



**ANNOTATED**

**AGENDA**

**CITY OF ANTIOCH PLANNING COMMISSION**

**WEDNESDAY, JULY 15, 2020**

**6:30 P.M.**

**PURSUANT TO GOVERNOR GAVIN NEWSOM'S EXECUTIVE ORDER N-29-20 THIS MEETING WILL BE HELD AS A TELECONFERENCE MEETING.**

Observers may view the meeting livestreamed via the Planning Division's website at: <https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/>.

Or the public may attend the webinar by using the following link: <https://zoom.us/j/97741093027>. Webinar ID: 977 4109 3027. Alternatively, the public may participate in the webinar with the following audio-only options:

**Telephone:**

**Dial (for higher quality, dial a number based on your current location):**

**US: (669) 900-6833**

**(408) 638-0968**

**(346) 248-7799**

**(253) 215-8782**

**(301) 715-8592**

**(312) 626-6799**

**(646) 876-9923**

**International numbers available: <https://zoom.us/j/97741093027>**

**iPhone one-tap: (669) 900-6833,97741093027# or (408) 638-0968,97741093027#**

**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, JULY 22, 2020**.

**ROLL CALL**

**6:30 P.M.**

Commissioners

Schneiderman, Chair

Martin, Vice Chair

Barrow

Motts  
Parsons (*absent*)  
Soliz

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC COMMENTS**

## **NEW PUBLIC HEARINGS**

1. **Z-20-02 - Density Bonus Ordinance Amendments** – The City of Antioch requests a zoning text amendment, which would apply city-wide, to amend Title 9 of Chapter 5 of the Antioch Municipal Code related to residential density bonuses in order to comply with recent changes in State Density Bonus law. This zoning text amendment is exempt from the requirements of the California Environmental Quality Act (CEQA).

### ***RESOLUTION NO. 2020-18***

2. **PDP-20-01 - United Pacific Gas Station** – Embree Asset Group, Inc. requests the review of a preliminary development plan, which is not an entitlement, to construct a gas station, car wash and convenience store. This project is a preliminary submittal only. The purpose of this submittal is to gather feedback about any potential concerns or issues for the applicant to become aware of prior to the submittal of entitlements. The project would require the following entitlements in the future: a General Plan Amendment, a Planned Development Rezone, a Use Permit, a Variance, and Design Review. The project site is located at 5200 Lone Tree Way (APN 056-270-059).

### ***DIRECTION/FEEDBACK GIVEN TO STAFF***

## **ORAL COMMUNICATIONS**

## **WRITTEN COMMUNICATIONS**

## **COMMITTEE REPORTS**

## **ADJOURNMENT 8:07 pm**

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

Copies of the documents relating to this proposal are available for review at <https://www.antiochca.gov/fc/community-development/planning/Project-Pipeline.pdf>. The staff report and agenda packet will be posted on Friday, July 10, 2020, at <https://www.antiochca.gov/government/agendas-and-minutes/planning-commission/>

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

There are two ways to submit public comments to the Planning Commission:

- Prior to 3:00 the day of the meeting: Written comments may be submitted

electronically to the Secretary to the Planning Commission at the following email address: [planning@ci.antioch.ca.us](mailto:planning@ci.antioch.ca.us). All comments received before 3:00 pm the day of the meeting will be provided to the Planning Commissioners before the meeting. **Please indicate the agenda item and title in your email subject line.**

- After 3:00 the day of the meeting and during the meeting: Please refer to the Planning Division's website for instructions on how to comment after 3:00 the day of the meeting and during the Planning Commission meeting: <https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/>.

Written comments submitted during the meeting will be read into the record by staff (not to exceed three minutes at staff's cadence) when the chair of the Planning Commission opens the public comment period for the relevant agenda item.


### **Accessibility**

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

CITY OF  
**ANTIOCH**  
CALIFORNIA

**STAFF REPORT TO THE PLANNING COMMISSION**

**DATE:** Regular Meeting of July 15, 2020

**SUBMITTED BY:** Zoe Merideth, Associate Planner 

**APPROVED BY:** Alexis Morris, Planning Manager

**SUBJECT:** **Density Bonus Ordinance Amendments (Z-20-02)**

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**RECOMMENDED ACTION**

It is recommended that the Planning Commission approve the resolution recommending that the City Council adopt an ordinance amending Title 9 of Chapter 5 of the Antioch Municipal Code related to residential density bonuses.

**DISCUSSION**

Request

The City of Antioch requests a zoning text amendment, which would apply city-wide, to amend Title 9 of Chapter 5 of the Antioch Municipal Code related to residential density bonuses in order to comply with recent changes in state law.

Environmental

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) as there is no possibility that this Ordinance would have a significant impact on the environment pursuant to state CEQA Guideline Section 15061(b)(3). The proposed ordinance merely incorporates state law, allowing applicants to seek a density bonus pursuant to Government Code Section 65915. This ordinance does not exempt any future project from CEQA. Applications for future projects would be subject to environmental review, as required by CEQA.

Background

California's Density Bonus Law was adopted in 1979 to address the state's affordable housing needs by allowing a developer to receive a "bonus" of extra density when housing developments included affordable units. Since 1979, the law has been amended and expanded many times. The law no longer focuses just on density bonuses for eligible affordable projects and has been expanded to include provisions to allow eligible projects



to receive incentives, concessions, waivers, and/or reductions to applicable development regulations. State law requires cities to offer these residential density bonuses and other incentives to qualifying affordable housing projects. State law also requires cities to adopt an ordinance that details how a city will comply with the Density Bonus Law, including the procedures and timelines for processing a density bonus request. Antioch adopted the Density Bonus Program ordinance and a Senior Housing Overlay District ordinance, which implemented the Density Bonus Law as it related to seniors, in accordance with state law. Both ordinances were updated in 2014. See Attachment B for the current ordinances.

The State legislature has updated the Density Bonus Law several times since the City's density bonus ordinances were last updated. These laws modify the processing of a density bonus, provide density bonuses for student housing, mixed use developments, and provide transitional housing for foster youth, disabled veterans, or homeless persons. Most recently, in 2019, AB 1763 amended state law to allow, among other changes, housing projects where all units are affordable to low and very low-income residents, to receive a density bonus of 80%, which more than double the previous maximum density bonus. Additional changes to state law are anticipated.

### Project Overview

The proposed ordinance would amend the Antioch Municipal Code to conform with state law by making four changes: updating the definition of "senior citizen;" repealing and replacing the Senior Housing Overlay District ordinance; amending the text that defines the zoning district; and repealing and replacing the Density Bonus Program.

### *Definition*

Staff proposes to update the definition of "senior citizen" in the zoning ordinance in order to correspond to state Density Bonus Law. State Density Bonus Law references the state Civil Code sections 51.3 and 51.12, which defines a senior as a person over 55, if they live in a senior housing development of at least 35 people. This change makes the zoning ordinance consistent with state law.

### *Senior Housing Overlay District*

Staff proposes repealing the stand-alone Senior Housing Overlay District ordinance. The existing ordinance implements the Density Bonus Law as it relates to senior housing projects. The state Density Bonus Law has specific provisions for senior projects. To avoid having standards for senior projects that conflict with the State Density Bonus Law, staff recommends removing the Overlay District. The text of the ordinance would be replaced with wording that the Overlay District only applies only to existing projects which are already in the Overlay District. If these projects request amendments to the original project approvals, then the amendments would be processed under the new Code that is consistent with state law. There is a total of four projects with the Overlay District applied

to them. The most recent project to be rezoned with the Overlay District is the AMCAL project on E. 18<sup>th</sup> Street near Highway 160.

The proposed repeal of the Overlay District would not affect the ability of a senior project to request a parking standards reduction, separate from state law. Antioch Municipal Code § 9-5.1704 Parking Reductions would remain, which allows for reduced parking for senior housing developments. Additionally, state law requires lower parking requirements for 100% affordable, rental senior projects that meet certain specified requirements.

In order to maintain the Overlay District for existing projects, the proposed ordinance would amend the text defining the zoning district in Antioch Municipal Code § 9-5.301 to specify that the district applies only to projects existing at the time of the effective date of the ordinance.

### *Density Bonus Program*

Currently, the City's Density Bonus Program ordinance incorporates the definitions, standards, and requirements from state law into the City's ordinance. The proposed Density Bonus Program ordinance would simply reference State law and would apply to both senior and non-senior projects. By incorporating a reference to State law, the new ordinance would not need to be updated every time the state Density Bonus Law is changed. The proposed ordinance instead focuses on the process for requesting a density bonus.

The proposal would require a request for a density bonus to be processed in the same manner as, and concurrently with, the application required for the housing development, such as a Use Permit and Design Review, or a Planned Development Rezone and Final Development Plan. Currently all density bonus requests require City Council action. Since state law requires granting density bonuses and concessions in standards, there is little discretion in reviewing these requests. The proposed ordinance would allow the decision-maker for the main housing development (the City Council, Planning Commission, or staff) to approve the state required density bonus. The proposal still maintains the requirement of a density bonus agreement, which would be approved by the City Council.

The proposal also amends the density bonus agreement language to require the developer to construct the units that qualify the project as eligible for a density bonus, concurrently with or prior to the construction of any market rate units. In addition, the affordable units must be integrated with the market rate units so that there is a mix of affordable and market rate units, if any, in each building of the development project. This language would ensure that the affordable units are actually constructed and that the affordable units are integrated into the project as a whole.

### **ATTACHMENTS**

- A. Resolution
- B. Current Ordinance

ATTACHMENT A

RESOLUTION NO. 2020-\*\*

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE  
AMENDING TITLE 9, CHAPTER 5 OF THE ANTIOCH MUNICIPAL CODE  
RELATED TO DENSITY BONUSES**

**WHEREAS**, the Planning Commission for the City of Antioch did receive a request from the City of Antioch requesting text amendments to Chapter 5 of Title 9 of the Antioch Municipal Code related to density bonuses;

**WHEREAS**, this project has been deemed exempt from the California Environmental Quality Act (CEQA) as there is no possibility that this Ordinance would have a significant impact on the environment pursuant to State CEQA Guideline Section 15061(b)(3). The proposed ordinance merely incorporates State law, allowing applicants to seek a density bonus pursuant to Government Code Section 65915. The proposed ordinance does not exempt any future project from CEQA. Applications for future projects would be subject to environmental review, as required by CEQA;

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

**WHEREAS**, the Planning Commission on July 15, 2020, duly held a public hearing, received and considered evidence, both oral and documentary;

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission, after reviewing the staff report and considering testimony offered, does hereby recommend that the City Council **ADOPT** the attached ordinance (Exhibit 1) amending regulations related the density bonuses.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 15th day of July 2020.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Forrest Ebbs**  
**Secretary to the Planning Commission**

# EXHIBIT 1

## ORDINANCE NO. 2020-\*\*

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING TITLE 9, CHAPTER 5 OF THE ANTIOCH MUNICIPAL CODE RELATED TO DENSITY BONUSES**

**WHEREAS**, Government Code Section 65583 requires that the City's Housing Element address governmental constraints to the development of housing, including providing for a variety of housing types for all income levels;

**WHEREAS**, the City Council of the City of Antioch adopted the City's 2015-2023 Housing Element on April 14, 2015;

**WHEREAS**, Government Code Section 65915 requires cities to provide density bonuses and other incentives for qualifying affordable housing projects and requires that local governments adopt procedures for processing a density bonus application;

**WHEREAS**, the City's Municipal Code already allows for density bonuses and development concessions, but Policy 5.1.3 of the City's 2015-2023 Housing Element requires staff to monitor the Density Bonus Program for any changes that may be required;

**WHEREAS**, the Legislature amended Government Code Section 65915 in 2019, and the City wishes to update the Municipal Code to ensure consistency with State law and clarify how to implement the Density Bonus Program;

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on July 15, 2020 at which time a resolution was approved to initiate and recommend to the City Council that this ordinance be adopted; and

**WHEREAS**, the City Council held a duly noticed public hearing on [DATE], 2020 at which time all interested persons were allowed to address the City Council regarding adoption of this ordinance.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Antioch, California does hereby ordain as follows:

#### **SECTION 1. Recitals.**

The above recitals are incorporated by reference as though set forth in this section.

#### **SECTION 2. Antioch Municipal Code § 9-5.203 DEFINITIONS.**

Antioch Municipal Code § 9-5.203 is hereby amended, in part, to read as follows:

**SENIOR CITIZEN.** A person at least 62 years of age. A person 55 years of age may also be considered a "senior citizen" if, for the purposes of State Density Bonus Law, the senior housing project consists of at least 35 units.

**SECTION 3. Antioch Municipal Code Title 9, Chapter 5, Article 3**

Antioch Municipal Code Section 9-5.301 is hereby amended to read as follows:

(X) *SH Senior Housing Overlay District.*

- (1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units.
- (2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.
- (3) The Senior Housing Overlay District applies only to projects zoned with the overlay district prior to the effective date of this section.

**SECTION 4. Antioch Municipal Code Title 9, Chapter 5, Article 34.**

Antioch Municipal Code Title 9, Chapter 5, Article 34 Senior Housing Overlay District is hereby repealed and replaced to read as follows:

The Senior Housing Overlay District applies to projects approved prior to the effective date of this section. Projects with the Senior Housing Overlay District will continue to be regulated by the terms of the Senior Housing Overlay District approval, but amendments to those approvals will be processed pursuant to the Municipal Code in place at the time the amendments are requested.

**SECTION 5. Antioch Municipal Code Title 9, Chapter 5, Article 35.**

Antioch Municipal Code Title 9, Chapter 5, Article 35 Density Bonus Program is hereby repealed and replaced to read as follows:

**9-5.3501 Purpose**

The Density Bonus Program is intended to implement the State Density Bonus Law in compliance with the requirements of California Government Code § 65915 and the adopted housing element of the Antioch General Plan by providing incentives which will encourage developers to construct affordable housing to benefit lower income households.

**9-5.3502 Density Bonus Provisions**

- (A) In addition to any other review required for a proposed housing development, applications for a density bonus shall be filed with the Community Development Director. The application for a density bonus shall be filed concurrently with an application for a development plan review, administrative approval, or other application necessary for the housing development. In addition to and in conjunction with the submittal requirements for the housing development application, the applicant shall submit the following items:

- (1) The application form and submittal requirements approved by the Community Development Director.
- (2) The application fee, established by resolution of the City Council, at the time the application is filed.
- (3) Reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios, to the satisfaction of the Community Development Director.
  - (a) A request for concessions or incentives shall be accompanied by documentation demonstrating how the incentive or concession would result in identifiable and actual cost reductions necessary to meet affordability levels.
  - (b) A request for a waiver or reduction of development standards shall be accompanied by documentation demonstrating how the development standards physically preclude the construction of the qualified affordable housing development.
  - (c) A request for parking ratios pursuant to California Government Code Sections 65915(p)(2) and (3) shall be accompanied by documentation showing the proposal meets the criteria in those sections.
- (B) City staff shall process the application for a density bonus in the same manner as, and concurrently with, the application for a development plan review or administrative approval that is required by this Code.
- (C) When notifying an applicant that City staff has deemed the application complete, City staff shall include the information required by California Government Code Section 65915.
  - (1) Any determination required by California Government Code Section 65915 shall be based on the development project at the time the application is deemed complete. The City shall adjust the amount of density bonus and parking ratios awarded pursuant to California Government Code Section 65915 based on any changes to the project during the course of development.



- (D) The City shall grant the applicant the number of incentives and concessions required by Government Code Section 65915. The City shall grant the specific concession(s) or incentive(s) requested by the applicant, unless it makes any of the relevant written findings, based upon substantial evidence, stated in Government Code Section 65915(d).
- (E) The City shall approve a waiver or reduction of a development standard requested by the applicant, unless it makes written findings based upon the criteria in California Government Code Section 65915(e).
- (F) The applicant shall enter into an agreement with the City to ensure the continued affordability of all affordable units or the continued reservation of such units for qualifying senior citizens. Prior to receiving a building permit for any project that receives a density bonus or any incentive, concession, waiver, or reduction of development standards pursuant to this section, such agreement shall be recorded as a covenant against the property.
- (G) For any development project that is granted a density bonus or other benefit pursuant to this section, the affordable units that qualify the project as eligible for a density bonus, must be constructed concurrently with or prior to the construction of any market rate units. In addition, the affordable units must be integrated with the market rate units so that there is a mix of affordable and market rate units, if any, in each building of the development project.
- (H) The provisions of this subdivision shall be interpreted to fulfill the requirements of Government Code Section 65915. Any changes to that Government Code Section 65915 shall be deemed to supersede and govern any conflicting provisions contained herein.

#### **SECTION 6. CEQA.**

The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) as there is no possibility that this Ordinance would have a significant impact on the environment pursuant to State CEQA Guideline Section 15061(b)(3). This Ordinance merely incorporates State law, allowing applicants to seek a density bonus pursuant to Government Code Section 65915. This ordinance does not exempt any future project from CEQA. Applications for future projects would be subject to environmental review, as required by CEQA.

#### **SECTION 7. Conflicts with Prior Ordinances.**

If the provisions in this Ordinance conflict in whole or in part with any other City regulation or ordinance adopted prior to the effective date of this section, the provisions in this Ordinance will control.

**SECTION 8. Severability.**

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**SECTION 9. Publication; Effective Date.**

This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.

\* \* \* \* \*

I **HEREBY CERTIFY** that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch held on the [\_\_\_\_] day of [\_\_\_\_], 2020 and passed and adopted at a regular meeting thereof held on the [\_\_\_\_] day of [\_\_\_\_], 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Sean Wright, Mayor**

**ATTEST:**

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**Arne Simonsen, City Clerk**

# ATTACHMENT "B"

## ARTICLE 2: DEFINITIONS

### § 9-5.203 DEFINITIONS.

(Excerpted)

**SENIOR CITIZEN.** A person at least 62 years of age. A person 55 years of age may also be considered a “senior citizen” if, for the purposes of the Senior Housing Overlay District, the senior housing project consists of at least 150 units.

## ARTICLE 3: ESTABLISHMENT OF DISTRICTS

### § 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.

#### (Excerpted)

(X) *SH Senior Housing Overlay District.*

(1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units. See the project calculation example incorporated herein by reference.

(2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.

## ARTICLE 34: SENIOR HOUSING OVERLAY DISTRICT

### § 9-5.3401 PURPOSE.

The Senior Housing Overlay District (SH) is established to implement the State Density Bonus Law as it applies to senior citizens and to provide additional incentives to implement the General Plan Goals and Policies for the development of Senior Citizen Housing, Developments, as defined in the State Density Bonus Law, especially for low and very low income individuals. Through density bonus options and other incentives, this chapter allows higher densities and more flexible design standards, reflecting the unique needs of an elderly population and providing more affordable units to the growing number of senior citizens that live on a small fixed income. The final interpretation of eligibility and applicability of any and all density bonuses is reserved for the City Council.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

### § 9-5.3402 DENSITY BONUS AND INCENTIVES PERMITTED.

(A) A developer agreeing to construct a senior housing development shall be granted an increase of 20% above the site's base density and an additional incentive or financially equivalent incentive(s) pursuant to the requirements of the State Density Bonus Law and § 9-5.3502 of this chapter.

(B) The Senior Housing Overlay District may be combined with single-family, duplex, restricted multiple-family, or multiple-family residential zoning districts and applies to housing developments consisting of five or more dwelling units.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

### § 9-5.3403 ADDITIONAL INCENTIVES.

(A) The additional density bonus incentives available to developers of senior housing are presented in Tables 9-5.3403-1, 9-5.3403-2, and Table 9-5.3403-3 of division (C). Table 9-5.3403-1 of division (C) computes the new base density for each affected residential density including mixed commercial residential. Table 9-5.3403-2 of division (C) lists the base density bonus for senior projects and the additional bonuses for projects including low income and very low income seniors. A 70% maximum density increase is permitted for combined low/very low income project. Table 9-5.3403-3 of division (C) lists density bonus incentives based on lot size and site locational services. Each individual locational service bonus can range from 1%-5% with a combined maximum of 20%.

(B) (1) *Conditions for additional incentives.* The cumulative density bonus for an individual project shall not exceed twice the base density, or a maximum total density of 60 dwelling units per acre, whichever is less. The total percent density bonus shall be determined by the City Council on a case by case basis. To qualify for a senior housing density bonus and additional density bonus incentives, the project must provide a minimum of 50% housing for seniors as defined in Cal. Gov't Code § 65915. The percentages used to determine the density bonus (i.e., percent senior units, percent low income, and percent very low income) are to be reflected in the composition of the total project.

(2) *Financially equivalent incentives.* The Senior Housing Overlay District allows for the "financially equivalent incentive" mandated by the State Density Bonus Law through the increase in the permitted density of the base zoning district and the minimum density bonus illustrated in Table 9-5.3403-2 of division (C). "Financially equivalent incentive" calculations are based only upon the minimum bonus required by the State Density Bonus Law.

(C) Density bonus incentive figures.

**TABLE 9-5.3403-1:**

**NEW BASE DENSITY**

<b>General Plan Designation</b>	<b>General Plan Density (Dwelling Units/Acre)</b>	<b>New Base Density (Dwelling Units/Acre)</b>
Low	4	5
Medium low	6	8
Medium	10	13
Medium high	15	19
High	20	25
Mixed commercial/residential	20	25
Rivertown; Subpart B	6-25 (45)*	8-25 (45)*

\* Maximum permitted density is 20 dwelling units per gross developable acre except in that area bounded by "I", Second and "E" Streets, and the Atchinson, Topeka and Santa Fe Railroad where a maximum density of 45 dwelling units per gross developable acre may be permitted with use permit approved by the Planning Commission.

TABLE 9-5.3403-2: DENSITY BONUS CALCULATIONS FOR ADDITIONAL INCENTIVES										
% Senior Units	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
% Density Bonus	—	—	—	—	25%	25%	25%	25%	25%	50%
% Low Income	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
% Density Bonus	—	25%	25%	30%	30%	35%	35%	40%	40%	50% *
% Very Low Income	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
% Density Bonus	25%	30%	35%	40%	45%	50%	55%	60%	65%	70%*
* 70% maximum density increase permitted for combined low/very low income projects.										

TABLE 9-5.3403-3: DENSITY BONUS	
Site > 2 acres	30%
Site up to 2 acres	20%
Additional amenities and proximity to services*	Up to 5%
*Planning Commission may approve up to 5% density bonus for projects in close proximity to one or more of the following services or offering the listed amenities provided the combined density bonus shall not exceed 20%. Proximity shall be evaluated based upon closeness or convenience of services primarily from a seniors pedestrian's perspective:	
Public transportation	Senior center
Grocery store	Health care
Pharmacy	Religious assembly use
Banking services	Retail services
Secured parking on site	Van service on site

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

#### § 9-5.3404 DEVELOPMENT STANDARDS.

(A) The Senior Housing Overlay District will comply with the underlying zoning district standards with exceptions permitted regarding parking, site coverage, and building height. The city parking requirement for independent living and congregate care senior housing is .75 parking space per dwelling unit. A reduction in the parking ratio for residential care or convalescent facility projects may be considered pursuant to § 9-5.1704, Parking Reductions. Site coverage and building height are a function of the nature of the surrounding area, the base zoning district, and the number and size of units permitted and will be addressed on a project by project basis. The building height for single-family and duplex projects shall not exceed two stories and the building height for higher density projects shall not exceed three stories.

(B) The desirability of site amenities and architectural treatments such as decks, tile roofs, pools, and air conditioners will also be considered in relation to the affordability of the senior project.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see §9-5.2904

#### § 9-5.3405 REVIEW PROCESS.

Applications for senior housing projects will be submitted to the Community Development Department for processing and must include a map indicating the proximity to services specific to senior citizen needs. In addition to the request for the Senior Housing Overlay District rezoning, all senior housing projects will require use permit and design review approval. Each rezoning and use permit application is reviewed by the Planing Commission, with the Senior Housing Overlay District



designation subject to final approval by the City Council. The latter will require a finding that the project is consistent with the intent of the land use and development regulations of the underlying zoning district in relation to the provisions of the Senior Housing Overlay District.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

**§ 9-5.3406 SENIOR HOUSING DENSITY BONUS AGREEMENT.**

(A) Each senior housing development which receives a bonus density will be required to execute a Senior Housing Density Bonus Agreement pursuant to the requirements of § 9-5.3503, Density Bonus Agreement, prior to the issuance of building permits, in which the project sponsor will be obligated, on behalf of itself and its successors and assigns, to dedicate a specific number of units to senior housing and, where appropriate, to low and very low income seniors. Where appropriate, rent schedules and sales prices will be required to assure affordability to the targeted income group (i.e., those units targeted for lower income house-holds shall be affordable at a rent that does not exceed 30% of 60% of area median income and those targeted for very low income shall be affordable at a rent that does not exceed 30% of 50% of area median income). The project shall remain available to the respective income group for a period of not less than 30 years or alternatively to a period specified by the financing authority, whichever is lengthier. This agreement will be recorded and enforceable by the city, and will provide prospective future buyers/ assignees with notice that this provision exists.

(B) If at any time in the future a change in the project from senior housing to non-senior housing is anticipated, no entitlement to the existing number of dwelling units shall be assumed, and a new use permit will be required.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

## ARTICLE 35: DENSITY BONUS PROGRAM

### § 9-5.3501 PURPOSE.

The Density Bonus Program is intended to implement the State Density Bonus Law in compliance with the requirements of Cal. Gov't Code §§ 65915 and 65917 and the adopted housing element of the Antioch General Plan by providing incentives which will encourage developers to construct affordable housing to benefit lower income households. All terms have the same meaning as the definitions in Cal. Gov't Code §§ 65915 and 65917 unless otherwise defined by this Code.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

### § 9-5.3502 DENSITY BONUS AND INCENTIVES PERMITTED.

(A) A Developer agreeing to construct at least 20% of a project's total housing units for lower-income households or 10% of the total units for very low-income households shall be granted an increase of 5% to 35% over the maximum residential density otherwise permitted, depending on the level of affordability, the percentage of units that are affordable, and the inclusion of child care facilities, and owner occupancy requirements in the housing development. The provisions of this section shall apply to the construction of projects that include five or more dwelling units as follows:

(1) *Very low- and lower-income housing and senior housing.* A housing development is eligible for a 20% density bonus if the Developer seeks and agrees to construct at least one of the following:

(a) Ten percent of the total units as density bonus BMR units affordable to low-income households at an affordable rent or affordable ownership cost; or

(b) Five percent of the total units as density bonus BMR units affordable to very low-income households at an affordable rent or affordable ownership cost;

(c) A senior citizen housing development.

(2) *Moderate-income housing.* A housing development is eligible for a 5% density bonus if the applicant seeks and agrees to construct 10% of the total units as for-sale density bonus BMR units affordable to moderate-income households, if the residential development also meets all of the following additional criteria:

(a) The housing development is a common interest development as defined by Cal. Civil Code § 1351;

(b) All of the dwelling units in the housing development are offered to the public for purchase; and

(c) The density bonus BMR units are offered for sale at affordable ownership cost.

(3) *Additional density bonus.* The density bonus for which the housing development is eligible shall increase if the percentage of very low-, low-, and moderate-income density bonus BMR units exceeds the base percentage established in divisions (A)(1) and (A)(2) of this section, as follows:

**TABLE 9-5.3502: DENSITY BONUS SUMMARY TABLE**

<b><i>Income Category</i></b>	<b><i>Minimum Density Bonus BMR Units</i></b>	<b><i>Bonus Granted</i></b>	<b><i>Additional Bonus for Each 1% Increase in Density Bonus BMR Units</i></b>	<b><i>Density Bonus BMR Units Required for Maximum 35% Bonus</i></b>
Very Low-Income	5%	20%	2.5%	11%
Low-Income	10%	20%	1.5%	20%
Moderate-Income (for-sale common interest development only)	10%	5%	1%	40%
Senior Citizen Housing Development	100%	20%	=	=

(B) *Density bonus for land donation, child care facility, or condominium conversion.*

(1) A housing development may be eligible for a density bonus for land donation pursuant to the requirements set forth in Cal. Gov't Code § 65915(g).

(2) A housing development that contains a childcare facility as defined in Cal. Gov't Code § 65915(h) may be eligible for an additional density bonus, concession, or incentive pursuant to the requirements set forth in Cal. Gov't Code § 65915(h).

(3) Condominium conversions may be eligible for a density bonus, concession, or incentive pursuant to the requirements of Cal. Gov't Code § 65915.5 and Article 31 of this chapter.

(C) *Calculation of density bonus.*

(1) Each housing development is entitled to only one density bonus, which may be selected based on the percentage of either density bonus BMR units affordable to very low-income households, low-income households, or moderate-income households, or the housing development's status as a senior citizen housing development except as provided in Article 34, Senior Housing Overlay District. Density bonuses from more than one category may not be combined. The City Council, at its own discretion, may grant an additional density bonus as an incentive to a project eligible for such a benefit pursuant to Cal. Gov't Code § 65915(d)(2).

(2) When calculating the number of permitted bonus units, any calculations resulting in fractional units shall be rounded to the next larger whole number.

(3) The bonus units shall not be included when determining the number of density bonus BMR units required to qualify for a density bonus. When calculating the required number of density bonus BMR units, any calculations resulting in fractional units shall be rounded to the next larger integer.

(4) The applicant may request a lesser density bonus than the housing development is entitled to, but no reduction will be permitted in the minimum percentages of required density bonus BMR units pursuant to subsection A of this section. Regardless of the number of density bonus BMR units, no housing development may be entitled to a density bonus of more than 35%.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)

**§ 9-5.3502.1 STATE MANDATED CONCESSIONS AND INCENTIVES.**

(A) If an applicant proposes to provide at least one of the percentages of affordable units indicated in Table 9-5.3502.1: Requirements to Qualify for State Mandated Incentives/Concessions, the city shall grant one or more concessions or incentives in order to facilitate achievement of the density bonus. In addition to the density bonus set forth in division (A), the city shall provide a concession or incentive for qualified projects, unless the city makes a finding that the Concession or Incentive is not necessary as provided in division (E) below. The city shall only consider applications for concessions or incentives when a developer is eligible for and also seeks and receives a state density bonus pursuant to division (A). Cal. Gov't Code § 65915 provides that a housing development is eligible for concessions and incentives as follows:

(1) One concession or incentive for housing developments that include at least 10% of the total units as density bonus BMR units affordable to low-income households, at least 5% of the total units as density bonus BMR units affordable to very low-income households, or at least 10% of the total units in a common interest development as density bonus BMR units affordable to moderate-income households.

(2) Two concessions or incentives for housing developments that include at least 20% of the total units as density bonus BMR units affordable to low-income households, at least 10% of the total units as density bonus BMR units affordable to very low-income households, or at least 20% of the total units in a common interest development as density bonus BMR units affordable to moderate-income households.

(3) Three concessions or incentives for housing developments that include at least 30% of the total units as density bonus BMR units affordable to low-income households, at least 15% of the total units as density bonus BMR units affordable to very low-income households, or at least 30% of the total units in a common interest development as density bonus BMR units affordable to moderate-income households.

**TABLE 9-5.3502.1: REQUIREMENTS TO QUALIFY FOR STATE MANDATED INCENTIVES/CONCESSIONS**

<i>Income Category</i>	<i>Percentage of Density Bonus BMR Units to Qualify for Incentives</i>		
Very Low-Income	5%	10%	15%
Low-Income	10%	20%	30%
Moderate-Income (for-sale common interest development only)	10%	20%	30%
<b>Allowable Number of Incentive(s)/Concession(s)</b>	<b>1</b>	<b>2</b>	<b>3</b>
Notes: <ol style="list-style-type: none"><li>1. A concession or incentive may be requested only if an application is also made for a density bonus pursuant to § 18.15.030, State Mandated Density Bonuses.</li><li>2. Concessions or incentives may be selected from only one category/very low/low, or moderate).</li><li>3. No concessions or incentives are available for land donation.</li><li>4. Condominium conversions and day care centers may have one concession or a density bonus at the city's option, but not both.</li></ol>			

(B) The development incentive(s) granted shall contribute significantly to the economic feasibility of providing the

affordable or senior units.

(1) For the purposes of this program, concessions or incentives may consist of any combination of the following:

(a) Reductions in site development standards and/or modifications in zoning district requirements and/or architectural design requirements which that exceed the minimum building standards established by the State Building Standards Commission in compliance with state law (e.g., including, but not limited to, reductions in setbacks or required parking, increases in permitted lot coverage), which will result in identifiable, financially sufficient, and actual cost reductions, based upon appropriate financial analysis and documentation if required by this section.

(b) Approval of mixed-use zoning if the inclusion of commercial, office, or other land uses will demonstrably reduce the cost of housing development and if the inclusion of non-residential uses is determined to be compatible with existing or planned development in the area where the project is located.

(c) Other regulatory incentives or concessions the developer or the city proposes that would result in identifiable, financially sufficient, and actual cost reductions or avoidance based upon appropriate financial analysis and documentation if required by this section.

(2) Applicants seeking a waiver or modification of development or zoning standards, approval of mixed-use zoning, or other regulatory incentives or concession shall show that such waivers or modifications are necessary to make the housing development economically feasible in accordance with Cal. Gov't Code § 65915(f). The applicant shall demonstrate to the Planning Commission or City Council on appeal through the provision of a pro forma that the requested concession or incentive results in identifiable, financially sufficient, and actual cost reductions to the housing development. The pro forma shall include:

(a) The actual cost reduction achieved through the concession or incentive;

(b) Evidence that the cost reduction allows the applicant to provide affordable rents or affordable sales prices; and

(c) All other information as may be requested by the Zoning Administrator to ensure that the required findings can be made.

(3) Pursuant to Cal. Gov't Code § 65915(p), if a housing development is eligible for a density bonus pursuant to division (A), the applicant may request an on-site vehicular parking ratio, inclusive of handicapped and guest parking, that does not exceed the following:

(a) Zero to one bedroom dwelling unit: one on-site parking space.

(b) Two to three bedroom dwelling unit: two on-site parking spaces.

(c) Four or more bedroom dwelling unit: two and one-half on-site parking spaces.

(d) On-site parking may include tandem and uncovered parking.

(e) A developer may request this parking reduction in addition to concessions and incentives permitted by division (A) of this section.

(4) Additional density bonuses may be awarded by the City Council based on the need for a particular housing type (e.g., three or four bedroom units).

(C) Applicants may seek a waiver of any development standard that will physically preclude the construction of a housing development that is eligible for a density bonus pursuant to division (A), eligibility for density bonus, with the density bonus or concessions and incentives permitted by division (A), or this section. The applicant shall demonstrate that the development standards that are requested to be waived will have the effect of physically precluding the construction of the housing development with the density bonus or concessions and incentives permitted by § 9-5.3502 (A), or this section.

(D) *City financial participation not required.* Nothing in this chapter requires the provision of direct financial incentives for the housing development, including but not limited to the provision of financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The city at its sole discretion may choose to provide such direct financial incentives.

(E) *Prevailing wages.* Financial and certain other incentives may require payment of prevailing wages by the developer if required by state law.

(Ord. 2089-C-S, passed 6-24-14)

#### **§ 9-5.3503 DENSITY BONUS AGREEMENT.**

To ensure that the parties meet their responsibilities, the city requires that the developer enter into a legally recorded agreement subject to the following:

(A) Occupancy of the units reserved for lower income use shall be limited to families who qualify as lower-income as established by the Department of Housing and Urban Development. These figures are updated from time to time and will be given to the developer or owners as they are made available to the city by HUD. Lower-income families have incomes of up to 80% of the median family income for the region. (Note: Provided that the income restrictions are met, Section 8 certification holders may be qualifying families.)

(B) Rents charged for the reserved units shall be no more than 30% of 60% of the area median income for lower income

households and 30% of 50% for very low income households.

(C) The developer and/or future owner of the project shall be required to reserve the lower income units at the controlled rents for a minimum of ten years. Projects receiving a density bonus and at least one additional incentive shall be subject to a 30 year reservation. The Council, at its discretion, may increase the length of the agreement, depending on the size of the project, the number of units, the location, and the density increase requested.

(D) To certify that the current owner has complied with the terms of the agreement, the owner shall file a Certification of Compliance form with the city on an annual basis. A copy of this form is available from the Community Development Department. This form indicates the lessees of the controlled units, their respective unit numbers, monthly rents, household incomes, and phone numbers. Lease agreements for each of the units must also be attached.

(E) Should the owner or developer not be in compliance with the terms of the agreement they shall be subject to a \$50 per day per unit fine and the length of the agreement shall be extended on an equivalent day-for-day basis, which shall be accessed on the property tax rolls pursuant to the Administrative Citation procedures in the Antioch Municipal Code.

(F) To compensate the city for processing costs, the developer or owner will be required to pay the city a fee established by the City Council and adopted in the annual Master Fee Schedule.

(G) *Applicability.* All projects with approved density bonuses prior to the formulation of this policy are subject to the restrictions that were placed on them as conditions of their density bonuses. Projects that were constructed and occupied prior to the formulation of this policy are exempt from any density bonus restrictions.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14) Penalty, see §9-5.2904

#### **§ 9-5.3504 APPLICATION PROCESSING.**

(A) Prior to the submittal of any formal permit requests a developer may submit to the city a preliminary proposal for a residential project for which a density bonus is sought. Within 90 days of the receipt of such a preliminary proposal the city shall notify the developer in writing of any density bonuses or incentives for which the project would be eligible. A formal request for the density bonus pursuant to the requirements of this article may then be submitted to the city concurrently with the application(s) for any necessary permits. This request shall be considered by the City Council along with the required Density Bonus Agreement after any necessary permits are approved by the appropriate body (or concurrently if City Council approval is required as well).

(B) All requests for density bonuses, concessions and incentives, any additional city incentives, parking reductions, and waivers provided pursuant to this chapter, shall be submitted with the Below Market Rate (BMR) Housing Plan required by this section. The developer shall include the following additional information in the BMR Housing Plan:

(1) A site plan depicting the number and location of all market rate units, BMR units, density bonus BMR units, and bonus units.

(2) A calculation of the maximum number of dwelling units permitted by this ordinance and the General Plan, excluding any density bonus.

(3) The targeted income level of the proposed density bonus BMR units.

(4) Description of any requested concessions, incentives, waivers of development standards, or parking reductions requested pursuant to § 18.15.040, state mandated concessions and incentives.

(5) For all concessions and incentives except those listed in § 18.15.040(C), Concessions Not Requiring Financial Pro Forma from Applicant, a pro forma demonstrating that the requested concessions and incentives result in identifiable, financially sufficient, and actual cost reductions. The pro forma shall include:

(a) The actual cost reduction achieved through the concession or incentive; and

(b) Evidence that the cost reduction allows the Developer to provide affordable rents or affordable sales prices.

(6) For waivers of development standards: evidence that the development standards for which the waivers are requested will have the effect of physically precluding the construction of the residential development with the density bonus, concessions, or Incentives requested.

(7) The Community Development Director may require that any pro forma submitted pursuant to division (A)(5) of this section include information regarding capital costs, equity investment, debt service, projected revenues, operating expenses, and such other information as is required to evaluate the pro forma. The cost of reviewing any required pro forma data, including but not limited to the cost to the city of hiring a consultant to review the pro forma, shall be borne by the Developer.

(8) If a mixed use building or development is proposed, the Developer shall provide evidence that nonresidential land uses will reduce the cost of the residential development, and the nonresidential land uses are compatible with the residential development and existing or planned surrounding development.

(9) If a density bonus is requested for a land donation, the BMR Housing Plan shall show the location of the land to be dedicated, provide proof of site control, and provide evidence that each of the findings included in Cal. Gov't Code § 65915(g) can be made.

(10) If a density bonus or concession is requested for a child care facility or condominium conversion, the BMR Housing Plan shall provide evidence that the findings in Cal. Gov't Code § 65915(h) or 65915.5, as appropriate, can be made.

(C) *City review of application for state mandated density bonus, concessions, and incentives.* Any request for a density bonus, concessions, incentives, waivers, or parking reductions provided pursuant to § 18.15.030, State Mandated Density Bonuses, and § 18.15.040, State Mandated Concessions and Incentives, shall be processed, reviewed, and approved or denied by the decision-making body (Planning Commission or the City Council on appeal) concurrently with the BMR Housing Plan required for the housing development. In accordance with state law, neither the granting of a concession or incentive, nor the granting of a density bonus, shall be interpreted, in and of itself, to require a General Plan amendment, zoning change, or other discretionary approval.

(D) *Findings for approval of state mandated density bonus, concessions, and incentives.* Before approving an application that includes a request for a density bonus, incentive, concession, waiver, or parking reduction provided pursuant to § 18.15.030, State Mandated Density Bonuses, and § 18.15.040, State Mandated Concessions and Incentives, the decision-making body shall make the following findings, as applicable:

(1) The housing development is eligible for a density bonus and any concessions, incentives, waivers, or parking reductions requested.

(2) Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation if required.

(3) If the density bonus is based all or in part on donation of land, the findings included in Cal. Gov't Code § 65915(g).

(4) If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care facility, the findings included in Cal. Gov't Code § 65915(h).

(5) If the incentive or concession includes mixed-use development, the findings included in Cal. Gov't Code § 65915(k) (2).

(6) If a waiver is requested, the development standards for which a waiver is requested would have the effect of physically precluding the construction of the residential development with the density bonus, concessions, or incentives permitted.

(E) *Findings for denial of incentives, concessions or waivers.*

(1) *Denial of concessions and incentives.* If the findings required by division (C) of this section can be made, the decision-making body may deny a concession or incentive only if it makes a written finding, supported by substantial evidence, of either of the following:

(a) The concession or incentive is not required to provide for affordable rents or affordable ownership costs.

(b) The concession or incentive would have a specific adverse impact upon public health or safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this division, ***SPECIFIC ADVERSE IMPACT*** means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the residential development was deemed complete.

(c) The concession or incentive would be contrary to state or federal law.

(2) *Denial of waivers.* If the findings required by division (C) of this section can be made, the decision-making body may deny a waiver only if it makes a written finding, supported by substantial evidence, of either of the following:

(a) The waiver would have a specific adverse impact upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this division, ***SPECIFIC ADVERSE IMPACT*** means a significant, quantifiable, direct, and unavoidable impact, based on objective, and identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete.

(b) The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

(c) The waiver would be contrary to state or federal law.

(3) *Denial of incentive or bonus for child care center.* If the findings required by division (C) of this section can be made, the decision-making body may deny a density bonus, incentive, or concession that is based on the provision of child care facilities only if it makes a written finding, based on substantial evidence, that the city already has adequate child care facilities.

(F) *Appeals.* The developers may appeal the denial of a request for a density bonus or a concession or incentive to the City Council.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 2089-C-S, passed 6-24-14)





## STAFF REPORT TO THE PLANNING COMMISSION

**DATE:** July 15, 2020

**SUBMITTED BY:** Kevin Scudero, Associate Planner 

**APPROVED BY:** Alexis Morris, Planning Manager

**SUBJECT:** Preliminary Development Plan for United Pacific Gas Station/Convenience Store/Car Wash (PDP-20-01)

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### RECOMMENDED ACTION

It is recommended that the Planning Commission provide feedback to staff regarding the proposal and provide direction to the applicant for any future entitlement submittal.

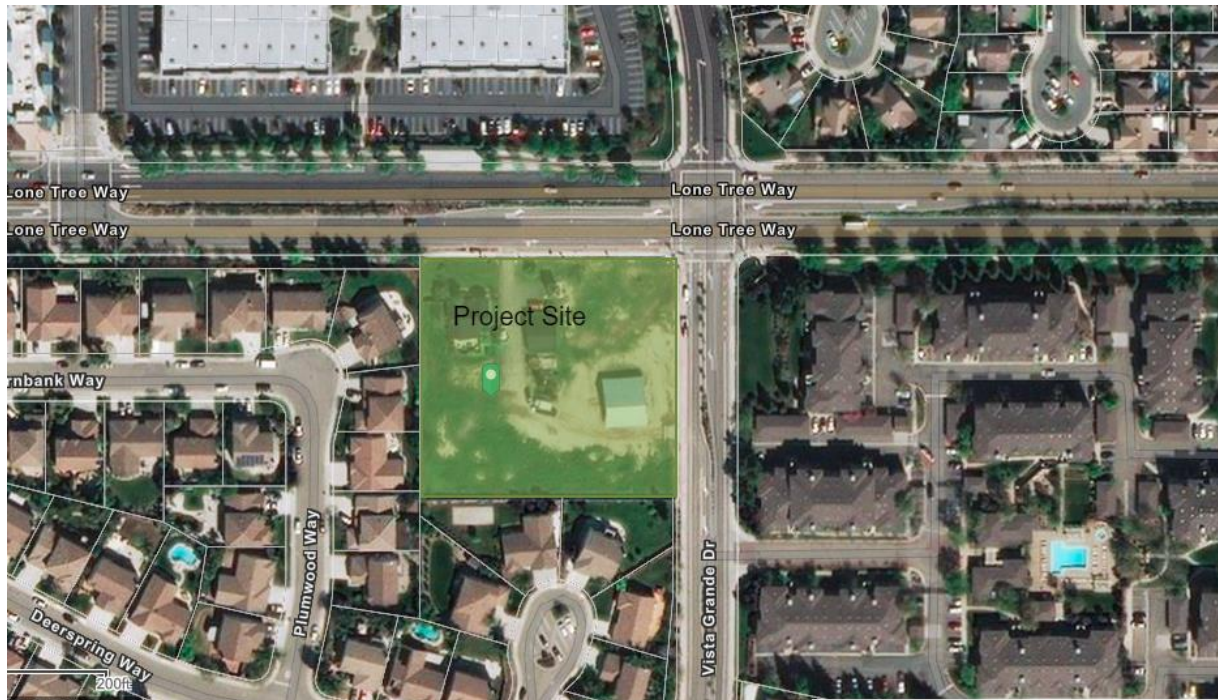
### DISCUSSION

#### Request

The applicant is requesting preliminary plan review of a proposal to construct a new convenience store, attached car wash, and gas station. The applicant is proposing that the convenience store be open 24 hours and sell beer and wine. The project site is located at 5200 Lone Tree Way (APN 056-270-059).

The purpose of a preliminary plan is to gather feedback from the Planning Commission and others in order for the applicant to become aware of concerns and/or issues prior to submitting an entitlement application. As a standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to submitting an entitlement application.

A copy of the project plans can be viewed here: <https://www.antiochca.gov/fc/community-development/planning/ProjectDOCs/PDP-20-01.pdf>



## Environmental

Preliminary plan review is a non-entitlement action and does not require environmental review. The future general plan amendment, rezone and other entitlements associated with the application would require compliance with the California Environmental Quality Act (CEQA). The appropriate CEQA document will be determined at the time of application submittal and preparation of an Initial Study checklist.

## Project Overview

The proposed project consists of a new convenience store of 3,200 square feet, attached car wash of 1,125 square feet, a fuel canopy with eight fuel dispensers, two underground storage tanks, and related site improvements and landscaping. The applicant is proposing that the convenience store be open 24 hours and sell beer and wine. The convenience store will have up to 15 employees working in shifts of 2-3 employees at a time. The car wash will use a water reclamation system to ensure the most up-to-date recycling and waste management techniques are used. All the existing buildings on the site would be demolished as part of the construction. Future entitlements would include require a General Plan Amendment, Rezone, Final Development Plan, Use Permit, Variance and Design Review.

### Consistency with the General Plan

The current General Plan designation of the site is Office which allows a range of uses that include business and professional offices, restaurants, health clubs and spas, banks, commercial daycare centers, and assembly uses. The proposed use is not allowed under the current General Plan designation; therefore, a General Plan amendment would be required.

The appropriate General Plan designation to establish this use at the site would be Convenience Commercial. This designation is described in the General Plan as follows:

“This designation is used to include small sale retail and service uses on small commercial lots, generally ranging up to one to four acres in size. Typical uses may include convenience markets, limited personal services, service stations, and commercial services. This designation is often located on arterial or collector roadway intersections in otherwise residential neighborhoods and, thus, requires that adequate surface parking circulation be included to ensure against any potential circulation difficulties affecting adjacent residences. Design features need to be included in these centers to ensure that convenience commercial developments are visually compatible with and complementary to adjacent and nearby residential and other less intensive uses.”

The project site is approximately two acres with residential homes to the south and west directly adjacent to the property. The homes are separated from the property by a six-foot masonry wall. The proposed gas station pumps are approximately 170 feet from the nearest residential home to the west and the proposed convenience store is approximately 125 feet from the nearest residential home to the south. Across Vista Grande Drive to the east of the project site there are multi-family apartment homes and the nearest building is approximately 200 feet from the proposed car wash. While the Convenience Commercial designation above allows service stations in otherwise residential neighborhoods, staff has concerns with amending the General Plan to place this proposed use directly adjacent to residentially zoned property. When the adjacent residential subdivision was developed there was no plan for the proposed project site to be developed with a service station; therefore, the neighborhood was not designed with any buffers between the homes and the proposed project site. The operations of a 24-hour convenience store/gas station/car wash that sells beer and wine is a high intensity use and could potentially have adverse impacts on the adjacent residential homes. While this is only a preliminary development plan, and no studies have been conducted, a high intensity use like a 24-hour convenience store/gas station/car wash has the potential to have noise, lighting and odor impacts on the adjacent residential properties. The proximity to the residential homes to the west and south of the project site is likely why the site was designated as Office in the General Plan because of the typically low intensity, daytime oriented uses that the Office designation allows.

The most recent service stations developed in the City of Antioch have not been located on major arterial streets directly adjacent to residentially zoned property. Staff conducted a survey of all the gas stations along Lone Tree Way and Hillcrest Avenue and found that of the twelve gas stations along these streets, only four were located directly adjacent to residentially zoned property. All four of the gas stations constructed adjacent to residentially zoned property were built prior to 1970. Below is a table listing all of the gas stations:

<b>Gas Station</b>	<b>Location</b>	<b>Year Built</b>	<b>Directly Adjacent to Residentially Zoned Property</b>
Shell	4198 Lone Tree Way (SW Corner of LTW and Mokelumne Dr.	1999	No
Chevron	4600 Lone Tree Way (SE Corner of Lone Tree Way and Deer Valley Rd	1992	No
7-Eleven	4901 Lone Tree Way (NW Corner of Lone Tree Way & Hillcrest Avenue)	1999	No
Chevron	3400 Hillcrest Avenue (SE Corner of Hillcrest Ave. & Wildflower Dr.	1991	No
Shell	2701 Hillcrest Avenue (SE Corner of Hillcrest Ave. & Larkspur Dr.)	1999	No
7-Eleven/76 Station	2700 Hillcrest Avenue (SW Corner of Hillcrest Ave. & E. Tregallas Rd.)	1987	No
Valero	1801 Hillcrest Avenue (SE Corner of Hillcrest Ave. & E. 18th St.)	1960	Yes
76 Station	4649 Golf Course Road (SW Corner of Lone Tree Way and Golf Course Road)	2004	No
Sinclair	3720 Lone Tree Way (South of Raley's Shopping Center	1966	Yes
Shell	2838 Lone Tree Way (NW Corner of LTW and Putnam St.)	1964	Yes
Valero	2843 Lone Tree Way (NE Corner of Lone Tree Way & Worrell Rd.)	1968	Yes
ARCO AM/PM	3300 Hillcrest Avenue (SW Corner of Hillcrest Ave. & Wildflower Dr.)	2019	No

Another issue to consider are the potential environmental impacts of operating a gas station this close to residentially zoned property. The California Air Resources Board (CARB), in the Air Quality and Land Use Handbook, identifies gasoline dispensing facilities as a significant source of toxic air contaminant (TAC) emissions due to benzene, and provides recommendations for separation distances between gasoline dispensing facilities and sensitive receptors, which includes residential properties. The CARB recommends that gasoline dispensing facilities with a total throughput of 3.6 million gallons per year or greater be sited at least 300 feet away from existing residences or that a detailed health risk assessment (HRA) be performed if such land uses are within 300 feet of each other. The applicant has indicated that this location would dispense between 5 and 8 million gallons a year and would be located approximately 170 feet from the nearest residential property. Therefore, as part of their entitlement application, staff would require that a detailed HRA be performed. An excerpt from the Air Quality and Land Use Handbook discussing gas station dispensing facilities is included as Attachment "C" to the staff report.

In order to approve a General Plan Amendment, the following findings must be made:

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.
3. The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City.
4. The proposed project will not cause environmental damage.
5. The Proposed General Plan Amendment will not require changes to or modifications of any other plans that the City Council adopted.

Upon preliminary review, staff believes that it will be difficult to make the necessary findings for a General Plan Amendment. Based on the issues discussed above related to potential noise, odor, and lighting impacts, as well as the potential environmental impacts of locating a gas station this close to residential property, staff believes that it would be difficult to make the findings that the proposed General Plan Amendment will not be detrimental to the public interest, convenience and general welfare of the City and that the proposed project will not cause environmental damage.

### Variance Request

The applicant is proposing to sell beer and wine at the site. Antioch Municipal Code section 9-5.3831 states that “No on-sale or off-sale liquor establishments shall be operated within a radius of 500 feet from any other on-sale or off-sale liquor establishment or any school, public park, playground, recreational center, day care center or other similar use.” The project site is located within 500 feet of Heidorn park; therefore, a variance would be required to sell alcohol at the site.

To approve a variance, the following four findings must be made (Antioch Municipal Code Section 9-5.2703). If an application can meet all four of the findings, then the variance can be granted. Conversely, if any one of the findings cannot be made, the variance should be denied.

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.
2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.
3. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.
4. That the granting of such variance will not adversely affect the comprehensive General Plan.

Upon a preliminary review, staff does not believe there are any exceptional or extraordinary circumstances applicable to the property nor any special circumstances that would enable the necessary findings to be made to grant a variance and therefore cannot recommend approval of one. Staff is recommending that the Planning Commission discuss and consider whether a variance to allow alcohol sales on the site is appropriate and whether the required findings could be made.

### Land Use Recommendations

Staff is recommending that the Planning Commission discuss and consider whether amending the General Plan to allow the development of a gas station/convenience store/car wash on the site is appropriate and whether the required findings could be made. Staff is also recommending that the Planning Commission discuss whether the required findings for a Variance can be made. Should the Planning Commission support the

proposed land use changes and variance, staff recommends that the Planning Commission consider the detailed analysis below of the proposed project and issues to consider for a future project submittal. At the end of the report is a detailed list of staff recommendations.

Should the Planning Commission disagree with allowing the proposed service station development, then staff recommends that the Planning Commission provide feedback to the applicant and staff on what uses they believe may be appropriate for the site.

### Development Plan Issues and Recommendations

#### *Historic Buildings*

The applicant is proposing to demolish all the structures on the site. Given the age of the buildings on the site (pre-1930's), there is potential that they are of historic significance. Staff recommended to the applicant to conduct preliminary research on the potential historic significance of the buildings to include with their preliminary application, but none was provided. As part of the CEQA document that will be prepared for the project, the historic significance of the buildings on site will be studied. Depending on the results of the study, the removal of the buildings on site could be deemed a significant unavoidable impact per CEQA, thereby requiring an EIR and a statement of overriding considerations for the removal of the buildings. Another possible result would be that the buildings would have to be preserved somewhere on site.

#### *Site Plan*

As described above, the proposed project consists of a new convenience store of 3,200 square feet, attached car wash of 1,125 square feet, a fuel canopy with eight fuel dispensers. The site will be accessed via one driveway on Lone Tree Way and one on Vista Grande Drive. Access from both driveways would be right in/right out only. Lone Tree Way in front of the project site currently features three travel lanes with no dedicated turn lane, which would require vehicles, including large gas tankers, to slow down in the travel lane to turn into the project site. Staff is recommending that a deceleration lane be added along the project frontage on Lone Tree Way for vehicles turning into the project site. A traffic study will be required as part of the CEQA document for their entitlement application.

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 proposed site plan contains eighteen standard parking spaces, one accessible space, and sixteen fueling positions; a total of thirty-five spaces which is more than the sixteen spaces the municipal code requires. Six of the proposed parking spaces are located at the rear of the site close to the residential homes and in a



rather remote portion of the site. Staff is recommending that these spaces be removed or relocated on the site to an area away from the residential homes that would be more convenient for customers to park and access the convenience store.

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 proposed car wash is located on the eastern end of the project site, which is the area of the site furthest from the residential homes to the west and south, but closer to the apartments to the east. A noise study will be required as part of the CEQA document for their entitlement application to ensure that the noise generated at the site is reduced to a less than significant level.

The western portion of the site does not currently show any plan for development and the applicant has indicated that no decision has been made regarding the utilization of this portion of the site. The applicant is proposing to demolish the structures and grade the land. They will then put into effect a weed/maintenance mitigation plan after the development of the main portion of the property. However, the future development application will be required to include any future development of this area in the proposed land uses, site plan and CEQA analysis. Should the application not show any future development then staff would recommend that the area be landscaped in a manner consistent with the rest of the site.

### *Architecture & Landscaping*

The proposed building architecture for the Rocket convenience store and car wash features clean lines and varied parapet heights, with materials including stucco, corrugated metal siding and aluminum storefront. The proposed building colors are a mix of dark blue and grays with white trim. The gas station canopy features standard Chevron colors and logos and is not compatible with the building colors and architecture of the main building.

Section 3.2.11c of the Citywide Design Guidelines states that “site-specific architectural design is strongly encouraged, rather than corporate or franchise design solutions.” The section also states that “all structures on the site (including kiosks, car wash buildings, gas pump columns, etc.) shall be architecturally consistent and related to an overall architectural theme.” In addition, Section 9-5.3815 (C) (6) of the Antioch Municipal Code states that “service stations constructed in areas that are predominantly of residential character shall be designed to maintain a residential atmosphere.” As previously mentioned above, the Convenience Commercial general plan designation also states that “design features need to be included in these centers to ensure that convenience commercial developments are visually compatible with and complementary to adjacent and nearby residential and other less intensive uses.”



The proposed architecture makes no attempt to blend in with the nearby residential developments; therefore, staff is recommending that as part of their entitlement application the applicant submit a new design that is consistent with the requirements and recommendations set forth in the Citywide Design Guidelines, Antioch Municipal Code and General Plan. Staff has included an example of a service station that meets these requirements from the Citywide Design Guidelines as Attachment “D” to the staff report.

The applicant is also proposing wall mounted display poster panels on the building elevations and freestanding advertising panels near the gasoline pumps. Section 7.3.1a of the Citywide Design Guidelines limits building signage to “only the name or nature of the business and/or a highly recognizable logo”. Therefore, staff is recommending that the display poster panels and freestanding advertising panels be removed from any future submittal.

The proposed landscaping is located primarily around the perimeter of the site with a thirteen-foot setback shown along Lone Tree Way and a twenty-foot setback along Vista Grande Drive. While the Planned Development (PD) zoning the applicant is requesting does allow for flexibility in zoning standards, the C-1 (Convenience Commercial) zoning standards are what the Planned Development will be compared to and will need to be mostly consistent with. The C-1 zoning standards require a thirty-foot landscape setback along arterial streets; therefore, staff is recommending that the landscape setback along Lone Tree Way be increased from thirteen feet to thirty feet. Staff is also recommending that the landscaping setbacks be bermed to a sufficient height to screen the pump islands from passing motorists, which is a requirement per Antioch Municipal Code Section 9-5.3815 (D) (1).

The proposed landscaping shows a mix of trees, shrubs and ground cover. The ground cover being shown is lawn which is not compliant with the City of Antioch Ordinance No. 2162-C-S The State Model Water Efficient Landscape Ordinance (MWELo). Staff is recommending that a revised landscaping plan be submitted that uses water efficient trees, shrubs and groundcover from the Citywide Design Guidelines plant palette and is consistent with the MWELo requirements.

### Conclusion

The purpose of a preliminary plan is to gather feedback from the Planning Commission and others in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following, along with any issues brought up by the Planning Commission, be considered by the applicant.

Policy Discussion by the Planning Commission:

1. Consideration of the General Plan Amendment to change from office to convenience commercial to allow a convenience store/car wash/gas station and whether the required findings could be made.
2. Consideration of the Variance request to allow alcohol sales at the site and whether the required findings could be made.
3. If Planning Commission supports the required General Plan Amendment and Variance, staff recommends the Commission discuss the recommendations below related to project design and provide feedback and recommendations to the applicant.

Recommended modifications to the Project Design:

1. Provide a revised building and canopy design consistent with the Citywide Design Guidelines, Antioch Municipal Code and General Plan and compatible with adjacent residential development.
2. Remove display poster panels and freestanding advertising signage.
3. Add a deceleration lane along the Lone Tree Way project frontage to allow safer truck ingress and egress.
4. Provide landscaping in landscape strip along detached sidewalk on Lone Tree Way.
5. Remove existing driveway at the project site along Lone Tree Way.
6. Provide a landscaping plan that is consistent with the City of Antioch Ordinance No. 2162-C-S The State Model Water Efficient Landscape Ordinance (MWELO).
7. Increase landscape setback along Lone Tree Way to thirty feet and berm all landscape frontages to a sufficient height to screen the pump islands from passing motorists.
8. Remove or relocate the six parking spaces at the rear of the site to an area away from the residential homes that would be more convenient for customers to park and access the convenience store.
9. Include any future development plan and proposed uses for the vacant area of the site in the entitlement application. If no plan is provided, show the area landscaped in a manner consistent with the rest of the site.

**ATTACHMENTS:**

- A. Project Description
- B. Project Plans
- C. Air Quality and Land Use Handbook Excerpt
- D. Service Station Design Example
- E. CCCFD Comment Letter

# ATTACHMENT "A"

## UNITED PACIFIC LONE TREE REVISED PROJECT DESCRIPTION 5200 Lone Tree Way, Antioch, CA

The project consists of the construction of a new United Pacific convenience store (c-store) of 3,200 square feet, an attached carwash of 1,125 square feet, a fuel canopy of 5,566 square feet with eight fuel dispensers, two underground storage tanks, and related site improvements and landscaping. The convenience store will operate 24 hours and sell beer and wine.

The western portion of the site does not currently show any plan for development. No decision has been made regarding utilization of the remainder portion. Structures on this portion will be demolished and the land will be graded. A weed/maintenance mitigation plan will be put into effect after development of the main portion of the property.

Founded in 1955, United Pacific has been in operation for over 60 years, and is one of the largest fuel and convenience store operators in the Western U.S. United Pacific owns over 500 retail fuel and c-stores, operating 323 of them under 76, Conoco, Phillips 66, Shell, Chevron and their own Private brand, United Oil. They sell close to 2 million gallons of fuel each day through their station network and have over 100 car wash locations.

The c-store will have up to 15 employees working in shifts of 2-3 employees at a time. The car wash will use a water reclamation system to ensure the most up-to-date recycling and waste management techniques. The station will have no auto/tire repair or service. Deliveries are handled at different times of the day depending on location.

The proposed development would replace an older residential property with very dated structures. In preliminary discussions with neighbors, some expressed a desire to see the site upgraded.

The property area is 87,198 square feet, or 2.00 acres. The project proposes right in/right out ingress and egress from Lone Tree Way and Vista Grande Drive.

Thirteen parking stalls are required and nineteen are provided. The landscaping will consist of drought-tolerant species, including shade canopy trees. The car wash drive lane provides adequate stacking away from areas of ingress/egress from public right-of-way. The light fixtures will be shielded to prevent spill over property lines, with heightened sensitivity at the residential-facing property lines.

The architecture of the proposed building features clean lines and varied parapet heights, with materials including stucco, corrugated metal siding and aluminum storefront. These materials will be replicated for the canopy and trash enclosure. Rooftop equipment is screened by elevated and variable height parapets.

The property is zoned P-D, Planned Development District, with an underlying Land Use Designation of Office. Auto-related uses and retail uses are not generally compatible with the Land Use Designation Office, so the project will require a General Plan Amendment to allow Commercial uses, and a rezone to PD Planned Development. The project will also require a Conditional Use Permit.

The subject property has a mix of commercial and office uses in proximity, and therefore is not an incompatible use. The property is of a size and shape to support the intended use. There is adequate access and public services and facilities to serve the proposed development. Potential environmental impacts, such as noise and light, can be effectively mitigated through design and manufacturer solutions.

On the south side of Lone Tree Way, for over a mile and a half between Deer Valley Road and Heidorn Ranch Road, there are no retail shopping options. A raised concrete median with planters runs the length of Lone Tree Way between those two cross streets, so residents must travel to signalized intersections in

order to cross to the north side of Lone Tree Way in order to shop. The proposed development offers a convenient option for local traffic to pop in for a quick snack or fuel up on the south side of the street.

We believe the proposed development will be a dynamic addition to the neighborhood.



**PRELIMINARY SITE PLAN**

**PROJECT DATA**  
LOCATION: 5200 LONE TREE WAY  
ANTIOCH, CALIFORNIA

ZONING: P-D (PLANNED DEVELOPMENT DISTRICT)  
APN: 056-270-059  
LOT AREA: 87,198 S.F. (2.00 AC)  
MINIMUM DRIVE AISLE WIDTH REQUIRED: 25'  
PARKING STALL MINIMUM DIMENSION REQUIRED: 9'x18'  
PARKING SPACES PROVIDED: 19 STALLS, INCLUDING 1 ACCESSIBLE STALL

**CONVENIENCE STORE: 1 STALLS PER 250 GROSS S.F.**  
**CONVENIENCE STORE: 3,200 S.F. = 13 STALLS**

**DRAWING INDEX**  
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SHEET 12 OF 15  
SHEET 13 OF 15  
SHEET 14 OF 15  
SHEET 15 OF 15

**UNITED PACIFIC**  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

**For:**

**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com

Date: 01/10/20  
Designed: JW  
Drawn: AD  
Checked: PT  
Approved: Vertical  
Scale: Horizontal 1"=20'  
Vertical

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# ALTAINSPS LAND TITLE SURVEY

## TITLE - LEGAL DESCRIPTION

FIDELITY NATIONAL TITLE INSURANCE COMPANY  
ORDER NO. 30031952-991-991-PJ2  
COMMITMENT DATE: JUNE 11, 2019

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ANTIOCH, IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

PARCEL "A", AS SHOWN ON THE PARCEL MAP SUBDIVISION MS 7-87, FILED ON SEPTEMBER 10, 1987, IN BOOK 129 OF PARCEL MAPS, PAGE 35 CONTRA COSTA COUNTY RECORDS.

EXCEPTING THEREFROM:

THOSE PARCELS GRANTED TO MEADOWS CREEK ESTATES, INC., A CALIFORNIA CORPORATION, IN THE DEED RECORDED OCTOBER 28, 1997 AS INSTRUMENT NO. 97-209500 OF OFFICIAL RECORDS.

PARCEL TWO:

A PORTION OF PARCEL "B" AS SAID PARCEL IS DESIGNATED ON THE MAP OF SUBDIVISION MS 7-87, FILED ON SEPTEMBER 10, 1987, IN BOOK 129 OF PARCEL MAPS AT PAGE 35, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL "A", AS SAID PARCEL IS DESIGNATED ON THE ABOVE MENTIONED MAP (129 PM35); THENCE ALONG THE EAST LINE THEREOF SOUTH 0° 47' 11" WEST, 8.77 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING CONTINUING ALONG SAID EAST LINE SOUTH 16° 47' 11" WEST, 2782.76 FEET; THENCE LEAVING AN ARC OF 14.45 FEET, HAVING A RADIUS OF 20.00 FEET, TO THE SOUTHWEST, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 47° 24' 35", AN ARC LENGTH OF 14.45 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

ALL OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON AND MINERAL SUBSTANCES BELOW A POINT 500 FEET BELOW THE SURFACE OF SAID LAND, TOGETHER WITH THE RIGHT TO TAKE, REMOVE, MINE, PASS THROUGH AND DISPOSE OF ALL SAID OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBON AND MINERAL SUBSTANCES"; AS RESERVED IN THE DEED FROM FREDERICK H. HEIDORN, ET UX, RECORDED SEPTEMBER 10, 1987 AS INSTRUMENT NO. 87-191631 IN BOOK 13889, PAGE 239 OF OFFICIAL RECORDS.

## TITLE REPORT NOTES

I. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS, PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.

II. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR WHICH MAY BE ASSERTED BY PERSONS IN POSSESSION THEREOF.

III. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

IV. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

V. (A) UNPATENTED MINING CLAIMS, (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF, (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

VI. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL, NOT SHOWN BY THE PUBLIC RECORDS.

VII. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING TO THE SUBSEQUENT EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORDS FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

1. PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2019-2020.

2. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 1000 OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.

3. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.

4. (A) TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS, (B) PROCEEDINGS BY A PUBLIC AGENCY THAT MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.

5. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.

6. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS.

7. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS.

8. (A) UNPATENTED MINING CLAIMS, (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF, (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

9. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR OR MATERIAL, NOT SHOWN BY THE PUBLIC RECORDS.

10. THE HEREIN DESCRIBED LAND IS LOCATED IN AN AREA FREQUENTLY SUBJECT TO LAND CONSERVATION CONTRACTS EXECUTED PURSUANT TO THE WILLIAMSON ACT (CAL. GOVT. CODE §§ 51200 ET SEQ.), LAND CONSERVATION CONTRACTS RESTRICT THE LAND USE TO AGRICULTURAL, RECREATIONAL, OPEN SPACE AND OTHER COMPATIBLE USES. IF THE HEREIN DESCRIBED LAND IS SUBJECT TO A LAND CONSERVATION CONTRACT, PLEASE NOTIFY THE LANDOWNER OF THE CONTRACT AND THE GRANTANT RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS AND/OR MAKE FURTHER REQUIREMENTS.

## TITLE REPORT NOTES

DOES AFFECT  
BLANKET IN NATURE

11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: GREAT WESTERN POWER COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION, ITS SUCCESSORS AND ASSIGNS  
PURSUANT TO THE DEED RECORDED OCTOBER 28, 1997 AS INSTRUMENT NO. 97-209500 OF OFFICIAL RECORDS  
RECORDING DATE: DECEMBER 4, 1929  
RECORDING NO. BOOK 205, PAGE 495, OF OFFICIAL RECORDS  
AFFECTS: AS DESCRIBED THEREIN

THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD.

DOES AFFECT

12. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT

DATED: AUGUST 6, 1989  
EXECUTED BY: BOARD OF SUPERVISORS  
RECORDING DATE: SEPTEMBER 13, 1989  
RECORDING NO. 87558, BOOK 5708, PAGE 456, OF OFFICIAL RECORDS

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

DOES AFFECT  
AS SHOWN HEREON

13. THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN RELINQUISHED BY SAID TRACT/PLAT.

AFFECTS: AS DEFINED THEREIN

14. ANY RIGHTS INCIDENTAL TO THE OWNERSHIP AND DEVELOPMENT OF THE MINERAL INTEREST EXCEPTED OR RESERVED IN THE DOCUMENT

ENTITLED: GRANT DEED DATED: AUGUST 10, 1987

RECORDING DATE: SEPTEMBER 10, 1987  
RECORDING NO. 87-191631, BOOK 13889, PAGE 239, OF OFFICIAL RECORDS  
AFFECTS: AS DEFINED THEREIN

15. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT

ENTITLED: DEVELOPMENT AGREEMENT

DATED: FEBRUARY 14, 1989  
EXECUTED BY: CITY OF ANTIOCH AND MEADOW CREEK ESTATES  
RECORDING DATE: JUNE 19, 1989  
RECORDING NO. 88-113218, BOOK 15139, PAGE 987, OF OFFICIAL RECORDS  
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.  
AFFECTS: PARCEL TWO AND OTHER PROPERTY

MAY AFFECT  
BLANKET IN NATURE

16. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT

ENTITLED: AGREEMENT RELINQUISHING RIGHTS TO WATER SERVICE  
EXECUTED BY: MEADOW CREEK ESTATES, INC. AND EAST CONTRA COSTA IRRIGATION DISTRICT  
RECORDING DATE: APRIL 5, 1994  
RECORDING NO. 94-095135, OF OFFICIAL RECORDS

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

AFFECTS: PARCEL TWO AND OTHER PROPERTY

NOT SURVEY RELATED

17. THE SEARCH DID NOT DISCLOSE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE COMPANY RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED, AND FURTHER RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED, AND FURTHER RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED.

18. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.

19. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER MATTERS WHICH A CORRECT SURVEY WOULD DISCLOSE AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

20. THE TRANSACTION CONTEMPLATED IN CONNECTION WITH THIS REPORT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE COMPANY'S CORPORATE UNDERWRITING DEPARTMENT. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER SUCH REVIEW.

## PARCEL INFORMATION

OWNER: JORGE F. VARGAS, AN UNMARRIED MAN

APN: 056-270-059

ZONING: PARCEL INFORMATION PER CITY OF ANTIOCH WEBSITE  
THE PARCEL IS CURRENTLY ZONED: PLANNED DEVELOPMENT DISTRICT (P-D)

## UTILITIES

SANITARY SEWER - CITY OF ANTIOCH - APPROXIMATE LOCATIONS PER OBSERVED EVIDENCE

STORM SEWER - CITY OF ANTIOCH - APPROXIMATE LOCATIONS PER OBSERVED EVIDENCE

WATER - CITY OF ANTIOCH - APPROXIMATE LOCATIONS PER OBSERVED EVIDENCE

GAS - PACIFIC GAS & ELECTRIC - APPROXIMATE LOCATIONS PER OBSERVED EVIDENCE

ELECTRIC - PACIFIC GAS & ELECTRIC - APPROXIMATE LOCATIONS PER OBSERVED EVIDENCE

## RESULT

## NOTES

1. BASIS OF BEARINGS: THE MONUMENTED CENTERLINE OF VISTA GRANDE DRIVE AS SHOWN PER PARCEL MAP OF "MEADOW CREEK VILLAGE UNIT 1" RECORDED IN BOOK 413 OF MAPS AT PAGE 46 IN THE COUNTY OF CONTRA COSTA.

TAKEN TO BEAR: N00°47'11"E

2. BASIS OF ELEVATIONS: CONTRA COSTA COUNTY BRASS DISK #493 STAMPED P3007 + 60.30.  
ELEVATION = 92.387 NGVD27.

3. SITE BENCHMARKS:

BASE CONTROL POINT NUMBER 500.

A NAIL SET IN THE SIDEWALK AT THE NORTHERN TANGENCY OF THE NORTHEAST CORNER OF SITE.  
ELEVATION = 130.23', AS SHOWN ON SHEET 2.

4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.

5. CERTIFICATION IS MADE TO THE ORIGINAL PURCHASER OF THE SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

6. SUBSURFACE AND ENVIRONMENTAL CONCERNS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

7. THE LOCATIONS OF UNDER GROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES. DEPTHS UNKNOWN.

8. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.

9. SUBJECT PROPERTY IS LOCATED WITHIN ZONE "X". AREAS WITHIN ZONE "X" ARE DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM. FLOOD INSURANCE RATE MAP FOR CONTRA COSTA COUNTY, CALIFORNIA.

EFFECTIVE DATE: 08/16/2009

10. DURING THE COURSE OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK.

11. DURING THE COURSE OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

12. DURING THE COURSE OF THE ALTA SURVEY THERE HAVE BEEN NO CHANGES IN THE STREET RIGHT OF WAY LINES. NO CHANGES TO STREET RIGHT OF WAY WERE MADE AWARE TO THE SURVEYOR.

13. DURING THE COURSE OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

14. DURING THE COURSE OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF A WETLANDS FIELD DELINEATION.

## SURVEYOR'S STATEMENT

TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTAINSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2-4, 5, 6(A), 8, 9, 11, 13, 14, 16, 17 & 20 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON 11/20/2019

DATE OF PLAT OR MAP 12/05/2019

*Neil E. Thonesen*  
NEIL ELLIOTT THONESEN, PLS 8656  
DATE 12/05/19

IN ACCORDANCE WITH SECTION 8770.6 OF THE BUSINESS AND PROFESSIONS CODE, STATE OF CALIFORNIA (PROFESSIONAL LAND SURVEYOR'S ACT, AS AMENDED JANUARY 1, 2006), THE USE OF THE WORK "CERTIFY" OF "CERTIFICATION" BY A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER IN THE PRACTICE OF PROFESSIONAL ENGINEERING OF LAND SURVEYING OR THE PREPARATION OF MAPS, PLATS, REPORTS, DESCRIPTIONS, OR OTHER SURVEYING DOCUMENTS ONLY DESCRIBED LAND SUBJECT TO A LAND CONSERVATION CONTRACT, PLEASE NOTIFY THE LANDOWNER OF THE CONTRACT AND THE GRANTANT RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS AND/OR MAKE FURTHER REQUIREMENTS.

SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

PREPARED BY:



1403 E. HANNING AVE  
REEDLEY, CA 93654  
PH: (569) 637-1844

ALTAINSPS LAND TITLE SURVEY  
PREPARED FOR:

CLIENT

5200 LONE TREE WAY  
ANTIOCH, CA 94531  
SECTION 4, T.1N, R.2E

PROJECT INFO:

PROJECT NO: 19138

DRAWN BY: CLD, JDK

CHECKED BY: NET

DATE: 12/05/2019

REVISIONS:

NO. DATE

12/05/2019

ORIGINAL ISSUE



12/05/19

COVER  
SHEET

2 OF 15

B2



LEGEND

BACKFLOW PREVENTOR	⊙	SANITARY SEWER - GREASE TRAP	⊙
BENCH	⊙	SANITARY SEWER - MANHOLE	⊙
BIKE RACK	⊙	SANITARY SEWER - RISER	⊙
BOLLARD	⊙	SANITARY SEWER - STRUCTURE	⊙
BUSH	⊙	SANITARY SEWER - VALVE	⊙
CABLE - BOX	⊙	SANITARY SEWER - VAULT	⊙
CABLE - MANHOLE	⊙	SIGN	⊙
CABLE - RISER	⊙	SIGN - NO PARKING	⊙
CABLE - STRUCTURE	⊙	SIGN - STOP	⊙
CABLE - VAULT	⊙	SIGN - YIELD	⊙
CACTUS	⊙	SIGN - DRAIN - BOX	⊙
CONTROL - BRASS CAP	⊙	STORM DRAIN - GRATE	⊙
CONTROL - BRASS DISC	⊙	STORM DRAIN - GRATE CIRCULAR	⊙
CONTROL - CHISELED CROSS	⊙	STORM DRAIN - MANHOLE	⊙
CONTROL - COTTON SPINDLE	⊙	STORM DRAIN - RISER	⊙
CONTROL - IRON PIPE	⊙	STORM DRAIN - STRUCTURE	⊙
CONTROL - NAIL FOUND	⊙	STORM DRAIN - VAULT	⊙
CONTROL - NAIL SET	⊙	STRIPING - AHEAD	⊙
CONTROL - REBAR FOUND	⊙	STRIPING - ARROW LEFT	⊙
CONTROL - TAG	⊙	STRIPING - ARROW RIGHT	⊙
DOME	⊙	STRIPING - ARROW STRAIGHT	⊙
DOUBLE BACKFLOW PREVENTOR	⊙	STRIPING - ARROW STRAIGHT LEFT	⊙
ELECTRIC - BOX	⊙	STRIPING - ARROW STRAIGHT RIGHT	⊙
ELECTRIC - CABINET	⊙	STRIPING - HANDICAP	⊙
ELECTRIC - MANHOLE	⊙	TELEPHONE - BOX	⊙
ELECTRIC - METER	⊙	TELEPHONE - MANHOLE	⊙
ELECTRIC - RISER	⊙	TELEPHONE - RISER	⊙
ELECTRIC - STRUCTURE	⊙	TELEPHONE - STRUCTURE	⊙
ELECTRIC - TRANSFORMER	⊙	TELEPHONE - VAULT	⊙
ELECTRIC - VAULT	⊙	TELEPHONE CABINET	⊙
FIRE DEPARTMENT CONNECTION	⊙	TRAFFIC SIGNAL	⊙
FIRE HYDRANT	⊙	TRAFFIC SIGNAL - BOX	⊙
GAS - BOX	⊙	TRAFFIC SIGNAL - MANHOLE	⊙
GAS - MANHOLE	⊙	TRAFFIC SIGNAL - RISER	⊙
GAS - METER	⊙	TRAFFIC SIGNAL - SHORT	⊙
GAS - RISER	⊙	TRAFFIC SIGNAL - STRUCTURE	⊙
GAS - STRUCTURE	⊙	TRAFFIC SIGNAL - VAULT	⊙
GAS - VALVE	⊙	TREE - DECIDUOUS	⊙
GAS - VAULT	⊙	TREE - EVERGREEN	⊙
GUY WIRE	⊙	TREE - PALM	⊙
HOSE BIB	⊙	UNKNOWN - BOX	⊙
IRON PIPE FOUND	⊙	UNKNOWN - MANHOLE	⊙
IRON PIPE SET	⊙	UNKNOWN - METER	⊙
IRRIGATION CONTROL VALVE	⊙	UNKNOWN - RISER	⊙
LANDSCAPING LIGHT	⊙	UNKNOWN - STRUCTURE	⊙
LIGHT POLE	⊙	UNKNOWN - VALVE	⊙
LIGHT POLE - 2 LIGHTS	⊙	UNKNOWN - VAULT	⊙
LIGHT POLE - 3 LIGHTS	⊙	WATER - BOX	⊙
LIGHT POLE - 4 LIGHTS	⊙	WATER - MANHOLE	⊙
LIGHT POLE - AREA	⊙	WATER - METER	⊙
MAIL BOX	⊙	WATER - PUMP	⊙
MONITORING WELL	⊙	WATER - RISER	⊙
POWER - POLE	⊙	WATER - STRUCTURE	⊙
POST INDICATOR VALVE	⊙	WATER - VALVE	⊙
ROOF DRAIN	⊙	WATER - VAULT	⊙
SANITARY SEWER - BOX	⊙	WHEEL STOP	⊙
SANITARY SEWER - CLEAN OUT	⊙		
AC	ASPHALT CONCRETE	GRADE BREAK	
BLD	BUILDING LINE	ROAD CENTERLINE	
BS	BUS STOP	WOOD FENCE	
CNC	CONCRETE	CHAIN LINK FENCE	
CR	CROWN OF ROAD	WIRE FENCE	
DW	DRIVEWAY	METAL FENCE	
EG	EXISTING GRADE	TELEPHONE LINE - UNDERGROUND	
EP	EDGE OF PAVEMENT	TELEPHONE LINE - OVERHEAD	
FL	FLOW LINE	ELECTRIC LINE - OVERHEAD	
FLP	FLOW LINE PIPE	ELEC & TELE LINE - OVERHEAD	
FM	FENCE - METAL	ELECTRIC LINE - UNDERGROUND	
FW	FENCE - WIRE	WATER LINE - UNDERGROUND	
FWD	FENCE - WOOD	SEWER LINE - UNDERGROUND	
GB	GRADE BREAK	STORM LINE - UNDERGROUND	
GR	HANDRAIL	CABLE LINE	
IE	INVERT ELEVATION	UNKNOWN LINE - UNDERGROUND	
FF	FINISHED FLOOR	GAS LINE - UNDERGROUND	
FFD	FINISHED FLOOR DOUBLE	PROPERTY BOUNDARY LINE	
LIP	LIP OF CURB	FEIMA BOUNDARY LINE	
SS	SANITARY SEWER	BUILDING OUTLINE	
ST	STRIPING	ADJACENT PROPERTY LINE	
STB	STRIPING - BROKEN	SECTION LINE	
STD	STRIPING - DOUBLE		
TBC	TOP BACK OF CURB		
TFC	TOP FACE OF CURB		

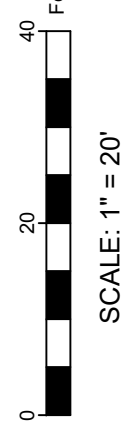


PREPARED BY:



ALTAINSPS LAND TITLE SURVEY  
PREPARED FOR:

CLIENT  
5200 LONE TREE WAY  
ANTIOCH, CA 94531  
SECTION 4, T.1N, R.2E



PROJECT INFO:

PROJECT NO:	19138
DRAWN BY:	CLD, JDK
CHECKED BY:	NET
DATE:	12/05/2019

REVISIONS:

NO.	DATE	DESC.
1	12/05/2019	ORIGINAL ISSUE



12 | 05 | 19

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SHEET

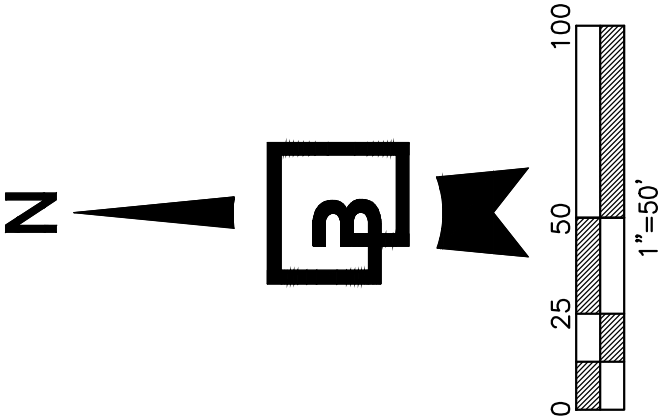
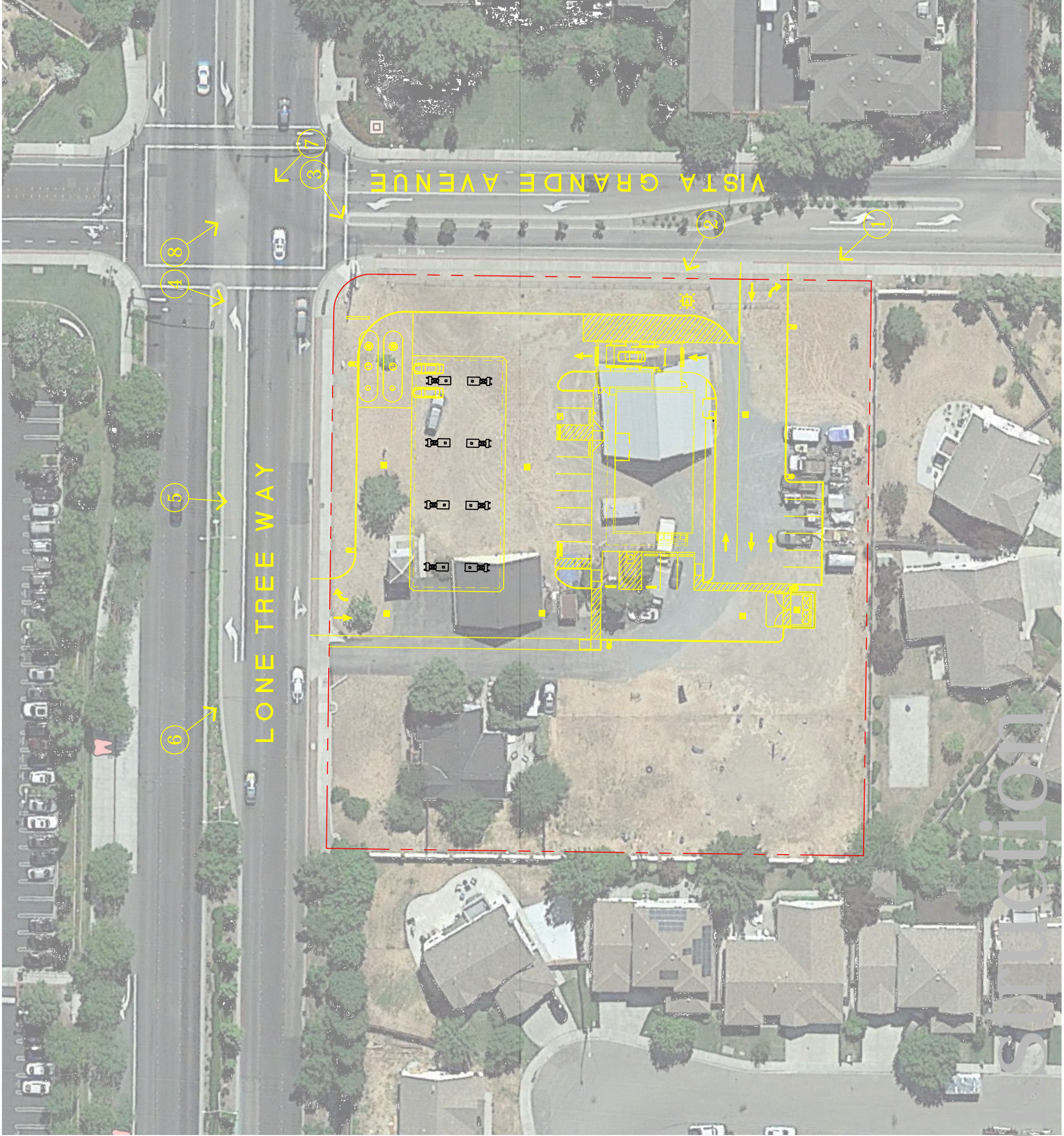
3 OF 15

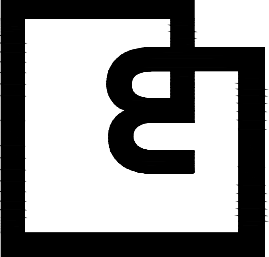
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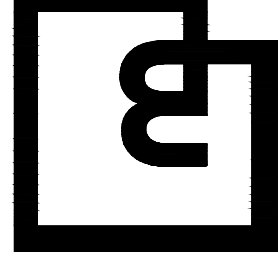




Job Number 20927	Sheet 5 of 15	 <b>Barghausen Consulting Engineers, Inc.</b> 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com	Designed AD Drawn AD Checked PT Approved Date 01/27/20	Scale: Horizontal Vertical	For:	UNITED PACIFIC 5200 LONE TREE WAY ANTIOCH, CA 94531	Title: CONTEXT MAP

No.	Date	By	Ckd.	Appr.	Revision





**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com

Designed AD  
 Drawn AD  
 Checked PT  
 Approved \_\_\_\_\_  
 Date 01/27/20

Scale:  
Horizontal  
Vertical

**For:**

UNITED PACIFIC  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

Title:

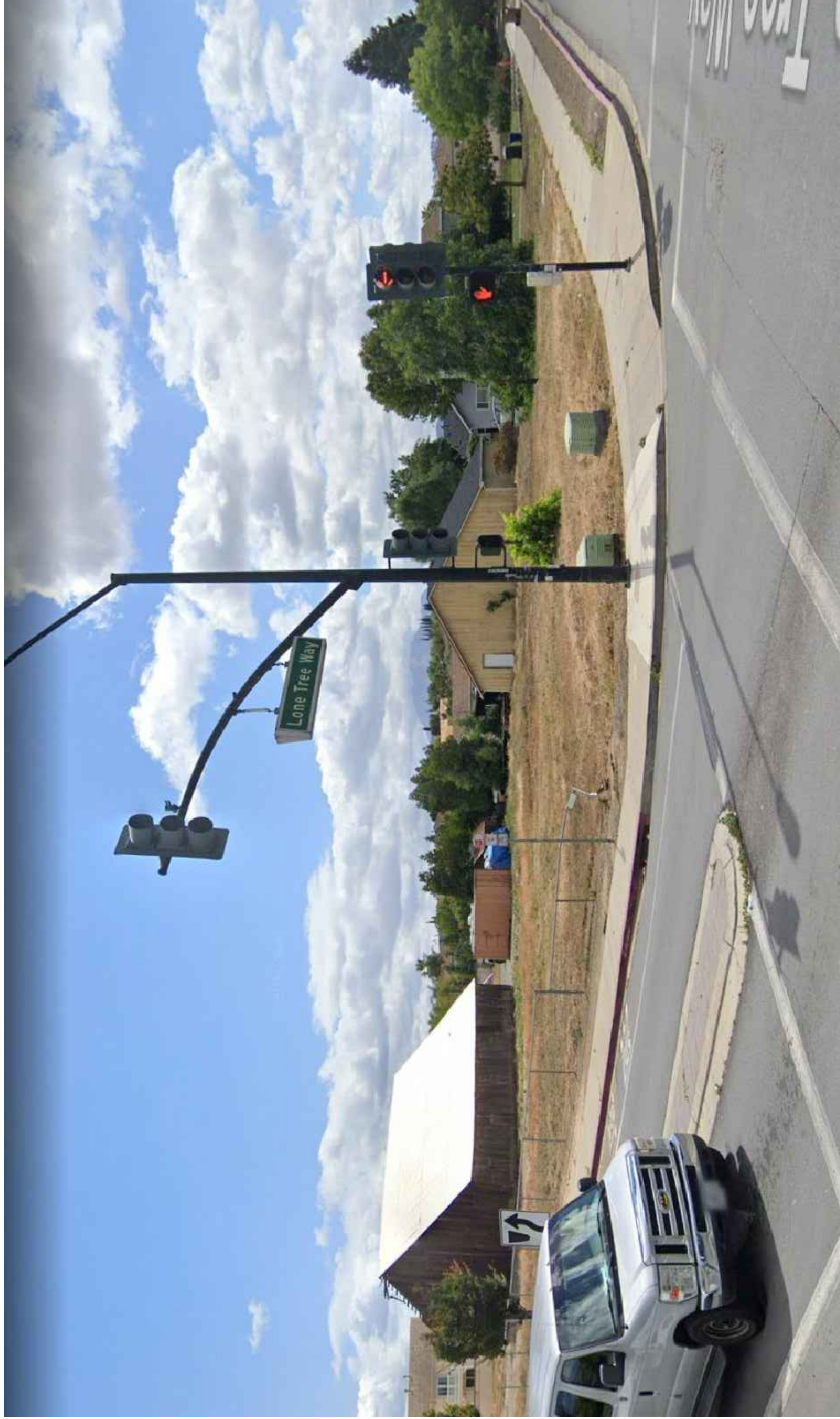
No.	Date	By	Ckd.	Appr.	Revision

CONTEXT MAP

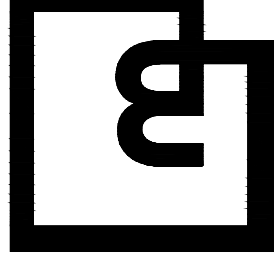
## CONTEXT MAP



**4 STREET VIEW**







**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com

Designed AD  
 Drawn AD  
 Checked PT  
 Approved \_\_\_\_\_  
 Date 01/27/20

Horizontal

Vertical

For:

UNITED PACIFIC  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

Title:

## CONTEXT MAP

No.	Date	By	Ckd.	Appr.	Revision

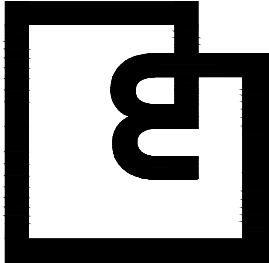




CONTEXT MAP

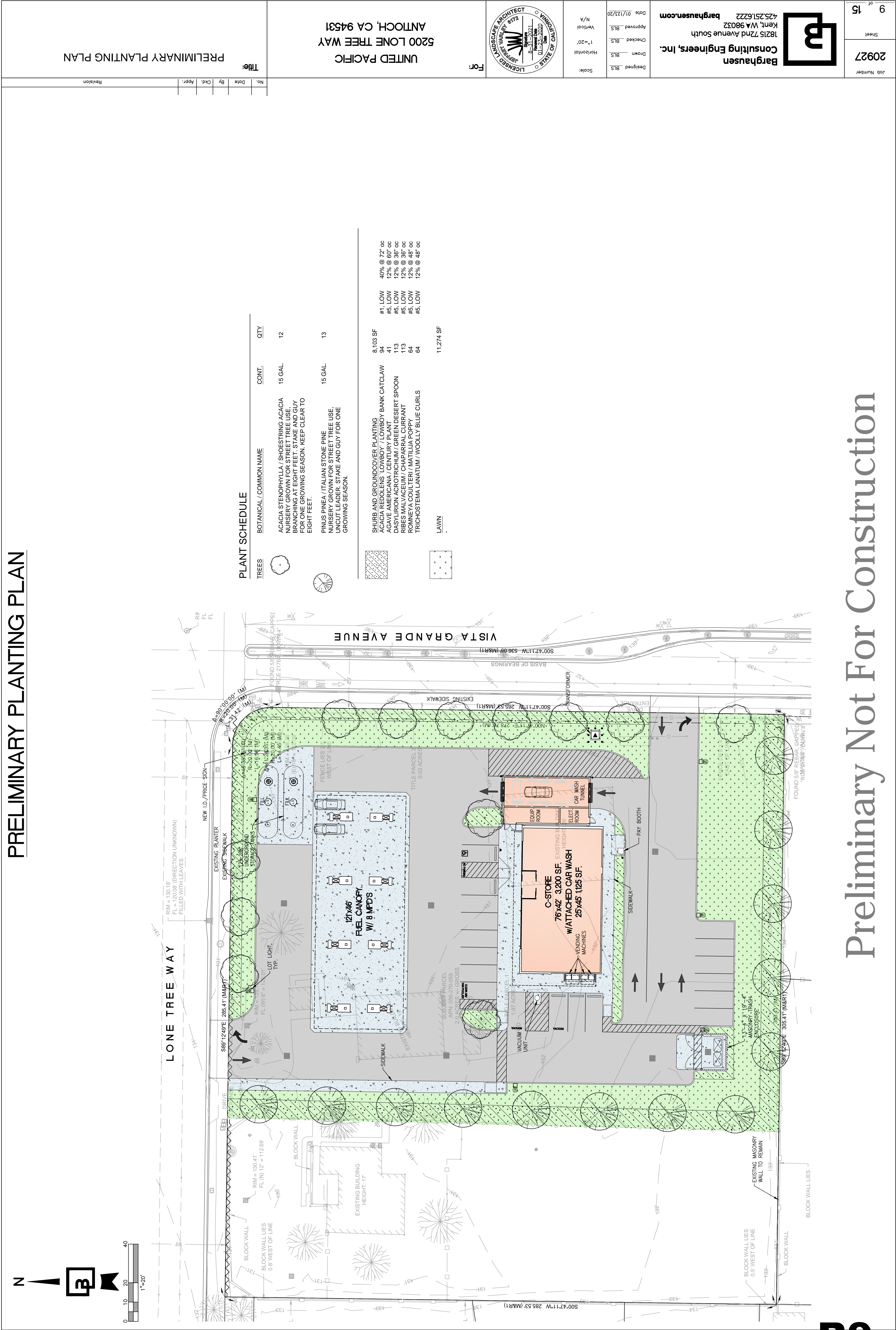


Preliminary Not For Construction

Job Number 20927	Sheet 8 of 15	<div><div><div>Barghausen Consulting Engineers, Inc.</div><div>18215 72nd Avenue South</div><div>Kent, WA 98032</div><div>425.251.6222</div><div>barghausen.com</div></div></div>	Designed AD Drawn AD Checked PT Approved Date 01/27/20	Scale: Horizontal Vertical	For:	UNITED PACIFIC 5200 LONE TREE WAY ANTIOCH, CA 94531	Title: CONTEXT MAP	No.	Date	By	Ckd.	Appr.	Revision



PRELIMINARY PLANTING PLAN



Preliminary Not For Construction

B9



Preliminary Planting Notes and Details

LANDSCAPE PLANTING NOTES AND MATERIALS

FURNISH ALL MATERIALS, LABOR, EQUIPMENT AND RELATED ITEMS NECESSARY TO COMPLY WITH THE SPECIFICATIONS AND REQUIREMENTS OF THE LANDSCAPE CONTRACT. THIS INCLUDES THE DELIVERY, STAKING, CLEAN-UP, DEBRIS REMOVAL, AND 90-DAY MAINTENANCE.

QUALIFICATIONS: LANDSCAPE CONTRACTOR TO BE SKILLED AND KNOWLEDGEABLE IN THE FIELD OF WORK. CONTRACTOR TO BE LICENSED TO PERFORM THE WORK SPECIFIED WITHIN THE PRESIDING JURISDICTION.

JOB CONDITIONS: IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE SITE AND REPORT ANY DISCREPANCIES TO THE OWNER OR THE OWNER'S REPRESENTATIVES. ALL PLANT MATERIAL AND FINISH GRADES ARE SUBJECT TO APPROVAL BY THE OWNER.

PROTECTION: DO NOT PLANT UNTIL OTHER CONSTRUCTION OPERATIONS WHICH CONFLICT HAVE BEEN COMPLETED. AN IRRIGATION SYSTEM IS TO BE INSTALLED. DO NOT PLANT UNTIL THE SYSTEM HAS BEEN TESTED AND APPROVED. HANDLE PLANTS WITH CARE - DO NOT DAMAGE OR BREAK ROOT SYSTEM, BARK, OR BRANCHES. REPAIR AND/OR REPLACE ITEMS DAMAGED BY OTHERS. ALL WORK SHALL BE IN COMPLIANCE WITH PLANS AND SPECIFICATIONS, AS DIRECTED BY OWNER AT NO ADDITIONAL COST.

GUARANTEE: GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM DATE OF FINAL ACCEPTANCE OF THE JOB BY OWNER.

90-DAY MAINTENANCE: CONTRACTOR TO PROVIDE OWNER WITH A SCOPE OF WORK AT TIME OF INITIAL PROJECT BID TO PROVIDE LANDSCAPE AND IRRIGATION MAINTENANCE FOR 90 DAYS FOLLOWING COMPLETION OF PROJECT (ACCEPTANCE) OF FACILITY BY OWNER. WORK TO INCLUDE MAINTENANCE AS DESCRIBED BELOW, IN PLANTING AND IRRIGATION MAINTENANCE.

MATERIALS: PLANT MATERIALS: PLANT MATERIALS TO BE GRADE NO. 1, SIZED IN ACCORDANCE WITH (AAS) RECEIVED STANDARDS FOR NURSERY STOCK, CURRENT EDITION. PRUNE PLANTS PLANTS COMING FROM THE NURSERY ONLY UPON AUTHORIZATION BY THE LANDSCAPE ARCHITECT. "B & B" INDICATES BALLED AND BURLAPPED; "CONT." INDICATES CONTAINER; "BR" INDICATES BARE ROOT; "CAL" INDICATES CALIPER AT 6" ABOVE SOIL LINE; "GAL" INDICATES GALLON.

- A) SPECIFIED PLANT CANOPY SIZE OR CALIPER IS THE MINIMUM ACCEPTABLE CONTAINER OR BALL SIZE ESTABLISHES MINIMUM PLANT CONDITION TO BE PROVIDED.
- B) PLANT MATERIAL TO COMPLY WITH STATE AND FEDERAL LAWS FOR DISEASE INSPECTION, PLANTS TO BE FULLY LIVE, VIGOROUS, WELL FORMED, WITH WELL DEVELOPED FIBROUS ROOT SYSTEMS. ROOT BALLS OF PLANTS TO BE SOLID AND FIRMLY HELD TOGETHER, SECURELY CONTAINED AND PROTECTED FROM INJURY AND PLANTS DETERMINED BY LANDSCAPE ARCHITECT TO HAVE BEEN DAMAGED: HAVE DEFORMITIES OF STEM, BRANCHES, OR ROOTS; LACK SYMMETRY, HAVE MULTIPLE LEADERS OR "Y" CROTCHES LESS THAN 30 DEGREES IN TREES, OR DO NOT MEET SIZE OR ANSI STANDARDS WILL BE REJECTED.
- C) PLANT MATERIAL TO BE FROM A SINGLE NURSERY SOURCE FOR EACH SPECIFIED SPECIES AND VARIETY. PLANT MATERIALS TO BE THOSE LOCATED IN THE SAME REGION AS THE JOB SITE.

NO SUBSTITUTION OF PLANT MATERIAL, SPECIES OR VARIETY, WILL BE PERMITTED UNLESS WRITTEN EVIDENCE IS SUBMITTED TO THE OWNER FROM TWO QUALIFIED PLANT EXPERTS. PLANTS TO BE IDENTIFIED BY THE LANDSCAPE ARCHITECT, THE SPECIES AND NEAREST VARIETY, AS APPROVED, TO BE FURNISHED.

SOIL PREPARATION: THIS SITE. THE FOLLOWING: TOPSOIL, AMENDMENT, AND BACKFILL ARE REQUIRED FOR ALL LANDSCAPE AREAS.

- A) TOPSOIL: MINIMUM SUPPLY TOPSOIL, CONSISTING OF LOAM SOIL WITH 5 TO 7 PERCENT ORGANIC MATTER. TOPSOIL TO BE AMENDED WITH SPECIFIC AMENDMENTS IN C1), 2, 3, AND 4. BELOW, AND BE BLENDED TO SPECIFIED DEPTH IN D.J). BELOW. LOAM TO CORRESPOND TO FIELD METHOD OF DETERMINING SOIL TEXTURE CLASSES FOR LOAM AND SILT LOAM, U.S. SOIL CONSERVATION SERVICE. PROVIDE LANDSCAPE ARCHITECT THE TOPSOIL SUPPLIER AND SAMPLE OF TOPSOIL. CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY NEED RESULTING FROM CONTAMINATED OFF-SITE SOURCES.

- B) NATIVE SURFACE SOIL INCLUDING STOCKPILED TOPSOIL SURFACE SOIL ON-SITE MAY MEET TEXTURAL CLASSIFICATION AS NOTED IN A), ABOVE. PROVIDE AMENDMENTS IN C1), 2, 3, AND 4. BELOW, AND EVENLY BLEND AMENDMENTS TO SPECIFIED DEPTH.

- C) AMENDMENT 1. IMPORTED TOPSOIL FOR PLANTING SHALL CONTAIN A MINIMUM OF 10 PERCENT ORGANIC MATERIAL BY VOLUME.

2. ORGANIC COMPOST USE BULK NITROGEN FORTIFIED GROUND FIR BARK SHALL SATISFY ORGANIC REQUIREMENTS. COMPOST SHALL BE FROM NON-FARM ANIMAL SOURCES, NOR FROM SEWAGE TREATMENT PLANTS.

3. FERTILIZER CONTAINING REDWOOD/ CEDAR PRODUCTS. INSTALLATION FERTILIZER SHALL BE 10-20-10. MAINTENANCE FERTILIZER SHALL BE 21-0-0. AGRIFORM TABLETS SHALL BE 21 AND 5 GRAM SIZE, 20-10-5 BY AGRIFORM INTERNATIONAL CHEMICALS, INC. OR EQUIVALENT.

4. SOIL AMENDMENTS SOIL SULFUR 5 POUNDS PER 1,000 SF GYPSUM 25 POUNDS PER 1,000 SF POTASH 18 POUNDS PER 1,000 SF MANGANESE SULFATE 18 OUNCES PER 1,000 SF ORGANIC COMPOST (27 LAYER) 6 CUBIC YARDS PER 1,000 SF NITROFORM (38-0-0-) 18 POUNDS PER 1,000 SF

NOTE: IN ORDER TO MORE UNIFORMLY APPLY THE SMALL AMOUNT OF MANGANESE SULFATE, IT SHALL BE APPLIED IN TWO APPLICATIONS. FIRST APPLICATION SHALL BE WATER AND SPRAYED TO THE SOIL SURFACE PRIOR TO THE ROTOTILLING PROCEDURE.

- D) PLANTING BACKFILL: PLANTING BACKFILL SHALL BE A MIXTURE OF TOPSOIL, AMENDMENT, AND GROUNDCOVERS SHALL BE PREMIUM AND CONSIST OF: SITE SOIL 0.8 CUBIC YARDS ORGANIC AMENDMENT 0.2 CUBIC YARDS FERTILIZER 38-0-0 1.0 POUND CALCIUM CARBONATE LIMESTONE 1.0 POUND

SLOW RELEASE FERTILIZER TABLETS:	
CONTAINER SIZE	# OF TABLETS
1 GAL	3
5 GALLON	3
5 GALLON	3
15 GALLON	16
21 GRAM	32
24" BOX	21

- E) SOIL ANALYSIS: LANDSCAPE SOIL AMENDMENTS MAY BE REQUIRED IF SOIL TESTING IS REQUIRED FOR THIS SITE

- F) SOIL PREPARATION: REMOVE FROM SITE ALL WEEDS AND DEBRIS WITHIN THE PROPOSED LANDSCAPE AREAS. VERIFY SUB-GRADES AT -5 INCHES DEEP FINISH ELEVATION IN ALL SHRUB AND TREE LOCATIONS. EXCAVATE TO FINISH GRADE. BACKFILL TO TOP OF FINISH GRADE. THAT EXCESS COMPACTION WILL OCCUR NOR WHEN IT IS SO DRY THAT DUST WILL FORM IN THE AIR OR THAT CLOUDS WILL NOT BREAK READILY. APPLY WATER IF NECESSARY TO PROVIDE IDEAL MOISTURE CONTENT FOR FILLING AND FOR PLANTING AS SPECIFIED. THOROUGHLY SCARIFY AND RIP ALL LANDSCAPE GRADES WHICH HAVE BEEN STOCKPILED. REPAIR AND/OR REPLACE ITEMS DAMAGED BY OTHERS TO EACH OTHER. SCARIFY AREAS INACCESSIBLE TO MECHANIZED EQUIPMENT WITH HAND TOOLS.

- G) REMOVE ALL SURFACE LUMPS, ROCKS, VEGETATION AND/OR DEBRIS LARGER THAN 1-INCH FROM ALL GRADES PRIOR TO ANY SOIL PREPARATION. THOROUGHLY SCARIFY AND RIP ALL LANDSCAPE GRADES WHICH HAVE BEEN STOCKPILED. REPAIR AND/OR REPLACE ITEMS DAMAGED BY OTHERS TO EACH OTHER. SCARIFY AREAS INACCESSIBLE TO MECHANIZED EQUIPMENT WITH HAND TOOLS. ADDITIONAL AMENDED SOIL AS REQUIRED TO MEET FINISH ELEVATIONS. APPLY SOIL PREPARATION MATERIALS TO ALL PLANTING AREAS AND THOROUGHLY INCORPORATE INTO THE TOP 6 INCHES OF SOIL.

- H) WET SOIL THOROUGHLY AND ALLOW TO SETTLE. REPEAT THIS COMPACTING PROCEDURE UNTIL SOIL IS STABLE ENOUGH TO PERMIT AERATION AND DRAINAGE FOR PLANT MATERIAL. FINISH GRADE ALL PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE DRAINING AWAY FROM BUILDINGS AND READY FOR PLANTING. FINISH GRADE TO BE 3 INCHES BELOW FINISH SURFACE OF ADJACENT PAVEMENT IN SHRUB AND GROUNDCOVER AREAS. FINISH GRADE TO BE 6 INCHES BELOW FINISH SURFACE OF PAVING IN MATERIAL PARKING PLANTER ISLANDS SHALL BE OVER EXCAVATED. REMOVE ALL PAVING WASTE, GRAVEL BASE AND UNDERLYING SUBSOIL TO 18 INCHES BELOW TOP OF THE PAVING. SCARIFY AND OVER EXCAVATE PIT BOTTOM 12 INCHES TO MINIMIZE STRUCTURAL COMPACTION.

9. MULCH: LANDSCAPE BEDS: ONE-QUARTER-INCH (1/4") TO ONE HALF-INCH (1/2") SIZE FINE TEXTURED NITROLIZED BARK MULCH. SHREDDED WOOD WILL NOT BE ALLOWED. BORENTENTION CELLS: AGED MULCH OR COMPOST MULCH. IN GENERAL, A NON-FLOATING MULCH.

10. STAKES: 2-INCH DIAMETER, BY 10-FOOT MINIMUM TREATED LODGEPOLE PINE TREE STAKE.

11. GUY MATERIAL: REMOVE ALL TIES, WRAP & CONTAINERS. BALL PERIMETER ROOTS FROM NURSERY.

12. HERBICIDE: HERBICIDE IS NOT RECOMMENDED FOR THE FIRST YEAR AFTER INSTALLATION.

13. ANTI-DESICCANT: "WILT-PROOF" 48 HOURS PRIOR TO SHIPMENT TO SITE FROM JUNE 1 THROUGH SEPTEMBER. THOROUGHLY ROOT WATER PLANTS PRIOR TO DELIVERY. PLANT MATERIAL DELIVERED TO SITE TO BE KEPT CONTINUALLY MOIST THROUGH INSTALLATION.

14. EXECUTION: FINISH GRADES: FINE GRADE AND REMOVE ROCKS AND FOREIGN OBJECTS OVER TWO INCHES (2") DIAMETER FROM TOP THREE INCHES (3") OF PREPARED PLANTING BED. ALL FINISH GRADES TO BE SMOOTH EVEN GRADES. LIGHTLY COMPACTED, AS SHOWN ON THE PLAN AND DETAILED. SITE CIVIL DRAWINGS IDENTIFY FINAL ELEVATIONS.

15. TREES: ARRANGE TREES ON SITE IN PROPOSED LOCATIONS PER DRAWINGS. EXCAVATE PIT, PLANT AND STAKE OR GUY, AS CALLED OUT AND DETAILED. ALL TREES AND SUPPORTS TO STAND VERTICAL. TREES TO BE LAGED AS SHOWN ON THE PLANTING PLAN, LOCATED AS DETAILED AND CALLED OUT PLANT LIST. BACKFILL SHALL BE PIT SPOILS. SETTLE BACKFILL USING WATER ONLY. NO MECHANICAL COMPACTION.

16. SHRUBS: INSTALL SHRUBS AS SPECIFIED FOR TREES.

17. GROUNDCOVERS: EXCAVATE PITS TO A MINIMUM OF THREE INCHES (3") BELOW, AND TWICE THE ROOT BALL DIAMETER. WATER THOROUGHLY AND TAKE CARE TO ENSURE THAT ROOT CROWN IS AT PROPER GRADE, AS DETAILED.

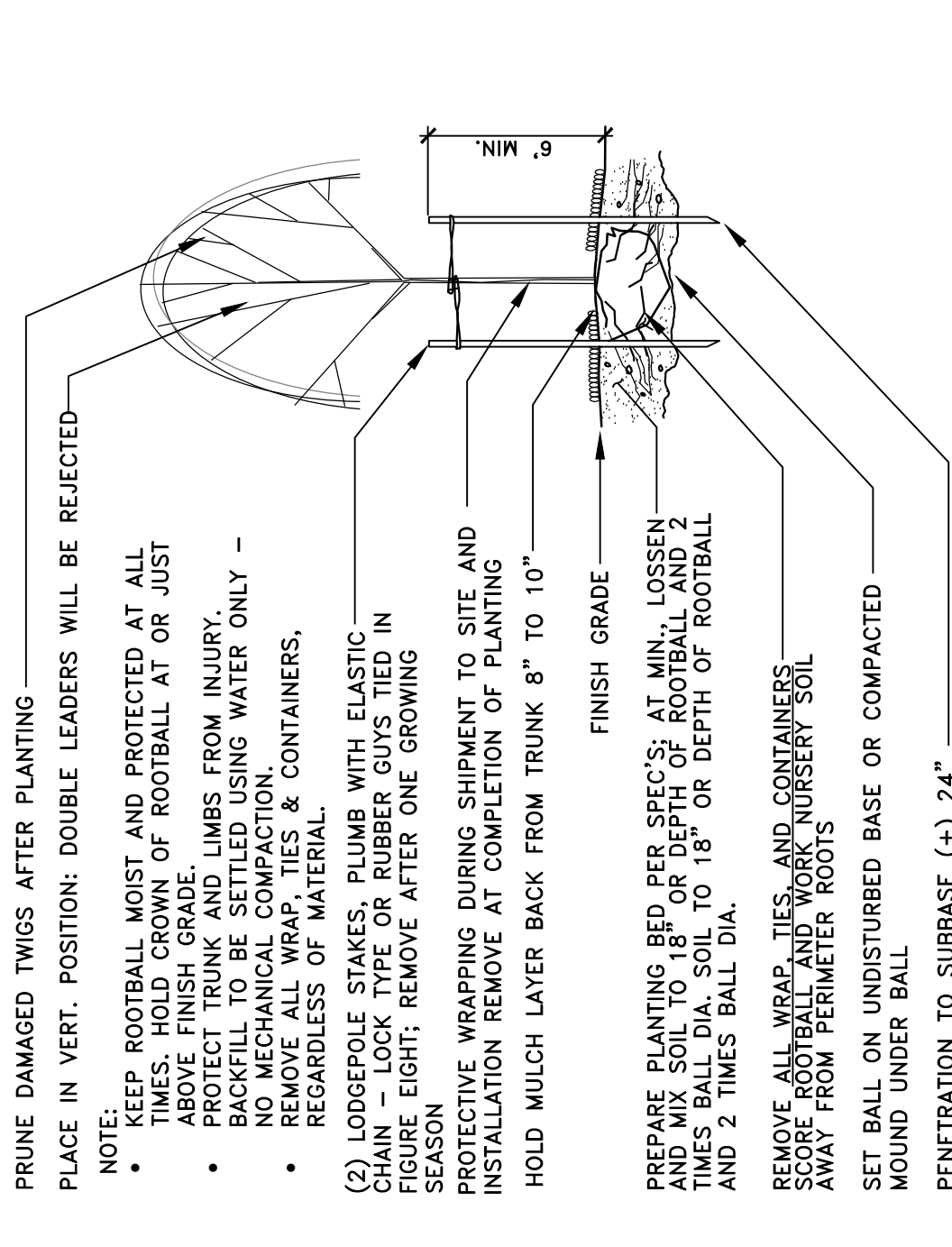
18. MULCH: MULCH ALL LANDSCAPE AND BIORETENTION AREAS WITH A THREE INCH (3") LAYER OF MULCH.

19. UTILITY CLEARANCES: FIELD ADJUST PLANT LOCATIONS FOR 8-FOOT SEPARATION OF TREES/SHRUBS AND 2-FOOT SEPARATION FOR GROUNDCOVER FROM FIRE HYDRANTS AND UTILITY VAULTS.

20. PLANTING MAINTENANCE: CONTRACTOR TO MAINTAIN PLANTINGS THROUGH COMPLETED INSTALLATION, AND UNTIL ACCEPTANCE OF LANDSCAPE INSTALLATION. PLANTING MAINTENANCE TO INCLUDE WATERING, WEEDING, CULTIVATING, TIGHTENING AND REPAIRING OF TREE GUYS, RESETTLE PLANTS TO PROPER GRADES OR POSITION, AND RE-ESTABLISHING SETTING GRADES. HERBICIDE IS NOT RECOMMENDED FOR ONE YEAR FOLLOWING LANDSCAPE INSTALLATION. INCLUDED IS REPLACEMENT OF DEAD PLANTS AND PLANTS SHOWING LOSS OF 40 PERCENT OR MORE OF CANOPY.

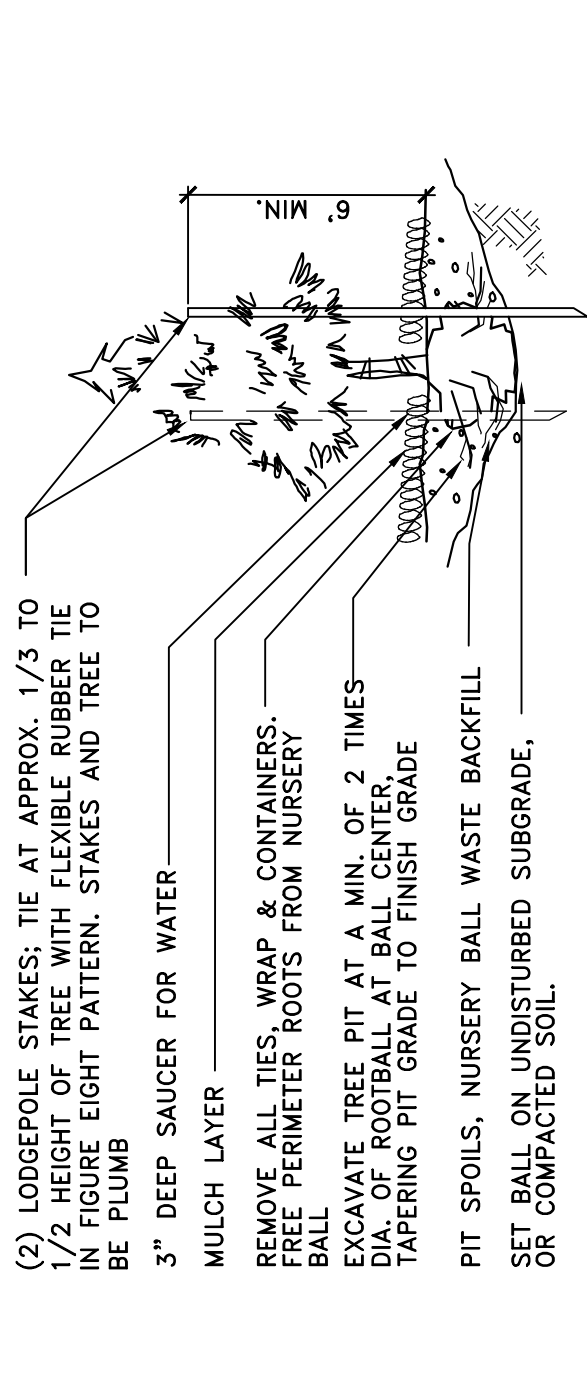
21. FERTILIZATION FOR GROUNDCOVER AREAS: UNIFORM BROADCAST SULFUR COATED UREA AT THE RATE OF FIVE (5) LBS. PER 1,000 SQUARE FEET. THE FIRST APPLICATION TO OCCUR APPROXIMATELY FORTY-FIVE (45) DAYS AFTER PLANTING. IN EARLY FALL AND SPRING, SUBSTITUTE A COMPLETE FERTILIZER SUCH AS 16-8-8 OR EQUAL FOR THE SULFUR COATED UREA AT THE RATE OF SIX (6) LBS. PER 1,000 SQUARE FEET. FOLLOW EACH FERTILIZATION WITH A THOROUGH IRRIGATION APPLICATION.

22. IRRIGATION MAINTENANCE: THE IRRIGATION SYSTEM TO BE MAINTAINED INCLUDING ADJUSTMENTS FOR BALANCED WATER DISTRIBUTION & PRECIPITATION. FAILED OR MALFUNCTIONING IRRIGATION EQUIPMENT SHALL BE REPAIRED OR REPLACED. PLANTING MAINTENANCE SHALL INCLUDE THOSE OPERATIONS NECESSARY TO PROVIDE THE PROPER GROWTH AND SURVIVAL OF ALL PLANT MATERIALS. CONTRACTOR TO PROVIDE THIS WORK IN ADDITION TO SPECIFIC WARRANTY/GUARANTEES.



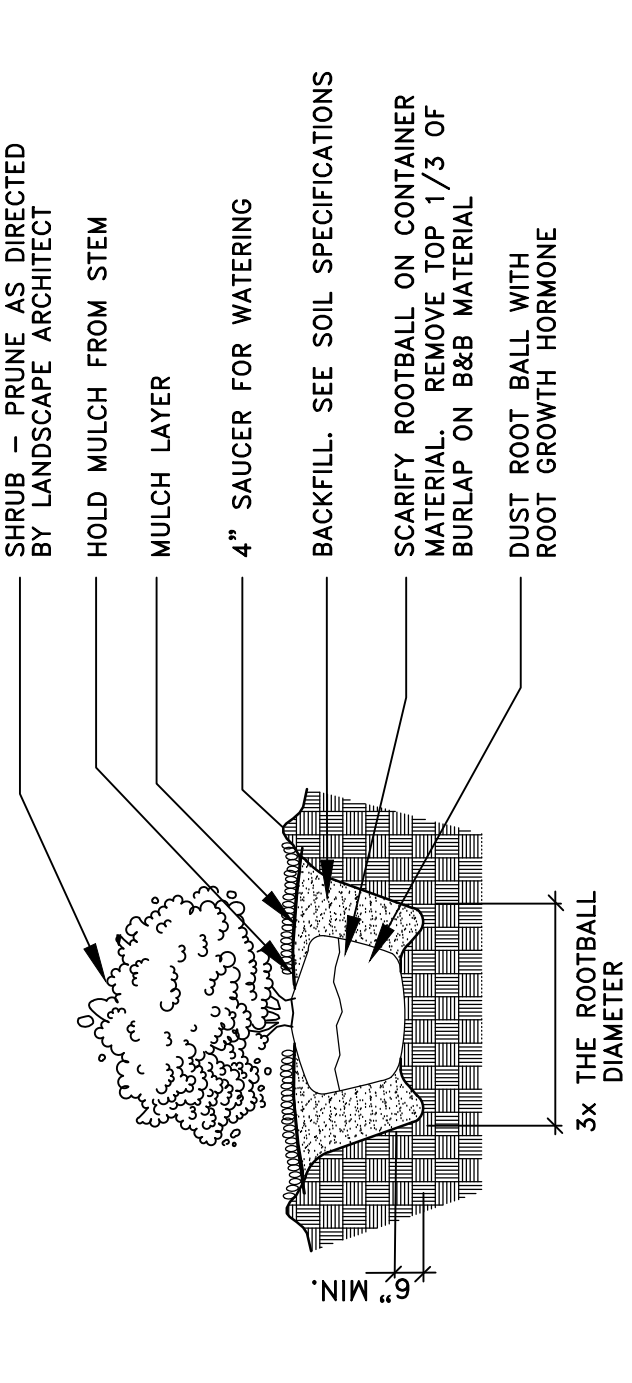
DECIDUOUS TREE PLANTING/STAKING DETAIL

NOT TO SCALE



EVERGREEN TREE PLANTING/STAKING DETAIL

NOT TO SCALE



- NOTE: APPLY ADDITIONAL 4 OZ. 8-32-16 FERTILIZER INTO TOP 2" OF PLANTING MIX. PLANT SHRUB HIGH ENOUGH TO ALLOW POSITIVE DRAINAGE AWAY FROM ROOTBALL. ROUGHEN ALL SURFACES OF PIT.

SHRUB PLANTING DETAIL

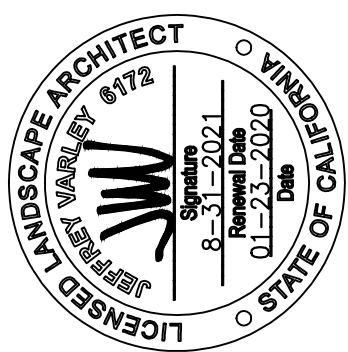
NOT TO SCALE

PRELIMINARY PLANTING NOTES AND DETAILS

Title:

UNITED PACIFIC  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

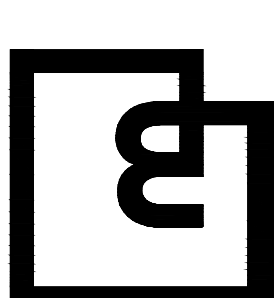
For:



Scale: Horizontal: 1"=20' Vertical: N/A

Designed: BLS Drawn: BLS Checked: BLS Approved: BLS Date: 01/123/20

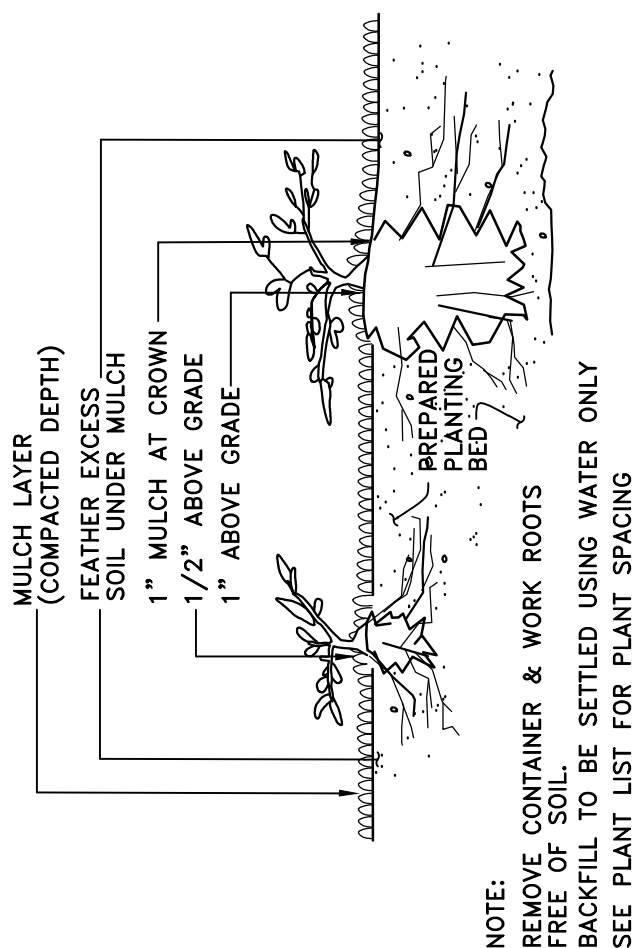
Barghausen Consulting Engineers, Inc.  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com



Job Number: 20927 Sheet: 10 of 15

GROUNDCOVER PLANTING DETAIL

NOT TO SCALE





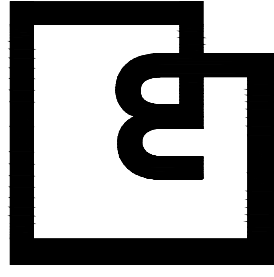












**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
barghausen.com

Scale:	Designed JMW	Drawn AD	Checked PT	Approved _____	Date 05/19/20
Horizontal					
AS NOTED					
Vertical					

**For:**

UNITED PACIFIC  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

Title: \_\_\_\_\_

EXTERIOR VIEWS

No.	Date	By	Ckd.	Appr.	Revision

**NOTE: FOR CANOPY  
ELEVATIONS REFER  
TO SHEET #13.**

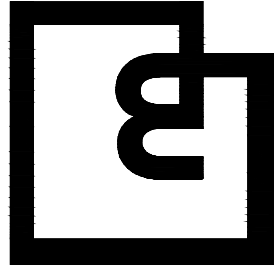
# Preliminary Not For Construction

# B14





Job Number	20927
Sheet	15 of 15



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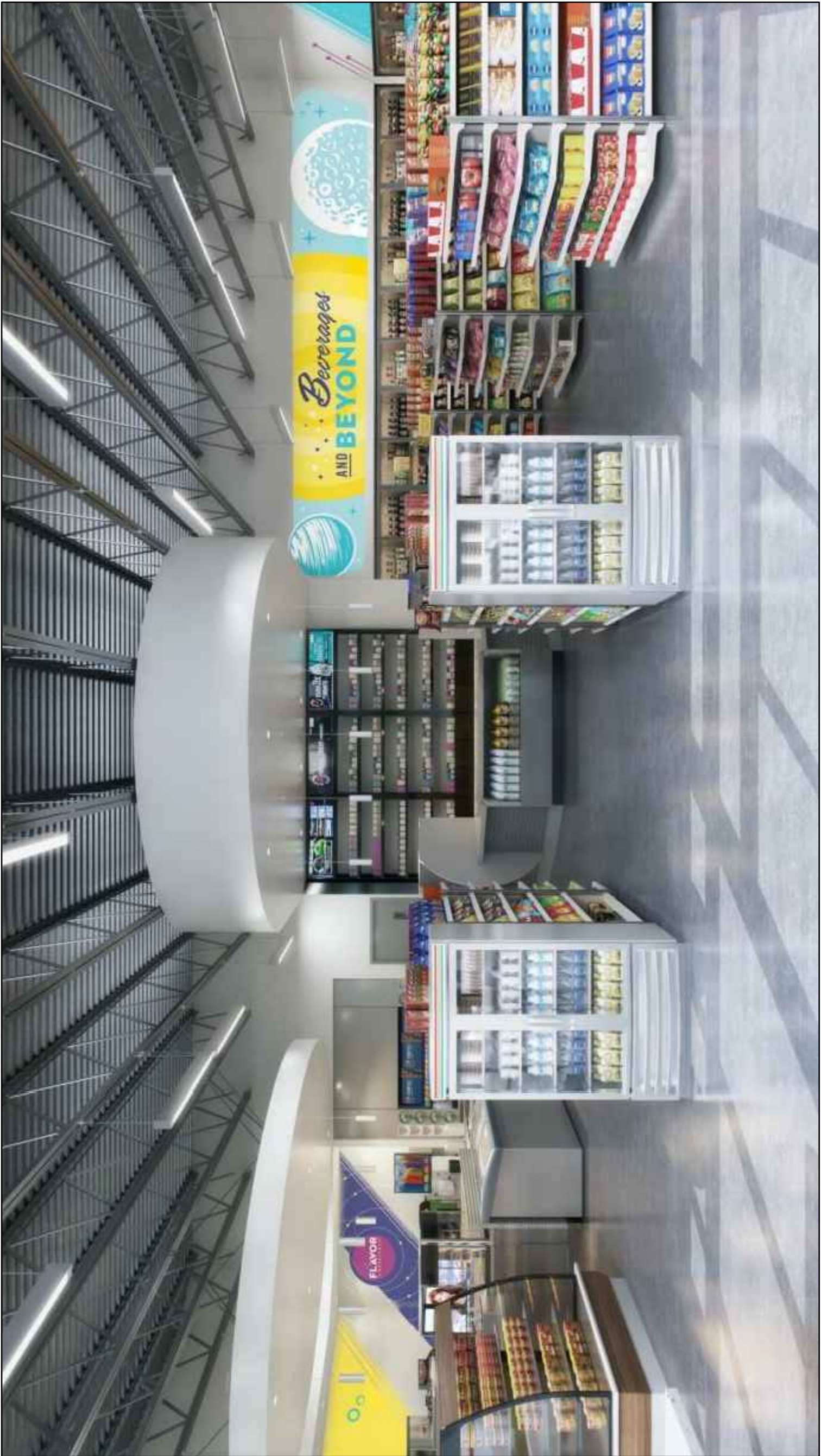
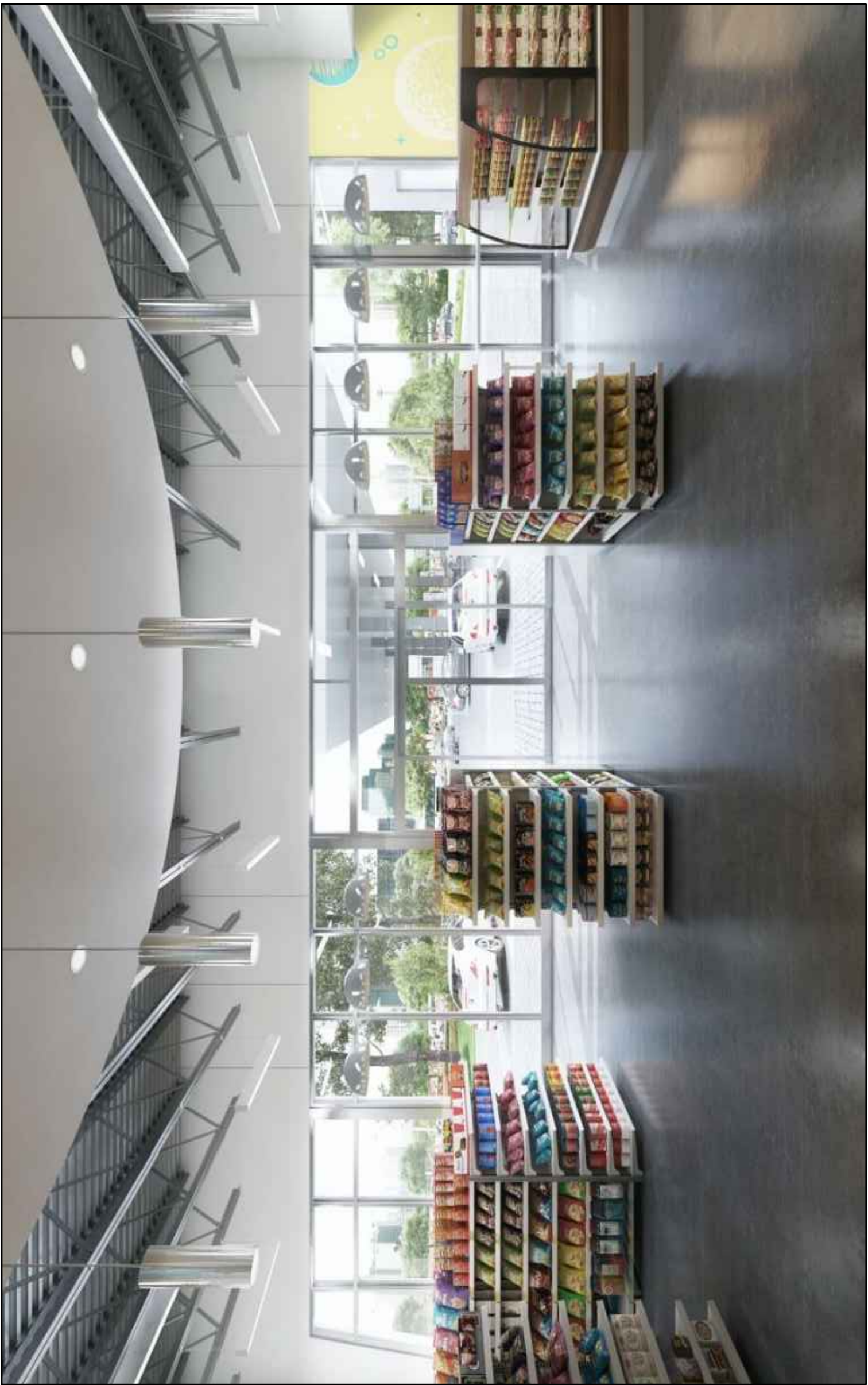
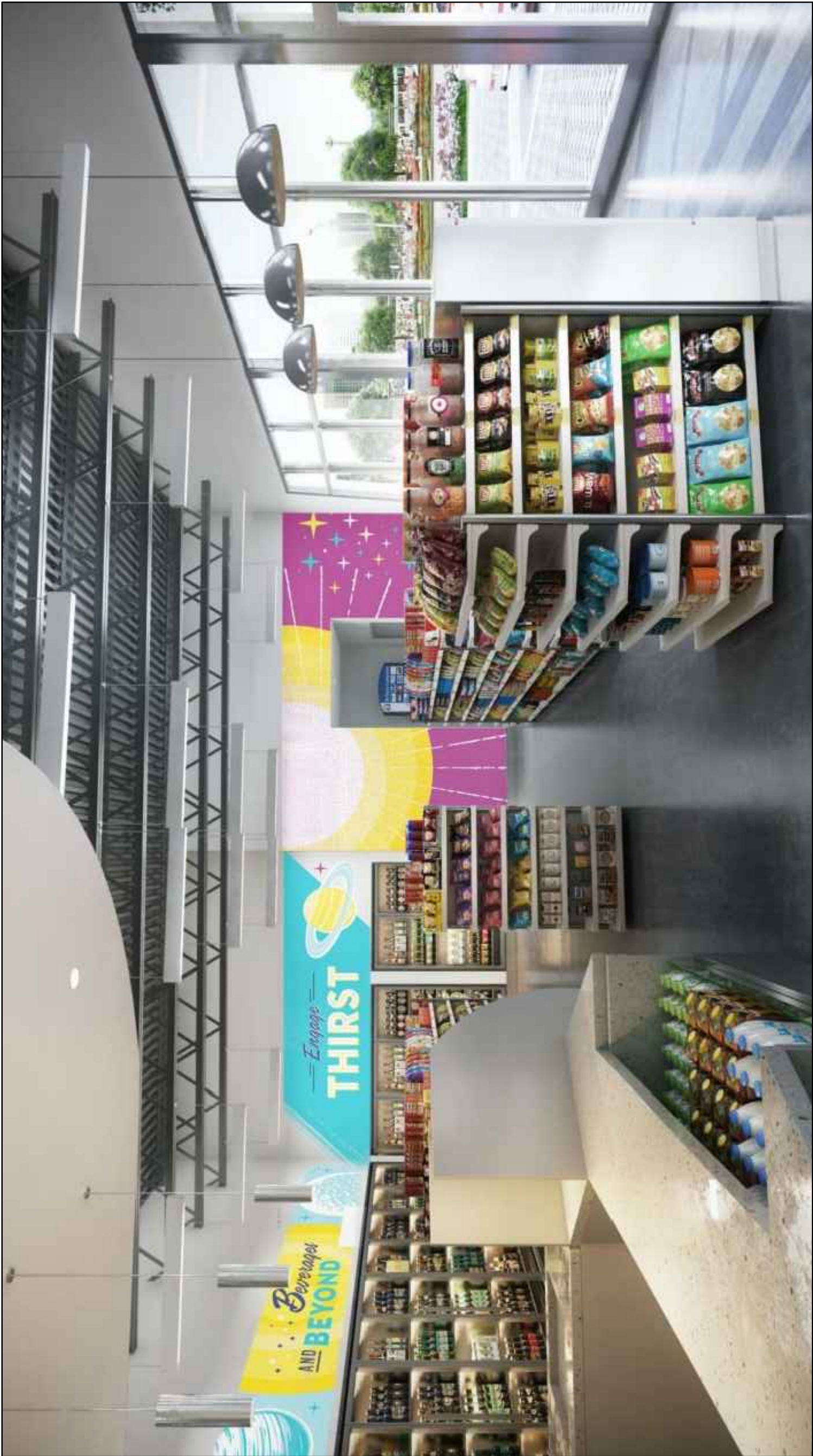
Designed: JMW	Drawn: AD	Checked: PT	Approved: _____
Date: 05/19/20			
Scale:	Horizontal	AS NOTED	Vertical

For:

UNITED PACIFIC  
5200 LONE TREE WAY  
ANTIOCH, CA 94531

Title: INTERIOR VIEWS

No.	Date	By	Ckd.	Appr.	Revision





## ATTACHMENT "C"

### Recommendation

- Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines provide 500 feet. For operations with 3 or more machines, consult with the local air district.
- Do not site new sensitive land uses in the same building with perc dry cleaning operations.

### References

- *Proposed Amended Rule 1421 – Control of Perchloroethylene Emissions from Dry Cleaning Systems*, Final Staff Report. South Coast AQMD. (October 2002)
- *Air Toxic Control Measure for Emissions of Perchloroethylene from Dry Cleaning Operations*. ARB (1994)  
(<http://www.arb.ca.gov/toxics/atcm/percatcm.htm>)
- “An Assessment of Tetrachloroethylene in Human Breast Milk”, Judith Schreiber, New York State Department of Health – Bureau of Toxic Substance Assessment, *Journal of Exposure Analysis and Environmental Epidemiology*, Vol.2, Suppl.2, pp. 15-26, 1992.
- *Draft Air Toxics “Hot Spots” Program Perchloroethylene Dry Cleaner Industry-wide Risk Assessment Guidelines*. (CAPCOA (November 2002)
- *Final Environmental Assessment for Proposed Amended Rule 1421 – Control of Perchloroethylene Emissions from Dry Cleaning Systems*. South Coast AQMD. (October 18, 2002)

### Gasoline Dispensing Facilities

Refueling at gasoline dispensing facilities releases benzene into the air. Benzene is a potent carcinogen and is one of the highest risk air pollutants regulated by ARB. Motor vehicles and motor vehicle-related activity account for over 90 percent of benzene emissions in California. While gasoline-dispensing facilities account for a small part of total benzene emissions, near source exposures for large facilities can be significant.

Since 1990, benzene in the air has been reduced by over 75 percent statewide, primarily due to the implementation of emissions controls on motor vehicle vapor recovery equipment at gas stations, and a reduction in benzene levels in gasoline. However, benzene levels are still significant. In urban areas, average benzene exposure is equivalent to about 50 in one million.

Gasoline dispensing facilities tend to be located in areas close to residential and shopping areas. Benzene emissions from the largest gas stations may result in near source health risk beyond the regional background and district health risk thresholds. The emergence of very high gasoline throughput at large retail or

wholesale outlets makes this a concern as these types of outlets are projected to account for an increasing market share in the next few years.

### Key Health Findings

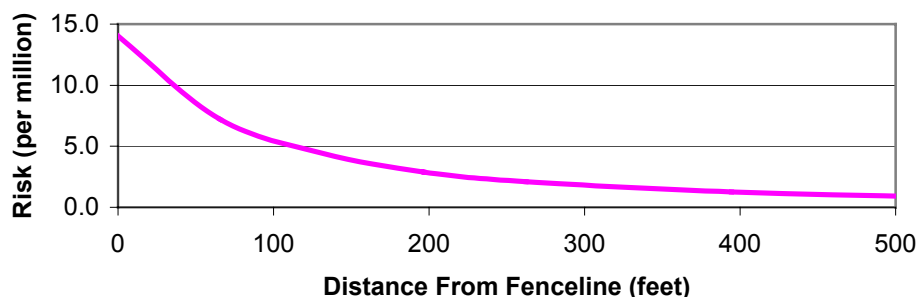
Benzene is a human carcinogen identified by ARB as a toxic air contaminant. Benzene also can cause non-cancer health effects above a certain level of exposure. Brief inhalation exposure to high concentrations can cause central nervous system depression. Acute effects include central nervous system symptoms of nausea, tremors, drowsiness, dizziness, headache, intoxication, and unconsciousness. It is unlikely that the public would be exposed to levels of benzene from gasoline dispensing facilities high enough to cause these non-cancer health effects.

### Distance Related Findings

A well-maintained vapor recovery system can decrease emissions of benzene by more than 90% compared with an uncontrolled facility. Almost all facilities have emission control systems. Air quality modeling of the health risks from gasoline dispensing facilities indicate that the impact from the facilities decreases rapidly as the distance from the facility increases.

Statistics reported in the ARB's staff reports on Enhanced Vapor Recovery released in 2000 and 2002, indicated that almost 96 percent of the gasoline dispensing facilities had a throughput less than 2.4 million gallons per year. The remaining four percent, or approximately 450 facilities, had throughputs exceeding 2.4 million gallons per year. For these stations, the average gasoline throughput was 3.6 million gallons per year.

**Figure 1-6  
Gasoline Dispensing Facility Health Risk  
for 3,600,000 gal/yr throughput**



As shown in Figure 1-6, the risk levels for a gasoline dispensing facility with a throughput of 3.6 million gallons per year is about 10 in one million at a distance of 50 feet from the fenceline. However, as the throughput increases, the potential risk increases.

As mentioned above, air pollution levels in the immediate vicinity of large gasoline dispensing facilities may be higher than the surrounding area (although tailpipe emissions from motor vehicles dominates the health impacts). Very large gasoline dispensing facilities located at large wholesale and discount centers may dispense nine million gallons of gasoline per year or more. At nine million gallons, the potential risk could be around 25 in one million at 50 feet, dropping to about five in one million at 300 feet. Some facilities have throughputs as high as 19 million gallons.

### Recommendation

- Avoid siting new sensitive land uses within 300 feet of a large gasoline dispensing facility (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.

### References

- *Gasoline Service Station Industry-wide Risk Assessment Guidelines*. California Air Pollution Control Officers Association (December 1997 and revised November 1, 2001)
- *Staff Report on Enhanced Vapor Recovery*. ARB (February 4, 2000)
- *The California Almanac of Emissions and Air Quality*. ARB (2004)
- *Staff Report on Enhanced Vapor Recovery Technology Review*. ARB (October 2002)

### **Other Facility Types that Emit Air Pollutants of Concern**

In addition to source specific recommendations, Table 1-3 includes a list of other industrial sources that could pose a significant health risk to nearby sensitive individuals depending on a number of factors. These factors include the amount of pollutant emitted and its toxicity, the distance to nearby individuals, and the type of emission controls in place. Since these types of facilities are subject to air permits from local air districts, facility specific information should be obtained where there are questions about siting a sensitive land use close to an industrial facility.

### **Potential Sources of Odor and Dust Complaints**

Odors and dust from commercial activities are the most common sources of air pollution complaints and concerns from the public. Land use planning and permitting processes should consider the potential impacts of odor and dust on surrounding land uses, and provide for adequate separation between odor and dust sources. As with other types of air pollution, a number of factors need to be considered when determining an adequate distance or mitigation to avoid odor or

**C. Architecture**

1. Site-specific architectural design is strongly encouraged, rather than corporate or franchise design solutions.
2. All structures on the site (including kiosks, car wash buildings, gas pump columns, etc.) shall be architecturally consistent and related to an overall architectural theme.
3. All building elevations shall be architecturally enhanced.
4. High quality building materials are encouraged. Reflective, glossy, and fluorescent surfaces are discouraged.
5. The roof design of all structures including pump canopies, shall incorporate roof treatments with a low to moderate pitch. Flat roofs or mansard roof applications are not allowed unless they are consistent with an established architectural theme.
6. The gas pump canopies shall not be internally illuminated. Light fixtures shall be recessed into the canopy.
7. Each gas pump island shall include stacking for at least two vehicles (40 feet) on-site, on at least one end of the pump island.



*Figure 3.2.32 An example of high quality and consistent building*



ATTACHMENT "E"

**Contra Costa County**



**Fire Protection District**

May 20, 2020

Mr. Scudero  
City of Antioch  
Community Development  
PO Box 5007  
Antioch, CA 94531-5007

**Subject:** United Pacific Gas Station  
5200 Lone Tree Way, Antioch  
Project # PDP-20-01  
**CCCFPD Project No.: P-2020-02099**

Dear Mr. Scudero,

We have reviewed the development plan application to construct a 4,325 square foot convenience store with attached carwash and a 5,566 square foot canopy over 8 fuel pumps at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), the 2019 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. Access as shown appears to comply with Fire District requirements.

Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC

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

Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC

3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the interior of the building. The building owner shall have the testing conducted and the results submitted to the Fire District prior to the building final. (510.1) CFC
4. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow must be delivered from not more than 1 hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC

5. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating all existing or proposed hydrant locations, fire apparatus access, elevations of building, size of building and type of construction and a striping and signage plan for review and approval prior to obtaining a building permit. This is a separate submittal to the Fire District to be approved prior to construction plan submittal. ***Final placement of hydrants shall be determined by this office.***

***This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review.*** (501.3) CFC

6. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC
7. 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
8. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC
9. Provide safety during construction. (Ch.33) CFC
10. The developer shall submit a minimum of two (2) complete sets of building construction plans and specifications of the subject project, including plans for any of the following required deferred submittals, to the Fire District for review and approval **prior to** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC
- Carbon Dioxide Systems
  - Underground flammable/combustible liquid storage tanks
  - Emergency Responder Radio Coverage System (ERRCS)

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Todd Schiess  
Fire Inspector I

cc: Jeff Ferrell  
Embree Asset Group, Inc.  
4747 Williams Dr.  
Georgetown, TX 78633  
jferrell@embreegroup.com

File: 5200 LONE TREE WAY-PLN-P-2020-02099