

**ANNOTATED  
AGENDA  
CITY OF ANTIOCH PLANNING COMMISSION  
ANTIOCH COUNCIL CHAMBERS  
200 "H" STREET**

**WEDNESDAY, JANUARY 17, 2018**

**6:30 P.M.**

**NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.  
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION  
TO HEAR THE MATTER**

**APPEAL**

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, JANUARY 24, 2018.**

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during "public comments". Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

**ROLL CALL**

**6:30 P.M.**

Commissioners

Zacharatos, Chair (**absent**)  
Parsons, Vice Chair (**absent**)  
Motts (**Acting Chair**)  
Turnage  
Conley  
Martin  
Schneiderman

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

## **CONSENT CALENDAR**

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. **APPROVAL OF MINUTES:** **November 1, 2017** **APPROVED**

\* \* \*

END OF CONSENT CALENDAR \* \*

**MINUTES**

## **NEW PUBLIC HEARINGS**

2. **Zoning Ordinance Amendment** - The City of Antioch proposes to amend Title 9, Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) to address the Citywide use of collection facilities, including donation bins, AND definitions and regulations pertaining to garage sales. The Planning Commission will be making a recommendation to the City Council on this matter.

**STAFF REPORT**

**RESOLUTION NO. 2018-01**

3. **UP-17-03, AR-17-13, PW 357-303-17 - Arco AM/PM Gas Station/Convenience Store/Car Wash** – PM Design Group requests Planning Commission approval of a minor lot subdivision, use permit and design review for the subdivision of an existing 2.98 acre lot into three parcels and the construction of a gas station, car wash and convenience store on one of the newly created parcels. The project site is located at the southwest corner of Hillcrest Avenue and Wildflower Drive (**APN 052-460-011**).

**STAFF REPORT**

**RESOLUTION NO. 2018-02**

4. **PD-16-03, GP-16-01, UP-16-08, AR-16-04 – Wildflower Station** – Denova Homes requests approval of the Wildflower Station Mitigated Negative Declaration, a General Plan Amendment to Mixed Use, a rezone to Planned Development District (PD-16-03), a Vesting Tentative Map/Final Development Plan, a Use Permit and Design Review. The proposed project consists of nine commercial buildings totaling 89,422 square feet, four residential condominium buildings to accommodate 98 units, 22 new single-family homes and associated improvements on the 23.03 acre project site. The project site is located generally north of the intersection of Hillcrest Avenue and Wildflower Drive (**APN 053-140-002**).

**RESOLUTION NOS. 2018-03, 04, 05, 06**

## **ORAL COMMUNICATIONS**

**STAFF REPORT**

## **WRITTEN COMMUNICATIONS**

**STAFF REPORT**

## **COMMITTEE REPORTS**

## **ADJOURNMENT (9:03 pm)**

### **Notice of Availability of Reports**

This agenda is a summary of the discussion items and actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission 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. All of these materials are available at the Community Development Department located on the 2<sup>nd</sup> floor of City Hall, 200 "H" Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

### **Notice of Opportunity to Address the Planning Commission**

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

### **Accessibility**

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
7:00 p.m.**

**November 1, 2017  
City Council Chambers**

Chair Zacharatos called the meeting to order at 7:00 P.M. on Wednesday, November 1, 2017 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, November 8, 2017.

**ROLL CALL**

Present: Commissioners Martin, Motts, Turnage, Conley, and  
Chair Zacharatos  
Absent: Vice Chair Parsons  
Staff: Director of Community Development, Forrest Ebbs  
Police Chief, Tammany Brooks  
Planning Manager, Alexis Morris  
Assistant City Engineer, Lynne Filson  
Contract Planner, Kevin Valente  
Associate Planner, Kevin Scudero  
City Attorney, Elizabeth Perez  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes: September 6, 2017  
September 20, 2017

*On motion by Commissioner Turnage, seconded by Commissioner Conley, the Planning Commission approved the minutes of September 6 2017 and September 20, 2017 as presented. The motion carried the following vote:*

**AYES:** Motts, Turnage, Conley and Zacharatos  
**NOES:** None  
**ABSTAIN:** Martin  
**ABSENT:** Parsons

## **NEW PUBLIC HEARING**

- 2. Z-17-02, UP-17-01, V-17-05, AR-17-02 – Rocketship Elementary School Project – Gant Bowman and Harrison Tucker, Rocketship Education, requests approval of a Mitigated Negative Declaration, a rezone from Regional Commercial District (C-3); to Professional Office District (C-0), Variance from front setback requirements, Use Permit, and Design Review for the construction of a new charter elementary school with a total building area of 31,052-square-feet. The Project would serve up to 600 students between Pre-K and 5th Grade with 32 full-time staff. The 1.7-acre project site is located at 1700 Cavallo Road, Antioch, CA 94509. The site is identified by Contra Costa County Assessor's Parcel Number (APN) 065-151-049.**

Contract Planner Valente presented the staff report dated November 1, 2017 recommending the Planning Commission take the following actions: 1) Adopt the resolution recommending approval of the Rocketship Elementary School Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; 2) Adopt the resolution recommending approval of an ordinance Rezoning the project site from C-3 to C-0; and 3) Adopt the resolution recommending approval of: a Variance to allow a six-foot tall wrought iron fence within the front setback along Cavallo Road, a Use Permit for the construction of an elementary school, and Design Review, subject to conditions of approval.

In response to Commissioner Martin, Contract Planner Valente stated there were 25 spaces in the north parking area and overflow parking was in the southwest corner of the project site.

Assistant City Engineer Filson added they were considering restriping the roadway to allow parking along the curb; however, if vehicles began queuing onto the street they could prohibit left turns onto the property and parking along the curb during pick up and drop off times. She stated she proposed moving the bike lane away from the curb. She noted Rocketship provided a safe area for children to exit vehicles.

Contract Planner Valente added that if the offsite parking agreement was executed with the County, it would be for evening and weekend events. Planning Manager Morris added that it would also meet the needs for overflow parking.

Commissioner Martin questioned if the circulation plan was sufficient for minimum days when all of the children were dismissed at the same time.

Assistant City Engineer Filson responded that the traffic study did not address that issue. She noted the dynamics would be different at pickup times when parents would be waiting for their children to come to their vehicles and queuing may back onto

Cavallo Road, in which case she reiterated that they would prohibit left turns into the parking lot.

In response to Commissioner Conley, Assistant City Engineer Filson stated there was enough room to provide bike lanes and parking on both sides of Cavallo Road.

Commissioner Conley expressed concern with a bike lane being installed in an area with vehicles crossing it to enter and exit the property.

Assistant City Engineer Filson stated there would only be one area where vehicles would be crossing the bike lane and it was in place so children could ride their bikes to school. She noted that the school had indicated that they monitored vehicles aggressively.

Commissioner Turnage stated that he was also concerned with the ability to monitor children on bicycles and suggested having a bike lane on one side of Cavallo Road with children utilizing the crosswalk.

Assistant City Engineer Filson explained that the bike lane was provided for students as well as residents who wanted to utilize green infrastructure. She reiterated that if safety was an issue, left turns into the property would be prohibited.

Chair Zacharatos opened the public hearing.

Marie Gill, Bay Area Regional Director and Harrison Tucker, Director of Real Estate gave a PowerPoint presentation which included a history of their Charter School program, a response to key project concerns, project design, and architecture.

In addressing the project concerns, Mr. Tucker reviewed their security plan and requested condition #21 be revised to remove the requirement for “armed” security. He also reviewed their parking plan and stated they would commit to either having an active parking agreement in place or host school events at an offsite location. Additionally, in lieu of the enrollment restrictions, he requested implementation of a parking study protocol to ensure they were meeting their parking restrictions. He also requested removal of the condition requesting the facade change.

Ms. Gill thanked the Antioch Unified School District for authorizing the Charter School. She stated that she looked forward to bringing in a high quality educational opportunity that would provide for the advancement of economic development in the City.

In response to Commissioner Martin, Mr. Harrison stated that they estimated that five members of their staff would commute from outside the East County.

Ms. Gill added that they had an active ride share program in San Jose and eight staff members participated in the option.

In response to Chair Zacharatos, Mr. Harrison stated they served low income families with access to education and this area met the criteria for program needs and access. He clarified that Thursday's dismissal was staggered and they did not anticipate vehicles backing up onto Cavallo Road.

Ms. Gill added that they wanted the school to be located in an area that would be close to the families that they would be serving.

In response to Commissioner Turnage, Mr. Harrison stated that if they found they were not meeting their parking promises they would be willing to provide offsite parking for staff.

Angel Godinez Luevano, Executive Director of Todos Unidos, thanked the Planning Commission for their service and urged them to support the Rocketship Charter School. He suggested they expedite the process and make education a priority.

Nancy Fernandez, Antioch resident, spoke in support of Rocketship Charter Schools and urged the Planning Commission to approve the facility plan.

Marty Fernandez, Antioch resident, spoke in support of Rocketship Charter Schools and their investment in Antioch and children. He noted this option should be available for parents of students who cannot afford private school. He urged the Planning Commission to approve the plans.

Thomas McNell, Antioch resident, presented the Commission with a handout and spoke in support of Rocketship Charter Schools. He stated as a traffic volunteer at private schools, he did not believe parking would be an issue for this facility. He noted this project would be replacing a blighted building in the community and he urged the Planning Commission to approve the school as proposed.

Hans Ho, Antioch resident, stated he believed the Rocketship Charter School would improve the neighborhood, reduce crime, and increase property values. He urged the Planning Commission to approve the project.

Terry Ramus, Chamber of Commerce, spoke in support of the Rocketship Charter Schools investment in this area of the City. He reported he toured one of their facilities and it was very impressive. He stated the Chamber endorsed the plan to build an elementary school in Antioch. He urged the City to move through the process quickly and he urged the Planning Commission and City Council to approve the project.

Jessica Duran, Antioch resident, reported her daughter attended the Rocketship Charter School in Concord because it was the best educational choice for their family. She requested the Planning Commission support a local school for Antioch.

Natalie Lebron, Antioch resident, stated she was a second grade student at Rocketship and she enjoyed the school. She requested the Planning Commission approve the Antioch school so her mom would no longer have to drive out of the area for her to attend school.

Andrea Lebron, Antioch resident, stated she believed the parking issue could be resolved. On behalf of local families whose children attend a Rocketship school in Concord she discussed the need for a school in Antioch. She stated this facility offered children a place to obtain a better education and it would improve the community. She urged the Planning Commission to support the children and approve the project.

Walter Ruelig, Antioch resident, congratulated the parents in attendance for taking their job seriously and urged the Planning Commission to cooperate with them. He stated he did not believe armed security guards were practical. He spoke in support of quality education and equal opportunity for all students.

Debora Allen, East County Glass & Window Inc. and BART Director, stated children deserved better options for education and she requested the Planning Commission cooperate with Rocketship on this project. She committed to working with the school and BART on a transportation plan. She urged the Planning Commission to approve the project.

Chair Zacharatos closed the public hearing.

In response to the Commission, Chief Brooks reported that a 6 foot fence could be scaled and he would welcome any security in the area. He also stated that he did not know if the increase in activity would decrease illegal activity occurring in the area. He added that it was possible that video surveillance cameras at the intersection could capture activity in the area of the school.

In response to Commissioner Motts, Assistant City Engineer Filson stated she did not have concerns regarding parents parking on Cavallo Road as she felt it would go far to resolve the parking issues.

In response to Commissioner Motts, Planning Manager Morris stated staff's concern regarding the applicant's proposal to gradually increase enrollment years 1-3, was that if the parking study showed there was not adequate capacity, their option to reduce enrollment would be difficult.

Director of Community Development Ebbs stated that the issue regarding whether there was adequate parking would be a decision for the Planning Commission to make based on their judgment.

Planning Manager Morris stated conditions #29 and 30 were staff's interpretation of the citywide design guidelines and it was up to the Planning Commission's discretion.



Director of Community Development Ebbs added that design guidelines were for discussion purposes.

In response to Commissioner Martin, Assistant City Engineer Filson clarified the drive aisle would be utilized as playground when vehicles were not present. She noted at the end of the drive aisle there was overflow parking and as it continued there was a regular parking lot. She noted the proposal from the applicant did not work well and they have added “as approved by the City Engineer” to the condition of approval so they could work through the issues.

Chair Zacharatos stated this was an excellent project and she would like it to move forward.

Commissioner Conley stated he would accept the language as proposed from the applicant eliminating the requirement for the security guards to be armed. Speaking to parking issues, he noted there was not adequate parking at any school and to regulate this school to have more stringent requirements was not fair and would financially jeopardize the school by reducing enrollment. He further noted that he believed the parking issue would resolve itself. He stated he would move approval with staff recommendations modified per the applicant’s requests.

#### **RESOLUTION NOS. 2017-19, 2017-20, 2017-21**

***On motion by Commissioner Conley, seconded by Commissioner Turnage, the Planning Commission members present unanimously: 1) Adopted the resolution recommending approval of the Rocketship Elementary School Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; 2) Adopted the resolution recommending approval of an ordinance Rezoning the project site from C-3 to C-0; and 3) Adopted the resolution recommending approval of: a Variance to allow a six-foot tall wrought iron fence within the front setback along Cavallo Road, a Use Permit for the construction of an elementary school, and Design Review, subject to conditions of approval modified per the applicant’s request.***

***The motion carried the following vote:***

<b>AYES:</b>	<b><i>Motts, Martin, Turnage, Conley and Zacharatos</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>Parsons</i></b>

Chair Zacharatos declared a recess at 8:39 P.M. The meeting reconvened at 8:48 P.M. with all Commissioners present with the exception of Vice Chair Parsons who was previously noted as absent.

3. **Citywide General Plan Land Use Element Update:** The City of Antioch is proposing amendments to the Land Use Element of the General Plan. The purpose of these amendments is primarily to accommodate a pending Downtown Specific Plan and to properly designate affected properties. In addition, the amendments will address and reconcile past actions, will resolve minor conflicts, and will provide greater consistency throughout the document. The proposed changes do not affect the current Sand Creek Focus Area policies. An addendum to the original 2003 General Plan Environmental Impact Report (EIR) has been prepared. The proposed changes ultimately require City Council approval and the Planning Commission will serve as an advisory board, providing a recommendation to the City Council on the matter.

Director of Community Development Ebbs presented the staff report dated October 25, 2017, recommending the Planning Commission: 1) Recommend that the City Council Adopt the Addendum to the 2003 General Plan EIR; and 2) Recommend that the City Council adopt the Citywide General Plan Land Use Element Update.

Director of Community Development Ebbs stated staff was recommending that a property located at 18<sup>th</sup> Street near Highway 160 be changed from light industrial to high density residential to be consistent with the properties on both sides of the site. He noted the property owner was in support of the recommendation.

In response to Commissioner Motts, Director of Community Development Ebbs explained that this effort carved out space for the Downtown Specific Plan. He clarified that a portion of the Dow wetlands was in Antioch.

Director of Community Development Ebbs explained that the reduction in development yield was a reflection of past actions and technology which had eliminated undevelopable areas.

In response to Chair Zacharatos, Assistant City Engineer Filson stated it was her understanding that there was a voter initiative in the City of Pittsburg to bring Tuscan Meadows into their City.

In response to Commissioner Motts, Director of Community Development Ebbs clarified page 3.0.7 referencing the Sand Creek Focus Area, did not reflect the action by Council to table the update; however, the conclusions had not changed.

In response to Commissioner Martin, Director of Community Development Ebbs stated when the housing element was updated it would identify all vacant land for residential development.

In response to Commissioner Martin, Director of Community Development Ebbs explained in referencing page C22 that jobs were determined by square footage and to be consistent he utilized the same ratios to update the tables.

In response to Commissioner Martin, Director of Community Development Ebbs explained page C-32 in 4.4.3.2.(f) was a new policy and a result of feedback received as well as changes in state policies. He noted it was also in response to infill sites which allowed zoning ordinance amendments for commercial sites to be developed as multifamily.

Commissioner Martin stated he was concerned with commercial and multifamily being located on the same property. In speaking to page 4-43 Land Use, 4.4.6.2 (a), the fourth bullet, he stated if the Chevron property was annexed prior to this item going to Council, he would request that the language be updated to reflect that action.

Director of Community Development Ebbs stated once approved by Council, he would provide the Commission with copies of the General Plan Land Use Element Update for their records.

Chair Zacharatos opened and closed the public hearing with no members of the public requesting to speak.

#### **RESOLUTION NO. 2017-22**

***On motion by Commissioner Martin, seconded by Commissioner Turnage, the Planning Commission unanimously: 1) Recommended that the City Council Adopt the Addendum to the 2003 General Plan EIR; and 2) Recommended that the City Council adopt the Citywide General Plan land Use Element Update with direction to amend section 4.4.6.2 (a) fourth bullet, if the Chevron property is annexed to the City of Pittsburg prior to the item going to Council. The motion carried the following vote:***

<b>AYES:</b>	<b><i>Motts, Martin, Turnage, Conley and Zacharatos</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>Parsons</i></b>

#### **ORAL COMMUNICATIONS**

Director of Community Development Ebbs requested any Commissioners interested in attending the Planning Commission Academy in April to let him know.

#### **WRITTEN COMMUNICATIONS**

None.

#### **COMMITTEE REPORTS**

None.

**ADJOURNMENT**

***Chair Zacharatos adjourned the Planning Commission at 9:26 P.M. to the next regularly scheduled meeting to be held on December 6, 2017.***

Respectfully Submitted,  
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF JANUARY 17, 2018**

**Prepared by:** Forrest Ebbs, Community Development Director 

**Date:** January 4, 2018

**Subject:** Zoning Ordinance Amendments – Donation Bins and Garage Sales

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the resolution recommending that the City Council approve the proposed amendments to the Zoning Ordinance.

**REQUEST**

Community Development staff propose to modify the Zoning Ordinance to address donation bins and garage sales. The proposed amendments would clarify the City's expectations regarding the use of donation bins used for the collection of personal property and would provide a definition of garage sale that limits the number of annual sales and differentiates garage sales from retail sales.

**ENVIRONMENTAL**

The proposed project is exempt from the California Environmental Quality Act (CEQA), per Section 15061(b)(3) as it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment. The proposed project would address both minor accessory structures and ancillary uses of residential properties, neither of which have the potential to have a significant effect on the environment.

**ANALYSIS**

**Donation Bins**

In recent years, there has been an increased use of donation bins throughout the City of Antioch and elsewhere. These donation bins are typically of metal construction and are placed in parking lots in commercial areas. The bins are typically unattended and the public is invited to deposit personal property, mostly clothing, into the bins, which are routinely emptied by their sponsor. In some instances, unattended and poorly managed donation bins have resulted in the accumulation of donated property outside of the bin, which is unattractive and invites scavenging, which further spreads the debris. As such, it is in the City of Antioch's interest to regulate these donation bins in a consistent and fair manner.

The City is limited in its ability to uniquely regulate donation bins, as they have been found to be a form of protected speech by the courts. The City can, however, regulate the bins consistent with similar freestanding accessory structures or uses.

Presently, the City regulates “collection facilities”, which are generally used for the collection of recyclable materials, such as glass, aluminum, and paper. A collection facility is defined as, “A center for the acceptance by donation, redemption, or purchase of recyclable materials from the public. Such facility does not use power-driven processing equipment, except as set forth in this chapter.”

The regulations addressing collection facilities address both small and large collection facilities and anticipate that these facilities may be unattended. Since donation bins are similar in function and appearance to small collection facilities, staff is recommending that the regulations affecting small collection facilities be modified to explicitly include donation bins. Specifically, the proposed regulations acknowledge that “personal property” might be accepted at collection facilities. As a result, the typical donation bins would be treated just like a small collection facility and would require the issuance of an Administrative Use Permit in the commercial zones where permitted. Presently, small collection facilities are allowed in the C-1 (Convenience Commercial), C-2 (Neighborhood/Community Commercial), C-3 (Regional Commercial), MCR (Mixed Commercial/Residential), M-1 (Light Industrial), M-2 (Heavy Industrial), and RTC (Rivertown Retail) zoning districts with an Administrative Use Permit, issued by the Zoning Administrator.



### Garage Sales

The City of Antioch Municipal Code previously addressed garage sales through Title 3, Finance. At some point in the past five years, the language addressing garage sales was omitted as part of a broader update to that section of the Code. As a result, the City of Antioch does not presently have any regulations or definitions specifically addressing garage sales. Since garage sales are essentially an ancillary, or accessory, use of a residential property, staff finds that is most appropriate to locate any applicable regulations within the Title 9, Chapter 5 (Zoning Ordinance) of the Municipal Code.

In order to most efficiently address garage sales, staff proposes to add a definition to the Zoning Ordinance for both “Garage Sale” and “Retail, General and Specialty”. The proposed definitions are as follows:



**GARAGE SALE.** The sale of used personal property from a residence occurring as an accessory use of a residential property for a period of no more than three (3) consecutive days and no more than four (4) times in a calendar year. The sale of unused property, or occurrences lasting longer than three (3) consecutive days or occurring more than four (4) times in a calendar year constitutes **RETAIL, GENERAL AND SPECIALTY**.

**RETAIL, GENERAL AND SPECIALTY.** The sale of general merchandise from a fixed location to the general public.

The proposed definition of Garage Sale states that garage sales are allowed only at residences – a garage sale could not occur at a commercial location, by definition. Further, it would require that the garage sale occur only at the residence where the used property originated.

In addition, no residence could have more than four garage sales in a calendar year and all goods sold at the garage sale must be used. The definition would prevent the ongoing use of a residential property for regular, or weekly, garage sales, which has occurred, and would also prevent the sale of new merchandise. Any activity that exceeds these restrictions would no longer be considered a “Garage Sale” as defined, but would be considered “Retail, General and Specialty”, which is not permitted in residential zones.

Staff has also proposed a definition of “Retail, General and Specialty”. This term is already used in Table 9-5, Table of Land Use Regulations, but is not defined like other land uses. The simple definition would capture general retail uses throughout the City.

The Planning Commission is asked to forward this recommendation to the City Council for their action. The Commission may, at its discretion, offer any suggestions or recommended changes to the proposal or ask that staff take a different approach to these two issues.

## **ATTACHMENTS**

None

**CITY OF ANTIOCH PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL AMEND CHAPTER 5 OF TITLE 9 OF  
THE ANTIOCH MUNICIPAL CODE TO ADDRESS DONATION BINS AND GARAGE  
SALES**

**WHEREAS**, the City of Antioch proposes to modify Chapter 5 of Title 9, Zoning, to address donation bins and garage sales; and,

**WHEREAS**, the proposed project is exempt from the California Environmental Quality Act (CEQA), per Section 15061(b)(3) as it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment; and,

**WHEREAS**, the regulation of donation bins and collection facilities throughout the City of Antioch is in the interest of the City and its residents as these facilities have the potential to create a public nuisance if not properly regulated due to the accumulation of accepted goods outside of the container, architectural incompatibility, loss of required parking spaces, or damage to required landscaping; and,

**WHEREAS**, the regulation of garage sales throughout the City of Antioch is in the interest of the City and its residents as unregulated garage sales may lead to unacceptable traffic and noise impacts and is inconsistent with the character of residential neighborhoods; and,

**WHEREAS**, the Planning Commission on January 17, 2018, duly held a public hearing, received, and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission does determine:

1. The public necessity, convenience and the general welfare require the regulation of donation bins consistent with other collection facilities in the City of Antioch.
2. The public necessity, convenience and the general welfare require the regulation of garage sales in the City of Antioch as failure to regulate may result in a public nuisance due to the accumulation of accepted goods outside of the container, architectural incompatibility, loss of required parking spaces, or damage to required landscaping.



**NOW THEREFORE BE IT RESOLVED** the Planning Commission of the City of Antioch, after reviewing the staff report and considering testimony, does hereby **RECOMMEND** that the City Council amend Chapter 5 of Title 9 of the Antioch Municipal Code as follows:

**9-5.3812 SMALL COLLECTION FACILITIES.**

Small collection facilities:

- (A) Shall be no larger than 500 square feet in total area and occupy no required parking space. If the Zoning Administrator determines that required parking spaces must be used, then not more than five such spaces may be occupied and must be at the farthest distance possible from the host use;
- (B) Shall be set back at least 20 feet from any street line and shall not obstruct pedestrian or vehicular circulation nor create any sight distance problem;
- (C) Shall accept only glass, metals, plastic containers, and papers, or personal property;
- (D) Shall use no power-driven processing equipment, except for reverse vending machines;
- (E) Shall use containers which are constructed and maintained with durable waterproof and rustproof materials, covered when the site is not attended, secured from unauthorized entry or removal of materials, and of sufficient capacity to accommodate materials collected on the collection schedule;
- (F) Shall store all ~~recyclable~~ collected materials in containers or in the mobile unit vehicle and shall not leave materials outside of containers when an attendant is not present;
- (G) Shall be maintained free of litter. Mobile facilities at which the truck or containers are removed at the end of each collection shall be swept daily;
- (H) Shall (if attended facilities) operate only during the hours between 9:00 a.m. and 7:00 p.m. if located within 100 feet of a residential zone or use;
- (I) Shall locate containers for the 24 hour donation of materials at least 300 feet from any property zoned for occupancy by a residential use;
- (J) Shall feature clearly marked containers which identify the type of materials which may be deposited; and the facility shall be clearly marked to identify the name and telephone number of the operator and the hours of operation and display a notice stating that no material shall be left outside of the recycling enclosure or containers;
- (K) Shall feature identification signs not larger than 16 square feet, not counting the informational signs required by this section. Directional signs, bearing no advertising, may be installed with the approval of the Zoning Administrator if necessary to facilitate traffic circulation or if the facility is not visible from the public right-of-way;

- (L) Shall not impair the landscaping of the host use; and
- (M) Shall not reduce parking spaces below the minimum number required for the primary use unless the facility is located in a convenience zone or potential convenience zone as designated by the State Department of Conservation. A reduction in available parking spaces may then be allowed as follows:

Number of Available Spaces	Maximum Reduction
0-25	0
26-35	2
36-49	3
50-99	4
100+	5

#### **9-5.203 DEFINITIONS**

**COLLECTION FACILITY.** A center for the acceptance by donation, redemption, or purchase of recyclable materials or personal property from the public. Such facility does not use power-driven processing equipment, except as set forth in this chapter.

**COLLECTION FACILITY** may include the following:

- (1) Reverse vending machines;
- (2) Small collection facilities which occupy an area of not more than 500 square feet and may include:
  - (a) A mobile unit;
  - (b) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
  - (c) Kiosk type units which may include permanent structures; and
  - (d) Unattended containers placed for the donation of recyclable materials and/or personal property; and
- (3) Large collection facilities which may occupy an area of more than 500 square feet and may include permanent structures.

#### **9-5.203 DEFINITIONS**

**GARAGE SALE.** The sale of used personal property from a residence occurring as an accessory use of a residential property for a period of no more than three (3) consecutive days and no more than four (4) times in a calendar year. The sale of unused property, or occurrences lasting longer than three (3) consecutive days or occurring more than four (4) times in a calendar year constitutes RETAIL, GENERAL AND SPECIALTY.

**RETAIL, GENERAL AND SPECIALTY.** The sale of general merchandise from a fixed location to the general public.

RESOLUTION NO. 2018-\*\*

January 17, 2018

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\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17<sup>th</sup> day of January 2018.

AYES:

NOES:



ABSTAIN:

ABSENT:

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FORREST EBBS, SECRETARY TO THE  
PLANNING COMMISSION

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF JANUARY 17, 2018**

**Prepared by:** Kevin Scudero, Associate Planner   
**Reviewed by:** Alexis Morris, Planning Manager   
**Date:** January 12, 2018  
**Subject:** UP-17-03, AR-17-13, PW 357-303-17– ARCO AM/PM

**RECOMMENDATION**

It is recommended that the Planning Commission **APPROVE** the vesting tentative parcel map, use permit and design review for a minor lot subdivision, gas station, convenience store and self service car wash subject to the conditions contained in the attached resolution.

**REQUEST**

The applicant, PM Design Group, requests Planning Commission approval of a vesting tentative parcel map, use permit, and design review for a minor lot subdivision and construction of a new gas station with a 3,180 square-foot convenience store with beer, wine and tobacco sales, self service car wash and associated parking lot and landscape improvements. The project is located on an undeveloped parcel at the southwest corner of Hillcrest Avenue and Wildflower Drive (APN 052-460-011) (Attachment A).

**ENVIRONMENTAL**

The proposed project is an infill project, and is considered exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15332 – Infill Development Projects: 1) the project is consistent with the General Plan as well as the applicable zoning designation; 2) the proposed development occurs within the city limits on a project site no more than five acres; 3) the project site has no value as habitat for endangered, rare, or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality as the site is currently developed with a commercial use; and 5) the site is adequately served by all required utilities and public services. The applicant submitted noise and biological information demonstrating that there would be no significant environmental impacts providing further confirmation that the project could be exempted from CEQA.

## **ANALYSIS**

### **Issue #1: Project Overview**

The proposed project includes the subdivision of an existing 2.98 acre parcel into three separate parcels ranging from approximately 41,000 to 47,000 square feet in size. The project also includes the development of parcel number one on the proposed tentative map. The other parcels will be developed in future phases. The proposed development site will include a 3,180 square foot AM/PM convenience store with an attached self service car wash. The convenience store will be open 24 hours and sell beer, wine and tobacco in addition to the usual snacks, drinks and food items that are customary to convenience stores. The site will also include the construction of a 4,316 square foot canopy over nine fuel dispensers arranged in three rows. Additional site details include underground fuel storage tanks, a trash enclosure and landscaping and irrigation.

### **Issue #2: General Plan, Zoning Consistency, and Land Use**

The General Plan designation of the property site is Neighborhood Commercial. The site is zoned Neighborhood/Community Commercial (C-2), which is intended to accommodate various types of retail and commercial uses. An auto service station with a convenience store and car wash require the approval of a use permit

The surrounding land uses and zoning designations are noted below.

North: Vacant Land / Neighborhood/Community Commercial (C-2)  
South/West: Wildflower Dr., Safeway Shopping Center / Neighborhood/Community Commercial (C-2)  
East: Gas Station / Medical Office / Planned Development (PD)

### **Issue #3: Minor Lot Subdivision**

The proposed vesting tentative parcel map (Attachment E) would subdivide the existing 2.98 acre parcel into three parcels ranging from approximately 41,000- 47,000 square feet. All three parcels meet the minimum lot size and width standards for the Neighborhood/Community Commercial District (C-2) as outlined in section 9-5.601 of the Antioch Municipal Code.

Only one of the parcels is currently being proposed for development. The future development of the remaining two parcels will require design review approval and potentially a use permit depending on the uses being proposed. Staff has conditioned that a mutual access and parking agreement be recorded between the parcels concurrent with or prior to the recording of the parcel map. Staff has also conditioned that the project shall comply with Commercial Property Maintenance Ordinance, Section 5-1.204 of the Antioch Municipal Code. This section of the code applies to commercial properties with separate parcels to ensure that the maintenance for common areas and parking lots are provided in a uniform and consistent manner.

The overall development will have two access driveways on Wildflower Drive and one on Hillcrest Avenue with an additional site access located off of the driveway located to the rear of The Crossings (Safeway) shopping center.

#### **Issue #4: Architecture, Design, and Landscaping**

The proposed site would demonstrate standard franchise architecture and site design. The building design is similar to the ARCO AM/PM station at the intersection of Contra Loma Boulevard and Buchanan Road that was approved by the Planning Commission on May 4, 2016. The convenience store is generally rectangular with stucco siding and stone that wraps around the base. The colors are earth tone and tile details accent the tower elements. The primary storefront is predominantly glass with brown aluminum metal awnings over hanging the windows and entrance.

The proposed canopy is a cream color with three structural columns asymmetrically placed. The columns are stucco with a stone base. The canopy contains a broad blue dimensional bull-nosed band with central circular sign elements and a cornice around the perimeter to tie it in architecturally with the convenience store. The only lighted elements of the canopy will be the channel letters, logos and canopy down lights.

The landscaping is located primarily around the perimeter of the site and the project complies with the required thirty foot front and street side landscaping setback. The landscape plan includes a variety of drought tolerant trees, shrubs and ground cover that meet the City of Antioch standards. Additional trees were included in the planter behind the car wash to provide screening of the rear wall.

The proposed monument sign has a stone base but does not contain any other architectural features. Section 7.4.1b of the Citywide Design Guidelines for monument signage requires "additional architectural elements such as columns, pilasters, cornices, trellises and similar details shall provide design interest and frame the sign panel." While the stone base is architecturally compatible with the building design, staff has conditioned the project to add additional features to better frame the sign panel. The revised sign design is required to be included with the building permit submittal and be subject to the approval of the Zoning Administrator.

#### **Issue #5: Site Plan, Circulation and Parking**

As described above, the proposed project will include nine gas dispensers covered with a new canopy and 3,180 square foot convenience store with an attached self service car wash. The site will be accessed via one driveway on Hillcrest Avenue and one on Wildflower Drive. The proposed route for the fueling trucks has them entering from the Hillcrest Avenue Driveway and exiting onto Wildflower Drive.

The Antioch Municipal Code requires automotive service stations with convenience stores to provide one parking space per 250 square feet of gross floor area plus one

space per employee on the largest shift. The site will contain ten standard parking spaces, one accessible space, and eighteen fueling positions; a total of twenty nine parking spaces, which is more than the seventeen spaces the Municipal Code requires.

The Citywide Design Guidelines require car wash facilities to be designed to minimize machinery and blower noise, and to be oriented away from sensitive uses. The nearest residential use is located across Hillcrest Avenue to the north and the proposed car wash is located at the south end of the site behind the convenience store. Locating the car wash at the southern end of the site behind the convenience store will further minimize the potential noise impacts it generates. The applicant submitted a sound study (Attachment D) which demonstrates that locating the car wash behind the convenience store will further mitigate the noise impacts to the north.

The proposed driveway entrance to the site on Wildflower Drive requires the relocation of the existing bus stop on Wildflower Drive. The applicant has proposed to relocate the bus stop to the north, closer to Hillcrest Avenue. Staff is concerned that the new location is too close to the intersection and recommends that the new bus stop be relocated to the south of the new driveway entrance in order to improve traffic safety. Tri-Delta Transit has also submitted comments requesting an adequate bus stop at or near the existing location that meets their specifications. Therefore, staff has included a condition of approval in the attached resolution requiring that the applicant work with Tri Delta Transit and City engineering staff on a new bus stop location subject to the approval of the City Engineer.

Currently, there is a four foot sidewalk on Hillcrest Avenue with a six foot landscape strip that currently has no landscaping. This was installed in the 1980's and has proven to be inadequate because a four foot sidewalk does not meet current ADA standards unless it has "passing" areas where two wheelchairs going in opposite directions can pass each other. In addition, the BART North Concord to Antioch Access Study currently underway has identified the four foot sidewalks on Hillcrest Avenue as a hindrance to pedestrian access to the eBART station. Therefore, staff is recommending that the four foot sidewalk on Hillcrest Avenue be replaced by a minimum six foot wide sidewalk with a minimum four foot landscape strip to bring it up to current ADA requirements. Staff has also conditioned that a revised landscaping and irrigation plan be submitted with the building permit submittal that includes the landscape strip along the entire Hillcrest Avenue property frontage.

## **ATTACHMENTS**

- A: Vicinity Map
- B: Project Description
- C: Site Plan
- D: Car wash noise study
- E: Tentative Parcel Map

**CITY OF ANTIOCH PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION APPROVING  
A VESTING TENTATIVE PARCEL MAP, USE PERMIT, AND DESIGN REVIEW FOR  
ARCO AM/PM AUTO SERVICE STATION, CAR WASH AND CONVENIENCE STORE  
(UP-17-03, AR-17-13, PW 357-303-17)**

**WHEREAS**, the City of Antioch received a request from PM Design Group for approval of a vesting tentative parcel map, use permit, and design review, for the subdivision of an existing 2.98 acre parcel into three parcels and construction of a new gas station with an approximately 3,180 square-foot convenience store and an attached drive-through car wash. The project is located at the southwest corner of Hillcrest Avenue and Wildflower Drive (APN 052-460-011); and,

**WHEREAS**, the project is categorically exempt under CEQA Guideline 15332-Infill Development Projects, and,

**WHEREAS**, the Planning Commission duly gave notice of public hearing as required by law; and,

**WHEREAS**, the Planning Commission on January 17, 2018, duly held a public hearing and received and considered evidence, both oral and documentary.

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

1. That the subdivision, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site is designated Neighborhood Commercial in the General Plan and is zoned Neighborhood/Community Commercial and the subdivision will accommodate uses that are consistent with the General Plan on each of the lots created by the subdivision; and,
2. That the subdivision proposed by the Vesting Tentative Parcel Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The proposed subdivision meets the City's criteria for the parcel map. The City's Planning and Engineering staff have reviewed the Vesting Tentative Map and evaluated the effects of the subdivision proposed and have determined that the Vesting Tentative Parcel Map complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.



**BE IT FURTHER RESOLVED** that the Planning Commission does hereby make the following findings for approval of a 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.

The proposed project is located in an area with adjacent commercial developments. Adequate parking for the proposed use is provided on-site. The proposed project will not be detrimental to the public health or welfare or injurious to the property or improvements.

2. The use applied at the location indicated is properly one for which a Use Permit is authorized.

The site is zoned Neighborhood/Community Commercial (C-2) which allows gas stations with a convenience store and car wash with a Use Permit.

3. The site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

The project site contains 7.07 acres and the project has been designed to accommodate ordinary vehicle traffic, as well as occasional fuel delivery trucks. Further, the queue for the car wash is capable of containing ordinary stacking of vehicles. The project has been designed to meet the current development standards for the zoning district.

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

The project site is located at the corner of Hillcrest Avenue and Wildflower Drive. Both streets are adequate in width and pavement type to carry the traffic generated by the proposed use.

5. The granting of such Use Permit will not adversely affect the comprehensive General Plan.

The use will not adversely affect the comprehensive General Plan because the project is consistent with the General Plan designation for the site of Neighborhood Commercial.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission of the City of Antioch does hereby **APPROVE** UP-17-03, AR-17-13 and PW-357-303-17, to allow the construction of a gas station with a convenience store and self service car wash, 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 on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission.
3. No building permit will be issued unless the plan conforms to the site plan as approved by the Planning Commission and the standards of the City.
4. This approval expires two years from the date of approval (expires January 17, 2020), 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. 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.
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. City staff shall inspect the site for compliance with conditions of approval prior to final inspection approval.
9. Approval of this vesting tentative parcel map ("tentative map") is subject to the time lines established in the State of California Subdivision Map Act.
10. Approval of this vesting tentative map shall not constitute approval of any improvements shown on the tentative map.

11. Approval of this vesting tentative map shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.
12. A mutual access and parking agreement shall be recorded between the parcels concurrent with or prior to the recording of the parcel map, as approved by the City Engineer.
13. 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.
14. 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.
15. All access drive aisles shall be constructed per current ADA and City standards, subject to review and approval by the City Engineer.

**B. CONSTRUCTION CONDITIONS**

1. The use of construction equipment shall comply with AMC § 5-17.04 and 5-17.05, or as approved in writing by the City Manager.
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.
5. Driveway access to neighboring properties shall be maintained at all times during construction.
6. Asphalt paving shall have a minimum slope of two percent (2%), concrete paving shall have a minimum slope of 0.75%, except asphalt paving for identified accessible parking stalls and access routes shall have a minimum slope of 1.5% and a maximum slope of 2%, or as approved by the City Engineer.

7. All on-site curbs, gutters and sidewalks shall be constructed of Portland cement concrete.

**C. AGENCY REQUIREMENTS**

1. All requirements of the Contra Costa County Fire Protection District shall be met, including:
  - a. The developer shall submit a minimum of two (2) complete sets of 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.
    - i. Building construction plans
    - ii. Above ground/underground flammable/combustible liquid storage tanks
  - b. Flammable or combustible liquid storage tanks shall not be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC
2. All requirements of the Contra Costa County Flood Control District included in the letter submitted to the City of Antioch and dated December 7, 2017 shall be met.

**D. FEES**

1. The applicant shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
2. The applicant shall pay all pass through fees required by the development.
3. The developer shall pay any Contra Costa County Flood Control District Drainage Area fees and the Contra Costa County map maintenance fee in effect at the time of the filing of the parcel map.
4. The property shall annex into Street Lighting and Landscape District 1 Zone 1 and accept a level of annual assessments sufficient to maintain street lights and landscaping adjacent to the project before the parcel map is recorded. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.

**E. PROPERTY MAINTENANCE**

1. 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.
2. The project shall comply with AMC § 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in AMC § 5-1.204(G).
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. No signs shall be installed on this site without prior City approval.
5. 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.
6. Any undeveloped areas on-site shall be maintained in an attractive manner which ensures fire safety and prevents any runoff onto the adjacent sidewalks.

**F. GRADING**

1. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. 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.

**G. CONSERVATION/NPDES**

1. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control

Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

2. The following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
  - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
  - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
  - c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
  - d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm

Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility. 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 on all catch basins "No Dumping, Drains to River" decal buttons.
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, 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 applicant 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.

#### **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. All storm water flows shall be collected onsite and discharged into an approved public storm drain system.
- 3. 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.
- 4. The sewer collection system shall be constructed to function as a gravity system.
- 5. A reduced pressure backflow preventer assembly shall be installed on all City water meter services.
- 6. Double detector check fire line backflow assemblies shall be enclosed within an easement granted to the City, as needed, and at no cost to the City.



7. 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.
8. 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.
9. All onsite utilities shall be privately maintained and connected to public facilities in accordance with City Standards, or as approved by the City Engineer.
10. 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 this building.
3. Landscaping for the project shall be designed to comply with the applicable requirements of the 2015 California 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. All trees shall be a minimum 15-gallon size and all shrubs shall be a minimum 5-gallon size.

**J. PROJECT-SPECIFIC CONDITIONS**

1. This vesting tentative parcel map, use permit, and design review approval applies to the minor lot subdivision into three parcels and construction of a new gas station with a 3,180 square-foot convenience store, self service car wash

and parking lot improvements on Parcel 1, and associated landscape improvements as depicted on the project plans submitted to the Community Development Department and dated October 18, 2017. Any forthcoming plans submitted for any purpose shall be entirely consistent with these received plans and conditions of approval herein. Minor modifications require the approval of the Zoning Administrator per AMC § 9-5.2708, Changed Plan; New Applications. Issuance of a Building Permit, Grading Permit or other permit does not negate or supersede this requirement.

2. All future phases of site development shall be subject to use permit and design review approval.
3. No liquor may be sold at the site. Only beer and wine may be sold under an ABC Type-20 Off-Sale Beer and Wine license.
4. Tobacco sales shall comply with AMC § 9-5.3843, Tobacco and Paraphernalia Retailers. Less than twenty percent of the sales area may be devoted to tobacco products. The sale of drug paraphernalia is prohibited.
5. Additional features shall be added to frame the monument sign in a manner consistent with the requirements of Design Guidelines Section 7.4.1b. The revised sign design shall be included with the building permit submittal and be subject to the approval of the Zoning Administrator.
6. The only lighted elements of the fuel canopy shall be the channel letters, logo, and canopy down lights. No illuminated band is allowed.
7. All canopy supports shall have stone wrapped around the base.
8. No more than 50% of the total window area may be covered with graphic lettering, signage, or other devices that may obscure vision into the building.
9. All rooftop mechanical equipment shall be screened from the public right-of-way. A line of sight study shall be submitted with the building permit submittal confirming the equipment is screened.
10. All electrical transformer boxes, raceways and conduits shall be concealed from view.
11. All lighting sources shall be shielded, diffused or indirect to avoid glare to pedestrians and motorists.
12. The trash enclosure shall comply with AMC §9-5.1401 Refuse Storage Area Design Guidelines.

13. The operator shall store all cardboard and other refuse entirely within the enclosure or within the store.
14. Sidewalks along the entire Hillcrest Avenue property frontage shall be reconstructed per City standards to a minimum width of six feet (6') with a minimum four foot (4') landscaping strip between the sidewalk and street. A landscaping and irrigation plan for the four foot landscaping strip shall be included with the building permit submittal and be subject to the approval of the Zoning Administrator. .
15. The applicant shall work with Tri-Delta Transit and the City Engineer on the relocation of the existing bus stop to the south of the new driveway on Wildflower Drive to meet the requirements of both Tri Delta Transit and the City Engineer. Wildflower Drive shall be restriped per California MUTCD standards from the extension of the west property line to Hillcrest Avenue, as approved by the City Engineer.
16. The existing curb ramp at the corner of Hillcrest Avenue and Wildflower Drive, and next to the Antioch Crossings Retail Center public driveway at Hillcrest Avenue, shall be removed and replaced with new City standard curb ramps meeting current ADA requirements.
17. The parking lot striping and signing plan shall be approved by the City Engineer.
18. All parking spaces shall be double-striped and all parking lot dimensions shall meet minimum City policies and Antioch Municipal Code requirements.
19. No more than ten percent (10%) of parking spaces shall be compact per AMC §9-5.1711.
20. The red curb along the project frontage shall be repainted.
21. The applicant shall show a turning template on the site plan verifying that delivery trucks can safely ingress, egress and successfully maneuver throughout the site.
22. Trash enclosures shall not be located within any easement areas.
23. No automotive repair shall be allowed on the ARCO site. Any future automotive repair uses shall be subject to use permit approval.
24. The applicant may be subject to a Planning Commission hearing, per Section 9-5.2707.1 of the City of Antioch Municipal Code, if the Antioch Police Department or Code Enforcement Division must respond to this property as a result of complaints received due to incidents related to the sale of alcohol and/or tobacco. If the Planning Commission determines that the conditions of approval

are not met or the sale of alcohol and/or tobacco has become a public nuisance or otherwise a threat to public health, safety, or welfare, it can result in revocation or modification of the use permit or imposition of a fine.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17<sup>th</sup> day of January, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

FORREST EBBS, SECRETARY TO THE  
PLANNING COMMISSION

# ATTACHMENT “A”







# ATTACHMENT “B”

August 14, 2017

**RECEIVED**

AUG 23 2017

RE: **PROPOSED ARCO AM/PM GAS STATION**  
SWC of Hillcrest Avenue & Wildflower Drive  
Antioch, CA  
BPW16015.0

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

### Project Narrative

The proposed project is located at the western corner of Hillcrest Avenue and Wildflower Drive in Antioch. The owner is proposing to subdivide the 2.98 Acre lot, which is currently a vacant piece of property, into three parcels. BP/ Arco plans to develop proposed parcel #3 (1.07 acres) into an Arco am/pm gasoline service station with a self-serve car wash. The proposed development consists of an Arco AM/PM convenience store of 3,180 sq. ft., a 52'x 83'-8" canopy with 9 fuel dispensers, a 24'x48' self-service car wash building, underground fuel storage tanks, trash enclosure and landscaping & irrigation. Total building area will be 8,804 sq. ft. (19% lot coverage). Total landscaping will be 13,307 sq. ft. (28.5% lot coverage).

Required parking consists of the following: C-store; 1 per employee and one per 250 sq. ft. of sales area (less restroom and office area). The C-store building area less the restrooms and office is 2,974 sq. ft ( $2,974/250 = 11.9$  spaces) plus 2 employee parking spaces equals 14 spaces. Provided parking includes 10 standard spaces, 1 accessible space, and 18 fueling positions (29 total). Eleven (11) designated parking spaces are part of the proposed development while the 18 fueling positions will provide parking for customers as well.

The convenience store will be open 24 hours and will sell the usual snacks, drinks and food items that are customary to a store of this type. Beer, wine and tobacco sales are also proposed for this location and alcohol sales will be in accordance with the conditions of approval.

During peak hours the Arco business will have 2-5 employees on-site per shift. This will vary depending on needs of the business (i.e. sales, deliveries, etc). There will be two employees during non-peak hours. Cash control procedures include registers that remind cashiers to make periodic cash drops into a cash validating safe that can't be accessed to employees. An armored car company is the only one with access to the safe and they deliver the money to the bank. The facility will be equipped with 16-32 security cameras, strategically placed in the interior and exterior of the store. The cameras record to a DVD. 30-60 days of video footage are stored at the site at all times.

The landscaping, irrigation, and trash enclosure are designed to meet City of Antioch standards. The site and buildings are designed to meet all accessibility standards/requirements. In accordance with planning department requests, additional architectural features have been



added to the prototypical building design to tie the tower elements into the rear of the building. Architectural elements added to the standard canopy design to tie it in with the building design include a cornice on top of the canopy and stucco/ wainscot on the canopy columns. The canopy LED strip has also been removed from the design. The only lighted elements of the canopy will be the channel letters, logos, and canopy down lights. Landscaping has been designed to meet City standards and includes trees in the planter behind the building to provide screening. Colors used are prototype colors for BP/ Arco facilities.

Please contact me if you have any questions or need additional information.

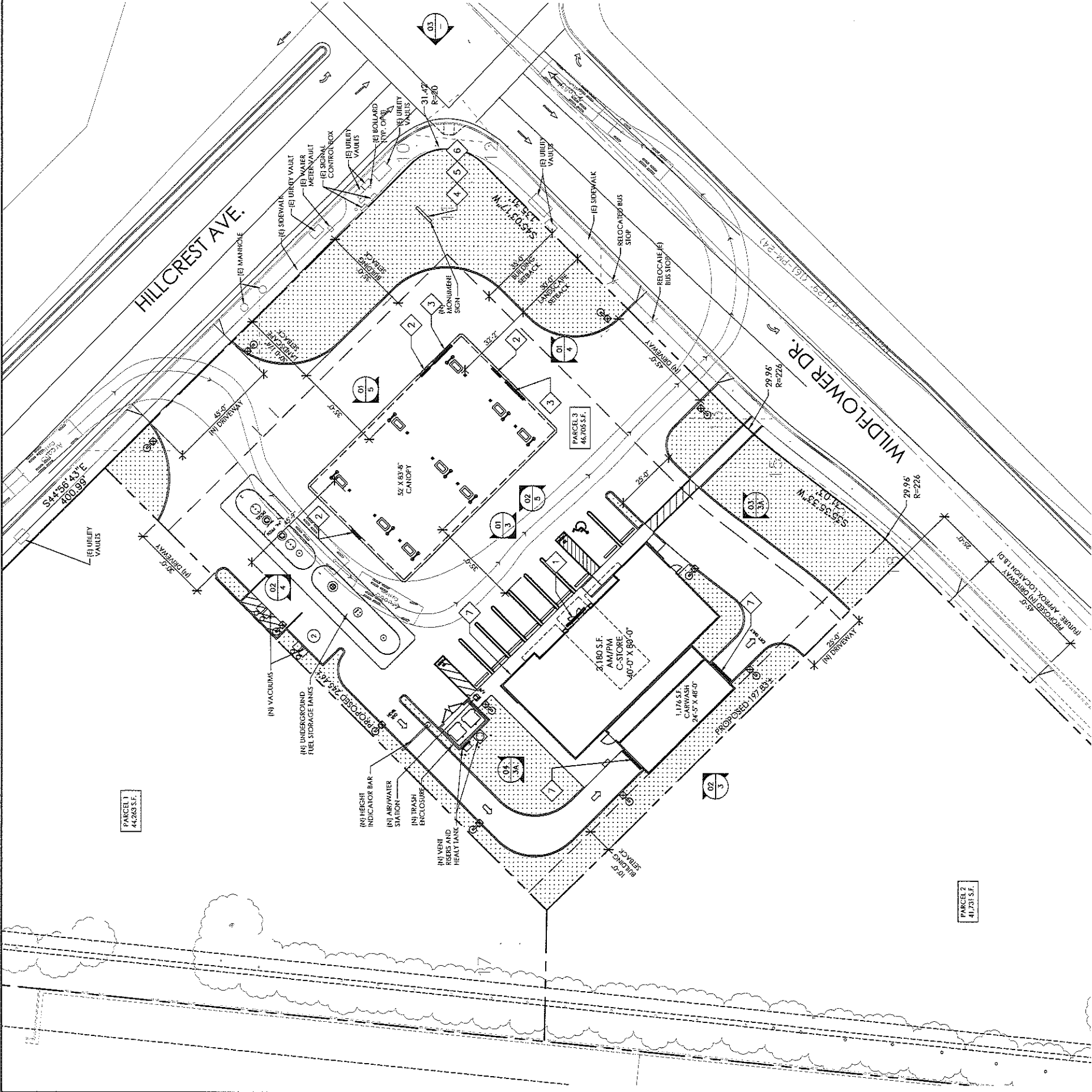
Respectfully,

Pedro McCracken DESIGN GROUP, INC.



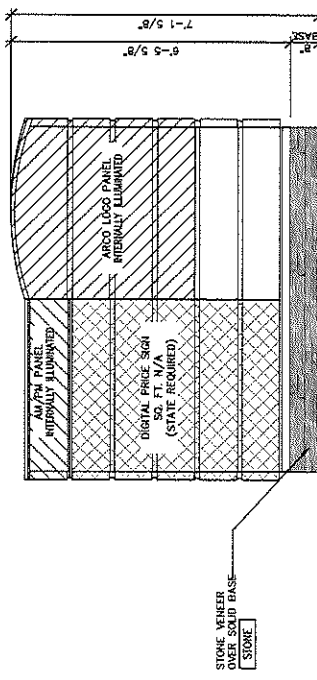
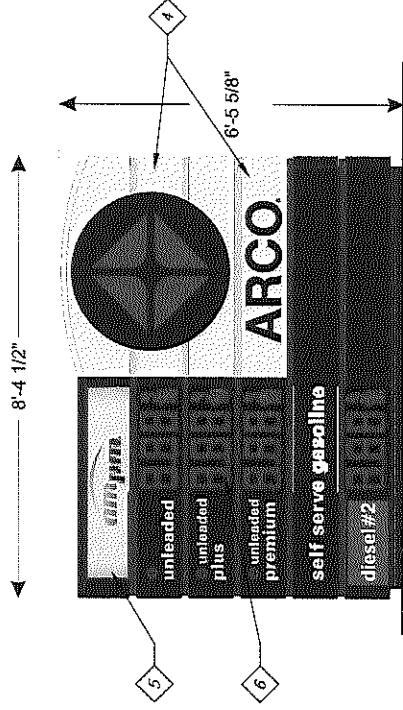
Chris Brown, Project Manager  
2455 Bennett Valley Road, Suite A-102  
Santa Rosa, CA 95404  
(707) 921-1204  
[cbrown@pmdginc.com](mailto:cbrown@pmdginc.com)

# ATTACHMENT “C”



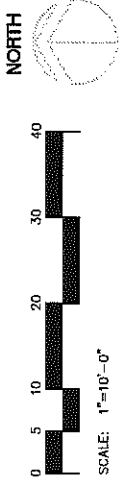
1 PRELIMINARY SITE PLAN  
SCALE: 1" = 20'-0"

SIGN CALCULATIONS						
#	DESCRIPTION	DIMENSIONS	SQ. FT.	QUANTITY	TOTAL SQ. FT.	COMMENT
1	AM/PM LOGO	10'-0 1/2" x 4'-3"	42.71	1	42.71	INTERNALLY ILLUMINATED
2	ARCO SPARK LOGO	36" DIA.	7.07	3	21.21	INTERNALLY ILLUMINATED
3	ARCO CHANNEL LETTERS	6'-0" x 1'-8"	10.0	2	20.0	INTERNALLY ILLUMINATED
4	MONUMENT - ARCO LOGO PANEL	4'-3" x 6'-0"	25.5	1	25.5	INTERNALLY ILLUMINATED
5	MONUMENT - AM/PM PANEL	4'-3" x 1'-0"	4.25	1	4.25	INTERNALLY ILLUMINATED
6	MONUMENT - DIGITAL PRICE SIGN	4'-3" x 5'-0"	N/A	1	N/A	STATE REQUIRED
7	CARWASH SIGN	10'-0" x 1'-2"	N/A	3	N/A	INFORMATIONAL SIGN
TOTAL SQ. FT.					113.7	



2 MONUMENT SIGN

# ATTACHMENT “D”



NOV 02 1957

CITY OF ANTIPOLO  
COMMUNITY DEVELOPMENT OFFICE

1 CARWASH SOUND STUDY  
SCALE: 1" = 10'-0"

# ATTACHMENT “E”

TENTATIVE MAP NOTES

OWNER: JAVA ACQUISITION COMPANY 0049, LLC  
3000 INTERNET BLVD.  
FRISCO, TX 75034

ENGINEER: DEBOLT CIVIL ENGINEERING  
811 SAN RAMON VALLEY BLVD.  
DANVILLE, CA 94526  
(925) 837-3780

ASSESSOR'S PARCEL NO.: 082-460-011

AREA: 129,812± SQ. FT. (2,980± AC.)

ZONING: C-2

GENERAL PLAN: NEIGHBORHOOD COMMERCIAL

CONTOUR INTERVAL: 1 FOOT

UTILITIES: GAS & ELECTRIC P.G.A.E.  
TELEPHONE S.B.C.  
SEWER CITY OF ANTIOCH  
WATER CITY OF ANTIOCH  
GARBAGE REPUBLIC SERVICES / ALLIED WASTE

UTILITY LOCATIONS SHOWN ARE BASED ON UTILITY COMPANY RECORDS AND ARE APPROXIMATE ONLY.

BOUNDARY NOTE: APPROXIMATE BOUNDARY INFORMATION SHOWN WAS COMPILED FROM AVAILABLE RECORD DATA AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY.

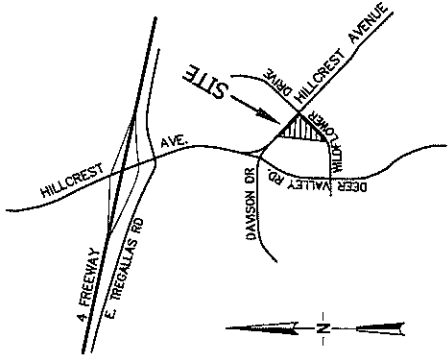
PROJECT DESIGN: SUBDIVIDE THE SUBJECT PROPERTY INTO THREE PARCELS

KEY TO EXISTING EASEMENTS

- NOTE: THE NUMBERS SHOWN BELOW CORRESPOND TO THOSE USED IN THE PRELIMINARY TITLE REPORT ISSUED BY CHICAGO TITLE COMPANY, ORDER NO. FCLA-7017000826-CC, DATED APRIL 6, 2017.
- NUMBERS WITHIN HEXAGON SYMBOLS ARE PLOTTED ON THIS MAP.
- 6 16' WIDE PIPELINE EASEMENT TO CROWN-ZELLERBACH CORPORATION & FIBERBOARD PRODUCTS INC. (2374 D.R. 428) 7/19/1955
  - 9 14' WIDE BUILDING SETBACK EASEMENT AND 21' WIDE LANDSCAPE EASEMENT RESERVED BY ALBERT D. SEENO CONSTRUCTION CO. (15475 O.R. 883) 11/14/1989
  - 10 GAS PIPELINE EASEMENT TO PACIFIC GAS & ELECTRIC COMPANY (15782 O.R. 408) 4/11/1990
  - 13 LAND LEASE TO GTE MOBILENET OF CALIFORNIA (2015-131340) 6/25/2015
  - 14 15' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT AND 6' WIDE NON-EXCLUSIVE UTILITY EASEMENT (2015-131340) 6/25/2015

BENCHMARK

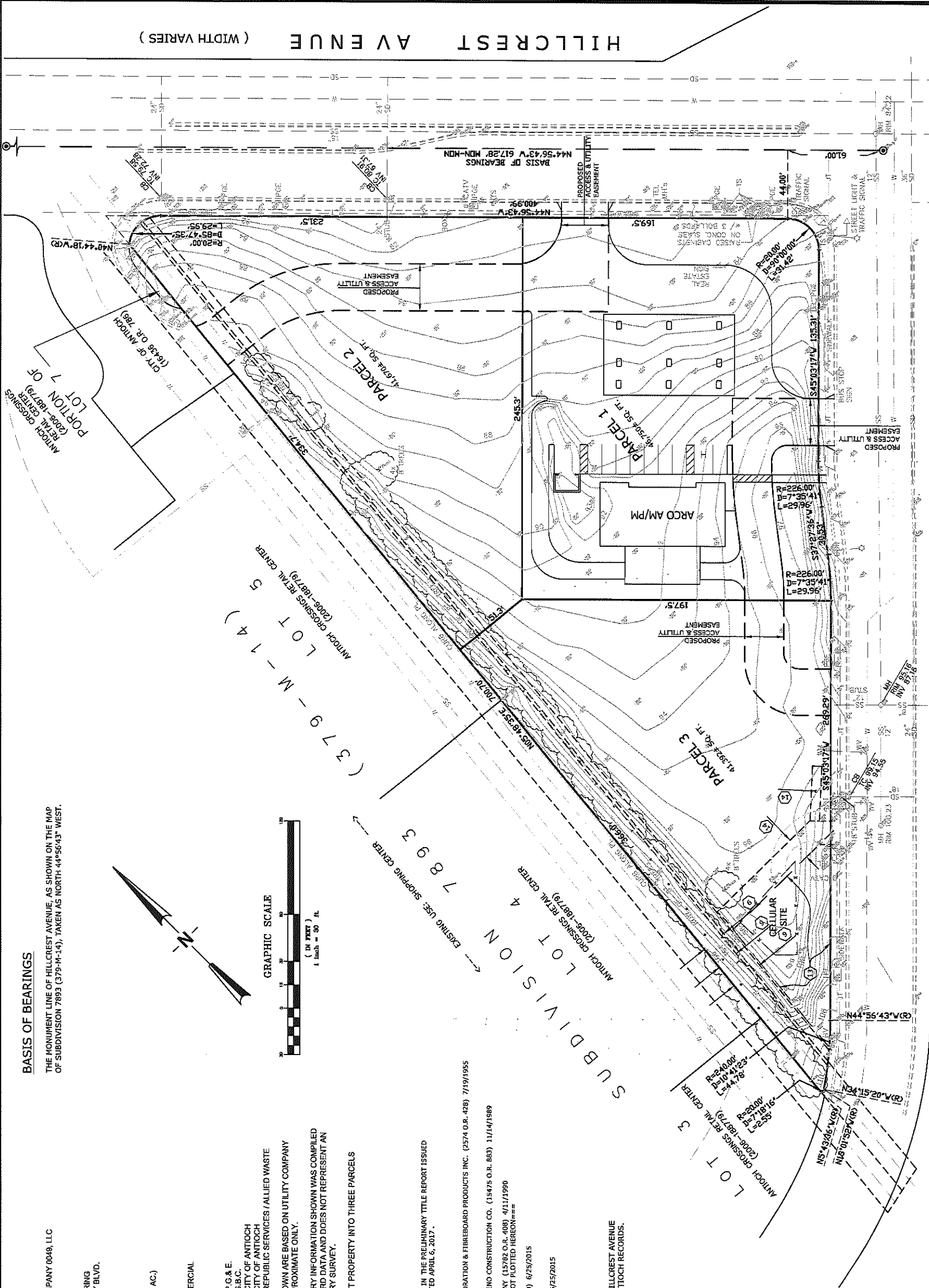
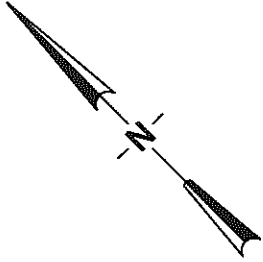
THE MONUMENT DISC LOCATED AT THE INTERSECTION OF HILLCREST AVENUE AND WILDFLOWER DRIVE, ELEVATION 83.78 PER CITY OF ANTIOCH RECORDS.



VICINITY MAP  
N.T.S.

BASIS OF BEARINGS

THE MONUMENT LINE OF HILLCREST AVENUE, AS SHOWN ON THE MAP OF SUBDIVISION 7893 (379-M-14), TAKEN AS NORTH 44°56'43" WEST.



WILDFLOWER DRIVE (WIDTH VARIES)

HILLCREST AVENUE & WILDFLOWER DRIVE  
MINOR SUBDIVISION

CITY OF ANTIOCH

CONTRA COSTA COUNTY

CALIFORNIA

#	REVISIONS	DATE



DeBolt Civil Engineering  
811 San Ramon Valley Boulevard  
Danville, California 94526  
Tel: 925/837-3780  
Fax: 925/837-4378

Date: 07/27/2017  
Scale: 1" = 30'  
By: JED / ar  
Job No.: 03186



**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF JANUARY 17, 2018**

**Prepared by:** Paul Junker, Contract Planner  
**Approved by:** Alexis Morris, Planning Manager  
**Date:** January 17, 2018  
**Subject:** Wildflower Station (GP-16-01, PD-16-03, PW 460-4, UP-16-08, AR-16-04)

**RECOMMENDATION**

It is recommended that the Planning Commission take the following actions:

1. Adopt the resolution recommending adoption of the Wildflower Station Initial Study and Mitigated Negative Declaration.
2. Adopt the resolution recommending approval of the Wildflower Station General Plan Amendment (GP-16-01) changing the land use designation from Neighborhood Community Commercial to Mixed Use.
3. Adopt the resolution recommending approval of an ordinance for a zoning map amendment from Planned Development District (PD) and Neighborhood/Community Commercial (C-2) to Planned Development District (PD-16-03).
4. Adopt the resolution recommending approval of a Vesting Tentative Map/Final Development Plan, Use Permit, and Design Review subject to conditions of approval (PW -460-4, UP-16-08, AR-16-04).

**REQUEST**

The applicant, DeNova Homes, is seeking approval of the Wildflower Station project (project), a residential and commercial mixed-use project located at the northeast corner of the intersection at Wildflower Drive and Hillcrest Avenue (APN 051-140-002) (Attachment A). The applicant proposes to develop the site as a mixed use project with three types of land uses. Single Family Residential development is proposed on the eastern portion of the site and is comprised of Parcel A (open space), Parcel D (private road) and 22 single family home sites. Multi-Family development is proposed in the middle of the site on Parcel B and would include four residential buildings with 98 units intended to be condominiums. Commercial development is proposed on Parcel C adjacent to Hillcrest Avenue and would include nine new commercial buildings totaling 89,422 square feet. The applicant's project description is provided as Attachment B.



Each requested entitlement is described in detail below:

1. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP): The Planning Commission must consider the Wildflower Station Initial Study/Mitigated Negative Declaration and MMRP prior to taking action on the other resolutions for the project.
2. General Plan Amendment: The project requires approval of a General Plan Amendment to amend the land use designation for the project site from Neighborhood Community Commercial (NC) to Mixed-Use (MU).
3. Rezone to Planned Development District: The applicant requests an approval of a rezone of the site from Planned Development District (PD) and Neighborhood/Community Commercial (C-2) to Planned Development District (PD).
4. Final Development Plan: Approval of a Final Development Plan goes hand in hand with the rezoning described above. The Final Development Plan and the PD District effectively become the Zoning Code for the project area. In this case, the Final Development Plan would allow for the construction of a mix of residential and commercial uses on the project site.
5. Vesting Tentative Map: The project requires the approval of a Vesting Tentative Map to allow the subdivision of the site into multiple parcels.
6. Use Permit: The Zoning Ordinance requires that a use permit be approved prior to the construction of any phase of an approved PD district. Approval of a use permit is also required to allow the construction of a drive-thru in the commercial section of the project.
7. Design Review: The project requires design review approval of the proposed architecture, design, and landscaping.

## **BACKGROUND**

The approximately 23-acre site (APN 051-140-002) is located at the northeast corner of the intersection of Wildflower Drive and Hillcrest Avenue and east of the intersection of Hillcrest Avenue with Deer Valley Road and Davison Drive. The site is approximately one-quarter mile south of State Route (SR) 4 and the Hillcrest eBART station.

The project site is undeveloped and covered with low grasses and a few scattered shrubs and trees. The site is relatively flat along its western and southern boundaries, near Hillcrest Avenue, but ascends to a small ridge on the east with slopes up to 15 percent. A high-voltage electric transmission line traverses the site along its eastern boundary near the top of the ridge. A northerly-flowing, man-made, unlined drainage

channel is located along and near the toe of the slope with a width ranging from 40 to 70 feet.

The project site is surrounded by existing urbanized developments. The site abuts an existing retail center to the north and single-family residential to the northeast. Additional single-family residential development is located west of the site across Hillcrest Avenue and the Crossings Shopping Center is located to the southwest.

On August 19, 2015, the Preliminary Development Plan (PDP) application was presented to the Planning Commission. The minutes from the meeting are provided as Attachment C. Significant comments received at the meeting included:

- Several residents expressed concerns regarding traffic, speeding, and congestion on Wildflower Drive and suggested stop signs or speed bumps.
- Several residents felt there would be too many people in a small area and were concerned about crime.
- Commissioner comments included:
  - Recommended a traffic study that considers access to buses to get to the Bart Station, but would not want to see the buses stopping on Hillcrest.
  - Suggested reducing parking to allow for bus access or have a transit village. Underground parking was suggested, but the applicant stated this was not feasible due to site topography.
  - Recommended apartments have their own access point to reduce traffic. They would also like to see more amenities (i.e. park/recreation area) for the kids and residents.
  - Recommended more connectivity between retail, something like Bay Street in Emeryville on a smaller scale.

The applicant revised the project to address the Commission and public feedback in the following ways, which are discussed in more detail below:

- A traffic study was prepared and concluded that there would be no significant traffic impacts to Wildflower Drive and surrounding streets and intersections.
- A modest parking reduction is proposed by the applicant.
- The multi-family units are proposed to be condominiums rather than rentals. The units are accessed by a separate road. Small recreation amenities such as play structures have been incorporated into the multi-family and the single-family portions of the project.
- Internal paths and building locations have been adjusted to provide more pedestrian connections and more plazas, seating areas and pedestrian-only spaces.

## **ENVIRONMENTAL**

The California Environmental Quality Act, Section 21000, et. seq. of the California Public Resources Code, (hereinafter referred to as CEQA) requires analysis of agency

approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed Wildflower development project is a project under CEQA.

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared to identify whether any significant environmental impacts could result from the proposed project. Specifically, the following environmental factors were addressed: aesthetics, agricultural land, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, and utilities/service systems. Copies of the document are available at the City of Antioch Community Development Department and on the City’s website at: <http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Environmental-docs.htm>.

The IS/MND determined that the proposed project would not result in any significant environmental impacts that could not be mitigated and mitigation measures were incorporated to ensure that the project would have a less than significant impact on the environment. A Mitigation Monitoring and Reporting Program (MMRP) (provided as Exhibit A to the attached resolution) has been prepared, which contains mitigation measures to avoid and minimize environmental impacts.

Pursuant to CEQA, the IS/MND was circulated to the State Clearinghouse and Contra Costa County Clerk for review. The 30-day public review period lasted from September 9, 2017, through October 11, 2017. During the public review period, staff received a comment letter from Caltrans. Staff also received a comment from California Department of Fish and Wildlife (CDFW) after the close of the comment period. These comments are discussed below.

The California Department of Transportation (Caltrans) submitted a letter on September 9, 2017 (Attachment D) requesting details on project phases and asked that the City work with local transit providers to reduce congestion. Caltrans also encouraged Travel Demand Management (TDM) measures for the project, but did not indicate that TDM measures would be required to reduce a potential impact of the project. Caltrans also encouraged payment of fair share fees toward multi-modal and transit improvements.

These comments did not disclose potential new impacts of the proposed project or suggest that impacts would be worse than disclosed in the MND. Therefore, no clarification or further discussion in the MND was required.

The California Department of Fish and Wildlife (CDFW) commented on October 18, 2017 requesting compensatory mitigation for the potential loss of foraging habitat for Swainson’s hawk (Attachment E). The MND did not identify Swainson’s hawk nests in the vicinity of the project site during surveys or database reviews. The MND determined that there is a possibility that the species could forage on the project site, but the

location of the project site in a highly-urbanized landscape would make use of the project site for foraging by Swainson's hawks unlikely. However, subsequent to preparation of the biological resources study, the California Natural Diversity Database was updated with an active Swainson's hawk nest occurrence within 1/4-mile of the project site. Although the project site is located in an urbanized area and is not likely to provide substantial, high-quality foraging habitat, mitigation measure MM 4.8 was added to the MMRP to require compensatory mitigation for Swainson's hawk foraging habitat as requested by CDFW.

**MM 4.8** The loss of potential Swainson's hawk foraging habitat shall be mitigated via the permanent preservation of Swainson's hawk foraging habitat pursuant to the CDFW's Mitigation Guidelines at a 1:1 ratio for each acre of the 23.03 acre site. Acceptable mitigation may include one of the following options:

- The project applicant shall acquire Fee Title of Swainson's hawk habitat, or acquire the right to record a conservation easement over lands that can be managed for Swainson's hawk (hereinafter Habitat Management Lands). Any land acquired through Fee Title shall be donated to a suitable conservation organization for management and the applicant shall be assessed a management endowment fee for the long-term management of the Habitat Management Lands by a CDFW-approved conservation organization; or
- In lieu of fee title acquisition of mitigation land, or in lieu of recording a conservation easement over suitable Swainson's hawk foraging habitat, the applicant shall purchase Swainson's hawk mitigation credits from a CDFW-approved Swainson's hawk Conservation Bank. As there are no Swainson's hawk conservation banks that have a service area that covers the project site, an out of service area Swainson's hawk Conservation Bank shall be allowed as determined appropriate based on consultation with CDFW.

## **ANALYSIS**

### **Issue #1: Project Overview**

The project proposes to develop a 23.03-acre parcel with mixed-uses of commercial, single family and high-density housing with associated recreational open space, parking, lighting, and onsite drainage improvements. The development would consist of: 10.45 acres of commercial uses; 7.0 acres of multi-family/condominiums, 4.49 acres of single-family housing accessed via a private road, a private park, open space; and 1.08 acres of dedicated to right-of-way on Hillcrest Avenue. Single-family residential development would include 22 single family homes on lots ranging from 3,062 square feet to 5,961 square feet. The single-family homes would be positioned on the northeast edge of the project site and would be adjacent to existing residences. Multi-

family development would be located at the base of the slope, extending to the north and south sides of the project site. A total of 98 units throughout four residential buildings would be developed as condominiums. Units would range from 674 square feet to 1,149 square feet.

The commercial component would include nine buildings ranging from 3,225 square feet to 23,723 square feet along the west edge of the project site. A common area would be developed to include open space and landscaping. The commercial development would require 390 parking spaces to accommodate the proposed commercial uses. The land use summary is provided below:

#### **LAND USE SUMMARY**

<b>Proposed Use</b>	<b>Acreage</b>	<b>Residential Units</b>	<b>Commercial Square Footage</b>	<b>Parking</b>
Single family	1.81	22	—	—
Private Road	0.86	—	—	—
Private Park	0.11	—	—	—
Open Space	1.72	—	—	—
Multi family	7.0	98	—	186
Commercial	10.45	—	89,422	390
Public right-of-way	1.08	—	—	—
<b>Total</b>	<b>23.03</b>	<b>120</b>	<b>89,422</b>	<b>576</b>

The commercial and multi-family uses are designed to create a mixed-use center on the lower portion of the site, while the single-family homes proposed on the upper portion of the site are designed with the intent of integrating into the existing single family neighborhoods accessed along Wildflower Drive. Commercial tenants have not been established; however, staff anticipates the nine buildings will contain a mix of commercial retail, restaurant/entertainment, commercial services, and employment generating uses such as offices and light manufacturing and assembly uses. The single-family homes will be generally similar in size and design to the adjacent residential community. Additionally, the single-family homes will provide vista views of the area while maintaining the integrity of the hillside. The condominium buildings will be three-stories and offer a variety of 1, 2, and 3-bedroom units.

#### **Issue #2: General Plan Amendment**

The Wildflower Station project proposes a collection of residential and retail/commercial uses located in proximity to the Highway 4 corridor and the Hillcrest eBART station. The project's proposed uses reflect and compliment the diversity of surrounding land uses.

The project site is currently designated Neighborhood Community Commercial (NC) on the City of Antioch General Plan land use map. While the NC designation allows for

some flexibility in land use, it is generally not intended to support mixed use centers (vertical or horizontal). The NC designation would not allow for the project's proposed residential uses; therefore, a General Plan map amendment has been requested to amend the General Plan land use designation to Mixed Use (MU) to allow for the development of the commercial buildings, a high density condominium complex, and a single-family residential development on the same site.

The MU land use designation is characterized in the General Plan as a different style of development than traditional neighborhoods, commercial, and employment areas that are physically separated from each other. The intent of the MU designation is to allow for a wide variety of uses to meet the community's housing, shopping, employment, and institutional needs through efficient land use design. All uses for the Wildflower Station project as identified in the proposed Planned Development (PD) ordinance, including single-family and multi-family residential uses and the various commercial uses, are allowed under the MU General Plan designation.

Within the MU designation, both vertical mixed use (various types of uses integrated within individual buildings) and horizontal mixed use (individual buildings with different types of uses within an integrated site plan) are allowable. While the proposed project does not offer vertical mixed uses, it does offer horizontal mixed uses with the intent of placing the commercial uses in close proximity to the high-density, multifamily housing. The project, as proposed, is consistent with General Plan policies for MU in that it would result in the efficient use of the site that encourages pedestrian circulation and places goods and services on the same site with various types of low and high-density housing. Additionally, the project is consistent with various General Plan Housing Element policies as the project would establish 22 single family units for moderate to above moderate income housing, and 98 high-density condominium units adjacent to the commercial uses and in close proximity to public transit.

### **Issue #3: Planned Development Rezone**

The existing zoning for the site is a combination of Neighborhood/Community Commercial District (C-2) with a very small portion atop the hillside zoned as Planned Development District (PD). The current C-2 zoning does not permit the project's proposed residential uses as it is intended to provide commercial uses to serve surrounding residential neighborhoods. As such, the applicant has requested a zoning map amendment to rezone the entire site to PD to allow for the proposed mix of commercial and residential land uses and to be consistent with the proposed General Plan Mixed Use designation.

According to the Zoning Ordinance (AMC §9-5.2301), the intent of Planned Development Districts is to "encourage a wider variety of densities, product types and setbacks than would otherwise be possible under conventional residential zoning. Single-family lot size shall vary between and/or within the P-D Districts to accommodate a range of economic needs. Furthermore, setbacks and garage door facilities to encourage non-auto oriented circulation within the development. Once established, the

P-D District becomes, in effect, the zoning code for the area within its respective boundaries.”

Each PD is required to include specific development standards designed for that particular district, to include minimum lot sizes, setbacks and open space requirements, architectural and landscaping guidelines, and maximum building heights and lot coverages. Once approved as part of a final development plan, all standards, densities, and other requirements remain tied to that plan and to the property designated by that PD district, unless formally amended by City Council action.

The proposed PD zoning would allow single-family and high-density housing within walking distance of general commercial, retail, office, personal service, restaurant uses and public transit and includes specific development standards that respond to the unique characteristics of the project site and the various proposed uses. Additionally, the PD Ordinance establishes a unique set of allowed uses for the commercial portion of the project that both allow flexibility of uses to assist the developer with securing tenants and limitations that ensure the mix of uses will continue to serve surrounding neighborhoods and the broader community over time. The proposed development standards and allowed uses are included in the attached Planned Development Rezone ordinance.

#### **Issue #4: Single-Family Development**

The proposed project includes 22 single family lots ranging in size from 3,062 square feet to 5,691 square feet, with an average lot size of 3,598 square feet. These homes would be medium density, small lot single family homes due to the hillside topography and are configured to take advantage of views from the ridgeline on which they would be located. All single-family homes will have direct driveway access from a new private road accessed from Wildflower Drive. The lots will accommodate two house plans of approximately 2,187 square feet and 2,303 square feet, both being two-story homes (building coverage is approximately 35%).

#### Circulation and Parking

The 22 new single-family homes will be accessed via a new private residential street that will connect to Wildflower Drive, directly across from Terrace View Avenue. This street will have a 36-foot right-of-way, 10-foot travel lanes and on-street parking. The private street and cul-de-sac will be maintained through the formation of a Home Owner's Association (HOA). Both house models will feature two-car attached garages with on-street guest parking in compliance with the Zoning Code requirement for single family homes. Zoning Code Section 9-5.1718 requires unrestricted access to the rear yard for recreational vehicles (RV) on at least 25% of single family subdivision lots. The applicant has requested a waiver from this standard due to lot size and configuration. The parking standards identified within the Wildflower Station PD ordinance do not require RV parking and the standards note that on-street and on-lot parking of RV's is prohibited in the single-family portion of the project.

### Setback and Development Standards:

As discussed above, the PD zoning allows for flexibility in setbacks and other development standards. Setbacks proposed for the single-family homes include 20-foot setbacks to garages and 10-foot setbacks to porches, as measured from back of sidewalk. The garages will take direct access from and face the new private street. The side yard setbacks will be a minimum of four feet with one side required to be at least five feet. Minimum rear-yard setbacks are nine feet. The private street and cul-de-sac will have five foot-wide sidewalks.

### Architecture and Design

The project proposes two house plans, each with two different design themes (Early California and Craftsman). The Early California elevations incorporate a combination of materials (Stucco, Villa Tile Roofing, Metal Railing, Vinyl windows) and color to accentuate the plans. The Craftsman uses a combination of materials (Stucco, Composite Shingle Roofing, Stone Veneer, Vinyl windows with Trim) and color to accentuate a more traditional craftsman design theme. Facades will have multiple projections for visual relief and compatibility with existing and adjacent residential development.

In some cases, the rear property line of the single-family homes will require up to 6-foot retaining walls due to grade differences. This condition exists on lots near Wildflower Drive, while lots on and near the proposed cul-de-sac will not require rear yard retaining walls. The project has been conditioned to provide a fence and wall plan with the building permit submittal, showing the location and design of all proposed fences and walls. The plan must demonstrate that landscape will be provided to screen the walls as required in the City's Design Guidelines.

### Amenities

The project proposes a 0.11-acre neighborhood park between lots 19 and 20. The park will include landscaping, seating, and playground equipment with access to sidewalks. Due to the small size of this facility, it is not eligible for parkland credit. Therefore, the developer will meet its parkland obligation through payment of an in lieu fee. In addition to the park, a 1.72-acre open space lot that includes the existing PG&E tower and easement will be maintained along the southeast boundary and will provide separation from adjacent existing homes.

On November 16, 2017, the Parks and Recreation Commission considered the Wildflower Station project and, following due consideration, approved a recommendation to the Planning Commission that the project satisfy its 1.261-acre park land obligation through the payment of an in lieu fee in the amount of \$126,100.

### **Issue #5: Multifamily Condominiums**

The project proposes a 7.0 acre higher density condominium component at the base of the hillside and adjacent to proposed commercial uses. This component of the project would include 98 condominium units (60 units with one or two bedrooms and 38 units



with three bedrooms) in four separate buildings ranging in size from 674 square feet to 1,149 square feet.

### Circulation and Parking

Both the condominiums and commercial uses will be accessed from a main internal drive that connects to Hillcrest Avenue and Wildflower Drive. The condominiums would have a separate internal loop for access to the units and dedicated parking for the residences.

The condominium buildings are configured to facilitate easy and safe pedestrian access and circulation with direct connectivity between commercial and residential uses. Pedestrian pathways have been integrated into the layout and connect to the sidewalks and pathways. Numerous pedestrian crossings of the main internal drive are provided to connect the condominium uses to commercial uses and these crossings will be defined through the use of stamped and colored concrete that is slightly raised above the adjoining pavement surface.

The condominium parking area is separated from the commercial uses. The condominiums would require 186 parking spaces; 90 spaces for one to two bedroom units (1.5 spaces/unit); 76 for the three bedroom units (2 spaces/unit); and 20 spaces for guest parking (1 space/5 units). The project will comply with this requirement by providing 98 covered and 88 uncovered parking stalls (186 spaces total). The parking areas have been designed to include sufficient lighting and landscaping for compliance with American Disabilities Act (ADA) requirements.

### Architecture

The building façades use a combination of materials (stucco and metal siding) and colors that contribute to unique and diverse building elevations with defined edges and multiple façade projections. The architecture of the condominium buildings employ a modern block form with well defined vertical elements and variation of materials that provide visual interest. The rooflines are streamlined and linear with varying heights and projections for visual relief. A variety of beige, cream, and olive light green and off-white, and greyish brown colors were chosen to provide varying façade massing for aesthetic and visual compatibility with the adjacent commercial developments.

### **Issue #6: Commercial Uses**

The project proposes the construction of nine commercial buildings totaling 89,422 square feet. Tenants for the buildings have not been identified; however, the applicant anticipates a variety of retail, restaurant and personal service uses for the buildings fronting the central plaza area (between buildings identified as D, E, E1, and F on sheet 3 of the Vesting Tentative Map). The uses allowed in the proposed PD Rezone Ordinance include a broad range of retail and employment generating uses. The Ordinance promotes retail and neighborhood serving commercial uses in prominent locations such as surrounding the central plaza and facing Hillcrest Avenue. A range of

non-retail and non-service uses are allowed with limitations on total square footage and in limited locations within the center.

### Circulation and Parking

Access would be provided via an existing entrance along Hillcrest Avenue with a secondary access from Wildflower Drive. The commercial and condominium entrances will be connected by a main drive lane parallel to Hillcrest Avenue that would connect both entrances. All internal drive aisles will have sidewalks, landscaping and lighting leading to the pedestrian-oriented central plaza area between the buildings adjacent to Hillcrest Avenue (Buildings D, E, E1, and F). A mutual access and parking agreement will be required to ensure appropriate access for proposed uses.

The Municipal Code requires a total of 414 parking spaces for the project. The project proposes 390 spaces to serve the commercial uses. Upon review, staff supports this modest reduction in spaces in order to respond to site constraints, incorporate additional landscaping and plazas into the project, and due to the project's proximity to public transit.

City Design Guidelines require new commercial and mixed-use developments to provide a clear and direct route for pedestrians from on-site parking to building entries and a public sidewalk system. Consistent with this requirement, the project was designed with the following features:

- A circulation path that is direct, continuous, and free of barriers (e.g., site equipment, signage, utility poles).
- Sidewalks approximately 5–10 feet and street trees on both sides of the new main street/drive aisle.
- A pedestrian crossing from on the corner of Wildflower and Hillcrest to the rest of the retail center.
- Sidewalks on both sides of the main drive aisle between the condominiums and commercial uses and sidewalks along the right-of-way (including the entrance along Wildflower Drive and Hillcrest Avenue). A meandering sidewalk is proposed at the site's frontage along Hillcrest Avenue.
- A variety of paving patterns and designs with contrasting colors materials to articulate pathways and clearly define the pedestrian areas. Additional conditions have been included for additional enhanced paving at all of the major pedestrian crosswalks and intersections.
- Shaded outdoor seating amenities will be placed throughout the center. This includes the open space areas along the pathways and shared common areas between the commercial/office buildings.
- A walkable central plaza is included between Buildings D, E, E1, and F that is welcoming to pedestrians and creates a sense of place for on-site residences and the community. This area will have parking on either side and is intended to be the main gathering area.

### Architecture

The project applicants have worked with City staff to develop an architectural style that is both modern and well proportioned. Through various iterations, the proposed architecture has been refined to provide detailed treatments, vertical delineation, and overall interest. Locations of buildings have been adjusted and internal plazas have been refined to create functional, outdoor public spaces. The proposed building rooflines have varying heights and lines to provide visual relief and massing of the façades. A variety of colors were chosen for aesthetic and visual compatibility with the existing commercial and residential development in the area and those proposed on-site. Consistent with City Design Guidelines, the project's secondary elevations were designed to include additional architectural treatments (e.g., built-up stucco, stone veneer, or architectural projections) to provide additional visual interest.

### Landscaping and Open Space

The proposed landscaping is a combination of drought tolerant trees, shrubs and groundcover. The plan incorporates a large number of trees, many of which are large 24-inch and 36-inch box sizes that will immediately create a more established look to the landscaping of the center.

There are a number of plazas, pedestrian walkways and seating areas throughout the commercial center. These areas feature benches, decorative pavers and concrete, raised planters, and water features. The largest central plaza creates a number of opportunities for outdoor dining patios and an attractive area for special outdoor events for tenants.

### Signage

As shown on the proposed landscape plan, the project proposes to construct monument signs at the project entrances on Hillcrest Avenue and on Wildflower Drive; however, no signage details were provided. The buildings also include space for wall signs, but no details of these signs were provided. Therefore, staff has included a condition requiring the monument and building sign plans be subject to a separate design review approval prior to the installation of any signs on site.

### Trash Enclosures

The project plans identify several trash enclosures located throughout the parking field of the commercial portion of the project. However, it does not appear that Building A and Buildings D, E, E1 and F have enough trash enclosures for the size of the buildings. Therefore, staff has included a condition that the final number and location of the trash enclosures be subject to review by the waste hauler and approval by the Community Development Director. Additional trash enclosures could possibly eliminate parking spaces, but the number should not be significant. The applicant's plans did not include elevations for the trash enclosures; therefore, staff recommends that the trash enclosure's walls, gates, and roofs match the color scheme of the buildings. This recommendation is included as a condition of approval in the attached resolution.

## **Issue #7 Use Permit**

The project proposes a single drive-through pad that is identified as “Building H” on the Preliminary Development Plan. Subject to Section 9-5.3803 of the Antioch Municipal Code, all drive-up window uses require approval of a Use Permit. The placement, parking and stacking lane proposed for Building H meet the City’s standards. The architecture of the building is not included with this application because a tenant has not been identified. Therefore, the building will be subject to design review approval prior to construction.

## **Issue #8 Storm Water Infrastructure**

The applicant has submitted a Preliminary Utility Plan and a Preliminary Storm Water Control Plan that identify how storm water runoff from the project will be managed. Consistent with C-3 requirements, the project includes bio-retention basins throughout the project site that appear to meet water quality and rate of discharge requirements. Storm runoff is channeled through underground pipes to on-site basins, and ultimately discharged into the existing storm drain system near the project entrance at Hillcrest Drive. A final Stormwater Control Plan and Operations & Maintenance (O&M) Plan will be required to be submitted and approved by the City prior to construction.

### Maintenance

The Project is required to provide for the maintenance of on-site landscaping, improvements and infrastructure. This may be accomplished through establishment of a single Homeowner’s Association (HOA), multiple HOA’s or other legal entities as allowed under State law. Per project Conditions of approval:

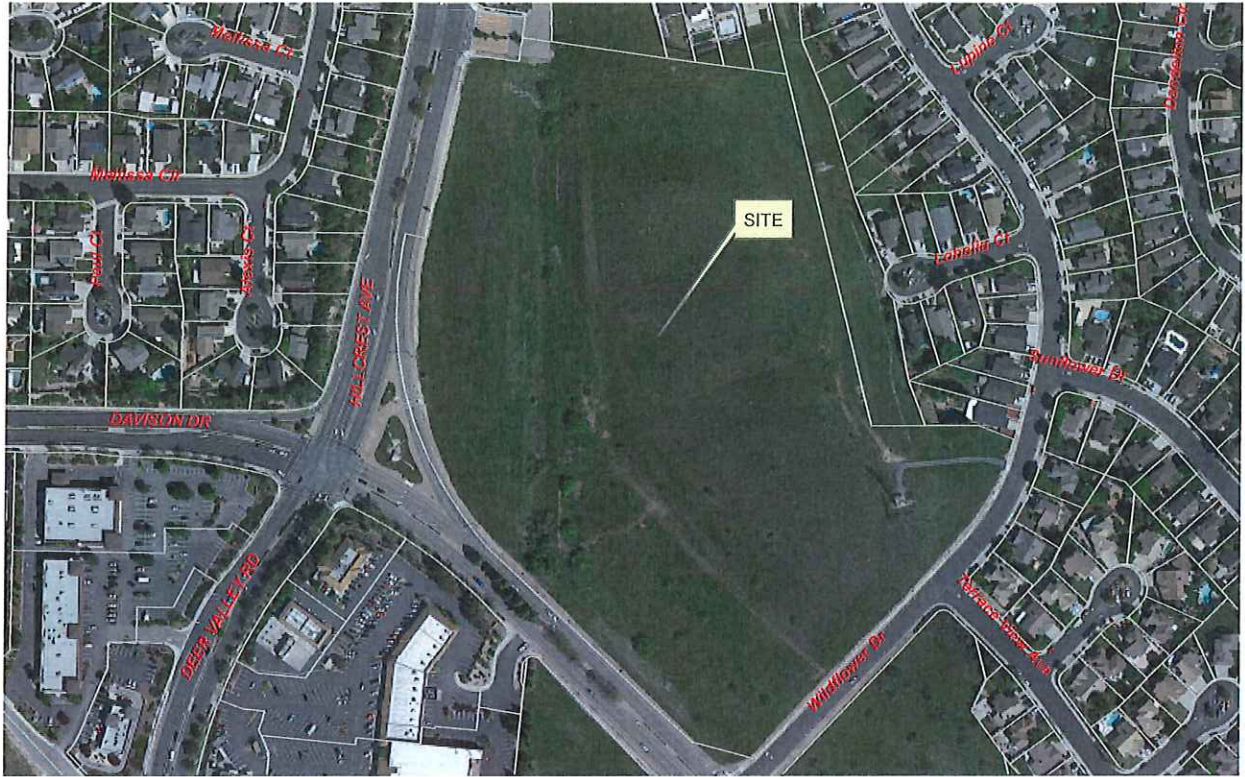
- All on-site water and sanitary sewer facilities shall be privately maintained.
- A perpetual funding source for maintenance of the proposed C.3 storm water basins shall be established.
- A public utility easement (PUE) shall be granted to the City or its designee consisting of a non-exclusive surface and subsurface easement for wet and dry utilities, including construction, access, maintenance of works, improvements, structures, clearing of obstructions and vegetation.
- The project shall annex to and participate in Lighting and Landscape District 1 Zone 1 and to accept a level of annual assessments sufficient to maintain the streetlights and landscaping in the vicinity of the project area at no cost to the City.

## **ATTACHMENTS**

- A. Aerial Photograph
- B. Applicant’s Project Description
- C. August 19, 2015 Planning Commission Minutes
- D. October 9, 2017 Caltrans MND Comment Letter
- E. October 18, 2017 California Department of Fish and Wildlife MND Comment Email

# ATTACHMENT “A”

ATTACHMENT A



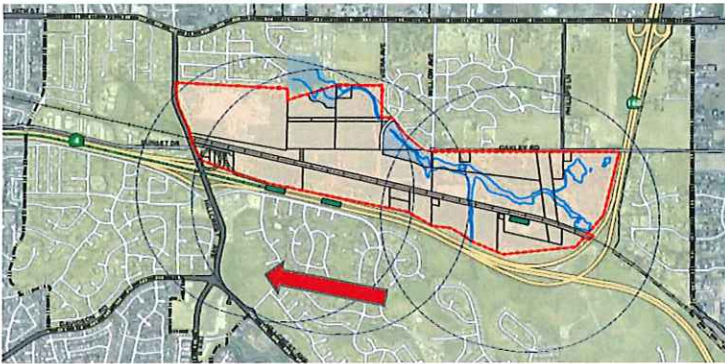
# ATTACHMENT “B”



## Wildflower Station – Hillcrest & Wildflower, Antioch – Project Description

Meadow Creek Group, LLC (MCG) is pleased to present our proposed mixed-use development, “Wildflower Station”. This new commercial and residential hub is intended to model a Transit Oriented Development (TOD) with only being a half-mile to BART transportation. Also, the property sits within the Hillcrest Station Area Specific Plan’s Study Area where the Vision of the Specific Plan is to create an area to model TODs:

Create a vibrant signature area for Antioch, offering shopping, restaurants, hotels, and entertainment, combined with office and residential uses, in a compact pedestrian-oriented setting. Develop the area as a model of “transit-oriented development”, where residents, workers, and visitors can take advantage of transit instead of driving, and can walk to stores, restaurants, and services.



The project site contains approximately 23 acres currently designated under the Neighborhood Commercial land use category, so as a result MCG is applying for a General Plan Amendment (GPA) and Planned Unit Development Rezone (PUD) in order for the City of Antioch to allow the proposed mixed-use integration of commercial and residential land uses.

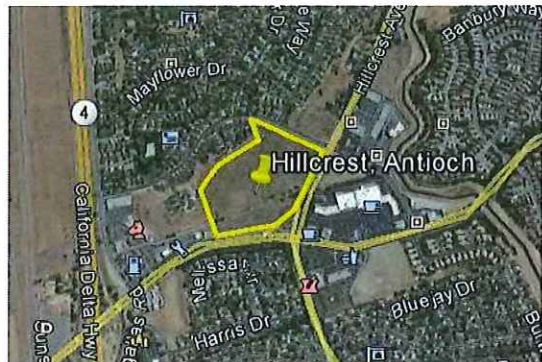
Wildflower Station is proposed to contain approximately 90,000 square feet of commercial building space to remain consistent with existing land use, 98 condominium units, and 22

single family homes all integrated throughout the property to function together.

The following will contain key summary points for the Project Description, however more detailed information can be found within the related tentative map and design review application materials:

### ***Site Characteristics & Relation to Existing Neighborhood***

The vacant +/- 23 acres of land in question resides at the intersection of Hillcrest Avenue and Wildflower Drive. Wildflower Station is viewed as infill development considering that it is surrounded by existing development and infrastructure: northbound towards Highway-4 are existing commercial shopping centers and service stations with existing residential housing adjacent also; eastbound is solely existing single family housing; southbound towards the intersection of Hillcrest Ave. and Wildflower



Dr. there is some single family housing, more vacant land, and additional existing commercial shopping centers; westbound on the opposite side of Hillcrest Ave. and along Deer Valley Rd. there are additional single family housing development and commercial shopping centers.

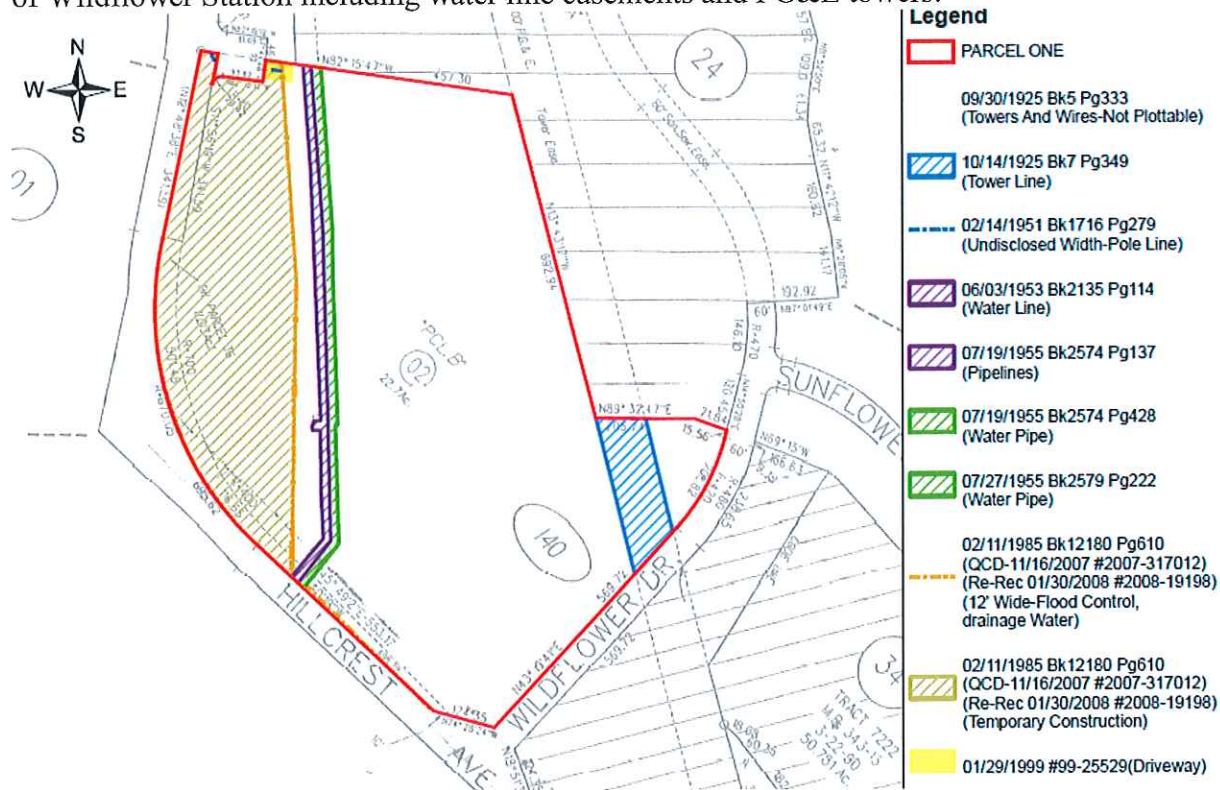




Roughly half of the site lies flat where the remaining portion of the site has increasing topography towards the east where it then begins to flatten out to a plateau on the eastern boundary towards the existing single family homes. The site is annually disced and mowed for annual fire prevention weed abatement, in addition to annual site clean ups of trash and debris left behind from frequent homeless encampments with support of Antioch Code Enforcement; resultantly there are minimal biological

resources on the property other than a drainage ditch running through the western portion of the property. This ditch was officially delineated on January 13, 2015 by the US Army Corps of Engineers for a Nationwide Permit in order to proceed with a Section 401 Water Quality Certification in order to mitigate for .133 acres of lost waters of the US. Additionally, MCG intends to apply for tree removal permits from the City of Antioch to remove all remaining trees from the property, this is at the request of Antioch Code Enforcement in order to reduce the amount of vegetative cover which promotes encampments; we intend to provide updates to the related applications accordingly as we venture down the tree removal process.

Within the site there are several easements that have been taken into consideration for the design of Wildflower Station including water line easements and PG&E towers:



### ***Overall Project Design Goals & Objectives***

With the inspiration of a TOD behind Wildflower Station, the design team paid close attention to making sure all facets of commercial and residential development function together for a thriving shopping, living, and working experience. As consistent with the current land use, Wildflower station is to contain approximately 90,000 square feet of commercial “flex space” intended to be used for a variety of commercial uses from retail to dining, and even some office space. These various commercial spaces start along Hillcrest Ave. and go towards the east towards the condominiums and single family houses.

As the commercial use approaches the condominiums there is a “main street” corridor linking the two uses together within this TOD, mixed-use development. This main street enters from Wildflower Dr. and connects to the existing signalized intersection at Hillcrest Crossroads. This interconnecting corridor is to have parking on both sides to serve both the commercial users and condominium dwellers and their visitors. Additionally, the single family is situated further to the east where with some grading modifications to the topography and on the plateau the homes will be hidden from or be below grade of the existing homes. With open space trails and the sidewalk on Wildflower Dr. resident will easily be able to traverse to the commercial uses as needed, in addition to accessing bus transportation or pedestrian corridors to reach the nearby BART.

### ***Architecture***

With this property being located along Hillcrest Ave. with full open view into the site the design team wanted to come up with a design theme and elevations that were sleek, modern, and appealing to the eye while allowing flexibility and ease for future users to make necessary tenant improvements. The elevations to match both the commercial and condominium buildings are to be either concrete tilt up or smooth-trowel stucco with glass fronts and accent walls/features of board material for contrasting materials and colors. In contrast, the single family homes were themes in more traditional Craftsman and Spanish elevations to better reflect the existing home styles adjacent to Wildflower Station.

The commercial buildings are designed with full elevations and store fronts on all four sides of the buildings, with service corridors and hallways within the buildings; this was done to ensure the exterior views into the commercial area would not be compromised by having unsightly service or delivery areas, especially with residents across the “main street” viewing into the commercial area. In order to honor the topography of the site, the condominiums were designed to be split-level buildings with three floors of usable area on both sides of the split; the condominium building will also contain usable community space for various uses to serve the condominium dwellers. Finally, the single family houses were carefully designed to have enhanced rear elevations to look almost as if they were full front elevations; this was done with knowing these homes will be viewed from Hillcrest Ave. and MCG wants to make sure the view of the property is still attractive when developed.

### ***Landscape & Open Space***

For Wildflower Station, the design team took careful consideration into creating and providing appealing and functional open space areas and landscaping. The Preliminary Landscape Plan will show the details of the landscaping in more detail, but there are several areas to note and highlight including courtyard plazas within the commercial areas, enhanced water quality



treatment areas for visual appeal, enhanced pedestrian linkages and trails between the varying uses within Wildflower Station, tot lot and park area, and community garden for the residents of the condominiums and single family homes to utilize.

### ***Pedestrian Circulation & Parking***

The parking allocations and breakdowns can be found within the Tentative Map, but all residential components within Wildflower Station meet the minimum requirements. However, with this Wildflower Station being proposed as a TOD, MCG is seeking relief from the 411 required parking stalls for the commercial uses, where instead 390 are being provided.

The single family home parking will contain designated street parking areas in addition to the driveways and driveways for the homes. The condominiums will have a mix of covered parking stalls and open stalls spread throughout a private parking lot area serving the condos, in addition to along the “main street” corridor. Finally, the parking for the commercial uses can be found along the “main street” corridor (similar to what is found in the City of Pleasant Hill) and to the west towards Hillcrest Ave within and between the commercial buildings; with the parking evenly distributed there are more opportunities to park closer to the desired destination.



Once parked at Wildflower station, as a shopper there are ample designated pedestrian connectivity areas and protected areas between buildings, and as distributed the “sea of asphalt” and underutilized areas often found in some shopping center parking lots is reduced. For residents at Wildflower Station, identified crossing and linkages will be spread throughout for easily traversing through the development.

### ***Future Activity & Operations***

With a mixture of residents between the condominiums and single family units and shoppers traveling to the commercial uses there will be a variety of activity transpiring at Wildflower Station. Residents and shoppers will be able to shop at various retailers, restaurants, and seek other professional services with opportunities for office space at Wildflower Station as well. As a TOD, Wildflower Station also promotes the opportunity for live-work situations where residents of the proposed single family units and condominiums can seek employment with a commercial user at Wildflower Station.

At this time it is undetermined what specific habits or service trends will be needed for future users, but it can be anticipated that there will be some early open and close late restaurants and retailers who will have varying delivery/re-stocking schedules; in addition to varying commuter trends of the residents. The traffic report provided has more supporting information and detail of expected traffic resulting from Wildflower Station.

# ATTACHMENT “C”

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
6:30 p.m.**

**August 19, 2015  
City Council Chambers**

Chair Motts called the meeting to order at 6:30 P.M. on Wednesday, August 19, 2015 in the City Council Chambers. He 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, 2015.

**ROLL CALL**

Present: Commissioners Parsons, Zacharatos, Mason, Miller, Hinojosa  
Vice Chair Westerman and Chair Motts  
Absent: None  
Staff: Interim City Attorney, Bill Galstan  
Community Development Director, Forrest Ebbs  
Minutes Clerk, Cheryl Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes: July 1, 2015

*On motion by Commissioner Zacharatos, seconded by Commissioner Vice Chair Westerman, the Planning Commission approved the minutes of July 1, 2015 as presented. The motion carried the following vote:*

**AYES:** Motts, Westerman, Parsons, Zacharatos, Mason, Miller and Hinojosa  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

## **CONTINUED PUBLIC HEARING**

2. **UP-15-09 – Contra Costa Medical Career College Inc.** requests approval of a Use Permit for the establishment of a private school within the existing 16,737 square-foot building at 1700 Auto Center Drive (formally 1700 Somersville Road) located in the PBC (Planned Business Center) Zoning District (**APN 074-054-011-08**).

Community Development Director Ebbs presented the staff report dated August 12, 2015, recommending the Planning Commission approve a use permit for a private school subject to the conditions of approval contained in the attached resolution.

In response to Commissioner Parsons, CDD Ebbs read an excerpt from the General Plan. Commissioner Parsons stated that in regards to Economic Development, the City is charged with insuring internal goals and policies and that the Somersville corridor is a large part of that in that it encompasses dealerships and other retail businesses. That pursuant to the Economic Development portion of the General Plan which encourages business and generating taxes, she does not think this use does that.

Chair Motts opened the public hearing.

Applicant, Stacey Orozco, spoke to say that this is a private vocational training school, that since 2007 that have graduated more than 5000 students (4000 of which have become gainfully employed), that they currently reside in the Bluerock Center which is a retail center, and that with the growth that they have gone through over the last seven years, they now have no more space. She said that currently they employ twenty people but that in a year's time they look forward to adding five to ten more and anticipate graduating 1500 students over the next year. Applicant stated that she believes that they do contribute to the economic growth in the community.

In response to Commissioner Parsons, applicant stated that most classes are ten weeks in length, that there are several cohorts with one program graduating every four weeks; that programs range in length of 4 weeks, 8 weeks, 10 weeks up to one year. She said that she has a chart which shows the schedule and the amount of time that each occupies the building; that they stagger them so that not all students are present at one time. She said that all of the parking spaces are never all taken at any one time.

CDD Ebbs pointed out the proposed condition F1 to the Planning Commission.

Vice Chair Westerman clarified with applicant that they are purchasing the property and that they are in escrow now.

Michael Luca stated that he was here two weeks ago and that he was here on behalf of Tom Nokes, the owner of adjacent property and also the owner of multiple properties across the street. He said that while Mr. Nokes opposes the use of the college at this property, he is not against the college itself but that this specifically relates to the

Council's vote in 2007 to allow auto sales in this corridor, AAA being auto related. That any retail use on that corner should be complementary to those uses for the area.

In response to Commissioner Hinojosa, Mr. Luca stated that there was interest in Mr. Nokes purchasing the property, that multiple documents were going back and forth but then Mr. Nokes was abruptly told that the owner were going with another buyer. He said that as part of the sale to Mr. Nokes, the building would have been demolished, leading to more growth.

Chair Motts closed the public hearing.

CDD Ebbs reminded the Planning Commission that this is a contested issue, that they are establishing a record, that this is not a decision between auto sales and the career college, and that only one application is currently before the Commission.

City Attorney Galstan stated that they have heard comments and that if there is any inclination to deny this use permit, he would request that the Commission have a tentative decision so that there are written findings. He said that zoning is not given to the highest and best bidder; that he has looked at the General Plan and Ordinance since the last meeting. That the Ordinance regarding Use Permits has certain criteria; that some are pretty typical and that there are some other criteria, one of which is adversely affecting public welfare. He said that the General Plan does have a number of policies which tend to favor commercial retail tax generated uses in the Somersville corridor and that it encourages auto related uses. With those policies in place, they could have a finding that non-retail, non-tax generating college is not entirely consistent with those policies.

Commissioner Parsons stated that this corridor is intended for economical development tax generating entities and that as a good planning practice, it should be a tax generating activity in that corridor.

Commissioner Mason said that he doesn't feel the same necessity of that being retail, that based on staff's recommendation and applications in compliance with approved uses in that area, that he sees no reason to deny and that he would support the project at this time.

Commissioner Zacharatos agreed and said that she was inclined to support.

Commissioner Hinojosa said that she agrees with Commissioner Parsons about a better use for the site but does feel that this application is before them and she cannot find reasons to deny the project and therefore is going to support staff's recommendations.

Chair Motts agreed with the majority and said that he can't find a reason to deny the request. He said that he believes that there is some other business in that area that is not auto related. That he can't understand why AAA is leaving but this project is something before them and on the table.

Vice Chair Westerman concurred with the majority of the Commissioners and stated that in Antioch health care is also a major industry and that this type of use he thinks also contributes to that. He stated that he will support this application.

#### **RESOLUTION NO. 2015-17**

***On motion by Commissioner Hinojosa, seconded by Commissioner Miller, the Planning Commission members present unanimously approved use permit (UP-15-09) to establish a private school subject to all conditions. The motion carried the following vote:***

**AYES:** Zacharatos, Mason, Miller, Hinojosa, Westerman, Motts

**NOES:** Parsons

**ABSTAIN:** None

**ABSENT:** None

- 3. UP-15-07 – Vista Diablo Mobile Home Park Expansion** – Sierra Management requests approval of a Use Permit to add 6 mobile home lots at an existing 150-unit mobile home located at 2901 Somersville Road in the R-10T (Medium Density Residential District/Manufacture Housing Combining District) **(APN 076-010-029)**.

CDD Ebbs presented the staff report dated August 12, 2015.

In response to Chair Motts, CDD Ebbs said that this parcel is a tiny sliver that can only be accessed through the park.

Opened public hearing.

Applicant stated that this is an existing senior community, that they have 150 spaces, that they want to add 6 more spaces, and that although he doesn't have much background he believes the park has been there since 1978.

Closed public hearing.

Commissioner Hinojosa said that she has no issues with this project.

Chair Motts states that he also has no issues.

#### **RESOLUTION NO. 2015-18**

***On motion by Vice Chair Westerman, seconded by Commissioner Zacharatos, the Planning Commission approved the expansion of the existing mobile home part from 150 units to 156 units, subject to all conditions. The motion carried the following vote:***



**AYES:** *Parsons, Zacharatos, Mason, Miller, Hinojosa, Westerman, Motts*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *None*

4. **UP-15-08/AR-15-06** – Conrad DeJesus, DJA Architects, on behalf of Pete's Restaurant and Brewhouse requests approval of a Use Permit for the creation of a 850 +/- square-foot outdoor dining area adjacent to the existing restaurant building at 2709 Hillcrest Avenue in the C-2 (Neighborhood/Community Commercial) Zoning District **(APN 052-232-020)**.

CDD Ebbs presented the staff report dated August 12, 2015.

In response to Commissioner Parsons, CDD Ebbs said that there may be a landscape drain but the project could not interfere with utilities.

Opened public hearing.

Applicant, Conrad DeJesus, said that this is a very straight forward outdoor dining patio which would enhance the current restaurant.

Commissioner Hinojosa asked if this would be an all open outdoor seating area, or if there would be any shading structure to which applicant said that they are no current plans for shade.

In response to Commissioner Zacharatos, applicant said that they have a seating layout and he is assuming this would accommodate approximately 40 or so people. CDD Ebbs said that the plan shows 13 tables with 3 or 4 people at each table.

Vice Chair Westerman clarified with applicant that there is a possibility of umbrellas at the tables.

In response to Commissioner Mason, applicant stated that this would be year round seating with free standing heating devices.

In response to Commissioner Parsons, the applicant said that the storm drain is farther away from the patio and that it is not affected by the size of the patio.

The manager of County Square Market spoke to say that while he is happy that the space is taken and will be open for business, he is a little concerned about alcohol drinking and if customers were to over drink and his concern is about fights given that they have families with children shopping at their store.

CDD Ebbs said that the applicant can address that issue.

Applicant stated that beer and wine will be sold, that other franchises have a bar, and that he is assuming that this one will match that, but the answer should come from the franchisee and not him.

Commissioner Parsons interjected that since you can't get to the parking lot without going through the restaurant, the fight would have to go through as well.

Chair Motts asked about the liquor license to which applicant said that was never part of the discussion between him and the client and CDD Ebbs said that restaurants of this type require that food is served and that it is pretty well regulated by the Alcoholic Beverage Control Board. He said that the six foot screen required would keep drinks from being passed out into the parking lot and that if this becomes an issue, this use can be revoked as they retain authority.

In response to Commissioner Hinojosa, applicant said that the gate on the east elevation would remain closed and that the gate is only an emergency exit.

Closed public hearing.

Chair Motts said that he does not have a problem with this, that he did read that the gate is a legal requirement for access for emergency, that possible shade structures with heat may want to be considered, and that he is in favor of this application.

Commissioner Mason said that he is also in favor of this application in that it brings more value to the community and that places like this are needed.

Commissioner Hinojosa reiterated concerns about having shade structures which she would strongly encourage but that she has no other concerns.

#### **RESOLUTION NO. 2015-19**

***On motion by Vice Chair Westerman, seconded by Commissioner Parsons, the Planning Commission approved UP-15-08 for a use permit for the installation of an outdoor dining patio at the existing restaurant building at 2709 Hillcrest Avenue, subject to all conditions. The motion carried the following vote:***

**AYES:** Parsons, Zacharatos, Mason, Miller, Hinojosa, Westerman, Motts  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

5. **PDP-15-01 – Hillcrest/Wildflower Mixed Use Project** – DeNova Homes requests a preliminary review of the proposal to develop a mixed use project containing approximately 100 apartments, 24 single-family lots and 9.52 acres of commercial development at the vacant lot at the northeast corner of the intersection of Hillcrest Avenue and Wildflower Drive in the PD/C-2 (Planned Development; Neighborhood/Community Commercial) Zoning District (**APN 053-140-002**).

CDD Ebbs presented the staff report dated August 12, 2015.

Chair Motts stated that some of the lot sizes are extremely small, to which CDD Ebbs said that the graphics presented tonight will better demonstrate that but that these are essentially view houses and not typical flat land homes due to the physical constraints on these lots. That they haven't gotten far enough along for floor plans or sizes.

In response to Chair Motts CDD Ebbs stated that the Housing Element addressed numbers for apartments but that while he does not have that number on hand, there is a lot of acreage for low density in the City's plan.

In response to Commissioner Parsons, CDD Ebbs stated that the dash line on page D1 is a drainage easement. Applicant confirmed that this is an easement for a water line and that they are working with Flood Control who has authorized them to go ahead.

In response to Commissioner Hinojosa, CDD Ebbs said that any significant project requires a General Plan amendment and that four total can be approved in a year. He said that this parcel could certainly be considered in the General Plan update but that it is a matter of timing, not a matter of principal and that it was good that she brought that up.

Commissioner Parsons said that she would like to see more transit villages with Bart so close.

CDD Ebbs said that while this is not in the actual area, it is within the study area.

In response to Commissioner Mason, CDD Ebbs said that the 3' setback between the garage and sidewalk in the staff report was actually a typo and that the 3' setback was a side setback and not in the front.

Applicant interjected that they would propose an 18 to 20' driveway.

Opened public hearing.

Applicant, Trent Sanson said that the design team was present and handed out civil renderings to staff and the Commission and placed poster boards. He gave a power point presentation which included background, workshop overview, project location, the Hillcrest Station Specific Plan, the Hillside Development Ordinance definition, and the

preliminary development plan-Parcel C (commercial) Parcel B (apartment) Parcel A (residential).

Ralph Strauss, Architect, continued with the power point presentation discussing the three components of the site (commercial with the main street access point, apartments, and residential).

Applicant pointed out the mitigatable wetlands and showed the letter regarding the water easement.

CDD Ebbs stated that this is not a public hearing.

Paul Powell Jr. said that he lives on Wildflower, that this project is 30% of what the existing housing is in Hillcrest Estates, that there is a flaw in that it all empties into Wildflower, that at the intersection of Deer Valley and Hillcrest motorists have figured out going through Wildflower to get to Highway 4 is quicker, and that this project will exaggerate that and make Wildflower a major thoroughfare. He said that he didn't see anything like a park and that they have open space but it won't be level. He said the benefits of mixed use are that people can work, play and have recreation and restaurants where they live. He said that the developer gets more efficient use of the space, the public entity gets more revenue but he is not sure about the benefits to residents.

Robert Berntson, resident on Sunflower, said that his major objection is the issue with traffic; that his building has been smashed into and that vehicles have been hit with vehicles speeding down the street. He said that Wildflower will turn into a major thoroughfare that can't accommodate that many apartments in that area, and the area would be better served not having this many people in such a small area; infrastructure of the streets doesn't support it. That it is a great idea to have a plaza and create revenue, that he would prefer an industrial area where the apartments would be, and that the apartment complex is going to create too much congestion and traffic.

Dabba Lubken agreed with the neighbors and said that she is concerned about the 100 apartment complex which will affect traffic and speeding. That this will be an eyesore and will affect property values. She is also afraid of crime being brought in. She currently commutes and this will be adding more congestion. She said that she does like the idea of the plaza but doesn't like that many homes in such a small place and would appreciate not allowing this to happen.

Phyllis Fischer, resident on Sunflower, said that there are major traffic issues with cars going down Sunflower too fast, and that the City won't put in stop signs or speed bumps. That 125 more units would be a major problem due to traffic and that something needs to be done with the traffic there already. That this creates a possibility of more Section 8 housing, and although the plaza is great and would create jobs, Antioch does not have enough jobs.

Applicant said that in regards to traffic, this is in preliminary stages, but now that school is in session they can get accurate counts. That they are working with fire, police, and schools on impact fees and design and will look at density in conjunction with traffic reports. Regarding market rate, these are not intended to be Section 8 or low income, and that he imagines homes approaching \$500,000.00 with very high level apartments ranging from studio to three bedroom.

Commissioner Parsons said that she wouldn't want to see buses stopping on Hillcrest but would want residents to have access to buses to get to the Bart station. She said that there is an exceptional chance of having phenomenal frontage to that property on that corner can be a show place. She asked if the basins will also be parks and said that they may want to have something for kids to do.

Applicant said that the water basins are for C3 which will have drought tolerant landscaping but not useable.

In response to Commissioner Zacharatos, applicant said that they do not have any sports courts or pools planned but are looking at amenities within the building such as a fitness center or play areas. Their other thought is that the plaza would double as communal for outdoor amenities.

Vice Chair Westerman wanted to echo the comments already made including the need for a traffic study and that open space with play grounds would be good. He said they need to look at the school district for capacity for students. That this is a very prominent location and a great opportunity for something nice.

Applicant pointed out the meandering walkway on Hillcrest.

In response to Vice Chair Westerman regarding the stability of the hill, applicant said that they have been given a favorable soils report.

In response to Commissioner Mason, applicant said that they may create systems in the buildings for trash or they may have covered trash locations; that they will work with staff and the trash authority on that. He said that there is a median near KFC for exiting onto Hillcrest with an only right turn onto Hillcrest. That they could work with staff on mitigation measures and will take that and general softening measures into consideration as well. He said that they will also look at what else they can do about incorporating play areas in between the apartment buildings.

Commissioner Mason said that on the single family dwellings, most of those appear to have the garage facing or fronting onto the street and that zoning calls for garages not in front of the house but set back a few feet. He asked if that could be redesigned so garages are set back for aesthetics.

CDD Ebbs said that is referenced in the report as well.

Applicant said that they can look at redesigning; that their thought was to bring the garages forward and create alcoves creating mini patio alcoves and living alcoves in the back. That if the direction is guidelines, they can look at that.

In response to Commissioner Miller, the applicant said that they will create natural drought tolerant plants and blend them going down to the commercial area and that they will come up with something that is aesthetically pleasing.

In response to Chair Motts, applicant said that they haven't gotten into the green elements but that the 2013 Code requires that they pre-wire for solar although he is not sure for multi-family; that they will have covered parking. He said that although the homes would not be zero lot line, the minimum size may be 4' instead of 5'. Applicant said that he believes there is a bike lane on Hillcrest that could tie into existing facilities which can be adjusted for the main street area.

Commissioner Hinojosa said that she is really excited about the mixed use concept and while this is a step up from the original rendering, she doesn't like the current layout. She said that it can be taken a step further and there can be more connectivity between retail, something like Bay Street in Oakland or The Streets in Brentwood on a smaller scale. That this is too broken up and blocky. She loves the plaza concept and would like to see more thought given to that. That this is a prominent location with the potential for a big draw. That regarding to the apartments, she does not like the fact that there are no private gates with access to residents on the east side and would like to see a gate in or parking reserved for residents. That there needs to be more amenities and maybe a fence in between the commercial and residential to break it up. Regarding the setback and the street design, she can't really envision without more detail on lot size and layout and would defer back to staff. Regarding Hillside Development and Hillside Guidelines, we need to do everything we can to adhere to them. Also, need consideration of how it can be built into the hillside. Regarding traffic, she agrees with staff that there needs to be a secondary access point, and the apartments should have its own access. She said the public art is great and she had an idea about keeping a theme around Antioch to maybe something historical. That while she absolutely believes we need to support police services in the City, she thinks that needs to be driven by ordinance and council and not by projects. With respect to number 27 requiring the Development Services Agreement required, she has a big issue with that and that should be a policy decision.

Chair Motts concurred and in general is excited about the project.

Commissioner Hinojosa added that she would be in favor of making the units higher, more stacking, if they are able to have more community benefits such as pools.

CDD Ebbs asked for clarification from the Planning Commission on items such as grading, the secondary access road, community amenities including rooftop amenities, increasing level of apartments, reduced parking, multi-family, commercial use and condo conversion. The Planning Commission commented as follows:

Chair Motts is in favor of working through grading issues by reducing the number of homes. Commissioners Parsons and Hinojosa are also in favor.

Commissioner Hinojosa said that in an ideal world, secondary access could be from Wildflower and access to commercial from somewhere else.

Commissioner Parsons stressed again that the corner is so bad that there is a need for bus turn outs. She said that she likes the idea of a transit village to take buses and Bart.

Commissioner Hinojosa said that she is in favor of reducing parking in some way to justify that with bus access, bicycle parking or some need or reason we are doing that, as there are so many parking spaces.

Commissioner Parsons said that this is a new concept for the City and that around Hayward Bart they have beautiful areas that work. She said that we want people off the highway and we want transit villages.

Chair Motts said that apartments or condo units are appropriate near the Hillcrest Station and that he would support being creative with pathways and trails for this project.

Commissioner Mason said that mixed use is quite favorable and he would love to see more of it.

Commissioner Hinojosa said that she likes the idea of condos being owner occupied and maybe a condo overlay can be explored.

Applicant said that their intent is to be long term holders of the apartments.

Chair Motts said they may want to do some outreach to the community members that are residents near there.

Commissioner Zacharatos asked about underground parking to which applicant said they were unsure because of the topography but that they can look into that. Commissioner Zacharatos then asked about laundry facilities to which applicant said that they are looking at joint communal laundry facilities, but if they explore the condo idea, they can also explore individual laundries.

Chair Motts invited the public to speak again.

Neighbor, Phyllis Fischer, spoke to say that if you go out to the neighborhood where Wildflower is, a little way up that hill you will hit their neighborhood. That there is a large City park on Sunflower which all of these apartments would use. She would like to discuss with the City maybe stop signs and speed bumps.

Chair Motts said that these issues can be addressed to the City directly with respect to speed bumps and signs; all other things through a community meeting.

CDD Ebbs had one last comment that this is a review process and when it comes in formally soon, they will have a traffic study and mitigation measures. For existing problems out there, the City can address those through Public Works and the Police Department.

Chair Motts thanked the developer.

### **ORAL COMMUNICATIONS**

Chair Motts said that for these long meetings, if anyone would like to have a break, to please let him know.

Commissioner Hinojosa said that it was nice to have police at the meeting and wanted to recognize that.

### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

Chair Motts said that Transplan was cancelled this month.

### **ADJOURNMENT**

***Chair Motts adjourned the Planning Commission at 9:12 P.M.***

Respectfully Submitted,  
Cheryl Hammers



# ATTACHMENT “D”

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

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*Making Conservation  
a California Way of Life*

October 9, 2017

# 04-CC-2017-00149

SCH 2017092030

GTS ID 7819

Alexis Morris  
Community Development Department  
City of Antioch  
200 H Street  
Antioch, CA 94509-1285

**Antioch Wildflower Station – Mitigated Negative Declaration**

Dear Miss Morris:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the above referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), the Caltrans *Strategic Management Plan 2015-2020* includes targets to reduce Vehicle Miles Travelled (VMT), in part, by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments on the Mitigated Negative Declaration are based on these initiatives and goals.

***Lead Agency***

As the Lead Agency, the City of Antioch is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

***Project Understanding***

The applicant proposes to subdivide and develop the site for retail and single- and multi-family residential uses. The site will be subdivided into three parcels to accommodate retail development along Hillcrest Avenue, high-density multi-family residential adjacent to a shared access with the retail development, and detached single-family homes on the upper portion of the site. The development proposes to build 22 single family units and 98 condos. It will also provide 89,422 square feet of commercial, office, and dining space. The condos will have 186 parking spots; there will be 22 parking spaces within the home for the single family units, and 390 commercial parking spots (TOTAL parking spots: 598). The site is approximately one-quarter mile south of State Route (SR) 4.

***Missing Project Details***

Each phase of the project should be presented with proposed dates, timing, and duration.

***Multimodal Planning***

According to Caltrans' Smart Mobility Guidelines, the project site is a suburban community, which is characterized by segregated residential uses oriented towards the single family home. Suburban communities also tend to lack viable options for regional accessibility beyond the automobile. Caltrans

encourages investments that will improve regional accessibility through means other than the automobile. We suggest that the lead agency works in conjunction with local transit providers to improve regional accessibility, given the number of users this project will add to our state routes. Failure to accommodate for anticipated demand will lead to further congestion and greenhouse gas emissions for the region.

Currently, public transit from Antioch to the nearest BART station (Pittsburg/Bay Point) is provided by Tri Delta Transit Line 300. To make the Express Bus 300 a more attractive option for future residents, the agency should collaborate with other cities and Tri Delta Transit to reduce travel time to BART by adding new routes to reduce the number of stops the bus has to make. For instance, the 300 Bus could skip its current stops at Oakley or Antioch; separate buses would be provided for these cities. There are a myriad of options the agency can undertake; but ultimately, the state's aim is to convert the bulk of automobile users to transit riders to reduce greenhouse gas emissions. By maximizing the 300 bus' route efficiency, we can encourage project residents to use public transit to minimize impacts to our environment.

In addition, connecting buses to other nearby regional hubs such as San Jose and Sacramento should be considered. To connect residents to San Jose, bus routes should be considered for ACE's Livermore Station which provides a direct train commute to San Jose. Connecting Antioch residents to Sacramento would require further research towards a more direct route to the city, given that current means of transportation requires extensive transfers to reach the hub. Creating a more direct route is a critical step towards encouraging automobile users to convert to public transportation.

### ***Vehicle Trip Reduction***

Caltrans encourages the development of Travel Demand Management (TDM) policies to encourage the use of the nearest public transit lines and reduce vehicle trips on the STN. These policies could include lower parking ratios, car-sharing programs, bicycle parking, and providing transit passes for residents, patrons, and employees on a permanent basis. For information about parking ratios, see the Metropolitan Transportation Commission (MTC) report *Reforming Parking Policies to Support Smart Growth* or visit the MTC parking webpage: [http://www.mtc.ca.gov/planning/smart\\_growth/parking](http://www.mtc.ca.gov/planning/smart_growth/parking). To reduce Vehicle Miles Traveled (VMT) and better integrate the proposed project with nearby land uses, and provide a network of complete streets that benefits all users of the transportation system, Caltrans recommends the following:

- Annual reporting with the Lead Agency monitoring;
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.
- Membership in a transportation management association (TMA)
- Transit subsidies on a permanent basis to all residents
- Secured bicycle storage facilities
- Bicycles for residents to access nearby destinations
- Nearby walkable amenities
- Ten percent vehicle parking reduction
- Transit and trip planning resources
- Electrical vehicle (EV) charging stations and designated parking spaces for EVs
- Carpool/Vanpool incentives and dedicated parking spaces for carpooling employees
- Secured bicycle storage facilities
- Fix-it bicycle repair station(s)
- Transportation and commute information kiosk
- Kick-off commuter event at full occupancy
- Bicycle route mapping resources and bicycle parking incentives

Transportation Demand Management (TDM) programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to achieve those targets. The project's primary and secondary effects on pedestrians, bicyclists, disabled travelers and transit operators should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained. These smart growth approaches are consistent with MTC's Regional Transportation Plan/Sustainable Community Strategies and would help meet Caltrans Strategic Management targets. Reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on US 101 and other nearby State facilities.

***Multimodal Fees***

Please identify project-generated travel demand and estimate the costs of public transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multi-modal 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.

In particular, though it is noted in the traffic impact study that the increased trips will not significantly affect service in the area, the developers should pay their fair share of impact fees.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jerry Cheung at 510-286-5562 or [jerry.cheung@dot.ca.gov](mailto:jerry.cheung@dot.ca.gov).

Sincerely



PATRICIA MAURICE  
District Branch Chief  
Local Development - Intergovernmental Review

# ATTACHMENT “E”

## Morris, Alexis

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**From:** Farinha, Melissa@Wildlife [Melissa.Farinha@wildlife.ca.gov]  
**Sent:** Wednesday, October 18, 2017 12:16 PM  
**To:** Morris, Alexis  
**Subject:** SCH No. 2017092030 CDFW comment on the Wildflower Station Mitigated Negative Declaration

Good Morning Ms. Morris,

I realize the Public Comment Period has ended. If the Mitigated Negative Declaration has not yet been finalized, I would like to provide you with the following comment after our review:

To reduce impacts to a level less than significant to Swainson's hawk, CDFW recommends mitigation measure 4.1 be revised to incorporate survey protocols using the methodology prescribed in the *Recommended Timing and Methodology for Swainson's Hawks Nesting Survey's in California's Central Valley* (2000) and compensatory mitigation guidelines as prescribed in the (mitigation measures 1 through 4) in the Management Conditions section of the *Staff Report regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California* (1994). Both documents are available online at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>

Please feel free to contact me with any questions.

Thank You,

Melissa Farinha  
Senior Environmental Scientist (Supervisory)  
Bay Delta Region, Habitat Conservation Unit  
7329 Silverado Trail  
Napa, CA 94558  
(707) 944-5579

**PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE  
DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM  
FOR WILDFLOWER STATION PROJECT AS ADEQUATE FOR ADDRESSING THE  
ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT**

**WHEREAS**, the City received an application from DeNova Homes for approval of a General Plan Amendment, Planned Development Rezone, Final Development Plan with Design Review, Use Permit, and a Vesting Tentative Map, to subdivide an approximately 23.03-acre undeveloped parcel to construct: nine new commercial buildings totaling 89,422 square feet, four residential condominium buildings to accommodate 98 units, and 22 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping (GP-16-01, PW 460-4, PD-16-03, UP-16-08, AR-16-04). The Project is located northeast corner of the intersection at Wildflower Drive & Hillcrest Avenue (APN 051-140-002); and,

**WHEREAS**, the City, as lead agency under the California Environmental Quality Act ("CEQA"), has completed the Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program ("MMRP") for the Project in accordance with Section 15070 of Title 14 of the California Code of Regulations; and,

**WHEREAS**, this document contains the City's CEQA findings supporting adoption of the MND and MMRP. The MND has State Clearinghouse Number 2017092030; and,

**WHEREAS**, consistent with CEQA requirements, the MND was released for public and agency review on September 9, 2017 with the comment period ending on October 11, 2017. Staff received one comment letter during the review period and one after the close of the comment period; and,

**WHEREAS**, Mitigation measures were added to the MMRP, as appropriate, to address these comments; and,

**WHEREAS**, the MND and MMRP must be adopted per Resolution as outlined by State law; and,

**WHEREAS**, on January 17, 2018, the Planning Commission duly held a public hearing on the matter and received and considered evidence, both oral and written, and recommended adoption to the City Council of the Final IS/MND and MMRP; and,

**WHEREAS**, the custodian of the Final IS/MND is the City of Antioch, Community Development Department. The Final IS/MND is available for public review on the second floor of City Hall in the Community Development Department, Monday-Friday 8:00 am – 5:00 pm and the MMRP is attached as Exhibit A to this resolution.

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

**1. ADOPTION OF THE MND and MMRP**

The Planning Commission recommends that the City Council of the City of Antioch (the "City Council") certify that it has been presented with the IS/MND and MMRP for consideration prior to making the following findings below.

Pursuant to CEQA Guidelines Section 15070 (Title 14 of the California Code of Regulations) the Planning Commission recommends that the City Council certify that the IS/MND/MMRP has been completed in compliance with CEQA Guidelines and recommends that the City Council adopt the IS/MND/MMRP as described above.

The Planning Commission recommends that the City Council further certify that the IS/MND/MMRP reflects its independent judgment and analysis.

**2. FINDINGS**

Having received, reviewed, and considered the IS/MND/MMRP and other information in the record of proceedings, the Planning Commission recommends that the City Council hereby adopt the following findings in compliance with CEQA and applicable CEQA Guidelines:

Pursuant to Title 14 of the California Environmental Quality Act (CEQA) Section 15070: a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA. The IS/MND identified potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and transportation/traffic. The IS/MND included mitigation measures to reduce the project's impacts on these resources to a less than significant level.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the IS/MND and the MMRP for the Wildflower Station Project is **HEREBY RECOMMENDED FOR ADOPTION** pursuant to the California Environmental Quality Act. All feasible mitigation measures for the Project identified in the IS/MND, MMRP (Exhibit A), and accompanying studies are hereby incorporated into this approval.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17th day of January, 2018, by the following vote:

AYES:



RESOLUTION NO. 2018--\*\*

JANUARY 17, 2018

Page 3

NOES:

ABSENT:

ABSTAIN:

---

FORREST EBBS

Secretary to the Planning Commission

## EXHIBIT A

The Environmental Quality Act (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. Based on comments received and the mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Wildflower Station Project are listed below 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 WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.3 Air Quality					
4.3-2	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<i>MM 3-1 During construction activities, the project applicant and/or its contractor shall ensure that all off-road diesel-powered equipment used in grading or excavating activities shall be CARB Tier 3 certified or better.</i>	City of Antioch Planning Division	During construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.3-3	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<i>MM 3-1 During construction activities, the project applicant and/or its contractor shall ensure that all off-road diesel-powered equipment used in grading or excavating activities shall be CARB Tier 3 certified or better.</i>	City of Antioch Planning Division	During construction activities	
4.4 Biological Resources					
4.4-1	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<i>MM 4.1 If clearing and/or construction activities would occur during the raptor nesting season (February 1–September 15), preconstruction surveys to identify active nests shall be conducted by a qualified biologist within 14 days prior to construction initiation. Surveys must be performed by a qualified biologist for the purposes of determining presence/absence of active nest sites within the proposed impact area, including construction access routes and a 200-foot buffer (if feasible). If no active nests are found, no further mitigation is required. Surveys shall be repeated if construction</i>	City of Antioch Planning Division	Prior to and during construction	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>activities are delayed or postponed for more than 30 days.</i></p> <p><i>If white-tailed kite, northern harrier, or other raptor (excluding Swainson's hawk) nests are identified within 500 feet of project activities, a 250-foot setback shall be imposed to all active raptor sites prior to commencement of project construction activities to avoid construction- or access-related disturbances to nesting raptors. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within any setbacks until nests are deemed inactive.</i></p> <p><i>If active Swainson's hawk nest sites are identified within 0.25 mile of project activities, a 0.25-mile setback shall be imposed to all active nest sites prior to commencement of any construction activities to avoid construction- or access-related disturbances to nests. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within the setback until the nest is deemed inactive. Activities permitted within setbacks and the size of setbacks may be adjusted through consultation with the CDFW.</i></p>			

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>MM 4.2 If clearing and/or construction activities will occur during the nesting period for western burrowing owls (February 1–August 31), a qualified biologist shall conduct preconstruction surveys on and adjacent to the project site within 14 days prior to construction initiation. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation, published March 7, 2012. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during the nesting season.</i></p> <p><i>If no western burrowing owls are detected, no further mitigation is required. If active burrowing owls nest sites are detected, the City shall require implementation of the avoidance, minimization, and mitigation methodologies outlined in the CDFW's Staff Report (see Appendix BIO) prior to the initiation of project-related activities that may impact burrowing owls.</i></p>	City of Antioch Planning Division	Prior to start of construction	
		<p><i>MM 4.3 If clearing and/or construction activities will occur during the migratory bird nesting season (February 1–September 1), preconstruction surveys to identify active migratory bird nests shall be conducted by a qualified biologist within 14 days prior to</i></p>	City of Antioch Planning Division	Prior to and during construction	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>construction initiation. Focused surveys must be performed by a qualified biologist for the purposes of determining the presence/absence of active nest sites within the proposed impact area, including construction access routes and a 200-foot buffer (if feasible).</i></p> <p><i>If migratory bird nests are identified within 200 feet of project activities, a 150-foot setback shall be imposed to all active migratory bird nest sites prior to commencement of project construction activities to avoid construction or access-related disturbances to nesting birds. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within any setbacks until nests are deemed inactive.</i></p> <p><i>MM 4.4 Trees containing active migratory bird and/or raptor (excluding Swainson's hawk) nests that must be removed as a result of the project shall be removed during the non-breeding season (September 16–January 31). Swainson's hawks are state listed as threatened species; therefore, impacts to trees containing Swainson's hawk nests require regulatory authorization from the CDFW prior to removal.</i></p>	City of Antioch Planning Division	Prior to start of construction	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>MM 4.5 In order to avoid impacts to roosting special-status bats, a tree survey shall be conducted 15 days prior to commencement of project activities. Tree cavities and exfoliated bark that could provide roosting or maternity habitat shall be examined for evidence of use by bats. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If roosts are found, a determination shall be made whether young are present. If a maternity site is found, impacts to that tree shall be avoided until the young have reached independence. If adults are found roosting but no maternity sites are found, the adult bats can be flushed prior to the time the tree in question would be removed or disturbed.</i></p> <p><i>MM 4.6 Construction activities shall occur during daylight hours. If bats are observed foraging during daylight hours, construction activities shall cease until bats are no longer observed in the area.</i></p> <p><i>MM 4.8 The loss of potential Swainson's hawk foraging habitat shall be mitigated via the permanent preservation of Swainson's hawk foraging habitat pursuant to the CDFW's Mitigation Guidelines at a 1:1 ratio for full 23.03 acre project site. Acceptable mitigation may include one of</i></p>	<p>City of Antioch Planning Division</p> <p>City of Antioch Planning Division</p> <p>City of Antioch Planning Division</p>	<p>During project construction</p> <p>During project construction</p> <p>Prior to the start of construction</p>	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>the following options:</i></p> <ul style="list-style-type: none"> <li><i>• The project applicant shall acquire Fee Title of Swainson's hawk habitat, or acquire the right to record a conservation easement over lands that can be managed for Swainson's hawk (hereinafter Habitat Management Lands). Any land acquired through Fee Title shall be donated to a suitable conservation organization for management and the applicant shall be assessed a management endowment fee for the long-term management of the Habitat Management Lands by a CDFW-approved conservation organization; or</i></li> <li><i>• In lieu of fee title acquisition of mitigation land, or in lieu of recording a conservation easement over suitable Swainson's hawk foraging habitat, the applicant shall purchase Swainson's hawk mitigation credits from a CDFW-approved Swainson's hawk Conservation Bank. As there are no Swainson's hawk conservation banks that have a service area that covers the project site, an out of service area Swainson's hawk Conservation Bank shall be allowed as determined</i></li> </ul>			



MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>appropriate based on consultation with CDFW.</i>			
4.4-2	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<i>MM 4.7 The project applicant shall offset the 0.133 acre of seasonal wetlands permanently impacted by the proposed project at a 1:1 ratio through the dedication of mitigation credit(s) within a USACE-approved mitigation bank or through the payment of in-lieu fees to an approved conservation bank.</i>	City of Antioch Planning Division	Prior to start of construction	
4.4-3	Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?	<i>MM 4.7 The project applicant shall offset the 0.133 acre of seasonal wetlands permanently impacted by the proposed project at a 1:1 ratio through the dedication of mitigation credit(s) within a USACE-approved mitigation bank or through the payment of in-lieu fees to an approved conservation bank.</i>	City of Antioch Planning Division	Prior to start of construction	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
<b>4.5 Cultural Resources</b>					
4.5-1	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<i>MM 5.1 Treatment of previously unidentified archaeological and paleontological deposits. If prehistoric or historical archaeological deposits or paleontological resources are discovered during construction, the project applicant and/or contractor shall stop all work within 25 feet of the discovery and an archaeologist or paleontological shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. The project applicant and/or contractor shall avoid impacts to archaeological deposits to the extent feasible, but if such impacts cannot be avoided, the deposits shall be evaluated for their California Register eligibility. If the deposit is not eligible for the California Register, no further protection of the finds is necessary. If the deposits are California Register eligible, they shall be protected from project-related impacts, or such impacts shall be mitigated. Mitigation may consist of but is not necessarily limited to systematic recovery and analysis of archaeological deposits, recordation of the resource, preparation of a report of findings, and accession of recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.</i>	City of Antioch Planning Division	During construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.5-2	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<i>MM 5.1 Treatment of previously unidentified archaeological and paleontological deposits. If prehistoric or historical archaeological deposits or paleontological resources are discovered during construction, the project applicant and/or contractor shall stop all work within 25 feet of the discovery and an archaeologist or paleontological shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. The project applicant and/or contractor shall avoid impacts to archaeological deposits to the extent feasible, but if such impacts cannot be avoided, the deposits shall be evaluated for their California Register eligibility. If the deposit is not eligible for the California Register, no further protection of the finds is necessary. If the deposits are California Register eligible, they shall be protected from project-related impacts, or such impacts shall be mitigated. Mitigation may consist of but is not necessarily limited to systematic recovery and analysis of archaeological deposits, recordation of the resource, preparation of a report of findings, and accession of recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.</i>	City of Antioch Planning Division	During construction activities	
4.5-2	Disturb any human	<i>MM 5.2 Treatment of previously unidentified human</i>	City of Antioch	During	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	remains, including those interred outside of formal cemeteries?	<i>remains. The project applicant and/or contractor shall treat any human remains encountered during ground-disturbing activities in accordance with California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Contra Costa County coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American most likely descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.</i>	Planning Division	construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.6 Geology and Soils					
4.6-1	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving: Landslides?	<i>MM 6.1 The project applicant shall incorporate the recommendations of the geotechnical investigation report dated January 9, 2015, prepared by Stevens, Ferrone &amp; Bailey Engineering Company or as approved by the City Engineer. The project's building plans shall demonstrate that they incorporate all applicable recommendations from the geotechnical study and comply with all applicable requirements of the latest adopted version of the California Building Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</i>	City of Antioch Engineering and Development Services Division	Reviewed as part of construction plans; verified prior to occupancy	
4.6-3	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-	<i>MM 6.1 The project applicant shall incorporate the recommendations of the geotechnical investigation report dated January 9, 2015, prepared by Stevens, Ferrone &amp; Bailey Engineering Company or as</i>	City of Antioch Engineering and Development Services Division	Reviewed as part of construction plans; verified prior to occupancy	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<i>approved by the City Engineer. The project's building plans shall demonstrate that they incorporate all applicable recommendations from the geotechnical study and comply with all applicable requirements of the latest adopted version of the California Building Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</i>			
4.6-4	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<i>MM 6.1 The project applicant shall incorporate the recommendations of the geotechnical investigation report dated January 9, 2015, prepared by Stevens, Ferrone &amp; Bailey Engineering Company or as approved by the City Engineer. The project's building plans shall demonstrate that they incorporate all applicable recommendations from the geotechnical study and comply with all applicable requirements of the latest adopted version of the California</i>	City of Antioch Engineering and Development Services Division	Reviewed as part of construction plans; verified prior to occupancy	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>Building Code. A licensed professional engineer shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</i>			
<b>4.9 Hydrology and Water Quality</b>					
4.9-5	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<i>MM 9.1 The project applicant shall prepare and submit for approval by the City's Community Development Department a hydraulic analysis demonstrating that the project's post-development runoff volume and flow rate would not exceed pre-development conditions.</i>	City of Antioch Engineering and Development Services Division	Reviewed as part of construction plans; verified prior to occupancy	
<b>4.16 Transportation/Traffic</b>					
4.16-4	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<i>MM 16.1 The project applicant shall re-mark the segment of Larkspur Drive between Wildflower Drive and Bluebell Drive to have one lane in each direction with bicycle lanes and left turn lanes.</i>  <i>MM 16.2 Prior to the issuance of grading and</i>	City of Antioch Engineering and Development Services Division  City of Antioch	Prior to project completion  Prior to issuance	

MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>building permits, the project applicant shall be required to submit a traffic control plan to the City for approval. The requirements of the plan would include, but would not be limited to:</i></p> <ul style="list-style-type: none"> <li><i>• Truck drivers would be notified of and required to use the most direct route between the project site and SR 4, as determined by the Public Works Department.</i></li> <li><i>• All site ingress and access shall occur only at the main driveways to the project site, and construction activities may require installation of temporary traffic signals, as determined by the Public Works Department.</i></li> <li><i>• Specifically designated travel routes for large vehicles shall be monitored and controlled by flaggers for large construction vehicle ingress and egress.</i></li> <li><i>• Warning signs indicating frequent truck entry and exit shall be posted on adjacent roads.</i></li> <li><i>• If import and export of material to the site becomes a traffic nuisance, the City</i></li> </ul>	Engineering and Development Services Division	of grading and building permits	



MITIGATION MONITORING AND REPORTING PROGRAM WILDFLOWER STATION					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Engineer may limit the hours in which the activities can take place.</i></p> <ul style="list-style-type: none"> <li>• <i>Construction employee parking shall be on the project site or in off-site parking lots to eliminate conflicts with nearby residential areas.</i></li> <li>• <i>Construction may be staggered so the construction worker parking demand can be met by using on-site parking;</i></li> <li>• <i>Emergency response providers shall be notified of the construction schedule a minimum of two weeks in advance.</i></li> </ul>			

**PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN  
AMENDMENT AMENDING THE LAND USE DESIGNATION FOR THE WILDFLOWER  
STATION PROJECT FROM NEIGHBORHOOD COMMUNITY COMMERCIAL TO  
MIXED-USE**

**WHEREAS**, the City received an application from DeNova Homes for approval of a General Plan Amendment, Planned Development Rezone, Final Development Plan with Design Review, Use Permit, and a Vesting Tentative Map, to subdivide an approximately 23.03 acre undeveloped parcel to construct: nine new commercial buildings totaling 89,422 square feet, four residential condominium buildings to accommodate 98 units, and 22 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping (PD-16-03, GP-16-01, PW-460-4, UP-16-08, AR-16-04). The Project is located north section of the intersection at Wildflower Drive and Hillcrest Avenue (APN 051-140-002); and,

**WHEREAS**, a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15170, and,

**WHEREAS**, on January 17, 2018 the Planning Commission did recommend that the City Council adopt the Wildflower Station MND and associated MMRP; and,

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

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

**WHEREAS**, the proposal to allow for commercial, single family, and high density residential development promotes the City's ability to provide diverse housing types in close proximity to commercial developments and transit and is consistent with several General Plan policies to reduce automobile dependence, decrease traffic trips, and smart growth principals that would not be achieved through the current Neighborhood Commercial designation; and,

**WHEREAS**, project site is adjacent to similar residential and commercial uses and has been designed pursuant to City hillside development policies; and,

**WHEREAS**, the proposed project site is of adequate size to accommodate the proposed mixed-uses; and,

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

**WHEREAS**, the Planning Commission duly gave notice of public hearing as required by law; and,

**WHEREAS**, on January 17, 2018 the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

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

1. The proposed project conforms to the provisions and standards 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 a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program which concluded that the project does not result in any significant or unavoidable impacts.
5. The Proposed General Plan Land Use Map 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 Planning Commission hereby recommends the City Council adopt the General Plan Land Use Map Amendment (GP-16-01) re-designating the site identified by Assessor's Parcel Number 051-140-002 from Neighborhood Community Commercial (NC) to the Mixed Use (MU) designation.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17th day of January 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

FORREST EBBS

Secretary to the Planning Commission

**PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE TO  
REZONE TO PLANNED DEVELOPMENT DISTRICT (PD-16-03) FOR THE  
WILDFLOWER STATION PROJECT**

**WHEREAS**, the City received an application from DeNova Homes for approval of a General Plan Amendment, Planned Development Rezone, Final Development Plan with Design Review, Use Permit, and a Vesting Tentative Map, to subdivide an approximately 23.03-acre, undeveloped parcel to construct: nine new commercial buildings totaling 89,422 square feet, four residential condominium buildings to accommodate 98 units, and 22 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping (PD-16-03, GP-16-01, PW-460-4, UP-16-08, AR-16-04). The Project is located at the northeast corner of the intersection at Wildflower Drive and Hillcrest Avenue (APN 051-140-002); and,

**WHEREAS**, An Initial Study, a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15170; and,

**WHEREAS**, on January 17, 2018 the Planning Commission did recommend that the City Council adopt the MND and associated MMRP; and,

**WHEREAS**, the Planning Commission duly gave notice of public hearing as required by law; and,

**WHEREAS**, on January 17, 2018 following consideration of the merits of the Project, the Planning Commission made findings in support of and recommended City Council approval of the Wildflower Station General Plan Amendment; and,

**WHEREAS**, on January 17, 2018, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and written; and,

**WHEREAS**, in consideration of the rezone, the granting of such rezone will not adversely affect the comprehensive General Plan.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby make the following general findings for recommendation to the City Council for approval of the proposed zoning amendment:

1. That the proposed zone reclassification will allow uses more suitable for the site than the present classification.

The proposed zoning amendment retains the ability to develop neighborhood serving commercial uses at a scale consistent with market demand. It also adds allowed residential uses that would further support the viability of proposed commercial uses and would support the goals of the City's General Plan Housing Element by providing new single- and multi-family dwellings within the City.

2. That uses permitted by the proposed zoning will not be detrimental to adjacent or surrounding properties.

Uses permitted with the proposed zoning single-family, multi-family and commercial uses that are compatible and consistent with existing development in the Project vicinity.

3. That evidence has been presented documenting land use changes in the area to warrant a change in zoning.

The proposed PD zone would achieve the goals of the General Plan MU designation by allowing increased flexibility in the design standards, maximizing the center's ability to provide goods and services to the adjacent communities and providing housing that could not be achieved through with the site's current zoning.

4. That the requested zoning change is in conformance with the General Plan.

The proposed zoning would be consistent with the proposed General Plan MU designation, would retain currently allowed commercial uses and would provide varied housing opportunities.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission does hereby make the following findings specific to the Wildflower Station PD designation:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and 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.

The project will provide new services and housing options to the area and is designed to function independently while remaining interconnected through pathways and access for both vehicles and pedestrians.

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;

The Project design minimizes traffic impacts to the existing street system and encourages internal pedestrian circulation between proposed uses. The Project will be required to pay for all improvements to the site as well as its fair share of impacts to all public services. The project has been reviewed and no significant impacts on utilities or services has been identified.

3. Any commercial components are justified economically at the location(s) proposed.

The site's commercial uses would serve the communities directly adjacent to the Project. The current proposal would achieve this vision through the zoning map amendment by allowing more housing located adjacent to the commercial uses; thus, increasing the likelihood of success of the center's ability to service the area.

4. Any residential component will be 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.

The project has been designed to comply with City density standards as the proposed densities are within General Plan allowances. The Project sites single-family homes adjacent to similar, existing homes served from Wildflower Drive.

5. There are no industrial components 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 proposed PD zone was intended to allow for current and future flexibility in complying with the mixed-use designation of the site. Minor deviations to development standards have been incorporated into the Wildflower Station PD Ordinance that respond to specific limitations of the project site.

7. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development.

Land surrounding the Project is already developed and the proposal has been designed to compatible with surrounding uses.

8. The P-D District conforms to the General Plan of the city.

The proposal conforms to the purpose and intent of the MU General Plan designation by providing a mix of commercial and residential uses configured in a manner that is compatible with surrounding uses.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission does hereby recommend to the City Council APPROVAL of the draft Ordinance (Exhibit A) to rezone the approximately 23.03-acre site located at the northern section of the intersection of Wildflower Drive and Hillcrest Avenue (APN 051-140-002) to Planned Development District (PD-16-03).

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17<sup>th</sup> day of January 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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FORREST EBBS  
Secretary to the Planning Commission



**EXHIBIT A**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE  
THE APPROXIMATELY 23.03 ACRE WILDFLOWER STATION PROJECT SITE  
(APN 051-140-002), FROM PLANNED DEVELOPMENT DISTRICT (PD) AND  
NEIGHBOOD/COMMUNITY COMMERCIAL (C-2) TO PLANNED DEVELOPMENT  
DISTRICT (PD-16-03)**

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

**SECTION 1:**

The City Council determined on \_\_\_\_\_, that, pursuant to Section 15074 of the Guidelines of the California Environmental Quality Act, and after full consideration of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) prepared for project, and on the basis of the whole record before it, the MND and MMRP for the Wildflower Station project should be adopted.

**SECTION 2:**

At its regular meeting of January 17, 2018, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property from Planned Development District Neighborhood/Community Commercial to Planned Development District (PD-16-03) for the Wildflower Station project.

**SECTION 3:**

The real property described in Exhibit A, attached hereto, is hereby rezoned from Planned Development District and Neighborhood/Community Commercial to Planned Development (PD-16-03) for the Wildflower Station Project, and the zoning map is hereby amended accordingly.

**SECTION 4:**

The development standards, as defined below, for the subject property (APN 051-140-002), known as the Wildflower Station Project, are herein incorporated into this ordinance, and are binding upon said property.

### Development Standards for the Wildflower Station Planned Development District (PD-16-03)

Development Standards for the Wildflower Station Planned Development District	PD Zoning Standards for Single-Family Residential (SF)	PD Zoning Standards for Medium Density Residential (MDR)	PD Zoning Standards for Commercial Employment (CE)
Maximum height	35'	45'	35'
Maximum Density – DU per acre	6 DU/Acre	20 DU/Acre	NA
Maximum Number of Units	22	98	NA
Maximum Lot Coverage	60% (gross first floor living plus garage area and any accessory structures divided by the lot area. Does not include patio covers open on all 4 sides or front porches)	40%	35% (all structures)
Minimum Lot Width	Lots shall conform to the Vesting Tentative Subdivision Map submitted to the Community Development Department on July 12, 2017	Lots shall conform to the Vesting Tentative Subdivision Map submitted to the Community Development Department on July 12, 2017	NA
Minimum Front Yard Setbacks	<u>From back of sidewalk:</u> Garage: 20' Porch: 10'	<u>From Face of Curb:</u> 10'	<u>From PL/ROW:</u> 30'
Minimum Side Yard Setbacks	<u>Minimum:</u> 4'  <u>One side yard:</u> Minimum 5'  <u>Separation between homes:</u> Minimum 9'  Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Municipal Code Section 9-5.801.	<u>Between buildings:</u> 20'  Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Municipal Code Section 9-5.801.	<u>Between buildings:</u> Per approved Final Development Plan submitted to the Community Development Department on July 12, 2017
Minimum Rear Yard Setbacks	<u>Living Space:</u> 9'	<u>From Face of Curb:</u> 10'	<u>From PL/ROW:</u> 30'
Accessory Structure	<u>All Lot Types:</u> Interior	<u>NA – Accessory</u>	<u>NA</u>

Development Standards for the Wildflower Station Planned Development District	PD Zoning Standards for Single-Family Residential (SF)	PD Zoning Standards for Medium Density Residential (MDR)	PD Zoning Standards for Commercial Employment (CE)
Setbacks	<p><u>lot</u>: side yard and rear yard setback is zero feet.</p> <p><u>All Lot Types</u>: Corner <u>lot</u>: street side yard is 10 feet and rear /interior side yard is zero feet.</p>	<u>structures are not permitted.</u>	
Covered Patio / California Room	<p><u>Covered Patio Definition</u>: A patio covered by a trellis, arbor or solid roof attached or detached to the main structure and open on three sides. <u>Setbacks</u>: 3' minimum to rear and side yard.</p> <p><u>California Room Definition</u>: A patio covered with a solid roof, attached to or detached from the main structure, with two or three solid walls. <u>Setbacks</u>: 4' minimum to side yard, 7' minimum to rear yard. <u>Design</u>: Must be architecturally compatible to the main house in design, colors and materials.</p>	NA	NA
Parking and Driveways	20-foot minimum setback to garage door. Garage shall provide at least two off-street parking spaces. One on-street parking space must be provided.	Parking provided per approved Final Development Plan.	Parking provided per approved Final Development Plan or subsequent use permit requirements.
Driveway Width	Driveway width not to exceed 45% of lot frontage.	NA	NA
Landscape Requirements	Project landscaping shall be consistent with the Wildflower Station	Project landscaping shall be consistent with the Wildflower Station	Project landscaping shall be consistent with the Wildflower Station

<b>Development Standards for the Wildflower Station Planned Development District</b>	<b>PD Zoning Standards for Single-Family Residential (SF)</b>	<b>PD Zoning Standards for Medium Density Residential (MDR)</b>	<b>PD Zoning Standards for Commercial Employment (CE)</b>
	Conceptual Landscape Plan submitted to the Community Development Department on July 12, 2017.	Conceptual Landscape Plan submitted to the Community Development Department on July 12, 2017.	Conceptual Landscape Plan submitted to the Community Development Department on July 12, 2017.
RV Parking	On-street or on-lot RV parking is prohibited.	RV parking is prohibited.	RV parking is prohibited.

## Section 5

The allowed uses, as defined below, for the subject property (APN 051-140-002), known as the Wildflower Station Project, are herein incorporated into this ordinance, and are binding upon said property.

**Single Family Residential Uses.** Allowed uses within Single-Family Residential lots of the Wildflower Station project shall be those uses as allowed in the R-6 Single-Family Residential District as established in Section 9.5.3803 of the City of Antioch Municipal Code.

**Multi-Family Residential Uses.** Allowed uses within Multi-Family Residential portions of the Wildflower Station project (Parcel B of the Vesting Tentative Subdivision Map) shall be those uses as allowed in the R-20 Medium 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 Wildflower Station project shall be as established herein.

**Similar Use Determination.** Additional uses not specifically listed in the following table maybe be allowed where the Community Development Director determines a proposed use is substantially similar to a listed use. Such use would be subject to any reviews and limitations noted herein for the listed use that is identified as similar.

**Exception to Limitation.** Where a specific square footage limit on the total amount for a use is identified in the following table, the Community Development Director may, through approval of an Administrative Use Permit, grant a 25% increase in the total

allowed square footage for the specific use. In granting such exception the Community Development Director shall consider the overall mix of uses present in the center and whether granting of the exception would substantially reduce the centers ability to meet the retail commercial needs of surrounding neighborhoods.

**Allowed Commercial Uses for the Wildflower Station Planned Development District (PD-16-03)**

Allowed Commercial Uses		Notes
<b>Commercial Retail</b>		
Merchandise and/or General Retail Sales	Allowed	Broadly includes merchandise and general retail except as otherwise defined herein.
Supermarkets or Grocery	Allowed	Supermarkets and groceries over 5,000 s.f. allowed to have alcohol sales by right
Convenience Store	Allowed	Limited to one store as a permitted use within the project. Any additional convenience store must apply for a conditional use permit.  Convenience store defined as a store that sells primarily packaged food, household, and personal convenience items. Alcohol sales require a conditional use permit.
Gas Stations, with or without Car Wash and/or Convenience Store.	CUP	Any gas station or carwash use would require amendment of the project approvals per the requirements of § 9-5.2311, supported by analysis of site access, internal circulation, noise and other potential impacts as identified by the Community Development Department.
Pet supply stores with ancillary uses such as grooming services	Allowed	
Liquor Stores	CUP	Liquor Stores including by way of example, but not limited to, establishments that sell primarily beer, wine, or distilled spirits. No more than one liquor store is allowed within the center.
Motor Vehicle Sales	CUP	Including Automobile, Motorcycle, Recreational Vehicle and Boat Sales where vehicles are displayed indoors only.

<b>Restaurant/Entertainment</b>		
Restaurants (with or without liquor sales)	Allowed	Including, but not limited to: full-service sit-down restaurant establishments; take-out only establishments; delis; and, fast-food with no drive-through.
Bar, sports bar, lounge, nightclub and similar establishments	CUP	No more than one type of on-site sale of beer, wine, or distilled spirits establishment, including establishments which offer food as a secondary use, live entertainment and/or dancing.
Tasting room – beer, wine, distilled spirits	CUP	No more than one of each type (beer, wine, distilled spirits). Serving space may not exceed 30% of total square footage of business with limitation on hours of operation as determined appropriate during CUP review.
Video Arcades, indoor Movie Theatre, Bowling Alley, Skating Rink, and similar entertainment establishments	Allowed	
Health clubs and fitness studios	Allowed	Ancillary outdoor facilities such as swimming pools or tennis courts require approval of a conditional use permit.
Clubs/Lodges/Cultural Institutions	CUP	Subject to analysis of site access, internal circulation, noise and other issues as identified by the City.
<b>Commercial Services</b>		
Commercial and personal services	Allowed	Broadly includes personal services such as hair salons and day spas and professional offices such as title companies, real estate offices, tutoring centers that are less than 5,000 SF in size that provide services to the general public or to other businesses and that do not have the potential to generate noise, odors, fumes or hazards that could adversely impact surrounding uses.

Professional Office, Large	Allowed	<p>Including but not limited to business, institutional, administrative, financial, professional and governmental offices, public and quasi-public offices greater than 5,000 SF in size.</p> <p>Such uses may be located within interior (not facing toward Hillcrest) portions of Buildings B, C and G and shall be limited to no more than 15,000 square feet total building space within the project.</p>
Public or private charter schools, trade schools, colleges	CUP	<p>Such uses may be located within interior (not facing toward Hillcrest) portions of Buildings B, C and G and shall be limited to no more than 15,000 square feet total building space within the project.</p>
Acute Care/Rehabilitation Care/Psychiatric Care/other general medical care providers and offices	Allowed	
Pet Grooming and Veterinary Clinics	Allowed	<p>Such uses must be confined to interior of the building. Overnight boarding of pets requires a conditional use permit.</p>
Childcare/Daycare	CUP	<p>Childcare/daycare smaller than 3,000 SF are allowed by right. Uses larger than 3,000 SF require a use permit approval supported by analysis of site access, internal circulation, noise and other potential impacts identified by the Community Development Director.</p>
<b>Manufacture/Assembly/Commercial Uses</b>		
Ancillary uses which generate minimal noise, odor, smoke, and waste material	CUP	<p>Light industrial use, such as minor manipulation or assembling of materials, or testing/repair of equipment (cameras, electronics, etc.), that are ancillary to an on-site commercial or retail use. Such uses may be located within interior (not facing toward Hillcrest) portions of Buildings B, C and G and shall be limited to no more than 8,000 square feet total building space within the project. All such uses must occur within a building.</p>
Construction and fabrication related services	CUP	<p>Including but not limited to cabinetry, countertop, and furniture fabrication shops. Such uses may be located within interior (not facing toward Hillcrest) portions of Buildings B, C and G and shall be limited to no more than 8,000 square feet total building space within the project. All such uses must occur within a building.</p>

Commercial uses which manufacture and sell their primary product on the premises	Allowed	Uses include, but are not limited to, jewelry, bakeries, coffee roaster, ice cream. Review of such uses shall ensure surrounding uses are not impacted by noise, fumes, odors, hazards or other potential environmental impacts. Shall be limited to no more than 8,000 square feet total building space within the project.
Research and development facilities	Allowed	Such uses may be located within interior (not facing toward Hillcrest) portions of Buildings B, C and G and shall be limited to no more than 15,000 square feet total building space within the project.
Wholesale showrooms and distribution centers	Allowed	Such uses shall be limited to no more than 15,000 square feet total building space within the project and shall have no outdoor storage.
Medical/Dental/Optical Laboratories	Allowed	
<b>Misc. Uses and Regulations</b>		
Tobacco and Paraphernalia Retailer	Not allowed except as follows	<p>The sale of drug paraphernalia is prohibited.</p> <p>Convenience stores may sell tobacco when ancillary to a gas station and having less than 20% of their sales area devoted to tobacco products.</p> <p>Retail businesses larger than 5,000 square feet may sell tobacco where less than 5% of their sales area devoted to tobacco products.</p>
Assisted Living Facilities/Care Homes	CUP	Any assisted living/care home use would require amendment of the project approvals per the requirements of § 9-5.2311, supported by analysis of site access, internal circulation, noise and other potential impacts as identified by the Community Development Department.
Check cashing facilities, pawnshops and second hand sales	CUP	Shall be limited to one such facility within the project and shall not face toward Hillcrest Avenue or Wildflower Drive.
Outdoor display, dining, and/or sale of merchandise	Allowed with Administrative Use Permit	Outdoor display, dining, and/or sales areas are permitted as ancillary uses to existing tenants or as seasonal events not associated with a tenant, such as Christmas tree lots and pumpkin patches. These uses shall be subject to administrative use permit approval by the Zoning Administrator.



Drive Up Windows for all types of uses (i.e. restaurant, bank, etc.)	CUP	Any drive-through in a location other than Building H would require amendment of the project approvals per the requirements of § 9-5.2311 and use permit approval, supported by analysis of site access, internal circulation, noise and other potential impacts as identified by the Community Development Department.
Temporary parking lot display and/or sale areas	AUP	Are permitted as ancillary uses to existing tenants. These uses shall be subject to administrative use permit approval by the Zoning Administrator.

Allowed: Allowed by right, subject to limitations as noted

CUP: Allowed subject to approval of a Conditional Use Permit

AUP: Allowed subject to approval of an Administrative Use Permit

#### SECTION 6:

The City Council finds that the that the proposed zone reclassification will allow uses more suitable uses for the site than the present classification; that the subject property is suitable to the use permitted in the proposed zone change; that said permitted uses are not detrimental to the public or surrounding properties; and that the proposed zone change is in conformance with the Antioch General Plan.

#### SECTION 7:

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 \_\_\_\_ of \_\_\_\_\_, 2018, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ of \_\_\_\_\_, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Mayor of the City of Antioch

**ATTEST:**

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City Clerk of the City of Antioch

**PLANNING COMMISSION  
RESOLUTION NO. 2018-\*\***

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING APPROVAL OF A VESTING TENTATIVE MAP, FINAL  
DEVELOPMENT PLAN, USE PERMIT, AND DESIGN REVIEW FOR THE  
WILDFLOWER STATION PROJECT**

**WHEREAS**, the City received an application from DeNova Homes for approval for a Vesting Tentative Map, Use Permit and Design Review, to subdivide an approximately 23.03 acre undeveloped parcel and to grant Use Permit and Design Review approvals to construct: nine new commercial buildings totaling 89,422 square feet, four residential condominium buildings to accommodate 98 units, and 22 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping (PD-16-03, GP-16-01, PW 460-4, UP-16-08, AR-16-04). The Project is located north of the intersection at Wildflower Drive and Hillcrest Avenue (APN 051-140-002); and,

**WHEREAS**, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162; and,

**WHEREAS**, the January 17, 2017, the Planning Commission recommended adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the City Council; and,

**WHEREAS**, on January 17, 2017, the Planning Commission recommended approval of a General Plan Amendment (GP-16-01) to the City Council; and,

**WHEREAS**, on January 17, 2017, the Planning Commission recommended approval of a rezone to Planned Development District (PD-16-03) to the City Council; and,

**WHEREAS**, on November 16, 2017, the Parks and Recreation Commission considered the Wildflower Station project and did recommend to the Planning Commission that the project be obligated to pay \$126,100 in parkland dedication in lieu fees; and,

**WHEREAS**, the Planning Commission duly gave notice of public hearing as required by law; and,

**WHEREAS**, on January 17, 2018, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Commission makes the following required findings for approval of a Vesting Tentative Subdivision Map:

1. That the Vesting Tentative Subdivision Map, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site has a proposed General Plan Designation of Mixed-Use and the Vesting Tentative Subdivision Map will accommodate uses that are consistent with the proposed General Plan designation.
2. That the subdivision proposed by the Vesting Tentative Subdivision Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The City's Planning and Engineering staff have reviewed the Tentative Parcel Map and evaluated the effects of the map proposed and have determined that the Vesting Tentative Map, as conditioned, complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.
3. The Project's 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 all applicable City standards.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Commission makes the following 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 or potential surrounding uses but instead will have a beneficial effect which could not be achieved under the current General Plan Land Use designation or zoning for the project site. The project will provide new services and housing options to the area and is designed to function independently while remaining interconnected through pathways and access for both vehicles and pedestrians.
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. The final design, location and size of these improvements will be subject to the approval of the City Engineer. The Project design minimizes traffic impacts to the existing street system and encourages internal pedestrian circulation between proposed uses. The Project will be required to pay for all improvements to the site as well as its fair share of

impacts to all public services. The project has been reviewed and no significant impacts on utilities or services has been identified.

3. While the project proposes commercial buildings, tenants have not been established for the center. All commercial uses will be reviewed by City staff prior to approval for operation. The site's commercial uses would serve the communities directly adjacent to the Project. The current proposal would achieve this vision through the zoning map amendment by allowing more housing located adjacent to the commercial uses; thus, increasing the likelihood of success of the center's ability to service the area.
4. The residential components will be 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 because the single- and multi-family project is in substantial in conformance with the applicable zoning requirements for residential development and the Planned Development District development standards established for the project site. The project has been designed to comply with City density standards as the proposed densities are within General Plan allowances. The Project locates single-family homes adjacent to similar, existing homes served from Wildflower Drive.
5. There are no industrial components 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 is substantially in conformance with zoning requirements for residential and commercial development and the Planned Development District development standards established for the project site;
7. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development; because the proposed development is surrounded by properties developed with commercial and residential uses that are consistent with the proposed project and the undeveloped area around the Project will also be required to develop according to the General Plan policies.
8. The Project and the PD District conform to the General Plan of the City in that the commercial, multi-family and single-family residential uses are consistent with the General Plan designation and policies of Mixed Use established for the project site.
9. The conditions of approval for the project protect the public safety, health and general welfare of the users of the site and surrounding area. In addition, the

conditions ensure the project is consistent with all applicable City standards. The project conditions of approval address public safety by ensuring appropriate emergency access, assuring adequate public facilities and providing for public safety services.

**BE IT FURTHER RESOLVED** that the Planning Commission does hereby make the following findings for approval of the requested Use Permit:

1. That the granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity because the project has been designed to comply with the City of Antioch Municipal Code requirements. The proposed drive-thru restaurant is located in a proposed developed development and surrounding uses are existing commercial development. Adequate access, circulation, and parking for the proposed use is provided on-site.
2. That the use applied for 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 Planned Development District (PD) applications. The proposed General Plan designation and zoning for the site is commercial and the site and surrounding area are developed with commercial uses, including drive-thru restaurants.
3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood. The site would be adequate in size and shape to accommodate the proposed use, as well as all aspects associated with the use. In addition, the project would be conditioned so that the proposed drive thru is compatible with other proposed and existing development on site and in the surrounding area.
4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use. A traffic study was conducted for the project and found the proposal will have a less than significant impact on the surrounding street system. The access and internal circulation system would be of sufficient width and pavement type to carry the traffic generated by the proposed use.
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 proposed General Plan designation of Mixed Use.
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. All future tenants will require subsequent review prior to operation.

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Antioch does hereby recommend APPROVAL of a vesting tentative subdivision map, final development plan, use permit and design review to subdivide an approximately 23.03 acre site and construct: nine new commercial buildings totaling 89,422 square feet, three residential condominium buildings to accommodate 98 units, and 22 new single family homes with new infrastructure, parking, detention basins, lighting, and landscaping (PW 460-4, UP-16-08, AR-16-04) subject to the following conditions:

**A. GENERAL CONDITIONS**

1. This approval expires two years from the date of approval (expires January 17, 2020), 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.
2. 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.
3. 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.
4. Approval of this tentative map shall not constitute approval of any improvements shown on the tentative map.
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. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the AMC, or as amended by the Planning Commission.
7. The site plan shall be corrected to include any conditions of approval which call for a modification or change to the site plan, and all standards and requirements of the City of Antioch, prior to any submittal for a building permit.

8. City engineering, planning and clean water staff shall inspect the site and adjacent right-of-way for compliance with conditions of approval prior to approval of final certificate of occupancy.
9. All required easements or rights-of-way for improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property owner or easement holders for any work done within such property or easements. These conditions of approval do not authorize Applicant or the property owner to undertake any activity that would be contrary to the terms, conditions, covenants, or obligations of any recorded easement burdening the property.
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. The project shall be identified by a decorative addressing method easily visible to emergency responders and modified as necessary by the Antioch Police Department.
12. The developer shall install and maintain parking lot and pathway lights and landscaping within the project area at no cost to the City.
13. All easements of record that are no longer required and affect individual lots or parcels within this project shall be removed prior to or concurrently with the recordation of the final map.
14. The applicant shall establish one or more Home Owners Associations (HOA) (or other legal entity) for this project in conformance with the regulations set forth by the California Department of Real Estate. The HOA shall be responsible for maintaining:
  - a. All HOA owned parcels (including Parcel A "Open Space", Parcel D "Private Road", and Parcel E "Private Park");
  - b. Private landscaping and landscaping in the public right-of-way along Wildflower Drive (Parcel A and Parcel B) and Hillcrest Avenue (Parcel C);
  - c. Storm drain facilities (pipes, structures and C.3 storm water control basins) shared between parcels (Parcels A, B, C & D);
  - d. Street lights (Parcel D);
  - e. The boundary between City-maintained streets and HOA-maintained streets shall be distinguished by enhanced paving as approved by the City Engineer (Parcel D).
  - f. The City shall be reimbursed if it maintains landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), storm drain facilities, street lighting, and all other HOA facilities



and amenities that are not maintained by the HOA to an acceptable City level.

15. Subject to approval by the state, the CC&Rs shall include a provision indicating that the City of Antioch is named as a third-party beneficiary with the right, but not the obligation, to enforce the provisions of the CC&Rs relating to the maintenance and repair of the property and improvements, including but not limited to landscaping, streets, curbs, gutters, street lights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and City Attorney of the City of Antioch. Material changes are those that would change the fundamental purpose of the development including but not limited to:
  - a. City approvals of uses or external modifications.
  - b. Property ownership or maintenance obligations including, but not limited to, common areas, storm water facilities and landscaping.
16. The CC&Rs for this project shall be reviewed and approved by the City Attorney and the Community Development Director prior to the issuance of the first building permit.
17. The property owner agrees to annex to and participate in Lighting and Landscape District 1 Zone 1 and to accept a level of annual assessments sufficient to maintain the streetlights and landscaping in the vicinity of the project area at no cost to the City.

#### **B. TENTATIVE MAP CONDITIONS**

1. The Vesting Tentative Map approval is subject to the time lines established in the State of California Subdivision Map Act.
2. Approval is based upon substantial conformance with the Vesting Tentative Map submitted to the City of Antioch on and date stamped July 12, 2017.

3. Approval of this Vesting Tentative Map shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, or of any improvements shown on the Vesting Tentative Map.

### **C. CONSTRUCTION CONDITIONS**

1. The use of construction equipment shall be restricted to weekdays between the hours of 8:00 a.m. and 5:00 p.m., or as approved in writing by the City Engineer and in conformance with adopted mitigation measure in the Wildflower Station MMRP. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration.
2. The project shall be in compliance with and supply all the necessary documentation for AMC 6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with a contact number of the applicant, City staff, and the air quality control board. The project is also subject to water conservation imposed by state regulators.
4. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
5. Driveway access to neighboring properties shall be maintained at all times during construction.

### **D. SITE AND PROJECT DESIGN**

1. Applicant shall install mail box facilities at locations approved by the USPS and the City Engineer.
2. Bicycle parking shall be provided consistent with the Antioch Municipal Code (AMC §9-5.1707). Location and number of bicycle parking spaces shall be submitted for the review and approval by the Community Development Department prior to the issuance of building permits.
3. A walls and fences plan shall be submitted for review and approval by the Community Development Director prior to the issuance of first building permit.
4. A parking lot striping and signing plan shall be submitted for review and approval by the City Engineer. Parking spaces shall be double-striped and all parking lot dimensions shall meet minimum City policies and be in accordance with AMC §9-5.1719.

5. City of Antioch “No Dumping – Drains to River” decal buttons shall be installed on new and existing storm drain inlets to alert the public to the destination of storm water and the direct discharge of pollutants into the storm drain system is prohibited.
6. No stairs or steps shall be permitted in the public right-of-way or easement.
7. All new access driveways shall be constructed to current ADA and City standards, subject to review and approval by the City Engineer.
8. All buildings, parking and access shall meet current ADA/Title 24 requirements as determined by the Chief Building Official.
9. A turning template shall be shown on the site plan confirming that all anticipated vehicular traffic can successfully ingress, egress and safely maneuver through the site, as approved by the City Engineer.
10. The site plan submitted with the building permit submittal shall show the truck delivery route. Delivery times shall be adjusted as necessary so that deliveries do not impede the flow of traffic within the parking lot.
11. Stop signs shall be placed at all unsignalized driveway exits to the public right-of-way.
12. Enhanced pedestrian crossings within the project shall include stamped and pigmented concrete and shall be identified on project landscape and site improvement plans.
13. All new crosswalks constructed within the public right-of-way shall be constructed in accordance with current Caltrans standards, or as approved by the City Engineer.
14. Wheel stops shall be provided in any parking spaces adjacent to sidewalks less than six feet (6') wide in order to maintain ADA paths of travel.
15. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the applicant.
16. All driveways adjacent to public streets shall be perpendicular to the street centerline, or as approved by the City Engineer.
17. All driveways shall be a minimum of five feet (5') from curb return.

18. Curb ramps shall meet the City of Antioch standards and the latest version of Caltrans standards.
19. Monolithic sidewalks with beveled curb shall be 6 inches thick and reinforced as approved by the City Engineer. Detached sidewalks that will be crossed by vehicles at driveway locations shall be 6 inches thick and reinforced as approved by the City Engineer. Sidewalk at driveway approaches shall be ADA complaint.
20. A minimum twenty-foot (20') tangent shall extend beyond the curb return at intersections with public streets, or as approved by the City Engineer.
21. All lot sidelines of shall be perpendicular or radial to the fronting street centerline for a distance of twenty feet (20'), or as approved by the City Engineer.
22. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101, Site Obstructions at Intersections, or as approved by the City Engineer.
23. Rear and side yard fencing shall be provided for all single-family units. All fences shall be located at the top of slope, or as approved by the City Engineer.
24. All improvements for each single family residential lot (water meters, sewer cleanouts, etc.) shall be contained outside of the driveway and within the lot and the projection of its sidelines, or as approved by the City Engineer.
25. One on-street parking space per single family residential lot shall be located within close proximity to the unit served.
26. The applicant and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.
27. All two-car garages shall be a minimum of 20 feet by 20 feet clear inside dimensions.

#### **E. UTILITIES**

1. The developer shall install all infrastructure to serve the site. Infrastructure to service the site (sewer, water, storm, joint trench and surface improvements) shall be completed prior to issuance of building permits.
2. All onsite water and sewer utilities within Parcel B (condominium) and Parcel C (commercial) properties shall be privately maintained and connected to public facilities in accordance with City standards or as approved by the City Engineer.
3. All existing and proposed utilities within the Hillcrest Avenue and Wildflower Drive frontages shall be undergrounded (e.g. transformers and PMH boxes) and

subsurface in accordance with the Antioch Municipal Code, except for existing PG&E towers, or as approved by the City Engineer.

4. All ground-mounted utility appurtenances (e.g., transformers, AC condensers, backflow devices, etc.) shall be located out of public view and adequately screened in such a manner as to minimize the visual and acoustical impact. Screening may include a combination of landscaping and/or masonry, to the satisfaction of the Community Development Director. All gas and electric meters shall be screened.
5. All storm water flows shall be collected onsite and discharged into an approved public storm drain system.
6. Catch basins in the public right-of-way or easement shall be constructed per City standards and the centerline of the catch basin shall be located two feet (2') beyond the end of curb returns.
7. Trash enclosures shall drain to the sanitary sewer and incorporate methods to contain runoff at the front gate and pedestrian access point in order to prevent storm water from entering the enclosure.
8. Improvements that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
9. Underground utilities shall be designed to flow approximately parallel to the centerline of the street, or as approved by the City Engineer.
10. All sewage shall flow by gravity to the intersecting street sewer main.
11. All public utilities shall be installed in streets avoiding between lot locations unless approved by the City Engineer.
12. A reduced pressure backflow prevention device shall be installed on all City water meter services, domestic and irrigation, per City standards.
13. A double detector check valve backflow assembly shall be installed on all fire lines per City standards.
14. Reduced pressure backflows, water meters and double detector check backflows shall be enclosed within an easement granted to the City at no cost to the City.
15. All proposed drainage facilities, including open trenches, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.
16. The developer shall comply with all conditions stipulated in Contra Costa County Flood Control District (FC District) letter dated November 22, 2016, inclusive of the following:

- a. Prior to the recordation of the first final map, the applicant shall submit hydrology and hydraulic analyses that prove the adequacy of the in-tract drainage system and the downstream drainage system, with a storm water control plan, to the City for review and approval, and to Contra Costa County Flood Control for review, at no cost to the City and as directed by the City Engineer.
  - b. Prior to approval of a building permit, the applicant shall obtain an encroachment permit from the FC District for Easement 1281 through 1287, located along Hillcrest Avenue, and shall make arrangements to vacate the FC District easements.
  - c. Prior to approval of a grading permit, the applicant shall submit a drainage study to determine any 10-year impacts downstream of the project, due to the increase in planned density, and to mitigate for those impacts.
  - d. Prior to approval of the first final map, the applicant shall identify a perpetual funding source for maintenance of the proposed C.3 storm water basins.
17. The applicant shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements G.2.c. for additional water flow conditions.
18. The houses shall be constructed with rain gutters and downspouts that direct water away from the foundations as approved by the City Engineer.
19. The applicant shall dedicate a public utility easement (PUE) to the City or its designee consisting of a non-exclusive surface and subsurface easement for wet and dry utilities, including construction, access, maintenance of works, improvements, structures, clearing of obstructions and vegetation. The PUE shall be over the private road in Parcel D and extend 10 feet behind face of curb to road centerline on both sides or as approved by the City Engineer.
20. Lighting levels shall be approved by the City Engineer.

#### **F. LANDSCAPING**

1. 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 buildings.

2. All project landscaping shall be consistent with the Wildflower Station Conceptual Landscape Plan, submitted to the City on and date stamped July 12, 2017, or as approved by the Community Development Director.
3. Parcel E ("Private Park") shall be designed and constructed by the applicant prior to the 18<sup>th</sup> building permit for a single family lot and maintained by the applicant and then the HOA.
4. One (1) fifteen-gallon street tree shall be located within the front yard of each single family lot prior to the issuance of the certificate of occupancy for each lot. The type and location of the tree shall be as approved by the City Engineer and in substantial conformance with the preliminary landscape plan submitted to the City on and dated stamped July 12, 2017
5. Based on drought conditions, the City Engineer has authority to delay some or all landscape conditions of approval.
6. Landscaping 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.
7. Landscaping and signage shall not create a sight distance problem.
8. All trees shall be a minimum 15-gallon size and all shrubs shall be a minimum 5-gallon size.
9. Landscaping for the project shall be designed to comply with the applicable requirements of the 2015 California 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.

#### **G. FIRE REQUIREMENTS**

1. Emergency apparatus access roadways with an all-weather (paved) driving surface of not less than 20 feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, shall be provided 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, or as approved by the City Engineer.
2. Access roadways of less than 28 feet unobstructed width shall have signs posted or curbs painted red on both sides of the roadway with the words NO PARKING—FIRE LANE clearly marked. (22500.1) CVC (503.3) CFC

3. 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. (22500.1) CVC (530.3) CFC
4. The proposed cul-de-sac turnaround shall have a minimum outside turning radius of 45 feet as measured from face of curb (503.2.5) CFC, or as approved by the City Engineer.
5. The developer shall provide an adequate and reliable water supply for the fire protection with a minimum fire flow of 1,750 GPM for the commercial/multi-family residential development and a minimum fire flow of 1,000 GPM for the single family residential development. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20 pounds residual pressure in the main. (507.1) (B105) CFC
6. The developer shall provide hydrants of the East Bay type. Hydrants shall be spaced such that all portions of property or building frontages are within 250 feet of a hydrant. (C103.1) CFC
7. The developer shall submit a minimum of two (2) copies of site improvement plans indicating all proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3) CFC
8. Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction of combustible storage on site. (501.4) CFC Note: 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. All commercial buildings exceeding 5,000 square feet and all multi-family and single-family homes as proposed shall be protected with an automatic fire sprinkler system. Submit a minimum of two (2) sets of plans for each commercial building, and for each multi-family and single-family residential model to this office for review and approval prior to installation. (903.2) CFC (R313.3) CRC, Contra Costa County Ordinance 2010-15
10. The developer shall submit a minimum of two (2) complete sets of building plans and specification for each commercial and multi-family residential building, including plans for 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. Fire alarm

## **H. 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.
2. The developer shall pay any acreage and utility connection fees which have been established by the City Council prior to the filing of the final map and as required by the Antioch Municipal Code.
3. The developer shall pay traffic signal fees as adopted by the City Council.
4. The developer shall pay a Park-in-lieu fee of \$126,100 as determined by the Park and Recreation Commission, recommended by the Planning Commission and approved by the City Council, shall be paid prior to the recording of the final map, as stipulated by City Ordinance Title 9 Chapter 4 Article 10.
5. The developer shall pay development impact fees as established in the City master fee schedule at the time of the issuance of the building permits.
6. The applicant shall pay all pass thru fees. Fees include but are not limited to:
  - a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
  - b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
  - c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
  - d. Contra Costa County Flood Control District fees in affect at the time of recordation of the final map(s).
  - e. Delta Diablo Sanitation District Sewer Fees prior to issuance of any building permits for this project.
  - f. School Impact Fees
  - g. Contra Costa Water Fees.
7. In order to assist the City in meeting a police force level within a range of 1.2 to 1.5 officers per 1,000 residents as set forth in Performance Standard 3.5.3.1 of the General Plan, prior to filing of the first final map for recording the applicant shall annex into CFD 2016-01 (Police Protection).

## **I. PROPERTY MAINTENANCE**

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to the rainy season, which historically has been October 1<sup>st</sup>, and monthly thereafter. The plan must also include provisions for an increase in frequency of sweeping to prevent trash and debris from reaching the storm drain system and migration offsite based on field inspection(s) and owner recordkeeping.
2. The project shall comply with Commercial Property Maintenance Ordinance § 5-1.204.
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. No signs shall be installed on this site without prior City approval.
5. All chipped, cracked, raised, damaged and/or broken curb, gutter and/or sidewalk within or immediately adjacent to the site, whether new construction or pre-existing, shall be removed and replaced as required by the City Engineer. Curb ramps adjacent to the site shall be removed and replace to current City and Caltrans Standards as approved by the City Engineer.

## **J. MODEL HOMES**

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

## **K. 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. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
3. Wall and fence locations shall be included on the grading plan.

4. Any existing wells or septic systems on the property shall be properly abandoned under permit from the Contra Costa County Environmental Health Department.
5. The grading for slopes shall be contoured to provide as natural an appearance as possible, as required by the City Engineer.
6. Asphalt paving shall be designed for a minimum traffic index (TI) of 4.5 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 shall have a minimum slope of 1.5% and a maximum slope of 2%, or as approved by the City Engineer.
7. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
8. All lots shall be graded to drain positively from the rear to the street or as approved by the City Engineer.
9. The swales adjacent to the house structure shall have a minimum of a one (1) percent slope or as directed by the City Engineer.
10. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The applicant shall submit written authorization to "access, enter, or grade" from adjacent properties owners prior to performing any work.
11. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of this resolution.
12. The grading plan for this development shall be approved by the City Engineer.
13. All elevations shown on the plans shall be on the USGS 1929 sea level datum, or NAVD 88 with conversion information to USGS 1929, as approved by the City Engineer.
14. Retaining walls shall not be constructed in City right-of-way or other City-maintained parcels unless approved by the City Engineer.
15. All retaining walls shall be of masonry construction.
16. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.

17. The back-to-back or side-to-side grading transitions from parcel to parcel, parcel to lot, or lot to lot shall have a maximum slope of 2:1, and shall be accommodated entirely on the lower lot or as approved by the City Engineer.
18. The minimum concrete gutter flow slope shall be 0.75%.
19. All property lines shall be located at the top of slope.

**L. CONSERVATION/NPDES**

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping shall be used.
2. The Project shall meet or exceed Tier 1 of the CALGreen Building Code.
3. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project, are subject to C.3 requirements.
4. 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. An Operation and Maintenance Plan (O&M) shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
5. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
  - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas,

- treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
- b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
  - c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
  - d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
  - e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
  - f. Design and construct storm drain facilities to adequately collect and convey all storm water entering, or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, 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 on all catch basins "No Dumping, Drains to River" decal buttons.
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, 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 applicant 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.

**M. 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.

#### **N. PROJECT SPECIFIC CONDITIONS**

1. This approval applies to the vesting tentative map, landscape plans, architectural elevations, utility plans, grading plans, storm water control plan and other design drawings provided to the City of Antioch on July 12, 2017.
2. A comprehensive sign program for building-mounted and ground-mounted signs must be submitted for design review and approval by the Zoning Administrator or the Planning Commission prior to installation of project signage.
3. A design review application shall be submitted for Building H, subject to review and approval by the Planning Commission or the Zoning Administrator.
4. The applicant shall prepare and record a condominium plan in accordance with California Civil Code § 1351(f), having no more units than that specified on the tentative parcel map for condominium purposes per California Government Code § 66427(e)(1).
5. The developer shall provide agreements and easements, HOA and/or CC&Rs for access to and maintenance of drainage pipes and C.3 storm water control basins which are shared by Parcels A, B, C & D, at no cost to the City.
6. The developer shall provide for a mutual access and parking agreement between Parcel B (condominium) and Parcel C (commercial) properties.
7. The developer shall dedicate right-of-way along Hillcrest Avenue (Parcel F) to the City, at no cost to the City.
8. The developer shall obtain an Encroachment Permit Agreement from the City for the proposed monument located at the corner of Wildflower Drive and Hillcrest Avenue.
9. The developer shall obtain Fire Department approval for the driveway widths to Parcels B & C.
10. The developer shall obtain Police, Fire and emergency responder approval for the "Enhanced Pedestrian Crossing Speed Bumps" and provide an approved detail on the plans.

11. The developer shall select trees from the City Street Tree list for Hillcrest Avenue and Wildflower Drive frontages.
12. All rooftop mechanical equipment shall be screened from the public right-of-way. A line of sight study shall be submitted with the building permit submittal confirming the equipment is screened.
13. All trash enclosures shall comply with AMC §9-5.1401 Refuse Storage Area Design Guidelines. The final number, size and location of the trash enclosures shall be determined after discussion with the waste hauler and shall be subject to review and approval by the Community Development Director prior to issuance of building permits.
14. The trash enclosure design, materials, and colors shall be consistent with the buildings, subject to approval of the Community Development Department prior to the issuance of building permits.
15. That any tenants that use shopping carts are required to provide dedicated, screened storage areas for the shopping carts in the parking fields and adjacent to the buildings. Such screening shall be subject to approval of the Community Development Director prior to the issuance of building permits.
16. That outdoor storage and/ or storage containers shall be prohibited on this site other than those associated with initial project construction.
17. That no loading areas shall be visible from any public street. The developer shall submit a line of sight study with building permit submittal.
18. The developer shall provide private street names, with or without appropriate suffixes (e.g., "Terrace View Place" or "Terrace View Lane", and "Wildflower Station"), for the "Private Road" (Parcel D) and the drive aisle through "Condominiums" (Parcel B) and/or "Commercial" (Parcel C) properties. The private street names shall meet the approval of the Police Department and Fire Department prior to being recommended to the Planning Commission for approval.
19. The developer shall comply with all conditions stipulated in Contra Costa Water District (CCWD) letter dated November 17, 2016, to mitigate for any significant or unacceptable impacts to United States Bureau of Reclamation (USBR) Lateral 9.1, inclusive of the following comments from CCWD:
  - a. Prohibit any permanent structures or buildings with USBR Lateral 9.1 easement area.
  - b. Prohibit any activities that would interfere with or endanger the USBR lateral/facilities or the operation and maintenance thereof.
  - c. Take all necessary precautions to ensure no impacts to Lateral 9.1 from compaction, vibration, dewatering, heavy loads and other project activities during construction



- d. Conduct a pre- and post-construction survey and/or assessment of Lateral 9.1 to demonstrate that Lateral 9.1 is/was not impacted by construction activities.
- e. No buildings or structures of any kind are permitted within the USBR easement footprint, including trash enclosures, signage, fencing, decorative structures, retention basins, etc.
- f. No trees or landscaping with root systems that may cause damage to the USBR facilities is permitted within the USBR easement footprint. Landscaping should be limited to grass and flowers and project improvements should be limited to pavement for vehicular and pedestrian traffic.
- g. Relocation of Lateral 9.1, in whole or part and subject to USBR NEPA requirements, may be necessary to ensure the safe operation, maintenance and protection of Lateral 9.1.
- h. Any grading within the USBR easement is subject to review and approval of the USBR and CCWD.
- i. Additional soil loading (placement of additional fill) over Lateral 9.1 is not acceptable as additional loading could cause damage to Lateral 9.1.
- j. Applicant shall contact the owner(s) of the "Zellerbach Pipeline" located adjacent to USBR's Later 9.1 to discuss the proposed project.
- k. Applicant shall contact CCWD to discuss the proposed project and CCWD's concerns regarding USBR Lateral 9.1.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17th day of January, 2018.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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FORREST EBBS,  
Secretary to the Planning Commission