RUSSA'S ANIMAL RESCUE	VETERINARY SERVICES	1,500.00
00390050	MWI VETERINARY SUPPLY CO	SUPPLIES	808.92

215 Civic Arts Fund

Civic Arts

00390018	DPH SOUND	SUMMER CONCERT MANAGEMENT	800.00
----------	-----------	---------------------------	--------

219 Recreation Fund

Non Departmental

00389972	SUTTER DELTA MEDICAL	RENTAL DEPOSIT REFUND	500.00
00390030	IKHILE, TITIOPE	RENTAL DEPOSIT REFUND	500.00

Nick Rodriguez Community Cent

00389985	WESTAMERICA BANK	COPIER LEASE	270.80
----------	------------------	--------------	--------

Senior Programs

00389875	AFLAC	INSURANCE PREMIUM	113.16
00389896	BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	20.64
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	89.30

Recreation Sports Programs

00389896	BLUE SHIELD LIFE	PAYROLL DEDUCTIONS	25.76
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	124.36

Recreation-Comm Center

00389886	AT AND T MCI	PHONE	132.16
----------	--------------	-------	--------

Prepared by: Lauren Posada
Finance Accounting

9/17/2020

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00389972	SUTTER DELTA MEDICAL	RENTAL REFUNDS	1,518.75
00389982	VERIZON WIRELESS	DATA SERVICE	38.01
00390004	BORJON, RAQUEL	CLASS REFUND	60.00
00390006	CASEY PRINTING INC	RECREATION GUIDE PRINTING	3,316.83
00390033	JENNIFER LYNN HINES	RECREATION GUIDE DESIGN	4,631.69
00390040	LIMPRASERT, VICTORIA	CLASS REFUND	474.00
00390044	MINTON, JOHANA	CLASS REFUND	149.00
00390056	PARKINK	SUMMER CAMP SUPPLIES	1,000.00
00937806	HAMMONS SUPPLY COMPANY	SUPPLIES	163.88
00937810	LSA ASSOCIATES INC	OWL MONITORING	1,476.00
Recreation Water Park			
00389889	AZIZI, MONIZHA	AQUATICS PROGRAM REFUND	235.00
00389902	CAMPOS, TATIANA	AQUATICS PROGRAM REFUND	235.00
00389906	COLE SUPPLY CO INC	CUSTODIAL SUPPLIES	1,087.58
00389908	COMMERCIAL POOL SYSTEMS INC	AQUATIC EQUIPMENT RENTAL	63.37
00389944	LINCOLN EQUIPMENT INC	CHEMICALS	2,139.85
00389953	NATIONAL AQUATICS INC	AQUATIC MAINTENANCE SERVICES	2,600.00
00389961	PARKINK	TRAILS CHALLENGE SUPPLIES	638.06
00389962	QUADIENT LEASING USA INC	POSTAGE	49.11
00390060	ROBINSON, SANIYAH	AQUATICS PROGRAM REFUND	235.00
221	Asset Forfeiture Fund		
Non Departmental			
00389899	CAIN, MANDINGO ROUGHSHOD	ASSET FORFEITURE	130.00
229	Pollution Elimination Fund		
Channel Maintenance Operation			
00389877	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	3,840.00
00390014	CONTRA COSTA FIRE EQUIPMENT	FIRE EXTINGUISHERS	360.00
00390045	MJH EXCAVATING INC	EQUIPMENT RENTAL	3,545.00
251	Lone Tree SLLMD Fund		
Lonetree Maintenance Zone 1			
00389970	SILVA LANDSCAPE	LANDSCAPE SERVICES	956.48
00389975	TERRACARE ASSOCIATES	TURF MOWING	173.10
Lonetree Maintenance Zone 3			
00389971	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	3,000.00
Lonetree Maintenance Zone 4			
00389975	TERRACARE ASSOCIATES	TURF MOWING	276.96
252	Downtown SLLMD Fund		
Downtown Maintenance			
00389922	EVANS AND SON MASONRY	PROFESSIONAL SERVICES	740.00
00389975	TERRACARE ASSOCIATES	TURF MOWING	173.10
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	363.68
253	Almondridge SLLMD Fund		
Almondridge Maintenance			
00389877	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	3,586.80

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

254	Hillcrest SLLMD Fund		
	Hillcrest Maintenance Zone 1		
00389970	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,825.92
00389975	TERRACARE ASSOCIATES	TURF MOWING	450.06
	Hillcrest Maintenance Zone 2		
00389877	AL FRESCO LANDSCAPING INC	LANDSCAPE SERVICES	4,443.28
00389975	TERRACARE ASSOCIATES	TURF MOWING	616.24
	Hillcrest Maintenance Zone 4		
00389975	TERRACARE ASSOCIATES	TURF MOWING	346.20
255	Park 1A Maintenance District Fund		
	Park 1A Maintenance District		
00389975	TERRACARE ASSOCIATES	TURF MOWING	450.06
256	Citywide 2A Maintenance District Fund		
	Citywide 2A Maintenance Zone 3		
00389975	TERRACARE ASSOCIATES	TURF MOWING	6.92
	Citywide 2A Maintenance Zone 6		
00389975	TERRACARE ASSOCIATES	TURF MOWING	415.44
	Citywide 2A Maintenance Zone 8		
00389971	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	375.00
00389975	TERRACARE ASSOCIATES	TURF MOWING	34.62
	Citywide 2A Maintenance Zone 9		
00389975	TERRACARE ASSOCIATES	TURF MOWING	103.86
257	SLLMD Administration Fund		
	SLLMD Administration		
00389975	TERRACARE ASSOCIATES	TURF MOWING	415.44
00389982	VERIZON WIRELESS	DATA SERVICE	76.02
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	295.00
00390059	ROBERTS AND BRUNE CO	PARKS	261.11
259	East Lone Tree SLLMD Fund		
	Zone 1-District 10		
00389971	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	2,425.00
311	Capital Improvement Fund		
	Streets		
00389892	BAY AREA NEWS GROUP - EAST BAY	LEGAL PUBLICATION	460.80
570	Equipment Maintenance Fund		
	Non Departmental		
00389937	HUNT AND SONS INC	FUEL	42,242.85
00390029	HUNT AND SONS INC	FUEL	23,351.74
	Equipment Maintenance		
00389882	ANTIOCH ACE HARDWARE	PARTS	27.49
00389885	ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	200.00
00389934	HARLEY DAVIDSON	REPAIR SERVICES	798.51
00389952	MSI FUEL MANAGEMENT INC	FUEL SYSTEM	1,346.00
00389957	OCONNELL JETTING SYSTEMS	SUPPLIES	25.91
00389960	ONE 800 RADIATOR	RADIATOR	160.60
00389982	VERIZON WIRELESS	DATA SERVICE	38.01

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00389983	W K HYDRAULICS INC	GEAR PUMP	7,745.66
00389989	ANTIOCH AUTO PARTS	AUTO PARTS	1,932.21
00389993	ARROWHEAD 24 HOUR TOWING INC	TOWING	105.00
00390019	EAST BAY TIRE CO	TIRES	844.64
00390021	FAST UNDERCAR	BRAKE PADS	161.72
00390025	GENOS AUTO BODY	AUTO MAINTENANCE	1,132.91
00390027	HARLEY DAVIDSON	MOTORCYCLE MAINTENANCE	8,988.92
00390037	LES SCHWAB TIRES OF CALIFORNIA	TIRES	454.16
00390047	MSI FUEL MANAGEMENT INC	AUTO PARTS	131.22
00390053	OREILLY AUTO PARTS	AUTO PARTS	1,580.69
00390066	STOMMEL INC	PARTS	145.01
00390071	TRED SHED, THE	TIRES	3,370.83
00937805	GRAINGER INC	SUPPLIES	200.60
00937814	SC FUELS	PARTS	1,551.81
573	Information Services Fund		
	<i>Non Departmental</i>		
00390031	INSIGHT PUBLIC SECTOR INC	SUPPORT SERVICES	9,896.21
	<i>Information Services</i>		
00389982	VERIZON WIRELESS	DATA SERVICE	372.33
	<i>Network Support & PCs</i>		
00389979	UNITED PARCEL SERVICE	SHIPPING ADJ	57.86
00937733	ODIN SYSTEMS INC	EQUIPMENT	9,028.25
	<i>Telephone System</i>		
00389886	AT AND T MCI	PHONE	1,115.35
00389887	AT AND T MCI	PHONE	31.66
	<i>GIS Support Services</i>		
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	430.40
00390005	CALIFORNIA SURVEYING AND DRAFTING	INK & PAPER	1,705.65
00937803	CLUB CARE INC	LABOR REPAIR	481.86
	<i>Office Equipment Replacement</i>		
00389881	AMS DOT NET INC	SUPPORT SERVICES	4,600.00
00390031	INSIGHT PUBLIC SECTOR INC	SUPPORT SERVICES	107,209.03
00937658	COMPUTERLAND	COMPUTER EQUIPMENT	3,724.73
577	Post Retirement Medical-Police Fund		
	<i>Non Departmental</i>		
00389895	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00389900	RETIREE	MEDICAL AFTER RETIREMENT	762.82
00389915	RETIREE	MEDICAL AFTER RETIREMENT	1,108.78
00389928	RETIREE	MEDICAL AFTER RETIREMENT	1,090.58
00389939	RETIREE	MEDICAL AFTER RETIREMENT	704.31
00389942	RETIREE	MEDICAL AFTER RETIREMENT	968.92
00389946	RETIREE	MEDICAL AFTER RETIREMENT	629.49
00389947	RETIREE	MEDICAL AFTER RETIREMENT	1,321.13
00389951	RETIREE	MEDICAL AFTER RETIREMENT	5,284.52
00389986	RETIREE	MEDICAL AFTER RETIREMENT	860.04
00390042	MACLEOD WATTS INC	GASB PREPARATION	793.33

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00937623	RETIREE	MEDICAL AFTER RETIREMENT	539.86
00937624	RETIREE	MEDICAL AFTER RETIREMENT	1,859.07
00937628	RETIREE	MEDICAL AFTER RETIREMENT	968.92
00937629	RETIREE	MEDICAL AFTER RETIREMENT	283.67
00937631	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937632	RETIREE	MEDICAL AFTER RETIREMENT	1,433.99
00937636	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937637	RETIREE	MEDICAL AFTER RETIREMENT	1,280.32
00937645	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937650	RETIREE	MEDICAL AFTER RETIREMENT	1,000.95
00937652	RETIREE	MEDICAL AFTER RETIREMENT	883.00
00937656	RETIREE	MEDICAL AFTER RETIREMENT	563.78
00937659	RETIREE	MEDICAL AFTER RETIREMENT	629.49
00937672	RETIREE	MEDICAL AFTER RETIREMENT	1,280.32
00937673	RETIREE	MEDICAL AFTER RETIREMENT	1,536.98
00937679	RETIREE	MEDICAL AFTER RETIREMENT	1,280.32
00937680	RETIREE	MEDICAL AFTER RETIREMENT	883.00
00937681	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937695	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937698	RETIREE	MEDICAL AFTER RETIREMENT	539.86
00937700	RETIREE	MEDICAL AFTER RETIREMENT	1,378.92
00937701	RETIREE	MEDICAL AFTER RETIREMENT	275.71
00937702	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937713	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937714	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937717	RETIREE	MEDICAL AFTER RETIREMENT	131.98
00937729	RETIREE	MEDICAL AFTER RETIREMENT	1,536.98
00937730	RETIREE	MEDICAL AFTER RETIREMENT	629.49
00937731	RETIREE	MEDICAL AFTER RETIREMENT	245.78
00937744	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937745	RETIREE	MEDICAL AFTER RETIREMENT	584.82
00937747	RETIREE	MEDICAL AFTER RETIREMENT	539.86
00937749	RETIREE	MEDICAL AFTER RETIREMENT	1,013.74
00937752	RETIREE	MEDICAL AFTER RETIREMENT	245.25
00937761	RETIREE	MEDICAL AFTER RETIREMENT	566.53
00937763	RETIREE	MEDICAL AFTER RETIREMENT	1,420.72
00937772	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937774	RETIREE	MEDICAL AFTER RETIREMENT	768.49
00937780	RETIREE	MEDICAL AFTER RETIREMENT	539.86
00937781	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937785	RETIREE	MEDICAL AFTER RETIREMENT	245.25
00937797	RETIREE	MEDICAL AFTER RETIREMENT	539.86
00937798	RETIREE	MEDICAL AFTER RETIREMENT	629.49
00937800	RETIREE	MEDICAL AFTER RETIREMENT	17.69
00937802	RETIREE	MEDICAL AFTER RETIREMENT	629.49

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

578 Post Retirement Medical-Misc Fund

Non Departmental

00389893	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00389903	RETIREE	MEDICAL AFTER RETIREMENT	363.34
00389917	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389927	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389929	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389932	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00389933	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00389963	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389965	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389981	RETIREE	MEDICAL AFTER RETIREMENT	100.00
00390042	MACLEOD WATTS INC	GASB PREPARATION	793.33
00937625	RETIREE	MEDICAL AFTER RETIREMENT	245.78
00937626	RETIREE	MEDICAL AFTER RETIREMENT	188.03
00937630	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937635	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937640	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937642	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937646	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937647	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937648	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937651	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937660	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937664	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937665	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937668	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937671	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937675	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937676	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937677	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937678	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937685	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00937686	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937687	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937688	RETIREE	MEDICAL AFTER RETIREMENT	126.13
00937694	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937697	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937708	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937712	RETIREE	MEDICAL AFTER RETIREMENT	103.69
00937716	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937720	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937722	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937723	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937726	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937728	RETIREE	MEDICAL AFTER RETIREMENT	97.69

Prepared by: Lauren Posada
Finance Accounting

9/17/2020

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00937738	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937740	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937741	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937746	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937751	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937755	RETIREE	MEDICAL AFTER RETIREMENT	97.67
00937760	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937762	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937767	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937778	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937783	RETIREE	MEDICAL AFTER RETIREMENT	79.02
00937784	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937786	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937788	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937789	RETIREE	MEDICAL AFTER RETIREMENT	676.92
00937796	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937799	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937801	RETIREE	MEDICAL AFTER RETIREMENT	570.38

579 Post Retirement Medical-Mgmt Fund

Non Departmental

00389905	RETIREE	MEDICAL AFTER RETIREMENT	874.90
00389926	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00389930	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00389935	RETIREE	MEDICAL AFTER RETIREMENT	874.90
00389936	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00389943	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00389948	RETIREE	MEDICAL AFTER RETIREMENT	437.37
00389950	RETIREE	MEDICAL AFTER RETIREMENT	735.38
00389980	RETIREE	MEDICAL AFTER RETIREMENT	1,859.07
00390042	MACLEOD WATTS INC	GASB PREPARATION	793.34
00937627	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937633	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937634	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937638	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937639	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937641	RETIREE	MEDICAL AFTER RETIREMENT	155.70
00937643	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937649	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937653	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937654	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937657	RETIREE	MEDICAL AFTER RETIREMENT	709.38
00937661	RETIREE	MEDICAL AFTER RETIREMENT	630.56
00937662	RETIREE	MEDICAL AFTER RETIREMENT	155.69
00937663	RETIREE	MEDICAL AFTER RETIREMENT	188.03
00937666	RETIREE	MEDICAL AFTER RETIREMENT	515.08
00937667	RETIREE	MEDICAL AFTER RETIREMENT	334.38

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00937669	RETIREE	MEDICAL AFTER RETIREMENT	450.38
00937670	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937674	RETIREE	MEDICAL AFTER RETIREMENT	245.78
00937682	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937683	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937684	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937690	RETIREE	MEDICAL AFTER RETIREMENT	357.40
00937691	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937692	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937693	RETIREE	MEDICAL AFTER RETIREMENT	200.43
00937703	RETIREE	MEDICAL AFTER RETIREMENT	346.39
00937704	RETIREE	MEDICAL AFTER RETIREMENT	400.00
00937707	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937709	RETIREE	MEDICAL AFTER RETIREMENT	700.38
00937710	RETIREE	MEDICAL AFTER RETIREMENT	223.62
00937711	RETIREE	MEDICAL AFTER RETIREMENT	1,859.07
00937715	RETIREE	MEDICAL AFTER RETIREMENT	874.90
00937718	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937719	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937721	RETIREE	MEDICAL AFTER RETIREMENT	1,397.98
00937724	RETIREE	MEDICAL AFTER RETIREMENT	50.71
00937725	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937727	RETIREE	MEDICAL AFTER RETIREMENT	1,244.28
00937732	RETIREE	MEDICAL AFTER RETIREMENT	245.78
00937734	RETIREE	MEDICAL AFTER RETIREMENT	155.69
00937735	RETIREE	MEDICAL AFTER RETIREMENT	1,859.07
00937736	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937737	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937742	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937743	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937748	RETIREE	MEDICAL AFTER RETIREMENT	607.47
00937750	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937753	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937754	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937756	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937757	RETIREE	MEDICAL AFTER RETIREMENT	155.70
00937758	RETIREE	MEDICAL AFTER RETIREMENT	874.40
00937759	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937764	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937765	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937766	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937768	RETIREE	MEDICAL AFTER RETIREMENT	245.78
00937769	RETIREE	MEDICAL AFTER RETIREMENT	630.56
00937770	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937771	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937773	RETIREE	MEDICAL AFTER RETIREMENT	450.38

CITY OF
ANTIOCH
CALIFORNIA

CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00937775	RETIREE	MEDICAL AFTER RETIREMENT	239.58
00937777	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937779	RETIREE	MEDICAL AFTER RETIREMENT	570.38
00937782	RETIREE	MEDICAL AFTER RETIREMENT	418.26
00937787	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937790	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937791	RETIREE	MEDICAL AFTER RETIREMENT	334.38
00937792	RETIREE	MEDICAL AFTER RETIREMENT	215.69
00937793	RETIREE	MEDICAL AFTER RETIREMENT	1,859.07
00937794	RETIREE	MEDICAL AFTER RETIREMENT	97.69
00937795	RETIREE	MEDICAL AFTER RETIREMENT	1,706.12

611 Water Fund

Non Departmental

00389883	ANTIOCH AUTO PARTS	AUTO PARTS	26.09
00389891	BAY AREA BARRICADE	SUPPLIES	2,950.92
00389894	BISHOP CO	SUPPLIES	1,249.77
00389920	EAST BAY WORK WEAR	SUPPLIES	3,816.89
00389923	FASTENAL CO	SUPPLIES	1,481.59
00389988	AMERICAN TEXTILE AND SUPPLY INC	CLEANING RAGS	278.59
00390059	ROBERTS AND BRUNE CO	WATER FITTINGS	3,462.57
00937689	HAMMONS SUPPLY COMPANY	SUPPLIES	276.75
00937805	GRAINGER INC	SUPPLIES	5,064.61

Water Supervision

00389982	VERIZON WIRELESS	DATA SERVICE	152.04
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	125.00

Water Production

00389882	ANTIOCH ACE HARDWARE	PARTS	304.08
00389886	AT AND T MCI	PHONE	264.24
00389904	CITY OF BRENTWOOD	GROUNDWATER SUPPORT	20,638.85
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	178.59
00389938	INDUSTRIAL SOLUTIONS SERVICES INC	CHEMICALS	6,033.02
00389982	VERIZON WIRELESS	DATA SERVICE	38.01
00389990	ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	288.55
00390003	BEST BEST AND KRIEGER LLP	LEGAL SERVICES RENDERED	6,377.28
00390034	KAPSCH TRAFFICOM USA INC	PROFESSIONAL SERVICES	7,800.00
00390058	REINHOLDT ENGINEERING CONSTR	FUEL STORAGE TANK TESTING	2,060.00
00390074	UNIVAR SOLUTIONS USA INC	CHEMICALS	14,570.13
00937655	CHEMTRADE CHEMICALS US LLC	CHEMICALS	38,930.78
00937805	GRAINGER INC	SUPPLIES	1,536.60

Water Distribution

00389882	ANTIOCH ACE HARDWARE	SUPPLIES	4.91
00389891	BAY AREA BARRICADE	SUPPLIES	3,321.20
00389897	C AND J FAVALORA TRUCKING INC	HAULING SERVICES	4,760.00
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	151.47
00389940	KELLY MOORE PAINT CO	SUPPLIES	121.62
00389941	KIE CON	SUPPLIES	649.50

CITY OF ANTIOCH CALIFORNIA

CLAIMS BY FUND REPORT FOR THE PERIOD OF AUGUST 28 - SEPTEMBER 10, 2020 FUND/CHECK#

00389964	RESTORATION MANAGEMENT COMPANY	WATER DAMAGE RESTORATION	1,148.53
00389966	RT LAWRENCE CORP	LOCKBOX PROCESSING	472.20
00389978	TYLER TECHNOLOGIES	WEBSITE HOST	680.00
00389979	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	77.00
00389982	VERIZON WIRELESS	DATA SERVICE	418.11
00389999	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	475.39
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	153.71
00390054	PACE SUPPLY CORP	SUPPLIES	1,342.71
00390059	ROBERTS AND BRUNE CO	MISCELLANEOUS WATER FITTINGS	26,186.15
00390065	STATE WATER RESOURCES CONTROL BOARD	CERTIFICATE RENEWAL	180.00
00390068	SYAR INDUSTRIES INC	ASPHALT	2,078.60
00390072	TYLER TECHNOLOGIES	INCODE SOFTWARE MAINTENANCE	17,059.81
00390077	WEBSOFT DEVELOPERS INC	PROGRAM INTEGRATION	4,000.00
00937658	COMPUTERLAND	COMPUTER EQUIPMENT	485.27
00937805	GRAINGER INC	SUPPLIES	1,165.68
00937806	HAMMONS SUPPLY COMPANY	SUPPLIES	142.17
00937809	INFOSEND INC	PRINT AND MAIL SERVICES	1,676.27

Public Buildings & Facilities

00389901	CALIFORNIA TRENCHLESS INC	WATER MAIN REPLACEMENT PROJECT	367,356.00
00389924	FEDEX	SHIPPING	29.93
00389984	WATERSAVERS IRRIGATION	IRRIGATION PARTS	1,509.02

621 Sewer Fund

Swr-Wastewater Administration

00389897	C AND J FAVALORA TRUCKING INC	HAULING SERVICES	4,760.00
00389916	DELTA DENTAL	PAYROLL DEDUCTIONS	151.48
00389941	KIE CON	SUPPLIES	649.50
00389966	RT LAWRENCE CORP	LOCKBOX PROCESSING	472.19
00389978	TYLER TECHNOLOGIES	WEBSITE HOST	680.00
00389982	VERIZON WIRELESS	DATA SERVICE	304.08
00389999	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	429.83
00390001	BANK OF AMERICA	VARIOUS BUSINESS EXPENSES	1,456.64
00390015	COOK, JEFFREY DON	EXPENSE REIMBURSEMENT	455.00
00390023	FERNANDEZ LOPEZ, KIM ANGEL	SAFETY SHOE REIMBURSEMENT	296.49
00390038	LEWIS IV, JASON F	EXPENSE REIMBURSEMENT	288.00
00390059	ROBERTS AND BRUNE CO	MISCELLANEOUS WATER FITTINGS	734.16
00390068	SYAR INDUSTRIES INC	ASPHALT	2,078.60
00390072	TYLER TECHNOLOGIES	INCODE SOFTWARE MAINTENANCE	17,059.80
00937658	COMPUTERLAND	COMPUTER EQUIPMENT	760.75
00937809	INFOSEND INC	PRINT AND MAIL SERVICES	1,676.26

631 Marina Fund

Non Departmental

00390022	FAVALARO, FRANK	BERTH DEPOSIT REFUND	290.00
00390048	MULLAN, JOHN	BERTH DEPOSIT REFUND	207.00
00390067	SUTTON, ROY	BERTH DEPOSIT REFUND	159.50

Marina Administration

00389992	ARMOUR PETROLEUM SERVICE	PROFESSIONAL SERVICES	4,165.61
----------	--------------------------	-----------------------	----------



CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 28 - SEPTEMBER 10, 2020
FUND/CHECK#

00390035	LARSEN, GARY M	OVERPAYMENT REFUND	1,260.00
00937689	HAMMONS SUPPLY COMPANY	SUPPLIES	60.09
752	Storm Drain Deposits Fund		
Non Departmental			
00389909	CONTRA COSTA COUNTY	DRAINAGE FEE	3,302,794.23



AS HOUSING SUCCESSOR TO
THE ANTIOCH DEVELOPMENT AGENCY
CLAIMS BY FUND REPORT
FOR THE PERIOD OF
AUGUST 14 - SEPTEMBER 10, 2020
FUND/CHECK#

227 Housing Fund

Housing

00389639	BAY AREA LEGAL AID	CDBG SERVICES	25,000.00
00389678	HABITAT FOR HUMANITY EAST BAY	CDBG SERVICES	7,840.38
00389702	LOCAL GOVERNMENT COMMISSION	CIVICSPARK FELLOW	590.91
00937699	HOUSE, TERI	CONSULTING SERVICES	6,587.50
00937807	HOUSE, TERI	CONSULTING SERVICES	3,740.00



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TLS*

SUBJECT: Rejection of Claim: Maybel Wright and Glen Houston

RECOMMENDED ACTION

It is recommended that the City Council reject the claim submitted by Maybel Wright and Glen Houston.

Should the City Council desire to discuss this matter, it would be scheduled for a future closed session.

ATTACHMENTS

None.

CITY OF
ANTIOCH
CALIFORNIA

**STAFF REPORT TO THE CITY COUNCIL AND CITY COUNCIL AS
SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY**

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council and City Council as Successor Agency to the Antioch Development Agency

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TLS*

SUBJECT: Conflict of Interest Code for the City of Antioch and City as Successor Agency to the Antioch Development Agency

RECOMMENDED ACTION

It is recommended that:

- 1) The City Council adopt a resolution approving the updated Conflict of Interest Code for the City of Antioch and authorizing the City Manager to execute the attached Biennial Notice; and
- 2) The City Council as Successor Agency to the Antioch Development Agency adopt a resolution approving the updated Conflict of Interest Code for the City as Successor Agency to the Antioch Development Agency and authorizing the City Manager to execute the attached Biennial Notice.

FISCAL IMPACT

No fiscal impact related to this item.

DISCUSSION

Pursuant to the Political Reform Act (Cal. Gov't Code sections 87100 *et. Seq.*), a conflict of interest code designates positions within an agency that make, or participate in making, governmental decisions that may have a material effect on the financial interest of the person holding such position. A conflict of interest code also indicates disclosure categories, which list the specific types of financial interests that must be disclosed annually by the designated official or employee.

City

To comply with the Political Reform Act, the City is required to review the Conflict of Interest Code every two years to determine if amendments are necessary to include new positions, delete abolished positions, revise job titles or revise disclosure categories.

Positions that still exist, even if they are currently vacant, frozen or unbudgeted are still shown. Appendix B to Attachment A shows proposed revisions to designated positions to conform to the City's current organization chart and list of existing but unbudgeted positions in redline format with explanatory notes in comment boxes in the right margins (the final adopted document will not have the redlines or comment boxes).

City as Successor Agency to the Antioch Development Agency

AB 1484 made Successor Agencies separate legal entities subject to the Political Reform Act. The City, as Successor Agency to the Antioch Development Agency, adopted its own Conflict of Interest Code in 2012. Appendix B to Attachment B shows proposed revisions to designated positions to conform to the City/Successor Agency's current organization chart and list of existing but unbudgeted positions in redline format with explanatory notes in comment boxes in the right margins (the final adopted document will not have the redlines or comment boxes).

ATTACHMENTS

A. Resolution

- Exhibit 1 to Resolution – Conflict of Interest Code
 - Appendix A – Disclosure Categories
 - Appendix B – Designated Officials and Employees
- Exhibit 2 – Biennial Notice

B. Successor Agency Resolution

- Exhibit 1 to Successor Agency Resolution – Conflict of Interest Code
 - Appendix A – Disclosure Categories
 - Appendix B – Designated Officials and Employees
- Exhibit 2 – Biennial Notice

RESOLUTION NO. 2020/***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to the Political Reform Act (Cal. Gov't Code section 87100, et. seq.), the City is required by October 1 of each even-numbered year to review and update its Conflict of Interest Code as necessary; and

WHEREAS, "Appendix B" of said Code may be updated by deleting positions that are no longer in existence, adding new positions, and updating job titles.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby adopts the updated City of Antioch Conflict of Interest Code attached as Exhibit 1, including Appendix A (Disclosure Categories) and Appendix B (Designated Officials and Employees), and incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to execute the Local Agency Biennial Notice as required by law.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 22nd day of September 2020, by the following vote:

AYES:

NOES:

ABSENT:

**ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH**

Conflict of Interest Code of the City of Antioch

The Political Reform Act (Government Code §§81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Commission along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the conflict of interest code of the City of Antioch.

Individuals in designated positions shall file statements of economic interests with the City Clerk, which will make the statements available for public inspection and reproduction. (Government Code §81008.) Statements filed by all individuals in designated positions will be retained by the City Clerk.

APPENDIX "A"

DISCLOSURE CATEGORIES

Disclosure Category

1 All Interests in Real Property.

This includes any leasehold, beneficial or ownership interest, or an option to acquire such an interest, in real property located within the City of Antioch, or within two miles of the city limits or of and land owned or used by the City. This includes interests owned directly, indirectly or beneficially by the designated employee, or other filer, or his or her immediate family if the fair market value of the interest is \$2,000.00 or more. Interests in real property of an individual includes a pro rate share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly or indirectly or beneficially, a 10% interest or greater. It is not required to disclose a residence which was used exclusively by the filer as his or her personal residence, unless it is also a place of business, or interests acquired by a blind trust pursuant to FPPC Regulation 18235.

2 All Investments not Held by Business Entity or Trust.

This includes any financial interest in any business entity located in or doing business within the City in which the filer or the filer's immediate family had a direct, indirect or beneficial interest aggregating \$2,000.00 or more during the reporting period. A business entity is located in or doing business in the jurisdiction if it, a parent or subsidiary, or a related business entity manufactures, distributes, sells or purchases products or services on a regular basis in the jurisdiction; or plans to do business in the jurisdiction; or has done business in the jurisdiction within the previous two years; or has an interest in real property in the jurisdiction; or has an office in the jurisdiction.

This does not include bank accounts, savings accounts and money market accounts; insurance policies; shares in a credit union; government bonds; diversified mutual funds registered with the Securities and Exchange Commission; common fund trust fund created under Financial Code '1564; individual retirement accounts invested in non-reportable interests such as insurance policies, diversified mutual funds or government bonds.

3 Investments Held by a Business Entity or Trust.

This includes investments held by a business entity if the filer's pro rate share of the investment is \$2,000.00 or more and the investment is in a business entity located in, or doing business in, the jurisdiction.

4 Income (other than loans, gifts and honoraria).

This includes gross income and the filer's community property interest in spouse's gross income. Gross income is the total amount of income before deducting expenses, losses or taxes. Income aggregating \$500.00 or more received from any source located in or doing business in the jurisdiction must be disclosed, as defined in the real property disclosure category.

It is not required to report salary or reimbursements for expenses and per diem from a federal, state or local government agency; or reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization; or campaign contributions; or a devise or inheritance; or dividends, interest or other return on a security which is registered with the Securities and Exchange Commission; or payments from an insurance company; or interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union, an insurance policy or bond or other debt issued by a government agency; or income of dependent children; or alimony or child support payments; or payments received under a defined benefit pension plan.

5 Income (loans, gifts and honoraria).

This includes loans received by the filer or the filer's spouse aggregating \$500.00 or more from a single source which is located in or doing business in the jurisdiction, as defined for real property disclosures. This also includes gifts with an aggregate value of \$50.00 or more received during the reporting period from a single source. All gifts are reportable without regard to where the donor is located. Any number of gifts from one person, the value of which adds up to \$50.00 or more during the reporting period must be disclosed. This also includes honoraria, such as payment for making a speech, publishing an article, or attending an event. Payments aggregating \$50.00 or more during the reporting period must be disclosed. All of these forms of income are subject to the exceptions and exemptions provided by the Fair Political Practices Act and its regulations.

APPENDIX B DESIGNATED OFFICIALS AND EMPLOYEES

The following officials and employees hold positions requiring disclosure of financial interests pursuant to California Government Code Section 87200 and shall file a Form 700:

Mayor and City Council Members
Planning Commissioners
City Treasurer
City Manager
City Attorney
Finance Director

The following officials, employees and consultants are in the following disclosure categories:

<u>Position</u>	<u>Category</u>
Board of Administrative Appeals	1, 2, 3, 4, 5
Building Board of Appeals	1, 2, 3, 4, 5
Economic Development Commissioners.....	1, 2, 3, 4, 5
Parks and Recreation Commissioners	1, 2, 3, 4, 5
Sales Tax Citizens' Oversight Committee	1, 2, 3, 4, 5
 <u>City Attorney's Office</u>	
City Attorney.....	1, 2, 3, 4, 5
Deputy City Attorney	1, 2, 3, 4, 5
 <u>City Clerk's Office</u>	
City Clerk.....	1, 2, 3, 4, 5
Deputy City Clerk	1, 2, 3, 4, 5
 <u>City Manager's Office</u>	
City Manager.....	1, 2, 3, 4, 5
Assistant City Manager	1, 2, 3, 4, 5
Project Manager	1, 2, 3, 4, 5
<u>Public Information Officer.....</u>	<u>1, 2, 3, 4, 5</u>
<u>Youth Services Network Manager.....</u>	<u>1, 2, 3, 4, 5</u>

Community Development

Community Development Director	1, 2, 3, 4, 5
Planning Manager	1, 2, 3, 4, 5
Planners – Assistant, Associate and Senior	1, 2, 3, 4, 5
Building Inspection Services Manager	1, 2, 3, 4, 5
Building Inspector.....	1, 2, 3, 4, 5
Code Enforcement Manager	1, 2, 3, 4, 5
Code Enforcement/Asset Recovery Coordinator.....	1, 2, 3, 4, 5
Code Enforcement Officer.....	1, 2, 3, 4, 5
Administrative Analyst.....	1, 2, 3, 4, 5

Economic Development Department

Economic Development Director	1, 2, 3, 4, 5
Economic Development Program Manager.....	1, 2, 3, 4, 5

Finance Department

Finance Director	1, 2, 3, 4, 5
Deputy Finance Director.....	1, 2, 3, 4, 5
Finance Services Supervisor.....	1, 2, 3, 4, 5
Buyer.....	1, 2, 3, 4, 5

Human Resources Department

Administrative Services Director	1, 2, 3, 4, 5
Human Resources Director	1, 2, 3, 4, 5
<u>Risk Manager.....</u>	<u>1, 2, 3, 4, 5</u>
<u>Human Resource Analyst.....</u>	<u>1, 2, 3, 4, 5</u>
Administrative Analyst.....	1, 2, 3, 4, 5

Information Systems Department

Information Systems Director	1, 2, 3, 4, 5
Information Systems Project Manager	1, 2, 3, 4, 5

Police Department

Chief of Police	1, 2, 3, 4, 5
Police Captain	1, 2, 3, 4, 5
Police Lieutenant.....	1, 2, 3, 4, 5
Administrative Analyst.....	1, 2, 3, 4, 5
<u>Doctor of Veterinary Medicine.....</u>	<u>1, 2, 3, 4, 5</u>
<u>Animal Services Manager.....</u>	<u>1, 2, 3, 4, 5</u>

Public Works Department

Public Works Director/City Engineer	1, 2, 3, 4, 5
Deputy Director of Public Works	1, 2, 3, 4, 5
Water Treatment Plant Superintendent	1, 2, 3, 4, 5
Collection Systems Superintendent.....	1, 2, 3, 4, 5
Water Distribution Superintendent.....	1, 2, 3, 4, 5
Assistant City Engineer	1, 2, 3, 4, 5
Project Manager.....	1, 2, 3, 4, 5
Engineers – Assistant, Associate, Senior.....	1, 2, 3, 4, 5
Senior Public Works Inspector	1, 2, 3, 4, 5
Public Works Inspector.....	1, 2, 3, 4, 5
Administrative Analyst	1, 2, 3, 4, 5

Parks and Recreation Department

Parks and Recreation Director	1, 2, 3, 4, 5
-------------------------------------	---------------

** Consultants shall be designated on a case-by-case basis, depending upon the nature of their services. The city manager may determine, in writing, that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in the City’s Conflict of Interest Code. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of the disclosure requirements. The city manager’s determination shall be a public record and shall be retained for public inspection in the same manner and location as this chapter.*

2020 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

☒ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other *(describe)* _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

SA RESOLUTION NO. 2020/***

**RESOLUTION OF THE SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT
AGENCY OF THE CITY OF ANTIOCH
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to the Political Reform Act (Cal. Gov't Code section 87100, et. seq.), the City as Successor Agency to the Antioch Development Agency is required by October 1 of each even-numbered year to review and update its Conflict of Interest Code as necessary; and

WHEREAS, "Appendix B" of said Code is proposed to be updated by deleting positions that are no longer in existence, adding new positions, and updating job titles.

NOW, THEREFORE, BE IT RESOLVED that the Successor Agency to the Antioch Development Agency of the City of Antioch hereby adopts the updated City of Antioch as Successor Agency to the Antioch Development Agency Conflict of Interest Code attached as Exhibit 1, including Appendix A (Disclosure Categories) and Appendix B (Designated Officials and Employees), and incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to execute the Local Agency Biennial Notice as required by law.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch as Successor Agency to the Antioch Development Agency at a regular meeting thereof, held on the 22nd day of September 2020, by the following vote:

AYES:

NOES:

ABSENT:

**ARNE SIMONSEN, MMC
RECORDING SECRETARY**

EXHIBIT 1

Conflict of Interest Code of the City of Antioch as Successor Agency to the Antioch Development Agency

The Political Reform Act (Government Code §§81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Commission along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the conflict of interest code of the City of Antioch as Successor Agency to the Antioch Development Agency.

Individuals in designated positions shall file statements of economic interests with the City Clerk, which will make the statements available for public inspection and reproduction. (Government Code §81008.) Statements filed by all individuals in designated positions will be retained by the City Clerk.

APPENDIX "A"

DISCLOSURE CATEGORIES

Disclosure Category

1 All Interests in Real Property.

This includes any leasehold, beneficial or ownership interest, or an option to acquire such an interest, in real property located within the City of Antioch, or within two miles of the city limits or of and land owned or used by the City. This includes interests owned directly, indirectly or beneficially by the designated employee, or other filer, or his or her immediate family if the fair market value of the interest is \$2,000.00 or more. Interests in real property of an individual includes a pro rate share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly or indirectly or beneficially, a 10% interest or greater. It is not required to disclose a residence which was used exclusively by the filer as his or her personal residence, unless it is also a place of business, or interests acquired by a blind trust pursuant to FPPC Regulation 18235.

2 All Investments not Held by Business Entity or Trust.

This includes any financial interest in any business entity located in or doing business within the City in which the filer or the filer's immediate family had a direct, indirect or beneficial interest aggregating \$2,000.00 or more during the reporting period. A business entity is located in or doing business in the jurisdiction if it, a parent or subsidiary, or a related business entity manufactures, distributes, sells or purchases products or services on a regular basis in the jurisdiction; or plans to do business in the jurisdiction; or has done business in the jurisdiction within the previous two years; or has an interest in real property in the jurisdiction; or has an office in the jurisdiction.

This does not include bank accounts, savings accounts and money market accounts; insurance policies; shares in a credit union; government bonds; diversified mutual funds registered with the Securities and Exchange Commission; common fund trust fund created under Financial Code '1564; individual retirement accounts invested in non-reportable interests such as insurance policies, diversified mutual funds or government bonds.

3 Investments Held by a Business Entity or Trust.

This includes investments held by a business entity if the filer's pro rate share of the investment is \$2,000.00 or more and the investment is in a business entity located in, or doing business in, the jurisdiction.

4 Income (other than loans, gifts and honoraria).

This includes gross income and the filer's community property interest in spouse's gross income. Gross income is the total amount of income before deducting expenses, losses or taxes. Income aggregating \$500.00 or more received from any source located in or doing business in the jurisdiction must be disclosed, as defined in the real property disclosure category.

It is not required to report salary or reimbursements for expenses and per diem from a federal, state or local government agency; or reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization; or campaign contributions; or a devise or inheritance; or dividends, interest or other return on a security which is registered with the Securities and Exchange Commission; or payments from an insurance company; or interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union, an insurance policy or bond or other debt issued by a government agency; or income of dependent children; or alimony or child support payments; or payments received under a defined benefit pension plan.

5 Income (loans, gifts and honoraria).

This includes loans received by the filer or the filer's spouse aggregating \$500.00 or more from a single source which is located in or doing business in the jurisdiction, as defined for real property disclosures. This also includes gifts with an aggregate value of \$50.00 or more received during the reporting period from a single source. All gifts are reportable without regard to where the donor is located. Any number of gifts from one person, the value of which adds up to \$50.00 or more during the reporting period must be disclosed. This also includes honoraria, such as payment for making a speech, publishing an article, or attending an event. Payments aggregating \$50.00 or more during the reporting period must be disclosed. All of these forms of income are subject to the exceptions and exemptions provided by the Fair Political Practices Act and its regulations.

APPENDIX B DESIGNATED OFFICIALS AND EMPLOYEES

The following officials and employees hold positions requiring disclosure of financial interests pursuant to California Government Code Section 87200 and shall file a Form 700:

City Treasurer
Finance Director

The following officials, employees and consultants are in the following disclosure categories:

Members of City Council as Successor Agency to the Antioch Development Agency 1, 2, 3, 4, 5

Office of the City Attorney

City Attorney..... 1, 2, 3, 4, 5
Deputy City Attorney 1, 2, 3, 4, 5

City Clerk's Office/Secretary

City Clerk..... 1, 2, 3, 4, 5
Deputy City Clerk 1, 2, 3, 4, 5

Office of the City Manager

City Manager..... 1, 2, 3, 4, 5
Assistant City Manager 1, 2, 3, 4, 5
Administrative Analyst..... 1, 2, 3, 4, 5

Economic Development Department

Economic Development Director 1, 2, 3, 4, 5

Community Development Department

Community Development Director 1, 2, 3, 4, 5
Planning Manager 1, 2, 3, 4, 5
Building Inspection Services Manager 1, 2, 3, 4, 5

Finance Department

Finance Director 1, 2, 3, 4, 5
[Assistant](#) Deputy Finance Director 1, 2, 3, 4, 5

** Consultants shall be designated on a case-by-case basis, depending upon the nature of their services. The city manager may determine, in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in the Conflict of Interest Code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements. The city manager's determination shall be a public record and shall be retained for public inspection in the same manner and location as this chapter.*

2020 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

☐ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other *(describe)* _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)


PLEASE DO NOT RETURN THIS FORM TO THE FPPC.


CITY OF
ANTIOCH
CALIFORNIA


STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

PREPARED BY: Junming Li, Junior Engineer 

REVIEWED BY: Scott Buenting, Project Manager 

APPROVED BY: John Samuelson, Public Works Director/City Engineer 

SUBJECT: Acceptance of Work and Notice of Completion for the Antioch Cape Seal 2020 Project (P.W. 328-12)

RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution:

1. Approving an amendment to the fiscal year 20/21 capital improvement budget carrying forward \$27,080 in unspent budgeted Measure J funds designated for pavement surface treatments from fiscal year 19/20 to fiscal year 20/21;
2. Authorizing the increase to the existing contract with VSS International, Inc. ("VSS") in the amount of \$27,079.81 for a total contract of \$2,623,199.81; and
3. Accepting work and authorizing the City Manager or designee to file a Notice of Completion for the Project.

FISCAL IMPACT

Adoption of this resolution will increase the existing contract with VSS by \$27,079.81 to a new total of \$2,623,199.81 utilizing Measure J Funds.

DISCUSSION

On April 14, 2020, the City Council awarded a contract to VSS in the amount of \$2,596,120 for the installation of the final surface treatment for over 120 streets, totaling approximately 445,000 square yards of roadway. The work consisted predominately of installing rubberized chip seal overlain by an application of micro-surfacing over the full width of the streets. Additional work performed included street surface preparation, removal and replacement of pavement markings and markers and traffic control.

All work on this project was completed on August 5, 2020.

ATTACHMENTS

A: Resolution

B: Notice of Completion

ATTACHMENT "A"

RESOLUTION NO. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AMENDING THE FISCAL YEAR 20/21 CAPITAL IMPROVEMENT BUDGET,
INCREASING THE CONTRACT WITH VSS INTERNATIONAL, INC. AND
ACCEPTING WORK AND AUTHORIZING THE CITY MANAGER OR DESIGNEE
TO FILE A NOTICE OF COMPLETION FOR THE
ANTIOCH CAPE SEAL 2020 PROJECT
(P.W. 328-12)**

WHEREAS, on June 25, 2019 the City Council adopted the 5 Year Capital Improvement Program 2019-2024, which included funding for the Antioch Cape Seal 2020 Project ("Project");

WHEREAS, the Project was published and advertised in the East County Times on March 9, 2020 and March 10, 2020 and a Notice to Contractors was sent to the construction trade journals;

WHEREAS, the Project bids were publicly opened and read on March 31, 2020, and three (3) bids were received;

WHEREAS, the lowest responsive and responsible bidder was submitted by VSS International, Inc. ("VSS") of West Sacramento;

WHEREAS, on April 14, 2020, the City Council awarded a contract to VSS in the amount of \$2,596,120 for the installation of the final surface treatment for over 120 streets, totaling approximately 445,000 square yards of roadway, which consisted predominately of installing rubberized chip seal overlain by an application of micro-surfacing over the full width of the streets, including street surface preparation, removal and replacement of pavement markings and markers and traffic control;

WHEREAS, an amendment to increase the fiscal year 20/21 capital improvement budget by carrying forward \$27,080 in unspent budgeted Measure J funds designated for the Project in fiscal year 19/20 has been considered by the City Council;

WHEREAS, the City Council has considered increasing the existing contract with VSS in the amount of \$27,079.81 for a total contract of \$2,623,199.81;

WHEREAS, the City Council has considered accepting work and authorizing the City Manager or designee to file a Notice of Completion for the Project; and

WHEREAS, all work on the Project was completed on August 5, 2020 at a final contract price of \$2,623,199.81 in accordance with plans and specifications referred to therein.

A1

RESOLUTION NO. 2020/**

September 22, 2020

Page 2

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Antioch,
that:

1. The work on the Project is hereby completed and accepted.
2. The City Manager or designee is authorized to execute and file for record with the County Recorder, County of Contra Costa, a Notice of Completion thereof for the Project.
3. The City Manager or designee is hereby authorized to amend the fiscal year 20/21 capital improvement budget carrying forward \$27,080 in unspent budgeted Measure J Funds designated for the Project from fiscal year 19/20 to fiscal year 20/21.
4. The City Manager or designee is hereby authorized to increase the existing contract with VSS for this Project in the amount of \$27,079.81 for a total contract price of \$2,623,199.81.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 22nd day of September, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH

A2

ATTACHMENT "B"

**RECORDED AT THE REQUEST
OF:**
CITY OF ANTIOCH, CA

WHEN RECORDED MAIL TO:
CITY OF ANTIOCH
CAPITAL IMPROVEMENTS DIVISION
P.O. BOX 5007
ANTIOCH, CA 94531
(925) 779-7050

THIS SPACE FOR RECORDER'S USE ONLY

**NOTICE OF COMPLETION FOR THE
ANTIOCH CAPE SEAL 2020 PROJECT
IN THE CITY OF ANTIOCH
(P.W. 328-12)**

NOTICE IS HEREBY GIVEN:

1. That the interest or estate stated in paragraph 3 herein the real property herein described is owned by: City of Antioch, 200 H Street, Antioch, California 94509.
2. That the full name and address of the Owner of said interest or estate, if there is only one Owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the stated owner, or if more than one owner, then of the stated owner and co-owners is: In fee.
4. That on August 5, 2020 the work and improvements hereinafter described, the contract for which was entered into by and between the City of Antioch and VSS International, Inc. was completed.
5. The surety for said project was Western Surety Company.
6. This project consisted of installing the final surface treatment over 120 streets (See Exhibit A), totaling approximately 445,000 square yards of roadway.

**THE UNDERSIGNED STATES UNDER PENALTY OF
PERJURY THAT THE ABOVE IS TRUE AND CORRECT**

Date

John Samuelson, P.E.
Public Works Director/City Engineer
City of Antioch

B1

EXHIBIT "A"
ANTIOCH CAPE SEAL 2020
LIST OF STREETS

AREA	LINE	MAIN ROAD	FROM	TO	CAPE SEAL	MICRO SURFACE
AREA 1						
1	1	Jefferson Wy	Gentrytown	Washington	X	
1	2	Washington Wy	Gentrytown	Jefferson	X	
1	3	Garfield Pl	Washington	End	X	
1	4	Baker Ct			X	
1	5	Johnson Dr	Gentrytown	Carte	X	
1	6	Carter Wy	Hayes	Harding	X	
1	7	Hayes Wy	Carter	Johnson	X	
1	8	Reagan Ct			X	
1	9	Ford Ct			X	
1	10	Van Buren Dr			X	
1	11	Van Buren Ct			X	
1	12	Harding Wy			X	
AREA 2						
2	1	Redwood Dr	Gentrytown	Sequoia	X	
2	2	Sequoia Dr	Gentrytown	End	X	
2	3	Madrone St	Redwood	Redwood	X	
2	4	Pine St	Redwood	Persimmon	X	
2	5	Persimmon St	Redwood	Pine	X	
2	6	Ash St	Redwood	Hemlock	X	
2	7	Hemlock St	Redwood	Ash	X	
2	8	Muir Ct			X	
2	9	Oak Ct			X	
2	10	Cypress St	Redwood	Sequoia	X	
2	11	Pecan St	Cypress	Cedar	X	
2	12	Cedar St & Cedar Ct	Redwood	End	X	
2	13	N Apple Ct			X	
2	14	S Apple Ct			X	
2	15	Cherry St	Pear	Iron @ Cherry St & Pear Ct	X	
2	16	Pear St	Cherry	Cherry	X	
2	17	Melon Ct			X	
AREA 3						
3	1	Acorn Rd	Longview	G	X	
3	2	Milner Rd	Acorn	G	X	
AREA 4						
4	1	Fairside Way	Vista Grande	Heidorn	X	
4	2	Primrose Ct			X	
4	3	Morningvale Ct			X	
4	4	Pembroke Ct			X	
4	5	Sandrose Ct			X	
AREA 5						
5	1	W 11th St	L St	G St		X
5	2	Klengel St	11th St	14th St		X
5	3	Cook St	11th St	14th St		X
5	4	Macaulay St	14th St	Cook St		X
5	5	Medanos St	11th St	14th St		X
5	6	Diamond St	10th St	11th St		X
5	7	Leggett St	14th St	Medanos St		X
5	8	W 12th St	G St	End of Road		X
5	9	W 13th St	G St	End of Road		X
5	10	W 14th St	G St	L St		X
5	11	H St	10th St	11th St		X

B2

EXHIBIT "A"
ANTIOCH CAPE SEAL 2020
LIST OF STREETS

AREA 6						
6	1	Clearbrook Rd	Lone Tree	Camby	X	
6	2	Shasta Ct			X	
6	3	Nanimo Ct			X	
6	4	View Dr	Camby	Terranova	X	
6	5	Charisse Ct			X	
6	6	Langley Ct			X	
6	7	Camby Rd	G Street	Clayburn	X	
6	8	Clayburn Rd	Lone Tree	Clearbrook	X	
6	9	Echo Circle			X	
6	10	Kalama Rd	Longview	Camby	X	
AREA 7						
7		G Street	Longview Rd	James Donlon Blvd	X	
7	4	G Street	W 10th St	Railroad overpass south of 18th St	X	
7		Mac Ct			X	
7		Dewitt Ct			X	
AREA 8						
8	2	Crow Ct			X	
8		Verne Roberts Cir	Costco	Antioch/Pittsburg HWY	X	
8		Auto Center Dr	Mahogany Dr	Railroad Tracks North of Sycamore	X	
8		Deer Valley Rd	Mammoth Way	City Limit	X	
8		Devpar Ct			X	
8	6	Sunset Dr	Cavallo Rd	Hillcrest Ave	X	
AREA 9						
9	1	E. 19th Street	A Street	Evergreen Street	X	
9	2	Acacia Street	E. 19th Street	Belshaw Street	X	
9	3	Birch Street	E. 19th Street	Belshaw Street	X	
9	4	Chestnut Street	E. 19th Street	Belshaw Street	X	
9	5	Deodar Street	E. 19th Street	Belshaw Street	X	
9	6	Evergreen Avenue	E. 19th Street	Belshaw Street	X	
9	7	Belshaw Street	A Street	Evergreen Street	X	
AREA 10						
10	1	E. Madill Street	A Street	Sunset Drive	X	
10	2	Beasley Avenue	Sunset Drive	E. Madill Street	X	
10	3	Bryan Avenue	A Street	Beasley Avenue	X	
10	4	Diablo Avenue	Sunset Drive	E. Madill Street	X	
10	5	McGinley Avenue	Bryan Avenue	E. Madill Street	X	
10	6	Coventry Court	E. Madill Street		X	
10	7	E. Madill Court	E. Madill Street		X	
AREA 11						
11	1	W. Madill Street	A Street	G Street	X	
11	2	Rossi Avenue	A Street	D Street	X	
11	3	Texas Street	A Street	G Street	X	
11	4	Lindberg Street	Lawton Street	Drake Street	X	
11	5	Norton Way	W. Madill Street		X	
11	6	Russell Drive	W. Madill Street	Russel Drive	X	
11	7	Lawrence Avenue	Russel Drive		X	
11	8	Gem Ln.	Texas Street	Drake Street	X	
11	9	F Street	Texas Street	Drake Street	X	
11	10	Lawton Street	Russel Drive	Lindberg Street	X	
11	11	Newbury Avenue	G Street	Russel Drive	X	
AREA 12						
12	1	Cataline Avenue	Hawthorne Avenue	W. Madill Street	X	
12	2	Brisdale Place	Cataline Avenue		X	
12	3	Stillwell Circle	Cataline Avenue		X	

B3

EXHIBIT "A"
ANTIOCH CAPE SEAL 2020
LIST OF STREETS

12	4	Hawthorne Avenue	Cataline Avenue		X	
12	5	Campbell Avenue	William Reed Drive	W. Madill Street	X	
12	6	Creed Avenue	William Reed Drive	W. Madill Street	X	
12	7	John Gildi Avenue	William Reed Drive	W. Madill Street	X	
12	8	Newbury Avenue	G Street	Creed Avenue	X	
12	9	W. Madill St. & Court	G Street	Creed Avenue	X	
12	10	William Reed Drive	L Street	W. Madill Street	X	
AREA 13						
13	1	D Street	Putnam Street	W. Tregallas Road	X	
13	2	Dolores Street	W. Tregallas Road	San Joaquin Avenue	X	
13	3	El Rey Street	W. Tregallas Road	Putnam Street	X	
13	4	Alcala Street	Putnam Street	W. Tregallas Road	X	
13	5	San Joaquin Avenue	El Rey Street	W. Tregallas Road	X	
13	6	Faria Street	El Rey Street	Alcala Street	X	
13	7	Elizabeth Lane	Putnam Street	Elizabeth Court	X	
13	8	Elizabeth Court	Elizabeth Lane		X	
13	9	Capistrano St	San Joaquin Avenue	W. Tregallas Road	X	
13	10	Bautista St	San Joaquin Avenue	W. Tregallas Road	X	
AREA 14						
14	1	L Street	Marina	W 4th Street	X	
14	2	W 4th Street	L Street	W 10th Street	X	
14	3	W 6th Street	L Street	O Street	X	
14	4	M Street	W 4th Street	W 6th Street	X	
14	5	O Street	W 4th Street	W 10th Street	X	
AREA 15						
15	1	Boat Launch	Fulton Ship Yard		X	

B4



STAFF REPORT TO THE CITY COUNCIL AND HOUSING SUCCESSOR

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Teri House, CDBG/Housing Consultant

APPROVED BY: Forrest Ebbs, Community Development Director

SUBJECT: Public Hearing to review accomplishments for FY 2019-20 CDBG and Housing Successor Funds, Reported in the Consolidated Annual Performance Evaluation Report (CAPER); and Review of Priority Needs and Strategies for the 21-22 Action Plan

RECOMMENDED ACTION

- 1) It is recommended that the City Council receive and consider public comment on the FY 2019-20 CAPER year-end report and closeout for the 2015-20 Consolidated Plan, detailing achievements of programs funded with CDBG and Housing Successor funds for housing, homeless, and community services to improve the quality of life of lower income Antioch residents and neighborhoods.
- 2) It is recommended that the City Council receive and consider public comment on the Priority Needs and Strategies for the 21-22 Action Plan.

FISCAL IMPACT

There is no impact of these actions to the General Fund.

DISCUSSION

1) Consolidated Annual Performance Evaluation Report (CAPER) for FY 2019-20

The CAPER details the achievements of funded agencies during the fifth and final year of the 2015-20 Consolidated Plan. It examines individual agency goals and outcomes and how they contribute to achieving the City's five-year Consolidated Plan priorities.

Council is asked to consider all public comments, and the CAPER will be submitted with public comments to HUD at the end of September.

Following is a summary of the Priority Goals and Annual Strategies which were funded in FY 2019-20, with accomplishments.

HOMELESS GOALS AND STRATEGIES (H-1 AND H-2)

H-1: Permanent Housing for Homeless. Further “Housing First” approach to ending homelessness by supporting homeless outreach efforts, emergency shelter, transitional housing, and permanent housing with supportive services to help homeless persons achieve housing stability.

Homeless Outreach, Information and Referral

H-1.5 Health, Housing and Homeless Services Division, Contra Costa Health Services - CORE Homeless Outreach (HS \$30,000 allocated, \$29,999.71 expended). Program provides outreach services to homeless individuals and families and serves as the entry point into the coordinated entry system for unsheltered persons in the County. Outreach teams provide basic needs supplies, counseling, benefits assistance, linkages to healthcare, shelter placement and referrals and transportation to CARE Centers.

❖ Goal 270, Served 908 (336%) *Significantly exceeded goal.*

Homeless Shelter

H-1.1 Health, Housing and Homeless Services Division, Contra Costa Health Services - Adult Continuum of Homeless Services (Housing Successor [HS] Fund \$10,000 allocated, \$9,999.90 expended). Program provides 24-hour emergency shelter with wrap-around services to assist homeless persons in finding appropriate long-term housing, case management, housing and benefits assistance, meals, laundry facilities, healthcare, mental health services, substance abuse treatment.

❖ Goal 80, Served 111 (139%) *Exceeded goal.*

H-1.3 STAND! For Families Free of Violence - Emergency Shelter (HS \$10,000 allocated and expended). Program provides emergency shelter for 14 women, children and now men who are fleeing domestic violence. Comprehensive supportive services include food, clothing, social and legal advocacy, vocational assistance, childcare, housing referrals, and counseling.

❖ Goal 10, Served 24 (240%). *Significantly exceeded goal.*

H-1.4 Interfaith Council of CCC - Winter Nights Rotating Emergency Family Shelter (HS \$13,000 allocated and expended). Program provides emergency family shelter for up to 30 people in families with children. Services include shelter, food, transportation, case management, housing placement assistance and more. Shelter operates October – June and moves every two weeks to different faith-based locations.

❖ Goal 13, Served 19 (146%). *Exceeded goal.*

H-2: Prevention of Homelessness. Expand existing prevention services including emergency rental assistance, case management, housing search assistance, legal assistance, landlord mediation, money management and credit counseling.

H-2.1 Loaves and Fishes, Nourishing Lives – Feeding Homeless and At-Risk Households (CDBG \$5,000 allocated, \$5,000 expended). Program provides hot, nutritious meals Monday through Friday in Antioch dining room, located at 403 West 6th Street. Partnering with other agencies, clients are also offered safety net services such as medical, shelter, and registration for Cal Fresh.

❖ Goal 500, Served 590 (118%) *Met goal.*

H-2.2 SHELTER Inc. – Homeless Prevention/Rapid Rehousing (HS \$25,000 allocated, \$24,024.15 expended). Program prevented homelessness for households at-risk of homelessness and rapidly re-housed households who were homeless by providing short-term financial assistance for move-in costs or past due rent.

❖ Goal 160, Served 376 (235%) *Significantly exceeded goal.*

❖ Goal \$80,000 in assistance disbursed to Antioch residents
Disbursed \$167,782 (210%) *Significantly exceeded goal.*

H-2.3 Contra Costa Crisis Center/2-1-1 – Homeless Services (HS \$10,000 allocated and expended). Program provides 24/7 mental health crisis intervention services and a 2-1-1 information and referral service using full-time professional staff & highly trained volunteers and serves as the primary contact and gateway into the homeless coordinated entry system. Antioch funding for homeless-related calls only.

❖ Goal 1,200 Served 1,301 (108%) *Exceeded goal.*

H-2.4 Bay Area Legal Aid – Homeless Prevention Eviction Services (HS \$25,000 allocated and expended). Program provides eviction prevention services in collaboration with ECHO Housing that assist 40 lower income Antioch households to help them avoid eviction and homelessness. Services may include: tenant information and counseling; negotiations with landlords and other advocacy assistance; and legal services including advice, info and referral, and filing of required agency and court papers.

❖ Goal 40, Served 43 (107%) *Met Goal*

NON-HOUSING COMMUNITY DEVELOPMENT GOALS & STRATEGIES (CD-1–8)

Public Services (CD-2–5)

CD-2: Non-Homeless Special Needs. Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as elderly and frail elderly, victims of domestic violence, persons with HIV/AIDS, persons with mental, physical and developmental disabilities, abused children, illiterate adults and migrant farm workers.

CD-2.1 Seniors: City, Senior Center Administration and Programs (CDBG \$35,000 allocated and expended). Program provides lower income Antioch seniors with access to a wide variety of activities and services at the Antioch Senior Center, including hot lunches M-F. Center serves as the hub of senior service delivery, providing space for Contra Costa Senior Legal Services, Lion's Center screening events, Senior Outreach Services Care Management, as well as providing health seminars, computer classes, insurance counseling, educational and recreational opportunities, and much more.

- ❖ Goal 800, Served 690 (86%) *Fell slightly short of goal as over 60 residents served were under age 62, and several hundred other persons served were from other cities.*

CD-2.2 Seniors: Contra Costa Senior Legal Services – Legal Services (CDBG \$10,000 allocated, \$9,999.80 expended). Program provides free legal counseling, advice, representation and litigation services to seniors in connection with their housing, income maintenance, consumer and individual rights, and other elder law issues.

- ❖ Goal 100, Served 113 (139%) *Exceeded goal*

CD-2.3 Seniors/Disabled: Lions Center for the Visually Impaired – Independent Living Skills (CDBG \$5,000 allocated, \$4,995.48 expended). Program provides in-home independent living skills instruction and training to visually impaired adults so they will maintain their independence and avoid institutionalization.

- ❖ Goal 14, Served 33 (236%) *Significantly exceeded goal*

CD-2.4 Seniors/Disabled: Senior Outreach Services – Meals on Wheels, (CDBG \$10,000 allocated, \$9,997 expended). Program delivers seven nutritious meals each week to frail, home bound seniors and disabled adults to help them live at home in safety, comfort, and with dignity for as long as they can. Seniors benefit from daily health and wellness checks from volunteer drivers and ongoing client monitoring through in-home visits by outreach workers.

- ❖ Goal 220, Served 298 (135%) *Exceeded goal*

CD-2.5 Seniors: Senior Outreach Services – Care Management (CDBG \$10,000 allocated and expended). Program provides an array of services to help older adults and their families meet long-term care needs. Care managers assist seniors in resolving critical issues affecting their health and wellness to help them live as independently as possible.

- ❖ Goal 120, Served 184 (153%) *Exceeded goal*

CD-2.6 Seniors/Disabled: Ombudsman Services of CCC – Advocacy in Care Facilities (CDBG \$10,000 allocated, \$9969.65 expended). Program provides dependent adults and elderly residing in long-term care facilities with access to safe and secure environments through the advocacy of trained and certified Ombudsman who investigate abuse and ensure compliance of facilities.

❖ Goal 100, Served 115 (115%) *Exceeded goal*

CD-3: Youth. Increase opportunities for children/youth to be healthy, succeed in school, and prepare for productive adulthood.

CD-3.1 City, Youth Recreational Program Scholarships (CDBG \$15,000 allocated, \$2,361.40 expended). Program provides scholarships to 120 youth from lower income Antioch families, allowing them to participate free in healthy sports, fitness, recreation, swimming, and other classes.

❖ Goal 100, Served 38 (38%) *Significantly Short of Goal due to Covid-19 shutdown of all classes, sports, swimming, etc., resulting in refunding of tuitions.*

CD-3.2 Community Violence Solutions – Child Sexual Assault Intervention (CDBG \$5,000 allocated and expended). Program serves child and developmentally disabled individuals who are victims of sexual assault with forensic interviews, advocacy, case management, and mental health services.

❖ Goal 35, Served 49 (140%) *Exceeded goal.*

CD-3.3 Court Appointed Special Advocates – CASA Advocacy for Youth at Risk (CDBG \$5,000 allocated, \$4999.90 expended). Program provides advocacy, mentoring and representation services to abused and neglected children who are wards of the County Juvenile Dependency Court to improve access to social services, health care, therapeutic services and a safe and permanent living situation.

❖ Goal 20, Served 58 (290%) *Significantly exceeded goal.*

CD-4: Fair Housing. Continue to promote fair housing activities and affirmatively further fair housing to eliminate discrimination in housing choice in the City of Antioch.

CD-4.2 ECHO Housing – Fair Housing Services (CDBG Admin \$25,000 allocated, \$22,599.61 expended). Program investigates complaints of alleged housing discrimination and provides fair housing counseling services, including advice, mediation, testing/audits to uncover discrimination, training to housing providers, and outreach and education to residents and landlords.

❖ Goal 50 (cases only, not outreach), Served 51 (102%) *Met goal.*

CD-5: Tenant/Landlord Counseling. Support the investigation and resolution of disagreements between tenants and landlords and to educate both as to their rights and responsibilities, so as to help prevent people from becoming homeless and to ensure fair housing opportunity.

CD-5.2 ECHO Housing – Tenant/Landlord Counseling Services (CDBG \$15,000 allocated and expended). Program provides landlord/tenant counseling services and legal services to Antioch tenants and landlords on their rights and responsibilities under federal, state and local housing laws.

❖ Goal 100, Served 110 (110%) *Met goal.*

Economic Development (CD-6)

CD-6: Economic Development. Reduce the number of persons with incomes below the poverty level, expand economic opportunities for very low- and low-income residents, and increase the viability of neighborhood commercial areas.

CD-6.1 Contra Costa Child Care Council – Road to Success for Childcare Businesses (CDBG \$10,000 allocated and expended). Program benefits lower income residents by providing microenterprise assistance for those who want to maintain or start stable small businesses as licensed home-based family childcare providers.

❖ Goal 10, Served 14 (140%) *Exceeded goal.*

CD-6.3 Opportunity Junction – Job Training and Placement Program (CDBG \$50,000 allocated and expended). Program integrates computer training with life skills, paid experience, case management and psychological counseling, career counseling and job placement, and long-term ongoing support. Participants enter administrative careers that enable them to become self-sufficient.

❖ Goal 2, Served 5 (250%) *Significantly exceeded goal. NOTE: 15 Antioch residents were trained and placed in total. HUD now limits counting of those trained to only those who were placed with businesses who have a hiring contract with the agency. Therefore, hiring goals have been adjusted.*

Infrastructure (CD-7)

CD-7: Infrastructure and Accessibility: Maintain adequate infrastructure in lower income areas and ensure access for the mobility-impaired by addressing physical access barriers to goods, services, and public facilities in such areas.

CD-7.1 City, Downtown Roadway Rehabilitation & Ramps (CDBG \$385,000 allocated in 2018-19, \$650,254 in 2019-20, total \$1,035,254 allocated and expended). Project improves access for the physically handicapped in the older, lower income downtown areas, improves drainage facilities to reduce flooding, rehabilitates roadways and sidewalks and installs handicap ramps on West 7th St. from A to D Streets and B, C, and D Streets between West 6th Street to West 10th Street. The intersections of West 7th St. at B and C Streets were fully reconstructed and 8 new curb ramps were installed. Deteriorating, damaged and uneven concrete curb, gutter, sidewalk and driveway approaches adjacent to the roadways were replaced. Program will provide services to 4,708 Persons.

❖ *Project was completed on April 16, 2020.*

Administration (CD-8)

CD-8: Administration. Support development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector and administer federal grant programs in a fiscally prudent manner.

CD-8.1 City, Administration of CDBG Program (CDBG-\$141,921 allocated, \$132,743.82 expended). Program supports the development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector and administering federal grant programs in a fiscally prudent manner.

❖ *Achieved*

Affordable Housing Goals and Strategies (AH-1 – AH-3)

AH-3: Maintain and Preserve Affordable Housing. Maintain and preserve the existing affordable housing stock, including single family residences owned and occupied by lower-income households, multi-family units at risk of loss to the market, and housing in deteriorating or deteriorated lower income neighborhoods.

AH-3.4 Habitat for Humanity – Homeowner Housing Rehabilitation (CDBG RLF \$255,000 allocated, \$35,760.54 expended). Project helps lower income single-family homeowners to rehabilitate their homes and improve accessibility and livability, especially for elderly and disabled homeowners. Rehabilitation supports Code Enforcement Program in identified lower income areas.

❖ *In FY 2019-20, all legal documents for the Housing Successor funding source were created, including Promissory Note and Deed of Trust for loan and grant documents. Agency has conducted outreach and has a waiting list of qualified people, and the program is underway.*

AH-3.5 Bay Area Affordable Homeownership Alliance – Antioch Home Ownership Program (HS \$50,000 allocated \$19,688 expended). Program helps lower income Antioch renters, employees of Antioch businesses, and others become Antioch homeowners by providing HUD approved homebuyer education (8 hrs.) and counseling, reviewing applications, assistance to identify down payment subsidies, and connection with lenders.

❖ *Program hosted a well-attended outreach session (more than 200 people attended) and two HUD Homeowner trainings in 2019; however, program was suspended by Community Development in March with the onset of the Corona Virus restrictions, to determine the effects on the housing market, and remained so during the remainder of FY 2019-2020.*

As of the writing of this report, no public comment has been received on the CAPER from the Public Notice that was published on 8/21/2020 for a 30-day public comment period.

Review of 2015-20 Consolidated Plan Accomplishments

NOTE: Numbers of persons served is unduplicated within each year, but not over the five-year period. In some cases, clients are duplicated between years.

The 2019-20 CAPER is the last year-end report for the five-year 2015-2020 Consolidated Plan. Over the plan period, the City contracted to serve 25,962 Antioch residents, and served 30,920 people, achieving 119% of goal. The City expended \$5,421,966.53 in CDBG and Housing Successor funding to provide services to lower income households, and in lower income areas of the City. Detail of funded programs, achievements against goal, and funds received and expended is presented in **Attachment A**.

In this ConPlan, Council focused funding on its most vulnerable residents, including persons without shelter who are homeless, aging adults, adults with disabilities, and abused and vulnerable youth. Homeless outreach and shelter services were provided to 3,494 unhoused people, with 743 of those receiving shelter. Homeless prevention activities served 7,926 people, keeping well over 1,300 unduplicated families and individuals in Antioch from becoming homeless.

Over 7,200 elderly and disabled residents received a variety of services including legal services, care management, daily meals, advocacy and assistance adapting to new disabilities. Over 473 abused and neglected youth, including foster youth and children who had been abused/assaulted, received much-needed services to help them heal. And 548 youth from lower income families enjoyed recreational, sports, swimming and classes and no charge.

Economic Development activities comprised about 8% of the invested CDBG dollars over the ConPlan period. Funding assisted 82 residents to be trained for jobs in construction trades, as well as in administrative careers. It also provided support to develop more childcare for working parents in Antioch, assisting 66 family childcare microenterprises.

Repairing substantially deteriorated downtown residential streets and increasing access for disabled residents also remained a priority, even though these large projects require the City to accumulate CDBG and other funds for two to three years so as to have enough funding to achieve any economy of scale in the cost. In the five-year 2015-20 ConPlan, downtown streets including West 6th, 7th, 8th, 9th and 10th from approximately A to F streets were reconstructed. This work improves handicap access by installing ramps, improves drainage and reduces flooding in the area. It is estimated that 5,000+ residents in surrounding census tracts will utilize those improvements.

Accomplishments to maintain, preserve, and increase affordable housing during 2015-20 met with resounding success and some delays. The Code Enforcement program, which utilized CDBG funds to rebuild after the recession, found a permanent funding source and ended CDBG reliance in 2018-19, freeing up resources for other projects. The homeownership program was developed, launched with promising success when subsidies existed, halted during the uncertainty of the pandemic, and restarting in 2020-

21. The Housing Rehab program took much time to find a new provider and develop new program guidelines and contracts for new funding sources but is now off the ground.

Undoubtedly, the greatest accomplishment was the culmination of over a decade of work and \$3 million in City investment – the construction of Tabora Gardens, 85 new units of highly affordable subsidized housing. This attractive senior development has a number of units for Veterans and homeless Veterans, complete with supportive services and transportation.

Finally, the City affirmed its commitment to ensuring that housing opportunities were available to all without discrimination by investing in both Fair Housing Services and Tenant/Landlord Services. Almost 1,000 (954) received assistance with tenant/landlord issues, and 211 residents brought their fair housing questions and complaints forward during the five-year period. Training of landlords is ongoing each year and continues to bear fruit – in FY 2019-20 a Fair Housing testing of 14 apartment complexes detected NO incidences of racial discrimination in screening potential renters and providing access to housing, and significant achievement. All services are provided at no cost to Antioch residents.

Equity Analysis

The data on persons served by race and ethnicity also provides the City with an opportunity to better understand who is receiving funded services through an equity lens. Over the five years, 18,628 persons received services for which race and Hispanic ethnicity was collected (this data is not collected for Area Benefit activities, such as street work, code enforcement, etc.) This information was compared to the percentage that each race represents in the Antioch population as of the 2018 American Community Survey. HUD considers that a disproportionate disparity exists when the difference is greater or lesser than 10%. Following are the results:

Race & Hispanic Ethnicity	% of Population	% Served	Difference	Disproportionate Access
White	41.9	43.0	1.1	
Black/African-American	19.9	25.5	5.6	
Asian	13.3	4.7	-8.6	CLOSE
American Indian/ Alaskan Native	0.9	2.7	1.8	
Native Hawaiian/ Pacific Islander	0.4	1.1	0.7	
American Indian/ White	0.6	0.3	-0.3	
Asian/White	2.4	0.3	-2.1	
Black/White	0.9	0.9	0	
American Indian/Black	0.4	0.3	-0.1	
Other	17.4	21.2	3.8	
Hispanic (ALL Races)	37.3	14.5	-22.8	YES

As can be seen in the above chart, Asian and Hispanic residents did not access services at a rate similar to the rest of the City's population. Hispanic residents, in particular, did not receive services proportionately to their presence in the population. This analysis is conducted annually by the CDBG Consultant and continued to climb in spite of increased outreach by the City and agencies to increase awareness of services and perhaps the highest number of Spanish-speaking employees at funded nonprofit agencies. In the coming Consolidated Plan period, funded agencies will continue to translate program materials into Spanish and increase outreach to the Hispanic community to try to decrease this disparity of access.

For the first time, Asian residents are also not accessing services in proportion to their presence in the population. Antioch's Asian population with English language access difficulties are primarily Filipino, Korean, and Chinese. In 2019, the City added these languages to its Website translation program. In 2020-21, the CDBG Consultant is working to identify and construct a database to better outreach to Asian populations, as well as those with disabilities and other special needs. CDBG will also reach out to agencies to increase translation of brochures and other outreach materials into Tagalog and Chinese (most prevalent non-English speakers), and possibly Korean.

#2 – Review of Priority Needs and Strategies for the 21-22 Action Plan

The City completed a thorough review of needs of the Antioch population for the development of the 2020-25 Consolidated Plan, which was adopted in May of this year. The depth and breadth of the plan was sufficient to accommodate the unexpected CDBG-CV (Coronavirus) funding without alteration, and the Consultant recommends no changes at this time to the priorities established by Council.

As of the writing of this report, no public comment has been received on the CAPER from the Public Notice that was published on 8/21/2020 for a 30-day public comment period.

ATTACHMENTS:

Attachment A – 2015-20 Consolidated Plan Achievements and Funding

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements						Demographics of Clients Served																						Income Level				
# of Programs	Year	Agencies and Programs	Client Goal	Total Served	% of Goal	White	Hispanic	Black	Hispanic	Asian	Hispanic	Am Indian/ Alaskan	Hispanic	Hawaiian/ Pacific Islander	Hispanic	Am Indian/ White	Hispanic	Asian/ White	Hispanic	Black/ White	Hispanic	Am Indian/ Black	Hispanic	Other	Hispanic	Total ALL	Total Hispanic	0-30% AMI	31-50% AMI	51-80% AMI	Total # lower income clients served	
Homeless Goals and Strategies (H-1 and H-2)																																
H-1 Permanent Housing for Homeless. Further “Housing First” approach to ending homelessness by supporting homeless outreach efforts, emergency shelter, transitional housing, and permanent housing with supportive services to help homeless persons achieve housing stability.																																
Homeless Outreach, Information and Referral																																
1	15-16	Anka Homeless Outreach (Day)	40	151	378%	84	3	39	1	1	0	15	10	3	2	8	7	1	0	0	0	0	0	0	151	23	151	0	0	151		
2	15-16	CC Homelesss Outreach (Night)	175	373	213%	180	15	93	2	6	0	54	44	4	0	0	0	0	0	0	0	0	0	36	0	373	61	373	0	0	373	
3	16-17	CC Health, Housing & Homeless Services (H3) Division,CORE Homeless Outreach Services	150	144	99%	81	5	34	1	1	0	13	11	3	1	1	1	0	0	3	0	2	0	6	3	144	22	144	0	0	144	
	17-18	CCH3,CORE Homeless Outreach Services	270	588	218%	290	25	159	5	6	0	45	33	7	4	9	3	1	0	5	0	3	1	63	5	588	76	588	0	0	588	
	18-19	CCH3,CORE Homeless Outreach Services	270	587	217%	286	28	176	7	2	0	59	36	9	2	0	0	2	0	12	6	0	0	41	10	587	89	587	0	0	587	
	19-20	CCH3,CORE Homeless Outreach Services	270	908	336%	416	59	291	16	12	1	84	57	23	8	0	0	1	0	19	10	0	0	62	10	908	161	908	0	0	908	
Homeless Shelter																																
4	15-16	CC Health, Housing & Homeless Services (H3) Division, Homeless Adult Continuum of Services	80	110	138%	56	3	31	0	2	0	15	14	2	1	4	4	0	0	0	0	0	0	0	110	22	110	0	0	110		
	16-17	CCH3, Homeless Adult Continuum of Services	80	115	144%	60	5	37	0	1	0	8	8	2	0	2	1	1	0	1	0	0	3	1	115	15	115	0	0	115		
	17-18	CCH3, Homeless Adult Continuum of Services	80	114	143%	66	3	31	1	0	0	7	7	2	0	1	0	1	0	0	3	2	3	2	114	15	114	0	0	114		
	18-19	CCH3, Homeless Adult Continuum of Services	80	119	149%	57	3	43	1	2	0	9	8	3	0	1	1	0	0	0	0	0	4	1	119	14	119	0	0	119		
	19-20	CCH3, Homeless Adult Continuum of Services	80	111	139%	51	3	43	0	3	0	7	6	2	1	3	1	0	0	0	0	0	2	1	111	12	111	0	0	111		
5	17-18	Interfaith Council of CCC-Winter Nights Family Shelter	13	13	100%	0	0	3	0	0	0	2	2	0	0	0	0	0	0	3	0	5	0	0	13	2	13	0	0	13		
	18-19	ICCCC - Winter Nights Shelter	13	19	146%	1	0	1	0	1	0	3	1	1	1	6	5	0	0	0	0	1	0	5	5	19	12	19	0	0	19	
	19-20	ICCCC - Winter Nights Shelter	13	19	146%	12	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19	0	19	0	0	19		
6	15-16	N California Family Center, Runaway Youth Shelter	3	5	167%	2	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	1	5	0	0	5			
	16-17	NCFC, Runaway Youth Shelter Services	3	4	133%	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	4	0	0	4			
7	15-16	STAND!, Emergency Domestic Violence Shelter	10	20	200%	3	0	6	0	2	0	0	0	0	0	0	0	0	0	0	0	0	9	2	20	2	0	20	0	20		
	16-17	STAND!, Emergency Domestic Violence Shelter	10	34	340%	12	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	1	34	1	0	34	0	34		
	17-18	STAND!, Emergency Domestic Violence Shelter	10	22	220%	4	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	4	3	22	3	0	22	0	22			
	18-19	STAND!, Emergency Domestic Violence Shelter	10	14	140%	0	0	11	0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	14	0	0	14	0	14			
	19-20	STAND!, Emergency Domestic Violence Shelter	10	24	240%	3	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	9	4	24	4	0	24	0	24			
SUB TOTAL:			1,670	3,494	209%	1,664	153	1,050	34	39	1	321	237	63	20	35	23	7	0	43	16	14	3	258	48	3,494	535	3,380	114	0	3,494	
H-2 Prevention of Homelessness. Expand existing prevention services including emergency rental assistance, case management, housing search assistance, legal assistance, landlord mediation, money management and credit counseling.																																
8	17-18	CC Crisis Center - Homeless Info/Referral	600	1,022	170%	181	48	104	0	6	0	10	0	0	0	0	0	0	13	0	0	0	708	0	1,022	48	1,022	0	0	1,022		
	18-19	CC Crisis Center - Homeless Info/Referral	600	1,698	283%	273	63	230	0	13	0	18	0	0	0	0	0	0	0	15	0	0	0	1,149	0	1,698	63	1,698	0	0	1,698	
	19-20	CC Crisis Center - Homeless Info/Referral	1,200	1,301	108%	256	43	152	0	1	0	16	0	4	0	0	0	0	0	13	0	0	859	0	1,301	43	1,301	0	0	1,301		
9	15-16	Loaves & Fishes of CC - Nourishing Lives	150	572	381%	Area Benefit Activity - Does not collect race and ethnicity information																							572	572		
	16-17	Loaves & Fishes of CC - Nourishing Lives	500	500	100%																								500	500		
	17-18	Loaves & Fishes of CC - Nourishing Lives	500	472	94%																								472	472		
	18-19	Loaves & Fishes of CC - Nourishing Lives	500	448	90%																								448	448		
	19-20	Loaves & Fishes of CC - Nourishing Lives	500	590	118%																								590	590		
10	15-16	SHELTER, Inc. - Homeless Prevention/Rapid Rehsg	225	315	140%	97	50	159	16	24	8	18	13	1	1	0	0	1	0	14	5	0	0	1	0	315	93	232	77	6	315	
	16-17	SHELTER, Inc. - Homeless Prevention/Rapid Rehousing	225	204	91%	55	20	129	5	0	0	0	0	0	0	1	0	5	0	7	0	7	0	0	204	25	113	77	14	204		
	17-18	SHELTER, Inc.-Homeless Prevention/Rapid Rehousing	160	211	132%	40	17	128	17	2	0	14	0	4	2	3	2	3	0	5	1	9	2	3	0	211	41	79	99	33	211	
	18-19	SHELTER, Inc.-Homeless Prevention/Rapid Rehousing	160	174	109%	36	18	110	0	6	0	1	0	11	0	0	0	2	2	1	0	0	0	7	0	174	20	118	34	22	174	
	19-20	SHELTER, Inc.-Homeless Prevention/Rapid Rehousing	160	376	235%	97	73	230	25	9	0	3	2	12	0	0	0	0	0	0	0	0	25	4	376	104	163	191	22	376		
11	19-20	Bay Area Legal Aid - Homeless Prevention Eviction Svcs	40	43	107%	13	0	18	0	2	0	0	0	0	0	0	0	0	0	0	0	0	10	8	43	8	33	10	0	43		
SUB TOTAL:			5,520	7,926	144%	1,035	332	1,260	63	63	8	80	15	32	3	4	2	11	2	68	6	16	2	2,762	12	5,344	445	4,759	488	2,679	7,926	
Non-Housing Community Development Goals and Strategies (CD-1 – CD-8)																																
CD-1 General Public Services. Ensure that opportunities and services are provided to improve the quality of life and independence for lower-income persons, and ensure access to programs that promote prevention and early intervention related to a variety of social concerns.																																

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements						Demographics of Clients Served																						Income Level			
# of Programs	Year	Agencies and Programs	Client Goal	Total Served	% of Goal	White	Hispanic	Black	Hispanic	Asian	Hispanic	Am Indian/ Alaskan	Hispanic	Hawaiian/ Pacific Islander	Hispanic	Am Indian/ White	Hispanic	Asian/ White	Hispanic	Black/ White	Hispanic	Am Indian/ Black	Hispanic	Other	Hispanic	Total ALL	Total Hispanic	0-30% AMI	31-50% AMI	51-80% AMI	Total # lower income clients served
CD-2 Non-Homeless Special Needs. Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as elderly and frail elderly, victims of domestic violence, persons with HIV/AIDS, persons with mental, physical and developmental disabilities, abused children, illiterate adults and migrant farm workers.																															
12	15-16	City -Senior Center Administration & Programs	1,100	696	63%	497	121	77	1	88	1	1	0	3	0	3	0	2	0	2	0	3	1	20	9	696	133	0	0	696	696
	16-17	City -Senior Center Administration & Programs	1,000	884	88%	611	150	110	1	116	3	5	1	5	0	3	0	1	0	3	0	3	1	27	11	884	167	0	0	884	884
	17-18	City -Senior Center Administration & Programs	800	698	87%	456	115	94	1	91	1	12	6	5	0	1	0	0	0	0	0	1	0	38	17	698	140	0	0	698	698
	18-19	City -Senior Center Administration & Programs	800	771	83%	510	147	116	0	117	0	11	1	3	0	0	0	0	0	9	0	0	0	5	0	771	148	0	0	771	771
	19-20	City -Senior Center Administration & Programs	800	690	86%	476	102	120	0	80	0	10	0	4	0	0	0	0	0	0	0	0	0	0	0	690	102	0	0	690	690
13	15-16	CC Senior Legal Services - Legal Services	75	101	135%	63	15	23	0	10	0	1	0	4	0	0	0	0	0	0	0	0	0	0	0	101	15	0	101	0	101
	16-17	CC Senior Legal Services - Legal Services	75	91	121%	56	19	22	0	1	0	0	0	3	0	0	0	3	0	0	0	0	0	6	0	91	19	0	91	0	91
	17-18	CC Senior Legal Services - Legal Services	75	104	139%	68	16	27	0	3	0	0	0	2	0	0	0	0	0	0	0	0	0	4	0	104	16	0	104	0	104
	18-19	CC Senior Legal Services - Legal Services	100	127	127%	69	23	33	0	11	0	2	0	4	0	0	0	0	0	0	0	0	0	8	0	127	23	0	127	0	127
	19-20	CC Senior Legal Services - Legal Services	100	113	113%	61	18	37	0	3	0	1	0	5	0	0	0	0	0	0	0	0	0	6	0	113	18	0	113	0	113
14	15-16	Lions Center - Independent Living Skills	14	42	300%	29	0	2	0	5	0	0	0	1	0	0	0	0	0	0	0	0	0	5	5	42	5	0	42	0	42
	16-17	Lions Center - Independent Living Skills	14	64	457%	23	0	5	0	23	0	0	0	1	0	0	0	0	0	0	0	0	0	12	11	64	11	0	64	0	64
	17-18	Lions Center - Independent Living Skills	14	56	400%	22	0	9	0	8	0	1	0	0	0	0	0	0	0	0	0	0	0	16	15	56	15	0	56	0	56
	18-19	Lions Center - Independent Living Skills	14	48	343%	20	0	5	0	15	0	5	0	0	0	0	0	0	0	0	0	0	0	3	3	48	3	0	48	0	48
	19-20	Lions Center - Independent Living Skills	14	33	236%	13	0	9	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	7	3	33	3	0	33	0	33
15	15-16	Meals on Wheels Diablo Valley - Meals on Wheels	200	258	129%	150	32	74	0	10	0	2	0	5	0	0	0	0	0	0	0	0	0	17	1	258	33	0	258	0	258
	16-17	Meals on Wheels Diablo Valley - Meals on Wheels	200	240	120%	146	38	64	0	12	0	2	0	3	0	0	0	0	0	0	0	0	0	13	0	240	38	0	240	0	240
	17-18	Meals on Wheels Diablo Valley - Meals on Wheels	220	217	99%	148	37	49	0	8	0	1	0	4	0	1	0	0	0	0	0	0	0	6	0	217	37	0	217	0	217
	18-19	Meals on Wheels Diablo Valley - Meals on Wheels	220	259	118%	128	41	72	0	6	0	1	0	7	0	0	0	0	0	0	0	0	0	45	0	259	41	0	259	0	259
	19-20	Meals on Wheels Diablo Valley - Meals on Wheels	220	298	135%	189	54	78	0	13	0	1	0	8	0	0	0	0	0	0	0	0	0	9	0	298	54	0	298	0	298
16	15-16	Meals on Wheels Diablo Valley - Care Management	100	89	89%	56	10	19	0	6	0	0	0	3	0	0	0	0	0	0	0	0	0	5	0	89	10	0	89	0	89
	16-17	Meals on Wheels Diablo Valley - Care Management	100	112	112%	69	12	34	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	7	0	112	12	0	112	0	112
	17-18	Meals on Wheels Diablo Valley - Care Management	120	191	159%	118	27	50	0	6	0	2	0	1	0	0	0	0	0	0	0	0	0	14	0	191	27	0	191	0	191
	18-19	Meals on Wheels Diablo Valley - Care Management	120	227	189%	138	35	67	0	5	0	0	0	2	0	0	0	0	0	0	0	0	0	15	0	227	35	0	227	0	227
	19-20	Meals on Wheels Diablo Valley - Care Management	120	184	153%	123	27	44	0	6	0	1	0	0	0	0	0	2	0	0	0	0	0	8	0	184	27	0	184	0	184
17	15-16	Ombudsman Services-Advocacy in Care Facilities	50	99	198%	44	9	5	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	48	1	99	10	0	99	0	99
	16-17	Ombudsman Services-Advocacy in Care Facilities	65	88	135%	42	2	7	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	37	3	88	5	0	88	0	88
	17-18	Ombudsman Services-Advocacy in Care Facilities	100	185	185%	113	0	16	0	1	0	0	0	3	0	0	0	0	0	0	0	0	0	52	8	185	8	0	185	0	185
	18-19	Ombudsman Services-Advocacy in Care Facilities	100	264	264%	192	0	27	0	13	0	0	0	0	0	0	0	0	0	0	0	0	0	28	0	264	0	0	264	0	264
	19-20	Ombudsman Services-Advocacy in Care Facilities	100	115	115%	65	0	22	0	18	0	0	0	0	0	0	2	0	0	0	0	0	0	8	0	115	0	0	115	0	115
SUB TOTAL:			7,030	7,344	104%	4,695	1,050	1,317	3	682	5	59	8	77	0	10	0	14	0	14	0	7	2	469	87	7,344	1,155	0	3,605	3,739	7,344
CD-3 Youth. Increase opportunities for children/youth to be healthy, succeed in school, and prepare for productive adulthood.																															
18	15-16	City - Youth Recreational Scholarships	120	129	108%	19	8	50	0	17	0	0	0	2	0	2	0	1	0	4	0	0	0	34	20	129	28	73	34	22	129
	16-17	City - Youth Recreational Scholarships	120	146	122%	29	3	52	1	26	3	0	0	0	0	0	0	0	0	4	0	4	0	31	10	146	17	69	36	41	146
	17-18	City - Youth Recreational Scholarships	120	138	115%	20	4	59	4	13	0	0	0	2	0	0	0	4	0	0	0	1	0	39	26	138	34	78	40	20	138
	18-19	City - Youth Recreational Scholarships	100	97	97%	7	5	46	3	4	0	2	2	0	0	0	0	5	0	3	0	0	0	30	22	97	32	61	28	8	97
	19-20	City - Youth Recreational Scholarships	100	38	38%	12	7	10	2	1	0	1	1	0	0	0	0	0	0	0	0	0	0	14	9	38	19	21	15	2	38
19	15-16	Community Violence Solutions (CVS) - Child Sexual Assault Intervention	35	61	174%	17	0	17	0	1	0	0	0	0	0	0	0	0	0	5	2	0	0	21	18	61	20	61	0	0	61
	16-17	CVS - CIC Child Sexual Assault Intervention	35	84	240%	11	0	28	0	3	0	0	0	2	0	0	0	2	0	0	0	0	0	38	31	84	31	84	0	0	84
	17-18	CVS - CIC Child Sexual Assault Intervention	35	46	131%	19	0	13	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	12	7	46	7	46	0	0	46
	18-19	CVS - CIC Child Sexual Assault Intervention	35	83	237%	21	0	26	0	3	0	0	0	0	0	0	0	1	0	0	0	0	0	32	29	83	29	83	0	0	83
	19-20	CVS - CIC Child Sexual Assault Intervention	35	49	140%	15	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	23	49	23	49	0	0	49

A3

A3

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements						Demographics of Clients Served																								Income Level			
# of Programs	Year	Agencies and Programs	Client Goal	Total Served	% of Goal	White	Hispanic	Black	Hispanic	Asian	Hispanic	Am Indian/ Alaskan	Hispanic	Hawaiian/ Pacific Islander	Hispanic	Am Indian/ White	Hispanic	Asian/ White	Hispanic	Black/ White	Hispanic	Am Indian/ Black	Hispanic	Other	Hispanic	Total ALL	Total Hispanic	0-30% AMI	31-50% AMI	51-80% AMI	Total # lower income clients served		
CD-8 Administration. Support development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector, and administer federal grant programs in a fiscally prudent manner.																																	
29	15-16	City - Administration of CDBG Program	Not Applicable																														
	16-17	City - Administration of CDBG Program																															
	17-18	City - Administration of CDBG Program																															
	18-19	City - Administration of CDBG Program																															
	19-20	City - Administration of CDBG Program																															
SUB TOTAL:																																	
Affordable Housing Goals and Strategies (AH-1 – AH-3)																																	
AH-1: Increase Affordable Rental Housing Supply. Expand housing opportunities for extremely low-income, very low-income, and low-income households by increasing the supply of decent, safe, and affordable rental housing.																																	
AH-2: Increase Affordable Supportive Housing. Expand housing opportunities for persons with special needs, including seniors, persons with disabilities, persons with HIV/AIDS, veterans, and the homeless, by increasing appropriate and supportive housing.																																	
30	16-17	Satellite (SAHA) - Tabora Gardens Senior Housing	84	84	100%	28	5	35	0	0	0	1	0	1	0	2	1	1	1	0	0	0	0	16	5	84	12	32	52	0	84		
SUB TOTAL:		84	84	100%	28	5	35	0	0	0	1	0	1	0	2	1	1	1	0	0	0	0	16	5	84	12	32	52	0	84			
AH-3: Maintain and Preserve Affordable Housing. Maintain and preserve the existing affordable housing stock, including single family residences owned and occupied by lower-income households, multi-family units at risk of loss to the market, and housing in deteriorating or deteriorated lower income neighborhoods.																																	
31	17-18	BAHAA - AHOP Antioch Home Owner Program	5	5	100%																								5	5			
	18-19	BAHAA - AHOP Antioch Home Owner Program	5	0	0																									0			
	19-20	BAHAA - AHOP Antioch Home Owner Program	0	0	0																									0			
32	18-19	City - AHOP Down Payment Assistance Loans	0	0	0																									0			
	19-20	City - AHOP Down Payment Assistance Loans	0	0	0																									0			
33	15-16	City - Code Enforcement Lower Income Areas	150	113	75%	Area Benefit Activity - Does not collect race and ethnicity information																										113	113
	16-17	City - Code Enforcement Lower Income Areas	150	188	125%																											188	188
	17-18	City - Code Enforcement Lower Income Areas	150	147	99%																											147	147
	18-19	City - Code Enforcement Lower Income Areas	150	139	93%																											139	139
34	15-16	CCC Neighborhood Preservation Program	3	0																					0	0	0	0	0	0			
	16-17	CCC Neighborhood Preservation Program	3	1	33%	1	1																		1	1	0	1	1				
35	15-16	Community Energy Services - Minor Home Repair	20	14	70%	7	5	5	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	14	5	4	6	4	14		
	16-17	CESC - Minor Home Repair																															
	17-18	CESC - Minor Home Repair	10	3	30%																											3	1
36	17-18	Habitat - Homeowner Rehab Program	0	0	0%																					0	0			0			
	18-19	Habitat - Homeowner Rehab Program	0	0	0%																					0	0			0			
	19-20	Habitat - Homeowner Rehab Program	0	0	0%																					0	0			0			
SUB TOTAL:		646	610	94%	11	7	5	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	18	7	7	7	591	605		
TOTAL:			25,962	31,022	119%	8,002	1,717	4,750	119	881	17	510	287	196	33	61	31	50	3	162	24	47	9	3,956	457	18,628	2,697	9,809	4,740	16,452	31,001		
Total # of People Served for whom Race/Ethnicity Information was collected 18,628 (NOTE: this data is not collected for Area Benefit Activities)				18,628	White → 43.0%	Black → 25.5%	Asian → 4.7%	Amer Indian → 2.7%	Hawaii → 1.1%	Amlnd/ White → 0.3%	Asian/ White → 0.3%	Black/ White → 0.9%	Amlnd/ Black → 0.3%	Other → 21.2%	Total Hispanic, All Races → 14.5%	31.6%	15.3%	53.0%	99.9%														
EQUITY ANALYSIS - Percentage (%) OF ANTIOCH POPULATION →				41.9%	19.9%	13.3%	0.9%	0.4%	0.6%	2.4%	0.9%	0.4%	17.4%	Hisp 37.3%	income = 0-30% AMI	income = 31-50% AMI	income = 51-80% AMI	% of lower income people served															
2018 American Community Survey 1-year estimates, table B01003: Total population, race alone or in combination with one or more races.			Disproportionate (< or > 10% difference)	OK 1.1%	OK 5.6%	Under Served -8.6%	OK 1.8%	OK 0.7%	OK -0.3%	OK -2.1%	OK 0.0%	OK -0.1%	OK 3.8%	Under Served -22.8%																			

A5

A5

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements				CDBG	Fund Accounting								
# of Programs	Year	Agencies and Programs	IDIS Activity #	Funded CDBG-EN	Expended CDBG-EN	Funded RLF	Expended RLF	Funded NSP-1	Expended NSP-1	Funded Hsg Succ	Expended Hsg Succ	TOTAL FUNDED ALL SOURCES	TOTAL EXPENDED ALL SOURCES
CD-2 Non-Homeless Special Needs. Ensure that opportunities and services are available for children, illiterate adults and migrant farm workers.													
CD-2 Non-Homeless Special Needs.													
12	15-16	City -Senior Center Administration & Programs	612	35,000.00	35,000.00							\$ 35,000.00	\$ 35,000.00
	16-17	City -Senior Center Administration & Programs	627	35,000.00	35,000.00							\$ 35,000.00	\$ 35,000.00
	17-18	City -Senior Center Administration & Programs	649	35,000.00	35,000.00							\$ 35,000.00	\$ 35,000.00
	18-19	City -Senior Center Administration & Programs	666	35,000.00	35,000.00							\$ 35,000.00	\$ 35,000.00
	19-20	City -Senior Center Administration & Programs	684	35,000.00	34,988.33							\$ 35,000.00	\$ 34,988.33
13	15-16	CC Senior Legal Services - Legal Services	613	10,000.00	9,998.27							\$ 10,000.00	\$ 9,998.27
	16-17	CC Senior Legal Services - Legal Services	642	10,000.00	9,999.77							\$ 10,000.00	\$ 9,999.77
	17-18	CC Senior Legal Services - Legal Services	650	10,000.00	9,999.74							\$ 10,000.00	\$ 9,999.74
	18-19	CC Senior Legal Services - Legal Services	667	10,000.00	9,999.95							\$ 10,000.00	\$ 9,999.95
	19-20	CC Senior Legal Services - Legal Services	685	10,000.00	9,999.80							\$ 10,000.00	\$ 9,999.80
14	15-16	Lions Center - Independent Living Skills	614	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	16-17	Lions Center - Independent Living Skills	641	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	17-18	Lions Center - Independent Living Skills	651	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	18-19	Lions Center - Independent Living Skills	668	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	19-20	Lions Center - Independent Living Skills	686	5,000.00	4,995.48							\$ 5,000.00	\$ 4,995.48
15	15-16	Meals on Wheels Diablo Valley - Meals on Wheels	615	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	16-17	Meals on Wheels Diablo Valley - Meals on Wheels	640	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	17-18	Meals on Wheels Diablo Valley - Meals on Wheels	652	10,000.00	9,998.78							\$ 10,000.00	\$ 9,998.78
	18-19	Meals on Wheels Diablo Valley - Meals on Wheels	669	10,000.00	9,999.75							\$ 10,000.00	\$ 9,999.75
	19-20	Meals on Wheels Diablo Valley - Meals on Wheels	687	10,000.00	9,997.00							\$ 10,000.00	\$ 9,997.00
16	15-16	Meals on Wheels Diablo Valley - Care Management	616	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	16-17	Meals on Wheels Diablo Valley - Care Management	639	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	17-18	Meals on Wheels Diablo Valley - Care Management	653	10,000.00	9,999.57							\$ 10,000.00	\$ 9,999.57
	18-19	Meals on Wheels Diablo Valley - Care Management	670	10,000.00	9,949.57							\$ 10,000.00	\$ 9,949.57
	19-20	Meals on Wheels Diablo Valley - Care Management	688	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
17	15-16	Ombudsman Services-Advocacy in Care Facilities	617	10,000.00	9,359.77							\$ 10,000.00	\$ 9,359.77
	16-17	Ombudsman Services-Advocacy in Care Facilities	638	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	17-18	Ombudsman Services-Advocacy in Care Facilities	654	10,000.00	9,998.91							\$ 10,000.00	\$ 9,998.91
	18-19	Ombudsman Services-Advocacy in Care Facilities	671	10,000.00	9,999.01							\$ 10,000.00	\$ 9,999.01
	19-20	Ombudsman Services-Advocacy in Care Facilities	689	10,000.00	9,969.65							\$ 10,000.00	\$ 9,969.65
SUB TOTAL:				\$ 400,000.00	\$ 399,253.35	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400,000.00	\$ 399,253.35
CD-3 Youth. Increase opportunities for children/youth to be healthy and safe.													
CD-3 Youth.													
18	15-16	City - Youth Recreational Scholarships	618	15,000.00	14,854.00							\$ 15,000.00	\$ 14,854.00
	16-17	City - Youth Recreational Scholarships	637	15,000.00	13,107.00							\$ 15,000.00	\$ 13,107.00
	17-18	City - Youth Recreational Scholarships	655	15,000.00	12,024.50							\$ 15,000.00	\$ 12,024.50
	18-19	City - Youth Recreational Scholarships	672	15,000.00	12,921.00							\$ 15,000.00	\$ 12,921.00
	19-20	City - Youth Recreational Scholarships	690	15,000.00	2,361.40							\$ 15,000.00	\$ 2,361.40
19	15-16	Community Violence Solutions (CVS) - Child Sexual Assault Intervention	619	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	16-17	CVS - CIC Child Sexual Assault Intervention	636	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	17-18	CVS - CIC Child Sexual Assault Intervention	656	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	18-19	CVS - CIC Child Sexual Assault Intervention	673	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	19-20	CVS - CIC Child Sexual Assault Intervention	691	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements				CDBG	Fund Accounting								
# of Programs	Year	Agencies and Programs	IDIS Activity #	Funded CDBG-EN	Expended CDBG-EN	Funded RLF	Expended RLF	Funded NSP-1	Expended NSP-1	Funded Hsg Succ	Expended Hsg Succ	TOTAL FUNDED ALL SOURCES	TOTAL EXPENDED ALL SOURCES
20	17-18	Court Appointed Special Advocates (CASA) - Foster Children at Risk	645	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	18-19	CASA - Foster Children at Risk	674	5,000.00	5,000.00							\$ 5,000.00	\$ 5,000.00
	19-20	CASA - Foster Children at Risk	692	5,000.00	4,999.90							\$ 5,000.00	\$ 4,999.90
		SUB TOTAL:		\$ 115,000.00	\$ 95,267.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 115,000.00	\$ 95,267.80
CD-4 Fair Housing. Continue to promote fair housing activities and affirm CD-4 Fair Housing.													
21	15-16	Bay Area Legal Aid , Fair Housing Collaborative	620	25,000.00	25,000.00							\$ 25,000.00	\$ 25,000.00
	16-17	Bay Area Legal Aid , Fair Housing Collaborative	631	25,000.00	25,000.00							\$ 25,000.00	\$ 25,000.00
22	17-18	ECHO Housing - Fair Housing Services	657	25,000.00	21,602.58							\$ 25,000.00	\$ 21,602.58
	18-19	ECHO Housing - Fair Housing Services	675	25,000.00	20,830.05							\$ 25,000.00	\$ 20,830.05
	19-20	ECHO Housing - Fair Housing Services	693	25,000.00	22,599.61							\$ 25,000.00	\$ 22,599.61
		SUB TOTAL:		\$ 125,000.00	\$ 115,032.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,000.00	\$ 115,032.24
CD-5 Tenant/Landlord Counseling. Support the investigation and resolution of CD-5 Tenant/Landlord Counseling.													
23	15-16	Bay Area Legal Aid - Tenant/Landlord Counseling	621	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	16-17	BALA - Tenant/Landlord Counseling	632	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	17-18	BALA - Tenant/Landlord Counseling	658	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	18-19	BALA - Tenant/Landlord Counseling	676	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
24	19-20	ECHO Housing - Tenant/Landlord Counseling	694	15,000.00	12,823.35							\$ 15,000.00	\$ 12,823.35
		SUB TOTAL:		\$ 75,000.00	\$ 72,823.35	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000.00	\$ 72,823.35
CD-6 Economic Development. Reduce the number of persons with income below CD-6 Economic Development.													
25	15-16	COCOKIDS - Childcare Microenterprise Support	622	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	16-17	COCOKIDS - Childcare Microenterprise Support	633	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	17-18	COCOKIDS - Childcare Microenterprise Support	659	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	18-19	COCOKIDS - Childcare Microenterprise Support	677	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
	19-20	COCOKIDS - Childcare Microenterprise Support	695	10,000.00	10,000.00							\$ 10,000.00	\$ 10,000.00
26	15-16	Open Opportunities - Future Build Construction Pre-Apprenticeship Training & Placement	623	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	16-17	Open Opportunities - Future Build	634	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	17-18	Open Opportunities - Future Build	660	15,000.00	15,000.00							\$ 15,000.00	\$ 15,000.00
	18-19	Open Opportunities - Future Build	678	15,000.00	9,279.75							\$ 15,000.00	\$ 9,279.75
27	15-16	Opportunity Junction - Admin/Clerical Job Training & Placement	624	50,000.00	50,000.00							\$ 50,000.00	\$ 50,000.00
	16-17	Opportunity Junction - Job Training & Placement	635	50,000.00	50,000.00							\$ 50,000.00	\$ 50,000.00
	17-18	Opportunity Junction - Job Training & Placement	661	50,000.00	50,000.00							\$ 50,000.00	\$ 50,000.00
	18-19	Opportunity Junction - Job Training & Placement	679	50,000.00	50,000.00							\$ 50,000.00	\$ 50,000.00
	19-20	Opportunity Junction - Job Training & Placement	696	50,000.00	50,000.00							\$ 50,000.00	\$ 50,000.00
		SUB TOTAL:		\$ 360,000.00	\$ 354,279.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 360,000.00	\$ 354,279.75
CD-7 Infrastructure and Accessibility. Maintain adequate infrastructure CD-7 Infrastructure and Accessibility.													
28	15-16	City - Downtown Roadway Rehab & Ramps	625	250,000.00	23,544.81							\$ 250,000.00	\$ 23,544.81
	16-17	City - Downtown Roadway Rehab & Ramps		600,000.00	0.00							\$ 600,000.00	\$ -
	17-18	City - Downtown Roadway Rehab & Ramps	681	500,000.00	1,326,455.19							\$ 500,000.00	\$ 1,326,455.19
	18-19	City - Downtown Roadway Rehab & Ramps		385,000.00	0.00							\$ 385,000.00	\$ -
	19-20	City - Downtown Roadway Rehab & Ramps		650,254.00	1,035,254.00							\$ 650,254.00	\$ 1,035,254.00
		SUB TOTAL:		\$2,385,254.00	\$ 2,385,254.00	\$ -	\$ -			\$ -	\$ -	\$ 2,385,254.00	\$ 2,385,254.00

2015-20 Contra Costa Consolidated Plan, City of Antioch Accounting of Programs and Funding

Agencies, Programs, Goals & Achievements				CDBG	Fund Accounting								
# of Programs	Year	Agencies and Programs	IDIS Activity #	Funded CDBG-EN	Expended CDBG-EN	Funded RLF	Expended RLF	Funded NSP-1	Expended NSP-1	Funded Hsg Succ	Expended Hsg Succ	TOTAL FUNDED ALL SOURCES	TOTAL EXPENDED ALL SOURCES
CD-8 Administration. Support development of viable urban communities													
CD-8 Administration.													
29	15-16	City - Administration of CDBG Program	626	124,000.00	115,545.76							\$ 124,000.00	\$ 115,545.76
	16-17	City - Administration of CDBG Program	629	124,000.00	103,691.65							\$ 124,000.00	\$ 103,691.65
	17-18	City - Administration of CDBG Program	662	128,029.00	85,195.76							\$ 128,029.00	\$ 85,195.76
	18-19	City - Administration of CDBG Program	680	151,964.00	110,397.86							\$ 151,964.00	\$ 110,397.86
	19-20	City - Administration of CDBG Program	697	141,921.00	132,743.82							\$ 141,921.00	\$ 132,743.82
		SUB TOTAL:		\$ 669,914.00	\$ 547,574.85	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 669,914.00	\$ 547,574.85
AH-1: Increase Affordable Rental Housing Supply. Expand housing opportunities for low and moderate income households.													
AH-1: Increase Affordable Rental Housing Supply.													
AH-2: Increase Affordable Supportive Housing. Expand housing opportunities for persons with disabilities.													
AH-2: Increase Affordable Supportive Housing.													
30	16-17	Satellite (SAHA) - Tabora Gardens Senior Housing	630	230,000.00	230,000.00			170,000.00	170,000.00	600,000.00	600,000.00	\$ 1,000,000.00	\$ 1,000,000.00
		SUB TOTAL:		\$ 230,000.00	\$ 230,000.00	\$ -	\$ -	\$170,000.00	\$170,000.00	\$ 600,000.00	\$ 600,000.00	\$ 1,000,000.00	\$ 1,000,000.00
AH-3: Maintain and Preserve Affordable Housing. Maintain and preserve affordable housing in existing neighborhoods.													
AH-3: Maintain and Preserve Affordable Housing.													
31	17-18	BAHAA - AHOP Antioch Home Owner Program	Not CDBG									\$ -	\$ -
	18-19	BAHAA - AHOP Antioch Home Owner Program										\$ -	\$ -
	19-20	BAHAA - AHOP Antioch Home Owner Program										\$ -	\$ -
32	18-19	City - AHOP Down Payment Assistance Loans	664			250,000.00	0.00					\$ 250,000.00	\$ -
	19-20	City - AHOP Down Payment Assistance Loans										\$ -	\$ -
33	15-16	City - Code Enforcement Lower Income Areas	608	140,000.00	140,000.00							\$ 140,000.00	\$ 140,000.00
	16-17	City - Code Enforcement Lower Income Areas		140,000.00	100,814.77							\$ 140,000.00	\$ 100,814.77
	17-18	City - Code Enforcement Lower Income Areas		140,000.00	77,365.90							\$ 140,000.00	\$ 77,365.90
	18-19	City - Code Enforcement Lower Income Areas		140,000.00	97,588.74							\$ 140,000.00	\$ 97,588.74
34	15-16	CCC Neighborhood Preservation Program	609	100,000.00	55,165.40							\$ 100,000.00	\$ 55,165.40
	16-17	CCC Neighborhood Preservation Program		0.00	0.00							\$ -	\$ -
35	15-16	Community Energy Services - Minor Home Repair	610	40,000.00	40,000.00							\$ 40,000.00	\$ 40,000.00
	16-17	CESC - Minor Home Repair		40,000.00	5,168.27							\$ 40,000.00	\$ 5,168.27
	17-18	CESC - Minor Home Repair			7,513.26							\$ -	\$ 7,513.26
36	17-18	Habitat - Homeowner Rehab Program	Not CDBG			255,000.00	0.00					\$ 255,000.00	\$ -
	18-19	Habitat - Homeowner Rehab Program								510,000.00	0.00	\$ 510,000.00	\$ -
	19-20	Habitat - Homeowner Rehab Program								510,000.00	35,760.54	\$ 510,000.00	\$ 35,760.54
		SUB TOTAL:		\$ 740,000.00	\$ 523,616.34	\$505,000.00	\$ -	\$ -	\$ -	\$ 1,020,000.00	\$ 35,760.54	\$ 2,265,000.00	\$ 559,376.88
		TOTAL:		\$ 4,453,504.00	\$ 4,198,776.79	\$ 505,000.00	\$ -	\$ 170,000.00	\$ 170,000.00	\$ 2,039,000.00	\$ 1,053,189.74	\$ 7,167,504.00	\$ 5,421,966.53
Total # of People Served for whom Race/Ethnicity Information was collected													
(NOTE: this data is not collected for Area Beneficiaries)													
ConPlan 5-Year % of Total Served in Black Block													
EQUITY ANALYSIS - Percentage (%) OF ANTIOCH POPULATION													
2018 American Community Survey 1-year estimates, table B01003:													
Total population, race alone or in combination with one or more races.													



CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

SUBMITTED BY: Alexis Morris, Planning Manager *Am by Ch*
Cindy Gnos, Contract Planner

APPROVED BY: Forrest Ebbs, Community Development Director

SUBJECT: Delta Fair Village (GP-18-02, PD-18-03, UP-18-19, and AR-18-20)

RECOMMENDED ACTION

Planning Commission recommends that the City Council take the following actions:

1. Adopt the resolution approving the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the Mitigation Monitoring and Reporting Program (MMRP);
2. Adopt the resolution approving a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02);
3. Introduce the ordinance rezoning the property to Planned Development District and adopting the development standards (PD-18-03); and
4. Adopt the resolution approving a Final Development Plan, Use Permit (UP-18-19), and Design Review (AR-18-20).

FISCAL IMPACT

The applicant will be required to pay all building permit fees due at the time of issuance, including all associated utility connection fees. The conditions of approval require the annexation to the Police Community Facilities District (CFD), which has a current multi-family annual rate of \$319.83 per unit, subject to annual inflationary adjustment. In addition, the improvements to the site will result in additional property taxes being generated.

DISCUSSION

Request/Requested Approvals

The applicant, Chiu Family LLC, is requesting approval of the proposed redevelopment of the existing Delta Fair Shopping Center. The proposed project includes the demolition of approximately 73,546 square feet (sf) of the existing Delta Fair Shopping Center, which would be redeveloped with a 210-unit multi-family apartment complex and a new 4,000-sf retail building. The apartment complex would consist of five buildings all located above a ground-level parking structure. The five buildings would be cohesively centered around a common courtyard area with a clubhouse, pool, and playground. The new retail building would be constructed north of the proposed apartment structure. The square footage of

the proposed project would total 411,511 sf. In addition, the project would include renovation of the remaining existing 73,535 sf of retail space. The proposed project would include new drive aisles and associated improvements, such as landscaping, utility connections, and parking development. Necessary entitlements from the City include a General Plan Amendment, Rezone, Use Permit, and Design Review.

The project site is located at 3000 Delta Fair Boulevard, northeast of the intersection of Buchanan Road and Delta Fair Boulevard. State Route (SR) 4 is located approximately 500 feet north (APNs: 076-440-029, 076-440-030, and 076-440-031). The site is currently developed with three commercial buildings totaling 147,081 sf and associated parking, known as the Delta Fair Village Shopping Center. Surrounding existing land uses include a multi-family development to the east, commercial and retail development to the north and west, and office buildings, a church, and single-family residences to the south, across Buchanan Road.

PROJECT LOCATION



The project applicant is seeking approval of the following by the City of Antioch at this time:

1. *The Delta Fair Village Project IS/MND.* The Planning Commission must recommend adoption of the IS/MND and MMRP to City Council prior to taking action on the other resolutions for the project.
2. *General Plan Amendment.* The project would require the approval of a General Plan Amendment to redesignate the site from Regional Commercial to Mixed Use.
3. *Rezone.* The project requires the approval of a Rezone from Regional Commercial (C-3) to Planned Development District (PD-18-03).
4. *Use Permit.* The applicant is requesting Use Permit approval of the proposed retail building and multi-family residential development at a density of 35 dwelling units per acre within a PD zoning district.
5. *Design Review.* The applicant is requesting Design Review approval of the proposed retail building and multi-family residential development.

Environmental

In compliance with the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration (IS/MND) were prepared for the proposed project. A Notice of Intent to Adopt an Initial Study and Mitigated Negative Declaration (NOI) for the IS/MND was released for a 30-day review from May 1, 2020 to June 1, 2020. The IS/MND was published on the City's website at: at <https://www.antiochca.gov/community-development-department/planning-divison/environmetnal-documents/>. Due to the State and Contra Costa County's Shelter-in-Place orders, publicly accessible locations to review the IS/MND were closed. Consistent with the Governor's Executive Order, posting materials on the City's website is adequate.

The IS/MND identified potentially significant impacts related to biological resources, cultural resources, geology and soils, hydrology and water quality, air quality, noise, transportation, and tribal cultural resources. The IS/MND concluded all potentially significant impacts would be reduced to a less-than-significant level with implementation of the mitigation measures set forth in the IS/MND. A Mitigation Monitoring and Reporting Program was prepared (MMRP) and is included in Attachment A, Exhibit A.

Two comment letters on the IS/MND were received during the public review period (Caltrans and Adams Broadwell Joseph & Cardozo (ABJC)). According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during the public review period together with the IS/MND. However, unlike with an Environmental Impact Report (EIR), comments received on an IS/MND are not

required to be attached to the negative declaration, nor must the lead agency make specific written responses. Nonetheless, the City has chosen to provide responses to those specific comments that are related to the environmental analysis contained in the IS/MND. The ABJC comment letter focuses on air quality, greenhouse gas emissions and hazards. The comment letter and responses are included as Attachment F. In responding to the comments, a couple minor corrections were made to the IS/MND discussion. An Errata was prepared denoting these minor corrections and is included in Attachment A, Exhibit B. None of the changes result in modifications to the conclusions of the IS/MND and do not result in significant new information. Therefore, recirculation is not required. The Caltrans letter requested the City consider sufficient fair share contributions to transportation improvements and coordination on a construction traffic plan. The Caltrans comments did not specifically address the adequacy of the IS/MND. Therefore, a response is not required.

Traffic Mitigation

As part of preparation of the IS/MND, a traffic study was prepared by Fehr & Peers for the proposed project. The traffic study analyzed several intersections for the existing, near-term, and cumulative scenarios. In order to reduce the project impacts to a less-than-significant level, improvements are required at three off-site locations: Somersville Road and Buchanan Road, Somersville Road/Auto Center Drive at SR 4 westbound ramps, and Somersville Road and Delta Fair Boulevard.

- Somersville Road and Buchanan Road – requires construction of dual northbound left turn lanes on Somersville Road onto Buchanan Road and conversion of an eastbound through lane to a through-left turn lane. It should be noted that this is also required for the Tuscany Meadows Project in the City of Pittsburg. The Tuscany Meadows applicant has entered into an agreement with the City to provide a cost estimate and fair share analysis for the intersection improvements, as well as the timing for providing the fair share cost. Based on the analysis prepared to date, the Tuscany Meadows applicant is responsible for approximately 66 percent of the cost of the improvements. The Delta Fair Village mitigation measure requires the applicant to be responsible for the construction of the improvements with partial reimbursement, once the City receives the Tuscany Meadows fair share payment. The mitigation notes that the construction has to begin prior to the issuance of building permits and be completed prior to occupancy of the first residential unit.
- Somersville Road/Auto Center Drive at the SR4 westbound ramp – requires modification of the traffic signal timing and phasing.
- Somersville Road and Delta Fair Boulevard – requires restriping to convert the eastbound left-through shared lane to an exclusive eastbound left lane.

Background

The project site is located within the Somersville Road Corridor Focus Area within the General Plan with a Regional Commercial designation. The Somersville Road Corridor Focus Area encompasses the commercial area along Somersville Road from SR 4 north to Tenth Street, as well as the commercial areas south of the freeway along Somersville Road. The Focus Area is included as part of the General Plan to guide development of the area.

The proposed project is located on a six-acre portion of the 13.5-acre Delta Fair Village Shopping Center located on Delta Fair Boulevard northeast of Buchanan Road. The shopping center was built in 1986. The anchor tenant for the shopping center, Food Maxx, has been vacant for approximately seven years and the rest of the shopping center has multiple vacancies.

Code Compliance Issues

The shopping center has a history of Code Compliance issues. For example, in the past three years, since the development application was submitted to the City, the Code Enforcement Division has taken enforcement action on three cases at this location for a variety of violations including:

- Boarded up businesses in excess of 6 months
- Graffiti (ongoing and not addressed until notices are issued)
- Junk/rubbish accumulation
- Inoperable vehicles
- Unsecured property
- Commercial property used as residential dwelling

One citation has been issued for ongoing violations. For each case, the property owner has allowed the violations to remain for an extended period of time before taking action, as detailed below.

- CD1904-030 – 60 days to correct
- CD1907-075 – 90 days to correct – citation issued
- CE2001-018 – Fire due to unsecured structure – case is still active; property is red tagged

Staff has included a condition of approval in the attached resolution requiring the property owner to resolve all Code Enforcement violations prior to issuance of building permits for the project.

Preliminary Development Plan (PDP)

On February 7, 2018, a Preliminary Development Plan (PDP) for the Delta Fair Village Project was presented to the Antioch Planning Commission. The purpose of a PDP is to gather feedback from the Planning Commission and others in order for the applicant to

become aware of concerns and/or issues prior to formal application submittal. The PDP staff report and Planning Commission minutes are included in Attachment G.

The project submitted as part of the PDP included 308 units in two four story buildings above two single story parking garages. The Planning Commission provided feedback on density and design as described below.

- **Consistency with the General Plan and Zoning** – The PDP application included a total of 308 multi-family residential units resulting in approximately 51 units per acre. The highest residential density allowed in the General Plan and zoning ordinance is 35 units an acre; with density bonuses available for age-restricted or income-restricted projects. The Planning Commission and staff recommended the project not exceed 35 units per acre. After receiving feedback from the Planning Commission and staff, the applicant has revised the project to include 210 multi-family units, which is consistent with the 35 units per acre.

The Planning Commission and staff also discussed the appropriate zoning designation. The PDP project included lot coverage of 62 percent and a height of 64 feet. The applicant has submitted a rezone request to Planned Development District (PD) in order to allow flexibility in development standards. The applicant modified the project to conform with most R-35 zoning standards, including lot coverage. The height of the buildings, however, still remains above the 45 feet allowed in the R-35 zoning designation.

- **Site Layout and Design** – The City Council adopted Citywide Design Guidelines in 2009, which include detailed guidelines relating to all aspects of multi-family projects including building siting, architectural style, parking, and landscaping.

Planning Commission supported the recommendation on the PDP that the project be redesigned to feature smaller buildings where all units have exterior access and are oriented around a large interior courtyard that is accessible to residents and contains the recreational amenities for the project. The applicant revised the project to provide a larger interior courtyard in addition to providing shaded sitting areas, trees, shrubs, trellises, and permeable pavers. All new buildings also now incorporate varied massing and façade techniques. The parking layout was also revised to have all parking for residents be provided in a parking garage separate from guest parking.

Project Overview

The proposed project would include demolition of approximately 73,546 sf of the existing Delta Fair Shopping Center. The area of demolition would be developed with a 210-unit multi-family apartment complex and a new 4,000-sf retail building. The apartment

complex would consist of five buildings all located above a ground-level parking structure. The five buildings would be centered around a common courtyard area. The new retail building would be constructed north of the proposed apartment structure. The square footage of the proposed project would total 411,092 sf. In addition, the project would include renovation of the remaining existing 73,535 sf of retail space. The proposed renovations would include new drive aisles and associated improvements, such as landscaping, utility connections, and parking development, as well as updating the facades, removing signage, and repairing broken windows. The proposed project plans and elevations are provided as Exhibit A to Attachment D.

Apartment Buildings

The five individual buildings within the apartment complex are designated on the plans as Buildings A through E. Buildings A and B would be three floors above the parking garage with a maximum height of 45 feet, and Buildings C, D, and E would be four floors above the garage with a maximum height of 65 feet. Each building would have two sets of stairs and an elevator. The proposed unit mix is shown below.

Proposed Unit Mix		
Unit Type	Unit Size (sf)	Number of Units
Studio	792 or 832	36
1 Bed 1 Bath	814 or 992	82
2 Bed 2 Bath	1,174 or 1,200	66
3 Bed 2 Bath	1,451	26

Every apartment unit would have a balcony (at least 60 sf), as well as an in-unit washer and dryer. Each balcony would have a 42-inch black, wrought-iron railing and solar privacy screen. The typical balcony would be 6 by 12 feet, with some larger on the first floor and above pop-out areas. Additionally, the apartment complex would provide 250 sf of private storage per unit. All units with enlarged balconies would have room for storage on the balcony.

Specific components of the buildings and site design are addressed under Design Review below.

Proposed General Plan Amendment

The project site currently has a General Plan Land Use Designation of Regional Commercial. Residential uses are not permitted in the Regional Commercial designation; therefore, the proposed project is requesting the City of Antioch General Plan Land Use Map be amended to redesignate the project site from Regional Commercial to Mixed Use. Although the Somersville Road Corridor Focus Area does not currently contain a Mixed Use designation, staff believes that using the General Plan Mixed Use designation is appropriate for this site. The purpose of the Mixed Use designation is to create areas in which a mix of uses can come together to meet the community's housing, shopping,

employment, and institutional needs through efficient patterns of land use. This type of development helps to redevelop an underutilized commercial site while also providing additional residents to shop in the remaining spaces to make the shopping center more viable. The proposed Mixed Use designation also supports other goals of the General Plan by reducing vehicle miles traveled and the associated air quality, greenhouse gas, and transportation impacts, as well as providing additional housing options within the City.

The applicant has proposed 210 units on a six-acre portion of the project site. This results in a density of 35 units per acre. Although the Mixed Use designation does not have a specific density limit, the 35 units per acre is the highest residential density allowed in the General Plan and Zoning Ordinance. The 35 units per acre density is consistent with the recommendations identified during the PDP process for the proposed project.

Proposed Rezone

The proposed project site is located within the Regional Commercial (C-3) zoning district, which does not allow multi-family residential uses. As a result, the proposed project requires the approval of a PD rezone. The applicant has proposed development standards for the proposed PD rezone for both the residential and commercial portions of the project. The residential standards most closely resemble the R-35 zoning designation. Density, lot coverage, and setbacks are the same. The primary difference is the allowed height. The proposed PD standards have a height limit of 70 feet for the proposed residential portions of the development, whereas, the R-35 zoning limits height to 45 feet. The three-story buildings proposed are at a height of approximately 45 feet and the four-story buildings are proposed at a height of approximately 65 feet. As described in the design review discussion below, the higher portions of the building are setback from the property lines and there is extensive articulation at varying heights.

Use Permit

The City of Antioch Municipal Code requires a Use Permit for all development within a PD zone; therefore, the applicant is requesting a Use Permit approval of the multi-family residential development at a density of 35 dwelling units per acre within the PD zoning district.

Design Review

Per Section 9-5.207 of the Antioch Municipal Code (AMC), all new development within the City is subject to Design Review approval. The purpose of the Design Review process is to promote the orderly development of the City, encourage high quality site design and planning, protect the stability of land values and investments, and ensure consistency with the Citywide Design Guidelines. The proposed project is also subject to Title 9: Planning and Zoning, Chapter 5, Article 7 of the AMC (9-5.7), which contains multi-family development standards. The design of the overall project was peer reviewed by an outside architect, Moniz Architecture, to review compliance with Article 7 and the Guidelines (see Attachment E). In general, the project overwhelmingly complied with the

design guidelines. In a few instances, some minor recommendations, such as increasing the covered building entries to 100 square feet, have been added as conditions of approval.

Site Design

The proposed project site includes several components consisting of a new 210-unit multi-family component, open space, new retail space, and the renovation of existing retail space. An internal drive aisle accessing the new uses is proposed off Delta Fair Boulevard. This drive aisle provides access to the two parking garage entrance points. The drive also connects to the existing shopping center as well as a 20-ft wide driveway from Buchanan Road. The parking garage includes an exit-only access to Buchanan Road. Each of the driveway access points include a patterned concrete design. In addition, staff has included condition of approval requiring sidewalks on both sides of the entry drives to be provided.

Between the two parking garage entrances, a ground floor office is provided which will be staffed during daytime hours. Due to the large size of the project, staff has added a condition of approval requiring on-site management 24 hours a day with signage at the office for how to reach the on-site manager after hours. Staff has also included conditions to provide safer pedestrian access within the project including providing a continuous, clearly marked walkway from out-of-garage parking stalls to the main office, and providing a pedestrian route from the office and/or main visitor entry point to stairs and an elevator without crossing a driveway or walking through the drive aisles of the garage.

A large landscaped open space area located along the property frontage near the Buchanan Road and Delta Fair Boulevard intersection includes a proposed community garden and a stormwater detention basin. In addition, a new outdoor plaza with landscaping is located adjacent the proposed new retail building near the main site entries. Parking lot lighting is provided on both sides of the drive aisles on the west end of the north lot and on both sides of the street on the east side, in the form of pole lights on one side of the drive aisle and of building-mounted lights on the other side of the drive aisle. On the east end of the north lot, only building-mounted lighting is provided. Staff has included a condition of approval requiring the applicant to provide a photometric plan to demonstrate that the site entrances are effectively lit.

Trash enclosures are located at the end of the driveway from Buchanan Road. The original plans submitted by the applicant included trash chutes within the building that empty into the parking garage and required rolling of the trash bins, in some cases, over 700 feet to the drive aisle for pick-up. Due to concerns over maintenance of the trash chutes and the distance and frequency that the bins would need to be rolled out, staff worked with the applicant to instead create a consolidated trash enclosure area. The floor plans, however, still indicate trash chutes and collection in the parking garage. A condition of approval has been added to remove these from the plans. Staff is concerned with the

ability of the large apartment complex to safely and cleanly remove the trash so staff has included condition of approval requiring a trash management plan that identifies how trash will be handled by tenants and management be provided to the City for review and approval prior to building permit approval. Staff has also added a condition that the location and layout of the enclosures be reviewed by Republic Services to ensure they function appropriately.

Residential Building Form

Consistent with the Design Guidelines and Article 7, the proposed project includes façade articulation for all street facing facades, roofed projections for building entrances formed around a common courtyard, with roof variations and window shade features, such as roof overhangs (eaves), awnings, or louvered sunshades. Architectural elements including recessed and projecting balconies are provided, with upper floors stepped back to reduce the scale of the facades that face the street. Building projections extend the full height of the building. The proposed building height is varied with pitched roofs to add vertical interest. In addition, staff has included a condition of approval to ensure all mechanical equipment be suitably screened or placed in locations not viewed from residences, common areas or the street.

Structures are unified by consistent use of materials that are durable and low maintenance including concrete tile roofs, cement plaster, split-face CMU, and stone veneer. Consistent with the Design Guidelines, more than one predominant paint color has been chosen.

Useable Open Space

Consistent with the City's useable open space requirement of 200 square feet per unit, the apartment complex common area would consist of approximately 52,000 square feet and would be surrounded by a six-foot tall fence with several key card-controlled access points. The common area would include various amenities for future residents, including a clubhouse, fitness center, two picnic pavilions, swimming pool, playground, barbecue grills and seating areas. The existing six-foot tall concrete fence along the northern border of the site would remain. Security cameras and flood lighting would be provided throughout the apartment complex area.

In addition, each residential unit includes private useable open space consisting of patios on the ground level and balconies above. Recessed balconies provide some privacy from adjacent units and the interior courtyard creates a communal space that is private from the street.

Landscaping

The existing 10-foot wide landscape buffer along Buchanan Road and Delta Fair Boulevard would be expanded to be 15 feet wide. In addition, a new lawn with gazebo and patio-style seating would be constructed outside of the new retail building. A

community garden and bioretention basins would be located in the landscape area west of the garage, near Delta Fair Boulevard. Additional landscape planters would be placed around the retail parking area to provide shade.

Water efficient landscaping is used to transition between public and private spaces with a three-tier system consisting of groundcover, shrubs, and trees to create shadow at walls, soften building lines, shade for open space, and screening.

Parking

The proposed project requires a total of 390 parking spaces, including those for residential tenants, guests, and the new retail building. The proposed parking garage includes a total of 324 parking spaces, 38 of which are tandem. An additional 68 parking spaces are located outside the building. In addition, a bicycle parking area is located within the parking garage. The 392 total parking spaces meet the City's minimum requirement. Staff has included a condition that an area of parking (10 spaces) adjacent to the building be striped as a loading area because large moving vehicles will not be able to enter the parking garage. The applicant will need to ensure that adequate parking is provided even with the loss of the spaces to loading. This could be accomplished with a reciprocal parking agreement with the remainder of the shopping center as long as adequate parking overall is provided.

Staff asked the applicant to submit a parking management plan to better understand how the tandem parking would function. The parking management plan notes that tandem parking will be assigned to the three-bedroom units and twelve of the two-bedroom units. Staff has added a condition of approval that the parking management plan be revised to incorporate more detail as to how the spaces will function, such as are the spaces numbered and assigned to specific units or will each vehicle be given some kind of identification for where they are allowed to park. The plan should also describe how it will be enforced.

Proposed Retail Building

A new 4,000-square-foot retail building would be constructed on the western portion of the site near the apartment complex along Delta Fair Boulevard. The original project application included a potential drive-through at this location. Due to the building and driveway locations, a drive-through created circulation concerns and was removed from the project. Staff has added a condition of approval, to prohibit a drive-through at this location. Although the design of the retail building has been submitted, there is no specific tenant proposed. Because it is typical for retail elevations to change once a tenant is identified and the tenant wants to incorporate their branding and architecture, staff recommends the building go through a separate design review approval once a tenant has been identified.

Existing Shopping Center Renovation

Currently, the existing shopping center consists of one material with little to no roof variation and no façade articulation. The proposed renovation will dramatically increase the roof variation and façade articulation with additional materials, colors, and building projections. The proposed new materials, colors, and roof variations will be consistent with the overall site and the apartment complex. The applicant will also be upgrading the existing parking area and landscaping. The south end of the building will be demolished to create the space for the apartment building. The elevations show a flat stucco wall at the new end of the building. Staff recommends that the elevation be modified to include a 12-inch pop out for façade articulation similar to the front elevation. A different material could be applied to the pop out to provide additional enhancement. A condition of approval to this effect has been included.

The applicant has indicated that renovations to the existing shopping center will be part of phase two of the project, after construction of the apartments. Because of the on-going maintenance and code enforcement issues at the shopping center, staff wants to ensure that the improvements to the existing center happen in a timely fashion. Therefore, a condition of approval has been added that the building permit for the renovations must be issued and renovations started, prior to the issuance of a building permit for construction of the new apartment building.

PLANNING COMMISSION ACTION

On August 19, 2020 the Planning Commission held a public hearing via Zoom on the proposed project. The Planning Commission discussion included questions about the applicant agreeing to conditions of approval, height, Code enforcement, building height, and ownership vs. rental. The Planning Commission was in favor of a development that improved the site. The Planning Commission recommended City Council approve the entitlements associated with the Delta Fair Village project by a unanimous 5-0 vote with one absent.

Public Comments at Planning Commission

Two members of the public spoke at the hearing and no written comments were received. One commenter reiterated the issues raised in the comment letter on the IS/MND which had been responded to in the attachment to the staff report. The other commenter supported the project and noted the comments on the IS/MND were provided by a representative of a union and not a citizen group, as claimed.

CONCLUSION

The proposed project is consistent with the Somersville Road Corridor Focus Area and the IS/MND concluded all potentially significant impacts would be reduced to a less-than-significant level with implementation of the mitigation measures set forth in the IS/MND. Therefore, Planning Commission recommended that the City Council take the following actions:

1. Adopt the resolution approving the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and adopting the mitigation monitoring and reporting program;
2. Adopt the resolution approving a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02);
3. Introduce the ordinance rezoning the property to Planned Development District and adopting the development standards (PD-18-03); and
4. Adopt the resolution approving the Final Development Plan, Use Permit (UP-18-19), and Design Review (AR-18-20).

ATTACHMENTS

- A. Initial Study/Mitigated Negative Declaration Resolution
Exhibit A Mitigation Monitoring and Reporting Program
Exhibit B IS/MND Errata
- B. General Plan Amendment Resolution
Exhibit A Proposed General Plan Land Use Map
- C. Planned Development Planning Commission Resolution
Exhibit A Rezone Legal Description
- D. Use Permit, and Design Review Planning Commission Resolution
Exhibit A Plans and Elevations
- E. Design Review Checklist by Moniz Architecture
- F. Comments and Responses to Comments on the IS/MND
- G. PDP Staff Report and Minutes (February 7, 2018)

**ATTACHMENT A
CEQA RESOLUTION**

**CITY COUNCIL
RESOLUTION NO. 2020/****

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ADOPTING THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DELTA
FAIR VILLAGE PROJECT**

WHEREAS, the City of Antioch ("City") received an application from Chiu Family LLC ("Applicant") seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map; a Planned Development Rezone; Final Development Plan, Use Permit, and Design Review for the redevelopment of the Delta Fair Shopping Center, consisting of a 210-unit multi-family apartment complex, a 4,000-square-foot retail building, and upgrades to the existing shopping center on approximately 13.5 acres, known as the Delta Fair Village Project ("Project") (GP-18-02, PD-18-03, UP-18-19, and AR-18-20);

WHEREAS, the project site is located at 3000 Delta Fair Boulevard in the City of Antioch, northeast of the Buchanan Road and Delta Fair Boulevard intersection in the Somersville Road Corridor Focus Area of the General Plan (APNs: 076-440-029, 076-440-030, and 076-440-031);

WHEREAS, the City prepared an Initial Study and Mitigated Negative Declaration ("IS/MND"), to evaluate the potential environmental impacts of the Project in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines");

WHEREAS, an IS/MND was circulated for a 30-day review period, with the public review period commencing on May 1, 2020 and ending on June 1, 2020;

WHEREAS, two comment letters on the IS/MND were received during the public review period and in responding to the comments, minor corrections were made to the IS/MND discussion. An Errata was prepared denoting these minor corrections and is included as Exhibit B to this Resolution. None of the changes result in modifications to the conclusions of the IS/MND and do no result in significant new information. Therefore, recirculation is not required;

WHEREAS, on August 19, 2020, the Planning Commission held a noticed public hearing on the matter, and received and considered evidence, both oral and documentary and recommended adoption to the City Council of the Final IS/MND and Mitigation Monitoring and Reporting Program (MMRP);

WHEREAS, the City Council has reviewed the IS/MND for this Project, the public comments, the responses to comments, and the errata;

WHEREAS, the City Council gave notice of public hearing as required by law;

WHEREAS, on September 22, 2020, the City Council held a public hearing on the matter, and received and considered evidence, both oral and documentary on the Final IS/MND and MMRP; and

WHEREAS, the custodian of the Final IS/MND is the Community Development Department and the Final IS/MND was available for public review on the City's website at: <https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/>. Due to the State and Contra Costa County's Shelter-in-Place orders, publicly accessible locations to review the IS/MND were closed. Consistent with the Governor's Executive Order, posting materials on the City's website was adequate. The MMRP is attached as Exhibit A and the Errata is attached as Exhibit B to this Resolution.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, as follows:

1. The foregoing recitals are true and correct.
2. The City Council of the City of Antioch hereby FINDS, on the basis of the whole record before it (including the Initial Study and all comments received) that:
 - a. The City of Antioch exercised overall control and direction over the CEQA review for the Project, including the preparation of the Final IS/MND, and independently reviewed the Final IS/MND and MMRP;
 - b. There is no substantial evidence that the Project will have a significant effect on the environment once mitigation measures have been followed and assuming approval of the General Plan Amendment and Rezone; and
 - c. The Final IS/MND and MMRP reflect the City's independent judgment and analysis.
3. The City Council of the City of Antioch hereby APPROVES and ADOPTS the IS/MND, including the Errata (Exhibit B), and MMRP for the Project (Exhibit A).

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 22nd day of September, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT A
MITIGATION MONITORING PROGRAM

Delta Fair Village Project Mitigation Monitoring and Reporting Program

August 2020

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Delta Fair Village Project are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>III-1. Prior to approval of any grading plans, the project applicant shall demonstrate that emissions from all off-road diesel-powered equipment to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall not exceed 0.038517 tons of PM2.5 per year of construction. The Sacramento Metropolitan Air Quality Management District's (SMAQMD's) Construction Mitigation Tool, or another method deemed acceptable by the City, may be used to calculate the anticipated emissions resulting from construction of the proposed project. Emissions estimates for project construction shall be submitted for review and approval by the Planning Manager for the City of Antioch.</i></p> <p><i>SMAQMD's Construction Mitigation Tool requires the user to input the type and number of pieces of equipment used, as well as the total amount of time the equipment would be used for each day and throughout the entire construction period. During the course of project construction, should the project contractor determine that changes to the anticipated equipment list are needed, an update to the SMAQMD's Construction Mitigation Tool shall be submitted to the City demonstrating that the proposed changes to equipment usage would not result in project construction emitting in excess of 0.038517 tons of PM2.5 per year.</i></p> <p><i>In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.</i></p> <p><i>Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.</i></p>	<p>Prior to approval of grading plans and throughout construction activities</p>	<p>City of Antioch Planning Manager</p>	
<p><i>IV-1. Prior to initiation of demolition activities, the project applicant shall retain a qualified biologist to conduct a detailed bat survey of the</i></p>	<p>Prior to initiation of demolition activities</p>	<p>City of Antioch Planning Manager</p>	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>site. If a non-breeding and non-wintering bat colony is found, the individuals shall be humanely evicted by way of the partial dismantlement (two-step removal) of the buildings or trees one to two days prior to demolition/tree removal. Partial dismantlement shall occur under the direction of a qualified biologist to ensure that no harm or "take" would occur to any bats as a result of demolition/tree removal activities. Should the biologist not be able to visually access all potential roost areas, a night emergence survey shall be required. If special-status bats are not observed during pre-construction surveys, demolition/tree removal may continue. Results of the pre-construction survey shall be submitted to the Planning Manager for the City of Antioch.</p>			
<p>IV-2. If a maternity colony or overwintering colony is detected in the buildings or trees within the project site, a construction-free buffer shall be established around the structure and remain in place until it has been determined that the nursery is not active. In addition, in the event of detection, demolition shall preferably occur between March 1st and April 15th or between August 15th and October 15th.</p>	<p>Prior to and during construction, if a Townsend's Big-Eared Bat maternity and/or overwintering colony is detected within on-site buildings or trees</p>	<p>City of Antioch Planning Manager</p>	
<p>IV-3. Prior to any project-related ground disturbance that occurs during the nesting season (March 15th to September 15th), a qualified biologist shall conduct a preconstruction survey at least two survey periods prior to the start of construction. Surveys shall follow the protocol in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000), including the survey period lengths identified therein. A written summary of the survey results shall be submitted to the Planning Manager for the City of Antioch. If Swainson's hawk are not found on-site, further mitigation is not necessary.</p> <p>If an active nest is found within any off-site trees, a minimum buffer distance of 600 feet shall be established for a nest that is already active prior to construction, and a minimum buffer distance of 150 feet shall be used for a nest that starts after construction has already initiated. Such minimum distances are based on potential impact distances stated in the Swainson's</p>	<p>Prior to initiation of ground-disturbing activities that occur during the nesting season (March 15 to September 15)</p>	<p>City of Antioch Planning Manager</p>	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p><i>Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000). Appropriate buffer distances shall be determined on the ground by a qualified biologist and shall be based on actual observations of the nest and parent behavior, the stage of nesting, and level of potential disturbance. The buffer(s) shall be identified on the ground with flagging or fencing and shall be maintained until a qualified biologist has determined that the young have fledged and the nest is inactive. The biologist shall have the authority to stop construction if construction activities are likely to result in nest abandonment.</i></p>			
<p>IV-4. As an alternative to completion of Mitigation Measure IV-3, the project applicant could comply with one of the following:</p> <ol style="list-style-type: none"> 1) Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCCHCP/NCCP Covered Species; or 2) Comply with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided that CDFW and USFWS have approved the conservation plan. 	<p>Prior to and during construction activities.</p>	<p>City of Antioch Planning Manager</p>	
<p>IV-5. Pre-construction surveys for nesting birds shall be conducted by a qualified biologist within on-site ground-nesting habitat and a 250-foot buffer around the project site boundaries, if feasible, not more than 14 days prior to site disturbance during the breeding season (February 1st to August 31st). Results of the survey shall be submitted to the Planning Manager for the City of Antioch. If site disturbance commences outside the breeding season, pre-construction surveys for nesting birds are not required. If active nests of migratory birds are not detected within approximately 250 feet of the project site, further mitigation is not required.</p>	<p>Not more than 14 days prior to site disturbance during the breeding season (February 1st to August 31st)</p>	<p>City of Antioch Planning Manager</p>	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>If nesting raptors or other migratory birds are detected on or adjacent to the site during the survey, an appropriate construction-free buffer shall be established around all active nests. Actual size of buffer would be determined by the project biologist, and would depend on species, topography, and type of activity that would occur in the vicinity of the nest. Typical buffers are 25 feet for non-raptors and up to 250 feet for raptors. The project buffer would be monitored periodically by the project biologist to ensure compliance. After the nesting is completed, as determined by the biologist, the buffer would no longer be required. Buffers shall remain in place for the duration of the breeding season or until a qualified biologist has confirmed that all chicks have fledged and are independent of their parents.</p> <p>Alternatively, the project applicant could comply with one of the following:</p> <ol style="list-style-type: none"> 1) Comply with the applicable terms and conditions of the ECCCHCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCCHCP/NCCP Covered Species; or 2) Comply with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided that CDFW and FWS have approved the conservation plan. 			
V-1. In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred, and the Community Development Department shall be notified immediately. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery,	In the event of the accidental discovery or recognition of any human remains during ground-disturbing activities	City of Antioch Planning Manager County Coroner Native American Heritage Commission	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the Planning Manager for the City of Antioch.			
V-2. If any prehistoric or historic artifacts, or other indications of cultural deposits, such as historic privy pits or trash deposits, are found once ground disturbing activities are underway, all work within the vicinity of the find(s) shall cease and the find(s) shall be immediately evaluated by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment to allow for implementation of avoidance measures or appropriate mitigation shall be made available (CEQA Guidelines Section 15064.5). Work may continue on other parts of the project site while historical or unique archaeological resource mitigation takes place (Public Resources Code Sections 21083 and 21087).	If any prehistoric or historic artifacts, or other indications of cultural deposits, are found during ground-disturbing activities	City of Antioch Planning Manager Qualified Archaeologist	
VII-1. Prior to issuance of grading and building permits, the project applicant shall submit, for the review and approval by the City	Prior to issuance of grading and building permits	City Engineer	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Measures shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Hydro-seeding; • Placement of erosion control measures within drainage ways and ahead of drop inlets; • The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric); • The placement of straw wattles along slope contours; • Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire); • The use of siltation fences; and • The use of sediment basins and dust palliatives. 			
<p>VII-2. Prior to initiation of ground-disturbing activities, the applicant shall retain the services of a professional paleontologist to educate the construction crew that will be conducting grading and excavation at the project site. The education shall consist of an introduction to the geology of the project site and the kinds of fossils that may be encountered, as well as what to do in case of a discovery. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be diverted to another part of the project site and the paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant</p>	Prior to initiation of ground-disturbing activities	City of Antioch Planning Manager	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT				
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off	
deposit. Proof of the construction crew awareness training shall be submitted to the Planning Manager for the City of Antioch in the form of a copy of training materials and the completed training attendance roster.				
X-1. Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.	Prior to issuance of grading permits	City of Antioch Director of Public Works/City Engineer		
XIII-1. During construction activities, the use of heavy construction equipment shall adhere to Sections 5-17.04 and 5-17.05 of the City's Municipal Code. To ensure compliance construction plans shall include, via notation, the following regulations from the City's Municipal Code: It is unlawful for any person to operate heavy construction equipment or otherwise be involved in construction activities during the hours specified below: 1) On weekdays prior to 7:00 AM and after 6:00 PM. 2) On weekdays within 300 feet of occupied dwelling space, prior to 8:00 AM and after 5:00 PM. 3) On weekends and holidays, prior to 9:00 AM and after 5:00 PM, irrespective of the distance from the occupied dwelling.	During construction activities and included in construction plans	City of Antioch Planning Manager		
XIII-2. The project applicant shall ensure that all on-site construction activities occur pursuant to the criteria identified in Policy 11.6.2,	Prior to initiation of and during construction activities	City of Antioch Planning Manager		

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>Temporary Construction, of the City of Antioch General Plan. Such criteria include, but are not limited to, preparation of a construction-related noise mitigation plan. The construction-related noise mitigation plan shall be submitted to the Planning Manager for the City of Antioch for review and approval prior to issuance of demolition permits for the project. Items included in the plan could contain, but would not be limited to, the following:</p> <ul style="list-style-type: none"> • All equipment driven by internal combustion engines shall be equipped with mufflers which are in good working condition and appropriate for the equipment; • The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where the technology exists; • At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practical from noise-sensitive receptors; • Unnecessary idling of internal combustion engines shall be prohibited; • Owners and occupants of residential and non-residential properties located within 300 feet of the construction site shall be notified of the construction schedule in writing; and • The construction contractor shall designate a “noise disturbance coordinator” who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. 			
XVII-1. Prior to issuance of building permits, the applicant shall initiate construction, and, prior to occupancy of the first unit, the applicant shall complete construction of the dual northbound left turn lanes	Prior to issuance of building permits, and prior to occupancy of the first unit	City Engineer	

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT				
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off	
on Somersville Road onto Buchanan Road and conversion of an eastbound through lane to a through-left turn lane to the satisfaction of the City Engineer. A portion of the improvements shall be eligible for reimbursement.				
XVII-2. Prior to occupancy of the first unit, the applicant shall provide funding for the City to modify the Somersville Road/Auto Center Drive at SR 4 Westbound Ramps traffic signal to install an eastbound right-turn overlap phase and retime the signal to the satisfaction of the City Engineer.	Prior to occupancy of the first unit	City Engineer		
XVII-3. The project applicant shall restripe the eastbound approach to the Somersville Road/Delta Fair Boulevard intersection to convert the eastbound left-through shared lane to an exclusive eastbound left lane. Prior to occupancy of the first unit, the applicant shall complete the improvements to the satisfaction of the City Engineer.	Prior to occupancy of the first unit	City Engineer		
XVII-4. Prior to issuance of building permits, the site plans shall show internal sidewalks will have a minimum width of six feet at all points, including where signs, poles, fire hydrants, etc. are placed in the walkway per City of Antioch commercial design guidelines. The site plans shall be submitted to the Planning Manager for the City of Antioch for review and approval by the City Engineer.	Prior to issuance of building permits	City of Antioch Planning Manager City Engineer		
XVII-5. Prior to issuance of a building permit, the site plans shall indicate that at least 19 bicycle parking spaces will be provided for the retail portion of the project site. The site plans shall be submitted to the Planning Manager for the City of Antioch for review and approval by the City Engineer.	Prior to issuance of a building permit	City of Antioch Planning Manager City Engineer		
XVII-6. Prior to issuance of a building permit, the applicant shall consult with Tri Delta transit to determine if additional transit amenities shall be provided through the project site or project frontages. Proof of consultation shall be submitted and recommended amenities should be constructed prior to occupancy of the first unit to the satisfaction of the Planning Manager for the City of Antioch and City Engineer.	Prior to issuance of a building permit	City of Antioch Planning Manager City Engineer		
XVII-7. Prior to issuance of grading permits, the project site plans shall indicate that all driveways on the site shall be designed with an adequate width for access by emergency vehicles. In addition,	Prior to issuance of grading permits	Fire Marshall City of Antioch		

MITIGATION MONITORING AND REPORTING PROGRAM DELTA FAIR VILLAGE PROJECT				
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off	
the plans shall indicate that signs shall be posted outside of the garage to make clear that the garage use is for "residents only." The final site plan shall be reviewed and approved by the Fire Marshall and submitted to the Planning Manager for the City of Antioch.		Planning Manager		
XVIII-1. Implement Mitigation Measure V-1 and V-2.	See Mitigation Measure V-1 and V-2.	See Mitigation Measure V-1 and V-2.		

EXHIBIT B
ERRATA TO THE IS/MND

Delta Fair Village Project Initial Study/Mitigated Negative Declaration

Errata Sheet August 7, 2020

This erratum presents the staff-generated changes to the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) that have been determined to be appropriate since the release of the IS/MND for public review. Specifically, the changes presented herein are based on an update to the Project Description, Air Quality section, and Greenhouse Gas Emissions section of the IS/MND. All of the following changes have been made for clarification purposes only and do not change the conclusions of the IS/MND. Changes to the Draft IS/MND text are presented in double-underlined format for new, added text, and ~~strike through~~ format for deleted text.

Page 2 of the IS/MND is hereby revised as follows:

12. Project Description Summary:

The proposed project would include demolition of 73,546 sf of the 147,081 sf Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking garage. The apartment complex would include a courtyard with a clubhouse, pool, and playground. Additionally, a new 4,174-4,000 sf retail building would be constructed on the western portion of the site. The new development would total ~~441,514~~411,092 sf.

Page 8 of the IS/MND is hereby revised:

Project Components

The proposed project would include demolition of approximately 73,546 sf of the existing Delta Fair Shopping Center. The area of demolition would be developed with a 210-unit multi-family apartment complex and a new 4,174,000-sf retail building (see Figure 3). The apartment complex would consist of five buildings all located above a ground-level parking structure. The five buildings would be cohesively centered around a common courtyard area. The new retail building would be constructed north of the proposed apartment structure. The square footage of the proposed project would total ~~441,514~~411,092 sf. In addition, the project would include renovation of the remaining existing 73,535 sf of retail space. The proposed project would include new drive aisles and associated improvements, such as landscaping, utility connections, and parking development. The sections below describe the following project components in further detail: apartment buildings; circulation and parking; landscaping, common area and fencing; utilities; Rezone; Use Permit and Design Review; and Discretionary Actions.

Because the technical analyses prepared for the proposed project relied on the correct square footage, the foregoing changes do not affect the adequacy of the IS/MND.

Page 23 of the IS/MND is hereby revised:

- Land uses include Apartments Mid-Rise and Retail;
- Construction would occur over an approximately 18-month period;
- A total of 73,546 sf of existing building would be demolished;
- Four acres would be disturbed during grading;

- A total of 50 cubic yards of material would be exported during site prep and 100 cubic yards would be ~~exported~~imported during grading;
- Average daily trip rates of 5.44 trips per residential unit and 43.78 trips per thousand sf (ksf) of retail, were assumed based on the Transportation Impact Assessment (TIA) prepared for the proposed project by Fehr & Peers;
- The proposed residences would not include natural gas or wood-fired hearths;
- The nearest transit station is located 0.01-mile away on Delta Fair Boulevard, with additional transit stops on Buchanan Road; and
- Pedestrian connection is provided on-site and connects to existing off-site uses.

The foregoing revision is for clarification purposes only and does not change the conclusions of the IS/MND.

In response to public comments received on the IS/MND, updated emissions estimates have been prepared for the proposed project. Based on the updated modeling, Table 3 on page 24 of the IS/MND is hereby revised:

Table 3 Maximum Unmitigated Construction Emissions (lbs/day)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	<u>24.3915.45</u>	54	NO
NO _x	<u>50.4042.54</u>	54	NO
PM ₁₀ (exhaust)	2.20	82	NO
PM ₁₀ (fugitive)	18.22	None	N/A
PM _{2.5} (exhaust)	2.02	54	NO
PM _{2.5} (fugitive)	9.97	None	N/A
Source: CalEEMod, October 2019 July 2020 (see Appendix A).			

As shown in the table above, construction-related emissions would remain below the BAAQMD's thresholds significance, despite the aforementioned change in modeling and staff-initiated change.

Based on the updated modeling, Table 4 on page 25 of the IS/MND is hereby revised:

Table 4 Unmitigated Maximum Operational Emissions						
Pollutant	Proposed Project Emissions		Existing Delta Fair Shopping Center		Net New Emissions	
	lbs/day	tons/yr	lbs/day	tons/yr	lbs/day	tons/yr
ROG	<u>44.514.68</u>	<u>2.432.46</u>	7.35	1.25	<u>7.157.33</u>	<u>4.841.21</u>
NO _x	<u>27.928.97</u>	<u>4.995.18</u>	14.2	2.55	<u>43.714.77</u>	<u>2.442.63</u>
PM ₁₀ (exhaust)	<u>0.340.33</u>	0.05	0.10	0.02	<u>0.240.23</u>	0.03
PM ₁₀ (fugitive)	<u>46.517.95</u>	<u>2.903.14</u>	8.85	1.55	<u>7.659.1</u>	<u>4.351.59</u>
PM _{2.5} (exhaust)	<u>0.300.31</u>	0.05	0.10	0.02	<u>0.200.21</u>	0.03
PM _{2.5} (fugitive)	<u>4.414.80</u>	<u>0.780.84</u>	2.37	0.42	<u>22.04.43</u>	<u>0.360.42</u>
Exceeds Thresholds?					NO	NO
Source: CalEEMod, November 2019 July 2020 (see Appendix A).						

As demonstrated in the table above, the changes would not result in exceeding the BAAQMD's thresholds of significance for maximum pounds per day or tons per year. Consequently, the conclusions reached within the IS/MND remain valid.

Based on the updated modeling, Table 7 on page 48 of the IS/MND is hereby revised as follows:

Table 7 Unmitigated Annual Project Construction GHG Emissions	
Year	Annual GHG Emissions (MTCO₂e/yr)
2020	590.0811
2021	555.75
Total Construction Emissions	1,145.8386
Amortized Annual Construction Emissions	572.9
<i>Source: CalEEMod, November 2019 and July 2020 (Appendix A).</i>	

Page 49 is hereby revised as follows:

Based on the total annual GHG emissions shown in the table, including amortized annual construction emissions, and a total service population of 661 residents and 11 employees, the proposed project would result in annual per service population emissions of approximately 3.343.69 MTCO₂e/yr (2,227.22,477.7 MTCO₂e/yr / 672 residents and employees = 3.343.69 MTCO₂e/yr-resident and employees). Thus, implementation of the proposed project would result in emissions below the applicable 4.6 MTCO₂e/yr per service population threshold of significance, and the proposed project would not be expected to have a significant impact related to GHG emissions.

In addition to the textual changes presented above, Table 8 on page 49 of the IS/MND is hereby revised as follows:

Table 8 Unmitigated Operational GHG Emissions Year (MTCO₂e/yr)			
Emission Source	Proposed Project Annual GHG Emissions	Existing Delta Fair Center Annual GHG Emissions	Net New Annual GHG Emissions
Area	2.62	0.00	2.62
Energy	420.95	268.6	152.35
Mobile	<u>3,163.63,414.01</u>	1,686.4	<u>4,477.21,727.61</u>
Solid Waste	90.02	85.0	5.02
Water	44.51	27.3	17.21
Amortized Construction Emissions	572.9	-	572.9
Total Annual GHG Emissions	<u>4,294.64,545.02</u>	2,067.3	<u>2,227.22,477.7</u>
Total Annual GHG Emissions Per Service Population	--	--	<u>3.343.69</u>
BAAQMD Threshold			4.6
Exceeds Threshold?			NO
<i>Source: CalEEMod, November 2019 and July 2020 (see Appendix A).</i>			

As shown above, the updated GHG emissions would not exceed BAAQMD's adopted thresholds of significance. Because the emissions remain below the thresholds applied in the IS/MND, the revisions do not change the conclusions presented within the IS/MND.

Page 49 of the IS/MND is hereby revised as follows:

It should be noted that the City's Climate Action Plans were established to ensure the City's compliance with the statewide GHG reduction goals required by AB 32. The City's Climate Action Plans is not considered a qualified Climate Action Plan under CEQA Guidelines Section 15183.5, and, thus, the following discussion of the City's Climate Action Plan is presented for informational purposes only. Although the Climate Action Plans do not include quantitative thresholds to assess a project's compliance, projects that are in compliance with the Climate Action Plans would be considered compliant with the GHG reduction goals required by AB 32. For instance, projects showing emissions reductions as required by the Climate Action Plans, or projects incorporating reduction strategies from the Climate Action Plans are understood to be in compliance with the Climate Action Plans' GHG emissions reductions goals, and, thus, in compliance with AB 32.

The foregoing revisions serve to clarify the informational nature of the discussion of the City's Climate Action Plan presented within the IS/MND, but do not serve to alter the significance conclusions presented in the IS/MND.

ATTACHMENT B
GENERAL PLAN AMENDMENT RESOLUTION

**CITY COUNCIL
RESOLUTION NO. 2020/****

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING A GENERAL PLAN AMENDMENT
FOR THE DELTA FAIR VILLAGE PROJECT**

WHEREAS, the City of Antioch (“City”) received an application from Chiu Family LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map; a Planned Development Rezone and Final Development Plan; Use Permit, and Design Review for the redevelopment of the Delta Fair Shopping Center, consisting of a 210-unit multi-family apartment complex, a 4,000-square-foot retail building, and improvements to the existing shopping center on approximately 13.5 acres, known as the Delta Fair Village Project (“Project”) (GP-18-02, PD-18-03, UP-18-19, and AR-18-20);

WHEREAS, the project site is located at 3000 Delta Fair Boulevard in the City of Antioch, northeast of the Buchanan Road and Delta Fair Boulevard intersection in the Somersville Road Corridor Focus Area of the General Plan (APNs: 076-440-029, 076-440-030, and 076-440-031);

WHEREAS, a Final Initial Study and Mitigated Negative Declaration (“IS/MND”) and Mitigation Monitoring and Reporting Program (“MMRP”) was prepared in accordance with the California Environmental Quality Act (“CEQA”) Guidelines Section 15162, and considered and adopted by the City Council on September 22, 2020;

WHEREAS, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan;

WHEREAS, the primary purpose of the General Plan Amendment is to ensure consistency between the City of Antioch General Plan and the Project;

WHEREAS, the project requires amendment to the General Plan Land Use Map to redesignate the site from Regional Commercial to Mixed Use to allow for residential development;

WHEREAS, the proposed project site is of adequate size to accommodate the proposed development;

WHEREAS, the proposed project will provide adequate infrastructure to accommodate the proposed development;

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law and on August 19, 2020 held a public hearing on the matter, and received and considered evidence, both oral and documentary, and recommended approval to the City Council; and

WHEREAS, the City Council duly gave notice of public hearing as required by law and on September 22, 2020 held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby make the following findings for approval of the General Plan Amendment:

1. The proposed project conforms to the provisions and standards of the General Plan in that the proposed amendment is internally consistent with all other provisions of the General Plan and does not conflict with any of the previously adopted Goals, Policies and Programs of the General Plan;
2. The proposed Amendment is necessary to implement the goals and objectives of the General Plan in that it will further implement the City of Antioch Housing Element;
3. The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City in that the Amendment will result in a logical placement of land uses consistent with the overall intent of the General Plan;
4. The proposed project will not cause environmental damage in that the project prepared the Delta Fair Village Project IS/MND and MMRP which reduced all potential environmental impacts resulting from the proposed project to a less-than-significant level; and
5. The proposed General Plan Amendment will not require changes to or modifications of any other plans that the City Council adopted before the date of this resolution.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council hereby approves the Amendment to the General Plan Land Use Map (GPA-18-02) as shown in Exhibit A.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 22nd day of September, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT A
PROPOSED GENERAL PLAN LAND USE MAP



ATTACHMENT C
REZONE ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE THE APPROXIMATELY 13.5 ACRE DELTA FAIR VILLAGE PROJECT SITE (APNs 076-440-029, 076-440-030, AND 076-440-031), FROM REGIONAL COMMERCIAL (C-3) TO PLANNED DEVELOPMENT DISTRICT (PD-18-03)

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The City Council determined on September 22, 2020, that, pursuant to Section 15070 of the Guidelines of the California Environmental Quality Act, that the appropriate environmental document for the project is an Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

SECTION 2:

At its regular meeting of August 19, 2020, the Planning Commission recommended that the City Council approve the resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed project and recommended that the City Council adopt the ordinance to rezone the subject property to Planned Development District (PD-18-03).

SECTION 3:

At its regular meeting of September 22, 2020, the City Council approved the resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Delta Fair Village project.

SECTION 4:

The real property described in Exhibit A, attached hereto, is hereby rezoned to Planned Development District (PD-18-03) for the Delta Fair Village project.

SECTION 5:

The development standards, as defined below, for the subject property (APNs 076-440-029, 076-440-030, AND 076-440-031), known as the Delta Fair Village, are herein incorporated into this ordinance, and are binding upon said property.

Development Standards for the Delta Fair Village Planned Development District
(PD-18-03)

Development Standards for the Delta Fair Village Planned Development District	PD Zoning Standards for Multi-Family Development	PD Zoning Standards for Commercial Development
Maximum height	70'	35'
Maximum Density – DU per acre	35 DU/Acre	N/A
Maximum Number of Units	210	N/A
Maximum Lot Coverage	50%	35% (all structures)
Minimum Lot Width & Size	N/A	N/A
Minimum Front Yard Setbacks	From PL/ROW: 15'	From PL/ROW: 30'
Minimum Side Yard Setbacks	Between buildings: 15' Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Municipal Code Section 9- 5.801.	25'
Minimum Rear Yard Setbacks	From PL: 10'	From PL: 10'
Usable Open Space	Private – 60 SF per Unit 200 SF per Unit Total	N/A
Storage	250 CF per Unit	N/A
Parking Req'd.	Parking provided per approved Final Development Plan.	Parking provided per approved Final Development Plan or subsequent use permit requirements.
Driveway Width	N/A	Minimum 25 feet
Vision Triangle	Per City Std. 9-5.H04	Per City Std. 9-5.H04
Landscape Requirements	Project landscaping shall be consistent with the Delta Fair Village Conceptual Landscape Plan submitted to the Community Development Department on July 12, 2017.	Project landscaping shall be consistent with the Delta Fair Village Conceptual Landscape Plan submitted to the Community Development Department on July 12, 2017.Development
RV Parking	RV parking is prohibited.	RV parking is prohibited.

SECTION 6:

The allowed uses, as defined below, for the subject property (APNs 076-440-029, 076-440-030, AND 076-440-031), known as the Delta Fair Village, are herein incorporated into this ordinance, and are binding upon said property.

Multi-Family Residential Uses. Allowed uses within Multi-Family Residential portions of the Delta Fair Village (as shown on the Overall Site Plan plotted 8-15-19, as modified by the City Council) shall be those uses as allowed in the R-35 High Density Residential District as established in Section 9.5.3803 of the City of Antioch Municipal Code.

Commercial Allowed Uses. Allowed uses for the Commercial portions of the Delta Fair Village project (as shown on the Overall Site Plan plotted 8-15-19, as modified by the City Council) shall be per the Regional Commercial (C-3) zoning designation.

SECTION 7

The City Council finds that the public necessity requires the proposed zone change that the subject property is suitable to the use permitted in the proposed zone change that said permitted use is not detrimental to the surrounding property, and that the proposed zone change is in conformance with the Antioch General Plan as amended for the proposed project..

SECTION 8:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

* * * * *

I HEREBY CERTIFY that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the 22nd of September, 2020, and passed and adopted at a regular meeting thereof, held on the _____ of _____, 2020, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

EXHIBIT A

**PROPOSED DELTA FAIR VILLAGE REZONE (PD-18-03
LEGAL DESCRIPTION**

Real property in the City of Antioch, County of Contra Costa, State of California, described as follows:

PARCEL "A", AS SHOWN ON THE MAP OF SUBDIVISION M.S. 6-85, FILED JUNE 18, 1985, BOOK 116 OF PARCEL MAPS, PAGE 29, CONTRA COSTA COUNTY RECORDS.

APN: **076-440-029-7, 076-440-030-5, 076-440-031-3**

ATTACHMENT D

**FINAL DEVELOPMENT PLAN, USE PERMIT, AND DESIGN
REVIEW RESOLUTION**

**CITY COUNCIL
RESOLUTION NO. 2020/****

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING A FINAL DEVELOPMENT PLAN, USE PERMIT, AND DESIGN REVIEW
FOR THE DELTA FAIR VILLAGE PROJECT**

WHEREAS, the City of Antioch (“City”) received an application from Chiu Family LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map; a Planned Development Rezone; a Use Permit, and Design Review for the redevelopment of the Delta Fair Shopping Center, consisting of a 210-unit multi-family apartment complex, a 4,000-square-foot retail building, and improvements to the existing shopping center on approximately 13.5 acres, known as the Delta Fair Village Project (“Project”) (GP-18-02, PD-18-03, UP-18-19, and AR-18-20);

WHEREAS, the project site is located at 3000 Delta Fair Boulevard in the City of Antioch, northeast of the Buchanan Road and Delta Fair Boulevard intersection in the Somersville Road Corridor Focus Area of the General Plan (APNs: 076-440-029, 076-440-030, and 076-440-031);

WHEREAS, a Final Initial Study and Mitigated Negative Declaration (“IS/MND”) and Mitigation Monitoring and Reporting Program (“MMRP”) was prepared in accordance with the California Environmental Quality Act (“CEQA”) Guidelines Section 15162, and considered by the City Council on September 22, 2020;

WHEREAS, on September 22, 2020, the City Council adopted the Final IS/MND and MMRP;

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law and on August 19, 2020 duly held a public hearing, received and considered evidence, both oral and documentary and recommended approval of the entitlements to the City Council; and

WHEREAS, the City Council duly gave notice of public hearing as required by law and on September 22, 2020 duly held a public hearing, received and considered evidence, both oral and documentary.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Antioch makes the following required findings for approval of a Final Development Plan:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability because each parcel has its own independent parking and access. The uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district due to the General Plan and zoning designations for the project

site and the requirement to establish a Planned Development Zoning District and receive approval for a Final Development Plan for each project zoned Planned Development in the City of Antioch;

2. The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development because the project will be constructing all the required streets and utilities to serve the project and the ultimate design, location and size of these improvements will be subject to the approval of the City Engineer;
3. The commercial component of the project is justified economically at the location proposed in that the proposed project is reducing the amount of commercial square footage and replacing with housing which will help to support the existing commercial square footage on site;
4. The proposed residential component of the project is in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan as amended for the proposed project;
5. Industrial uses are not proposed as part of the project;
6. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted. The project includes renovations to an existing commercial center and a multi-family component that will provide support for the existing commercial center and is substantially in conformance with the applicable zoning requirements for residential development and the PD District development standards established for the project site;
7. The area surrounding the PD District is developed and zoned in coordination and substantial compatibility with the proposed development because the proposed development is consistent with the General Plan as amended for the proposed project and the area around the Project will also be required to develop according to the General Plan policies; and,
8. The Project and the PD District conform to the General Plan of the City in that the proposed commercial and multi-family development is consistent with the Mixed Use designation being applied to the site as part of the proposed project entitlements.

BE IT FURTHER RESOLVED, that the City Council does hereby make the following required findings for approval of the requested Use Permit:

1. 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 because the project has been designed to comply with the City of Antioch Municipal Code requirements.
2. The use applied at the location indicated is properly one for which a use permit is authorized because the City of Antioch Zoning Ordinance requires a use permit for all development in the PD zoning district.
3. That the site for the proposed use is adequate in size and shape to accommodate such use, parking, loading, landscaping, and other features required, to other uses in the neighborhood.
4. That the site abuts streets adequate in width and pavement type to carry the kind of traffic generated by the proposed use. The project site will construct street improvements, which are designed to meet City standards for adequate width and pavement.
5. 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 City of Antioch General Plan and Citywide Design Guidelines. The proposed General Plan land use designation for the project site is Mixed Use, which conditionally allows for the type of use being developed by the project.
6. The Conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch does hereby APPROVE a Final Development Plan, Use Permit, and Design Review for the development of 210-unit multi-family apartment complex, a 4,000-square-foot retail building, and improvements to the existing shopping center on a 13.5-acre project site located at 3000 Delta Fair Boulevard, northeast of the intersection of Buchanan Road and Delta Fair (APNs 076-440-029, 076-440-030, and 076-440-031) subject to the following conditions:

A. GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.

2. The project shall be implemented as indicated in the application form, accompanying materials, and plans and elevations provided to the City, attached as Exhibit A to this resolution, and in compliance with the Antioch Municipal Code, or as amended by the City Council.
3. No building permit will be issued unless the plan conforms to the site plan as approved by the City Council and the standards of the City.
4. This approval expires two years from the date of approval (expires September 22, 2022), 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.
5. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
6. No building permits shall be issued until the property owner has resolved all open Code Enforcement cases within the Delta Fair Village Shopping Center.
7. The development and all proposed improvements shall comply with the City of Antioch Municipal Code and City Standards, unless a specific exception is granted thereto or approved by the City Engineer.
8. All required easements or rights-of-way shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.
9. City staff shall inspect the site for compliance with conditions of approval prior to final inspection approval.
10. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way or easement, and peak commute-hour traffic shall not be impeded by construction-related activity.
11. All existing easements shall be identified on the site plan and all plans that encroach into existing easements shall be submitted to the easement holder for review and approval, and advance written permission shall be obtained from any property owner or easement holder for any work done within such property or easement.

12. Prior to certificate of occupancy, the applicant shall annex into the Street Light and Landscape Maintenance District and accept a level of annual assessments sufficient to maintain street lights and landscaping adjacent to the project. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code. Construction is restricted to weekdays between the hours of 8:00 AM and 5:00 PM. Requests for alternative days/times 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 AMC 6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.
4. Standard dust control methods shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with the contact number of the Developer, the Bay Area Air Quality Management District and the City.
5. Driveway access to neighboring properties shall be maintained at all times during construction.
6. Contractor shall adhere to all measures in Section 5-17.04 and 5-17.05 of the City's Municipal Code and mitigation measures identified in the IS/MND.
7. The project applicant shall ensure that all on-site construction activities occur pursuant to the criteria identified in Policy 11.6.2, Temporary Construction, of the City of Antioch General Plan.

C. FEES

1. The developer shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.

D. ENGINEERING

1. The curb along the project frontage of Buchanan Road shall be painted red or signed for no parking per City standards.

2. San Jose Drive and Delta Fair Boulevard driveways shall be adjusted as necessary to “line up” with, and have the same width as, the on-site drive aisles, as shown on the project plans and approved by the City Engineer.
3. Driveway aprons shall be constructed with radius returns for ease of ingress and egress to and from the site.
4. No objects (e.g., monument signs) greater than 3 feet in height shall be allowed within the clear vision sight triangles at driveways.
5. No structures, trash enclosures or invasive trees shall be located within public easements, as approved by the City Engineer.
6. Prior to issuance of building permits, the applicant shall submit a detailed plan of the entry gates of the parking garage for review and approval by the City Engineer. The design shall allow for adequate vehicle storage and turnaround. Gated entrances to the site shall include rapid access technology for Fire, Police and other emergency responders.
7. The driveway onto Buchanan Road from the parking garage shall be signed and striped “out only”. No access into the parking garage from Buchanan Road shall be allowed.
8. All on-site curbs, gutters and sidewalks shall be constructed of Portland cement concrete.
9. Asphalt paving shall be designed for a minimum traffic index (TI) of 5.5 and shall have a minimum slope of 2%, concrete paving shall have a minimum slope of 0.75%, and asphalt paving for identified accessible parking stalls and access routes may have a minimum slope of 1.5% and a maximum 2% slope, or as approved by the City Engineer.
10. All access drive aisles shall be constructed per current ADA and City standards, subject to review and approval by the City Engineer.
11. The applicant shall install and maintain parking lot and pathway lights and landscaping within the project area at no cost to the City.
12. The parking lot striping and signing plan shall be approved by the City Engineer.
13. All parking spaces shall be double-striped, and all parking lot dimensions shall meet minimum City of Antioch Municipal Code requirements.
14. The driveway closest to the apartment building on Delta Fair Boulevard shall be striped with “in”, “left out” and “right out” arrows.

15. All cracked, broken or damaged concrete curb, gutter and/or sidewalks in the public right-of-way along the project frontage shall be removed and replaced as required by the City Engineer and at no cost to the City.
16. Provide sidewalks on both sides of entry drives to the satisfaction of the City Engineer.
17. The Fire Lane on the east side of the apartment building shall be a minimum 22' wide to allow for 11' wide travel lanes in each direction.
18. Buchanan Road shall be restriped with "sharrow" lane markings to alert motorists to bicycle traffic.
19. Prior to issuance of building permits for the apartment building, the project shall initiate construction, and prior to occupancy of the first unit, the applicant shall complete construction of the dual north bound left turn lanes on Somersville Road onto Buchanan Road and conversion of an eastbound through lane to a through left turn lane to the satisfaction of the City Engineer. A portion of the improvements shall be eligible for reimbursement.
20. Prior to occupancy of the first unit, the project shall provide funding for the City to modify the Somersville Road/Auto Center Drive at SR4 westbound ramps traffic signal to install an east bound overlap and retime the signal to the satisfaction of the City Engineer.
21. Prior to occupancy, the project shall restripe the eastbound approach to the Somersville Road/Delta Fair Boulevard intersection to convert eastbound left-through shared lane to an exclusive eastbound left lane to the satisfaction of the City Engineer.
22. Prior to issuance of building permits, the onsite plan shall show internal sidewalks will have a minimum width of six feet including where signs, poles, fire hydrants, etc. are placed in the walkway per City of Antioch commercial design guidelines and to the satisfaction of the City Engineer.
23. The sanitary sewer lateral for the new retail building shall be 6" in diameter.
24. For the onsite water and/or sewer lines sizes 8" or larger, developer shall provide public easement to the City prior to issuance of building permit.
25. Developer shall install and maintain necessary onsite pumps to drain the parking garage area to the satisfaction of the City Engineer.
26. If necessary, developer shall install booster pumps to provide satisfactory water pressure for domestic and fire service.

27. Identify and show on plans (survey) any existing easements for utility such as water, sewer and drainage.
28. No structure shall be built over sewer, water or storm drain lines.
29. Developer shall remove and replace panels of the sidewalk in the project frontage that has cracks wider than 0.2".
30. All handicap ramps in the project frontage streets shall be brought to latest standard compliance.
31. All red curb on frontage streets shall be repainted per City standards.
32. All driveways for the project shall be constructed per City standards.
33. The ramp at the corner of Buchanan Road and Delta Fair Boulevard shall be removed and replaced per City standards and the crosswalk striping at the intersection realigned as directed by the City Engineer.
34. Final plans shall illustrate truck turning templates at project driveways and internal roadways showing that routes of travel provide sufficient space for emergency vehicles, garbage trucks, moving trucks/vans and automobiles as approved by the City Engineer.
35. Provide accessible paths of travel between accessible parking spaces and building entries in accordance with code requirements and as approved by the City Engineer.
36. All parking garage entries shall have signs indicating that garage use is "resident only". No parking within 25 feet of garage entry gates is allowed unless approved by the City Engineer.

E. FIRE REQUIREMENTS

1. 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.
2. Access shall comply with Fire District requirements.

Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of

the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

Aerial Fire Apparatus Access is required where the vertical distance between grade plane and the highest roof surface exceeds 30 feet as measured in accordance with Appendix D, Section 105 of the 2016 CFC. Aerial access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof. At least one of the required routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and building.

3. Access roadways of less than 28-feet unobstructed width shall have signs posted or curbs painted red with the words NO PARKING - FIRE LANE clearly marked. (22500.1) CVC, (503.3) CFC

Access roadways of 28 feet or greater, but less than 36-feet unobstructed width shall have NO PARKING- FIRE LANE signs posted, allowing for parking on one side only or curbs painted red with the words NO PARKING - FIRE LANE clearly marked. Parking is permitted only on the side of the road that does not have hydrants. (22500.1) CVC, (503.3) CFC

4. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the interior of the building. The building owner shall have the testing conducted and the results submitted to the Fire District prior to the building final. (510.1) CFC
5. Access gates for Fire District apparatus shall be a minimum of 20-feet wide. Access gates shall slide horizontally or swing inward and shall be located a minimum of 30 feet from the street. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key- operated switch. (D103.5) CFC.
6. The developer shall provide an adequate and reliable water supply for fire protection as set forth in the California Fire Code. (507.1) CFC
7. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating all existing or proposed hydrant locations, fire apparatus access, elevations of building, size of building and type of construction

and a striping and signage plan for review and approval prior to obtaining a building permit. Final placement of hydrants shall be determined by this office. (501.3) CFC

8. 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

Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

9. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC
10. Provide safety during construction. (Ch.33) CFC
11. The developer shall submit a minimum of two (2) complete sets of building plans and specifications of the subject project, including plans for any of the following required deferred submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC
 - a. Private underground fire service water mains.
 - b. Fire sprinklers.
 - c. Standpipe.
 - d. Fire alarm.
 - e. Aboveground/underground flammable/combustible liquid storage tanks.

E. PROPERTY MAINTENANCE

1. The following requirements shall be the responsibility of the property owner:
 - a. Maintenance of the storm water detention basin.
 - b. Compliance with all City Codes regarding property maintenance.
 - c. Maintenance of all slopes to property line.
 - d. Maintenance of all onsite and frontage landscaping.
2. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to the storm season and prior to each storm event.
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. The applicant shall comply with the provision of the AMC Section 5.1.204 COMMERCIAL PROPERTY MAINTENANCE.

F. GRADING

1. 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.
2. The final grading plan for this development shall be approved by the City Engineer and signed by a California licensed civil engineer. No grading is allowed without a grading permit issued by the Building Department.
3. All elevations shown on the grading and improvement plans shall be on the USGS 1929 sea level datum or NAVD 88 with conversion information, or as approved by the City Engineer.
4. All slopes shall drain to approved drainage facilities as approved by the City Engineer.
5. Wall and fence locations and elevations shall be included on the grading plan.
6. Any existing wells or septic systems on the property shall be properly abandoned under permit from the Contra Costa County Environmental Health Department.
7. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
8. Swales adjacent to structures shall have a minimum of a 1% slope or as directed by the City Engineer.
9. 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, or grade" adjacent properties prior to performing any work.
10. Retaining walls shall be of masonry construction and shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
11. All retaining walls shall be reduced in height to the maximum extent practicable and any walls or signage shall meet the height requirements in the setback and sight distance triangles as required by the City Engineer.

G. 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. That 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 as 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 Division will issue Certificate of Occupancy. 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 developer 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.
3. 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 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 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 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 resulting from changes made during construction.
- d. 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 BMP's.
- e. Prevent site drainage from draining across sidewalks and drive aisles 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 Services 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. Implement Best Management Practices (BMP's) at all times.
- j. Install "No Dumping, Drains to River" decal buttons on all catch basins.

- 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, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.
 - l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
 - m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
 - n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.
 - o. 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. Install full trash capture device(s) in storm water catch basins that collect water from the project site. A "full trash capture device" is defined as any device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate resulting from a one-year, one-hour, storm in the tributary drainage catchment area. Selected devices must be detailed on the building permit plan submittal and approved by Public Works prior to installation.
4. All impervious surfaces to be constructed as part of the project, including off-site roadways, are subject to C.3 requirements per State Regulations.

H. UTILITIES

1. All existing and proposed utilities (e.g. transformers and PMH boxes) shall be undergrounded and subsurface in accordance with the Antioch Municipal Code, except existing P.G.& E. towers, if any, or as approved by the City Engineer.
2. Prior to issuance of a building permit, the applicant shall submit hydrologic and hydraulic calculations for review to the City for design and construction of storm drain facilities that adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of watershed.
3. All storm water flows shall be collected onsite and discharged into an approved public storm drain system.
4. Trash enclosures shall drain to sanitary sewer and shall incorporate methods to contain runoff at the front-gate and pedestrian access point to prevent storm water from entering the enclosure.
5. The sewer collection system shall be constructed to function as a gravity system.
6. A reduced pressure backflow preventer assembly shall be installed on all City water meter services.
7. All onsite utilities outside a public utility easement or as determined by the City Engineer, shall be privately owned and maintained and connected to public facilities in accordance with City Standards.
8. Double detector check valve backflow assemblies shall be installed at each end of the private fire line and enclosed within easements granted to the City.
9. The developer shall provide adequate water pressure and volume to serve this development, as approved by the City Engineer. 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.
10. The applicant shall install all infrastructure to serve the site. Infrastructure for access to the site (sewer, water, storm, joint trench, and surface improvements) shall be completed prior to issuance of building permits.
11. All proposed drainage facilities, including open ditches, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.

I. LANDSCAPING

1. Sight distance triangles shall be maintained per AMC § 9-5.1101, Site Obstructions at Intersections, or as approved by the City Engineer. Landscaping and signage shall not create a sight distance problem.
2. Detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for the building.
3. 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). Prior to issuance of a building permit, the applicant shall demonstrate compliance with the applicable requirements of the MWELO in the landscape and irrigation plans submitted to the City.
4. Landscape shall show immediate results. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.
5. Street trees and shrubs shall be selected from the City's Plant List.
6. The tree and shrub sizes shall be as detailed on the project plans.
7. Provide landscaping between the sidewalk and proposed fence along the Delta Fair Boulevard Frontage and intersection.
8. Landscape screening of the surface parking on the north side shall be a minimum of three feet above the grade of the parking area.
9. Provide a minimum of 15 feet between the center of trees and large shrubs to utility poles and street lights, and a minimum of 8 feet between center of trees and large shrubs to fire hydrants, Fire Department sprinkler and standpipes.
10. All young trees shall be staked and provide root barriers for trees planted within 10 feet of pavement.
11. Automatic sprinklers controllers, backflow preventers and anti-siphon valves shall be used.
12. Within the 10-foot landscaped area adjacent to the existing apartment complex to the east, trees shall be planted a maximum of 20 feet on center.

13. Ground cover plants other than grasses shall be at least four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of at least one per 12 inches on center.
14. Shrubs shall be a minimum size of one gallon.
15. Trees shall be a minimum of 15 gallons in size with a one-inch diameter at breast height (dbh). Specimen trees of 36-inch or greater box size are encouraged. At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front setback. Trees (center of trees) shall be located a minimum of six feet from water meters, gas meters and sewer laterals; eight feet from any driveway, fire hydrant, fire sprinkler, or standpipe connection; and 15 feet from any curb return at an intersection, utility pole, or street light.
16. Newly planted trees shall be supported with double stakes or guy wires. Root barriers shall be required for any tree placed within ten feet of pavement.

J. FINAL IS/MND AND MITIGATION MONITORING AND REPORTING PROGRAM

1. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program.
2. The applicant shall mitigate any impacts on wildlife, including State and Federally listed threatened and endangered species, and their habitat by compliance with one of the following:
 - a. Implementing, or making enforceable commitments to implement, all applicable mitigation measures in the project environmental documents, as well as any additional measures as may be required by the California Department of Fish & Wildlife (CDFW) or the U.S. Fish & Wildlife Service (FWS), and obtaining a letter(s) from CDFW and FWS stating that the project has fulfilled the requirements of applicable State and Federal wildlife protection laws and regulations; or
 - b. Complying with applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCCHCP/NCCP Covered Species; or
 - c. Complying with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided that CDFW and FWS have approved the conservation plan.

K. PROJECT SPECIFIC

1. Provide a continuous, clearly marked walkway from out-of-garage parking stalls to the main office.
2. Provide a pedestrian route from the office and/or main visitor entry point to stairs and an elevator without crossing a driveway or walking through the drive aisles of the garage.
3. The apartment complex shall be staffed with an on-site manager 24-hours a day and the office shall be signed with the means to contact the on-site manager.
4. Provide a photometrics plan to demonstrate that the site entrances are effectively lit.
5. The 10-space parking space area located at the north east corner of the apartment building shall be striped as a "loading zone" instead of as "parking spaces".
6. The applicant shall provide a letter requesting that the City vehicle code be enforced on the private property. Signs shall be posted in a conspicuous place as outlined in AMC Section 4-5.411 ENFORCEMENT ON PRIVATE PARKING LOTS AND ROADS.
7. As shown on the plans, parking spaces shall not be located within 25 feet of the gated entrance to the parking garage.
8. A revised Parking Management Plan shall be submitted for the review and approval of the Planning Manager. The plan shall describe how the tandem spaces are assigned, managed, and enforced.
9. The 6'-high masonry wall along the eastern boundary of the project shall be patched and repaired as necessary and repainted to match existing.
10. The project shall be annexed into an existing Community Facility District (CFD) for police services.
11. Developer shall provide a lot line adjustment/lot merger/parcel map to avoid building pad over property lines prior to building permit issuance. These documents shall be approved prior to issuance of building permits.
12. Prior to the issuance of a building permit, the project shall consult with Tri Delta Transit to determine if additional transit amenities shall be provided through the project site or project frontages. Proof of consultation shall be provided to the City and recommended amenities shall be constructed prior to the occupancy of the

first unit and to the satisfaction of the Community Development Department and City Engineer.

13. The south elevation of the shopping center building shall be modified to include a 12-inch pop out for façade articulation similar to the front elevation. A different material shall be applied to the pop out to provide additional enhancement to the satisfaction of the Community Development Department.
14. The new proposed retail building shall require a separate design review submittal for the review and approval of the Planning Commission. The proposed retail building shall not include a drive-through.
15. Provide architectural fenestration and canopies at pedestrian and stairway doors at garage level, and recessed entries to buildings serving multiple units shall be a minimum of 100 square feet each.
16. Each unit shall be provided 60 square feet of private open space with a separate, enclosed, lockable storage space (minimum 250 cubic feet in volume and interior dimension shall not be less than 4 feet).
17. Prior to building permit approval, provide a trash management plan that identifies how trash will be removed from the building and placed in the trash enclosures. The plan shall include the information that will be provided to individual tenants. The trash management plan shall be to the satisfaction of the Community Development Department.
18. The project plans shall be modified to eliminate the trash chutes from the apartments, as well as the trash collection areas in the parking garage.
19. The location of the trash enclosures shall be in the general location as shown on the Overall Site Plan plotted on 8-15-19 at the terminus of the driveway off Buchanan Road. The design of the trash enclosures shall be consistent with the AMC and shall be reviewed and approved by Republic Services prior to the issuance of building permits.
20. Mechanical equipment shall be suitably screened or placed in locations not viewed from residences, common areas or the street.
21. That outdoor storage and/ or storage containers shall be prohibited on this site other than those associated with initial project construction.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 22nd day of September, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH

**EXHIBIT A
TO ATTACHMENT D
PLANS**



NEW CONDOMINIUMS AT DELTA FAIR VILLAGE

ANTIOCH, CA

TEAM

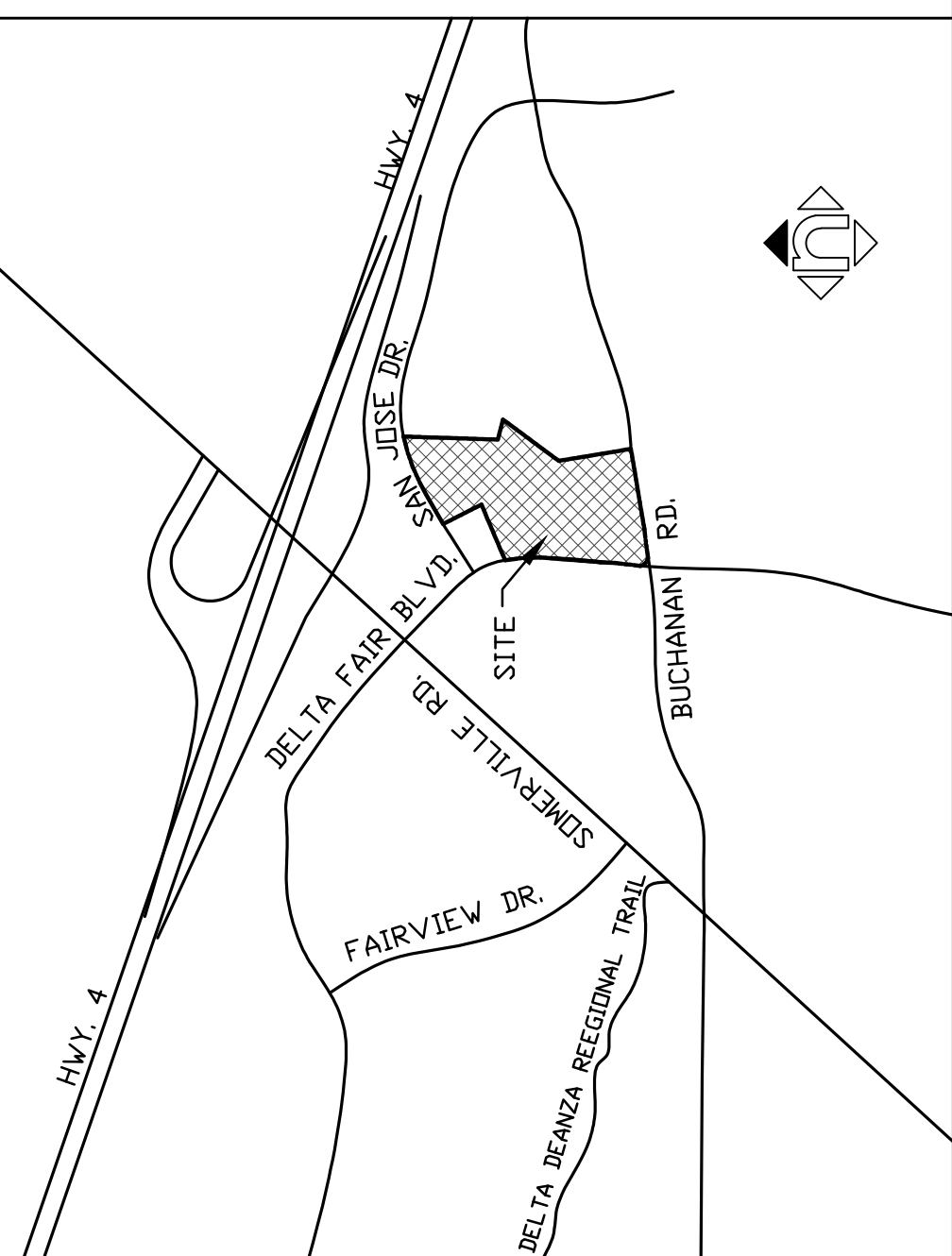
OWNER
CHIU FAMILY TRUST
1767 GERVANO WAY
PLEASANTON, CA 94566
(925) 463-0848
FAX 461-3391
GABRIEL CHIU

ARCHITECT
PENDLEY & ASSOCIATES, INC.
4008 SIEGEL ST.
VALLEY SPRINGS, CA 94522
(209) 786-3700
FAX 323-2003
BRIAN PENDLEY

CIVIL
RIDGELINE ENGINEERING
2522 GRAND CANAL BLVD. #14
STOCKTON, CA 95207
(209) 485-0110
FAX 485-0220
JORDAN BALDWIN

LANDSCAPE
SAM HARNED LANDSCAPE ARCHITECT
P.O. BOX 22715
OAKDALE, CA 95361
(209) 390-1316
FAX ?
SAM HARNED

MAP



INDEX

- T TITLE SHEET
- ARCHITECTURAL
 - A 0 SITE DEMO PLAN
 - A 1/1 OVERALL SITE PLAN
 - A 1/2 SITE PLAN SOUTH END
 - A 1/3 SITE PLAN NORTH END
 - A 1/4 SITE PLAN NORTH END
 - A 1/5 SITE SIGN PLAN
 - A 2 PARKING GARAGE PLAN
 - A 3 1st FLOOR PLAN
 - A 4 2nd FLOOR PLAN
 - A 5 3rd FLOOR PLAN
 - A 6 4th FLOOR PLAN
 - A 7 ROOF PLAN
 - A 8 UNIT & MISC. PLANS
 - A 9 EXTERIOR ELEVATIONS
 - A 10 EXTERIOR ELEVATIONS
 - A 11 EXTERIOR ELEVATIONS
 - A 12 EX. SHOPPING CENTER FACELIFT
 - A 13 BUILDING SECTIONS
 - A 14 SIGN ELEVATIONS
 - A 15 GROUND FLOOR SIGN PLAN
 - A 16 FIRST FLOOR SIGN PLAN
- CIVIL
 - C 1/0 TOPOGRAPHIC SURVEY
 - C 1/1 OVERALL GRADING PLAN
 - C 1/2 OVERALL GRADING PLAN
 - C 1/3 GRADING SECTION A
 - C 1/4 GRADING SECTION B
 - C 1/5 UTILITY PLAN
 - C 1/6 OVERALL STORMWATER CONTROL PLAN
 - C 1/7 DETAILED STORMWATER CONTROL PLAN
 - C 1/8 DETAILED STORMWATER CONTROL PLAN
- LANDSCAPE
 - L 1/1 TREE SURVEY PLAN
 - L 1/2 TREE SURVEY DATA
 - L 1 OVERALL LANDSCAPE PLAN
 - L 2 DETAILED LANDSCAPE PLAN
 - L 3 COURTYARD LANDSCAPE PLAN
- ELECTRICAL
 - E 1/1 SITE LIGHTING PLAN
 - E 1/2 COURTYARD LIGHTING PLAN

DATA

ADDRESS: 3000 DELTA FAIR BLVD, ANTIOCH, CA
APN: 76-44-24-30-31 (CONTRA COSTA COUNTY)
ZONE: FROM C1 TO PD [PD-16-02]
GENERAL PLAN: FOCUS AREA [SP-18-02]
BLDG. CODE: 2016 CBC, CFC, CM, CFC, CEC, GBC, & CA ENERGY CODE
OCC. GROUP: S2, M, R2, A3, B
CONGT. TYPE: 1A [GAR] IIA [MPTS, CLUBHOUSE & FITNESS] & VB [RETAIL & PAVILION]
BLDG. HT: 69'-0" (GAR) & 4 FLIES
BLDG. AREA: 4000 sf (N) DAYCARE/RETAIL BLDG.
14140 sf (N) PARKING GARAGES * 720 sf OFFICE
+ 1350 (N) CLUBHOUSE + 1050 sf (N) FITNESS + (2) 800 sf (N) PAVILIONS
260844 sf (N) RESIDENTIAL CONDOMINIUMS ABOVE

SITE AREA: 13.4 ACRES (14 + 6.0)
SITE BREAKDOWN: 57% BLDG, 10% PAVING & 25% LANDSCAPE
LO
DENSITY: 33 UNITS PER ACRE [6X35 = 210]
PRIVATE SPACES: PRIVATE BALCONIES RANGE FROM 60 SF 400 SF
COMMON OPEN SPACE INCLUDES 52000 SF COURTYARD
PRIVATE STOR: 250 CF STORAGE FOR EACH UNIT

PARKING REQD: (B) RETAIL = 87586/10004.7 = 411 SP.
(N) RETAIL = 4000/10004.5 = 20 SP.
(N) RESIDENTIAL CONDOMINIUMS
36 STUDIO x 1.5 = 54 SP.
82 1 BR x 1.5 = 123 SP.
66 2 BR x 1.5 = 99 SP.
26 3 BR x 2 = 52 SP.
RESIDENTS SUBTOTAL = 328
TOTALS: 411 + 20 + 328 = 759 SP.
TOTAL = 411 + 340 = 801

PROVIDED: NORTH = 442 SP. (249 STD, 194 C, 9 1/2)
SOUTH = 312 SP. (89 STD, 0 C, 9 1/2) (324 IN GARAGE + 66 OUTSIDE)
TOTAL = 852 SP.

SCOPE: ADJUST LOT LINES & REZONE FROM C1 TO PD, DEMO 2 EX. VACANT RETAIL BUILDINGS (68948 + 7493 SFT) & 1 EX. VACANT RESIDENTIAL BLDG. (1050 SFT) WITH IN-PARKING GARAGE, 1050 SFT. CONDOMINIUMS, 1050 SFT. CENTRAL COURTYARD BUILDING, 1050 SFT. RETAIL BLDG. 1050 SFT. PLAZA, AND PROVIDE FACELIFT TO EX. SHOPPING CENTER. FIRE SPRINKLERS TO BE IN (N) BLDGS.

DATE	BY	NO.	REVISION

GRAPH BY: **CHIEF ARCHITECT**
CHECKED BY: **B.P.**

SEAL: **BRIAN A. PENDLEY**
C 22259
DEC. 31, 2019
STATE OF CALIFORNIA
REGISTERED ARCHITECT



PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
PHONE (209) 786-3700
FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

TITLE

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3000 DELTA FAIR BLVD., ANTIOCH, CA

SCALE:	NONE
DATE:	10-1-18
SHEET NO.	15091

SHEET

T

OF SHEETS

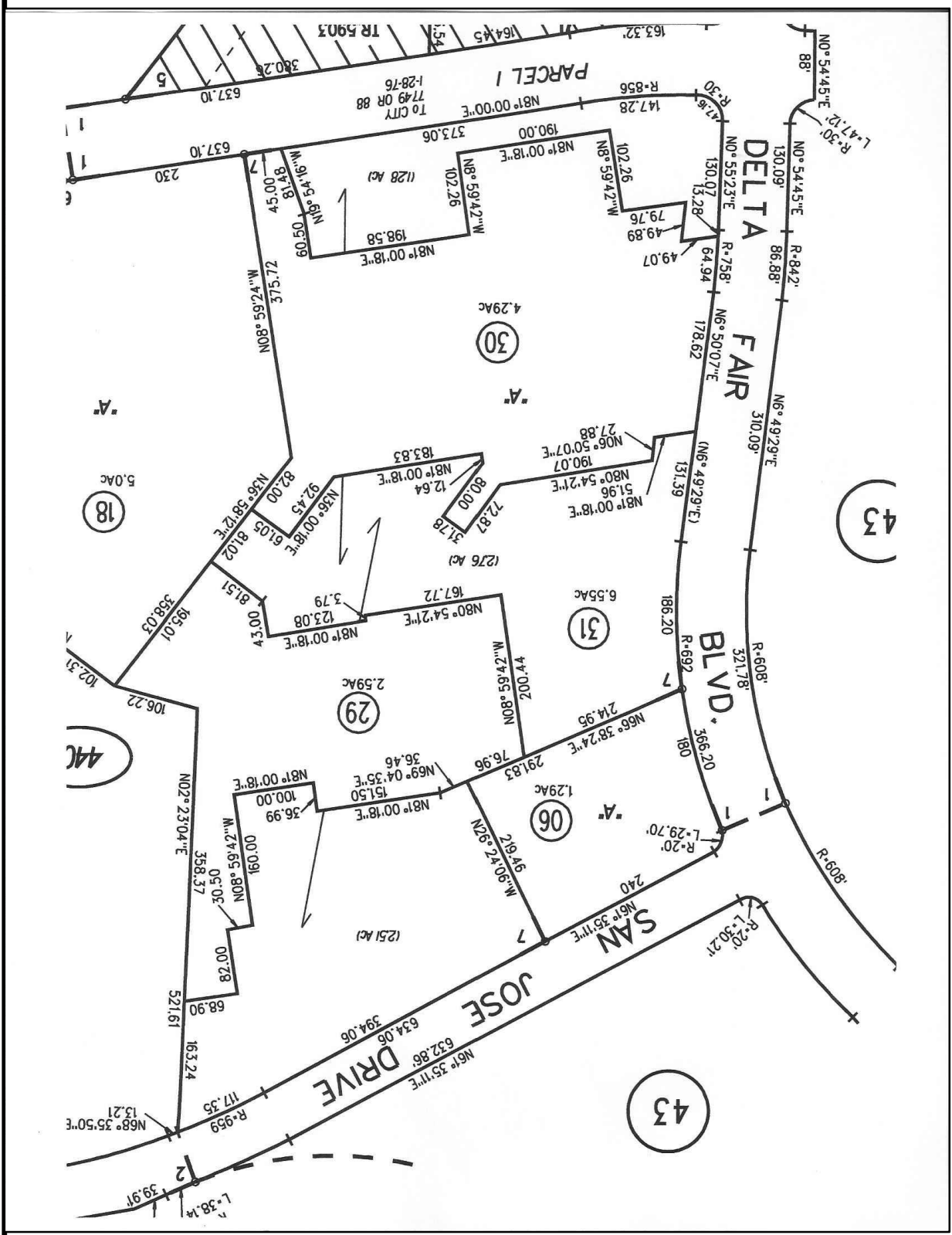
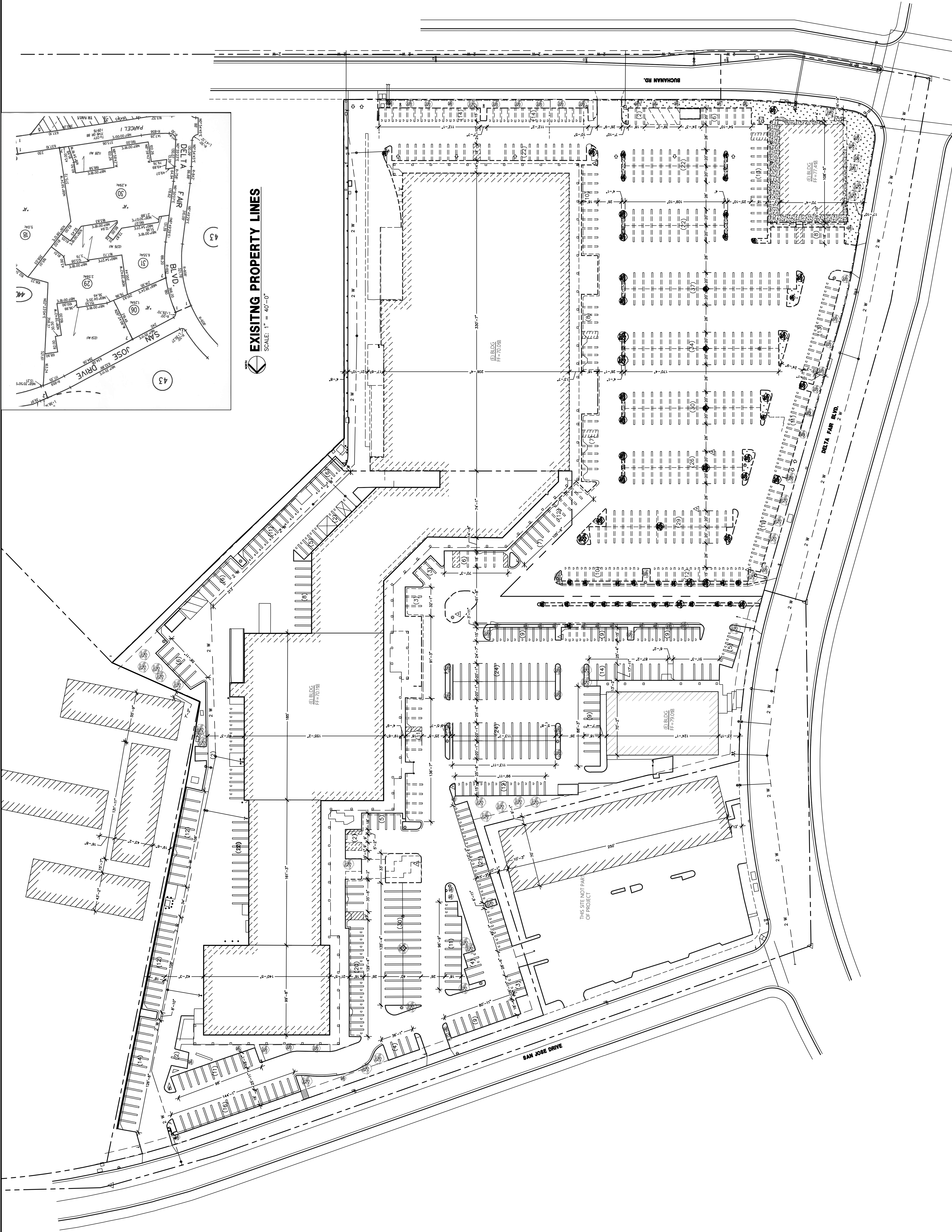
SCALE: 1" = 40'-0"
DATE: 10-1-18
JOB NO. 15091

SITE DEMO PLAN
NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3800 DELTA FAIR BLVD., ANTIOCH, CA

PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
E-MAIL: brian@pendleyinc.com
PHONE (209) 786-3700
FAX (209) 786-3729
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252
WEB: www.pendleyinc.com

DESIGNED ARCHITECT
BRIAN A. PENDLEY
C 22259
DEC. 31, 2019
STATE OF CALIFORNIA
CHECKED BY:
B.P.
DRAWN BY: L.A.

DATE	BY	NO.	REVISION



SITE DEMOLITION PLAN
SCALE: 1" = 40'-0"

DATE

BY

NO.

REVISION

DESIGNED ARCHITECT

BRAND A. PENDLEY

C 22259

DEC. 31, 2019

CHECKED BY

B.P.

DRAWN BY

L.A.

8000 DELTA FAIR BLVD., ANTIOCH, CA

NEW CONDOMINIUMS AT

DELTA FAIR VILLAGE

OVERALL SITE PLAN

SCALE: 1" = 40'-0"

DATE: 10-1-18

SHEET NO. 15001

PLUTTER: 12.17.19

SHEETS

OF

A1.1

SHEET

WEB: WWW.PENDLEYINC.COM

E-MAIL: BRIAN@PENDLEYINC.COM

PHONE (209) 786-3700

FAX (209) 786-3729

9008 SIEGEL

ARCHITECTURE

ENGINEERING

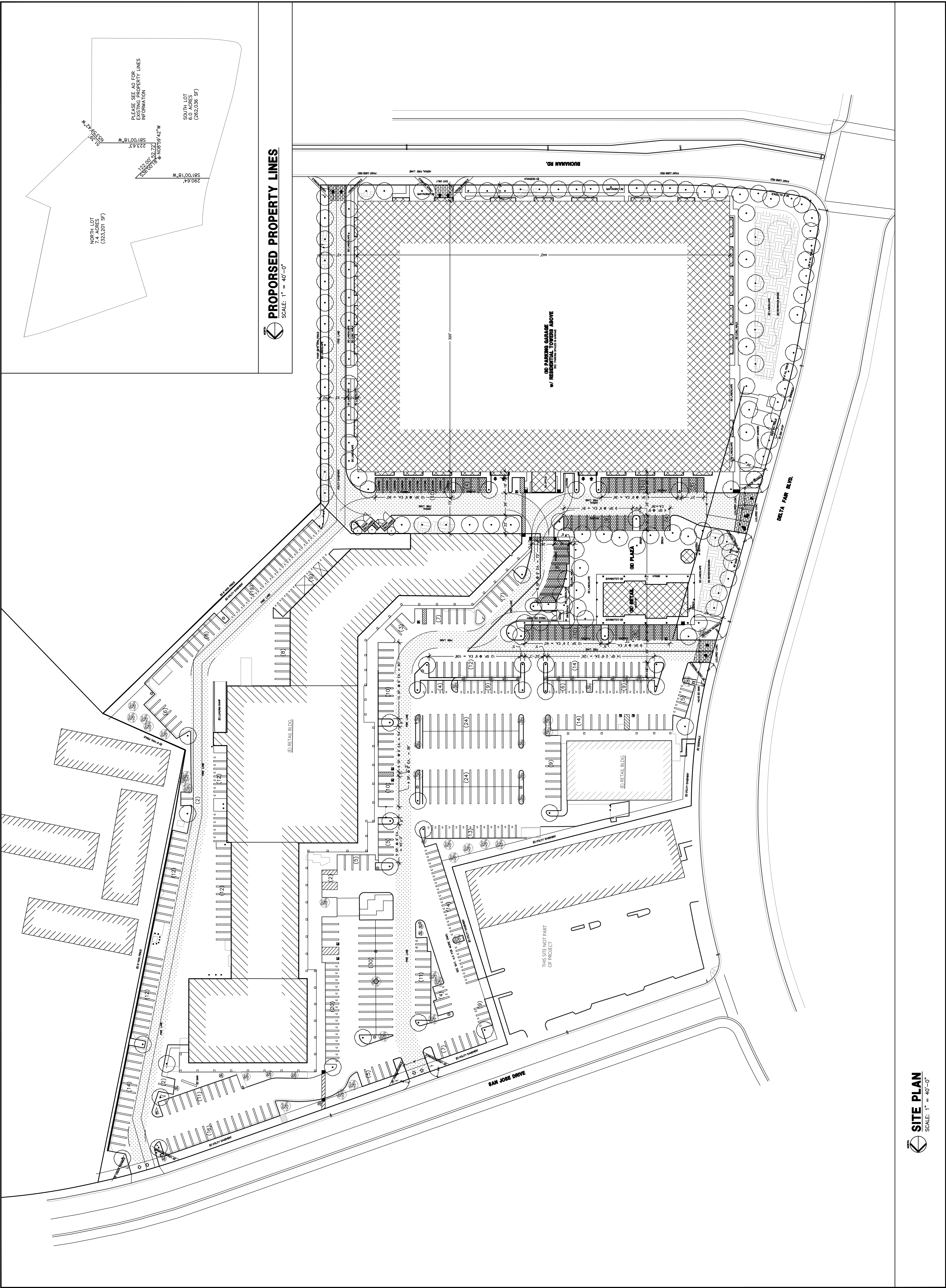
PLANNING

VALLEY SPRINGS

CALIFORNIA

95252

PENDLEY & ASSOCIATES, INC.



DATE

NO.

REVISION

BY

NO.

REVISION

DATE

NO.

REVISION

DESIGNED BY: B.P.

CHECKED BY: B.P.

DATE: DEC. 31, 2019

PROJECT: C 22259

STATE OF CALIFORNIA

REGISTERED ARCHITECT

BRAND A. PENDLEY

PENDLEY

& ASSOCIATES, INC.

ARCHITECTURE

ENGINEERING

PLANNING

9008 SIEGEL

VALLEY SPRINGS

CALIFORNIA

95252

PHONE (209) 786-3700

FAX (209) 786-3729

WEB: www.pendleyinc.com

E-MAIL: brian@pendleyinc.com

007

NEW CONDOMINIUMS AT

DELTA FAIR VILLAGE

3800 DELTA FAIR BLVD., ANTIPOCH, CA

SITE PLAN - MIDDLE AREA

SCALE: 1" = 20'-0"

DATE: 10-1-18

SHEET NO. 15091

SHEET

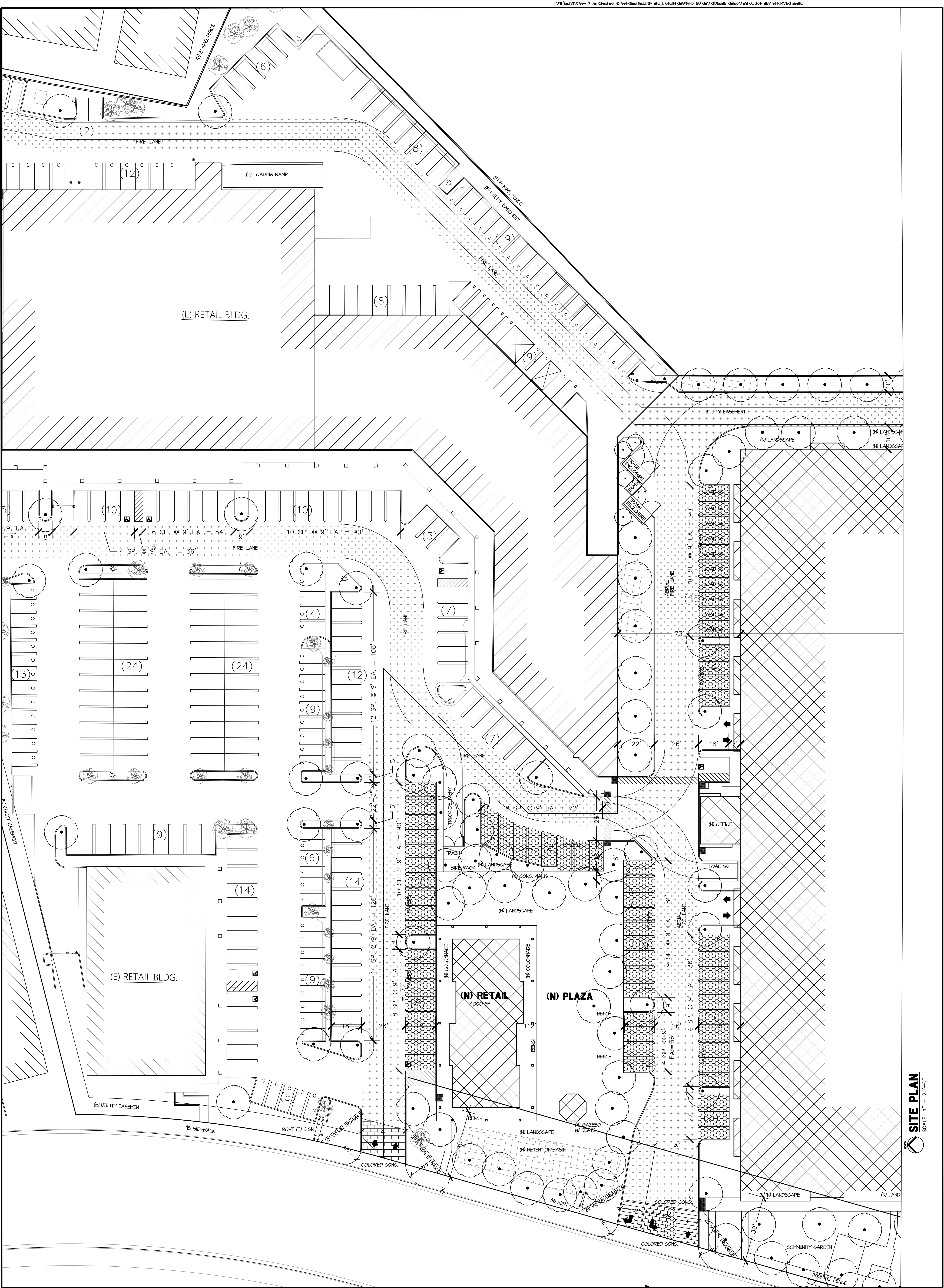
A1.3

OF

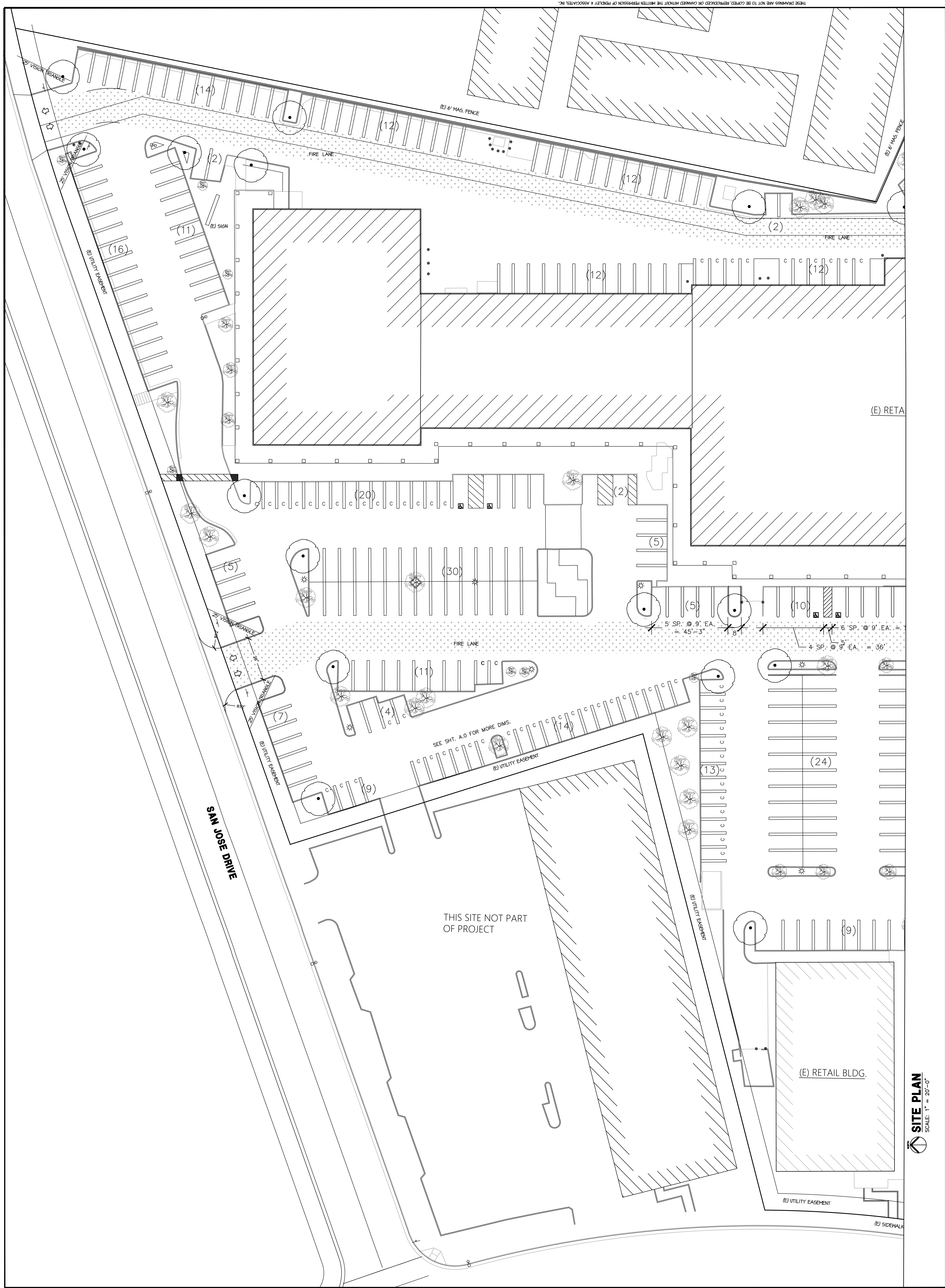
SHEETS

PLATTED: 12-17-19

D:\11-8-SITE.DWG



SITE PLAN
SCALE: 1" = 20'-0"



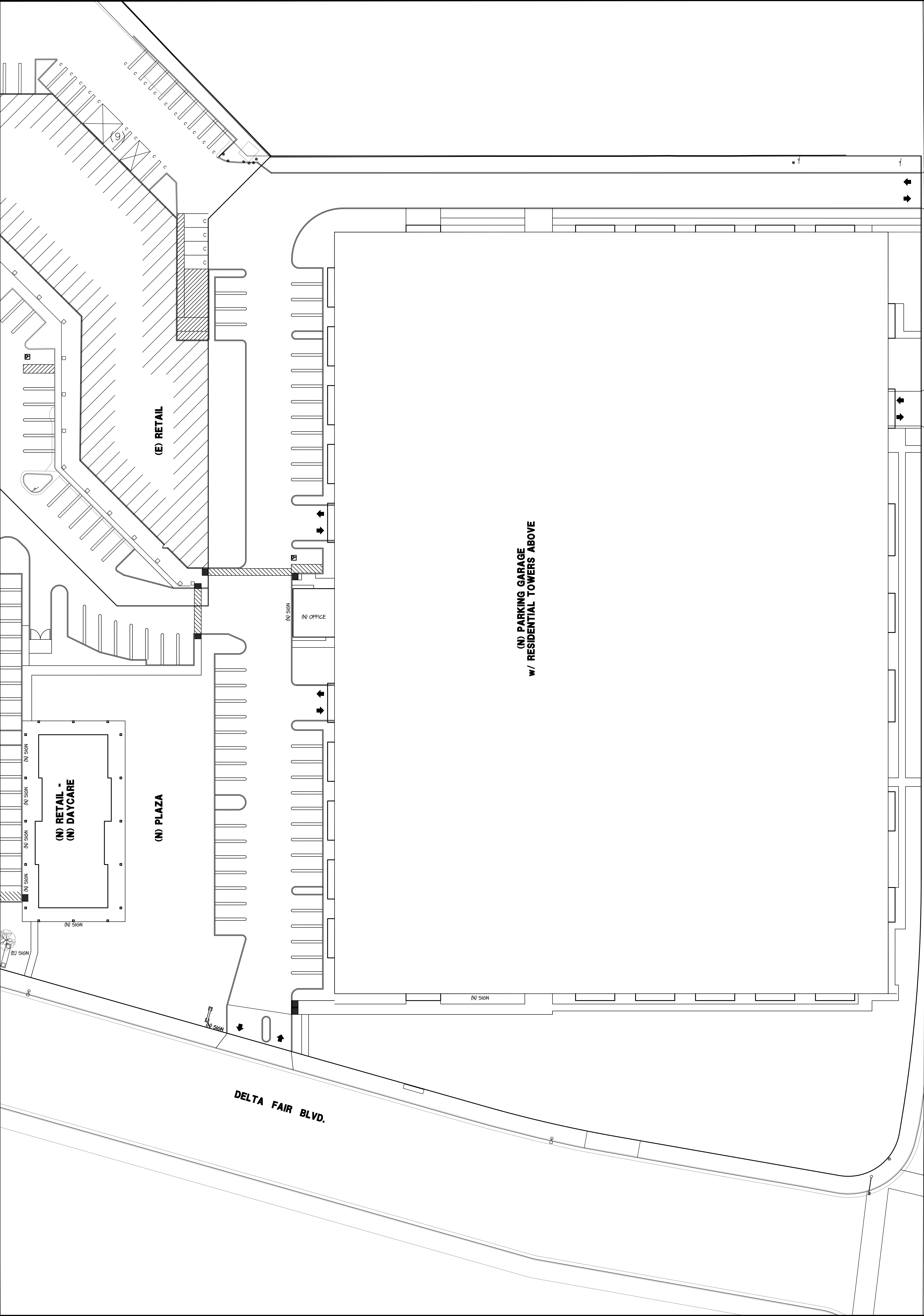
 **SITE PLAN**
SCALE: 1" = 20'-0"

SIGN PLAN - SOUTH END
NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3000 DELTA FAIR BLVD., ANTIOCH, CA

PENDLEY & ASSOCIATES, INC.
ARCHITECTURE
ENGINEERING
PLANNING
9008 SIEGEL
VALLEY SPRINGS • CALIFORNIA • 95252
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

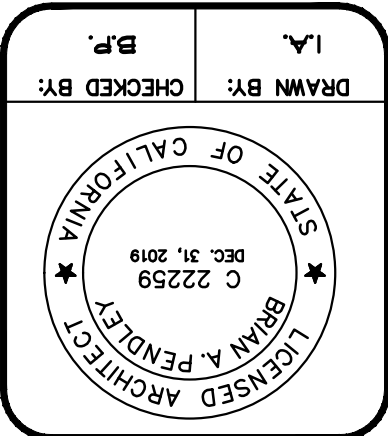
DESIGNED BY: BRIAN A. PENDLEY
C 22259
DEC. 31, 2019
STATE OF CALIFORNIA
REGISTERED ARCHITECT
B.P.

DATE	BY	NO.	REVISION



SIGN PLAN
SCALE: 1" = 20'-0"

DATE	BY	NO.	REVISION



PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 94522
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com WEB: www.pendleyinc.com

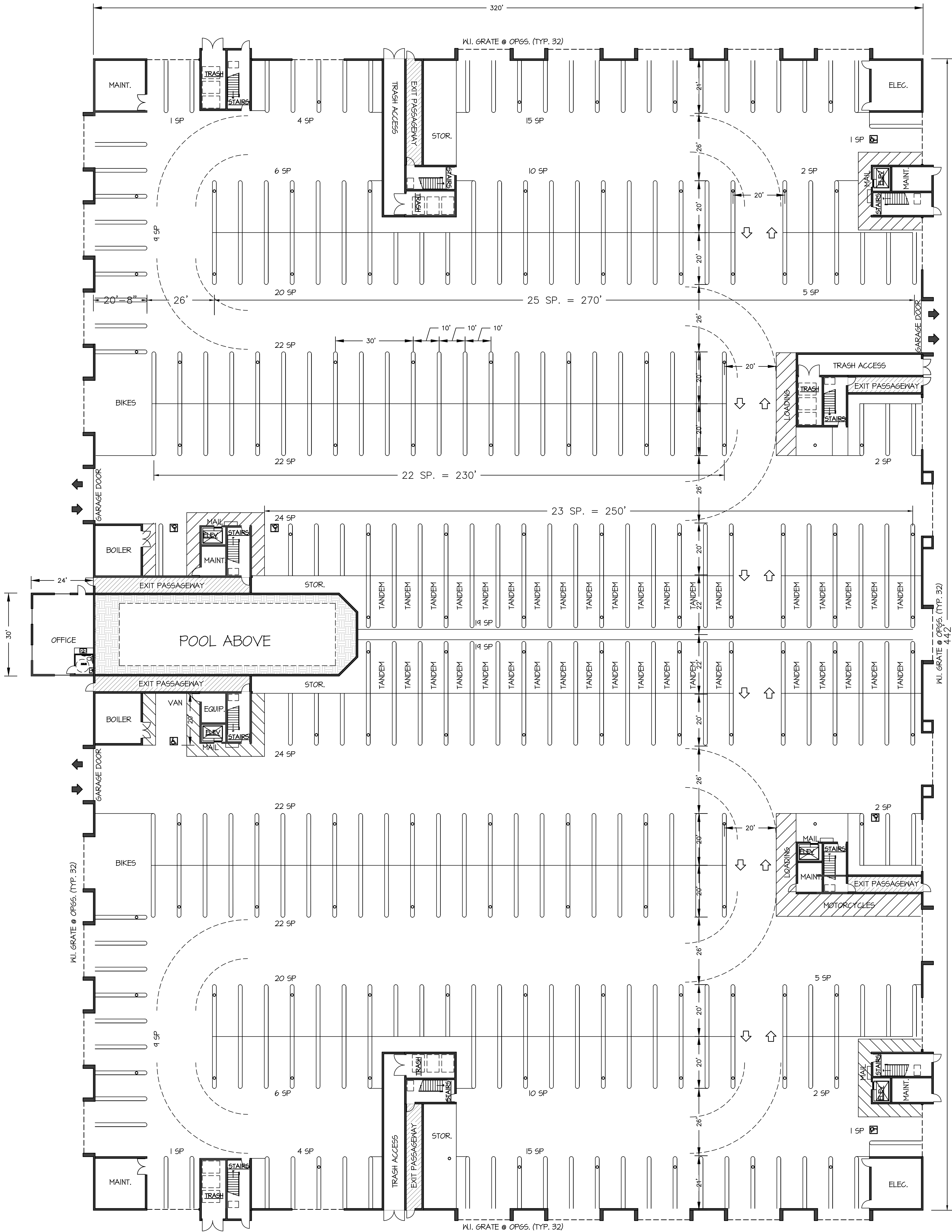
PARKING GARAGE PLAN

**NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE**
3800 DELTA FAIR BLVD., ANTIOCH, CA

SCALE: 1/16" = 1'-0"
DATE: 10-1-18
SHEET NO. 15001

A 2

SHEET OF SHEETS



DATE	BY	NO.	REVISION

DESIGNED BY: **PENDLEY & ASSOCIATES, INC.**
CHECKED BY: **B.P.**
DATE: **DEC. 31, 2019**

REGISTERED ARCHITECT
STATE OF CALIFORNIA
C 22259
BRIAN A. PENDLEY



PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252
PHONE (209) 786-3700 • FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

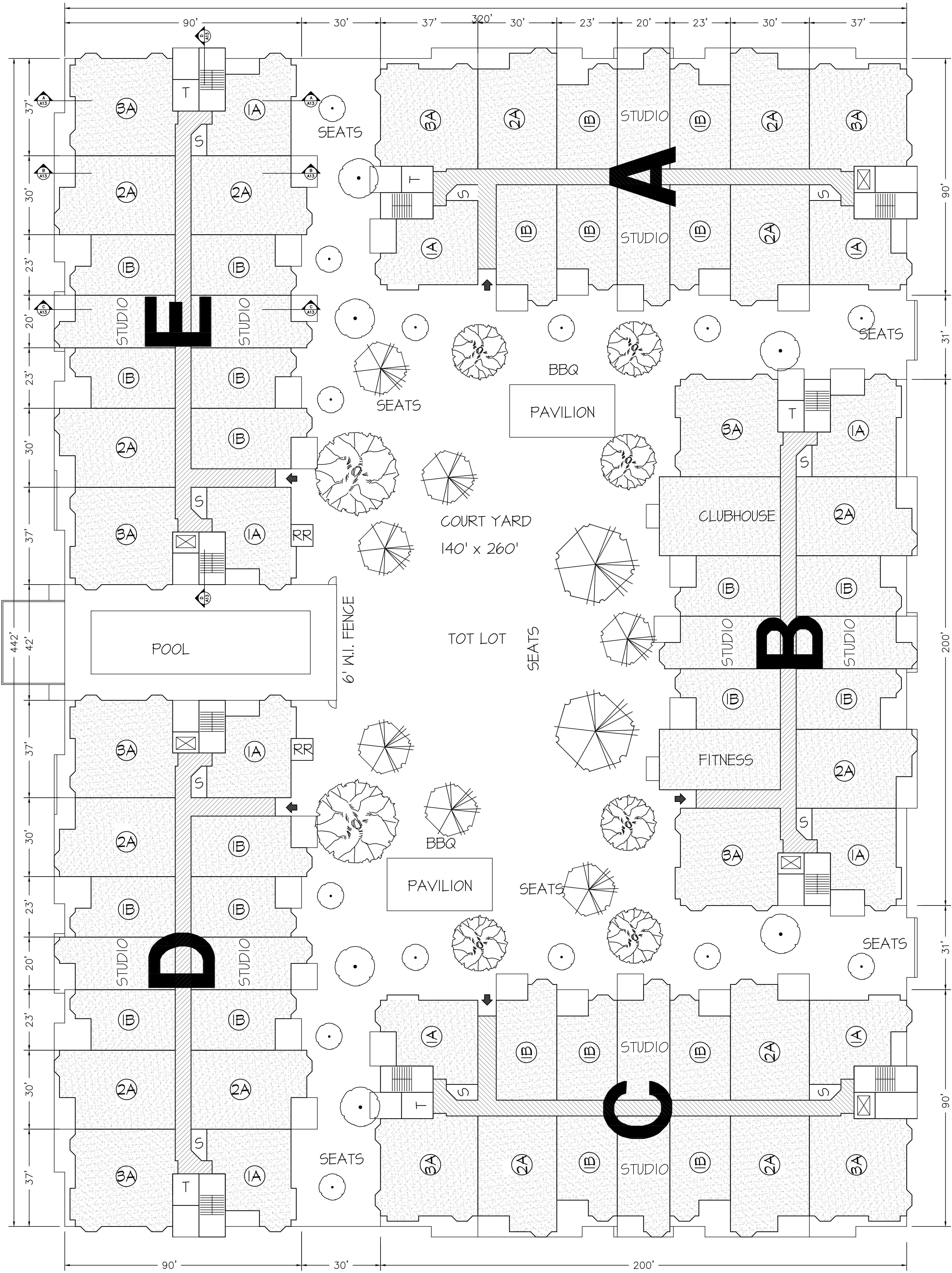
THESE DRAWINGS ARE NOT TO BE COPIED, REPRODUCED OR CHANGED WITHOUT THE WRITTEN PERMISSION OF PENDLEY & ASSOCIATES, INC.

FIRST FLOOR PLAN
NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3800 DELTA FAIR BLVD., ANTIPOCH, CA

SCALE: 1/16" = 1'-0"
DATE: 10-1-18
SHEET NO. 15091

A3
SHEET
OF
SHEETS

PLATTEN: 8-16-19



FIRST FLOOR PLAN
SCALE: 1/16" = 1'-0"

DATE	BY	NO.	REVISION

SEAL

REGISTERED ARCHITECT

BRAND R. PENDLEY

C 22259

DEC. 31, 2019

CHECKED BY:

DRAWN BY:

STATE OF CALIFORNIA

PLA:

B.P.



PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING

9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252

PHONE (209) 786-3700 • FAX (209) 786-3729

E-MAIL: brian@pendleyinc.com

WEB: www.pendleyinc.com

THIRD FLOOR PLAN

NEW CONDOMINIUMS AT

DELTA FAIR VILLAGE

8000 DELTA FAIR BLVD., ANTIOCH, CA

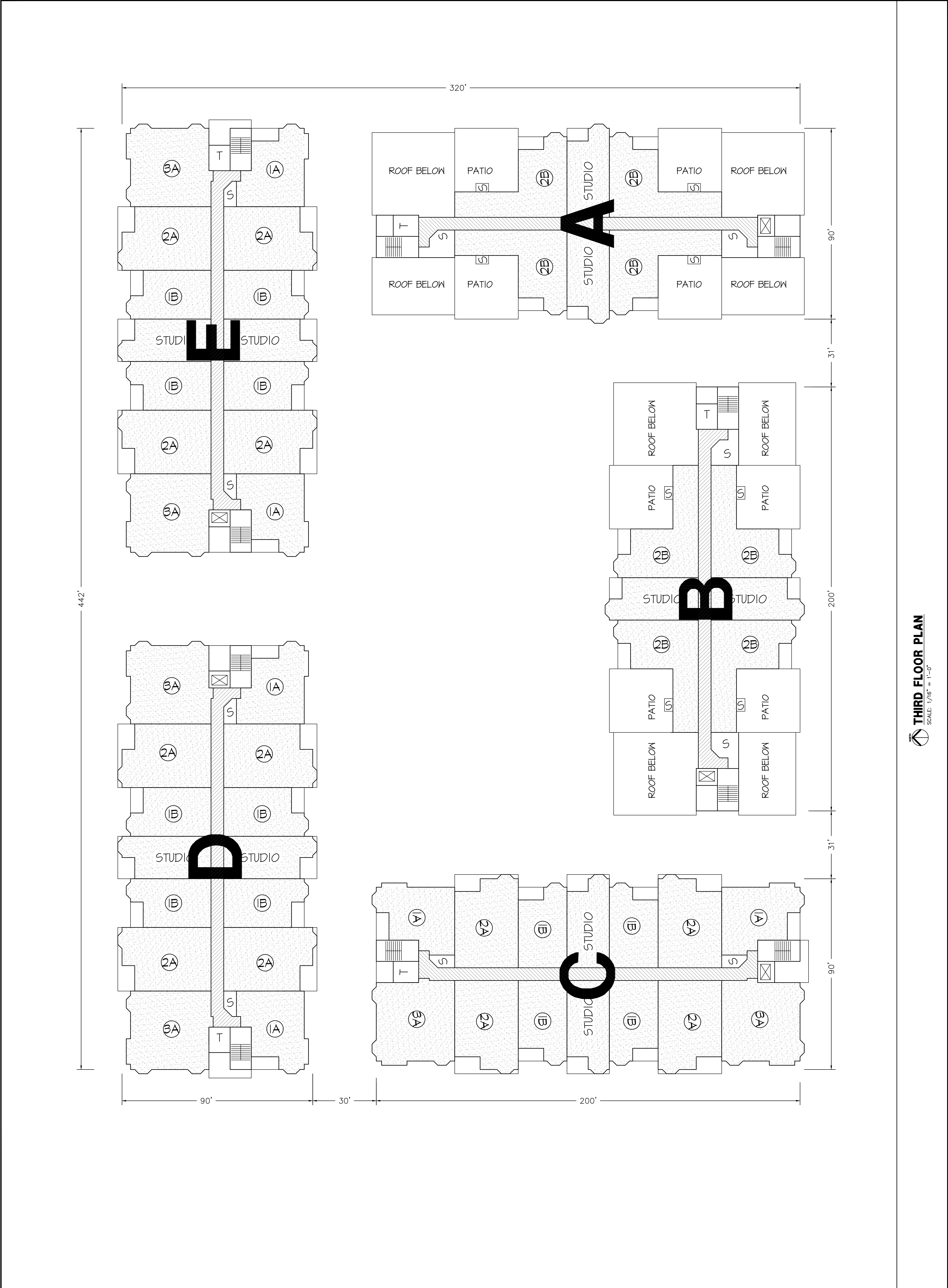
SCALE: 1/16" = 1'-0"
DATE: 10-1-18
SHEET NO. 15091

SHEET

A5

OF

SHEETS



THIRD FLOOR PLAN

SCALE: 1/16" = 1'-0"

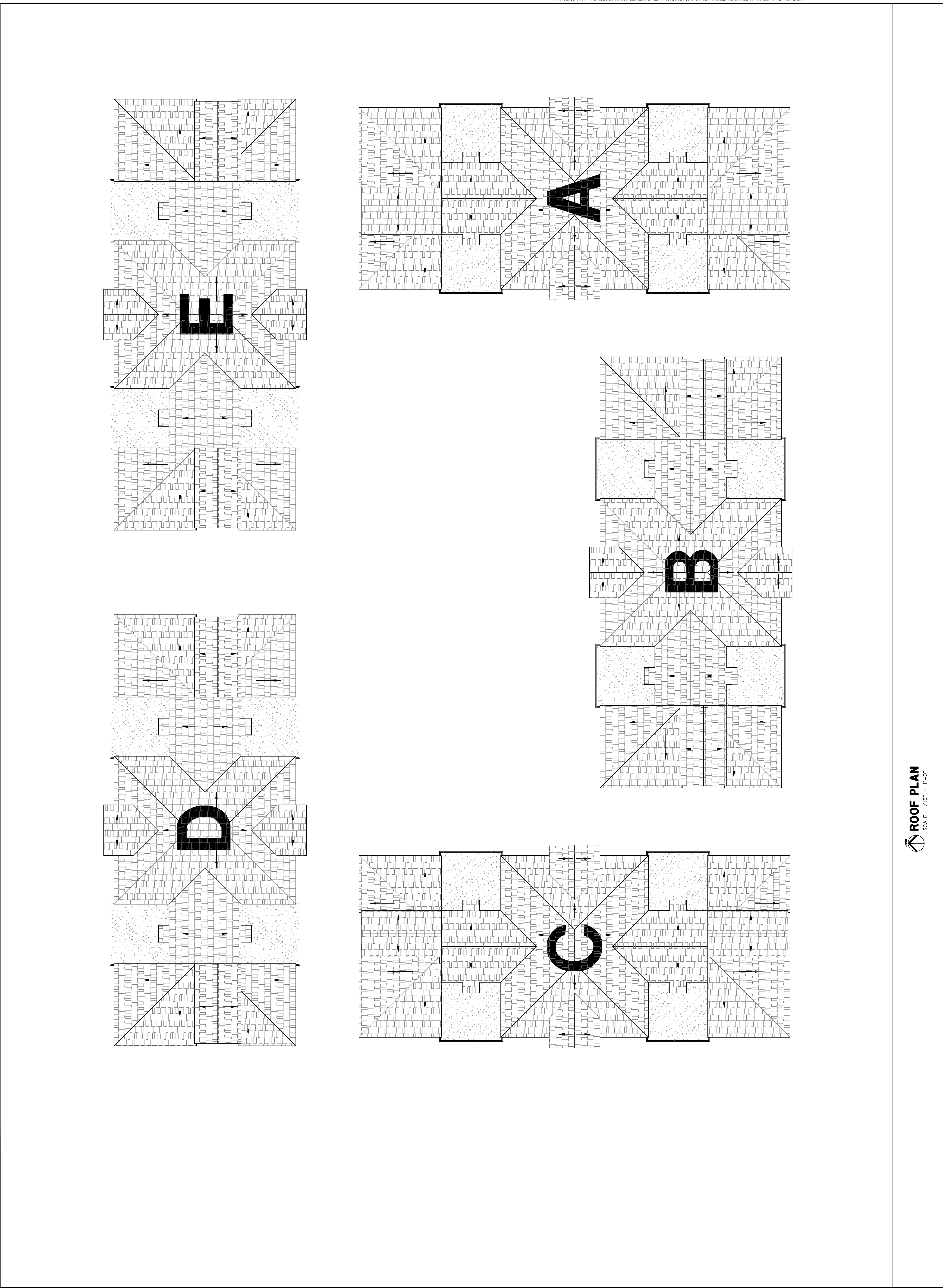
ROOF PLAN

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3000 DELTA FAIR BLVD., ANTIOCH, CA

PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

DESIGNED ARCHITECT
C 22259
DEC. 31, 2019
STATE OF CALIFORNIA
BRIAN A. PENDLEY
CHECKED BY: J.A.
DRAWN BY: B.P.

DATE	BY	NO.	REVISION



ROOF PLAN
SCALE: 1/16" = 1'-0"

DATE	BY	NO.	REVISION

SEAL

BRAND A. PENDLEY
C 22259
DEC. 31, 2019

STATE OF CALIFORNIA
REGISTERED ARCHITECT

DESIGNED BY:

BRAND A. PENDLEY

CHECKED BY:

B.P.



PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING

9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252

PHONE (209) 786-3700 • FAX (209) 786-3729

E-MAIL: brand@pendleyinc.com WEB: www.pendleyinc.com

UNIT PLANS & MISC. FLOOR PLANS

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3800 DELTA FAIR BLVD., ANTIOCH, CA

NEW RETAIL

SCALE: 1/8" = 1'-0"

4000 sf

GAZEBO

SCALE: 1/8" = 1'-0"

212 sf

PAVILION

SCALE: 1/8" = 1'-0"

800 sf

BIKE RACK

SCALE: 1/8" = 1'-0"

81 BIKES

CLUB HOUSE

SCALE: 1/8" = 1'-0"

1380 sf

BIKE PARKING

SCALE: 1/8" = 1'-0"

81 BIKES

Garage

81 BIKES

Garage

81 BIKES

BIKE RACK

SCALE: 1/8" = 1'-0"

1174 sf

CLUB HOUSE

SCALE: 1/8" = 1'-0"

814 sf or 952 sf

BIKE PARKING

SCALE: 1/8" = 1'-0"

1200 sf or 1260 sf

Garage

81 BIKES

Garage

81 BIKES

UNIT - 2B

SCALE: 1/8" = 1'-0"

1174 sf

UNIT - 2A

SCALE: 1/8" = 1'-0"

1200 sf or 1260 sf

UNIT - 1B

SCALE: 1/8" = 1'-0"

814 sf or 952 sf

Garage

81 BIKES

Garage

81 BIKES

UNIT - 1A

SCALE: 1/8" = 1'-0"

992 sf

UNIT - 3A

SCALE: 1/8" = 1'-0"

1451 sf

STUDIO

SCALE: 1/8" = 1'-0"

792 sf or 832 sf

Garage

81 BIKES

Garage

81 BIKES

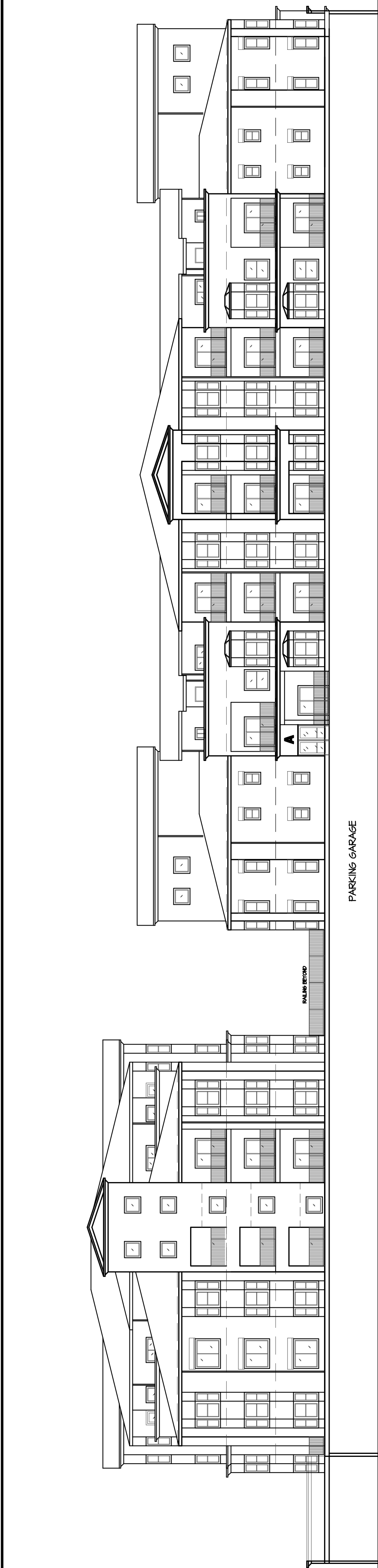
PLATTER: 12.17.19

SHEET
A8
OF
SHEETS

FINISH	MFR.	STYLE	COLOR
1. CONC. TILE ROOF	AUBURN	FLAT STD. WT.	RUSTIC ADOBE BLEND
2. BUILT-UP ROOF	MANVILLE	5-PLY	COOL CAP
3. PARAPET FLASH-CAP	CUSTOM	6.5"H.	MATCH PARAPET TRIM
4. RAIN GUTTER	CUSTOM	STD. EAVE	MATCH EAVE
5. DOWNSPOUT	CUSTOM	STD.	MATCH WALL
6. CMU WALL	CUSTOM	448	
7. SPLIT-FACE CMU WALL	BASALITE	STD. (TYP. INT.)	
8. EXTERIOR PLASTER	LA HABRA	STD. (TYP. EXT.)	86 SANDSTONE
9. ACCENT PLASTER	LA HABRA	KNOCK DOWN	KM #412 CARGO
10. PARAPET & EAVE TRIM	BAYTOAM	PLASTER COATED	KM #H43 WHITE
11. 12" PODIUM BAND	LOCAL	CONCRETE	KM #H43 WHITE
12. DOOR & WINDOW TRIMS	BAYTOAM	BAYTOAM	KM #H43 WHITE
13. STONE VENEER	CORONADO	COUNTRY CASTLE	CHARLIS
14. STOREFRONT	US ALUM.	BRONZE ANODIZED	LOWE GLASS
15. H.M. DOORS	CECO	HOLLOW METAL	MATCH WALLS
16. H.M. DOOR FRAMES	CECO	KNOCK DOWN	MATCH WALLS
17. FRENCH DOORS	SUN DOOR	WITH DIVIDERS	CLEAR INSUL. GLASS
18. SLIDING GLASS DOORS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
19. WINDOWS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
20. BALCONY RAILING	CUSTOM	BROUGHT IRON	BLACK
21. SECURITY GRATE & FENCE	CUSTOM	BROUGHT IRON	BLACK
22. GARGAE DOOR	OVERHEAD DOOR	SECURITY GRILLE #676	BLACK
23. LOUVERS	RUSKIN	STL. WALL LOWER	DARK BRONZE
24. DECORATIVE COLUMN	TBD	W/ TUSCAN BASE & CAP	WHITE
25.			

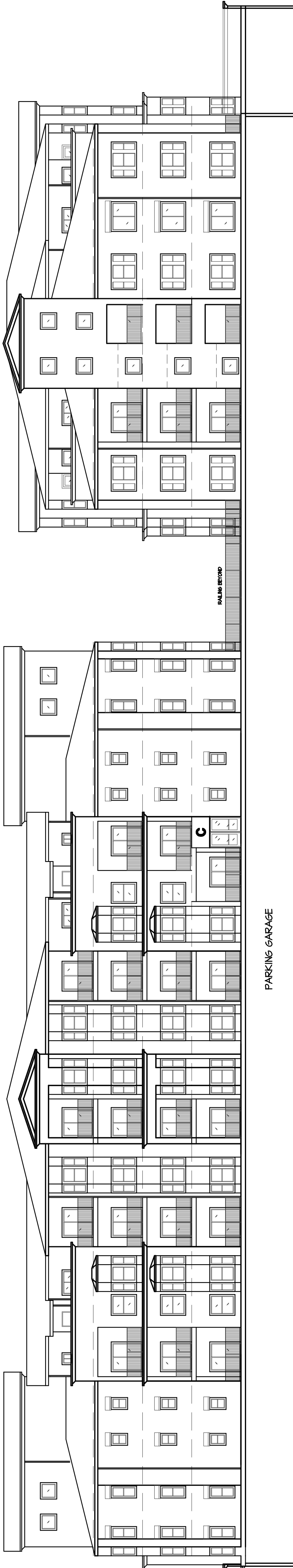
SUBSTITUTION PENDING APPROVAL

FINISH	MFR.	STYLE	COLOR
1. CONC. TILE ROOF	AUBURN	FLAT STD. WT.	RUSTIC ADOBE BLEND
2. BUILT-UP ROOF	MANVILLE	5-PLY	COOL CAP
3. PARAPET FLASH-CAP	CUSTOM	6.5"H.	MATCH PARAPET TRIM
4. RAIN GUTTER	CUSTOM	STD. EAVE	MATCH EAVE
5. DOWNSPOUT	CUSTOM	STD.	MATCH WALL
6. CMU WALL	CUSTOM	448	
7. SPLIT-FACE CMU WALL	BASALITE	STD. (TYP. INT.)	
8. EXTERIOR PLASTER	LA HABRA	STD. (TYP. EXT.)	86 SANDSTONE
9. ACCENT PLASTER	LA HABRA	KNOCK DOWN	KM #412 CARGO
10. PARAPET & EAVE TRIM	BAYTOAM	PLASTER COATED	KM #H43 WHITE
11. 12" PODIUM BAND	LOCAL	CONCRETE	KM #H43 WHITE
12. DOOR & WINDOW TRIMS	BAYTOAM	BAYTOAM	KM #H43 WHITE
13. STONE VENEER	CORONADO	COUNTRY CASTLE	CHARLIS
14. STOREFRONT	US ALUM.	BRONZE ANODIZED	LOWE GLASS
15. H.M. DOORS	CECO	HOLLOW METAL	MATCH WALLS
16. H.M. DOOR FRAMES	CECO	KNOCK DOWN	MATCH WALLS
17. FRENCH DOORS	SUN DOOR	WITH DIVIDERS	CLEAR INSUL. GLASS
18. SLIDING GLASS DOORS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
19. WINDOWS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
20. BALCONY RAILING	CUSTOM	BROUGHT IRON	BLACK
21. SECURITY GRATE & FENCE	CUSTOM	BROUGHT IRON	BLACK
22. GARGAE DOOR	OVERHEAD DOOR	SECURITY GRILLE #676	BLACK
23. LOUVERS	RUSKIN	STL. WALL LOWER	DARK BRONZE
24. DECORATIVE COLUMN	TBD	W/ TUSCAN BASE & CAP	WHITE
25.			



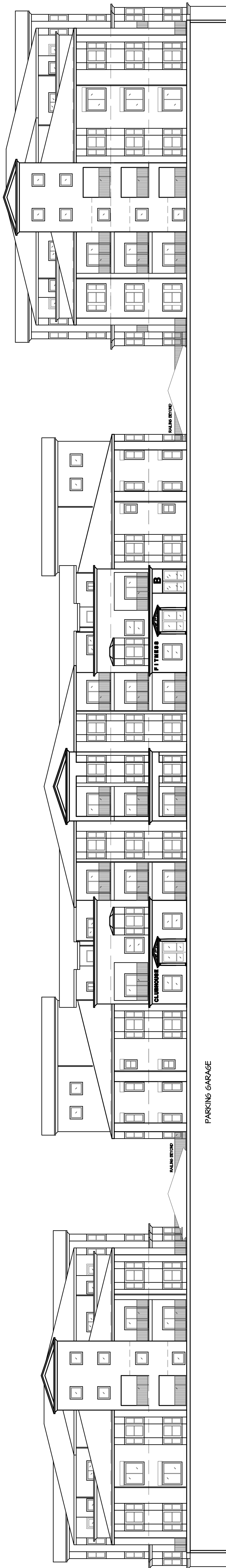
EAST COURTYARD ELEVATION

SCALE: 1/16" = 1'-0"



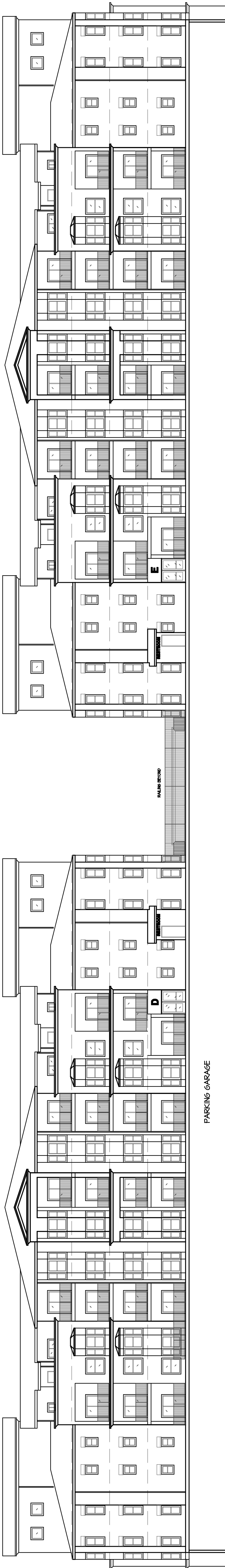
WEST COURTYARD ELEVATION

SCALE: 1/16" = 1'-0"



SOUTH COURTYARD ELEVATION

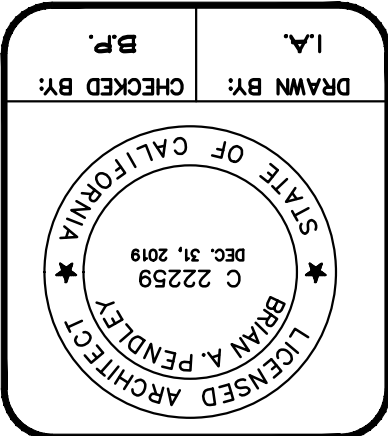
SCALE: 1/16" = 1'-0"



NORTH COURTYARD ELEVATION

SCALE: 1/16" = 1'-0"

DATE	BY	NO.	REVISION



PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING

9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252

PHONE (209) 786-3700 • FAX (209) 786-3729

E-MAIL: brian@pendleyinc.com • WEB: www.pendleyinc.com

COURTYAR EXTERIOR ELEVATIONS

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3800 DELTA FAIR BLVD., ANTIPOCH, CA

SCALE: 1/16" = 1'-0"
DATE: 10-1-18
SHEET NO. 15091

SHEET

A 10

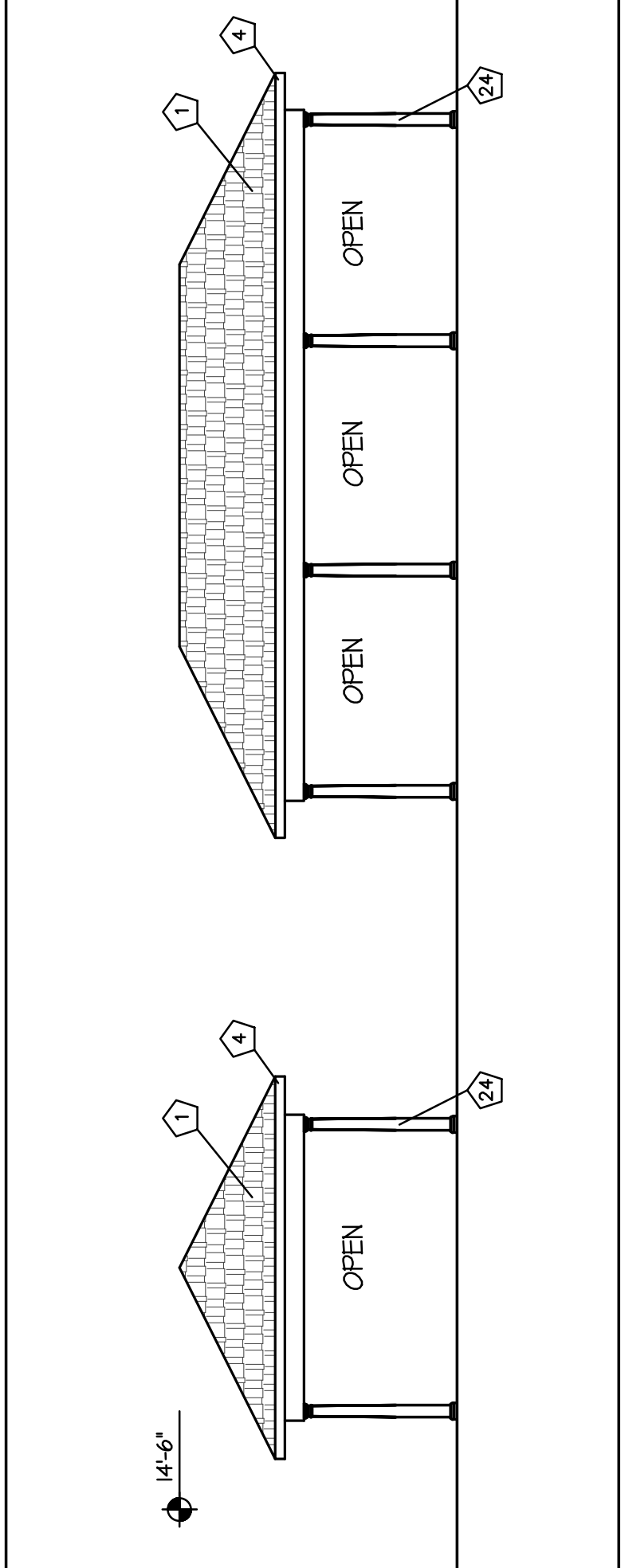
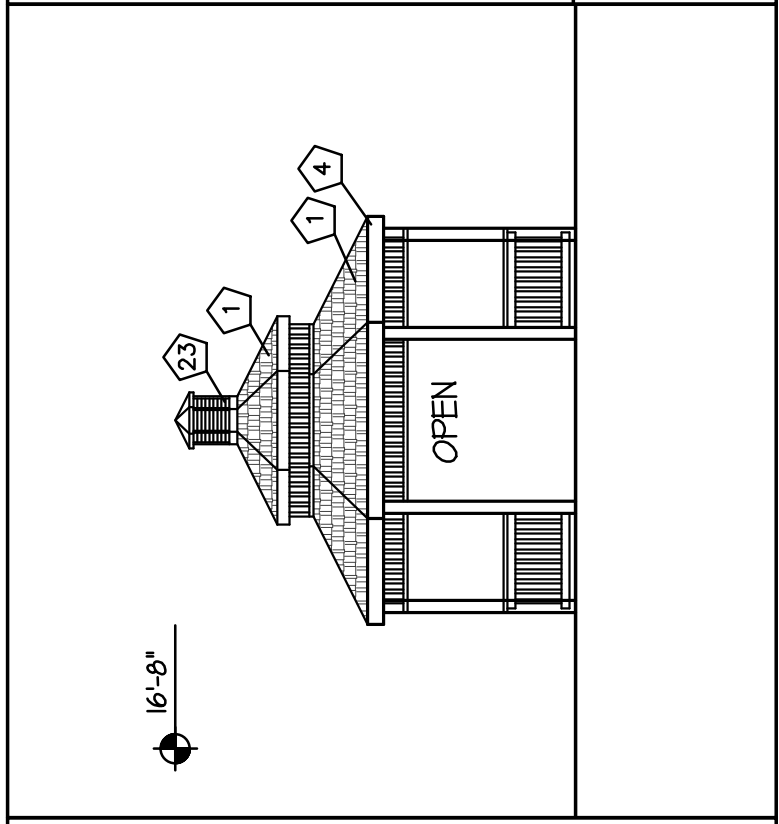
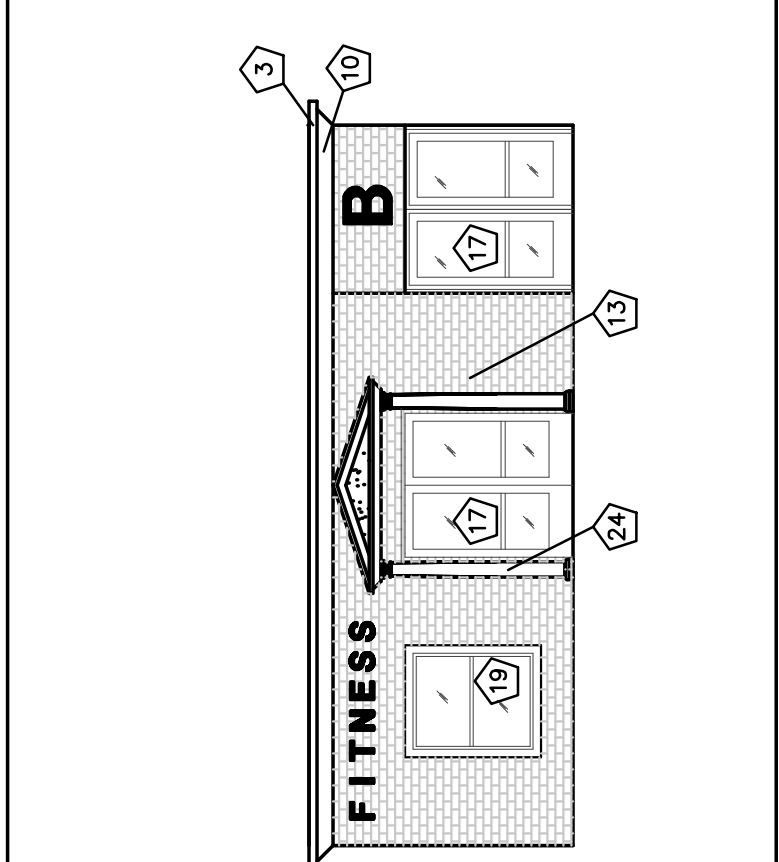
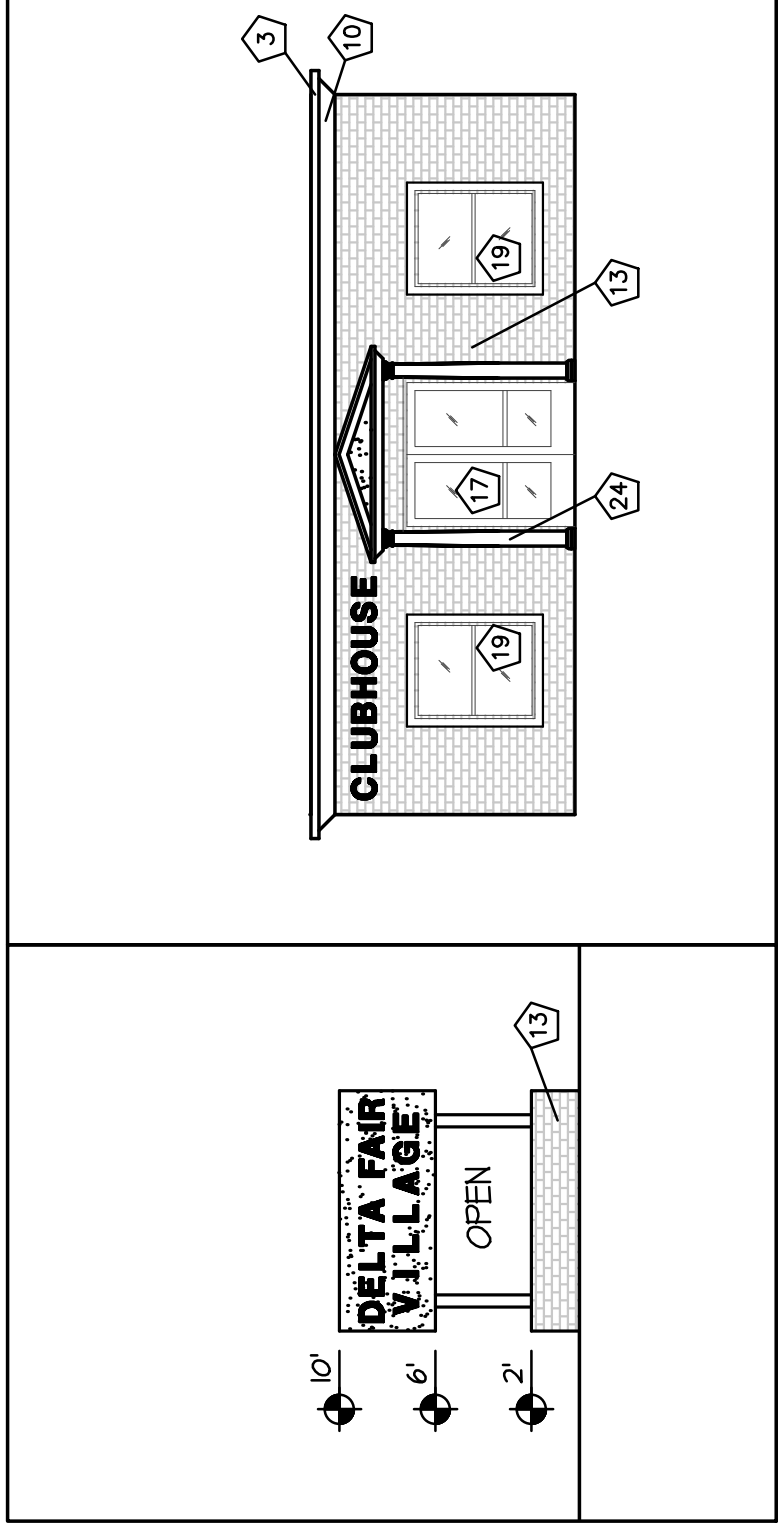
OF SHEETS

- FINISH**
- CONC. TILE ROOF
 - BUILT-UP ROOF
 - PARAPET FLASH-CAP
 - RAIN GUTTER
 - DOWNSPOUT
 - CMU WALL
 - BASALITE
 - SPLIT-FACE CMU WALL
 - EXTERIOR PLASTER
 - ACCENT PLASTER
 - PARAPET & EAVE TRIM
 - 12" PODIUM BAND
 - DOOR & WINDOW TRIMS
 - STONE VENEER
 - STOREFRONT
 - H.M. DOORS
 - H.M. DOOR FRAMES
 - FRENCH DOORS
 - SLIDING GLASS DOORS
 - WINDOW S
 - BALCONY RAILING
 - SECURITY GRATE & FENCE
 - OVERHEAD DOOR
 - GARAGE DOOR
 - LOWERS
 - DECORATIVE COLUMNS

- STYLE**
- FLAT STD. WT.
5-PLY
6.5M.
STD. EAVE
STD.
STD. (TYP. INT.)
STD. (TYP. EXT.)
KNOCK DOWN
KNOCK DOWN
PLASTER COATED
CONCRETE
BAYFOAM
COUNTRY CASTLE
BRONZE ANODIZED
HOLLOW METAL
KNOCK DOWN
WITH DIVIDERS
WHITE NAIL-ON VINYL
WHITE NAIL-ON VINYL
WROUGHT IRON
WROUGHT IRON
SECURITY GRILLE #676
STIL. HALL LOWER
TUSCAN BASE & CAP

- COLOR**
- RUSTIC ADOBE BLEND
COOL CAP
MATCH PARAPET TRIM
MATCH EAVE
MATCH WALL
448
448
B6 SANDSTONE
KM #M42 CARSO
KM #M43 WHITE
KM #M43 WHITE
KM #M43 WHITE
CHABLIS
LOWE GLASS
MATCH WALLS
MATCH WALLS
CLEAR INSUL. GLASS
CLEAR INSUL. GLASS
BLACK
BLACK
BLACK
BLACK
DARK BRONZE
WHITE

SUBSTITUTION PENDING APPROVAL



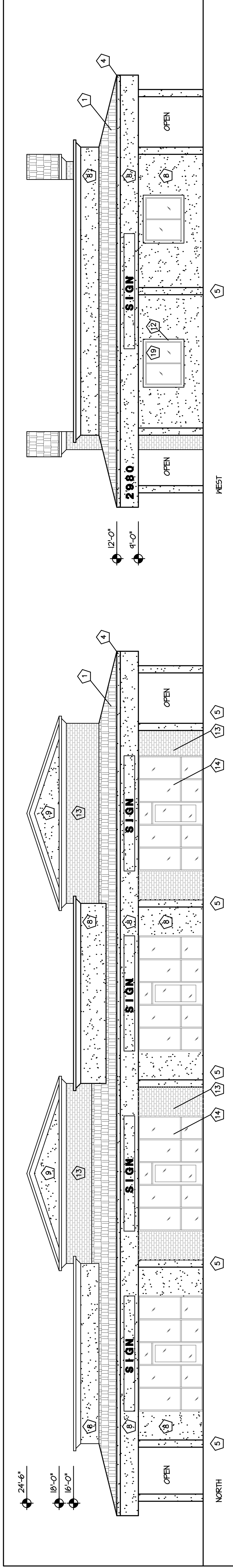
PAVILION ELEVATIONS

GAZEBO ELEVATION

FITNESS ELEVATION

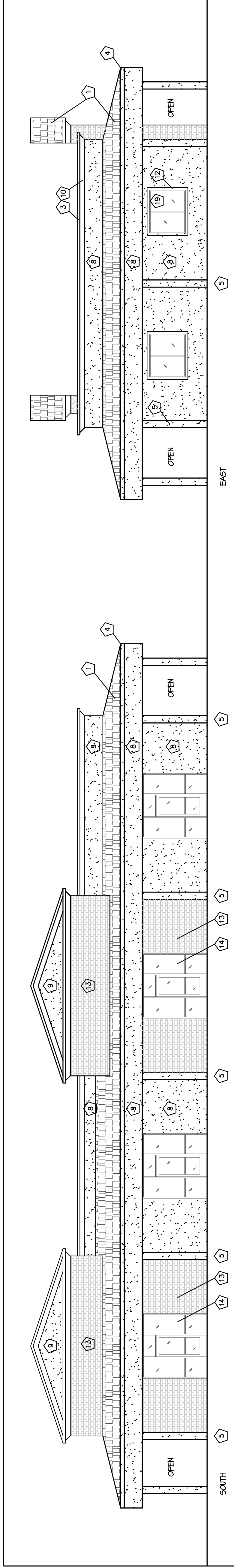
CLUBHOUSE ELEVATION

MONUMENT SIGN



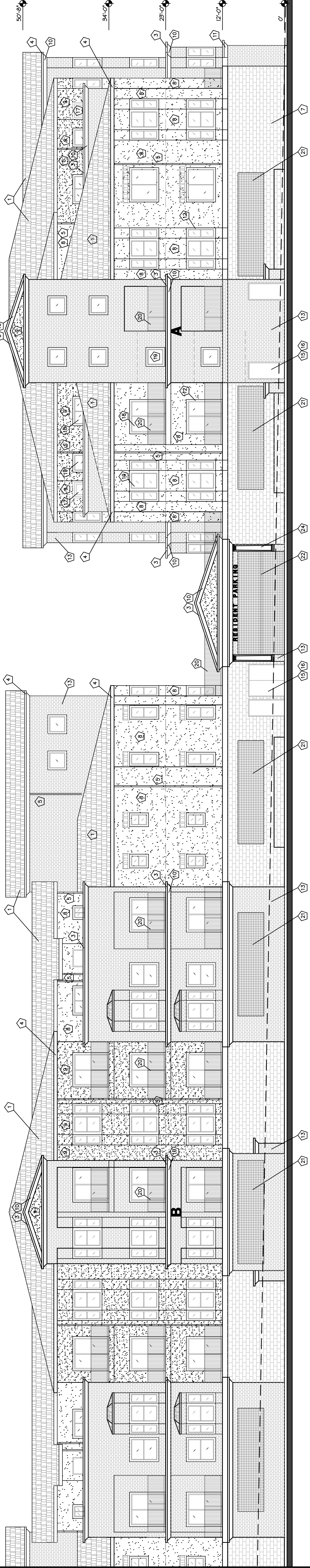
NEW RETAIL/DAYCARE ELEVATIONS

SCALE: 1/8" = 1'-0"



NEW RETAIL/DAYCARE ELEVATIONS

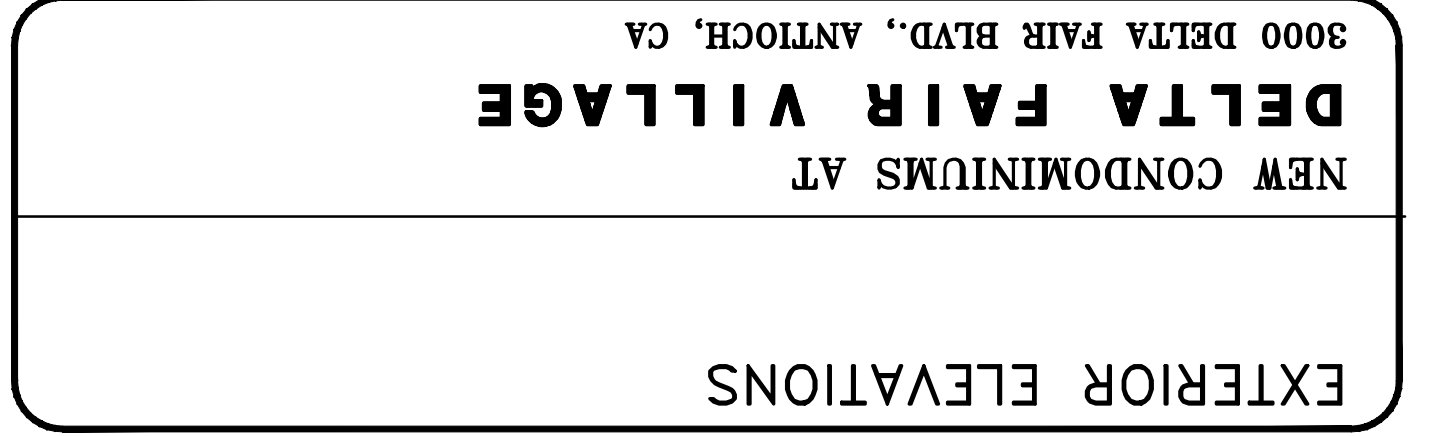
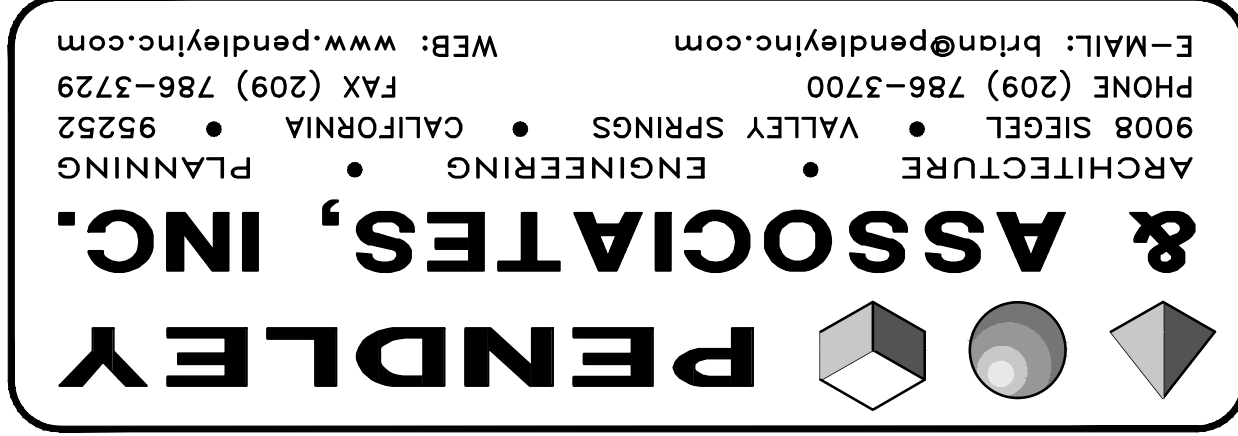
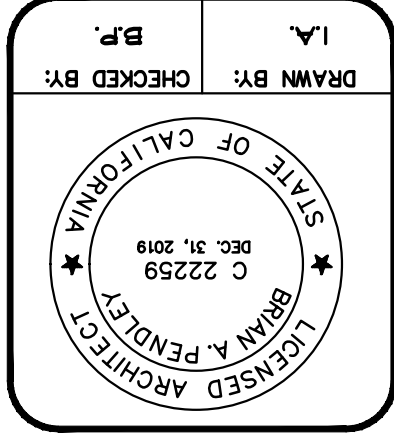
SCALE: 1/8" = 1'-0"



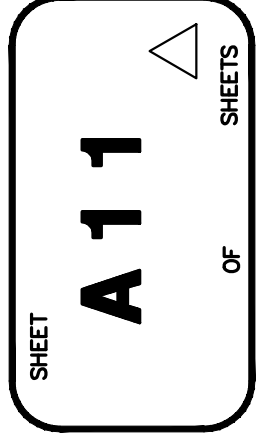
ENLARGED SOUTH ELEVATION (NORTH SIM.)

SCALE: 1/8" = 1'-0"

DATE	BY	NO.	REVISION



SCALE: 1/8" = 1'-0"
DATE: 10-1-18
DWG NO. 15091



DATE	BY	NO.	REVISION

DESIGNED: R. PENDLEY
C 22259
DEC. 31, 2019

CHECKED BY: B.P.

DRAWN BY: J.A.

REGISTERED ARCHITECT
STATE OF CALIFORNIA

BRAND PENDLEY



PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING

9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252

PHONE (209) 786-3700 • FAX (209) 786-3729

E-MAIL: brian@pendleyinc.com • WEB: www.pendleyinc.com

THESE DRAWINGS ARE NOT TO BE COPIED, REPRODUCED OR CHANGED WITHOUT THE WRITTEN PERMISSION OF PENDLEY & ASSOCIATES, INC.

EXTERIOR ELEVATIONS

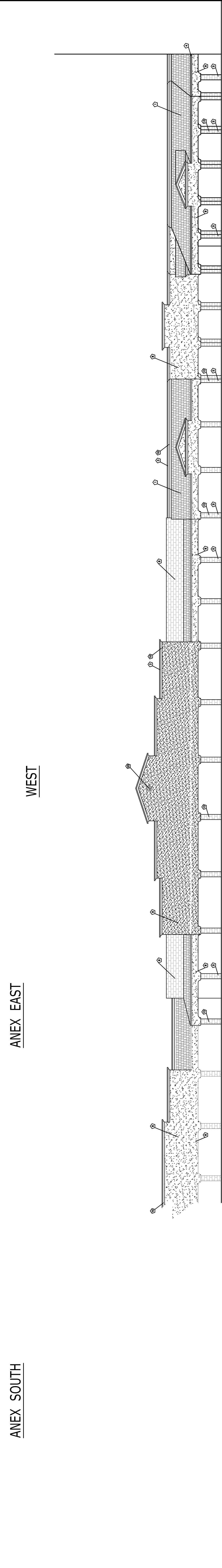
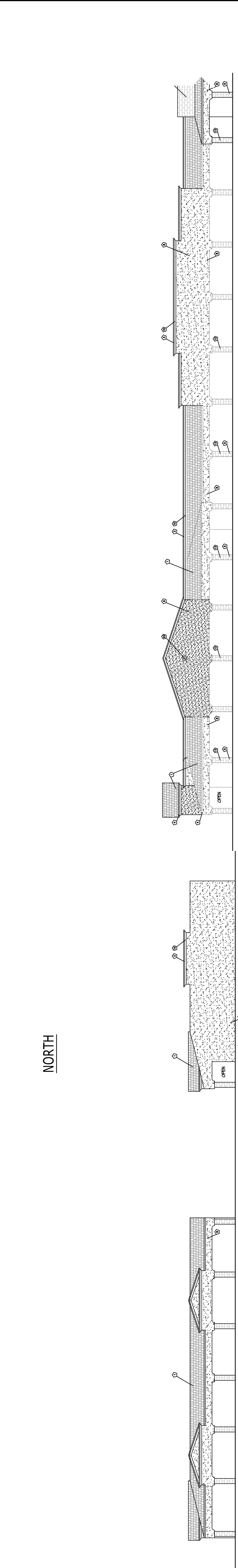
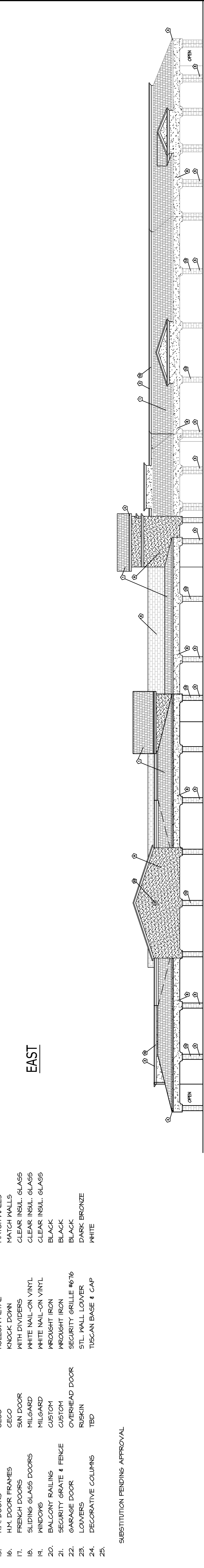
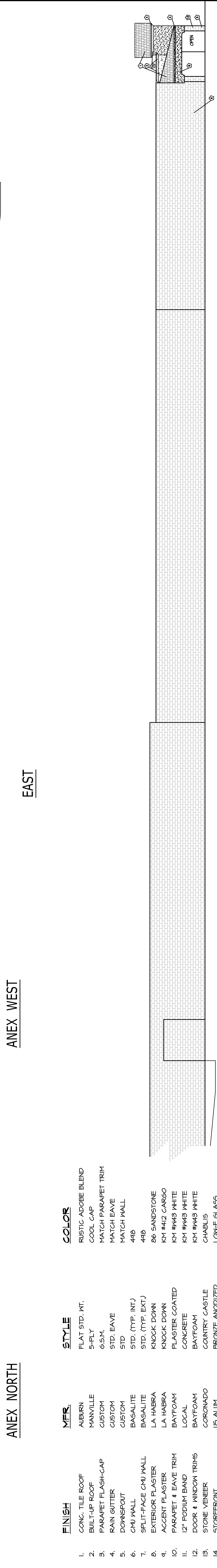
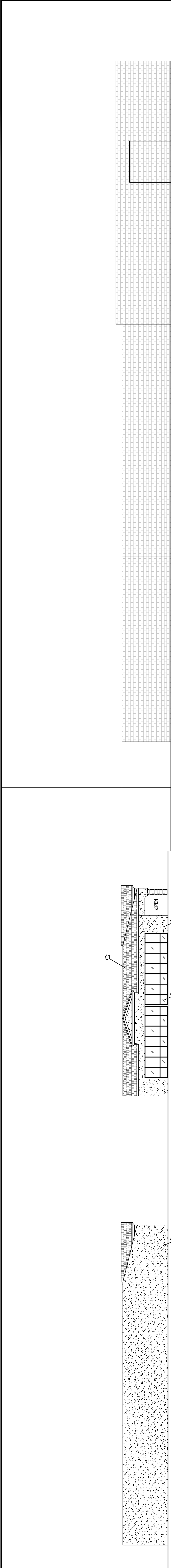
FACELIFT AT
2710-2838 DELTA FAIR BLVD., ANTIOCH, CA

DELTA FAIR SHOPPING CENTER

SCALE: 1/16" = 1'-0"
DATE: 10-1-18
SHEET NO. 15091

SHEET
A 12
OF
SHEETS

PLATTER: 8-16-19



PROPOSED EXTERIOR ELEVATIONS

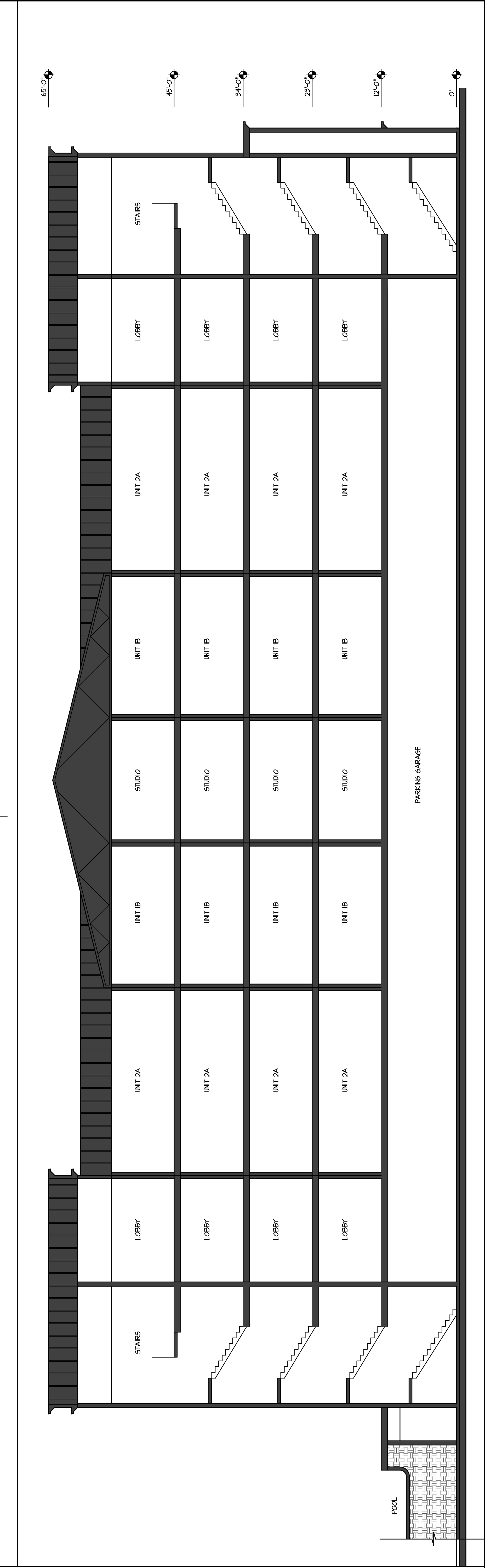
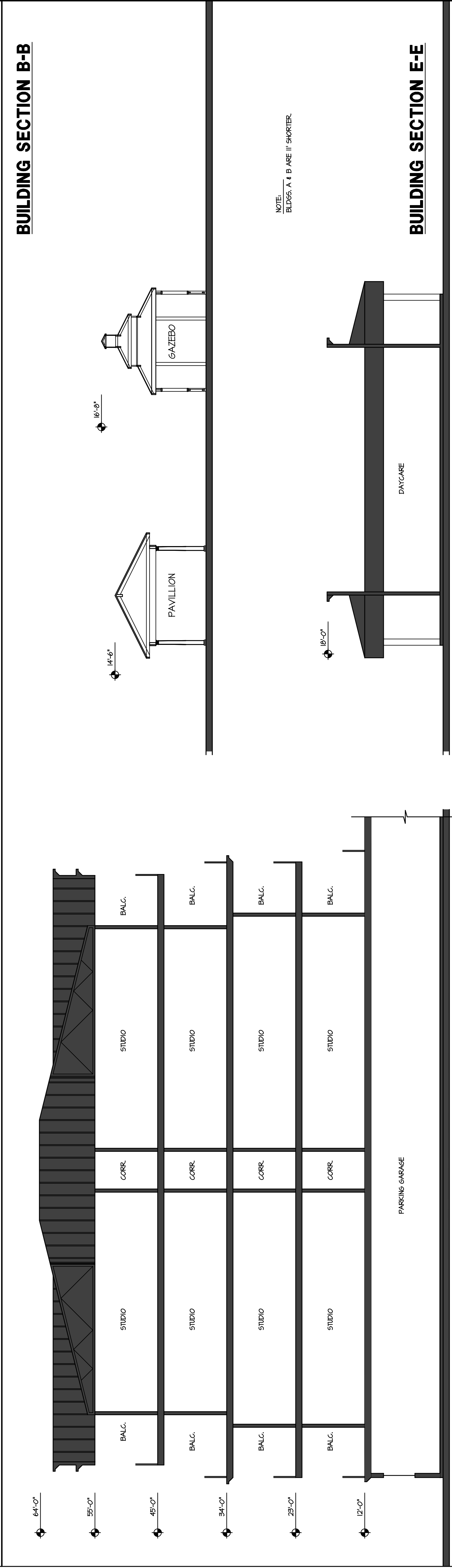
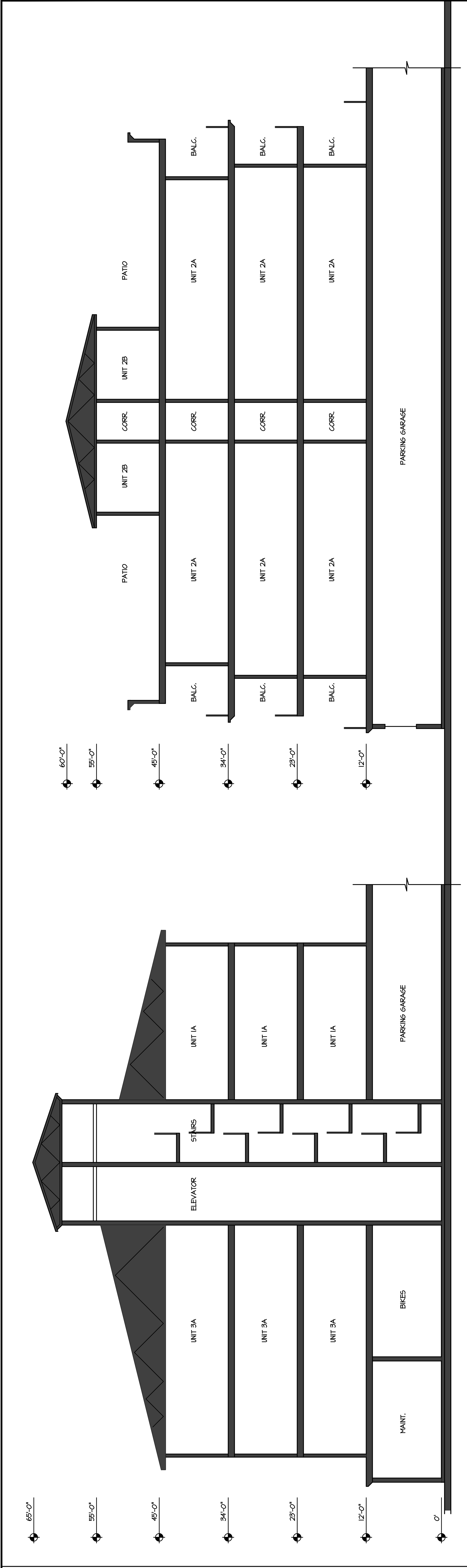
SCALE: 1/16" = 1'-0"

SHEET
A 12
OF
SHEETS

PLATTER: 8-16-19

FINISH	MFR	STYLE	COLOR
1. CONC. TILE ROOF	AUBURN	FLAT STD. WT.	RUSTIC ADOBE BLEND
2. BUILT-UP ROOF	MANVILLE	5-PLY	COOL CAP
3. PARAPET FLASH-CAP	CUSTOM	G.S.M.	MATCH PARAPET TRIM
4. RAIN GUTTER	CUSTOM	STD. EAVE	MATCH EAVE
5. DOWNSPOUT	CUSTOM	STD.	MATCH WALL
6. CMU WALL	CUSTOM	STD. (TYP. INT.)	448
7. SPLIT-FACE CMU WALL	BASALITE	STD. (TYP. EXT.)	448
8. EXTERIOR PLASTER	LA HABRA	KNOCK DOWN	86 SANDSTONE
9. ACCENT PLASTER	LA HABRA	KNOCK DOWN	RY #412 CARSO
10. PARAPET & EAVE TRIM	BAYFOAM	PLASTER COATED	RY #M43 WHITE
11. 12" PODIUM BAND	LOCAL	CONCRETE	RY #M43 WHITE
12. DOOR & WINDOW TRIMS	BAYFOAM	BAYFOAM	RY #M43 WHITE
13. STONE VENEER	CORONADO	COUNTRY CASTLE	CHABLIS
14. STOREFRONT	US ALUM.	BRONZE ANODIZED	LOWE GLASS
15. HM. DOORS	CECO	HOLLOW METAL	MATCH WALLS
16. HM. DOOR FRAMES	CECO	KNOCK DOWN	MATCH WALLS
17. FRENCH DOORS	SUN DOOR	WITH DIVIDERS	CLEAR INSUL. GLASS
18. SLIDING GLASS DOORS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
19. WINDOWS	MILGARD	WHITE NAIL-ON VINYL	CLEAR INSUL. GLASS
20. BALCONY RAILING	CUSTOM	WROUGHT IRON	BLACK
21. SECURITY GRATE & FENCE	CUSTOM	SECURITY GRILLE #616	BLACK
22. GARAGE DOOR	OVERHEAD DOOR	STL. WALL LOWER	DARK BRONZE
23. LOUVERS	RUSKIN	TUSCAN BASE & CAP	WHITE
24. DECORATIVE COLUMNS	TBD		
25.			

SUBSTITUTION PENDING APPROVAL



DATE

BY

NO.

REVISION

SEAL

STATE OF CALIFORNIA

REGISTERED ARCHITECT

BRAND R. PENDLEY

C 22259

DEC. 31, 2019

CHECKED BY:

P.P.

DATE:

1/1/2020

DESIGNED BY:

1/1

DATE:

1/1/2020

PROJECT: 8-16-19

SHEET

A 13

OF

SHEETS

NEW CONDOMINIUMS AT

DELTA FAIR VILLAGE

3800 DELTA FAIR BLVD., ANTIPOCH, CA

PENDLEY & ASSOCIATES, INC.

ARCHITECTURE

ENGINEERING

PLANNING

9008 SIEGEL

VALLEY SPRINGS

CALIFORNIA

95252

PHONE (209) 786-3700

FAX (209) 786-3729

E-MAIL: brian@pendleyinc.com

WEB: www.pendleyinc.com

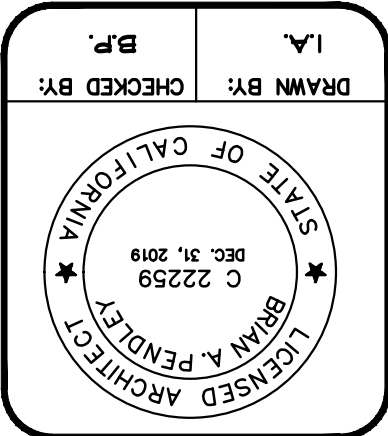
SCALE: 1/8" = 1'-0"

DATE: 10-1-18

SHEET NO. 15091

THESE DRAWINGS ARE NOT TO BE COPIED, REPRODUCED OR CHANGED WITHOUT THE WRITTEN PERMISSION OF PENDLEY & ASSOCIATES, INC.

DATE	BY	NO.	REVISION



PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

SIGN ELEVATIONS

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
8000 DELTA FAIR BLVD., ANTIOCH, CA

SCALE: 1/8" = 1'-0"
DATE: 10-1-18
SHEET NO. 15091

SHEET

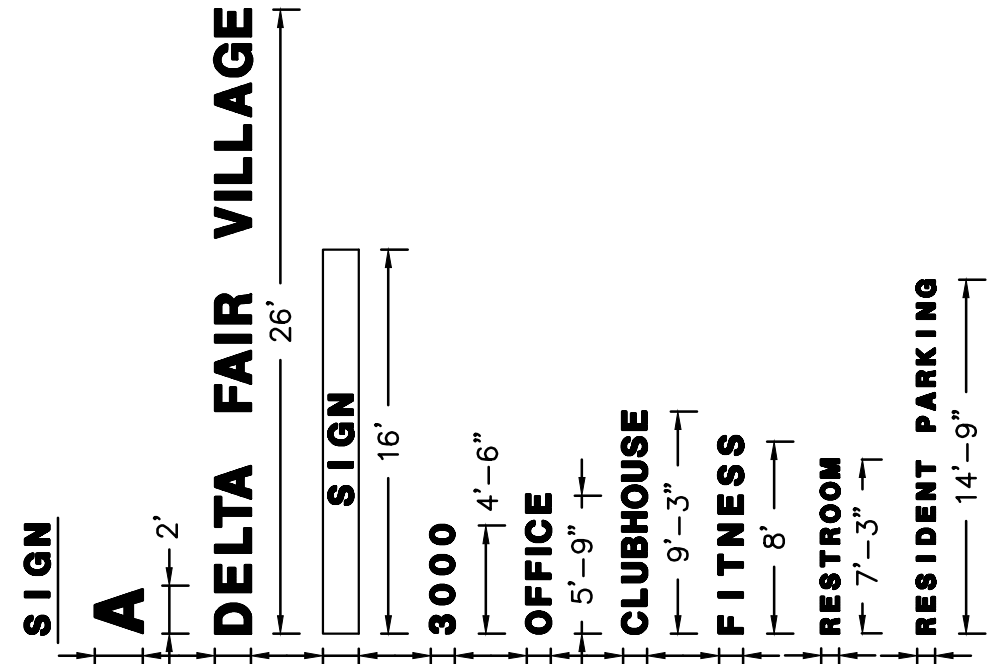
A 14

OF SHEETS

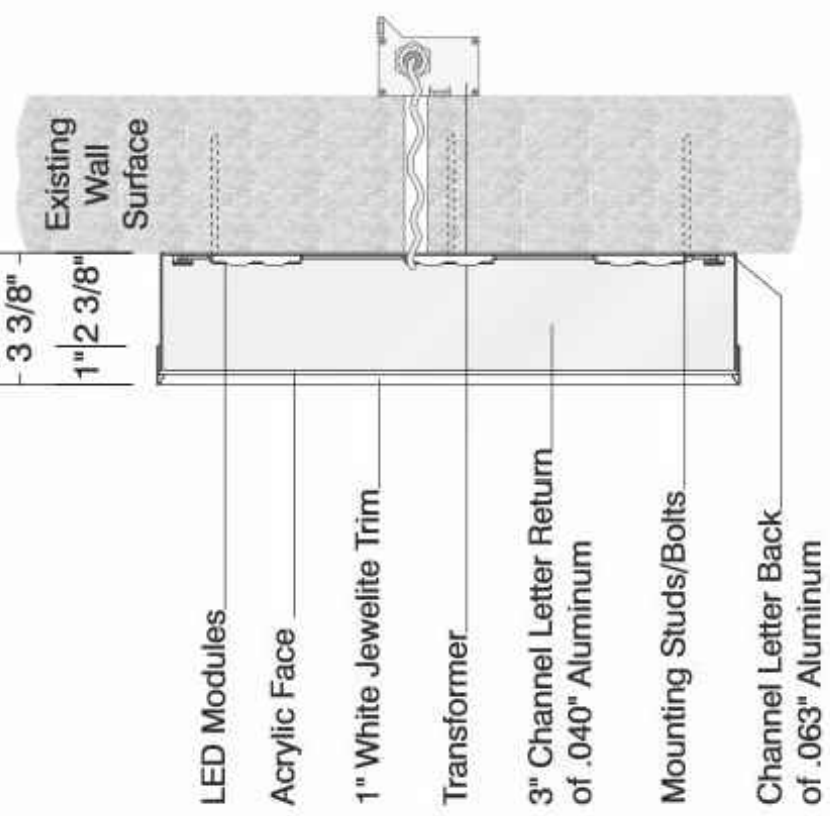
PROJECT: 8-16-18

SIGN	TEXT HT.	SF EA.	QTY.	AREA	COLOR	LT.	TYPE
1. MONUMENT	12"	40	2	SIDES 80	BLUE	LED	VINYL IN AL. FRAME
2. PROJECT	18"	34	1	34	BLUE	LED	ACRYLIC IN AL. CHAN.
3. ADDRESS	12"	4.5	2	4	RED	LED	ACRYLIC IN AL. CHAN.
4. BLDG. NUMBER	24"	4	14	56	RED	LED	ACRYLIC IN AL. CHAN.
5. DIRECTIONAL	12"	5-10	5	34	ORANGE	LED	ACRYLIC IN AL. CHAN.
6. PARKING GARAGE	4"	11	3	33	ORANGE	LED	ACRYLIC IN AL. CHAN.
7. DAYCARE/RETAIL	18"	40	5	200	TBD	LED	VINYL IN AL. BOX
				451 SF	TOTAL		

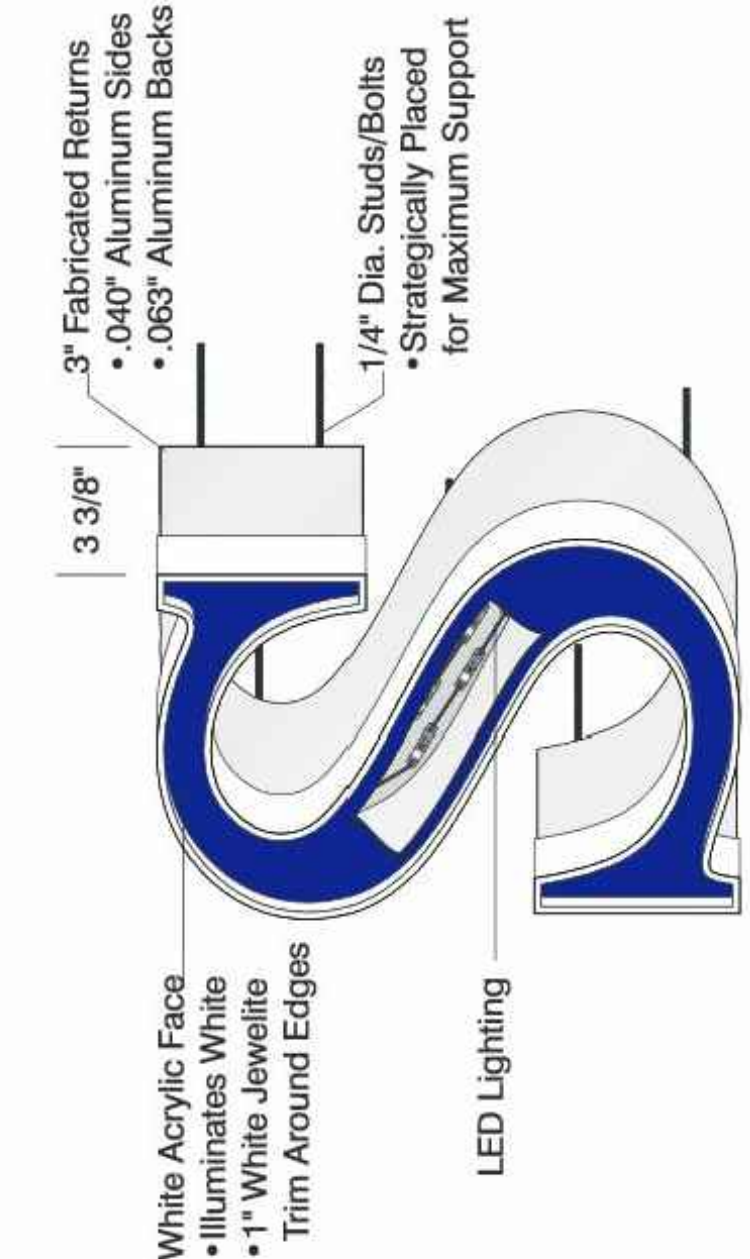
NOTE:
ALL SIGNS TO BE APPROVED PRIOR TO FABRICATION
ALL SIGNS TO HAVE HELVETICA FONT (UNO)
CHANNEL LETTER SIGNS ARE TO BE FRONT-LIT
BLDG. NUMBER SIGNS ARE TO BE @ PERIMETER & COURTYARD (PER ELEVATIONS) & IN PARKING GARAGE.
SIGN HEIGHT IS MEASURED FROM TOP OF SIGN TO GROUND FLOOR.



Wall Mounted Channel Letter Cross Section Detail

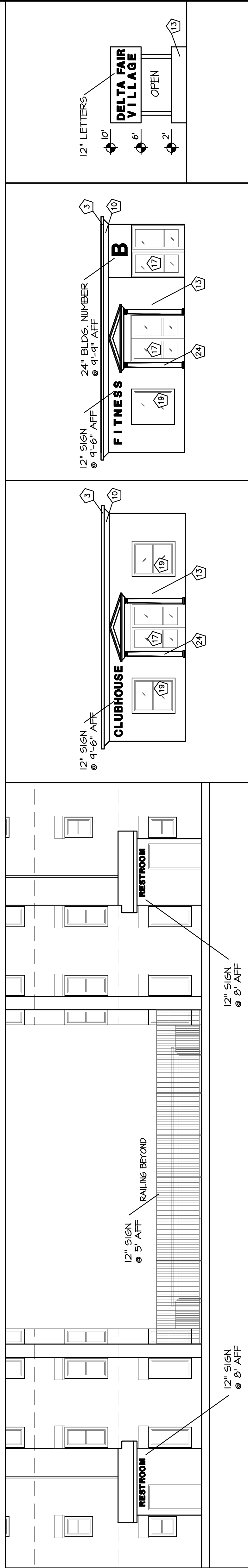


LED Illuminated Wall Mounted Typical Channel Letter Detail



SIGN DIMENSIONS

SIGN DETAIL

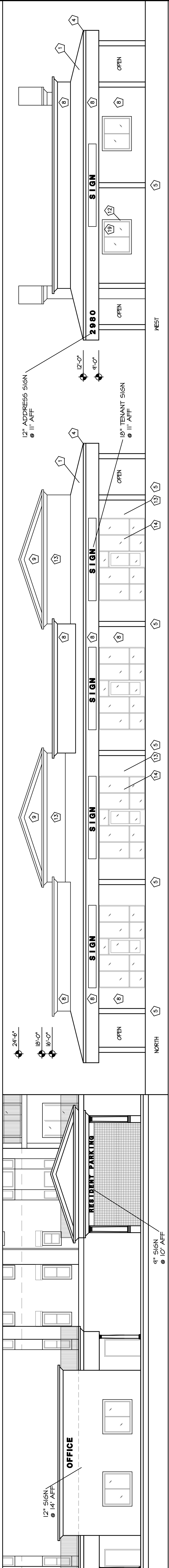


MONUMENT SIGN

FITNESS ELEVATION

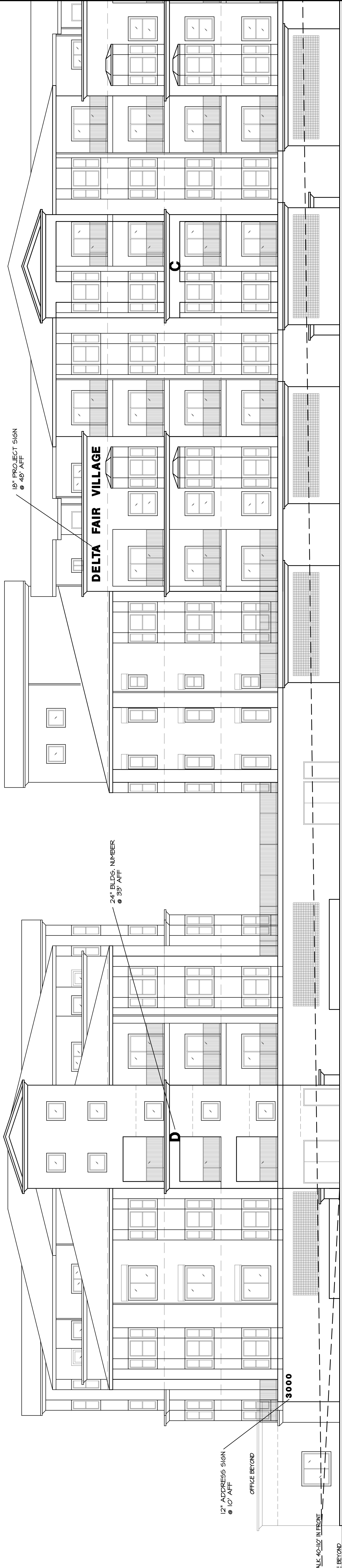
CLUBHOUSE ELEVATION

COURTYARD NORTH ELEVATIONS



OFFICE & GARAGE ENTRY ELEVATION

NEW RETAIL/DAYCARE ELEVATIONS



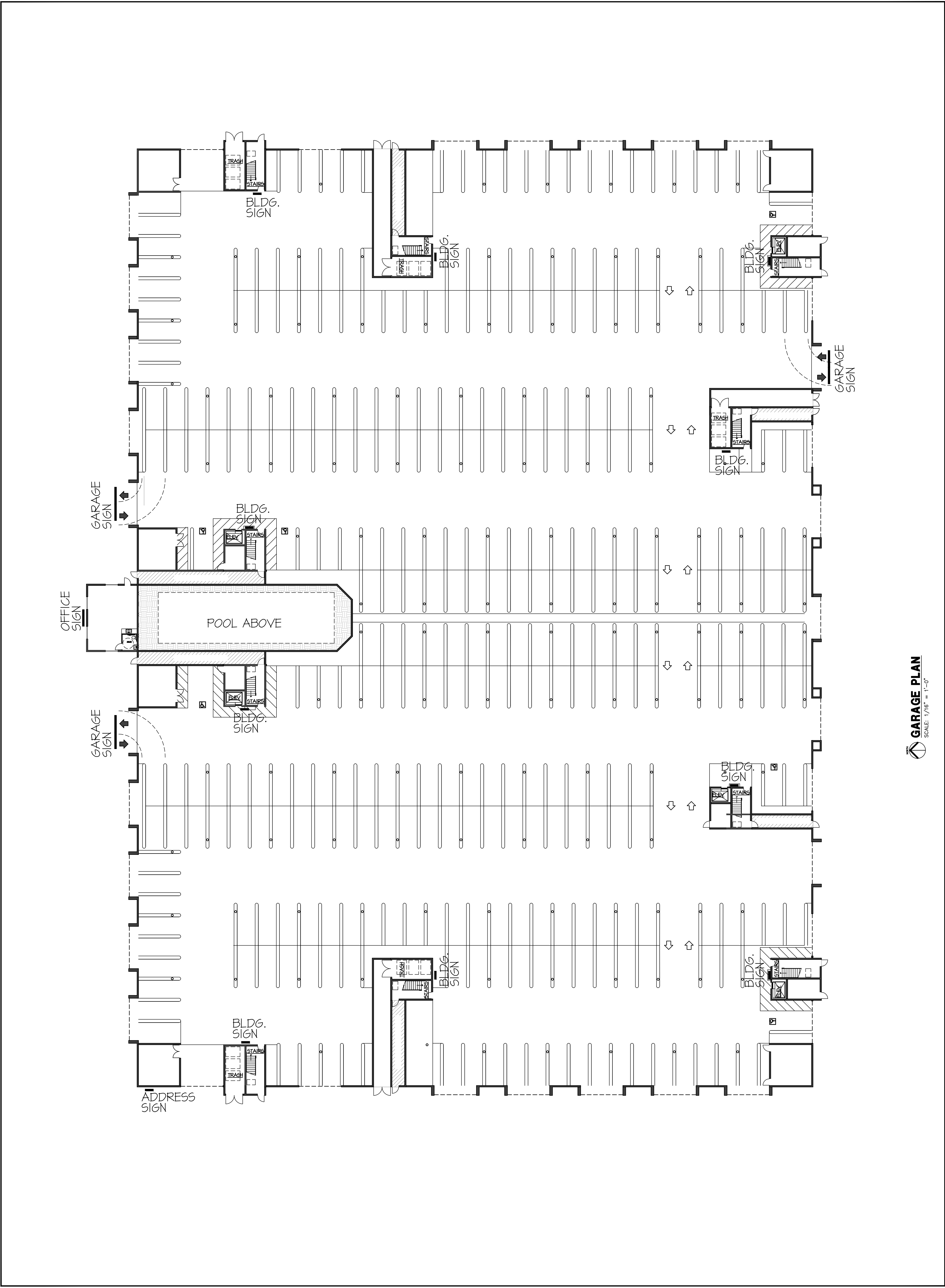
SOUTH ELEVATION

D42

D42

D42

D42



DATE	BY	NO.	REVISION

SEAL OF THE STATE OF CALIFORNIA
BRUCE A. PENDLEY
C 22259
DEC. 31, 2019
REGISTERED ARCHITECT

DRAWN BY: J.A.
CHECKED BY: B.P.



PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 92522
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com WEB: www.pendleyinc.com

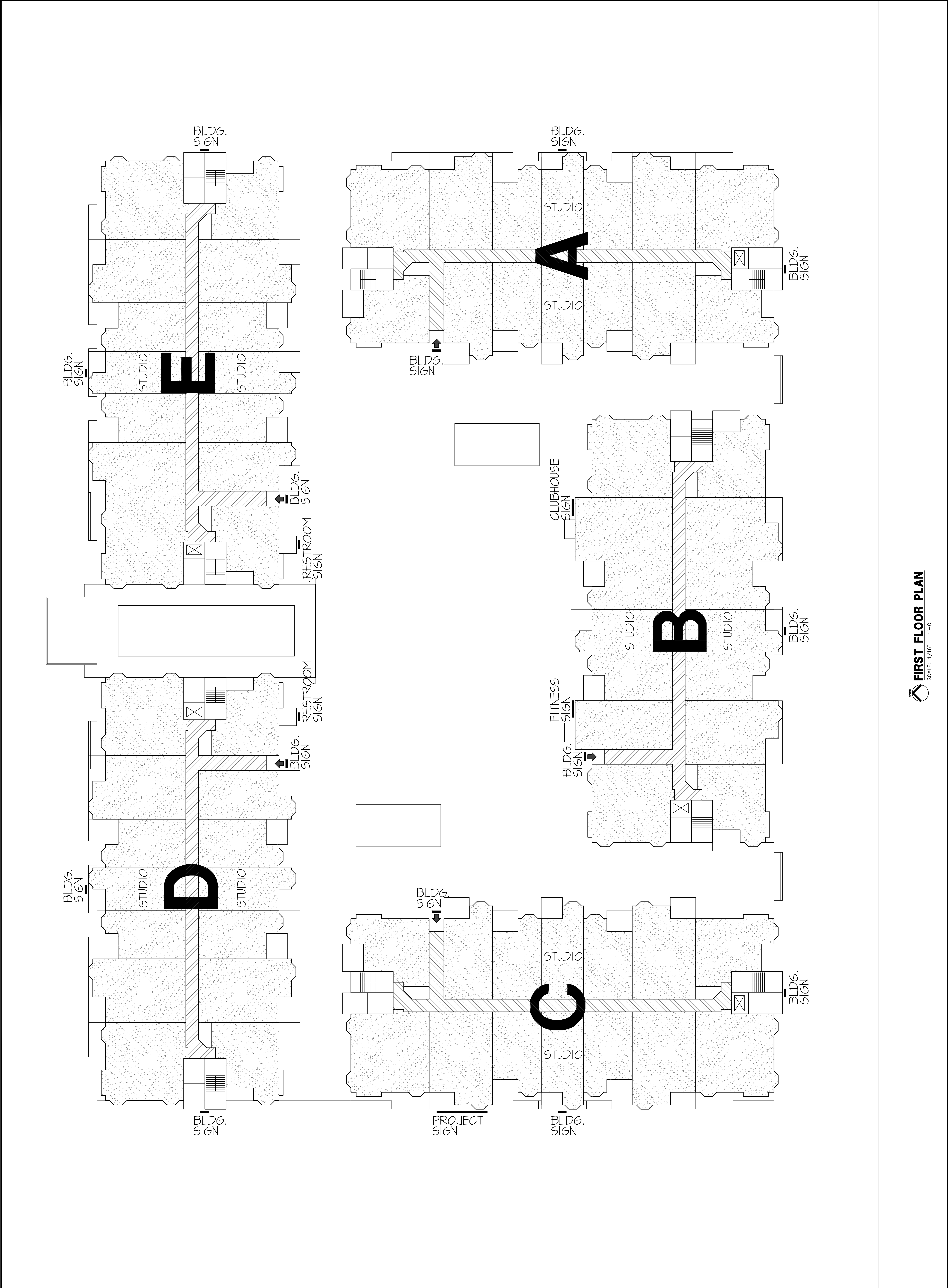
FIRST FLOOR SIGN PLAN

NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3800 DELTA FAIR BLVD., ANTIPOCH, CA

SCALE: 1/16" = 1'-0"
DATE: 10-1-18
DWG NO. 15091

SHEET
A16
OF
SHEETS

PLUTTER: 8-16-19



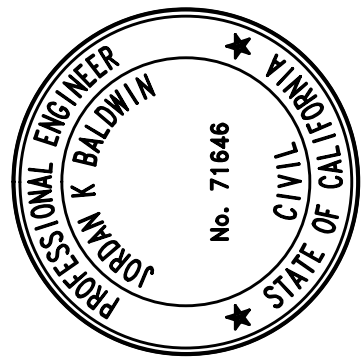
FIRST FLOOR PLAN
SCALE: 1/16" = 1'-0"

NO.	DATE	DESCRIPTION
1		REVISIONS
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

PROJECT NO.:	15E-003
DRAWN BY:	RAW
CHECKED BY:	JKB
DATE:	11/15/2019
SHEET NO.:	C3.0

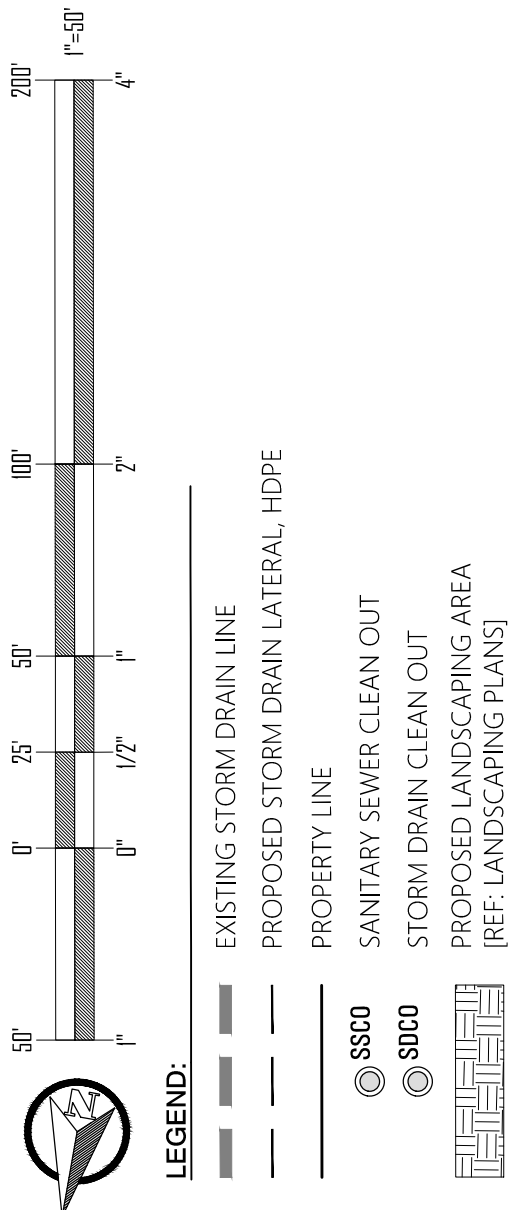
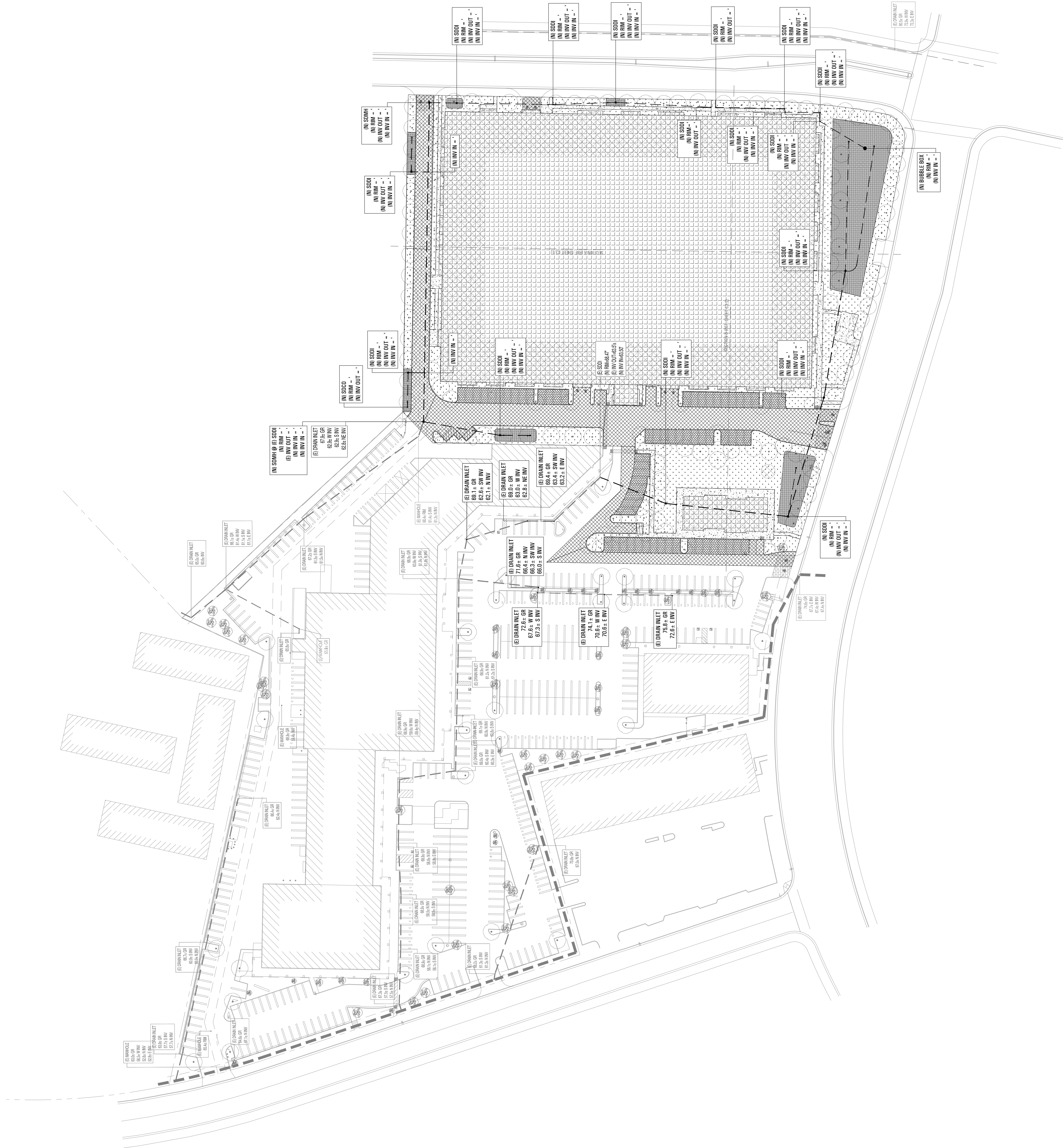
SHEET: 2 OF 8

DELTA FAIR VILLAGE
SITE IMPROVEMENTS
GRADING AND
DRAINAGE PLAN
3000 DELTA FAIR BLVD
ANTIOCH, CA 94509



RIDGE LINE
ENGINEERING
2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P: 209.955.0110 | F: 209.955.0220

NOT FOR CONSTRUCTION



DELTA FAIR VILLAGE
SITE IMPROVEMENTS
CROSS SECTION A

3000 DELTA FAIR BLVD
ANTIOCH, CA 94509

PROJECT NO.: 15E-003
DRAWN BY: RAW
CHECKED BY: JKB
DATE: 11/15/2019
SHEET NO.: C3.1

SHEET: 3 OF 8

NO. DATE DESCRIPTION

REVISIONS

2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P: 209.955.0110 | F: 209.955.0230

REGISTERED PROFESSIONAL ENGINEER
No. 71646
JOSHUA K. BROWN

STOCKTON, CALIFORNIA
JANUARY 1, 2017

NO. 71646

2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P: 209.955.0110 | F: 209.955.0230

REGISTERED PROFESSIONAL ENGINEER
No. 71646
JOSHUA K. BROWN

STOCKTON, CALIFORNIA
JANUARY 1, 2017

NO. 71646

CROSS SECTION A (1H:1V)

1

SCALE: 1" = 20'

(N) BLDG REF ARCH PLANS

(N) FIRE LANE [REF. SITE PLAN]

(N) DRAINAGE PLANTER [REF. GRADING PLAN]

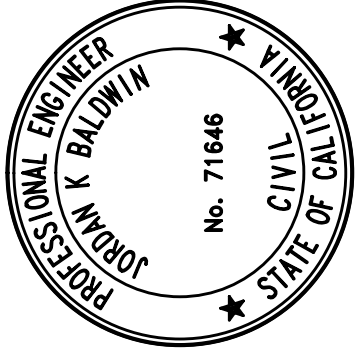
(E) PAVEMENT TO BE REMOVED

100 120 140 160 180 200 220 240 260 280 300 320 340 360 380 400 420 440 460 480 500 520 540 560 580 600 620 640 660 680 700 720 740 760 780 800 820 840 860 880 900 920 940 960 980 1000 1020 1040 1060 1080 1100 1120 1140 1160 1180 1200 1220 1240 1260 1280 1300 1320 1340 1360 1380 1400 1420 1440 1460 1480 1500 1520 1540 1560 1580 1600 1620 1640 1660 1680 1700 1720 1740 1760 1780 1800 1820 1840 1860 1880 1900 1920 1940 1960 1980 2000 2020 2040 2060 2080 2100 2120 2140 2160 2180 2200 2220 2240 2260 2280 2300 2320 2340 2360 2380 2400 2420 2440 2460 2480 2500 2520 2540 2560 2580 2600 2620 2640 2660 2680 2700 2720 2740 2760 2780 2800 2820 2840 2860 2880 2900 2920 2940 2960 2980 3000 3020 3040 3060 3080 3100 3120 3140 3160 3180 3200 3220 3240 3260 3280 3300 3320 3340 3360 3380 3400 3420 3440 3460 3480 3500 3520 3540 3560 3580 3600 3620 3640 3660 3680 3700 3720 3740 3760 3780 3800 3820 3840 3860 3880 3900 3920 3940 3960 3980 4000 4020 4040 4060 4080 4100 4120 4140 4160 4180 4200 4220 4240 4260 4280 4300 4320 4340 4360 4380 4400 4420 4440 4460 4480 4500 4520 4540 4560 4580 4600 4620 4640 4660 4680 4700 4720 4740 4760 4780 4800 4820 4840 4860 4880 4900 4920 4940 4960 4980 5000 5020 5040 5060 5080 5100 5120 5140 5160 5180 5200 5220 5240 5260 5280 5300 5320 5340 5360 5380 5400 5420 5440 5460 5480 5500 5520 5540 5560 5580 5600 5620 5640 5660 5680 5700 5720 5740 5760 5780 5800 5820 5840 5860 5880 5900 5920 5940 5960 5980 6000 6020 6040 6060 6080 6100 6120 6140 6160 6180 6200 6220 6240 6260 6280 6300 6320 6340 6360 6380 6400 6420 6440 6460 6480 6500 6520 6540 6560 6580 6600 6620 6640 6660 6680 6700 6720 6740 6760 6780 6800 6820 6840 6860 6880 6900 6920 6940 6960 6980 7000 7020 7040 7060 7080 7100 7120 7140 7160 7180 7200 7220 7240 7260 7280 7300 7320 7340 7360 7380 7400 7420 7440 7460 7480 7500 7520 7540 7560 7580 7600 7620 7640 7660 7680 7700 7720 7740 7760 7780 7800 7820 7840 7860 7880 7900 7920 7940 7960 7980 8000 8020 8040 8060 8080 8100 8120 8140 8160 8180 8200 8220 8240 8260 8280 8300 8320 8340 8360 8380 8400 8420 8440 8460 8480 8500 8520 8540 8560 8580 8600 8620 8640 8660 8680 8700 8720 8740 8760 8780 8800 8820 8840 8860 8880 8900 8920 8940 8960 8980 9000 9020 9040 9060 9080 9100 9120 9140 9160 9180 9200 9220 9240 9260 9280 9300 9320 9340 9360 9380 9400 9420 9440 9460 9480 9500 9520 9540 9560 9580 9600 9620 9640 9660 9680 9700 9720 9740 9760 9780 9800 9820 9840 9860 9880 9900 9920 9940 9960 9980 10000 10020 10040 10060 10080 10100 10120 10140 10160 10180 10200 10220 10240 10260 10280 10300 10320 10340 10360 10380 10400 10420 10440 10460 10480 10500 10520 10540 10560 10580 10600 10620 10640 10660 10680 10700 10720 10740 10760 10780 10800 10820 10840 10860 10880 10900 10920 10940 10960 10980 11000 11020 11040 11060 11080 11100 11120 11140 11160 11180 11200 11220 11240 11260 11280 11300 11320 11340 11360 11380 11400 11420 11440 11460 11480 11500 11520 11540 11560 11580 11600 11620 11640 11660 11680 11700 11720 11740 11760 11780 11800 11820 11840 11860 11880 11900 11920 11940 11960 11980 12000 12020 12040 12060 12080 12100 12120 12140 12160 12180 12200 12220 12240 12260 12280 12300 12320 12340 12360 12380 12400 12420 12440 12460 12480 12500 12520 12540 12560 12580 12600 12620 12640 12660 12680 12700 12720 12740 12760 12780 12800 12820 12840 12860 12880 12900 12920 12940 12960 12980 13000 13020 13040 13060 13080 13100 13120 13140 13160 13180 13200 13220 13240 13260 13280 13300 13320 13340 13360 13380 13400 13420 13440 13460 13480 13500 13520 13540 13560 13580 13600 13620 13640 13660 13680 13700 13720 13740 13760 13780 13800 13820 13840 13860 13880 13900 13920 13940 13960 13980 14000 14020 14040 14060 14080 14100 14120 14140 14160 14180 14200 14220 14240 14260 14280 14300 14320 14340 14360 14380 14400 14420 14440 14460 14480 14500 14520 14540 14560 14580 14600 14620 14640 14660 14680 14700 14720 14740 14760 14780 14800 14820 14840 14860 14880 14900 14920 14940 14960 14980 15000 15020 15040 15060 15080 15100 15120 15140 15160 15180 15200 15220 15240 15260 15280 15300 15320 15340 15360 15380 15400 15420 15440 15460 15480 15500 15520 15540 15560 15580 15600 15620 15640 15660 15680 15700 15720 15740 15760 15780 15800 15820 15840 15860 15880 15900 15920 15940 15960 15980 16000 16020 16040 16060 16080 16100 16120 16140 16160 16180 16200 16220 16240 16260 16280 16300 16320 16340 16360 16380 16400 16420 16440 16460 16480 16500 16520 16540 16560 16580 16600 16620 16640 16660 16680 16700 16720 16740 16760 16780 16800 16820 16840 16860 16880 16900 16920 16940 16960 16980 17000 17020 17040 17060 17080 17100 17120 17140 17160 17180 17200 17220 17240 17260 17280 17300 17320 17340 17360 17380 17400 17420 17440 17460 17480 17500 17520 17540 17560 17580 17600 17620 17640 17660 17680 17700 17720 17740 17760 17780 17800 17820 17840 17860 17880 17900 17920 17940 17960 17980 18000 18020 18040 18060 18080 18100 18120 18140 18160 18180 18200 18220 18240 18260 18280 18300 18320 18340 18360 18380 18400 18420 18440 18460 18480 18500 18520 18540 18560 18580 18600 18620 18640 18660 18680 18700 18720 18740 18760 18780 18800 18820 18840 18860 18880 18900 18920 18940 18960 18980 19000 19020 19040 19060 19080 19100 19120 19140 19160 19180 19200 19220 19240 19260 19280 19300 19320 19340 19360 19380 19400 19420 19440 19460 19480 19500 19520 19540 19560 19580 19600 19620 19640 19660 19680 19700 19720 19740 19760 19780 19800 19820 19840 19860 19880 19900 19920 19940 19960 19980 20000 20020 20040 20060 20080 20100 20120 20140 20160 20180 20200 20220 20240 20260 20280 20300 20320 20340 20360 20380 20400 20420 20440 20460 20480 20500 20520 20540 20560 20580 20600 20620 20640 20660 20680 20700 20720 20740 20760 20780 20800 20820 20840 20860 20880 20900 20920 20940 20960 20980 21000 21020 21040 21060 21080 21100 21120 21140 21160 21180 21200 21220 21240 21260 21280 21300 21320 21340 21360 21380 21400 21420 21440 21460 21480 21500 21520 21540 21560 21580 21600 21620 21640 21660 21680 21700 21720 21740 21760 21780 21800 21820 21840 21860 21880 21900 21920 21940 21960 21980 22000 22020 22040 22060 22080 22100 22120 22140 22160 22180 22200 22220 22240 22260 22280 22300 22320 22340 22360 22380 22400 22420 22440 22460 22480 22500 22520 22540 22560 22580 22600 22620 22640 22660 22680 22700 22720 22740 22760 22780 22800 22820 22840 22860 22880 22900 22920 22940 22960 22980 23000 23020 23040 23060 23080 23100 23120 23140 23160 23180 23200 23220 23240 23260 23280 23300 23320 23340 23360 23380 23400 23420 23440 23460 23480 23500 23520 23540 23560 23580 23600 23620 23640 23660 23680 23700 23720 23740 23760 23780 23800 23820 23840 23860 23880 23900 23920 23940 23960 23980 24000 24020 24040 24060 24080 24100 24120 24140 24160 24180 24200 24220 24240 24260 24280 24300 24320 24340 24360 24380 24400 24420 24440 24460 24480 24500 24520 24540 24560 24580 24600 24620 24640 24660 24680 24700 24720 24740 24760 24780 24800 24820 24840 24860 24880 24900 24920 24940 24960 24980 25000 25020 25040 25060 25080 25100 25120 25140 25160 25180 25200 25220 25240 25260 25280 25300 25320 25340 25360 25380 25400 25420 25440 25460 25480 25500 25520 25540 25560 25580 25600 25620 25640 25660 25680 25700 25720 25740 25760 25780 25800 25820 25840 25860 25880 25900 25920 25940 25960 25980 26000 26020 26040 26060 26080 26100 26120 26140 26160 26180 26200 26220 26240 26260 26280 26300 26320 26340 26360 26380 26400 26420 26440 26460 26480 26500 26520 26540 26560 26580 26600 26620 26640 26660 26680 26700 26720 26740 26760 26780 26800 26820 26840 26860 26880 26900 26920 26940 26960 26980 27000 27020 27040 27060 27080 27100 27120 27140 27160 27180 27200 27220 27240 27260 27280 27300 27320 27340 27360 27380 27400 27420 27440 27460 27480 27500 27520 27540 27560 27580 27600 27620 27640 27660 27680 27700 27720 27740 27760 27780 27800 27820 27840 27860 27880 27900 27920 27940 27960 27980 28000 28020 28040 28060 28080 28100 28120 28140 28160 28180 28200 28220 28240 28260 28280 28300 28320 28340 28360 28380 28400 28420 28440 28460 28480 28500 28520 28540 28560 28580 28600 28620 28640 28660 28680 28700 28720 28740 28760 28780 28800 28820 28840 28860 28880 28900 28920 28940 28960 28980 29000 29020 29040 29060 29080 29100 29120 29140 29160 29180 29200 29220 29240 29260 29280 29300 29320 29340 29360 29380 29400 29420 29440 29460 29480 29500 29520 29540 29560 29580 29600 29620 29640 29660 29680 29700 29720 29740 29760 29780 29800 29820 29840 29860 29880 29900 29920 29940 29960 29980 30000 30020 30040 30060 30080 30100 30120 30140 30160 30180 30200 30220 30240 30260 30280 30300 30320 30340 30360 30380 30400 30420 30440 30460 30480 30500 30520 30540 30560 30580 30600 30620 30640 30660 30680 30700 30720 30740 30760 30780 30800 30820 30840 30860 30880 30900 30920 30940 30960 30980 31000 31020 31040 31060 31080 31100 31120 31140 31160 31180 31200 31220 31240 31260 31280 31300 31320 31340 31360 31380 31400 31420 31440 31460 31480 31500 31520 31540 31560 31580 31600 31620 31640 31660 31680 31700 31720 31740 31760 31780 31800 31820 31840 31860 31880 31900 31920 31940 31960 31980 32000 32020 32040 32060 32080 32100 32120 32140 32160 32180 32200 32220 32240 32260 32280 32300 32320 32340 32360 32380 32400 32420 32440 32460 32480 32500 32520 32540 32560 32580 32600 32620 32640 32660 32680 32700 32720 32740 32760 32780 32800 32820 32840 32860 32880 32900 32920 32940 32960 32980 33000 33020 33040 33060 33080 33100 33120 33140 33160 33180 33200 33220 33240 33260 33280 33300 33320 33340 33360 33380 33400 33420 33440 33460 33480 33500 33520 33540 33560 33580 33600 33620 33640 33660 33680 33700 33720 33740 33760 33780 33800 33820 33840 33860 33880 33900 33920 33940 33960 33980 34000 34020 34040 34060 34080 34100 34120 34140 34160 34180 34200 34220 34240 34260 34280 34300 34320 34340 34360 34380 34400 34420 34440 34460 34480 34500 34520 34540 34560 34580 34600 34620 34640 34660 34680 34700 34720 34740 34760 34780 34800 34820 34840 34860 34880 34900 34920 34940 34960 34980 35000 35020 35040 35060 35080 35100 35120 35140 35160 35180 35200 35220 35240 35260 35280 35300 35320 35340 35360 35380 35400 35420 35440 35460 35480 35500 35520 35540 35560 35580 35600 35620 35640 35660 35680 35700 35720 35740 35760 35780 35800 35820 35840 35860 35880 35900 35920 35940 35960 35980 36000 36020 36040 36060 36080 36100 36120 36140 36160 36180 36200 36220 36240 36260 36280 36300 36320 36340 36360 36380 36400 36420 36440 36460 36480 36500 36520 36540 36560 36580 36600 36620 36640 36660 36680 36700 36720 36740 36760 36780 36800 36820 36840 36860 36880 36900 36920 36940 36960 36980 37000 37020 37040 37060 37080 37100 37120 37140 37160 37180 37200 37220 37240 37260 37280 37300 37320 37340 37360 37380 37400 37420 37440 37460 37480 37500 37520 37540 37560 37580 37600 37620 37640 37660 37680 37700 37720 37740 37760 37780 37800 37820 37840 37860 37880 37900 37920 37940 37960 37980 38000 38020 38040 38060 38080 38100 38120 38140 38160 38180 38200 38220 38240 38260 38280 38300 38320 38340 38360 38380 38400 38420 38440 38460 38480 38500 38520 38540 38560 38580 38600 38620 38640 38660 38680 38700 38720 38740 38760 38780 38800 38820 38840 38860 38880 38900 38920 38940 38960 38980 39000 39020 39040 39060 39080 39100 39120 39140 39160 39180 39200 39220 39240 39260 39280 39300 39320 39340 39360 39380 39400 39420 39440 39460 39480 39500 39520 39540 39560 39580 39600 39620 39640 39660 39680 39700 39720 39740 39760 39780 39800 39820 39840 39860 39880 39900 39920 39940 39960 39980 40000 40020 40040 40060 40080 40100 40120 40140 40160 40180 40200 40220 40240 40260 40280 40300 40320 40340 40360 40380 40400 40420 40440 40460 40480 40500 40520 40540 40560 40580 40600 40620 40640 40660 40680 40700 40720 40740 40760 40780 40800 40820 40840 40860 40880 40900

PROJECT NO.: 15E-003	NO.	DATE	DESCRIPTION
DRAWN BY: RAW			
CHECKED BY: JKB			
DATE: 11/15/2019			
SHEET NO.: C3.2			
SHEET: 4 OF 8			

DELTA FAIR VILLAGE
SITE IMPROVEMENTS
CROSS SECTION B

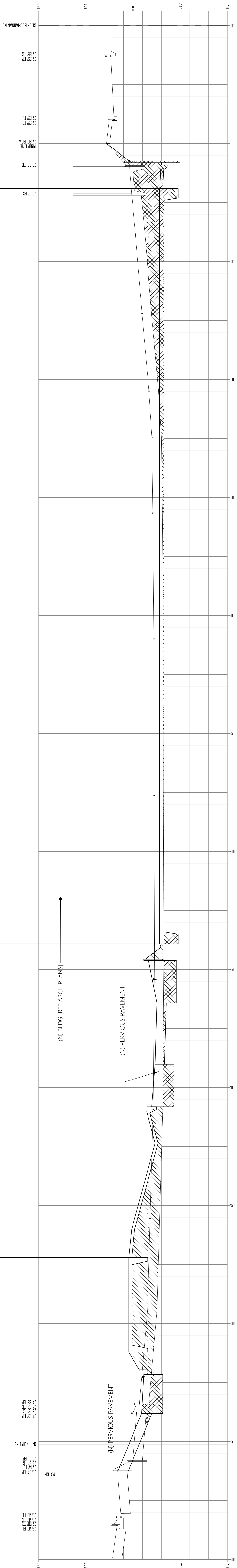
3000 DELTA FAIR BLVD
ANTIOCH, CA 94509



RIDGELINE
ENGINEERING
2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P: 209.955.0110 | F: 209.955.0220

2

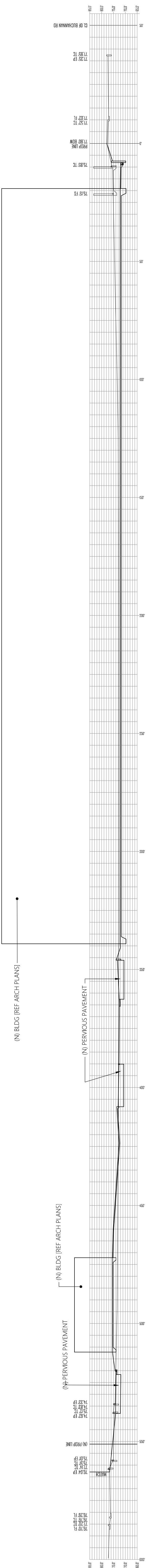
SCALE: 1" = 20'



CROSS SECTION B (1H:4V)

1

SCALE: 1" = 20'

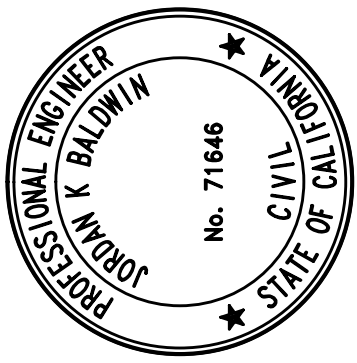


CROSS SECTION B (1H:1V)

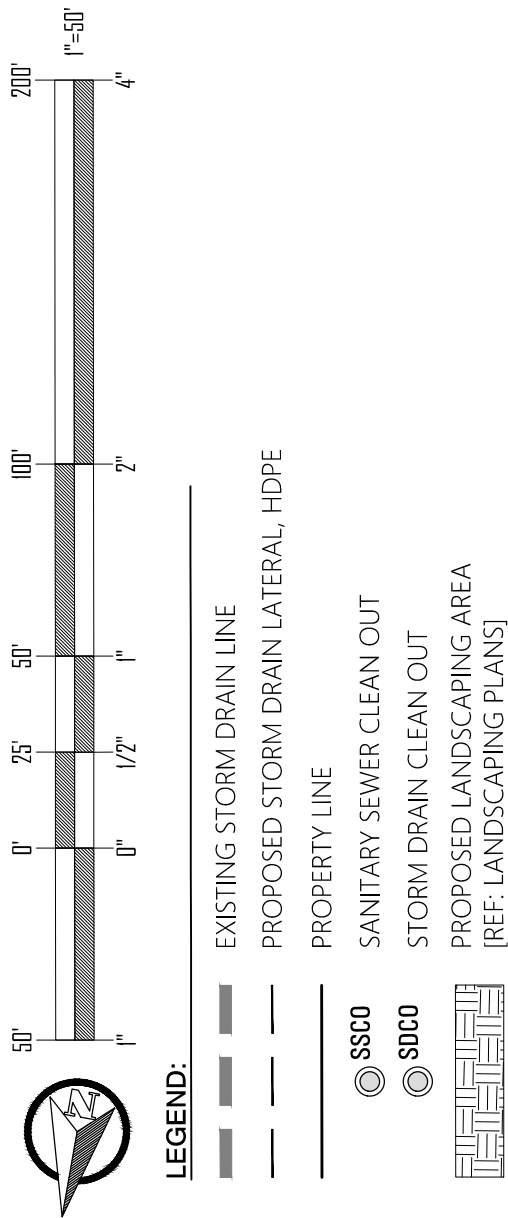
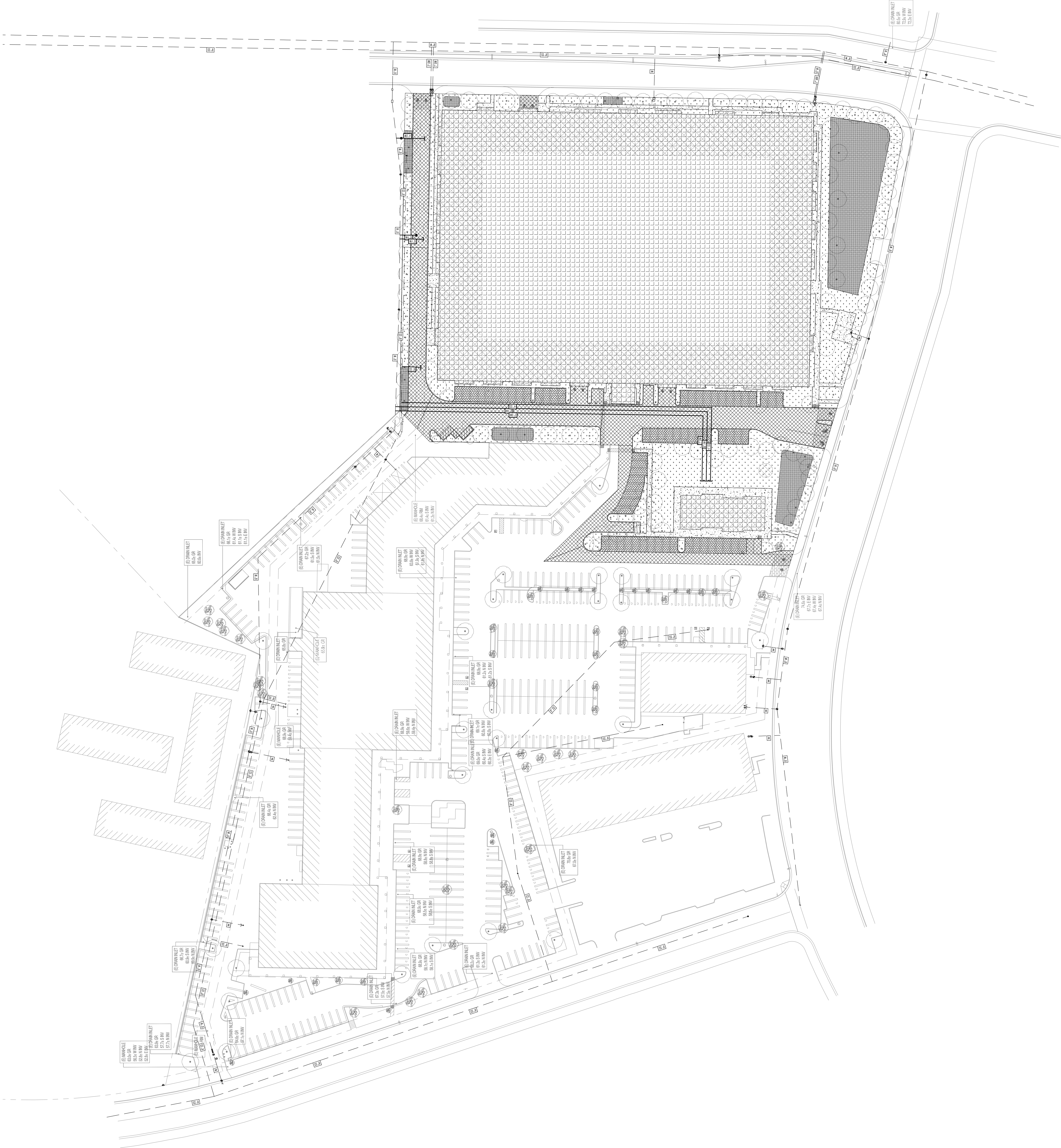
SHEET: 5 OF 8		C4.0		SHEET NO.: 11/15/2019		CHECKED BY: jkb		DRAWN BY: RAW		PROJECT NO.: 15E-003	
REVISIONS		DATE		DESCRIPTION		NO.					

DELTA FAIR VILLAGE
SITE IMPROVEMENTS
WET UTILITY PLAN

3000 DELTA FAIR BLVD
ANTIOCH, CA 94509



RIDGE LINE
2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P 209.955.0110 | F 209.955.0220



SHEET:	6	OF	8
--------	---	----	---

C5.0

SHEET NO.:

DATE: 11/15/2019

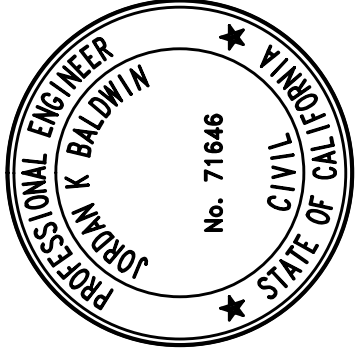
CHECKED BY: JKB

DRAWN BY: RAW

PROJECT NO.: 15E-003

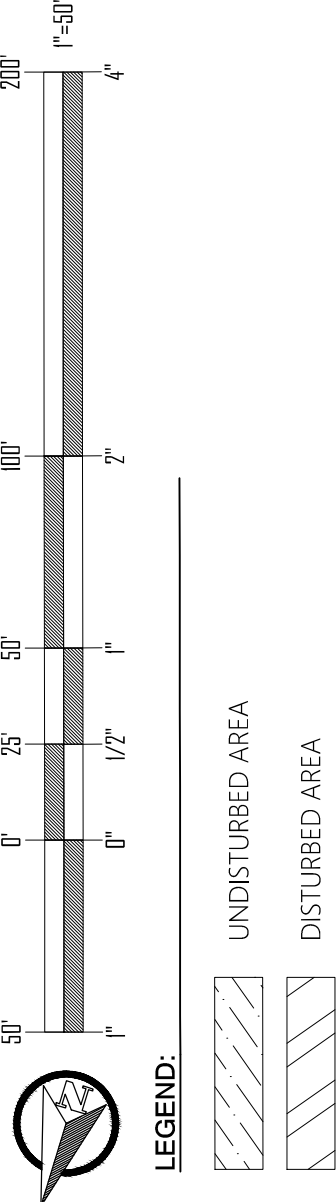
NO.	DATE	DESCRIPTION

DELTA FAIR VILLAGE
SITE IMPROVEMENTS
OVERALL STORMWATER PLAN
3000 DELTA FAIR BLVD
ANTIOCH, CA 94509



RIDGE LINE
ENGINEERING
2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P: 209.955.0110 | F: 209.955.0220

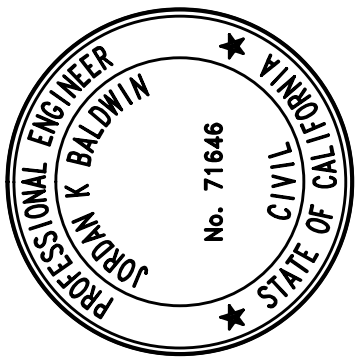
NOT FOR CONSTRUCTION



REVISIONS	DESCRIPTION
-----------	-------------

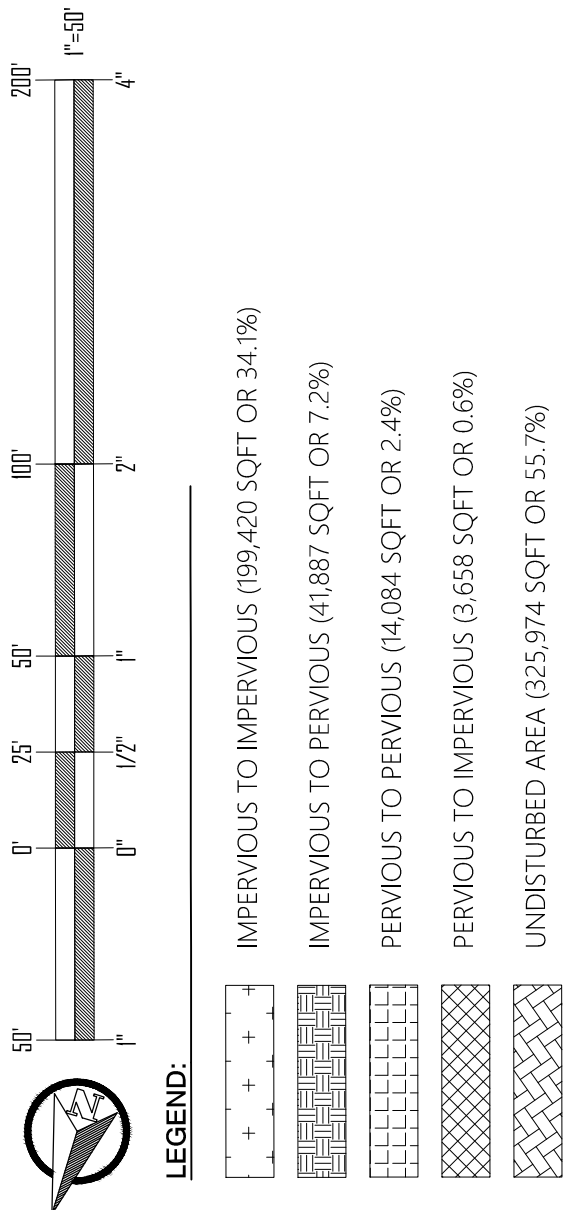
3000 DELTA FAIR BLVD
ANTIOCH, CA 94509

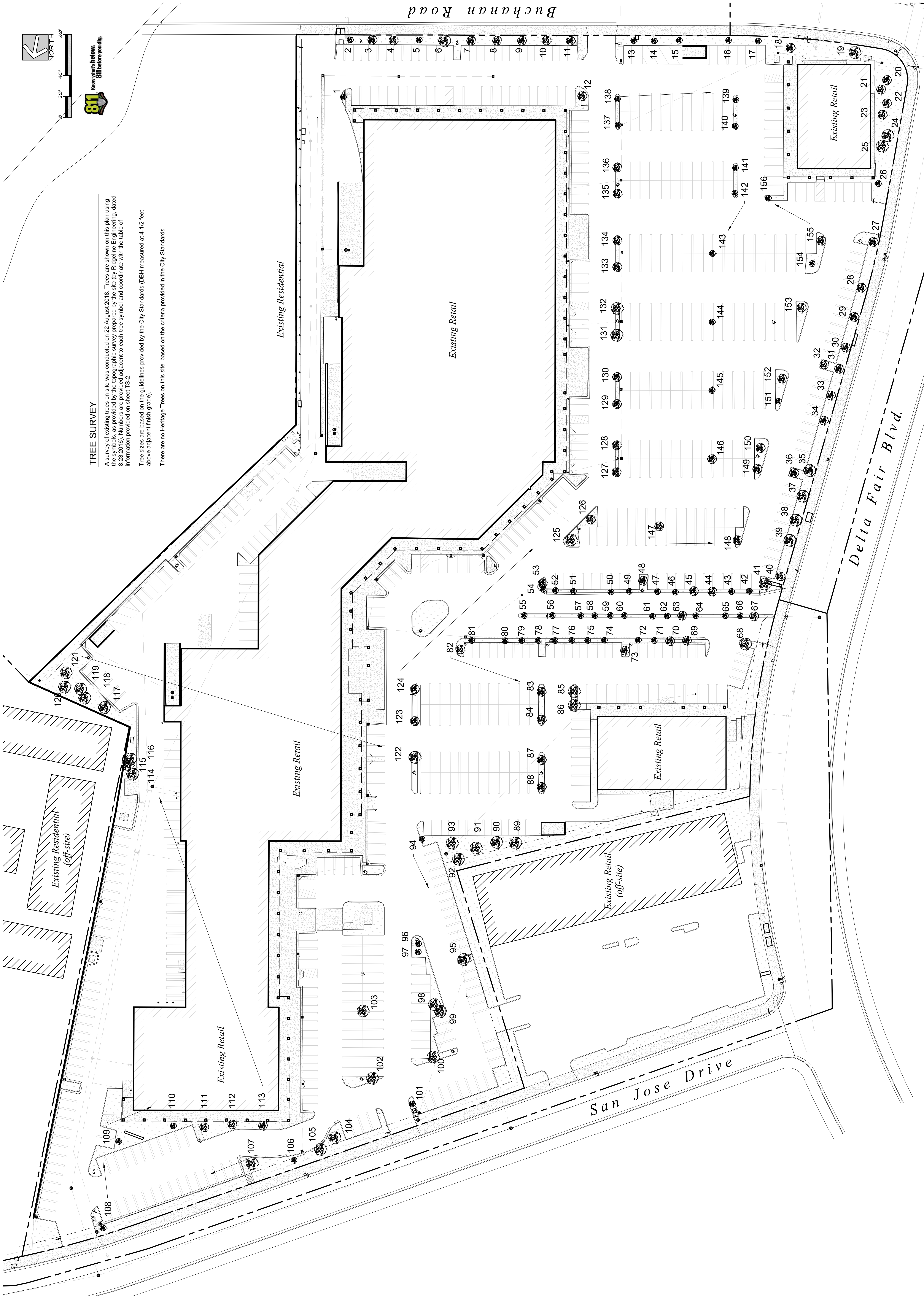
DELTA FAIR VILLAGE SITE IMPROVEMENTS



RIDGELINE
ENGINEERING

2522 GRAND CANAL BLVD, SUITE 14 | STOCKTON, CA 95207
P 209.955.0110 | F 209.955.0220



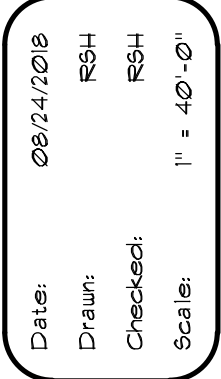
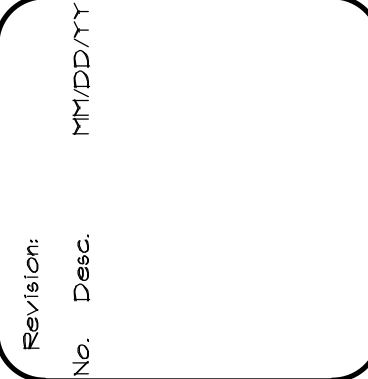
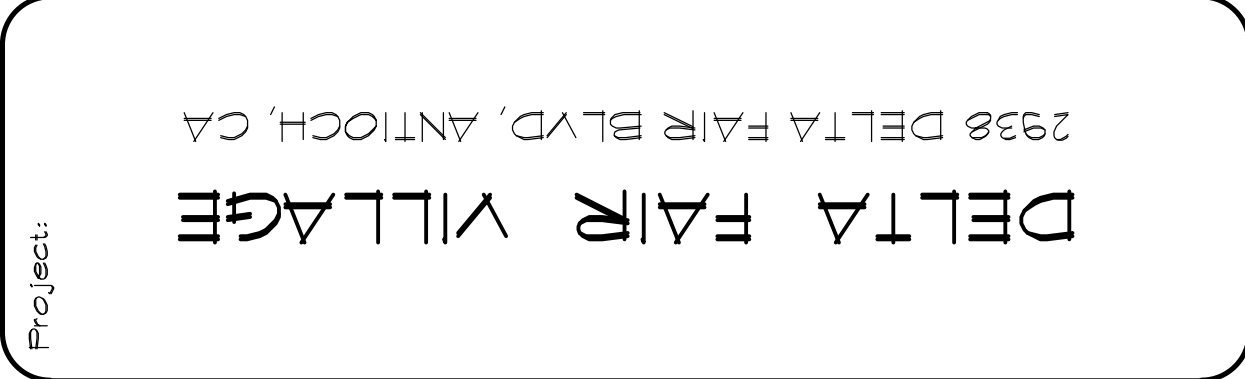
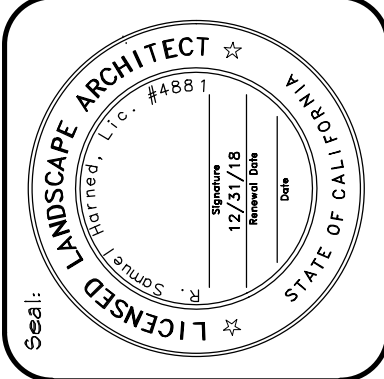
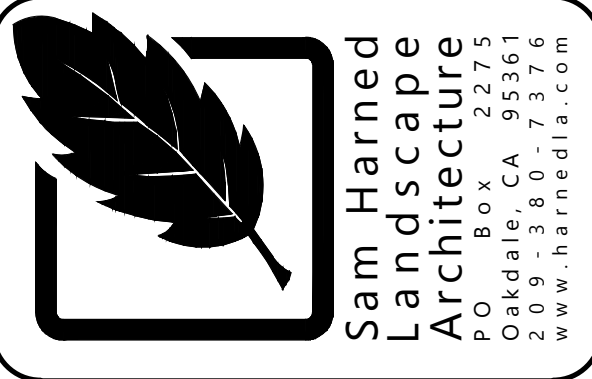


TREE SURVEY

A survey of existing trees on site was conducted on 22 August 2018. Trees are shown on this plan using symbols, as provided by the topographic survey prepared by the site (by RidgeLine Engineering, dated 8/23/2016). The symbols are placed adjacent to each tree symbol and coordinate with the table of information provided on sheet TS-2.

Tree sizes are based on the guidelines provided by the City Standards (DBH measured at 4-1/2 feet above adjacent finish grade).

There are no Heritage Trees on this site, based on the criteria provided in the City Standards.



Tree #	Species (code)	DBH (in.)	Heritage? "N" (over 72" circum.)	Canopy (dia. in feet) Notes
77	LS	5	No	8
78	LS	6	No	10
79	LS	6	No	10
80	LS	6	No	10
81	LS	8	No	15
82	LS	10	No	15
83	PC	9	No	20
84	PC	8	No	16
85	FV	11	No	25
86	FV	17	No	25
87	PC	6	No	15
88	PC	7	No	16
89	SS	22	No	25
90	SS	16	No	25
91	SS	17/10	No	25 Twin
92	SS	19	No	25
93	SS	21	No	25
94	LS	7	No	15
95	QA	17	No	30
96	LT	6	No	8
97	LT	4	No	8
98	SS	14	No	15
99	SS	12	No	15
100	SS	11	No	12
101	LT	8	No	8
102	PC	9	No	17
103	PC	12	No	20
104	QA	12	No	15
105	QA	8	No	15
106	na	na	No	Not a tree (shrub)
107	QA	22	No	30
108	na	na	No	Not a tree (shrub)
109	SS	13	No	12
110	LS	6	No	12
111	LS	9	No	12
112	LS	9	No	15
113	LS	8	No	15
114	SS	12	No	15
115	SS	20	No	18
116	SS	19	No	18
117	SS	18	No	15
118	SS	18	No	15
119	SS	16	No	15

Code	Species
LS	Liquidambar styraciflua - American Sweetgum
PC	Pyrus calleryana - Ornamental Pear
QA	Quercus agrifolia - Coast Live Oak
SS	Sequoia sempervirens - Coast Redwood
LT	Liriodendron tulipifera - Tulip Tree
FV	Fraxinus veurlina Modesto - Modesto Ash
PP	Prunus cerasifera - Purple Leaf Plum

Project: Delta Fair Village

Location: Antioch, CA

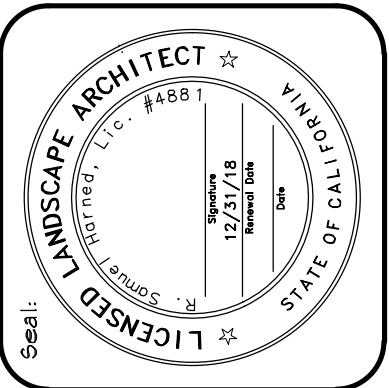
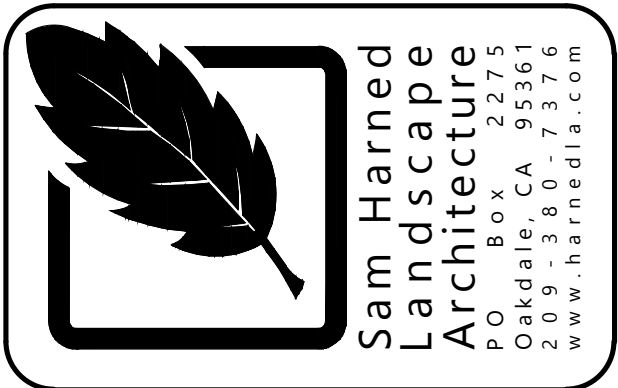
Job #: 18-009

Date: 8/22/2018

By: Sam Harned

The following list surveys the existing trees located on-site on the date noted above. DBH is measured at 4'-6" above grade.

This drawing, printed or otherwise, is the copyrighted property of Sam Harned Landscape Architecture and is to be used for the project or site for which it was prepared. The drawing may not be published, reproduced, copied or otherwise used without the written permission of Sam Harned Landscape Architecture.



Prepared for:

Project: DELTA FAIR VILLAGE
2930 DELTA FAIR BLVD, ANTIOCH, CA

Revision: No. Desc. HMD/MT

Date: 08/24/2018
Drawn: RSH
Checked: RSH
Scale: None

Sheet: Existing Tree Survey
TS 2

Tree #	Species (code)	DBH (in.)	Heritage? "N" (over 72" circum.)	Canopy (dia. in feet) Notes
1	LT	12	No	18
2	LS	na	No	na Dead
3	LS	12	No	15
4	LS	10	No	18
5	PC	6	No	18
6	PC	10	No	22
7	PC	5	No	10
8	PC	6	No	15
9	PC	9	No	18
10	PC	4	No	11
11	LT	6	No	10
12	LT	12	No	8
13	LT	8	No	8
14	LT	6	No	6
15	PC	8	No	12
16	PC	6	No	10
17	PC	6	No	8
18	PC	6	No	10
19	PC	10	No	15
20	SS	10	No	8
21	SS	14	No	12
22	SS	10	No	12
23	SS	10	No	8
24	SS	12	No	10
25	SS	14	No	12
26	LT	6	No	6
27	PC	6	No	12
28	PC	6	No	14
29	PC	6	No	10
30	PC	8	No	12
31	PC	6	No	10
32	PC	8	No	14
33	PC	8	No	12

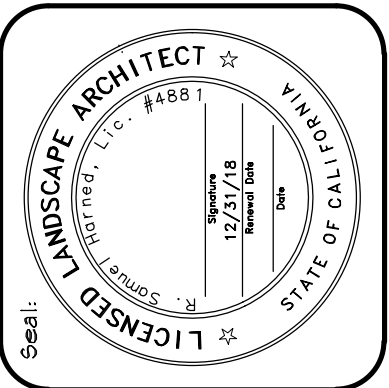
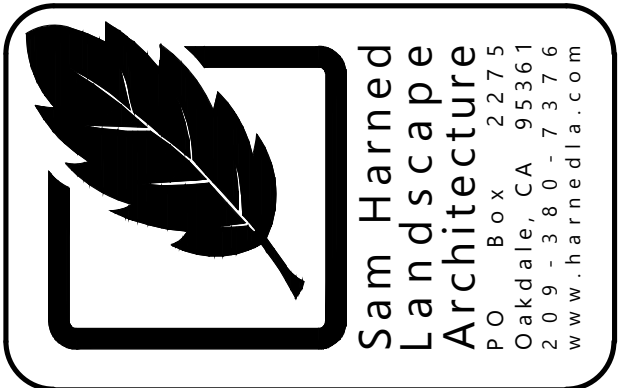
Tree #	Species (code)	DBH (in.)	Heritage? "N" (over 72" circum.)	Canopy (dia. in feet) Notes
34	PC	8	No	16
35	PC	8	No	12
36	PC	8	No	10
37	PC	6	No	12
38	PC	10	No	16
39	PC	12	No	18
40	na	na	No	na No longer a tree at this location
41	LS	12	No	20
42	LS	10	No	15
43	LS	12	No	15
44	LS	6	No	8
45	LS	8	No	12
46	LS	6	No	6
47	LS	6	No	12
48	LS	6	No	8
49	LS	6	No	8
50	LS	2	No	4
51	LS	8	No	12
52	LS	6	No	12
53	LS	6	No	12
54	LS	6	No	12
55	LS	6	No	8
56	LS	8	No	8
57	LS	4	No	6
58	LS	6	No	10
59	LS	6	No	10
60	LS	6	No	8
61	LS	6	No	12
62	LS	6	No	8
63	LS	8	No	10
64	LS	8	No	15
65	LS	8	No	12
66	LS	8	No	18
67	LS	12	No	18
68	LS	14	No	25
69	LS	8	No	12
70	LS	8	No	12
71	LS	8	No	12
72	LS	9	No	12
73	LS	7	No	10
74	LS	8	No	12
75	LS	8	No	12
76	LS	6	No	8

TREE SURVEY

A survey of existing trees on site was conducted on 22 August 2018. Trees are shown on the plan (see Sheet TS-1) using the symbols, as provided by the topographic survey prepared by the site (by RidgeLine Engineering, dated 8.23.2016). Numbers are provided adjacent to each tree symbol and correlate with the table of information provided above.

Tree sizes are based on the guidelines provided by the City Standards (DBH measured at 4-1/2 feet above adjacent finish grade).

There are no Heritage Trees on this site, based on the criteria provided in the City Standards.



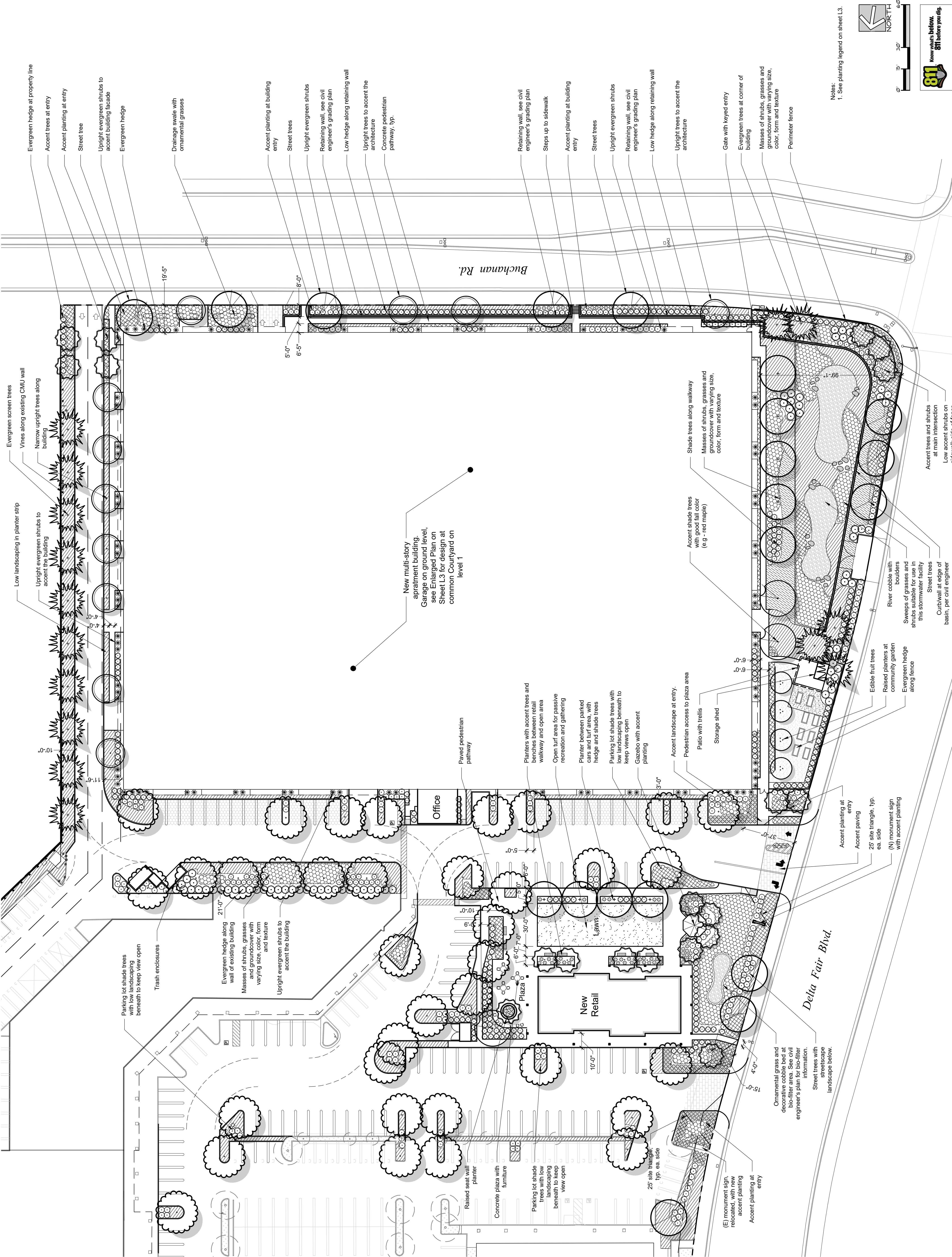
Prepared for:

Project: DELTA FAIR VILLAGE
3000 DELTA FAIR BLVD, ANTIOCH, CA

Revision: No. Desc.

Date: 12/6/2019
Drawn: RSH
Checked: RSH
Scale: 1" = 30'-0"

Sheet: Conceptual Landscape Plan
L2

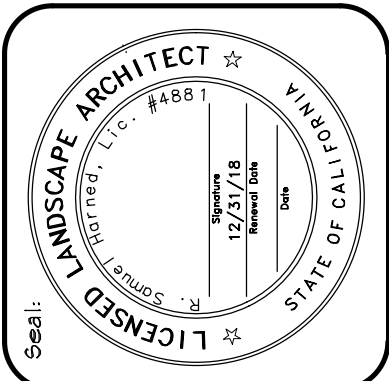


Notes:
1. See planting legend on sheet L3.

0' 15' 30' 60'

NORTH

811 Know what's below. 811 before you dig.



Project:

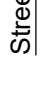
709

Date: 12/16/2019
Drawn: RSH
Checked: RSH
Scale: 1" = 20'-0"

Conceptual Landscape Plan - Courtyard

811 Know what's below.
811 before you dig.

The Preliminary Plant Palette represents a sampling of the types of plants selected for this project that are suitable for the location and design concept. Plants in the final plan will be selected from this list. Not all plants in the list below will be used and additional plants may be incorporated with the final plans, but the overall design concept represented will be maintained.



Street Trees

Ginkgo biloba	Maidenhair Tree
Pistacia chinensis 'Keith Davey'	Chinese Pistache
Platanus acerifolia 'Columbia'	London Plane Tree
Quercus shumardii	Quercus
Ulmus parvifolia	Chinese Evergreen Elm

Parking Lot Trees

<i>Acer rubrum</i> spp.	Red Maple
<i>Pistacia chinensis</i> 'Keith Davey'	Chinese Pistache
<i>Platanus acerifolia</i> 'Columbia'	London Plane Tree
<i>Sapinum sibiricum</i>	Chinese Tallow Tree
<i>Ulmus parvifolia</i>	Chinese Evergreen Elm

Upright Accent Trees
 Brachychiton populneus Bottle Tree
 Magnolia grandiflora 'Sam Sommer' Southern Magnolia
 Podocarpus gracilior Fern Pine

Evergreen / Screen Trees

Pinus eldarica	Afghan Pine
Quercus spp.	Evergreen Oak
Rhus lancea	Sumac
Sequoia sempervirens	Coast Redwood

Shade / Accent Trees

<i>Acer rubrum</i>	Red Maple
<i>Chilopsis linearis</i>	Desert Willow
<i>Chitalpa tashkentensis</i>	Chitalpa

Small Accent Trees

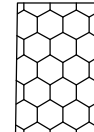
Acer palmatum
Cercis occidentalis
Lagerstroemia spp.
Magnolia aculeata
Japanese Maple
Western Redbud
Crape Myrtle
Sourwood
Magnolia

Edible Fruit Tree
Citrus (Tangerine, Meyer Lemon, Lime, Valencia Orange)
Fuyu Persimmon
Domegranate

✧ Upright Evergreen Shrubs
Cupressus sempervirens 'Tiny Towers'
Podocarpus macrophyllus 'Maki'
Thuja occidentalis
 Italian Cypress (dwarf)
 Shrubby Yew Pine
 Arborvitae

Medium Shrubs/ Screen Hedges

Arctostaphylos densiflora	Manzanita
Pittosporum tenuifolium	Pittosporum



Ornamental Grasses and Grasslike Plants

- Calamagrostis acutiflora "KF"
- Carex oshimensis
- Juncus patens
- Muhlenbergia capillaris
- Muhlenbergia dubia
- Muhlenbergia rigens
- Pennisetum alopecuroides

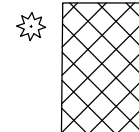
Low Calistemon
 Callistemon viminalis 'Little John'
 Dietes vegeta
 Ligustrum japonicum 'Texanum'
 Olea europaea 'Little Olie'
 Rhaphiolepis indica
 Rhaphiolepis umbellata
 Little John Bottlebrush
 Fornight Lily
 Privet
 Little Olie Olive
 India Hawthorn
 Yedda Hawthorn

Accent/Flowering Shrubs

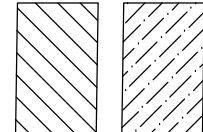
- Agave spp.
- Agave
- Evergreen Daylily
- Hesperaloe
- Lantana
- New Zealand Flax
- Carpet Rose
- Salvia

Low Shrubs







Dietes vegata
Nandina domestica 'Gulf Stream'
Pittosporum tobira 'Wheeler Dwarf'
Raphiolepis indica
Raphiolepis
Pittosporum
Heavenly Bamboo
Fortnight Lily



Low Accent Shrubs and Groundcover	<p>Agave spp.</p> <p>Asparagus densiflorus 'Myers'</p> <p>Dianella revoluta</p> <p>Hemerocallis spp.</p> <p>Liriope muscari</p> <p>Rosa floribunda 'Red Carpet'</p> <p>Teucrium chamaedrys</p>	<p>Agave</p> <p>Myer's Asparagus</p> <p>Flax Lily</p> <p>Evergreen Daylily</p> <p>Lily Turf</p> <p>Rosa</p> <p>Germander</p>
-----------------------------------	--	--

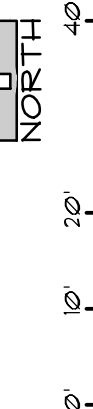


Low Groundcovers

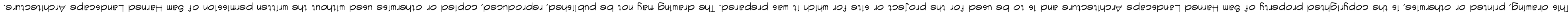
	Arctostaphylos spp.	Manzanita
	Baccharis pilularis spp.	Dwarf Coyote Brush
	Cotoneaster dammeri 'Lowfast'	Barberry Cotonaster
	Juniperus spp.	Juniper
	Teucrium chamaedrys	Germander
	Trachelospermum asiaticum	Asian Jasmine



Lawn
Sodded turf
Synthetic lawn



Mulch
Mulch to be evenly distributed throughout all planters. Mulch to be sourced from recycled material, shredded or chipped ("Gorilla Hair" is not acceptable), nitrogen stabilized, maximum 3/4". Install at min. 3" depth. Provide sample for approval prior to installation.



DATE	BY	NO.	REVISION

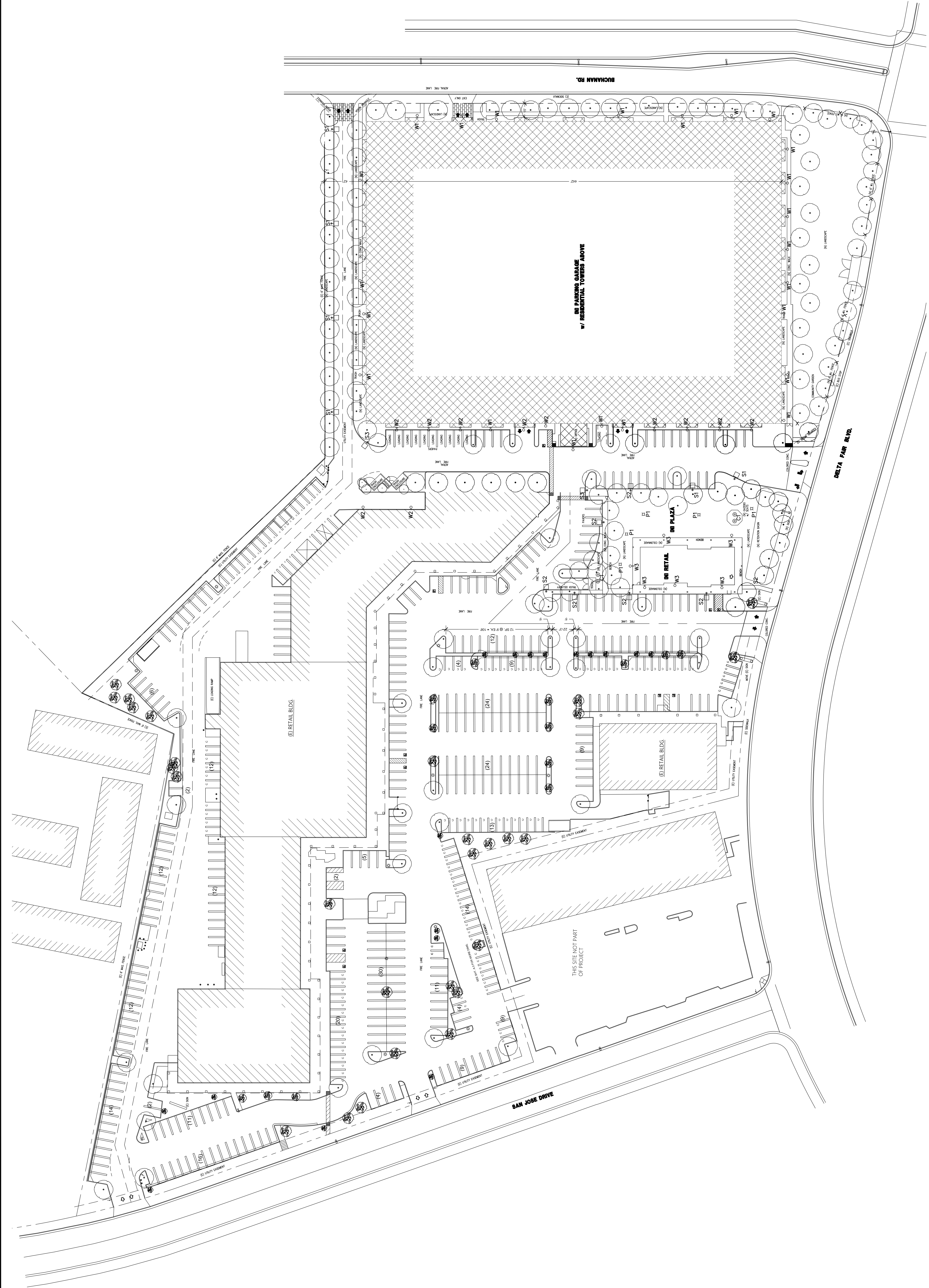
STATE OF CALIFORNIA
C 22259
DEC. 31, 2018
BRUNN, PENDELEY & ASSOCIATES, INC.
REGISTERED ARCHITECT
L.A.
DRAWN BY: B.P.
CHECKED BY: B.P.



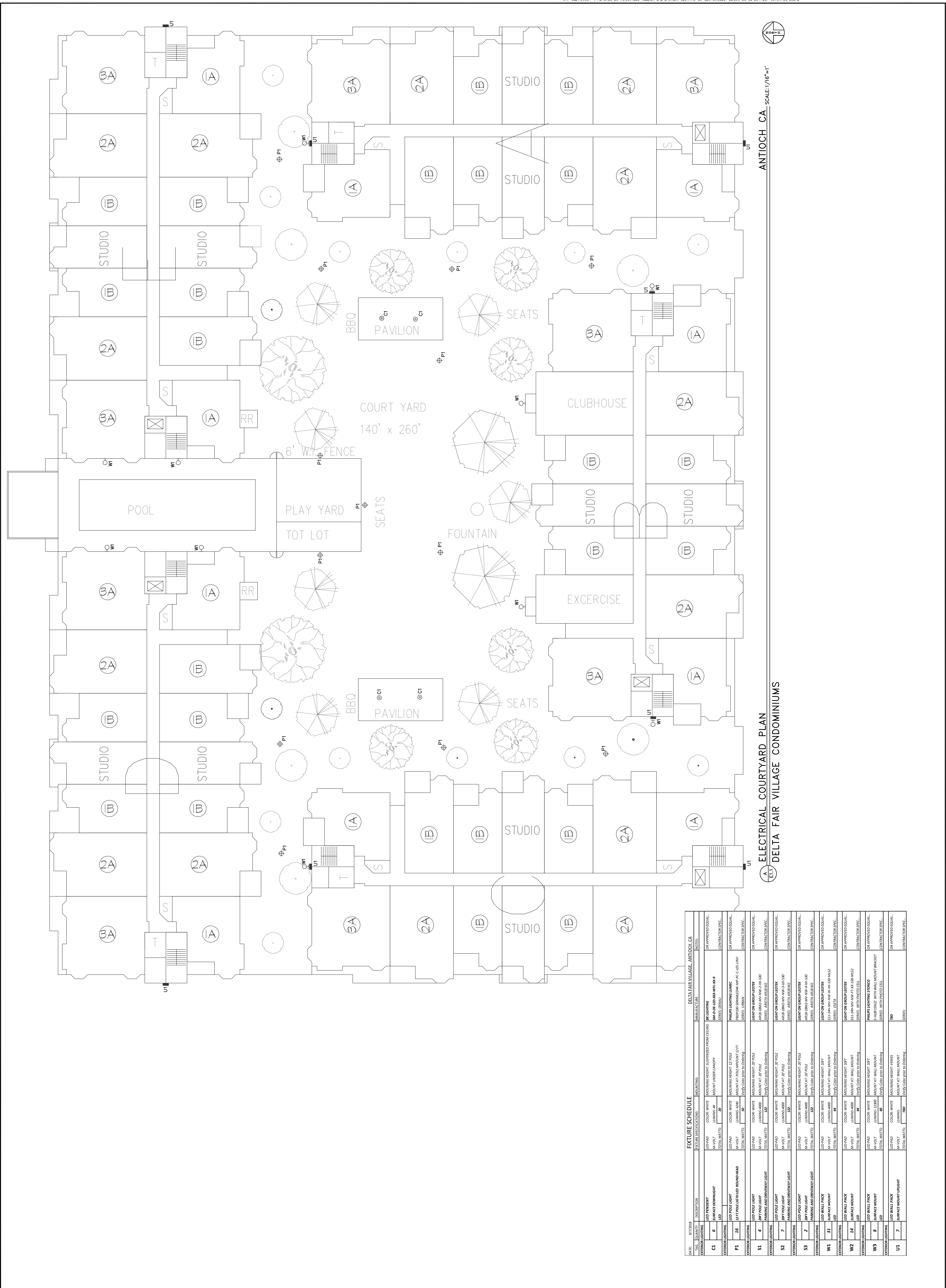
PENDLEY & ASSOCIATES, INC.
ARCHITECTURE • ENGINEERING • PLANNING
9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252
PHONE (209) 786-3700 FAX (209) 786-3729
E-MAIL: brian@pendleyinc.com
WEB: www.pendleyinc.com

ELECTRICAL
SITE LIGHTING
NEW CONDOMINIUMS AT
DELTA FAIR VILLAGE
3000 DELTA FAIR BLVD., ANTIOCH, CA

SCALE: SEE PLAN
DATE: 12-19-2019
JOB NO. 15091
SHEET
E1.1
OF
SHEET 13



ELECTRICAL SITE PLAN SCALE: 1"=40'
DELTA FAIR VILLAGE CONDOMINIUMS





FINISH	FINISH	STYLE	COLOR
1. CONC. TILE ROOF	1. FLAT STD. HT.	5-PLY	RUSTIC ADOBE BLEND
2. BUILT-UP ROOF	2. 6-5H	STD. EAVE	COOL CAP
3. PARAPET FLASH-CAP	3. STD. (TYP. INT.)	STD.	MATCH PARAPET TRIM
4. RAIN GUTTER	4. STD. (TYP. EXT.)	KNOCK DOWN	MATCH EAVE
5. DOWNSPOUT	5. KNOCK DOWN	FLASTER COATED	MATCH WALL
6. CMU WALL	6. CONCRETE	BAYFOAM	449
7. SPLIT-FACE CMU WALL	7. COUNTRY CASTLE	BROWN ANODIZED	86 SANDSTONE
8. EXTERIOR PLASTER	8. HOLLOW METAL	KNOCK DOWN	K1 M42 CARSO
9. ACCENT PLASTER	9. WITH DIVIDERS	WHITE NAIL-ON VINYL	K1 M43 WHITE
10. PARAPET & EAVE TRIM	10. WHITE NAIL-ON VINYL	MROUGHT IRON	K1 M43 WHITE
11. 12" PODIUM BAND	11. MROUGHT IRON	SECURITY GRILLE #676	CHABLIS
12. DOOR & WINDOW TRIMS	12. STL. MALL LOUVER	N/ TUSCAN BASE & CAP	LOWE GLASS
13. STONE VENEER	13. RUSKIN		MATCH WALLS
14. STOREFRONT	14. TED		MATCH WALLS
15. H.M. DOORS			CLEAR INSUL. GLASS
16. H.M. DOOR FRAMES			CLEAR INSUL. GLASS
17. FRENCH DOORS			BLACK
18. SLIDING GLASS DOORS			BLACK
19. MINDOM			DARK BRONZE
20. BALCONY RAILING			WHITE
21. SECURITY GRATE & FENCE			
22. GARGAE DOOR			
23. LOWERS			
24. DECORATIVE COLUMN			
25.			

SUBSTITUTION PENDING APPROVAL



1

7

13

8

9

EXTERIOR ELEVATIONS

NEW APARTMENTS AT
DELTA FAIR VILLAGE
 3000 DELTA FAIR BLVD., ANTIPOCH, CA

PENDLEY & ASSOCIATES, INC.

ARCHITECTURE • ENGINEERING • PLANNING
 9008 SIEGEL • VALLEY SPRINGS • CALIFORNIA • 95252
 PHONE (209) 786-3700 FAX (209) 786-3700
 E-MAIL: brian@pendleyinc.com WEB: www.pendleyinc.com

ATTACHMENT E
ARCHITECTURAL PEER REVIEW

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
Article 7: Multi-Family Residential Development Standards				
9-5.701	Purpose of Article	To promote high-quality design and provide a pleasant residential environment within the context of higher-density development; ensure the provision of amenities for residents of multi-family developments; foster pedestrian access; create visually attractive street frontages that offer architectural and landscape interest.		
9-5.702	Applicability	These standards apply to multi-family dwellings.		
9-5.703	Transition Reqs adjacent to Single Family Residential	Wherever a multi-family residential dwelling is located on a lot that directly abuts any lot developed with an existing single-family detached dwelling that is a conforming use or any lot zoned RR, RE, R-4 or R-6, the following standards shall apply to the multi-family development.		
		A) <i>Rear Setbacks</i> - Regardless of the Setback Table (9-5.601), 20 foot min setback is required	Project is 42 feet from rear property line	
		B) <i>Landscape Buffer</i>		
		1) A landscaped area at least 3 feet deep along any interior side property line	10' foot landscaped area is provided.	
		2) At least 50% of the rear setback shall be a landscaped area of at least 5 feet in depth. Within this landscaped area, trees shall be planted a maximum of 20 feet on center.	10' foot landscape area is provided with trees at approximately 30 feet on center	Provide trees at a maximum of 20 feet on center

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		C) <i>Required Daylight Plane</i> - No portion of the building volume shall encroach into a daylight plane at a point that is 25 feet above the property line abutting any adjacent lot with a single-family residential use or zone and sloping upward at a 45 degree angle toward the interior of the lot. See Figure 9-5.703(C).	Project complies	
9-5.704	Building Form	A) Building Entries		
		1) <i>Orientation</i> . All units located along public rights-of-way must have a principal entrance that fronts on and is oriented to face the right-of-way. Such entrance shall be clearly visible from the street and shall be connected via pedestrian walkways to the public sidewalk. Exceptions to this requirement may be approved for projects located on arterial streets that carry high traffic volumes and/or streets that do not allow on-street parking. In such cases, a project may be oriented around courtyards with principal entrances facing the courtyards.	Principal entries to units are from a courtyard on an elevated podium	
		2) <i>Entry Features</i> - Building entrances must have a roofed projection (e.g., porch) or recess. Such entry features shall have a minimum depth of five feet, measured perpendicular to the façade on which they are located. Entries that serve a single unit shall have a minimum area of 40 square feet while those that serve two or more units shall have a minimum area of 100 square feet.	Building entries on the podium level have recessed entries. Recessed entries to buildings serving multiple units are approximately 42 square feet each	Increase covered building entries areas to 100 square feet minimum

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		B) <i>Façade Articulation</i> - All street-facing facades must include at least one change in plane (projection or recess) at least four feet in depth, or two changes in plane at least two feet in depth, for every 25 linear feet of wall. Such features shall extend the full height of the respective façade of single-story buildings, at least half of the height of two-story buildings, and at least two-thirds of the height of buildings that are three or more stories in height.	Project complies	
		C) <i>Roof Forms</i> - no more than two side-by-side units may be covered by one unarticulated roof. Variation may be accomplished by changing the roof height, offsets, and direction of slope, and by including elements such as dormers.	Project complies	
		D) <i>Window design</i>		
		1) <i>Relief</i> . All windows shall either be recessed or surrounded by trim at least four inches in width and two inches in depth.	Window trim details are not provided. Min 20% window shade features are provided.	Indicate size of window trims
		2) <i>Shade features</i> . At least 20% of all windows on each building shall have exterior sun shades, such as roof overhangs (eaves), awnings, or louvered sunshades.	Project complies	
9-5.705	Site Design for Parking Circulation and Access			
	Multi-family dwelling projects shall comply with the regulations of Article 17, Required Parking, as well as the standards of Article 7			
		A) <i>Parking location and frontage</i>		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		1) <i>Maximum width.</i> The maximum width of parking area within the required front setback, including driveways, open parking, carports, and garages, but excluding underground parking and parking located behind buildings, may not exceed 25% of the linear street frontage.	All of the parking along the Buchanan Road frontage is behind a building (in a parking garage). The open parking for the apartments that fronts Delta Fair Blvd, which appears to be along both sides of a long east-west drive on the north side of the building, does not exceed 25% of the frontage, and it is not within the required front setback.	
		2) <i>Parking location:</i> Parking facilities shall be located according to one or more of the alternatives listed.	None of these requirements specifically addresses the parking garage proposed in this project. The intent of the requirements for screening of parking is met in that all of the parking is an enclosed structured screened from the street by a wall and landscape buffer.	
		a) covered and enclosed in a detached garage located to the rear of the building in relation to the public street;		
		b) covered and enclosed integrated into the residential building, in which garage doors are located on the side or rear of the building not facing a street;		
		c) covered and enclosed with garage doors facing or within 45 degrees of parallel with the street;		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		c.1) <i>Maximum width</i> . Garages shall not exceed 50% of the overall width of the building façade of which they are a part. For the purposes of this requirement, garage width is considered the internal width of that portion of a building facade that is backed by a garage space. This dimension is measured from midpoint to midpoint of any enclosing walls that are perpendicular to the garage door or entry	Garage exceeds 50% of the width of the building	Suggest exception be allowed for podium concept building.
		c.2) <i>Setback/recess</i> . Garages shall conform to one of the following setback standards:		
		c.2.a) Garages shall be located at least five feet behind the primary wall of the dwelling. For the purposes of this regulation, "primary wall" shall consist of any wall at least ten feet in width and one story in height. Garage doors shall be recessed at least six inches from the surrounding wall.		
		c.2.b) Garage space located below living space may be set back the same distance as the remainder of the building façade. Garage doors shall be recessed at least six inches from the surrounding wall.	Garage doors are recessed at least six inches from the surrounding wall.	
		c.2.c) Detailing. Trim of at least two-inch depth shall be provided surrounding garage doors.		
		d) open parking or carports located to the rear of buildings in relation to the street, set back at least 40 feet from any adjacent street, and landscaped per standards;		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		<p>e) open parking located to the side of buildings, set back at least 40 feet from any adjacent street or no closer to the street than the front facade of the residential building, whichever is greater. The setback area shall be landscaped according to the standards of § 9-5.1716, Parking Lot Landscaping; Design Standards. The setback area shall include a landscaped buffer at least five feet in depth (measured perpendicular to the interior lot line) adjacent to any other lot. Parking areas shall be screened from adjacent lots with a solid fence, wall, or dense hedge at least five feet in height. Parking area setbacks on corner lots may be modified by the Zoning Administrator when deemed necessary in order to provide adequate visibility for traffic safety.</p>	<p>Open parking on the north side of the building is set back 40 feet from the street and the frontage is landscaped.</p>	
		<p>B) <i>Driveways-number and width.</i> For lots 75 feet wide or less, a maximum of one driveway per lot is permitted. For lots greater than 75 feet in width, additional driveways are permitted but shall be spaced at least 75 feet apart. No driveway shall exceed 20 feet in width at any property line abutting a street or one-half of the width of the street frontage of the lot, whichever is less.</p>	<p>There are two driveways on Buchanan Rd. The driveways scale to be 20 feet each, and scale to be more than 75 feet apart.</p>	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		C) Pedestrian Access		
		<p>1) <i>Connection to public sidewalks.</i> Every multiple-family dwelling shall have a walkway connecting the main building entry to the public sidewalk in the right-of-way on each street frontage. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall have an unobstructed width of at least four feet, and shall be of concrete, decorative pavers, or other durable, all-weather surface.</p>	<p>There are walkways from the public right of way to the exterior doors leading to building stairways.</p>	
		<p>2) <i>Connection to parking areas.</i> Every multiple-family dwelling shall have a walkway between a building entry and the parking area for the units served by it. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall be at least four feet wide, and shall be of a durable, all-weather surface.</p>	<p>Multi-family units have stairs and elevators to the parking garage.</p>	
		<p>3) <i>Connection to open space, recreation facilities, and public parks .</i> Walkways shall be provided that connect building entries for the units served to any common usable open space or recreational facilities on site or to any public park facilities located on an adjacent lot.</p>	<p>Walkways are provided in the courtyard space of the podium level to open space and recreation facilities. Access is provided to the communal garden by walkways after existing the stairs from each building.</p>	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.706	Usable Open Space			
		<p><i>A) Area and Type of Open Space .</i> All multifamily developments shall provide the minimum open space area per table in 9-5.706. Per Table 9-5.706 Minimum total usable open space for R-35 zoning is 200 sf per unit. Minimum private open space per unit is 60 sf per unit.</p>	<p>Per the project narrative the courtyard on the podium contains approximately 52,000 square feet of common open space, and meets the requirement for common open space,.</p>	<p>Demonstrate how private open space requirements are achieved. Incorporate response to item 6.2.4.B.9 for mechanical equipment screening, because the equipment is located on the private balconies and must be screened which may affect that area of private open space.</p>
		<p>Every development that includes five or more residential units shall provide at least one common open space area that meets the standards of division (D) of this section below.</p>		
		<p><i>B) Usability.</i> A surface shall be provided that allows convenient use for residents' outdoor living and/or recreation activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The slope shall not exceed 10%. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Open space on a roof or deck shall include safety railings or other protective devices that meet but do not exceed the minimum height required by the Antioch Building Code.</p>	<p>Open space is provided on the podium courtyard and in the fenced yard on the west side of the site contains a variety of the required surfaces.</p>	
		<p><i>C) Design Standards Private Open Space</i></p>		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		1) <i>Accessibility</i> . Private usable open space shall be accessible to only one living unit by a doorway or doorways to a habitable room or hallway of the unit.	Private usable space is provided, but needs to be quantified per item A above.	
		(2) <i>Minimum dimension</i> . Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than ten feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.	Private patios on the podium level scale 10 feet minimum depth. Private balconies on upper floors scale 6 feet minimum in depth.	
		(3) <i>Openness</i> . There shall be no obstructions over ground-level space except for devices to enhance the usability of the space. Above ground-level space shall have at least one exterior side open and unobstructed for at least eight feet above floor level, except for incidental railings and balustrades. No more than 50% of the ground-level space may be covered by a private balcony projecting from a higher floor.	It appears that the podium level patios are covered by the private balconies above by more than 50%	Confirm or correct that the private patios at the podium level aren't covered by more than 50% by the balconies above.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		<p>(4) <i>Enclosure.</i> Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other areas on the same lot by a building wall, by dense landscaping not less than five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than five and one-half feet high, subject to the standards for required landscaping and screening in Chapter TBD. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if there is no building located opposite and within 50 feet of the screening.</p>	<p>Shrubs provide some screening for private patios from common areas on the podium level</p>	
	(D) Design Standards Common Open Space	<p>1) <i>Accessibility.</i> Common usable open space shall be accessible to all the dwelling units on the lot.</p>	<p>Common space is accessible</p>	
		<p>2) <i>Rooftops.</i> No more than 20% of the total area counted as common open space may be provided on a roof.</p>	<p>No common space is on the rooftops</p>	
		<p>3) <i>Facilities.</i> Common areas may consist of open landscaped areas and gardens, natural areas with trails, patios, swimming pools, picnic and barbeque areas, playgrounds, community gardens, or other such improvements as are appropriate to enhance the outdoor environment of the development. Required components are as follows:</p>		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		a) <i>Seating.</i> Common usable open space shall include seating.	Seating is provided	
		b) <i>Play areas.</i> Developments that include 15 or more units of at least one bedroom or more must include children's play areas and play structures. This requirement does not apply to senior housing developments.	Play areas are provided	
		4) <i>Openness and buildings.</i> There shall be no obstructions above the open space except for devices to enhance the usability of the space. Buildings and roofed structures with recreational functions (e.g., pool houses, recreation centers, gazebos) may occupy up to 20% of the area counted as common open space.	Two picnic pavilions are the only obstructions of common open space, and they do not exceed 20% of the common open space.	
		5) <i>Minimum dimensions.</i> Common usable open space located on the ground level shall have no horizontal dimension less than 20 feet. If such ground-level open space is located within ten feet of a building façade, the minimum dimension shall be no less than the height of the adjacent building. Common upper-story decks shall have no dimension less than ten feet. Roof decks shall have no horizontal dimension less than 15 feet.		If the space between building faces in the courtyard is being counted in the common usable space listed of about 52,000 square feet, demonstrate that none of this occurs between buildings where the width of the open space is less than the height of the adjacent building.
		6) <i>Visibility.</i> At least one side of the common open space shall border residential buildings with transparent windows and/or entryways.	Multiple sides of the open space border residential buildings with windows and/or entryways	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		7) <i>Pedestrian pathways.</i> Pedestrian walkways shall connect the common open space to a public right-of-way or building entrance.	The podium level open space is connected to the public right of way, from building stairways. The ground level common area (community garden) is connected to the public right of way by grade level walkways.	
		8) <i>Enclosure .</i> Common usable open space that is designed as a children's play area or is likely to be used by children shall be screened from abutting streets by dense landscaping up to five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall up to five and one-half feet high, subject to the standards for required landscaping and screening in Chapter TBD. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if the play area is not located on an arterial or collector street and if there is no building located opposite and within 50 feet of the screening.	The children's' play area is on the elevated podium and screened from the streets by its elevated position and by the surrounding buildings. It is also screened within the common area courtyard by trees and planting.	
9-5.707	Storage Space	Each unit shall be provided with a separate, enclosed, lockable storage space. Min 250 cubic feet in volume. No interior dimension less than 4'-0".		Indicate how 250 lockable cubic feet of storage per unit is achieved.
9-5.708	Landscaping			
	Also Refer to Article 10- Landscaping and Irrigation for additional requirements.			

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(A) Minimum landscaped area. A minimum of 25% of any building site shall be landscaped.		Demonstrate that 25% of the site is landscaped.
		(B) Landscaping of front yards. All portions of required front yards, except those areas occupied by pedestrian or vehicular access ways, shall be landscaped.	Frontages are landscaped.	
		(C) Materials. Landscaping shall include plant materials of varying height and may incorporate a combination of groundcovers, shrubs, vines, trees, and garden areas. Landscaping may also include incidental features such as stepping stones, benches, fountains, sculptures, decorative stones, or other ornamental features, placed within a landscaped setting	Landscaping materials include shrubs, grasses, groundcover and trees. Benches and seating are included in the landscaping at the podium level.	
		(1) Ground cover materials. Ground cover shall be of live plant material. Pervious non-plant materials such as permeable paving, gravel, colored rock, cinder, bark, and similar materials shall not cover more than 10% of the required landscape area. Mulch must be confined to areas underneath shrubs and trees and is not a substitute for ground cover plants.		Demonstrate that cobbled areas don't exceed 10% of the required landscaping.
	(2) Plant Spacing	(a) Ground covers. Ground cover plants other than grasses must be at least four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of at least one per 12 inches on center.	Plant sizes and spacing are not included, but drawings indicate preliminary design intent	Plant sizes and spacing will be required for building permit.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(b) Shrubs. Shrubs shall be a minimum size of one gallon.	Plant sizes are not included, but indicate preliminary design intent.	Plant sizes will be required for building permit.
		(c) Trees. Trees shall be a minimum of 15 gallons in size with a one-inch diameter at breast height (dbh). Specimen trees of 36-inch or greater box size are encouraged. At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front setback. Trees (center of trees) shall be located a minimum of six feet from water meters, gas meters and sewer laterals; eight feet from any driveway, fire hydrant, fire sprinkler, or standpipe connection; and 15 feet from any curb return at an intersection, utility pole, or street light.	Tree sizes are not indicated, but indicate preliminary design intent. Also not indicated are compliance with distance requirements of trees from water meters, gas meters, sewer laterals, driveways, fire hydrants, sprinkler standpipes, curbs at intersections, utility poles and street lights.	Tree sizes will be required for building permit. Compliance with distance requirements of trees from water meters, gas meters, sewer laterals, driveways, fire hydrants, sprinkler standpipes, curbs at intersections, utility poles and street lights will be required for building permit.
		(D) Tree protection. Newly planted trees shall be supported with double stakes or guy wires. Root barriers shall be required for any tree placed within ten feet of pavement. (See also § 9-5.1210, Regulations on Tree Locations, and § 9-5.1208, Definition of Restricted Trees.)		Indicate tree protection requirements.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.709	Procedures	The Planning Commission may allow modifications to the dimensional requirements, design standards, and other requirements of this article when so doing is consistent with the purposes of the General Plan and the district and would, because of practical difficulties, topography, and similar physical conditions, result in better design, environmental protection, and land use planning. The Zoning Administrator may review and approve modifications that are requested because a lot is substandard. All other modifications shall require Planning Commission approval. All modifications under this section shall be processed as use permits pursuant to the procedures of Article 27 of this Code.		Indicate if any modifications to the design standards are requested for the planning commission or zoning administrator's review.
Article 10: Landscaping and Irrigation (referenced from 9-5.708)				
Review of this Article is included because it is referenced in Article 7, item 708				
9-5.1001	General Requirements	General requirements for design, installation and maintenance, required prior to a certificate of occupancy		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1002	Required Landscape Plans	(A) Landscape plans should be prepared by a licensed landscape architect, or equally qualified professional. The Zoning Administrator, Planning Commission, and/or Design Review Board may require as a project specific condition that final landscape plans be prepared by a licensed landscape architect. All landscape plans shall be drawn to scale and be consistent with architectural and civil engineering site plans, and storm water control plan for the proposed site.	Landscape plans are prepared by a licensed landscape architect. Landscape plans are inconsistent with architectural plans.	Coordinate landscape plan area configurations with architectural drawings.
		(B) All applications for final development plan, use permit, and/or design review shall provide a preliminary landscape plan. This plan shall, as a minimum, illustrate the extent and nature of proposed plantings as well as a proposed plant palette.	The preliminary Landscape plans indicate the extent and nature of the proposed plantings and plant palette.	
		(C) Final landscape and irrigation plans shall be submitted concurrently with architectural, structural, and civil engineering and storm water control plans when a building permit is requested. No building permit shall be issued for any project governed by the requirements of this section, until final landscape and irrigation plans have been reviewed and approved by staff. This section also includes requirements for stormwater control plans and a maintenance plan.	These items will be required for building permit.	These items will be required for building permit.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1003	General Design Standards	Requirements for drought tolerance, size, spacing, coverage at maturity and other detailed requirements.		Detailed provisions of this section will be required for building permit.
9-5.1004	Specific Design Standards	Specific requirements for parking, grading, open space, creeks, drainageways, water conservation	These items will be required for building permit if applicable	These items will be required for building permit if applicable
9-5.1005	Provisions in Covenants, Conditions and Restrictions	Prior to the recording of the final map, or if none, prior to the issuance of building permits for any project specified in § 5-1.204, the applicant shall submit, subject to City Attorney approval, documents that include the provisions of § 5-1.204 in covenants, conditions and restrictions ("CC&R's) or deed restrictions for the subject property, such requirement to run with the land and be binding upon subsequent owners.	These items will be required for building permit if applicable	These items will be required for building permit if applicable
Article 17: Parking Requirements (referenced from 9-5.705)				
Review of this Article is included because it is referenced in Article 7, item 705				
9-5.1701	Purpose			
9-5.1702	Basic Requirements			
		A), B), C) not listed		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(D) Off-street parking and loading facilities required by this article for any use shall not be considered as providing parking spaces or loading berths for any other use except where a shared parking arrangement applies or a joint facility exists. Such a facility shall contain not less than the total number of spaces or berths as required individually, or fewer spaces may be permitted where adjoining uses on the same site have different hours of operation and the same parking spaces or loading berths can serve both without conflict, according to the procedures and required findings of 9-5.1704 Parking Reductions.	There is no clear delineation on the site plan regarding which parking spaces outside of the parking garage are assigned to the residential development.	Indicate which spaces outside of the garage are for the residential development, and indicate how residents access the building entry/entries from those spaces.
9-5.1703.1	Off Street Parking Requirements by Use	According to Table 9-51703.1: Multi-family residential: 1.5 spaces per unit up to 2 bedrooms. One space to be covered. 2 spaces per unit=3 bedrooms, one space to be covered plus 1 space per 5 units for guest parking	Per narrative, proposed parking of 328 spaces for residents plus 42 spaces for guests for the residential development complies.	
9-5.1704	Parking Reductions			
		(A) Purpose		
		(B) Qualifying Projects . Reduced parking requirements may be considered for the following types of projects:	No reduction for the residential development proposed.	
		Qualifying project types not listed here.		
9-5.1705	Off-Site Parking Facilities			
		No Off-site parking proposed		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1705.1	Tandem Parking			
		Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following requirements:		
		(A) No more than two vehicles shall be placed one behind the other.	Proposed tandem parking is two cars deep.	
		(B) Both spaces shall be assigned to a single dwelling unit or non-residential establishment.	Per the narrative, tandem parking will be assigned to three-bedroom unit types. This will be for 42 of the 52 required spaces for the three-bedroom units.	
		(C) Tandem parking to meet required parking for non-residential uses may be used for employee parking; the maximum number of tandem parking spaces shall not exceed 50% of the total number of spaces. When tandem parking is used to meet required parking for non-residential uses the applicant shall provide valet parking or establish a system to facilitate retrieval of parked vehicles.	Not applicable to residential use	
		(D) Tandem parking to meet required parking for multi-unit development shall be located within an enclosed structure; the maximum number of tandem parking spaces shall not exceed 50% of the total number of spaces.	Tandem parking is within an enclosed structure and is less than 50% of the total parking.	
		(E) Tandem parking shall not be used to meet the guest parking requirement.	Tandem parking is not proposed for guests.	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1706	Parking Spaces for the Handicapped	All parking facilities shall comply with the requirements of the Cal. Admin. Code Title 24, Part 2, Chapter 2-71, and with the sign requirements of Cal. Veh. Code § 22507.8. (for 501-1000 parking spaces: 2% of total)		
9-5.1707	Bicycle Parking	No requirement for residential development		
9-5.1708	Shopping Cart Storage	Not applicable for residential development		
9-5.1709	Parking Space Dimensions	Minimum perpendicular parking in a garage is 10ft. X 20ft.	Stalls in the garage are dimensioned as 20ft. deep, and width appears to scale at 10ft.	
		Minimum uncovered space size is 9ft x 20ft.	Uncovered spaces are dimensioned at 18ft. deep and 9 ft. wide	Confirm that 2ft. overhang to allow for 20ft. deep stalls still allows for adequate walkways.
9-5.1711	Application of Dimensions	(A) All required residential spaces and guest spaces shall be standard spaces.		
		(B) Each parking space adjoining and parallel to a wall, column, or other obstruction higher than one-half foot shall be increased by three feet on the obstructed door side. For spaces adjoining and perpendicular to such an obstruction, an increase of four feet is required.	It appears that additional adequate space is provided adjacent to walls, but it isn't dimensioned. There are many columns at which this obstruction space would be required, but it appears the columns have been carefully located to not encroach at door-opening locations.	In final permit review, demonstrate conformance.
9-5.1712	Parking Access From Street			
		(A) All spaces in a parking facility shall be accessible without re-entering a public right-of-way	Complies	
		(B) For locations where parking does not abut a public street	Not applicable	
		(C) Parking lot entrance and exit locations and widths are subject to the approval of the City Engineer.		Subject to City Engineer review

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1713	Driveway Widths and Clearances			
		(A) Driveways shall be paved with an approved surface and shall have the following minimum widths at the outside edge of curb, plus a minimum of one foot additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height.		Subject to City Engineer review
		(1) Serving a residential use: 2 or fewer spaces- 10 ft.; 3 to 6 spaces- 12 ft.; 7 or more spaces- 12 ft. 1-way, or 20 ft. 2-way	Driveway widths are not dimensioned.	Subject to City Engineer review
9-5.1714	Parking Area Screening			
		A parking area for five or more cars shall be screened from an adjoining residential property or a ground-floor residential use by a solid decorative concrete or masonry wall six feet in height, however the height of a wall adjoining a required residential front yard shall be three feet unless a higher wall is required for noise attenuation.	There is an existing 6 foot high CMU screening the adjacent residential development.	
		Parking areas shall be screened from adjacent streets with a solid decorative concrete or masonry wall, berming and/or landscaping having a minimum height of three feet above the adjacent grade of the parking area.		Confirm that landscape screening of the surface parking on the north side is a minimum of three feet above the grade of the parking area.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
9-5.1715	Lighting			
		Outdoor parking area lighting fixture heights shall be determined by their relationship to surrounding uses, and lighting shall not shine directly onto an adjacent street or property. Minimum illumination at ground level shall be two foot-candles but shall not exceed one-half foot-candles in a residential district.		Demonstrate compliance
9-5.1716	Parking Lot Landscaping; Design Standards			
		(A) Parking lots for non-residential uses shall have minimum interior perimeter planting areas of 10 feet width adjacent to a residential district and five feet adjacent to other districts.	No applicable to residential uses	
		(B) A parking lot in any district having parking adjoining a street shall have a frontage planting area reflecting the setback of the street.	Project complies	
		(C) All other landscaped areas shall be a minimum of five feet in width.	Project complies	
		(D) The end of each row of parking stalls shall be separated from driveways by a landscaped planter, sidewalk, or other means.	Project complies	
		(E) No more than 10 consecutive parking spaces should be allowed in any row of parking without a parking lot landscape island extending from a landscape strip.	Project complies	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(F) Where standard spaces are adjacent and perpendicular to landscaping, the required planting area shall be increased two feet in depth by decreasing the length of the parking stall by two feet. Where autos will overhang into both sides of an interior landscaped strip or well, the minimum curb-to-curb interior planter dimension shall be six feet. Compact spaces are not eligible for this provision.	Project complies with the landscaping requirement, but note other requirements for walkways and access.	
		(G) The design and location of parking lot landscape areas shall be consistent with the storm water control plan.	No storm water control plan has been provided.	Coordinate this item.
		(H) Parking lot landscape area shall be excavated to an adequate depth based on a soils analysis to ensure the health of the plant material, and to aid in achieving a mature parking lot tree canopy.	This information not provided in preliminary landscape plans.	These items will be required for building permit.
9-5.1717	Garage and Carport Design			
		(A) Residential garage design	Not applicable	
		(B) Carports design	Not applicable	
9-5.1718	Recreational Vehicle Access			
		Applicable to new subdivisions	Not applicable	
9-5.1719	Additional Design Standards			
		(A) Vehicle sales, renting leasing, storage, repairs, etc	Use restrictions	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(B) Surface water shall be controlled in conformance with the storm water control plan prior to being discharged to natural or engineered off-site drainage facilities and may not drain off or across public or private sidewalks, pedestrian walkways, or areas not designed as drainage facilities.	No storm water control plan has been provided.	These items will be required for building permit.
		(C) Markings	Markings requirements not reviewed.	These items will be required for building permit. Subject to City Engineer review
		(1) Each standard parking space shall be marked with four inch wide double stripes 18 inches on center, as shown in subdivision (6) of this division.		
		(2) Each parking space and parking facility shall be identified by surface markings and shall be maintained in a manner so as to be readily visible and accessible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles. Markings required to be maintained in a highly visible condition include striping, directional arrows, lettering on sign and in handicapped-designated areas, and field color.		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CODE OF ORDINANCES, TITLE 9: PLANNING AND ZONING, CHAPTER 5

Ref.	Item	Description	Comment	Recommendation
		(3) One-way and two-way accesses into required parking facilities shall be identified by directional arrows. Any two-way access located at any angle other than 90° to a street shall be marked with a traffic separation stripe the length of the access, however this requirement does not extend to the parking aisles		
		(4) Compact spaces shall be clearly identified by the word "compact" painted on the paved surface of the space in white block letters.		
		(5) Where the exit may not be clearly recognizable, directional signage must be provided.		
		(6) Concrete wheel stops shall be provided where parking spaces are perpendicular to a walkway, so that vehicles do not overhang such a walkway.		
		(D) All weather surfacing is required for all off-street parking, loading, storage, sales, rental or service areas for vehicles (e.g. service stations, used car lots). Parking areas open to public use must be paved, but may have alternate all-weather surfacing as permitted by the City Engineer.		
9-5.1720	Location and Design of Loading Spaces			
		Not applicable for residential development		

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
6.2.1	Introduction	Foster quality development; provide pleasant residential environment within the context of higher density	Design foster quality, pleasant residential environment within context of higher density.	
		Contribute to the sense of community by relating in scale and form to adjacent properties	Scale of project is taller than adjacent properties; The design does attempt to acknowledge this by stepping down the height of the buildings.	
		Street frontages that create architectural and landscape interest for pedestrians and neighbors	The project features landscaping at street frontages.	
		Includes attached dwelling units, townhouses and apartment complexes	The project is a multi-story apartment building	
6.2.2	Design Objectives	A. Distinctive design that supports high quality development	Design is distinctive	
		B. Attractive, functional and convenient site arrangements	Design is attractive and functional	
			Left turn exiting and entering access is limited by existing street medians	Show existing left turn land on Delta Fair Blvd., and how it aligns relative to proposed driveway entry.
		C. Landscape materials and design that enhance the appearance and contribute to overall quality	A fence is proposed abutting the sidewalk along the Delta Fair Blvd. frontage, and the landscaping is behind the fence line.	Set the fence back from the sidewalk to allow for a landscaped frontage abutting the sidewalk.
			A small setback of the fence at the corner provides space for planting on the corner of the site.	Consider reducing the height of the fence at the corner of the intersection, or setting it back further from the back of sidewalk.
			A landscaped frontage with street trees is proposed along the Buchanan Rd. frontage	
			Project features landscape at podium courtyard	
		D. Provide amenities appropriate to different age groups of multi-family developments	Pool, fitness center, clubhouse, outdoor seating areas, bbqs, and tot lot are provided.	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		E. Use crime prevention techniques such as-- avoid long dead end drive aisles, off street parking interior to the site and designed to minimize visual disruption over overall project, pathway lighting as a safety feature, light all pathways and open areas including those from the parking lot to the building entrance, no parking between a building and public street	The resident parking is in a secured garaged. There is exterior lighting around the perimeter of the building. Building and garage entry is by card readers. Visitors may call residents via a phone access system at entry points.	
6.2.3	Site Planning			
	A. Building Siting and Massing	1. Views of San Joaquin River and Mount Diablo, mature trees, and amenities unique to the site shall be preserved and incorporated.	Building height may provide views of Mount Diablo and the San Joaquin River from the upper residences	
		2. Clustering of multi-family units shall be a consistent site planning element. Large projects shall be broken into groups of structures.	The ground floor parking garage is one larger structure. On the podium above the garage, the project is broken down into 5 buildings	
		3. Buildings shall be generally oriented to the street with varying setbacks to provide visual interest and shadow	The building is oriented to the street. The ground floor parking garage doesn't have variations in setback, but has some 4ft. Deep "pop-outs" with material changes, and roof element at the garage entry. The buildings above the podium have variations in setback.	Provide architectural fenestration and canopies at pedestrian and stairway doors at garage level.
		4. Developments relate directly to adjacent street and present and attractive and interesting façade to passerbys.	Façades relate to the street. The street-level façade at pedestrian level has minimal interest.	Provide architectural fenestration and canopies at pedestrian and stairway doors at garage level.
		5. Buildings oriented to promote privacy	Recessed balconies provide some privacy from adjacent units. Interior courtyard creates a communal space that is private from the street	
		5. Buildings shall respect existing development in immediate area	Existing development in the area is primarily commercial and multifamily residential	
	B. Circulation	1. Principally vehicular access through entry drive.	Vehicular Access through entry drive is provided	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		2. Site entrance visible from street and well lit.	Site entrance is visible from the street. at the Delta Fair Blvd driveway entry there is a monument sign and a pole light approximately 54 ft. back from the street curb. At the Buchanan Road entrance there is one pole light approximately 37ft. back from the curb.	Provide photometrics to demonstrate that the site entrances are effectively lit.
		3. Main site entry design shall incorporate patterned or colored concrete	Main entry has patterned concrete	
		4. Special accent features shall be used at entries such as monument, public art, ornamental features, decoration, special textured paving, flowering accents, walls, shrubs, and the use of specimen trees shall be used to generate visual interest at entries.	Monument sign with accent planting and special paving is provided at the Delta Fair Blvd. entry. Architectural and landscape plans do not match or adequately show features	
		5. Entry drives shall have sidewalks on both sides	Entry drives do not have sidewalks on both sides	Provide drives on both sides of drives
		6. All entry drive locations shall be coordinated with existing or planned medians		Show existing left turn land on Delta Fair Blvd., and how it aligns relative to proposed driveway entry.
		7. Where possible, incorporate pedestrian connections to adjacent properties	Existing crosswalks and sidewalks provide pedestrian connections to adjacent properties	
		8. Cross circulation between vehicles and pedestrians shall be minimized. A continuous, clearly marked walkway from parking to entrances of all buildings shall be provided.	No walkway is provided from adjacent out-of-garage parking stalls to the main office. Access is through the parking lot which doubles as the main entryway for the site.	Provide pedestrian route from parking on the north side, to the main entry/office. Clarify if the main visitor entry point is the office. Provide a pedestrian route from the office and/or main visitor entry point to stairs and an elevator without crossing a driveway or walking through the drive aisles of the garage.
		9. Walkways shall be located to minimize the impact of pedestrians on privacy of nearby residents or private open space. Avoid walkways next to buildings.	No walkways are located next to residential buildings	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
	C. Parking	1. Parking areas shall be divided into a series of connected smaller parking courts.	Parking for the apartments is concentrated in the garage.	
		2. Parking shall be in development's interior, not along street frontage, carports and tuck under parking shall not be visible from the public street.	New residential parking garage is screened from the public street.	
		3. Adverse visual impacts of parking areas and garages shall be minimized.	New landscaped areas are provided on 3/4 sides of new Residential Parking Garage and at parking areas along Delta Fair Blvd.	
		4. Carports and garages shall be an integral part of the architecture of the project, with similar in color, material and detail. Prefabricated metal carports are prohibited.	New residential parking garage is under units and utilizes the same materials palette as the building.	
		5. Parking courts shall be treated as an important public space whose character is clearly and coherently delineated by landscaping, lighting, building massing and pedestrian/vehicular circulation	Parking is in a garage.	
		6. Garage doors shall not be flush with exterior walls.	Parking garage doors or gates appear to be in 4ft deep recesses	
6.2.4	Architecture			
	A. Character Defining Elements	1. Regional styles encourages: craftsman, Spanish colonial revival, mission revival, Victorian. Primary focus: high quality residential environment. The primary focus shall be on construction a high-quality residential environment.	Suggested regional architectural styles are provided, although they are an eclectic mix	
		2. Elements such as bays, bay windows, recessed or projecting balconies verandas, porches etc. encouraged	Suggested architectural elements are provided	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
	B. Building Height, Scale and Articulation	1. The maximum number of attached units per building shall be 8	328 units are proposed in one podium style building. On the podium, there are 210 units in 5 buildings.	The project exceeds the maximum allowed unit per building as described in the Residential Design Guidelines
		Buildings with 3, 4, 5, and 6 units per structure shall be mixed throughout the project.		The project exceeds the maximum allowed unit per building as described in the Residential Design Guidelines
		2. Building heights shall be varied to give the appearance of a collection of smaller structures.	Building heights are varied in the buildings on the podium	
		3. In some cases, upper stories shall be stepped back to reduce the scale of the facades that face the street, common space and adjacent residential structures.	Upper floors are stepped back	
		4. Buildings with 3 or more attached dwellings in a row shall do one of the following:		
		a. Each dwelling unit shall have at least one architectural projection not less than 2 feet from the wall plane and not less than 8' wide	The building complies with this provision	
		b. projections shall extend the full height of single story buildings at least 1/2 the height of 2 story buildings and 2/3 the height of 3 story buildings	Projections extend the full height	
		c. a change in wall plane of at least 3 feet for at least 12 feet for each two units.	The design complies	
		5. The perceived height and bulk of multi-story buildings shall be reduced by dividing mass into smaller components and adding details such as projecting eaves, dormers, and balconies. The use of awnings, moldings, pilasters and comparable architectural embellishments are encouraged.	Eaves, dormers, awnings, and balconies are included	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		6. All building elevations shall be considered in the evaluation. Side or rear views shall not be minimized because they face away from the public right of way.	All elevations provided	
		7. Arcades and overhangs shall be used to provide scale to the interface between façade and sidewalk.	none provided	Provide arcades or overhangs at the interface between the façade and the sidewalk
		8. Enclosed stairwells shall use residential type windows. Elevator shafts shall use architectural treatments.	Windows are provided at stairwells. Stairwells and elevators create an architectural element of the end of each building, above the podium level	
		9. Mechanical equipment shall be suitably screened or placed in locations not viewed from residences, common areas or street.	Per plans on sheet A8 AC units appear to be on the balconies of the units and not screened from the users. From the street they'll be visible through the open railings.	Provide screening for mechanical units from the residences and the street.
	C. Entryways	1. Courtyard doors or gates shall be attractively designed as an architectural feature.	There is one common courtyard on the elevated deck.	
		2. Strongly delineate the separation between public and private space with paving, building materials, grade separations, or physical barriers	Public and private space is strongly delineated because the residential building is on plinth. Other ground floor residential areas are behind fencing and gates.	
		3. Each dwelling unit entry shall be emphasized with porches, stoops, roof canopies and detailing. Opportunities for residents to personalize their entry shall be provided with space or ledges.	Units are accessed from an interior double loaded corridor. The corridors are continuous and uninterrupted with doors flush to the corridor.	Consider providing alcoves or areas for personalization at unit entries within the corridor system.
	D. Stairways	1. Not more than (4) second floor dwelling units shall be served by a single flight of exterior stairs.	There are no exterior stairs in the residential building	
		2. Stairways shall be constructed of durable material.	This requirement isn't applicable to the exterior architectural features of the interior stairwells proposed.	
	E. Building Materials	1. Structures shall be unified by a consistent use of building materials, textures and colors	Structures are unified by consistent use of materials	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		2. Materials shall be durable, low maintenance, relate quality and permanence. Frequent material changes shall be avoided.	Proposed materials are durable and low maintenance including concrete tile roofs, cement plaster, split-face CMU, stone veneer	
		3. Inappropriate exterior materials include:	Narrative says balconies will have "solar privacy screens"	Provide information describing the materials, location, and configuration of the solar privacy screens.
		a. plastics and plastic laminates	none	
		b. asphalt shingles	none	
		c. corrugated fiberglass, metal or plastic.	none	
		d. rock veneers or poor imitation rock	project uses Coronado Stone Veneer, Country Castle, Chablis Stone	Provide sample and/or product information for stone veneer
		e. plywood or similar	none	
		f. highly reflective materials	none	
		g. unfinished concrete	none	
		h. unfinished metal, aluminum or sim	none	
	F. Roofs	1. Rooflines shall be segmented and varied. Varying heights are encouraged.	Rooflines are varied on the residential and commercial buildings	
		2. Combos of 1, 1 1/2, and 2 story units are encouraged	A combination of 3 and 4 story units are provided	
		3. Vertical elements such as towers may be used to accent and add interest.	Raised elements with pitched roofs are provided on the building	
		4. Full hipped or gabled roofs covering building are preferred over mansard roofs and segments of pitched roofs applied at the building's edge.	Roofs are fully hipped or gabled with no mansards. Selected areas of flat roofs provided interest and variation.	
		5. Roofs shall reflect a residential appearance.	Roofs reflect a residential appearance	
		6. Roof pitch for a porch may be slightly lower than that of the main buildings	There are no porches	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		7. Carport roofs visible from buildings or streets shall incorporate roof slope and materials to match adjacent buildings. Flat carport roofs are prohibited.	There are no carports	
	G. Colors	1. The predominant color of the building and structures shall be muted and non-garish.	muted colors have been chosen	
		2. Color shall be used as an important accent and more than one predominant paint color is encouraged.	more than one predominant paint color has been chosen and there is an accent plaster color	
		3. Bright or intense colors should be used sparingly.	none used	
		4. Materials such as brick and stone shall be left in their natural colors.	stone is in natural color	
6.2.6	Landscaping			
	A. Introduction	Landscape can be used to define and accent specific areas and provide transitions between neighboring properties and screen storage areas. Landscaping shall be a unifying element	Landscaping is used to transition between public and private spaces	Landscaping is appropriately used, except per comments in item 6.2.2.C
		1. plantings shall use a 3 tier system: grasses and groundcover, shrubs and vines and trees	Trees, shrubs, and groundcovers are used	
		2. new shall complement existing	All proposed landscaping is new	
		3. encouraged planting concepts include:		
		a. specimen trees 48" box or more in informal groupings or rows	"large" and "medium" trees are noted on landscape plans	Please provide estimated tree sizes
		b. planting to create shadow at walls	yes	
		c. planting to soften building lines	yes	
		d. flowering vines on walls, arbors, or trellis	yes	
		e. trees for canopy shade especially in parking and open space	yes	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		f. Berms, plantings, walls to screen parking, trash and storage	yes	
		4. Landscaping at building perimeter is encouraged.	yes	
		5. Landscape shall be protected by curbs and raised planting from vehicle and pedestrian traffic. Provide concrete steps in planters adjacent to parking spaces.	yes	
		6. Vines and climbing plants on trellises and walls encouraged.	none	
		7. Gravel, bark and astroturf is not allowed as a substitute for planting materials.	not included	
		8. Emphasize use of water efficient planting.	included in site concept narrative	
	B. Landscaping at Site Entries and Entry Statements	The area between the public street and the project's internal circulation zone is considered the vehicular entry zone.		
		1. This zone shall be treated with special landscape elements giving identity to the project: paving, flowers, specimen trees, graphic signage, lighting	accent planting and a monument sign are provided at entry	
		2. Textured paving, stamped concrete or rough textured concrete may be used.	Accent paving provided at entry	
	C. Landscaped Area Spacing and Size	1. Plantings shall not interfere with lighting or emergency apparatus. Large trees shall not be planted under overhead lines. Trees and large shrubs shall be placed as follows:		Provide information to demonstrate that plantings will not interfere with lighting, emergency apparatus, or overhead lines
		a. Min 8 ft. between center of tree and edge of driveway, min 6 ft. from a water meter, gas meter and sewer laterals.	Minimums met at driveways, see note above for conflicts with utilities.	Provide information to demonstrate clearances to meters and sewer laterals

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		b. Min 25 ft. between center of trees and beginning of curb returns at intersections.	New trees at the landscaped area at the intersection of Buchanan Rd and Delta Fair Blvd appear to be 20-24' from curb returns	Scaling drawings, it appears that there will be 25 ft. between trees and the beginning of curb returns at intersections. Confirm.
		c. Min 15 feet between the center of trees and large shrubs to utility poles and street lights.		Provide information to demonstrate clearances
		d. Min 8 feet between center of trees and fire hydrants, fire dept. sprinkler and standpipes.		Provide information to demonstrate clearances
	D. Plant Maintenance and Irrigation	1. All young trees shall be staked. Provide root barriers for trees planted within 10 ft. of pavement.	no landscaping details have been provided with this submittal	Provide details for staking and root barriers
		2. Automatic sprinklers controllers, backflow preventers and anti siphon valves shall be used.	no landscaping details have been provided with this submittal	Provide details for irrigation systems
		3. Sprinklers heads and risers shall be protected from car bumpers. Pop up heads shall be used. Overspray and run off shall be prevented.	no landscaping details have been provided with this submittal	Provide details for irrigation systems
		4. All irrigation shall be designed to reduce vandalism	no landscaping details have been provided with this submittal	Provide details for irrigation systems
6.2.6	Lighting	A. Street lighting shall be installed inside the project on both sides of the street using min 70 watt HPSV	Street lighting is provided on both side of the streets on the west end of the north lot and on both sides of the street on the east side, in the form of pole lights on one side of the street and of building-mounted lights on the other side of the street. On the east end of the north lot, only building-mounted lighting is provided.	Provide street lighting on the north side of the east end of the north lot.
		B. All lighting in parking areas shall be arranged to provide safety and security, but prevent glare into units.	Lighting levels are not provided. Fixture direction is also not provided. Unclear if lighting in parking lot on north side of residential building would cause glare into the building	Provided detail and section to verify conformance with this provision. Submit photometric plan for whole site.

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		C. Pedestrian scaled lighting shall be located on pedestrian routes of travel within the property.	12 ft pole lights are provided along with wall pack lights mounted on the buildings at 10' high	If additional pedestrian walkways are added per 6.2.3.B.8, provide lighting for those walkways
6.2.7	Walls and Fences			
		A. wall and fence material shall be consistent with the overall design. Color shall be compatible.		
		B. Visually penetrable materials shall be used in areas of high activity such as pools and playgrounds and areas adjacent to street frontage.	A black wrought iron fence is provided at the street frontage, the pool on the podium has an fence per the elevation drawing, and the playground appears to be unfenced	
		C. Design and materials shall consider maintenance, graffiti removal, water damage. Decorative capstones on stucco walls are required.	Existing perimeter wall at east end of multifamily building at property line incorporates vines and plantings. No other perimeter walls are used.	
		D. Perimeter walls shall incorporate textures, setbacks, variations in height in conjunction with landscaping. Chain link not permitted.	Perimeter wall to adjacent property is existing	
		E. Screen walls, sound walls, and retaining walls height shall be determined by site features and proximity to noise generators and privacy issues	Retaining walls and steps/stairs along Buchanan Rd are shown on the landscape plan but not shown on elevations	Indicate materials for retaining walls and steps/stairs
		F. Walls adjacent to homes shall be consistent with the building design.	Retaining wall material is not clear from the drawings	Provide details/materials for retaining walls and steps/stairs
		G. Long continuous perimeter walls are discouraged. Max unbroken length shall be 100 ft.	None	
		H. Design shall complement the buildings. Fencing where screening is not required shall be of decorative iron or similar.	Fencing along the Delta Fair Blvd frontage and at the intersection is not required, but is proposed.	Consider decorative intermediate columns to match the building materials, offsets, setbacks or other features. See also comment for item 6.2.2.C
6.2.8	Multi Family Storage			

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		A. Adequate private storage shall be provided for all multi-family units		
		B. Min 250 Cu Ft of lockable enclosed storage spaces shall be located in a garage, carport, storage building or an enclosed storage space accessed from the rear of the unit, Exterior closets on balconies may also be used if not visible from the public right of way.	The narrative describes that 250sf of storage space is provided for each unit, some in enlarged balconies, in corridors adjacent to stairs, and in the garage.	Provide information indicating how the quantities of required lockable storage space are provided.
		C. Multi family storage must be in addition to designated utility area.		
6.2.9	Trash and Storage Facilities	Locate in nonconspicuous areas, well screened with landscaping and fortified to protect adjacent areas from noise and odors.	Trash chutes drop into bins in five separate trash rooms in the garage. Rooms appear to have full height walls and be fully screened and enclosed.	
		A. accessible for trash collection, but not block circulation. Located inside parking courts or at the end of parking bays.	Trash rooms have exterior metal doors, some directly to the exterior, and some through an access corridor.	Explain how trash will be removed from the trash rooms through corridors, through exterior doors, and along walkways
		B. screening elements shall be constructed of the same materials and finishes as the primary building. Gates shall be solid metal painted to match adjacent building design	Trash rooms are screened, as they are in the parking garage	
		C. Adequately screened on 3 sides with landscaping	Trash rooms are screened, as they are in the parking garage	
		D. All trash enclosures shall be covered.	Trash rooms are within the parking garage	
		E. Sized to accommodate both trash and recycling	Each of the five trash rooms graphically appears to have room for three bins, which could be intended for trash and recycling	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		F. Pad designed to drain to a pervious surface through indirect soil infiltration in accordance with Contra Costa Clean Water Program C.3 Guidebook	Wash-down, drainage and ventilation is not indicated	
6.2.10	Community Facilities and Open Space	A. Residents shall have access to community facilities and open space.	Residents have access to a podium courtyard, playscape, raised planters for community garden, and outdoor seating areas	
		B. All support buildings shall be compatible with architectural design	The project is contained in one podium building.	
		C. Open space shall be sheltered from noise and traffic.	The elevated podium courtyard is sheltered from noise and traffic. The grade-level community garden is screened from the street with an evergreen hedge along a fence.	
		D. Buildings shall be oriented to create courtyards and open space areas. Plazas, water features, community gardens shall be included whenever possible.	Included with the design	
		E. Spaces shall be conveniently located for the majority of units.	The majority of units can reach or have visual access to spaces	
		F. Open spaces will take advantage of prevailing breezes and direction of the sun	No wind or sun diagrams have been provided.	Provide information to illustrate compliance with this requirement.
		G. Open spaces shall be contiguous to the units they serve and be screened from the public.	Open spaces are contiguous and screened	
		H. Children's play areas shall be visible from as many units as possible.	Children's space is visible from many units	
		I. In large developments, separate play areas shall be provided for different age groups for safety reasons.	Separate play areas are provided	

DELTA FAIR VILLAGE APARTMENTS

Review date 7/2/2019

CITY OF ANTIOCH CITYWIDE DESIGN GUIDELINES

Ref	Item	Description	Comment	Recommendation
CHAPTER 6.2 Multi-Family Residential Design Guideline				
		J. Seating areas shall be provided in areas where adults can supervise children's play and where school aged children can sit. Consider comfort- sun, shade, wind.	Seating surrounds playspace nicely	
		K. Mailboxes shall be located in highly visible heavy use areas for convenience, social interaction and to promote safety	Mail is distributed in the parking garage at the elevator to each building.	This may not be a highly visible or social area. Consider alternate locations.
		L. A trash and recycling receptacle shall be located adjacent to the mailboxes.	Not indicated	Provide trash and recycling receptacles at mailboxes.

ATTACHMENT F
COMMENTS AND RESPONSES ON THE IS/MND

ADAMS BROADWELL JOSEPH & CARDOZO

SACRAMENTO OFFICE

DANIEL L. CARDOZO
CHRISTINA M. CARO
THOMAS A. ENSLOW
ANDREW J. GRAF
TANYA A. GULESSERIAN
KENDRA D. HARTMANN*
KYLE C. JONES
RACHAEL E. KOSS
NIRIT LOTAN
AARON M. MESSING
WILLIAM C. MUMBY

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

MARC D. JOSEPH
Of Counsel

June 1, 2020

*Admitted in Colorado

Via E-Mail and U.S. Mail

Alexis Morris
Planning Manager
City of Antioch
Community Development Department
PO Box 5007
Antioch, CA 94531
Email: amorris@ci.antioch.ca.us

Re: Delta Fair Village Mixed-Use Project IS/MEND Comments

Dear Ms. Morris:

We are writing on behalf of Antioch Residents for Responsible Development to provide comments on the May 2020 Initial Study/Mitigated Negative Declaration ("IS/MND") prepared for the Delta Fair Village Mixed-Use Project proposed by Chiu Family LLC. The Project involves the demolition of 73,546 square feet of the 147,081 square feet Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking garage. Additionally, a new 4,174-square feet retail building would be constructed on the western portion of the site. The new development would total 411,511 square feet. The Project is located at 3000 Delta Fair Boulevard in the City of Antioch, northeast of the intersection of Buchanan Road and Delta Fair Boulevard.

According to the IS/MND, the Project will require the following approvals from the City of Antioch ("City"): (1) MND Certification pursuant to the California Environmental Quality Act ("CEQA"); (2) a General Plan Amendment to redesignate the site from Regional Commercial to Mixed Use (3) Rezone of the site from C-3 to Planned Development (P-D); and (4) Use Permit and Design Review for

4842-004acp

the development of a new retail building and a multifamily residential development at a density of 35 du/ac within a P-D zoning district.

As explained in these comments, the IS/MND does not comply with the requirements of CEQA in several respects:

First, the IS/MND fails to properly analyze and mitigate impacts from air quality and their associated health risks. Specifically, the City failed to properly analyze construction and operational air emissions by underestimating and failing to support their emission projections. As a result, the City failed to disclose, analyze and mitigate a potentially significant health risk that is evident when the IS/MND's errors are corrected.

Second, the MND fails to properly disclose, analyze, and mitigate Greenhouse Gas ("GHG") emissions. The MND's analysis uses an inapplicable threshold of significance in violation of CEQA and relies on several erroneous and unsupported assumptions which underestimate the Project's actual GHG impacts and ultimately result in a potentially significant impact.

Third, the MND fails to properly disclose, analyze, and mitigate potential hazardous impacts from the Project. The City failed to prepare a Phase I Environmental Site Assessment to provide a proper basis for determining impacts from Hazards and Hazardous Materials.

For each of these reasons, the City may not rely upon an IS/MND to satisfy its CEQA analysis, instead the City must prepare an Environmental Impact Report to disclose and analyze these potentially significant impact and circulate that environmental document for public review and comment.

These comments were prepared with the assistance of air quality, GHG, and hazardous materials experts from Soil Water Air Protection Enterprise ("SWAPE") Matt Hagemann, P.G, C.Hg. and Paul E. Rosenfeld, PhD.¹ SWAPE's comments and curriculum vitae are attached hereto as Exhibit A and are fully incorporated herein and submitted to the City herewith. Therefore, the City must separately respond to the technical comments from SWAPE, in addition to our comments.

¹ **Exhibit A:** A letter from Matt Hagemann, P.G, C.Hg. and Paul E. Rosenfeld, PhD to Aaron Messing Re: Comments on the Delta Fair Village Project (SCH 2020050040), June 1, 2020 ("**SWAPE comments**").

I. Statement of Interest

Antioch Residents for Responsible Development is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential environmental impacts of the Project. The association includes Antioch residents Nathan Deleon, Sunshine Kinder, and Anthony Lundberg-Palacios and the International Brotherhood of Electrical Workers Local 302, Plumbers & Steamfitters Local 159, Sheet Metal Workers Local 104, Sprinkler Fitters Local 483 and their members and those members' families and other individuals that live, recreate, work and raise their families in the City of Antioch (collectively "Antioch Residents").

Antioch Residents supports the development of mixed-use projects where properly analyzed and carefully planned to minimize impacts on public health and the environment. Mixed-use projects should avoid impacts to air quality, public health, water resources and traffic, and should take all feasible steps to ensure unavoidable impacts are mitigated to the maximum extent feasible. Only by maintaining the highest standards can mixed-use development truly be sustainable.

Individual members of Antioch Residents and the members of the affiliated labor organizations live, work, recreate and raise their families in the City of Antioch. These members would be directly affected by the Project's environmental and health and safety impacts. Members of Antioch Residents may also work on the Project itself. Accordingly, these individuals will be first in line to be exposed to any health and safety hazards created by the Project. They each have a personal interest in protecting the Project area from unnecessary, adverse environmental and public health impacts.

The organizational members of Antioch Residents and their members also have an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for businesses to expand in the region, and by making it less desirable for businesses to locate and people to live there. Continued degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduces future employment opportunities.

Finally, the organizational members of Antioch Residents are concerned with projects that can result in serious environmental harm without providing

countervailing economic benefits. CEQA provides a balancing process whereby economic benefits are weighed against significant impacts to the environment.² It is in this spirit we offer these comments.

II. The IS/MND Lacks Substantial Evidence to Support Its Conclusions on Significant Impacts and Substantial Evidence Supports a Fair Argument that Project Operation and Construction May Result in Potentially Significant Air Quality, Greenhouse Gas, and Hazardous Material Impacts that the IS/MND Fails to Disclose and Mitigate

CEQA is intended to provide the fullest possible protection to the environment. CEQA requires that a lead agency prepare and certify an EIR for any discretionary project that may have a significant adverse effect on the environment and requires analysis of the “whole of an action,” including the “direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.”³

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project.⁴ “Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR “protects not only the environment but also informed self-government.”⁵ The EIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.”⁶

Second, CEQA requires public agencies to avoid or reduce environmental damage when “feasible” by requiring “environmentally superior” alternatives and all feasible mitigation measures.⁷ The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and

² Pub. Resources Code § 21081(a)(3); *Citizens for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 171.

³ Pub. Res. Code §§ 21002.1(a), 21100(a), 21065, 21151(a); 14 C.C.R. §§ 15064(a)(1), (f)(1), 15367, 15378(a).

⁴ 14 CCR § 15002(a)(1).

⁵ *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564.

⁶ *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal. App. 4th 1344, 1354 (“*Berkeley Jets*”); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

⁷ 14 CCR§ 15002(a)(2) and (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at 564.

4842-004acp

to “identify ways that environmental damage can be avoided or significantly reduced.”⁸ If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has “eliminated or substantially lessened all significant effects on the environment where feasible” and that any unavoidable significant effects on the environment are “acceptable due to overriding concerns.”⁹

“At the heart of CEQA is the requirement that public agencies prepare an EIR for any project that may have a significant effect on the environment.”¹⁰ A negative declaration is improper, and an EIR must be prepared, whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact.¹¹ “[S]ignificant effect on the environment” is defined as “a substantial, or potentially substantial, adverse change in the environment.”¹² An effect on the environment need not be “momentous” to meet the CEQA test for significance—it is enough that the impacts are “not trivial.”¹³ Substantial evidence, for purposes of the fair argument standard, includes “fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.”¹⁴

An agency’s decision to rely on an MND under CEQA is reviewed by a court for abuse of discretion under the fair argument standard.¹⁵ To determine if there has been an abuse of discretion, a court reviews the agency’s factual conclusions de novo.¹⁶

Under the fair argument standard, a reviewing court may not uphold an agency’s decision to not prepare an EIR because of substantial evidence that the project would not have a significant environmental impact.¹⁷ The reviewing court’s

⁸ 14 CCR §15002(a)(2).

⁹ PRC § 21081; 14 CCR § 15092(b)(2)(A) & (B).

¹⁰ *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 944 (internal citations and quotations omitted).

¹¹ *Id.* at 957.

¹² Pub. Res. Code § 21068; 14 C.C.R. § 15382; *County Sanitation Dist. No. 2 v. County of Kern* (2005) 127 Cal.App.4th 1544, 1581.

¹³ *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 83 fn. 16.

¹⁴ Pub. Res. Code § 21080(e)(1) (emphasis added); *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 331 (“*CREED*”).

¹⁵ *Save the Agoura Cornell Knoll v. City of Agoura Hills* (2020) Nos. B292246, B295112, 2020 WL 1270355, *4 (“*STACK*”).

¹⁶ *Id.*

¹⁷ *Id.*

4842-004acp

function is to determine whether substantial evidence supports the agency's conclusion as to whether the prescribed fair argument could be made.¹⁸ If there is substantial evidence that the proposed project might have a significant impact, evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration.¹⁹ Neither the lead agency nor a court may "weigh" conflicting substantial evidence to determine whether an EIR must be prepared in the first instance.²⁰ "The fair argument standard thus creates a low threshold for requiring an EIR, reflecting the legislative preference for resolving doubts in favor of environmental review."²¹

Where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the effects to be significant and prepare an EIR.²² In short, when "expert opinions clash, an EIR should be done."²³ "It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project."²⁴ Where substantial evidence is presented, "evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration, because it could be 'fairly argued' that the project might have a significant environmental impact."²⁵

The fair argument test requires the preparation of an EIR whenever "there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial."²⁶ As described below substantial evidence is present here that the Project may cause a significant effect on the environment.

In particular, these comments show that the Project may result in significant impacts from emissions of air pollutants and their associated health risks, GHG

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* at *13.

²¹ *Id.* at *4.

²² *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 935; *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1317–1318; CEQA Guidelines § 15064(f)(5).

²³ *Pocket Protectors*, 124 Cal.App.4th at 928; *Sierra Club*, 6 Cal.App.4th at 1317–1318.

²⁴ *Pocket Protectors*, 124 Cal.App.4th at 935.

²⁵ *Sundstrom*, 202 Cal.App.3d at 310 (citation omitted).

²⁶ 14 C.C.R. § 15063(b)(1) (emphasis added).

4842-004acp

emissions exacerbating climate change, and impacts from hazardous materials on the Project site. Thus, the City is required under CEQA to take a closer look at the potentially significant environmental impacts of the Project in a legally adequate EIR.

A. The IS/MND fails to identify, analyze, and mitigate the Project's potentially significant air quality impacts and associated health risks

Under CEQA, lead agencies must consider a project's impacts on air quality, including whether the project will "expose sensitive receptors to substantial pollutant concentrations."²⁷ The IS/MND's air quality analysis relies on emissions calculated with the California Emission Estimator Model ("CalEEMod") 2016.3.2. The model uses site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type to calculate a project's construction and operational emissions.

After reviewing the IS/MND, SWAPE concluded that "several of the values inputted into the model were not consistent with information disclosed in the IS/MND" and that the IS/MND incorrectly evaluates diesel particulate matter emissions.²⁸ As a result, the IS/MND completely fails to identify and mitigate against a potentially significant health risk impact resulting from Project emissions. The City must remedy this failure by preparing an EIR with the potentially significant impact disclosed, analyzed, and mitigated.

1. The IS/MND underestimates air quality impacts

In their review, SWAPE determined that at least seven inputs from the IS/MND's CalEEMod analysis were underestimated and did not reflect disclosed information about the Project from the IS/MND. They also determined that certain mitigation measures outlined by the IS/MND are unverified and therefore may underestimate the Project's construction and operational emissions. If adjusted, the revised CalEEMod conclusions result in the finding of a potentially significant health risk impact, explained in section II(A)(3). Thus, there is substantial evidence

²⁷ CEQA Guidelines, Appendix G, Section III: Air Quality.

²⁸ SWAPE Comments, p. 2.

to support a fair argument that the Project will result in a significant impact, triggering the requirement for the preparation of an EIR.²⁹

a) Multiple CalEEMod inputs contradict Project estimations from the IS/MND

SWAPE notes that while the current use of the site includes three commercial buildings totaling 147,081 square feet, the IS/MND's CalEEMod inputs model an existing site of 161,000 square feet of retail buildings, an overestimation of 13,919 square feet.³⁰ SWAPE also found that this overestimation was included in the IS/MND's traffic report, which leads to the overestimation of the amount of existing trips and underestimates the amount of net new trips for the Project.³¹ Thus, through both of these overestimations, the IS/MND underestimates the Project's construction and operational emissions, which leads to an inadequate analysis of health impacts.

Additionally, SWAPE indicates that the IS/MND's CalEEMod's output files contain an approximately 60% reduction in the CO₂ intensity factor, despite the IS/MND only claiming a 60% reduction by 2030.³² The 60% reduction will therefore only likely occur at least 6 to 8 years *after* the Project would be completed. As SWAPE notes, "[t]his overestimates the reduction as stated in the IS/MND," and causes the MND to underestimate Project emissions.³³ Moreover, the MND's justification for this reduction is based solely on the California Renewable Portfolio Standard and the IS/MND contains no other means for verifying that this reduction will be accomplished. An IS/MND may not completely defer analysis of potential environmental impacts to an outside regulatory scheme.³⁴ Revised modeling and verification of emission reductions must be provided in an EIR.

²⁹ *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 935; *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1317–1318; CEQA Guidelines § 15064(f)(5).

³⁰ SWAPE Comments, p. 5.

³¹ SWAPE Comments, p. 3.

³² SWAPE Comments, p. 6.

³³ SWAPE Comments, p. 6.

³⁴ See *Californians for Alternatives to Toxics v. Dep't of Food & Agric.* (2005) 38 Cal. Rptr. 3d 638, 648; *Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 881–882 (court rejected assertion that noise level under proposed project would be insignificant simply by virtue of being consistent with general plan standards for zone in question).

4842-004acp

The IS/MND also incorrectly models the Project's land use type and size and the material export from construction. The IS/MND's land use type and size modeling underestimates the size of the Project and also models some of the Project's land use as "Day-Care Center," which SWAPE shows "is not considered a Retail land use, but rather an Educational land use."³⁵ The IS/MND also mistakenly reverses the material export and import numbers from construction in its modeling.³⁶ Both of these errors in modelling may "may underestimate the Project's construction-related emissions and should not be relied upon to determine Project significance."³⁷

SWAPE also notes that multiple additional modeling inputs are unsubstantiated and will likely lead to underestimation of Project emissions. The IS/MND's modeling extends the Project's construction phases, without providing a construction schedule to verify the extension, which potentially "results in an underestimation of the maximum daily emissions associated with construction."³⁸ The modeling also modifies the number of hauling trips required for construction, without justifying or explaining the change, which may impact the IS/MND's analysis of both the exhaust emissions associated with on-road vehicle use and fugitive dust emissions.³⁹

Finally, SWAPE determined that the pass-by trips expected to occur throughout the Project's operation were double counted by the IS/MND's analysis, and therefore, the Project's operational emissions were underestimated.⁴⁰ According to Appendix A of the CalEEMod User's Guide, the primary trips utilize the complete trip lengths associated with each trip type category.⁴¹ Diverted trips are assumed to take a slightly different path than a primary trip and are assumed to be 25% of the primary trip lengths. Pass-by trips are assumed to be 0.1 miles in length and are a result of no diversion from the primary route.⁴² Here, the IS/MND counts the pass-by trips both in its CalEEMod analysis *and* in its Traffic Report instead of only

³⁵ SWAPE Comments, p. 7.

³⁶ SWAPE Comments, p. 7-8.

³⁷ SWAPE Comments, p. 7-8.

³⁸ SWAPE Comments, p. 6-7.

³⁹ SWAPE Comments, p. 8.

⁴⁰ SWAPE Comments, p. 8.

⁴¹ "CalEEMod User's Guide, Appendix A: Calculation Details for CalEEMod." *SCAQMD*, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>, p. 20

⁴² "CalEEMod User's Guide, Appendix A: Calculation Details for CalEEMod." *SCAQMD*, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>, p. 20

4842-004acp

dividing the trip purpose between primary and diverted trips in the CalEEMod model.⁴³ And as a result, “the model underestimates the emissions associated with these trips and should not be relied upon to determine Project significance.”⁴⁴

b) Multiple mitigation measures are unverified and may result in underestimated emissions

Next, SWAPE identified at least three mitigation measures that are inadequately verified in the CalEEMod inputs, which may result in the IS/MND underestimating the Project’s air emissions. The Project’s CalEEMod output files demonstrate that the model included two mobile-related operational mitigation measures that relied on consistency with CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures.⁴⁵ However, after analysis of the CAPCOA mitigation measures and the IS/MND’s consistency with those measures, SWAPE argues that “the IS/MND fails to justify the mobile-related operational mitigation measures included in the Project’s CalEEMod model.”⁴⁶ Further, the IS/MND includes an area-related mitigation measure that is neither justified in the CalEEMod User’s Guide nor even mentioned in the IS/MND.⁴⁷ For all these mitigation measures, SWAPE therefore concludes that “the inclusion of these measures in the model are unsubstantiated and the model should not be relied upon to determine Project significance.”⁴⁸

2. The Health Risk Assessment relied upon by the IS/MND cannot constitute substantial evidence

SWAPE’s analysis indicates that the IS/MND’s construction health risk assessment (“HRA”) is incomplete, that the IS/MND was in error in not completing an operational HRA, and both assessments must be disclosed and analyzed in an EIR in order to be relied upon by the City.

The IS/MND concludes that:

⁴³ SWAPE Comments, p. 9.

⁴⁴ SWAPE Comments, p. 9.

⁴⁵ SWAPE Comments, p. 10.

⁴⁶ SWAPE Comments, p. 11.

⁴⁷ SWAPE Comments, p. 9-10.

⁴⁸ SWAPE Comments, p. 11.

4842-004acp

[W]ith implementation of the [Mitigation Measure III-1], the proposed project would not have the potential to expose sensitive receptors to substantial pollutant concentrations and a less-than-significant impact would occur.”⁴⁹

However, this conclusion relies on a faulty analysis, shown above, that the CalEEMod model incorrectly underestimates construction emissions. The City must revise the air analysis before it can reliably compute the health risks associated with the Project’s construction.

Additionally, in drawing its conclusion, the IS/MND claims that no operational HRA was needed because:

The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. As such, the proposed project would not generate any substantial pollutant concentrations during operations.⁵⁰

However, SWAPE explains that this explanation “does not justify the omission of an operational HRA.”⁵¹ The IS/MND’s analysis here stands in contrast with the “recommendations set forth by the Office of Environmental Health and Hazard Assessment’s (OEHHA) most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, which was formally adopted in March of 2015, as referenced by the IS/MND.”⁵² OEHHA recommends that exposure from projects lasting more than 6 months should be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (MEIR).⁵³ There is a multi-family apartment complex located only approximately 2 meters from the Project, which constitutes an existing sensitive receptor. Failing to prepare an operational HRA to calculate health risk impacts to this sensitive receptor is inconsistent with the OEHHA guidance and thus, the IS/MND has failed to provide substantial evidence that no health risk is associated with the Project.⁵⁴

⁴⁹ Delta Fair Village IS/MND, p. 29-30.

⁵⁰ IS/MND, p. 27.

⁵¹ SWAPE Comments, p. 13.

⁵² SWAPE Comments, p. 13.

⁵³ SWAPE Comments, p. 13.

⁵⁴ See SWAPE Comments, p. 13.

SWAPE's also found that the IS/MND failed "to sum the excess cancer risk calculated for each age group for both Project construction and operation."⁵⁵ Although the health risk was conducted to nearby, existing third trimester, infant, child, and adult receptors for construction-related emissions, the HRA fails to evaluate the cumulative lifetime cancer risk to nearby, existing receptors as a result of Project construction *and* operation together.⁵⁶ Failure to analyze this health risk is against the guidance cited in the IS/MND and must be disclosed and analyzed before certification of the Project can be made.

Finally, SWAPE concludes that without conducting a quantified HRA for nearby, existing sensitive receptors as a result of Project construction and operation, the IS/MND fails to compare the excess health risk to the BAAQMD's specific numeric threshold of ten in one million.⁵⁷ Without correction, the IS/MND fails to comply with OEHHA guidance and its analysis fails to constitute substantial evidence that no significant health risk will result from the Project.

3. A screening-level HRA correcting for the errors in the IS/MND's CalEEMod inputs indicates a potentially significant health risk impact

In contrast to the IS/MND's HRA, SWAPE prepared a screening level HRA using corrected inputs for diesel particulate matter and assumptions "[c]onsistent with recommendations set forth by the 2015 OEHHA guidance."⁵⁸ With this data, shown below, SWAPE projects that over the course of Project construction and operation, the excess cancer risks posed to adults, children, infants, and during the third trimester of pregnancy "are approximately 12, 79, 76, and 2.8 in one million. The excess cancer risk over the course of a residential lifetime (30 years), utilizing age sensitivity factors, is approximately 170 in one million. The infant, child, adult, and lifetime cancer risks all exceed the BAAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS/MND."⁵⁹

⁵⁵ SWAPE Comments, p. 13.

⁵⁶ SWAPE Comments, p. 13.

⁵⁷ SWAPE Comments, p. 13.

⁵⁸ SWAPE Comments, p. 17.

⁵⁹ SWAPE Comments, p. 17.

The Maximally Exposed Individual at an Existing Residential Receptor

Activity	Duration (years)	Concentration (ug/m3)	Breathing Rate (L/kg-day)	ASF	Cancer Risk with ASFs*
Construction	0.25	0.2427	361	10	2.8E-06
3rd Trimester Duration	0.25			3rd Trimester Exposure	2.8E-06
Construction	0.97	0.2427	1090	10	3.3E-05
Operation	1.03	0.3027	1090	10	4.4E-05
Infant Exposure Duration	2.00			Infant Exposure	7.6E-05
Operation	14.00	0.3027	572	3	7.9E-05
Child Exposure Duration	14.00			Child Exposure	7.9E-05
Operation	14.00	0.3027	261	1	1.2E-05
Adult Exposure Duration	14.00			Adult Exposure	1.2E-05
Lifetime Exposure Duration	30.00			Lifetime Exposure	1.70E-04

Under the fair argument legal standard, an EIR is required whenever “there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial.”⁶⁰ Thus, the City must include this potentially significant impact in its analysis of air quality impacts in an EIR. Without doing so, the Project’s environmental analysis violates CEQA’s mandate to disclose and mitigate the Project’s potentially significant impacts.

B. The MND fails to disclose, analyze, and mitigate the Project’s Greenhouse Gas impacts

Bay Area Air Quality Management District (“BAAQMD”) guidance on greenhouse gas (“GHG”) analysis, which the IS/MND purports to follow, states that a proposed construction project should be found to cause a significant impact where the project would (1) generate greenhouse gas emissions that exceed the applicable

⁶⁰ 14 C.C.R. § 15063(b)(1) (emphasis added).
4842-004acp

significance threshold or (2) conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.⁶¹

We reviewed the IS/MND's GHG analysis with the assistance of SWAPE. As described below, our review found that the IS/MND's GHG analysis violates the law and is not supported by substantial evidence for three main reasons. First, the IS/MND fails to use a threshold which is applicable to the Project's built-out year, in violation of CEQA. Second, the IS/MND's GHG analyses rely on several incorrect assumptions that result in a substantial underestimation of Project-related GHGs and if corrected, the GHGs from the Project exceed the applicable GHG significance threshold. Third, the IS/MND fails to demonstrate consistency with the Antioch CAP, which the IS/MND considers an "applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases."

1. The GHG analysis relies on an inapplicable threshold in violation of CEQA

Under the CEQA Guidelines, which have been recently updated, a lead agency must analyze a project's impacts on GHG emissions.⁶² The Guidelines allow for several approaches to this analysis, both qualitative and quantitative. The Guidelines explicitly mandate, however, that the "analysis should consider a timeframe that is appropriate for the project. The agency's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes."⁶³ Moreover, California Courts have acknowledged that "over time, consistency with year 2020 goals will become a less definitive guide, especially for long-term projects that will not begin operations for several years [after 2020]."⁶⁴ "Consistency with the State's long-term climate stabilization objectives . . . will often be appropriate . . . under CEQA,' provided the analysis is '*tailored . . . specifically to a particular project.*'"⁶⁵

The IS/MND's analysis relies on the tiered approach developed by the BAAQMD for assessing the impacts of land use development projects. If a project is

⁶¹ BAAQMD CEQA Air Quality Guidelines, May 2017 at p. 2-2, available at https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.

⁶² 14 CCR §15064.4.

⁶³ 14 CCR §15064.4(b)

⁶⁴ *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th at 223.

⁶⁵ *Id.* (emphasis added).

4842-004acp

within the jurisdiction of an agency that has a “qualified” GHG reduction strategy, the project can assess consistency of its GHG emissions impacts with the reduction strategy. BAAQMD has adopted screening criteria and significance criteria for development projects that would be applicable for the proposed project. If a project exceeds the BAAQMD Guidelines’ GHG screening-level sizes, the proposed project would be required to conduct a GHG emissions analysis using the BAAQMD significance criteria of 1,100 million metric tons of carbon dioxide equivalent per year per year (MTCO₂e per year) or 4.6 MTCO₂e/yr per service population (residential population + employees). Here, the MND determined that “BAAQMD’s established thresholds are appropriate for analysis of the proposed project,” analyzed the Project’s annual emissions, and found GHG emissions per year per service population were below the “bright-line” threshold.⁶⁶

BAAQMD’s significance threshold, however, is not applicable to the Project, and relying on it violates CEQA. BAAQMD’s thresholds, included in the district’s 2017 CEQA Guidelines, were developed to comply with the state reduction target as it is embodied in AB 32,⁶⁷ which mandates that statewide greenhouse gas emissions be reduced to 1990 levels by the target year 2020.⁶⁸ In 2016, the state passed SB 32,⁶⁹ which codified a new statewide 2030 GHG emissions reduction target of 40% below 1990 levels. Following the new legislation, the California Air Resources Board (“CARB”) adopted in December 2017 a new scoping plan to outline the strategy needed to achieve SB 32 GHG targets. These are the binding “state regulatory scheme” that the CEQA Guidelines require agencies to account for.

The BAAQMD Guidelines do not account for or include any numeric threshold for compliance with SB 32 or the scoping plan and are therefore not applicable to projects that will be built and operated beyond the AB 32 target year.⁷⁰ Because the Project’s first fully operational year would be 2021, and it would continue to operate many years beyond that, the City must analyze the Project for

⁶⁶ MND, p. 47, 49.

⁶⁷ See California Environmental Quality Act Air Quality Guidelines, Bay Area Air Quality Management District, May 2017, at p. D-27.

⁶⁸ California Air Resources Board, Assembly Bill 32 Overview; available at: <https://www.arb.ca.gov/cc/ab32/ab32.htm>.

⁶⁹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32

⁷⁰ See also *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497.

its compatibility with the state's mandated goals for, at the very least, the year 2030.⁷¹

BAAQMD *itself* advises lead agencies not to rely on its numeric significance thresholds and instead advises they make significance determinations based on the most recent state greenhouse gas reduction targets. For example, in recent comment letters to lead agencies, BAAQMD stated as follows:

The Air District encourages the City to make a significance determination for greenhouse gas impacts based on the most recent State greenhouse gas targets and CEQA guidance. The Air District's 2010 CEQA guidelines are based on the State's 2020 greenhouse gas targets. These targets have been superseded by the State's 2030 and 2050 climate stabilization goals and by the most recent draft of the AB 32 Scoping Plan written by the California Air Resources Board.⁷²

The GHG impact analysis should include an evaluation of the Plan's consistency with the California Air Resources Board 2017 Scoping Plan and State and Air District climate stabilization goals for 2030 and 2050. Please be advised that the Air District is in the process of updating the CEQA guidelines/thresholds and current thresholds for GHGs should not be used for this plan.⁷³

BAAQMD is in the process of updating its current CEQA Guidelines and thresholds of significance.⁷⁴ The IS/MND must be revised to analyze the Project's compatibility with the reduction targets set in SB 32, which go beyond those set in AB 32. As it is now, the IS/MND's analysis violates both CEQA and the Supreme Court rulings on GHG analysis and cannot constitute substantial evidence.

⁷¹ SWAPE Comments, p. 21.

⁷² Greg Nudd, BAAQMD, Letter to Joshua McMurray, Oakley, CA, Oakley Logistics Center Project, March 21, 2019; available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa-letters/2019/2019_03_21_city_of_oakley_oakley_logistics_center_nop-pdf.pdf?la=en.

⁷³ Greg Nudd, BAAQMD, Letter to Alicia Parker, City of Oakland, RE: Downtown Oakland Specific Plan - Notice of Preparation of a Draft Environmental Impact Report, February 15, 2019; available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa-letters/2019/downtown_oakland_specific_plan_eir_notice_of_preparation_021519-pdf.pdf?la=en

⁷⁴ BAAQMD, CEQA Guidelines Update Underway; available at: <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>.

2. The IS/MND significantly underestimates GHG emissions from the Project
 - a) *The IS/MND's GHG analysis relies upon an incorrect and unsubstantiated air model, unsubstantiated assumptions, and unsubstantiated mitigation measures that underestimate GHGs associated with the Project*

Similar to the conclusion reached in section II(A) of these comments, the IS/MND's analysis of GHGs relies on underestimated inputs, unsubstantiated assumptions about the Project's retail components, and unsupported mitigation measures that significantly underestimate the GHG emissions associated with the Project. The City must correct for these underestimations in an EIR to adequately analyzed the GHG impacts from the Project.

- b) *A revised analysis of GHG emissions shows the Project exceeds applicable GHG thresholds*

The IS/MND finds that GHG emissions from the Project will total 2,227.2 MT CO₂e/year or, after dividing by the IS/MND's proposed service population, comes to 3.31 MT CO₂e/year/service population. Based on BAAQMD's outdated 2020 GHG significance threshold, the IS/MND concludes that the Project will not have a significant impact from GHG emissions. As we have indicated above, there are two problems with this analysis: first, the BAAQMD threshold cannot apply to the project, and second, the total GHG emissions is underestimated.

In its letter, SWAPE recommends the use of a "widely-accepted 2030 'substantial progress'" service population efficiency threshold of 2.6 MT CO₂e/year/service population.⁷⁵ Using this substantial progress threshold alone, the IS/MND's own 3.31 MT CO₂e/year/service population GHG emissions calculation would exceed the significance threshold.

SWAPE also provides its own updated modeling analysis of the Project's GHG emissions, taking into consideration the underestimated or unsupported inputs described above. This modeling shows GHG emissions of 2,907.2 MT CO₂e/year and approximately 4.3 MT CO₂e/year/service population,⁷⁶ which would

⁷⁵ SWAPE Comments, p. 19.

⁷⁶ SWAPE Comments, p. 23.

far exceed the 2.6 MT CO₂e/year/service population threshold. This significant impact was not disclosed nor mitigated for in the IS/MND.

An MND is improper, and an EIR must be prepared, when a fair argument can provide substantial evidence that the project may have a significant environmental impact.⁷⁷ Thus, the City must prepare an EIR to fully analyze and disclose the potentially significant impact for the Project's greenhouse gas emissions.

3. The Antioch CAP Measures are Not Properly Incorporated in The Project

The IS/MND claims “the proposed project would comply with several emissions reductions strategies included in the City’s Community Climate Action Plans,” and that, “projects that are in compliance with the Climate Action Plans would be considered compliant with the GHG reduction goals required by AB 32.”⁷⁸ This claim was relied upon, in part, for the City’s conclusion that “the proposed project would not be considered to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.”⁷⁹

CEQA states that for an IS/MND to rely on a Climate Action Plan (“CAP”) in its analysis, it must identify which requirements apply to the Project and make those requirements binding and enforceable to the Project by listing them as mitigation measures, if they are not already binding and enforceable in the City’s CAP:

An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable

⁷⁷ *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 944.

⁷⁸ IS/MND, p. 49.

⁷⁹ IS/MND, p. 50.

4842-004acp

notwithstanding the project's compliance with the specified requirements in the plan for the reduction of greenhouse gas emissions, an EIR must be prepared for the project.⁸⁰

Here, the IS/MND fails to demonstrate consistency with the City's CAP as required by CEQA. Although the IS/MND mentions certain steps taken in coordination with the CAP's city-wide measures, it fails to incorporate any project-level measures or include any of the CAP's measures as binding mitigation in the IS/MND, as required by CEQA Guidelines §§ 15064.4(b)(3) and 15183.5(b)(1).⁸¹ SWAPE also indicates that the IS/MND fails to demonstrate consistency with those city-wide measures it does analyze⁸² and omits analysis of consistency with dozens of the City CAP's strategies.⁸³ Without more, the IS/MND has not provided substantial evidence of consistency with the City's CAP.

C. The MND Fails to Disclose, Analyze, and Mitigate Against Potential Hazards and Hazardous Materials at the Project Site

CEQA requires lead agencies to consider whether a project would “create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.”⁸⁴ Likewise, CEQA requires lead agencies to determine whether projects create “a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.”⁸⁵

The IS/MND states that there are no significant impacts due to the possible release of hazardous materials at the Project site. However, the only information the IS/MND relies upon to make this determination is that: “The project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.14.”⁸⁶ This is insufficient. SWAPE notes that, “consistent with professional due diligence procedures commonly used in CEQA matters, a Phase I ESA, completed by a licensed environmental professional is necessary for inclusion in an MND to identify recognized environmental

⁸⁰ 14 CCR § 15183.5 (emphasis added).

⁸¹ SWAPE Comments, p. 20.

⁸² SWAPE Comments, p. 20-22.

⁸³ SWAPE Comments, p. 22.

⁸⁴ CEQA Guidelines Appendix G Section IX: Hazards and Hazardous Materials.

⁸⁵ CEQA Guidelines Appendix G Section IX: Hazards and Hazardous Materials.

⁸⁶ MND, p. 52.

4842-004acp

conditions, if any, at the proposed Project site.”⁸⁷ This is particularly relevant given that “aerial photographs obtained in the review of the Project show evidence of ground disturbance in the following years: 1937, 1949, 1965, and 1971.”⁸⁸ Thus, without preparing a Phase I ESA, there is a fair argument that the IS/MND has not fully analyzed or disclosed the potential impacts from hazards or hazardous materials.

III. Conclusion

The IS/MND is inadequate as an environmental document because the City fails to properly disclose, analyze and mitigate the Project’s significant impacts on air quality, public health, GHGs, and hazardous materials. Further, substantial evidence supports a fair argument that potentially significant impacts will result from the Project’s air quality and greenhouse gas emissions. The City cannot approve the Project until it prepares and circulates an EIR that resolves these issues and complies with CEQA’s requirements.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AM', with a long horizontal line extending to the left.

Aaron M. Messing

AMM:acp
Attachments

⁸⁷ SWAPE Comments, p. 2.

⁸⁸ SWAPE Comments, p. 2.

4842-004acp



Technical Consultation, Data Analysis and
Litigation Support for the Environment

2656 29th Street, Suite 201
Santa Monica, CA 90405

Matt Hagemann, P.G, C.Hg.
(949) 887-9013
mhagemann@swape.com

Paul E. Rosenfeld, PhD
(310) 795-2335
prosenfeld@swape.com

May 27, 2020

Aaron Messing
Adams Broadwell Joseph & Cardozo
601 Gateway Blvd., Suite 1000
South San Francisco, CA 94080

Subject: Comments on the Delta Fair Village Project (SCH No. 2020050040)

Dear Mr. Messing,

We have reviewed the May 2020 Initial Study/Mitigated Negative Declaration ("IS/MND") for the Delta Fair Village Project ("Project") located in the City of Antioch ("City"). The Project proposes the demolition of 73,546-SF of the existing shopping center and the construction of 210 multi-family dwelling units, a 4,174-SF retail building, and 370 parking spaces on the 13.4-acre Project site.

Our review concludes that the IS/MND fails to adequately evaluate the Project's hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An EIR should be prepared to adequately assess and mitigate the potential hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts that the project may have on the surrounding environment.

Hazards and Hazardous Materials

The IS/MND made the following determination in the issue area of Hazards and Hazardous Materials (p. 52):

The project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.14 Therefore, the project would not create a significant hazard to the public or the environment associated with such, and no impact would occur.

This determination was made based only on a review of the “California Department of Toxic Substances Control, Hazardous Waste and Substances Site List, Accessed October 23, 2019. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>” (p. 52).

An updated CEQA analysis should be prepared to include a Phase I Environmental Site Assessment (ESA) to provide a proper basis for determining impacts from Hazards and Hazardous Materials. A Phase I ESA is essential for disclosure and evaluation of impacts at the Project site because aerial photographs obtained in the review of the Project (attached) show evidence of ground disturbance in the following years: 1937, 1949, 1965, and 1971. (Please note that the outline depicted on the photos of the Project site is not entirely accurate, but it suffices for determination of ground disturbance.)

The preparation of a Phase I ESA is a common practice in CEQA proceedings. Phase I ESAs are routinely included in CEQA documentation to identify hazardous waste issues that may pose a risk to the public, workers, or the environment, and which may require further investigation, including environmental sampling and cleanup.

Standards for performing a Phase I ESA have been established by the US EPA and the American Society for Testing and Materials Standards (ASTM).¹ Phase I ESAs are conducted to identify conditions indicative of releases of hazardous substances and include:

- a review of all known sites in the vicinity of the subject property that are on regulatory agency databases undergoing assessment or cleanup activities;
- an inspection;
- interviews with people knowledgeable about the property;
- review of historical aerial photos; and
- recommendations for further actions to address potential hazards.

Phase I ESAs conclude with the identification of any “recognized environmental conditions” (RECs) and recommendations to address such conditions. A REC is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. If RECs are identified, then a Phase II ESA generally follows, which includes the collection of soil, soil vapor and groundwater samples, as necessary, to identify the extent of contamination and the need for cleanup to reduce exposure potential to the public.

Consistent with professional due diligence procedures commonly used in CEQA matters, a Phase I ESA, completed by a licensed environmental professional is necessary for inclusion in an EIR to identify recognized environmental conditions, if any, at the proposed Project site. Past land uses as shown in the attached aerial photos should be identified along with any potential hazardous materials that may have been associated with past use. A Phase II ESA should be conducted if the Phase I indicates a recognized environmental condition. Any contamination that is identified above regulatory screening levels,

¹ <http://www.astm.org/Standards/E1527.htm>

including California Office of Environmental Health Hazard Assessment’s Soil Screening Numbers², should be further evaluated and cleaned up, if necessary, in coordination with the Department of Toxics Substances Control and the San Diego County Department of Environmental Health.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Trip Generation

The IS/MND’s air quality analysis relies upon trip generation estimates calculated in the Traffic Report (“TR”), provided as Appendix C to the IS/MND. The TR calculates the anticipated trip generation values for the proposed Project based on information, such as land use type and size, as well as fleet mix. When reviewing the Project’s TR, we found that several calculation inputs were not consistent with information disclosed in the IS/MND. As a result, the IS/MND underestimates trip generation and emissions associated with Project activities. An updated CEQA evaluation should be prepared to include in an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

Incorrect Land Use Size

According to the IS/MND, “[t]he site is currently developed with three commercial buildings totaling 147,081 square feet” (p. 1). Thus, the TR should have calculated the number of daily trips associated with the existing land use based on 147,081-SF of shopping center. However, review of the TR demonstrates that the number of existing trips was calculated based on a 161,000-SF of shopping center (see excerpt below) (Appendix C, p. 18, Table 4).

Use	Size	Weekday						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Project Trips – Existing Shopping Center to be Removed								
Shopping Center ⁶	161,000 Sq. Ft. GLA	-2,375	-39	-26	-65	-109	-124	-233

As you can see in the excerpt above, the TR overestimates the size of the existing shopping center by 13,919-SF. This presents an issue, as the land use type and size are used in the TR to calculate the number of existing trips to be subtracted from the anticipated trips for the proposed Project. By overestimating the size of the shopping center land use, the TR overestimates the amount of existing trips and thus, underestimates the amount of net new trips for the Project. As a result, the TR underestimates the number of new trips to occur, and IS/MND may underestimate the net increase in emissions resulting from the proposed Project.

Incorrect ITE Land Use Code

According to the IS/MND, the Project proposes to construct a retail building (p. 2). The IS/MND fails to specify the future tenants of this land use. However, review of the TR demonstrates that the calculations

² <http://oehha.ca.gov/risk/chhsltable.html>

utilize the “Day Care Center” ITE land use category to calculate the daily trips associated with the proposed retail land use (see excerpt below) (Appendix C, p. 18, Table 4).

Use	Size	Weekday						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Day Care Center ²	4,000 Sq. Ft. GLA	199	24	22	46	22	25	47

As you can see in the excerpt above, the TR incorrectly utilizes the “Day Care Center” land use type instead of the “Shopping Center” land use type for the retail land use. Review of the ITE *Trip Generation Manual* reveals that the “Day Care Center” land use type (Code 565) falls under the “Institutional” land use category, including other uses such as Military Base (Code 501), Mosque (Code 562), Cemetery (Code 566), and Prison (Code 571). Instead, the TR should have used the “Shopping Center” land use type (Code 820), which falls under the “Retail” land use category, including other uses such as Variety Store (Code 814), Specialty Retail Center (Code 826), and several other retail land uses. As such, the TR should have utilized the land use category for “Shopping Center,” as this most closely matches the retail land use described in the IS/MND and reiterated in the CalEEMod model. By failing to utilize the correct ITE land use code, the TR may underestimate the number of trips associated with the proposed Project and should not be relied upon to determine Project significance.

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The IS/MND’s air quality analysis relies on emissions calculated with CalEEMod.2016.3.2.³ CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (CEQA) requires that such changes be justified by substantial evidence.⁴ Once all of the values are inputted into the model, the Project’s construction and operational emissions are calculated, and “output files” are generated. These output files disclose to the reader what parameters were utilized in calculating the Project’s air pollutant emissions and make known which default values were changed as well as provide justification for the values selected.⁵

Review of the Project’s air modeling demonstrates that the IS/MND underestimates emissions associated with Project activities. As previously stated, the IS/MND’s air quality analysis relies on air pollutant emissions calculated using CalEEMod. When reviewing the Project’s CalEEMod output files, provided as Appendix A to the IS/MND, we found that several model inputs were not consistent with

³ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: <http://www.caleemod.com/>.

⁴ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 1, 9.

⁵ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 11, 12 – 13; A key feature of the CalEEMod program is the “remarks” feature, where the user explains why a default setting was replaced by a “user defined” value. These remarks are included in the report.

information disclosed in the IS/MND. As a result, the Project’s construction and operational emissions are underestimated. An EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

Use of an Overestimated Existing Land Use Size

According to the IS/MND, “[t]he site is currently developed with three commercial buildings totaling 147,081 square feet” (p. 1). However, review of the Project’s CalEEMod output files demonstrates that the model for the existing Project included 161,000-SF of “Regional Shopping Center” (see excerpt below) (Appendix A, pp. 3, 32, 56).

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Regional Shopping Center	161.00	1000sqft	3.70	161,000.00	0

As you can see in the excerpt above, the existing shopping center land use was overestimated by 13,919-SF. This presents an issue, as the land use type and size features are used throughout CalEEMod to determine default variable and emission factors that go into the model’s calculations.⁶ The square footage of a land use is used for certain calculations such as determining the wall space to be painted (i.e., VOC emissions from architectural coatings) and volume that is heated or cooled (i.e., energy impacts). By overestimating the size of the existing shopping center, the model overestimates the existing operational emissions, resulting in an underestimation of the proposed Project’s net increase in operational emissions. As a result, the model should not be relied upon to determine Project significance.

Unsubstantiated Reduction to CO2 Intensity Factor

Review of the Project’s CalEEMod output files demonstrates that the default CO₂ intensity factor was reduced from the default by 371.85 pounds per megawatt hour (“lbs/MWhr”) (see excerpt below) (Appendix A, pp. 4, 33, 57, 83, 132, 163).

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	CO2IntensityFactor	641.35	269.5

As you can see in the excerpt above, the CO₂ intensity factor was changed from the default value of 641.35 lbs/MWhr to 269.5 lbs/MWhr. As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.⁷ According to the “User Entered Comments & Non-Default Data” table, the justification provided for this change is: “PG&E RPS” (Appendix A, pp. 3, 32, 56, 82, 131, 162). Furthermore, the IS/MND states:

“[E]lectricity supplied to the project by PG&E would comply with the State’s Renewables Portfolio Standard (RPS), which requires investor-owned utilities, electric service providers, and

⁶ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 18.

⁷ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 60 percent by 2030” (p. 42).

However, these are state RPS *goals* for 2020 and 2030, we cannot verify that they will actually be accomplished at the Project site. The IS/MND also fails to substantiate the model’s use of the RPS goal for 2030, as the proposed Project is anticipated to become operational much prior to then. As such, we cannot verify these changes to the CO₂ intensity factor and the models should not be relied upon to determine Project significance.

Unsubstantiated Changes to Construction Schedule

Review of the Project’s CalEEMod output files demonstrates that the model included several unsubstantiated changes to the Project’s anticipated construction schedule, including increasing the architectural coating phase from the default 20 days to 327 days (see excerpt below) (Appendix A, pp. 82, 83, 131, 132, 162, 163).

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	20.00	327.00
tblConstructionPhase	NumDays	230.00	327.00
tblConstructionPhase	NumDays	20.00	11.00
tblConstructionPhase	NumDays	20.00	23.00
tblConstructionPhase	NumDays	20.00	11.00
tblConstructionPhase	NumDays	10.00	24.00
tblConstructionPhase	PhaseEndDate	5/21/2021	9/20/2021
tblConstructionPhase	PhaseEndDate	3/26/2021	9/6/2021
tblConstructionPhase	PhaseEndDate	3/27/2020	3/16/2020
tblConstructionPhase	PhaseEndDate	5/8/2020	5/20/2020
tblConstructionPhase	PhaseEndDate	4/23/2021	6/4/2020
tblConstructionPhase	PhaseEndDate	4/10/2020	4/17/2020
tblConstructionPhase	PhaseStartDate	4/24/2021	6/19/2020
tblConstructionPhase	PhaseStartDate	5/9/2020	6/5/2020
tblConstructionPhase	PhaseStartDate	4/11/2020	4/20/2020
tblConstructionPhase	PhaseStartDate	3/27/2021	5/21/2020
tblConstructionPhase	PhaseStartDate	3/28/2020	3/17/2020

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.⁸ According to the “User Entered Comments & Non-Default Data” table, the justification provided for this change is: “per applicant” (Appendix A, pp. 82, 131, 162). Furthermore, the IS/MND states: “Construction would occur over an approximately 18-month period” (p. 23). However, the IS/MND failed to provide a construction schedule to justify the significant changes in length to each construction phase included in the model. This presents an issue, as spreading out construction emissions over a longer period than is expected results in an underestimation of the maximum daily

⁸ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

emissions associated with construction. As a result, the model may underestimate the Project's daily construction-related emissions and should not be relied upon to determine Project significance.

Use of an Incorrect Land Use Type and Size

According to the IS/MND, the Project proposes to construct a 4,174-Sf retail building (p. 2). However, review of the Project's CalEEMod output files demonstrates that the model only included 4,000-SF of "Day-Care Center" land use (see excerpt below) (Appendix A, pp. 81, 130, 161).

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	328.00	Space	0.00	141,440.00	0
Parking Lot	79.00	Space	0.90	31,600.00	0
Apartments Mid Rise	210.00	Dwelling Unit	3.00	210,000.00	601
Regional Shopping Center	73.54	1000sqft	1.69	73,535.00	0
Day-Care Center	4.00	1000sqft	0.09	4,000.00	0

Thus, the model fails to include the total amount of proposed retail land use, underestimating the land use size by approximately 174-SF. Furthermore, the model fails to include the correct land use type for the proposed retail land use, modeling the space as "Day-Care Center". According to the CalEEMod User's Guide, there are seven primary land use categories: Commercial, Educational, Industrial, Parking, Recreational, Residential, and Retail. Within these categories, CalEEMod provides 63 different land use types. However, review of the CalEEMod User's Guide reveals that "Day Care Center" is not considered a Retail land use, but rather an Educational land use.⁹ This presents an issue, as the land use type and size features are used throughout CalEEMod to determine default variable and emission factors that go into the model's calculations.¹⁰ The square footage of a land use is used for certain calculations such as determining the wall space to be painted (i.e., VOC emissions from architectural coatings) and volume that is heated or cooled (i.e., energy impacts). By underestimating the floor surface area and failing to model the proposed land use type as stated in the IS/MND, the model may underestimate the Project's construction and operational emissions and should not be relied upon to determine Project significance.

Incorrectly Modeled Material Export

According to the IS/MND, "[a] total of 50 cubic yards of material would be exported during site prep and 100 cubic yards would be exported during grading" (p. 23). Thus, the model should have included 50 cubic yards of export during site prep and 100 cubic yards of export during grading. However, review of the Project's CalEEMod output files demonstrates that the model included 50 cubic yards of import and 100 cubic yards of export (see excerpt below) (Appendix A, pp. 83, 132, 163).

Table Name	Column Name	Default Value	New Value
tblGrading	MaterialExported	0.00	50.00
tblGrading	MaterialImported	0.00	100.00

As you can see in the excerpt above, the model failed to include the correct amount of material export. This underestimation presents an issue, as the inclusion of the entire amount of material export within

⁹ "CalEEMod User's Guide." CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 22-27.

¹⁰ "CalEEMod User's Guide." CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 18.

the model is necessary to calculate emissions produced from material movement, including truck loading and unloading, and additional hauling truck trips.¹¹ As a result, the model may underestimate the Project’s construction-related emissions and should not be relied upon to determine Project significance.

Unsubstantiated Change to Number of Hauling Trips

Review of the Project’s CalEEMod output files demonstrates that the number of hauling trips required for construction was reduced from 13 to 12 (see excerpt below) (Appendix A, pp. 83, 132, 163).

Table Name	Column Name	Default Value	New Value
tblTripsAndVMT	HaulingTripNumber	13.00	12.00

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.¹² According to the “User Entered Comments & Non-Default Data” table, the justification provided for this change is: “Proposed Project only from Traffic Report” (Appendix A, pp. 82, 131, 162). However, review of the TR demonstrates that the document fails to mention this change or hauling trips whatsoever. Thus, the change is unsubstantiated. This presents an issue, as the number of hauling trips and associated vehicle miles traveled (“VMT”) are used by CalEEMod to determine both the exhaust emissions associated with on-road vehicle use and fugitive dust emissions.¹³ As a result, the model may underestimate the Project’s construction-related emissions and should not be relied upon to determine Project significance.

Use of Incorrect Trip Purpose Percentages

Review of the Project’s CalEEMod output files demonstrates that the pass-by trip percentages utilized in the model are inconsistent with the pass-by trip percentages indicated by the TR, provided as Appendix C to the IS/MND. As a result, the model underestimates the Project’s mobile-source operational emissions.

CalEEMod separates the operational trip purposes into three categories: primary, diverted, and pass-by trips. According to Appendix A of the CalEEMod User’s Guide, the primary trips utilize the complete trip lengths associated with each trip type category. Diverted trips are assumed to take a slightly different path than a primary trip and are assumed to be 25% of the primary trip lengths. Pass-by trips are assumed to be 0.1 miles in length and are a result of no diversion from the primary route.¹⁴ Review of the Project’s CalEEMod output files demonstrates that the trip purpose percentage was divided amongst primary, diverted, and pass-by trips for the Project’s shopping center and retail (daycare) land uses (see excerpt below) (Appendix A, pp. 106, 154, 185).

¹¹ CalEEMod User’s Guide, available at: <http://www.caleemod.com/>, p. 3, 26.

¹² CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

¹³ CalEEMod User Guide, Appendix A, p. 13, available at: <http://www.caleemod.com/>

¹⁴ “CalEEMod User’s Guide, Appendix A: Calculation Details for CalEEMod.” SCAQMD, available at: <http://www.caleemod.com/>, p. 20

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Enclosed Parking with Elevator	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Regional Shopping Center	9.50	7.30	7.30	16.30	64.70	19.00	54	35	11
Day-Care Center	9.50	7.30	7.30	12.70	82.30	5.00	28	58	14

As you can see in the excerpt above, 11% of the Regional Shopping Center and 14% of the Day-Care Center trips were assumed to be pass-by trips in the CalEEMod model. However, as demonstrated in the TR, pass-by trips for the shopping center and retail (daycare) land uses were already accounted for in the Project's Trip Generation calculations (see excerpt below) (Appendix C, p. 18, Table 4).

Table 4: Trip Generation Summary

Use	Size	Weekday						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Project Trips – Shopping Center								
Shopping Center ¹	73,535 Sq. Ft. GLA	4,877	117	72	189	208	225	433
Day Care Center ²	4,000 Sq. Ft. GLA	199	24	22	46	22	25	47
Less Pass-by Trips ³		-1,460	-27	-30	-57	-62	-68	-130
Less Internal Trips Between Land Uses ⁴		-54	-7	-4	-11	-12	-12	-24
Net-New		3,362	107	60	167	156	170	326

Therefore, the CalEEMod model should have divided the trip purpose between primary and diverted trips for the shopping center and retail/daycare land uses. By spreading the trip purpose percentages amongst the three categories, the model is accounting for pass-by trips that have already been accounted for in the TR. By incorrectly allocating the Project's operational trips to the various categories of trip purposes, the model underestimates the emissions associated with these trips and should not be relied upon to determine Project significance.

Unsubstantiated Application of Area-Related Operational Mitigation Measure

Review of the Project's CalEEMod output files demonstrates that the model included the following area-related mitigation measure: "No Hearths Installed" (see excerpt below) (Appendix A, pp. 111, 157, 188).

6.1 Mitigation Measures Area

No Hearths Installed

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.¹⁵ However, no justification was provided in the “User Entered Comments & Non-Default Data” table. Furthermore, review of the IS/MND reveals that the document failed to mention hearths or the inclusion of this mitigation measure. Thus, the inclusion of this measure in the model is unsubstantiated. This presents an issue, as CalEEMod calculates the GHG emissions resulting from the combustion of wood or biomass associated with hearths.¹⁶ By incorrectly including the “No Hearths Installed” mitigation measure, the model may underestimate the Project’s area-related GHG emissions and should not be relied upon to determine Project significance.

Unsubstantiated Application of Mobile-Related Operational Mitigation Measures

Review of the Project’s CalEEMod output files demonstrates that the model included the following mobile-related mitigation measures: “Increase Transit Accessibility” and “Improve Pedestrian Network” (see excerpt below) (Appendix A, pp. 105, 153, 184).

The inclusion of the above-mentioned mobile-related operational mitigation measures is unsubstantiated. According to the CalEEMod User’s Guide,

“The mitigation measures included in CalEEMod are largely based on the CAPCOA Quantifying Greenhouse Gas Mitigation Measures (<http://www.capcoa.org/wp-content/uploads/downloads/2010/09/CAPCOA-Quantification-Report-9-14-Final.pdf>) document. The CAPCOA measure numbers are provided next to the mitigation measures in CalEEMod to assist the user in understanding each measure by referencing back to the CAPCOA document.”¹⁷

However, the IS/MND fails to demonstrate consistency with several of the mitigation measures included in the model based on CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures document (see table below).

Measure		Consistency
CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures ¹⁸		
Mobile Measures		
Measure LUT-5 Increase Transit Accessibility		Here, as previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified. ¹⁹ However, no justification

¹⁵ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

¹⁶ “Appendix A Calculation Details for CalEEMod.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 32.

¹⁷ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 53.

¹⁸ “Quantifying Greenhouse Gas Mitigation Measures.” CAPCOA, August 2010, available at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

¹⁹ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

<p><i>“The use of transit results in a model shift and therefore reduced VMT...The project description should include, at a minimum, the following design features:</i></p> <ul style="list-style-type: none"> • <i>A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or</i> <ul style="list-style-type: none"> ○ <i>A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)</i> • <i>Fast, frequent, and reliable transit service connecting a high percentage of regional destinations</i> • <i>Neighborhood designed for walking and cycling”</i> <p>The following information needs to be provided by the Project Applicant:</p> <ul style="list-style-type: none"> • Distance to transit station in project 	<p>was provided in the “User Entered Comments & Non-Default Data” table. According to the IS/MND, “the proposed project includes sidewalk connections to existing transit stops on the east and west side of Delta Fair Boulevard, and on the north and south side of Buchanan Road at the Delta Fair Boulevard intersection” (p. 90). However, the IS/MND fails to mention “fast, frequent, and reliable transit service connecting a high percentage of regional destinations” or a “neighborhood designed for walking and cycling,” or provide the distance to the nearest transit station. Thus, the IS/MND fails to demonstrate consistency with this measure and, as a result, its inclusion in the model is unsubstantiated.</p>
<p>Measure SDT-1 Improve Pedestrian Network</p> <p><i>“Providing a pedestrian access network to link areas of the Project site encourages people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT. The project will provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site. The project will minimize barriers to pedestrian access and interconnectivity.”</i></p>	<p>Here, as previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.²⁰ However, no justification was provided in the “User Entered Comments & Non-Default Data” table. According to the IS/MND, “[b]ecause the proposed project includes sidewalk connections to existing transit stops on the east and west side of Delta Fair Boulevard, and on the north and south side of Buchanan Road at the Delta Fair Boulevard intersection, the project would provide a continuous pedestrian path from the site to area transit stops” (p. 90). However, as detailed by CAPCOA, the IS/MND should have provided substantial evidence to prove that the proposed Project will internally link <u>all</u> uses and connect to</p>

²⁰ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

	<u>all</u> existing or planned external streets and pedestrian facilities contiguous with the Project site. As such, the IS/MND fails to demonstrate consistency with this measure, and as a result, its inclusion in the model is unsubstantiated.
--	---

As you can see in the table above, the IS/MND fails to justify the mobile-related operational mitigation measures included in the Project's CalEEMod model. As a result, the inclusion of these measures in the model are unsubstantiated and the model should not be relied upon to determine Project significance.

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The IS/MND concludes that the Project would have a less than significant impact, after the implementation of Mitigation Measure III-1, based on a construction health risk assessment ("HRA") (see excerpt below) (p. 29, 30).

Table 6 Maximum Mitigated Cancer Risk and Hazard Index Associated with Project Construction DPM			
	Cancer Risk (per million persons)	Acute Hazard Index	Chronic Hazard Index
Construction DPM Health Risks	9.64	0.00	0.01
<i>Thresholds of Significance</i>	10	1.0	1.0
Exceed Thresholds?	NO	NO	NO
<i>Source: AERMOD and HARP 2 RAST, December 2019 (see Appendix A)</i>			

However, the Project failed to evaluate the health risk posed to nearby, existing receptors as a result of the Project's operation, stating:

"The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. As such, the proposed project would not generate any substantial pollutant concentrations during operations" (p. 27).

However, this justification and less than significant impact conclusion is incorrect for four reasons:

First, as discussed above, the IS/MND's construction HRA relies upon an incorrect and unsubstantiated air model. The IS/MND indicates that the construction HRA is based on the exhaust PM_{2.5} estimates from the annual CalEEMod model (p. 28). This is incorrect, as the IS/MND's air model underestimates emissions. As a result, the IS/MND's construction HRA and less than significant impact conclusion should not be relied upon.

Second, simply because the IS/MND claims that the proposed Project would “would not involve any land uses or operations that would be considered major sources of TACs,” does not justify the omission of an operational HRA. Once construction is complete, the Project will operate for a long period of time. During operation, the Project will generate vehicle and truck trips, which will produce additional exhaust emissions, thus continuing to expose nearby sensitive receptors to emissions. By failing to prepare an operational HRA for existing sensitive receptors, the Project is inconsistent with recommendations set forth by the Office of Environmental Health Hazard Assessment (“OEHHA”), the organization responsible for providing recommendations for health risk assessments in California. In February of 2015, OEHHA released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, which was formally adopted in March of 2015, as referenced by the IS/MND (p. 28).²¹ This guidance document describes the types of projects that warrant the preparation of an HRA. The OEHHA document recommends that exposure from projects lasting more than six months should be evaluated for the duration of the project, and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (“MEIR”).²² Even though the Project documents fail to provide the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, we recommend that health risks from Project operation also be evaluated, as a 30-year exposure duration vastly exceeds the 2-month and 6-month requirements set forth by OEHHA, as referenced by the IS/MND. This guidance reflects the most recent health risk policy, and as such, we recommend that an updated assessment of health risks to nearby sensitive receptors from construction and operation be included in an air quality impact evaluation for the Project.

Third, the IS/MND fails to sum the cancer risk calculated for each age group for both Project construction and operation. This is incorrect and, as a result, the IS/MND’s evaluation and significance conclusion should not be relied upon. According to the OEHHA guidance referenced by the IS/MND, “the excess cancer risk is calculated separately for each age grouping and then summed to yield cancer risk at the receptor location.”²³ However, review of the IS/MND demonstrates that, while the health risk was conducted to nearby, existing third trimester, infant, child, and adult receptors for construction-related emissions, the HRA fails to evaluate the cumulative lifetime cancer risk to nearby, existing receptors as a result of Project construction *and* operation together. Therefore, the HRA should have quantified the Project’s *entire* construction and operational health risk, as stated in the OEHHA guidance referenced by the IS/MND.

Fourth, by claiming a less than significant impact without conducting a quantified HRA for nearby, existing sensitive receptors as a result of Project construction and operation, the IS/MND fails to

²¹ OEHHA (February 2015) Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments, <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

²² OEHHA (February 2015) Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments, <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>, p. 8-6, 8-15

²³ “Guidance Manual for preparation of Health Risk Assessments.” OEHHA, February 2015, *available at*: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf> p. 8-4

compare the excess health risk to the BAAQMD's specific numeric threshold of ten in one million.²⁴ Thus, the Project cannot conclude less than significant air quality impacts resulting from Project construction and operation without quantifying emissions to compare to the proper threshold.

Screening-Level Analysis Demonstrates Significant Impacts

In an effort to demonstrate the potential health risk posed by Project construction and operation to nearby, existing sensitive receptors utilizing a site-specific emissions estimates, we prepared a simple screening-level HRA. The results of our assessment, as described below, demonstrate that the proposed Project may result in a significant impact not previously identified or addressed in the IS/MND.

In order to conduct our screening-level risk assessment we relied upon AERSCREEN, which is a screening level air quality dispersion model.²⁵ The model replaced SCREEN3, and AERSCREEN is included in the OEHH²⁶ and the California Air Pollution Control Officers Associated ("CAPCOA")²⁷ guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary HRA of the Project's construction and operational health-related impact to residential sensitive receptors using the annual PM_{2.5} exhaust estimates from the SWAPE CalEEMod output files. Consistent with recommendations set forth by OEHH, we assumed residential exposure begins during the third trimester stage of life. SWAPE's CalEEMod model indicates that construction activities will generate approximately 260 pounds of DPM over the 445-day construction period. The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in equipment usage and truck trips over Project construction, we calculated an average DPM emission rate by the following equation:

$$\text{Emission Rate} \left(\frac{\text{grams}}{\text{second}} \right) = \frac{260.2 \text{ lbs}}{445 \text{ days}} \times \frac{453.6 \text{ grams}}{\text{lbs}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ hour}}{3,600 \text{ seconds}} = 0.00307 \text{ g/s}$$

Using this equation, we estimated a construction emission rate of 0.00307 grams per second ("g/s"). Subtracting the 445-day construction period from the total residential duration of 30 years, we assumed that after Project construction, the sensitive receptor would be exposed to the Project's operational DPM for an additional 28.78 years, approximately. The Project's operational CalEEMod emissions, calculated by subtracting the existing emissions from the proposed Project, indicate that operational

²⁴ "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at*: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

²⁵ U.S. EPA (April 2011) AERSCREEN Released as the EPA Recommended Screening Model, http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf

²⁶ Supra, fn 20.

²⁷ CAPCOA (July 2009) Health Risk Assessments for Proposed Land Use Projects, http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf.

activities will generate approximately 266 pounds of DPM per year throughout operation. Applying the same equation used to estimate the construction DPM rate, we estimated the following emission rate for Project operation:

$$\text{Emission Rate} \left(\frac{\text{grams}}{\text{second}} \right) = \frac{266.2 \text{ lbs}}{365 \text{ days}} \times \frac{453.6 \text{ grams}}{\text{lbs}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ hour}}{3,600 \text{ seconds}} = \mathbf{0.003829 \text{ g/s}}$$

Using this equation, we estimated an operational emission rate of 0.003872 g/s. Construction and operational activity was simulated as a 13.4-acre rectangular area source in AERSCREEN with dimensions of 337 by 161 meters. A release height of three meters was selected to represent the height of exhaust stacks on operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project site. EPA guidance suggests that in screening procedures, the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10%.²⁸ Using Google Earth, we found that the closest receptor is located approximately 2 meters east of the Project site. However, review of the AERSCREEN output files demonstrates that the *maximally* exposed receptor is located approximately 175 meters from the Project site. The single-hour concentration estimated by AERSCREEN for Project construction is approximately 2.427 µg/m³ DPM at approximately 175 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.2427 µg/m³ for Project construction at the MEIR. For Project operation, the single-hour concentration estimated by AERSCREEN is 3.027 µg/m³ DPM at approximately 175 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.3027 µg/m³ for Project operation at the MEIR.

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA. Consistent with the default CalEEMod construction schedule, the annualized average concentration for construction was used for the entire third trimester of pregnancy (0.25 years) and the first 0.97 years of the infantile stage of life (0 – 2 years). The annualized averaged concentration for operation was used for the remainder of the 30-year exposure period, which makes up the remainder of the infantile stage of life, and the entire child and adult stages of life (2 – 16 years) and (16 – 30 years), respectively.

Consistent with OEHHA²⁹, as recommended by SCAQMD, BAAQMD, and SJVAPCD guidance, we used Age Sensitivity Factors (“ASF”) to account for the heightened susceptibility of young children to the

²⁸ “Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised.” EPA, 1992, *available at*: http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf; *see also* “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, *available at*: <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf> p. 4-36.

²⁹ “The Office of Environmental Health Hazards Assessment issued updated guidance for the preparation of health risk assessments in March 2015 (OEHHA 2015)” (p. 5.2-29).

carcinogenic toxicity of air pollution.^{30, 31, 32, 33} According to this guidance, as recommended by the IS/MND, the quantified cancer risk should be multiplied by a factor of ten during the third trimester of pregnancy and during the first two years of life (infant) as well as multiplied by a factor of three during the child stage of life (2 – 16 years) (p. 28). Furthermore, in accordance with the guidance set forth by OEHHA, we used the 95th percentile breathing rates for infants.³⁴ Finally, according to BAAQMD guidance, we used a Fraction of Time At Home (“FAH”) value of 0.85 for the 3rd trimester and infant receptors, 0.72 for child receptors, and 0.73 for the adult receptors.³⁵ We used a cancer potency factor of 1.1 (mg/kg-day)⁻¹ and an averaging time of 25,550 days. The results of our calculations are shown below.

The Maximally Exposed Individual at an Existing Residential Receptor

Activity	Duration (years)	Concentration (ug/m3)	Breathing Rate (L/kg-day)	ASF	Cancer Risk with ASFs*
Construction	0.25	0.2427	361	10	2.8E-06
3rd Trimester Duration	0.25			3rd Trimester Exposure	2.8E-06
Construction	0.97	0.2427	1090	10	3.3E-05
Operation	1.03	0.3027	1090	10	4.4E-05
Infant Exposure Duration	2.00			Infant Exposure	7.6E-05
Operation	14.00	0.3027	572	3	7.9E-05

³⁰ “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

³¹ “Draft Environmental Impact Report (DEIR) for the Proposed The Exchange (SCH No. 2018071058).” SCAQMD, March 2019, available at: <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/march/RVC190115-03.pdf?sfvrsn=8>, p. 4.

³² “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 56; see also “Recommended Methods for Screening and Modeling Local Risks and Hazards.” BAAQMD, May 2011, available at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20Modeling%20Approach.ashx>, p. 65, 86.

³³ “Update to District’s Risk Management Policy to Address OEHHA’s Revised Risk Assessment Guidance Document.” SJVAPCD, May 2015, available at: <https://www.valleyair.org/busind/pto/staff-report-5-28-15.pdf>, p. 8, 20, 24.

³⁴ “Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics ‘Hot Spots’ Information and Assessment Act,” June 5, 2015, available at: <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588-risk-assessment-guidelines.pdf?sfvrsn=6>, p. 19.

“Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>

³⁵ “Air Toxics NSR Program Health Risk Assessment (HRA) Guidelines.” BAAQMD, January 2016, available at: http://www.baaqmd.gov/~media/files/planning-and-research/rules-and-regs/workshops/2016/reg-2-5/hra-guidelines_clean_jan_2016-pdf.pdf?la=en

Child Exposure Duration	14.00			Child Exposure	7.9E-05
Operation	14.00	0.3027	261	1	1.2E-05
Adult Exposure Duration	14.00			Adult Exposure	1.2E-05
Lifetime Exposure Duration	30.00			Lifetime Exposure	1.70E-04

As demonstrated in the table above, the excess cancer risk to adults, children, infants, and during the 3rd trimester of pregnancy at the MEIR located approximately 175 meters away, over the course of Project construction and operation, are approximately 12, 79, 76, and 2.8 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), utilizing age sensitivity factors, is approximately 170 in one million. The infant, child, adult, and lifetime cancer risks all exceed the BAAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS/MND.

An agency must include an analysis of health risks that connects the Project's air emissions with the health risk posed by those emissions. Our analysis represents a screening-level HRA, which is known to be conservative and tends to err on the side of health protection.³⁶ The purpose of the screening-level construction and operational HRA shown above is to demonstrate the link between the proposed Project's emissions and the potential health risk. Our screening-level HRA demonstrates that construction and operation of the Project could result in a potentially significant health risk impact, when correct exposure assumptions and up-to-date, applicable guidance are used. Therefore, since our screening-level HRA indicates a potentially significant impact, the City should prepare an EIR with an HRA which makes a reasonable effort to connect the Project's air quality emissions and the potential health risks posed to nearby receptors. Thus, the City should prepare an updated, quantified air pollution model as well as an updated, quantified refined HRA which adequately and accurately evaluates health risk impacts associated with both Project construction and operation.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The IS/MND estimates that the proposed Project would generate net annual greenhouse gas ("GHG") emissions of 2,227.2 metric tons of CO₂ equivalents per year ("MT CO₂e/year"), or 3.31 metric tons of CO₂ equivalents per service population per year ("MT CO₂e/SP/year"). As a result, the IS/MND concluded that the Project's GHG emissions would exceed the BAAQMD bright line threshold of 1,100 MT CO₂e/year, but not the 4.6 MT CO₂e/SP/year service population efficiency threshold (p. 49). Furthermore, the IS/MND concludes that the proposed Project would be consistent with the City's Community Climate Action Plans ("CCAPs") (p. 49). As a result, the IS/MND concludes that the Project's GHG impact would be less than significant. However, this conclusion is incorrect for three reasons:

³⁶ "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>, p. 1-5

- (1) The IS/MND's incorrect and unsubstantiated analysis demonstrates a potentially significant GHG impact;
- (2) The City's Community Climate Action Plan cannot be relied upon to determine Project significance; and
- (3) Updated analysis indicates a potentially significant GHG impact.

1) Incorrect and Unsubstantiated GHG Analysis Demonstrates Significant Impact

As discussed above, the IS/MND estimates the Project's annual and service population GHG emissions, then compares them to the BAAQMD's bright line and per service population screening thresholds of 1,100 MT CO₂e/year and 4.6 MT CO₂e/SP/year (p. 49). Based on this evaluation, the IS/MND concludes that the Project's net GHG emissions would exceed the bright line threshold, but not the per service population threshold. Thus, the IS/MND concludes that "the proposed project would not be expected to have a significant impact related to GHG emissions" (p. 49) (see excerpt below) (p. 49, Table 8).

Table 8			
Unmitigated Operational GHG Emissions Year (MTCO₂e/yr)			
Emission Source	Proposed Project Annual GHG Emissions	Existing Delta Fair Center Annual GHG Emissions	Net New Annual GHG Emissions
Area	2.62	0.00	2.62
Energy	421.0	268.6	152.4
Mobile	3,163.6	1,686.4	1,477.2
Solid Waste	90.0	85.0	5.0
Water	44.5	27.3	17.1
Amortized Construction Emissions	572.9	-	572.9
Total Annual GHG Emissions	4,294.6	2,067.3	2,227.2
Total Annual GHG Emissions Per Service Population	--	--	3.31
BAAQMD Threshold			4.6
Exceeds Threshold?			NO
<i>Source: CalEEMod, November 2019 (Appendix A).</i>			

As the excerpt above demonstrates, the IS/MND compared the proposed Project's quantified GHG emissions from CalEEMod to the BAAQMD's bright line screening threshold of 1,100 MT CO₂e/year and per service population screening threshold of 4.6 MT CO₂e/SP/year. However, the IS/MND's GHG analysis is incorrect for two reasons.

First, the IS/MND utilizes an incorrect and underestimated CalEEMod model to estimate the proposed Project's anticipated GHG emissions. However, as previously discussed, the IS/MND's CalEEMod model relies upon incorrect input parameters to estimate the Project's criteria air pollutant and GHG emissions, resulting in an underestimation of emissions. As a result, we find the IS/MND's quantitative GHG analysis to be incorrect and unreliable. An updated CEQA analysis should be prepared, using correct, project-specific modeling to adequately assess and mitigate the Project's GHG impact.

Second, the IS/MND's use of the BAAQMD's 1,100 MT CO₂e/year and 4.6 MT CO₂e/SP/year screening thresholds is incorrect. These thresholds were developed for the air district's planned reductions for

2020, based on AB 32, and thus, only apply to projects that will be operational by 2020.³⁷ Considering that the proposed Project has yet to be approved, and it is almost June of 2020, these thresholds are outdated and do not apply to the proposed Project. As such, we recommend that the Project utilize the widely used 2030 “Substantial Progress” service population efficiency threshold of 2.6 MT CO₂e/SP/year, which is based on the goals laid out in EO B-30-15.

When comparing the underestimated GHG emissions from the IS/MND to the 2030 “Substantial Progress” service population efficiency threshold, we find a potentially significant impact that was not previously identified in the IS/MND (see table below) (data from p. 49, Table 8).

IS/MND Annual Greenhouse Gas Emissions	
Project Phase	Proposed Project (MT CO₂e/year)
Construction (amortized over 30 years)	572.9
Area	2.62
Energy	152.4
Mobile	1,477.2
Waste	5.0
Water	17.1
Total	2,227.2
Service Population	672
Service Population Efficiency	3.31
Threshold	2.6
Exceed?	Yes

As you can see in the table above, the Project’s per service population efficiency value of 3.31 CO₂e/SP/year exceeds the 2030 “Substantial Progress” efficiency threshold of 2.6 MT CO₂e/SP/year. Thus, we find a significant GHG impact not previously identified or addressed by the IS/MND.

Thus, the results of the above analysis provide substantial evidence that the proposed Project’s GHG emissions may still be cumulatively considerable notwithstanding its purported compliance with the City’s CCAP (as challenged herein). Therefore, an updated CEQA analysis should be prepared for the Project, and mitigation should be implemented where necessary, per CEQA Guidelines.

2) *Incorrect Reliance on the City’s Community Climate Action Plan*

As discussed above, the IS/MND relies upon the City’s CCAP to determine the significance of the proposed Project’s GHG impact (p. 49). Specifically, the IS/MND states:

³⁷ “California Environmental Quality Act Air Quality Guidelines.” BAAQMD, May 2017, *available at*: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. D-20 – D-22.

“The proposed project would comply with several emissions reductions strategies included in the City’s Community Climate Action Plans. For instance, the proposed project would include renovation of the existing structures within the project site. Such renovations are anticipated to improve the energy efficiency of the existing facilities in compliance with Strategy E3 and E14 of the Community Climate Action Plan. Furthermore, the proposed project would include planting of low-maintenance landscaping, including trees throughout the project site, which would be generally consistent with policy E4 and L5 of the Community Climate Action Plan” (p. 49).

However, this is incorrect for several reasons.

First, the CCAP is a City-level plan and fails to contain Project-level measures or reduction goals (see excerpt below).³⁸

Antioch’s CCAP:

- Provides background on the science and impacts of climate change.
- Presents Antioch’s baseline GHG emissions inventory and emissions reduction target.
- Outlines the policies and measures that Antioch may implement and/or is already implementing to achieve its target.
- Presents next steps required to implement the plan.

As you can see in the excerpt above, the CCAP only provides quantified emissions inventory and reduction targets at the City-level. Similarly, the CCAP also only provides “policies and measures that **Antioch may implement and/or is already implementing**” to achieve the specified reduction targets (emphasis added). As such, the CCAP fails to contain Project-level emissions inventory, reduction targets, and policies/measures. As such, this plan fails to be considered a qualified GHG reduction plan, as detailed in CEQA Guidelines §§ 15064.4(b)(3) and 15183.5(b)(1). Thus, the IS/MND’s GHG analysis regarding the City’s CCAP should not be relied upon to determine Project significance.

Second, as previously stated, the IS/MND claims that the proposed Project is consistent with strategies E3, E4, E14, and L5 of the CCAP. However, review of the CCAP reveals that the proposed Project is inconsistent with these measures, including but not limited to the analysis below:

³⁸ “Antioch Community Climate Action Plan.” City of Antioch, 2011, *available at*: <https://www.antiochca.gov/fc/environment/climate/Antioch%20CCAP%20Final.pdf>, p. 5.

Antioch Community Climate Action Plan³⁹

<p>E3. Energy Efficient Retrofits of Existing Facilities</p> <p><i>Antioch or Contra Costa County could facilitate retrofits of existing facilities by providing technical assistance to building owners and contractors. Municipalities can also encourage efficiency improvements by offering low or zero interest loans to building owners for improvements.</i></p> <p><i>Implementation: This strategy assumes 1,500,000 square feet of community space would be retrofitted with energy efficiency technology.</i></p> <p><i>Reduction Potential: 1,095 MT CO₂e</i></p>	<p>Here, while the IS/MND claims that “the proposed project would include renovation of the existing structures within the project site. Such renovations are anticipated to improve the energy efficiency of the existing facilities,” the IS/MND fails to include any additional information on the specifics of the Project’s anticipated renovations (p. 49). As such, we do not know what specific renovations will take place, or how the existing structures will become more energy efficient. Furthermore, as discussed in the CCAP, this measure is recommended at the City-level, rather than Project-level. As such, the proposed Project is inconsistent with the measure as detailed in the CCAP, and we cannot verify that 1,500,000 square feet of community space will be retrofitted with energy efficiency technology, as stated in the measure.</p>
<p>E4. Plant Shade Trees to Shade Buildings</p> <p><i>Trees properly planted with energy savings in mind can reduce the amount of energy (electricity, natural gas, or other fuel) used to cool and heat buildings. This reduces associated emissions and saves money. The shade from a single well-placed mature tree reduces annual air conditioning use two to eight percent (in the range of 40-300 kWh), and peak cooling demand two to ten percent (as much as 0.15-0.5 kW).</i></p> <p><i>Implementation: This strategy estimates 5,000 trees planted to shade buildings.</i></p> <p><i>Reduction Potential: 350 MT CO₂e</i></p>	<p>Here, while the IS/MND states that “the proposed project would include planting of low-maintenance landscaping, including trees throughout the project site,” the IS/MND fails to specify the species of trees, their age (whether or not they will be planted as mature or juvenile), and the cooling potential based on planting location (p. 49). The IS/MND also fails to state the number of trees to be planted. As such, we cannot verify that a sufficient number of trees will be planted in a proper manner to ensure a reduction in project energy demand. Furthermore, as discussed in the CCAP, this measure is recommended at the City-level, rather than Project-level. Finally, we are unable to verify that 5,000 trees will be planted to shade buildings, or that the reduction potential will be achieved.</p>
<p>E14. Energy Efficient Lighting Retrofits</p> <p><i>Lighting is typically the largest electricity user in commercial buildings. Most commercial buildings use fluorescent lighting, which is relatively efficient, but many buildings still have older fixtures with magnetic ballasts and T-12 size fluorescent tubes. New electronic ballasts with T-8 size tubes use 30%</i></p>	<p>Here, while the IS/MND claims that “the proposed project would include renovation of the existing structures within the project site. Such renovations are anticipated to improve the energy efficiency of the existing facilities,” the IS/MND fails to include any additional information on the specifics of the Project’s anticipated renovations, specifically regarding lighting (p. 49). While the IS/MND states</p>

³⁹ “Antioch Community Climate Action Plan.” City of Antioch, 2011, available at: <https://www.antiochca.gov/fc/environment/climate/Antioch%20CCAP%20Final.pdf>, pp. .

<p><i>less energy and can provide better light quality without flicker.</i></p> <p><i>Implementation: This strategy assumes 1,000,000 square feet lit by energy efficient lighting.</i></p> <p><i>Reduction Potential: 704 MT CO₂e</i></p>	<p>that City-wide design guidelines “state that any exterior night lighting installed shall be of a low intensity, low-glare design,” the IS/MND fails to state that this will be implemented through the Project’s renovations specifically (p. 20). The IS/MND also fails to address the square footage lit by energy efficient lighting, how much less energy will be used (as a percentage) or the reduction potential, as stated in the CCAP. As such, we do not know what specific renovations will take place or how the existing buildings will include energy efficient lighting retrofits. Furthermore, as discussed in the CCAP, this measure is recommended at the City-level, rather than Project-level. Thus, the proposed Project is inconsistent with the measure as detailed in the CCAP, and we cannot verify that 1,000,000 square feet will be lit by energy efficiency lighting, as stated in the measure.</p>
<p>L5. Low-Maintenance Landscaping</p> <p><i>Low-maintenance landscaping strategies can reduce the carbon footprint of our yards. Methods include using native plants, reduced pesticide and chemical use, grass alternatives, and human-powered lawn care equipment.</i></p> <p><i>Implementation: This strategy assumes 2,000 residences using low-maintenance landscaping.</i></p>	<p>Here, while the IS/MND states that “the proposed project would include planting of low-maintenance landscaping, including trees throughout the project site,” the IS/MND fails to specify the species of plants to be included in the landscaping, whether these plants will be native, whether there will be pesticide and chemical use on-site, whether grass will be included (and if so, consideration of alternatives), and any information about lawn care equipment (p. 11, 49). As such, we are unable to verify that low-maintenance landscaping will be implemented on the Project-site as the CCAP requires. Furthermore, as discussed in the CCAP, this measure is recommended at the City-level, rather than Project-level. Thus, the proposed Project is inconsistent with the measure as detailed in the CCAP, and we cannot verify that 2,000 residences will use low-maintenance landscaping, as stated in the measure.</p>

Third, besides the four measures discussed above, the IS/MND fails to address or demonstrate consistency with the other measures included in the CCAP. As the CCAP contains four other unaddressed land use strategies (L1 – L4), sixteen other unaddressed energy strategies (E1, E2, E5 – E13, E15 – E19), as well as 11 unaddressed transportation strategies, 10 unaddressed green building strategies, and 11 education and behavior strategies, the IS/MND fails to demonstrate consistency with this plan. As such, the IS/MND’s consistency claim and less than significant impact conclusion regarding the CCAP should not be relied upon to determine Project significance.

Fourth, according to the City of Antioch, the 2011 Community Climate Action Plan has since been updated and replaced by the 2020 Climate Action Resilience Plan (“CARP”).⁴⁰ As such, the proposed Project should have demonstrated consistency with the 2020 CARP, and the IS/MND’s analysis based on the outdated CCAP from 2011 should not be relied upon to determine Project significance.

3) Updated Analysis Indicates a Potentially Significant GHG Impact

Applicable thresholds and updated modeling demonstrate that the proposed Project may result in a potentially significant GHG impact not previously identified or addressed by the IS/MND. The CalEEMod output files, modeled by SWAPE utilizing Project-specific information as disclosed in the IS/MND, disclose the Project’s construction-related GHG emissions of approximately 777.64 MT CO₂e/year (sum of 2020 and 2021 emissions) and operational GHG emissions of approximately 998 MT CO₂e/year (sum of area, energy, mobile, waste, and water-related emissions). According to the IS/MND, the Project would have a service population of 672, including residents and employees (p. 48). When dividing the Project’s GHG emissions by a service population value of 672, we find that the Project would emit approximately 4.3 MT CO₂e/SP/year.⁴¹ When comparing the Project’s GHG emissions to the 2030 “Substantial Progress” service population efficiency threshold, we find a potentially significant impact that was not previously identified in the IS/MND (see table below).

SWAPE Service Population Efficiency Analysis	
Project Phase	Proposed Project (MT CO ₂ e/year)
Annual GHG Emissions	2,907.2
Service Population	672
Service Population Efficiency	4.3
Threshold	2.6
Exceed?	Yes

As the table above demonstrates, when the Project’s emissions are modeled correctly, the Project’s total GHG emissions exceed the “Substantial Progress” efficiency threshold for 2030 of 2.6 MT CO₂e/SP/year. Thus, the Project may result in a significant GHG impact not previously assessed or identified in the IS/MND. As a result, an updated GHG analysis should be prepared in an updated Project-specific EIR and additional mitigation should be incorporated into the Project.

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing

⁴⁰ “Climate Action Resilience Plan.” City of Antioch, available at: <https://www.antiochca.gov/environmental-resources/climate-change/climate-action-resilience-plan/>

⁴¹ Calculated: (2,907.2 MT CO₂e/year) / (672 service population) = (4.3 MT CO₂e/SP/year).

results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.*

May 29, 2020

SCH #2020050040

GTS #04-CC-2019-00444

GTS ID: 15465

Co/Rt/Pm: CC/4/26.06

Alexis Morris, Planning Manager
City of Antioch Planning Division
P.O. Box 5007
Antioch, CA 94531

Delta Fair Village- Mitigated Negative Declaration (MND)**Dear Alexis Morris:**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for The Ranch Residential Development. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the May 2020 MND.

Project Understanding

The proposed project site consists of three commercial buildings and associated parking. The proposed project includes demolition of 73,546 square feet (sf) of the 147,081 sf Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking garage. The apartment complex would include a courtyard with a clubhouse, pool, and playground. Additionally, a new 4,174-sf retail building would be constructed on the western portion of the site. The new development would total 411,511 sf. Regional access is located 0.37 miles north of the State Route (SR)-4 and Somersville Road Exchange.

Transportation Impact Fees

The Lead Agency should identify project-generated travel demand and estimate the costs of regional transit and active transportation improvements

*"Provide a safe, sustainable, integrated and efficient transportation
system to enhance California's economy and livability"*

necessitated by the proposed project; viable funding sources such as the City's existing development and/or transportation impact fee programs should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. Caltrans welcomes the opportunity to work with the City and local partners to secure the funding for needed mitigation.

Construction-Related Impacts

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to SR-4.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Laurel Sears at (510)286-5614 or laurel.sears@dot.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Leong
District Branch Chief
Local Development - Intergovernmental Review

cc: State Clearinghouse

RESPONSES TO COMMENTS

INTRODUCTION

This Responses to Comments document contains specific comments received during the public review period of the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND).

According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during consultation and review periods together with the IS/MND. However, unlike with an Environmental Impact Report (EIR), comments received on an IS/MND are not required to be attached to the negative declaration, nor must the lead agency make specific written responses to public agencies. Nonetheless, the lead agency has chosen to provide responses to those specific public comments that are related to the environmental analysis contained in the IS/MND. Any non-environmental comments have been considered by the City as part of the staff report.

BACKGROUND

The City of Antioch used the following methods to solicit public input on the IS/MND: a Notice of Completion of the IS/MND was posted with the State Clearinghouse on May 1, 2020. The IS/MND was distributed to applicable public agencies, responsible agencies, and interested individuals. In addition, electronic copies were available on the City's website, <https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/>. The public review period ended June 1, 2020.

RESPONSES TO COMMENTS

The Responses to Comments below address the comments provided by Adams Broadwell Joseph Cardazo on behalf of the Antioch Residents for Responsible Development. Where revisions to the IS/MND text were made, new text is double underlined and deleted text is ~~struck through~~.

All such revisions to the IS/MND are relatively minor, and do not affect the adequacy of the conclusions presented therein. CEQA Guidelines Section 15073.5 states the following regarding recirculation requirements for negative declarations:

- (c) Recirculation is not required under the following circumstances:
 - (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
 - (2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
 - (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.



- (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

Based on the above, pursuant to CEQA Guidelines Section 15073.5, recirculation of the IS/MND is not warranted.

ADAMS BROADWELL JOSEPH & CARDAZO ON BEHALF OF THE ANTIOCH RESIDENTS FOR RESPONSIBLE DEVELOPMENT

The comments submitted by Adams Broadwell Joseph & Cardazo on behalf of the Antioch Residents for Responsible Development are primarily based on a memorandum prepared by Soil Water Air Protection Enterprise (SWAPE). Although the comments provided by Adams Broadwell Joseph & Cardazo are not limited to those issues raised by SWAPE, the SWAPE analysis provides the technical basis for the comments submitted by Adams Broadwell Joseph & Cardazo. Thus, to avoid duplication of responses, the following responses will first provide responses to the technical concerns raised by SWAPE, before providing responses to the comments of Adams Broadwell Joseph & Cardazo that have not already been addressed through the response to the SWAPE analysis. In so doing, this response to comments document will respond to all factual concerns raised by the commenter.

Hazards and Hazardous Materials

The analysis of Hazards and Hazardous Materials was in part based on information derived from the California Environmental Protection Agency's (CalEPA's) Cortese List. The Cortese List is a legislatively defined list of sites known to contain, or be contaminated by, hazardous materials or substances, and is included as Section 69562.5 of the Government Code. The Cortese List is updated annually by various state agencies including the Department of Toxic Substances Control, the State Department of Health Services, the State Water Resources Control Board, and the California Integrated Waste Management Board (now CalRecycle). The information provided by the foregoing state agencies is compiled by the Secretary for Environmental Protection.¹ Due to the compilation of information from a variety of sources, the Cortese List provides a critical resource in determining whether a site is affected by hazardous material contamination. In fact, CEQA Guidelines Section 21092.6 require that lead agencies consult lists compiled pursuant to Section 65962.5 of the Government Code during the drafting and notification process for a negative declaration or a draft environmental impact report.

To ensure that new data had not been added to the Cortese List since publication of the IS/MND prepared for the project, the Cortese List was again consulted, as well as the California Office of Environmental Health Hazard Assessment's (OEHHA's) CalEnviroScreen 3.0. According to the CalEnviroScreen and the Cortese List, the project site does not contain any known hazardous materials sites, and the closest cleanup site is located at least 0.6 miles southwest of the project site, at the Los Medanos Tank Farm.² Consequently, the conclusion presented within the IS/MND is supported by existing resources related to the existing hazardous materials in the project region.

Pages 51 through 53 of the IS/MND present consideration and analysis of various potential sources of hazardous materials in addition to the use of the Cortese List. Because the project site is currently developed and overlain with impervious surfaces, testing of the site for contaminated

¹ California Environmental Protection Agency. *Cortese List: Background and History*. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/Background/>. Accessed July 2020.

² California Office of Environmental Health Hazard Assessment. *CalEnviroScreen 3.0*. Available at: <https://oehha.ca.gov/calenviroscreen/indicator/cleanup-sites>. Accessed July 13, 2020.



soils would be onerous, and would only be necessary should evidence be provided that the soil underlying the project site was previously contaminated. As noted in the SWAPE analysis, the project may have been disturbed at various points in history; however, the mere fact that a site was disturbed does not mean that the site has been contaminated. Moreover, the commenter has not included the historic imagery purported to show such disturbance; thus, the veracity of the commenter's assertion that the site was previously disturbed can not be verified at this time. Nevertheless, site contamination would only arise from specific activities that involve the use or disposal of hazardous materials. The commenter has not provided evidence that hazardous materials were either used or disposed of within the property. According to the resources consulted during preparation of the IS/MND and this response to comments, the project site does not contain any known sources of hazardous wastes, from either prior or existing uses. Based on the analysis provided in the IS/MND, the updated research performed during preparation of this response to comments, and the lack of evidence provided by SWAPE indicating the likelihood of contamination, preparation of a Phase I ESA is not deemed necessary, and the conclusions of the IS/MND are adequate for the purposes of environmental analysis under CEQA.

Air Quality

The following sections discuss the adequacy of the air quality analysis presented in the IS/MND, and, where needed, provide minor revisions to the text of the IS/MND to clarify or amplify the conclusions reached in the document.

Project Trip Generation Input Parameters

The comment is introductory. The specific concerns expressed by the commenter are responded to in-depth below.

Determination of Land Use Size

As shown in the portion of the Transportation Assessment (TA) prepared for the project by Fehr and Peers replicated by the commenter, note 6 of the Trip Generation Summary in the traffic report provides information related to the trip generation estimate produced for the existing shopping center. Note 6 of Table 4, Trip Generation, of the TA states the following, "[e]xisting shopping center trip generation taken from enter and exits from the peak hour turning movement counts."³ Thus, the trip rates used in project analysis were based on real-world observed trip generation from the existing shopping center. Consequently, the trip generation attributed to the existing development is accurate, as is the analysis presented within the IS/MND, which is dependent on the observed trip rate.

In addition, use of project site wide square footage of 161,000 square feet (sf) is correct for the purposes of air quality modeling. The difference in square footage between 147,081 and 161,000 is due to a recently submitted application for operation of a church and preschool/daycare within the project site. The proposed application is included as project 8 in Table 6 of the TA, and includes operation of a 4,700-sf church as well as a 9,300-sf preschool/daycare for a total operational square footage of 14,000 sf. In order to avoid double-counting potential impacts from the church and preschool/daycare, the 14,000-sf operational area was excluded from much of the analysis presented in the IS/MND and treated as a pending future project. For instance, as discussed above, the trip generation rates in the TA were based on actual traffic counts from the project site, and, because the church and preschool/daycare were not operational at the time of analysis, existing traffic counts do not include trips related to the proposed church and preschool/daycare.

³ Fehr and Peers. *Transportation Assessment: Delta Fair Village* [pg. 18]. December 2019.



Although the church and preschool/daycare were excluded from much of the analysis in the IS/MND, inclusion of the full 161,000 sf of building space within the air quality and GHG emissions analysis portion of the IS/MND is justified for several reasons. Principally, the proposed church and preschool/daycare would be housed in existing building space within the project site. That is, the building area proposed for use as a church and preschool/daycare already exists within the site. Maintenance and upkeep of structures, even when non-tenanted, still results in emissions related to landscaping, building maintenance including painting, and the consumption of electricity for building security lighting. Moreover, to ensure that only emissions from the building itself were considered, the trip rate for the existing structures were updated in CalEEMod to reflect the trip rates from the existing site presented within the TA. The result of the method used to calculate emissions from the full 161,000 sf of existing development is not an overestimation of emissions as suggested by the commenter, but an accurate representation of the emissions that currently result from on-site activities.

Selection of ITE Land Use Code

The future tenant of the proposed 4,000 sf stand-alone structure is not currently known. As noted on page 16 of the TA prepared for the project “For a conservative approach on the trip generation, the 4,000 square foot new facility was assumed to be daycare rather than retail.” Although the future use of the 4,000-sf structure is speculative, Fehr and Peers chose a land use deemed conservative for the analysis of potential traffic related impacts.⁴ In order to maintain consistency across the technical reports prepared for the project, the air quality analysis relied on the expertise of Fehr and Peers and used the trip generation rates presented in the TA. For perspective, according to the 10th edition of the Institute of Traffic Engineers *Trip Generation Manual* a daycare land use typically results a daily trip rate of 47.62 trips per 1,000 sf. A shopping center land use typically results in a comparatively lower trip rate of 37.75 trips per day per 1,000 sf. Because day cares are anticipated to result in a higher daily trip rate as compared to a shopping center, in contrast to the commenter’s assertion, assuming a day care would be operated at the 4,000 sf structure is both reasonable and conservative, in that the day care use would result in a higher estimated daily trip rate, and higher daily emissions, as compared to a shopping center land use.

Emissions Modeling Input Parameters

Pages 23 as well as 47-48 of the IS/MND provide information related to the project-specific modeling assumptions applied to the proposed land uses. Additional information is provided in the CalEEMod outputs themselves. In general, the information used to model emissions was based on project-specific information provided in the site plans, anticipated construction details provided by the project applicant, information provided in the TA, and publicly available information related to the application of statewide legislation, such as PG&E’s compliance with the Renewable Portfolio Standards (RPS).

Existing Land Use Size

Please refer to the section above titled “Determination of Land Use Size.” As discussed therein, an existing square footage of 161,000 was used precisely for the purpose of capturing building related emissions that are currently occurring within the project site. Thus, the modeled emissions are sound and provide a credible base for the analysis of project-related emissions.

Electricity Emissions Factors

The State’s RPS is a legislative requirement mandating that public utilities source a certain percentage of their retail electricity from renewable sources. Producing electricity from renewable

⁴ Fehr and Peers. *Transportation Assessment: Delta Fair Village* [pg. 16]. December 2019.



sources reduces the GHG emissions intensity of electricity, thus reducing the amount of GHG emissions released per unit of energy consumed. The default values for the emissions intensity of PG&E electricity in CalEEMod are based on values from the year 2008.⁵ Since that time, PG&E has increased the proportion of electricity produced by renewable sources from 14 percent⁶ to 39 percent by the year 2018,⁷ which is the most recent year for which data is currently available. PG&E will be required to continue increasing the renewable content of their electricity in-line with the RPS eventually reaching 60 percent renewable energy content by the year 2030. However, based on RPS requirements, in the year 2022, which was assumed to be the first year of project operations, PG&E would only be required to provide 38.4 percent of grid electricity through renewable sources. Although PG&E currently exceeds the RPS standard for 2022, in order to provide a conservative estimate of project-related emissions, the energy intensity factor in CalEEMod was adjusted under the assumption that PG&E would operate with a renewable content of 38.4 percent in the year 2022. Because PG&E has already exceeded this level of renewable energy content, the assumption relied upon in emissions modeling prepared for the project are reasonable and conservative.

Changes to Construction Schedule

The construction schedule applied for the proposed project was based on applicant provided information. As noted in the CalEEMod User's Guide, "if the user has more detailed site-specific equipment and phase information, the user should override the default values."⁸ The proposed project involves construction of several types of land uses in both a free-standing and mixed-use structure, which is generally a more complex type of project than a standard single-use type development. Given the complexity of the proposed development as well as the applicant provided construction schedule, the CalEEMod default construction schedule was adjusted to reflect an 18-month construction period, as discussed on page 23 of the IS/MND. Adjustment of the default construction schedule is supported by the CalEEMod user guide and reflects the best available information for the proposed project; therefore, the analysis presented within the IS/MND is adequate.

Proposed Project Land Use Type and Size

Based on the most recent site plans submitted to the City, the technical analyses prepared for the proposed project correctly assume that the standalone structure noted by the commenter would be 4,000 sf. Although the technical analyses prepared for the project referenced a correct square footage, the IS/MND incorrectly states that the new standalone structure would be 4,174 sf. Therefore, several revisions to the text of the IS/MND are required as follows.

Page 2 of the IS/MND is hereby revised as follows:

12. Project Description Summary:

The proposed project would include demolition of 73,546 sf of the 147,081 sf Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking

⁵ California Air Pollution Control Officers Association. *California Emission Estimator Model Use Guide: Appendix D*. October 2017.

⁶ PG&E. *Planning for California's Clean Energy Future*. Available at: http://www.pgecorp.com/corp_responsibility/reports/2008/our_environment/future_planning.html. Accessed July 14, 2020.

⁷ PG&E. *Power Content Label*. October 10, 2019.

⁸ California Air Pollution Control Officers Association. *California Emission Estimator Model Use Guide* [pg. 31]. November 2017.



garage. The apartment complex would include a courtyard with a clubhouse, pool, and playground. Additionally, a new ~~4,174-4,000~~ sf retail building would be constructed on the western portion of the site. The new development would total ~~411,514~~411,092 sf.

Similarly, page 8 of the IS/MND is hereby revised as follows:

Project Components

The proposed project would include demolition of approximately 73,546 sf of the existing Delta Fair Shopping Center. The area of demolition would be developed with a 210-unit multi-family apartment complex and a new ~~4,174-4,000~~-sf retail building (see Figure 3). The apartment complex would consist of five buildings all located above a ground-level parking structure. The five buildings would be cohesively centered around a common courtyard area. The new retail building would be constructed north of the proposed apartment structure. The square footage of the proposed project would total ~~411,514~~411,092 sf. In addition, the project would include renovation of the remaining existing 73,535 sf of retail space. The proposed project would include new drive aisles and associated improvements, such as landscaping, utility connections, and parking development. The sections below describe the following project components in further detail: apartment buildings; circulation and parking; landscaping, common area and fencing; utilities; Rezone; Use Permit and Design Review; and Discretionary Actions.

Because the technical analyses prepared for the proposed project relied on the correct square footage, the foregoing changes do not affect the adequacy of the IS/MND.

With regard to the use of the “Day-Care Center” land use type in CalEEMod, the distinction between retail uses and educational uses, specifically daycares, noted by the commenter is not reflected in the City’s General Plan Land Use and zoning designations. In fact, daycares are an allowable use within lands designated and zoned Regional Commercial. As discussed above, in the section titled Selection of ITE Land Use Code, the daycare land use was chosen to provide a conservative approach to the analysis of traffic-related impacts. Because daycares are an allowable use under the City’s existing land use designations for the site and provides a conservative approach to analysis from a trip generation perspective, use of a daycare land use type is appropriate for the analysis presented within the IS/MND.

Material Import and Export

The amounts and timing of material import and export applied in the CalEEMod emissions modeling are correct per applicant provided information regarding project construction. However, the IS/MND erroneously states that 100 cubic yards of material would be exported from the site during project grading; instead, the IS/MND should state that 100 cubic yards of material would be imported to the site during grading. Consequently, page 23 of the IS/MND is hereby revised as follows:

- Land uses include Apartments Mid-Rise and Retail;
- Construction would occur over an approximately 18-month period;
- A total of 73,546 sf of existing building would be demolished;
- Four acres would be disturbed during grading;
- A total of 50 cubic yards of material would be exported during site prep and 100 cubic yards would be ~~exported~~imported during grading;
- Average daily trip rates of 5.44 trips per residential unit and 43.78 trips per thousand sf (ksf) of retail, were assumed based on the Transportation Impact Assessment (TIA) prepared for the proposed project by Fehr & Peers;
- The nearest transit station is located 0.01-mile away; and
- Pedestrian connection is provided on-site.



The method of calculating emissions related to material import/export is not dependent upon whether the material is entering or leaving the site. Rather, CalEEMod calculates emissions from import and export of material based on the total volume of material being moved and the number of haul trucks used to transport the material. Because CalEEMod calculates emissions based on the volume of material moved, even if emissions modeling had assumed that material was exported rather than imported during grading, such an error would not have an effect on the estimated emissions, and would not impact the analysis presented in the IS/MND.

Based on the above, only minor text changes are required to the IS/MND, and the analysis presented within the IS/MND remains valid.

Hauling Trips

When a particular amount of soil material import or export is input into CalEEMod, the CalEEMod software generates an anticipated number of haul trucks required to transport the specified amount of material. Unless specific information is available regarding the number of trucks required to transport the material, CalEEMod defaults should be used. In the case of the project-modeling, the change to project modeling appears to be erroneous. Based on the comment, the construction modeling for the project has been updated to return the number of haul trucks to the default value. The updated modeling results are included as an appendix to this response to comments document. Based on the updated modeling, Table 3 on page 24 of the IS/MND is hereby revised as follows:

Table 3 Maximum Unmitigated Construction Emissions (lbs/day)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	24.3915.45	54	NO
NO _x	50.4042.54	54	NO
PM ₁₀ (exhaust)	2.20	82	NO
PM ₁₀ (fugitive)	18.22	None	N/A
PM _{2.5} (exhaust)	2.02	54	NO
PM _{2.5} (fugitive)	9.97	None	N/A
Source: CalEEMod, October 2019, July 2020 (see Appendix A).			

It should be noted that the revisions to Table 3 also incorporate a staff-initiated change to address an error found in the emissions presented in Table 3. Specifically, the emissions of ROG and NO_x presented in Table 3 of the IS/MND were retained from an earlier iteration of the project modeling, rather than the final project modeling contained in Appendix A of the IS/MND. However, the emissions presented in Table 3 of the IS/MND are conservative and the actual emissions, as included in the outputs contained in Appendix A of the IS/MND, would be lower.

As shown in the table above, construction-related emissions would remain below the BAAQMD's thresholds significance, despite the aforementioned change in modeling and staff-initiated change.

Trip Purpose and Percentages

The commenter notes that CalEEMod assigns differing trip lengths through a system of "Trip Purposes." There are three types of trips in CalEEMod, primary trips, diverted trips, and pass-by trips, each of which is assigned a different trip length. CalEEMod automatically splits the total trips between the three categories based on the type of land use (e.g., commercial, residential, educational). In order to maintain consistency with the TA, the CalEEMod emissions modeling



prepared for the project applied the trip generation rates used within the TA. However, as noted by the commenter, the trip generation estimates presented within the TA prepared for the project also considered the potential for a portion of project trips to be comprised of pass-by trips. Thus, pass-by trips were inadvertently double-counted, with some pass-by trips accounted for in the TA and additional pass-by trips accounted for within the CalEEMod software through the default Trip Purpose assignments.

In response to the comment, updated emissions estimates have been prepared for the proposed project. To avoid double-counting pass-by trips in the estimation of project-related trips, the Trip Purpose in CalEEMod has been divided solely between primary and diverted trips, as suggested by the commenter. The updated modeling results are included as an appendix to this response to comments document. It should be noted that changes to the modeling prepared for the existing operations at the site have not been applied and are not needed. Based on the above, Table 4, on page 25 of the IS/MND is hereby revised as follows:

Table 4						
Unmitigated Maximum Operational Emissions						
Pollutant	Proposed Project Emissions		Existing Delta Fair Shopping Center		Net New Emissions	
	lbs/day	tons/yr	lbs/day	tons/yr	lbs/day	tons/yr
ROG	44.5 14.68	2.4 32.46	7.35	1.25	7.1 57.33	1.8 41.21
NO _x	27.9 28.97	4.9 95.18	14.2	2.55	13.7 14.77	2.4 42.63
PM ₁₀ (exhaust)	0.3 10.33	0.05	0.10	0.02	0.2 10.23	0.03
PM ₁₀ (fugitive)	16.5 17.95	2.9 03.14	8.85	1.55	7.6 59.1	1.3 51.59
PM _{2.5} (exhaust)	0.3 00.31	0.05	0.10	0.02	0.2 00.21	0.03
PM _{2.5} (fugitive)	4.4 14.80	0.7 80.84	2.37	0.42	22.0 4.43	0.3 60.42
Exceeds Thresholds?					NO	NO
Source: CalEEMod, November 2019/July 2020 (see Appendix A).						

As demonstrated in the table above, adjusting the Trip Purpose as suggested by the commenter would not result in net emissions, or gross project emissions alone, exceeding the BAAQMD's thresholds of significance for maximum pounds per day or tons per year. Consequently, the conclusions reached within the IS/MND remain valid.

Area-Related Operational Mitigation Measures

According to applicant provided information, the proposed residences would not include the installation of hearths, either natural gas or wood-fired. Thus, inclusion of the measure is warranted. Nevertheless, in response to the comment, page 23 of the IS/MND is hereby revised as follows:

- Land uses include Apartments Mid-Rise and Retail;
- Construction would occur over an approximately 18-month period;
- A total of 73,546 sf of existing building would be demolished;
- Four acres would be disturbed during grading;
- A total of 50 cubic yards of material would be exported during site prep and 100 cubic yards would be ~~exported~~imported during grading;
- Average daily trip rates of 5.44 trips per residential unit and 43.78 trips per thousand sf (ksf) of retail, were assumed based on the Transportation Impact Assessment (TIA) prepared for the proposed project by Fehr & Peers;
- The proposed residences would not include natural gas or wood-fired hearths;



- The nearest transit station is located 0.01-mile away; and
- Pedestrian connection is provided on-site.

Based on the above, only minor text changes are required to the IS/MND, and the analysis presented within the IS/MND remains valid.

Mobile-Related Operational Mitigation Measures

Existing pedestrian facilities connect the project site to other commercial and residential areas within the project vicinity. As noted on page 11 of the TA prepared for the project, “[t]hree routes operate in the vicinity of the Project site with Routes 380, 390, and 394 stopping at Delta Fair Boulevard and Buchanan Road, adjacent to the Project site.” Route 380 provides service to Bay Point, Pittsburg, and Antioch, including two BART stations. Route 390 connects the Pittsburg BART with the Antioch BART station, and route 394 provides weekend service between Bay Point and the Antioch BART. All three routes connect various destinations including schools, public libraries, senior centers, city halls, BART stations, and commercial areas. Thus, the existing transit service within the vicinity of the project site is robust. The proposed project would include provision of internal pedestrian networks that would connect the proposed residences and non-residential uses with other on- and off-site uses, and would place more residents in close proximity to existing transit services. Consequently, inclusion of mobile-related mitigation measures is warranted for this project. The project plans included in the IS/MND for instance Figure 3 on page 8, depict the connection of all proposed uses with all existing on- and off-site uses.

The inclusion of inherent site features (such as existing transit and pedestrian facilities) is noted on page 23 of the IS/MND. Nevertheless, in order to provide greater clarity, page 23 of the IS/MND is hereby revised as follows:

- Land uses include Apartments Mid-Rise and Retail;
- Construction would occur over an approximately 18-month period;
- A total of 73,546 sf of existing building would be demolished;
- Four acres would be disturbed during grading;
- A total of 50 cubic yards of material would be exported during site prep and 100 cubic yards would be ~~exported~~imported during grading;
- Average daily trip rates of 5.44 trips per residential unit and 43.78 trips per thousand sf (ksf) of retail, were assumed based on the Transportation Impact Assessment (TIA) prepared for the proposed project by Fehr & Peers;
- The proposed residences would not include natural gas or wood-fired hearths;
- The nearest transit station is located 0.01-mile away on Delta Fair Boulevard, with additional transit stops on Buchanan Road; and
- Pedestrian connection is provided on-site and connects to existing off-site uses.

The foregoing revisions are for clarification only, and serve to amplify the information already presented in the IS/MND. Thus, the analysis presented within the IS/MND remains valid.

Diesel Particulate Matter Health Risks

As explained on pages 27 through 29, the only major source of diesel particulate matter (DPM) during project implementation would be construction activities. Because DPM would be a subset of the PM_{2.5} emissions released by diesel-powered equipment, the estimated annual level of PM_{2.5} emissions from project construction was used as the basis for the pollutant dispersion modeling prepared for the project. As shown in Appendix A of the IS/MND, total annual unmitigated construction emissions of PM_{2.5} were anticipated to equal 0.1404 tons/yr during 2020 (the first year of project construction, and 0.0911 tons/yr in 2021. Based on the updated modeling



included as an appendix to this response to comments document, PM_{2.5} emissions are anticipated to remain at 0.1404 tons/yr in 2020 and 0.0911 tons/yr in 2021. Consequently, the pollutant dispersion modeling prepared as part of the project health risk assessment does not underestimate construction-related emissions, and the conclusions presented within the IS/MND and based on the emissions modeling remain valid. Moreover, the use of total annual unmitigated construction emissions of PM_{2.5} as a proxy for DPM emissions represents a conservative approach to analysis as the total annual emissions of PM_{2.5} include emissions from both off-road diesel-powered equipment, as well as on-road diesel equipment. In practice, emissions from on-road vehicles would be dispersed throughout the roadway network of the region, and nearby receptors would only be exposed to a fraction of the total PM_{2.5} emissions. Thus, actual health risks experienced by nearby receptors would likely be lower than the risks analyzed and presented in the IS/MND.

Health Risk Assessments (HRA) are only required where projects would involve substantial sources of toxic air contaminants (TACs). DPM is considered a TAC and would be emitted by construction-equipment, therefore, a construction HRA was prepared and presented in the IS/MND. Contrary to the commenter's assertion, operation of the project would not be considered to result in substantial emissions of TACs. As noted in the California Air Resources Board's (CARB's) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook), common sources of TACs include freeways and high traffic roads, distribution centers, rail yards, ports, petroleum refineries, chrome plating operations, dry cleaners using perchloroethylene, and gasoline dispensing facilities. The project does not include any of the foregoing uses. According to the TA prepared for the project, the project would only increase vehicle traffic within the project vicinity by 2,168 trips per day. The increased daily trips would be dispersed throughout the existing transportation network outside of the project site, and would not be anticipated to result in any roadways adjacent to nearby receptors experiencing a vehicle per day rate in excess of 100,000 vehicles, which is the level at which the CARB considers an urban roadway to be a high traffic road and a substantial source of TACs. Moreover, the existing commercial development at the project site may involve delivery of goods by way of heavy-duty diesel vehicles; however, the proposed project would result in a net reduction in on-site commercial space. A net reduction in on-site commercial space would be anticipated to reduce the number of heavy-duty diesel vehicles accessing the site. Thus, operational emissions of DPM would likely decrease with implementation of the project.

An operational HRA need only be completed if a project would involve operations that have the potential to emit substantial amounts of TACs. The proposed project does not include any substantial sources of TACs, and may ultimately reduce the long-term release of DPM from the project site. In compliance with Office of Environmental Health Hazard Assessment's (OEHHA's) guidance for the analysis of health risks from short-term projects, the health risks from short term projects should be evaluated for the duration of the project. In this case, health risks associated with construction were analyzed for the duration of the construction period, as recommended by OEHHA.⁹ Consequently, a need for an operational HRA does not exist, and the HRA presented within the IS/MND remains a valid representation of the health risks that would occur due to construction of the proposed project.

⁹ Office of Environmental Health Hazard Assessment. *Air Toxics Hot Spots Program Risk Assessment Guidelines* [pg. 8-18]. February 2015.



As noted on page 28 of the IS/MND:

“[t]he associated cancer risk and non-cancer hazard index were calculated using the CARB’s Hotspot Analysis Reporting Program Version 2 (HARP 2) Risk Assessment Standalone Tool (RAST), which calculates the cancer and non-cancer health impacts using the risk assessment guidelines of the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Guidance Manual for Preparation of Health Risk Assessments.”

The HARP 2 RAST modeling was adjusted to present a worst-case health risk by assuming that a nearby receptor would be exposed to the maximum concentration of pollutants from project construction, during the period of life when receptors are most vulnerable, which is the third-trimester of pregnancy. Because the age sensitivity factor is highest for individuals beginning in the third-trimester of pregnancy, the health risks to individuals that are exposed to project-related emissions starting at an older age would be comparatively less than the risk levels presented in the IS/MND.

The HARP 2 RAST tool was designed by the CARB in compliance with the OEHHA’s guidance, and presents the maximum health risks based on the pollutant concentrations input by the user. To analyze health risks, the HARP 2 RAST software allows the user to input a starting age of exposure for a receptor and the exact duration of exposure. Based on toxicity studies conducted or reviewed by OEHHA, young animals are more sensitive to exposure to carcinogens as compared to adult animals. Thus, OEHHA uses age sensitivity factors that are higher for younger age groups, and lower for older age groups. In particular, individuals in the third-trimester of age through two years of age are considered the most sensitive age group to air toxics.

For the proposed project, the exposure age was set to begin in the third-trimester of the maximally exposed receptor and last throughout the entirety of project construction. In so doing, the maximally exposed receptor was assumed to experience risk during the highest susceptibility times of the receptor’s life, where the receptor would be exposed through the entirety of the third-trimester and into the 0-2-year age group. HARP 2 RAST inherently calculates the risk experienced during the approximately three-month period of the third-trimester of pregnancy, then sums that risk with the risk experienced during the remaining period of exposure, which would be within the 0-2-year age group, given the anticipated construction timeline for the project. Because HARP 2 RAST inherently provides a summation of health risks for the maximally exposed receptor during the exposure period, further post-processing summation of health risks would artificially inflate the risks posed by the project. For instance, BAAQMD’s threshold of significance is based on the number of increased cases of cancer per million individuals. If the cancer risk to a receptor in the third trimester at the start of construction was summed with the health risks experienced by a different receptor in the 16-70-year age group, the resulting cancer risk would no longer represent the individual risk per million individuals. The approach of considering risks additively from every age group is better suited towards determining a population wide risk, which is considered in both the BAAQMD’s and OEHHA’s guidance for analyzing health risks from long-term or large-scale industrial projects with a widespread area of emissions influence. Thus, the health risks presented within the IS/MND are valid, and supported by the CARB’s guidance.¹⁰

In conclusion, the HRA conducted for construction health risks presents an accurate representation of the potential for unmitigated project construction to result in health risks to nearby receptors. Because the project would not include operational sources of TACs, an

¹⁰ California Air Resources Board. *User Manual for the Hotspots Analysis and Reporting Program Health Risk Assessment Standalone Tool Version 2*. March 17, 2015.



operational HRA is not warranted. The IS/MND compares project-related health risks to BAAQMD's adopted threshold of significance. Accordingly, the analysis provided in the IS/MND is valid.

Considering the validity of the analysis provided in the IS/MND, the commenter's conclusions based on their own emissions modeling and health risk screening analysis are not considered in-depth, as the IS/MND provides a more detailed health risk analysis that is based on project-specific data.

GHG Emissions

The following sections discuss the adequacy of the GHG emissions analysis presented in the IS/MND, and, where needed, provide minor revisions to the text of the IS/MND to clarify or amplify the conclusions reached in the document.

Adequate Evaluation of GHG Impacts

The comment provides a summary of the commenter's concerns regarding the analysis of GHG emissions in the IS/MND. The following sections provide in-depth responses to the commenter's concerns.

Conclusions of the GHG Analysis

As discussed above, the majority of the commenter's concerns do not affect the emissions estimated for the project. Nevertheless, in response to the comments received on the IS/MND, updated emissions modeling was prepared for the proposed project as part of this response to comments. In particular, updated emissions modeling was prepared to address concerns regarding the import and export of construction material, including the number of haul trucks required for such material movement, and to address concerns related to the default assignment of Trip Purposes.

With regard to construction emissions, the changes to project modeling have resulted in a change in construction-related emissions in the year 2020 from a level of 590.08 metric tons of carbon dioxide equivalence per year (MTCO₂e/yr) to 590.11 MTCO₂e/yr. The estimated emissions in the year 2021 have not changed. The change in emissions of 0.03 MTCO₂e/yr would not change the amortized rate of annual construction emissions of 572.9, which is presented in Table 7 of the IS/MND. Because the amortized rate of construction is used in the analysis of project-related emissions, the changes to construction modeling are not considered substantial, and do not have the potential to affect the conclusions presented in the IS/MND. Nevertheless, Table 7 on page 48 of the IS/MND is hereby revised as follows:

Table 7	
Unmitigated Annual Project Construction GHG Emissions	
Year	Annual GHG Emissions (MTCO₂e/yr)
2020	590.08 11
2021	555.75
Total Construction Emissions	1,145.8386
Amortized Annual Construction Emissions	572.9
<i>Source: CalEEMod, November 2019, July 2020 (Appendix A).</i>	

The foregoing revisions are minor and, as discussed above and in further depth below, do not result in changes to the significance of impacts identified in the IS/MND.



In terms of operational emissions, the changes to Trip Purpose discussed previously have resulted in a change to the estimated operational emissions. It should be noted that changes to the modeling prepared for the existing operations at the site have not been applied and are not needed. Therefore, the discussion of emissions of page 49 is hereby revised as follows:

Based on the total annual GHG emissions shown in the table, including amortized annual construction emissions, and a total service population of 661 residents and 11 employees, the proposed project would result in annual per service population emissions of approximately $\frac{3,313.69 \text{ MTCO}_2\text{e/yr}}{672 \text{ residents and employees}} = 3.313.69 \text{ MTCO}_2\text{e/yr-resident and employees}$. Thus, implementation of the proposed project would result in emissions below the applicable 4.6 MTCO₂e/yr per service population threshold of significance, and the proposed project would not be expected to have a significant impact related to GHG emissions.

In addition to the textual changes presented above, Table 8 on page 49 of the IS/MND is hereby revised as follows:

Table 8 Unmitigated Operational GHG Emissions Year (MTCO₂e/yr)			
Emission Source	Proposed Project Annual GHG Emissions	Existing Delta Fair Center Annual GHG Emissions	Net New Annual GHG Emissions
Area	2.62	0.00	2.62
Energy	420.95	268.6	152.35
Mobile	<u>3,163.63,414.01</u>	1,686.4	<u>4,477.21,727.61</u>
Solid Waste	90.02	85.0	5.02
Water	44.51	27.3	17.21
Amortized Construction Emissions	572.9	-	572.9
Total Annual GHG Emissions	<u>4,294.64,545.02</u>	2,067.3	<u>2,227.22,477.7</u>
Total Annual GHG Emissions Per Service Population	--	--	<u>3.313.69</u>
BAAQMD Threshold			4.6
Exceeds Threshold?			NO
Source: CalEEMod, November 2019 and July 2020 (see Appendix A).			

As shown in the table above, the updated GHG emissions would not exceed BAAQMD's adopted thresholds of significance. Compared to the level of emissions contemplated in the IS/MND the updated emissions analysis presents a total GHG emissions rate that has increased from the IS/MND anticipated level of 2,227.2 MTCO₂e/yr to 2,477.72 MTCO₂e/yr, which is an increase of 250.2 MTCO₂e/yr, and results in a per service population emission rate increase from 3.31 MTCO₂e/SP/yr to 3.69 MTCO₂e/SP/yr, an increase of 0.38 MTCO₂e/SP/yr. Because the emissions remain below the thresholds applied in the IS/MND, the revisions do not change the conclusions presented within the IS/MND.

As stated on page 47 of the IS/MND, the analysis presented in the IS/MND relies on BAAQMD's adopted thresholds of significance at the time that the environmental analysis of the project was prepared. In the absence of any other adopted thresholds or any formally adopted guidance from BAAQMD for the analysis of GHG emission beyond the year 2020, BAAQMD's adopted thresholds of significance for project-level operational GHG emissions of 1,100 MTCO₂e/yr or 4.6 MTCO₂e/yr per service population were deemed appropriate for use in the IS/MND.



In the absence of updated emissions thresholds adopted by BAAQMD, further consideration of substantial progress may be warranted to provide additional information regarding the project. Based on the comment, a service population threshold of 2.6 MTCO₂e/SP/yr may be required for projects that begin operations in the year 2030. However, according to the analysis presented within the IS/MND, the project was anticipated to begin operations in the year 2022. A more reasonable and accurate method of estimating a project's compliance with substantial progress towards statewide emissions goals would be to interpolate the BAAQMD's service population threshold of 4.6 MTCO₂e/SP/yr in the year 2020 to the year 2022. Assuming the commenter is correct that a service population threshold of 2.6 MTCO₂e/SP/yr would be needed to meet the substantial progress required for statewide emissions in the year 2030, then the BAAQMD's adopted service population threshold of 4.6 MTCO₂e/SP/yr would need to decline by 0.2 MTCO₂e/SP/yr per year between 2020 and 2030. Thus, in the year 2022, the first year of project operations anticipated in the IS/MND, the BAAQMD's efficiency threshold would be 4.2 MTCO₂e/SP/yr.

As shown in the table above, the updated emissions modeling prepared for the project demonstrates that in the year 2022, the project would result in an emissions rate of 3.69 MTCO₂e/SP/yr, which would be below the interpolated efficiency threshold of 4.2 MTCO₂e/SP/yr. Consequently, the proposed project would continue to comply with the BAAQMD's thresholds of significance. Because BAAQMD has not formally adopted guidance directing that environmental documents analyze project-related emissions in the year 2030, for the purposes of this response to comments document, demonstration that the project would comply with BAAQMD's interpolated thresholds in the first year of operations is considered sufficient to support the conclusion presented in the IS/MND that implementation of the proposed project would result in a less-than-significant impact. It should be noted that project-related emissions would be anticipated to continue to decline into the future as PG&E continues to comply with the RPS program, and on-road vehicles within the state become more fuel efficient and less emitting due to fleet turnover and other statewide programs such as the Low Carbon Fuel Standard.

Discussion of the City's Community Climate Action Plan

The commenter misinterprets the use of the City's Climate Action Plan in the analysis of GHG emissions presented within the IS/MND. The City's Climate Action Plan is not considered a qualified Climate Action Plan per section 15183.5 of the CEQA Guidelines. Consequently, the IS/MND did not rely on the project's compliance or conflict with the City's Climate Action Plan to determine the significance of the project's GHG emissions. Rather, the IS/MND relied on the quantitative analysis of GHG emissions presented in the IS/MND and verified in this response to comments document.

Because the City's Climate Action Plan was not relied upon to reach the significance conclusions in the IS/MND, but rather was presented for informational purposes, the analysis within the IS/MND remains adequate. To clarify the use of the City's Climate Action Plan in the IS/MND page 49 of the IS/MND is hereby revised as follows:

It should be noted that the City's Climate Action Plans were established to ensure the City's compliance with the statewide GHG reduction goals required by AB 32. The City's Climate Action Plans is not considered a qualified Climate Action Plan under CEQA Guidelines Section 15183.5, and, thus, the following discussion of the City's Climate Action Plan is presented for informational purposes only. Although the Climate Action Plans do not include quantitative thresholds to assess a project's compliance, projects that are in compliance with the Climate Action Plans would be considered compliant with the GHG reduction goals required by AB 32. For instance, projects showing emissions reductions



as required by the Climate Action Plans, or projects incorporating reduction strategies from the Climate Action Plans are understood to be in compliance with the Climate Action Plans' GHG emissions reductions goals, and, thus, in compliance with AB 32.

The foregoing revisions serve to clarify the informational nature of the discussion of the City's Climate Action Plan presented within the IS/MND, but do not serve to alter the significance conclusions presented in the IS/MND.

Considering that the City's Climate Action Plan was included in the IS/MND purely for informational purposes, a full consistency analysis of the project against all measures of the City's Climate Action Plan was not deemed necessary. Compliance with the City's Climate Action Plan would be of relevant concern during the planning process, not the CEQA process. Furthermore, some of the details requested by the commenter, such as the exact location of proposed trees, specifications regarding the renovation of existing structures, and the incorporation of low-maintenance landscaping, can more easily be determined during the planning process when landscaping plans and other specific improvement plans have been submitted to and approved by the City.

Finally, the IS/MND prepared for the project was released for public review on May 1, 2020, whereas the City's Climate Action Resilience Plan was adopted on May 12, 2020. Because the City's Climate Action Resilience Plan was not yet adopted at the time that the IS/MND was prepared and released for public review, an analysis of the project's compliance with the City's Climate Action Resilience Plan was not feasible or warranted.

Updated Analysis Continues to Indicate a Less-Than-Significant Environmental Impact

Although the commenter did not provide SWAPE's CalEEMod files for review, and thus the veracity of the commenter's modeling results can not be determined, the commenter's conclusions can be shown to be false without consulting the CalEEMod files.

The commenter asserts that the project would result in "construction-related GHG emissions of approximately 777.64 MT CO₂e/yr (sum of 2020 and 2021 emissions)." This statement is misleading as the units of emissions are incorrect. By using the units of MT CO₂e/yr, the commenter is claiming that the emissions of 777.64 MTCO₂e are occurring per year (yr) during each year of project construction. However, the commenter's parenthetical note clarifies that the construction-related emissions estimate is, in reality, the sum of two years' worth of construction emissions. The annual rate of emissions and/or amortized emission rate would likely be much lower than the total emissions presented by the commenter. Furthermore, as discussed above, estimation of emissions prepared for the project correctly relied upon a project-specific construction schedule that was provided by the project applicant. Through the responses provided in this response to comments document, the construction analysis has been proven to be accurate, and the slight changes made to construction information have resulted in only minor changes to estimated emissions (a change of 0.03 MTCO₂e/yr during one year of project construction). Thus, the commenter's estimated emissions of 777.64 MTCO₂e/yr are not only presented in a misleading manner, but are also demonstrably false. Regardless of these issues with the commenter's estimation of construction-related emissions, if 777.64 MTCO₂e is indeed the sum of the estimated construction emissions, the commenter's analysis demonstrates that the estimation of construction-related emissions presented within the IS/MND is conservative. As demonstrated in Table 7 of the IS/MND, total project construction emissions were estimated to equal 1,145.83 MTCO₂e, which is a higher rate of emissions than assumed by the commenter, and proves that the analysis presented in the IS/MND is conservative.



The commenter states that the operational emissions from the project would equate to 998 MTCO₂e/yr. Again, without providing the CalEEMod outputs, the accuracy of this estimate cannot be conclusively determined. However, the analysis of project emissions presented within this response to comments document has been shown to be accurate and supported by substantial evidence. Based on the analysis presented within this response to comments document, net operational GHG emissions would equate to 1,904.82 MTCO₂e/yr prior to the consideration of amortized construction emissions. The rate of emissions presented in this response to comments document is higher than the operational emissions provided by the commenter, demonstrating that the commenter's approach to analysis is less conservative than the approach taken by the City in analyzing potential project impacts.

Although the commenter's methods are not clearly presented, the commenter's updated calculation of a service population efficiency seem to be misleading and inaccurate. The commenter calculates an updated service population emissions rate based on an assumed annual GHG emissions rate of 2,907.2 MTCO₂e/yr. Even if the commenter's total construction emissions of 777.64 MTCO₂e are summed with the commenter's operational emissions of 998 MTCO₂e/yr, the sum of the two emissions equals only 1,775.64 MTCO₂e/yr. Yet, without explanation, the commenter claims that annual emissions of the project are 2,907.2 MTCO₂e/yr resulting in a service population emission rate of 4.32 MTCO₂e/SP/yr. If instead the actual sum of the construction and operational emissions presented by the commenter was used, that is a total emission rate of 1,775.64 MTCO₂e/yr, the service population emission rate would equal 2.64 MTCO₂e/SP/yr. This more accurately calculated service population emission rate is lower than the estimated service population emission rate presented in the IS/MND and revised within this response to comments document.

Considering the above, the emissions calculations presented by the commenter are misleading and inaccurate. The information presented by the commenter does not provide sufficient evidence to find that the conclusions of the IS/MND are incorrect or inadequate.

Adams Broadwell Joseph & Cardazo Comments

The commenter makes three claims that serve as the foundation of their assertion that the analysis presented within the IS/MND is inaccurate or insufficient.

First, the commenter claims that the analysis of air quality impacts including health risks from project construction and operations are inadequately analyzed. As demonstrated under the discussion of Air Quality above, the analysis presented within the IS/MND is adequate, and the slight modifications to emissions estimation presented as part of this response to comments document do not affect the conclusions reached in the IS/MND. Therefore, the commenter's assertion is not supported and the IS/MND remains adequate under this claim.

Second, contrary to the commenter's assertion, the GHG analysis presented in the IS/MND fully disclosed and analyzed potential impacts related to GHGs. The assumptions relied upon to in the IS/MND were provided within the IS/MND, and, in order to address the commenter's concerns, have been amplified or clarified through minor revisions presented in the GHG Emissions section of this response to comments document. Therefore, the commenter's assertion is not supported and the IS/MND remains adequate under this claim.

Third, as discussed in the Hazards and Hazardous Materials section of this response to comments document, a Phase I Environmental Site Assessment was not deemed necessary for the project, and the IS/MND presents a full analysis of potential hazards that could occur with



implementation of the project. Therefore, the commenter's assertion is not supported and the IS/MND remains adequate under this claim.

Taken together, the commenter's assertion that the City has failed to comply with the requirements of CEQA is not accurate.

As needed, the following sections will respond to specific issues raised by the commenter. Each of the following sections are numbered to indicate the section of the comment letter being responded to.

II

As discussed throughout this response to comments document, the conclusions presented within the IS/MND are supported by substantial evidence. Even in the case that revisions to the IS/MND have been made in response to the commenter's concerns, such revisions have served to clarify and reinforce the conclusions reached in the IS/MND. Indeed, the commenter has not presented any new information or analysis that has resulted in revision of the conclusions presented in the IS/MND. Because all of the commenter's concerns have been addressed through this response to comments document, substantial evidence does not exist that would support the commenter's assertion that the IS/MND fails to disclose potential environmental impacts. Furthermore, where the technical analysis presented by the commenter purports to demonstrate a previously undisclosed impact, such analyses have been proven to be either unsubstantiated or inaccurate. Considering the analysis presented above, a conflict between evidence and a fair argument against the conclusions of the IS/MND do not exist.

II (A)

An analysis of impacts related to air quality is presented on pages 22 through 31 of the IS/MND. As discussed in the IS/MND, and further discussed in the Air Quality section of this response to comments document, all project-related impacts can be mitigated to a less-than-significant level. The emissions modeling inputs were disclosed in the IS/MND and have been clarified or amplified through minor revisions to text. Moreover, the HRA for the project properly considered the only major health risk posed by the project on nearby receptors, which is DPM from construction. Because the conclusions of the IS/MND have not changed, and only minor revisions to text are required, preparation of an Environmental Impact Report for the project is not required.

II (A) (1)

Please refer to the Air Quality section of this response to comments document for an in-depth discussion of the input parameters for the project. As shown in the Air Quality section, even with minor updates to the emissions modeling prepared for the project, the analysis and conclusions of the IS/MND remain valid. The minor alterations do not result in any changes to the significance of conclusions related to health risks.

II (A) (1) (a)

Please refer to the sections of this response to comments document entitled Determination of Land Use Size, Selection of ITE Land Use Code, Emissions Modeling Input Parameters, Existing Land Use Size, and Electricity Emissions Factors for in-depth responses to the commenter's assertions.

In addition to the information provided in the aforementioned sections of this response to comments document, it should be noted that the IS/MND does not claim that the PG&E would reach a 60 percent renewable electricity content by the year 2022. As noted in the Electricity



Emissions Factors section of this response to comments document, the reduction in CO₂ emissions intensity factors for PG&E provided electricity is based off of publicly available data from PG&E as well as the RPS requirement for the year 2022. PG&E already produces electricity from renewable sources in excess of the amount mandated by the RPS program for the year 2022. Therefore, the assumptions relied upon in emissions modeling prepared for the project are reasonable and conservative. The RPS program includes mandated renewable energy production for all publicly owned utilities in California. Compliance with the RPS program is mandatory based on state legislation.

The modeling inputs applied were substantiated within the CalEEMod output files, the IS/MND, and the TA prepared for the project. As discussed previously, the construction schedule assumed for project modeling was provided in the IS/MND and is presented within the modeling outputs in Appendix A of the document.

This response to comments document provides clarifications and revisions to text as needed. All such information and revisions prove that the conclusions of the IS/MND remain valid. Through this process the City has fully addressed the commenter's concerns related to project emissions modeling.

II (A) (1) (b)

Please refer to the sections of this response to comments document titled Area-Related Operational Mitigation Measures and Mobile-Related Operational Mitigation Measures for an explanation of the justification provided in the IS/MND as well as revisions to the text of the IS/MND that clarify the CalEEMod inputs.

II (A) (2)

As discussed in the section of this response to comments document titled Diesel Particulate Matter Health Risks, the HRA prepared for the proposed project is based on substantial evidence, and accurately depicts the potential health risks that would result from implementation of the proposed project. Contrary to the commenter's assertion, the IS/MND presents a reasonable analysis against BAAQMD's specific numeric threshold for the health risks that would occur to nearby receptors as a result of project implementation. Based on the proposed operations, further analysis of project-related health risks is not required.

II (A) (3)

The comment does not provide the modeling outputs used to justify SWAPE's screening analysis, which prohibits verification of the accuracy of the claims made by the commenter. Nevertheless, because the HRA prepared for the project remains valid, SWAPE's conclusions need not be further considered.

II (B)

Please refer to the section of this response to comments document titled GHG Emissions for an in-depth discussion of the commenter's concerns regarding GHG emissions estimation and the continued validity of the conclusions presented within the IS/MND.

It should be noted that the project buildout year was anticipated to be 2022. However, the SWAPE analysis only presents analysis under a threshold for the year 2030. Although the threshold for the year 2030 has not been adopted by BAAQMD, and SWAPE has not presented the methodology used to determine the 2030 threshold, the commenter states "the IS/MND fails to use a threshold which is applicable to the Project's built-out year." By presenting a threshold for



the year 2030, the commenter has failed to meet their own standard because buildout of the project is anticipated by the year 2022. Furthermore, BAAQMD has not adopted any formal guidance referencing the thresholds used by SWAPE nor outlining a suitable methodology for such an analysis. Nevertheless, the section of this response to comments document titled Conclusions of the GHG Analysis (as well as other sections in the GHG Emissions section of this response to comments document), provides further analysis of GHG emissions and demonstrates that the conclusions of the IS/MND remain valid.

II (B) (1)

Please refer to the additional analysis and response to comments provided in the Conclusions of the GHG Analysis section of this response to comments document. It should be noted that the quoted text from the BAAQMD comment letter on the Downtown Oakland Specific Plan states that “the CEQA guidelines/thresholds and current thresholds for GHGs should not be used for this plan.” The quoted section of the letter makes it clear that BAAQMD was providing guidance specifically for the specific project under consideration by the City of Oakland. BAAQMD does not state that the guidance/thresholds should not be used for any project whatsoever. The City of Antioch did not receive a similar comment letter for this project during the public review period for the project. Furthermore, the comment letter was submitted on the Downtown Oakland Specific Plan not a specific development project. Environmental concerns regarding a Specific Plan are notably different than environmental concerns regarding a discrete development project. For instance, whereas a Specific Plan may not be fully implemented for decades after the adoption of the plan, an individual development project may be fully implemented within a few years following approval. Thus, for a Specific Plan that would continue to be implemented for decades, consideration of impacts for 10 or 30 years in the future may be warranted. However, for a development project that will be immediately implemented, it is warranted to assess the short-term potential impacts of a project. The analysis of the proposed project presented within the IS/MND, and amplified in this response to comments document, provides a reasonable scope given the nature of the project and the timeline of project implementation that was anticipated at the time of publication of the IS/MND. Critically, on February 25, 2020, which was after BAAQMD submitted the comment letter to the City of Oakland regarding the Downtown Oakland Specific Plan, BAAQMD again posted their thresholds of significance, which reiterates the thresholds of significance for GHG emissions included in the IS/MND.¹¹ Considering the above, BAAQMD continues to promulgate their GHG thresholds and the example comment letter cited by the commenter is not directly applicable to the project at hand.

II (B) (2) (a-b)

Please refer to the sections of this document titled Conclusions of the GHG Analysis and Updated Analysis Continues to Indicate a Less-Than-Significant Environmental Impact. As shown in the aforementioned sections, the analysis presented in the IS/MND remains valid, and the analysis presented by SWAPE contains fundamental inaccuracies that render the conclusions unusable and misleading. Considering the factual inaccuracies presented within SWAPE’s analysis, a fair argument against the conclusions presented in the IS/MND has not been presented.

II (B) (3)

Please refer to the section of this response to comments document titled Discussion of the City’s Community Climate Action Plan, and the revisions to texts offered within that section.

¹¹



II (C)

Please refer to the section of this response to comments document titled Hazards and Hazardous Materials. All of the commenter's concerns have been addressed and the analysis presented within the IS/MND remains valid.

III

As discussed throughout this response to comments document, the commenter's concerns have been addressed. Where necessary revisions to text have been offered to address the concerns of the commenter. The revisions offered in response to the commenter's concerns have not changed the significance conclusions within the IS/MND, and, in most cases, serve to amplify the information already provided in the IS/MND. Consequently, the IS/MND is adequate, meets the requirements of CEQA, and a fair argument against the adequacy of the document has not been provided.



ATTACHMENT G

PDP STAFF REPORT AND PLANNING COMMISSION MINUTES

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 7, 2018**

Prepared by: Alexis Morris, Planning Manager

Date: February 2, 2018

Subject: Preliminary Development Plan for the Delta Fair Village Project
(PDP-16-02)

RECOMMENDATION

It is recommended that the Planning Commission provide feedback to the applicant and staff regarding the proposal and provide direction to the applicant for the Final Development Plan submittal.

REQUEST

Gabriel Chiu, Chiu Family LLC, requests Preliminary Development Plan review of a proposal to develop approximately 308 multi-family units, which would be located in two four story buildings located above two single story parking garages. The project would also include a clubhouse, pool and playground located between the two parking garages. The total square footage of the two new buildings would be approximately 534,734 s.f. The project would demolish a portion of the Delta Fair Village Shopping Center and would be constructed in its place. The project site is located on the northeast corner of Delta Fair Boulevard and Buchanan Road (APNs 076-440-029, -030, -031) (Attachment A). The applicant's project description is provided as Attachment B.

ENVIRONMENTAL

Preliminary Development Plan review is a non-entitlement action and does not require environmental review. The future project application review would require compliance with the California Environmental Quality Act (CEQA).

BACKGROUND

The proposed project is located on a six acre portion of the 13.5 acre Delta Fair Village Shopping Center located on Delta Fair Boulevard northeast of Buchanan Road. The shopping center was built in 1986. The anchor tenant for the shopping center, Food Maxx, has been vacant for approximately five years and the rest of the shopping center has multiple vacancies. The project site is surrounded by existing development including multi-family development to the east and commercial development to the north and west. Highway 4 is approximately ¼ mile to the north.

The application was submitted to the City in July 2016. Planning staff and representatives from the Police Department have met with the applicant and provided extensive comments encouraging the applicant to further refine the proposed project before Planning Commission review. Staff's comment letters are provided as Attachment C. The applicant has revised the project plans several times in response to several of staff's comments. These revisions included modifying parking space dimensions, improving fire lane access, increasing the size of the central plaza, and relocating the recreational amenities to the center of the project. The applicant has not however addressed staff's most significant concern which is the project's density. All these issues are discussed in more detail below.

The purpose of a Preliminary Development Plan is to gather feedback from the Planning Commission and others in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to submitting an application.

ANALYSIS

Issue #1: Project Overview

The applicant proposes to demolish the southern portion of the shopping center which includes the former Food Maxx space, smaller tenant spaces, and a free standing pad building at the corner of Delta Fair Boulevard and Buchanan Road. The retail space would be replaced with 308 multifamily residential units. The proposed unit mix includes studio apartments and 1, 2 and 3 bedroom units. The proposed apartment buildings would be located in four, four-story towers built above two ground floor level parking garages. Each residential tower is separated by a ground level plaza oriented north to south, and a 36 foot wide courtyard on the second level above the parking garage oriented east to west. The parking garages include two elevators each, stairs, trash and storage rooms, and bike storage. One manager's office is proposed. The proposed recreational amenities include a pool and clubhouse located on the ground floor level between the parking garages.

The proposed project would be built in two phases. The first phase would consist of the demolition of a 65,593 s.f. portion of the main shops building and the 7,953 s.f. pad building at the southwest of the project site and construction of one +/- 268,412 s.f. apartment building with 154 units. The facades of the remaining retail buildings would also be renovated in this phase. Phase two would consist of the construction of the second 154 unit apartment tower closest to the intersection of Delta Fair Boulevard and Buchanan Road.

Issue #2: Consistency with the General Plan and Zoning

The project site has a General Plan designation of Regional Commercial and is zoned Regional Commercial (C-3). Residential uses are not permitted in these land use designations; therefore, the future development application would require approval of a General Plan amendment and a rezone. The future project would also require approval of a use permit, design review, and lot merger.

It is evident from the vacancy rate in the Somersville Road/Delta Fair Boulevard/Buchanan Road commercial areas that there is a large excess of land zoned for retail uses in this part of the City. Therefore, staff is supportive of the concept of a General Plan amendment to allow mixed uses on the project site. However, staff has concerns with the proposed project's density, potential traffic impacts, recreational amenities, compatibility with adjacent uses, and the project's consistency with the City's General Plan, Municipal Code, and Citywide Design Guidelines. Attachment D provides a table listing the significant City policies and standards relevant to the project and a discussion of whether the project is consistent with the standard. A detailed discussion of the most significant issues is provided below.

Density

The highest residential density allowed in the General Plan and zoning ordinance is 35 units an acre; with density bonuses available for age-restricted or income-restricted projects. The Hillcrest Station Area Specific Plan allows up to 40 units an acre for mixed use projects within walking distance of the eBART station. The General Plan states that "Higher densities will be allowed where measurable community benefit is to be derived (i.e. provision of needed senior housing or low and moderate income housing units.) In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses."

The project's proposed density is approximately 51 units an acre and the project is not age or income-restricted. The surrounding residential land uses are primarily two-story residential buildings with a density of about 20 units an acre. The only public transit near the project is the Tri Delta Transit bus system.

In order to build the project, the applicant would have to create a new General Plan designation that would accommodate the proposed density and building types because one does not currently exist. It would be difficult to make the findings to support a General Plan amendment that is such a departure from City standards because the higher density does not provide community benefits such as age or income restricted housing, the project is not located near public transit, and the density is incompatible with surrounding land uses. As discussed below, the proposed density also creates a design that is not compatible with Citywide Design Guidelines and creates potential significant traffic impacts.

Staff recommends that the project be revised to include a maximum density of 35 units an acre. That density could provide 175-210 units depending on parking, stormwater treatment areas, and the size of recreational amenities. For comparison purposes, the Wildflower Station mixed use project heard by the Planning Commission on January 17, 2018 proposed 98 units on seven acres, a density of 20 units an acre.

Zoning Standards

The project would require a rezone to either Planned Development (PD) district or R-35. The R-35 zoning standards allow a maximum lot coverage of 50% and a maximum height of 45 feet. The proposed lot coverage is approximately 62% and the proposed building height is 64 feet. The intent of the PD district is to allow some flexibility from zoning standards in order to better integrate a project into its setting, while maintaining consistency with the General Plan. Because of this flexibility and the unique infill nature of the project, the PD zoning designation would be most appropriate for this project.

The City Council adopted Multi-Family Residential Development Standards in 2014 (AMC §9-5.7) (Attachment E). The purpose of these standards “is to promote high-quality design and provide a pleasant residential environment within the context of higher-density development; ensure the provision of amenities for residents of multi-family developments; foster pedestrian access; and create visually attractive street frontages that offer architectural and landscape interest.”

As stated above, the project is a much higher density than allowed in the Zoning Ordinance; therefore, it does not comply with the majority of standards related to site design, building form, and design contained in Section 9-5.7. The project does exceed the required amount of private open space, which is important for quality of life in high density projects.

Section 9-5.7 includes required findings for modification to the requirements of the section. These findings include that the project is consistent with the General Plan; the requested modification is in substantial compliance with the zoning district regulations; and the modification is necessary due to the physical characteristics of the property such as topography. The project does not include any unique features, such as being eligible for a density bonus or being located on a substandard lot, which would support making significant modifications to these requirements.

Recommendations

The following is a summary of staff’s recommendations related to consistency with the General Plan Zoning:

- Reduce the number of units to a maximum of 35 units an acre to be consistent with Section 4.4.1.1 of the General Plan.
- Process a PD rezone for the future development application.

Issue # 3: Site Layout and Design

The City Council adopted Citywide Design Guidelines in 2009. Chapter 6 contains the Multi-Family Residential Design Guidelines (Attachment F) which are intended to "...foster quality developments and to provide a pleasant residential environment within the context of higher density. Multi-family buildings in Antioch shall contribute to the sense of community by carefully relating to the scale and form of adjacent properties, and by designing street frontages that create architectural and landscape interest for the pedestrian and neighboring residents." There are detailed guidelines relating to all aspects of multi-family projects including building siting, architectural style, parking, and landscaping. A list of the relevant guidelines and how the project complies with them is included as Attachment D, and a detailed discussion of the issues is provided below.

Building Siting and Massing

The Guidelines encourage large projects to be broken up into groups of buildings and for projects to be oriented to adjacent streets with varying setbacks to present an attractive façade to the right of way. The proposed project consists of four large tower structures with two ground floor parking garages setback 10 feet from Buchanan Road. The first floor parking garages do not provide varied setbacks and create little visual interest from the street.

The Guidelines also encourage multi-family development to respect existing development in the immediate area. The proposed apartment buildings would be located approximately 80 feet from the adjacent residential development and would be three stories taller than the existing two story apartments, which is not consistent with the Guidelines. Breaking the project up into smaller buildings that are a maximum of three stories directly adjacent to existing residential would reduce the mass of the buildings, be more compatible with adjacent residential, and provide the opportunity to vary building setbacks and facades consistent with the Guidelines.

The apartment buildings are separated from the remaining retail building by a drive aisle and a row of parking; a distance of approximately 52 feet. The units on the north side of the building would overlook the roof of the shopping center. Staff recommends that the residential units that overlook the retail portion of the site should be reoriented as much as possible to provide more privacy and better views. The project would also benefit greatly from a new, landscaped central open space that connects the retail components with the apartments rather than the abrupt transition between commercial and residential on the current plan.

Recreational Amenities

The Guidelines encourage buildings to be oriented to create courtyards and open space areas and that community facilities and open spaces be conveniently located for the majority of units. The proposed clubhouse and small pool are located at the ground level in between the two parking garages with four story buildings on either side. These amenities are not directly accessible from the apartments or the 2nd floor courtyards, but residents instead would have to go through the parking garage to access them. These

amenities would be much more attractive and practical if they were located above the parking garage in a common courtyard accessible to all of the apartment buildings. Figure 6.2.26 on Page 6-34 of the Guidelines and Attachment G are good examples of what this type of central courtyard could look like. Attachment G is a photograph of the interior of the Vidrio project in downtown Pittsburg, which is a two to five story apartment building that covers an entire city block.

Interior Courtyards

Each of the four residential towers includes a small, central courtyard overlooked by six units per floor. These courtyards are 65 feet long and 36 feet deep. The courtyards would be landscaped, but it does not appear that they would be accessible to residents. Due to the project's density, the central courtyards are needed to provide light to the interior units. However, staff is concerned that these narrow courtyards would also increase noise and limit privacy. For example, the floor plans show that the windows and balconies of each unit would look directly into the opposite unit. Noises from activity on the balconies are likely to be amplified and disturb residents.

To be consistent with the multi-family design guidelines' goal to provide a high quality development and a pleasant residential environment, the project should be redesigned so that there are multiple smaller buildings built around larger common open space. Each unit should have its own exterior entrance or balcony that opens up to the common open space and units should be oriented to provide as much privacy as possible.

Landscaping and Fencing

The project includes a generous landscaped setback from Delta Fair Boulevard that can also be used for stormwater treatment purposes. The project also proposes keeping the existing 10' wide landscape setbacks from Buchanan Road. The R-35 zoning district requires a minimum of 15' landscaped setbacks. The landscaping in these setbacks and throughout the shopping center needs to be renovated. Staff recommends that the landscaping throughout the shopping center be updated with new drought-tolerant shrubs and ground cover.

The site plan shows a six-foot security fence, but no fencing details were provided by the applicant. Staff recommends that the residential portion of the site be fenced with a black wrought-iron look fence to provide security for residents and common areas. Staff also recommends that an enhanced landscape entry feature be provided at the new apartment driveway on Delta Fair Boulevard to distinguish the apartment entry from the shopping center entry.

Architecture

The proposed architecture is relatively simple with minor articulation in the façade and minor variations in the roof lines. As discussed above, the massing is not compatible with adjacent properties. The first floor elevations are parking garages that create little visual interest from the adjacent streets. The recommendations above for reorienting the buildings around a central plaza and reducing the number of units should provide an

opportunity to create architecture that better incorporates the Citywide Design Guidelines.

The applicant proposes renovating the façade of the remaining portion of the shopping center with Phase 1 of the project. The façade renovation should incorporate the colors and materials of the apartment buildings to create a cohesive look for the shopping center.

Recommendations

The following is a summary of staff's recommendations related to project design:

- The project should be redesigned to feature smaller buildings where all units have exterior access. Buildings should be oriented around a large interior courtyard that is accessible to residents and contains the recreational amenities for the project.
- Increase the setback between the residential uses and non-residential uses. Relocate of balconies to minimize views of the shopping center roof. Equip balconies with privacy screens.
- Create a central element/axis with a series of usable green spaces or grand central plaza where shoppers and residents can congregate. Include a focal element in the plaza such as art or a water feature.
- Provide shaded sitting areas.
- Include outdoor furnishings/public amenities such as trees, shrubs, trellises, seating areas, and permeable pavers
- Reduce the number of stories from five to three adjacent to existing residential properties.
- The architecture for all new buildings should incorporate varied massing and façade techniques. Include relief and variation in both vertical and horizontal planes with recessed and/or projected areas.
- Walls visible from the public right-of-way along Buchanan Road and Delta Fair Boulevard should be designed to maximize visual appeal by using vertical and horizontal wall plane breaks.
- Ensure that the architecture of the existing shopping center is updated to complement new development designs to provide a cohesive site design.
- Include a six-foot high wrought-iron perimeter fence around the apartment buildings including pedestrian access gates where appropriate.
- Include an enhanced landscape entry feature at the new apartment driveway on Delta Fair Boulevard to distinguish the apartment entry from the shopping center entry.
- Renovate, repair, and replace landscape areas throughout the shopping center with drought tolerant plants.

Issue #4: Traffic, Circulation and Parking

The project proposes three driveways on Buchanan Road to access the parking garages and the fire lane. The project would reconfigure the existing driveways on

Delta Fair Boulevard to provide an entrance to the north of the new apartment buildings. The parking lot to the north of the buildings would be restriped to incorporate landscape islands and crosswalks. The City's Multi-Family Residential Development Standards (Attachment F) include multiple standards for parking lot design and layout. If the project is redesigned according to the suggestions above, then the revised parking lot layout should be designed to comply with applicable City standards.

Parking

Based on the unit mix, the project would be required to provide 536 parking spaces; 474 spaces for residents and 62 spaces for guests. The project provides 380 parking spaces in the two parking garages and the rest of the 156 required spaces are located in the parking lot used by the retail stores. Staff does not object to some guest parking being shared with the retail stores, but the parking plan as proposed would likely lead to a shortage of parking for both residents and retailers on the weekends and evenings. Therefore, staff recommends that all of the required parking for residents be provided in a separate parking lot restricted to resident use only.

Traffic Impacts

The City of Antioch General Plan Growth Management Element sets the Level of Service (LOS) standards for roadways in the City of Antioch consistent with requirements of Measure C. The Growth Management Element sets the LOS for the City to "High D" for Routes of Regional Significance and LOS D for Basic Routes. Delta Fair Boulevard is a Basic Route, and therefore must maintain a LOS D. The current LOS conditions at Buchanan Road and Delta Fair Boulevard are LOS B during the AM. However, Somersville Road and Buchanan Road operate at a LOS F during the AM peak hour and LOS E during the PM peak hour. The Somersville Road and Buchanan Road intersection is currently operating at an unacceptable LOS.

The project could generate approximately 1,786 vehicle trips per day from the 308 new residential units. This would increase traffic on local area roadways in the project vicinity including to the Delta Fair Boulevard/Buchanan Road intersection and to the Somersville Road/Buchanan Road intersection. This could result in unacceptable traffic at the Somersville Road and Buchanan Road intersection that is already operating at an unacceptable LOS. Because this is an infill project and the surrounding street network is already developed, it is likely that there would be no feasible way to reduce these traffic impacts other than reducing the size of the project.

Recommendations

The following is a summary of staff's recommendations related to traffic, circulation, and parking:

- The number of units should be reduced to decrease the amount of traffic associated with the project.
- A Traffic Impact Analysis (TIA) that complies with Contra Costa Transportation Authority's guidelines should be prepared for the project.

- The developer should dedicate eight feet (8') of right-of-way along Buchanan Road to allow for a continuous bike lane and shall design and construct the improvements at no cost to the City.
- The curb along Buchanan Road shall be painted red per City standards.
- All of the required parking for residents be provided in a separate parking lot restricted to resident use only. Shared parking with the shopping center should be limited to a small number of guest parking spaces.

Issue # 5: Other Issues

Police Services

The Police Department has met with the applicant and provided extensive feedback on the project design. The Department was initially concerned with the safety of the interior hallways and corridors, the location of the clubhouse and pool, and the need for onsite management. The applicant subsequently modified the plans to relocate the pool and clubhouse, shorten the hallways, and provide an office for on-site management. Staff recommends that the applicant continue to coordinate with the Police Department on safety and security issues as they refine the project plans.

The project would be required to annex into the Police Services Community Finance District (CFD), which is currently \$445 per unit annually.

Infrastructure and Off-site Improvements

Much of the utility infrastructure needed to serve the project is already in place. The project will be required to install new storm water treatment facilities to comply with Federal, State, and City regulations (AMC§6-9). The preliminary plans identify possible locations of the storm water treatment areas along with calculations of the amount of treatment area needed. These calculations appear to underestimate the amount of treatment required; therefore, there may need to be more area in the development set aside for storm water facilities. A detailed storm water control plan and report would be required with the future development application.

Trash Collection

The proposed plans show trash areas opening up to landscaping; therefore, it is not clear where this trash would be picked up. It also appears that trash areas may need to be resized to accommodate trash, recycling, and food waste recycling.

Storage

The proposed units meet the City's requirements for interior storage and additional storage is provided within the parking garages. Adequate interior storage should continue to be provided as the project plans evolve.

Public Comments

The City received comment letters from the City of Pittsburg and the Contra Costa County Fire Protection District. None of the comments requested substantive changes to the project. The letters are provided as Attachment H.

Recommendations

- The applicant should continue to coordinate with the Police Department on safety and security issues as they refine the project plans
- The applicant should consult with Republic Services, the City's waste collector, to finalize the size and locations of all trash receptacles.

CONCLUSION

As discussed above, staff is supportive of the concept of a re-use or renovation on the proposed Delta Fair Village project site. In general, staff would support a General Plan amendment and rezone for the project that is consistent with the City's goals and policies and supports development in terms of traffic impacts, parking, recreational amenities, public safety, and compatibility with adjacent uses. However, staff has a number of concerns with the proposed project's density and the project's consistency with the City's General Plan, Municipal Code, and Citywide Design Guidelines. The majority of these concerns could be addressed by reducing the project's density.

Staff recommends that the Planning Commission provide the applicant feedback concerning staff's recommendations above, as well as other areas of concern the Commission may have.

ATTACHMENTS

- A: Aerial Photograph
- B: Applicant's Project Description
- C: City Correspondence with Applicant
- D: City Standards Table
- E: AMC §9-5.7 - Multi-Family Residential Development Standards
- F: Multi-Family Residential Design Guidelines
- G: Vidrio Photograph
- H: Public Comment Letters

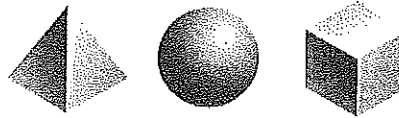
ATTACHMENT “A”

ATTACHMENT A



ATTACHMENT “B”

Pendley & Associates, Inc.



21 December 2017

Alexis Morris
Antioch Planning Dept.
P.O. Box 5007
Antioch, CA, 94531
(925) 779-6141

RECEIVED

DEC 22 2017

Re. Delta Fair Village planned development
3000 Delta Fair Blvd, Antioch, CA
APN = 76-44-29, 30 & 31 (Contra Costa county)

**CITY OF ANTIOCH
COMMUNITY DEVELOPMENT**

Alexis:

Delta Fair Shopping Center opened their doors to the community in 1986. The site is located south of the 4 Freeway & east of Summersville Rd. The 13.4-acre is zoned C1. The APN map shows five lots, but only has three numbers. We would like a lot-line adjustment to create a 7.4-acre retail site and a 6.0-acre residential site. The land is surrounded by residential properties to the east; retail to the north & west, and commercial to the south. The adjacent lot on the corner of Delta Fair & San Jose is not part of this project.

Recently the area has too much retail & not enough residential. When the anchor tenant [Food Max] moved out, the center started getting more vacancies. A new BART station at Hillcrest & 4 is planned to be opening in 2018. All of this has brought the owner to consider the following changes provided the city doesn't impose excessive conditions or fees.

Phase one will be the removal of the 65,593 sf anchor building + 7,953 sf southwest building as well as most of the parking on the south end of the site. This area will be replaced with a 200'x350' single story parking garage with 154 residential units in the four-floors above the garage. There will be a 70'x350' plaza with 2768 sf clubhouse, pool & playground between the two parking garages. Each tower will be separated by 36' and have a 36'x65' courtyard landscaped to create a relaxing atmosphere & provide natural light to the tenants. Every unit has their own balcony as well as a washer & dryer. The total area of new phase one buildings will be 268,412 sf. This phase will also provide a facelift to the remaining 87,535 sf retail buildings & create more parking on the north end of the site. The existing tile roofing will be replaced to match phase one. Parapets will be added & the roof line enhanced to create more curb appeal.

9008 SIEGEL STREET • VALLEY SPRINGS, CA 95252 • (209) 786-3700
E-Mail – brian@pendleyinc.com • WEB: pendleyinc.com

G15

Phase two will provide a second 200'x350' single story parking garages with 154 residential units in the four-floors above the garage. This building will be west of the first parking garage & plaza. The area of new phase two buildings will be 266,322 sf & the total area of new buildings will be 534,734 sf.

The parking garage will be type IA construction with masonry walls & concrete slab floor & ceiling. This ceiling [podium] will be a 3-hour horizontal separation between the parking and the residential apartments above. The construction above the podium will be type IIIA. The entire building will have fire sprinklers. The four 200' x 157' towers will rise to a height 64'. Each tower will have two sets of stairs, an elevator, and a trash rooms [chutes to dumpsters in garage]. There will be an office on the ground floor. Visitors will call a tenant to be allowed in. On the ground floor the elevators will open to the garage, but the stairs will discharge to the exterior.

The 12 studio units require 18 parking spaces. The 144 one bedroom units require 216 parking spaces. The 128 two bedroom units require 192 parking spaces. The 24 three bedroom units require 48 parking spaces. For a total of 474 required spaces plus an additional 62 spaces for guest. They existing retail center had 4.7 parking spaces per 1000 sf of buildings. If we maintain the ratio, the remaining 87,535 sf will need 411 spaces for retail. Total required parking for the 13.4-acre site is 947 spaces.

There are 751 existing onsite parking spaces. We will remove some on the south lot & add some on the north lot so 442 space will remain on the north lot & we will add 380 inside the parking garages + 102 outside spaces on the south lot. We provided a total of 924 spaces on the 13.4-acre site. 54 guest parking will use some of the retail spaces. There are 8 tandem parking spaces in the garage that will be designated to some of the 3 bedroom units.

There is an existing 10' landscape planter along the streets that will remain. It is our understanding that it is not the current standard. We are requesting a variance since it is existing. The new south lot will have about 88,000 sf of landscape. The east property line has an existing 6' CMU fence. We will add a 6' security wire fence with gates to secure the residential area. The exposed sides of the parking garages will have security grates over the ventilation openings.

The proposed design will help bring much needed housing & contemporary curb appeal to the neighborhood. The exterior walls will be different color plaster at the apartments and split-face blocks at the parking garage. Stucco stone will highlight different areas. The gable roofs have concrete tile that compliments the other colors. The exterior doors on the west side will be accented with a low-profile metal canopy.

There are no associated projects with this and no hazardous materials involved. This project is consistent with the general plan and zoning. There are minor impacts on the environment; including traffic, noise, and utilities. And there is no threat to public health, safety and welfare. The center has been serving the needs of the community for years, and now wants to meet the current residential needs. We request the planned development be granted that we may proceed to the next step in the building process.

Sincerely,

Brian A. Pendley
Architect

ATTACHMENT “C”



January 20, 2017

Brian Pendley
Pendley & Associates Inc.
9008 Siegel Street
Valley Springs, CA 95252

Subject: Comment Letter for PDP-16-02: Delta Fair Village located at 2950-3040 Delta Fair Boulevard

Dear Mr. Pendley:

Thank you for your resubmittal of plans for the above-referenced application, received on September 26, 2016. In November and December 2016, the City of Antioch Planning Department, City of Antioch Police Department, and the Public Works Department met to review your proposal and its compliance with the Citywide Design Guidelines, the General Plan and the City of Antioch Municipal Code. Staff is very supportive of the concept of a re-use or renovation on the site, but does not support the intensity of development currently proposed. The intensity of development proposed is not consistent with the City's goals and policies as outlined in the General Plan, Municipal Code, and Citywide Design Guidelines.

The detailed review comments below are provided to help improve the design of the project and conform to the Citywide Design Guidelines, the General Plan and the City of Antioch Municipal Code. The comments below would result in substantial changes to the proposal. Therefore, we recommend that you revise the plans to reflect or address the comments prior to presenting the project to Planning Commission. We also recommend that you meet with Staff to review the comments prior to revising your proposal.

Comments were also received from the following outside agencies and jurisdictions and are attached for your reference: Contra Costa County Fire Protection District (Attachment A) and City of Pittsburg (Attachment B). Additional agency comments will be forwarded as they are received.

Review Comments - Mixed Use Development

1. **Traffic and Circulation**

Recommendation: The existing intersection at Somersville Road and Buchanan Road is at its Level of Service (LOS) capacity and the addition of 331 units would likely result in unacceptable traffic impacts. The project size should be reduced to decrease the amount of traffic associated with the project.

Discussion: The City of Antioch General Plan Growth Management Element sets the LOS standards for roadways in the City of Antioch consistent with requirements of Measure C. The Growth Management Element sets the LOS for the City to "High D" for Routes of Regional Significance and LOS D for Basic Routes. Delta Fair Drive is a Basic Route, and therefore must maintain a LOS D. The current LOS conditions at Buchanan Road and Delta

Fair Boulevard are LOS B during the AM. However, Somersville Road and Buchanan Road operate at a LOS F during the AM peak hour and LOS E during the PM peak hour. The Somersville Road and Buchanan Road intersection is currently operating at an unacceptable LOS. The 1,924 vehicles per day from the 331 new residential units would increase traffic on local area roadways in the project vicinity including to both the Delta Fair Drive/Buchanan Road intersection and to the Somersville Road/Buchanan Road intersection. This would result in unacceptable traffic at the Somersville Road and Buchanan Road intersection that is already operating at an unacceptable LOS. The project would introduce 1,924 daily residential trips that cannot be addressed as there is likely no feasible way to reduce these traffic impacts.

2. Density

Recommendation: Staff recommends reducing the number of dwelling units to a maximum of 270 units to be consistent with the Antioch General Plan.

Discussion: The FAR of the project is 0.9. To be consistent with the Antioch General Plan the Planned Development (PD) rezone must adopt a density and FAR similar to the most equivalent General Plan Designations. The General Plan designation for Mixed-Use allows a FAR of 0.5 and even High Density Residential only allows a FAR of 1.25 and up to 20 dwelling units per acre. A total of 20 dwelling units per acre would be 270 units for the project on 13.5 acres.

3. Site Design/Building Placement

Recommendation:

- a. Place the proposed commercial uses closer to the street (i.e., minimize frontage setback).
- b. Staff encourages the relocation of balconies, equipping balconies with private privacy screens, and providing a minimum 16-foot landscaped buffer between the residential towers and non-residential uses. Staff will consider the placement of balconies within this setback.
- c. Relocate the parking stalls, proposed along San Jose Drive, Delta Fair Blvd., and Buchanan Road, internal to the site.

Discussion: Chapter 5 Mixed-Use Design Guidelines, Section 5.3, Site Planning, encourages buildings to be placed to integrate physically and functionally with the public realm in order to encourage pedestrian activity and strengthen the link between businesses and residences.

4. Street Orientation

Recommendation:

- a. Re-orient the commercial buildings so that the primary commercial building entrance is located along the public sidewalk. Specifically, relocate the proposed new retail uses from the North Elevation to the West Elevation so that the retail fronts the public sidewalk along Delta Fair Boulevard. Note that secondary and residential entrances can be connected to interior courtyards and parking lots.
- b. Relocate the private amenities, including the new club house, pool, gazebo, and playground, currently located at the corner of Delta Fair Boulevard and Buchanan Road, within the project site or on upper floors and not along the street.

- c. Incorporate design elements that encourage pedestrian interaction with the proposed buildings.

Discussion: Chapter 5 Mixed-Use Design Guidelines, Subsection 5.3.2, Street Orientation, requires buildings to be sited and oriented so that the primary commercial building entry is located along the public sidewalk, which is the main pedestrian route. The most active ground floor uses, such as storefronts, lobbies, and restaurant dining areas (i.e., retail uses), shall front the public sidewalk. Additionally, private amenities, such as courtyards, that are not accessible to the public shall be located within the project site or on upper floors and not along the street. The towers, as shown on the West Elevation along Delta Fair Boulevard and South Elevation along Buchanan Road are currently not designed to provide a stimulating pedestrian experience. Additionally, the proposed new retail uses, as shown on the North Elevation, Sheet A1, are oriented internal to the site.

5. Parking Orientation.

Recommendation. The Site Plan, Sheet A1, shows proposed parking stalls along the Buchanan Road and Delta Fair Boulevard frontages. Staff strongly encourages the applicant to relocate these parking stalls internal to the site. See comment 3c, above.

Discussion: Chapter 5 Mixed-Use Design Guidelines, Subsection 5.3.3, Parking Orientation discourages on-site surface parking between the front property line and the building.

6. Pedestrian Safety

Recommendation: Provide details for pedestrian paths and crossings that include a circulation path on-site that is direct, continuous, and free of barriers (e.g., site equipment, signage, utility poles, etc.)

Discussion: Chapters 3 and 5 of the Design Guidelines require new commercial/mixed-use developments to provide a clear and direct route for pedestrians from on-site parking to the building entry and public sidewalk system.

7. Private Open Space

Recommendation:

- a. Staff encourages the relocation of balconies, equipping balconies with privacy screens, and providing a setback between the residential towers (i.e., balconies) and adjacent non-residential uses (Refer to Recommendation 3 Site Design/Building Placement).
- b. Incorporate additional open space courtyards and plazas into the Site Plan and redesign current layout of courtyards providing all residents with easy access to open space.

Discussion: Chapters 5 and 6 of the Design Guidelines require courtyards and plazas and private open space. As proposed, the residential units, along the north side of the East Tower, with exterior balconies would be located directly adjacent and face the existing retail space, which may result in privacy issues. Additionally, Section 5.3.5 of the Design Guidelines, Site Amenities, requires mixed-use projects to include 10 percent of private open space in the form of courtyards and plazas.

8. Public Space/Plazas

Recommendation:

- a. Create a central element/axis with a series of usable green spaces or grand central plaza where shoppers and visitors can congregate. Include a focal element in the plaza such as art or a water feature.
- b. Provide shaded sitting areas.
- c. Include outdoor furnishings/public amenities such as trees, shrubs, trellises, seating areas, and permeable pavers.

Discussion: Section 5.3.5 of the Design Guidelines, Site Amenities, requires mixed-use project include a minimum 10% of public and private open space in the form of courtyards and plazas that can be used for play, recreation, and social or cultural activities. Focal elements such as sculptures, art, or water features should be incorporated into courtyard and plaza design. Site amenities should include furniture, shade trees, benches, permeable paving materials, and focal elements such as sculptures, art, or water features. The project would benefit greatly from a central open space that connects the retail components with the apartments.

9. Connectivity and Circulation on Project Site

Recommendation:

- a. Remove and replace the handicap ramp, curb and gutter at the northeast corner of Buchanan Road/Delta Fair Boulevard with a new ADA ramp, curb and gutter, per City standards.
- b. Remove and replace all cracked/broken or discontinued concrete curb, gutter and sidewalk, and/or driveways in public right-of-way with new monolithic City standard curb, gutter and sidewalk, and/or driveways.

Discussion: Chapter 3 of the Design Guidelines requires commercial sites to have angled parking to promote pedestrian safety. Also, Chapter 5 of the Design Guidelines requires buildings to be “oriented so that the primary commercial building entry is located along the public sidewalk, which is the main pedestrian route.” (p. 5-3).

10. Parking

Recommendation:

- a. Include number of bicycle parking stalls in garage and retail area beyond location of bicycle parking areas shown on the Site Plans. At minimum there must be one bicycle parking space for every 25 parking spaces per Antioch Ordinance Code Section 9-5.1707.
- b. Add 4 feet to the southerly ends of the parallel parking spaces on either side of the Fire Lane between the Twin Towers abutting a building, fence or other obstruction.
- c. Compact spaces should be 8 x 16 feet, not 8 x 15 feet, as shown on the Site Plan
- d. Parking spaces on the west side of the West Tower should be 9 x 20 feet, not 9 x 18 feet as shown on the Site Plan.
- e. Driveways inside the Twin Towers should be redesigned to be 26 feet wide, minimum (not the 25 feet width shown on the Parking Garage Plan).

Discussion: Parking requirements are included in Chapters 5 and 6 of the Design Guidelines and Title 4 Chapter 5 Traffic and Title 10 Chapter 5 Zoning of the City Code of Ordinances.

11. Building Height

Recommendation:

- a. Reduce the number of stories from five to three.
- b. Reduce the building height from 69 feet to 45 feet.
- c. Sheets A8 and A9 do not show elevations of tower floors. Ensure that first floor elevation is at least 14 feet.

Discussion: Section 5.43 of design guidelines provides requirements for building height for multi-use sites. Three-stories is the preferred height for mixed-use buildings and this is more compatible with surrounding buildings, which are currently three stories or under. Section 9-5.610 of the City Ordinance Code requires that the max building height for a Mixed Commercial/Residential District is 45 feet.

12. Utilities

Recommendation: Site Plan Sheet 1A should show the existing 8 inch sanitary sewer pipe (Attachment C) in the 10 foot public sanitary sewer easement and relocate the new East Tower (as necessary) outside of the easement.

Discussion: The plan for the East Tower overlaps with the public sanitary sewer easement.

13. Architecture*Recommendation:*

- a. The architecture for all new buildings should incorporate traditional massing and façade techniques. Include relief and variation in both vertical and horizontal planes with recessed and/or projected areas.
- b. The signalized intersection of Buchanan Road and Delta Fair Boulevard should include pedestrian-oriented, community serving commercial uses, such as a bookstore, coffee shop, or local market.
- c. Rear walls visible from the public right-of-way along Buchanan Road should be designed to maximize visual appeal by using vertical and horizontal wall plane breaks.
- d. Sloped roofs and gable-end roofs are inconsistent with City mixed-use development. Provide an alternative roof design consistent with Section 5.4.4 of the Design Guidelines.
- e. Ensure that architecture of the existing development is updated to complement new development designs to provide a cohesive site design.

Discussion: Chapter 5 of the Design Guidelines, Section 5.4.1 requires façade and architectural details to create visual interest at the street level (e.g., staggering the frontage of the building, recessing doors and windows, providing awnings and canopies for weather protection and scale, change in materials, lighting features etc.). Section 5.4.2, requires multi-use sites to have a compact and cohesive design, and utilize human scaled massing, varied articulation elements, and traditional facades.

14. Landscaping*Recommendation:*

- a. Provide a landscaping plan that accompanies the project Site Plan. Emphasis should be placed on California or Mediterranean style landscaping with low water demand.
- b. Include courtyards and other open spaces in landscape plan.

Discussion: Chapters 5 and 6 of the Design Guidelines provide standards for landscaping.

15. Multi-family Storage

Recommendation: Storage should be a minimum of 150 cubic feet of useable space in addition to designated utility area.

Discussion: The Site Plan is not clear if any multi-family storage will be provided for residences. Please identify any multi-family storage areas per Section 6.1.3(F) of Design Guidelines.

16. Trash and Storage Facilities

Recommendation:

- a. The width of lanes in the parking garage need to be able to accommodate solid waste hauling trucks accessing the garbage chutes/waste bins as well as tow trucks that may need to service vehicles.
- b. The Site Plans should show any loading areas for the two towers.
- c. Trash areas should be resized to accommodate trash, recycling and food waste. Staff recommends consulting with Republic Services, the City's waste collector.

Discussion: Chapters 5 and 6 of the Design Guidelines provide requirements for trash and storage.

- a. Section 6.2.9 of the Design Guidelines requires trash encloses to be accessible for trash collectors. Trash chutes are designed to empty into the parking garage which does not have lanes large enough to accommodate hauling trucks.
- b. The two towers require loading and service areas that are concealed from view within the building envelope or located at the rear of the site and designed for visual impact per Section 5.3.4(A) of the Design Guidelines.

17. Security for Multi-family Residential

Recommendation:

- a. Please identify if continuous fences or walls will be provided. A security fence should also be continuous along the site perimeter for both pedestrians and automobiles within gates at driveways restricting access to the residential portion of the site. Fencing should allow visibility of the site from the street/sidewalk and should be at least 8 feet in height.
- b. Shorten hallways to provide reasonable visibility distance for residents and police officers.
- c. Design multiple points of ingress/egress to the buildings; interior hallways, common areas and residential units.
- d. Provide residential access to all areas in the event of an evacuation.
- e. Safety cameras and monitoring system is necessary in the hallways along with a web based program such that the Police Department may access the monitoring system in the event of an emergency.
- f. Staff strongly recommends a site layout with multiple buildings as opposed to just two towers thus providing ample entrance/exit points and access to all areas by both residents and Police Department (if necessary).
- g. While a Manager's office is proposed on the Site Plans, an onsite Apartment or Resident Manager should be onsite for safety and emergency situations.

- h. Staff strongly encourages relocation of the clubhouse and pool away from the street and within the residential area.

Discussion: Chapter 5 of the Design Guidelines provides requirements for security in mixed-use areas and Chapter 6 of the Design Guidelines provides requirements for security for multi-family residences.

- i. Chapter 5 of the Design Guidelines, Section 5.6, requires mixed-use projects to provide secure residential spaces via a gate code or other security mechanism. While the Site Plan shows a 6 foot security fence, it is not clear if the fence would be continuous along the perimeter of the site to provide security for the residential units. This is not clear from Sheets A1 and A2 if the fence would restrict access to the residential units.
- j. Chapter 6, Section 6.2.2, of the Design Guidelines requires crime prevention techniques to enhance the safety and security in a multi-family residential development.
- k. Location of the clubhouse and pool at the corner of the Buchanan Road/Delta Fair Boulevard intersection may result in safety hazards to users of the recreation facility and may result potential issues related theft, vandalism or trespassing.

18. Multi-Family Development

Recommendation: The project shall comply with the following multi-family development standards from the City of Antioch Municipal Code, not within the City's Design Guidelines.

- a. Façade articulation. All street-facing facades must include at least one change in plane (projection or recess) at least four feet in depth, or two changes in plane at least two feet in depth, for every 25 linear feet of wall. Such features shall extend the full height of the respective façade of single-story buildings, at least half of the height of two-story buildings, and at least two-thirds of the height of buildings that are three or more stories in height (Section 9-5.704(B)).
- b. Parking location and frontage. The maximum width of parking area within the required front setback, including driveways, open parking, carports, and garages, but excluding underground parking and parking located behind buildings, may not exceed 25% of the linear street frontage (Section 9-5.705(A)).
- c. Useable open space. Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than ten feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet. Developments that include 15 or more units of at least one bedroom or more must include children's play areas and play structures (Section 9-5.706).

Discussion: The project shall be designed to comply with the development standards for multi-family residential development per Article 7: Multi-Family Residential Development Standards of the City's Municipal Code.

19. Stormwater

Recommendation: C.3 requirements must be incorporated into the site plan at this stage to ensure that drainage functions properly on the project site.

Discussion: Project shall be designed to show compliance with the California Regional Water Quality Control Boards for the San Francisco Bay Region and the Central Valley

Region added Provision “C.3” requirements. Including details for all C-3 basins, otherwise this might result is significant redesign later in the review process.

20. Community Finance District. In December 2016, the City Council initiated the process to form the Police Community Finance District (CFD), which, if approved, would apply to the project.

Review Comments - Residential Only Development Option

Another option that could address a number of the comments by City staff would be to remove the new retail component of the project in order to provide additional space for residential development and associated open space and site development requirements. Under this scenario, the project would be considered High Density Residential under the General Plan. The following design guidelines would apply to the Residential project, which differ from the mixed-use development standards discussed above. The mixed-use comments above relating to residential development (numbers 3, 7, 9, and 13) would be replaced by the review comments below.

1. Site Design/Building Placement

Recommendation: Buildings should be generally oriented to the street with varying setbacks to provide visual interest and varying shadow patterns. Buildings shall be oriented to promote privacy to the greatest extent possible.

Discussion: Chapter 6 Residential Design Guidelines, Section 6.2.3, Site Planning, encourages buildings to be placed strategically on the project site in order to allow for pedestrian access and promote privacy of residents.

2. Private Open Space

Recommendation: Staff encourages relocation of balconies, equipping balconies with privacy screens, or providing at minimum a 16-foot landscaped buffer between balconies and adjacent retail space. Design open space areas to utilize natural lighting and prevailing breezes, oriented to shelter noise and traffic.

Discussion: Chapter 6 of the Design Guidelines requires courtyards and plazas and private open space. The following recommendations are provided:

- a. Along the north side of the East Tower, the residential units with exterior balconies would be located directly adjacent and face the existing retail space, which may result in privacy issues.
- b. Section 6.2.10 of the Design Guidelines requires open space areas to take advantage of prevailing breezes and provide natural lighting while being oriented to shelter noise and traffic from adjacent streets.

3. Connectivity and Circulation on Project Site

Recommendation:

- a. Minimization of cross circulation between vehicles and pedestrians.
- b. Principal vehicular access into multi-family project should be through an entry drive which should have sidewalks on both sides.
- c. Where possible the project should incorporate pedestrian connections to adjoining residential, commercial, and other compatible land use facilities

Discussion: Chapter 6 of the Design Guidelines addresses circulation for multi-family residential land uses.

4. Architecture

Recommendation:

- a. Building heights shall be varied to give the appearance of a collection of smaller structures.
- b. The perceived height and bulk of multi-family buildings shall be reduced by dividing the building mass into smaller-scale components and adding details such as projecting eaves.
- c. The separation between public and private space should be delineated with paving, building materials, grade separations, or physical barriers such as fencing.

Discussion: Section 6.2.4 of design guidelines provides requirements for building architecture for multi-family residential sites.

PDP Re-Submittal Requirements

The following Information was not provided on the revised project plans and is needed for project review. This information should be provided on all subsequent submittals to the City:

1. The Site Plan, Sheet A-1, should include the following (the revised site plans dated September 8, 2016 need to be revised accordingly):
 - a. Dimension the proposed property lines, and include bearings, radii and arc lengths, easements, and net and gross lot area for existing and proposed parcels.
 - b. Dimension of all existing and proposed structures extending 50 feet beyond the property. If adjacent to a street, show the entire width of street to the next property line, including driveways.
 - c. Location and purpose of all easements (i.e. water, sewer, access, etc.).
 - d. Dimensions for all adjacent streets (public and private); and location and dimensions for all proposed streets showing: both sides of streets, street names, street width, striping, centerlines, centerline radii of all curves, median and landscape strips, bike lanes, pedestrian ways, trails, bridges, curb, gutters, sidewalks, driveways, and edge of right-of-way including any proposed or required right-of-way dedication.
 - e. Dimension of all back-up, loading areas, and circulation patterns.
 - f. To ensure that there is adequate parking for the proposed development, please revise the parking dimensions to meet the requirements of Antioch Municipal Code Section§ 9-5.1709.
 - g. On the Vicinity map include the location and boundary of the project, major cross streets, and existing street pattern in the vicinity.

Entitlements

The general recommendations below will be made to the Planning Commission at the PDP hearing and should be incorporated into the future entitlement application's designs and submittals.

22. When the project is formally submitted, a Traffic Study that includes the information below will be required for this project.
- a. Stacking analysis during peak hours
 - b. Street improvement for Delta Fair Boulevard and San Jose Drive
 - c. Compliance with the Technical Procedure Manual of the Contra Costa Transportation Authority
23. Grading. The site is required to provide a minimum 2% AC and 0.75% PCC pavement slopes, except in or near areas where 2% maximum slope is required by ADA.
24. Lighting. Section 5.8 and Section 6.2.6 of the Design Guidelines requires mixed-use projects to make the pedestrian environment safe, secure, and enhance architectural features with adequate lighting design. Provide details for residential and commercial lighting that include the following:
- a. Pedestrian scaled lighting shall be located along all pedestrian routes of travel
 - b. Wall mounted lights shall be used to the greatest extent possible to minimize the number of freestanding fixtures
 - c. All lighting fixtures shall be compatible with the buildings
25. Utilities.
- a. Relocate the cracked/broken public storm drain inlet along the northwest side of project site outside of the new main entrance driveway, as approved by the City Engineer on either side.
 - b. No above-ground utility cabinets can be installed along Delta Fair Boulevard and San Jose Drive. No flush utility boxes can be located within the sidewalk.
26. Architecture. Provide detailed information on rooftop design. Specifically if roof would include any utilities or communication equipment, which must be screened from view
27. Pedestrian Safety. Any paving pattern, color, and material used to articulate pathways and pedestrian areas shall continue when driveways intersect with these areas. Where pedestrian circulation paths cross vehicular circulation paths, a material change, contrasting color, or slightly raised crossing shall be used to clearly delineate the continuing pedestrian path.

If you have any questions please contact me at your convenience. I can be reached by phone at (916) 706-1374 or via email at mmaddox@rinconconsultants.com. You may also contact Alexis Morris at (925) 779-6141 or via email at amorris@ci.antoioch.ca.us.

Sincerely,



Matt Maddox
Contract Planner

Cc: Alexis Morris, Planning Manager
Captain T. Brooks, Antioch Police Department
Lynne Filson, RCE, RTE, RLS, Assistant City Engineer
Ken Warren, P.E., Associate Engineer

Attachments:

Attachment A: Contra Costa County Fire Protection District Comments

Attachment B: City of Pittsburg Comments

Attachment C: Public Utilities Map

Attachment D: Delta Fair Village (PDP-16-20) Letter

February 15, 2017

Brian Pendley
Pendley & Associates Inc.
9008 Siegel Street
Valley Springs, CA 95252

Subject: Total Allowable Residential Units: Delta Fair Village located at 2950-3040 Delta Fair Boulevard

Dear Mr. Pendley:

Staff is very supportive of the concept of a re-use or renovation on the proposed Delta Fair Village project site. In general, staff can support a General Plan amendment and rezone for a project that is consistent with the City's goals and policies and can support development in terms of traffic impacts, parking, recreational amenities, public safety, and compatibility with adjacent uses. However, as we indicated in our comment letter dated January 20, 2017, staff has significant concerns about the proposed project's density and the project's consistency with the City's General Plan, Municipal Code, and Citywide Design Guidelines.

In response to the City's project comment later, you requested staff review the project plans and the City's policies to determine the maximum number of units that could be supported on the five acre project site. Based on this review, staff believes that a project with a maximum of 175 residential units could be developed on the project site. The actual unit yield would depend on constraints present on the project site, project-specific environmental analysis, and consistency with the City's goals and policies as outlined in the General Plan, Municipal Code, and Citywide Design Guidelines. A project with a maximum of 175 units would equal a residential density of approximately 35 units an acre and would be consistent with the Municipal Code's High Density Residential District (R-35) zoning designation. A density of 35 units an acre is the highest allowed anywhere in the City outside of the Hillcrest Station Area Specific Plan.

Incorporating the requirements of the R-35 district and other requirements of the Municipal Code, staff believes a project of up to eight buildings could be developed on the five acre site with enough space to provide parking, setbacks, and open/recreation space consistent with the requirements of the Municipal Code. Below is a list of the other assumptions applied for a development scenario at 35 units an acre and addressing comments related to setbacks, parking, and open space requirements detailed in the January 20, 2017 Comment Letter:

- a) No commercial would be developed on the 5 acre parcel;
- b) Each unit was assumed to have an average of 1,000 square feet;
- c) An average of 4 stories per building was utilized, resulting in 8 total buildings;
- d) The first floor (ground floor or subterranean) could be utilized for parking with multiple buildings (assumed up to 8 residential buildings) above the parking level;
- e) A minimum of 298 parking spaces (each space 9'x20') would be necessary;

- f) Standard setback distances from Delta Fair Boulevard and Buchanan Road were applied to estimate buildable space; and,
- g) Adequate open space could be provided surrounding multiple residential buildings.

Please note that the existing intersection at Somersville Road and Buchanan Road is currently at its Level of Service (LOS) capacity (LOS F in AM peak hours/LOS E in PM peak hour). Traffic associated with 175 additional units would add an estimated 1,164 trips per day on local roadways (including approximately 90 AM peak hour trips and 109 PM peak hour trips). This increase in traffic may result in an increase in congestion impacts at the Somersville Road and Buchanan Road intersection, which is already at capacity. Thus, traffic mitigation, including fair share contribution for cumulative impacts, may be required to reduce the impacts from the project's additional traffic on the intersection.

Staff recommends that you revise your project plans to address the comments in the January 20, 2017 letter and to conform to a maximum density of 35 units an acre. Staff can schedule the project for a Planning Commission hearing once we receive revised application materials. If you have any questions please contact me at your convenience. I can be reached by phone at (925) 779-6141 or via email at amorris@ci.antioch.ca.us. You may also contact Matt Maddox at (916) 706-1374 or via email at mmaddox@rinconconsultants.com.

Sincerely,

Alexis Morris
Planning Manager

Cc: Matt Maddox, Contract Planner
Captain T. Brooks, Antioch Police Department
Lynne Filson, RCE, RTE, RLS, Assistant City Engineer
Ken Warren, P.E., Associate Engineer

ATTACHMENT “D”

DELTA FAIR VILLAGE CONSISTENCY WITH GENERAL PLAN, MUNICIPAL CODE AND CITYWIDE DESIGN GUIDELINES

DOCUMENT	POLICY	DISCUSSION
GENERAL PLAN		
3.0 Growth Management 3.4 Service Standards for Transportation Facilities	The General Plan calls for arterials, collectors, and intersections during peak hours to have a LOS of D.	Additional vehicle trips from 308 units would likely result in unacceptable LOS at the intersections near the project area.
4.0 Land Use 4.4.1 Land Use Designations	High Density Residential Maximum Allowable Density: Twenty dwelling units per gross developable acre (35 du/ac) and up to a Floor Area Ratio of 1.25 within areas designed for mixed use or transit-oriented development	The proposed project would have a density of 51 du/acre. A +/- 6 acre site would have an FAR of 1.6, without the garages.
MUNICIPAL CODE		
Municipal Code R-35 zoning	Max lot coverage: 50%	A 6 acres site with 165,178 square feet of ground floor building coverage would have a lot coverage of 62%
Municipal Code R-35 zoning	Min density: 30 du/acre Max density: 35 du/acre	A 6 acre residential site with 308 units would have a density of 51 du/acre
Municipal Code R-35 zoning	Height: 45'	The 64 foot proposed height exceeds the height by 19 feet.
Municipal Code R-35 zoning	Front yard setbacks: - Arterial street: minimum 15-foot setback with 15-foot landscaping on all frontages. - Collector street: minimum 15-foot setback with 15-foot landscaping. - Local street: minimum 10-foot setback with 10-foot landscaping.	Buchanan Rd and Delta Fair Blvd are arterials according to the General Plan. The 15 foot setbacks have not been met.
Municipal Code R-35 zoning	Interior setbacks: 5' Rear setbacks: 10'	These setbacks have been met.
Municipal Code 9-5.704 Building Form (A) Building Entries (1)	<i>Orientation.</i> All units located along public rights-of-way must have a principal entrance that fronts on and is oriented to face the right-of-way. Such entrance shall be clearly visible from the street and shall be connected via pedestrian walkways to the public sidewalk. Exceptions to this requirement may be approved for projects located on arterial streets that carry high traffic volumes and/or streets that do not allow on-street parking. In such cases, a project may be oriented around courtyards with principal entrances facing the courtyards.	The proposed plan does not have a principal entrance facing the right of way, but does have two entrances to the parking garage onto Buchanan Road. Due to the arterial streets this project fronts, an exception may be approved to have the project oriented around courtyards. While the project does have courtyards, the principal entrances are not located facing the courtyards.
Municipal Code 9-5.704 Building Form (A) Building Entries (2)	<i>Entry features.</i> Building entrances must have a roofed projection (e.g., porch) or recess. Such entry features shall have a	The proposed building entrances do not have any roofed projection.

DOCUMENT	POLICY	DISCUSSION
	minimum depth of five feet, measured perpendicular to the façade on which they are located. Entries that serve a single unit shall have a minimum area of 40 square feet while those that serve two or more units shall have a minimum area of 100 square feet.	
Municipal Code 9-5.704 Building Form (B)	<i>Façade articulation.</i> All street-facing facades must include at least one change in plane (projection or recess) at least four feet in depth, or two changes in plane at least two feet in depth, for every 25 linear feet of wall. Such features shall extend the full height of the respective façade of single-story buildings, at least half of the height of two-story buildings, and at least two-thirds of the height of buildings that are three or more stories in height.	Based on the floor plans, the proposed plan includes one two foot change in depth approximately every 25 linear feet as opposed to the required two changes in depth every 25 feet. The changes in plane do generally extend at least two-thirds the height of the respective façades. The elevations provided do not correspond to the floor plans to provide a certain answer.
Municipal Code 9-5.704 Building Form (C)	<i>Roof forms.</i> Variable roof forms shall be incorporated into the building design, and no more than two side-by-side units may be covered by one unarticulated roof. Variation may be accomplished by changing the roof height, offsets, and direction of slope, and by including elements such as dormers.	The proposed project includes variable roof forms. One articulated roof does not appear to span more than two side-by-side units.
Municipal Code 9-5.704 Building Form (D) Window Design (1)	<i>Relief.</i> All windows shall either be recessed or surrounded by trim at least four inches in width and two inches in depth.	Window and trim details have not yet been provided, but the elevations show windows with trim.
Municipal Code 9-5.704 Building Form (D) Window Design (2)	<i>Shade features.</i> At least 20% of all windows on each building shall have exterior sun shades, such as roof overhangs (eaves), awnings, or louvered sunshades.	Based on the provided elevations, this requirement has not been fulfilled.
Municipal Code 9-5.705 Site Design for Parking, Circulations, and Access. (A) Parking Lot Frontage (1)	<i>Maximum width.</i> The maximum width of parking area within the required front setback, including driveways, open parking, carports, and garages, but excluding underground parking and parking located behind buildings, may not exceed 25% of the linear street frontage.	The garages exceed 25% of both street frontages.
Municipal Code 9-5.705 Site Design for Parking, Circulations, and Access. (A) Parking Lot Frontage (2)	<i>Parking location.</i> Parking facilities shall be located according to one or more of the alternatives listed below. This locational requirement applies to parking for both residents and guests, as well as any parking that exceeds the required minimum. In all cases, the requirements of § 9-5.1703.1 , Off-Street Parking Requirements by Use, which establishes the number of required parking spaces and number of covered	There are two proposed garage entrances on Buchanan Road. There are two additional garage entrances at the north of the buildings, which are accessed through the parking lot with the entrance to the driveway on Delta Fair Boulevard.

DOCUMENT	POLICY	DISCUSSION
	spaces per unit, must be met. Parking shall be provided in one of the following locations or in a combination of the following locations: (b) Covered and enclosed parking integrated into the residential building, in which garage doors are located on the side or rear of the building and not facing a street. For the purposes of this regulation, doors shall be considered not to face a public street if they are oriented 45 degrees or more from parallel with the street.	
Municipal Code 9-5.705 Site Design for Parking, Circulations, and Access. (B)	<i>Driveways-number and width.</i> For lots 75 feet wide or less, a maximum of one driveway per lot is permitted. For lots greater than 75 feet in width, additional driveways are permitted but shall be spaced at least 75 feet apart. No driveway shall exceed 20 feet in width at any property line abutting a street or one-half of the width of the street frontage of the lot, whichever is less.	The lot is greater than 75 feet in width. Two 20 foot wide driveways on Buchanan Road are proposed for entrances to the garages. These driveways are greater than 75 feet apart. The project also proposes a fire lane and driveway between the two garage driveways. This creates a third driveway. This driveway is over 75 feet away from one garage entrance and less than 75 feet away from the other garage entrance. This driveway would not see frequent use.
Municipal Code 9-5.705 Site Design for Parking, Circulations, and Access. (C) Pedestrian access (1)	<i>Connection to public sidewalks.</i> Every multiple-family dwelling shall have a walkway connecting the main building entry to the public sidewalk in the right-of-way on each street frontage. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall have an unobstructed width of at least four feet, and shall be of concrete, decorative pavers, or other durable, all-weather surface.	The current site plan does not specifically call out walkways from the entrances to the right-of-ways, but the site plan does appear to show walkways that extend to the right-of-ways. The walkway on Delta Fair Blvd. is not shown to be physically separated from the driveway.
Municipal Code 9-5.705 Site Design for Parking, Circulations, and Access. (C) Pedestrian access (2)	<i>Connection to parking areas.</i> Every multiple-family dwelling shall have a walkway between a building entry and the parking area for the units served by it. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall be at least four feet wide, and shall be of a durable, all-weather surface.	The majority of the parking spaces for the tenants are proposed to be in the covered garages, which is accessed directly by elevators and interior stairs. The parking in the lot is accessible by walkways. Some of the proposed walkways are physically separated from driveways and off street parking while others are not.
Municipal Code	<i>Connection to open space, recreation</i>	Walkways are provided to the

DOCUMENT	POLICY	DISCUSSION									
9-5.705 Site Design for Parking, Circulations, and Access. (C) Pedestrian access (3)	<i>facilities, and public parks.</i> Walkways shall be provided that connect building entries for the units served to any common usable open space or recreational facilities on site or to any public park facilities located on an adjacent lot.	common areas.									
Municipal Code 9-5.706 Usable Open Space	<p>Usable open space to serve multi-family residential dwelling units shall be provided and maintained in compliance with the following table and the requirements of this section.</p> <table border="1"> <caption>Table 9-5.706: Minimum Required Usable Open Space</caption> <tr> <td></td><td>R-10 Zone</td><td>R-20, R-25, and R-35 Zones</td></tr> <tr> <td>Total Usable Open Space per Unit (sq. ft.)</td><td>250</td><td>200</td></tr> <tr> <td>Minimum Private Open Space per Unit (sq. ft.)</td><td>70</td><td>60</td></tr> </table>		R-10 Zone	R-20, R-25, and R-35 Zones	Total Usable Open Space per Unit (sq. ft.)	250	200	Minimum Private Open Space per Unit (sq. ft.)	70	60	A private balcony 72 square feet in size is proposed for each unit. Additional open space is provided in common areas.
	R-10 Zone	R-20, R-25, and R-35 Zones									
Total Usable Open Space per Unit (sq. ft.)	250	200									
Minimum Private Open Space per Unit (sq. ft.)	70	60									
Municipal Code 9-5.706 Usable Open Space (A)	<i>Required area and type of open space - multi-family dwellings.</i> All multi-family residential developments shall be provided the minimum private open space area and minimum total open space area stated in Table 9-5.706 , according to the number of units in the development. Once the minimum private open space requirement has been met, the remainder of the required total open space for the development may be provided as either private or common open space. Every development that includes five or more residential units shall provide at least one common open space area that meets the standards of division (D) of this section below.	The minimum amount of private open space, which is proposed to be provided in balconies, has been exceeded. The common open space areas combined with the private open space areas fall slightly short of the total minimum required usable open space. In performing the calculations, the courtyards in the center of each building were not included because the courtyards are not shown to be accessible. Based on 308 units, 61,600 square feet of total open space shall be provided.									
Municipal Code 9-5.706 Usable Open Space (B)	<i>Usability.</i> A surface shall be provided that allows convenient use for residents' outdoor living and/or recreation activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The slope shall not exceed 10%. Off-street parking and loading areas, driveways, and service areas shall not be	The plans do not detail the proposed materials, but can be assumed to be acceptable.									

DOCUMENT	POLICY	DISCUSSION
	counted as usable open space. Open space on a roof or deck shall include safety railings or other protective devices that meet but do not exceed the minimum height required by the Antioch Building Code.	
Municipal Code 9-5.706 Usable Open Space (C) Design Standards – Private Open Space (1)	<i>Accessibility.</i> Private usable open space shall be accessible to only one living unit by a doorway or doorways to a habitable room or hallway of the unit.	This design standard has been met.
Municipal Code 9-5.706 Usable Open Space (C) Design Standards – Private Open Space (2)	<i>Minimum dimensions.</i> Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than ten feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.	The balconies are six feet by 12 feet and exceed the requirements.
Municipal Code 9-5.706 Usable Open Space (C) Design Standards – Private Open Space (3)	<i>Openness.</i> There shall be no obstructions over ground-level space except for devices to enhance the usability of the space. Above ground-level space shall have at least one exterior side open and unobstructed for at least eight feet above floor level, except for incidental railings and balustrades. No more than 50% of the ground-level space may be covered by a private balcony projecting from a higher floor.	These design standards have been met.
Municipal Code 9-5.706 Usable Open Space (C) Design Standards – Private Open Space (4)	<i>Enclosure.</i> Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other areas on the same lot by a building wall, by dense landscaping not less than five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than five and one-half feet high, subject to the standards for required landscaping and screening. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if there is no building located opposite and within 50 feet of the screening.	Existing and proposed six foot tall fencing is shown around the common areas, which would provide screening.
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (1)	<i>Accessibility.</i> Common usable open space shall be accessible to all the dwelling units on the lot.	The proposed plans include open space that would be accessible to all dwelling units.
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (2)	<i>Rooftops.</i> No more than 20% of the total area counted as common open space may be provided on a roof.	The roof would not contain any common space

DOCUMENT	POLICY	DISCUSSION
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (3)	<p><i>Facilities.</i> Common areas may consist of open landscaped areas and gardens, natural areas with trails, patios, swimming pools, picnic and barbeque areas, playgrounds, community gardens, or other such improvements as are appropriate to enhance the outdoor environment of the development. Required components are as follows:</p> <p>(a) <i>Seating.</i> Common usable open space shall include seating.</p> <p>(b) <i>Play areas.</i> Developments that include 15 or more units of at least one bedroom or more must include children's play areas and play structures. This requirement does not apply to senior housing developments.</p>	<p>The plans include a swimming pool, plaza, and clubhouse.</p> <p>The plans do not include seating areas.</p> <p>A children's play area and play structures are not provided.</p>
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (4)	<p><i>Openness and buildings.</i> There shall be no obstructions above the open space except for devices to enhance the usability of the space. Buildings and roofed structures with recreational functions (e.g., pool houses, recreation centers, gazebos) may occupy up to 20% of the area counted as common open space.</p>	<p>The open space is proposed to be open to above. The proposed clubhouse does not occupy 20% of the common open space.</p>
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (5)	<p><i>Minimum dimensions.</i> Common usable open space located on the ground level shall have no horizontal dimension less than 20 feet. If such ground-level open space is located within ten feet of a building façade, the minimum dimension shall be no less than the height of the adjacent building. Common upper-story decks shall have no dimension less than ten feet. Roof decks shall have no horizontal dimension less than 15 feet.</p>	<p>This standard is difficult to apply to an infill project. The common areas would be required to be at least 128 feet wide.</p>
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (6)	<p><i>Visibility.</i> At least one side of the common open space shall border residential buildings with transparent windows and/or entryways.</p>	<p>The courtyard between the two garages will be bordered on two sides by the garage, which does not have transparent windows or entryways.</p>
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (7)	<p><i>Pedestrian pathways.</i> Pedestrian walkways shall connect the common open space to a public right-of-way or building entrance.</p>	<p>This standard is met.</p>
Municipal Code 9-5.706 Usable Open Space (D) Design Standards – Common Open Space (8)	<p><i>Enclosure.</i> Common usable open space that is designed as a children's play area or is likely to be used by children shall be screened from abutting streets by dense landscaping up to five and one-half feet high</p>	<p>A children's play area is not shown on the plans, but is required.</p>

DOCUMENT	POLICY	DISCUSSION
	and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall up to five and one-half feet high, subject to the standards for required landscaping and screening. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if the play area is not located on an arterial or collector street and if there is no building located opposite and within 50 feet of the screening.	
Municipal Code 9-5.707 Storage Space	Each unit in a multi-family dwelling shall be provided with a separate, enclosed, lockable storage space reserved for the occupants of the dwelling unit. Such storage space shall be located in a garage, storage building, or enclosed individual storage space. Each storage space shall be at least 250 cubic feet in volume and shall have no interior dimension less than four feet.	The project plans do not show any lockable storage spaces for the occupants of the dwelling units. The proposed 308 dwelling units would require 77,000 cubic feet of storage space to comply with this requirement.
Municipal Code Landscaping 9-5.708 (A)	<i>Minimum landscaped area.</i> A minimum of 25% of any building site shall be landscaped.	Landscaping is proposed that would be approximately 35% of the site. Exact calculations have not yet been performed.
Municipal Code Landscaping 9-5.708 (B)	<i>Landscaping of front yards.</i> All portions of required front yards, except those areas occupied by pedestrian or vehicular access ways, shall be landscaped.	This requirement has been met.
Municipal Code Landscaping 9-5.708 (C)	<i>Materials.</i> Landscaping shall include plant materials of varying height and may incorporate a combination of groundcovers, shrubs, vines, trees, and garden areas. Landscaping may also include incidental features such as stepping stones, benches, fountains, sculptures, decorative stones, or other ornamental features, placed within a landscaped setting.	A separate landscaping plan was not submitted, which would include this level of information.
Municipal Code Landscaping 9-5.708 (C)(1)	<i>Ground cover materials.</i> Ground cover shall be of live plant material. Pervious non-plant materials such as permeable paving, gravel, colored rock, cinder, bark, and similar materials shall not cover more than 10% of the required landscape area. Mulch must be confined to areas underneath shrubs and trees and is not a substitute for ground cover plants.	A separate landscaping plan was not submitted, which would include this level of information.
Municipal Code Landscaping 9-5.708 (C) (2)	<i>Size and spacing.</i> Plants shall be of the following size and spacing at the time of installation:	A separate landscaping plan was not submitted, which would include this level of information.

DOCUMENT	POLICY		DISCUSSION
	<p>(a) Ground covers. Ground cover plants other than grasses must be at least four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of at least one per 12 inches on center.</p> <p>(b) Shrubs. Shrubs shall be a minimum size of one gallon.</p> <p>(c) Trees. Trees shall be a minimum of 15 gallons in size with a one-inch diameter at breast height (dbh). Specimen trees of 36-inch or greater box size are encouraged. At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front setback. Trees (center of trees) shall be located a minimum of six feet from water meters, gas meters and sewer laterals; eight feet from any driveway, fire hydrant, fire sprinkler, or standpole connection; and 15 feet from any curb return at an intersection, utility pole, or street light.</p>		
Municipal Code Landscaping 9-5.708 (D)	<i>Tree protection.</i> Newly planted trees shall be supported with double stakes or guy wires. Root barriers shall be required for any tree placed within ten feet of pavement.		This standard would be detailed on the planting details of a landscape plan.
Municipal Code 9-5.1703.1: Off-Street Parking Required	Multi-family residential	1.5 spaces per unit up to 2 bedrooms; one space to be covered	Based on units listed on the project cover sheet, 536 residential parking spaces are needed and 380 are being provided in garages.
		2 spaces per unit = 3 bedrooms; one space to be covered plus 1 space per 5 units for guest parking (Applies to all multi-family units)	
Municipal Code 9-5.1705.1 Tandem Parking	<p>Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following requirements:</p> <p>(A) No more than two vehicles shall be placed one behind the other.</p> <p>(B) Both spaces shall be assigned to a single dwelling unit or non-residential establishment.</p> <p>(C) Tandem parking to meet required parking for non-residential uses may be used for employee parking; the maximum number of tandem parking spaces shall not exceed 50% of the total number of spaces.</p>		The proposed tandem parking stalls meet the required tandem parking standards.

DOCUMENT	POLICY	DISCUSSION
	<p>When tandem parking is used to meet required parking for non-residential uses the applicant shall provide valet parking or establish a system to facilitate retrieval of parked vehicles.</p> <p>(D) Tandem parking to meet required parking for multi-unit development shall be located within an enclosed structure; the maximum number of tandem parking spaces shall not exceed 50% of the total number of spaces.</p> <p>(E) Tandem parking shall not be used to meet the guest parking requirement.</p>	
Municipal Code Parking Space Dimensions 9-5.1709 (A)	The use of angled parking arrangements shall be preferred to perpendicular, unless the dimensions of the site make angled parking spaces infeasible.	Perpendicular parking has been used throughout the project.
Municipal Code Parking Space Dimensions 9-5.1709 (B)	Required parking spaces shall have the following minimum dimensions: Residential spaces in a garage 10'X20' Uncovered 9' X 20'	The required spaces meet this requirement.
Municipal Code 9-5.1711 Application of Dimensional Requirements (A)	All required residential spaces and guest spaces shall be standard spaces.	This requirement has been met.
Municipal Code 9-5.1711 Application of Dimensional Requirements (B)	Each parking space adjoining and parallel to a wall, column, or other obstruction higher than one-half foot shall be increased by three feet on the obstructed door side. For spaces adjoining and perpendicular to such an obstruction, an increase of four feet is required.	Some spaces in the garage meet this requirement and others do not.
Municipal Code 9-5.1713 Driveway Widths and Clearances (A)	<p>Driveways shall be paved with an approved surface and shall have the following minimum widths at the outside edge of curb, plus a minimum of one foot additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height.</p> <p>(1) <i>Serving a residential use.</i></p> <p>2 or fewer spaces 10 ft. 3 to 6 spaces 12 ft. 7 or more spaces 12 ft. 1-way, or 20 ft. 2-way</p>	This requirement is met.
Municipal Code 9-5.1714 Parking Area Screening	A parking area for five or more cars shall be screened from an adjoining residential property or a ground-floor residential use by a solid decorative concrete or masonry wall six feet in height, however the height of a	An existing six foot fence separates the neighboring residential property from this property. Landscaping is proposed around the exterior of the site.

DOCUMENT	POLICY	DISCUSSION
	wall adjoining a required residential front yard shall be three feet unless a higher wall is required for noise attenuation. Parking areas shall be screened from adjacent streets with a solid decorative concrete or masonry wall, berming and/or landscaping having a minimum height of three feet above the adjacent grade of the parking area.	
Municipal Code 9-5.1715 Lighting	Outdoor parking area lighting fixture heights shall be determined by their relationship to surrounding uses, and lighting shall not shine directly onto an adjacent street or property. Minimum illumination at ground level shall be two foot-candles but shall not exceed one-half foot-candles in a residential district.	A lighting plan was not provided.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (A)	Parking lots for non-residential uses shall have minimum interior perimeter planting areas of 10 feet width adjacent to a residential district and five feet adjacent to other districts.	Landscaping around the perimeter of the parking areas is proposed.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (B)	A parking lot in any district having parking adjoining a street shall have a frontage planting area reflecting the setback of the street.	Landscaping is provided although the R-35 setbacks have not been met.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (C)	All other landscaped areas shall be a minimum of five feet in width.	This standard has been met in the residential portion of the parking lot.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (D)	The end of each row of parking stalls shall be separated from driveways by a landscaped planter, sidewalk, or other means.	This standard has been met.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (E)	No more than 10 consecutive parking spaces should be allowed in any row of parking without a parking lot landscape island extending from a landscape strip.	This standard is met in some areas but not others.
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (F)	Where standard spaces are adjacent and perpendicular to landscaping, the required planting area shall be increased two feet in depth by decreasing the length of the parking stall by two feet. Where autos will overhang into both sides of an interior landscaped strip or well, the minimum curb-to-curb interior planter dimension shall be	This requirement has not been fully met.

DOCUMENT	POLICY	DISCUSSION
	six feet. Compact spaces are not eligible for this provision.	
Municipal Code 9-5.1716 Parking Lot Landscaping; Design Standards (G)	The design and location of parking lot landscape areas shall be consistent with the storm water control plan.	A storm water control plan has not been submitted.
Municipal Code 9-5.1717 Garage and Carport Design (A) (2)	Exterior design must be architecturally compatible with the main building	The garage design is not well incorporated into the rest of the building.
Municipal Code 9-5.1717 Garage and Carport Design (A)(3)	Any garage serving a multi-family dwelling or single-family attached dwelling that is visible from a street shall be limited in width to no more than 50% of the width of the facade of the residential dwelling. For the purposes of this requirement, garage width is considered the width of that portion of a building, facade that is backed by a garage space. This dimension is measured from midpoint to midpoint for any enclosing walls that are perpendicular to the garage door or entry.	The garage constitutes 100% of the width of the facade of the residential building.
DESIGN GUIDELINES		
Design Guidelines 6.23 Site Planning A. Building Siting and Massing (2)	Clustering of multi-family units shall be a consistent site-planning element. Large projects shall be broken up into groups of structures.	The project is broken up into four structures, which sit on two garage podiums. The units have not been clustered into groups of structures.
Design Guidelines 6.23 Site Planning A. Building Siting and Massing (3)	Buildings shall be generally oriented towards the street with varying setbacks to provide visual interest and varying shadow patterns.	The buildings do not have varying setbacks and are not oriented towards the street.
Design Guidelines 6.23 Site Planning A. Building Siting and Massing (4)	Developments shall relate directly to the adjacent street, and present an attractive and interesting facade to passersby	The developments do not relate to the adjacent streets.
Design Guidelines 6.23 Site Planning A. Building Siting and Massing (5)	Buildings shall be oriented to promote privacy to the greatest extent possible.	The buildings are oriented around interior courtyards, but the buildings are also very close to major arterial streets.
Design Guidelines 6.23 Site Planning A. Building Siting and Massing (6)	Multi-family residential development shall respect existing development in the immediate area.	The neighboring multi-family residential development is a two-story development, while the proposed development is 64 feet tall.
Design Guidelines	Principal vehicular access into multi-family	This standard has been met.

DOCUMENT	POLICY	DISCUSSION
6.23 Site Planning B. Circulation (1)	projects shall be through an entry drive.	
Design Guidelines 6.23 Site Planning B. Circulation (2)	All site entrances shall be visible from a public street and well lighted.	This standard has been met.
Design Guidelines 6.23 Site Planning B. Circulation (3)	The main site entry design shall incorporate patterned or colored concrete.	A main entry has not been proposed and the concrete material has not been called out.
Design Guidelines 6.23 Site Planning B. Circulation (4)	Special accents, such as monument, public art, ornamental features, decoration, special textured paving, flowering accents, walls, shrubs, and the use of specimen trees, shall be used to generate visual interest at entries.	Monuments, public art, or ornamental features have not been proposed at the entries. A landscape plan has not been provided.
Design Guidelines 6.23 Site Planning B. Circulation (5)	Entry drives shall have sidewalks on both sides.	This standard has been met.
Design Guidelines 6.23 Site Planning B. Circulation (6)	All entry drive locations shall be coordinated with existing or planned median openings.	There are no median openings at these locations.
Design Guidelines 6.23 Site Planning B. Circulation (7)	Where possible, all multi-family projects shall incorporate pedestrian connections to adjoining residential, commercial projects, and other compatible land use facilities.	The project adjoins a commercial project that would be accessible to pedestrians.
Design Guidelines 6.23 Site Planning B. Circulation (8)	Cross circulation between vehicles and pedestrians shall be minimized. A continuous, clearly marked walkway shall be provided from the parking areas to main entrances of buildings.	This standard has been met.
Design Guidelines 6.23 Site Planning B. Circulation (9)	Walkways shall be located to minimize the impact of pedestrians on the privacy of nearby residences or private open space. Avoid siting a walkway directly against a building. A landscaped planting area between walkways and building facades is strongly encouraged.	This standard has been partially met.
Design Guidelines 6.23 Site Planning C. Parking (1)	Multi-family parking areas shall be divided into a series of connected smaller parking courts.	This standard would not be applicable to this infill project.
Design Guidelines 6.23 Site Planning C. Parking (2)	Parking areas shall be located within the development's interior and not along street frontages. Carports and tuck-under parking shall not be visible from a public street.	This standard does not account for a parking garage. The parking garage is visible from the public streets.
Design Guidelines 6.23 Site Planning C. Parking (3)	Adverse visual impacts of parking areas and garages on the residential character of the street, including blank walls, garage doors, parking facilities, and driveway openings along street frontages, shall be minimized.	The proposed garage has blank walls against the street frontages.
Design Guidelines	While there is no required architectural	The proposed project does not

DOCUMENT	POLICY	DISCUSSION
6.24 Architecture A. Character Defining Elements (1)	“style” for multi-family residential structures in Antioch, regional styles such as Craftsman, Spanish Colonial Revival, Mission Revival, and Victorian are encouraged. The primary focus shall be on constructing a high-quality residential environment.	follow the encouraged styles.
Design Guidelines 6.24 Architecture A. Character Defining Elements (2)	Architectural elements such as bays, bay windows, recessed or projecting balconies, verandas, balconies, porches and other elements that add visual interest, scale and character to the neighborhood are encouraged.	Bay windows and balconies are proposed.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (1)	The maximum number of attached units per building shall be 8. Buildings with 3, 4, 5, and 6 units per structure shall be mixed throughout the project.	The proposed project includes 308 units in 4 buildings, which equates to 77 units per building.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (2)	Building heights shall be varied to give the appearance of a collection of smaller structures.	The project proposes 3 and 4 story buildings set atop a one story garage podium. This design does not give the appearance of smaller structures.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (3)	In some cases, upper stories shall be stepped back to reduce the scale of facades that face the street, common space, and adjacent residential structures.	The facades do not appear to step back along the street or near adjacent residential properties.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (5)	The perceived height and bulk of multi-story buildings shall be reduced by dividing the building mass into smaller-scale components and adding details such as projecting eaves, dormers and balconies. The use of awnings, moldings, pilasters and comparable architectural embellishments are also encouraged	The project includes bay windows, but awnings, pilasters, or moldings have not been used.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (6)	All building elevations shall be considered in the evaluation of any new construction, additions or alterations. Side and rear views of a building shall not be minimized because of their orientation away from the public right-of-way. The same or compatible design features shall be continued or repeated upon all elevations of a building.	Each elevation is very similar and the same design features are repeated throughout.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (7)	Arcades and other types of overhangs shall be used to provide human scale to the interface between the facade and sidewalk.	Arcades, awnings, or overhangs are not proposed.
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (8)	Building facades that enclose stairwells shall include residential-type windows to reduce the visual bulk of the stairwell and enhance safety. Building facades enclosing elevator shafts shall use architectural treatments to	The building elevations propose residential type windows along the stairwells.

DOCUMENT	POLICY	DISCUSSION
	reduce visual mass	
Design Guidelines 6.24 Architecture B. Building Height, Scale and Articulation (9)	All mechanical equipment, whether mounted on the roof or the ground, shall either be suitably screened or placed in locations that are not viewed from residences, common areas, or the street. All screening devices shall be compatible with the architecture and color of the adjacent buildings.	Based on the provided plans, this standard appears to have been met.
Design Guidelines 6.24 Architecture C. Entryways (1)	Courtyard doors or gates used at multifamily building entries shall be attractively designed as an important architectural feature of the building or complex.	This level of detail was not provided.
Design Guidelines 6.24 Architecture C. Entryways (2)	Strongly delineate the separation between public and private space with paving, building materials, grade separations, or with physical barriers such as landscaping, fences, walls, screens, or building enclosures.	Fencing is proposed around the exterior of the site.
Design Guidelines 6.24 Architecture E. Building Materials (1)	The development's dwelling units, community facilities, and parking structures shall be unified by a consistent use of building materials, textures, and colors. Exterior columns or supports for site elements, such as trellises and porches, shall utilize materials and colors that are compatible with the entire project.	A colors and materials board was submitted that shows a consistent color palette.
Design Guidelines 6.24 Architecture E. Building Materials (2)	Building materials shall be durable, require low maintenance, and relate a sense of quality and permanence. Frequent changes in materials shall be avoided.	The majority of the project is proposed to be finished in plaster and stone veneer. The garage is proposed to be a CMU wall.
Design Guidelines 6.24 Architecture E. Building Materials (3)	Inappropriate materials for exterior applications include: Plastics/plastic laminates; Asphalt shingles; Corrugated fiberglass, metal or plastic; Rock veneers or unrealistic imitation rock; Plywood or similar wood; Highly reflective materials; Unfinished concrete; and Unfinished metal, aluminum or similar material.	A stone veneer is proposed as well as a CMU wall for the garage.
Design Guidelines 6.24 Architecture F. Roofs (1)	Rooflines shall be segmented and varied within an overall horizontal context. Varying heights are encouraged	The proposed rooflines are segmented and varied.
Design Guidelines	Combinations of one, one-and-a-half, and	The proposed project has slight

DOCUMENT	POLICY	DISCUSSION
6.24 Architecture F. Roofs (2)	two story units are encouraged to create variation and visual interest.	variations between four and five story elements
Design Guidelines 6.24 Architecture F. Roofs (3)	Use of vertical elements such as towers may be used to accent the predominant horizontal massing and provide visual interest.	The use of towers has not been proposed.
Design Guidelines 6.24 Architecture F. Roofs (4)	Full hipped or gabled roofs covering the entire building are preferred over mansard roofs and segments of pitched roofs applied at the building's edge.	Mansard roofs are not proposed and gabled roofs are proposed.
Design Guidelines 6.24 Architecture F. Roofs (5)	Roofs shall reflect a residential appearance through pitch and use of materials.	The roofs are pitched and use concrete tile shingles, which add a residential appearance.
Design Guidelines 6.24 Architecture G. Colors (1)	Color is an important element in establishing a structure's character and architectural style. The predominant color of the building and accessory structures shall be a muted, non-garish tone.	Beige and brown tones have been proposed, which meets this standard.
Design Guidelines 6.24 Architecture G. Colors (2)	Color shall be used as an important accent in the project's appearance. More than one predominant paint color is encouraged. Compatible accent colors shall be used to enhance important architectural elements and details.	Two predominant colors have been proposed for the apartments and a different color has been proposed for the garage.
Design Guidelines 6.24 Architecture G. Colors (3)	Bright or intense colors shall be used very sparingly, and shall typically be reserved for more refined or delicate detailing.	No bright colors are proposed.
Design Guidelines 6.24 Architecture G. Colors (4)	Materials such as brick and stone shall be left in their natural colors.	This standard has been met.
Design Guidelines 6.2.6 Landscaping A. Introduction (1)	Landscaped areas shall generally incorporate plantings utilizing a three-tier system: (1) grasses and ground covers, (2) shrubs and vines, and (3) trees.	A separate landscaping plan was not submitted, which would include this level of information.
Design Guidelines 6.2.6 Landscaping A. Introduction (2)	New landscaping shall complement existing landscape materials, location, and massing on adjacent established developments where appropriate.	A separate landscaping plan was not submitted, which would include this level of information.
Design Guidelines 6.2.6 Landscaping A. Introduction (3)	The following planting design concepts are encouraged within each project: Specimen trees (48 inch box or more) in informal groupings or rows at major focal points; Use of planting to create shadow and patterns against walls; Use of planting to soften building lines and emphasize the positive features of the site; Use of flowering vines on walls, arbors, or trellises; Trees to create canopy and shade, especially	A separate landscaping plan was not submitted, which would include this level of information.

DOCUMENT	POLICY	DISCUSSION
	in parking areas and passive open space areas; and Berms, plantings, and walls to screen parking lots, trash enclosures, storage areas, utility boxes, etc.	
Design Guidelines 6.2.6 Landscaping A. Introduction (4)	Landscaping around the building perimeter is encouraged.	The site plan shows landscaping around the building perimeter.
Design Guidelines 6.2.6 Landscaping A. Introduction (5)	Landscaping shall be protected from vehicular and pedestrian encroachment by raised planting surfaces and the use of curbs. Concrete step areas shall be provided in landscape planters adjacent to parking spaces.	A separate landscaping plan was not submitted, which would include this level of information.
Design Guidelines 6.2.6 Landscaping A. Introduction (6)	Vines and climbing plants on powder-coated metal trellises and perimeter walls are encouraged	A separate landscaping plan was not submitted, which would include this level of information. The provided elevations do not show any trellises.
Design Guidelines 6.2.6 Landscaping A. Introduction (7)	Gravel, bark, or Astroturf is not allowed as a substitute for plant materials.	A separate landscaping plan was not submitted, which would include this level of information.
Design Guidelines 6.2.6 Landscaping A. Introduction (8)	Landscaping shall emphasize water-efficient plants.	A separate landscaping plan was not submitted, which would include this level of information.
Design Guidelines 6.2.6 Landscaping B. Landscaping at Site Entries and Entry Statements (1)	The vehicular entry zone shall be treated with special landscape elements that will give individual identity to the project (i.e. special paving, graphic signage, specialty lighting, specimen trees, flowering plants).	A main vehicular entry zone has not been detailed nor has a landscaping plan been submitted.
Design Guidelines 6.2.6 Landscaping B. Landscaping at Site Entries and Entry Statements (2)	Textured paving, stamped concrete or rough textured concrete may be used to delineate site entries.	The concrete material has not been called out on the provided plans.
Design Guidelines 6.2.6 Landscaping C. Landscaped Area Spacing and Size (1)	Plant materials shall be placed so that they do not interfere with the lighting of the premises or restrict access to emergency apparatus such as fire hydrants or fire alarm boxes. Trees or large shrubs shall not be planted under overhead lines or over underground utilities if their growth might interfere with such public utilities. Trees and large shrubs shall be placed as follows A minimum of 8 feet between the center of trees and the edge of the driveway, 6 feet from a water meter, gas meter, and sewer laterals. A minimum of 25 feet between the center of trees and the beginning of curb returns at intersections.	Planting and lighting plans have not been submitted for this project. Based on the submitted site plan, the trees will likely not meet these standards.

DOCUMENT	POLICY	DISCUSSION
	<p>A minimum of 15 feet between the center of trees and large shrubs to utility poles and street lights; and</p> <p>A minimum of 8 feet between the center of trees or large shrubs and fire hydrants and fire department sprinkler and standpipe connections.</p>	
Design Guidelines 6.2.7 Walls and Fences A.	The design of walls and fences, as well as the materials used, shall be consistent with the color shall be compatible with the development and adjacent properties. Paint color used on fences shall be common colors readily purchased and kept readily available on the development's premises.	The colors and materials board calls out a black fence, which would match the balcony railings on the buildings.
Design Guidelines 6.2.7 Walls and Fences B.	Visually penetrable materials (e.g., wrought iron or tubular steel) shall be used in areas of high activity (i.e., pools, playgrounds) and areas adjacent to street frontage.	Wire fencing has been proposed, but details have not been provided.
Design Guidelines 6.2.7 Walls and Fences D.	Perimeter walls shall incorporate various textures, staggered setbacks, and variations in height in conjunction with landscaping to provide visual interest and to soften the appearance of perimeter walls. Chain link fencing is not permitted.	An existing wall separates the shopping center and neighboring residential development. This wall is proposed to stay. No new walls are proposed. A straight, non-staggered perimeter fence is proposed.
Design Guidelines 6.2.7 Walls and Fences G.	Long continuous perimeter walls are discouraged. Perimeter walls shall incorporate wall inserts and or decorative columns or pilasters to provide relief. The maximum unbroken length of a perimeter wall shall be 100 feet	An existing wall separates the shopping center and neighboring residential development. This wall is proposed to stay. No new walls are proposed.
Design Guidelines 6.2.7 Walls and Fences H.	The colors, materials and appearance of walls and fences shall complement the architecture of the buildings. Fencing, where screening is not specifically required, shall be of decorative iron or similar material.	Wire fencing has been proposed, but details have not been provided.
Design Guidelines 6.2.8 Multi Family Storage A.	Adequate private storage space shall be provided for all multi-family units	The project plans do not show any lockable storage spaces for the occupants of the dwelling units.
Design Guidelines 6.2.8 Multi Family Storage B.	A minimum of 250 cu feet of lockable, enclosed storage space shall be located in a garage, carport, storage building or in an enclosed storage space that is accessed from the rear of the unit. Exterior closets on balconies may also be used if not visible from the public right of way	The project plans do not show any lockable storage spaces for the occupants of the dwelling units. The proposed 308 dwelling units would require 77,000 cubic feet of storage space to comply with this requirement.
Design Guidelines 6.2.8 Multi Family Storage C.	Multi-family storage must be in addition to designated utility area.	The project plans do not show any lockable storage spaces for the occupants of the dwelling units.
6.2.9 Trash and Storage	Trash enclosures shall be sized to	The trash enclosures appear

DOCUMENT	POLICY	DISCUSSION
Facilities E.	accommodate both recycling and trash containers.	undersized, but would need to be verified by Republic Services.
Design Guidelines 6.2.10 Community Facilities and Open Space A.	Residents of housing projects shall have access to community facilities and useable open space, whether common or private, for recreation and social activities.	Open space areas have been proposed.
Design Guidelines 6.2.10 Community Facilities and Open Space B.	All support buildings within multi-family residential projects (i.e., laundry facilities, recreation buildings, and sales/lease offices) shall be compatible in architectural design with the rest of the complex.	The design of the clubhouse uses a different roof design and architectural details than the main buildings.
Design Guidelines 6.2.10 Community Facilities and Open Space C.	The design and orientation of open space areas shall be sheltered from the noise and traffic of adjacent streets or other incompatible uses.	The proposed open spaces areas are generally sheltered by the buildings.
Design Guidelines 6.2.10 Community Facilities and Open Space D.	Buildings shall be oriented to create courtyards and open space areas, thus increasing the area's aesthetic appeal. Community features such as plazas, interactive water features, and community gardens shall be included whenever possible.	Courtyards are provided, but water features and community gardens are not proposed.
Design Guidelines 6.2.10 Community Facilities and Open Space E.	Community facilities and open spaces shall be conveniently located for the majority of units.	The courtyards are at the center of the project, but the plans do not show convenient access to the courtyards.
Design Guidelines 6.2.10 Community Facilities and Open Space F.	Open space areas shall take advantage of prevailing breezes and direction of the sun to provide natural lighting and ventilation for open spaces.	The main courtyard of the project would be oriented on a north-south axis, which may provide consistent light throughout the day.
Design Guidelines 6.2.10 Community Facilities and Open Space G.	Community facilities and open spaces shall be contiguous to the units they serve and be screened from public view.	The open spaces would be generally screened by the buildings, but the fire lane in the center of the courtyard would allow the public to view into the courtyard.
Design Guidelines 6.2.10 Community Facilities and Open Space H.	Children's play areas shall be visible from as many units as possible.	A play area has not been proposed.
Design Guidelines 6.2.10 Community Facilities and Open Space I.	In large developments, separate, but not necessarily segregated, play areas or informal outdoor spaces shall be provided for different age groups for safety reasons. Small developments may combine play areas (e.g., a tot lot incorporated into a larger activity area for older children).	Play areas have not been proposed.
Design Guidelines 6.2.10 Community Facilities and Open Space J.	Seating areas shall be provided in areas where adults can supervise children's play and also where school-age children can sit. Seating location shall consider comfort factors, including sun orientation, shade,	Seating areas have not been proposed.

DOCUMENT	POLICY	DISCUSSION
	and wind.	
Design Guidelines 6.2.10 Community Facilities and Open Space K.	Mailboxes shall be located in highly visible, heavy use areas for convenience, to allow for casual social interaction, and to promote safety.	Each garage has four mailbox locations, which will total eight mailbox locations for the entire project. The mailboxes are proposed next to the stairwells, but not in a separate mail room.

ATTACHMENT “E”

Print

Antioch, CA Code of Ordinances

ARTICLE 7: MULTI-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

§ 9-5.701 PURPOSE.

The purpose of this article is to promote high-quality design and provide a pleasant residential environment within the context of higher-density development; ensure the provision of amenities for residents of multi-family developments; foster pedestrian access; and create visually attractive street frontages that offer architectural and landscape interest.

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.702 APPLICABILITY.

The standards of this article apply to multi-family dwellings in any district in which they are permitted or conditionally permitted.

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.703 TRANSITION REQUIREMENTS ADJACENT TO SINGLE-FAMILY RESIDENTIAL.

Wherever a multi-family residential dwelling is located on a lot that directly abuts any lot developed with an existing single-family detached dwelling that is a conforming use or any lot that is zoned RR, RE, R-4, or R-6, the following standards shall apply to the multi-family development.

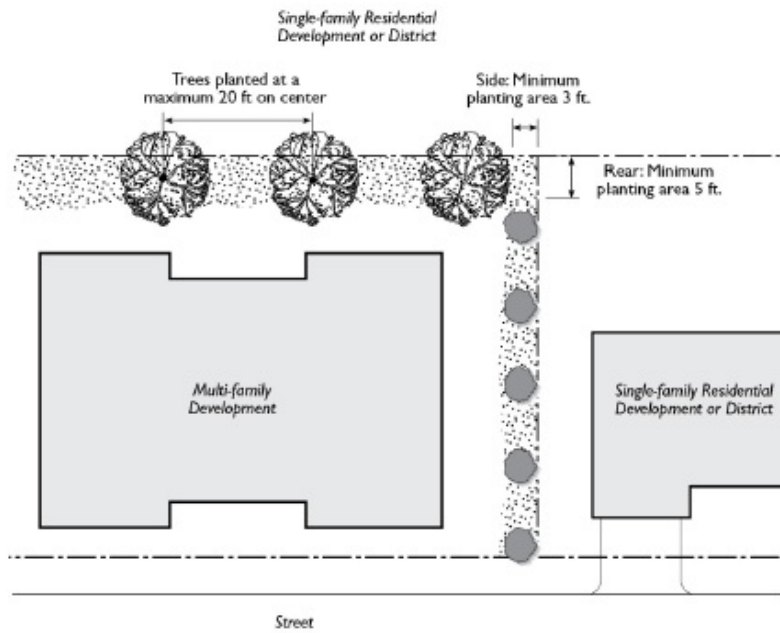
(A) *Rear setbacks.* Notwithstanding the requirements of the Height, Area, and Setbacks Table of § 9-5.601, a minimum rear setback of 20 feet is required. For existing substandard lots, a modification to or waiver of the minimum 20-foot setback requirement may be requested, subject to provisions of § 9-5.709 and design review.

(B) *Landscape buffers.* Interior side and rear setbacks that abut single-family residential development or a single-family district shall include the following landscaped areas. These landscaped areas shall be measured from the property line and are included within, and are not additional to, the minimum setbacks required by Table TBD.

(1) A landscaped area at least three feet in depth shall be provided along any interior side property line.

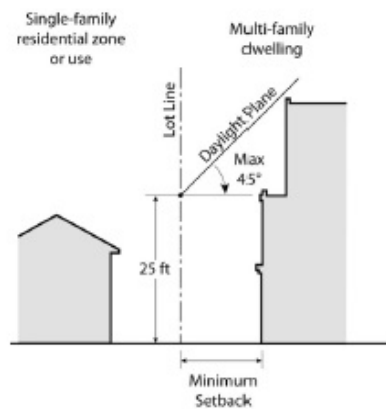
(2) At least 50% of the rear setback shall be a landscaped area at least five feet in depth. Within this landscaped area, trees shall be planted at a maximum distance of 20 feet on center (measured parallel to the rear lot line).

Figure 9-5.703(B): Landscape Buffers



(C) *Required daylight plane.* No portion of the building volume shall encroach into a daylight plane starting at a point that is 25 feet above the property line abutting any adjacent lot with a single-family residential use or zone and sloping upward at a 45-degree angle toward the interior of the lot.

Figure 9-5.703(C): Required Daylight Plane



(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.704 BUILDING FORM.

(A) *Building entries.*

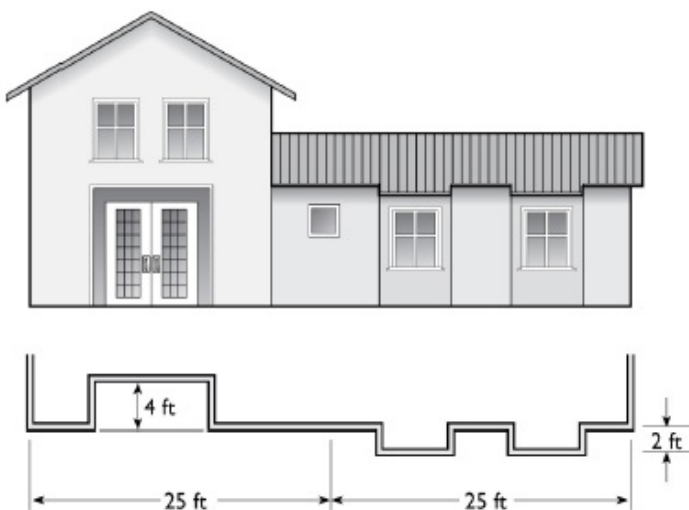
(1) *Orientation.* All units located along public rights-of-way must have a principal entrance that fronts on and is oriented to face the right-of-way. Such entrance shall be clearly visible from the street and shall be connected via pedestrian walkways to the public sidewalk. Exceptions to this requirement may be approved for projects located on arterial streets that carry high traffic volumes and/or streets that do not

allow on-street parking. In such cases, a project may be oriented around courtyards with principal entrances facing the courtyards.

(2) *Entry features.* Building entrances must have a roofed projection (e.g., porch) or recess. Such entry features shall have a minimum depth of five feet, measured perpendicular to the façade on which they are located. Entries that serve a single unit shall have a minimum area of 40 square feet while those that serve two or more units shall have a minimum area of 100 square feet.

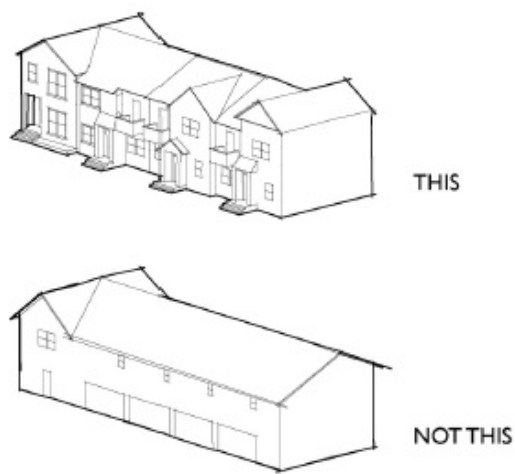
(B) *Façade articulation.* All street-facing façades must include at least one change in plane (projection or recess) at least four feet in depth, or two changes in plane at least two feet in depth, for every 25 linear feet of wall. Such features shall extend the full height of the respective façade of single-story buildings, at least half of the height of two-story buildings, and at least two-thirds of the height of buildings that are three or more stories in height.

Figure 9-5.704(B): Façade Articulation



(C) *Roof forms.* Variable roof forms shall be incorporated into the building design, and no more than two side-by-side units may be covered by one unarticulated roof. Variation may be accomplished by changing the roof height, offsets, and direction of slope, and by including elements such as dormers.

Figure 9-5.704(C): Roof Forms



(D) *Window design.*

(1) *Relief*. All windows shall either be recessed or surrounded by trim at least four inches in width and two inches in depth.

(2) *Shade features*. At least 20% of all windows on each building shall have exterior sun shades, such as roof overhangs (eaves), awnings, or louvered sunshades.

(Ord. 2089-C-S, passed 6-24-14)

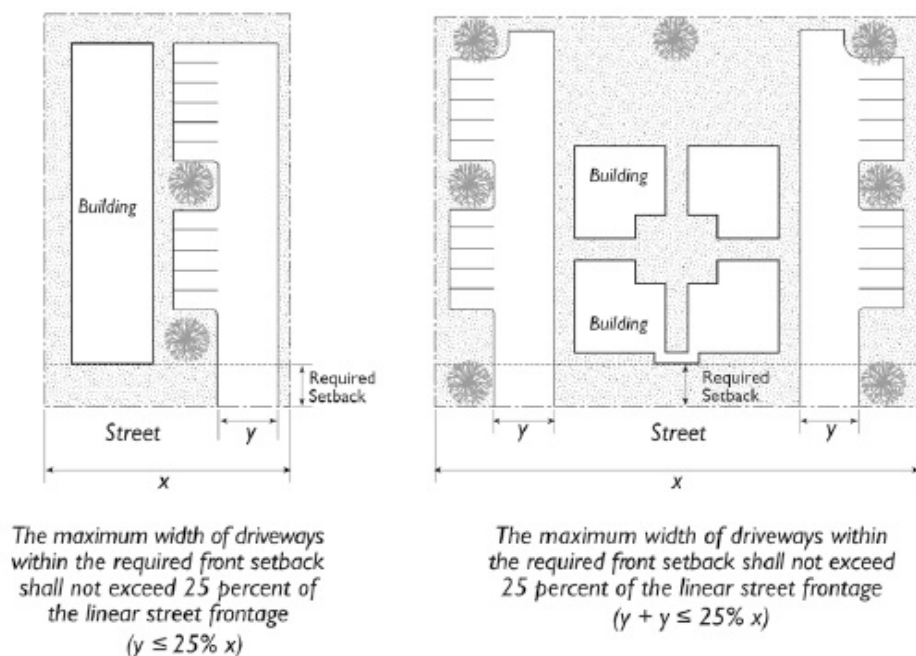
§ 9-5.705 SITE DESIGN FOR PARKING, CIRCULATION, AND ACCESS.

Multi-family dwelling projects shall comply with the regulations of Article 17, Required Parking, as well as the standards of this section.

(A) *Parking location and frontage.*

(1) *Maximum width*. The maximum width of parking area within the required front setback, including driveways, open parking, carports, and garages, but excluding underground parking and parking located behind buildings, may not exceed 25% of the linear street frontage.

Figure 9-5.705(A)(1): Maximum Parking Area Frontage



(2) *Parking location*. Parking facilities shall be located according to one or more of the alternatives listed below. This locational requirement applies to parking for both residents and guests, as well as any parking that exceeds the required minimum. In all cases, the requirements of § 9-5.1703.1, Off-Street Parking Requirements by Use, which establishes the number of required parking spaces and number of covered spaces per unit, must be met. Parking shall be provided in one of the following locations or in a combination of the following locations:

(a) Covered and enclosed parking within a detached garage located to the rear of the residential building in relation to the public street. Such garage may front an alley that is internal to the project. Any garage door visible to any street shall be recessed at least six inches from the surrounding building wall and shall be surrounded by trim of at least two inches in depth.

(b) Covered and enclosed parking integrated into the residential building, in which garage doors are located on the side or rear of the building and not facing a street. For the purposes of this regulation, doors

shall be considered not to face a public street if they are oriented 45 degrees or more from parallel with the street.

(c) Covered and enclosed parking integrated into the residential building with garage doors facing or within 45 degrees of parallel with the street. Such garages shall comply with the following standards:

1. *Maximum width.* Garages shall not exceed 50% of the overall width of the building façade of which they are a part. For the purposes of this requirement, garage width is considered the internal width of that portion of a building facade that is backed by a garage space. This dimension is measured from midpoint to midpoint of any enclosing walls that are perpendicular to the garage door or entry.

2. *Setback/recess.* Garages shall conform to one of the following setback standards:

- a. Garages shall be located at least five feet behind the primary wall of the dwelling. For the purposes of this regulation, "primary wall" shall consist of any wall at least ten feet in width and one story in height. Garage doors shall be recessed at least six inches from the surrounding wall.

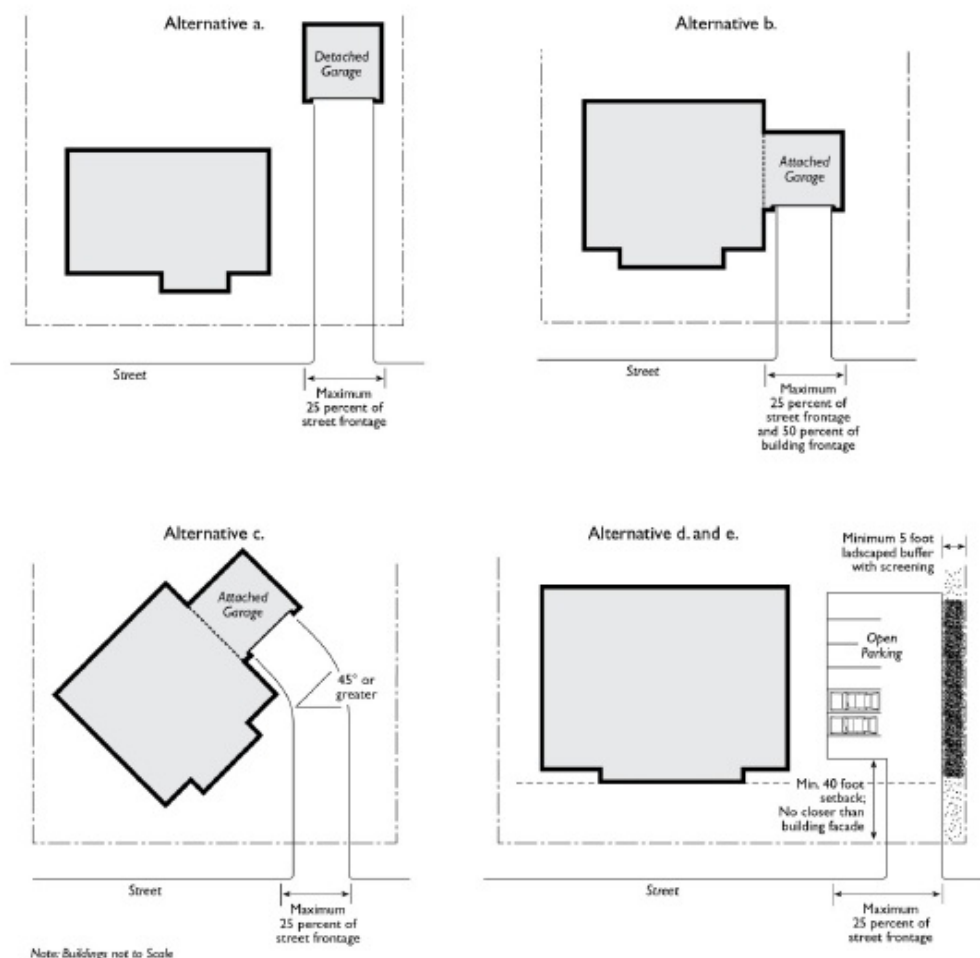
- b. Garage space located below living space may be set back the same distance as the remainder of the building façade. Garage doors shall be recessed at least six inches from the surrounding wall.

- c. *Detailing.* Trim of at least two-inch depth shall be provided surrounding garage doors.

- (d) Open parking or carports located to the rear of buildings in relation to the street. Such parking facilities must be set back at least 40 feet from any adjacent street, and landscaped according to the standards of § 9-5.1716, Parking Lot Landscaping; Design Standards. The setback area shall include a landscaped buffer at least five feet in depth (measured perpendicular to the interior lot line) adjacent to any other lot. Parking areas shall be screened from adjacent lots with a solid fence, wall, or dense hedge at least five feet in height.

- (e) *Open parking located to the side of buildings.* Such parking must be set back at least 40 feet from any adjacent street or no closer to the street than the front façade of the residential building, whichever is greater. The setback area shall be landscaped according to the standards of § 9-5.1716, Parking Lot Landscaping; Design Standards. The setback area shall include a landscaped buffer at least five feet in depth (measured perpendicular to the interior lot line) adjacent to any other lot. Parking areas shall be screened from adjacent lots with a solid fence, wall, or dense hedge at least five feet in height. Parking area setbacks on corner lots may be modified by the Zoning Administrator when deemed necessary in order to provide adequate visibility for traffic safety.

Figure 9-5.705(A)(2): Parking Location Alternatives



(B) *Driveways-number and width.* For lots 75 feet wide or less, a maximum of one driveway per lot is permitted. For lots greater than 75 feet in width, additional driveways are permitted but shall be spaced at least 75 feet apart. No driveway shall exceed 20 feet in width at any property line abutting a street or one-half of the width of the street frontage of the lot, whichever is less.

(C) *Pedestrian access.*

(1) *Connection to public sidewalks.* Every multiple-family dwelling shall have a walkway connecting the main building entry to the public sidewalk in the right-of-way on each street frontage. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall have an unobstructed width of at least four feet, and shall be of concrete, decorative pavers, or other durable, all-weather surface.

(2) *Connection to parking areas.* Every multiple-family dwelling shall have a walkway between a building entry and the parking area for the units served by it. The walkway shall be physically separated from any driveway or off-street parking space by a landscaped buffer with a minimum width of two feet. The walkway shall be at least four feet wide, and shall be of a durable, all-weather surface.

(3) *Connection to open space, recreation facilities, and public parks.* Walkways shall be provided that connect building entries for the units served to any common usable open space or recreational facilities on site or to any public park facilities located on an adjacent lot.

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.706 USABLE OPEN SPACE.

Usable open space to serve multi-family residential dwelling units shall be provided and maintained in compliance with the following table and the requirements of this section.

Table 9-5.706: Minimum Required Usable Open Space		
	R-10 Zone	R-20, R-25, and R-35 Zones
Total Usable Open Space per Unit (sq. ft.)	250	200
Minimum Private Open Space per Unit (sq. ft.)	70	60

(A) *Required area and type of open space - multi-family dwellings.* All multi-family residential developments shall be provided the minimum private open space area and minimum total open space area stated in Table 9-5.706, according to the number of units in the development. Once the minimum private open space requirement has been met, the remainder of the required total open space for the development may be provided as either private or common open space. Every development that includes five or more residential units shall provide at least one common open space area that meets the standards of division (D) of this section below.

(B) *Usability.* A surface shall be provided that allows convenient use for residents' outdoor living and/or recreation activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The slope shall not exceed 10%. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Open space on a roof or deck shall include safety railings or other protective devices that meet but do not exceed the minimum height required by the Antioch Building Code.

(C) *Design standards - private open space.*

(1) *Accessibility.* Private usable open space shall be accessible to only one living unit by a doorway or doorways to a habitable room or hallway of the unit.

(2) *Minimum dimensions.* Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than ten feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.

(3) *Openness.* There shall be no obstructions over ground-level space except for devices to enhance the usability of the space. Above ground-level space shall have at least one exterior side open and unobstructed for at least eight feet above floor level, except for incidental railings and balustrades. No more than 50% of the ground-level space may be covered by a private balcony projecting from a higher floor.

(4) *Enclosure.* Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other areas on the same lot by a building wall, by dense landscaping not less than five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than five and one-half feet high, subject to the standards for required landscaping and screening in Chapter TBD. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if there is no building located opposite and within 50 feet of the screening.

(D) *Design standards - common open space.*

(1) *Accessibility.* Common usable open space shall be accessible to all the dwelling units on the lot.

(2) *Rooftops.* No more than 20% of the total area counted as common open space may be provided on a roof.

(3) *Facilities.* Common areas may consist of open landscaped areas and gardens, natural areas with trails, patios, swimming pools, picnic and barbeque areas, playgrounds, community gardens, or other such improvements as are appropriate to enhance the outdoor environment of the development. Required components are as follows:

(a) *Seating.* Common usable open space shall include seating.

(b) *Play areas.* Developments that include 15 or more units of at least one bedroom or more must include children's play areas and play structures. This requirement does not apply to senior housing developments.

(4) *Openness and buildings.* There shall be no obstructions above the open space except for devices to enhance the usability of the space. Buildings and roofed structures with recreational functions (e.g., pool houses, recreation centers, gazebos) may occupy up to 20% of the area counted as common open space.

(5) *Minimum dimensions.* Common usable open space located on the ground level shall have no horizontal dimension less than 20 feet. If such ground-level open space is located within ten feet of a building façade, the minimum dimension shall be no less than the height of the adjacent building. Common upper-story decks shall have no dimension less than ten feet. Roof decks shall have no horizontal dimension less than 15 feet.

(6) *Visibility.* At least one side of the common open space shall border residential buildings with transparent windows and/or entryways.

(7) *Pedestrian pathways.* Pedestrian walkways shall connect the common open space to a public right-of-way or building entrance.

(8) *Enclosure.* Common usable open space that is designed as a children's play area or is likely to be used by children shall be screened from abutting streets by dense landscaping up to five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall up to five and one-half feet high, subject to the standards for required landscaping and screening in Chapter TBD. Screening may be reduced to three and one-half feet in height to avoid interfering with a beneficial outward and open orientation or view if the play area is not located on an arterial or collector street and if there is no building located opposite and within 50 feet of the screening.

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.707 STORAGE SPACE.

Each unit in a multi-family dwelling shall be provided with a separate, enclosed, lockable storage space reserved for the occupants of the dwelling unit. Such storage space shall be located in a garage, storage building, or enclosed individual storage space. Each storage space shall be at least 250 cubic feet in volume and shall have no interior dimension less than four feet.

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.708 LANDSCAPING.

In addition to the standards of Article 10, Landscaping and Irrigation, and the Water-Efficient Landscape Ordinance, multi-family dwellings shall comply with the following standards:

(A) *Minimum landscaped area.* A minimum of 25% of any building site shall be landscaped.

(B) *Landscaping of front yards.* All portions of required front yards, except those areas occupied by pedestrian or vehicular access ways, shall be landscaped.

(C) *Materials.* Landscaping shall include plant materials of varying height and may incorporate a combination of groundcovers, shrubs, vines, trees, and garden areas. Landscaping may also include incidental features such as stepping stones, benches, fountains, sculptures, decorative stones, or other ornamental features, placed within a landscaped setting.

(1) *Ground cover materials.* Ground cover shall be of live plant material. Pervious non-plant materials such as permeable paving, gravel, colored rock, cinder, bark, and similar materials shall not cover more than 10% of the required landscape area. Mulch must be confined to areas underneath shrubs and trees and is not a substitute for ground cover plants.

(2) *Size and spacing.* Plants shall be of the following size and spacing at the time of installation:

(a) *Ground covers.* Ground cover plants other than grasses must be at least four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of at least one per 12 inches on center.

(b) *Shrubs.* Shrubs shall be a minimum size of one gallon.

(c) *Trees.* Trees shall be a minimum of 15 gallons in size with a one-inch diameter at breast height (dbh). Specimen trees of 36-inch or greater box size are encouraged. At least one specimen tree with a 24-inch or larger box size shall be planted in the landscaped area of the front setback. Trees (center of trees) shall be located a minimum of six feet from water meters, gas meters and sewer laterals; eight feet from any driveway, fire hydrant, fire sprinkler, or standpole connection; and 15 feet from any curb return at an intersection, utility pole, or street light.

(D) *Tree protection.* Newly planted trees shall be supported with double stakes or guy wires. Root barriers shall be required for any tree placed within ten feet of pavement. (See also § 9-5.1210, Regulations on Tree Locations, and § 9-5.1208, Definition of Restricted Trees.)

(Ord. 2089-C-S, passed 6-24-14)

§ 9-5.709 PROCEDURES.

The Planning Commission may allow modifications to the dimensional requirements, design standards, and other requirements of this article when so doing is consistent with the purposes of the General Plan and the district and would, because of practical difficulties, topography, and similar physical conditions, result in better design, environmental protection, and land use planning. The Zoning Administrator may review and approve modifications that are requested because a lot is substandard. All other modifications shall require Planning Commission approval. All modifications under this section shall be processed as use permits pursuant to the procedures of Article 27 of this Code.

(A) *Required findings for approval.* In addition to any findings required by § 9-5.2703 of this Code, the Administrator or the Planning Commission may only approve a modification to the requirements of this article based on the following findings:

(1) The project is consistent with the General Plan and any applicable area or specific plan.

(2) The modification meets the intent and purpose of the applicable zone district and is in substantial compliance with the district regulations.

(3) The modification is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular

property boundaries, or other unusual circumstance including the architectural or historical significance of the structure, and building or site features that will demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions.

(4) There are no alternatives to the requested modification that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.

(5) The granting of the requested modification will not be detrimental to the health or safety of the public or the occupants of the property or result in a change in land use or density that would be inconsistent with the requirements of this chapter.

(6) If the modification is requested because it will result in superior or more sustainable design, the review authority must also make the following findings:

(a) The proposed design is of superior quality or is intended to incorporate features that would demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions;

(b) The structure is an existing residential building and the alteration or addition is intended to increase the habitability and function of the structure, is compatible with the existing neighborhood character, will not substantially interfere with the privacy, sunlight, or air available to neighboring residential uses; and

(c) The proposed design has been reviewed and approved pursuant to Article 26: Design Review Duties and Responsibilities, of this chapter.

(B) *Conditions of approval.* In approving a modification, the Planning Commission may impose reasonable conditions deemed necessary to:

(1) Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;

(2) Achieve the general purposes of this chapter or the specific purposes of the zoning district in which the project is located;

(3) Achieve the findings for a modification granted; or

(4) Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.

(C) *Appeals, expiration, extensions, and modifications.*

(1) *Appeals.* The applicant or any other aggrieved party may appeal a decision on a modification in the same manner as a use permit as provided for in Article 27, Design Review, Use Permits, Administrative Use Permits and Variances.

(2) *Expiration, extensions, and modifications.* Modifications granted under this chapter are effective and may only be extended or modified as provided for in Article 27.

(D) *Applicability.* These procedures are not applicable to a project that is entitled to a density bonus concession or waiver pursuant to Article 34, Senior Housing Overlay District, or Article 35, Density Bonus Program, of this Code and may not be used to approve an increase in maximum density or reduction in required parking or to approve a use that is not permitted on the site proposed for development.

(Ord. 2089-C-S, passed 6-24-14)

ATTACHMENT “F”

6.2 multi-family residential

6.2.1 Introduction

The multi-family design guidelines are intended to foster quality developments and to provide a pleasant residential environment within the context of higher density. Multi-family buildings in Antioch shall contribute to the sense of community by carefully relating to the scale and form of adjacent properties, and by designing street frontages that create architectural and landscape interest for the pedestrian and neighboring residents. As defined for purposes of this section, multi-family includes all “attached” dwelling units, including townhouses and apartment complexes.

6.2.2 Design objectives

The design guidelines for multi-family developments are based on the following objectives.

- A.** Establish distinctive multi-family residential architectural designs that support high quality development.
- B.** Provide attractive, functional, and convenient site arrangements.
- C.** Identify landscape materials and designs that enhance the appearance of multi-family housing developments and contribute to the overall quality of the community.
- D.** Provide amenities appropriate for different age groups of multi-family residential developments as appropriate.
- E.** Use crime prevention techniques to enhance safety and security within multi-family residential developments such as:

- Avoid long, dead-end drive aisles.
- Off-street parking shall be located interior to the site, and be designed to minimize visual disruption of the overall project design.
- Pathway lighting is a safety feature and shall be used to light all pathways and open areas including pathways from the parking lot to the building's entrance.
- No parking shall be located between a building and a public street.



Figure 6.2.1 The design of this project allows residents to monitor the courtyard

6.2.3 Site Planning

A. Building Siting and Massing

1. Views, particularly of the San Joaquin River and Mount Diablo, mature trees, and similar natural amenities unique to the site shall be preserved and incorporated into development proposals whenever possible.
2. Clustering of multi-family units shall be a consistent site-planning element. Large projects shall be broken up into groups of structures.
3. Buildings shall be generally oriented



to the street with varying setbacks to provide visual interest and varying shadow patterns.

4. Developments shall relate directly to the adjacent street, and present an attractive and interesting facade to passersby as in figure 6.2.2.



Figure 6.2.2 These townhouses are oriented to the street

5. Buildings shall be oriented to promote privacy to the greatest extent possible.
6. Multi-family residential development shall respect existing development in the immediate area.

B. Circulation

1. Principal vehicular access into multi-family projects shall be through an entry drive.
2. All site entrances shall be visible from a public street and well lighted.
3. The main site entry design shall incorporate patterned or colored concrete.
4. Special accents, such as monument, public art, ornamental features, decoration, special textured paving,

flowering accents, walls, shrubs, and the use of specimen trees, shall be used to generate visual interest at entries.



Figure 6.2.3 An entry sign located at the project entrance is an integral part of a wayfinding system

5. Entry drives shall have sidewalks on both sides.
6. All entry drive locations shall be coordinated with existing or planned median openings.
7. Where possible, all multi-family projects shall incorporate pedestrian connections to adjoining residential, commercial projects, and other compatible land use facilities.
8. Cross circulation between vehicles and pedestrians shall be minimized. A continuous, clearly marked walkway shall be provided from the parking areas to main entrances of buildings.
9. Walkways shall be located to minimize the impact of pedestrians on the privacy of nearby residences or private open space. Avoid siting a walkway directly against a building. A landscaped planting area between

walkways and building facades is strongly encouraged.



Figure 6.2.4 a front walkway landscaped so it does not impact the privacy of residents

C. Parking

1. Multi-family parking areas shall be divided into a series of connected smaller parking courts.
2. Parking areas shall be located within the development's interior and not along street frontages. Carports and tuck-under parking shall not be visible from a public street.
3. Adverse visual impacts of parking areas and garages on the residential character of the street, including blank walls, garage doors, parking facilities, and driveway openings along street frontages, shall be minimized.
4. Carports, detached garages, and accessory structures shall be designed as an integral part of the architecture of projects. They shall be similar in material, color, and detail to the principal buildings of a development. Prefabricated metal carports are prohibited.
5. Parking courts shall be treated as an

important public space whose character is clearly and coherently delineated by landscaping, lighting, building massing, and pedestrian/vehicular circulation.



Figure 6.2.5 A well-designed parking court that incorporates landscaping into the circulation pattern

6. Where garages are utilized, garage doors shall not appear flush with the exterior wall.

6.2.4 Architecture

A. Character Defining Elements

1. While there is no required architectural "style" for multi-family residential structures in Antioch, regional styles such as Craftsman, Spanish Colonial Revival, Mission Revival, and Victorian are encouraged. The primary focus shall be on constructing a high-quality residential environment.
2. Architectural elements such as bays, bay windows, recessed or projecting balconies, verandas, balconies, porches and other elements that add visual interest, scale and character to



the neighborhood are encouraged.



Figure 6.2.6 Balconies can be used to effectively break up the building facade

B. Building Height, Scale and Articulation

1. The maximum number of attached units per building shall be 8. Buildings with 3, 4, 5, and 6 units per structure shall be mixed throughout the project.



Figure 6.2.7 A tri-plex uses changes in color and facade to create the appearance of different buildings

2. Building heights shall be varied to give the appearance of a collection of smaller structures.
3. In some cases, upper stories shall be stepped back to reduce the scale of facades that face the street, common space, and adjacent residential structures.
4. Buildings containing 3 or more attached dwellings in a row shall incorporate at least one of the following:
 - a. Each dwelling unit shall have at least one architectural projection not less than 2 feet from the wall plane and not less than 8 feet wide.



Figure 6.2.8 Modern designs incorporate a variety of projections to vary the facade

- b. Projections shall extend the full height of single story buildings, at least one-half the height of two-story buildings, and two-thirds the height of a three-story building; or

- c. A change in wall plane of at least 3 feet for at least 12 feet for each two units.



Figure 6.2.xx Projections and wall plane changes 9 to the style, create interest and break up the monotony of a multi-family structure

5. The perceived height and bulk of multi-story buildings shall be reduced by dividing the building mass into smaller-scale components and adding details such as projecting eaves, dormers and balconies. The use of awnings, moldings, pilasters and comparable architectural embellishments are also encouraged.



Figure 6.2.10 An example of a dormer window

6. All building elevations shall be considered in the evaluation of any new construction, additions or alterations. Side and rear views of a building shall not be minimized because of their orientation away from the public right-of-way. The same or compatible design features shall be continued or repeated upon all elevations of a building.
7. Arcades and other types of overhangs shall be used to provide human scale to the interface between the facade and sidewalk.
8. Building facades that enclose stairwells shall include residential-type windows to reduce the visual bulk of the stairwell and enhance safety. Building facades enclosing elevator shafts shall use architectural treatments to reduce visual mass.
9. All mechanical equipment, whether mounted on the roof or the ground, shall either be suitably screened or placed in locations that are not viewed from residences, common areas, or the street. All screening devices shall be compatible with the architecture and color of the adjacent buildings.

C. Entryways

1. Courtyard doors or gates used at multifamily building entries shall be attractively designed as an important architectural feature of the building or complex.
2. Strongly delineate the separation between public and private space with paving, building materials, grade separations, or with physical barriers



such as landscaping, fences, walls, screens, or building enclosures.



Figure 6.2.11 A courtyard gate complements the theme of the complex

- Each entry to a dwelling unit shall be emphasized and differentiated through architectural elements such as porches, stoops, roof canopies, and detailing. Opportunities shall be provided for residents to personalize their entry by providing ground level space or a wide ledge for potted plants.

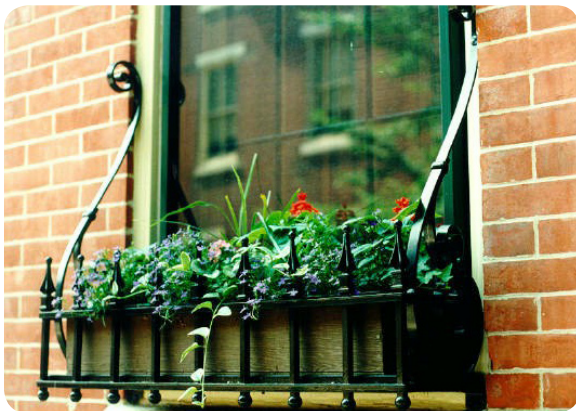


Figure 6.2.12 Individual dwelling units can be personalized through planters

D. Stairways

- Not more than four second floor dwelling units shall be served by a single flight of exterior stairs. Where appropriate for the architectural style, the stairway design shall be open to allow views for natural surveillance.
- Stairways shall be constructed of durable material that is compatible with the design of the primary structure. Prefabricated metal stairs are strongly discouraged but may be considered on a case by case basis.



Figure 6.2.13 stairs should be integral to the architecture of the structure

E. Building Materials

- The development's dwelling units, community facilities, and parking structures shall be unified by a consistent use of building materials, textures, and colors. Exterior columns or supports for site elements, such as trellises and

porches, shall utilize materials and colors that are compatible with the entire project.



Figure 6.2.14 This project has variety while maintaining similar building materials, textures, and colors

2. Building materials shall be durable, require low maintenance, and relate a sense of quality and permanence. Frequent changes in materials shall be avoided.
3. Inappropriate materials for exterior applications include:
 - a. Plastics/plastic laminates;
 - b. Asphalt shingles;
 - c. Corrugated fiberglass, metal or plastic;
 - d. Rock veneers or unrealistic imitation rock;
 - e. Plywood or similar wood;
 - f. Highly reflective materials;
 - g. Unfinished concrete; and
 - h. Unfinished metal, aluminum or similar material.

F. Roofs

1. Rooflines shall be segmented and varied within an overall horizontal context. Varying heights are encouraged.



Figure 6.2.15 An example of variation in rooflines for interest

2. Combinations of one, one-and-a-half, and two story units are encouraged to create variation and visual interest.
3. Use of vertical elements such as towers may be used to accent the predominant horizontal massing and provide visual interest.
4. Full hipped or gabled roofs covering the entire building are preferred over mansard roofs and segments of pitched roofs applied at the building's edge.
5. Roofs shall reflect a residential appearance through pitch and use of materials.
6. Roof pitch for a porch may be slightly lower than that of the main building.
7. Carport roofs visible from buildings or streets shall incorporate roof slope and materials to match adjacent buildings. Flat carport roofs are prohibited.



G. Colors

1. Color is an important element in establishing a structure's character and architectural style. The predominant color of the building and accessory structures shall be a muted, non-garish tone.
2. Color shall be used as an important accent in the project's appearance. More than one predominant paint color is encouraged. Compatible accent colors shall be used to enhance important architectural elements and details.
3. Bright or intense colors shall be used very sparingly, and shall typically be reserved for more refined or delicate detailing.
4. Materials such as brick and stone shall be left in their natural colors.



Figure 6.2.16 The stone on this building retains its natural color and complements the colors of the structure

6.2.6 Landscaping

A. Introduction

Landscaping for multi-family projects can be used to define and accent specific areas (e.g., building entrances, parking lots), define the

edges of various land uses, provide a transition between neighboring properties (buffering), and screen storage areas. Landscaping shall be used as a unifying element within a project and to ensure compatibility with surrounding projects.



Figure 6.2.17 Landscaping within a multi-family project adds color and interest

1. Landscaped areas shall generally incorporate plantings utilizing a three-tier system: (1) grasses and ground covers, (2) shrubs and vines, and (3) trees.
2. New landscaping shall complement existing landscape materials, location, and massing on adjacent established developments where appropriate.
3. The following planting design concepts are encouraged within each project:
 - a. Specimen trees (48 inch box or more) in informal groupings or rows at major focal points;
 - b. Use of planting to create shadow and patterns against walls;
 - c. Use of planting to soften building lines and emphasize the positive features of the site;

- d. Use of flowering vines on walls, arbors, or trellises;



Figure 6.2.18 An example of vines on a trellis

- e. Trees to create canopy and shade, especially in parking areas and passive open space areas; and
 - f. Berms, plantings, and walls to screen parking lots, trash enclosures, storage areas, utility boxes, etc.
4. Landscaping around the building perimeter is encouraged.
 5. Landscaping shall be protected from vehicular and pedestrian encroachment by raised planting surfaces and the use of curbs. Concrete step areas shall be provided in landscape planters adjacent to

parking spaces.

6. Vines and climbing plants on powder-coated metal trellises and perimeter walls are encouraged.
7. Gravel, bark, or Astroturf is not allowed as a substitute for plant materials.
8. Landscaping shall emphasize water-efficient plants.

B. Landscaping at Site Entries and Entry Statements

Vehicular entries provide a good opportunity to introduce and identify multi-family projects. The vehicular entry zone in a multi-family development is the area between the public street and the project's internal circulation system.



Figure 6.2.19 Plants, paving, and structures welcome residents and visitors into this project

1. The vehicular entry zone shall be treated with special landscape elements that will give individual identity to the project (i.e. special paving, graphic signage, specialty lighting, specimen trees, flowering plants).



2. Textured paving, stamped concrete or rough textured concrete may be used to delineate site entries.

C. Landscaped Area Spacing and Size

1. Plant materials shall be placed so that they do not interfere with the lighting of the premises or restrict access to emergency apparatus such as fire hydrants or fire alarm boxes. Trees or large shrubs shall not be planted under overhead lines or over underground utilities if their growth might interfere with such public utilities. Trees and large shrubs shall be placed as follows:



Figure 6.2.20 The landscaping here still allows the light to work effectively

- a. A minimum of 8 feet between the center of trees and the edge of the driveway, 6 feet from a water meter, gas meter, and sewer laterals.
- b. A minimum of 25 feet between the center of trees and the beginning of curb returns at intersections.
- c. A minimum of 15 feet between the center of trees and large shrubs to utility poles and street lights; and

- d. A minimum of 8 feet between the center of trees or large shrubs and fire hydrants and fire department sprinkler and standpipe connections.

D. Plant Maintenance and Irrigation

1. All young trees shall be securely staked with double staking and/or guy-wires. Root barriers shall be required for any tree placed within 10 feet of pavement or other situations where roots could disrupt adjacent paving/curb surfaces.
2. Automatic sprinkler controllers shall be installed to ensure that landscaped areas will be watered properly. Backflow preventors and anti-siphon valves shall be provided in accordance with current codes.
3. Sprinkler heads and risers shall be protected from car bumpers. "Pop-up" heads shall be used near curbs and sidewalks. The landscape irrigation system shall be designed to prevent run-off and overspray.



Figure 6.2.21 An example of a pop-up sprinkler

4. All irrigation systems shall be designed to reduce vandalism by placing controls in appropriate enclosures.

6.2.6 Lighting

- A.** Street lighting shall be installed inside the project on both sides of the street using a minimum 70 watt HPSV.
- B.** All lighting in parking areas shall be arranged to provide safety and security for residents and visitors but prevent direct glare of illumination onto adjacent units.
- C.** Pedestrian-scaled lighting shall be located along all pedestrian routes of travel within multi-family communities.



Figure 6.2.22 Pedestrian scaled lighting improves the safety of multi-family areas

6.2.7 Walls and Fences

Walls and fences provide security and privacy in addition to screening unsightly views. They can be utilized with landscaping to enhance and buffer the appearance of development. The following guidelines apply to walls and fences in multi-family residential development.

- A.** The design of walls and fences, as well as the materials used, shall be consistent with the

overall development's design. Fence and wall

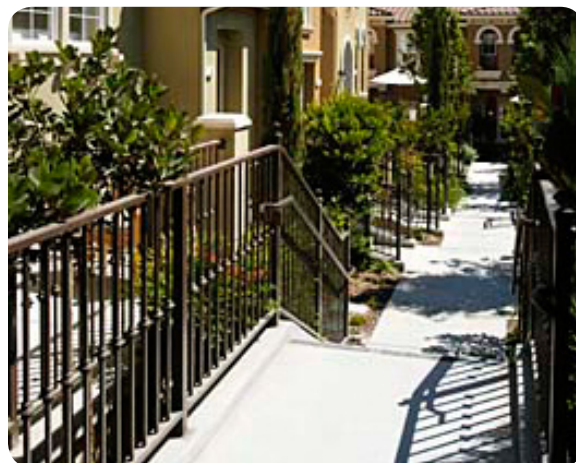


Figure 6.2.23 This fence color is consistent with overall project design

color shall be compatible with the development and adjacent properties. Paint color used on fences shall be common colors readily purchased and kept readily available on the development's premises.

- B.** Visually penetrable materials (e.g., wrought iron or tubular steel) shall be used in areas of high activity (i.e., pools, playgrounds) and areas adjacent to street frontage.
- C.** Wall design and selection of materials shall consider maintenance issues, especially graffiti removal and long-term maintenance. Decorative capstones on stucco walls are required to help prevent water damage from rainfall and moisture.
- D.** Perimeter walls shall incorporate various textures, staggered setbacks, and variations in height in conjunction with landscaping to provide visual interest and to soften the appearance of perimeter walls. Chain link fencing is not permitted.
- E.** Screen walls, sound walls and retaining walls



height shall be determined by site features and location, such as proximity to noise generators and privacy issues.

F. The proportion, scale, and form of the walls adjacent to homes shall be consistent with the building's design.

G. Long continuous perimeter walls are discouraged. Perimeter walls shall incorporate wall inserts and or decorative columns or pilasters to provide relief. The maximum unbroken length of a perimeter wall shall be 100 feet.

H. The colors, materials and appearance of walls and fences shall complement the architecture of the buildings. Fencing, where screening is not specifically required, shall be of decorative iron or similar material.

6.2.8 Multi Family Storage

A. Adequate private storage space shall be provided for all multi-family units.

B. A minimum of 250 cu feet of lockable, enclosed storage space shall be located in a garage, carport, storage building or in an enclosed storage space that is accessed from the rear of the unit. Exterior closets on balconies may also be used if not visible from the public right of way

C. Multi-family storage must be in addition to designated utility area.

6.2.9 Trash and Storage Facilities

Trash enclosures and storage facilities shall be located in nonconspicuous areas, well screened with landscaping, and fortified so as to protect adjacent uses from noise and odors.

A. Trash enclosure locations shall be accessible for trash collection but shall not block circulation

or driveways. Trash enclosures shall be located inside parking courts or at the end of parking bays.



Figure 6.2.24 An example of an appropriate trash enclosure

B. Architectural screening elements shall be constructed of the same materials and finishes as the primary building. Gates shall be solid metal painted to match adjacent building design.

C. Trash enclosures shall be adequately screened on three sides with landscaping.

D. All trash enclosures shall be covered.

E. Trash enclosures shall be sized to accommodate both recycling and trash containers.

F. The trash enclosure pad shall be designed to drain to a pervious surface through indirect soil infiltration in accordance with the Contra Costa Clean Water Program Stormwater C.3 Guidebook, which can be referenced from the following website link: <http://cccleanwater.org/construction/nd.php#Guidebook>

6.2.10 Community Facilities and Open Space

A. Residents of housing projects shall have access to community facilities and useable open space, whether common or private, for recreation and social activities.

B. All support buildings within multi-family residential projects (i.e., laundry facilities, recreation buildings, and sales/lease offices) shall be compatible in architectural design with the rest of the complex.

C. The design and orientation of open space areas shall be sheltered from the noise and traffic of adjacent streets or other incompatible uses.

D. Buildings shall be oriented to create courtyards and open space areas, thus increasing the area's aesthetic appeal. Community features such as plazas, interactive water features, and community gardens shall be included whenever possible.



Figure 6.2.25 A community garden provides a chance for residents to interact

E. Community facilities and open spaces shall be conveniently located for the majority of units.



Figure 6.2.26 Community open space is convenient for most units

F. Open space areas shall take advantage of prevailing breezes and direction of the sun to provide natural lighting and ventilation for open spaces.

G. Community facilities and open spaces shall be contiguous to the units they serve and be screened from public view.

H. Children's play areas shall be visible from as many units as possible.

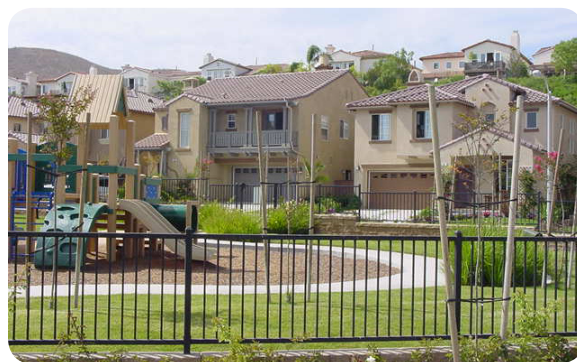


Figure 6.2.27 A playground visually accessible but secure

I. In large developments, separate, but not necessarily segregated, play areas or informal outdoor spaces shall be provided for different age groups for safety reasons. Small developments may combine play areas (e.g., a tot lot incorporated into a larger activity area for older children).

J. Seating areas shall be provided in areas where adults can supervise children's play and also where school-age children can sit. Seating location shall consider comfort factors, including sun orientation, shade, and wind.

K. Mailboxes shall be located in highly visible, heavy use areas for convenience, to allow for casual social interaction, and to promote safety.

L. A trash and recycling receptacle shall be located adjacent to the mailboxes.

ATTACHMENT “G”

ATTACHMENT G



ATTACHMENT “H”

Contra Costa County



Fire Protection District

December 14, 2017

Ms. Alexis Morris
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA 94531-5007

Subject: Delta Fair Village PDP-16-02
2950-3040 Delta Fair Way, Antioch
CCCFPD Project No.: P-2017-05007-Rev2

Dear Ms. Morris:

We have reviewed the land use permit application to establish to 5 story Condominium buildings (4 Story residential atop 1 story parking garage) at the subject location. In a conversation with Brian Pendley, he stated that there would be no commercial or mercantile occupancies with these two buildings as stated in the enclosed documents. The following is required for Fire District approval in accordance with the 2016 California Fire Code (CFC), the 2016 California Building Code (CBC), , and Local and County Ordinances and adopted standards:

1. Access as shown appears to comply with Fire District requirements.

Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC

Aerial access road (Buchanan Rd.) shall have a minimum unobstructed width of 26 feet exclusive of shoulders, in the immediate vicinity of the building or portions thereof. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. (D105.2 and D105.3) CFC

Three gates as shown in the fence line on the west side of the west tower are required for access to that side of the building. A Knox box on the pedestrian exits on the west side of the building is required for fire fighter access. A Knox padlock or breakaway padlock on the large gate on Delta Fair Blvd is required for fire fighter access. The area between the fence and the building shall be landscaped in a manner not to impede firefighting operations.

Any gates/barriers to entry of the parking garages will require a Knox switch.

2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC

Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. *Parking is permitted only on the side of the road that does not have hydrants.* (22500.1) CVC, (503.3) CFC

3. Access gates for Fire District apparatus shall be a minimum of 20-feet wide. Access gates shall slide horizontally or swing inward and shall be located a minimum of 30 feet from the street. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. (D103.5) CFC.
4. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 4,317 GPM. Required flow must be delivered from not more than 5 hydrants flowing simultaneously for a duration of 240 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
5. The developer shall provide 3 new hydrants of the East Bay type and relocate 2 existing hydrants based on proposed site improvements. Maximum spacing between hydrants along approved access roadways shall not exceed 300 feet. (C103.1) CFC
6. The developer shall submit a minimum of two (2) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. ***Final placement of hydrants shall be determined by this office.*** (501.3) CFC
7. ***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

Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 22 / 37 tons.

8. The buildings as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of NFPA 13. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, , Contra Costa County General Plan / Contra Costa County Ordinance 2016-23
9. The buildings as proposed shall be equipped with an approved standpipe system complying with the 2016 edition of NFPA 14. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (905.3) CFC
10. The developer shall submit a minimum of two (2) complete sets of building construction plans and specifications of the subject project, including plans for any of the following required deferred submittals, to the Fire District for review and approval ***prior to*** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

- Private underground fire service water mains

- Fire sprinklers
- Standpipe
- Fire alarm
-

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Todd Schiess
Fire Inspector I

c: Gabriel Chiu
1767 Germano Way
Pleasanton, CA 94566

Brian Pendley
Brian@pendleyinc.com

File:2950-3040 DELTA FAIR BLVD-PLN-2017-05007-REV2



DATE: October 10, 2017

PROJECT NAME: Delta Fair Village

**“REVISED” PROJECT REFERRAL – REQUEST FOR
COMMENTS/CONDITIONS**

Development plans and related information for the project identified above, proposed in the City of Antioch, can be accessed at:

www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/ProjectDOCs/PDP-16-02.pdf.
Or at antiochplanning.com

Please review these plans and provide this office with your feedback on availability of services/potential design or code conflicts/requirements for additional permits and recommended conditions of project approval. **Please submit your comments no later than 10/31/17 to Alexis Morris** via e-mail at amorris@ci.antioch.ca.us. If you have any questions regarding this project, please call Alexis Morris at (925) 779-6141.

Project No: PDP-16-02 Address: 2950-3040 Delta Fair Blvd.	Application Type: Rezone & Preliminary Dev. Plan
Project Description: Preliminary Development Plan for a demo. of existing retail buildings, to be replaced with two, 5-story condominium buildings totaling 331 units, +/-7,500 s.f. of new retail for a total of 566,183 s.f. of new buildings.	
Applicant: Gabriel Chiu	
Mailing Address: 1767 Germano Way, Pleasanton, CA 94566	
Phone: 925-963-0898	E-mail: gabrielhchiu@gmail.com

FEDERAL/STATE/REGIONAL

- ☐ US Army Corps of Engineers
- ☐ US Fish and Wildlife Service
- ☐ Department of Fish and Game
- ☐ State Regional Water Quality Control Board
- ☐ US Postal Service (Antioch)
- ☐ Sonoma State – Historical/Archaeological
- ☐ Association of Bay Area Governments
- ☐ Bay Area Air Quality Management Dist.
- ☐ East Bay Regional Park District

COUNTY

- ☐ CCC Assessor's Office
- ☐ CCC Community Development Department
- ☒ CCC Fire Protection District (fire@cccfd.org)
- ☐ CCC Flood Control District

LOCAL

- ☐ Assistant Engineer
- ☐ Mike Boccio, Acting Building Official
- ☐ Lynne Filson, Asst City Engineer
- ☐ Ron Bernal, City Manager
- ☐ City Attorney
- ☐ Environmental Coordinator
- ☐ City Economic Development Div.
- ☒ Anthony Moorefield, P.D.
- ☐ Public Works Director
- ☐ Supervisor Federal Glover
- ☐ Antioch School District
- ☐ Brentwood School District
- ☐ Liberty School District
- ☐ City of Brentwood
- ☐ City of Oakley

CONTRA COSTA FIRE DISTRICT

P-2017-05007 PUN REV. 2 **G82**

- ☐ CCC Health Services Department
- ☐ CCC Hazardous Materials Program
- ☐ CCC LAFCO
- ☐ CCC Library (Antioch Branch)
- ☐ CCC Public Works Dept.

UTILITIES

- ☐ A T & T Broadband
- ☐ Contra Costa Water District
- ☐ Delta Diablo Sanitation District
- ☐ SBC/Pacific Bell
- ☐ Pacific Gas and Electric
- ☐ Allied Waste
- ☐ Comcast Cable Communications
- ☐ EBMUD
- ☐ Chevron USA, Inc.
- ☐ ECCID
- ☐ STAN-PAC
- ☐ OXY USA

- ☐ Other: _____
- ☐ Other: _____

- ☐ City of Pittsburg

TRANSPORTATION

- ☐ BART
- ☐ Central Contra Costa Trans. Auth.
- ☐ Metropolitan Trans. Comm
- ☐ Tri-Delta Transit
- ☐ TRANSPLAN
- ☐ Contra Costa Transp. Authority
- ☐ TRANSPAC
- ☐ Cal Trans

****Please contact Cheryl Hammers at chammers@ci.antioch.ca.us if your agency would like to receive e-mail only version of project referrals from the City of Antioch.**



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

November 3, 2016

Attn: Alexis Morris
City of Antioch, Planning Division
PO Box 5007
Antioch, CA 94531-5007

Subject:	Preliminary Comments on the Delta Fair Village Project
Application No:	PDP-16-02
Location:	2950-3040 Delta Fair Blvd.

Ms. Morris,

Thank you for providing the City of Pittsburg with an opportunity to submit comments on the proposed Delta Fair Village project. At this time, we would like to offer the following comments:

- 1) A Traffic Impact Analysis (TIA) that complies with Contra Costa Transportation Authority's Traffic Impact Analysis Guidelines (contained in CCTA's Technical Procedures, dated January 16, 2013), should be performed on this development. The TIA would need to include the City of Pittsburg's approved development projects, including Tuscany Meadows, when analyzing existing and future conditions per TIA guidelines. Intersections to be analyzed should include those to which 50 or more project trips are added. The City would appreciate the opportunity to review and comment on the TIA scope, trip generation and distribution, and draft reports.
- 2) The City would also appreciate any information that you could provide to clarify how the regional transportation fees would be calculated for this project (i.e. would credit be given for existing uses against new fees for new development?)

Thank you again for the opportunity to submit comments on the project proposal. If you have any questions, please feel free to contact me directly via email at kpollot@ci.pittsburg.ca.us or by phone at (925) 252-6941.

Sincerely,

Kristin Pollot
Planning Manager

Cc: Joe Sbranti, City Manager
Fritz McKinley, Community Development Director
Paul Reinders, Traffic Engineer

**CITY OF ANTIOCH
PLANNING COMMISSION**

**Regular Meeting
6:30 p.m.**

**February 7, 2018
City Council Chambers**

Chair Zacharatos called the meeting to order at 6:34 P.M. on Wednesday, February 7, 2018 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, February 15, 2018.

ROLL CALL

Present: Commissioners Motts, Martin, Turnage, Schneiderman and Chair Zacharatos
Absent: Commissioner Conley and Vice Chair Parsons
Staff: Planning Manager, Alexis Morris
Associate Planner, Kevin Scudero
Interim City Attorney, Samantha Chen
Captain, Tony Morefield
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: December 6, 2018

On motion by Commissioner Motts, seconded by Commissioner Martin, the Planning Commission approved the minutes of December 6, 2018, as presented. The motion carried the following vote:

AYES: Motts, Martin and Turnage
NOES: None
ABSTAIN: Schneiderman and Zacharatos
ABSENT: Parsons and Conley

NEW PUBLIC HEARINGS

2. **Z-17-03 – 1600 G Street Rezone** – Roy Johnson requests Planning Commission approval to rezone his property at 1600 G Street (APN 067-202-014) from Single Family Residential (R-6) to Convenience Commercial (C-1).

Associate Planner Scudero presented the staff report dated February 2, 2018 recommending the Planning Commission approve the resolution recommending that the City Council approve the proposed rezone for 1600 G Street.

In response to Commissioner Motts, Associate Planner Kevin Scudero explained that the City's code did not differentiate between a restaurant and snack bar as it was classified as a food use. He stated this item was a rezone action for a restaurant that was permitted by right so conditions of approval could not be added. He stated that the applicant had indicated to staff that the paint would be changed and the fence would be improved.

In response to Commissioner Martin, Associate Planner Kevin Scudero clarified that uses permitted by right were typical neighborhood serving uses. He noted a liquor or convenience store would require a use permit; however, those uses would not be approved because of the parking requirements and properties proximity to the high school.

In response to Commissioner Turnage, Associate Planner Kevin Scudero stated that he had been told that Antioch High School did not have off campus lunch.

Chair Zacharatos opened the public hearing.

Joanne Rincon, Brentwood resident, stated she owned property in the neighborhood and expressed concern regarding the rezone of the property particularly related to littering, illegal activity, and the lack of available parking in the area. She urged the Planning Commission to consider whether they would want to live across the street from this establishment.

Manuel Madruga, Oakley resident, provided written comment requesting the Planning Commission not recommend approval of the rezone for the property.

Skye Henry, Antioch resident, expressed concern regarding the lack of available parking in the neighborhood and any nuisance that would bring attention to the area.

Roy Johnson stated he kept the business vacant for years while he looked a tenant who would provide catering service, maintain the property, and not generate traffic in the area. He stated he monitored the property to prevent criminal activity and his former tenant would clean the property three times every day.

In response to Commissioner Martin, Mr. Johnson explained the parking was in the front and down the side of the property which was why he was looking for a tenant that would not have customers that remained on site. He noted the proposed use was a catering/take out business. He further noted they had always had a minimum amount of parking. He clarified that they would be replacing the fencing with wrought iron and completing the mural work on the outside of the building.

In response to Commissioner Motts, Mr. Johnson stated the business would not be operated as a snack shop.

In response to Commissioner Turnage, Mr. Johnson stated at this time they were not planning on any outside seating; however, if they changed their minds they would only have one or two tables. He stated with the proposed use as take out or delivery, the concerns voiced regarding parking and debris would be minimized.

Chair Zacharatos closed the public hearing.

Associate Planner Kevin Scudero announced a representative from the Police Department and Code Enforcement Department was present to answer any questions the Commission may have regarding this agenda item. He clarified that with regards to outside dining, in the C-1 commercial district, outdoor dining required a use permit and would be required to come before the Planning Commission or Zoning Administrator for approval.

In response to Commissioner Martin, Associate Planner Kevin Scudero explained that any restaurant could have seating inside the building.

Commissioner Motts stated he supported the historical use of the building and he believed the new use would eliminate some of the problems in the neighborhood.

In response to Chair Zacharatos, Associate Planner Kevin Scudero clarified that assuming the rezone was approved by Council, the restaurant use would be permitted by right and they would need to obtain a business license as well as permits for any improvements required by the building department.

Commissioner Martin stated he understood the speakers concerns; however, being a property owner in town with a non-conforming property he understood the situation. He reported he patronized the former business many times and recognized the historical value. He noted the business had been there many years and he did not see a problem with leaving it that way with the understanding that there were still restrictions on the property. He further noted most uses in the zoning designation would require an additional use permit that would be required to come before the Planning Commission for approval.

RESOLUTION NO. 2018-07

On motion by Commissioner Martin, seconded by Commissioner Motts, the Planning Commission members present unanimously approved the resolution recommending that the City Council approve the proposed rezone for 1600 G Street. The motion carried the following vote:

AYES: *Schneiderman, Motts, Martin, Turnage and Zacharatos*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Parsons and Conley*

- 3. PDP-16-02 – Delta Fair Village** – Gabriel Chiu, Chiu Family LLC, requests Preliminary Development Plan review of a proposal to develop approximately 308 multi-family units, which would be located in two four story buildings located above two single story parking garages. The project would also include a clubhouse, pool and playground located between the two parking garages. The total square footage of the two new buildings would be approximately 534,734 s.f. The project would demolish a portion of the Delta Fair Village Shopping Center and be constructed in its place. The purpose of a Preliminary Development Plan is to gather feedback from the Planning Commission and others in order for the applicant to become aware of concerns and/or issues prior to final development plan submittal. The project would require the following entitlements: a General Plan amendment, a Planned Development Rezone, a Lot Line Adjustment, a Use Permit and Design Review. The project site is located on the northeast corner of Delta Fair Blvd. and Buchanan Road (APNs 076-440-029, -030, -031).

Commissioner Turnage reported he had been friends with the applicant for years and he had been in discussions with the City on this project; therefore, he would recuse himself from this agenda item.

Interim City Attorney Chen advised Commissioner Turnage to leave Council Chambers and stated staff would come get him after the conclusion of the Public Hearing.

Planning Manager Morris presented the staff report dated February 2, 2018 recommending the Planning Commission provide feedback to the applicant and staff for the Final Development Plan submittal.

In response to Commissioner Motts, Planning Manager Morris stated this item was for discussion purposes only.

In response to Commissioner Martin, Planning Manager Morris explained the type of multifamily directly to the east were 2 story apartments and farther to the east were

condominium projects with densities of approximately 20 units per acre. She clarified that to the west of Somersville Road was the potential future Tuscany Meadows project in Pittsburg, which would be approximately 1000 units of single family and apartments which would use Buchanan Road and Somersville Road as their primary access points. She noted there was also a little bit of commercial planned in that development. Additionally, the Buchanan Crossing shopping center on the north side of Buchanan Road was partially built out and on the southeast corner of Buchanan Road and Somersville Road was an application for a multi-tenant commercial center and potential gas station. She stated she was not a market research analyst; however, she believed that with the build out of the area there was an excess of retail square footage in the corridor.

Commissioner Martin stated he had some questions relating to level of service on the roads around the project as well as the adequacy of the sewer and water system.

In response to Commissioner Martin, Planning Manager Morris explained that the property owner paid for the police community finance district. She clarified that the applicant had represented this project as market rate project.

Commissioner Schneiderman questioned if reducing the project by one story was the best approach at addressing staff's recommendation to reduce the density of the project.

Planning Manager Morris responded that there were other design approaches that could be utilized to meet the City's guidelines. She noted the highest density allowed was 35 units per acre and staff was looking for the Planning Commission's recommendation on the density issue. She noted staff's opinion was that 35 units per acre was the upper most threshold that could be accommodated on the site.

Chair Zacharatos stated besides the density and appearance, her greatest concern was the traffic.

Gabriel Chiu, applicant, provided the Planning Commission with sketches increasing the total buildings proposed from 2 to 6. He noted if they were allowed 4 stories above a garage it would be approximately 300 units and there would be a reduction of 75 units if reduced to 3 stories.

In response to Commissioner Martin, Mr. Chiu stated the garage would be gated and there would be security cameras and an intercom system.

Commissioner Martin recommended controlled access to the buildings and providing a way for tenants to bring their furniture up to their units.

Commissioner Martin suggested the applicant address access and lighting for the interior courtyards, as well as include amenities for the area. He noted he did not support a 4 story building next to retail because it was not inviting. He requested the applicant work on the character of the building as staff had suggested.

Mr. Chiu responded that they would comply with all of the recommendations.

Commissioner Martin recommended the following be address prior to consideration of their application:

- Enhancing the façade on the garage
- Varying the height of the units
- Incorporating the City's Design Guidelines
- Providing a marketing study for the commercial/retail properties in the area
- Reducing the project to less than 35 units per acre
- Addressing the affect the project would have on the level of service for traffic in the area

He noted the project as proposed did not fit his criteria for approving a zoning change and general plan amendment.

Chair Zacharatos encouraged Mr. Chiu to work with the staff to address recommendations from staff and the Commission. She reiterated that traffic and esthetics were significant concerns. She encouraged the applicant to decrease the number of units and adhere to the City's guidelines.

Mr. Chiu stated they would attempt to decrease the amount of units.

In response to Commissioner Motts, Captain Morefield reported a nearby apartment complex of 285 units generated approximately 300 calls for service annually and any new complexes would generate additional calls for service. He explained that the Antioch Police Department had met with the applicant and informed him that 300+ units were too many for the area. He stated at that time the applicant seemed receptive to their recommendations for an onsite resident manager, installation of a camera system and reducing the size of the buildings. He noted that the applicant had not presented him with a proposal to increase the project from two to six units. He reported that intersections in the area were heavily impacted during rush hour and anything the applicant could do to decrease the number of units would reduce those impacts.

Chair Zacharatos added that the fire house in the area would also be negatively impacted by more traffic in the area.

Chair Zacharatos closed the public hearing.

Commissioner Motts stated he was generally in favor of mixed use developments especially near transportation corridors; however, the lack of transit access and the existing level of service for Somerville Road interchanges gave him hesitation regarding the viability of this project. He stated he would be happy to see a change to the existing use of the property; however, a general plan amendment and rezone at this level should require an economic study/cost benefit analysis and determine the reasons for the commercial vacancy rates in this corridor. He noted a change should not be made on assumptions when the benefits were questionable. He further noted the projects proximity to retail in the Century Boulevard retail zone could support a zoning change or conclude that the impending development of Tuscany Meadows would highlight a need for future commercial applications supporting an argument against the loss of further commercial inventory. He stated the City must be aware of the impact this project would have on future projects on Somerville Road. He agreed with staff's concerns and supported their recommendations pertaining to the site layout and design as well as the recommendations for traffic, circulation, and parking.

Planning Manager Morris responded that staff would recommend that the applicant initiate the fiscal impact analysis as part of their development application.

Chair Zacharatos stated she was excited to see development in the area; however, she agreed with concerns related to the aesthetics, height of the buildings, density and logistics at this location. She stated the project as presented would not be feasible; however, she believed the applicant could bring forward a viable project for the site.

Commissioner Schneiderman agreed with Chair Zacharatos and noted that it would be nice to see an area that was currently riddled with blight be developed. She stated she supported staff's recommendations and noted that the applicant should design a project that complied with the City's codes.

Interim City Attorney Chen requested Associate Planner Scudero invite Commissioner Turnage back into the meeting; however, Commissioner Turnage was no longer present.

ORAL COMMUNICATIONS

Enhancing Our Quality of Life – Join the Conversation

Director of Community Development Ebbs gave a PowerPoint presentation of the Quality of Life Survey results. He announced the City was continuing to gather information and he presented surveys to the Commissioners for submittal to the City.

WRITTEN COMMUNICATIONS

Commissioner Motts reported the next Transplan meeting had been cancelled.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Zacharatos adjourned the Planning Commission at 8:00 P.M. to the next regularly scheduled meeting to be held on March 7, 2018.

Respectfully Submitted,
Kitty Eiden

Delta Fair Village



Project Location: 3000 Delta Fair Boulevard (northeast corner of Buchanan Road and Delta Fair Boulevard)

Applicant: Chiu Family LLC

Existing General Plan: Regional Commercial

Proposed General Plan: Mixed Use

Existing Zoning: Regional Commercial (C-3)

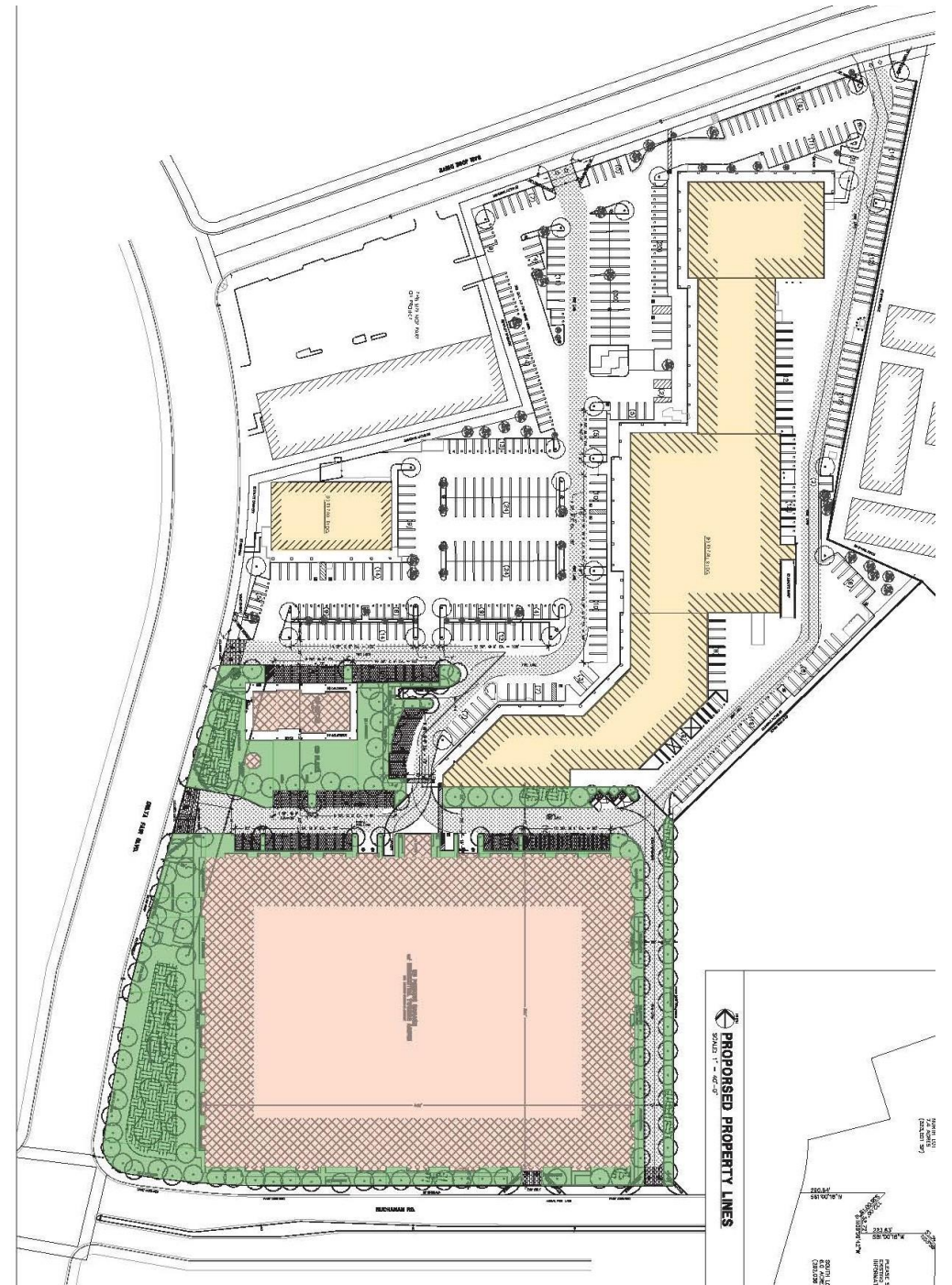
Proposed Zoning: Planned Development (PD)

Entitlements: General Plan Amendment, Rezone, Final Development Plan, Use Permit, and Design Review



Project Description

- Demolish 73,546 square feet of the existing Delta Fair Shopping Center
- Construct 210-unit apartment complex
 - Ground-level parking garage (324 spaces in garage, 68 out)
 - Five buildings above – three and four stories (54 and 65 feet high)
 - Total 411,511 square feet
- Construct 4,000 square foot retail building



General Plan Amendment

Regional Commercial to Mixed Use

- Blue = Mixed Use
- Red = Regional Commercial

Mixed Use not have specific residential density – proposed 35 units per acre is highest allowed in General Plan and consistent with recommendations during PDP process



Rezone

Rezone from Regional Commercial (C-3) to Planned Development (PD)

- C-3 not allow residential uses
- Proposed PD Standards most closely resemble R-35 zoning
- Density, lot coverage, setbacks same as R-35
- Height is difference – 45' in R-35, 70' proposed

Use Permit/Final Development Plan

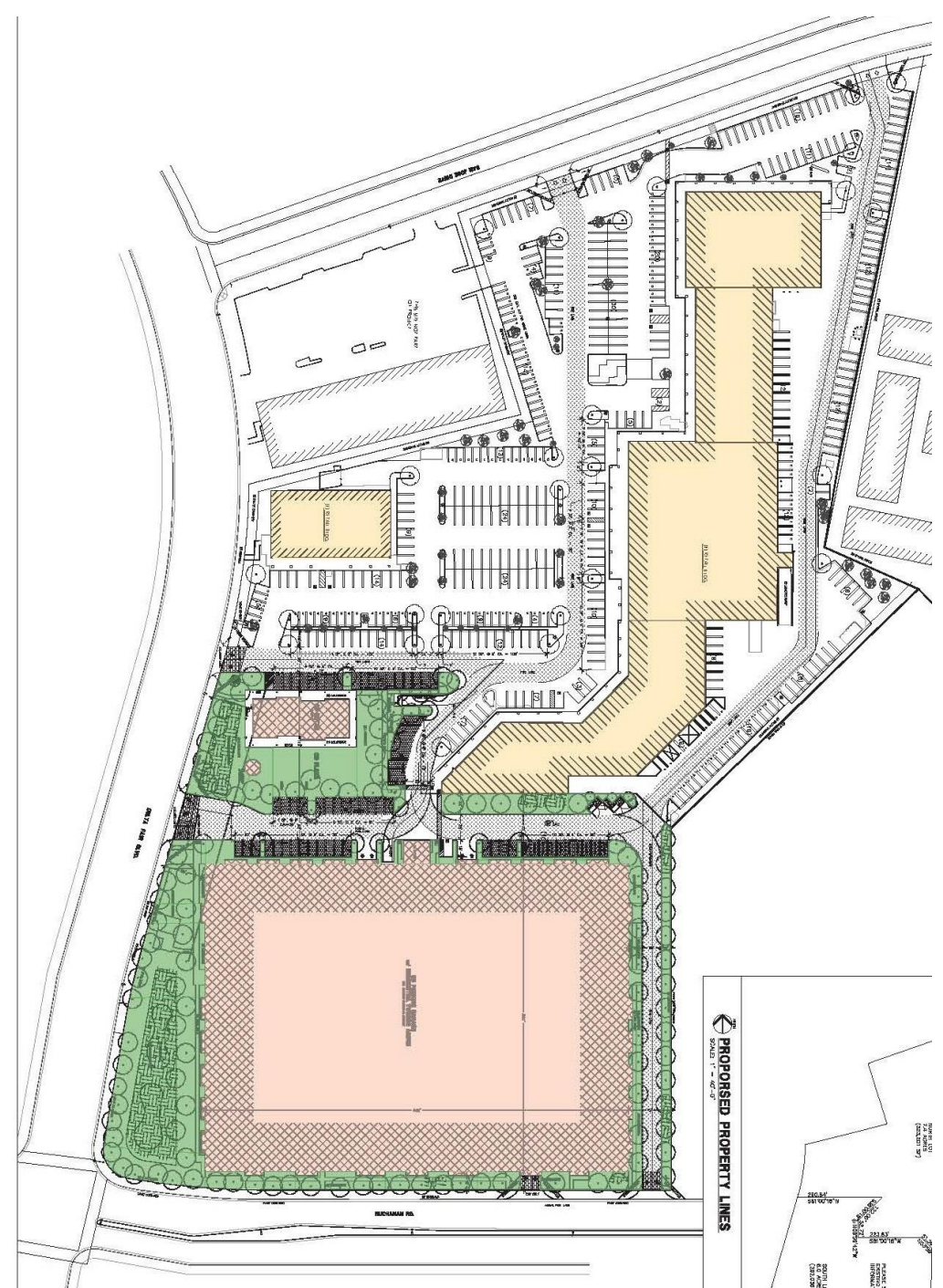
- Code requires Use Permit for all development in PD zone
- PD zone requires approval of a Final Development Plan which, in this case, would be the approved Site Plan

Design Review

- Peer review of the proposed design
- Complies with Citywide Design Guidelines in most cases, added conditions for minor items

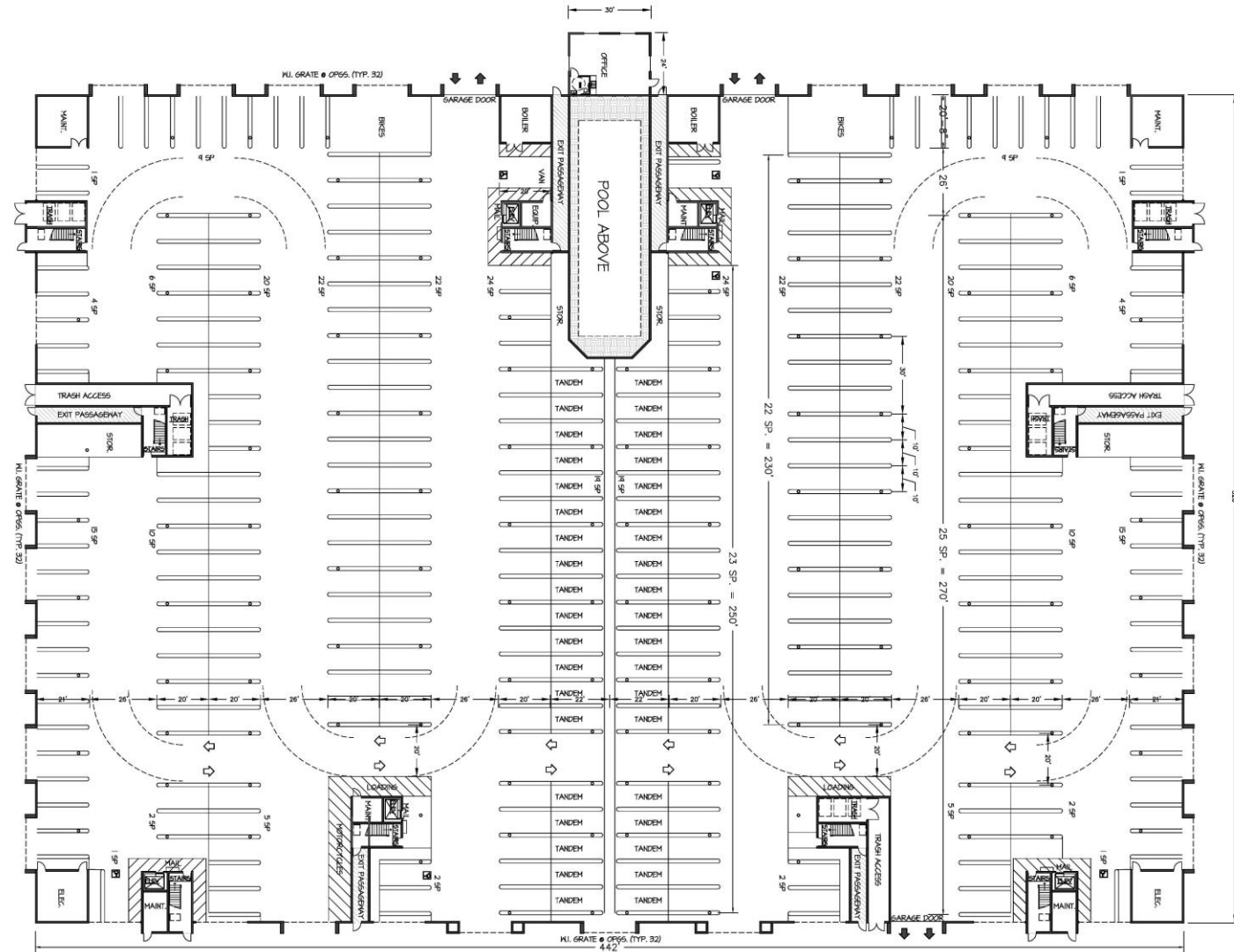
Site Design

- Internal drive aisle off Delta Fair Blvd.
 - Provides access to two parking garage entrance points
 - Connects to existing shopping center
- Parking garage exit only onto Buchanan Rd
- Second full-access driveway on Buchanan Rd
- All driveways have patterned concrete
- Landscape area along Delta Fair includes stormwater basin and community garden
- Landscaped plaza adjacent to retail building
- Trash enclosures at northeast corner of new building where driveways intersect



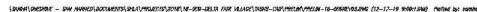
Parking

- 390 spaces required for residential and new retail
- 392 provided
- 324 spaces in gated parking garage
- 38 of parking garage tandem
- 68 spaces outside of building
- Parking Management Plan



- Office on ground floor between two parking garage entries

- 52,000 square feet
- Pool
- Picnic pavilions
- Playground
- BBQ grills
- Several seating areas



811 Know what's below. Call before you dig.

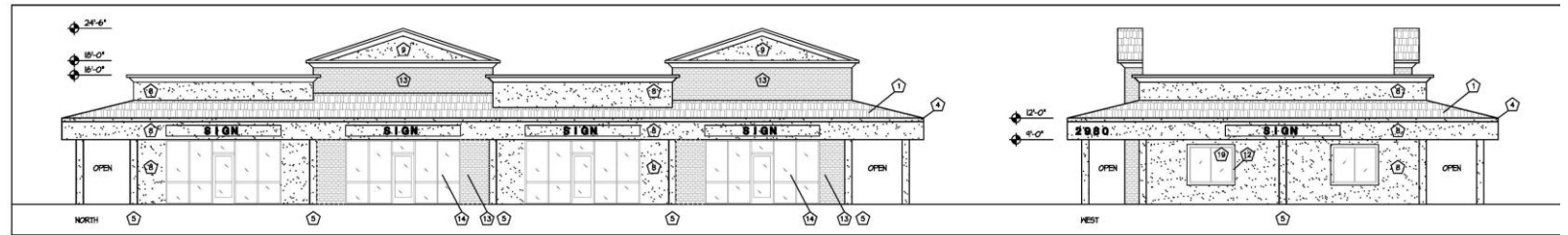
- Facade articulations
- Roofed projections over entrances
- Roof variations
- Recessed and projecting balconies
- Upper floors stepped back
- Exterior materials – stucco, stone veneer, CMU block
- Concrete Tile Roof





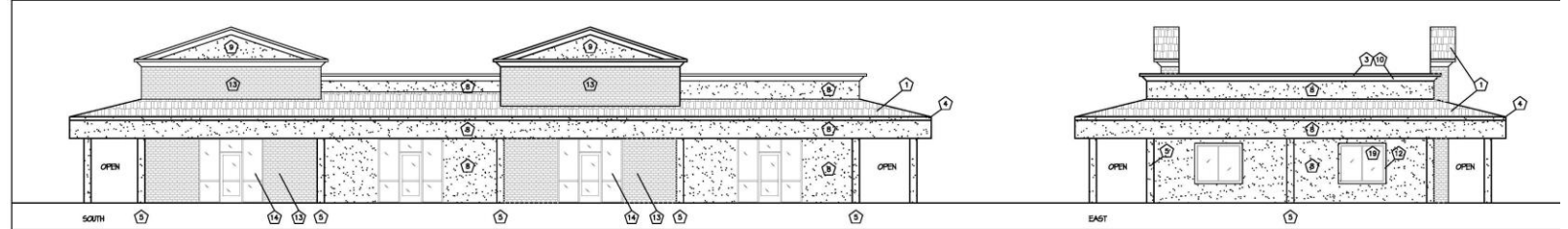
Retail Building

- 4,000 square feet
- Materials to match apartments
- No user at this time
- Condition separate design review



NEW RETAIL/DAYCARE ELEVATIONS

SCALE: 1/8" = 1'-0"



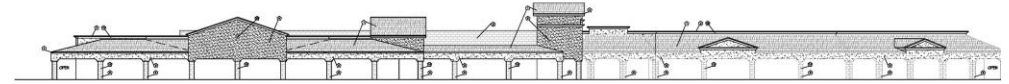
NEW RETAIL/DAYCARE ELEVATIONS

SCALE: 1/8" = 1'-0"

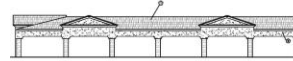
Shopping Center Renovation

- Realign parking drive aisles
- Upgrading parking area and landscaping
- Add roof variation and façade articulation
- Materials to match apartments
- Replace broken storefronts and remove unused signage
- Condition renovations to begin prior to apartment construction

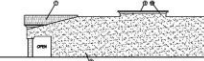
SUBSTITUTION PENDING APPROVAL



NORTH



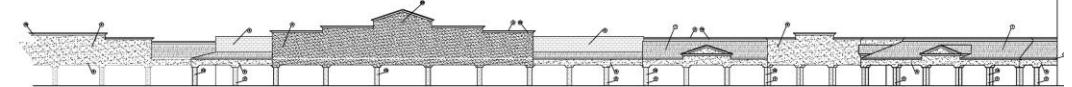
ANEX SOUTH



ANEX EAST



WEST



WEST

PROPOSED EXTERIOR ELEVATIONS

SCALE: 1/16" = 1'-0"

CEQA

- IS/MND prepared for project in accordance with the CEQA indicating the project will not have a significant effect on the environment
- Mitigation Measures address air quality, biological resources, cultural and tribal resources, geology and soils, hydrology and water quality, noise, and transportation
- Public review period for IS/MND from May 1 to June 1, 2020
- City received two comment letters which are attached to the staff report along with responses to comments
- Errata prepared to incorporate response to comments but not change conclusions in IS/MND or result in new significant information or impacts

Traffic Mitigation

- Somersville Road and Buchanan Road – requires construction of dual northbound left turn lanes on Somersville Road onto Buchanan Road and conversion of an eastbound through lane to a through-left turn lane
 - Applicant to be responsible for the construction of the improvements with partial reimbursement, once the City receives the Tuscany Meadows fair share payment
 - Construction has to begin prior to the issuance of building permits and be completed prior to occupancy of the first residential unit
- Somersville Road/Auto Center Drive at the SR4 westbound ramp – requires modification of the traffic signal timing and phasing
- Somersville Road and Delta Fair Boulevard – requires restriping to convert the eastbound left-through shared lane to an exclusive eastbound left lane

Planning Commission Recommendation

- On August 19, 2020 the Planning Commission held a public hearing via Zoom
- Planning Commission discussion included questions about the applicant agreeing to conditions of approval, height, Code enforcement, building height, and ownership vs. rental
- Planning Commission was in favor of a development that improved the site
- Planning Commission recommended City Council approve the entitlements for the Delta Fair Village project by a unanimous 5-0 vote, with one absent

City Council Actions

Planning Commission Recommends:

1. Approve the resolution adopting the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and the mitigation monitoring and reporting program
2. Approve the resolution approving a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02)
3. Introduce the ordinance rezoning the property to Planned Development District (PD-18-03)
4. Approve the resolution approving the Final Development Plan, Use Permit (UP-18-19), and Design Review (AR-18-20)

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Thomas Lloyd Smith, City Attorney *TL*

SUBJECT: Resolutions to Approve Operating Agreement with Cannabis Business Operator Three Habitat Consulting Antioch LLC dba One Plant, a Limited Liability Company

RECOMMENDED ACTION

It is recommended that the City Council:

1. Adopt the attached resolution approving the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC, DBA One Plant in substantially the form attached as Attachment B and
2. Authorize the City Manager to execute the operating agreement.

FISCAL IMPACT

The operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC dba One Plant, similar to the three operating agreements previously approved by the City Council, includes a revenue structure by which the City will receive a portion of One Plant's gross revenue. The operating agreement also includes One Plant's social equity program on terms similar to the other social equity programs being funded by the three cannabis businesses already approved by the City Council.

DISCUSSION

On September 10, 2019, the City Council adopted Resolution 2019/143, which specified that, for cannabis businesses with approved cannabis business use permits ("CBUP"), the City would use an operating agreement, rather than a development agreement, for the business. A key goal of the operating agreement is to require the cannabis business to participate in public outreach and education, community services, payment of fees and other charges as mutually agreed, and such other terms and conditions that would protect and promote the public health, safety and welfare.

Based on similar agreements used by other cities, City staff drafted a model operating agreement to protect the City's interests. The City Council, at its November 26, 2019

meeting, approved operating agreements for three cannabis businesses. The operating agreement proposed for One Plant includes minor clarifications which have been, or will be, incorporated into the other three operating agreements.

The operating agreement includes the following:

- The Agreement's term is ten years with two possible five-year extensions. The Operator agrees not to operate if the Agreement is not in effect.
- The Police Chief has discretion to require changes to the business to protect public health and safety.
- The City Manager may impose additional mitigation measures relating to public health and safety.
- The Operator will begin paying a percentage of gross revenue to the City as of the 15th of the month following the City issuing the Certificate of Occupancy for the City, and monthly thereafter.
- The Agreement shall be reviewed annually by City staff or a third party selected by the City.
- The Agreement includes provisions relating to indemnification of the City and insurance protecting the City.
- The revenue to be paid to the City is set forth in Exhibit C to the Agreement, which provides:

Business type	Yr 1	Yr 2	Yr 3	Yr 4+
Retail	2%	3%	4%	5%
Microbusiness*	2%	3%	5%	6%
Cultivation (per square foot) *	\$2	\$3	\$5	\$6

*Eligible for local employment incentive

The total amount payable to City by the Operator pursuant to this Exhibit may be reduced by the following amount if the Operator employs on a full-time basis the following numbers of Antioch residents:

At least 20 City residents	1%, but not to exceed \$60,000
At least 50 City residents	3%, but not to exceed \$150,000
At least 100 City residents	6%, but not to exceed \$300,000
At least 150 City residents	9%, but not to exceed \$450,000
200 more City residents	12%, but not to exceed \$600,000

The social equity program proposed by One Plant (Exhibit D) requires One Plant to fund an Antioch-based 501(c)(3) charity. Currently, that charity is Beat the Streets, Inc. The funding is One Plant providing 0.25% in year one, 0.37% in year 2, and 0.5% in year 3 and thereafter (with a minimum annual guarantee of \$25,000) of gross receipts, paid quarterly.

ATTACHMENTS

- A. Resolution Approving the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC dba One Plant
- B. Operating Agreement between the City of Antioch and Three Habitat Consulting Antioch LLC dba One Plant

RESOLUTION No. 2020/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING THE CANNABIS OPERATING AGREEMENT FOR
THREE HABITAT CONSULTING ANTIOCH LLC, DBA ONE PLANT**

WHEREAS, on April 23, 2019, by Resolution No. 2019/60, the City Council of the City of Antioch ("City") approved Business Permit No. UP 18-15 to operate a cannabis dispensary with delivery, located at 2701 West 10th Street (APN 074-051-029) on the terms and conditions set forth therein;

WHEREAS, on September 10, 2019, by Resolution No. 2019/143, the City Council authorized the City Attorney to negotiate operating agreements subject to City Council approval with those cannabis business applicants whose applications were deemed complete prior to the April 2019 Amendment of Chapter 5 of Title 9 of the Antioch Municipal Code and One Plant is among those cannabis businesses;

WHEREAS, the City Council has reviewed the operating agreement between the City and Three Habitat Consulting Antioch LLC, DBA One Plant attached hereto, and received public comment thereon at its September 22, 2020, meeting;

WHEREAS, the City Council finds that the attached operating agreement will benefit the City of Antioch by producing revenue for the City and its goals;

WHEREAS, the City Council finds that the attached operating agreement will benefit the City of Antioch by the Operator committing to provide additional funding for a social equity program to address community needs within the City; and

WHEREAS, the City Council finds that the attached operating agreement in combination with the approved use permit for the cannabis business will benefit the City of Antioch and includes adequate provisions to protect public health and safety.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby:

1. Approves the operating agreement between the City of Antioch and Three Habitat Consulting Antioch LLC, DBA One Plant in substantially the form attached as Attachment B and
2. Authorizes the City Manager to execute the operating agreement subject to the approval of the City Attorney as to form.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 22nd day of September 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN, MMC
CITY CLERK OF THE CITY OF ANTIOCH

RECORDING REQUESTED BY,
AND WHEN RECORDED, MAIL TO:

City of Antioch
200 H Street
Antioch, CA 94509
Attn: City Clerk

Exempt from recording fee per Government Code §6103

OPERATING AGREEMENT

This Operating Agreement ("**Agreement**") is entered into between the City of Antioch, a municipal corporation ("**City**") and Three Habitat Consulting Antioch LLC dba One Plant, a limited liability company ("**Operator**"), whose address is 2701 West 10th Street, Antioch, California 94509. City and Operator may be referenced herein as "**Party**" or collectively as "**Parties**."

RECITALS

- A. Operator submitted an application for approval of a use permit for a cannabis business, as further detailed herein.
- B. On April 23, 2019, by Resolution 2019/60, the City Council approved a Cannabis Business Use Permit to operate cannabis business UP ("**CBUP**"). A copy of the CBUP is attached hereto as Exhibit A and incorporated herein. The CBUP relates to the Site, as described in Exhibit B, attached hereto and incorporated herein.
- C. One condition of the CBUP is that the City and Operator execute a Development Agreement or an Operating Agreement. This Agreement meets this requirement of the CBUP.
- D. On _____, 2020, the City Council adopted Resolution _____ approving this Agreement.

AGREEMENT

- 1. **Recitals.** The Recitals set forth above are incorporated herein as if fully set forth in this Agreement.
- 2. **Definitions.** The following terms, when capitalized herein, shall have the meanings specified below.
 - a. **Agreement**—This Agreement between the City and Operator.
 - b. **Applicable Law**—All applicable federal, state, regional, and local statutes, regulations, and rules including the Uniform Building Code and other Uniform Codes, the California Environmental Quality Act, the City's ordinances, resolutions, rules, and regulations, as each statute, regulation,

regulation, rule, Code, ordinance, and resolution may be amended from time to time, excluding such federal law which may conflict with state or local laws authorizing cannabis businesses or operations.

c. Business Operations—The commercial cannabis business operated at the Site by Operator, its officers, officials, employees, agents, and consultants, as approved by the City Council in the CBUP, and as subject to the terms and conditions of this Agreement.

d. Cannabis—Both medical and non-medical cannabis as defined by Health & Safety Code section 11362.5 and Business and Professions Code sections 26000 *et seq.*

e. Cannabis Business Use Permit—the Cannabis Business Use Permit, attached hereto as Exhibit A, as approved by City Council Resolution 2019/60.

f. City—the City of Antioch, California.

g. City Attorney—the City Attorney of the City.

h. City Council—the City Council of the City.

i. City Manager—the City Manager of the City.

j. Operator— Three Habitat Consulting Antioch LLC dba One Plant.

k. Fees—All charges, expenses, costs, monetary exactions, and any other monetary obligations imposed on Operator by City, other than assessments or regular or special taxes, and not limited to fees paid pursuant to this Agreement.

l. Gross Receipts—The total of amounts actually received or receivables from sales and the total amounts actually received or receivable for the performance of any act or service for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares, or merchandise. Gross receipts shall also include all receipts, cash, credits and property of any kind without deduction of the cost of the property sold, the costs of the materials used, labor or services costs, interest paid or payable, or losses or other expenses whatsoever. Excluded from “gross receipts” are the following:

- Cash discounts allowed and taken on sales
- Credit allowed on property accepted as part of the purchase price and which property may later be sold
- Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser
- Such part of the sale price of property returned by a purchaser upon rescission of the contract of sale as is refunded whether in cash or by credit
- Amounts collected for others where the business is acting as an agent or trustee to the extent that such amounts are paid to those for whom collected, provided the agent or trustee furnishes to the City the names and addresses of the others and the amounts paid to them
- Receipts of refundable deposits, except that refundable deposits forfeited and taken into income of the business are not excluded

The intent of this definition is to ensure that, in calculating payments to the City, all sales and revenue from the Business Operations are captured and, therefore, this definition shall be given the broadest possible definition consistent with this intent.

m. Major amendment—Any modification to this Agreement that makes a substantive change, modification, or deviation in the terms of this Agreement or any Exhibits hereto.

n. Minor amendment—Any modification to this Agreement that does not make a substantive change, modification, or deviation in the terms of this Agreement or any Exhibits hereto.

o. Police Chief—the Police Chief of the City.

p. Project—The Business Operations, Site Development, Odor and other Mitigation Plans, Security Plans, and all other terms and conditions applicable to Operator's Business Operations.

q. Site—The physical location of the Operator's Business Operations, as described in Exhibit B, attached hereto.

r. Square Footage under Cultivation—the actual amount of canopy (measured by the aggregate area of vegetative growth of live cannabis plants on the premises including the area occupied by vertically and horizontally stacked canopies) that is limited by the maximum amount a cannabis business is authorized to cultivate by this Agreement or the CBUP, without deducting for unutilized square footage.

s. State license(s)—the license(s) issued by the State, whether through the Bureau of Cannabis Control or other regulatory agency authorizing the Operator to conduct its Business Operations

3. **Effective Date.** This Agreement shall be effective as of the date of the Resolution approving this Agreement, or such other date (if any) as specified in the Resolution approving this Agreement.

4. **Term of Agreement.** The initial term of this Agreement shall be ten years, with two possible extensions of five years each. This Agreement may be extended by mutual agreement of the Operator and the City Council on such additional terms and conditions as to which the Parties may agree. At the end of the term, Operator agrees to cease all Business Operations at the Site, notwithstanding the terms and conditions of the CBUP. The parties agree that, prior to the end of the initial ten-year term, they will meet and confer in good faith with the goal either of continuing this Agreement on the same terms and conditions or of modifying the Agreement so that the Business Operations may continue for the mutual benefit of the City and the Operator.

5. **Operating Conditions.** In addition to the terms and conditions set forth in the CBUP, Operator's Business Operations shall be subject to the additional terms and conditions:

a. Hours of operation of retail sales on the Site shall not exceed 7 days per week, 8.00 a.m. to 8.00 p.m. There are no other hours' restrictions on the Business Operations, including delivery.

b. Subsequent to the annual audit by the Police Department or a third party selected by the Police Department, the Police Chief shall have the discretion to require additional security measures or modify existing security measures at the Operator's expense, as may be required by law or reasonable for public safety. At Operator's expense, the Police Chief may also determine to require additional security measures at any time upon the Department's finding that existing security measures are

insufficient for the Business Operations to comply with the terms of the CBUP or to adequately protect public health and safety. The Police Chief's determination is appealable to the City Manager.

c. The City Manager may impose additional mitigation measures, whether relating to odor or other factors affecting public health and safety, on the Project at Operator's expense, as may be required by law or reasonable to maintain public health and safety. The City Manager's determination is appealable pursuant to Title 1, Chapter 4 of the City's Municipal Code.

6. Fees.

a. Operator agrees to pay all fees, whether imposed by the City, state, or other regulatory agencies in a timely manner. Operator's failure to pay such fees in a timely manner may, at the City's sole discretion, constitute Evidence of Default. City may provide thirty (30) days' prior written notice to Operator as to any unpaid City fees. If Operator fails to pay such fees, plus any interest or penalties due for late payment, Operator agrees that the City may record on the property which is the subject of the CBUP one or more liens for the fees owed.

b. Operator agrees to pay City beginning with the fifteenth of the month immediately following the date the City issues the Certificate of Occupancy for the Site the amounts set forth in Exhibit C, attached hereto and incorporated herein. The amount due for Gross Receipts is payable thereafter on the 15th of each month or, if the 15th is a weekend day or a national or state holiday, on the next business day ("Due Date"). The amount due for square footage is payable annually based on the square footage on the anniversary date of the Agreement's Effective Date, with adjustments made during the year as square footage is added or removed. The Operator shall also submit with its Gross Receipts payment a report on a form provided by the Operator and approved by the City which lists the gross receipts for the period, any adjustments to the gross receipts and basis therefor, the gross receipts subject to the percentages set forth in Exhibit C, and the total amount due.

c. A payment is late or deficient under this Section if not postmarked by or received by the City Finance Department on or before the Due Date. A late or deficient payment shall be subject to a penalty of a one-time penalty of five percent (5%) of the amount owed, plus monthly non-compounding interest at the maximum rate allowed by law, but not to exceed an annualized amount of ten percent (10%).

d. If the City Manager is not satisfied with the veracity of report(s) filed by Operator regarding the Business Operations' total gross receipts or square footage, the City Manager may compute and determine the amount of the fees to paid on the gross receipts or square footage and make a deficiency determination upon the basis of the facts contained in such report(s), or upon the basis of any information in City's possession, or that may come into City's possession within three years of the date the fees are paid. One or more deficiency determinations of the amount of fees owed for a period or periods may be made. The determination of the City Manager pursuant to this subsection is appealable pursuant to Title 1, Chapter 4 of the City's Municipal Code.

7. Social Equity Programs.

a. Operator agrees to implement and maintain for the entirety of the term of this Agreement a Social Equity Program ("**Equity Program**") to benefit the City and its residents, to foster equitable participation in the cannabis industry, and to create business opportunities for those most

negatively impacted by the enforcement of cannabis laws prior to the legalization of cannabis in California. Operator shall initiate its Equity Program within three months of this Agreement's Effective Date.

b. Operator shall prepare a written Social Equity Program Plan ("Equity Plan"), which includes an Equity Program description and an action plan with goals, tasks, responsible parties, timelines, and measurable outcomes. The Equity Plan shall be set forth in Exhibit D, attached hereto and incorporated herein. Operator shall provide a written report semi-annually to the City Manager and City Attorney on its progress in carrying-out the Equity Program's goals and measurable outcomes. Upon request of the City Manager or City Attorney, Operator shall also agree to provide a presentation to the City Council on the Equity Program's goals and measurable outcomes. The Equity Plan may be modified in writing by request of the Operator and approval of the City Manager or the City Attorney.

c. If the City Council, the City Manager, or the City Attorney determine that Operator's Equity Plan does not adequately achieve the City's goals as set forth herein, the City Council, the City Manager, or the City Attorney shall have the discretion to require the Operator to modify its Equity Plan subsequent to one or more meetings with the Operator.

8. Applicable Law. At all times, Operator shall conduct its Business Operations consistent with Applicable Law, including the City's ordinances, rules, and regulations; the CBUP; and this Agreement, as each may be amended or modified from time to time. Any violation thereof by Operator or its Business Operations may, at the City's discretion, be considered Evidence of Default.

9. Default.

a. If the City Manager finds Evidence of Default, the City Manager shall provide at least forty-five (45) days' written notice thereof to Operator, with the notice specifying the nature of the default, the facts supporting such Evidence of Default, and the manner in which the Default may be cured. Within that forty-five day period, Operator shall cure the Default to the City Manager's reasonable satisfaction, provide evidence with supporting facts as to why no Default exists, or provide alternatives satisfactory to the City Manager to address the Default.

b. If the City Manager is not satisfied with Operator's response and/or believes a Default continues to exist, then the City Manager may, at his/her sole discretion:

- Order the Operator to suspend all Business Operations at the Site until the Default is cured.
- Take such other action as may be authorized by the CBUP or this Agreement.
- Remedy the Default and charge the costs thereof to the Operator, who agrees to pay such sums.

c. The decision of the City Manager under this section is appealable pursuant to Title 1, Chapter 4 of the City's Municipal Code.

d. The remedies of this section, plus any other remedies set forth in this Agreement and remedies available in law or in equity are cumulative, and non-exclusive. Such remedies are distinct and separate whether or not exercised by the City. The City may, in its discretion, exercise any or all of its rights and remedies, at once or in succession, at such time or times as it considers to be appropriate.

10. Record Keeping. Operator shall keep, maintain, and preserve to the extent applicable all records that may be necessary to determine the amount of gross receipts, the number of retail delivery vehicles, the amount of cannabis manufactured, the amount of cannabis delivered, and any and all other records by which City may determine and verify the amount of fees due to the City pursuant to Section 6 hereof. At Operator's expense, City shall have the option of conducting, whether by City staff or by a City-selected consultant, an annual audit to verify the fees due to the City pursuant to Section 6 hereof and compliance with Exhibit D. City shall have the right to inspect such records at all reasonable times during normal business hours and upon not less than five (5) business days' prior notice. To the extent permitted by Applicable Law, City agrees to treat such records as confidential.

11. Annual Review. In addition to the right to conduct an audit pursuant to Section 10 hereof, the City Manager, at his/her discretion, may direct City staff or a third party to review, no more frequently than once per year, the Business Operations and compliance thereof with the CBUP and this Agreement. Operator shall be responsible for paying the costs of this annual review, which shall not exceed \$10,000 per review, adjusted annually by the CPI index for Bay area cities. In the event there is good cause for a review that would exceed \$10,000 (as adjusted annually), Operator and City shall negotiate a minor amendment to allow for such review. Based on this review, City may require additional mitigation measures or other changes to the Business Operations to assure compliance with the CBUP and this Agreement.

12. Amendments. This Agreement may be amended from time to time, if in writing and signed by both parties. The City Manager or the City Attorney shall have the discretion to approve a Minor Amendment to this Agreement or to refer such Minor Amendment to the Council for review and possible action. The City Council, at a duly noticed public meeting, shall have the discretion to approve a Major Amendment or a Minor Amendment, which has been referred to the Council.

13. Assignment. City has entered into the Agreement with Operator in reliance upon Operator's specialized knowledge, experience, and expertise relating to the Project and cannabis-related business. Therefore, this Agreement may not be assigned or otherwise transferred by Operator, whether to a third party or to another entity (even if Operator is a partner, owner, or otherwise a participant in such entity), without the prior written authorization of the City Council at a duly noticed meeting. Any such assignment or transfer, at City's sole discretion, may be considered Evidence of Default. Should Operator wish to assign or otherwise transfer the Agreement, Operator shall provide evidence to the reasonable satisfaction of the City Manager and the City Attorney of the specialized knowledge, experience, expertise, and financial stability of the proposed assignee or transferee prior to review and possible approval by the City Council.

14. Indemnification. Operator agrees to indemnify, defend, and hold harmless City, its officers, officials, employees, agents, and consultants from any and all administrative, legal, or equitable actions, claims, or other proceedings instituted by any person or entity not a party to the Agreement challenging the validity of the Agreement or any action arising out of or relating to the Agreement. Operator shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorney's fees expended by the City in defense of the action or proceeding, plus staff and consultant time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Operator agrees to

pay directly or timely reimburse on a monthly basis City for all such court costs, attorney's fees and time referenced herein.

Operator further agrees to indemnify, defend, and hold harmless City, its officers, officials, employees, agents, and consultants from any and all claims, costs, and liability for any damages, personal injury or death, or property damage which may arise directly or indirectly from Operator's Business Operations pursuant to this Agreement, except as caused by City's sole or gross negligence.

15. Insurance.

a. For the term of the Agreement, Operator shall be required to, and agrees to, maintain in full force and effect public liability and property damage insurance, including personal injury in an amount of not less than three million dollars (\$3,000,000) per occurrence and five million dollars (\$5,000,000) aggregate, and automobile insurance for owned and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate. Each policy shall have such coverage and limits as may be reasonably requested by City from time to time. Each policy shall have a self-insured retention of not more than one hundred thousand dollars (\$100,000).

b. The insurance referenced herein shall include endorsements, naming as additional insureds the City, its officers, officials, employees, consultants, and agents. The endorsements shall also specify that the insurance is primary, with any policies held by the City to be non-contributing.

c. The insurance referenced herein shall be evidenced by certificate(s) of insurance, which shall be kept current during the term of this Agreement.

d. The certificate(s) and endorsement(s) shall be provided to, and approved by, the City Attorney prior to Operator beginning Business Operations.

e. The insurance shall be placed with a company authorized to transact business in the State of California and with a rating of not less than A.M. Best-A, or such other rating as approved by the City Attorney.

f. Operator shall provide at least thirty (30) days' prior written notice of any cancellation, reduction in scope or amount, or material modification of the insurance referenced herein.

g. If Operator fails to maintain the insurance referenced herein, the City in its sole discretion may obtain such insurance at Operator's expense, with Operator obligated to promptly reimburse the City, or determine such failure to be Evidence of Default.

16. Notices. Any notice or communication required by the Agreement between the parties shall be in writing and may be delivered either personally or by registered mail, return receipt requested. Notice, whether given by personal delivery or by registered mail, shall be deemed to have been given and received on the day of actual receipt at any of the addresses designated below as to the party to whom the notice is sent. Any party hereto may at any time, upon written notice to the other party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. However, should a party's address no longer be valid such that delivery by registered mail, return receipt required, is not successful, then delivery by U.S. mail shall be effective

five business days after mailing of notice. Such notices or communications shall be given to the parties at the addresses set forth below:

To the City of Antioch:

City of Antioch
200 H Street
Antioch, CA 94509
Attn: City Manager

With a copy to:

City of Antioch
200 H Street
Antioch, CA 94509
Attn: City Attorney

To Operator:

Three Habitat Consulting Antioch LLC dba One Plant
[address]

17. Miscellaneous

a. Each party has had an equal opportunity to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting party shall not apply to the Agreement.

b. If any term, provision, covenant, or condition of this Agreement is held by court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the Agreement shall continue in full force and effect, unless enforcement of the Agreement as so invalidated would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purpose of the Agreement.

c. The Parties shall take all steps reasonable and necessary to effectuate the terms and intent of the Agreement. However, no provision of the Agreement shall limit, or be construed to limit, the right of the City, the City Manager, the City Attorney, or the City Council to exercise discretion as to the Agreement or other matters.

d. The Parties are not, and shall not be construed, to be partners or joint venturers.

e. The only parties to the Agreement are City and Operator. There are no third-party beneficiaries and the Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person whatsoever.

f. In the event that suit is brought by either Party to the Agreement, the Parties agree that venue shall be exclusively vested in the state court of Contra Costa County, or in the U.S. District Court for the Northern District of California.

g. This Agreement and the Exhibits attached hereto contain all the representations and the entire agreement between parties with respect to the subject matter hereof.

h. The Parties acknowledge that City would not have entered into this Agreement had it been exposed to damage claims from Operator for any breach hereof. As such, the Parties agree that in no event shall Operator be entitled to recover damages against City for breach of this Agreement.

i. This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

j. All waivers must be in writing to be effective or binding upon the waiving party and no waiver shall be implied from any omission by a party to take or not take any action with respect to default or other matters. Failure by a party to insist upon the strict performance of any provisions of the Agreement by the other party shall not constitute waiver of such party's right to demand strict compliance by the other party in the future. Furthermore, no express written waiver of any default shall affect any other default or cover any other period of time specified in such express waiver.

k. Notwithstanding termination or expiration of this Agreement for any reason, Sections 6c, 6d, 10 and 14 shall be continuing obligations of Operator and shall survive this Agreement.

EXECUTED AS OF _____, 2020.

CITY OF ANTIOCH

OPERATOR

City Manager, City of Antioch

Three Habitat Consulting Antioch LLC
dba One Plant

Attest:

City Clerk

Approved as to form:

City Attorney

EXHIBIT A

[to be attached]

EXHIBIT B

The Site is located at 2701 West 10th Street, Antioch CA 94509 and is APN 074-051-029.

EXHIBIT C

Business type	Yr 1	Yr 2	Yr 3	Yr 4+
Retail	2%	3%	4%	5%
Microbusiness*	2%	3%	5%	6%
Cultivation (per square foot)*	\$2	\$3	\$5	\$6
Distribution	2%	3%	4%	5%
Manufacturing	2%	3%	4%	5%

***Eligible for local employment incentive**

The total amount payable to City by the Operator pursuant to this Exhibit shall be reduced by the following amount(s) if the Operator employs not fewer than the following numbers of Antioch residents on a full-time basis, providing healthcare benefits:

At least 20 City residents	1%, but not to exceed \$60,000
At least 50 City residents	3%, but not to exceed \$150,000
At least 100 City residents	6%, but not to exceed \$300,000
At least 150 City residents	9%, but not to exceed \$450,000
200 or more City residents	12%, but not to exceed \$600,000

Example: If the revenue due to the City from Operator, based on gross receipts, is \$500,000, and the Operator employs 51 City residents, then the \$500,000 would be reduced by 3% and the Operator would owe the City \$485,000.

For any Operator requesting the local employment incentive, the City reserves the right to verify the number of City residents employed on an annual basis.

EXHIBIT D

Operator agrees to support a social equity program to aid vulnerable youth within Antioch with the goal of providing financial support for resources that are not generally available through traditional social services. Operator will accomplish this goal by partnering with one or more Antioch charities.


Consistent with this goal, Operator will provide to Beat the Streets, Inc. an Antioch 501 (c)(3) non-profit corporation, the following funding: 0.25% in year one, 0.37% in year 2, and 0.5% in year 3 and thereafter (with a minimum annual guarantee of \$25,000) of gross receipts, paid quarterly. Each quarterly payment shall be due on the 15th of each third month or, if the 15th is a weekend day or a national or state holiday, on the next business day. Late payment shall be subject to the same penalties and interest set forth in Section 6 hereof.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: Founders Day Ad Hoc Committee Dissolution or Creation of a Standing Committee

RECOMMENDED ACTION

It is recommended that the City Council:

- 1) Receive an update from Committee members of the Founders Day Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad hoc committees may be dissolved, and another created with a different and specific purpose, in the same genre).

FISCAL IMPACT

This recommended action has no direct fiscal impact.

DISCUSSION

At the March 11, 2020 City Council meeting, the City Council created the Founders Day Ad Hoc Committee. This is an opportunity for the Founders Day Ad Hoc Committee members to report about the activities of their ad hoc committee. The initial term and extension dates are listed below:

- Founders Day Ad Hoc Committee Members – Mayor Wright and Mayor Pro-tem Motts.
- Initial Term: March 10, 2020 to October 10, 2020.
- Extension Date: None.

Staff strongly recommends that City Council dissolve the ad hoc committee prior to reaching the one-year point. Upon dissolution of an ad hoc committee, the City Council's options include, but are not limited to, forming a new ad hoc committee with a different goal or creating a standing committee.


ATTACHMENTS

None

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: Transitional Housing Ad Hoc Committee Dissolution or Creation of a Standing Committee

RECOMMENDED ACTION

It is recommended that the City Council:

- 1) Receive an update from Committee members of the Transitional Housing Ad Hoc Committee on their ad hoc committee activities.
- 2) Determine whether to dissolve the ad hoc committee or create a standing committee. (Please note: Ad Hoc Committees may be dissolved, and another created with a different and specific purpose, in the same genre).

FISCAL IMPACT

This recommended action has no direct fiscal impact.

DISCUSSION

At the April 14, 2020 City Council meeting, the City Council created the Transitional Housing Ad Hoc Committee. This is an opportunity for the Transitional Housing Ad Hoc Committee members to report about the activities of their ad hoc committee. The initial term and extension dates are listed below:

- Transitional Housing Ad Hoc Committee Members – Mayor Wright and Council Member Thorpe.
- Initial Term: April 14, 2020 to October 14, 2020.
- Extension Date: None.

Staff strongly recommends that City Council dissolve the ad hoc committee prior to reaching the one-year point. Upon dissolution of an ad hoc committee, the City Council's options include, but are not limited to, forming a new ad hoc committee with a different goal or creating a standing committee.

ATTACHMENTS


None



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of September 22, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Nickie Mastay, Administrative Services Director 

SUBJECT: League of California Cities Annual Conference Resolutions Packet

RECOMMENDED ACTION

It is recommended that the City Council review and discuss the League of California Cities Annual Conference Resolutions Packet and provide direction to the voting delegate (Councilmember Ogorchock).

FISCAL IMPACT

There is no fiscal impact.

DISCUSSION

At the August 11, 2020 City Council meeting, the City Council appointed Councilmember Ogorchock as our 2020 Voting Delegate for the League of California Cities Annual Conference. Councilmember Ogorchock will be representing Antioch's vote on one (1) resolution before the League General Assembly. This is the opportunity for the City Council to discuss the resolution and provide direction to Councilmember Ogorchock as to the City's intended vote. The resolution is:

- 1) A Resolution of the General Assembly of the League of California Cities calling for an Amendment of Section 230 of the Communications Decency Act of 1996 to require Social Media Companies to Remove Materials Which Promote Criminal Activities.

The background and analysis of these resolutions are included in the attached packet.

ATTACHMENTS

- A. League of California Cities Annual Conference Resolutions Packet



***Annual Conference
Resolutions Packet***

2020 Annual Conference Resolutions



October 7 – 9, 2020

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration at the Annual Conference and referred to League policy committees.

POLICY COMMITTEES: Two policy committees will meet virtually at the Annual Conference to consider and take action on the resolution referred to them. The committees are: Governance, Transparency & Labor Relations and Public Safety. These committees will meet virtually on Tuesday, September 29, with the Governance, Transparency and Labor Relations Policy Committee meeting from 9:30 – 11:30 a.m. and the Public Safety Policy Committee meeting from 1:00 – 3:00 p.m. The sponsor of the resolution has been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet virtually at 1:00 p.m. on Thursday, October 8, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president.

GENERAL ASSEMBLY: This meeting will be held virtually at 11:00 a.m. on Friday, October 9.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, October 8.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee 2 - General Resolutions Committee 3 - General Assembly		

GOVERNANCE, TRANSPARENCY & LABOR RELATIONS POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Amendment to Section 230 of The Communications Decency Act of 1996			

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR AN AMENDMENT OF SECTION 230 OF THE COMMUNICATIONS DECENCY ACT OF 1996 TO REQUIRE SOCIAL MEDIA COMPANIES TO REMOVE MATERIALS WHICH PROMOTE CRIMINAL ACTIVITIES

Source: City of Cerritos

Concurrence of five or more cities/city officials

Cities: City of Hawaiian Gardens, City of Lakewood, City of Ontario, City of Rancho Cucamonga, City of Roseville

Referred to: Governance, Transparency and Labor Relations and Public Safety Policy Committees

WHEREAS, local law enforcement agencies seek to protect their communities' residents, businesses, and property owners from crime; and

WHEREAS, increasingly, criminals use social media platforms to post notices of places, dates and times for their followers to meet to commit crimes; and

WHEREAS, Section 230 of the Communications Decency Act of 1996 currently provides online platforms (including social media platforms) immunity from civil liability based on third-party content and for the removal of content; and

WHEREAS, in the 25 years since Section 230's enactment, online platforms no longer function simply as forums for the posting of third-party content but rather use sophisticated algorithms to promote content and to connect users; and

WHEREAS, the United States Department of Justice, in its June 2020 report, "Section 230 — Nurturing Innovation or Fostering Unaccountability?," concluded the expansive interpretation courts have given Section 230 has left online platforms immune from a wide array of illicit activity on their services, with little transparency or accountability, noting it "makes little sense" to immunize from civil liability an online platform that purposefully facilitates or solicits third-party content or activity that violates federal criminal law; and

WHEREAS, current court precedent interpreting Section 230 also precludes state and local jurisdictions from enforcing criminal laws against such online platforms that, while not actually performing unlawful activities, facilitate them; and

WHEREAS, amendment of Section 230 is necessary to clarify that online platforms are not immune from civil liability for promoting criminal activities; and

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 9, 2020 in Long Beach, California, that the League calls upon the U.S. Congress to amend Section 230 of the Communications Decency Act of 1996 to condition immunity from civil liability on the following:

1. Online platforms must establish and implement a reasonable program to identify and take down content which solicits criminal activity; and
2. Online platforms must provide to law enforcement information which will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity; and
3. An online platform that willfully or negligently fails in either of these duties is not immune from enforcement of state and local laws which impose criminal or civil liability for such failure.

Background Information to Resolution

Source: City of Cerritos

Background:

Social media platforms are now used as a primary means of communication, including by criminals who use them to advertise locations, dates, and times where the criminal acts will take place. Such communications, because they occur online, render the online platform immune from any civil liability for the costs incurred by law enforcement agencies that respond under Section 230 of the Communications Decency Act of 1996. Immunity from civil liability extends even to injunctive relief, thus preventing local governments from merely seeking an injunction against the online platform to have such a post removed.

The City of Cerritos supports the rights of free speech and assembly guaranteed under the First Amendment, but believes cities should have the ability to hold social media companies liable for their role in promoting criminal acts. Recently, the City suffered thousands of dollars in damages to respond to online threats that the Cerritos Mall would be looted. Anonymous posts on Instagram.com invited followers to “work together to loot Cerritos [M]all” only several days after the Lakewood Mall had been looted, causing thousands of dollars in damages. The posts were made under the names “cerritosmalllooting” and “cantstopusall,” among others. The City of Cerritos had no choice but to initiate response to protect the Mall and the public from this credible threat.

At the same time local governments face historic shortfalls owing to the economic effects of COVID-19, the nation’s social media platforms are seeing a record rise in profits. The broad immunity provided by Section 230 is completely untenable. Online platforms should be held responsible—and liable—for the direct harm they facilitate. Local governments are in no position to bear the costs of the crimes facilitated by these companies alone.

Congress is currently reviewing antitrust legislation and by extension, Section 230’s immunity provisions. The League urges Congress to amend Section 230 to limit the immunity provided to online platforms when they promote criminal activity to provide local governments some measurable form of relief.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Charles Harvey, Legislative Representative
Bijan Mehryar, Legislative Representative
Caroline Cirrincione, Policy Analyst
Johnnie Piña, Policy Analyst

Committees: Governance, Transparency and Labor Relations
Public Safety

Summary:

This resolution states that the League of California Cities should urge Congress to amend Section 230 of the federal Communications Decency Act of 1996 (CDA) to limit the immunity provided to online platforms where their forums enable criminal activity to be promoted.

Ultimately, the policy objectives proposed under this resolution, if enacted, would incentivize social media companies to establish and implement a reasonable program to identify and remove content that solicits criminal activity.

Background:

The City of Cerritos is sponsoring this resolution in reaction to events whereby persons, using social media platforms to coordinate locations, dates, and times for their planned criminal activity, have committed acts of looting and vandalism resulting in both actual economic harm for targeted businesses, and pecuniary loss to cities who used resources to prevent such acts from occurring when such plans are discovered.

For example, just days after the Lakewood Mall had been looted, the City of Cerritos uncovered online communications via social media that persons were planning to target the nearby Cerritos Mall. Consequently, the city felt compelled to undertake measures to protect the Cerritos Mall, costing the city thousands of dollars to guard against what officials believed to be a credible threat.

Staff Comments:

Overview:

While there is certainly an argument to substantiate concerns around censorship, the use of social media as a tool for organizing violence is equally disturbing.

Throughout much of the 2020 Summer, there have been many reports of looting happening across the country during what were otherwise mostly peaceful demonstrations. Combined with the speculation of who is really behind the looting and why, the mayhem has usurped the message of peaceful protestors, causing a great deal of property damage in the process. Likewise, these criminal actions have upended the livelihood of some small business owners, many of whom were already reeling in the wake of the COVID-19 pandemic.

While social media allows people to connect in real time with others all over the world, organized illegal activity using social media is made easier by the anonymous nature of virtual interactions.

Nation's Reaction to the Murder of George Floyd:

Shortly after the senseless killing of George Floyd by law enforcement on May 26, 2020, civil unrest began as local protests in the Minneapolis–Saint Paul metropolitan area of Minnesota before quickly spreading nationwide to more than 2,000 cities and towns across the United States, and in approximately 60 countries in support of the Black Lives Matter movement. Protests unfolded across the country throughout the entire month of June and into July, and persisted in a handful of cities such as Portland and Seattle into the month of August.

Although the majority of protests were peaceful, some demonstrations in cities escalated into riots, looting, and street skirmishes with police. While much of the nation's focus has been on addressing police misconduct, police brutality, and systemic racism, some have used demonstrators' peaceful protests on these topics as opportunities to loot and/or vandalize businesses, almost exclusively under the guise of the "Black Lives Matter" movement. It has been uncovered that these "flash robs"¹ were coordinated through the use of social media. The spontaneity and speed of the attacks enabled by social media make it challenging for the police to stop these criminal events as they are occurring, let alone prevent them from commencing altogether.

As these events started occurring across the country, investigators quickly began combing through Facebook, Twitter, and Instagram seeking to identify potentially violent extremists, looters, and vandals and finding ways to charge them after — and in some cases before — they sow chaos. While this technique has alarmed civil liberties advocates, who argue the strategy could negatively impact online speech, law enforcement officials claim it aligns with investigation strategies employed in the past.

Section 230 and other Constitutional Concerns

At its core, Section 230(c)(1) of the CDA provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by third-party users. Essentially, this protects websites from lawsuits if a user posts something illegal, although there are exceptions for copyright violations, sex work-related material, and violations of federal criminal law.

Protections from Section 230 have come under more recent scrutiny on issues related to hate speech and ideological biases in relation to the influence technology companies can hold on political discussions.

Setting aside Section 230, there are some potential constitutional issues one could raise, should there be an attempt to implement such a resolution into statute.

¹ The "flash robs" phenomenon—where social media is used to organize groups of teens and young adults to quickly ransack and loot various retail stores—began to occur sporadically throughout the United States over the past ten years.

In the United States, the First Amendment prohibits the government from restricting most forms of speech, which would include many proposals to force tech companies to moderate content. While “illegal” types of speech enjoy limited or no First Amendment protection, the line for delineating between “legal” and “illegal” speech is very difficult to determine. Consequently, one would expect online platforms to push back on whether there is a constitutionally feasible way for them to “identify” protected speech versus unprotected speech, or whether there is a feasible way to define “content which solicits criminal activity.” A law requiring companies to moderate content based on the political viewpoint it expresses, for example, would likely be struck down as unconstitutional.

Nonetheless, private companies can create rules to restrict speech if they so choose. Online platforms sometimes argue they have constitutionally-protected First Amendment rights in their “editorial activity,” and therefore, it violates their constitutional rights to require them to monitor (i.e., “identify and take down”) content that may be protected under the First Amendment. They may also argue, along the same lines, that the government may not condition the granting of a privilege (i.e., immunity) on doing things that amount to a violation of their first amendment rights. This is why Facebook and Twitter ban hate speech and other verifiably false information, for example, even though such speech is permitted under the First Amendment.

With respect to privacy and the Fourth Amendment, online platforms may argue that requiring them to “provide to law enforcement information that will assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity,” turns them into government actors that search users’ accounts without a warrant based on probable cause, in violation of the Fourth Amendment.

Industry Perspective

Unsurprisingly, industry stakeholders have strong opinions for what such changes could mean for their respective business models.

For instance, a Facebook spokesperson recently noted in a Fortune article that, “By exposing companies to potential liability for everything that billions of people around the world say, this would penalize companies that choose to allow controversial speech and encourage platforms to censor anything that might offend anyone.”

The article acknowledges that in recent years, both political parties have put social media companies under increased scrutiny, but they are not unified in their stated concerns. While Republicans accuse the companies of unfairly censoring their post, Democrats complain that these companies fail to do enough to block misinformation, violent content, and hate speech.

The article concludes that there is no way companies like Facebook and Twitter could operate without Section 230, and that the removal of this section would thereby “eliminate social media as we know it.”

Recent Federal Action on Social Media

The President recently issued an *Executive Order on Preventing Online Censorship*. In it, he notes the following:

“The growth of online platforms in recent years raises important questions about applying the ideals of the First Amendment to modern communications technology. Today, many Americans follow the news, stay in touch with friends and family, and share their views on current events through social media and other online platforms. As a result, these platforms function in many ways as a 21st century equivalent of the public square.

Twitter, Facebook, Instagram, and YouTube wield immense, if not unprecedented, power to shape the interpretation of public events; to censor, delete, or disappear information; and to control what people see or do not see.”

Ultimately the President implores the U.S. Attorney General to develop a proposal for federal legislation that “would be useful to promote the policy objectives of this order.” The President is not subtle in communicating his desire to ultimately see legislation heavily slanted toward the preservation of free speech on social media, which some interpret as a maneuver to preempt Twitter and Facebook from regulating speech they otherwise deem as hateful or demonstrably false.

Considerations for Congress

Courts have generally construed Section 230 to grant internet service providers broad immunity for hosting others’ content. Many have claimed that Section 230’s immunity provisions were critical to the development of the modern internet, and some continue to defend Section 230’s broad scope. But simultaneously, a variety of commentators and legislators have questioned whether those immunity provisions should now be narrowed, given that the internet looks much different today than it did in 1996 when Section 230 was first enacted.

One way for Congress to narrow Section 230’s liability shield would be to create additional exceptions, as it did with FOSTA and SESTA². If a lawsuit does not fall into one of the express exceptions contained in Section 230(e)³, courts may have to engage in a highly fact-specific inquiry to determine whether Section 230 immunity applies: Section 230(c)(1) immunity will be inapplicable if the provider itself has developed or helped to develop the disputed content, while Section 230(c)(2) immunity may not apply if a service provider’s decision to restrict access to content was not made in good faith.

Date Storage and Usage Considerations for Cities

Section 2 of the conditions the resolution applies to civil immunity requires that online platforms provide relevant information to law enforcement to assist in the identification and apprehension of persons who use the services of the platform to solicit and to engage in criminal activity. This section would most likely require the development of new procedures and protocols that govern law enforcements usage and retention of such information. Those new policies and procedures would undoubtedly raise privacy concerns depending on how wide the latitude is for law

² The Fight Online Sex Trafficking Act (FOSTA) and the Stop Enabling Sex Traffickers Act (SESTA) create an exception to Section 230 that means website publishers *would* be responsible if third parties are found to be posting ads for prostitution — including consensual sex work — on their platforms.

³ Section 230(e) says that Section 230 will not apply to: (1) federal criminal laws; (2) intellectual property laws; (3) any state law that is “consistent with” Section 230; (4) the Electronic Communications Privacy Act of 1986; and (5) civil actions or state prosecutions where the underlying conduct violates federal law prohibiting sex trafficking.

enforcement to request such information. In those circumstances cities could end up themselves incurring new liability for the governance of data that could either violate certain privacy rules or increase their data governance costs.

Fiscal Impact:

Unlike the costly resources needed to support or oppose a ballot measure, a federal resolution from the League of California Cities that simply urges Congress to undertake certain action should have a negligible fiscal impact, if any monetary impact at all.

Regarding cities, if social media had no immunity for its failure to police content that solicits criminal activity, then an individual city could theoretically save thousands if not millions of dollars, depending on its size and other subjective circumstances. Collectively, cities across the country could potentially save at least hundreds of millions between redress for actual economic harm suffered and/or the cost of preventative measures taken to stop criminal activity from occurring in the first place.

Conversely, if social media platforms were to shut down, due to an inability to comply with a policy requirement to regulate speech on the internet, it is unclear on how cities might be impacted from a fiscal standpoint.

Existing League Policy:

Public Safety:

Law Enforcement

The League supports the promotion of public safety through:

- Stiffer penalties for violent offenders, and
- Protecting state Citizens' Option for Public Safety (COPS) and federal Community Oriented Police Services (COPS) funding and advocating for additional funding for local agencies to recoup the costs of crime and increase community safety.

Violence

The League supports the reduction of violence through strategies that address gang violence, domestic violence, and youth access to tools of violence, including but not limited to firearms, knives, etc.

The League supports the use of local, state, and federal collaborative prevention and intervention methods to reduce youth and gang violence.

Governance, Transparency & Labor Relations:

Private Sector Liability

The League will work closely with private sector representatives to evaluate the potential for League support of civil justice reform measures designed to improve the business climate in California. These measures should be evaluated on a case-by-case basis through the League police process.

Questions to Consider:

Many cities obviously believe that creating civil liability for social media platforms—due to their role in providing the communication mediums for those who organize looting attacks— is key to deterring this organized criminal activity.

If such a change was actually passed by Congress, it would force social media to essentially police every conversation on stakeholders' respective platforms, putting immense pressure on the industry to make subjective determinations about what conversations are appropriate and what are unacceptable.

At the end of the day, there are a few questions to consider in assessing this proposed resolution:

- 1) *What would this resolution's impact be on free speech and government censorship?*
- 2) *What are the expectations for cities when they receive information from a social media platform about a potentially credible threat in their respective communities? Does a city become liable for having information from a social media platform and the threat occurs?*
- 3) *What would the costs be to develop and maintain new data governance policies, including data infrastructure, to store this information?*
- 4) *What is the role of the League in engaging in issues relating to someone's privacy?*

Support:

The following letters of concurrence were received:

City of Hawaiian Gardens

City of Lakewood

City of Ontario

City of Rancho Cucamonga

City of Roseville

LETTERS OF CONCURRENCE

Resolution No. 1

Amendment to Section 230 of the Communications
Decency Act of 1996



CITY OF HAWAIIAN GARDENS

"Our Youth - Our Future"

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

The public safety efforts in the City of Hawaiian Gardens would certainly benefit from such legislation. This letter serves to support the City of Cerritos in their efforts to submit of the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,



Ernie Hernandez
City Manager

cc Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Jeff Wood
Vice Mayor

Steve Craft
Council Member



Todd Rogers
Mayor

Ariel Pe
Council Member

Diane DuBois
Council Member

August 5, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution, with the required background information, will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

This letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Todd Rogers
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us

Lakewood

CITY OF

303 EAST "B" STREET, CIVIC CENTER

ONTARIO



ONTARIO

CALIFORNIA 91764-4105

(909) 395-2000

FAX (909) 395-2070

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

SCOTT OCHOA
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

This letter serves to support the City of Cerritos in their efforts to submit the above-mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

Alan D. Wapner
Council Member
League of California Cities Board Member

c: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos – kmatsumoto@cerritos.us



CITY OF RANCHO CUCAMONGA

10500 Civic Center Drive | Rancho Cucamonga, CA 91730 | 909.477.2700 | www.CityofRC.us

August 6, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social medial platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

On behalf of the City of Rancho Cucamonga, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

L. Dennis Michael
Mayor

cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us



City Council
311 Vernon Street
Roseville, California 95678

August 7, 2020

John Dunbar, President
jdunbar@yville.com
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Dear President Dunbar:

On August 3, 2020, the Cerritos City Council approved to sponsor a **Resolution of the City Council of the City of Cerritos Submitting to the League of California Cities General Assembly a Proposed Resolution Regarding Support of Legislation Related to Social Media Platform Accountability for Promotion of Criminal Acts.**

This proposed resolution with the required background information will be submitted to the League of California Cities for consideration by the General Assembly at the Annual Conference on October 9, 2020. (Attachments 1 and 2) The intent of the resolution is to address the use of social media platforms for posting information that leads followers to meet and commit crimes and to also hold these platforms and the persons who post said information civilly and criminally accountable for all costs incurred by the local jurisdictions where the crimes occurred.

On behalf of the City of Roseville, this letter serves to support the City of Cerritos in their efforts to submit the above mentioned resolution to the League of California Cities for consideration at the 2020 Annual Conference.

Sincerely,

John B. Allard II,
Mayor

Cc: Blanca Pacheco, President, LA County Division/League of California Cities - bpacheco@downeyca.org
Meg Desmond, League of California Cities - mdesmond@cacities.org
Kristine Guerrero, LA County Division/League of California Cities - kguerrero@cacities.org
Kathy Matsumoto, Assistant City Manager, City of Cerritos - kmatsumoto@cerritos.us
Jason Gonsalves, Joe A. Gonsalves and Son

**CITY OF ANTIOCH
PLANNING COMMISSION**

**Regular Meeting
6:30 p.m.**

**August 19, 2020
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Planning Commission meetings live stream (at <https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/>). The Planning Commission meeting was conducted utilizing Zoom Audio/Video Technology.

Chair Schneiderman called the meeting to order at 6:30 P.M. on Wednesday, August 19, 2020 in the City Council Chambers. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, August 26, 2020.

ROLL CALL

Present: Commissioners Parsons, Barrow, Vice-Chair Martin and Chair Schneiderman
Absent: Commissioners Motts and Soliz (Commissioner Soliz arrived at 6:55 P.M.)
Staff: Director of Community Development, Forrest Ebbs
Planning Manager, Alexis Morris
Associate Planner, Jose Cortez
Contract Planner, Cindy Gnos
City Attorney, Thomas Lloyd Smith
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

NEW PUBLIC HEARING

1. **GP-18-02, PD-18-03, UP-18-19, and AR-18-20 – Delta Fair Village** - The applicant is requesting approval of the demolition of 73,546 sf of the 147,081 sf Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking garage. The apartment complex would include a courtyard with a clubhouse, pool, and playground. Additionally, a new 4,174-sf retail building would be constructed on the western portion of the site. The new development would total 411,511 sf. Necessary entitlements from the City include a General Plan Amendment from Regional Commercial to Mixed Use; Rezone from C-3 to Planned Development (P-D); Lot Line Adjustment; and Use Permit and Design Review for the development of a new retail building and a multi-family residential development at a density of 35 du/ac within a P-D zoning district (APNs: 076-440-029, -030, and -031).

Contract Planner Gnos presented the staff report dated August 19, 2020 recommending the Planning Commission 1) Adopt the resolution in Attachment A recommending approval of the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring and Reporting Program (MMRP); 2) Adopt the resolution Attachment B recommending approval of a General Plan Amendment for the purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02); 3) Adopt the resolution in Attachment C recommending approval of an ordinance rezoning the property to Planned Development District (PD-18-03); and 4) Adopt the resolution in Attachment D recommending approval of a Final Development Plan Use Permit (UP-18-19) and Design Review (AR-18-20).

Commissioner Soliz arrived at 6:55 P.M.

In response to Commissioner Parsons, Contract Planner Gnos stated the applicant had not raised any concerns regarding the conditions of approval and mitigation measures proposed by staff.

In response to Commissioner Barrow, Contract Planner Gnos clarified that the applicant would be demolishing 73,546 sq. ft., adding a 4,000 sq. ft building and new structure of 411,511 sq. ft. She noted 73,535 sq. ft. would remain and be upgraded prior to construction of the apartment project. She noted renovation plans for the retail/commercial elevations were provided in the packet.

In response to Chair Schneiderman, Contract Planner Gnos agreed that the structure was taller than average and to compensate, they had provided relief at the street with roof variations which also helped with massing. Director of Community Development Ebbs explained that he expected code enforcement issues to remain on site as long as there was a vacant building on the property. He commented that Contra Costa County Fire had codes and requirements during construction and job site security was standard.

Planning Manager Morris added that staff had included a condition of approval in the attached resolution requiring the property owner to resolve all Code Enforcement violations prior to issuance of building permits.

In response to Vice Chair Martin, Contract Planner Gnos reiterated which buildings would remain and which would be demolished. She explained that this project contributed to a significant impact at the intersection so they would be required to construct all of the Somersville Road/Buchanan Road intersection improvements. She commented that the City had an MOU with the Tuscany Meadow's developer that outlined the timing of payment for their fair share of those improvements. She noted once improvements were constructed and accepted, the City could reimburse the applicant for the construction.

Vice Chair Martin questioned if the Fire Department had a ladder truck at the Gentrytown Fire Station that could service a 64-foot-tall building.

Planning Manager Morris responded that the Fire Department had commented on the project and they were mostly concerned about being able to access all four sides of the building and had not raised any concerns about the height. She noted ladder trucks were available to serve the area because they had recently approved the AMCAL project that was also four stories.

In response to Vice Chair Martin, Contract Planner Gnos explained that if the building official determined solar was required, he would make sure it was provided. Speaking to staff's recommendation to modify the elevation to include a 12-inch pop out for the façade, she explained that those features would provide relief and shadows on the end of the building. She clarified that some of the peer review recommendations are not applicable because the building was not like any other building in town. She noted staff had decided what was important given the context of what was being proposed.

Commissioner Soliz apologized for joining the meeting late this evening and noted that it was due to a work-related meeting.

Chair Schneiderman opened the public hearing.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

Proponent

Eric Christen, spoke in support of the project. He commented that a letter sent in opposition from Antioch Residents for Responsible Development was a frivolous complaint to force the developer into an exclusionary agreement that would interfere with their ability to get the project built. He requested the Planning Commission debate the project on its merits.

Opponent

Kyle Jones, Antioch Residents for Responsible Development, stated that they were committed to sustainable community growth that addresses and minimizes environmental and public health impacts. He stated that they believed the City should set aside the IS/MND until an EIR was prepared because they believed the IS/MND contained errors that underestimated of total project impacts related to air quality and public health.

Chair Schneiderman closed the public hearing.

In response to Commissioner Parsons, Brian Pendley, Project Architect, stated that they would comply with all conditions of approval.

Commissioner Parsons stated that she liked the project and it would be a significant improvement to this area of the City. She commended the developer for improving this part of Antioch.

Chair Schneiderman agreed with Commissioner Parsons and noted that mixed use projects were the future of developments. She noted it would be a nice addition.

Commissioner Soliz stated that this area had been blighted for a long time and he was in favor of anything that would improve the area. He noted residents would be grateful as it would have a positive impact on property values in the area.

Commissioner Barrow commended the applicant for the significant improvement to the Delta Fair Boulevard and Buchanan Road corridor. He stated he liked the landscape frontage on Delta Fair Boulevard.

In response to Commissioner Barrow, Mr. Pendley stated the original design would have been apartments with a future conversion to condominiums; however, the developer was now interested in making this a condominium project.

Contract Planner Gnos responded that architectural peer review was completed and included in the staff report. She clarified that the project before the Planning Commission this evening did not include approvals to make it a condominium project. She noted that she had explained to the applicant that if it were a condominium project, they would have to submit tentative maps along with other items. She further noted that they had responded that that process would delay the project, so they were choosing to move forward with an apartment project. She explained that if they wanted to pursue condominiums, they would have to add a map now or come back to do so later. She reported that the project had been properly noticed.

In response to Commissioner Barrow, Mr. Pendley stated that these units would be market rate and clarified that this property owner did not own the property across the street. He explained that the use permit limited them to two years to pull a permit.

Commissioner Barrow commented that this project would add a positive impact to that community. He applauded the applicant for their project and wished them good luck.

In response to Commissioner Soliz, Contract Planner Gnos reiterated that the applicant had not submitted the tentative map for the condominium project so at this time the Planning Commission could continue this item to allow the applicant to submit the tentative map or he could submit it prior to beginning construction. She explained that converting the project to condominiums after it was constructed as an apartment project was a separate process that required notifications and relocation benefits as well as other processes.

Mr. Pendley stated the owner did not want to continue the public hearing; however, he noted that they had created the tentative map in February. He further noted they would rather get the project approved as apartments and address the conversion later.

Director of Community Development Ebbs added that the meeting was not noticed as a condominium project and it was not part of the staff report. He clarified that the item before the Planning Commission this evening was for a rental project.

Chair Schneiderman stated that this evening they would be considering the apartment project and informed the applicant that if they wanted to move forward with condominiums, they would have to contact the Planning Department and respond with the required submittals.

Planning Manager Morris clarified that if the building was built and occupied there was a chapter of State law regarding converting projects from apartments to condominiums. She noted if they wanted to move forward with condominiums, they could be processing the map within the next three to four months and be well underway prior to construction.

Mr. Pendley stated he understood the process.

Vice Chair Martin stated he realized that times had changed and the demand for retail had decreased. He stated he liked the project as proposed and encouraged the applicant to consider the need for a grocery store in this area of Antioch. He stated he was not supportive of tandem parking or reciprocal parking agreements. He noted it was a needed improvement for an area that was currently blighted.

Commissioner Soliz stated he was concerned that the applicant had suggested that they wanted to move forward with condominiums and questioned if it was better to approve it as apartments or wait until the applicant provided the proper documents so they could approve it as a condominium project. He stated condominiums would provide pride of ownership which would facilitate maintenance of the project.

Commissioner Parsons commented that time was money and she did not want to delay this development.

RESOLUTION NO. 2020-21

On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present adopted the resolution in Attachment A recommending approval of the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring and Reporting Program (MMRP). The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: Motts

RESOLUTION NO. 2020-22

On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution Attachment B recommending approval of a General Plan Amendment for the purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02). The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: Motts

RESOLUTION NO. 2020-23

On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment C recommending approval of an ordinance rezoning the property to Planned Development District (PD-18-03). The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: Motts

RESOLUTION NO. 2020-24

On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment D recommending approval of a Final Development, Plan Use Permit (UP-18-19), and Design Review (AR-18-20). The motion carried the following vote:

AYES: *Parsons, Soliz, Barrow, Martin and Schneiderman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Motts*

Chair Schneiderman congratulated the applicant on the project and stated he they wanted to move forward with condominiums, she encouraged him to work with Planning Department. She thanked him for investing in Antioch. She stated she hoped other property owners will want to make investments in the area.

Mr. Pendley thanked the Planning Commission.

NEW ITEM

- 2. AR-19-14 - Oakley Knolls Design Review** – The applicant, Discovery Builders Inc. requests design review approval for home designs and architecture for the previously approved development for the Oakley Knolls Subdivision. Plans include four different floor plans both one- and two-story plans and three architectural styles include Spanish, Traditional, and Cottage. The project site located on the north side of Oakley Road, immediately south of the terminus of Honeynut Street, east of Willow Avenue, and west of Phillips Lane.

Associate Planner Cortez presented the staff report dated August 19, 2020 recommending the Planning Commission adopt the resolution in Attachment A approving the Design Review application for home designs and architecture for the previously approved Oakley Knolls Subdivision.

Chair Schneiderman opened and closed the public comment period with no members of the public requesting to speak.

In response to Commissioner Barrow, Associate Planner Cortez explained that the applicant had incorporated the recommendations made by staff and the Planning Commission into the project.

Vice Chair Martin stated that he liked the improvements made to the project after the initial discussion of this item. He commented that the developer had only used two elevations on Hickory Nut Street, and it would have been nice if they had added another model. He noted the architecture could possibly provide a variety.

Chair Schneiderman commented that the designs, textures and materials were very well done.

RESOLUTION NO. 2020-25

On motion by Commissioner Barrow, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment A approving the Design Review application for home designs and architecture for the previously approved Oakley Knolls Subdivision. The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: Motts

Chair Schneiderman congratulated the applicant on their designs, wished them good luck with their project, and thanked them for investing in Antioch.

Commissioner Parsons commented that this project would have great access to the BART station.

ORAL COMMUNICATIONS

Planning Manager Morris announced the September 5, 2020 Planning Commission was cancelled and due to COVID-19 they were expecting light agendas and possibly cancelled Planning Commission meetings for the near future. She explained that they had recently become very busy and those applications should be coming to the Planning Commission in the winter/spring timeframe.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission unanimously adjourned the meeting at 7:49 P.M. The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: Motts

Respectfully submitted:
KITTY EIDEN, Minutes Clerk