



TO: ANTIOCH PLANNING COMMISSION

FROM: Anne Hersch, AICP, Planning Manager

SUBJECT: Renewal of Vesting Tentative Subdivision Map 9501 & Design Review Approval
Creekside Vineyards at Sand Creek

DATE: November 16, 2022

Property Owner/Applicant/Representative:

GBN Partners, LLC
3820 Blackhawk Rd.
Danville, CA 94506

PROJECT: Creekside Vineyards at Sand Creek	Original filing: September 19, 2022
FILE #: GP-19- 06, PD-19-02	Date Deemed Complete: N/A
APN: 057-050-024	Date of Notice Posted/Mailed: November 4, 2022
GP LU: Sand Creek Focus Area	Date of Public Hearing: November 16, 2022
ZONING: PD-Planned Development	Total number of days to hearing: 59 days
PLANNER: Anne Hersch	

REQUEST

The applicant is seeking renewal of a previously approved Vesting Tentative Subdivision Map (VTSM 9501) and Design Review for 220 residential lots for the Creekside Vineyards project. The project was approved on March 21, 2021. Pursuant to Section 9-4.314, the applicant is requesting a one-year extension of approvals.

STAFF RECOMMENDATION

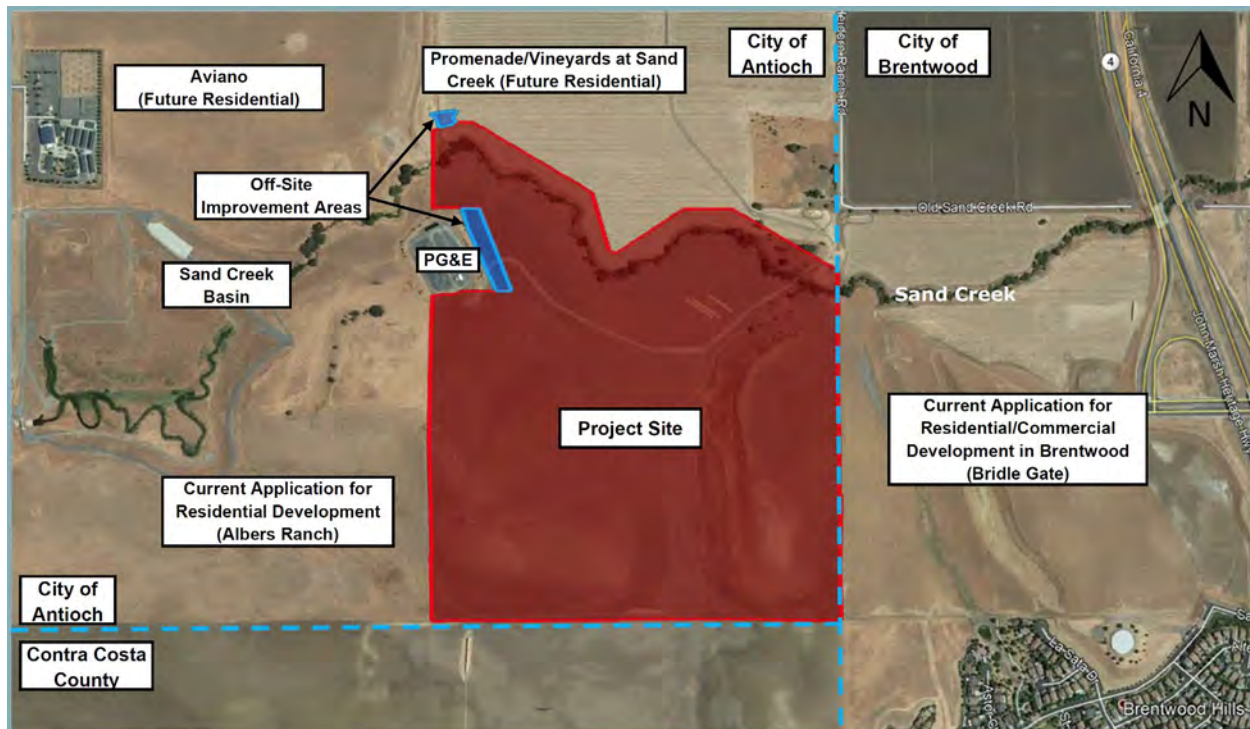
Staff recommends that the Planning Commission adopt the Resolution recommending the City Council extend the project approvals for one year.

BACKGROUND

On March 23, 2021, the City Council adopted Resolution 2021-52, which approved a Vesting Tentative Subdivision Map (VTSM 9501), Design Review, and Resource Management Plan for Creekside Vineyards at Sand Creek. Specific entitlement approvals include a General Plan Amendment, Master Development Plan/Rezone, Vesting Tentative Subdivision Map, Design

Review, and Resource Management Plan for the development of a 220-unit residential community and associated improvements on approximately 58.9 acres of the 158.2-acre project site, as well as 1.8-acres of off-site improvements. The project site is located south of the future extension of Sand Creek Road in the southeastern portion of the City. The approved Vesting Tentative Subdivision Map subdivides the project site into 220 single-family residential lots, as well as parcels for associated improvements as well as open space.

SITE LOCATION



ANALYSIS

The approved Conditions of Approval include a Condition for project expiration.

A. GENERAL CONDITIONS

1. *This approval expires two years from the date of approval by the City Council (March 23, 2023), 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 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 March 23, 2021 and is set to expire on March 21, 2023. 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 March 21, 2024.

The letter also requests an approval extension of the Design Review approval by one year. Typically Design review approvals are approved by the Zoning Administrator without a public hearing. The applicant has included the renewal request as part of the map renewal.

§ 9-5.2707 LAPSE OF APPROVAL.

(C) A design review, variance or use permit may be renewed or extended by the Zoning Administrator for a one-year period without notice or public hearing, if the findings required remain valid and application is made prior to expiration. No more than two one-year extensions may be granted.

If approved, the new expiration date will be March 21, 2024. The previously approved Conditions of Approval and Tentative Map will carry forward without any change and as originally approved by the City Council in 2021.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was adopted and certified on March 21, 2021.

ATTACHMENTS

- A. Resolution recommending City Council extend project approvals for Vesting Tentative Subdivision Map 9501 for one year (new expiration date: March 21, 2024)
- B. City Council Resolution 2021-52
- C. Applicant Letter: Extension Request
- D. Design Review Link

ATTACHMENT A
RESOLUTION FORWARDING A RECOMMENDATION TO THE CITY TO APPROVE THE
MAP EXTENSION FOR VESTING TENTATIVE SUBDIVISION MAP 9501
(SEPARATE PAGE)

**PLANNING COMMISSION
RESOLUTION # 2022-xx**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING THE CITY COUNCIL APPROVE THE EXTENSION REQUEST FOR
VESTING TENTATIVE SUBDIVISION MAP (VSTM 9501) FOR THE
CREEKSIDE/VINEYARDS AT SAND CREEK PROJECT**

WHEREAS, the City of Antioch (“City”) received an application from GBN Partners, LLC (“Applicant”) and approved a General Plan Amendment; Master Development Plan/Rezone; Vesting Tentative Subdivision Map; Design Review; and Resource Management Plan for the development of a 220-unit residential community and associated improvements on approximately 58.9 acres of the 158.2-acre project site, as well as 1.8-acres of off-site improvements, which is known as the Creekside/Vineyards at Sand Creek Project (“Project”) (GP-19-06, PD-19-02);

WHEREAS, the project site consists of a 158.2-acre parcel located south of the future extension of Sand Creek Road in the southeastern portion of the City of Antioch, California;

WHEREAS, the project site is bordered by the City of Antioch/Contra Costa County line to the south and the City of Antioch/City of Brentwood limit to the east and is identified by Assessor’s Parcel Number (APN) 057-050-024. Sand Creek is located to the north of the site, and State Route (SR) 4 is located approximately 0.38-mile east of the site. The project site is situated within the Sand Creek Focus Area of the General Plan;

WHEREAS, a Final Environmental Impact Report and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, and approved by the City Council on March 23, 2021, based on findings of fact and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

WHEREAS, the Vesting Tentative Subdivision Map, Design Review, and Resource Management Plan were approved by the City Council on March 23, 2021;

WHEREAS, the applicant received approval of Design Guidelines for the Project establishing guidelines for future development within the Creekside/Vineyards at Sand Creek Project on March 23, 2021;

WHEREAS, the applicant received approval of a Resource Management Plan for the Project as called for in Section 10.3.2.(e) of the Antioch General Plan and consistent with the “Framework for a Resource Management Plan for the Sand Creek Focus Area” contained in General Plan Appendix A. The Resource Management Plan incorporates the biological resources mitigation measures identified in the Final Environmental Impact Report;

WHEREAS, on September 19, 2022 an extension request was received from the Applicant requesting review of an extension of Vesting Tentative Subdivision Map 9501 and Design Review approvals;

WHEREAS, on November 4, 2022 a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section

65090 for the Planning Commission public hearing held on November 16, 2022; and

WHEREAS, the Planning Commission held a public hearing and 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 hereby makes the following findings for extension of a Vesting Tentative Subdivision Map:

1. The subdivision, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations.

Finding: The site has a General Plan Designation of Medium Low Density Residential and is zoned Planned Development. The proposed subdivision will accommodate uses that are consistent with the General Plan.

2. The subdivision proposed by the Vesting Tentative Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations.

Finding: The proposed subdivision meets the City's criteria for the map. The City's Planning and Engineering staff have reviewed the Vesting Tentative Map and evaluated the effects of the subdivision proposed and have determined that the Vesting Tentative Map as conditioned complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations; and

3. The Conditions of Approval protect the public safety, health and general welfare of the users of the project and surrounding area.

Finding: The previously approved Conditions of Approval include detailed requirements for construction, grading, utilities, compliance with City standards, and project phasing.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission hereby recommends the City Council approve the extension request for Vesting Tentative Subdivision Map 9501 "Creekside Vineyards at Sand Creek", subject to the Findings contained in this Resolution and Exhibit A Conditions of Approval.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 16th day of November, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FORREST EBBS
Secretary to the Planning Commission

**EXHIBIT A CONDITIONS OF APPROVAL: CREEKSIDE VINEYARDS AT
SANDCREEK**

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 applicant 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 by the City Council (March 23, 2023), 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.
4. The applicant 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, applicant 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 applicant 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 applicant 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 final map or subsequent separate document as approved by City Engineer.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map approval is subject to the timelines established in the State of California Subdivision Map Act.
2. Approval is based upon substantial conformance with the Vesting Tentative Map dated December 13, 2019.
3. Approval of this Vesting Tentative map shall not constitute the approval of any improvements shown on the Vesting Tentative map 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 final map for recording, the applicant shall annex into CFD 2018-02 (Police Protection).
2. The property shall annex into CFD 2018-01 (Public Services) and accept a level of annual assessments enough 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.
3. The applicant shall agree to participate and/or assist in the formation of a Community Facilities District (CFD) to fund the incremental cost of fire protection and ambulance service delivery. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

D. HOMEOWNERS ASSOCIATION AND CC&RS

1. The applicant shall establish a Homeowners 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 front yard landscaping.
 - All HOA owned parcels unless maintained by another HOA (Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O' and 'P').
 - Storm drain facilities (pipes, structures and Parcel 'D' basin)
 - Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'.
 - The City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), storm drain facilities, street lighting, and all other HOA facilities and amenities not maintained by the HOA to an acceptable City level.
2. 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, street lights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and 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.

3. The property shall annex into or establish and participate in a Lighting and Landscape District (LLD) and accept a level of annual assessments enough to maintain:
 - a. The streetlights along frontage of public streets.
 - b. Landscaping along frontage of public streets.

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 applicant shall post dust control signage with a contact number of the applicant, 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 approval of the final map.
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. All public road right-of-way shall be located ten feet (10') behind the face-of-curb.
8. Curb ramps shall meet the latest version of Caltrans ramps.
9. 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.
10. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as approved by the City Engineer.
11. A minimum of twenty feet (20') tangent shall extend beyond the return at intersections at public streets, or as approved by the City Engineer.
12. All lot sidelines shall be perpendicular or radial to the fronting street centerline at public streets for a distance of 20 feet, or as approved by the City Engineer.
13. Rear and side yard fencing shall be provided for all units. All fences shall be located at the top of slope, or as approved by the City Engineer.
14. 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.

15. The proposed street names listed below shall be approved by Planning Commission prior to recordation of the first final map. Changes to street names shall require Planning Commission review and approval.
 - Hillcrest Avenue (Existing).
 - Streets 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'I'.
 - Court 'A'.
16. The applicant shall provide a "checklist" of universal design accessibility features to home buyers as required by Health and Safety Code § 17959.6.
17. 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.
18. One (1) on-street parking space per lot shall be located within close proximity to the unit served, as shown on the vesting tentative map dated December 13, 2019, or as approved by the City Engineer.
19. Cul-de-sac parking shall be provided as required by the City Engineer.
20. All fencing adjacent to open space (trails and basins) shall be wrought iron or other material as approved by the City Engineer. All fences shall be located at the top of slope, or as approved by the City Engineer.
21. All two-car garages shall be a minimum of twenty feet by twenty feet (20' x 20') clear inside dimensions or as approved by the Community Development Director.
22. The applicant and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.

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, except the existing PG&E towers or as approved by the City Engineer.
3. All sewage shall flow by gravity to the intersecting street sewer main.
4. Sewer main system shall be designed to drain northerly on Hillcrest Avenue and connect to the existing or proposed future 15" sanitary sewer main at Heidorn Ranch Road through 'B' Street or as approved by the City Engineer.
5. Sewer system for interior private streets shall all be 8" unless approved by City Engineer otherwise.

6. 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, be constructed of Portland Concrete Cement or as approved by the City Engineer.
7. Prior to the recordation of the first final map, the applicant shall submit hydrology and hydraulic analyses with a storm water control plan to Contra Costa County Flood Control District and the City of Antioch for review and approval and pay all related drainage fees at no cost to the City as directed by the City Engineer.
8. The main storm drain system shall flow generally in a northeasterly direction into a detention basin system and eventually flow into Sand Creek through a proposed 60" storm drain outfall subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
9. The secondary storm drain system along Hillcrest Avenue shall flow generally in a northerly direction into a 48" storm drain and proposed clean water outfall system and eventually flow into Sand Creek subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
10. The detention basin and associated improvements shall be constructed prior to issuance of first building permit for residential structures.
11. The applicant shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.
12. Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, developer shall be responsible for installing any water mains to create a looped system at no cost to the City.
13. No utility system lines and crossings shall run in between two lots.
14. The houses shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.
15. 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 is to 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. The type and location of trees shall be as outlined in the project's Design Guidelines (Exhibit C).
3. Prior to issuance of residential building permits, developer shall submit typical front yard landscape plan(s) to demonstrate compliance with water conserving landscape requirements. Developer shall submit a landscape plan for each residential lot that City shall review for compliance with typical landscape plan(s) and approve prior to issuance of building permit.
4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.

I. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
 - a. Fire access roadways of less than 28-feet unobstructed width shall have NO PARKING – FIRE LANE signs posted, or curbs painted red with the words NO PARKING – FIRE LANE clearly marked, per 22500.1 CVC unless approved by the Fire Department and the City Engineer.
 - b. The cul-de-sacs or turnarounds shall have an outside turning radius of a minimum of a 45' or as approved by the City Engineer. Should the sidewalk be included in the turning radius, it shall be clear of streetlights, fire hydrants and other obstructions.
 - c. The applicant shall provide an adequate reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow shall be delivered from not more than one hydrant flowing simultaneously for the duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC
 - d. The applicant shall provide hydrants of the East Bay type, which shall be maintained by the City. Approximate hydrant locations will be determined by the Fire District and approved by the City Engineer.
 - e. Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC. Gravel roads are not considered all-weather roadways for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum subbase materials and capable of supporting the designated gross vehicle weight specified above.

- f. Premises identification shall be provided. Such numbers shall contrast with their background and be a minimum of four inches high with ½-inch stroke or larger as required to be readily visible from the street. (505.1) CFC, (501.2) CBC
- g. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to Contra Costa County Fire Protection District (CCCFPD).
- h. All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans for each model home to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CFC.
- i. The developer shall submit a computer-aided design (CAD) digital file copy of the site plan to the Fire District upon final approval of the site improvements plans or subdivision map. CAD file shall be saved in the latest AutoCAD.DXF file format. (501) CFC
- j. Submit plans to: Contra Costa County Fire Protection District, 2010 Geary Road, Pleasant Hill, CA 94523.
- k. A Community Facilities District (CFD) for fire protection is required for the Fire District to support this project. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

J. FEES

- 1. The applicant shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
- 2. The applicant shall pay all pass-through fees. Fees include but are not limited to:
 - a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
 - c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
 - d. Contra Costa County Flood Control District 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 applicant.
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 pulled 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 applicant 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 NAVD 88 as approved by the City Engineer.
12. Retaining or sound walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
13. All retaining and sound walls shall be of masonry construction.
14. 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.
15. 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.
16. The minimum concrete gutter flow slope shall be 0.75%.
17. 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 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 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. Already stated in COAs below, 5.c and 5.h.w.
3. 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.

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

N. FINAL SUBDIVISION MAP REQUIREMENTS

1. The Final Subdivision Map submittal per each individual phase, excluding the initial large lot Parcel Map intended for the subdivision of parcels for phasing, shall include all 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 subdivision agreement, to be executed by the subdivider or his agent, 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 subdivider; 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. Consent and election form for 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 submittal of the first Final Subdivision Map, the applicant shall submit a consent and election form for annexation into all required districts, including Community Facilities District and Lighting and Landscape District.
 - 3. All easements of record that are no longer required and affect individual lots or parcels within this project site shall be removed prior to or concurrently with the recordation of the Final Subdivision Map.

O. MITIGATION MONITORING AND REPORTING PROGRAM

- 1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program.

P. PROJECT SPECIFIC CONDITIONS

1. All private streets shall be HOA maintained.
2. All private streets shall have sidewalks on both sides to the satisfaction of the City Engineer.
3. Right-of-way shall be acquired from Pacific Gas & Electric (PG&E) for the construction and dedication of Hillcrest Avenue to the City at no cost to the City.
4. Roadways may be configured for storm water treatment directed towards center medians, designs shall be as approved by City Engineer.
5. A four (4)-lane Hillcrest Avenue bridge over Sand Creek shall have a width of 92' edge to edge or as approved by the City Engineer.
6. Hillcrest Ave shall have a right-of-way width of 112' and designed with a minimum traffic index (TI) of 8 and a minimum pavement thickness of 6" AC over 16" Class II AB.
 - The Creekside Project shall dedicate the entire 112' right-of-way width for Hillcrest Avenue.
 - The Creekside Project shall build Interim Hillcrest Avenue, which shall include full frontage improvements on the east and west side including curb, gutter, 6' sidewalk, and landscaping.
 - Construction of northbound and southbound #2 travel lanes shall include bike lanes, interim 40'-wide concrete median curb, center median LED streetlights, and center median landscaping.
 - Ultimate Hillcrest Avenue in a four (4) lane configuration including ultimate median islands shall be the responsibility of future development.
 - Medians and shoulders shall be landscaped to the satisfaction of the City Engineer.
7. Slope on westerly frontage of Hillcrest Avenue shall be 3:1 maximum.
8. An emergency vehicle access shall be provided and design shall be satisfactory to Contra Costa County Fire Protection District and as approved by the City Engineer.
9. Curb ramps shall be installed per current ADA standards on the corners of the intersections for the following locations:
 - 'I' Street and Hillcrest Avenue
10. 'I' street shall be a public street and have a full right-of-way width of 60'.
11. A reimbursement agreement shall be conditioned onto future development of adjacent properties (APNs 057-050-021 & 057-042-006) in order to provide reimbursement for the fair share of design and construction costs of 'I' street and oversized utilities. Total costs shall be submitted to the City after completion of

construction and fair share amounts shall be determined and approved by the City Engineer.

12. Minimum pavement thickness and design for this development shall be as follows:
 - Public Streets ('I' Street): width of 60', TI = 6, and 4" AC over 12" CL II AB.
 - Private Streets (Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'): widths may vary subject to the approval of the City Engineer, TI = 6, 4" and AC over 12" CL II AB.
13. Trail system pathways shall be a minimum width of 10' feet with concrete or asphalt concrete.
14. 6' masonry sound wall shall be installed on the backs of all residential lots and sides of corner lots along the frontage of Hillcrest Avenue. Decorative stone veneer pilasters shall be located at regular intervals of between 8 and 25 feet, to the satisfaction of the Community Development Department staff. Pilasters may be located further than 25 feet apart provided additional vertical design enhancements are provided and reviewed and approved by the Planning Commission as part of the Design Review process.
15. Fencing around stormwater detention basin, Parcel 'D' shall be wrought iron fencing or as approved by the City Engineer.
16. Project shall comply with all recommendations from the Traffic Impact Analysis (TIA) and Environmental Impact Report (EIR).
 - A new traffic signal to be installed at the intersection of 'B' Street and Hillcrest Avenue (Main entry to the development).
 - Sand Creek Road/Hillcrest Avenue traffic signal to be modified.
 - Any other traffic related modifications, lane widening, turn lanes as identified in the Traffic Impact Analysis (TIA), including payment of regional fees.
 - All costs shall be borne by the developer.
17. All park and picnic equipment and materials are to follow current City standards or as approved by the City Engineer.
18. No in-between lot openings shall be allowed for ingress/egress or utility crossings.
19. As recommended by the Parks and Recreation Commission, the following conditions shall apply:
 - a. The Creekside Vineyards at Sand Creek project shall meet its park land dedication requirements through the payment of park-in-lieu fees in the amount of \$330,000;

- b. The “private park” shall meet all the City’s Park Design Standards current at the time of the park’s construction; and
 - c. The City will consider a park-in-lieu fee credit based on the detail park parcels “B” and “C” submittal incorporating the “local park basic elements” and meeting the qualification criteria per Code Section 9-4.1010(C) and (D)(6).
20. The project shall be built in conformance with the Design Guidelines (Exhibit C) unless modified by conditions of approval. Any deviation from or modification to the Design Guidelines shall be approved by the Planning Commission.

Q. PHASING CONDITIONS

- 1. Prior to development of any phase of the subdivision, the applicant shall secure a use permit and design review approval from the Planning Commission for that phase.
- 2. The order and phasing boundaries of project construction shall conform to the proposed Phasing Plan, dated December 10, 2019, Exhibit A to this resolution. Proposed changes to the Phasing Plan shall be submitted to the City prior to or in conjunction with the use permit application required for the affected phase(s). Changes in the Phasing Plan are subject to approval by the Zoning Administrator or the Planning Commission. Use permit applications are subject to approval by the Planning Commission.

3. Phase One:

Prior to the issuance of the 1st building permit within Phase One, the following improvements shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue from the intersection at Sand Creek Road south to ‘B’ Street, including the bridge over Sand Creek.
- b. Interim Hillcrest Avenue shall be constructed with east and west side curb, gutter, sidewalk and landscaping including Parcel H, 12’ northbound and southbound #2 travel lanes with 8’ bike lanes, interim 40’-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities from the bridge over Sand Creek to the south curb returns of ‘B’ Street. The transition from the bridge section shall be as approved by the City Engineer. Improvements shall include conduits and pull boxes for the portion of a traffic signal at Hillcrest Avenue and ‘B’ Street located within the improvement limits, all as approved by the City Engineer.
- c. ‘B’ Street (Neighborhood Entry): ‘B’ Street shall be fully constructed from Hillcrest Avenue to the Community Site including lighting and median and right of way landscaping.
- d. Parcel B (Community Site): The community park design shall be approved by the Parks and Recreation Commission and/or Planning

Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.

- e. Parcel C (Park): The park and trail design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- f. Parcel G (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- g. Parcel D (Detention Basin): Parcel 'D' shall be fully constructed.

Prior to the issuance of the 75th building permit and the 30th Certificate of Occupancy, the following improvements shall be completed to the satisfaction of the City Engineer:

- h. Heidorn Ranch Road EVA Connection as required by CCCFPD.
- i. Parcel B (Community Site): Park shall be fully constructed.
- j. Parcel C (Park): Park shall be fully constructed.
- k. Parcel G (Park): Park shall be fully constructed.

4. Phase Two:

Prior to the issuance of the 1st building permit for a lot within Phase Two, the following shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue/'B' Street Traffic Signal: The applicant shall fully construct a traffic signal at the intersection of Hillcrest Avenue and 'B' Street. Upon concurrence of the applicant and the City, the applicant may deposit payment into the City's traffic signal account for traffic signal design and construction.
- b. Remaining portion of interim Hillcrest Avenue through to 'G' Street shall be fully constructed with east side and west curb, gutter, sidewalk and landscaping including Parcel I, 12' northbound and southbound #2 travel lanes with 8' bike lanes, interim 40'-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities, including interconnect conduit and pull boxes. Improvements shall include conduits and pull as approved by the City Engineer.

5. Phase Three:

Prior to the issuance of the 1st building permit for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- a. 'I' Street: 'I' Street shall be fully constructed from Hillcrest Avenue westerly to the Phase boundary, including lighting. The easterly connection to Hillcrest Avenue will be in an interim manner, as approved by the City Engineer.
- b. Parcel O (Detention Basin): Parcel 'O' shall be fully constructed.
- c. Parcel J (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.

Prior to the issuance of the 10th Certificate of Occupancy for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- d. Parcel J (Park): Park shall be fully constructed.

EXHIBIT B
CITY COUNCIL RESOLUTION 2021-52

**CITY COUNCIL
RESOLUTION NO. 2021-52**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING OF THE VESTING TENTATIVE SUBDIVISION MAP, DESIGN REVIEW,
AND RESOURCE MANAGEMENT PLAN FOR THE CREEKSIDE/VINEYARDS AT
SAND CREEK PROJECT**

WHEREAS, the City of Antioch ("City") received an application from GBN Partners, LLC ("Applicant") seeking City approval of the following: a General Plan Amendment; Master Development Plan/Rezone; Vesting Tentative Subdivision Map; Design Review; and Resource Management Plan for the development of a 220-unit residential community and associated improvements on approximately 58.9 acres of the 158.2-acre project site, as well as 1.8-acres of off-site improvements, which is known as the Creekside/Vineyards at Sand Creek Project ("Project") (GP-19-06, PD-19-02);

WHEREAS, the project site consists of a 158.2-acre parcel located south of the future extension of Sand Creek Road in the southeastern portion of the City of Antioch, California;

WHEREAS, the project site is bordered by the City of Antioch/Contra Costa County line to the south and the City of Antioch/City of Brentwood limit to the east and is identified by Assessor's Parcel Number (APN) 057-050-024. Sand Creek is located to the north of the site, and State Route (SR) 4 is located approximately 0.38-mile east of the site. The project site is situated within the Sand Creek Focus Area of the General Plan;

WHEREAS, a Final Environmental Impact Report 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 February 17, 2021;

WHEREAS, the proposed Vesting Tentative Subdivision Map, Design Review, and Resource Management Plan were considered by the Planning Commission on February 17, 2021, and the Planning Commission recommended approval to the City Council;

WHEREAS, on March 23, 2021, 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 and to establish guidelines for future development within the Creekside/Vineyards at Sand Creek Project;

WHEREAS, the applicant has prepared a Resource Management Plan for the Project as called for in Section 10.3.2.(e) of the Antioch General Plan and consistent with the "Framework for a Resource Management Plan for the Sand Creek Focus Area" contained in General Plan Appendix A. The Resource Management Plan incorporates the biological resources mitigation measures identified in the Final Environmental Impact Report; and

WHEREAS, the City Council duly gave notice of public hearing as required by law and on March 23, 2021, 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 does hereby make the following findings for approval of a Vesting Tentative Subdivision Map:

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

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve the Vesting Tentative Subdivision Map (Exhibit A), Phasing Map (Exhibit B), Design Guidelines (Exhibit C), and Resource Management Plan (Exhibit D), subject to the following conditions of approval:

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 applicant 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 by the City Council (March 23, 2023), 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.
4. The applicant 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, applicant 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 applicant 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 applicant 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 final map or subsequent separate document as approved by City Engineer.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map approval is subject to the timelines established in the State of California Subdivision Map Act.
2. Approval is based upon substantial conformance with the Vesting Tentative Map dated December 13, 2019.
3. Approval of this Vesting Tentative map shall not constitute the approval of any improvements shown on the Vesting Tentative map 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 final map for recording, the applicant shall annex into CFD 2018-02 (Police Protection).
2. The property shall annex into CFD 2018-01 (Public Services) and accept a level of annual assessments enough 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.
3. The applicant shall agree to participate and/or assist in the formation of a Community Facilities District (CFD) to fund the incremental cost of fire protection and ambulance service delivery. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

D. HOMEOWNERS ASSOCIATION AND CC&RS

1. The applicant shall establish a Homeowners 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 front yard landscaping.
 - All HOA owned parcels unless maintained by another HOA (Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'J', 'K', 'L', 'M', 'N', 'O' and 'P').
 - Storm drain facilities (pipes, structures and Parcel 'D' basin)
 - Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'.

- The City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter and curb ramps), storm drain facilities, street lighting, and all other HOA facilities and amenities not maintained by the HOA to an acceptable City level.
2. 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, street lights, parking, open space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and 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.

3. The property shall annex into or establish and participate in a Lighting and Landscape District (LLD) and accept a level of annual assessments enough to maintain:
- a. The streetlights along frontage of public streets.
 - b. Landscaping along frontage of public streets.

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 applicant shall post dust control signage with a contact number of the applicant, 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 approval of the final map.
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. All public road right-of-way shall be located ten feet (10') behind the face-of-curb.
8. Curb ramps shall meet the latest version of Caltrans ramps.

9. 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.
10. Sight distance triangles shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as approved by the City Engineer.
11. A minimum of twenty feet (20') tangent shall extend beyond the return at intersections at public streets, or as approved by the City Engineer.
12. All lot sidelines shall be perpendicular or radial to the fronting street centerline at public streets for a distance of 20 feet, or as approved by the City Engineer.
13. Rear and side yard fencing shall be provided for all units. All fences shall be located at the top of slope, or as approved by the City Engineer.
14. 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.
15. The proposed street names listed below shall be approved by Planning Commission prior to recordation of the first final map. Changes to street names shall require Planning Commission review and approval.
 - Hillcrest Avenue (Existing).
 - Streets 'A', 'B', 'C', 'D', 'E', 'F', 'G' 'H' and 'I'.
 - Court 'A'.
16. The applicant shall provide a "checklist" of universal design accessibility features to home buyers as required by Health and Safety Code § 17959.6.
17. 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.

18. One (1) on-street parking space per lot shall be located within close proximity to the unit served, as shown on the vesting tentative map dated December 13, 2019, or as approved by the City Engineer.
19. Cul-de-sac parking shall be provided as required by the City Engineer.
20. All fencing adjacent to open space (trails and basins) shall be wrought iron or other material as approved by the City Engineer. All fences shall be located at the top of slope, or as approved by the City Engineer.
21. All two-car garages shall be a minimum of twenty feet by twenty feet (20' x 20') clear inside dimensions or as approved by the Community Development Director.
22. The applicant and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.

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, except the existing PG&E towers or as approved by the City Engineer.
3. All sewage shall flow by gravity to the intersecting street sewer main.
4. Sewer main system shall be designed to drain northerly on Hilcrest Avenue and connect to the existing or proposed future 15" sanitary sewer main at Heidorn Ranch Road through 'B' Street or as approved by the City Engineer.
5. Sewer system for interior private streets shall all be 8" unless approved by City Engineer otherwise.
6. 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, be constructed of Portland Concrete Cement or as approved by the City Engineer.

7. Prior to the recordation of the first final map, the applicant shall submit hydrology and hydraulic analyses with a storm water control plan to Contra Costa County Flood Control District and the City of Antioch for review and approval and pay all related drainage fees at no cost to the City as directed by the City Engineer.
8. The main storm drain system shall flow generally in a northeasterly direction into a detention basin system and eventually flow into Sand Creek through a proposed 60" storm drain outfall subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
9. The secondary storm drain system along Hillcrest Avenue shall flow generally in a northerly direction into a 48" storm drain and proposed clean water outfall system and eventually flow into Sand Creek subject to the approval of the Contra Costa County Flood Control District and the City of Antioch.
10. The detention basin and associated improvements shall be constructed prior to issuance of first building permit for residential structures.
11. The applicant shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.
12. Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, developer shall be responsible for installing any water mains to create a looped system at no cost to the City.
13. No utility system lines and crossings shall run in between two lots.
14. The houses shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.
15. 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 is to 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. The type and location of trees shall be as outlined in the project's Design Guidelines (Exhibit C).
3. Prior to issuance of residential building permits, developer shall submit typical front yard landscape plan(s) to demonstrate compliance with water conserving landscape requirements. Developer shall submit a landscape plan for each residential lot that City shall review for compliance with typical landscape plan(s) and approve prior to issuance of building permit.
4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.

I. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
 - a. Fire access roadways of less than 28-feet unobstructed width shall have NO PARKING – FIRE LANE signs posted, or curbs painted red with the words NO PARKING – FIRE LANE clearly marked, per 22500.1 CVC unless approved by the Fire Department and the City Engineer.
 - b. The cul-de-sacs or turnarounds shall have an outside turning radius of a minimum of a 45' or as approved by the City Engineer. Should the sidewalk be included in the turning radius, it shall be clear of streetlights, fire hydrants and other obstructions.
 - c. The applicant shall provide an adequate reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow shall be delivered from not more than one hydrant flowing simultaneously for the duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC
 - d. The applicant shall provide hydrants of the East Bay type, which shall be maintained by the City. Approximate hydrant locations will be determined by the Fire District and approved by the City Engineer.

- e. Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC. Gravel roads are not considered all-weather roadways for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum subbase materials and capable of supporting the designated gross vehicle weight specified above.
- f. Premises identification shall be provided. Such numbers shall contrast with their background and be a minimum of four inches high with ½-inch stroke or larger as required to be readily visible from the street. (505.1) CFC, (501.2) CBC
- g. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to Contra Costa County Fire Protection District (CCCFPD).
- h. All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans for each model home to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CFC.
- i. The developer shall submit a computer-aided design (CAD) digital file copy of the site plan to the Fire District upon final approval of the site improvements plans or subdivision map. CAD file shall be saved in the latest AutoCAD.DXF file format. (501) CFC
- j. Submit plans to: Contra Costa County Fire Protection District, 2010 Geary Road, Pleasant Hill, CA 94523.
- k. A Community Facilities District (CFD) for fire protection is required for the Fire District to support this project. The developer shall contact the Office of the Fire Chief for specific details on the CFD.

J. FEES

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

- a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
- b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
- c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
- d. Contra Costa County Flood Control District 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 applicant.
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 pulled 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 applicant 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 NAVD 88 as approved by the City Engineer.
12. Retaining or sound walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
13. All retaining and sound walls shall be of masonry construction.
14. 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.
15. 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.
16. The minimum concrete gutter flow slope shall be 0.75%.
17. 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 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 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. Already stated in COAs below, 5.c and 5.h.w.
3. 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.
4. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.

- b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Division 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. Always implement Best Management Practices (BMP's).
- 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.

5. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project, are subject to C.3 requirements.

N. FINAL SUBDIVISION MAP REQUIREMENTS

1. The Final Subdivision Map submittal per each individual phase, excluding the initial large lot Parcel Map intended for the subdivision of parcels for phasing, shall include all 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 subdivision agreement, to be executed by the subdivider or his agent, 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 subdivider; 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. Consent and election form for 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 submittal of the first Final Subdivision Map, the applicant shall submit a consent and election form for annexation into all required districts, including Community Facilities District and Lighting and Landscape District.
3. All easements of record that are no longer required and affect individual lots or parcels within this project site shall be removed prior to or concurrently with the recordation of the Final Subdivision Map.

O. MITIGATION MONITORING AND REPORTING PROGRAM

1. The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program.

P. PROJECT SPECIFIC CONDITIONS

1. All private streets shall be HOA maintained.
2. All private streets shall have sidewalks on both sides to the satisfaction of the City Engineer.
3. Right-of-way shall be acquired from Pacific Gas & Electric (PG&E) for the construction and dedication of Hillcrest Avenue to the City at no cost to the City.
4. Roadways may be configured for storm water treatment directed towards center medians, designs shall be as approved by City Engineer.
5. A four (4)-lane Hillcrest Avenue bridge over Sand Creek shall have a width of 92' edge to edge or as approved by the City Engineer.
6. Hillcrest Ave shall have a right-of-way width of 112' and designed with a minimum traffic index (TI) of 8 and a minimum pavement thickness of 6" AC over 16" Class II AB.
 - The Creekside Project shall dedicate the entire 112' right-of-way width for Hillcrest Avenue.
 - The Creekside Project shall build Interim Hillcrest Avenue, which shall include full frontage improvements on the east and west side including curb, gutter, 6' sidewalk, and landscaping.
 - Construction of northbound and southbound #2 travel lanes shall include bike lanes, interim 40'-wide concrete median curb, center median LED streetlights, and center median landscaping.
 - Ultimate Hillcrest Avenue in a four (4) lane configuration including ultimate median islands shall be the responsibility of future development.

- Medians and shoulders shall be landscaped to the satisfaction of the City Engineer.
7. Slope on westerly frontage of Hillcrest Avenue shall be 3:1 maximum.
 8. An emergency vehicle access shall be provided and design shall be satisfactory to Contra Costa County Fire Protection District and as approved by the City Engineer.
 9. Curb ramps shall be installed per current ADA standards on the corners of the intersections for the following locations:
 - 'I' Street and Hillcrest Avenue
 10. 'I' street shall be a public street and have a full right-of-way width of 60'.
 11. A reimbursement agreement shall be conditioned onto future development of adjacent properties (APNs 057-050-021 & 057-042-006) in order to provide reimbursement for the fair share of design and construction costs of 'I' street and oversized utilities. Total costs shall be submitted to the City after completion of construction and fair share amounts shall be determined and approved by the City Engineer.
 12. Minimum pavement thickness and design for this development shall be as follows:
 - Public Streets ('I' Street): width of 60', TI = 6, and 4" AC over 12" CL II AB.
 - Private Streets (Streets labelled 'A', 'B', 'C', 'D', 'E', 'F', 'G' and 'H'): widths may vary subject to the approval of the City Engineer, TI = 6, 4" and AC over 12" CL II AB.
 13. Trail system pathways shall be a minimum width of 10' feet with concrete or asphalt concrete.
 14. 6' masonry sound wall shall be installed on the backs of all residential lots and sides of corner lots along the frontage of Hillcrest Avenue. Decorative stone veneer pilasters shall be located at regular intervals of between 8 and 25 feet, to the satisfaction of the Community Development Department staff. Pilasters may be located further than 25 feet apart provided additional vertical design enhancements are vertical design enhancements are

provided and reviewed and approved by the Planning Commission as part of the Design Review process.

15. Fencing around stormwater detention basin, Parcel 'D' shall be wrought iron fencing or as approved by the City Engineer.
16. Project shall comply with all recommendations from the Traffic Impact Analysis (TIA) and Environmental Impact Report (EIR).
 - A new traffic signal to be installed at the intersection of 'B' Street and Hillcrest Avenue (Main entry to the development).
 - Sand Creek Road/Hillcrest Avenue traffic signal to be modified.
 - Any other traffic related modifications, lane widening, turn lanes as identified in the Traffic Impact Analysis (TIA), including payment of regional fees.
 - All costs shall be borne by the developer.
17. All park and picnic equipment and materials are to follow current City standards or as approved by the City Engineer.
18. No in-between lot openings shall be allowed for ingress/egress or utility crossings.
19. As recommended by the Parks and Recreation Commission, the following conditions shall apply:
 - a. The Creekside Vineyards at Sand Creek project shall meet its park land dedication requirements through the payment of park-in-lieu fees in the amount of \$330,000;
 - b. The "private park" shall meet all the City's Park Design Standards current at the time of the park's construction; and
 - c. The City will consider a park-in-lieu fee credit based on the detail park parcels "B" and "C" submittal incorporating the "local park basic elements" and meeting the qualification criteria per Code Section 9-4.1010(C) and (D)(6).
20. The project shall be built in conformance with the Design Guidelines (Exhibit C) unless modified by conditions of approval. Any deviation from or modification to the Design Guidelines shall be approved by the Planning Commission.

Q. PHASING CONDITIONS

1. Prior to development of any phase of the subdivision, the applicant shall secure a use permit and design review approval from the Planning Commission for that phase.
2. The order and phasing boundaries of project construction shall conform to the proposed Phasing Plan, dated December 10, 2019, Exhibit A to this resolution. Proposed changes to the Phasing Plan shall be submitted to the City prior to or in conjunction with the use permit application required for the affected phase(s). Changes in the Phasing Plan are subject to approval by the Zoning Administrator or the Planning Commission. Use permit applications are subject to approval by the Planning Commission.

3. **Phase One:**

Prior to the issuance of the 1st building permit within Phase One, the following improvements shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue from the intersection at Sand Creek Road south to 'B' Street, including the bridge over Sand Creek.
- b. Interim Hillcrest Avenue shall be constructed with east and west side curb, gutter, sidewalk and landscaping including Parcel H, 12' northbound and southbound #2 travel lanes with 8' bike lanes, interim 40'-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities from the bridge over Sand Creek to the south curb returns of 'B' Street. The transition from the bridge section shall be as approved by the City Engineer. Improvements shall include conduits and pull boxes for the portion of a traffic signal at Hillcrest Avenue and 'B' Street located within the improvement limits, all as approved by the City Engineer.
- c. 'B' Street (Neighborhood Entry): 'B' Street shall be fully constructed from Hillcrest Avenue to the Community Site including lighting and median and right of way landscaping.
- d. Parcel B (Community Site): The community park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.

- e. Parcel C (Park): The park and trail design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- f. Parcel G (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.
- g. Parcel D (Detention Basin): Parcel 'D' shall be fully constructed.

Prior to the issuance of the 75th building permit and the 30th Certificate of Occupancy, the following improvements shall be completed to the satisfaction of the City Engineer:

- h. Heidorn Ranch Road EVA Connection as required by CCCFPD.
- i. Parcel B (Community Site): Park shall be fully constructed.
- j. Parcel C (Park): Park shall be fully constructed.
- k. Parcel G (Park): Park shall be fully constructed.

4. **Phase Two:**

Prior to the issuance of the 1st building permit for a lot within Phase Two, the following shall be completed to the satisfaction of the City Engineer:

- a. Hillcrest Avenue/'B' Street Traffic Signal: The applicant shall fully construct a traffic signal at the intersection of Hillcrest Avenue and 'B' Street. Upon concurrence of the applicant and the City, the applicant may deposit payment into the City's traffic signal account for traffic signal design and construction.
- b. Remaining portion of interim Hillcrest Avenue through to 'G' Street shall be fully constructed with east side and west curb, gutter, sidewalk and landscaping including Parcel I, 12' northbound and southbound #2 travel lanes with 8' bike lanes, interim 40'-wide landscaped median with concrete median curbs, median LED streetlights, and all utilities, including interconnect conduit and pull boxes. Improvements shall include conduits and pull as approved by the City Engineer.

5. **Phase Three:**

Prior to the issuance of the 1st building permit for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- a. 'I' Street: 'I' Street shall be fully constructed from Hillcrest Avenue westerly to the Phase boundary, including lighting. The easterly connection to Hillcrest Avenue will be in an interim manner, as approved by the City Engineer.
- b. Parcel O (Detention Basin): Parcel 'O' shall be fully constructed.
- c. Parcel J (Park): The park design shall be approved by the Parks and Recreation Commission and/or Planning Commission, in conformance with Antioch Code Article 10, Section 9-4.1001 thru 1014.

Prior to the issuance of the 10th Certificate of Occupancy for a lot within Phase Three, the following shall be completed to the satisfaction of the City Engineer:

- d. Parcel J (Park): Park shall be fully constructed.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 23rd day of March, 2021, by the following vote:

AYES: Council Members District 1 Torres-Walker, District 2 Barbanica, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Thorpe

NOES: None

ABSENT: None

ABSTAIN: None

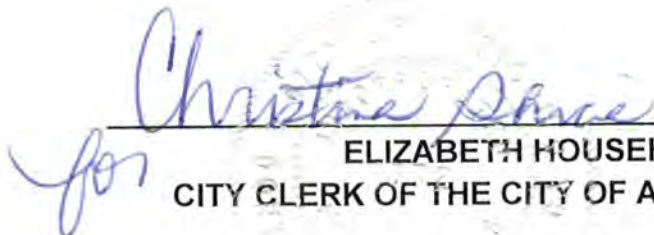
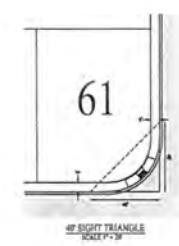
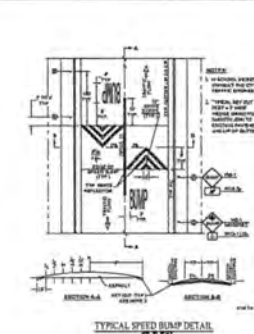
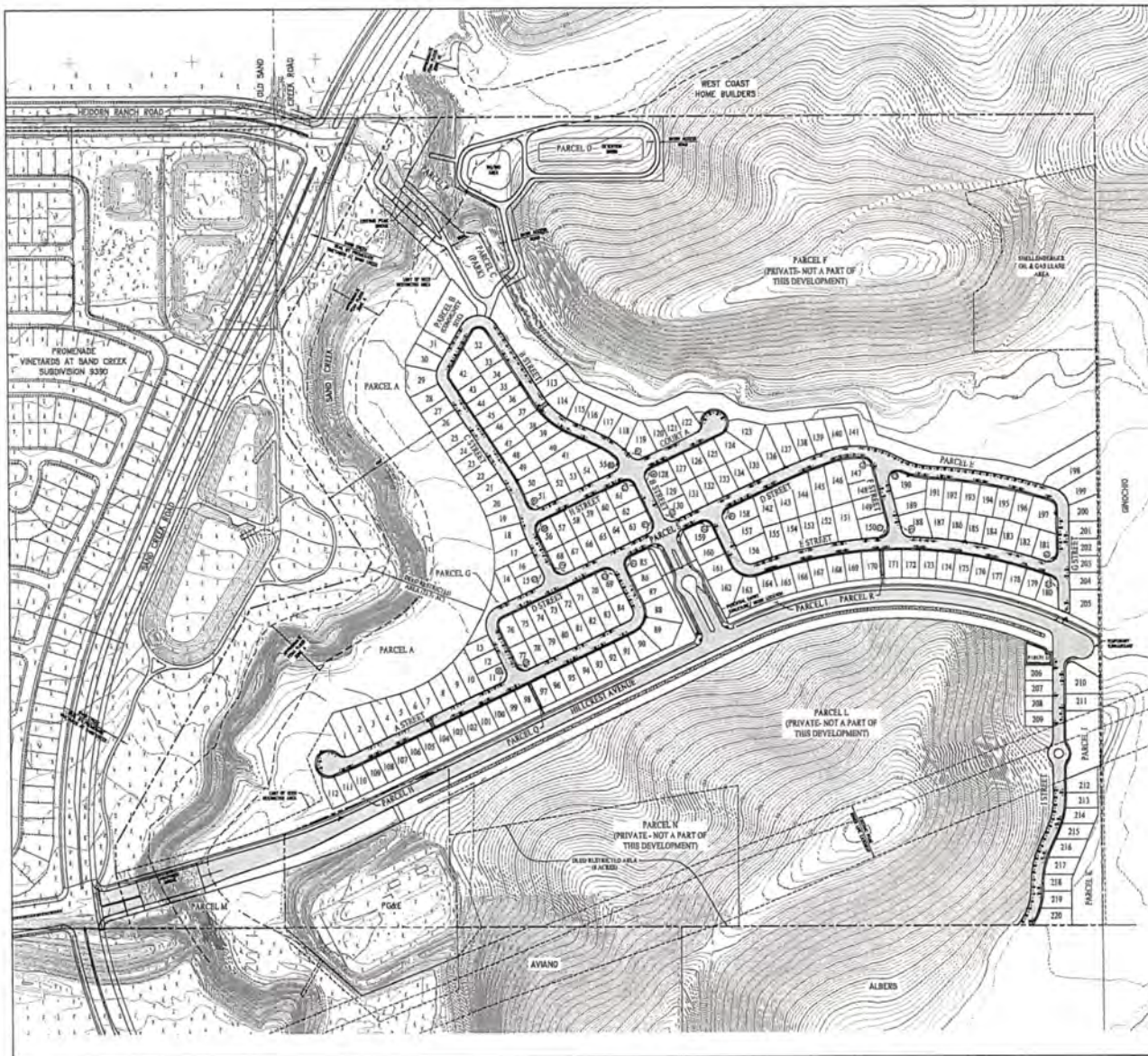

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH

EXHIBIT A

VESTING TENTATIVE SUBDIVISION MAP



TRAFFIC TYPE	ROAD WIDTH	NUMBER OF LANES	ROAD WIDTH	NUMBER OF LANES
LOCAL STREET	16' MIN.	2 LANES	16' MIN.	2 LANES
LOCAL STREET	16' MIN.	2 LANES	16' MIN.	2 LANES
LOCAL STREET	16' MIN.	2 LANES	16' MIN.	2 LANES
LOCAL STREET	16' MIN.	2 LANES	16' MIN.	2 LANES

VESTING TENTATIVE MAP
AND PARKING PLAN
CREEKSIDE
VINEYARDS AT SAND CREEK
SUBDIVISION 9501

CITY OF ANTONIO, CENTRA COSTA COUNTY, CALIFORNIA

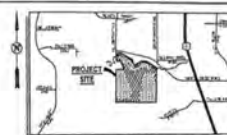
SCALE: 1" = 50'

DATE: DECEMBER 15, 2011

JOB NO: 17411

cbg

5





VICINITY MAP
1/4" = 1 MILE

LEGEND

- LINE OF PARCEL BOUNDARY
- PROPERTY BOUNDARY
- SUBDIVISION BOUNDARY
- DRAINAGE
- ① PARCEL NUMBER

VESTING TENTATIVE MAP AND LARGE LOT FINAL MAP
CREEKSIDE
 VINEYARDS AT SAND CREEK
 SUBDIVISION 9501

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

DATE: DECEMBER 11, 2014
 408 RD, STAY

EXHIBIT B
PHASING MAP

PHASING MAP CREEKSIDE

SCALE: 1" = 100'

DATE: DECEMBER 10, 2015

CITY OF ANIMCHI
CENTRAL COSTA COUNTY
CALIFORNIA

cbg

CIVIL ENGINEERING

PLANNING

DESIGN

CONSTRUCTION

LANDSCAPE ARCHITECTURE

WATER RESOURCES

TRANSPORTATION

ENVIRONMENTAL



EXHIBIT C
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

The Development Standards and Design Guideline booklet is available on the City of Antioch website at <https://www.antiochca.gov/fc/community-development/planning/ProjectDOCs/GP-19-06.pdf>.

EXHIBIT D

RESOURCE MANAGEMENT PLAN

DRAFT
RESOURCE MANAGEMENT PLAN
CREEKSIDE
CITY OF ANTIOCH, CALIFORNIA

August 14, 2020

Prepared for

GBN Partners, LLC
3820 Blackhawk Road
Danville, California 94506

Attention: Ms. Lisa Borba

Prepared by

Monk & Associates, Inc.
1136 Saranap Avenue, Suite Q
Walnut Creek, California 94595
Contact: Mr. Zach Stratton

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Figure 2. The Creekside Project Site Location Map.

Figure 3. Aerial photograph of the Creekside Project Site.

ATTACHMENTS

Attachment A. Biological Resources Analysis: Project Description Areas for Creekside, CBG,
November 7, 2019.

1. INTRODUCTION

The Resource Management Element of the City of Antioch's General Plan requires the preparation of a "Resource Management Plan" for properties located within the Sand Creek Focus Area. Specifically, the General Plan states: "Because of the sensitivity of the habitat areas within the Sand Creek Focus Area, and to provide for mitigation of biological resources impacts on lands in natural open space, as well as for the long-term management of natural open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to development of the Sand Creek Focus Area properties." (Section 4.0, Land Use, City of Antioch General Plan).

The purpose of the Resource Management Plan is to (1) determine the significance of the resources found onsite and their relationship to resources in the surrounding area; (2) define areas that should be maintained as open space, based on the significance of the onsite resources and their relationship to resources in the surrounding area; and (3) identify mechanisms to protect and manage open spaces. [City of Antioch General Plan, § 10.3.2e] The General Plan includes a "Framework Resources Management Plan" (Framework) [City of Antioch General Plan, Appendix A]. The Framework provides the criteria that subsequent Resource Management Plans should use to evaluate the significance of any onsite natural resources within the Sand Creek Focus Area, and their relationship to the surrounding area, and to determine the appropriate amount and type of mitigation for impacts to onsite natural resources.

The Framework takes a broad and integrated approach to natural resources within the Sand Creek Focus Area. The approach is based on three, specifically enumerated, principles of conservation biology, which this Resource Management Plan has employed. First, the onsite biological resources are considered in terms of their contribution to natural communities at a regional scale. Second, the framework utilizes the concept of landscape corridors to link existing areas of preserved habitat. Third, methods for minimizing and mitigating the adverse effects of development are addressed under the Framework. These three principles are addressed in this Resource Management Plan for the Creekside project, presented below.

2. PROPERTY LOCATION AND SETTING

The approximately 158.2-acre proposed project site, which is all of Assessor's Parcel Number (APN) 057-050-024, is located west of Highway 4 and south of Lone Tree Way in the City of Antioch, Contra Costa County, California (Figures 1 and 2). The Development Area is 58.9 acres onsite, and 1.9 acres offsite, with the remaining 97.5 acres remaining as private open space. The site is generally rectangular; however, the northern boundary is an irregular shape, following the alignment of Sand Creek. Sand Creek flows west to east adjacent to the northern boundary of the project site and eventually flows into Marsh Creek in the City of Brentwood. The project site has been dry-land farmed since the 1930s and consists primarily of non-native vegetation, although it is also subject to a number of energy and communication easements and is within the historical boundaries of the Brentwood Oil & Gas Field.

The project site is surrounded by undeveloped land to the east, south, and west. The northern boundary of the project site includes a 400-foot wide, 23.7-acre, "Sand Creek Buffer Area" that

includes a portion of Sand Creek and approximately 200 feet on either side of the creek's centerline. The area immediately west of the proposed development area includes approximately 8 acres that are subject to a deed restriction that generally prevents any future disturbance of this 8 acres (dedicated open space). The east side of the project site is also generally bordered by undeveloped land. Like the project site, the adjacent undeveloped areas are subject to numerous energy and communication easements and are within the historical boundaries of the Brentwood Oil & Gas Field. Currently, there is one active oil and gas lease area (the "Shellenberger Lease"), which is located near the project site's southeastern border. Old utility access roads and existing pipelines run below ground and cross Sand Creek.

The project site is located in an area of Antioch that is rapidly transitioning from agricultural uses to residential and commercial development. The parcel directly north of the project site is the Vineyards at Sand Creek/Promenade Project Site ("Promenade Project"), a 650-unit residential development that is currently under construction. The "Aviano Development Project," which is also currently under construction is located to the northwest of the project site. To the west is a PG&E facility and privately-owned land planned for future residential development in the City of Antioch's General Plan. Figures 2 and 3 provides an aerial photograph that shows the project site features and the surrounding land uses.

3. PROPOSED PROJECT

The Creekside Project is the second phase of the Vineyards at Sand Creek Residential Community (the first phase being the Promenade Project) and includes the development of approximately 220 single-family units on the approximately 58.6-acre project site. The project will include housing, landscaped areas, roadways, and utility improvements, as illustrated on the attached exhibit entitled: *Biological Resources Analysis: Project Description Areas for Creekside*, prepared by CBG, dated November 7, 2019 (Attachment A).

The main water quality detention basin area is proposed east of the residential area, adjacent to Sand Creek. Two detention basins will collect and treat stormwater for the majority of the residential development. Treated stormwater from these two basins will flow north into Sand Creek via an outfall structure constructed on the south side of the existing outfall facility previously constructed by the Promenade Project.

A second "clean water" outfall into Sand Creek is proposed adjacent to a southern extension of Hillcrest Avenue (bridge, roadway and utilities), north of the residential area. Natural drainage from the northern portion of the adjacent western hillslope will be collected and discharged via this outfall structure. A third "clean water" stormwater outfall (dispersal point) is proposed east of the residential area, at the far southern end of the project site. Natural drainage from the southern portion of the western hillslope will be collected, treated and dispersed.

Dry utilities and water lines will be installed within the proposed Hillcrest Avenue bridge to connect to utilities in Hillcrest Avenue. A second EVA/pedestrian bridge will be constructed adjacent to and 25-feet west of the existing PG&E bridge in the northeastern corner of the site; water, sewer, and dry utilities will be attached to that EVA/pedestrian bridge to connect with existing utilities in Heidorn Ranch Road.

This development also will require offsite grading on approximately 11 acres located adjacent to the project site (“Offsite Grading Areas”). The Offsite Grading Areas, shown on Attachment A, will be contoured and hydroseeded.

4. MITIGATION

The City’s Draft Environmental Impact Report for the Creekside/Vineyards at Sand Creek Project (EIR) (City of Antioch, July 2020) found the project will impact 60.7 acres that provide suitable habitat for special status species, and that the appropriate mitigation for these impacts is the preservation, at a minimum 1:1 ratio, of suitable offsite habitat or through the purchase of species mitigation credits or by participation in the East Contra Costa County Habitat Conservation Plan and Natural Communities Conservation Plan (HCP/NCCP) if available. As described in the City’s Draft EIR, the offsite habitat must provide certain habitat qualities, such as grasslands and proximity to occupied dispersal habitat or known breeding habitat. GBN Partners, LLC is currently evaluating potential mitigation property that will satisfy the EIR mitigation measures. Consistent with the EIR, an offsite mitigation site would need to be managed to benefit a complement of known locally occurring listed species, including California red-legged frogs (*Rana draytonii*), the California tiger salamander (*Ambystoma californiense*), and San Joaquin kit fox (*Vulpes macrotis*).

5. NATURAL COMMUNITIES

The Framework identifies four natural communities within the Sand Creek Focus Area that must be considered: (1) Grassland; (2) stream and riparian; (3) chaparral, scrub and rock outcrop; and (4) oak woodland and savannah. According to the Framework, these natural communities support “umbrella” and other special status species. The Framework addresses the relationship between these natural communities and the existing preserved lands located in regional proximity to the Focus Area. Resource Management Strategies for each of the natural communities are also addressed by the Framework. Each of the natural communities, their presence on the Creekside property, and the applicability of the Framework’s Resource Management Strategies are discussed below.

5.1 Grassland Community

The Framework defines grassland communities as areas that are vegetated by both annual and perennial grasses, with lesser amounts of forbs that are commonly used as rangeland. Grassland communities include areas that have been “lightly cultivated for dryland farming in some years, which retain key ecological characteristics of grassland under this use.” The Framework excludes areas “that have been intensively cultivated in most years” from grassland communities [City of Antioch General Plan, App. A, p.4]. In the east Contra Costa County area immediately surrounding the Focus Area, the Framework recognizes relatively narrow bands of grasslands that extend west from the Altamont Pass area to the southeast of the Focus Area, through the cities of Brentwood and Antioch, and along the north flank of Mt. Diablo and into East Bay Regional Park District (EBRPD) lands to the west of the Focus Area [City of Antioch General Plan, App. A, p.4].

Habitats and species the Framework typically associates with the grassland community include a small number of vernal pools (some with vernal pool fairy shrimp (*Branchinecta lynchi*)) located

in the eastern part of the Focus Area, San Joaquin kit fox, California tiger salamander, burrowing owl (*Athene cunicularia*), and Alameda whipsnake (*Masticophis lateralis euryxanthus*) (in grasslands within several hundred feet of chaparral, scrub and rock outcrops) [City of Antioch General Plan, App. A, pp. 5-7]. The San Joaquin kit fox and burrowing owl are considered “umbrella” species by the Framework, although the Framework recognizes that the Focus Area is at the northerly edge of the kit fox’s range and the kit fox’s presence within the Focus Area would only be on an irregular basis in very small numbers. The Framework describes the distribution of burrowing owls in and around the Focus Area as variable.

Significant areas of grasslands west, northwest and south of the Focus Area have been set aside in regional parks and permanent open spaces. The Framework recommends preserving grasslands in and around the Focus Area that are connected to these existing grasslands. Within the Focus Area, the Framework classifies strategic grassland communities that should be targeted for preservation. Grasslands east of Deer Valley Road (the Creekside project site is in this area) are classified as the least important for preservation, areas in the Lone Tree Valley between Deer Valley Road and Empire Mine Road have intermediate strategic value (where adjoining land uses are urban on one side), and areas west of Empire Mine Road and in Horse Valley have the highest strategic value (where adjoining parkland and open space are preserved for natural values) [City of Antioch General Plan, App. A, p.10]. Outside of the Focus Area, the Framework recommends closing the “gap” between Cowell Ranch and Black Diamond Mines Regional Preserve by preserving the grassland community within Horse Valley and Deer Valley, and lands between those two valleys [City of Antioch General Plan, App. A, p.10].

Consistent with these recommendations, the Framework identifies the following Resource Management Strategies for Grassland Corridors in the Focus Area [City of Antioch General Plan, App. A, p.11]:

- Designate a portion of the lands in the Focus Area adjacent to EBRPD (shown on Figure 8 of the Framework) preserved lands as natural open space.
- Designate the Horse Creek watershed portion (shown on Figure 8 of the Framework) of the Focus Area as natural Open Space.
- Provide incentives to preserve linkages and corridors between EBRPD lands and existing open grasslands to the south of the Focus Area.

5.1.1 GRASSLAND COMMUNITIES AT THE CREEKSIDE PROJECT SITE

The Creekside project site has been actively farmed for more than 80 years, and does not represent a true “grassland community” under the Framework. However, it has retained some ecological characteristics of a grassland community. Although the site has been disked routinely since the 1930s greatly reducing the probability of western burrowing owl to occur, the margins of the farmed areas of the project site provides suitable habitat conditions, albeit marginal habitat, for this owl.

The site also provides potential migration habitat for San Joaquin kit fox, although the site does not provide suitable sized burrows for denning, based on surveys conducted by M&A biologists.

The closest CNDDDB record for this species was recorded in the 1970s and is located 2.75 miles south of the project site (Occurrence No. 936). However, independently conducted surveys cited in *Relative Abundance of Endangered San Joaquin Kit Fox (Vulpes macrotis mutica) Based on Scat-Detection Dog Surveys* (Smith et. al. 2006) were unable to document presence of San Joaquin kit fox in Contra Costa County, suggesting that it is likely that San Joaquin kit fox is extirpated from Contra Costa County.

The closest record for California tiger salamander occurs 0.25- mile south of the project site (CNDDDB Occurrence No. 856). California tiger salamander larvae are recorded to occur in a pond at this location. There are eight additional California tiger salamander records known from within two miles of the project site. Regardless, the project site has been disked and farmed annually since the early 1930s. Ground squirrel control has been actively practiced on the project site for decades and accordingly, subterranean refugia available for California tiger salamander is rare, at best, in the vicinity of the project site. Due to an absence of suitable refugia on the farmed project site, it does not provide suitable over- summering upland habitat for California tiger salamander. In addition, the project site supports no potential (aquatic) breeding habitat that could be used by this salamander. As such, no suitable California tiger salamander breeding or over-summering habitat will be affected by the proposed project.

The closest record for Alameda whipsnake is located 3.5 miles west of the project site (CNDDDB Occurrence No.68). The project site does not provide "core habitat" for the Alameda whipsnake (i.e., there are no chaparral and coastal scrub communities within the project site), and the closest core habitat is located approximately 3 miles from the project site. As such, no suitable Alameda whipsnake habitat will be affected by the proposed project.

As the Creekside project site is not adjacent to EBRPD lands or other preserved open space areas, most of the Resource Management Strategies listed above do not apply to the project site. However, the project will preserve linkages and wildlife corridors; Sand Creek, located just north of the project site, provides a valuable wildlife corridor with suitable cover, foraging, water resources, and migration pathways that lead to other natural habitats. Wildlife corridors are linear and/or regional habitats that provide connectivity to other natural vegetation communities within a landscape fractured by urbanization and other development. Wildlife corridors have several functions: 1) they provide avenues along which wide-ranging animals can travel, migrate, and breed, allowing genetic interchange to occur; 2) populations can move in response to environmental changes and natural disasters; and 3) individuals can recolonize habitats from which populations have been locally extirpated (Beier and Loe 1992). All three of these functions can be met if both regional and local wildlife corridors are accessible to wildlife. Sand Creek provides a local wildlife corridor for common mammals and birds such as raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), gray fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), red-tailed hawk (*Buteo jamaicensis*), great horned owl (*Bubo virginianus*) and Nuttall's woodpecker (*Picoides nuttallii*) among many others. Medium and large mammal movements along this creek will remain unaffected by the proposed project. Also, the diverse riparian woodland provides important avian habitat that is used seasonally by migrant species and year-round by resident birds. The project as currently proposed would not adversely impact wildlife movement corridors.

5.2 Stream and Riparian Community

The Framework defines the stream and riparian community as areas where water flows in discrete paths, ranging from small swales to substantial streams. Within the Focus Area, this community comprises less than 2% of the landscape, but is widely distributed [City of Antioch General Plan, App. A, p.7]. The stream and riparian community in the Focus Area flows from west to east, and drains to watersheds located outside of the Focus Area. Sand Creek is the primary stream community, and a portion of upper Horse Valley Creek is located in the southern extension of the Focus Area. The stream and riparian community within the Focus Area does not provide a key linkage and movement corridor for many species, but the California red-legged frog is identified as a species associated with the Focus Area's riparian community. [City of Antioch General Plan, App. A, pp.7-8].

The Resource Management Strategies for stream and riparian communities within the Framework recommends an open space corridor on both sides of Sand Creek, within which no grading or other development would occur [City of Antioch General Plan, App. A, p.14]. The Framework does not require complete avoidance of the creek or specify the size of the open space corridor, but it does suggest evaluating whether the General Plan's recommended 250 foot creek corridor (roughly 125 feet on either side of the creek centerline) is sufficient to buffer the creek from any adjoining golf and residential development.

5.2.1 STREAM AND RIPARIAN COMMUNITIES AT THE CREEKSIDE PROJECT SITE

Sand Creek flows west to east just north of the project site boundary. The creek receives urban runoff from developments to the northwest, and from a larger as yet undeveloped watershed further to the northwest. The average distance between ordinary high water marks (OHWM) in Sand Creek is 12 feet and it is approximately 70 to 150 feet wide between the top-of-banks. Sand Creek is incised approximately 20 feet down below the existing grade of the project site; it has steeply-sloped banks and a flood plain terrace near the top of banks on each side of the thalweg. Scattered riparian woodland is associated with Sand Creek. Tree species found in the riparian woodland along Sand Creek include valley oak (*Quercus lobata*), California buckeye (*Aesculus californica*), bluegum eucalyptus (*Eucalyptus globulus*), arroyo willow (*Salix lasiolepis*), and big-leaf maple (*Acer macrophyllum*). The open non-canopied habitats within Sand Creek allow for localized occurrences of herbaceous and shrubby understories. California rose (*Rosa californica*) grows in dense thickets along portions of the creek, while sneezeweed (*Helenium puberulum*), California sagebrush (*Artemisia californica*), California mugwort (*Artemisia douglasiana*), and white sweetclover (*Melilotus albus*) are scattered along the creek banks and at the water line. Annual beardgrass (*Polypogon monspeliensis*), cattails (*Typha latifolia*), brown-headed rush (*Juncus phaeocephalus* ssp. *paniculatus*), Baltic rush (*Juncus balticus* ssp. *ater*) and water cress (*Nasturtium officinale*) grow in scattered locations in the creek channel as well.

The closest known CNDDDB record of California red-legged frog is 0.70-mile west of the project site within Sand Creek (CNDDDB Occurrence No. 933). In addition, there are three additional CNDDDB records of this frog within 2 miles of the project site. Consequently, Sand Creek is regarded as occupied, and the lands adjacent to the creek including the project site constitute potential upland dispersal habitat for this frog.

The project as currently proposed would not adversely impact wildlife movement corridors since the Creekside Project will remain outside of a 400-ft wide (23.7-acre) Sand Creek Buffer Area that is subject to an existing deed restriction that will preserve the Buffer Area in its existing undeveloped condition. The two outfall structures and the two clear span bridges over Sand Creek will not impact the value of this wildlife corridor.

5.3 Chaparral, Scrub and Rock Outcrop Community

According to the Framework, the chaparral, scrub and rock outcrop community occurs on thin-soiled areas that may contain chaparral, grasses, and broadleaved herbs, or may support minimal vegetation [City of Antioch General Plan, App. A, p.8]. The rock outcrop community is generally limited to ridgetops, and excludes grassland and oak woodland or savannah on deeper soils. Within the Focus Area, this community is found primarily in the western part of the Focus Area, and otherwise extends eastward only on the ridges on either side of Sand Creek. The Framework associates the Alameda whipsnake with this community, in the southwestern part of the Focus Area [City of Antioch General Plan, App. A, p.8].

5.3.1 CHAPARRAL, SCRUB AND ROCK OUTCROP COMMUNITIES AT THE CREEKSIDE PROJECT SITE

The project site does not support a chaparral, scrub or rock outcrop community.

5.4 Oak Woodland and Savannah Community

The Framework defines the oak woodland and savannah community as typified by one or more species of oaks, and generally located on moist north-facing slopes [City of Antioch General Plan, App. A, p.9]. Non-native trees and vegetation, such as eucalyptus trees are excluded from the community by the Framework. No sensitive species are associated with the oak woodland and savannah community within the Focus Area.

5.4.1 OAK WOODLAND AND SAVANNAH COMMUNITIES AT THE CREEKSIDE PROJECT SITE

There are a number of eucalyptus and other non-native trees on the project site. Scattered riparian woodland is associated with Sand Creek, an intermittent creek that runs west to east along the northern project site's border. Tree species found in the riparian woodland along Sand Creek include valley oak (*Quercus lobata*) trees, among other riparian species. However, there are no oaks on the site, and it does not support an oak woodland and savannah community.

6. MITIGATION FOR IMPACTS TO NATURAL COMMUNITIES

As described in the Framework, impacts to natural communities and their associated special status species from development within the Sand Creek Focus Area is unavoidable [City of Antioch General Plan, App. A, p.11]. However, the magnitude or intensity of the impact from development within the Focus Area is not uniform across the Focus Area. The Framework designates the land within the Focus Area into one of three "Impact Zones" (Zone 1, Zone 2, Zone 3) [City of Antioch General Plan, App. A, pp. 13, and shown on Figure 9 of the Framework].

The Framework recommends in-kind mitigation, with a minimum 1:1 mitigation ratio. By way of example, the Framework explains that mitigation for impacts to California tiger salamander breeding and over-summering habitat "would be required to preserve grassland habitats that

Resource Management Plan
Creekside Project

support conditions for the tiger salamander in an amount that is equal to or greater than the acreage of the impacted site. Conversely, if the tiger salamander was absent from that site, the preservation lands would not need to contain the specific habitat values for this species” [City of Antioch General Plan, App. A, p.3].

The Framework also recognizes the value of preserving higher quality habitat. Zone 3 lands will generally require the most mitigation, and similarly, the preservation of Zone 3 lands will be given additional mitigation credit, or value, and less mitigation may be required to encourage the preservation of Zone 3 habitats.

These mitigation goals are reflected in the Framework’s Resource Management Strategies for Key Grassland Sensitive Resources in the Focus Area [City of Antioch General Plan, App. A, p.12] which encourage:

- Sufficient mitigation for impacts resulting from individual development proposals to adequately protect the habitat of key grassland sensitive resources.
- Carefully tailored mitigation to reflect the relative importance of the specific lands proposed for development.
- Incentives to encourage the purchase of mitigation lands in those areas deemed to be of greater strategic importance to maintaining the integrity of the grassland resources in the region.

The Resource Management Strategies for the Stream and Riparian Community encourage off-site compensatory mitigation for impacts to Sand Creek, particularly on lands designated for grassland community mitigation [City of Antioch General Plan, App. A, p.14].

The Creekside project site is designated as Impact Zone 1, which generally requires the least mitigation (1:1 in-kind mitigation). As described above, the proposed project will impact approximately 60 acres of marginal grassland community ecological characteristics, but nonetheless does provide suitable upland dispersal habitat for the California red-legged frog, suitable habitat for California tiger salamander, and potential migration habitat for the San Joaquin kit fox.

Under the Framework, mitigation for the project’s permanent impacts to grasslands should consist of approximately 60.7 acres of land of the same ecological value.

In accordance with the EIR, the project will preserve ecologically suitable mitigation property, at a minimum 1:1 ratio, or secure habitat mitigation credits or participate in the HCP/NCCP if available, prior to the start of construction. The mitigation site will be managed to benefit a complement of known locally occurring listed species, including California red-legged frogs, the California tiger salamander, and San Joaquin kit fox.

7. MANAGEMENT OF PRESERVED LANDS

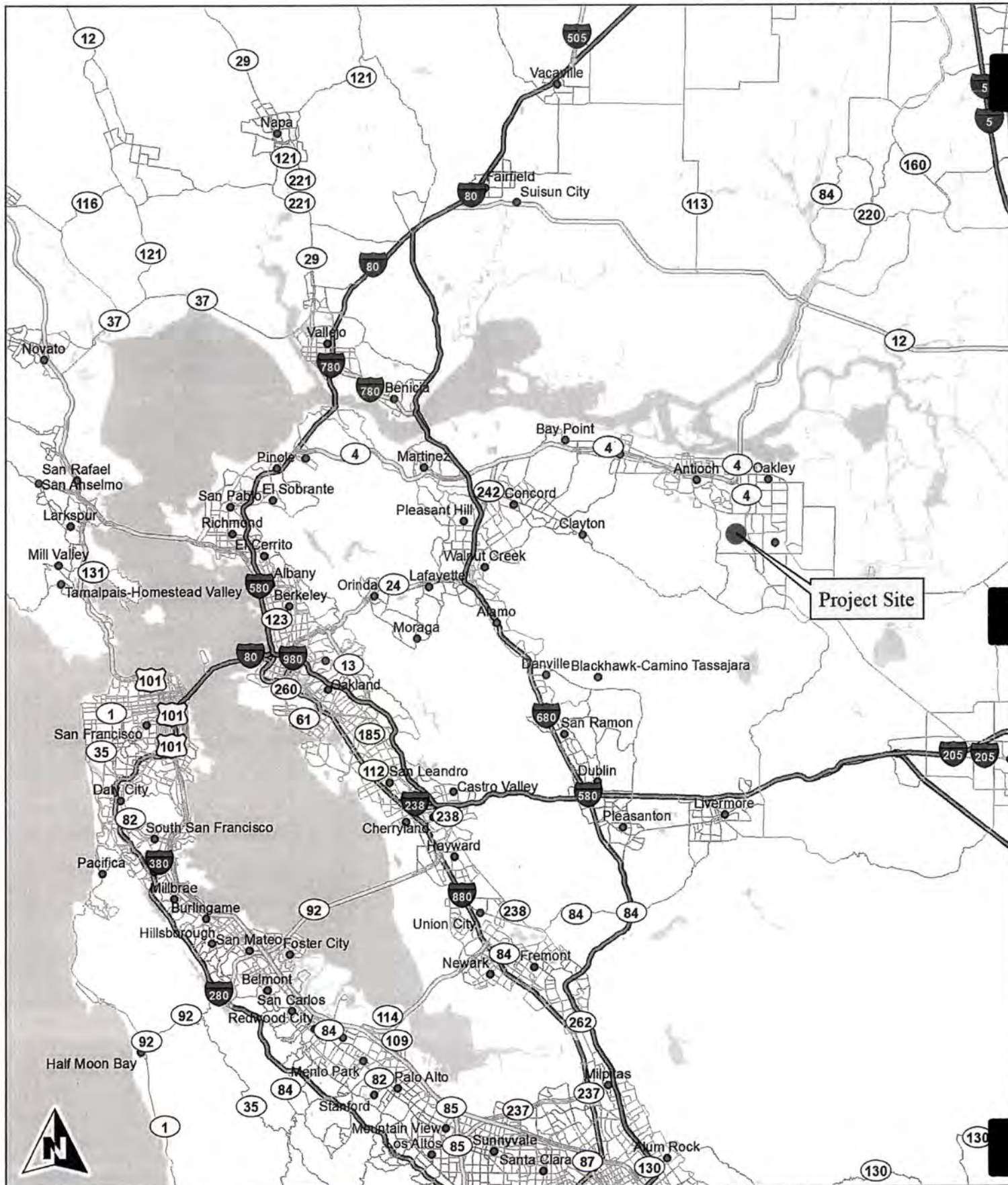
Once lands have been identified for preservation, the Framework recommends preparing a site-specific management plan that addresses the site's key sensitive species, permitted activities (e.g., cattle grazing, new trails in the future), grazing management (if applicable), activities that will not be permitted on the site (such as use of rodenticide, dicing, recreational activities that would require substantial alteration of the habitat, etc.), and the funding mechanism (such as an endowment) to pay for the site's long-term management.

The EIR is consistent with this recommendation, and if mitigation credits are not used, a conservation easement granted to a qualified conservation organization will be recorded over suitable mitigation property, a habitat management plan will be prepared and submitted to the City, and an endowment will be established to pay for the long-term management, maintenance, and monitoring of the mitigation site as described in the City's EIR. Management and monitoring within the mitigation site is likely to include invasive species monitoring (only those species categorized as "high" invasiveness by CAL-IPC) and vegetation management to control such invasive species, grazing to manage vegetation height and abundance, trash removal, fencing maintenance, and special-status species surveys. The habitat management plan will specify the habitat objectives the plan is intended to achieve, a monitoring schedule, the contents and frequency of any monitoring reports. Allowed and prohibited uses, such as when and where the application of pesticides is permitted and prohibited, areas where grazing is not permitted, and other site-specific actions will be addressed in the plan, and in the conservation easement. The conservation easement will also address prohibited activities, such as, commercial or industrial uses, construction and other ground disturbing activities, mining activities, subdivision of the site, removing vegetation other than for habitat management purposes, and most recreational or agricultural activities.

The plan will include sufficient information to determine the cost of implementing the short-term and long-term management and monitoring actions. The project proponent will establish an operational, non-wasting endowment that will provide the Grantee, or other approved land manager with sufficient funds for implementing the plan.

8. LITERATURE CITED

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Figure 1. Creekside Project Site
Regional Map
Antioch, California

County: Contra Costa
Map Preparation Date: September 30, 2019



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Figure 2. Creekside Project Site
Location Map
Antioch, California

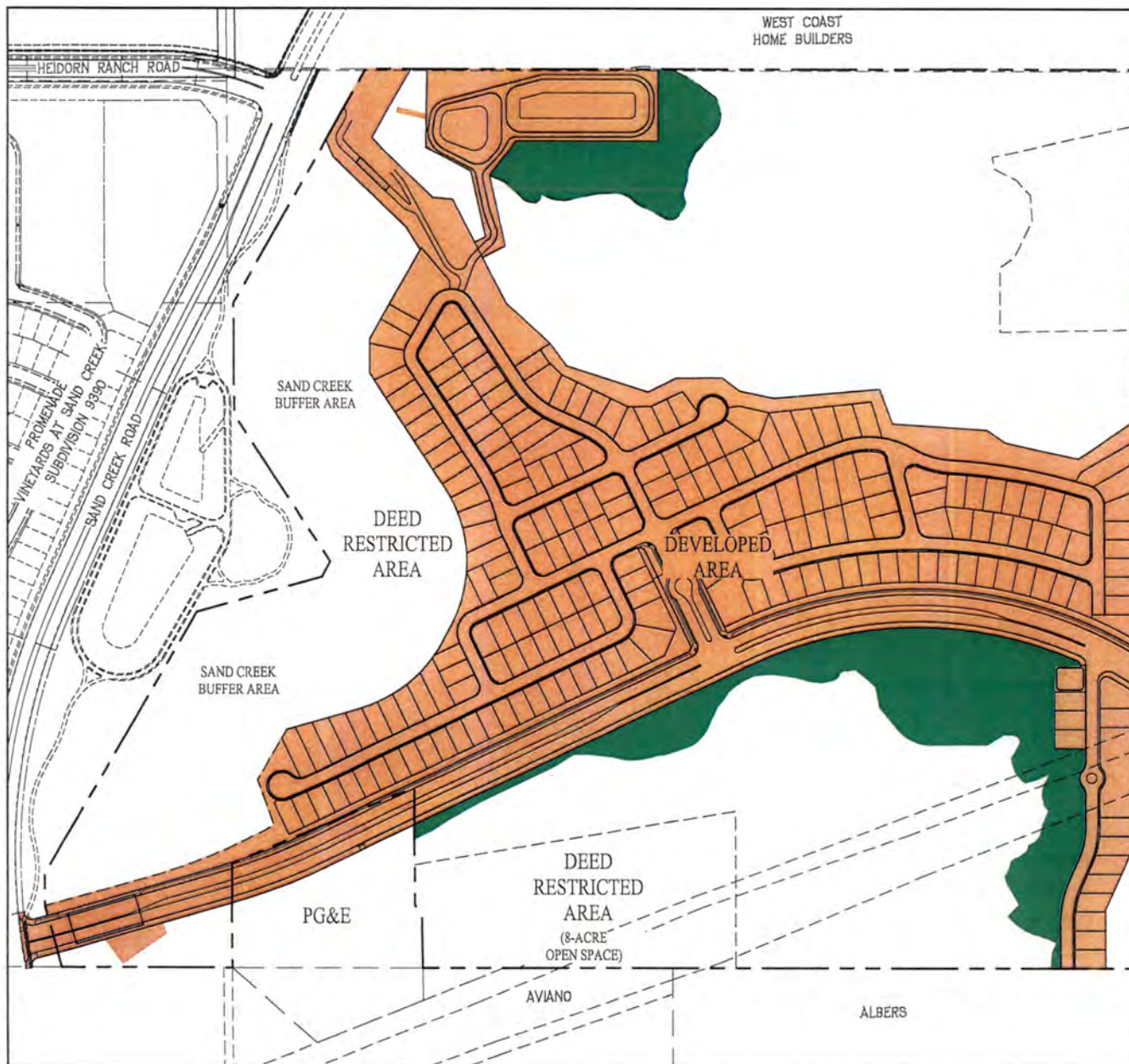
37.943112 -121.755134
7.5-Minute Antioch South quadrangle
Section 9: T1N R2E
Aerial Photograph Source: ESRI
Map Preparation Date: October 28, 2019



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Figure 3. Aerial Photograph of the
Creekside Project Site
Antioch, California

Aerial Photograph Source: ESRI
Map Preparation Date: October 28, 2019



LEGEND

	OFFSITE (NO IMPACT)	(58.3 AC)
	OFFSITE GRADING/TEMPORARY IMPACT	(11.0± AC)
	DEED RESTRICTED AREA	(31.7± AC)
	DEVELOPED AREA	(58.6± AC)

BIOLOGICAL RESOURCES ANALYSIS: PROJECT DESCRIPTION AREAS CREEKSIDE

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

DATE: NOVEMBER 7, 2019 SCALE: 1"=300'



cbg

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ATTACHMENT C
EXTENSION REQUEST LETTER

GBN PARTNERS, LLC
3820 Blackhawk Road
Danville, CA 94506

September 14, 2022

Anne Hersch
Planning Manager
City of Antioch
P.O. Box 5007
Antioch, CA 94531-5007

RE: REQUEST EXTENSION OF SUBDIVISION 9501 AND DESIGN REVIEW APPROVALS

Dear Anne,

This letter serves as a request for a two-year extension of Vesting Tentative Subdivision Map 9501 ("VTSM 9501") and Design Review for the Creekside/Vineyards at Sand Creek Property Site. As you may know, we have been diligently processing environmental permits for this subdivision over the course of this past two years through the United States Army Corps of Engineers and the California Department of Fish and Wildlife, among other agencies. As a result of this process, we have incurred delays that have taken us nearly to the expiration date of VTSM 9501 necessitating this request for an extension.

Should you have any questions or require additional information, please let me know. Thank you.

Sincerely,



Earl Callison

ATTACHMENT D

DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

The Development Standards and Design Guideline booklet is available copying the following link:

<https://www.antiochca.gov/fc/community-development/planning/ProjectDOCs/GP-19-06.pdf>
