



February 10, 2023

**City of Antioch
200 H Street Antioch
Antioch, CA 94509**

Re: Proposed Delta Courtyard Apartments.

Dear Planning Commission and City Attorney:

The California Housing Defense Fund (CalHDF) submits this letter to inform the Antioch Planning Commission that they have an obligation to abide by all relevant state housing laws when evaluating the proposed Delta Courtyard Apartments. The Housing Accountability Act (GOV 65589.5) requires approval of zoning and general plan compliant projects unless findings can be made regarding specific, objective, written health and safety hazards.

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit; it will bring increased tax revenue, new customers to local businesses, decarbonization in the face of climate crisis, but most importantly it will reduce displacement of existing residents into homelessness or carbon-heavy car commutes.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. Consistent with the general plan, the proposed development will provide badly needed housing and a mix of one-, two-, and three-bedroom apartments, diversifying Antioch's housing stock and meeting the varied needs of residents. In addition, the proposed development will include a variety of site improvements, including thoughtful landscaping and outdoor open space.

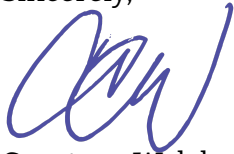
While no one project will solve the regional housing crisis, the proposed 810 Wilbur Avenue development is the kind of housing Antioch needs to mitigate displacement, provide shelter for its growing population, and arrest unsustainable housing price appreciation. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

**360 Grand Ave #323, Oakland 94610
www.calhdf.org**

Dylan Casey
CaRLA Executive Director

Sincerely,

A handwritten signature in blue ink, appearing to read 'CW', is positioned above the printed name Courtney Welch.

Courtney Welch
CaRLA Director of Planning and Investigation

From: [Rashidi Barnes](#)
To: [Planning Division](#); [Scudero, Kevin](#)
Cc: [Toan Tran](#); [Uriel Diaz](#)
Subject: RE: Public Comment for Delta Courtyard Apartments - UP-22-14
Date: Monday, February 13, 2023 1:28:12 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings,

Tri Delta Transit would like to comment on the planned project UP-22-14, Delta Courtyard Apartments at 810 Wilbur Avenue in the City of Antioch. We have identified several areas that may impact or be impacted by Tri Delta Transit bus facilities directly across Wilbur Avenue from the apartment complex.

- All Tri Delta Transit vehicles use eastbound Wilbur Avenue from Cavallo Road to Minaker Drive. Please consider developing a traffic mitigation plan to minimize impact to Tri Delta Transit daily operations. Tri Delta Transit staff is available to assist with the development of these mitigation efforts.
- Based on design, the development will include several ADA/Senior units within the complex. It doesn't appear there's sufficient access for our paratransit wheelchair-lift equipped vehicles (24' smaller buses) to safely maneuver within the apartment complex. Please consider a loading/unloading zone.
- Users accessing public transit will need to walk east to Minaker Dr to cross Wilbur Ave at a signal controlled pedestrian crosswalk then walk west to the nearest transit bus stop. Considerations to include additional crosswalks traversing Wilbur Avenue between Minaker Drive to the east and Cavallo Rd to the west.

As always, thank you for the opportunity to comment on this planned project and we appreciate your awareness of the essential role that public transportation has in our communities. Please let me know if you have additional questions.

Rashidi Barnes

CEO

Tri Delta Transit

925-754-6622

www.trideltatransit.com

Joe Bosman, Owner, Adjacent Property

701 Wilbur Ave.

Antioch, Ca. 94509

2/15/2023

City of Antioch

Planning Commission

RE: 810 Wilbur Ave. Use Permit/Design Review Approval

UP -22-14, AR-22-14

Good evening, Planning Commission:

I would appreciate your consideration of my comments regarding the proposed 74-unit apartment complex by the owners of 810 Wilbur Avenue.

Backstory:

I am the owner of the adjacent lot at 701 Wilbur Avenue. I am familiar with the site logistics having submitted three joint development applications for these properties over the last 20 years to the City of Antioch.

I am a proponent of affordable housing stock in Antioch. I support quality projects that consider the realities of the site conditions.

The owner of 810 Wilbur has **“heavy handedly”** submitted a letter from Cal HDF stating that the Planning Commission and City Attorney have “an obligation to abide by all relevant state housing laws” while considering this project. This is attached to their application tonight. Does this indicate something about the owners? Do they care about the quality of this project and its architecture?

It is my opinion that the owners of 810 Wilbur will most **likely sell this project** to another developer and they **will not assume long term ownership**. They are

flipping a "paper lot" Your Conditions of Approval will substantially be the **only controls** these owners will be held accountable to. Historically, in my opinion, the owners do not act in an accountable manner.

My experiences and opinion...

The 810 Wilbur Avenue owners have not maintained this property they **acquired through foreclosure** several years ago. Their associates poor lending practices contributed to this. Fences were not built to keep squatters at bay. Garbage was allowed to accumulate. The original Victorian house burned down from the historic Dragon family. Drug use proliferated. Yelling and screaming occurred throughout the nights. Fires raged through the summer heat and garbage was hauled off by the City along Wilbur Avenue at the publics expense. *The owners took little ownership of their investment.* Only when **forced by Code Enforcement** to mitigate the situation, did corrective measures occur. And now, the owners ask approval of their project. I ask myself, "***was it their intent to run down the neighborhood?***"

Conditions of Approval Amendments:

LCA Architects plans (Dated 9/19/2022) describe the project contemplated by you tonight. **Please incorporate these comments into your Conditions of Approval to improve the all-important Wilbur Avenue corridor:**

- 1) Does a **traffic study** exist? How are pedestrians going to access West bound buses from the Tri Delta Transit? The dynamics here are complicated. Since no crosswalk exists adjacent to the project, pedestrians will need to walk approximately 1000 feet to access West bound Wilbur Avenue buses. The closest crossing is Minaker Avenue. Autos often travel 60 mph through here on the way to the Antioch Bridge and the local dispensary, especially on Friday afternoons.
There is no turn out lane for traffic entering the proposed project. Traffic will stack up for the 74 units to be accessed.
- 2) Will the bare rock at the **center median on Wilbur Avenue** receive landscaping? Plans do not show any beautification. This is directly in front

of the project. The Tri Delta Transit was not required to improve the median upon their last expansion... Who will complete this work?

- 3) The telephone poles that remain in front of 810 and 701 Wilbur Ave should all be **required to be underground**. They are the only remaining poles with an approximate distance of 400 lineal feet. No room exists to reasonably add a pole in front of 701 Wilbur Avenue.
- 4) A **security gate** should be incorporated similar to the adjacent Lake Shore Apartment project.
- 5) A cistern and Victorian home with a full basement exist on the 810 Wilbur property buried by a bulldozer. The applicants know of this, yet it's not referenced. The **demolition permit** mentions nothing of its removal. Asbestos and wine making debris may exist. The property once was a functioning zinfandel vineyard.
- 6) A **buried fuel tank** existed between the existing shop slabs. Has the soil/groundwater been tested for hydrocarbons?
- 7) +/- 55 gallons of **oil** were leaked at the South edge of the shop concrete slabs. Will that residue be spread throughout the land to "lose it" The North/East fence line also has the same condition.
- 8) An **8' tall concrete reinforced architectural CMU wall** running North to South is necessary to divide 701 Wilbur Avenue from 810 Wilbur Avenue. 701 Wilbur Ave has a different zoning now with the updated Housing Element (R35 /R25) City code allows for CMU walls to differentiate properties with different zoning.
- 9) Is there an actual **Easement Agreement** for access of the water and sanitary sewer that crosses the "spite strip" (APN 065-244-028) at the South end of the property? Will access be granted from the closely guarded spite strip property owner? This has historically been a problem in previous applications. The Lake Alhambra property owners should be engaged.
- 10) Should an **easement** be acquired for the water, storm drain and sanitary sewer from the owner of the spite strip, a "**stub in**" should be provided for the adjacent multifamily property at 701 Wilbur Avenue. A future housing complex may be contemplated. If the 810 Wilbur Avenue property owners purchase the "spite" strip, they will control access to city utilities for the contemplated development of 701 Wilbur Avenue. The

subdivision map act prevents land locked parcels such as this “spite strip “ parcel allowed during the development of Lake Alhambra to the South.

- 11) The North Court unit towers over my existing two-story unit. It’s 41’ away by 40’ tall. This huge building will capture and prevent sunlight from reaching my home at 701 Wilbur Ave. The City has building standards preventing this exact condition. Can the applicant **revise the roof line** and resubmit for approval?
- 12) The applicant has made no effort to **soften the South to North property line along the East side...** The building is very linear standing at 40’ tall. It’s two huge boxes as viewed from the East. This is evident from the Plan view on L-4 and L-5. Again, few architectural reliefs exist on the East property line, as is the case on the West property side, the buildings entry side.
- 13) Tall trees expected to grow 35’ tall at 25’ on center should be designed into the Westwardly elevation (See Sheet L-3). No trees exist on the plan. Additionally, any trees on the 701-property damaged by the development should be replaced.
- 14) A **lighting study** is in order to mitigate the effects on existing neighbors.
- 15) The plans submitted by the applicant states the “Contractor” shall be responsible for various conditions of the build out of the 74 units. What if the **Contractor** becomes insolvent? Verbiage should be changed to make the **Owner financially responsible** for their project’s obligations and performance.
- 16) The **applicants have not engaged the community** to consider relevant feedback for their project as envisioned. This includes the Tri Delta transit, The Lake Alhambra HOA and the Lake Shore Apartment owners.
- 17) Has the **Contra Costa Fire Department reviewed these plans?** Often, two means of egress are required with a fire truck turn around

In summary, it’s my opinion the project at 810 Wilbur Avenue **should be denied until these pertinent issues are resolved.** Additional housing stock will benefit Antioch but only if carefully designed within the parameters of the law. Many

issued raised here are quantifiable objections allowed by codes to protect the health and safety of our citizens.

Historically, the 810 Wilbur owners have little concern for the neighborhood. I have personally witnessed this over the years. As opportunists, they do not assume ownership as you and I might in the homes we own. Once the "paper lots" are created, it's my prediction they will flip this project and enjoy the monetary gains. It's that simple.

Thank you for your time and consideration.

Joe Bosman