

MEMORANDUM

TO: Planning Commission

FROM: Zoe Merideth, Senior Planner

SUBJECT: **AMPORTS Antioch Vehicle Processing Facility (UP-20-14, AR-20-18, V-21-04)**

Attached is an updated Attachment B to the AMPORTS staff report. Attachment B is the Resolution Approving a Use Permit, Design Review, and Variance (UP-20-14, AR-20-18, V-21-04) for the AMPORTS Antioch Vehicle Processing Facility. Staff recommends that the Planning Commission adopt this updated resolution in place of the resolution that was circulated with the staff report.

**PLANNING COMMISSION
RESOLUTION NO. 2021-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
APPROVING A USE PERMIT, DESIGN REVIEW, AND VARIANCE (UP-20-14, AR-20-
18, V-21-04) FOR AMPORTS ANTIOCH VEHICLE PROCESSING FACILITY
AT 2301 WILBUR AVENUE**

WHEREAS, the City of Antioch received an application from AMPORTS for approval of an Initial Study / Mitigated Negative Declaration, Use Permit, Design Review, and Variance for the development of an automotive logistics and processing facility for vehicles prior to their distribution to dealerships. The project includes the conversion and upgrade of the existing wharf for roll on/roll off operations, construction of a new building, and new site improvements - including new paving, stormwater improvements, and fencing at 2301 Wilbur Avenue (UP-20-14, AR-20-18, V-21-04) (APNs 051-020-006 and 051-020-012);

WHEREAS, an Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, and considered by the Planning Commission on August 18, 2021;

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

WHEREAS, the Planning Commission September 1, 2021, duly held a public hearing, received and considered evidence, both oral and documentary; and

WHEREAS, on September 1, 2021, the Planning Commission adopted the Initial Study / Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program for the project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby make the following findings required for approval of the Use Permit:

1. The granting of such Use Permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The proposed vehicle processing facility is required to comply with multiple conditions of approval that address the project's impact on public health and the properties in the vicinity. The vehicle processing facility is located in an industrial district with similar uses in close proximity. Based upon the conditions imposed, the proposed use will not create adverse impacts to the surrounding businesses and residents.

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

The site is zoned Heavy Industrial (M-2). The Heavy Industrial District allows vehicle storage with the approval of a use permit.

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

The proposed site is adequate in size and shape to accommodate a vehicle processing facility. The proposed facility will provide ample space for the vehicles to be stored along with ample employee parking.

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

The project site is currently vacant, partially paved, and has an existing wharf and is located on Wilbur Avenue, which is adequate in width and pavement type to carry the traffic generated by the proposed use.

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

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

BE IT FURTHER RESOLVED that the Planning Commission does hereby make the following findings for the approval of a Variance for an eight-foot-high fence in the required front setback and a 10-foot landscaping front setback, where a 30-foot front landscaped setback is required:

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.

The intended use of the property is a vehicle processing facility with a wharf. Due to the need to secure the vehicles, the USCG regulations to secure the site, the conditioned dedication for Wilbur Avenue, and the layout of the existing site, a reduced landscaping setback and security fence is most effectively placed close to Wilbur Avenue.

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.

The proposed 10-foot landscaping setback will allow for attractive landscaping to be installed at the site, which will help screen the fence and provide a buffer from the sidewalk and the barbed wire and will satisfy the USCG security requirements for the site. The conditions of approval also require the fence and landscaping to not cause a visual obstruction for drivers using the project's driveway. Therefore, the proposed reduced setback and fence will not be detrimental to the public health or injurious to the properties in the area.

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.

The project site will be developed a wharf facility with vehicle storage. Providing robust security for the wharf, as required by the USCG is unique to properties along the water with a functioning with wharf. Restricting the project to a three-foot-tall fence in the front setback would limit the project's ability to provide adequate security for the site. The City is conditioning the project to dedicate right-of-way to the site, reducing the amount of frontage that would normally be used for a front setback, this requirement is not placed on all properties. Therefore, this property features special circumstances that require a reduced setback and eight-foot fence in the front setback.

4. That the granting of such variance will not adversely affect the comprehensive General Plan.

The proposed use of the project site is consistent with the General Plan designation of Industrial. The applicant's request would not adversely affect the comprehensive General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Antioch does hereby **APPROVE** a Use Permit, Design Review, and Variance for the development of an automotive logistics and processing facility for vehicles prior to their distribution to dealerships. The project includes the conversion and upgrade of the existing wharf for roll on/roll off operations, construction of a new building, and new site improvements - including new paving, stormwater improvements, and fencing at 2301 Wilbur Avenue (UP-20-14, AR-20-18, V-21-04) (APNs 051-020-006 and 051-020-012) subject to the following conditions:

A. GENERAL CONDITIONS

1. The development and all proposed improvements shall comply with the City of Antioch Municipal Code and City Standards unless a specific exception is granted thereto or approved by the City Engineer.

2. This approval expires two years from the date of approval (Expires September 1, 2023), unless: a building permit has been issued and construction has diligently commenced thereon and has not expired; a certificate of occupancy has been issued; or the use is established. 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.
3. City staff shall inspect the site for compliance with conditions of approval prior to final inspection approval.
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. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and other monies that are due.
7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way or easement, and peak commute-hour traffic shall not be impeded by construction-related activity.
8. All required easements or rights of entry for off-site improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.
9. All existing easements shall be identified on the site plan and all plans that encroach into existing easements shall be submitted to the easement holder for review and approval, and advance written permission shall be obtained from any property owner or easement holder for any work done within such property or easement.
10. All access drive aisles shall be constructed per current ADA and City standards, subject to review and approval by the City Engineer.

11. All cracked, broken or damaged concrete curb, gutter and/or sidewalks in the public right-of-way along the project frontage shall be removed and replaced as required by the City Engineer and at no cost to the City.
12. On site Asphalt paving including repairs to existing pavement shall be designed for a minimum traffic index (TI) of 5.5 and shall have a minimum slope of 2%, concrete paving shall have a minimum slope of 0.75%, and asphalt paving for identified accessible parking stalls and access routes may have a minimum slope of 1.5% and a maximum 2% slope, or as approved by the City Engineer.
13. All on-site curbs, gutters and sidewalks shall be constructed of Portland cement concrete.
14. The applicant shall install and maintain parking lot and pathway within the project area at no cost to the City.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code. Construction is restricted to weekdays between the hours of 8:00 AM and 5:00 PM. Requests for alternative days/times may be submitted in writing to the City Manager or designee for consideration.
2. The project shall comply with and supply all the necessary documentation for AMC § 6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with the contact number of the Developer, the Bay Area Air Quality Management District and the City.
4. Driveway access to neighboring properties shall be maintained at all times during construction.

C. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire District shall be met.

D. FEES

1. The developer shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
2. The applicant shall pay all pass-through fees. Fees include but are not limited to:

- East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - Contra Costa County Fire Protection District Fire Development Fee in effect at the time of building permit issuance.
 - Development Impact Fee
 - Traffic Signal Fees
 - Gravity Flow Sewer Assessment Fee
 - School Impact Fees
 - Delta Diablo Sewer Fee
 - Contra Costa Water District Fee
3. The applicant shall pay the Contra Costa County Flood Control District Drainage Area fee in effect at the time of, and prior to issuance of, a building permit.
 4. Prior to the issuance of a certificate of occupancy, the property shall annex into Street Lighting and Landscape District 2A Zone 3 and accept a level of annual assessments sufficient to maintain street lights and landscaping adjacent to the project. The annual assessment shall cover the actual annual cost of maintenance as described in the Consolidated Engineer's Report for the City of Antioch Street Light and Landscape Maintenance District Numbers 1, 2A, 4, 5, 9, and 10.

E. PROPERTY MAINTENANCE

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to the storm season and prior to each storm event.
2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204(G).
3. Property owner shall comply with all City municipal codes regarding the maintenance of property.
4. Property owner shall be responsible for maintaining all on-site and frontage landscaping and storm water detention basins.

F. GRADING

1. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.

2. The final grading plan for this development shall be approved by the City Engineer and signed by a California licensed civil engineer. No grading is allowed without a grading permit issued by the Building Department.
3. All elevations shown on the grading and improvement plans shall be on the USGS 1929 sea level datum or NAVD 88 with conversion information, or as approved by the City Engineer.

G. CONSERVATION/NPDES

1. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
2. All impervious surfaces to be constructed as part of the project, including off-site roadways, are subject to C.3 requirements per State Regulations.
3. The following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
 - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the

State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).

- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. .
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.
- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Applicant shall implement Best Management Practices (BMP's) at all times.
- j. Install on all catch basins "No Dumping, Drains to River" decal buttons.

- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.
- l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The applicant shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
- m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
- n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.
- o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.
- p. Install full trash capture device(s) in storm water catch basins that collect water from the project site. A "full trash capture device" is defined as any device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate resulting from a one-year, one-hour, storm in the tributary drainage catchment area. Selected devices must be detailed on the building permit plan submittal and approved by Public Works prior to installation.

H. UTILITIES

1. All existing and proposed utilities (e.g. transformers and PMH boxes) shall be undergrounded and subsurface in accordance with the Antioch Municipal Code, except existing P.G.& E. towers, if any, or as approved by the City Engineer.
2. All storm water flows shall be collected onsite and discharged into an approved public storm drain system or, if with applicable regulatory approval, into the river.
3. Trash enclosures shall drain to sanitary sewer and shall incorporate methods to contain refuse runoff at the front-gate and pedestrian access point to prevent storm water from entering the enclosure.
4. The sewer collection system shall be constructed to function as a gravity system.
5. A reduced pressure backflow preventer assembly shall be installed on all City water meter services.
6. Double detector check fire line backflow assemblies shall be enclosed within an easement granted to the City, as needed, and at no cost to the City.
7. The developer shall provide all offsite and onsite improvements necessary to provide adequate water pressure and volume to serve this development, as approved by the City Engineer. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi.
9. The developer shall install all infrastructure to serve the site. Infrastructure for access to the site (sewer, water, storm, joint trench, and surface improvements) shall be completed prior to issuance of building permits unless pursuant to a written Improvement Agreement, including securities, between the applicant and the City.
10. The developer shall minimize water and sewer connection tie-ins to wet utility mains.
11. All onsite utilities shall be privately maintained and connected to public facilities in accordance with City Standards, or as approved by the City Engineer.
12. All proposed drainage facilities, including open ditches, and except for any grassy swales for storm water quality filtration, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.
13. All structures onsite shall be connected to water and sewer mains for service.

I. LANDSCAPING

1. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101, Site Obstructions at Intersections, or as approved by the City Engineer. Landscaping and signage shall not create a sight distance problem.
2. Detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for the landside building.
3. Landscaping for the project shall be designed to comply with the applicable requirements of City of Antioch Ordinance No. 2162-C-S the State Model Water Efficient Landscape Ordinance (MWELo). Prior to issuance of a building permit, the applicant shall demonstrate compliance with the applicable requirements of the MWELo in the landscape and irrigation plans submitted to the City.

J. MITIGATION MONITORING AND REPORTING PROGRAM

1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP) for the AMPORTS Antioch Vehicle Processing Facility Project.
2. The applicant shall comply with mitigation measure AIR-3 in the MMRP, which states:

MM AIR-3: Reduce Annual Vessel Calls, Provide Emissions Offsets, or Otherwise Demonstrate a Reduction in Emissions. To reduce operation phase NOX emissions to below the BAAQMD annual and daily mass emissions thresholds, the Applicant shall limit vessel calls to no more than eight (8) vessel calls per year; or incorporate additional emission reduction measures which may include but are not limited to the following:

- Secure and surrender NOx emissions offsets for NOx emissions over the BAAQMD threshold of significant; or,
- Truck fleet electrification
- Truck fleet alternative fuels (natural gas, hydrogen, etc.)
- Truck model year restrictions, e.g., 2018 or newer
- Truck idling restrictions

The Applicant shall be responsible for the preparation of documents demonstrating revised operational characteristics are below BAAQMD annual

and daily mass thresholds of significance for NOx, and shall also be responsible for a third-party verification on behalf of the City, if required by the City's Planning Manager.

K. PROJECT SPECIFIC CONDITIONS

1. This approval applies to the project plans and other design drawings provided to the City of Antioch on January 29, 2021; the updated wharf plans provided to the City of Antioch on March 23, 2021; the topographic map prepared by Cinquini & Passarino, Inc. provided to the City of Antioch on April 28, 2021; and the updated conceptual stormwater control plan sheet (CG-201) dated May 4, 2021.
2. The property owner shall dedicate and improve prior to the commencement of operations at the site an additional right-of-way along the project frontage as necessary for the widening of Wilbur Avenue to accommodate a 108-foot-wide arterial roadway, to the satisfaction of the City Engineer. The centerline of the widened road will be no nearer to the applicant's property than the centerline of the current road.
3. Applicant shall be responsible for the design and construction of all frontage improvements, along the project frontage on Wilbur Avenue including a 5-foot-wide sidewalk, 5-foot-wide landscaping planter, curb and gutter. Asphalt paving shall be designed for a minimum traffic index (T.I.) of 9.0 and shall have a minimum slope of 2%. Pavement section shall be a minimum of 6" A.C. over 18" Class II A.B.
4. Applicant shall conform all new improvements with existing improvements at the cost of the applicant. Transitions shall all occur offsite from the project frontage.
5. The applicant shall locate the front boundary fence 10 feet back from the modified front property line. Screening landscaping shall be installed within this 10-foot area with plants such as oleander to screen the fence. The landscaping shall be shown on the building permit for the landside work and shall be subject to review and approval by the Planning Division.
6. Applicant shall design and construct all signing and striping necessary to conform the existing Wilbur Avenue improvements with the new improvements constructed by this project all at the cost of the applicant.
7. Striping of Wilbur Avenue along project frontage section shall be restriped and restored to the satisfaction of the City Engineer prior to the commencement of operations.
8. There is an existing railroad spur that serves this parcel. As a part of the frontage improvements, the railroad company may require improvements to the railroad

crossing meet current standards. The Developer shall obtain the necessary permits and construct the improvements required by the railroad owner, or governing entity, for any necessary improvements to the railroad crossing. If the railroad spur is removed, the Developer shall rebuild the roadway where the railroad spur was removed to the satisfaction of the City Engineer.

9. The parking lot striping and signing plan shall be approved by the City Engineer.
8. All parking spaces shall be double-striped and all parking lot dimensions shall meet minimum City policies and Antioch Municipal Code requirements.
9. No Parking Any Time (R26) signage shall be installed per California MUTCD standards at locations along project frontage as approved by the City Engineer.
10. The applicant shall show a turning template on the building permit site plan verifying that delivery trucks can safely ingress, egress and successfully maneuver throughout the site.
11. The location of the trash enclosures shall be shown on the building permit submittal for the landside operations. The waste company 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.
12. The building permit submittal shall include detailed plans of the location and design of the trash enclosure, in compliance with Antioch Municipal Code Section § 9-5.1401, including:
 - The walls of the trash enclosure structure shall be constructed of solid masonry material with a decorative exterior surface finish compatible to the main structure(s). A split face concrete block finish is recommended;
 - The trash enclosure structure shall have solid heavy gauge metal gates; the trash enclosure should be designed to allow walk-in access by tenants without requiring the main enclosure gates to be opened;
 - The trash enclosure walls shall be a minimum six feet in height. The minimum dimensions for the trash enclosure shall be adequate for the size and number of dumpster units and recycling bins; and signage identifying the types of recyclable materials accepted for collection at the trash enclosure shall be conspicuously posted within the enclosure;
 - If visible from public view, the perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and/or climbing evergreen vines.

13. Stop signs shall be installed at driveway exits onto Wilbur Avenue prior to the commencement of operations.
16. The project entry shall allow for two (2) full-sized auto-carriers to be queue in line at the gate without any portion of the vehicle protruding into the travel lanes on Wilbur Avenue. The building permit plans for the landside work shall show the revised project entry and a template of the two (2) full-sized auto-carriers queued.
17. Developer shall extend the existing sewer main on Wilbur Avenue to the full extent of site frontage and connect to Wilbur Avenue sewer main for service. Developer shall be responsible for one quarter of the cost and a reimbursement mechanism will be established for the remaining three-quarters of the cost. The work shall be completed prior to the commencement of operations at the site.
18. The stevedore trailer shall be built on a permanent foundation and hooked up to utilities. The trailer shall be subject to administrative design review prior to the submittal of building permits for the trailer.
19. The roof of the office and vehicle process facility shall be gray toned instead of white and shall be subject to review and approval by the Planning Division prior to the issuance of a building permit for the building.
20. The perimeter chain link fence adjacent to the public right-of-way shall have vinyl clad hardware.
21. The perimeter chain link fence shall be a maximum height of seven feet with an additional one foot of barbed wire. The total fence height shall not exceed eight feet.
22. Prior to issuance of a building permit for the landside work or commencement of operations at the site, whichever comes first, the developer shall secure the required regulatory permits to use, operate, and maintain the existing storm water outfall which drains the site directly to the San Joaquin River.
23. The developer shall secure all required regulatory permits necessary for the construction and operation of the site.
24. Fencing shall not obstruct sight distance triangles, as required per Antioch Municipal Code § 9-5.1101, Site Obstructions at Intersections.
25. In alignment with the City's adopted Climate Action Plan (2010), the City requires this development to install at least 1 "Idle Free" incidental sign encouraging drivers not to idle their vehicle in order to reduce air pollution and greenhouse gas emissions. The City recommends the sign be placed in an area where drivers are likely to see it when they park and wait, such as at the beginning of a drive thru or

pick up area. The sign's location shall be shown on plans and shall be reviewed and approved by staff at the building permit stage. The City requires that the sign be 12"x18" and meet existing City requirements for signage, such as for no parking signs, traffic sign mounting, and signage in the right of way. The applicant shall visit the Idle Free Bay Area website at <https://idlefreebayarea.org/resources/> in order to view a sample bilingual Idle Free sign. This template sign can be used by the applicant when having a sign designed and printed.

26. Per the letter dated June 30, 2021, AMPORTS acknowledges the need to enter into a formal agreement with the City of Antioch regarding the public/private partnership for this project to be a success for all parties. AMPORTS also agrees to work in good faith to develop an agreement to mitigate City impacts as well as negotiate City protections and cost reimbursement for administration of a PIDP grant if awarded.

* * * * *

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 1st day of September 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

Forrest Ebbs
Secretary to the Planning Commission