




STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of July 25, 2017

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Kevin Valente, Contract Planner

APPROVED BY: Alexis Morris, Planning Manager 

SUBJECT: Almond Knolls (GP-16-03, Z-16-02, UP-16-19, V-17-02, AR-16-14)

RECOMMENDED ACTION

It is recommended that the City Council take the following actions:

1. Adopt the Resolution adopting the Almond Knolls Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project (Attachment "A").
2. Adopt the Resolution approving a General Plan Amendment amending the land use designation for the project site from Neighborhood Commercial and Medium Low Density Residential to High Density Residential (Attachment "B").
3. Introduce the Ordinance approving a rezone of the project site from R-6, R-20, and C-2 to R-20 only (Attachment "C").
4. Adopt the Resolution approving a tentative parcel map for condominium purposes to allow the potential future sale of the proposed residential units, a variance to allow a six-foot tall view fence and vehicle gates along Worrell Road, a use permit for multi-family development, and design review, subject to conditions of approval (Attachment "D").

STRATEGIC PURPOSE

This action will grow Antioch's economy through residential development (Strategy F-3 in the Strategic Plan), in that it will create more residential units and necessary infrastructure.

FISCAL IMPACT

All improvements and infrastructure necessary to facilitate the development will be funded by the applicant and maintained by the property owner or an HOA if one is established. The project is required to annex into a CFD for the purposes of financing police services, which will contribute at least \$25,810 annually to the Police Department. As long as the project is a rental project, rather than a condominium project, it will contribute \$8,700 in business license tax to the General Fund annually.

DISCUSSION

The applicant, Kyle Masters from the Grupe Group, requests approval of an Initial Study/Mitigated Negative Declaration, a General Plan Amendment to change the land use designation for the project site from Medium Low Density Residential and Neighborhood Commercial to High Density Residential, a rezone from Single Family Residential (R-6), Medium Density Residential (R-20), and Neighborhood/Community Commercial (C-2) to R-20 only, a Tentative Parcel Map for condominium purposes to allow potential future sale of proposed residential units, a Variance to allow a six-foot tall view fence and vehicle gate along Worrell Road, and a Use Permit and Design Review approval for the development of a multi-family residential project in a R-20 zoning district. The project is located on Worrell Road, southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015) (see Attachment "E" – Vicinity Map).

Environmental

In accordance with CEQA, an Initial Study / Mitigated Negative Declaration IS/MND was prepared and determined all significant environmental impacts would be mitigated to a less-than-significant level with incorporation of mitigation. The Mitigation Monitoring and Reporting Program (MMRP) is provided as an Exhibit A to the attached Resolution. The Mitigated Negative Declaration is available for review Monday through Friday between the hours of 8:00 AM and 11:30 AM, and between the hours of 1:00 PM and 5:00 PM by appointment only, at the City of Antioch City Hall, Community Development Department, 200 H Street, and online at:

<http://ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Environmental-docs.htm>.

Potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, hydrology, noise, and tribal cultural resources were identified in the IS/MND. All impacts would be reduced to a less than significant level with the implementation of mitigation measures.

The Mitigated Negative Declaration was released for public review from April 17, 2017 to May 16, 2017 and no comments on the CEQA document were received during the comment period.

Background Information

The proposed project site consists of an approximately 2.9-acre property located southeast of the intersection of Worrell Road and Lone Tree Way and approximately 0.3 miles south of State Route (SR) 4 (APN 071-072-015).

The proposed project site is currently vacant and consists primarily of non-native grasses interspersed with scattered trees and shrubs. The topography of the site is moderately sloped, with an elevation ranging from approximately 132 feet in the southeast portion of the site to low of approximately 96 feet along the western boundary of the site. The site was historically used for agricultural purposes; however, such uses have long since ceased. The site is primarily surrounded by existing single-family residential development with a Valero gas station and a church (New Life Free Will Baptist Church) located north of the site across Worrell Road, and an office adjacent to

the site's western boundary. The single-family residences to the west of the project site are located within an area zoned for R-20 and C-2. Therefore, the existing residences located to the west of the project site constitute legal nonconforming developments.

Project Design

The proposed project would include the construction of a gated residential community comprised of five two- to three-story apartment buildings with 58 units organized around a looped private drive aisle, with two gated access points along Worrell Road. The proposed apartment buildings would be composed of a mix of 31 one-bedroom units and 27 two-bedroom units averaging 625 and 985 square feet, respectively. In addition, the project would include multiple open-space areas and various landscape features. The northern portion of the site would be separated from Worrell Road by a six-foot-tall, decorative black steel fence with two pedestrian gates and two vehicle gates (see Attachment "F").

It should be noted that in order to assist the City in meeting a police force level within a range of 1.2 to 1.5 officers per 1,000 residents as set forth in Performance Standard 3.5.3.1 of the General Plan, city staff has included condition of approval A.17 requiring the developer to annex into CFD 2016-01 (Police Protection), prior to the issuance of the first building permit for the project.

General Plan Amendment and Rezone

In order to allow development of the proposed project site at the proposed density of 20 dwelling units per acre, the project would require a General Plan Amendment to change the land use designation to High Density Residential, the proposed project also would require a rezone to R-20.

The site is a transitional parcel between the commercial and multi-family zoned properties to the west along Lone Tree Way and the single-family parcels to the east. Because the project site is relatively small and the topography is quite steep and varied, providing roads, stormwater treatment areas, and enough useable yard space for single-family development would be very difficult. A development with clustered buildings, such as a multi-family development, is more compatible with the topography of the site and provides more flexibility for locating stormwater basins and treatment areas. Furthermore, the existing topography provides a natural separation between the project site and the single-family development to the west.

Tentative Map, Use Permit, and Variance

The project applicant is requesting a Tentative Parcel Map approval for condominium purposes. The proposed project is intended to consist of multi-family rental units; however, dependent on market indicators, the applicant would like to reserve the future flexibility for the project to be owner-occupied. In addition, according to Section 9-5.3803 of the AMC, multi-family development within R-20 zoning districts requires the approval of a use permit.

According to Section 9-5.1602 of the AMC, current development standards do not allow for a fence, wall or hedge that exceeds three-feet in the required front yard setback. Therefore, the proposed project requests a variance to allow a six-foot tall view fence and vehicle gates along Worrell Road. Staff determined the proposed project is consistent with the findings required for approval of a variance.

Fencing and Retaining Walls

Due to the topography of the area, the existing fencing for the properties located on Hillside Drive to the south are generally not located on the property lines and are up to ten feet away from the property line at some locations (see Attachment "G"). Therefore, retaining walls and/or fencing constructed on the southern boundary for the proposed project could create a gap (up to eight feet in certain locations) preventing access to allow weed abatement and maintenance of the slope. The applicant has met with many of the adjacent property owners but does not have permission from all adjacent property owners to build a new fence on their properties. Therefore, the applicant has expressed willingness to provide access through the project's new fence so adjacent property owners can maintain their slopes, or to conduct seasonal weed abatement on the slope provided they are given permission from the adjacent property owners. Because the fencing issue can only be resolved with the participation and cooperation of the adjacent property owners, staff has included condition of approval J.5 requiring the applicant to continue to work with the adjacent property owners and provide a maintenance plan for the slope for City Engineer approval prior to issuance of building permits for the project.

Neighbor Concerns

City staff received several comment letters from the neighbors surrounding the project site (see Attachment "H"). Staff received four (4) opposition letters, one of the letters being a group opposition letter signed by nine (9) residents. Staff also received a support letter from a resident that wished to remain anonymous.

According to the comment letters received, some neighbors are concerned about the change in land use designation from single-family residential to multi-family residential, and the potential noise, traffic, and parking impacts the change in land use could bring. The anonymous support letter agreed with the project and stated development of multi-family residential would be a significant improvement to the vacant lot that currently experiences problems with the homeless population, which results in an eyesore for the community. Each of these issues is addressed below:

- **Impacts of apartments on single-family neighborhood:** The project would introduce higher density than a single-family development would. The majority of the proposed buildings are separated from adjacent single-family residences as the site will allow. The buildings are clustered in the center of the parcel and are separated from adjacent parcels by a drive aisle, parking, and landscaping, which are approximately a minimum distance of 30 feet from the nearest residences. Building #5 is the closest building to adjacent residences and it is a minimum of 50 feet from the nearest homes. The sections of Building #5 that are

closest to adjacent residences are two stories in height, which is consistent with the height that would be allowed of a single-family home in the same area.

The proposed project would be a market-rate rental project initially with the possibility of becoming a condominium project in the future. If the project converts to a condominium project, a homeowner's association (HOA) would be required. The project's conditions of approval require the property owner, whether it is the apartment complex owner or an HOA, to comply with the City's landscape and property maintenance regulations or face enforcement actions. The applicant has stated that the apartment complex would have a professional management company that neighbors would be able to contact if they have immediate concerns.

- **Noise:** The project's environmental analysis determined there would be no significant noise impacts as a result of the project, nevertheless new sources of noise would be introduced where there is currently vacant land. As stated above, the majority of the project's buildings would be located a significant distance from adjacent residences, which provides some separation from any noise generating activities. Staff has included a condition in the attached resolution requiring "quiet hours" in the development to be enforced by the apartment complex manager or an HOA if one is established. In addition, the City has a noise ordinance that is applicable to all properties in the City (AMC §5-17.01). Violations of the ordinance are a misdemeanor. Furthermore, solid concrete or masonry walls will be constructed where parking spaces abut residential properties.
- **Traffic and safety on Worrell Rd.:** Residents in the vicinity of the project site have expressed concerns of the existing traffic conditions on Worrell Road and the effect the proposed project would have on the existing roadways. According to the IS/MND prepared for the proposed project, the project would be expected to result in 382 average daily trips (ADT), with 27 trips occurring during the AM peak hour and 34 trips during the PM peak hour. According to the Contra Costa Transportation Authority (CCTA) Congestion Management Plan, projects anticipated to generate fewer than 100 peak hour trips are not subject to review by the CCTA. In addition, per the City of Antioch General Plan Policy 7.3.2h, projects anticipated to generate 50 peak hour trips or less are not required to prepare a traffic impact study. Therefore, because the project would generate fewer than 50 trips for both the AM and PM peak hours, preparation of a traffic impact study for the proposed project was not required and the project is not subject to review by the CCTA.

The proposed project includes vehicle entry and exit gates that would control vehicles entering and exiting the project site onto Worrell Road. In addition, the curved portion of Worrell Road is located to the east of the project site and would not be impacted by vehicles coming and going from the project site to Lone Tree Way. Furthermore, the IS/MND prepared for the proposed project determined the project would not substantially increase hazards due to design features or incompatible uses, and emergency access to the site would be adequate.

The project proponent has met with neighbors to review the plans and discuss neighbors' concerns and can provide Council with a summary of discussions in those meetings.

In addition, several residents and neighbors of the proposed project spoke at the podium during the June 7, 2017 Planning Commission meeting. The comments received during the public comment period further discussed neighbors' concerns regarding the change in land use designation from single-family residential to multi-family residential, and the potential noise, traffic, and parking impacts the change in land use could bring. Comments in support of the proposed project were also given, which described the current problems with the homeless population on this vacant site. The current problems with the homeless population was confirmed by Captain Morefield of the Antioch Police Department, who was present.

Planning Commission Recommendation

On June 7, 2017, the Planning Commission recommended the project be approved by City Council, by a vote of 4-1 for all entitlements. The primary discussion focused on the requested General Plan Amendment and rezone, and the concern with traffic, noise, and crime impacts associated with multi-family development. In addition, the Planning Commission discussed the southern property line and existing neighbor fencing.

The Draft Planning Commission minutes are included as Attachment "I" to this staff report.

In addition, the Parks and Recreation Commission held a meeting on May 18, 2017 and determined the proposed project be assessed Park in Lieu fees at \$950 per unit which would total \$55,100 in lieu of park land dedication.

ATTACHMENTS

- A: Resolution adopting the Initial Study/Mitigated Negative Declaration
- B: Resolution approving General Plan Amendment
- C: Ordinance approving rezone of the project site
- D: Resolution approving tentative parcel map, variance, use permit, and design review
- E: Vicinity Map
- F: Almond Knolls Project Plans (dated May 17, 2017)
- G: Fence Exhibits
- H: Almond Knolls Comment Letters
- I: City of Antioch June 7, 2017 Planning Commission Minutes

ATTACHMENT "A"

RESOLUTION NO. 2017/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE ALMOND KOLLS MULTI-FAMILY PROJECT AS ADEQUATE FOR ADDRESSING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

WHEREAS, the City received an application from Kyle Masters, Grupe Group, for approval of an Initial Study / Mitigated Negative Declaration, a General Plan Amendment, rezone to Medium Density Residential (R-20), a Tentative parcel map, a Variance, a Use Permit, and Design Review for the development of a 58-unit multi-family residential cluster development on 2.9 acres. The project site is located southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015); and,

WHEREAS, the City prepared an Initial Study and Mitigated Negative Declaration, to evaluate the potential environmental impacts of the Project in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines"); and,

WHEREAS, a draft Initial Study and Mitigated Negative Declaration ("IS/MND") was circulated for a 30-day review period, with the public review period commencing on April 17, 2017 and ending on May 16, 2017; and,

WHEREAS, the Planning Commission has reviewed the IS/MND for this Project and the comments received during the comment period; and,

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

WHEREAS, on June 7, 2017, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary and recommended adoption to the City Council of the Final IS/MND and Mitigation Monitoring and Reporting Program (MMRP); and,

WHEREAS, the custodian of the Final IS/MND is the Community Development Department and the Final IS/MND is available for public review on the second floor of City Hall in the Community Development Department, Monday - Friday 8:00 am - 11:30 am and the MMRP is attached as Exhibit A to this Resolution.

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

WHEREAS, on July 25, 2017, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary, adopting the mitigated negative declaration.

RESOLUTION NO. 2017/**

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NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, as follows:

1. The foregoing recitals are true and correct.
2. The City Council of the City of Antioch hereby FINDS, on the basis of the whole record before it (including the Initial Study and all comments received) that:
 - a. The City of Antioch exercised overall control and direction over the CEQA review for the Project, including the preparation of the Final Initial Study and Mitigated Negative Declaration, and independently reviewed the Final IS/MND and MMRP; and,
 - b. There is no substantial evidence that the Project will have a significant effect on the environment once mitigation measures have been followed and assuming approval of the Zoning Ordinance amendment; and,
 - c. The Final IS/MND and MMRP reflect the City's independent judgment and analysis.
3. The City Council hereby APPROVES AND ADOPTS the Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the Project (Exhibit A).

* * * * *

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 25th day of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

AZ

Almond Knolls Project Mitigation Monitoring and Reporting Program

April 2017

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Almond Knolls Project are listed in the MMRP along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

EXHIBIT A

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MITIGATION MONITORING AND REPORTING PROGRAM ALMOND KNOLLS PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
III-1. Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all heavy-duty diesel-powered equipment (e.g., rubber-tired dozers, scrapers, cranes, etc.) to be used in the construction of the project (including owned, leased, and subcontractor vehicles) shall, at a minimum, meet United States Environmental Protection Agency emissions standards for Tier 2 engines or equivalent. The plans shall be submitted to the Community Development Department for review and approval.	Prior to approval of grading plans	City of Antioch Community Development Department	
IV-1(a). A qualified biologist shall conduct a pre-construction clearance survey to visually inspect for roosting bats immediately prior to trimming or tree removal activities. If the pre-construction survey is conducted during the overwintering season (October 15 th to February 29 th), another method such as visual observation from a man-lift may be necessary to ensure that inactive bats are accounted for. The pre-construction survey shall be submitted to the City of Antioch Community Development Department within three days of survey completion. If western red bats are not detected during the preconstruction survey, further mitigation is not required. If any active western red bats are discovered in or near proposed construction zones, suitable construction-free buffers around such areas shall be determined by the surveying biologist. The buffers shall be identified on the ground with flagging or fencing, and shall be maintained until the biologist has determined that the individuals have fledged/dispersed.	Prior to trimming or tree removal activities	City of Antioch Community Development Department	
IV-1(b). If avoidance of trees, including hollow or dead trees, is not feasible, any roosting bats identified in the preconstruction surveys shall be passively relocated by a qualified biologist or professional pest control specialist during the non-breeding season (September 1 st to April 14 th). Relocation shall not occur during the breeding season, or if the young are not yet volant (flying). Passive relocation would entail installing one-way doors at the roost entrance and leaving such devices in place for at least 48 hours to ensure bats have vacated the tree, or utilizing other humane exclusion methods. Once the bats have left, the tree may be removed.	Prior to trimming or tree removal activities	City of Antioch Community Development Department	

MITIGATION MONITORING AND REPORTING PROGRAM ALMOND KNOLLS PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>IV-2. Prior to any project-related ground disturbance that occurs during the nesting season (March 15th to September 15th), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction to establish whether Swainson's hawk nests within 1,000 feet of the project site are occupied. If potentially occupied nests within 1,000 feet are off the project site, occupancy of the nests shall be determined by observation from public roads or by observations of Swainson's hawk activity near the project site. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If occupied nests are not detected during the survey, further mitigation is not required.</p> <p>If nests are occupied, project-related activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g. steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, the qualified biologist shall coordinate with the CDFW and the USFWS to determine the appropriate buffer size. If young fledge prior to September 15th, project-related activities may proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project proponent may propose an alternative to this avoidance measure. Any alternative must also be approved by the USFWS and CDFW. While the nest is occupied, project-related activities outside the buffer may take place. Alternatively, the project applicant could comply with one of the following:</p> <ol style="list-style-type: none"> 1) Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCC HCP/NCCP Covered Species; or 	<p>Prior to any ground disturbance that occurs during the nesting season (March 15th – Sept 15th) and no more than one month prior to construction</p>	<p>City of Antioch Community Development Department CDFW USFWS</p>	

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MITIGATION MONITORING AND REPORTING PROGRAM ALMOND KNOLLS PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>2) Comply with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided that CDFW and FWS have approved the conservation plan.</p> <p>IV-3. Pre-construction surveys for nesting birds shall be conducted by a qualified biologist not more than two weeks prior to site disturbance during the breeding season (February 1st to August 31st). If site disturbance commences outside the breeding season, pre-construction surveys for nesting birds are not required. If active nests of migratory birds are not detected within approximately 250 feet of the project site, further mitigation is not required.</p> <p>If nesting raptors or other migratory birds are detected on or adjacent to the site during the survey, a suitable construction-free buffer shall be established around all active nests. The dimensions of the buffer (typically 75 feet for passerine birds, up to 250 feet for raptors) shall be determined at that time and may vary depending on location and species. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until a qualified biologist has confirmed that all chicks have fledged and are independent of their parents. Alternatively, the project applicant could comply with one of the following:</p> <ol style="list-style-type: none"> 1) Comply with the applicable terms and conditions of the ECCCHCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCCHCP/NCCP Covered Species; or 2) Comply with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided 	<p>Not more than two weeks prior to site disturbance during the breeding season (February 1st to August 31st)</p>	<p>City of Antioch Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	

**MITIGATION MONITORING AND REPORTING PROGRAM
ALMOND KNOLLS PROJECT**

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
that CDFW and FWS have approved the conservation plan.			
IV-4. Prior to approval of a grading permit, the applicant shall comply with all requirements set forth in Title 9, Chapter 5, Article 12 of the Antioch Municipal Code related to preservation of protected trees, including avoidance of grading within the drip line of such trees and the applicable penalties if grading within the drip line cannot be avoided. Compliance with the requirements shall be ensured by the Community Development Department.	Prior to approval of a grading permit	City of Antioch Community Development Department	
IV-5. Throughout implementation of the proposed project, the applicant shall adhere to the Tree Preservation Guidelines stipulated in the Arborist Report prepared for the proposed project. The Guidelines include design recommendations, pre-construction treatments and recommendations, recommendations for tree protection during construction, and recommendations for maintenance of impacted trees. Compliance with the Guidelines shall be reviewed by the Community Development Department prior to building permit approval.	Prior to building permit approval	City of Antioch Community Development Department	
V-1. In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 24 hours after notification by the Native American Heritage Commission, or the landowner or his	During ground disturbance activities	City of Antioch Community Development Department County Coroner Native American Heritage Commission	

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**MITIGATION MONITORING AND REPORTING PROGRAM
ALMOND KNOLLS PROJECT**

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.</p>			
<p>V-2. If any prehistoric or historic artifacts, or other indications of cultural deposits, such as historic privy pits or trash deposits, are found once ground disturbing activities are underway, all work within the vicinity of the find(s) shall cease and the find(s) shall be immediately evaluated by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment to allow for implementation of avoidance measures or appropriate mitigation shall be made available (CEQA Guidelines Section 15064.5). Work may continue on other parts of the project site while historical or unique archaeological resource mitigation takes place (Public Resources Code Sections 21083 and 21087).</p>	<p>During ground disturbance activities</p>	<p>City of Antioch Community Development Department</p>	
<p>V-3. The applicant shall retain the services of a professional paleontologist to educate the construction crew that will be conducting grading and excavation at the project site. The education shall consist of an introduction to the geology of the project site and the kinds of fossils that may be encountered, as well as what to do in case of a discovery. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be diverted to another part of the project site and the paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository,</p>	<p>Prior to any ground disturbance</p>	<p>City of Antioch Community Development Department</p>	

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**MITIGATION MONITORING AND REPORTING PROGRAM
ALMOND KNOLLS PROJECT**

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. Proof of the construction crew awareness training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.			
VI-1. All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the City of Antioch Building Division prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Planning Level Geology and Geotechnical Engineering Study prepared for the proposed project are properly incorporated and utilized in the project design.	Prior to issuance of grading and building permits	City of Antioch Community Development Department	
VI-2. Prior to final map approval, the project applicant shall submit, for the review and approval by the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Measures shall include, but are not limited to, the following: <ul style="list-style-type: none"> • Hydro-seeding; • Placement of erosion control measures within drainage ways and ahead of drop inlets; • The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric); • The placement of straw wattles along slope contours; • Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire); • The use of siltation fences; and • The use of sediment basins and dust palliatives. 	Prior to final map approval	City of Antioch City Engineer	

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**MITIGATION MONITORING AND REPORTING PROGRAM
ALMOND KNOLLS PROJECT**

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
IX-1. Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.	Prior to issuance of grading permits	City of Antioch Director of Public Works/City Engineer	
XII-1. Prior to the approval of improvement plans, and subject to the review and approval of the Community Development Department, the improvement plans shall include the location of signage restricting use for the proposed Bocce Ball court and picnic area to the daytime hours of 7:00 AM to 10:00 PM.	Prior to approval of improvement plans	City of Antioch Community Development Department	
XII-2. During construction activities and subject to the City of Antioch Building Division, the use of heavy construction equipment shall adhere to Section 5-17.04 of the City's Municipal Code, which includes the following regulations: It shall be unlawful for any person to operate heavy construction equipment during the hours specified below: 1) On weekdays prior to 7:00 AM and after 6:00 PM. 2) On weekdays within 300 feet of occupied dwelling space, prior to 8:00 AM and after 5:00 PM. 3) On weekends and holidays, prior to 9:00 AM and after 5:00 PM, irrespective of the distance from the occupied dwelling.	During construction activities	City of Antioch Building Division	
XII-3. Prior to the approval of improvement plans, subject to the review and approval of the City Engineer, the following notes shall be included on the improvement plans:	Prior to the approval of improvement plans	City of Antioch City Engineer	

All

MITIGATION MONITORING AND REPORTING PROGRAM ALMOND KNOLLS PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<ul style="list-style-type: none"> • Equip all equipment driven by internal combustion engines with intake and exhaust mufflers that are in good condition and appropriate to the equipment. Unnecessary idling of internal combustion engines should be strictly prohibited; • Stationary noise-generating equipment, such as air compressors or portable power generators, shall be located as far as is feasible from sensitive receptors; • Utilize "quiet" air compressors and other stationary noise sources where technology exists; • All impact tools shall be shrouded or shielded; • Intake and exhaust ports on all power construction equipment shall be shrouded or shielded; and • The construction contractor shall designate a "noise disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. 			
<p>XVII-1. In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify</p>	During ground disturbance activities	City of Antioch Community Development Department County Coroner Native American Heritage Commission	

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**MITIGATION MONITORING AND REPORTING PROGRAM
ALMOND KNOLLS PROJECT**

Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
<p>the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 24 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.</p>			
<p>XVII-2. If any prehistoric or historic artifacts, or other indications of cultural deposits, such as historic privy pits or trash deposits, are found once ground disturbing activities are underway, all work within the vicinity of the find(s) shall cease and the find(s) shall be immediately evaluated by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment to allow for implementation of avoidance measures or appropriate mitigation shall be made available (CEQA Guidelines Section 15064.5). Work may continue on other parts of the project site while historical or unique archaeological resource mitigation takes place (Public Resources Code Sections 21083 and 21087).</p>	During ground disturbance activities	City of Antioch Community Development Department	
<p>XVII-3. The applicant shall retain the services of a professional paleontologist to educate the construction crew that will be conducting grading and excavation at the project site. The education shall consist of an introduction to the geology of the project site and the kinds of fossils that may be encountered, as well as what to do in case of a discovery. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant</p>	Prior to any ground disturbance activities	City of Antioch Community Development Department	

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MITIGATION MONITORING AND REPORTING PROGRAM ALMOND KNOLLS PROJECT			
Mitigation Measure	Implementation Schedule	Monitoring Agency	Sign-Off
material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be diverted to another part of the project site and the paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. Proof of the construction crew awareness training shall be submitted to the City's Community Development Department in the form of a copy of training materials and the completed training attendance roster.			

ATTACHMENT "B"

RESOLUTION NO. 2017/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE GENERAL PLAN AMENDMENT AMENDING THE LAND USE DESIGNATION FOR THE PROJECT SITE FROM NEIGHBORHOOD COMMERCIAL AND MEDIUM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL

WHEREAS, the City received an application from Kyle Masters, Grupe Group, for approval of an Initial Study / Mitigated Negative Declaration, a General Plan Amendment, rezone to Medium Density Residential (R-20), a Tentative parcel map, a Variance, a Use Permit, and Design Review for the development of a 58-unit multi-family residential cluster development on 2.9 acres. The project site is located southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015); and,

WHEREAS, an Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, and considered by the City Council on July 25, 2017; and,

WHEREAS, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan; and,

WHEREAS, the primary purpose of the General Plan Amendment is to ensure consistency between the City of Antioch General Plan and the Project; and,

WHEREAS, the proposal to allow multi-family residential development on the project site promotes the City's ability to provide diverse housing types to satisfy the Regional Housing Needs Allocation and fulfill City objectives as expressed in the Housing Element; and,

WHEREAS, the proposed project site is of adequate size to accommodate the proposed multi-family residential development; and,

WHEREAS, the proposed project will provide adequate infrastructure to accommodate the proposed multi-family residential development; and,

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

WHEREAS, on June 7, 2017, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary and recommended adoption of the Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the City Council; and,

RESOLUTION NO. 2017/**

July 25, 2017

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

WHEREAS, on July 25, 2017, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary and adopted the Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

NOW THEREFORE BE IT RESOLVED, that the City Council makes the following findings required for approval of the proposed General Plan Amendment:

1. The proposed project conforms to the provisions and standards of the General Plan in that the proposed amendment is internally consistent with all other provisions of the General Plan and does not conflict with any of the previously adopted Goals, Policies and Programs of the General Plan; and,
2. The proposed Amendment is necessary to implement the goals and objectives of the General Plan in that it will further implement the City of Antioch Housing Element; and,
3. The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City in that the Amendment will result in a logical placement of land uses consistent with the overall intent of the General Plan; and,
4. The proposed project will not cause environmental damage in that the project prepared the Almond Knolls Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program which concluded that the project does not result in any significant or unavoidable impacts; and,
5. The Proposed General Plan Amendment will not require changes to or modifications of any other plans that the City Council adopted before the date of this resolution.

BE IT FURTHER RESOLVED that the City Council does hereby **APPROVE** the General Plan Amendment to amend the 2.9-acre project site southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015).

RESOLUTION NO. 2017/**

July 25, 2017

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* * * * *

I HEREBY CERTIFY that the foregoing approval was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 25th day of June, 2017 by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

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ATTACHMENT "C"

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE 2.9 ACRES TO MEDIUM DENSITY RESIDENTIAL DISTRICT (R-20) FOR THE ALMOND KNOLLS PROJECT (APN 071-072-015)

The City Council of the City of Antioch does ordain as follows:

SECTION 1: The City Council determined on July 25, 2017, that, pursuant to Section 15070 of the Guidelines of the California Environmental Quality Act, that the appropriate environmental document for the project is an Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

SECTION 2: At its regular meeting of June 7, 2017, the Planning Commission recommended that the City Council approve the resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed project and recommended that the City Council adopt the ordinance to rezone the subject property to Medium Density Residential (R20).

SECTION 3: At its regular meeting of July 25, 2017, the City Council approved the resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed project.

SECTION 4: The real property described in Exhibit A, attached hereto, is hereby rezoned to Medium Density Residential (R-20) for the Almond Knolls Project.

SECTION 5: The City Council finds that the public necessity requires the proposed zone change, that the subject property is suitable to the use permitted in the proposed zone change, that said permitted use is not detrimental to the surrounding property, and that the proposed zone change is in conformance with the Antioch General Plan.

SECTION 6: This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

* * * * *

I **HEREBY CERTIFY** that the foregoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the 25th day of July, and passed and adopted at a regular meeting thereof, held on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

Sean Wright, Mayor of the City of Antioch

ATTEST:

Arne Simonsen, City Clerk of the City of Antioch

EXHIBIT A

EXHIBIT "A" LEGAL DESCRIPTION ALMOND KNOLLS

REAL PROPERTY IN THE CITY OF ANTIOCH, CONTRA COSTA COUNTY, AND STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

A PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERN LINE OF THE PARCEL OF LAND DESCRIBED IN THE QUITCLAIM DEED FROM THE CITY OF ANTIOCH TO ALFRED BARBAGALLO, ET UX, RECORDED NOVEMBER 2, 1955, IN BOOK 2641 OF OFFICIAL RECORDS OF CONTRA COSTA, PAGE 346, WITH THE EASTERN LINE OF THE PARCEL OF LAND DESCRIBED AS PARCEL 3 IN THE DEED FROM ALFRED BARBAGALLO, ET UX, TO PLEASANT HOMES, INC., RECORDED NOVEMBER 9, 1955, IN BOOK 2646 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY, PAGE 418;

THENCE SOUTH 3° 15' 55" EAST A DISTANCE OF 161.35 FEET, ALONG THE EASTERN LINE OF SAID PARCEL 3, AND OF PARCELS 2 AND 1, AS DESCRIBED IN SAID DEED TO PLEASANT HOMES, INC., (2646 OR 418), TO THE NORTHERN LINE OF ANTIOCH HEIGHTS SUBDIVISION UNIT NO. 1, FILED SEPTEMBER 2, 1949, IN BOOK 38 OF MAPS, PAGES 11 AND 12, CONTRA COSTA COUNTY RECORDS;

THENCE ALONG THE NORTHERN AND NORTHEASTERN LINES OF SAID SUBDIVISION (38 M 11 & 12), THE FOLLOWING COURSES AND DISTANCES:

NORTH 87° 53' 00" EAST, 136.84 FEET AND SOUTH 54° 23' 00" EAST, 329.99 FEET TO THE INTERSECTION THEREOF, WITH THE EASTERN LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM NELLIE NICHOLLS, ET AL, TO ALFRED BARBAGALLO, ET UX, RECORDED SEPTEMBER 3, 1942, IN BOOK 674 OF OFFICIAL RECORDS OF CONTRA COSTA COUNTY, PAGE 277;

THENCE NORTH 0° 52' 00" WEST ALONG SAID EASTERN LINE (674 OR 277), A DISTANCE OF 533.15 FEET TO THE NORTHERN LINE OF SAID BARBAGALLO PARCEL (2641 OR 346) AND THE SOUTH LINE OF WORRELL ROAD AS SHOWN ON THE RECORD OF SURVEY FILED MARCH 11, 1980 IN BOOK 66 OF LSM AT PAGE 38;

THENCE ALONG SAID SOUTH LINE OF WORRELL ROAD, SOUTH 68° 01' 00" WEST, 238.40 FEET;

THENCE FROM A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 330 FEET, THROUGH A CENTRAL ANGLE OF 13° 50' 03", AN ARC DISTANCE OF 79.68 FEET;

THENCE, SOUTH 06° 26' 21" EAST, 77.82 FEET;

THENCE, SOUTH 88° 51' 05" EAST, 117.07 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 2.90 ACRES MORE OR LESS.

CD

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH
THE PROFESSIONAL LAND SURVEYORS ACT.

RYAN M. SEXTON / PLS 9177



ATTACHMENT “D”

RESOLUTION NO. 2017/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING A TENTATIVE PARCEL MAP, A VARIANCE TO ALLOW A SIX-FOOT TALL VIEW FENCE AND VEHICLE GATES ALONG WORRELL ROAD, AND A USE PERMIT AND DESIGN REVIEW FOR THE ALMOND KNOLLS PROJECT

WHEREAS, the City received an application from Kyle Masters, Grupe Group, for approval of an Initial Study / Mitigated Negative Declaration, a General Plan Amendment, rezone to Medium Density Residential (R-20), a Tentative parcel map, a Variance, a Use Permit, and Design Review for the development of a 58-unit multi-family residential cluster development on 2.9 acres. The project site is located southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015); and,

WHEREAS, an Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162; and,

WHEREAS, on June 7, 2017, the Planning Commission held a duly noticed public hearing on the matter, and received and considered evidence, both oral and documentary and recommended adoption of the Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the City Council; and,

WHEREAS, on June 7, 2017, the Planning Commission recommended approval of a General Plan Amendment to amend 2.9 acres of Medium Low Density Residential and Neighborhood Commercial to High Density Residential to the City Council; and,

WHEREAS, on June 7, 2017, the Planning Commission recommended approval of a rezone to Medium Density Residential District (R-20) to the City Council; and,

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

WHEREAS, on July 25, 2017, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

WHEREAS, on July 25, 2017, the City Council approved a General Plan Amendment; and,

WHEREAS, on July 25, 2017, the City Council introduced an ordinance to rezone the subject property to Medium Density Residential (Z-16-02); and,

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

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July 25, 2017

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WHEREAS, on July 25, 2017, 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 does hereby make the following findings for approval of a Tentative Parcel Map:

1. That the parcel map, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site has a proposed General Plan Designation of High Density Residential and proposed Medium Density Residential zoning and the Tentative Parcel Map will accommodate uses that are consistent with the proposed General Plan designation.
2. That the Tentative Parcel Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The proposed Parcel Map meets the City's criteria for the map. The City's Planning and Engineering staff have reviewed the Tentative Parcel Map and evaluated the effects of the map proposed and have determined that the Tentative Parcel Map as conditioned complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.
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 make the following required findings for approval of the requested variance:

1. 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 project site is located approximately 200' east of existing Lone Tree Way, a divided four-lane arterial, providing direct access to State Route 4. This arterial roadway conveys considerable vehicular and pedestrian traffic. The six-foot tall view fence and vehicle access gates will insure the safety of project residents, their belongings and of community amenities. The City's current development standards do not allow for a "fence, wall or hedge that exceeds three feet in the required front yard setback" (9-5.1602, Walls and Fences: Height Restrictions).

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

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The granting of the six-foot tall view fence and vehicle gates would not be detrimental to the public health and welfare, as the fence and gates are intended to ensure the safety of the multi-family development. The design and location of the six-foot tall view fence has been considered as to not obstruct the line of sight for vehicles entering or exiting the community. Stacking distance is proposed at both entries so residents and visitors would not obstruct vehicle circulation on Worrell Road while queuing for the gate to open. In addition, the proposed six-foot tall view fence is intended to reduce nuisance crimes such as car break-ins and other types of vandalism. Therefore, the granting of a variance for the six-foot tall view fence and vehicle gates would not affect public health or welfare.

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

The project site consists of a sloped topography which restricts the development potential. Therefore, the proposed project is a residential cluster development locating the majority of the development and site access to the northern portion of the site. Because of the cluster development allowing sufficient amount of area for open space, parking, circulation, and storm water detention, the six-foot view fence and vehicle gates are located within the front yard setback of the property.

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

The granting of the six-foot tall view fence and vehicle gates would not change the allowed uses of the site and would not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED, that the City Council does hereby make the following required findings for approval of the requested 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 because the project has been designed to comply with the City of AMC requirements.
2. The use applied at the location indicated is properly one for which a use permit is authorized because the City of Antioch Zoning Ordinance requires a use permit for all multi-family development applications.

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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 plan complies with the City of Antioch's High Density Residential Development standards.
4. That the site abuts streets adequate in width and pavement type to carry the kind of traffic generated by the proposed use. The project site will construct street improvements, which are designed to meet City standards for adequate width and pavement.
5. That the granting of such use permit will not adversely affect the comprehensive General Plan because the proposed uses and design are consistent with the City of Antioch General Plan and Citywide Design Guidelines. The proposed General Plan land use designation for the project site is High Density Residential, which conditionally allows for the type of use being developed by the project.
6. 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 of the City of Antioch does hereby **APPROVE** a tentative parcel map, a variance, a use permit, and design review for the development of a 58-unit multi-family residential cluster development on a 2.9-acre project site located southeast of the intersection of Worrell Road and Lone Tree Way (APN 071-072-015) subject to the following conditions:

A. GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
2. Approval of this tentative parcel map for condominium purposes ("tentative map") is subject to the time lines established in the State of California Subdivision Map Act.
3. Approval of this tentative map shall not constitute approval of any improvements shown on the tentative map.
4. Approval of this tentative map shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an

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indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.

5. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the AMC, or as amended by the City Council.
6. No building permit will be issued unless the plan conforms to the site plan as approved by the City Council and the standards of the City.
7. This approval expires two years from the date of approval (expires June 7, 2019), 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.
8. 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.
9. All required easements or rights-of-way for improvements shall be obtained by the developer at no cost to the City of Antioch. Advance permission shall be obtained from all pertinent property owners and easement holders, if applicable, for any work done within such property or easements.
10. All existing easements shall be identified on the site plan and all plans that encroach into existing easements shall be submitted to the easement holder for review and approval, and advance written permission shall be obtained from any property or easement holders for any work done within such property or easements.
11. The development and all proposed improvements shall comply with the City of AMC and City Standards unless a specific exception is granted thereto or as approved by the City Engineer.
12. The developer shall obtain an encroachment permit for all work to be done within the public right-of-way or easements, and peak commute-hour traffic shall not be impeded by construction related activity.
13. All units within the project shall be identified by a decorative addressing method easily visible to emergency responders and modified as deemed necessary by the Antioch Police Department.

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14. The property owner shall install and maintain parking lot and pathway lights and landscaping within the project area at no cost to the City.
15. The property owner agrees to participate in Streetlight and Landscape District 2A Zone 4 and accept a level of annual assessments sufficient to maintain the public streetlights and landscaping in the vicinity of the project area at no cost to the City.
16. The property owner shall pay the AUSD developer fee in effect at the time the building permit is issued, in lieu of participation in AUSD CFD 2004-1.
17. In order to assist the City in meeting a police force level within a range of 1.2 to 1.5 officers per 1,000 residents as set forth in Performance Standard 3.5.3.1 of the General Plan, the developer shall annex into CFD 2016-01 (Police Protection), prior to the issuance of the first building permit for the project.
18. The City engineering, planning and clean water staff will inspect the site and adjacent right-of-way for compliance with conditions of approval and the project shall conform to all conditions of approval prior to final certificate of occupancy.
19. City of Antioch "No Dumping – Drains to River" decal buttons shall be installed on new and existing storm drain inlets to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain system.
20. Masonry trash enclosures shall be provided to screen dumpsters from public view. Trash enclosures shall have a pitched metal roof and 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 Planning staff approval prior to issuance of building permits for the project. The trash enclosures shall not be located within any easement areas. Submit architectural designs (roof, drain, elevations, color, and materials) for the trash enclosures, including residential composting bins, for review and approval by the City of Antioch Planning Division.
21. All access drive aisles shall be constructed to current ADA and City Standards, subject to review and approval by the City Engineer.
22. All parking spaces shall be double-striped and all parking lot dimensions shall meet minimum City policies and AMC requirements.

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23. All cracked, broken or damaged concrete curb, gutter, and sidewalk in the public right-of-way along the project frontage shall be removed and replaced as required by the City Engineer. Where existing or proposed fire hydrants or other utilities create a narrower passageway, sidewalks shall be replaced bowing out around the utility to provide a five-foot (5') wide path of travel.
24. All buildings, parking and access shall meet ADA/Title 24 requirements as determined by the Chief Building Official.
25. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the developer.
26. Prior to final map approval, the applicant shall submit a detailed plan of the entry gates for review and approval of the City Engineer. The design shall allow for adequate vehicle storage and turnaround.
27. A truck-turning template shall be shown on the site plan confirming that trucks can successfully ingress, egress, and safely maneuver through the site, as approved by the City Engineer.
28. Sight distance triangles shall be maintained per Antioch Code of Ordinances § 9-5.1101, Site Obstructions at Intersections, or as approved by the City Engineer.
29. The developer or property owner shall maintain all undeveloped areas within this project in an attractive manner, which shall also ensure fire safety.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the AMC. Construction is restricted to weekdays between the hours of 8:00 AM and 5:00 PM. Requests for alternative days/times may be submitted in writing to the City Engineer for consideration.
2. The project shall be in compliance with and supply all the necessary documentation for AMC 6-3.2: Construction and Demolition Debris Recycling.

3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the Bay Area Air Quality Management District.

C. FIRE REQUIREMENTS

1. Emergency apparatus access shall have a paved driving surface of not less than 20 feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC
2. All exposed curbs along the access roadways around the buildings shall have signs posted or curbs painted red with the words NO PARKING-FIRE LANE clearly marked. (503.3) CFC
3. Electrically operated vehicle access 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
4. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,500 GPM. Required flow must be delivered from not more than one (1) hydrant flowing for duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
5. The developer shall provide hydrants of the East Bay type. Hydrants shall be located such that there is a minimum clearance of 3 feet around the perimeter of the hydrant barrel. (C103.1) CFC
6. The developer shall submit a minimum of two (2) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3) CFC
7. Paved emergency apparatus access throughout the site and new hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC

Note: The first lift of asphalt concrete paving must be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

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8. The buildings as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13R. Submit a minimum of two (2) sets of plans for each building type to the Fire District for review and approval prior to installation. (903.2) CFC
9. The developer shall submit a minimum of two (2) complete sets of construction plans for each building model, including plans for the following required deferred 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 and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC
 - Private underground fire service
 - Fire sprinklers
 - Fire alarm

D. FEES

1. That the developer shall pay all required fees prior to filing of the parcel map for condominium purposes, including the Contra Costa County map maintenance fee.
2. The developer shall pay all City fees which have been established by the City Council and as required by the AMC.
3. The developer shall pay all pass-through fees. Fees include but are not limited to:
 - East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - Contra Costa County Fire Protection District Fire Development Fee in effect at the time of building permit issuance.
 - Contra Costa County Flood Control District Fee in effect at the time of building permit issuance.
 - School Impact Fees.
 - Delta Diablo Sewer Fees.
 - Contra Costa Water District Fees.
4. Per Section 9-4.1007 of the AMC, the developer shall pay all park in lieu of land dedication fees at building permit issuance. The Parks and Recreation Commission held a meeting on May 18, 2017 and determined the proposed project be assessed Park in Lieu fees at \$950 per multi-

family unit, which would total \$55,100 in lieu of park land dedication pursuant to Section 9-4.1011 of the AMC.

E. PROPERTY MAINTENANCE

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
2. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

F. GRADING

1. 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.
2. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
3. Wall and fence locations and elevations shall be included on the grading plan.
4. Any existing wells or septic systems on the property shall be properly abandoned under permit from the Contra Costa County Environmental Health Department.
5. The grading for slopes shall be contoured to provide as natural an appearance as possible as required by the City Engineer.
6. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
7. Asphalt paving shall be designed for a minimum traffic index (TI) of 4.5 and shall have a minimum slope of 2%, concrete paving shall have a minimum slope of 0.75%, and asphalt paving for identified accessible parking stalls and access routes may have a minimum slope of 1.5% and a maximum 2% slope, or as approved by the City Engineer.
8. Swales adjacent to structures shall have a minimum of a 1% slope or as directed by the City Engineer.

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9. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The developer shall submit written authorization to "access, enter, or grade" adjacent properties prior to performing any work.
10. The grading plan for this development shall be approved by the City Engineer.
11. All elevations shown on the plans shall be on the USGS 1929 sea level datum or NAVD 88 with conversion information, as approved by the City Engineer.
12. Retaining walls shall be of masonry construction and shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
13. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the setback and sight distance triangles as required by the City Engineer.
14. The grading transitions from parcel to parcel or parcel 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.

G. CONSERVATION/NPDES

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping, shall be used.
2. The Project shall meet or exceed Tier 1 of the CALGreen Building Code.
3. That 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

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Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

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 developer shall submit a permit application consistent with the developer's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
 - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
 - c. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction.
 - d. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute and record any agreements identified in the Storm Water Control Plan which

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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 drive aisles in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.
- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.
- j. Install "No Dumping, Drains to River" decal buttons on all catch basins.
- 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

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may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.

- m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
 - n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.
 - o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.
5. All impervious surfaces to be constructed as part of the project, including off-site roadways, are subject to C.3 requirements per State Regulations.

H. UTILITIES

- 1. The developer shall install all infrastructure necessary to serve the site in the first phase of development.
- 2. All onsite utilities shall be privately maintained and connected to public facilities in accordance with City Standards, or as approved by the City Engineer.
- 3. All existing and proposed public utilities (e.g. transformers) shall be placed underground (subsurface installation) in accordance with the AMC, unless otherwise approved in writing by the City Engineer.
- 4. A reduced backflow prevention device shall be installed on all City water meter services.

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5. 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.
6. A double detector check backflow shall be installed for fire lines to the buildings and reduced pressure backflows shall be installed for domestic water and irrigation per the City's standards.
7. All sewage shall flow by gravity to the intersecting street sewer main or as approved by the City Engineer.
8. All proposed drainage facilities, including open ditches, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.
9. The developer shall comply with all conditions stipulated in Contra Costa County Flood Control District letter dated March 16, 2017, inclusive of the following:
 - a. Submit hydrology and hydraulic analyses that prove the adequacy of the in-tract drainage system and the downstream drainage system, with a Storm Water Control Plan, to the City for review and approval, and submit same to the Contra Costa County Flood Control District for review at no cost to the City if directed by the City Engineer.
 - b. Analyze the storm drain system and mitigate any impacts caused by the change from single-family (medium) residential to multi-family residential land use.
10. The developer shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.
11. The units shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.

I. LANDSCAPING

1. Landscaping, grading and signage shall not create a sight distance problem.

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2. Detailed landscaping and irrigation plans for the entire site (including C.3 basins) shall be as approved by the City Council on plans dated December 19, 2016. Final landscape and irrigation plans shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy.
3. All trees shall be a minimum 15-gallon size and all shrubs shall be a minimum 5-gallon size.
4. Landscape shall show immediate results and be permanently maintained in good condition.
5. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.
6. Landscaping for the project shall be designed to comply with the applicable requirements of the 2015 California State Model Water Efficient Landscape Ordinance (MWELO). Prior to issuance of a building permit, the applicant shall demonstrate compliance with the applicable requirements of the MWELO in the landscape and irrigation plans submitted to the City.

J. PROJECT SPECIFIC CONDITIONS

1. This design review approval applies to the construction of 58 multi-family units, landscaping, fencing, soundwalls and other associated improvements as depicted on the plans entitled "Almond Knolls City of Antioch, California", dated January 5, 2017.
2. Development shall be substantially in accordance with the plans entitled "Almond Knolls City of Antioch, California", dated January 5, 2017, except as modified by the following conditions.
3. The applicant shall prepare and record a condominium plan in accordance with California Civil Code § 1351(f), having no more units than that specified on the tentative parcel map for condominium purposes per California Government Code § 66427 (e)(1).
4. The applicant shall prepare and record Declaration of Covenants, Conditions, and Restrictions (CC&R's) subject to the approval of the City Attorney and Community Development Director. The CC&R's shall be recorded concurrently or prior to the recording of the parcel map. The CC&R's shall contain the following requirements which shall be the responsibility of the property owner or HOA:

RESOLUTION NO. 2017/**

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- a. Implementation of a parking lot sweeping program.
 - b. Maintenance of the storm water detention basin.
 - c. Compliance with all City Codes regarding property maintenance.
 - d. Maintenance of all slopes to property line.
 - e. Maintenance of all onsite landscaping, with the landscaping between the parking lot and the homes on Hillside Drive kept in a condition to screen headlights.
5. All masonry walls and wood fencing shall be placed so as to not create an empty void space between the existing fence and new fence without providing access to maintain the slopes adjacent to project fencing. Fence and wall locations shall be identified on the plans submitted with the building permit submittal. All fencing shall be installed in accordance with AMC Section 9-5.1602. The applicant shall submit a Maintenance Plan for review and approval of the City Engineer for the slopes adjacent to project fencing on the southern property boundary providing confirmation that the applicant contacted property owners on the southern property boundary regarding an offer of slope maintenance or providing access for slope maintenance and indicating which affected properties' slope will be maintained by the project applicant or maintained by the owner of the slope.
6. Lot line adjustment(s), if needed, shall be reviewed and approved by the City Engineer and Community Development Director prior to the issuance of building permits.
7. Per AMC section 9-5.1714, the applicant shall provide a solid decorative concrete or masonry wall six feet in height on the southern and eastern boundary of the project site to screen the parking areas from the adjacent residential properties.
8. The portion of the project between the parking lot and the existing homes on Hillside Road shall be designed to screen headlights, to the satisfaction of City staff.
9. Storm drain pipe centerline along Worrell Road shall be located 0.67' from the face-of-curb.
10. All drive aisles shall be perpendicular to the Worrell Road centerline a minimum distance of twenty feet (20') from the property line, or as approved by the City Engineer.
11. A solid decorative concrete or masonry wall, six feet (6') in height, shall be constructed to separate the project from the adjacent commercial use.

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The existing wall may be utilized; however, the wall must be six feet (6') in height on the residential side. Staff shall review wall height for sight distance constraints next to Worrell Road and the developer shall rebuild the wall if necessary.

12. The developer shall notify neighbors at least one week prior to commencement of grading or construction operations on the site.
13. The lighting plan shall be per the plans approved by the City Council dated January 5, 2017. Final plans shall be submitted for staff review and approval prior to the issuance of any building permits for this project. Lighting shall not spill over onto adjacent properties.
14. The density of landscaping in the unlit areas behind Building #5 should be increased to reduce crime and blight.
15. Bicycle parking shall be added to serve the proposed project per the requirements of Section 9-5.1707 of the AMC.
16. Submit elevations for retaining walls including overall design, color and materials for review and approval by the City of Antioch Planning Division prior to issuance of building permit.
17. All mechanical equipment shall be screened from public view per the requirements of Section 9-5.1301 of the AMC.
18. Submit location and design of mailboxes for review and approval by the City of Antioch Planning Division prior to issuance of building permit.
19. The project shall not cause an increase in background ambient noise which will exceed 60 CNEL adjacent to outdoor living areas (e.g., backyards for single-family homes and patios for multi-family units) of adjacent properties. The property owner, or HOA if one is established, shall establish and enforce through lease agreements or CC&Rs, "quiet hours" for project residents between the hours of 10 P.M. and 7 A.M. seven days a week.

RESOLUTION NO. 2017/**

July 25, 2017

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* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 25th day of July, 2017 by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH

ATTACHMENT "H"

April 20, 2017

I am a homeowner whose property is in direct contact with the property on Worrell Rd, that is being called Almond Knolls Luxury Apartments.

Some of my concerns are-

1. That it will be apartments and not single family homes. The last time there was a proposal for this site, it was for single family homes. People tend to take more pride in ownership. There is less concern for property and value if there is not ownership.
2. Please, Please Please DO NOT allow Section 8 or any other subsidies for housing.
3. Privacy. Since my home is on Hillside Rd, the property is above me. Even with the proposed grading, those on Hillside Rd will be losing privacy. Depending on where the buildings are place some will be losing more.
4. Traffic. What do the traffic studies show? With a minimum of 2 cars per unit, that make 110 extra cars on residual streets in the area. First on Worrell Rd especially in the mornings. With people rushing to get to school and work, the congestion and wait times to cross Lone Tree Way can be long. And pedestrian traffic can and has been harrowing. Also of note is the cut through traffic on Hillside Rd. Many people are too impatient to wait at the signal light, instead **race** down Hillside Rd and around the corner. Having lived there since 1988, I have watched it through the years.
5. It is being called 'Luxury Apartments'. What makes it Luxury? Or is it just a term to attract a greater number of prospective tenants but still not homeowners?

Understanding that some building may happen on the lot. As homeowners I/we are trying to- preserve our way of life, the safety and security in our neighborhood, limit the congestion in our already over crowded streets, maintain our property values and privacy.

Thank you for you time,

Rose Cardinale

Sheila Broderick
24 Worrell Road
Antioch, CA 94509
925-757-3911
408-930-8660

RECEIVED

MAY 16 2017

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

May 14, 2017

To: Alexis Morris, Planning Manager, City of Antioch

Re: Proposed Almond Knolls Apartments, Worrell Road

I am opposed to the construction of this 58 unit, high-density apartment complex for several reasons.

The proposed apartment complex does not fit the character of the neighborhood. It has been a neighborhood of single family residences since the hill was developed in the early 1950s, characterized by large deep lots. The high-density use is obviously incompatible.

I foresee this development, if completed, bringing several problems to the neighborhood. I've worked in law enforcement for a Bay Area city for over 30 years, and high density apartments- no matter how nice- have always had the following complaints: parking, vehicle thefts/ burglaries and excessive noise.

The proposed development has 58 units and 85 bedrooms. The development allotted a single parking space per bedroom. This is California, the land of the auto. Most couples own two cars, even those just starting out in a one bedroom apartment. Second bedrooms are often sublet (despite what the lease allows), children reach driving age, and residents may have work vehicles that they must bring home at night - all factors that cause overflow parking onto neighborhood streets. Worrell Road has a blind curve at the crest of the hill. When vehicles are parked along the curb, the road is narrow. Parked vehicles further block the view of residents exiting their driveways. Red curbing out front only moves the problem farther into the neighborhood - it doesn't make the overflow cars go away.

Worrell Road was not designed to be a portal to the neighborhood. Access to the neighborhood was originally via East Tregallas, using Sunset, Lincoln and Roosevelt Lanes. Worrell Road was a dead end running west off Sunset Lane, and didn't have sidewalks until the mid 1960s. The connection to Lone Tree Way was not completed until the late 70s. Vehicles do not observe the 25 mph speed limit, especially when headed westbound toward Lone Tree Way.

HZ

S. Broderick -- Almond Knolls Apartments - page 2

The proposed apartment complex also has no garages - only some covered parking and open stalls, so there is no way to adequately secure a vehicle. This creates a target-rich environment for auto burglars and car thieves. While the plan for the complex includes wrought iron gates and front fence, the remainder of the property will have only a flimsy wooden fence. It's quite easy to boot out a board or two to either gain access to or leave from the property. We do not need an increase in crime in the neighborhood by creating these targets of opportunity.

I think it goes without saying that 58 families and 88 vehicles would generate a lot more noise than 12 single family homes and their accompanying vehicles would on this property. Loud music, loud vehicles, loud parties and domestic violence complaints are the norm for apartment complexes, due to the high-density environment. This noise spills over into the adjoining neighborhood, especially when an apartment complex does not have sound walls to help damper the problem.

Just as an aside regarding the trees on the property, none of the trees were present before the 1970s, with the possible exception of trees #17 and #18 at the very south-east corner of the property. Tree #24 on the east property line sprouted in the 70s, and was probably, like all the other trees, from seeds dropped by birds. The only original vegetation (pre 1963- my first year of personal reference) on the main portion of the property is a large shrub out in the center of the lot.

Thank you for taking my concerns into consideration.

Yours truly,


Sheila Broderick

H3

RECEIVED

MAY 16 2017

Tim Broderick
24 Worrell Road
Antioch, CA 94509
925-757-3911
925-634-3508

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

May 14, 2017

To: Alexis Morris, Planning Manager, City of Antioch

Re: Proposed Almond Knolls Apartments, 58 units, on Worrell Road

The Broderick family is opposed to the above referenced 58 unit apartment complex.

Clearly, high density apartments are an inappropriate, non-conforming and incompatible land use in a long-established low-density single family residential neighborhood.

A blind curve (originally a dead-end street) exists bordering the project at the crest of Worrell Road. Significantly increased traffic creates dangerous egress and ingress to existing residents, as does concentrated off-site overflow parking from the proposed high-density development. Pedestrian safety, especially of school children, is also a monumental concern.

The introduction of 58 families packed on less than 3 acres is clearly inconsistent with the character of the existing neighborhood.

High concentrations of apartments and traffic will create and promote an adverse impact affecting quiet enjoyment and tranquility of an existing single family residential neighborhood. With respect to all adjacent properties, a more intensive use (i.e. the proposed apartments) should be required to provide effective masonry sound walls, with regard to both material and height.

Additionally, natural topography indicates drainage flows to the west. The adjacent Broderick property drains toward the proposed project; any development must address this issue.

H4

T. Broderick - Almond Knolls Apartments -- p.2

Any high-density proposal would require re-zoning plus a General Plan Amendment.

We would be in favor of single family residential development, consistent with the established general neighborhood.

The Broderick family has resided at 24 Worrell Road since 1956. I am a licensed real estate broker and have been active in the east Contra Costa real estate industry since 1976, and my late father before me, since 1949.

Your consideration is sincerely appreciated. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tim Broderick', with a long horizontal flourish extending to the right.

Tim Broderick
925-634-3508 (office)

cc: Sean Wright, Mayor
Antioch City Council

H5

March 2017

Dear city Counsel of Antioch.

I am sending you this letter; because in the next month or so.. you will be asked to make changes in zoning. We are presently zoned single resident housing. This will be from The Grupe Company 209-473-6066.

Location is on Worrell Road. The parcel of land is Across the street from 11 Worrell Rd. They have called this Almond Knolls.

Our community wants single resident housing as zoned. They want to put 3 story apartments. across the street a home just sold for 600,000. Apartments are not suited for this land or this neighborhood. also the traffic is congested as is. children going to Park JR high, riding bikes walking to and from school and parents driving make a lot of congestion and make it difficult for residents coming out of their driveways. you will discover this being in the area around 8am and again at 3pm. 16 homes are presently backed up to this parcel.

The Residents in surrounding area is strongly apposed to this intended construction! please consider us Tax paying and voter residents!

Carl Sellers 38 Zoward Rd 757-5588

Edith May Schrader 56 Worrell Rd. 757-1513

Maria McClain 43 Worrell Rd. 757-7383

ALLAN WILSON 15 WORRELL RD

SHEILA BRODERICK 24 WORRELL RD 757-3911

TIM BRODERICK 24 WORRELL RD. 757. 3911

PHYLLIS BRODERICK 24 WORRELL RD. 757-3911

Michelle Lonsley 14 Worrell Rd 925-848-9411
Howard Givens

DALE MANNING 132 Hillside Rd 925 628-4670

RECEIVED

MAY 16 2017

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

HL6

May 16, 2017

City of Antioch
Planning Commission
Community Development Department
P.O. Box 5007
Antioch, CA 94509



Outstanding Agents.
Outstanding Results.®

Re: Notice April 7, 2017
58 Units / Worrell Road, Antioch

Commission / City of Antioch,

I own the property at 2830 Lone Tree Way, Antioch. I was noticed concerning the proposed project.
I/we would not object to the project subject to the following:

1. That the use be Condominium Only, application for Apartments be denied
2. That all new construction only be sold to owner occupants
3. That there be a Home Owners Association
4. That no more than 15% of the units could be rentals at any one time (9) maximum forever, first come first allowed to rent
5. That any unit converted to a rental be registered with the HOA and the City of Antioch
6. That the units all have Tile Roofs
7. That all units be 75% stucco finish with not less than 25% stone or artificial stone
8. That the security gate have a number control for access
9. That there be not less than 2 covered parking spaces per unit, carport or garage
10. That there be not less than 20 visitor parking spaces
11. That no RV's, Boats, or other vehicles be allowed in the complex
12. That there be a limitation of one animal per unit with a weight not to exceed 35lbs
13. That the landscaping include not less than 50 trees

We strongly object to an Apartment construction Application.

Sincerely,

Mark Jordan, Broker

Mark Jordan, ABR, CRS, GRI, CDPE, SRES®
Broker-Owner, REALTOR®, DRE#00676018

RE/MAX Preferred Properties

2830 Lone Tree Way • Antioch, CA 94509 • 6680 Alhambra Ave #184 • Martinez, CA 94553

Office (925) 757-8080 • Fax (925) 757-8582
mark@markcynthia.com • www.markcynthia.com

RECEIVED

APR 21 2017

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

To City of Antioch
Att Alexis Morris
Planning Officer
Ref Almond Knolls Project
From Nearby Neighbor
#1 Terranova Drive
Antioch Ca 94509

April 19 2017

Dear Alexis,

I am in receipt of the notice of potential development of the Almond Knolls project and strongly support the development of a fenced 58 unit apartment project. I am a nearby neighbor to the site at which has remained undeveloped for years and is a constant problem with homeless person habitating the property and building temporary structures at which is constant eyesore and has lowered our property values not only on Worrel road but also nearby Lone tree way. I support the project 100% but wish to remain anonymous due to personal reasons. The City of Antioch would be insane not to approve this project.

Sincerely,

Anon

H8