ANNOTATED

AGENDA

CITY OF ANTIOCH PLANNING COMMISSION ANTIOCH COUNCIL CHAMBERS 200 "H" STREET

WEDNESDAY, FEBRUARY 1, 2017 6:30 P.M. (6:33 p.m.)

NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M. UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION TO HEAR THE MATTER

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **WEDNESDAY**, **FEBRUARY 8, 2017**.

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one "main presenter" who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during "public comments". Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

ROLL CALL 6:30 P.M.

Commissioners Motts, Chair

Zacharatos, Vice Chair

Parsons Mason Turnage

Husary (absent)

Conley

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

- 1. APPROVAL OF MINUTES:
- A. May 4, 2016

CONTINUED

- B. September 7, 2016 APPROVED
- C. October 19, 2016 CONTINUED

END OF CONSENT CALENDAR *

MINUTES

NEW PUBLIC HEARINGS

MINUTES

MINUTES

- 2. UP-16-17, AR-16-13 The Crossings Drive Thru and Signage Banducci Associates requests approval of new exterior paint colors for the main building, a remodel of a pad building including re-opening a closed drive thru lane, and new monument signage for The Crossings Shopping Center located at the southeast corner of Deer Valley Road and Hillcrest Avenue (APNs 052-460-016, 017, 018, 020, 022).
 STAFF REPORT
 RESOLUTION NO. 2017-01
- 3. UP-16-20, V-16-06 Women's Club Outdoor Garden Antioch Women's Club is requesting approval of a use permit and variance application to add an outdoor garden area for events currently hosted at the site. The project site is located at 503 G Street (APN 066-147-009).

 RESOLUTION NO. 2017-02

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (7:04 P.M.)

Notice of Availability of Reports

This agenda is a summary of the discussion items and actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 200 "H" Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee). Copies are also made

available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

Accessibility

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

CITY OF ANTIOCH PLANNING COMMISSION

Regular Meeting May 4, 2016 6:30 p.m. City Council Chambers

Vice Chair Zacharatos called the meeting to order at 6:30 P.M. on Wednesday, May 4, 2016 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, May 11, 2016.

ROLL CALL

Present: Commissioners Parsons, Husary, Mason, and Vice Chair

Zacharatos

Absent: Commissioner Hinojosa and Chair Motts

Staff: Director of Community Development, Forrest Ebbs

Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: April 20, 2016

On motion by Commissioner Parsons, seconded by Commissioner Mason, the Planning Commission approved the minutes of April 20, 2016, as presented. The motion carried the following vote:

AYES: Parsons, Husary, Zacharatos, Mason

NOES: None ABSTAIN: None

ABSENT: Hinojosa, Motts

NEW PUBLIC HEARING

2. UP-15-13, AR-15-13, V-15-05 – ARCO AM/PM Gas Station/Convenience Store – PM Design Group, applicant, on behalf of Jagdish Kumar Bhalla, property owner, requests Planning Commission approval of a use permit, design review, and a variance for the demolition of the existing gas station and construction of a new gas station with a 3,769 square-foot convenience store.

<u>1A</u> 2-1-17 The variance request would allow the sale of alcoholic beverages within 500' of another alcohol sales outlet, which is ordinarily prohibited by Municipal Code. The project is located at 2610 Contra Loma Boulevard (APN 076-191-038-9).

Director of Community Development Ebbs presented the staff report dated April 27, 2016 recommending the Planning Commission approve UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution.

In response to Commissioner Mason, Director of Community Development Ebbs stated a pole sign would be visible from east bound Highway 4; however, the canopy sign would not.

Vice Chair Zacharatos opened the public hearing.

Ron Jacobs, PM Design Group, representing Jack Bhalla, stated the rebuild of this station would maximize the site and be an enhancement to the area. He discussed the importance of replacing the pole sign as it would allow them to advertise the business to Highway 4. He noted that when Caltrans removed the original sign; it was with the understanding that they would be able to replace it, after the improvements were completed. He stated if the pole sign was not allowed, they would like to bring back a revised sign program.

In response to Commissioner Mason, Mr. Jacobs clarified if they were to revise the signage program, they would add illuminated ARCO letters to the canopy and increase building signage.

In response to Commissioner Parsons, Mr. Jacobs stated the canopy would not be visible from the freeway.

Jody Knight, representing Reuban, Junius & Rose, LLP, stated Jagdish Bahlia would be a good neighbor and strictly enforce the conditions of approval. She noted this business was isolated and not conducive to loitering. She further noted this project would increase employment, upgrade the site, and provide a benefit to the community.

In response to Commissioner Mason, Director of Community Development Ebbs explained highway signage was coordinated through Caltrans.

Commissioner Parsons added no signs were currently planned indicating this off ramp provided services.

Vice Chair Zacharatos closed the public hearing.

Commissioner Parsons spoke in support of the variance for alcohol sales noting this area was unique with no conflicting businesses. Additionally, she noted the signage

should be allowed as it was an established business that previously had a pole sign on their property.

Commissioner Mason stated he felt it was a good project; however, he had reservations for the pole sign as it may set a precedent. He noted the fact there was a pole sign at the business in the past could be justification.

Commissioner Zacharatos spoke in support of allowing the pole sign and the variance for alcohol sales.

Commissioner Husary voiced her support for the pole sign; however, suggested alcohol sales be limited.

Director of Community Development Ebbs stated if the Planning Commission was compelled to support the pole sign, in order to avoid a precedent, language could be added to the finding indicating that this was a unique circumstance as there was a sign on the property that was taken down and there was generally consistency with the General Plan looking at the overall sum of the project. He stated that the Planning Commission could also limit the hours of alcohol sales.

In response to Commissioner Parsons, the applicant indicated he would abide by decisions made by the Planning Commission this evening.

RESOLUTION NO. 2016-08

On motion by Commissioner Parsons, seconded by Commissioner Husary, the Planning Commission members present unanimously approved UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution. With the following revisions:

- A) Adding a finding that the pole sign shall be allowed as it is a replacement for the previous pole sign located at the business.
- B) Liquor sales shall be allowed from 6:00 A.M. 12:00 A.M.

The motion carried the following vote:

AYES: Parsons, Husary, Zacharatos, Mason

NOES: None ABSTAIN: None

ABSENT: Hinojosa, Motts

ORAL COMMUNICATIONS

Director of Community Development Ebbs reminded the Planning Commission that a General Plan Land Use Element Update would be on the May 18, 2016 agenda.

Vice Chair Zacharatos announced she would not be available for the May 18, 2016 Planning Commission meeting.

Jagdish Bahlia thanked the Planning Commission and staff for allowing him to rebuild his ARCO station and noted it would be the gateway to Antioch.

Vice Chair Zacharatos thanked Mr. Bahlia for his interest in Antioch.

Pastor Henry Kelly, representing Grace Temple Church of God in Christ, reported he had not received a notice regarding this meeting or the variances. He expressed concern for the close proximity of the ARCO station to other businesses selling liquor in the area. He stated they had been attempting to clean up the area; however, it was a challenge with the illegal activity occurring.

Commissioner Parsons responded that a new business opening in the area would create more activity and deter criminal activity.

Director of Community Development Ebbs stated he would be available to discuss this matter with Pastor Kelly after the meeting and reiterated that the business would only be selling beer and wine.

Commissioner Mason added that the business was prohibited from selling single serve beer and wine-derived products.

Pastor Kelly stated he was also concerned with unsafe traffic conditions and the fact that on-street parking had been eliminated in the area.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

<u>ADJOURNMENT</u>

Vice Chair Zacharatos adjourned the Planning Commission at 7:08 P.M. to the next regularly scheduled meeting to be held on May 18, 2016.

Respectfully Submitted, Kitty Eiden

CITY OF ANTIOCH PLANNING COMMISSION

Regular Meeting September 7, 2016 6:30 p.m. City Council Chambers

Chair Motts called the meeting to order at 6:31 P.M. on Wednesday, September 7, 2016 in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, September 15, 2016.

ROLL CALL

Present: Commissioners Parsons, Mason, Hinojosa, Vice Chair Zacharatos

and Chair Motts

Absent: Commissioners Husary and Conley

Staff: Director of Community Development, Forrest Ebbs

Contract Planner, Cindy Gnos

Assistant City Engineer, Lynne Filson

City Attorney, Michael Vigilia Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: August 17, 2016

On motion by Commissioner Zacharatos, seconded by Commissioner Parsons, the Planning Commission approved the minutes of August 17, 2016, as presented. The motion carried the following vote:

AYES: Parsons, Zacharatos, Mason

NOES: None

ABSTAIN: Hinojosa, Motts ABSENT: Husary, Conley

NEW PUBLIC HEARING

2. PD-16-02, UP-16-06, AR-16-03 – Vineyard Self-Storage – Reid Hamilton, Hamilton Solar, requests approval of a Mitigated Negative Declaration, a rezone to Planned Development District (PD), a Use Permit, and Design Review for the development and operation of a 1,390 square foot office building, 100,943 square foot of self-storage space, and approximately 70,600 square foot of outdoor boat and RV storage space on approximately 6.68 acres. The proposed project also includes off-site sewer improvements.

Staff recommended that this item be continued to September 21, 2016.

On motion by Commissioner Parsons, seconded by Commissioner Zacharatos, the Planning Commission unanimously continued PD-16-02, UP-16-06, AR-16-03 – Vineyard Self-Storage to September 21, 2016.

AYES: Parsons, Zacharatos, Mason, Hinojosa and Motts

NOES: None ABSTAIN: None

ABSENT: Husary, Conley

3. UP-15-16 – Delta Courtyard – Antioch Pacific Companies, requests use permit, design review, and a lot line adjustment approval for the construction of 126-units of affordable rental housing. The project would consist of a three-story and four-story building that combine to house 17 one-bedroom, 38 two-bedroom, 62 three-bedroom units, and 9 four-bedroom units. Based on the R-25 zoning designation, 115 units would be allowed on the site; therefore, the applicant is requesting a density bonus of ten percent in order to allow 126 units. In conjunction with the density bonus, the applicant is requesting approval of an incentive to reduce the required parking from 240 spaces to 187. The proposed project would develop affordable rental housing units on two adjoining parcels located at 701 and 810 Wilbur Avenue (APNs 065-110-006 and -007).

Contract Planner Gnos presented the staff report dated September 2, 2016, recommending the Planning Commission approve the use permit and design review subject to the conditions contained in the staff report's attached resolution. In addition, staff recommended approval of the Density Bonus and would like Planning Commission's further consideration and direction regarding the requested Parking Concession.

In response to Commission Hinojosa, Contract Planner Gnos clarified the property owner to the east has requested a masonry wall along the property line.

Commissioner Hinojosa stated she reviewed the preconstruction survey and there remained a potential for burrowing owls to be present at the time of grading; therefore,

she suggested adding a condition of approval requiring a preconstruction survey and avoidance and minimization measures for the project.

Commissioner Hinojosa suggested the Commission and applicant discuss the potential for adding a gated entry to the project.

In response to Commissioner Hinojosa, Director of Community Development Ebbs cautioned that setbacks for the gate would require careful site planning.

In response to Commissioner Hinojosa, Director of Community Development Ebbs explained requirements necessary to achieve state-mandated concessions. Contract Planner Gnos added that the below market rate housing plan met all the requirements.

Commissioner Mason expressed concern that there was no guest parking and it would be unsafe to park on the other side of Wilbur Avenue as there was no safe crossing. He noted at 28.5 units per acre, this project exceeded the City's requirements per the Municipal Code.

Contract Planner Gnos explained the Density Bonus ordinance allowed the project to reduce the City's parking requirements without a variance as well as exceed the maximum density.

Director of Community Development Ebbs added the Density Bonus was consistent with the provisions in the Municipal Code and the City was compelled to allow the additional units above 25 per acre. In addition, the applicant was allowed to ask for additional concessions, which the City was compelled to give unless the City could make a finding to the contrary.

Vice Chair Zacharatos stated she felt 215-239 parking spaces were reasonable, given the total amount of bedrooms in the project and questioned whether this site was appropriate for housing.

In response to Vice Chair Zacharatos, Director of Community Development Ebbs explained the City was compelled to continually add to their inventory of affordable housing.

Contract Planner Gnos added the Housing Element identified this site for the provision of affordable housing and it was rezoned to R-25 as part of the Housing Element.

In response to Chair Motts and Commissioner Hinojosa's questions regarding the CEQA exemption, Contract Planner Gnos explained criteria used to determine this project as an infill project and noted the project was consistent with the General Plan. Director of Community Development Ebbs added that the City had adopted a community climate action plan, which carried the burden for greenhouse gases through a series of programs and non-development type activities.

In response to Commissioner Hinojosa, Contract Planner Gnos stated the applicant had attempted to mitigate the parking issue through the proposed Parking Management Plan. She noted C3 requirements were State law.

Chair Motts opened the public hearing.

William Spann, Pacific West Communities, Delta Courtyard Apartment Project, presented a PowerPoint presentation which included a background of their company, examples of other projects, overview of amenities, site plan, illustration of materials and project benefits. He explained the Parking Management Plan and discussed the results of the studies that indicated low income families had fewer cars especially in urban areas. He explained funding for the project and noted there was a shortfall and if they were to lose units due to the concern over parking, that shortfall would increase. He noted the installation of a gate would most likely reduce parking spaces; however, he agreed to look at the issue.

In response to Commission Mason, Mr. Spann stated he would discuss a local hire provision with his partner.

Commissioner Mason stated a good faith effort of at least 25% local hire would be preferred.

In response to Commissioner Hinojosa, Mr. Spann explained the onsite property management team enforced provisions of the Parking Management Plan. He discussed their outreach and communication strategies. He expressed concern regarding the requirement to provide bus passes noting he was unaware of the costs associated; however, he offered to research the issue and cooperate if possible.

Director of Community Development Ebbs explained the Antioch Police Department and Code Enforcement would not patrol private property or issue citations for vehicles legally parked on the street; however, if a vehicle was parked in the red zone or on the street for longer than 72 hours, the vehicle could be cited and towed.

Andrew Wheeler, Project Architect, stated onsite managers and maintenance staff lived on the property and their parking would come out of the provided parking.

In response to Chair Motts, Mr. Spann stated they would be amiable to analyzing permeable materials to offset the size of the retention basin and gain more parking area.

Mr. Spann displayed a video flyover of the proposed project.

In response to Commissioner Hinojosa, Mr. Spann explained garages helped the financial performance of the project and physical appearance. He commented that there would be windows so staff could monitor their usage.

In response to Commissioner Mason, Mr. Spann clarified 4-5 managers/maintenance staff would live onsite.

In response to Vice Chair Zacharatos, Mr. Spann explained they had designed a similar project in Gilroy that had comparable parking constraints.

In response to Commissioner Parsons, Assistant City Engineer Filson clarified the project would drain into the C3 basins which then cleaned and slowed down drainage into the public storm drain system. She stated she was unsure if it would drain into Lake Alhambra. She noted the water could not drain any faster and had to be at least as clean as it is in its current undeveloped state. She noted there would not be any impact or deterioration of the existing condition.

Commissioner Parsons spoke in support of increasing the masonry wall height to 8 feet along North Lake Drive.

Andrew Wheeler, Project Architect, explained the project was heavily landscaped on the east elevation as a visual barrier and the majority of the project would be native and drought tolerant plants.

Commissioner Parsons requested the applicant enhance landscaping on the east elevation.

Mr. Spann stated that they could explore planting trees on the Garrow property.

Bill Campbell, Antioch resident, voiced his opposition to the project draining into Lake Alhambra. He suggested draining the project toward Wilbur Avenue and then utilizing the retention basin area for additional parking. He requested an 8 foot masonry wall on North Lake and that the facility is gated. Additionally, he expressed concern for a four story building being constructed adjacent to existing residential development.

Mike Serpa, property owner, discussed the challenges of developing this site. He spoke in support of Pacific West Communities noting they had a reputation for building and managing very successful affordable rental projects. He explained that draining the project toward Wilbur Avenue would not be possible and noted the C3 basin was designed to function efficiently. He offered to fund enhanced landscaping and install an 8 foot masonry wall to address Mr. Campbell's concerns.

Chair Motts closed the public hearing and reopened the public hearing at the request of a speaker.

Greg Piasatelli, expressed concern for the screening of this project from his property along Minaker Drive as well as the project draining into the river. Additionally, he noted he was concerned for parking spilling into the adjacent neighborhood and a low income housing project decreasing his property values. He reported Cupertino Tow utilized Minaker Drive as a main thoroughfare, which was loud and deteriorating the street.

Chair Motts closed the public hearing.

Chair Motts declared a recess at 8:19 P.M. The meeting reconvened at 8:27 P.M. with all Planning Commissioners present with the exception of Commissioners Conley and Husary who were previously noted as absent.

Commissioner Hinojosa listed the following items she would like considered for the conditions of approval:

- Conduct and provide results of a preconstruction survey and implement minimization measures for avoidance for western burrowing owls and nesting birds prior to the grading of the project.
- Installation of an entry gate on site if it could be accommodated and encroachment of the setback would be acceptable without taking away parking
- Submission of an annual report on how the parking management plan is performing, require guest parking passes, and provide bus passes at no cost to the residents

- The masonry wall on the North Lake Drive side shall be increased to 8 feet
- The masonry wall shall be installed on the East property line
- The applicant shall provide additional landscape screening along North Lake Drive

Director of Community Development Ebbs speaking to the parking management plan explained additional language could be added; however, this was a permanent project and there would be no recourse if parking became a problem.

Assistant City Engineer Filson stated if parking on the street became a problem, residents could request a permit parking district.

Director of Community Development Ebbs explained a parking district was not available at this time.

Chair Motts agreed with Commissioner Hinojosa and suggested in the future for C.3 compliance, staff consider permeable materials for projects to free up space for parking.

In response to Commissioner Hinojosa, Director of Community Development Ebbs explained the Planning Commission would be approving the Development Plan and the Density Bonus would go to Council to formalize the contract.

In response to Commissioner Parsons, Director of Community Development Ebbs explained C3 requirements.

Assistant City Engineer Filson stated if water drained into Lake Alhambra, it would go into the very outfall on the north end heading into the river.

In response to Commissioner Mason, Director of Community Development Ebbs clarified the nearest bus stop was east bound 250 feet to the west on the south side of Wilbur Avenue. Assistant City Engineer Filson added if an additional bus stop were needed, Tri Delta would provide one. She noted there were signalized crosswalks at Cavallo Road and Minaker Drive.

Commissioner Mason supported installation of an entry gate for the project, bus passes for residents and extension of the masonry wall to 8 feet. He stated he would prefer 200 parking spaces and questioned if motorcycle spaces were included.

Vice Chair Zacharatos concurred with comments made by Commissioners Hinojosa and Mason.

Director of Community Development Ebbs stated the Commission could ask for a yearly review of the Parking Management Plan; however, the City was limited on what could be done if it was not functioning successfully.

Commissioner Hinojosa shared concerns regarding the parking issue; however, she felt the City was obligated due to State requirements linking back to the concessions. She stated she did not know that she could attribute the necessary findings for denial. She noted that while she felt there would not be adequate parking and they were creating a nuisance for the community, she believed there was a moral and legal obligation to meet the affordable housing requirements and the need within the community. She further noted adding more substance to the parking plan may help address these concerns even though enforcement was limited. She stated she felt this location was good for linking to public transit.

Chair Motts added with the sale of the Gaylord property, there may be potential for employment within the neighborhood. He questioned if there was an ability to encroach into the setback to provide space for the gated entry.

Director of Community Development Ebbs stated if there was consensus for the installation of a gate, a condition could be added that the applicant exhaust all measures to install a gate except reducing parking.

In response to Commissioner Parsons, Assistant City Engineer Filson stated the long term plan for Wilbur Avenue was bike lanes for both sides.

Director of Community Development Ebbs clarified the options for the Planning Commission this evening included approving the project with the conditions as amended, directing staff to develop findings for denial or continue the project for redesign to reduce the impact of the concession.

Following discussion, the Planning Commission agreed the garage doors enhanced the design of the project.

In response to Commissioner Hinojosa, Contract Planner Gnos clarified the applicant addressed the majority of revisions requested by Stantec Architects. Director of Community Development Ebbs noted the removal of the basketball court would not result in additional parking spaces.

Following discussion the Planning Commission agreed that staff should work with the applicant to explore the compact spaces to increase parking.

Contract Planner Gnos stated staff would make sure there was adequate guest parking when reviewing the Parking Management Plan.

RESOLUTION NO. 2016-16

On motion by Commissioner Hinojosa, seconded by Vice Chair Zacharatos, the Planning Commission approved the use permit and design review subject to the conditions contained in the staff report's attached resolution. With the following modifications and additions:

- > Modify Condition D3 to eliminate the requirement for the formation of the police services CFD.
- Modify Condition J9 to require the installation of entry gates without parking reduction.
- Modify Condition J14 to require that garage doors have windows and not be eliminated.
- Modify Condition J15 requiring guest parking permits, free bus passes for residents, parking stickers or implement other measures to control parking and require annual monitoring of garages to ensure they are not being used for storage.
- > Add a Condition requiring preconstruction surveys and minimization and avoidance measures for burrowing owls and nesting birds.
- Add a Condition adding two feet on the masonry wall adjacent to N. Lake Drive.
- Add a masonry wall along the east side property line.
- > Add additional landscape screening along N. Lake Drive.

The motion carried the following vote:

AYES: Parsons, Zacharatos, Mason, Hinojosa and Motts

NOES: None ABSTAIN: None

ABSENT: Husary, Conley

In response to Commissioner Parsons, Assistant City Engineer Filson stated she would provide her with information as to where the detention basin water was draining. Commissioner Parsons stated she would like the City to pursue a sewage line that does not drain into Lake Alhambra.

NEW ITEM

4. PC Training Budget

Director of Community Development Ebbs reported the training budget for his staff and the Planning Commission was not included in the last budget. He noted the League of California Cities Planning Commissioner's Academy and California Chapter of the American Planning Association Annual Conference would be held in Northern California next fall. He further noted his intent would be to insert at least \$500.00 per Commissioner into next year's budget to ensure they could participate in one of the conferences. He explained that since the local events were not scheduled until next fall, he did not feel it necessary to request a mid-year budget transfer.

Chair Motts reported the American Planning Association held some local weekend training sessions.

Commissioner Hinojosa added that those trainings were free and held in public locations.

Director of Community Development Ebbs encouraged Commissioners to forward any local training opportunities to him so he could disperse the information to other Commissioners.

City Attorney Vigilia added if the Planning Commission were interested in certain training topics, his office could coordinate with outside legal counsel to provide workshops or trainings during a Commission meeting.

Director of Community Development Ebbs added if the Commission had questions regarding the City code or planning issues, he would be happy to provide a report to the Commission.

ORAL COMMUNICATIONS

In response to Commissioner Hinojosa, Director of Community Development Ebbs clarified that Commissioner Conley had been appointed to an unexpired term and his seat was up for reappointment

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Motts adjourned the Planning Commission at 9:29 P.M. to the next regularly scheduled meeting to be held on September 21, 2016.

Respectfully Submitted, Kitty Eiden

CITY OF ANTIOCH PLANNING COMMISSION

Regular Meeting October 19, 2016 6:30 p.m. City Council Chambers

Vice Chair Zacharatos called the meeting to order at 6:30 P.M. on Wednesday, October 19, 2016 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, October 26, 2016.

ROLL CALL

Present: Commissioners Husary, Mason, Conley and Vice Chair Zacharatos

Absent: Commissioner Parsons, Hinojosa and Chair Motts
Staff: Director of Community Development, Forrest Ebbs

Assistant City Engineer, Lynne Filson

Contract Planner, Cindy Gnos City Attorney, Michael Vigilia Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: A. May 4, 2016

B. July 20, 2016C. August 17, 2016D. September 7, 2016E. September 21, 2016

A motion was made by Commissioner Mason, seconded by Commission Husary to approve the May 4, 2016 minutes. The motion carried the following vote:

Ayes: Husary, Mason, Zacharatos Absent: Parsons, Hinojosa, Motts

Abstain: Conley

Due to the lack of members present to vote in the majority, the Minutes of May 4, 2016, July 20, 2016, August 17, 2016, September 7, 2016 and September 21, 2016 were continued to the next meeting.

<u>1C</u> 2-1-17

NEW PUBLIC HEARINGS

2. AR-16-02 – AVIANO – Aviano Farms, LLC, requests design review approval and a use permit for phases 2 and 3 of the 533 single family Aviano development, as well as the accompanying mailboxes, landscaping, sound walls, fencing, and entry features. The project site is located west of the current terminus of Hillcrest Avenue, east and north of Dozier Libby Medical High School (APNs 057-050-022 and 057-030-050).

Contract Planner Gnos presented the staff report dated October 14, 2016 recommending that the Planning Commission approve the use permit for phases two and three and the design review application (AR-16-02) for the 533-unit single family subdivision known as Aviano subject to the conditions contained in the attached resolution (see Attachment B).

In response to Commissioner Conley, Director of Community Development Ebbs explained the Antioch Unified School District owned property in the Sand Creek Focus Area, collected fees for school impacts and a school site for this area was in their long range plan.

In response to Commissioner Mason, Director of Community Development Ebbs stated staff felt 42 inches was adequate for fencing around the basins.

Commissioner Mason expressed concern for the height of the fence and the potential of children climbing over it and drowning in the basin.

Assistant City Engineer Filson clarified water would only be in the basin directly after a rain storm; however, the Planning Commission could require the applicant to build a higher fence if they felt it was necessary.

Commissioner Mason stated there were security concerns regarding visibility of the entryways on plan #1 and #4.

Contract Planner Gnos responded that in those instances the applicant had made the front porch larger to enhance visibility. Additionally, the plotting plan indicated the unit with the door on the side would most often be located on a corner lot.

Vice Chair Zacharatos opened the public hearing.

Michael Evans, DeNova Homes Project Manager, gave a brief background of their project and noted this was the final step to entitlement. He reported they had started biological work on the site.

Erik Gellerman, Gates and Associates, gave an overhead presentation of the revised tentative map book which included the illustrative land plan, lifestyle hub and sports zone as well as the landscaping plan and streetscape.

In response to Commissioner Conley, Mr. Evans clarified there would be left and right turn lanes exiting the subdivision.

Steve Bowker, OAG Architects, gave an overhead presentation of the architecture, materials and elevations for the development.

In response to Commissioner Conley, Mr. Bowker stated they would be providing tankless water heaters and air conditioning units would be located in the rear side yards.

In response to Commissioner Mason, Assistant City Engineer Filson explained this was the first project with the new LED street light standard and they would be much brighter.

Mr Bowker noted the new energy code would be implemented in January and the lights in the homes would also be LED.

Vice Chair Zacharatos closed the public hearing.

Vice Chair Zacharatos stated she liked the new elevations and landscaping plan.

Commissioner Husary thanked the applicant for the high quality project and providing options for three car garages and patio covers.

In response to Commissioner Conley, the applicant indicated one HOA would cover the entire development.

Commissioner Mason stated he supported the project and the positive changes brought forth by the applicant. He reiterated his concern regarding the height of the fencing around the basins and requested that they be increased to a minimum of five feet.

In response to Vice Chair Zacharatos, the applicant clarified they were working with the post office for the route and location of the mailboxes.

Commissioner Conley agreed with Commissioner Mason regarding the need to increase the height of fencing around basin.

In response to Commissioner Conley, Michael Evans stated they were in agreement with the conditions of approval including as revised this evening.

A motion was made by Commissioner Conley to approve the use permit for phases two and three and the design review application (AR-16-02) for the 533-unit single family subdivision known as Aviano subject to the conditions contained in the attached

resolution with direction to the applicant to increase the height of the wall adjacent to the detention basins.

Assistant City Engineer Filson explained there were two different types of storm water basins, one to clean the water and one to hold the water. She stated the area being utilized for the dog park, would rarely see standing water of more than 6 inches. She noted the southern basin was anticipated to have more water; however, it was designed for water to soak in or flow out through a pipe during large storm events.

The applicant noted as currently designed all the water in the basin would dissipate within 72 hours.

Following discussion, the motion was revised as follows:

RESOLUTION NO. 2016-21

On motion by Commissioner Conley, seconded by Commissioner Mason, the Planning Commission approved the use permit for phases two and three and the design review application (AR-16-02) for the 533-unit single family subdivision known as Aviano subject to the conditions contained in the attached resolution, adding a condition of approval that the applicant increase the wall adjacent to the southern basin to 60 inches. The motion carried the following vote:

AYES: Husary, Zacharatos, Mason and Conley

NOES: None ABSTAIN: None

ABSENT: Parsons, Hinojosa and Motts

3. **EMERGENCY SHELTER REZONE** – The City of Antioch is proposing to rezone the 4.89-acre vacant parcel directly south of the intersection of East Leland Road/Delta Fair Boulevard and Century Boulevard from Mixed Commercial/Residential (MCR) District to Mixed Commercial/Residential (MCR) District and Emergency Shelter (ES) Overlay District (APN 074-080-034).

Director of Community Development Ebbs presented the staff report dated October 10, 2016 recommending that the City Council rezone the property denoted as Assessor's Parcel Number 074 - 080-034 from Residential High Density Residential (R-35) to Residential High Density (R-35) and Emergency Shelter (ES) Overlay District.

In response to the Commission, Director of Community Development Ebbs stated staff had not received any applications for a shelter. He noted if another use were approved for this site, the City would be under no obligation to replace it, as they were in compliance; however, they felt this site was much more amenable to a meaningful project.

Vice Chair Zacharatos opened and closed the public hearing with no members of the public requesting to speak.

RESOLUTION NO. 2016-22

On motion by Commissioner Conley, seconded by Commissioner Mason, the Planning Commission recommended that the City Council rezone the property denoted as Assessor's Parcel Number 074 - 080-034 from Residential High Density Residential (R-35) to Residential High Density (R-35) and Emergency Shelter (ES) Overlay District. The motion carried the following vote:

AYES: Husary, Zacharatos, Mason and Conley

NOES: None ABSTAIN: None

ABSENT: Parsons, Hinojosa and Motts

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

<u>ADJOURNMENT</u>

Vice Chair Zacharatos adjourned the Planning Commission at 7:31 P.M. to the next regularly scheduled meeting to be held on November 2, 2016.

Respectfully Submitted, Kitty Eiden

STAFF REPORT TO THE PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF FEBRUARY 1, 2017

Prepared by: Alexis Morris, Planning Manager

Date: January 27, 2017

Subject: The Crossings Drive-Thru and Signage (UP-16-17, AR-16-13)

RECOMMENDATION

It is recommended that the Planning Commission approve the use permit and design review application, subject to the conditions contained in the attached resolution.

REQUEST

Banducci Associates requests approval of new exterior paint colors for the main shops building, a remodel of Pad A, including re-opening a closed drive-thru lane, and new monument signage for The Crossings Shopping Center. The project site is located at the southeast corner of Deer Valley Road and Hillcrest Avenue (APNs 052-460-016, 017, 018, 020, 022).

ENVIRONMENTAL REVIEW

The proposed project is an infill project, and is considered exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15332 – Infill Development Projects: 1) The project is consistent with the General Plan as well as the applicable zoning designation and regulations; 2) The proposed development occurs within the city limits on a project site no more than five acres; 3) The project site is already developed with a shopping center; therefore, has no value as habitat for endangered, rare, or threatened species; 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality as the site is currently developed with commercial uses; 5) The site is adequately served by all required utilities and public services.

ANALYSIS

Issue #1: Project Overview

The proposed project includes a minor remodel of Pad A, new exterior paint colors for the main shopping center building, a remodel of the existing monument sign, and a new monument sign at the main entrance. Pad A will be divided into two tenant spaces with a potential +/- 2,206 s.f. Starbucks with drive-thru and another +/- 1,003 tenant space. An outdoor dining patio will be added for each tenant. Two new entrances will be added to the east elevation and new colors and materials are proposed for the façade. Pad A

was originally built as a bank with a drive thru lane around the building. The building was subsequently converted to a restaurant and the drive thru lane was closed and converted to a patio.

Issue #2: General Plan, Zoning, and Land Use

The General Plan designation for the project site is Neighborhood Commercial and the Zoning designation is Neighborhood Commercial (C-2). Restaurants with a drive-thru are permitted in C-2 with approval of a use permit.

Surrounding land uses and zoning designations are:

North:

Hillcrest Avenue, vacant land / Neighborhood Commercial (C-2)

South:

Commercial development, canal / Neighborhood Commercial (C-2)

East:

Vacant land / Neighborhood Commercial (C-2)

West:

Shopping center, vacant land / Planned Development (PD)

Issue #3: Pad A Remodel and Drive-Thru

Drive-Thru

The entrance to the proposed drive-thru lane will be located to the north of the building and the exit will be to the west of the building, facing the gas station. Because Starbucks could be a relatively high-volume drive-thru at peak hours, the applicant proposes to lengthen the original drive-thru lane to provide enough stacking space for 11 cars. A five-foot wide planting strip will be added to the parking lot to provide separation between the parking lot drive aisle and the drive-thru lane. Directional signage will be placed within the shopping center parking lot to direct customers to the drive-thru entrance. The drive-thru exit will include directional striping in order to avoid conflict with customers of the adjacent gas station.

Architecture

The applicant proposes to subdivide Pad A into two tenant spaces each with its own entrance. The new entry features will be added to the west elevation where there currently is one entry. The entry features will project from the building and feature square columns covered in dark gray and brown horizontal slate tile at the base and dark blue/green paint at the top (P-4 in the color legend provided with the plan set). The roofs of the entry features will use the same concrete s-tile as the current roof of the building and will include two copper-colored wall sconces each. The walls of the rest of the building will be covered with a combination of stained wood siding and masonry walls painted in a warm gray color (P-1). The fascia will be painted light gray (P-2) and the roof trip will be painted a beige color (P-5).

Signage

The fascia of the entry features and the east elevation will include approximately 40 s.f. of sign area for each tenant. The signage will be constructed of individual letters and

will be externally illuminated by black goose neck lights on the west elevation and internally illuminated on the east elevation.

Patios and Landscaping

The project will add a small patio to the north side of the building and a patio and new landscape planter to the south side of the building. A new five-foot wide planting strip will also be constructed adjacent to the new drive-thru lane entrance. Detailed landscape plans were not provided with the application; therefore, staff recommends that these areas be planted with water efficient plants and ornamental trees and that a detailed landscape plan be provided with the building permit submittal.

Trash Enclosure

The project will demolish the trash enclosure that is currently located in the former drivethru aisle to the west of the building and a new trash enclosure will be built to the south of the building. The new trash enclosure will be constructed out of solid masonry with a stucco finish and a standing seam metal roof. The enclosure's size will accommodate trash, recycling, and organic/food waste recycling. The applicant's plans did not specify the paint colors for the trash enclosure; therefore, staff recommends that the trash enclosure's walls, gabled ends, and roof match the color scheme of the building. This recommendation is included as a condition of approval in the attached resolution.

The relocation of the trash enclosure and the addition of a patio to the south side of the building will result in the loss of six parking spaces. There will still be 240 parking spaces shared between Pad A, Rite Aid and the shops to the north of Rite Aid after the remodel; therefore, there will be sufficient shared parking on site.

Issue #4: Paint Colors

The proposed project will update the colors of Pad A and the main shopping center building, which includes Safeway and Rite Aid. Taco Bell and the Chase Manhattan pad building are under separate ownership and are not a part of this application. The entry features for Safeway and Rite Aid will be painted in a warm rust tone (P-3) and the remaining fascia and stucco walls will be painted either light or dark gray depending on the location (P-1, P-2). The metal elements of the two decorative towers will be painted dark blue/green (P-4). The masonry walls and concrete columns will remain unpainted.

The Safeway gas station is under the same ownership as the main shops building and Pad A, but the applicant does not propose painting the gas station or its trash enclosure. The current yellow and terra cotta colors of the gas station will not complement the new color scheme; therefore, staff recommends that the gas station be painted in the same color scheme proposed for the rest of the center. A condition has been added to this effect.

Issue #5: Monument Signs

The applicant proposes to renovate the existing monument sign at the corner of Hillcrest Avenue and Deer Valley Road and to install a new monument sign at the main entrance driveway off of Deer Valley Road.

Corner Monument Sign

The corner monument sign will keep the current horizontal and curved design, but will be updated with the same colors proposed for the shopping center and will add additional tenant sign panels. The existing concrete sign base will be painted the blue/green color (P-4) and the mesh screen will be replaced by a solid aluminum panel painted light gray (P-6). The new aluminum panel will include 21-inch high halo lit aluminum letters identifying Safeway and Rite Aid. The bottom section will include seven internally illuminated smaller tenant panels with acrylic background and lettering. The name of the shopping center is spelled out vertically on the side of the sign.

The Citywide Design Guidelines require limiting the number of colors on any sign (7.3.2.A) and the proposed sign shows at least four sign colors. Therefore, staff included a condition of approval requiring that the lettering of the seven minor tenant panels be limited to one color, such as red or dark green, to provide a more uniform look to the sign. Corporate brand logos will be allowed in any color.

Secondary Monument Sign

The proposed secondary monument sign is located at the Deer Valley Road entrance and will replace the masonry sign in this location. The sign is 12 feet 10 inches high and includes ten tenant sign panels. The sign is constructed out of aluminum and will be painted to match the corner monument sign.

As discussed above, staff also recommends that the lettering of the eight minor tenant sign panels on this sign be limited to one color to comply with the Citywide Design Guidelines. The Guidelines also require that the base of monument signs include natural flagstone, rock, brick or wood siding (7.3.5.G). The corner monument sign is curved; therefore, these types of materials cannot be applied. However, the same horizontal slate tile that is being added to Pad A could easily be added to the three foot aluminum base of the secondary monument sign. Staff has added a condition of approval to this effect.

<u>ATTACHMENT</u>

A. Aerial Photograph

PLANNING COMMISSION RESOLUTION NO. 2017-**

RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION APPROVING A USE PERMIT AND DESIGN REVIEW FOR THE CROSSINGS SHOPPING CENTER

WHEREAS, Banducci Associates requests approval of new exterior paint colors for the main shops building, a remodel of Pad A, including re-opening a closed drivethru lane, and new monument signage for The Crossings Shopping Center. The project site is located at the southeast corner of Deer Valley Road and Hillcrest Avenue (APNs 052-460-016, 017, 018, 020, 022); and,

WHEREAS, this project is categorically exempt from the provisions of CEQA pursuant to CEQA Guideline section 15332 – Infill Development Projects; and,

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

WHEREAS, on February 1, 2017, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Planning Commission makes the following required findings for approval of a Use Permit:

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

The proposed drive-thru is located in an existing developed commercial area. Adequate parking for the proposed use is provided on-site. The proposed project will not be detrimental to the public health or welfare or injurious to the property or improvements.

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

Fast food restaurants and drive-thru services require a Use Permit. The zoning and General Plan designation for the project site is commercial and the site and surrounding area are developed with commercial uses, including drive-thru restaurants.

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

The site is currently occupied by a restaurant building and an associated parking lot with landscaping. The site would be adequate in size and shape to accommodate the proposed use, as well as all aspects associated with the use. In addition, the project as conditioned meets the requirements of the zoning standards and is comparable to the surrounding uses in the area.

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

The project site is bounded by Deer Valley Road to the East and Hillcrest Avenue to the north. Both streets are major arterials, which are adequate in width and pavement type to carry the kind of traffic generated by the proposed use. In addition, the proposed use is consistent with the current Neighborhood Commercial (C-2) zoning of the site.

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

The General Plan designation for the project site is Neighborhood Commercial. The proposed drive thru use is consistent with the designation and with the surrounding uses and will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** a use permit and design review of new exterior paint colors for the main shops building, a remodel of Pad A, including re-opening a closed drive-thru lane, and new monument signage for The Crossings Shopping Center. The project site is located at the southeast corner of Deer Valley Road and Hillcrest Avenue (APNs 052-460-016, 017, 018, 020, 022), subject to the following conditions:

A. **GENERAL CONDITIONS**

- 1. The Project shall be constructed and operated in compliance with City of Antioch Municipal Code requirements and standards.
- The site plan shall be corrected to include any conditions required by the Planning Commission which call for a modification or change to the site plan and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
- 3. City staff shall inspect the site for compliance with conditions of approval prior to final inspection approval.

- 4. That this approval expires two years from the date of approval (Expires February 1, 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.
- 5. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement or environmental review. 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.
- 6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and other fees that are due.
- 7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
- 8. This approval supersedes previous approvals that have been granted for this site.
- 9. All required easements or rights-of-way for off-site improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. <u>CONSTRUCTION CONDITIONS</u>

- 1. The use of construction equipment shall be restricted to weekdays between the hours of 8:00 a.m. and 5:00 p.m., or as approved in writing by the City Manager.
- 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. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

C. FIRE REQUIREMENTS

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

- a. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for any of the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. The required re-submittals shall include tenant improvement plans, fire sprinklers, and fire alarm (105.4.1) CFC, (901.2) CFC, (107) CBC.
- b. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to "CCCFPD" (Contra Costa County Fire Protection District).

D. <u>FEES</u>

- 1. The applicant shall pay all fees as required by the City Council.
- 2. The applicant shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
- 3. The applicant shall pay any required Drainage Area fees prior to the issuance of any building permits for this project.
- 4. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.

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 project shall comply with Property Maintenance Ordinance Section 5-1.204.
- 3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
- 4. Standard dust control methods shall be used to stabilize the dust generated by construction activities.
- 5. No signs shall be installed on this site without prior City approval.
- 6. Any cracked or broken sidewalks shall be replaced as required by the City Engineer.

G. CONSERVATION/NPDES

1. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under

NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

- 2. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well as 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. Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- 3. The following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
 - b. 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.

- c. 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.
- d. Install on all catch basins "No Dumping, Drains to River" decal buttons.
- e. 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.
- f. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The applicant shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
- g. 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.
- h. 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.
- i. 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.
- j. Install full trash capture device(s) in storm water catch basins that collect water from the project site. A "full trash capture device" is defined as any device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate resulting from a one-year, one-hour, storm in the tributary drainage catchment area. Selected devices must be detailed on the building permit plan submittal and approved by Public Works prior to installation.

H. UTILITIES

1. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, except existing P.G.& E. towers, if any or as approved by the City Engineer.

- 2. All storm water flows shall be collected onsite and discharged into an approved public storm drain system. The trash enclosure must drain to a sanitary sewer and shall incorporate methods to contain refuse runoff at the front-gate and pedestrian access point to prevent stormwater from entering the enclosure.
- 3. Improvements and fees that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
- 4. The developer shall provide adequate water pressure and volume to serve this development, as approved by the City Engineer. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi.
- 5. A reduced backflow prevention device shall be installed on all City water meter services.

I. LANDSCAPING

- Landscape shall show immediate results. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.
- 2. Landscaping and signage shall not create a sight distance problem.
- Detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for this building.
- 4. All trees shall be a minimum 15-gallon size and that all shrubs shall be a minimum 5-gallon size.
- 5. 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 use permit and design review approval applies to the remodel and reopening of a drive-thru lane at Pad A with queuing space for approximately 11 cars, the addition of two outdoor patios, new exterior paint colors for the main

shops building, and new monument signage for The Crossings Shopping Center on November 8 and November 29, 2016.

- 2. Bicycle parking shall be provided consistent with Antioch Municipal Code. Location and number of bicycle parking spaces shall be submitted for the review and approval of the Community Development Department prior to the issuance of building permits.
- 3. A parking lot striping and signing plan shall be approved by the City Engineer. Parking spaces shall be double-striped per AMC § 9-5.1719.
- 4. Driveway access to neighboring properties shall be maintained at all times during construction.
- 5. All lighting sources shall be shielded, diffused or indirect to avoid glare to pedestrians and motorists.
- 6. Wall signs shall be constructed from individual mounted, internally illuminated channel letters.
- 7. The Pad A trash enclosure walls, gabled ends, and roof match shall be painted to match the color scheme of the Pad A building, subject to approval of the Community Development Department prior to the issuance of building permits.
- 8. The lettering of minor tenant sign panels on the corner monument sign and the secondary monument sign shall be limited to one color. Revised sign plans shall be subject to review and approval of the Community Development Department prior to the issuance of building permits for sign installation. Corporate brand logos are allowed in any color.
- 9. Pad A shall be allowed two tenant signs on the fascia of the west elevation and the east elevation with a maximum sign area of 40 s.f. for each sign. The sign copy of each sign shall use the same font style and the colors shall be consistent with the signs installed in the rest of the shopping center. The signs shall be individual channel letters.
- 10. The secondary monument sign located at the Deer Valley Road driveway shall include horizontal slate tile on the three foot aluminum base to match the tile proposed on Pad A.
- 11. That the gas station shall be painted in the same color scheme proposed for the main shops building and Pad A.

- 12. New areas of landscaping around Pad A shall be planted with drought tolerant ornamental trees, shrubs, and groundcover. A detailed landscape plan shall be submitted with the building permit submittal subject to review the approval of the Planning Manager prior to issuance of building permits.
- 13. The building permit submittal shall include detailed design plans for the menu and order signage for the drive thru. The location and the design of the menu and order signage shall be subject to the approval of the Community Development Director prior to the issuance of building permits.

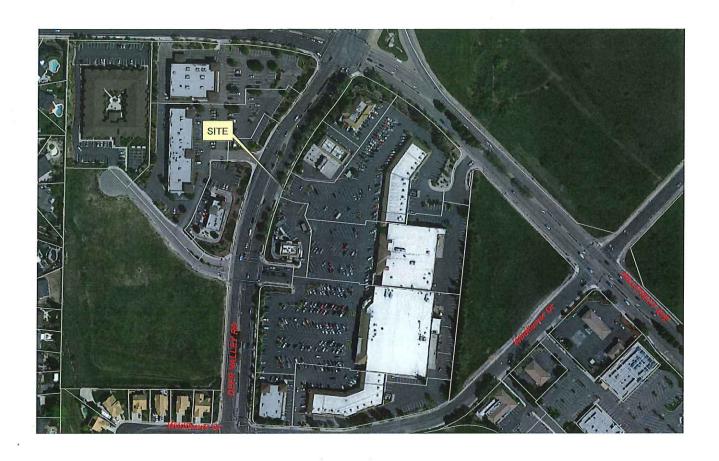
* * * * * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 1st day of February, 2017.

AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	Forrest Ebbs
	Secretary to the Planning Commission

ATTACHMENT "A"

ATTACHMENT A



Α1

STAFF REPORT TO THE PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF FEBRUARY 1, 2017

Prepared by:

Kevin Scudero, Associate Planner

Reviewed by:

Alexis Morris, Planning Manager

Date:

January 20, 2017

Subject:

Antioch Woman's Club Outdoor Garden (UP-16-20, V-16-06)

RECOMMENDATION

It is recommended that the Planning Commission **APPROVE** a use permit allowing an outdoor garden event space and a variance to place a six foot high fence in the required front yard setback at the Antioch Woman's Club facility located at 503 G Street.

REQUEST

Elizabeth Rimbault requests approval of a use permit to add an outdoor garden event space at the existing Antioch Woman's Club facility and a variance to place a six foot high wrought iron fence in the front yard setback. The project site is located at 503 G Street (APN 066-147-009).

BACKGROUND

Three years ago, the Antioch Woman's Club purchased the dilapidated building adjacent to their existing clubhouse at 509 G Street. The building was torn down because its state of disrepair posed a safety hazard to the existing Antioch Woman's Club Facility. The lot has been temporarily fenced off for the last three years and now the Woman's Club proposes to convert the lot into a usable garden space for events currently being held at the club.

ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to Section 15301 – Existing Facilities. This section of CEQA exempts projects that:

- Consist of the operation of existing public or private structures.
- Involve negligible or no expansion of an existing use beyond that existing at the time of the lead agency determination.

ANALYSIS

Issue #1: Project Overview

The applicant proposes to add an outdoor garden area to serve as additional space for the events currently hosted at the Antioch Woman's Club. The existing clubhouse is used for wedding receptions, family events, club luncheons, craft fairs and other similar type events. The outdoor garden will serve as additional space for guests who currently rent the facility. The addition of outdoor garden space will not add to the capacity of the venue or the number of people attending events there.

The proposed fence is an attractive open six foot high black wrought iron fence which will be placed at the perimeter of the property on 5th Street and G Street. The outdoor garden space will have a pergola/stage, as well as attractive landscaping consisting of trees, shrubs, crushed rock beds and cement walkways. All of the plantings are designed for maximum color year round and minimum maintenance to convey an attractive park-like setting.

The applicant's project description is provided as Attachment "B".

The General Plan designation of the property site is Medium Density Residential. The site is zoned Rivertown Low-Medium Density Residential (RTR-10).

The surrounding land uses and zoning designations are:

North: Commercial Rivertown Commercial (RTC)

South: Church / Rivertown Low-Medium Density Residential (RTR-10)
East: Residential / Rivertown Low-Medium Density Residential (RTR-10)
West: Antioch School District Offices / Rivertown Low-Medium Density

Residential (RTR-10)

Issue #2: Parking

The addition of the outdoor garden space will not add any additional parking demand to the existing facility. The space is only going to be used for events currently hosted at the site and the occupancy limits will remain the same. Staff has conditioned the use permit to not allow separate events to be held in the outdoor garden space and indoor facility at the same time.

Issue #3: Noise

One of the main concerns with an outdoor event space is the potential noise impacts on adjacent properties. Staff has included conditions in the attached resolution prohibiting any amplified music or noise of any kind in the outdoor garden space and prohibiting all outdoor activities after 10:00 PM.

Issue #4: Variance Findings

The applicant is requesting a variance to place a six foot high fence in the required front yard setback. The Rivertown Low-Medium Density Residential district requires a fifteen foot front yard setback. Fences placed in the front yard setback are restricted to three feet in height. To approve a variance, four findings must be made (Antioch Municipal Code Section 9-5.2703). If an application can meet all four of the findings, then the variance can be granted. Conversely, if any one of the findings cannot be made, the variance should be denied.

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.

There are exceptional or extraordinary circumstances that apply to the intended use of the property that would require the granting of a variance from the minimum front yard setback. The outdoor space will function as the side yard of the existing facility and placing a six foot tall fence around the entire property will provide secure private space for events. The lot is relatively small and placing a six foot high fence outside of the front yard setback would deprive the property of adequate space for an outdoor garden area.

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

The granting of the variance will have little or no effect on the surrounding properties. The fence is open, wrought iron construction and has been conditioned to minimize any potential line of sight issue. The fence is an attractive design and placing it in the right of way will enable the Woman's Club to replace an unattractive outdoor dirt lot and replace it with an attractive outdoor garden space.

3. 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 classification.

There are special circumstances that are applicable to the subject property that make application of the zoning provisions for fencing difficult to adhere to. The existing Woman's Club facility and the previous building on the site were both built up to the property line as well as many other commercial buildings in this zoning district. Requiring this site to comply with the required front yard setback would not be consistent with other commercial buildings in this zoning district.

4. The granting of such variance <u>will not</u> adversely affect the comprehensive General Plan.

The applicant's request would not adversely affect the comprehensive General Plan because the existing use of the property, assembly use, is consistent with the General Plan and this proposal will not change that.

ATTACHMENTS

- A. Aerial Photo
- B. Applicant's Project Description
- C. Site Plan

CITY OF ANTIOCH PLANNING COMMISSION RESOLUTION NO. 2017-**

RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION APPROVING A USE PERMIT AND VARIANCE (UP-16-20, V-16-06) FOR AN OUTDOOR GARDEN SPACE AT 503 G STREET

WHEREAS, the City of Antioch received a request from Elizabeth Rimbault for approval of a use permit and variance to add an outdoor garden space at the Antioch Woman's Club and to place a six foot high fence in the required front yard setback. The project site is located at 503 G Street. (APN 066-147-009); and

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301; and

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

WHEREAS, the Planning Commission on February 1, 2017, duly held a public hearing and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission does determine:

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

The proposed outdoor garden space will serve as additional space for events already hosted at the club and will not increase the maximum occupancy of events held there. Based upon the conditions imposed, the proposed outdoor garden space will not create adverse impacts to the surrounding businesses and residents.

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

The site is zoned Rivertown Low-Medium Density Residential (RTR-10). The City of Antioch Municipal Code allows assembly uses with the approval of a use permit in the Rivertown Low-Medium Density Residential District.

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

The proposed outdoor garden space will be adjacent to the existing Antioch Woman's Club facility that has operated in the Rivertown area for over 100 years. The addition of the garden space will not increase the number of people currently utilizing the site.

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

The project site is located at the corner of 5th Street and G Street, which is adequate in width and pavement type to carry the traffic generated by the proposed use.

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

The use will not adversely affect the comprehensive General Plan because the project is consistent with the General Plan designation for the site of Medium Density Residential and is located adjacent to the existing Antioch Woman's Club facility.

WHEREAS, the Planning Commission does determine:

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.

There are exceptional or extraordinary circumstances that apply to the intended use of the property that would require the granting of a variance from the minimum front yard setback. The outdoor space will function as the side yard of the existing facility and placing a six foot tall fence around the entire property will provide secure private space for events. The lot is relatively small and placing a six foot high fence outside of the front yard setback would deprive the property of adequate space for an outdoor garden area.

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

The granting of the variance will have little or no effect on the surrounding properties. The fence is open, wrought iron construction and has been conditioned to minimize any potential line of sight issue. The fence is an attractive design and placing it in the right of way will enable the Woman's

Club to replace an unattractive outdoor dirt lot and replace it with an attractive outdoor garden space.

3. 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 classification.

There are special circumstances that are applicable to the subject property that make application of the zoning provisions for fencing difficult to adhere to. The existing Woman's Club facility and the previous building on the site were both built up to the property line as well as many other commercial buildings in this zoning district. Requiring this site to comply with the required front yard setback would not be consistent with other commercial buildings in this zoning district.

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

The applicant's request would not adversely affect the comprehensive General Plan because the existing use of the property, assembly use, is consistent with the General Plan and this proposal will not change that.

NOW THEREFORE BE IT RESOLVED, the Planning Commission of the City of Antioch does hereby **APPROVE** UP-16-20, V-16-06, to allow an outdoor garden space and a six foot high fence to be placed in the required front yard setback at the Antioch Woman's Club facility located at 503 G Street (APN 066-147-009), subject to the following conditions.

A. **GENERAL CONDITIONS**

- 1. The project shall comply with the Antioch Municipal Code. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.
- 2. 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.
- 3. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission.

- 4. No building permit will be issued unless the plan conforms to the project description and materials as approved by the Planning Commission and the standards of the City.
- 5. This approval expires two years from the date of approval (expires February 1, 2019), unless 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.
- 6. 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.
- 7. This approval supersedes previous approvals that have been granted for this site.

B. <u>FIRE REQUIREMENTS</u>

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

C. FEES

- 1. The applicant shall pay all fees as required by the City Council.
- 2. The developer shall pay all required fees at the time of building permit issuance.

D. PROPERTY MAINTENANCE

- 1. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
- 2. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
- 3. No signs shall be installed on this site without prior City approval.

E. USE REQUIREMENTS

- 1. This use permit applies to the outdoor garden space located at 503 G Street adjacent to the Antioch Woman's Club facility.
- 2. The number of attendees allowed at events shall be limited to the maximum occupancy of the Antioch Woman's Club facility. At no time shall the occupancy limit be exceeded.

- 3. The outdoor garden space shall never be rented or operated separately from the Antioch Woman's Club facility.
- 4. No amplified music or noise of any kind shall be allowed in the outdoor garden space.
- 5. Non-amplified music and all other noise shall be kept within the 80 decibel limit and at the property line cannot exceed 75 decibels.
- 6. No activity is allowed in the outdoor garden space after 10:00 PM.
- 7. Any lighting placed in the outdoor garden space shall not spillover into the adjacent residential property to the east of the outdoor garden space.
- 8. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.
- 9. The proposed fence shall be a maximum of six feet high and constructed of black wrought iron material.
- 10. The fence at the northwest corner of the site shall be located in such a manner so as not to obstruct the site distance of vehicles on 5th Street entering onto G Street, subject to the approval of the City Engineer.
- 11. The applicant shall be subject to a Planning Commission hearing, per Section 9-5.2707.1 of the City of Antioch Municipal Code, if the Antioch Police Department must respond to this property as a result of complaints received due to incidents related to noise or any other police response issues related to the assembly of people in the outdoor garden space. If the Planning Commission determines that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare, it can result in revocation of the use permit or imposition of a fine.
- 12. If the Antioch Police Department must respond to this property as a result of incidents related to the assembly of people in the outdoor garden space and they determine that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare they may immediately shut down the event and/or impose a fine.

* * * * * * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 1st day of February, 2017.

AYES:
NOES:
ABSTAIN:
ABSENT:

FORREST EBBS, SECRETARY TO THE PLANNING COMMISSION

ATTACHMENT "A"



City of Antioch GIS

Date printed:

ATTACHMENT "B"

RECEIVED

NOV 17 2016

Name of Project: Woman's Club of Antioch Garden

CITY OF ANTIOCH COMMUNITY DEVELOPMENT

For the last three years the Woman's Club of Antioch has owned the lot adjacent to it's clubhouse at 509 'G' Street. The address of the site lot is 503 'G' Street, Antioch. The dilapidated building previously on the lot represented a great fire hazard to the clubhouse being inappropriately built-up against the clubhouse North wall. The building was removed three years ago and the lot was temporarily fenced. Even with the temporary fence the lot was frequently subject to illegal dumping that had to be cleaned at the expense of the Woman's Club.

The Woman's Club wishes to convert the lot into a usable garden for the club. We have had a park-like design created that will limit maintenance and water use while providing a usable outdoor venue for club events. The lot is actually the side-yard to the clubhouse. The clubhouse itself currently has a 3 foot fence on it's street front of 'G' Street. We are requesting a variance for the 'G' Street side of the lot to allow a 6 foot fence all around the lot to prevent vandalism, dumping and inappropriate or unauthorized usage of the garden lot upon it's completion.

The proposed fence is open for visibility, black iron with a gate entrance on 'G' Street to our side-yard, and a driveway entrance gate on 5th Street to allow our garbage cans to be taken to 5th Street instead of 'G' Street as they are now, and to allow deliveries to the rear kitchen door of the clubhouse.

The current lot is dirt, with no structures and requires frequent weed abatement. We believe the garden lot will be a visual asset to the neighborhood and we wish to protect the garden just as all residential properties protect the gardens around their homes.

In addition to the variance for fence height on 'G' Street, this application is also requesting a permanent Use Permit for outdoor events of the clubhouse. From time to time the clubhouse is rented for wedding receptions, family events and other functions. We intend to add this outdoor venue as a possible rental option, however, it will never be rented separately from the clubhouse and will maintain the same occupancy level of the clubhouse. It would merely allow an outdoor wedding ceremony or family barbeque along with the clubhouse. The rules governing the garden will comply with all City regulations as to Sound, Lighting, and hours of operation as well as any other City regulation.

The garden will also be used for club luncheons, Spring and Fall Craft Fairs, and the like for club events. The schedule of events is not estimated to be any different than it has been over the last 106 years since the clubhouse construction in 1910. Our occupancy limits will remain the same and our parking needs will not change from our current usage. Therefore, we request the granting of the permanent Use Permit for our outdoor garden venue.

We are enclosing a copy of a typical rental agreement for the clubhouse. The agreement will be adjusted to reflect all City regulations regarding the outdoor garden area. We thank you for your consideration of this matter.

Elizabeth Rimbault, Chair of Lot Committee GFWC Woman's Club of Antioch

ATTACHMENT "C"

