



TO: ANTIOCH PLANNING COMMISSION

FROM: Zoe Merideth, Senior Planner
Kevin Van Katwyk, Senior Civil Engineer at Interwest Consulting

SUBJECT: Renewal of Vesting Tentative Subdivision Map 357-302-20, Final Development Plan, and Design Review

DATE: Regular Meeting of July 19, 2023

<p>Property Owner: Philip SU 893 Corporate Way Fremont, CA 94539</p>

<p>Project: Wildhorse Multifamily Project</p> <p>File #: PD-20-01, AR-21-17</p> <p>Address/ APN: Terminus of Wild Horse Road and State Route 4/041-022-003</p> <p>General Plan: High Density Residential</p> <p>Zoning: PD- Planned Development District (PD-20-01)</p>
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REQUEST

The applicant is seeking renewal of a previously approved Vesting Tentative Subdivision Map (VTSM 357-302-20) for condominium purposes, Final Development Plan, and Design Review for a 126 multifamily unit residential community and associated improvements on an 11.72-acre project site, known as The Wild Horse Multifamily project. The project was approved by the City Council on January 11, 2022. Pursuant to Antioch Municipal Code Section 9-4.314, the applicant is requesting a one-year extension of approvals.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the resolution recommending the City Council extend the project approvals for one year.

BACKGROUND

On January 11, 2022, the City Council adopted Resolution 2022/07, which approved the EIR Certification; Resolution 2022/08 which approved the General Plan Amendment; Ordinance 2201 -

C-S rezoning the property to Planned Development District (PD-20-01); and Resolution 2022/09 which approved the Vesting Tentative Subdivision Map (VTSM 357-202-20) for condominium purposes, Final Development Plan and Design Review for The Wild Horse Multifamily Project. Resolution 2022/09 is included as Attachment B. The applicant is requesting to extend the approvals found in Resolution 2022/09. The project consists of approximately 11.72 acres parcel located at the terminus of Wild Horse Road, between Le Conte Circle and State Route (SR) 4.



Figure 1 Site Location

ANALYSIS

The approved Conditions of Approval include General Conditions 1 for project expiration:

This approval expires two years from the date of approval by the City Council (January 11, 2024), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted.

Chapter 4 “Subdivisions” and Article 3 “Tentative Maps” includes expiration and extension policies for approved tentative maps. This provision also requires the recommendation of the Planning Commission to the City Council for the extension approval of one additional year.

9-4.314 EXPIRATION AND EXTENSION.

An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval. Upon an application of the subdivider filed prior to the expiration of the tentative map, and following the recommendation of the Commission, the time at which the map expires may be extended by the Council for a period of one additional year.

The tentative map was approved on January 11, 2022, and is set to expire on January 11, 2024. The applicant has requested an extension of the map approval pursuant to Section 9-4.314 (See Attachment C) and is seeking a one-year approval extension with a new expiration date of January 11, 2025.

If approved, the new expiration date will be January 11, 2025. The previously approved Conditions of Approval and Tentative Map will be carried forward without any change and as originally approved by the City Council in January 2022.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was adopted and certified on January 11, 2022.

ATTACHMENTS

- A: Resolution Recommending the City Council Approve an Extension
- B: Resolution 2022/09
- C: Applicant Letter Requesting an Extension

**PLANNING COMMISSION
RESOLUTION NO. 2023-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVE THE ONE-
YEAR EXTENSION OF THE VESTING TENTATIVE SUBDIVISION MAP, FINAL
DEVELOPMENT PLAN, AND DESIGN REVIEW APPROVALS OF THE WILD HORSE
MULTIFAMILY PROJECT (PD-20-01, AR-21-17)**

WHEREAS, the City of Antioch received a written request from Philip Su, applicant, for a one-year extension of the project approvals for the Wild Horse Multifamily Project. The extension would extend the expiration date of the approvals for Vesting Tentative Subdivision Map (VTSM 357-302-20) for condominium purposes, Final Development Plan, and Design Review;

WHEREAS, an Environmental Impact Report (EIR) and a Mitigation Monitoring and Reporting Program was prepared and adopted by the City Council on January 11, 2022 in conformance with the California Environmental Quality Act;

WHEREAS, a subsequent environmental document does not need to be prepared because (1) no changes to the project are proposed requiring revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, (2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and (3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence or at the time the previous EIR was adopted;

WHEREAS, on January 11, 2022 City Council duly held a public meeting, received and considered evidence, both oral and documentary and approved the Vesting Tentative Subdivision Map, Final Development Plan, and Design Review; and

WHEREAS, the Planning Commission considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Antioch hereby recommends that the City Council of the City of Antioch approve a one-year extension of the project approvals for the Vesting Tentative Subdivision Map (VTSM 357-302-20) for condominium purposes, Final Development Plan, and Design Review for the Wild Horse Multifamily Project until January 11, 2025.

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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 19th day of July 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary to the Planning Commission

**CITY COUNCIL
RESOLUTION NO. 2022/09**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING A VESTING TENTATIVE MAP, FINAL DEVELOPMENT PLAN, AND
DESIGN REVIEW FOR THE WILD HORSE MULTIFAMILY PROJECT**

WHEREAS, the City of Antioch (City) received an application from CCP-Contra Costa Investor, LLC (Applicant), seeking approval of the following: EIR Certification, General Plan Amendment, Rezone to Planned Development District, Vesting Tentative Map, Final Development Plan, and Design Review for the development of a 126 multifamily unit residential community and associated improvements on an approximately 11.72 acre project site, known as the Wild Horse Multifamily Project (PD-20-01, GP-20-03, AR-21-17);

WHEREAS, the project site consists of an approximately 11.72 acre parcel located at the terminus of Wild Horse Road, between Le Conte Circle and State Route (SR) 4 (APN: 041-022-003);

WHEREAS, a Final Environmental Impact Report (Final EIR) and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act ("CEQA") Guidelines Section 15162;

WHEREAS, on December 1, 2021, the Planning Commission recommended to the City Council certification of the Final Environmental Impact Report, based on findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

WHEREAS, on January 11, 2022, the City Council certified the Final Environmental Impact Report, based on findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

WHEREAS, the applicant has prepared Design Guidelines for the Project in order to customize the City of Antioch's Residential Design Guidelines specifically for the Project;

WHEREAS, on October 21, 2021, the Parks and Recreation Commission considered the Wild Horse Multifamily Project and did recommend to the Planning Commission that the project be obligated to pay \$119,700 in parkland dedication in lieu fees. The Planning Commission did recommend to the City Council on December 1, 2021 that the project be obligated to pay \$119,700 in parkland dedication in lieu fees;

WHEREAS, on December 1, 2021, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary, and recommended approval of a Vesting Tentative Subdivision Map, Final Development Plan, and Design Review to the City Council;

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

WHEREAS, on January 11, 2022, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

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

1. The Vesting Tentative Subdivision Map, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site has a proposed General Plan Designation of High Density Residential and the Vesting Tentative Subdivision Map will accommodate uses that are consistent with the proposed General Plan designation.
2. The project proposed by the Vesting Tentative Subdivision Map for Condominium Purposes complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The City's Planning and Engineering staff have reviewed the Vesting Tentative Subdivision map and evaluated the effects of the map proposed and have determined that the Vesting Tentative Map, as conditioned, complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.
3. The Project's conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with all applicable City standards.

BE IT FURTHER RESOLVED, that the City Council makes the following findings for approval of a Final Development Plan:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district because the project will provide new housing options to the area while remaining compatible with existing surrounding development. The project is designed to function independently while remaining interconnected through pathways and access for both vehicles and pedestrians.
2. The streets and thoroughfares proposed meet the standards of the city's Growth Management Program and adequate utility service can be supplied to all phases of the development because the Project design minimizes traffic impacts to the existing street system and encourages internal pedestrian circulation within the development. The Project will be required to construct all required streets and

utilities to serve the project. The final design, location, and size of these improvements will be subject to the approval of the City Engineer. As shown in the project's Final EIR, adequate utility service can be supplied to the project. the project will be constructing all the required streets and utilities to serve the project.

3. Any commercial components are justified economically at the location(s) proposed. There are no commercial components to the project
4. Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan because the project has been designed to comply with City density standards, and the proposed densities are within General Plan allowances. The project includes multifamily development that is consistent with the overall intent of the General Plan.
5. Any industrial component conforms to applicable desirable standards and will constitute an efficient, well-organized development with adequate provisions for railroad and/or truck access and necessary storage and will not adversely affect adjacent or surrounding development. There are no industrial components of the project.
6. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted. The proposed PD zone was intended to allow for current and future flexibility in development. Minor deviations to development standards have been incorporated into the Wild Horse Multifamily Project Planned Development Ordinance that respond to specific limitations, including topography and existing infrastructure, of the project site.
7. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development because the land surrounding the Project is already developed and the proposal has been designed to compatible with surrounding uses.
8. The P-D District conforms to the General Plan of the city because the amendment to the General Plan to change the designation of the site to High Density Residential allows continues to allow residential development to occur at the site while allowing flexibility of development types. The intent of the General Plan is being maintained.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch does hereby APPROVE a Vesting Tentative Map, Final Development Plan, and Design Review for the development of a 126 multifamily unit residential community and associated improvements on an approximately 11.72 acre project site, known as the Wild

Horse Multifamily Project (PD-20-01, GP-20-03, AR-21-17) located at the terminus of Wild Horse Road, between Le Conte Circle and State Route (SR) 4 (APN: 041-022-003) subject to the following conditions:

A. GENERAL CONDITIONS

1. The development shall comply with the City of Antioch Municipal Code, unless a specific exception is granted thereto, or is otherwise modified in these conditions.
2. Concurrent with the first submittal of grading or improvement plans, the developer shall submit a site plan exhibit showing the site plan as modified by conditions and approvals.
3. This approval expires two years from the date of approval (Expires January 11, 2024) unless a building permit has been issued and construction has diligently commenced thereon and not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one-year extension shall be granted.
4. The developer shall defend, indemnify, and hold harmless the City in any action brought challenging any land use approval or environmental review for the Project. In addition, developer shall pay any and all costs associated with any challenge to the land use approval or environmental review for the Project, including, without limitation, the costs associated with any election challenging the Project.
5. A final and unchallenged approval of this project supersedes previous approvals that have been granted for this site.
6. Permits or approvals, whether discretionary or ministerial, will not be considered if the developer is not current on fees, reimbursement and/or other payments that are due the City.
7. All advertising signs shall be consistent with the Sign Ordinance or as approved by the Community Development Director.
8. All required easements or rights-of-way for improvements shall be obtained by the developer at no cost to the City of Antioch. Advance permission shall be obtained from any property or, if required from easement holders, for any work done within such property or easements.

9. All easements of record that are no longer required and affect individual lots or parcels within this project shall be removed prior to or concurrently with the recordation of the parcel map for condominium purposes or subsequent separate document as approved by City Engineer.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map for condominium purposes approval is subject to the time lines established in the State of California Subdivision Map Act.
2. Approval is based upon substantial conformance with the Vesting Tentative Map for condominium purposes prepared on August 10, 2020, revised on October 26, 2020 and stamped received by the Community Development Department on October 30, 2020.
3. Approval of this Vesting Tentative Map for condominium purposes shall not constitute the approval of any improvements shown on the Vesting Tentative Map for condominium purposes and shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.

C. DISTRICTS AND ANNEXATION

1. Prior to filing of a parcel map for condominium purposes for recording, the developer shall annex into the District 1 Zone 1 Lighting and Landscaping District (LLD) and accept a level of annual assessments sufficient to maintain public facilities in the vicinity of the project area at no cost to the City. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.
2. Prior to filing of a parcel map for condominium purposes for recording, the developer shall annex into CFD 2018-02 (Police Protection).

D. HOME OWNERS ASSOCIATION AND CC&RS

1. The developer shall establish a Home Owners Association (HOA) for this project in conformance with the regulations set forth by the California Department of Real Estate. The HOA shall be responsible for maintaining all on-site landscaping, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), street lighting, bio-retention basins, and storm drain facilities.

2. The City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), bio-retention basins, storm drain facilities, street lighting, and all other HOA facilities and amenities not maintained by the HOA to an acceptable City level.
3. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to the storm season and prior to each storm event.
4. Subject to approval by the state, the Codes, Covenants and Restrictions (CC&Rs) for the subdivision shall include a provision indicating that the City of Antioch is named as a third-party beneficiary with the right, but not the obligation, to enforce the provisions of the CC&Rs relating to the maintenance and repair of the property and improvements, including but not limited to landscaping, streets, curbs, gutters, streetlights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and the City Attorney of the City of Antioch. Material changes are those that would change the fundamental purpose of the development including but not limited to:
 - City approvals of uses or external modifications.
 - Property ownership or maintenance obligations including, but not limited to, common areas, storm water and landscaping.

The CC&Rs for this project shall be reviewed and approved by the City Attorney and the Community Development Director prior to the issuance of the first building permit.

E. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code and is restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration.
2. The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the air quality control board.
4. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

F. SITE AND PROJECT DESIGN

1. Provisions for mail delivery and locations of mailbox facilities shall be reviewed by the USPS and approved by the City Engineer prior to the issuance of a building permit.
2. All proposed improvements shall be constructed to City standards or as approved by the City Engineer.
3. All public streets shall intersect at approximately 90 degrees and meet the requirements of Caltrans Highway Design Manual for Intersection Design Standards (Topic 405), as approved by the City Engineer.
4. All driveways shall be perpendicular or radial to the street centerline, or as approved by the City Engineer.
5. Maximum driveway slope shall be 12% or as approved by the City Engineer.
6. All driveways shall be a minimum of five feet (5') from the curb return.
7. Curb ramps shall meet the latest version of Caltrans ramps.

8. Monolithic sidewalks with beveled curb shall be six inches (6") thick and reinforced as approved by the City Engineer. Sidewalks at driveway approaches shall be ADA complaint. Minimum sidewalks widths shall be as follows:
 - Adjacent to beveled curb, 4 feet excluding curb (bevel curb to be 12" deep by 3" high with ½" lip and 18" gutter).
 - Adjacent to vertical curb, 4.5 feet excluding curb.
9. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as approved by the City Engineer.
10. A minimum of a twenty-foot (20') tangent shall extend beyond the return at intersections at public streets for the maintenance of adequate sight distance, or as approved by the City Engineer.
11. In cases where a fence is to be built in conjunction with a retaining wall, and the wall face is exposed to a side street, the fence shall be setback a minimum of three feet (3') behind the retaining wall per Antioch Municipal Code § 9-5.1603, or as approved by the City Engineer.
12. The street names for the streets listed below shall be approved by Planning Commission prior to recordation of the parcel map for condominium purposes. Changes to street names shall require Planning Commission review and approval.
 - Street 'A'
 - Street 'B'
13. The developer shall provide a "checklist" of universal design accessibility features to home buyers as required by Health and Safety Code § 17959.6.
14. All improvements for each lot (water meters, sewer cleanouts, etc.) shall be contained outside of the driveway and within the lot and the projection of its sidelines, or as approved by the City Engineer.
15. The developer shall install and maintain streetlights within the project area at no cost to the City.
16. Guest parking shall be provided at the site at a minimum rate of one spot per every five units.
17. Cul-de-sac parking shall be provided as required by the City Engineer.

18. All fencing adjacent to open space (trails and basins) shall be wrought iron or tubular steel and shall be located at the top of slope.
19. All standard two-car garages shall be a minimum of twenty feet by twenty feet (20' x 20') clear inside dimensions. All tandem two-car garages shall have a minimum dimension of ten feet by forty feet (10' x 40') clear inside dimensions.
20. The developer and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.

G. UTILITIES

1. Public utilities shall be constructed to their ultimate size and configuration with the road construction in which they are to be located.
2. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, or as approved by the City Engineer.
3. All sewage shall flow by gravity to the intersecting street sewer main.
4. All public utilities, including storm drain pipes and ditches, shall be installed in streets avoiding between lot locations. All proposed drainage facilities, including open ditches, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.
5. Prior to the recordation of the parcel map for condominium purposes, the developer shall submit hydrology and hydraulic analyses with a storm water control plan that proves the adequacy of the in-tract drainage system and downstream drainage system to the City for review and approval and to Contra Costa County Flood Control for review at no cost to the City as directed by the City Engineer.
6. The detention basin and associated improvements shall be constructed prior to issuance of first building permit for residential structures.
7. The developer shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.

8. Buildings shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.
9. Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all in and above ground assets. This includes all Water Distribution Utility features, Collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer shall also include GPS coordinates of metal subdivision entryway signs, street signs, light poles, and irrigation controllers. These GPS coordinates must be taken on a survey-grade sub-meter GPS data receiver/collector and provided in GIS shapefile format using the North American 1983 Coordinate System.

H. LANDSCAPING

1. Landscaping on all slopes, medians, C.3 basins and open space areas shall be approved by the City Engineer and shall be installed, at no cost to the City.
2. Final landscape and irrigation plans shall be submitted to the City for review and approval at the time the design review for the multifamily buildings are submitted. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy.
3. Landscaping for the project shall be designed to comply with the City of Antioch Water Efficient Landscape Ordinance (WELO). Prior to issuance of a building permit, the developer shall demonstrate compliance with the applicable requirements of the WELO in the landscape and irrigation plans submitted to the City.
4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.
5. All trees shall be a minimum 15-gallon size and all shrubs shall be a minimum 5-gallon size.

I. FIRE REQUIREMENTS

1. The applicant shall comply with the conditions provided by the Contra Costa Fire Protection District in the letter dated December 23, 2020.

J. FEES

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

2. Prior to recordation of parcel map for condominium purposes, developer shall pay the Contra Costa County Flood Control District Drainage Area fee per letter dated January 4, 2021 and Contra Costa County map maintenance fee.
3. The developer shall pay all pass-through fees. Fees include but are not limited to:
 - a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
 - c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the parcel map for condominium purposes.
 - d. Contra Costa County Flood Control District Drainage Area fee.
 - e. School Impact Fees.
 - f. Delta Diablo Sanitation Sewer Fees.
 - g. Contra Costa Water District Fees.

K. MODEL HOMES

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

L. GRADING

1. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the developer.

2. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.
3. A grading permit shall be required prior to any grading operations.
4. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
5. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
6. All lots shall be graded to drain positively from the rear to the street or as approved by the City Engineer.
7. The swales adjacent to the house structure shall have a minimum of a two percent (2%) slope or as directed by the City Engineer.
8. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The developer shall submit written authorization to "access, enter, or grade" adjacent properties prior to performing any work.
9. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of this resolution.
10. The grading plan for this development shall be approved by the City Engineer.
11. All elevations shown on the plans shall be on the USGS 1929 sea level datum or NAVD 88 with conversion information, as approved by the City Engineer.
12. Retaining walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
13. All retaining walls shall be of masonry construction.
14. Wall and fence locations shall be included on the grading plan.

15. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.
16. The back-to-back or side-to-side grading transitions from lot-to-lot shall have a maximum slope of 2:1, and shall be accommodated entirely on the lower lot or as approved by the City Engineer.
17. The minimum concrete gutter flow slope shall be 0.75%.
18. All property lines shall be located at the top of slope.

M. CONSERVATION/NPDES

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping, shall be used.
2. The Project shall meet or exceed Tier 1 of the CALGreen Building Code.
3. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). (Note: Per State Regulations, NPDES Requirements are those in affect at the time of the Final Discretionary Approval.) Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs. Already stated in COAs below, 5.c and 5.h.w.
4. Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed Vesting Tentative Map may be required in order to comply with C.3 regulations.

5. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prior to issuance of permits for building, site improvements, or landscaping, the developer shall submit a permit application consistent with the developer's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
 - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
 - c. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
 - d. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
 - e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
 - f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the

watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.

- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.
- j. Install on all catch basins "No Dumping, Drains to River" decal buttons.
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.
- l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
- m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
- n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked

mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.

- o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.
- 6. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project, are subject to C.3 requirements.
- 7. Defined emergency spillway shall be included in the bioretention basin's design to convey potential overflow due to large storm events from the basin and mitigate flooding on adjacent properties and an Operations and Maintenance Manual shall be submitted for basins.

N. PARCEL MAP REQUIREMENTS

- 1. The parcel map for condominium purposes submittal shall include all of the required information described in Title 9, Chapter 4, Article 5: Final Maps, of the Antioch Municipal Code, including, but not limited to:
 - a. Improvement security in one of the following forms:
 - i. Bond or bonds issued by one or more duly authorized corporate securities in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, and in an amount equal to 100% of the total estimated costs of the improvements for labor and materials.
 - ii. A deposit, either with the city or a responsible escrow agent or trust company, at the option of the City Engineer, of money or negotiable bonds of the kind approved for securing deposits of public moneys, in the amounts and for security as specified above, to be released in the same manner as described above for bonds.
 - iii. An irrevocable letter of credit in form acceptable to the City Attorney issued by a financial institution acceptable to the City Attorney in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, no part thereof to be released until such time as specified by state law.
 - b. An original, signed improvement agreement, to be executed by the developer, guaranteeing the completion of the construction of the

improvements required by the governing body within a specified time and payment therefore, satisfactory to the City Attorney as to legality and satisfactory to the City Engineer as to amount.

- c. A letter from the Tax Collector showing that all payable taxes have been paid and a bond for the payment of taxes then a lien but not yet payable, as required by the Subdivision Map Act.
- d. A cash payment, or receipt therefore, of all the fees required for the checking and filing of the maps and the inspections of the construction; payment for the street signs to be furnished and installed by the city, if required by the developer; a cash deposit for the payment of such fire hydrant rental fees as may be established by the respective fire districts or water company or district having jurisdiction; and any other applicable fees or deposits.
- e. Deeds for the easements or rights-of-way for road purposes map.
- f. Written evidence acceptable to the city, in the form of rights of entry or permanent easements across private property outside the subdivision, permitting or granting access to perform the necessary construction work and permitting the maintenance of the facility.
- g. Agreements acceptable to the city, executed by the owners of existing utility easements within the proposed roads rights-of-way, consenting to the dedication of roads or consenting to the joint use of the rights-of-way as may be required by the city for the purpose use and convenience of the roads.
- h. A surety bond acceptable to the city, guaranteeing the payment of the taxes and assessments which will be a lien on the property, as set forth in the Subdivision Map Act, when applicable.
- i. Payment of map maintenance fee.
- j. Payment of the assessment district apportionment fee, if applicable.
- k. Evidence of annexation into Police Services Fee CFD
- l. Evidence of payment of Contra Costa County Flood Control District fees.
- m. A preliminary soil report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations of every subdivision, as defined in Cal. Gov't Code §§ 66490 and 66491. The

preliminary soil report may be waived if the City Engineer shall determine that, due to the knowledge of such department as to the soil qualities of the subdivision, no preliminary analysis is necessary.

2. Concurrent with, or prior to, submittal of the Final Subdivision Map, the developer shall submit evidence of annexation into all required districts, including Community Facilities District and Lighting and Landscape District.

O. MITIGATION MONITORING AND REPORTING PROGRAM

1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Wild Horse Multifamily Project.

P. PROJECT SPECIFIC CONDITIONS

1. This approval applies to the following documents;
 - a. Vesting tentative map for condominium purposes and final development plans and other design drawings dated received by the Community Development Department on October 30, 2020
 - b. Landscaping plans dated received by the Community Development Department on August 12, 2020
 - c. Su Property Design Guidelines dated received by the Community Development Department on October 30, 2020
 - d. Stormwater Control Plan for Su Property dated received by the Community Development Department on October 30, 2020.
2. Prior to the development of the project, the applicant shall secure a use permit and design review approval from the Planning Commission.
3. Developer shall record parcel map for condominium purposes prior to the issuance of a building permit.
4. Wild Horse Road extension shall be fully landscaped to the satisfaction of the City Engineer, prior to the issuance of the first building permit. Improvements shall be full width (both sides of street) for the full length of Wild Horse Road extension plus the adjacent unimproved street frontage areas. For the purpose of this condition, Wild Horse extension shall be defined as from the intersection with Le Conte Circle up to and including the underpass of Highway 4.
5. Developer shall provide all the necessary signing, striping and street improvements along Wild Horse Road necessary to provide safe access to and from their proposed entrance. Improvements may include but not be

limited to accessibility, safety signage, view corridors, safe pavement transitions, etc. The entrance shall be a "street cut" design.

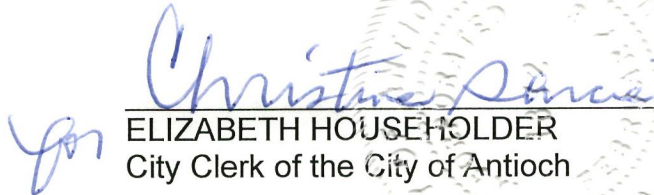
6. No Parking Any Time (R26) signage shall be installed per California MUTCD standards at locations along project frontage as approved by the City Engineer.
7. Stop sign shall be installed at driveway exits onto Wild Horse Road.
8. Street 'A', Street 'B', and all interior drive aisles between building units shall have a street width of 26', a minimum traffic index (TI) of 6, and a minimum pavement thickness of 4" AC over 12" Class II AB.
9. Street 'A' and Street 'B' shall have 5' sidewalk on both sides of streets.
10. The parking lot striping and signing plan shall be approved by the City Engineer.
11. All parking spaces shall be double-striped and all parking lot dimensions shall meet minimum City policies and Antioch Municipal Code requirements.
12. The City of Antioch franchise waste hauler shall provide approval for the location of all trash enclosures, subject to the approval of the City Engineer. Trash enclosures shall not be located within any easement areas. Trash bins shall not be stored in the required garage space for each unit.
13. Trash enclosures shall be screened with landscaping and painted to match the building design. The trash enclosure shall comply with AMC § 9-5.1401 Refuse Storage Area Design Guidelines. The trash enclosures shall be depicted on the Design Review application.
14. The applicant shall show a turning template on the site plan verifying that trucks can safely ingress, egress, and successfully maneuver throughout the site.
15. Prior to the issuance of the building permit for the construction of the 7th multifamily unit, open space/play area shall be constructed and completed.
16. As recommended by the Parks and Recreation Commission on October 21, 2021, the following condition shall apply prior to the issuance of the 1st building permit:
 - Park-in-lieu fees in the amount of \$119,700 shall be paid to the City of Antioch to meet the Project's park land dedication obligation.

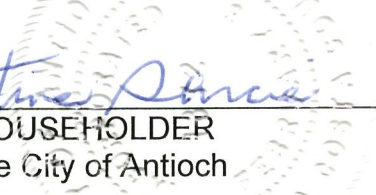
17. The final private park design shall be reviewed and approved by the Parks and Recreation Commission prior to the issuance of a building permit for the park.
18. The private park shall meet all the City's park design standards current at the time of park construction and shall include a color scheme soothing for children with visual sensitivities.
19. The developer shall disclose to each property owner in the development that the Contra Costa Water District property that borders the development contains hydrological improvements and related service structures which may be altered or expanded by the Water District.
20. All units shall have two covered and enclosed parking spaces in a garage. Up to 50% of the parking spaces may be tandem parking.
21. The project shall be built in conformance with the Su Property Design Guidelines, dated received by the Community Development Department on October 30, 2020, unless modified by the conditions of approval or the Planned Development Ordinance for the project. Major deviations from or modification to the Design Guidelines shall be approved by the Planning Commission. Minor deviations may be approved by the Zoning Administrator.
22. The landscaping plans shall be revised to use non-invasive, drought tolerant, native plants. The revisions shall be shown on the final landscaping plan submittal.
23. A Community Facilities District (CFD) for fire protection shall be required for this project. The developer shall enter into a Memorandum of Understanding with the Contra Costa County Fire Protection District regarding the establishment of the CFD or annexation of the property into an existing CFD.
24. The park shall be designed to be an all-abilities park.
25. The project shall provide speed humps/speed bumps at the entrance of the project. The design shall be reviewed and approved by the City Engineer prior to issuance of a building permit.

* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 11th day of January, 2022 by following vote:

AYES: Council Members District 3 Ogorchock, District 4 Wilson and Mayor Pro Tem (District 2) Barbanica
NOES: Council Members District 1 Torres-Walker
ABSTAIN: None
ABSENT: None
RECUSED: Mayor Thorpe


ELIZABETH HOUSEHOLDER
City Clerk of the City of Antioch



CCP - Contra Costa Investor LLC

893 Corporate Way Fremont, CA 94539

January 30, 2023

Community Development Director
City of Antioch
200 H Street
Antioch, CA 94531

To Forrest Ebbs,

Re: Extension of Tentative Map on A.P.N. 041-022-003

We respectfully request that the above Tentative Map for 126 TH units approved on January 11, 2022 and expires on January 11, 2024 be extended. We are currently still waiting for the Certificates of Compliance to be issued. At this time the two parcels associated with the Certificates of Compliance cannot be legally identified as separate parcels.

If you have any questions or concerns please contact us.

Sincerely,

CCP – Contra Costa Investor LLC


Philip Su
Managing Member

1/31/23

CC: Rex Warren
CC: Manuel Prado