

## AGENDA

### CITY OF ANTIOCH ZONING ADMINISTRATOR

THURSDAY, DECEMBER 11, 2014  
3:00 P.M.

#### REGULAR MEETING

ANTIOCH CITY COUNCIL CHAMBERS  
THIRD & "H" STREETS

#### APPEAL

All items that can be appealed under Section 9-5.2705 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 PM on **MONDAY, DECEMBER 22, 2014**.

#### PUBLIC COMMENTS

#### NEW PUBLIC HEARING

1. **UP-11-08 – Satellite Housing Inc.** requests approval of a two year extension to the expiration date of the City Council Resolution (2011/77) approving a senior housing overlay district with a density bonus, an exception on the parking ratio, use permit, and a variance for covered parking for an 85 unit affordable senior housing development. The project is located on the southeast corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062).

#### ORAL COMMUNICATIONS

STAFF REPORT



#### WRITTEN COMMUNICATIONS

#### ADJOURNMENT

#### Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Zoning Administrator. For almost every agenda item, materials have been prepared by the City staff for the Zoning Administrator's consideration. These materials include staff reports which explain in detail the item before the Zoning Administrator and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2<sup>nd</sup> floor of City Hall, 3<sup>rd</sup> and H Streets, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**STAFF REPORT TO THE ZONING ADMINISTRATOR  
FOR CONSIDERATION AT THE MEETING OF DECEMBER 11, 2014**

**Prepared by:** Alexis Morris, Associate Planner   
**Approved by:** Mindy Gentry, Senior Planner   
**Date:** December 4, 2014  
**Subject:** UP-11-08/AR-11-05 –Extension to the Expiration of the City Council Resolution 2011/77 for the Tabora Gardens Senior Housing Project

**RECOMMENDATION**

It is recommended that the Zoning Administrator APPROVE an amendment of condition of approval number 3 of City Council Resolution 2011/77 to extend the approvals of the Tabora Gardens project.

**REQUEST**

Satellite Housing Inc. requests an amendment to condition of approval number 3 of the City Council Resolution (2011/77) pertaining to the expiration date of entitlements for an 85 unit affordable senior housing development named Tabora Gardens. The project is located on the southeast corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062).

**ENVIRONMENTAL**

The project is Categorically Exempt from the provisions of CEQA, pursuant to CEQA Guideline sections 15194 – Affordable Housing Exemption and 15195 – Residential Infill Exemption, which exempts certain affordable housing and residential infill projects.

**BACKGROUND**

On November 8, 2011, the City Council approved a senior housing overlay district with a density bonus, an exception to the parking ratio, a use permit, and a variance for covered parking for the Tabora Gardens project. Condition of approval number 3 in City Council Resolution 2011/77 states that project approvals expire within two years of approval unless acted upon or unless an extension is granted by the Zoning Administrator (Attachment B). The condition also states that only one, one-year extension is allowed. The project was granted a one-year extension by the Zoning Administrator on October 31, 2013, which expired on November 8, 2014 (Attachment C).

The applicant is still trying to secure funding for their project and therefore has not been able to act upon the original approvals and is requesting more time to do so. Because a one year extension has been granted already, a new public hearing and Zoning Administrator approval is required to obtain any further extensions of the City Council approval.

Obtaining funding for affordable housing projects can be a complex and time consuming process. Therefore, staff recommends that the Zoning Administrator grant a two-year extension to November 8, 2016 in order to provide enough time for the applicant to obtain the necessary funding for the project. If the extension is not granted, then the project approvals are expired and City Council approval of a new development application will be required to develop the project.

### **ATTACHMENTS**

- A: Aerial Map
- B: City Council Resolution 2011/77
- C. October 31, 2013 Zoning Administrator Letter

**CITY OF ANTIOCH ZONING ADMINISTRATOR  
RESOLUTION NO. 2014-\*\***

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ANTIOCH  
APPROVING AN AMENDMENT TO CONDITION OF APPROVAL NUMBER 3 OF  
CITY COUNCIL RESOLUTION 2011/77**

**WHEREAS**, the City of Antioch has received a request from Satellite Housing Inc. for an amendment to condition of approval number 3 of City Council Resolution 2011/77 to extend the expiration date of a senior housing overlay district with a density bonus, an exception to the parking ratio, use permit, and variance for covered parking for the Tabora Gardens project. The project is located on the southeast corner of James Donlon Boulevard and Tabora Drive (APN 072-011-062) (UP-11-08, AR-11-05); and

**WHEREAS**, pursuant to the California Environmental Quality Act and City implementing procedures, the project has been deemed categorically exempt pursuant to Section 15194 – Affordable Housing Exemption and Section 15195 – Residential Infill Exemption; and

**WHEREAS**, on April 27, 2010, the City Council adopted a resolution for a Substantial Amendment to the CDBG Action Plan for the 2009-2010 program year for the purpose of allocating \$4.04 million in Neighborhood Stabilization Program (NSP) funds. As part of the Substantial Amendment the City Council approved \$1,983,755 to Satellite Housing, Inc for the development of Tabora Gardens; and

**WHEREAS**, on May 10, 2011, the Antioch Development Agency awarded Satellite Housing, Inc. a \$300,000 loan of Housing Set-Aside funds for preconstruction, site acquisition, and construction; and

**WHEREAS**, on September 21, 2011, the Planning Commission duly held a public hearing and recommended to the City Council approval of a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior attached units, and a variance from providing covered parking. The Planning Commission took no action on the design; and

**WHEREAS**, on November 8, 2011, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

**WHEREAS**, the City Council was able to make all of the required findings for approval of a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior attached units, and a variance from providing covered parking; and

**WHEREAS**, on October 31, 2013, the Zoning Administrator approved a one-year extension of the project approvals to November 8, 2014; and

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

**WHEREAS**, on December 11, 2014, the Zoning Administrator duly held a public hearing, received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED**, that the Zoning Administrator can still make the following required findings for approval of a Use Permit:

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

The 85 affordable senior attached units will not be detrimental to the public health or welfare or injurious to the property or improvements because the property is zoned for the proposed use. The goal of the City is to provide affordable housing to seniors and the density bonus can be used with multifamily zoning without it being detrimental to the public health or welfare or injurious to the property. The property will improve as it is currently subject to illicit activities and illegal dumping.

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

The site is zoned High Density Residential (R-20) and per the Municipal Code, multifamily developments with density bonuses are allowed.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate an 85 unit development. The buildings and site proposes yards, fences, parking, loading and landscaping similar to other features in the neighborhood.

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

The site is located on Tabora Drive and James Donlon Boulevard, which are adequate in width and pavement type to carry the traffic generated by the use. James Donlon Boulevard is a two lane arterial and Tabora Drive is a local street and both are built to City standard.

5. That the granting of such use permit will not adversely affect the comprehensive

General Plan.

The use is a multifamily affordable senior housing development and will not adversely affect the comprehensive General Plan as it is a High Density Residential use which is the General Plan designation.

**BE IT FURTHER RESOLVED** that the Zoning Administrator can still make the following findings for approval of a variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

The applicant is proposing an affordable senior housing project and will be utilizing financing awarded by the government, as well as tax credits. This project is not a market rate project, therefore does not necessarily have the construction budget comparable to similar market rate projects in the same zone or vicinity. The Antioch Municipal Code allows for flexibility in development standards for senior affordable housing in order to implement the City's General Plan policies and goals and State Density Bonus Law. Furthermore, the project has a reduced parking ratio due to the demographics of the proposed occupants, which was a determination of the parking generation study.

2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The granting of this variance will not be materially detrimental to the public health or welfare or injurious to the property. The property is expected to have a smaller ratio of tenants to vehicles and a lack of covered parking will not be detrimental to the public health or to the property. The property has a covered pick up and drop off area at the main entrance to the project. The other proposed amenities in place of carports will enhance the property and the resident's living space and will therefore not be materially detrimental.

3. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.

The subject site is adjacent to other residential uses; however, these are all market rate projects. The project is proposed to be built as an affordable

senior housing project; therefore it does not have the same budget as a market rate project and the strict application of the zoning provisions would deprive the project of other onsite amenities. The project does provide a covered pick up and drop off area at the main entry for the residents. Furthermore, the Antioch Municipal Code has a provision of flexible development standards for senior affordable housing in order to implement the City's General Plan policies and goals as well as State Density Bonus Law.

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

The granting of the variance will not adversely affect the General Plan as the proposed project complies with the overall goals and policies of the General Plan. The General Plan encourages affordable senior housing as one of its goals and policies. The variance will also not change the use of the site as it remains residential.

**NOW THEREFORE BE IT RESOLVED** that the Zoning Administrator of the City of Antioch does hereby **APPROVE** an amendment to condition of approval number 3 of City Council Resolution 2011/77 to extend the expiration date of a senior housing overlay district with a density bonus, an exception to the parking ratio, use permit, and variance for covered parking for the Tabora Gardens project until November 8, 2016.

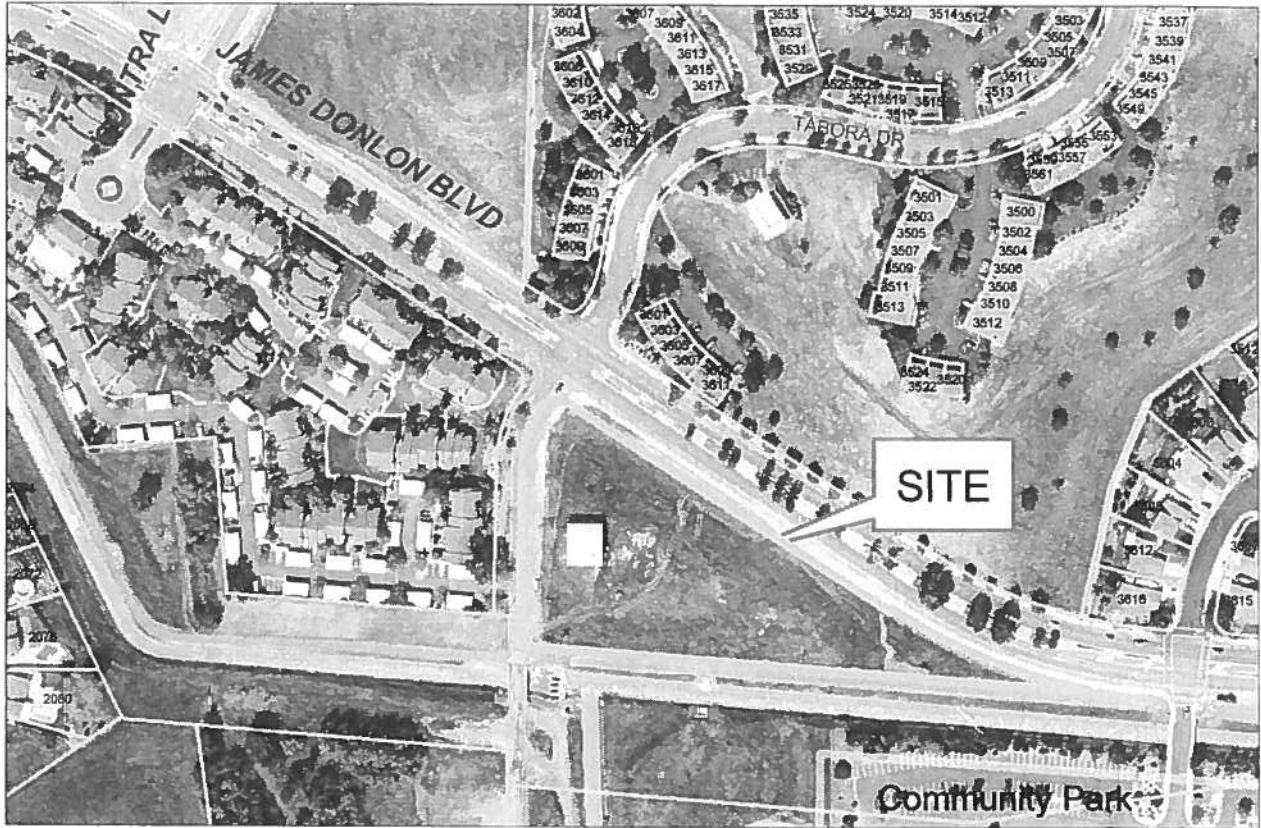
\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the Zoning Administrator of the City of Antioch, County of Contra Costa, State of California at a regular meeting of said Zoning Administrator held on the 11th day of December, 2014.

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Tina Wehrmeister,  
Secretary to the Zoning Administrator

ATTACHMENT "A"





## ATTACHMENT "B"

### RESOLUTION NO. 2011/77

#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING A SENIOR HOUSING OVERLAY DISTRICT WITH A DENSITY BONUS, AN EXCEPTION ON THE PARKING RATIO, USE PERMIT, AND A VARIANCE FOR COVERED PARKING FOR AN 85 UNIT AFFORDABLE SENIOR HOUSING DEVELOPMENT

**WHEREAS**, the City of Antioch did receive a request from Satellite Housing, Inc., for approval of a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior attached units, and a variance from providing covered parking. The project is located on the southeast corner of James Donlon Boulevard and Tabora Drive (APN: 072-011-062); and,

**WHEREAS**, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline sections 15194 – Affordable Housing Exemption and 15195 – Residential Infill Exemption; and

**WHEREAS**, on April 27, 2010, the City Council adopted a resolution for a Substantial Amendment to the CDBG Action Plan for the 2009-2010 program year for the purpose of allocating \$4.04 million in Neighborhood Stabilization Program (NSP) funds. As part of the Substantial Amendment the City Council approved \$1,983,755 to Satellite Housing, Inc for the development of Tabora Gardens; and

**WHEREAS**, on May 10, 2011, the Antioch Development Agency awarded Satellite Housing, Inc. a \$300,000 loan of Housing Set-Aside funds for preconstruction, site acquisition, and construction; and

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

**WHEREAS**, on September 7, 2011, the Planning Commission duly held a public hearing, received, and considered evidence, both oral and documentary and continued the 85 unit senior affordable housing development; and

**WHEREAS**, on September 21, 2011, the Planning Commission recommended to the City Council approval of a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior attached units, and a variance from providing covered parking. The Planning Commission took no action on the design; and

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

**WHEREAS**, on November 8, 2011, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED**, that the City Council makes the following required findings for approval of a Use Permit:

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

The 85 affordable senior attached units will not be detrimental to the public health or welfare or injurious to the property or improvements because the property is zoned for the proposed use. The goal of the City is to provide affordable housing to seniors and the density bonus can be used with multifamily zoning without it being detrimental to the public health or welfare or injurious to the property. The property will improve as it is currently subject to illicit activities and illegal dumping.

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

The site is zoned High Density Residential (R-20) and per the Municipal Code, multifamily developments with density bonuses are allowed.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is adequate in size and shape to accommodate an 85 unit development. The buildings and site proposes yards, fences, parking, loading and landscaping similar to other features in the neighborhood.

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

The site is located on Tabora Drive and James Donlon Boulevard, which are adequate in width and pavement type to carry the traffic generated by the use. James Donlon Boulevard is a two lane arterial and Tabora Drive is a local street and both are built to City standard.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The use is a multifamily affordable senior housing development and will not adversely affect the comprehensive General Plan as it is a High Density Residential use which is the General Plan designation.

**BE IT FURTHER RESOLVED** that the City Council makes the following findings for approval of a variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

The applicant is proposing an affordable senior housing project and will be utilizing financing awarded by the government, as well as tax credits. This project is not a market rate project, therefore does not necessarily have the construction budget comparable to similar market rate projects in the same zone or vicinity. The Antioch Municipal Code allows for flexibility in development standards for senior affordable

housing in order to implement the City's General Plan policies and goals and State Density Bonus Law. Furthermore, the project has a reduced parking ratio due to the demographics of the proposed occupants, which was a determination of the parking generation study.

2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The granting of this variance will not be materially detrimental to the public health or welfare or injurious to the property. The property is expected to have a smaller ratio of tenants to vehicles and a lack of covered parking will not be detrimental to the public health or to the property. The property has a covered pick up and drop off area at the main entrance to the project. The other proposed amenities in place of carports will enhance the property and the resident's living space and will therefore not be materially detrimental.

3. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.

The subject site is adjacent to other residential uses; however, these are all market rate projects. The project is proposed to be built as an affordable senior housing project; therefore it does not have the same budget as a market rate project and the strict application of the zoning provisions would deprive the project of other onsite amenities. The project does provide a covered pick up and drop off area at the main entry for the residents. Furthermore, the Antioch Municipal Code has a provision of flexible development standards for senior affordable housing in order to implement the City's General Plan policies and goals as well as State Density Bonus Law.

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

The granting of the variance will not adversely affect the General Plan as the proposed project complies with the overall goals and policies of the General Plan. The General Plan encourages affordable senior housing as one of its goals and policies. The variance will also not change the use of the site as it remains residential.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Antioch does hereby **APPROVE** UP-11-08, V-11-04, a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior attached units, and a variance from providing covered parking on an approximately 3.3 acre parcel located at the intersection of James Donlon Boulevard and Tabora Drive (APN: 072-011-062), subject to the following conditions:

**STANDARD CONDITIONS**

1. That the project shall comply with Antioch Municipal Code.

2. Conditions required by the City Council, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the City Council and the standards of the City.
3. This approval expires two years from the date of approval (Expires November 8, 2013), 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. City Staff shall inspect the site for compliance with conditions of approval prior to final building inspection.
5. Any required easements or rights-of-way for off-site improvements shall be obtained by the developer, at no cost to the City of Antioch.
6. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.
7. This approval supersedes previous approvals that have been granted for this site.
8. The applicant shall obtain an encroachment permit for all work done within the public right-of-way.
9. The use of construction equipment shall be restricted to weekdays between the hours of 8:00 a.m. and 5:00 p.m., or as approved by the City Engineer.
10. Any revisions to the building exterior materials, paint colors, and/or overall color scheme shall require a new application and shall be subject to design review approval.
11. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.
12. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.
13. A reduced backflow prevention device shall be installed on all City water meter services.
14. Reduced pressure backflows, water meters, and double detector check backflows shall be enclosed within an easement granted to the City at no cost to the City.
15. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities.

16. The project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and demolition debris recycling.
17. All elevations shown on the improvement and grading plans shall be on the USGS 1929 sea level datum.
18. A trash enclosure shall be provided to screen dumpsters from public view. Trash enclosures shall be designed to accommodate recycling containers. The interior floor shall be sloped to a centralized floor drain and plumbed to the sanitary sewer system. The location and design of trash enclosures shall be subject to City staff approval and the trash enclosures shall not be located within any easement areas.
19. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement and shall enter into an agreement to effectuate this condition of approval as required by the City.
20. Street lighting shall be provided in accordance with the Antioch Municipal Code.
21. The developer shall provide adequate water pressure and volume to serve this development, as approved by the City Engineer.

Fees:

22. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
23. The developer pays all fees required by the City Council at the time of building permit issuance.
24. The developer shall pay any required East Contra Costa Regional Traffic Mitigation fees prior to receiving a building permit for structures within this development.
25. The developer shall pay any required Drainage Area fees prior to the issuance of any building permits for this project.
26. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.
27. The developer shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of permit issuance.

NPDES / Conservation:

28. That the project shall comply with all Federal, State and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to Provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how

compliance will be achieved. The SWCP shall be created following the latest version of the Contra Costa Clean Water Program C.3 Guidebook (<http://www.cccleanwater.org/c3-guidebook.html>). The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record a maintenance agreement with the City that pertains to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

29. That the following requirements of the Federally mandated NPDES program be complied with, or as required by the City Engineer:
- a) That an application for a State of California "General Construction Activity Storm Water Permit" be submitted to the Regional Resources Control Board, and a copy of the Notice of Intent be submitted to the City, prior to any construction activity on this site;
  - b) Limiting construction access routes and stabilizing access points;
  - c) Stabilizing areas denuded due to construction (prior to wet season, October 1 through May 1) by using suitable practices including, but not limited to, temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, protection of trees, plastic covering, application of ground base on areas to be paved;
  - d) Protecting adjacent properties by appropriate use of vegetative buffer strips, sediment barriers or filters, dikes or mulching, or by a combination of these measures or other appropriate measures;
  - e) Delineating clearing limits, easements, setbacks, sensitive or critical areas and their buffers, trees and drainage courses by marking them in the field;
  - f) Stabilizing and preventing erosion from temporary conveyance channels and outlets;
  - g) Using sediment controls and filtration to remove sediment from water generated by dewatering;
  - h) Using proper construction materials and construction waste storage, handling and disposal practices;
  - i) Using proper vehicle and equipment cleaning, fueling and maintenance practices;
  - j) Controlling and preventing discharge of all potential pollutants, including but not limited to, pesticides, petroleum products, nutrients, solid wastes, and construction chemicals, that occur on site during construction;

- k) Preparing a contingency plan in the event of unexpected rain or BMP failure including but not limited to, an immediate response plan, storing extra or alternative control materials on-site (Stakes, fences, hay bales), notifying the local agency, etc.;
  - l) Education and Training – For developments with no property owner association or community association, practical information materials on good housekeeping of hazardous products, proper use and disposal for hazardous products, and prohibited discharge practices and materials must be provided, initially by the developer, to the first occupant/tenants, and thereafter by the City public education program.
  - m) Labeling Storm Drain Facilities – The phrase “No Dumping – Drains to River” must be embossed/stamped on all new storm drain inlets to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Water courses should be similarly labeled by posting signs.
  - n) Runoff Control – to the extent practicable, maintain post-development peak runoff rate and average volume of runoff at levels that are similar to pre-development levels. The developer must design the proposed project accordingly.
30. Water conservation measures, including low volume toilets and the use of drought tolerant landscaping shall be used.

Property Maintenance:

- 31. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
- 32. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
- 33. No signs shall be installed on this site without prior City approval.
- 34. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

Landscaping:

- 35. That there be a minimum of five feet (5') clear between any proposed trees and any concrete or asphalt paving within the City right-of-way. Trees closer than ten feet (10') to such concrete or asphalt paving shall use approved root guards.
- 36. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.

Site Design:

37. All on-site curbs, gutters and sidewalks shall be constructed of Portland cement concrete.
38. All access driveways shall be constructed to City standards, subject to review and approval by the City Engineer.
39. A final grading plan for this development shall be approved by the City Engineer.
40. All cracked, broken or damaged sidewalks shall be removed and replaced as required by the City Engineer.
41. All mechanical equipment shall be screened from public view.
42. Asphalt paving shall have a minimum slope of 2% and that concrete paving shall have a minimum slope of 0.75%, or as approved by the City Engineer.
43. All storm water flows shall be collected on site and discharged into an approved public storm drain system.
44. All parking lot dimensions and striping shall meet minimum City standards.
45. Landscaping, grading and signing shall not create a sight distance problem.
46. That all parking and access meet the ADA/Title 24 requirements as determined by the Chief Building Official using Checklist #1, Parking, CA Title 24, Sections 1129B.1 and 1130B. The location of such spaces shall provide safe and convenient access to the building as determined by the Chief Building Official.
47. A photometric plan shall be submitted to staff for review and approval prior to the issuance of building permits. All lighting shall be installed on site in accordance with approved plans, and prior to the issuance of certificates of occupancy for this building.
48. All existing and proposed public utilities (e.g. transformers, PMH boxes) shall be placed underground and subsurface or screened from public view 30' from the property line, in accordance with the Antioch Municipal Code or as approved by the Community Development Director.
49. The sewer collection system shall be constructed to function as a gravity system.

Fire:

50. All requirements of the Contra Costa County Fire Protection District shall be met:
  - a. The access roadway through the proposed development shall have curbs painted red or signs posted with the words NO PARKING – FIRE LANE clearly marked. (503.3) CFC



- b. Vehicle access gates shall be a minimum of 20 feet wide. Access gates shall slide horizontally or swing inward. Electrically operated gates shall be equipped with a Knox Company key operated switch. Contact the Fire District for information on ordering the key operated switch. (D103.5) CFC
- c. The developer shall provide three (3) hydrants of the East Bay type. Final placement of hydrants shall be determined by this office. (C103.1) CFC
- d. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3)
- 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 Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.
- f. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 2,500 GPM. Required flow must be delivered from not more than three (3) hydrants flowing simultaneously for a duration of 240 minutes while maintaining 20 pounds residual pressure in the main. (507.1), (B105) CFC
- g. The building as proposed shall be protected with an approved automatic fire sprinkler system. Submit three (3) sets of plans to this office for review and approval prior to installation. (903.2) CFC
- h. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time. (901.2) CFC, (108.4.1) CBC The plans include: building construction plans, private underground fire service water mains, fire sprinklers, and fire alarm.

**PROJECT SPECIFIC CONDITIONS**

- 51. The applicant shall enter into a Senior Housing Density Bonus Agreement with the City prior to the issuance of building permits, unless deemed unnecessary by the Community Development Director.
- 52. A new use permit shall be required if the project is to change from senior housing to non-senior housing.

53. The driveway exiting onto James Donlon Boulevard shall have a maximum slope of 2 percent at the crest of the driveway for a minimum of 30 feet or as approved by the City Engineer.
54. Tabora Drive shall be constructed to a width of 40 feet face of curb to face of curb and a 6 foot monolithic sidewalk with curb and gutter on the east side of Tabora Drive to the southern property line.
55. The portion of James Donlon Boulevard located within the existing subject parcel shall be dedicated to the City at no cost to the City.
56. The existing pavement along Tabora Drive shall be widened to conform to the existing cross slope as approved by the City Engineer.
57. The existing Tabora Drive pavement shall be repaired and repaved with the existing western edge of pavement ground at the lip of gutter to create a smooth finish for an asphalt overlay or as approved by the City Engineer.
58. Two separate water mains shall loop through the site from Tabora Drive and James Donlon Boulevard, as approved by the City Engineer. One shall be for domestic water with a meter on both ends and the other shall be for fire protection with a City standard backflow protection.
59. The driveways on Tabora Drive and James Donlon Boulevard shall be labeled appropriately, both through signage and pavement markings as approved by the City Engineer.
60. The James Donlon Boulevard driveway shall be designed to restrict traffic to a right-out movement only, as approved by the City Engineer.
61. The project shall be annexed into a street lighting and landscape assessment district.
62. Street lights shall be constructed along the east side of Tabora Drive as directed by the City Engineer.
63. No structures shall be constructed within any existing easements.
64. Pedestrian access shall be provided to James Donlon Boulevard from the project site.
65. An evacuation plan for the facility shall be submitted to City staff that outlines the steps to be taken in the event of a failure of the Contra Loma Dam.
66. The existing red curb along Tabora Drive shall be removed as directed by the City Engineer.

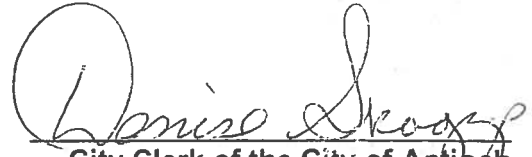
\* \* \* \* \*

I **HEREBY CERTIFY** the foregoing resolution was duly adopted by the City Council of the City of Antioch, at a regular meeting thereof held on the 8<sup>th</sup> day of November, 2011.

**AYES:** Council Members Kalinowski, Harper, Rocha, Agopian and Mayor Davis

**NOES:** None

**ABSENT:** None

  
City Clerk of the City of Antioch

ATTACHMENT "C"



October 31, 2013

Mr. Jonathan Astmann  
Satellite Housing, Inc.  
1521 University Avenue  
Berkeley, CA 94703

**RE: Tabora Gardens (UP-11-08, AR-11-05).**

Dear Mr. Astmann,

This letter is in response to your request for an extension to the expiration of the City Council Resolution (2011/77) UP-11-08, AR-11-06. The resolution and expiration date are as follows:

- **Resolution No. 2011/77** – Resolution of the City Council of the City of Antioch approving a senior housing overlay district with a density bonus, an exception on the parking ratio, use permit, and a variance for covered parking for an 85 unit affordable senior housing development. The expiration date is November 8, 2013.

As you are aware, the City of Antioch Municipal Code, § 9-5.2707, specifies that your project expires one year after the date of approval or at an alternative time specified as a condition of approval unless one of the following occurs:

- A building permit has been issued and construction has diligently commenced thereon and has not expired;
- A certificate of occupancy has been issued;
- The use is established; or
- The application is renewed

The Zoning Administrator may grant an extension of up to one year. It has been determined that the findings of the approval remain valid, therefore your request for extension of the above resolution is granted for a period of one year from the original date of expiration. Effective immediately, the approval will now expire **November 8, 2014**. The conditions of the City Council Resolution 2011/77 still apply.

If you have any questions regarding the above, please contact Mindy Gentry at (925) 779-6133.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alan Barton', is written over the typed name.

Alan Barton  
ZONING ADMINISTRATOR

cc: Mindy Gentry, Senior Planner

Enclosure (1)